

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP
OF WANTAGE, HELD AT THE WANTAGE TOWNSHIP BUILDING, 888 STATE ROUTE 23,
WANTAGE, NJ, HELD AT 7 P.M. ON
December 14, 2017**

Mayor Morris called the meeting to order, and requested that the Clerk call the roll. Upon roll call, the following members of the governing body were present: Mayor Jonathan Morris, Committeeman Ron Bassani, and Deputy Mayor William Gaechter. Also, present: Administrator/Acting Clerk Debra Millikin, Glenn Kienz, Esq. and Louis Karp, Esq.

Mayor Morris stated, "This meeting is being held in compliance with the provisions of the Open Public Meeting Act, P.L. 1975, Chapter 231. It has been properly noticed and certified by the Clerk."

Mayor Morris stated he wanted to do something different tonight and asked that any veterans in the audience stand and state when you served and what branch.

CONSENT AGENDA

Mayor Morris requested a motion to approve Resolution 132-2017 through Resolution 141-2017, Resolution 144-2017 through Resolution 148-2017 and the monthly reports for November 2017 Board of Health, Clerk, Housing, Land Use, Property Maintenance, Registrar, Tax Collector, and Zoning excluding PO #14932 for Bassani Power Equipment, LLC for \$68.98.

Motion made by Mr. Bassani, and seconded by Mr. Gaechter.

Upon Roll Call:

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

TOWNSHIP OF WANTAGE

RESOLUTION #132-2017

RESOLUTION AUTHORIZING A DISABLED VETERAN EXEMPTION ON
BLOCK 163 LOT 3.05

WHEREAS, The Department of Veteran Affairs determined that Javier Rosa at 86 Crigger Road, Block 163 Lot 3.05 had a service connected disability that was totally disabling effective January 25, 2006,

WHEREAS, the Tax Assessor has received a Claim for property tax exemption on dwelling house of Disabled Veteran, which was approved by the Tax Assessor on October 10, 2017.

WHEREAS, as per N.J.S.A.54: 4-3.30et seq, Mr. Rosa is entitled to a tax exemption on his property located at 86 Crigger Road from September 22, 2017, the date he purchased and began residing in the home.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Tax Collector is authorized to cancel taxes billed from September 22, 2017 to December 31, 2017 in the amount of \$3,658.24.
2. This property will be marked as exempt in the 2018 tax list.

This Resolution shall take effect immediately.

TOWNSHIP OF WANTAGE

RESOLUTION #133-2017

RESOLUTION APPROVING JUNK LICENSE FOR 2018 TO MEISSNER

WHEREAS, under section 4.3 of the revised general ordinance book of Wantage Township allows for Junk Yards to be licensed; and

WHEREAS, Charles and Annette Meissner own Block 117, Lot 33 and are reapplying for a junk license for 2018;

NOW, THEREFORE BE IT RESOLVED, that by the Township Committee of the Township of Wantage, County of Sussex that it hereby approves the junk license for 2018 to Charles and Annette Meissner for Block 117, Lot 33.

TOWNSHIP OF WANTAGE

RESOLUTION #134-2017

RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 MILLING & PAVING OF VARIOUS ROADS FOR 2017

WHEREAS, on the Township of Wantage awarded a contract for the milling and paving for Morgan Drive, Marc Drive, Northfield Drive, Southfield Drive, and Eastfield Drive to Tilcon New York, Inc., on August 10, 2017, in the amount of \$529,004.95; and

WHEREAS, the Township Engineer, Harold E. Pellow, of Harold E. Pellow & Associates, recommended approving Change Order No.1, reducing the total contract to \$491,058.05 on September 14, 2017; and

WHEREAS, the Township Engineer, Harold E. Pellow, of Harold E. Pellow & Associates, recommends approving Change Order No. 2, the milling and paving for Morgan Drive, Marc Drive, Northfield Drive, Southfield Drive, and Eastfield Drive reducing the total contract by \$6,037.17 for a new contract total of \$485,020.88, and accepting the job as final and complete;

NOW, THEREFORE BE IT RESOLVED, that by the Township Committee of the Township of Wantage, County of Sussex that it hereby concurs with the Town Engineer's recommendation and accepts Change Order No. 2 for the milling and paving of Morgan Drive, Marc Drive, Northfield Drive, Southfield Drive, and Eastfield Drive, and accept the project and final and complete; and

BE IT FURTHER RESOLVED, that a copy of Change Order No. 2, be attached to and made part of this Resolution.

TOWNSHIP OF WANTAGE
RESOLUTION #135-2017

AUTHORIZE EXECUTION OF SHARED SERVICE AGREEMENT FOR ANIMAL CONTROL AND POUND
SERVICES WITH BOROUGH OF FRANKLIN FOR 2018

WHEREAS, the Borough of Franklin desires to enter into a shared service agreement with the Township of Wantage for animal control and pound services for 2018; and

WHEREAS, the annual fee for the calendar year 2018 is \$11,985.00; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Town of Wantage, Sussex County, New Jersey that the Mayor and Acting Municipal Clerk are authorized to execute an agreement for animal control and pound services with Borough of Franklin for the calendar year 2018.

