

**TOWNSHIP COMMITTEE
JULY 12, 2011 MINUTES**

The Tewksbury Township Committee met in a regular/work session on the above date at the Municipal Building, Mountainville, NJ.

The meeting was called to order at 7:40 PM, roll call held and a quorum established. Mayor Peter Melick presided.

Other officials in attendance were Township Committee members Dana Desiderio, Louis DiMare, Shaun Van Doren and William Voyce.

Jesse Landon, Township Administrator and Michael Selvaggi, Township Attorney were in attendance.

There were approximately four members of the public in attendance.

1. Open Public Meetings Statement

The Open Public Meetings Statement was read by Mayor Melick.

2. Flag Salute

Those present stood and pledged allegiance to the American flag.

3. Public Participation

Dennis McGill commented on the problem with roosters and other animals on a neighboring property. He added that other neighbors have similar concerns and he requested that the Committee address the issue finally by passing an Ordinance to regulate the number of allowable animals on a residential property.

Discussion followed regarding Mayor Melick's suggestion that the Police could possibly get involved if the noise is severe.

Mr. McGill stated that the zoning should not allow unlimited agricultural use on a residential property.

Dr. Voyce stated that he understood Mr. McGill's frustration, adding that there are regulations regarding the keeping of horses.

Mayor Melick stated that if the problem were to become a health issue, it could go to the County level. Further comments were made regarding noise ordinances.

In response to a question from Ms. Desiderio, Mr. McGill stated that the problem with the neighbors has been ongoing since 2005, although the chicken problem began in May of 2011.

Mayor Melick reiterated that the Police should be contacted for any further problems, adding that he is not in favor of adopting a noise ordinance.

Ms. Desiderio suggested that Mr. McGill should contact the County Department of Health to determine if a manure ordinance could be enforceable.

Discussion followed regarding Mr. DiMare's question if Mr. McGill basically wants an Ordinance to limit the number of roosters.

Mr. Van Doren stated that comparing Califon and Bloomsbury Boroughs to the Township is not a fair comparison and having an Ordinance to regulate the number of chickens and roosters would not be feasible in the Township.

Additional discussion followed regarding the noise produced by various farm animals.

4. Actions to be taken

- **Ordinance Public Hearing** **07-2011** **Lease for James Street Garage**

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The Public Hearing on Ordinance #07-2011 was reconvened from the 6/14/11 meeting.

Mr. Van Doren recommended delaying the Ordinance public hearing until a final recommendation was received from the subcommittee.

Speaking as a member of the subcommittee, Ms. Desiderio stated that she did not feel another meeting was necessary as she understood what the needs of the Tewksbury Historical Society (THS) were relative to the use of the James Street Garage.

Dr. Voyce noted that the terms and conditions of the proposed lease were agreeable to the THS – the issue in question is the placement of the fire horn.

Discussion followed regarding the current location of the horn (in the old fire house across from the garage) and the item purchased in anticipation of relocating the horn to the garage.

Mayor Melick noted that the horn has been in its current location in the village since 1938 and the Oldwick Fire Company does not wish to relocate the horn outside of the village.

Ms. Desiderio stated that if the garage is being leased by the THS and remains a Township building, the Township should be able to move the horn across the street to the garage.

She added that if the horn were moved to the new firehouse across from the Crossroads, there would be a larger public outcry. She added that if the THS does not want the horn on the garage, they do not have to lease the structure.

Mr. Landon stated that a representative of the THS stated that they would only be interested in leasing the structure if the Township paid for the capital improvements.

Further discussion followed regarding the sale of the property (as opposed to a lease) and selling it in “as is” condition. Ms. Desiderio stated that it makes no sense to lease the garage for \$1.00 annually if there is an interested buyer.

Speaking as another member of the subcommittee, Dr. Voyce stated that the matter is more involved and is mired in one issue. He added that the subcommittee had no recommendation at this point.

Further discussion followed regarding how to market the garage for sale or lease to a private entity or to offer to adjacent property owners who could merge it to an existing lot.

Ms. Desiderio opined that the Township should not spend any funds for roof repair if the building is going to be leased to the THS for \$1.00 annually. Further discussion followed regarding the possibility of mounting the horn without touching the roof. Mr. Van Doren noted that the THS received quotes between \$6,500.00 – \$13,000.00 for re-shingling the roof.

Mr. Van Doren made a motion to open the public hearing on Ordinance #07-2011, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

Mr. Van Doren made a motion to continue the public hearing on Ordinance #07-2011 until 9/13/11 at 8:00 PM, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

➤ **Ordinance Introduction**

Mr. Landon noted that the Committee authorized the use of Green Acres funding for the purchase of the Hill and Dale property in 2010. The Tewksbury Land Trust has furnished the Administrator with documents that need to be executed quickly for a closing prior to the end of July.

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Dr. Voyce made a motion to introduce Ordinance #08-2011, seconded by Mr. DiMare. The motion was approved. Ayes: DiMare, Melick, Voyce. Nays: None. Recused: Desiderio, Van Doren.

The Public Hearing will be held on 07/26/11 at 8:00 PM.

