

**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 7:00 P.M. ON
June 28, 2018**

Mayor Gaechter 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 William Gaechter, Deputy Mayor Ronald Bassani and Committeeman Jonathan Morris. Also, present: Administrator/Clerk Debra Millikin and Mr. Glenn Kienz, Esq.

Mayor Gaechter 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."

CONSENT AGENDA

Mayor Gaechter requested a motion to approve Resolution #73-2018 to Resolution #74-2018, Resolution #79-2018 through Resolution #80-2018, and Application for Membership to Wantage First Aid Squad, Scott Buldiger of 823 Grennville Road, Sussex, NJ 07461.

A motion was made by Mr. Bassani and seconded by Mr. Morris.

Upon Roll Call:

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

TOWNSHIP OF WANTAGE

RESOLUTION #73-2018

CHAPTER 159 FOR INSERTION OF 2018 DWI GRANT

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, and,

WHEREAS, the Township of Wantage has received notification from the State of New Jersey Alcohol Education and Rehabilitation Fund that \$219.70 is now available for the 2018 DWI Grant, The Township of Wantage wishes to amend its 2018 Municipal Budget to include this amount as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of Wantage, in the County of Sussex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the amount of \$219.70 which is now available as a revenue from:

- Miscellaneous Revenues
- Section F: Special Items of General Revenue Anticipated
- with Prior Written Consent of Director of Local Government Services
- Public and Private Revenues Offset with Appropriations:

Alcohol Education and Rehabilitation Fund

BE IT FURTHER RESOLVED, that a like sum of \$219.70 be and the same is hereby appropriated under the caption of:

- (A) Operations Excluded from "CAPS"
Public and Private Programs Offset By Revenues
Alcohol Education and Rehabilitation Fund

BE IT FURTHER RESOLVED, that the Clerk forward two copies of this resolution to the Director of the Division of Local Government Services.

TOWNSHIP OF WANTAGE

RESOLUTION # 74-2018

Resolution Renewing Liquor Licenses for 2018 - 2019 Licensing Term

BE IT RESOLVED, that the Mayor and Committee of the Township of Wantage, in the County of Sussex, State of New Jersey, does hereby approve the renewal of the liquor licenses named below for the licensing term of July 1, 2018 through June 30, 2019:

CLUB LICENSE

<u>License#</u>	<u>Licensee & Location:</u>	<u>Trading As:</u>
1924-31-012-001	PVT. Charles Auberger Post 213 American Legion 915 Route 23 Sussex, NJ 07461	American Legion

PLENARY RETAIL CONSUMPTION LICENSES

1924-33-003-009	Stuffed Green Olive, LLC 447 Route 284 Wantage, NJ 07461	Green Olive
1924-33-001-007	Akshar Liquors Wantage, LLC 65 County Route 639 Wantage, NJ 07461	Airport Pub & Package

PLENARY RETAIL DISTRIBUTION LICENSE

1924-44-011-003	HPLAY Liquors, LLC 83 Hamburg Turnpike Wantage, NJ 07461	Woody's Liquor Shop
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TOWNSHIP OF WANTAGE

RESOLUTION #79-2018

AUTHORIZING REFUND FOR PAVILION SECURITY DEPOSIT

WHEREAS, the Recreation Secretary has recommended the Mayor and Committee of the Township of Wantage reimburse funds for a pavilion security deposit.

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

\$250 to Darold & Lisa Block for pavilion security deposit.

TOWNSHIP OF WANTAGE

RESOLUTION #80-2018

CONFIRMING 2018 MUNICIPAL OPEN SPACE TAX RATE

WHEREAS, the Governing Body recommended the Municipal Open Space Tax Rate for 2018 be set at .005 per \$100 of assessed value of real property at a budget workshop meeting.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Wantage, County of Sussex, does hereby confirm the 2018 Municipal Open Space Tax Rate of .005 per \$100 of assessed value of real property.