TOWNSHIP OF WANTAGE
RESOLUTION #136-2017

AUTHORIZE EXECUTION OF SHARED SERVICE AGREEMENT FOR ANIMAL CONTROL AND POUND
SERVICES WITH SANDYSTON TOWNSHIP FOR 2018

WHEREAS, the Sandyston Township desires to enter into a shared service agreement with the Township of Wantage for animal control and pound services for 2018; and

WHEREAS, the annual fee for the calendar year 2018 is \$2,378.00; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Town of Wantage, Sussex County, New Jersey that the Mayor and Acting Municipal Clerk are authorized to execute an agreement for animal control and pound services with Sandyston Township for the calendar year 2018.

TOWNSHIP OF WANTAGE
RESOLUTION #137-2017

AUTHORIZE EXECUTION OF SHARED SERVICE AGREEMENT FOR ANIMAL CONTROL AND POUND
SERVICES WITH TOWNSHIP OF MONTAGUE FOR 2018

WHEREAS, the Township of Montague desires to enter into a shared service agreement with the Township of Wantage for animal control and pound services for 2018; and

WHEREAS, the annual fee for the calendar year 2018 is \$12,565.00; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Town of Wantage, Sussex County, New Jersey that the Mayor and Acting Municipal Clerk are authorized to execute

an agreement for animal control and pound services with Township of Montague for the calendar year 2018.

TOWNSHIP OF WANTAGE

RESOLUTION #138-2017

AUTHORIZE EXECUTION OF SHARED SERVICE AGREEMENT FOR ANIMAL CONTROL AND POUND SERVICES WITH TOWNSHIP OF HARDYSTON FOR 2018

WHEREAS, the Township of Hardyston desires to enter into a shared service agreement with the Township of Wantage for animal control and pound services for 2018; and

WHEREAS, the annual fee for the calendar year 2018 is \$17,138.00; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Town of Wantage, Sussex County, New Jersey that the Mayor and Acting Municipal Clerk are authorized to execute an agreement for animal control and pound services with Township of Hardyston for the calendar year 2018.

TOWNSHIP OF WANTAGE

RESOLUTION #139-2017

AUTHORIZE EXECUTION OF SHARED SERVICE AGREEMENT FOR ANIMAL CONTROL AND POUND SERVICES WITH BOROUGH OF HAMBURG FOR 2018

WHEREAS, the Borough of Hamburg desires to enter into a shared service agreement with the Township of Wantage for animal control and pound services for 2018; and

WHEREAS, the annual fee for the calendar year 2018 is \$11,985.00; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Town of Wantage, Sussex County, New Jersey that the Mayor and Acting Municipal Clerk are authorized to execute an agreement for animal control and pound services with Borough of Hamburg for the calendar year 2018.

TOWNSHIP OF WANTAGE

RESOLUTION #140-2017

AUTHORIZE EXECUTION OF AGREEMENT FOR AN OPEN SPACE & RECREATION PLAN WITH THE LAND CONSERVANCY OF NEW JERSEY

WHEREAS, the Township of Wantage requires an update to be completed on the Open Space and Recreation Plan; and

WHEREAS, The Land Conservancy of New Jersey has provided a \$10,000 to complete the Open Space and Recreation Plan for the Township of Wantage;

WHEREAS, the Chief Financial Officer has supplied a certification of funds for the Open Space and Recreation Plan;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Town of Wantage, Sussex County, New Jersey that the Mayor and Acting Municipal Clerk are authorized to execute an agreement with The Land Conservancy of New Jersey to complete the Open Space and Recreation Plan.

TOWNSHIP OF WANTAGE

RESOLUTION #141-2017

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT FOR 2018 FOR THE TOWNSHIP OF WANTAGE

WHEREAS, the Township of Wantage (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A: 10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of the Risk Management Consultant; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position; and

NOW THEREFORE, BE IT RESOLVED by the governing body of "Local Unit", in the County of Sussex and State of New Jersey, as follows:

1. The Township of Wantage (Local Unit) hereby appoints Keith Mitchell of The Mitchell Agency its Risk Management Consultant.
- 2.
3. The Mayor and the Municipal Clerk of the Township of Wantage and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2018 in the form attached hereto

Name of Entity: Township of Wantage

TOWNSHIP OF WANTAGE

RESOLUTION #144-2017

RESOLUTION APPROVING BILLS AND VOUCHERS FOR PAYMENT

BE IT RESOLVED by the Township Committee of the Township of Wantage in the County of Sussex that payment is hereby approved for all vouchers that have been properly authenticated and presented for payment, representing expenditures for which appropriations were duly made in 2016 and 2017 Budgets adopted by this local Governing Body, including any emergency appropriations, and where unexpended balances exist in said appropriation accounts for the payment of such vouchers.

