

**MINUTES FOR THE REGULAR MEETING OF THE MAYOR AND COMMITTEE OF
THE TOWNSHIP OF WANTAGE, HELD AT THE WANTAGE TOWNSHIP
MUNICIPAL BUILDING, 888 STATE HIGHWAY ROUTE 23, WANTAGE, N.J., ON
NOVEMBER 13, 2014**

Mayor DeBoer called the regular meeting to order, and requested the Clerk call the roll. Upon roll call, the following members of the governing body were present: Mayor Bill DeBoer, Committeeman Ron Bassani, and Committeeman Bill Gaechter. The following members were absent: None.

Mayor DeBoer stated, "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, Public Laws 1975, Chapter 231. It has been properly noticed and posted and certified by the Clerk."

FLAG SALUTE

Mayor DeBoer invited all persons present to participate in the Pledge of Allegiance to the United States of America Flag.

CONSENT AGENDA

Mayor DeBoer requested that the governing body review the Consent Agenda.

Mr. Bassani moved to approve the following reports for filing:

- Construction Department Report for October 2014
- Zoning/Code Enforcement Report for October 2014
- Board of Health Report for October 2014
- Registrar of Vital Statistics Report for October 2014
- Municipal Clerk Report for October 2014
- Tax Collector Report for October 2014

Mr. Gaechter seconded the motion. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Mr. Bassani moved to authorize transfer of Budget Appropriations totaling \$20,630 as per recommendations of the Chief Financial Officer

Mr. Gaechter seconded the motion. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Mr. Bassani moved to authorize payment of Bills for the meeting of November 13, 2014, excluding P.O. #11948 in the amount of \$143.84, and P.O. #11028 in the amount of \$1,319.00.

Mr. Gaechter seconded the motion. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Mr. Bassani moved to authorize the refund of tax sale redemptions and premiums as follows:

\$31,478.11 to US Bank, Block 132 Lot 3.04 for tax sale certificate 12-29.

\$ 4,100.00 to US Bank, Block 132 Lot 3.04 for tax sale premium.

\$11,774.26 to US Bank, Block 14 Lot 5 for tax sale certificate 13-03.

Mr. Gaechter seconded the motion. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Mr. Bassani moved to authorize the refund of tax overpayments, as follows:

\$4,750.09 to Schenck, Price, Smith & King, LLP, for Block 4.01 Lot 1.10 for state tax appeal.

\$8,357.64 to Schenck, Price, Smith & King, LLP, for Block 4.01 Lot 1.09 for state tax appeal.

\$7,553.28 to Sussex Bank, Block 4.01 Lot 1.08 for overpaid 4th quarter taxes

\$1,943.54 to Sussex Bank, Block 18 Lot 43 for overpaid 4th quarter taxes.

Mr. Gaechter seconded the motion. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Mr. Bassani moved to authorize refunds for completed Land Use escrow applications, as follows:

\$2,457.29 to High Point Auto Sales, LLC, Block 7 Lot 21 for escrow deposit L-14-03.

\$ 142.53 to Margaret Morozov, Block 133 Lot 1.21&4 for escrow deposit L-13-03.

Mr. Gaechter seconded the motion. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

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Mr. Bassani moved to authorize Change Order #1 for the project entitled "Parking Lot Improvements at the Colesville Fire Department Building" paid to Earth Tec Associates in the additional amount of \$470.10 for additional materials used. Mr. Gaechter seconded the motion. Upon Roll Call:
Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Mr. Bassani moved to authorize Change Order #1 for the project entitled "Milling and Paving the Parking Lot at the Colesville Fire Department Building" paid to Tilcon NY in the additional amount of \$406.18 for additional materials used

Mr. Gaechter seconded the motion. Upon Roll Call:
Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Mr. Bassani moved to authorize Change Order #1 for the project entitled "Paving Volcanic Hill Road" reducing the total contract amount paid to Tilcon NY by \$265.69 for adjustments on materials used