REPORTS

Clerk/Administrator – Mrs. Millikin advised the first two items are the discussion of the two proposed ordinance Soil Ordinance and Used Car Ordinance.

Mayor Gaechter suggested starting on the Soil Ordinance first and then the Used Car Ordinance. Mrs. Millikin advised that the Soil Ordinance was sent to the Land Use Board for comment and she has incorporated their comments into the ordinance. Mrs. Millikin indicated that Mayor Gaechter did have a question regarding the definition of soil and material. Mayor Gaechter stated yes, the question is mulch. Mayor Gaechter read the definition of soil. He indicated there is a question on consolidated material versus stone in the first sentence. Mr. Kienz stated he will review and wants to tighten this ordinance definition better for the Committee. Mr. Kienz stated he will review the mulch for soil as well. Mayor Gaechter questioned if there were any other comments from the Committee? Mr. Bassani stated he had a couple questions is there a soil removal ordinance currently in Wantage. Moving forward if there is an ordinance being modified please send to him for review. He questioned what the Township is trying to accomplish with this ordinance assuming not allowing dumping of toxic material. Discussion ensued on this topic. Mrs. Millikin stated this provides the Township the ability to stop more than 5 tandem truck loads in the Township and having the proper analytics on the dirt material. Mr. Bassani questioned some of the whereas clauses and Mr. Kienz advised he would talk to Mr. Bassani. He recommended changing the title to soil importing and exporting. Mr. Bassani also questioned the purpose of findings the testing lab if this is required to be a certified lab. Discussion ensued on testing labs and 100 cubic yards of soil. Mr. Bassani requested that Harold Pellow be contacted regarding the amount of soil this trigger. Mr. Morris indicated when the sub-committee worked on this ordinance there was a

discussion of the total number to trigger the permit. The intent is stop the soil coming into the Township and making sure the permits are received. Mr. Bassani's final question is the fees to be charged for minor soil versus major soil. Discussion ensued regarding 100 cubic yards. Mr. Kienz will work with Mrs. Millikin and Mr. Bassani to make some changes in order to accomplish the intent of this ordinance.

Mrs. Millikin stated the next ordinance is a Used Car Ordinance to prohibit more used car dealers. Mrs. Millikin advised she has a list that show approximately 13 used car dealers. Mayor Gaechter questioned if new car dealers are part of this number. Mrs. Millikin indicated the new cars are not, however, Royal, Nielsen, and Franklin Sussex Auto Mall all of used car portions to their dealership to these three are included in the number. Mayor Gaechter questioned the definition of used motor vehicle that this need to be stronger from the state point of a licensed vehicle and registered that can be driven on the roadway. Mrs. Millikin indicated the sub-committee was looking at more of just a car as oppose to other vehicles. Mayor Gaechter questioned if the Committee wants to limit this to 14 or just leave to what exist today. Discussion ensued on this matter. Mr. Morris stated the sub-committee thought the number 14 would allow the Township to have one more additional licenses. Discussion ensued on the total number of licenses for used car dealers as well as if this includes motorcycles and motor homes. Mayor Gaechter stated some other changes are needed section 4-11.7 the time should match with below. This will be change to reflect 8 a.m. Under section 4-11.8 Proximity of Vehicles to Residences number one should be made part of 4-11.11 as well as number 3. Number 2 under section 4-11.8 should be eliminated since this is addressed up above. Number 4 should be eliminated. Number 5 should remain as part of section 4-11.8. Mayor Gaechter stated everything stating cars should be motor vehicle. Mr. Bassani questioned Board of Commissioners under 4-11.9. Mrs. Millikin stated this should be Township Committee.

Mrs. Millikin stated Tyler Shorr has achieved the ranking of Eagle Scout. His proclamation will be on the Township Committee Meeting on July 12th. Mrs. Millikin questions if the Mayor is planning on attending the event. Mayor Gaechter stated he cannot attend, but he is a friend and would reach out to him to invite to the Township Committee Meeting on the 12th.