TOWNSHIP OF WANTAGE

RESOLUTION #145-2017

RESOLUTION AWARDING QUOTES FOR SNOW PLOWING, SANDING & SALTING ON VARIOUS
ROADS WITHIN WANTAGE TOWNSHIP

WHEREAS, quotes were received on December 5, 2017 for snow plowing, sanding and salting of various roads within Wantage Township from January 1, 2018 to December 31, 2019; and

WHEREAS, only one quote was received. Erik Enterprise Landscaping, LLC for 928 State Highway Route 23, of Wantage with the hourly price of \$125.00 per hour; and

WHEREAS, the Purchasing Agent recommends the award of snow plowing, sanding, and salting on various roads contract to Erik Enterprise Landscaping, LLC., at \$125.00 per hour and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wantage, County of Sussex, does hereby award the snow plowing, sanding, and salting on various roads contract to Erik Enterprise Landscaping, LLC., of Wantage, NJ at the hourly rate of \$125.00.

TOWNSHIP OF WANTAGE

RESOLUTION #146-2017

AUTHORIZING REFUND

WHEREAS, the Tax Collector has recommended the Mayor and Committee of the Township of Wantage reimburse funds for lien redemptions.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Wantage, County of Sussex, does hereby authorize the refund of

\$16,548.19 to US Bank for Block 10 Lot 1.01 for Tax Sale Cert. 16-03
\$44,652.42 to M & V Liens for Block 11 Lot 5 for Tax Sale Cert. 16-04
\$37,539.06 to US Bank for Block 18 Lot 36.01 for Tax Sale Cert. 15-02

This Resolution shall take effect immediately.

TOWNSHIP OF WANTAGE

RESOLUTION #147-2017

TRANSFER RESOLUTION

WHEREAS, N.J.S.A. 40A:4-58 permits appropriation transfers to be made during the last two months of the fiscal year, and

WHEREAS, it is necessary to transfer appropriations between line items presently located in the 2017 Current Fund Budget;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of

Wantage, County of Sussex, State of New Jersey that the following transfers be made.

<u>FROM:</u>		<u>TO:</u>	
Gas and Diesel		Legal	
Other Expenses	13,600.00	Other Expenses	13,600.00
		(Salt Lit., Open Space Referendum)	
Buildings and Grounds		Fire Hydrants	
Other Expenses	55.00	Other Expenses	55.00
Administration		Celebration of Public Events	
Other Expenses	850.00	Other Expenses	850.00
		(Move items to correct account)	
 Total Transfers:	 14,505.00		 14,505.00

TOWNSHIP OF WANTAGE

RESOLUTION #148-2017

RESOLUTION AUTHORIZING A CONTRACT WITH SPACE FARMS ZOO and MUSEUM FOR DEER CARCASSES REMOVAL FOR 2018

WHEREAS, Space Farms Zoo and Museum have provided deer carcasses removal for the Township of Wantage; and

WHEREAS, the price for 2018 is \$31.00 per deer carcasses removal,

NOW, THEREFORE BE IT RESOLVED, that by the Township Committee of the Township of Wantage, County of Sussex that it authorizes the Township Administrator to enter into an agreement for 2018 for deer carcasses removal with Space Farms Zoo and Museum.

Mayor Morris stated a motion is in Order to approve PO#14932 for Bassani Power Equipment, LLC for \$68.98.

Motion made by Mr. Gaechter and seconded by Mayor Morris.

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

NEW BUSINESS:

Resolutions

Mayor Morris stated Resolution #142-2017 RESOLUTION APPROVING THE ADMINISTRATION OF A CERTAIN FINANCIAL AGREEMENT AND APPROVING A CERTAIN SHARED SERVICE AGREEMENT is being tabled tonight and will be on the meeting agenda.

Mayor Morris stated Resolution #143-2017 RESOLUTION APPROVING AN APPLICATION OF SUSSEX/WANTAGE 285 URBAN RENEWAL, LLC FOR A FINANCIAL AGREEMENT WITH RESPECT TO BLOCK 18, LOT 43 AND AMENDING A CERTAIN REDEVELOPMENT AGREEMENT BETWEEN SUSSEX/WANTAGE 285 URBAN RENEWAL, LLC, THE BOUROUGH OF SUSSEX AND THE TOWNSHIP OF WANTAGE.

Motion made by Mr. Gaechter, and seconded by Mr. Bassani.

