

**TOWNSHIP COMMITTEE  
OCTOBER 9, 2012 MINUTES**

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

The meeting was called to order at 7:30 PM, roll call held and a quorum established. Mayor Dana Desiderio presided.

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

Jesse Landon, Township Administrator, Roberta Brassard, Municipal Clerk and Michael Selvaggi, Township Attorney were in attendance.

There were approximately three members of the public in attendance.

**1. Open Public Meetings Statement**

The Open Public Meetings Statement was read by Mayor Desiderio.

**2. Flag Salute**

Those present stood and pledged allegiance to the American flag.

**3. Public Participation**

No comments were heard from the members of the audience.

**4. Actions to be taken**

➤ **Ordinance Public Hearing**

Mr. Van Doren made a motion to open the Public Hearing on Ordinance #13-2012, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

Ms. Brassard provided proof of publication from the 09-14-12 Courier News.

There being no comments from the public, Mr. Van Doren moved to close the Public Hearing on Ordinance #13-2012, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

Mr. Van Doren moved adoption of Ordinance #13-2012, seconded by Dr. Voyce. A roll call vote was taken and the motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

**ORDINANCE NO. 13-2012  
TOWNSHIP OF TEWKSBURY  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
AN ORDINANCE AMENDING CHAPTER 8.16, ENTITLED "FIRE PREVENTION," OF THE  
CODE OF THE TOWNSHIP OF TEWKSBURY**

**BE IT ORDAINED**, by the Township Committee of the Township of Tewksbury, in the County of Hunterdon, and State of New Jersey that Chapter 8.16, entitled "Fire Prevention" of the Code of

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the Township of Tewksbury is hereby amended as follows and all other sections will remain unchanged:

8.16.044 Non-life hazard uses is replaced in its entirety with

**8.16.044 Non-Life Hazard Use Registration**

In addition to the Life Hazard Use registrations required by the New Jersey Uniform Fire Code, the owner/tenant of all businesses, occupancies, building, structures or premises determined not to be life hazard uses shall register with the township fire marshal's office and inspected every two years, upon change of business use or occupancy or at the discretion of the fire marshal.

A registration fee to cover the administration and inspection requirements will be charged based on the listing below.

Failure to comply with the terms of this section may result in fines and penalties in accordance with penalties set out in the Uniform Fire Code and the regulations promulgated by the Department of Community Affairs.

1. Business occupancies, buildings, or structures up to two thousand five hundred (2,500) square feet of occupiable space: fifty (\$50.00) dollars.
2. Business occupancies, buildings, or structures between two thousand five hundred one (2,501) square feet and five thousand (5,000) square feet of occupiable space: seventy-five (\$75.00) dollars.
3. Business occupancies, buildings, or structures between five thousand one (5,001) square feet and ten thousand (10,000) square feet of occupiable space: one hundred (\$100.00) dollars.
4. Business occupancies, buildings, or structures between ten thousand one (10,001) square feet and twenty thousand (20,000) square feet of occupiable space: two hundred (\$200.00) dollars.
5. Business occupancies, buildings, or structures between twenty thousand one (20,001) square feet and fifty thousand (50,000) square feet of occupiable space: three hundred (\$300.00) dollars.
6. Business occupancies, buildings, or structures between fifty thousand one (50,001) square feet and one hundred thousand (100,000) square feet of occupiable space: four hundred (\$400.00) dollars.
7. All multiple family dwellings of use group R-2 as defined in the New Jersey Uniform Construction Code: seventy-five (\$75.00) dollars.
8. All Use Groups, H, F, S, and U as defined in the New Jersey Uniform Construction Code: one hundred (\$100.00) dollars.
9. Owners of multi-tenant businesses, condominiums or apartment complexes, who are responsible for common and assembly areas, fire alarm systems, fire protection

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systems, and alarms, elevators, mechanical and electrical equipment rooms, will be assessed on the net square footage after calculation of tenant area is subtracted from the gross building area. This net result to be supplied by the owner to the Fire Prevention Bureau.

The amount to be assessed will be equal to the amounts listed above for the area remaining.

Owners of multi-tenant locations that do not have common areas but are still responsible for the other services listed above will be assessed a one hundred (\$100.00) dollar registration fee annually to cover the inspection and administration requirements required by the State Uniform Fire Code.

In the event of a vacancy, that area will be added to the owners assessed area and billed accordingly at the next annual registration fee billing cycle.

The local enforcing agency shall be responsible for the collection of these fees and shall remit promptly to the Township of Tewksbury within the time period as provided by law.