Mrs. Millikin stated she provided a copy of the business checklist for the Committee Review tonight. Let me know your thoughts.

Mrs. Millikin questioned if the Mayor is planning on attending the League of Municipalities the week of November 13th through 15th. Mayor Gaechter stated he will not be attending. Mr. Bassani was going to advise her if he plans on attending.

Mrs. Millikin questioned if any of the Committee Members are planning on attending the Methodist Church ground breaking on July 1st at 2 p.m.? Mayor Gaechter and Mr. Morris will not be available. Mr. Bassani would check his schedule.

Mrs. Millikin stated as a reminder the Municipal Building will be closed on Wednesday, July 4th.

Mrs. Millikin stated she will be on vacation from July 14th through July 21st on vacation at Lake Cayuga.

Attorney – Mr. Kienz stated there have been some bad cases regarding Land Use Boards and Governing Bodies acting badly on religious freedom. The insurance companies are requesting a course for both Land Use Board and Governing Bodies to hold sessions to train everyone on Religious Freedom and Scope of Use & State Constitution. Mr. Kienz also recommended that the storm water videos be watched by all members of the Land Use Board and Governing Body. Mayor Gaechter stated the storm water videos are geared to civil engineers not Land Use Board Members.

Mr. Kienz advised that some municipalities are allowing taxes being paid by charitable donations. His legal opinion is not to allow these types of payments. Mayor Gaechter indicated the IRS has said this is not permitted. The Committee was in agreement.

Mr. Kienz stated that the Supreme Court ruled that union members are no longer required to pay dues. Mr. Bassani stated if he understands he believes all union shop members are still represented but do not have to buy into this union.

Mayor/Committee Report

Mayor Gaechter – He brought up the donation bins and how they look like dumpsters. He provided the example of the one in front of the Township Building. Mayor Gaechter requested anything alongside at the end of the day that is not clothing related that the DPW throw this in the Township dumpster.

Mayor Gaechter provided a Land Use update regarding Block 16, Lot 5.02 on Roy Road, a use variance for a change of use to have a rock crusher on site. The application was denied by the Land Use Board.

Mr. Bassani – He advised that he attended the Recreation and Parks Advisory Committee Meeting last night. Excited to say the people on the Recreation Committee are embracing Wantage Day. Kathy Gorman and Nicole Dunn have brought a fresh change to the Committee. He anticipates some requests coming from the Recreation Committee regarding Wantage Day. Mr. Bassani requested that a separate Wantage Day page be created for the web site. Mrs. Millikin will place a page on the web site for Wantage Day. Mr. Bassani gave a lot of examples of what they are planning for Wantage Day. Mr. Bassani also stated there is discussion of alcohol for the day and limited requirements. This will be up for discussion and bounce first to Mrs. Millikin and Mr. Kienz regarding alcohol consumption in the park.

Mr. Morris – None

OLD BUSINESS

Ambulance – Mayor Gaechter stated that Mr. Morris, Mrs. Millikin, Mr. Konopinski had a meeting to discuss the vehicle replacement plan. Mrs. Millikin indicated Mr. Card was also involved. She advised that she is working on what has been provided by the Fire

Department and First Aid Squad. Mrs. Millikin is working with Michelle LaStarza regarding the debt for bonding purposes. Mr. Morris also indicated that Mr. Card provided us with an update on the maintenance of all vehicles as well. Mr. Bassani just questioned if Mrs. Millikin can provide the standards/guidelines for replacement of vehicles both First Aid Squad and Fire Department. Mayor Gaechter stated based on this the ambulance discussion would remain on hold.

Mayor Gaechter advised Mr. DeBoer, Engineer of the Ambulance Squad, that this discussion is on hold regarding the ambulance. Mr. DeBoer stated he was questioning the list provided by Mr. Little. Discussion ensued and it was asked the Mr. DeBoer send an e-mail to Mrs. Millikin with his comments on the list.