Upon Roll Call:

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

TOWNSHIP OF WANTAGE

RESOLUTION #143-2017

RESOLUTION APPROVING AN APPLICATION OF SUSSEX/WANTAGE 285 URBAN RENEWAL, LLC FOR A FINANCIAL AGREEMENT WITH RESPECT TO BLOCK 18, LOT 43 AND AMENDING A CERTAIN REDEVELOPMENT AGREEMENT BETWEEN SUSSEX/WANTAGE 285 URBAN RENEWAL, LLC, THE BOROUGH OF SUSSEX AND THE TOWNSHIP OF WANTAGE

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LHRL"), certain property within the Township of Wantage ("Township") known as Block 18, Lots 40, 41 and 43 and Block 18.01, Lot 1 have been designated as an area in need of redevelopment (the "Wantage Redevelopment Area"), by Resolution of the Wantage Township Committee ("Township Committee"); and

WHEREAS, pursuant to the LHRL, certain property within the Borough of Sussex ("Borough") known as Block 104, Lot 1.01, Block 105, Lot 1.03 and Block 106, Lots 1.02, 11, 12, 13 and 14 have been designated as an area in need of redevelopment (the "Sussex Redevelopment Area"), by Resolution of the Sussex Municipal Council ("Municipal Council"); and

WHEREAS, by Ordinance adopted on November 12, 2015, pursuant to N.J.S.A. 40A:12A-4(a)(3) and -7, the Township Committee adopted a redevelopment plan for the Wantage Redevelopment Area, which may be further amended ("Wantage Redevelopment Plan"); and

WHEREAS, by Ordinance adopted on November 26, 2013, pursuant to N.J.S.A. 40A:12A-4(a)(3) and -7, the Municipal Council adopted a redevelopment plan for the Sussex Redevelopment Area, which may be further amended ("Sussex Redevelopment Plan and together with the Wantage Redevelopment Plan, the "Redevelopment Plan"); and

WHEREAS, on June 28, 2016, Sussex/Wantage 285 Urban Renewal, LLC ("Entity") entered into a redevelopment agreement with the Borough and the Township (the "Original Redevelopment Agreement") governing the Entity's redevelopment of a portion of the Sussex Redevelopment Area and Wantage Redevelopment Area, specifically, Block 104, Lot 1.01, Block

105, Lot 1.03 and Block 106, Lots 1.02 and 14 as shown on the tax maps of the Borough of Sussex ("Original Sussex Property") and Block 18, Lot 43 and Block 18.01, Lot 1 as shown on the tax maps of the Township of Wantage ("Original Township Property" and along with the Original Sussex Property, the "Original Project Site") pursuant to the Redevelopment Plan; and

WHEREAS, pursuant to the Original Redevelopment Agreement and in accordance with the Redevelopment Plan, the Entity has agreed to develop on the Original Project Site an approximately 60,000 square foot supermarket and commercial retail space ("Project"), as further described in the Original Redevelopment Agreement; and

WHEREAS, the parties have determined that Block 106, Lot 14 of the Original Sussex Property and Block 18.01, Lot 1 of the Original Township Property are not needed for the development of the Project; and

WHEREAS, the parties shall enter into the first amendment to the Original Redevelopment Agreement in the form attached hereto ("First Amendment"; the Original Redevelopment Agreement as amended by the First Amendment, the "Redevelopment Agreement") to remove the aforementioned Blocks and Lots from the description of the Original Project Site, resulting in the Project to be constructed on Block 104, Lot 1.01, Block 105, Lot 1.03 and Block 106, Lot 1.02 as shown on the tax maps of the Borough of Sussex ("Sussex Property") and Block 18, Lot 43 as shown on the tax maps of the Township of Wantage ("Township Property" and together with the Sussex Property, the "Project Site");

WHEREAS, pursuant to N.J.S.A. 40A:20-1 et seq. ("LTTE Law"), the Township is authorized to grant property tax exemptions with respect to Project improvements made within an area in need of redevelopment and has determined that it is appropriate to do so for a term of thirty (30) years, pursuant to a redevelopment plan, and to accept annual service charges in lieu of real estate taxes on those Project improvements; and

WHEREAS, pursuant to the LTTE Law, the Entity has applied to the Mayor and Township Committee for a long term tax exemption for the Project improvements; and

WHEREAS, the Township Committee has reviewed the Entity's application for financial agreement for the Project ("Application"), including a proposed form of financial agreement, and finds that the Application satisfies the submission requirements of the LTTE Law; and

WHEREAS, the Mayor and Township Committee have determined to approve the Entity's Application, subject to adoption of an ordinance approving the financial agreement pursuant to the LTTE Law, N.J.S.A. 40A:20-9.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wantage, that

1. The Mayor is authorized to execute the First Amendment to the Original Redevelopment Agreement in the form attached hereto.

2. The Entity's Application attached hereto for long term tax exemption with respect to the Project improvements to be located on Block 18, Lot 43 of the Township of Wantage, is hereby approved.

3. The financial agreement contained in the Entity's Application shall not take effect until approved by ordinance by the Township Committee and execution by the parties.

4. This resolution shall take effect immediately.

Introduction of Ordinances

Mayor Morris stated a motion is in order to introduce on first reading ORDINANCE #2017-16 ORDINANCE AMENDING THE SALARIES OF OFFICERS, AND EMPLOYEES OF THE TOWNSHIP OF WANTAGE COUNTY OF SUSSEX AND STATE OF NEW JERSEY, FOR THE YEAR 2017.