Mr. Gaechter seconded the motion. Upon Roll Call:
Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Mr. Bassani moved to authorize Order #1 for the project entitled "Proposed Improvements to Volcanic Hill Road" reducing the total contract amount paid to Wantage Excavating by \$60.00 for adjustments on materials used during the course of the projects

Mr. Gaechter seconded the motion. Upon Roll Call:
Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Payment of Bills

Mr. Gaechter moved to authorize payment of P.O. #11948 in the amount of \$143.84, and P.O. #11028 in the amount of \$1,319.00, both payable to Bassani Power & Equipment. Mayor DeBoer seconded the motion. Mr. Bassani announced he was recusing himself from this discussion and action, and would cast no vote. Upon Roll Call:

Ayes: Gaechter, DeBoer Nays: None Absent: None Abstain: None

At this time, Mayor DeBoer digressed from the regular order of business and offered the floor to Ken Nelson and Greg Puzio of Volcanic Hill Road.

Mr. Nelson and Mr. Puzio offered expression of thanks for the work done to improve Volcanic Hill Road.

ADMINISTRATOR'S REPORT

Mr. Doherty reported that Township Engineer Harold Pellow reported the successful completion of the Project to Improve the Colesville Fire Department Parking Lot and the Project to Improve Volcanic Hill Road.

Mr. Gaechter moved to **accept the completion of the Project to Improve the Colesville Fire Department Parking Lot and the Project to Improve Volcanic Hill Road**, as per the Engineer's recommendation. Mr. Bassani seconded the motion. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Mr. Doherty presented a refund resolution for consideration of the governing body, which was not submitted in time for inclusion on the consent agenda.

Mr. Bassani moved to refund \$500 to Cory Coulson for **the completion of Driveway Improvement Project E-11-02** on Block 59, Lot 12. Mr. Gaechter seconded the motion.

Upon Roll Call:
Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Snow Plowing for Lake Windsor Roads: Mr. Doherty reported that the lowest responsive, responsible proposal received from contractors to handle the plowing, salting and sanding of Lake Windsor private roads is Erik Enterprises of Wantage.

Mr. Bassani moved to award the contract to handle the plowing, salting and sanding of Lake Windsor private roads is Erik Enterprises of Wantage, in the amount of \$75 per hour. Mr. Gaechter seconded the motion. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

ADMINISTRATOR'S REPORT, Continued

Discharge of Mortgage Request: Mr. Doherty reported that back in the 1970's – 1990's, the Township conducted a home improvement program for low income households. In many cases, the terms of the financial assistance involved no repayment of the loan until the home was sold. 202 Libertyville Road is one such property, and the amount of \$2,816.07 is being repaid to Wantage Township in order for Wantage to Discharge the Mortgage it is holding on this property, thus "freeing" it to be sold. This money will be deposited into the Township's COAH account.

Mr. Bassani moved to authorize the Discharge of Mortgage on 202 Libertyville Road in the amount of \$2,816.07, as per recommendation of the Township Administrator.

Mr. Gaechter seconded the motion. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Request for Resolution Approving Shares Service Agreement for sewer service: Mr. Doherty reported that as was done for the A&P Shopping Plaza back in 2000 – 2001, the Wantage Plaza wishes to have Wantage serve as a liaison / pass-thru for handling its payments to SCMUA and to Sussex Borough for connecting to the Sewer System served by those entities.

Mr. Gaechter moved to authorize the Resolution approving a Shared Services Agreement for Swer Service at the Wantage Plaza, as per the recommendation of the Township Administrator, subject to final confirmation of content and format by the Wantage Township Attorney.

Mr. Bassani seconded the motion. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Citizen Concern with Condition of Public Roads: This issue was tabled to the meeting of December 4, 2014.

Resignation of Stella Salazar: Per the recommendation of the Administrator, Mr. Bassani moved to accept, with regrets, the resignation of Stella Salazar from employment with Wantage Township. Mr. Gaechter seconded the motion. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Mr. Doherty requested the governing body enter into closed executive session to discuss filling this vacancy.

Hiring Next Judge: Mr. Doherty requested the governing body enter into closed executive session to discuss filling this vacancy.