ORDINANCE NO. 08-2011

**AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY,
COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING
THE ACQUISITION OF CERTAIN REAL PROPERTY KNOWN AS BLOCK 51, LOTS 80
(PARTIAL), 80.05 AND 80.06, KNOWN AS THE HILL AND DALE FARM PROPERTY**

➤ **Consent Agenda**

Corrections were noted to the 6/28/11 minutes.

Mr. Van Doren requested that the following items be removed from the Consent Agenda.

- Authorization to have Mayor sign Turn the Town Teal letter
- Authorization to have Mayor sign lease for THS/Mountainville

Mr. Van Doren moved adoption of the Consent Agenda as amended, seconded by Dr. Voyce. A roll call vote was taken and the motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

**RESOLUTION #76-2011
REGARDING THE 2012 VOORHEES MUNICIPAL ALLIANCE GRANT**

WHEREAS, the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Township Committee of the Township of Tewksbury further recognizes that it is incumbent upon not only public officials, but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee of the Township of Tewksbury supports the application of funding from the Governor's Council on Alcoholism and Drug Abuse through the County of Hunterdon.

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby support the submission of an application for the Voorhees Municipal Alliance Grant of the calendar year 2012 in the amount of \$20,300.00.

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2. As the Lead Municipality for the Voorhees Cluster, the Township Committee acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the reporting of programs within its cluster area

Peter Melick
Mayor

MISCELLANEOUS

- Claims as submitted by the CFO
- Correspondence List
- Regular and e/s minutes of 06/28/11
- Authorization to hold musical event at Hickory Grove Farm on 7/30/11
- Authorization to hold musical event at Hickory Grove Farm on 09-10-11 TEF Event
- Authorization to have Clerk sign Application for Special Permit for Social Affair 09/10/11
- Authorization to have Mayor sign documents related to 2012 Municipal Alliance Program

ITEMS REMOVED FROM THE CONSENT AGENDA

Mr. Van Doren stated that he was not in favor of authorizing the Mayor to sign the Turn the Town Teal letter as he found the ribbons unsightly.

Mr. Voyce made a motion authorizing the Mayor to sign the Turn the Town Teal letter, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, DiMare, Melick, Voyce. Nays: Van Doren.

- Authorization to have Mayor sign Turn the Town Teal letter

Mr. Voyce made a motion authorizing the Mayor to sign the lease for the THS/Mountainville property, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, DiMare, Melick, Voyce. Recused: Van Doren.

- Authorization to have Mayor sign lease for THS/Mountainville

5. Reports

➤ **Township Committee Sub Committees & Township Committee Comments**

Mr. DiMare suggested that Mr. Selvaggi present information to Township employees regarding the changes in health benefits and pension matters. Mr. Selvaggi stated that he could bring Howard Vex, who is a co-worker and conversant in the issues.

A tentative date during the week of September 12 was suggested.

Mr. Van Doren noted recent correspondence from the DEP regarding the water issues at the Christy site. He stated his concern that different DEP agencies are not aware of what the others are doing and wanted to be sure that approval deadlines were met and the Township would not be imposed any fines.

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Ms. Desiderio noted a property in the Township that has not had yard work done for the past several months. It was surmised that the property is in foreclosure. Discussion followed regarding a property maintenance ordinance and the pros and cons of adopting such an ordinance. Additional discussion followed regarding the legal parameters of having Township employees versus neighbors clean up a property.

Mayor Melick noted that the Board of Education has recently appointed an interim superintendent and principal for one year and have hired a search team to find permanent replacements. He noted that there is continuing animosity between the Board members regarding salary guides.

➤ **Township Attorney**

Mr. Selvaggi noted the following items from his report.

- Construction on the JCP&L substation may start once other approvals are met. He noted that the Friends of the Fairmount Historic District can do little to stop the start of construction.
 - Mr. Saloman has not erected his fence yet. He called for an extension, but one was not granted.
- Mr. Van Doren asked if an injunction could be put in place to not allow use of the pool until the fence was in place.
- The Steinberg matter was discussed. Mr. Selvaggi spoke with a representative from Guy DeSapio's office and was advised that the County has not filed an answer. He added that a mediation conference should be scheduled with Steinberg's attorney.
 - The Hill and Dale purchase with Green Acres funding is close to completion.

Mr. Van Doren questioned if Mr. Selvaggi should intervene in the zoning matter on 6 Gulick Road. An application for a variance is now in Readington Township and has been deemed incomplete.

Mr. Selvaggi has been in touch with the Zoning Officer with regard to violations and court dates. It was noted that there is no time limit for an applicant to correct incompleteness and Mr. Selvaggi suggested that Mr. Benson issue another notice of violation.

➤ **Township Administrator**

Mr. Landon commented on the matter of underage drinking which was presented to the Committee at an earlier meeting. The entire Committee was opposed to the proposed Ordinance as it would be overly intrusive.

The matter of historic landmarks in the Township was discussed. The issue will be further discussed at the upcoming meeting.

6. Adjournment

There being no further business, the meeting was adjourned at 9:00 PM.

Roberta A. Brassard
Municipal Clerk