Mr. Bassani asked if he could bring up some old business. Mr. Bassani questioned the flag pole status. Mrs. Millikin stated this is complete except for the light for the pole at Woodbourne Park. Mr. Bassani questioned the Narcan training for the Township scheduled for August 15th at 6 p.m. Mrs. Millikin stated she reached out to Katie Calvacca from Center of Prevention and Counseling to confirm who the sponsor is and then this will be advertised. Mr. Bassani questioned the potential field development at Woodbourne Park. Mrs. Millikin advised she has this map in her office. Mr. Bassani asked that Mrs. Millikin provide him the map along with an idea of cost. Mr. Bassani asked for a brief update on Barry Road. Mrs. Millikin stated everything is just about completed. The survey has been filed with NJDEP. There were a couple of changes needed so these are being done and will be submitted back to Larry Fink. The only outstanding item is the tank found on the property is a gray water tank. The drains from the sink and showers go into this tank and need to be replumbed to the septic. Once this is done the tank will be removed. Mrs. Millikin advised she hopes to close by September on the property. Mr. Bassani's final item was the boat ramp at Lake Neepaulin and working with the County on when the Township can apply. Mrs. Millikin advised that Autumn Sylvester had stated that once the application was available the Township would be advised.

NEW BUSINESS

RESOLUTION

Mayor Gaechter stated the following Resolutions would normally be on consent agenda, however, due to the large amounts for the cost of the maintenance of the roads within Wantage he asked to have placed on the regular agenda. Mayor Gaechter stated a motion is in order to approve Resolution #75-2018 Authorizing Contract with Morris Asphalt Company for Oil and Stone for 2018 of Medaugh Road, Glen Road, Quarry Road, Judge Beech Road, Courtright Road, Moore Road, Pond School Road, and Rockport Road for total of \$209,100.00.

A motion was made by Mr. Bassani and seconded by Mr. Morris.

Upon Roll Call:

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

TOWNSHIP OF WANTAGE

RESOLUTION #75-2018

RESOLUTION AUTHORIZING CONTRACT WITH MORRIS ASPHALT COMPANY FOR OIL AND STONE FOR 2018

WHEREAS, the Township of Wantage will be utilizing oil and stone through Morris Asphalt Company for Medaugh Road, Glen Road, Quarry Road, Judge Beech Road, Courtright Road, Moore Road, Pond School Road, and Rockport Road in the Township for 2018;

WHEREAS, the Township of Wantage is a member of the Morris County Coop and Morris Asphalt Company, was awarded contract #21 for the oil and stone contract under Morris County Coop for 2018;

WHEREAS, the total cost for oil and stone of Medaugh Road, Glen Road, Quarry Road, Judge Beech Road, Courtright Road, Moore Road, Pond School Road, and Rockport Road is \$209,100.00;

WHEREAS, the Qualified Purchasing Agent and the DPW Supervisor recommend award of the contract for oil and stone under Morris County Coop contract #21;

WHEREAS, the Chief Financial Officer has provided a certification of funds based on the attached certification;

NOW, THEREFORE BE IT RESOLVED, that by the Township Committee of the Township of Wantage, County of Sussex that it hereby awards the oil and stone contract to Morris Asphalt Company, Inc., of Lafayette in the amount of \$209,100.00 for Medaugh Road, Glen Road, Quarry Road, Judge Beech Road, Courtright Road, Moore Road, Pond School Road, and Rockport Road.

Mayor Gaechter stated a motion is in order to approve Resolution #76-2018 Authorizing Contract to Tilcon New York for Milling and Paving of Various Road 2018 Newman Road, a portion of Sherman Ridge Road, a portion of Lewisburg Road, Spreen Road, Dales Crossing, Adrienne Court, Marie Court, Wantage School Road, North Shore Drive, Mountain View Drive, and Liberty Street in the amount of \$1,068,042.38.

A motion was made by Mr. Bassani and seconded by Mr. Bassani.