Union Negotiations: Mr. Doherty requested the governing body enter into closed executive session to discuss strategy for negotiations with employee unions.

Unfair Labor Practice Litigation: Mr. Doherty requested discussion on this topic in closed executive session.

ATTORNEY'S REPORT: None

TOWNSHIP COMMITTEE REPORTS:

Mayor DeBoer congratulated Jon Morris on winning the November General election to serve on the 2015 Wantage Township governing body. Mayor DeBoer also offered an update on his recent meeting with representatives of the New Jersey Department of Transportation, to discuss concerns with the realignment project on Route 23 in Wantage and Sussex. The members of the governing body engaged in a general discussion regarding traffic pattern concerns generated by the new realignment.

Mr. Bassani offered an update report on his investigations to determine if potential vendors may be able to revise proposed bid specifications for increased bidding responses, and updated the governing body regarding activities of the Open Space Advisory Committee. General discussion took place regarding open space acquisition efforts.

OLD BUSINESS:

Use Regulations for Lake Neepaulin

The governing body held discussion with Recreation Commission Acting Chair Christy Tupor and Board Secretary Jeanne McBride, to review recommendations submitted by the Recreation Commission concerning recreational activities to be permitted, or prohibited, at Lake Neepaulin. General review and consideration of the proposal took place, much of which involved discussion of whether or not to allow swimming, after which the members of the governing body agreed to table this matter to an indefinite date in the future, so the governing body may conduct research and due diligence into the pros and cons of the proposal offered.

NEW BUSINESS:

Introduction of Ordinance 2014-18: Salary Amendment

Mr. Bassani moved to Introduce on first reading, Ordinance 2014-18, entitled "AMENDMENT TO AN ORDINANCE FIXING THE SALARIES OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF WANTAGE, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, FOR THE YEAR 2014."

Mr. Gaechter seconded the motion. Final Hearing on this Ordinance is scheduled for December 4, 2014. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Introduction of Ordinance 2014-19: Stop signs & Speed Limits Amendment for Clove Hill Manor

Mr. Bassani moved to Introduce on first reading, Ordinance 2014-19, entitled "AN ORDINANCE AMENDING CHAPTER VII, THE TRAFFIC CHAPTER, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF WANTAGE." Mr. Gaechter seconded the motion. Final Hearing on this Ordinance is scheduled for December 4, 2014. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Mayor DeBoer digressed from the Regular Order of Business at his time to acknowledge the presence of a New Jersey State Trooper who joined the meeting. Mayor DeBoer explained that one outcome of his recent meeting with Sussex Station Barracks Commander Lt. Seaman was for a courtesy presence by a State Trooper when possible, at Wantage public meetings, to promote and preserve a smooth line of communication with the State Police. Mayor DeBoer welcomed the Trooper to the meeting.

Approval of Minutes

Mr. Bassani moved to confirm approval of minutes as follows:

- The minutes of the Regular Meeting and Executive Session of the Wantage Township governing body held on September 25, 2014.
- The minutes of the Regular Meeting of the Wantage Township governing body held on October 9, 2014
- The minutes of the Regular Meeting of the Wantage Township governing body held on October 23, 2014

Mr. Gaechter seconded the motion. Upon Roll Call:

Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

OPEN PUBLIC SESSION:

Mayor DeBoer opened the meeting to the public at this time.

William Gettler, Gemmer Road, expressed concern that he was informed that water sampling at Lake Neepaulin was done incorrectly; and expressed concern that signs directing people to St. Clare Hospital in Sussex were misleading;

Mayor DeBoer, Mr. Gaechter, and Mr. Gettler discussed the concern regarding the signs.

Mr. Gettler expressed his disagreement with the joint purchase of a Ladder truck by Wantage and Sussex in 2003. General discussion took place regarding this topic.