Motion made by Mr. Gaechter, and seconded by Mr. Bassani.

Upon Roll Call:

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

TOWNSHIP OF WANTAGE

ORDINANCE #2017-16

ORDINANCE AMENDING THE SALARIES OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF WANTAGE, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, FOR THE YEAR 2017

BE IT ORDAINED by the Township Committee of the Township of Wantage, County of Sussex, State of New Jersey as follows:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:9-165, the Township of Wantage shall pay its municipal officers and employees for services rendered as shown below. Figures shown represent annual salary, unless otherwise indicated.

DEPARTMENT & POSITION

Lauren McIntosh, Interim Municipal Court Administrator \$18.00 per hour
10/18/17-12/3/17

Donna Chernov, Municipal Court Administrator \$59,000
Debra Millikin, Municipal Clerk (Incremental Increase) \$ 5,000

Section 2. All former ordinances or part thereof conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall take effect after publication and passage according to law.

Mayor Morris stated a motion is in order to introduce on first reading ORDINANCE #2017-17 ORDINANCE APPROVING AND AUTHROTIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH RESPECT TO BLOCK 18, LOT 43 IN THE TOWNSHIP OF WANTAGE.

Motion made by Mr. Bassani, and seconded by Mr. Gaechter.

Upon Roll Call:

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

TOWNSHIP OF WANTAGE

ORDINANCE #2017-17

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT
WITH RESPECT TO BLOCK 18, LOT 43 IN THE TOWNSHIP OF WANTAGE

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LHRL"), certain property within the Township of Wantage ("Township") known as Block 18, Lots 40, 41 and 43 and Block 18.01, Lot 1 have been designated as an area in need of redevelopment (the "Wantage Redevelopment Area"), by Resolution of the Wantage Township Committee ("Township Committee"); and

WHEREAS, pursuant to the LHRL, certain property within the Borough of Sussex ("Borough") known as Block 104, Lot 1.01, Block 105, Lot 1.03 and Block 106, Lots 1.02, 11, 12, 13 and 14 have been designated as an area in need of redevelopment (the "Sussex Redevelopment Area"), by Resolution of the Sussex Municipal Council ("Municipal Council"); and

WHEREAS, by Ordinance adopted on November 12, 2015, pursuant to N.J.S.A. 40A:12A-4(a)(3) and -7, the Township Committee adopted a redevelopment plan for the Wantage Redevelopment Area, which may be further amended ("Wantage Redevelopment Plan"); and

WHEREAS, by Ordinance adopted on November 26, 2013, pursuant to N.J.S.A. 40A:12A-4(a)(3) and -7, the Municipal Council adopted a redevelopment plan for the Sussex Redevelopment Area, which may be further amended ("Sussex Redevelopment Plan" and together with the Wantage Redevelopment Plan, the "Redevelopment Plan"); and

WHEREAS, on June 28, 2016, Sussex/Wantage 285 Urban Renewal, LLC ("Entity") entered into a redevelopment agreement with the Borough and the Township (the "Original Redevelopment Agreement") governing the Entity's redevelopment of a portion of the Sussex Redevelopment Area and Wantage Redevelopment Area, specifically, Block 104, Lot 1.01, Block 105, Lot 1.03 and Block 106, Lots 1.02 and 14 as shown on the tax maps of the Borough of Sussex ("Original Sussex Property") and Block 18, Lot 43 and Block 18.01, Lot 1 as shown on the tax maps of the Township of Wantage ("Original Township Property" and along with the Original Sussex Property, the "Original Project Site") pursuant to the Redevelopment Plan; and

WHEREAS, pursuant to the Original Redevelopment Agreement and in accordance with the Redevelopment Plan, the Entity has agreed to develop on the Original Project Site an approximately 60,000 square foot supermarket and commercial retail space ("Project"), as further described in the Original Redevelopment Agreement; and

WHEREAS, the parties have determined that Block 106, Lot 14 of the Original Sussex Property and Block 18.01, Lot 1 of the Original Township Property are not needed for the development of the Project; and

WHEREAS, the parties are entering into the first amendment to the Original Redevelopment Agreement ("First Amendment"; the Original Redevelopment Agreement as amended by the First Amendment, the "Redevelopment Agreement") to remove the aforementioned Blocks and Lots from the description of the Original Project Site, resulting in the Project to be constructed on Block 104, Lot 1.01, Block 105, Lot 1.03 and Block 106, Lot 1.02 as shown on the tax maps of the Borough of Sussex ("Sussex Property") and Block 18, Lot 43 as shown on the tax maps of the Township of Wantage ("Township Property" and together with the Sussex Property, the "Project Site"); and