Upon Roll Call:

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

TOWNSHIP OF WANTAGE

RESOLUTION #76-2018

RESOLUTION AUTHORIZING CONTRACT WITH TILCON NEW YORK FOR MILLING AND PAVING OF VARIOUS ROADS 2018

WHEREAS, the Township of Wantage will be milling and paving Newman Road, Sherman Ridge Road, Lewisburg Road, Spreen Road, Dales Crossing, Adrienne Court, Marie Court, Wantage School Road, North Shore Drive, Mountain View Drive and Liberty Street in the Township for 2018;

WHEREAS, the Township of Wantage is a member of the Morris County Coop and Tilcon New York Inc., was awarded contract #6 for the paving contract under Morris County Coop for 2018;

WHEREAS, the total cost for milling and paving of Newman Road, Sherman Ridge Road, Lewisburg Road, Spreen Road, Dales Crossing, Adrienne Court, Marie Court, Wantage School Road, North Shore Drive, Mountain View Drive and Liberty Street is \$1,068,042.38;

WHEREAS, Harold E. Pellow, the Township Engineer and the Qualified Purchasing Agent recommend award of the contract for milling and paving under Morris County Coop Contract #6;

WHEREAS, the Chief Financial Officer has provided a certification of funds based on the attached certification;

NOW, THEREFORE BE IT RESOLVED, that by the Township Committee of the Township of Wantage, County of Sussex that it hereby awards the milling and paving contra to Tilcon New York, Inc., Parsippany, New Jersey in the amount of \$1,068,042.28 for Newman Road, Sherman Ridge Road, Lewisburg Road, Spreen Road, Dales Crossing, Adrienne Court, Marie Court, Wantage School Road, North Shore Drive, Mountain View Drive and Liberty Street.

Mayor Gaechter requested a motion for Resolution #77-208 Authorizing Contract with Denville Line Painting, Inc., for Line Striping of Various Roads for 2018 which were just mention for a total of \$23,844.36.

A motion was made by Mr. Bassani and seconded by Mr. Bassani.

Upon Roll Call:

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

Mr. Bassani wanted to make everyone aware all these contracts are being awarded through Morris County COOP.

TOWNSHIP OF WANTAGE

RESOLUTION #77-2018

RESOLUTION AUTHORIZING CONTRACT WITH DENVILLE LINE PAINTING INC. FOR LINE STRIPING OF VARIOUS ROADS 2018

WHEREAS, the Township of Wantage will require line striping of various roads in the Township for 2018;

WHEREAS, the Township of Wantage is a member of the Morris County Coop and Denville Line Painting, Inc., was awarded contract #36 for line striping contract under Morris County Coop for 2018;

WHEREAS, the total cost for line striping \$23,844.36;

WHEREAS, Harold E. Pellow, the Township Engineer and the Qualified Purchasing Agent recommend award of the contract for line striping under Morris County Coop Contract #36;

WHEREAS, the Chief Financial Officer has provided a certification of funds based on the attached certification;

NOW, THEREFORE BE IT RESOLVED, that by the Township Committee of the Township of Wantage, County of Sussex that it hereby awards the line striping contract to Denville Line Painting, Inc., 2 Green Pond Road, Rockaway, New Jersey in the amount of \$23,844.36.

Mayor Gaechter stated a motion is in order to approve Resolution #78-2018 Authorizing Contract with Campbell Foundry Company for Bicycle Safe Grates and Type N Curb Backs for Various Roads for 2018 in the amount of \$19,411.00.

A motion was made by Mr. Bassani and seconded by Mr. Bassani.