A new chapter 8.16.045 entitled Waivers is included

**8.16.045      Waivers**

The following uses shall be exempt from local permit fees; however they shall be required to comply with local registration, inspection and all other code requirements:

- a. The Township of Tewksbury
- b. The Oldwick Fire Company
- c. The Tewksbury Rescue Squad
- d. The Tewksbury Board of Education

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect immediately upon final passage and adoption and publication according to law.

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Dana Desiderio  
Mayor

➤ **Consent Agenda**

Mr. Van Doren requested that the regular minutes of 10/01/12 be removed from the Consent Agenda for corrections.

Dr. Voyce requested that the executive session minutes of 10/01/12 be removed from the Consent Agenda.

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

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**RESOLUTION #82-2012**

**TO ACKNOWLEDGE RECEIPT OF A \$100.00 DONATION FROM  
JUDY WEISMAN TO THE  
TEWKSBURY POLICE DEPARTMENT**

**WHEREAS**, a charitable donation of \$100.00 was made to the Tewksbury Police Department by Judy Weisman.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey that this donation has been gratefully acknowledged and the monies will be used to fund the purchase of Police equipment.

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Dana Desiderio  
Mayor

**MISCELLANEOUS**

- Claims as submitted by the CFO
- Correspondence List

➤ **Items Removed From the Consent Agenda**

Mr. Van Doren made a motion to adopt the regular session minutes of 10/01/12 with corrections, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None. Abstain: Desiderio, DiMare.

- Regular minutes of 10-01-12

Mr. Van Doren made a motion to adopt the executive session minutes of 10/01/12, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None. Abstain: Desiderio, DiMare.

- Executive session minutes of 10-01-12

**5. Reports**

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

Dr. Voyce noted that the Harvest Festival was held as planned, adding that the 5K race was cancelled due to a scheduling conflict with a planned race in Califon Borough.

Mr. Melick noted that the OFC gala is scheduled for 10/13/12.

Mr. Van Doren noted that two separate finance subcommittee meetings need to be held – one consisting of Mr. Melick and himself to discuss the budget and false alarm issues, and one consisting of the Mayor and himself to discuss funding requests from the OFC.

Mayor Desiderio noted that she spoke with Tom Matthews from Hunterdon County and was advised that new speed limit signs have been installed on Route 517 in Oldwick.

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A new application has been received from a resident interested in sitting on the Board of Health. As there are no current openings, the application will be kept on file.

A letter from Jersey Cares was noted with regard to collecting coats. Ms. Brassard will contact the group to find out the parameters for coat collection.

A letter was received from Pete's Bike Shop regarding the letter sent out under the Mayor's signature. The matter will be discussed at a later meeting.

➤ **Township Attorney**

Mr. Selvaggi noted the following items.

The State Agriculture Board has filed a motion to dismiss the Kneser matter and the final decision should be available in two weeks.

The Steinberg matter is close to completion and work on the bridge is ongoing.

The O'Neill matter should be finished shortly.

➤ **Township Administrator**

Mr. Landon noted that a request has come in from a resident for a tax refund as he has been declared 100% disabled. He is requesting a refund from 02/2012 when he received his veteran's disability designation. It was noted that this procedure is normally done for residents requesting same.

Mr. Melick made a motion authorizing the writing of a Resolution for adoption at an upcoming meeting for the tax exemption for Mr. Shapiro whose property is located on Bissell Road, seconded by Dr. Voyce. A roll call vote was taken and the motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

Note was made in reference to the ongoing discussion regarding the dissolution of the North Hunterdon Joint Municipal Court. It was added that a Tewksbury representative should attend the scheduled meeting on 10/24/12.

Mr. Van Doren made a motion to change the 11/13/12 meeting to 11/8/12, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

**6. Executive Session**

At 7:45 PM Dr. Voyce moved adoption of the following Resolution, seconded by Mr. Van Doren. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

**RESOLUTION #83-2012  
A RESOLUTION AUTHORIZING AN EXECUTIVE SESSION OF THE TEWKSBURY  
TOWNSHIP COMMITTEE**

**BE IT RESOLVED**, pursuant to N.J.S.A. 10:4-13 and 10:4-12 that the Tewksbury Township Committee hold a closed session to discuss Legal Matters and Advice of Attorney.

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It is expected that the discussion undertaken in closed session can be made public at the time official action is taken.

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Dana Desiderio  
Mayor

**7. Reconvened**

The meeting reconvened at 7:54 PM.

Discussion followed regarding a request from a group of citizens to have snow plowing on Winterwood Road performed by the Township. This matter was originally presented in September of 2011. A final decision cannot be made until all residents of the road are in agreement and, to date, one resident is not willing to participate.

**8. Adjournment**

There being no further business, the meeting was adjourned at 8:00 PM.

Roberta A. Brassard  
Municipal Clerk