WHEREAS, pursuant to N.J.S.A. 40A:20-1 et seq. ("LTTE Law"), the Entity has applied separately to the Mayor and Municipal Council and to the Mayor and Township Committee for a financial agreement for the portion of the Project improvements to be located on the Project Site, and the LTTE Law authorizes the Township to accept annual service charges in lieu of real property taxes paid by an urban renewal entity to the Township; and

WHEREAS, by Resolution adopted December 14, 2017, the Township approved the Entity's application for financial agreement for the Project ("Application"); and

WHEREAS, the Entity, Borough and Township have negotiated a proposed form of financial agreement covering the Project improvements located on both the Sussex Property and Township Property, a copy of which is attached hereto, and the Mayor and Township Committee have determined that it is appropriate to approve the execution of a financial agreement with the Entity substantially in the form attached; and

WHEREAS, the Mayor and Township Committee make the following findings with respect to the relative benefits of the Project to the redevelopment of the Project Site when compared to the costs, if any, associated with the tax exemption:

- (a) The financial agreement is to the direct benefit of the health, safety, welfare and financial well-being of the Township and its citizens;
- (b) The Project will accelerate the redevelopment of the Project Site by providing a new retail supermarket to an area that does not have any retail supermarkets, and which use will encourage and strengthen other commercial, retail and residential development; and
- (c) The Project will generate jobs, increase tax ratables and provide public improvements and, when compared to the costs, if any, associated with the tax exemption, the Township finds that the benefits outweigh the costs, recognizing that the Township will retain ninety-five percent (95%) of the amount of the annual service charge.

WHEREAS, the Mayor and Township Committee make the following determinations assessing the importance of the tax exemption to be granted in obtaining the development of the Project and in influencing the locational decisions of probable occupants of the Project:

- (a) The financial agreement is a critical incentive for the Entity in obtaining development of the Project and influencing the locational decisions of the probable occupants of the Project;

(b) The tax exemption permits the development of the Project by reducing the expenses associated with the development of the Project on a site that has been vacant, deteriorated and consists of substandard structures and obsolete infrastructure improvements and for which the Township has previously been seeking redevelopers; and

(c) Reduced expenses allows rents to be set at competitive levels which would not be the case if the costs incurred as part of development were required to be recovered through rents. As a result, the locational decisions of the probable tenants (residential and retail) will be influenced positively by the tax exemption.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wantage, County of Sussex and State of New Jersey as follows:

Section 1. The findings set forth above are hereby adopted and made part of this Ordinance.

Section 2. Pursuant to the authority granted under the LTTE Law, this Ordinance authorizes the long-term tax exemption with respect to the improvements of the Project on Block 18, Lot 43 as shown on the official tax maps of the Township of Wantage.

Section 3. The Mayor is authorized to execute the financial agreement substantially in the form attached hereto, and any other agreement or document related thereto deemed relevant and appropriate by counsel to the Township in furtherance of the financial agreement and this Ordinance.

Section 4. The financial agreement herein authorized shall be subject to all requirements of the LTTE Law and all applicable federal, State and local laws and regulations.

Approval of Minutes

Mayor Morris a motion is in order to approve the minutes of the Mayor and Committee November 9, 2017.

Motion made by Mr. Bassani, and seconded by Mr. Gaechter.

Upon Roll Call:

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

REPORTS

Clerk/Administrator – Mrs. Millikin advised that in the month of November the Clerk's Office processed 13 OPRA requests.

Mrs. Millikin stated that she received a request from a Doris McManus regarding a property she owns at 1209 Route 23. She is in the process of selling the property and would like the vacant property fee waived. I had indicated to her Realtor that the Committee has not waived this fee in the past. The fee would be \$1,666.00. Ironically, this property sold on Monday and everything has been paid including the vacant property fee. Mr. Gaechter questioned when was the fee due? Mrs. Millikin indicated

that this was due at time of vacancy. The Committee was not in favor of refunding the vacant property fee.

Mrs. Millikin stated she received a copy of the construction permit issued to Town Center at Wantage for the construction of the watermain. The date of issue is December 5th.

Mrs. Millikin stated the DPW has been very busy with snow and there is more projected within the next 5 days.

Mrs. Millikin next item is regarding the Ambulance discussion. She did speak with John Card again on the ambulance. Mr. Card feels if the Township Committee is not going to buy a new ambulance that it would be worth putting a new engine in the old ambulance. John did get her two quotes regarding this which is approximately \$19,000. Mr. Card feels mechanically the vehicle is in good shape. Mrs. Millikin indicated that Mr. DeBoer may want to add more to this conversation as well. Mr. Gaechter stated reviewing this a bit closer and discussing with Mr. DeBoer he would take his word for replacing the engine. Mr. Bassani stated he also talked to Mr. DeBoer and Mr. Card and feels it is worth the investment in the old ambulance. Mayor Morris questioned if this will provide a band-aid for now. Mr. DeBoer stated this will help us get a couple of years. One of the biggest issues is the fact that the ambulances are going to Newton and placing a lot of miles on the ambulances and this will help giving us more in the rotation. Mr. DeBoer feels that this will give the Township another 3 years. Mayor Morris questioned if this needs a motion. Mrs. Millikin indicated this contract will require an award because over \$17,500.