Upon Roll Call:

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

TOWNSHIP OF WANTAGE

RESOLUTION #78-2018

RESOLUTION AUTHORIZING CONTRACT WITH CAMPBELL FOUNDRY COMPANY FOR BICYCLE SAFE GRATES AND TYPE N CURB BACKS FOR VARIOUS ROADS 2018

WHEREAS, the Township of Wantage will require bicycle safe grates and type N curb backs for various roads in the Township for 2018;

WHEREAS, the Township of Wantage is a member of the Morris County Coop and Campbell Foundry Company, was awarded contract #14 for bicycle safe grates and type N curb backs contract under Morris County Coop for 2018;

WHEREAS, the total cost for line striping \$19,411.00;

WHEREAS, Harold E. Pellow, the Township Engineer and the Qualified Purchasing Agent recommend award of the contract for line striping under Morris County Coop Contract #14;

WHEREAS, the Chief Financial Officer has provided a certification of funds based on the attached certification;

NOW, THEREFORE BE IT RESOLVED, that by the Township Committee of the Township of Wantage, County of Sussex that it hereby awards the bicycle safe grates and type N contract to Campbell Foundry Company, 800 Bergen Street, Harrison, New Jersey in the amount of \$19,411.00.

APPROVAL OF MINUTES

Mayor Gaechter stated a motion is in order to approve the minutes of the Mayor and Committee Regular Meeting on June 14, 2018.

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

Upon Roll Call:

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

OPEN PUBLIC SESSION

Mayor Gaechter opened the meeting to the public.

Bill DeBoer – Beemer Road, Wantage, stated he feels a used car ordinance is needed. He questioned if Country Insurance was counted as a used car lot in the number. This property currently has a used car license through the state. He feels there should be a limit.

Kathy Gorman – Fernwood Road, Wantage, questioned if the new car dealerships are included in the used car ordinance. Mrs. Millikin advised that yes Nielsen, Royal, and Franklin Sussex Automall are included in the number with the used car portion of their business. Mrs. Gorman then questioned the ordering of a picnic table for Lake Neepaulin. Mrs. Gorman also questioned with the denial of the Roy Road Application can the applicant come back? Mr. Kienz stated this can be appealed to the court.

Alison Hensley – 1 Cedar Street, Newton, questioned if the used car lot by Wayne Tile that is for sale can this one be removed from the list? Mrs. Millikin state no because the ordinance is not in place at this point.

Joe Retz, Libertyville Road, Wantage, he stated he agrees with the comments by the Township Committee regarding the soil ordinance. Mr. Morris questioned if Mr. Retz would be willing to provide some thoughts on the ordinance. Mr. Retz will provide some comments.

John Nuss, Beemer Road, Wantage, he is concerned with people paying to get rid of dirt and concerned. Mayor Gaechter stated this is the reason for why the soil ordinance is being established.

Ann Smulewicz, 108 Route 23, Wantage, she stated that comments and remarks made are done by concerned citizens. These are people that care about our community. She then questioned the status of what Patrick Stefanelli is doing with Mr. Maggio's property. Mayor Gaechter stated that the commercial vehicles are on Route 23 and the home is for sale. Mrs. Millikin stated she met with some members of Lake Windsor Association with Mr. Haggerty, and Mr. Stefanelli. She advised Mr. Maggio has an open construction permit, soil conservation permit and a NJDEP permit. Mrs. Smulewicz then stated her concern with Patrick Stefanelli and the way information was dispensed regarding her potential tenant. She feels Mr. Stefanelli needs to be held accountable for the loss of the tenant and needs to do his job. Mr. Gaechter stated that at the end of the day we are all residents and want to the best for this Township.

Emil Conforth, 197 Route 565, Wantage, he had a couple question and comments on the soil importation ordinance. There is a definite need for fine tuning and apprehension that this ordinance may hurt some of the good contractors in the area. The biggest issue is the importation of material from outside of the area. He is extremely concern regarding the truck traffic and should prohibit importing soil. His final concern is of well and aquafer on his property due to his neighbor's business. Mayor Gaechter stated Mr. Pellow has

been on site at your neighbor's business. Mr. Confort provided some pictures of the dirt and dust tracking on the road from his neighbor's business.

There being no other public this portion of the meeting was closed.

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

Upon Roll Call:

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

Meeting adjourned at 8:47 p.m.

Respectfully Submitted,

Debra Millikin, Municipal Clerk