Ann Smulewicz, Route 23, offered congratulations to Jon Morris for winning the Election; offered congratulations to the Recreation Commission for the recommendations they presented; stated her belief that members of FOLN should not be included as a subcommittee for recommendations concerning Lake Neepaulin; expressed a desire to have her complaints and concerns regarding her neighbor's impact on her property dealt with by the Township in a comparable manner as the residents' concerns on Lower Unionville road were addressed; expressed disappointment that representatives of Wantage were not present at a recent meeting at the County Administration Building in which the Freeholders received a presentation on population trends and expectations for economic development options in the future.

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Mayor DeBoer explained that a meeting between State elected officials, county freeholders, and local elected officials was held last week, which Mayor DeBoer and Mr. Doherty attended, at which much of the information Mrs. Smulewicz mentioned was discussed and reviewed, so even though the Mayor did not attend the public meeting, he and Mr. Doherty were in fact debriefed on the topic.

Mrs. Smulewicz and Mayor DeBoer continued to discuss matters involving economic development and the Fire Department and First Aid Squad.

Kathy Gorman, Fernwood Road, expressed thanks to the Recreation Commission for their input on proposed use regulations at Lake Neepaulin; expressed disagreement with a suggestion for creating a subcommittee of the Recreation Commission to offer input on this topic; expressed opposition to the possibility of allowing swimming in the lake; suggested implementing use regulations and recreational programs in increments rather than all at once.

Mr. Bassani clarified that he was not suggesting FOLN should play a role in the decision making process regarding use regulations at the lake, but that it made sense to use whatever experience and information they may have which would be beneficial to the Township. General discussion on this topic continued between Mr. Bassani and Mrs. Gorman.

Mrs. Smulewicz again offered observations on Lake Use Regulations, and again expressed her appreciation for the input from the Recreation Commission.

Mr. Gaechter clarified that no one on the governing body has, in any way, discredited the input from the Recreation Commission. The governing body is simply tabling a decision regarding their input and recommendations pending further review and consideration, so that due diligence can be performed before a decision is made.

Mayor DeBoer stated that no one in the Wantage community has even brought up the topic of swimming or no swimming at the lake to him, but his memory of swimming in lakes as a child are fond ones, and he believes it is prudent to investigate whether it is possible to provide such an opportunity for today's Wantage youth.

No one else expressed a desire to speak. Mayor DeBoer closed the meeting to the public.

EXECUTIVE SESSION

Mr. Bassani moved to approve the following resolution:

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Wantage, that the public shall be excluded from discussion of the following matter(s):

1. Discussion of the terms and conditions of employment of prospective employees of the Municipal Court and the Land Use Board.
2. Negotiations of terms and conditions of employment for employees of the Blue Collar and White collar Unions representing Wantage employees.
3. Discussion of a matter of ongoing litigation involving Crum vs. Wantage Township

BE IT FURTHER RESOLVED that Minutes will be kept on file in the municipal clerk's office, and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes shall be made public.

Mr. Gaechter seconded the motion. Upon roll call,

Ayes: Gaechter, Bassani, DeBoer Nays: None Absent: None Abstain: None

After meeting in closed session, the members of the governing body returned and Mayor DeBoer declared the meeting open for conducting the regular order of 'business.

Mr. Gaechter moved to authorize the attorney to present a settlement offer in the matter of Crum v. Wantage Township, to resolve an Unfair Labor Practice Charge, as discussed in closed session. Mr. Bassani seconded the motion. Upon roll call,

Ayes: Gaechter, Bassani, DeBoer Nays: None Absent: None Abstain: None

Mr. Bassani authorized the Administrator to present offers of employment for filling the vacancy in the Land Use Secretary position as per discussions held in closed session.

Mr. Gaechter seconded the motion. Upon roll call,

Ayes: Gaechter, Bassani, DeBoer Nays: None Absent: None Abstain: None

ADJOURNMENT

There being no further items for the attention of the governing body, Mr. Bassani moved to adjourn the meeting. Mr. Gaechter seconded the motion. Upon roll call,
Ayes: Gaechter, Bassani, DeBoer Nays: None Absent: None Abstain: None

Mayor DeBoer declared this meeting adjourned.

Respectfully Submitted,

James R. Doherty, Municipal Clerk