Mrs. Millikin stated she is happy to report that she passed the exam for Municipal Clerk. The \$50.00 check has already been sent in for my certification. The Committee congratulated Mrs. Millikin

Mrs. Millikin stated her final item as a reminder the Municipal Offices will be closing early tomorrow for the Office Christmas party at 1:00 p.m. The Municipal Offices will be closed on Friday, December 22nd for Christmas Eve and Monday, December 25th for Christmas Day. She advised she will be out of the office on December 18th, 21st, 26th and 27th. On behalf of my family I wish each and every one of you a very Merry Christmas and a Health and Happy 2018.

Attorney Report – Mr. Kienz advised he received a call from Mr. Butto regarding the Clove Road property.

Mayor's Report – Mayor Morris stated for the last couple of meetings the Committee has talked about the utilization of the pavilion. Mayor Morris recommended that a sub-committee be form and he will sit on this along with a member of recreation, and Mrs. Millikin to come up with process for the use of the pavilion. Mayor Morris indicated there are a number of people that have reached out regarding having a wedding ceremony. Mayor Morris indicated the goal is to have a proposal by the second meeting in January or by the first meeting in February. Mr. Kienz requested any of this be communicated through Mrs. Millikin. Mrs. Millikin indicated she has a draft of the proposed use form. Mr. Gaechter stated he wants people to remember this is an active park. Discussion ensued

on this matter. Mr. Bassani questioned when special events at the park the pavilion will not be used.

Mayor Morris stated that the pavilion dedication will be done in the Spring at one of the first events of the year. He also advised that the Memorail for Jim Doherty will be done on the opening day of baseball and softball either April 14th or 21st.

Mayor Morris stated there was a meeting with the Judge, Prosecutor, new Court Administrator, Zoning Officer, and Animal Control regarding scheduling court dates with the Township Officials and make better use of their time.

Mayor Morris stated there has been some crazy winter weather in the last week or so. My thanks to the DPW for keeping the roads safe. This is not an easy job and do not park your cars in the street.

Mayor Morris asked if either of the Committee Members are available on Saturday, December 16th about Wreathes Across America. The Mayor can not attend if one of the Committee Members can attend could you please advise Mrs. Millikin

Mayor Morris stated Mr. Kienz touched on the Clove Road parcel. He also had a question regarding Flagstone Development and the developer is dropping the ball and the DPW is plowing the roads and needs some guidance from Harold Pellow. Mr. Kienz stated the professionals on this matter. Mrs. Millikin indicated a meeting has been set up with the developer next Wednesday.

Mayor Morris attended the tree lighting. My thanks to the Sussex Fire Department Mike Clark and the guys spent a lot of hours in the cold. The Wantage Fire Department and First Aid Squad escorting Santa. The Recreation did a great job. Thanks to the Sussex Wantage School and the Board of Education.

Mayor Morris stated lastly on behalf of myself and family I want to wish you a very Merry Christmas! God Bless you and your families and be safe!

Deputy Mayor Report – Mr. Gaechter stated he thinks the tree looks great and loves the star on top. My thanks again to the DPW for keeping the roads clear during the storms. Merry Christmas to everyone, Happy Holidays and hope everyone has a very Healthy & Happy New Year.

Committee Member Report – Mr. Bassani also stated Merry Christmas everyone. Everything is going well. 2017 a lot was accomplished, handled a lot of issue and kept the budget flat again. I expect to do this again in 2018. Again Merry Christmas and Happy New Year!

OLD BUSINESS

None

OPEN PUBLIC SESSION

Mayor Morris opened the meeting to the public.

Jackie Espinoza from JCP&L stated a few years ago she was here regarding the transmission station approval and BPU did approve this and wanted to provide an update. Mrs. Espinoza stated the tree looks great. Everything went well with the transfer switch work a couple weeks ago.

Mr. William Gettler 98 Gemmer Road stated he is comforted when he hears the plows going by. Mr. Gettler offered remarks on various subjects including soil conservation, Division of Taxation Department of Treasury letter, and his 130 page incomplete report regarding "Study concerning Tax Assessors and Tax Official in the four northwestern counties of New Jersey: Morris, Passaic, Sussex & Warren, concentrating on Farmland Assessment, Subtitle: Farmland Assessment, apparently a prime example of New Jersey's systemic official corruption." Mayor Morris interrupted Mr. Gettler stated in fairness to everyone else I need to shorten you. Mayor Morris stated this was decided in court already. Mr. Gettler stated no this is criminal matter. Mayor Morris asked Mr. Gettler to provide his paperwork and they would review.

Mrs. Diane Castle 41 Old Clove Road who resided in Wantage for 14 years, and Mr. Ken Robertson residing in Wantage for 40 years. Mrs. Castle advised they are here on behalf of Sussex Airport and presented information regarding the wrongful outcome of a recent case in Wantage court involving Mr. Bill Gennaro. Mayor Morris stated the Township is aware of this matter and do not have answers on this matter at this time but working with the court and Zoning Officer on this matter. Mr. Bassani stated the Committee has gotten the message. Mr. Kienz stated that Mr. Haggerty had a substitute prosecutor there but the matter was done before Mr. Haggerty came in that night.

Mr. John Massari 18 Bantry Terrace he is also a pilot and as an aircraft owner put off buying an airplane due to the condition of the airport. Since the new owner bought the property the taxi run way is in bad shape and the FAA has improvement grants, but since the operation of Mr. Gennaro's property this money can not be obtained by the FAA.

Joseph Retz 145 Libertyville Road he is here regarding the introduction of the ordinance on the Urban Renewal Project and how much is the Township getting out of this project. What does the Township stand to gain from this project? Mayor Morris stated a PILOT. Mr. Bassani questioned has the PILOT been signed off by the two municipalities. Mr. Kienz stated yes with the introduction of the ordinance. Mr. Bassani stated what is being said tonight could change. Mr. Retz questioning why is this a 30 year tax exemption project. Mr. Kienz stated Mr. Karp is here tonight to explain a PILOT. Mr. Karp provided a quick synopsis regarding, PILOT in an Area in Need of Redevelopment known as a Payment In Lieu of Taxes. 95% goes to the Municipality and 5% goes to the County of Sussex per the statute.

Kathy Gorman Fernwood Road questioned the explanation of parking on the Biscack parcel and is this temporary D variance? Mayor Morris stated this is temporary and a specific date decided to allow for the parking on the site. Mrs. Gorman questioned is this going to change the tax class on the site. Mr. Keinz stated this could only be answered by Kristy Lockburner as the Tax Assessor.

Mr. John Nuss 49 Beemer Road he thanked Mrs. Millikin for her help with RER and reaching out to Cliff Lundin on this matter. This is still a major nuisance and no one is doing anything to address this matter. Mr. Nuss also stated the permit is up for renewal this year in 2018. Mr. Bassani questioned does this come back to the Township. Mayor Morris stated he is not sure they will require approval by the Township, but this is a reason why he is sitting on SWAC. Mr. Gaechter stated I agree with you 100% with the smell there is a problem and depends on the wind and continue to hit road blocks on this matter. Mayor Morris stated that the Township will continue to address this moving forward.

Bob Heiden Old Clove Road he is happy to see the ShopRite project moving forward, however not happy about the school not getting taxes. He hopes future developments the schools are considered. Thank you for your efforts with the tree lighting. Thank you to the DPW with the roads being kept safe. Merry Christmas and Happy New Year! Mr. Bassani stated this is a very limited piece of property to take advantage of and hope this will be an anchor store to help bring more ratables into the Township.

Justin Vander Groef Chief Wantage Fire Department. This is the end of his first year of being Fire Chief and thank you to all the staff both inside and outside and looking forward to next year. Merry Christmas and Happy New Year!

Bill DeBoer Wantage Fire Aid Squad and thank you for all you do.

There being no other public wishing to speak the public session was closed.

Executive Session

Mayor Morris stated a motion is in order to approve Resolution #149-2017 Authorizing the Township Committee to go into Executive Session to discuss Personnel Matter – Court, Contract Negotiations – Shared Services, Redevelopment, and Potential Litigation – Sherman Ridge Road.

Motion was made by Mr. Gaechter and seconded by Mr. Bassani

Upon Roll Call:

Aye: Bassani, Gaechter, Morris Nay: None Absent: None Abstain: None

TOWNSHIP OF WANTAGE

RESOLUTION #149-2017

EXECUTIVE SESSION December 14, 2017

WHEREAS, the Township of Wantage is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specific purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Wantage to discuss in a session not open to the public certain matters relating to the item authorized by N.J.S.A. 10:4-12b and designated below:

- (1) Personnel Matters – Court & Recreation
- (2) Contract Negotiations – Shared Service Contract, White Collar & Blue Collar

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wantage, assembled in public session on November 9, 2017, that an Executive Session closed to the public shall be held on November 9, 2017, at 8:10 PM in the Township of Wantage Municipal Building, 888 Route 23, Wantage, NJ, for the discussion of matters relating to the specific item designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Mr. Bassani made a motion to come out of Executive Session at 9:16 PM and was seconded by Mr. Gaechter.

Upon Roll Call:

Aye: Bassani, Gaechter, Morris Nay: None Absent: None Abstain: None

Mr. Kienz stated nothing discussed in Executive Session will be discussed tonight.

Mayor Morris requested a Motion to adjourn made by Mr. Gaechter and seconded by Mr. Bassani.

Upon Roll Call:

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

Meeting adjourned at 9:16 p.m.

Respectfully Submitted,

Debra Millikin, Acting Municipal Clerk