

**TOWNSHIP COMMITTEE
NOVEMBER 27, 2012 MINUTES**

The Tewksbury Township Committee met in a work 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 and Roberta Brassard, Municipal Clerk 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

In response to a question from Kelly Brakewood, Mayor Desiderio stated that a Mayor's ad-hoc emergency communication committee is being formed to address communication during emergencies, and a Resolution addressing the performance by JCP&L during recent storms is on the Consent Agenda.

4. Actions to be Taken

➤ **Ordinance Introduction**

○ **Ordinance #14-2012 Cessation of Regular Municipal Court**

Mr. Van Doren made a motion to introduce Ordinance #14-2012, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

The Public Hearing is scheduled for 12/11/12 at 7:30 PM.

ORDINANCE NO. 14-2012

AN ORDINANCE APPROVING THE CESSATION OF THE REGULAR MUNICIPAL COURT CASE FUNCTIONS OF THE NORTH HUNTERDON MUNICIPAL COURT AND APPROVING THE SHARED SERVICES AGREEMENT TO PROVIDE FOR THE STORAGE, SECURITY AND ADMINISTRATION OF THE MUNICIPAL COURT OF NORTH HUNTERDON'S CASE FILES AND RECORDS AND THE CONTINUATION OF BUSINESS AS REQUIRED AFTER CESSATION OF REGULAR MUNICIPAL COURT CASE FUNCTIONS

➤ **Consent Agenda**

Mr. Melick requested that Resolution #92-2012 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.

**TOWNSHIP COMMITTEE
NOVEMBER 27, 2012 MINUTES**

RESOLUTION #88-2012

**RESOLUTION REAPPOINTING ANN MARIE OBIEDZINSKI
AS TAX ASSESSOR FOR TEWKSBURY TOWNSHIP,
HUNTERDON COUNTY, NEW JERSEY**

WHEREAS, Ann Marie Obiedzinski was appointed to serve as Tax Assessor, pursuant to law, by the Township of Tewksbury by way of Resolution #171-207, effective December 3, 2007, to fulfill an unexpired term through June 30, 2008;

WHEREAS, Ann Marie Obiedzinski, was subsequently reappointed by way of Resolution #103-2008, pursuant to N.J.S.A. 54:1-35.31, which should have extended her term from July 1, 2008 through June 30, 2012;

WHEREAS, Tewksbury Township did enter into a shared services arrangement with The Town of Clinton for a portion of the term of this appointment, which said shared services arrangement, was terminated by the Town of Clinton effective June 30, 2012;

WHEREAS, Tewksbury Township wishes to reappoint Ann Marie Obiedzinski to the position of Tax Assessor, pursuant to N.J.S.A. 54:1-35.31, for another four year term extending from July 1, 2012 through June 30, 2016.

NOW, THEREFORE IT BE RESOLVED by the Mayor and Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey, that the Mayor and Township Committee hereby ratify and reaffirm the reappointment of Ann Marie Obiedzinski as Tax Assessor for Tewksbury Township pursuant to N.J.S.A. 54:1-35.31, effective July 1, 2012 and further confirm that Ann Marie Obiedzinski shall serve in the office pursuant to the term established in N.J.S.A. 54:1-35.31.

Dana Desiderio
Mayor

RESOLUTION #89-2012

AWARDING A CONTRACT FOR ROCK SALT THROUGH THE COUNTY OF HUNTERDON

WHEREAS, the Board of Chosen Freeholders awarded a master contract to International Salt, Inc. to provide rock salt for the County and members of the Cooperative Pricing System for snow and ice control materials, Bid #2012-19, for the 2012/2013 season; and

WHEREAS, in order to begin a contractual relationship with International Salt, Inc., the Township of Tewksbury, in accordance with NJAC 5:34-7.11, hereby authorizes the following agreement, Identification Code #51-HCCPS.

COMPANY	ITEM	PRICE/FOB
International Salt, Inc. ISCO Corporate Center 655 Northern Blvd. Clarks Summit, PA 18411	Rock Salt	51.87/ton

**TOWNSHIP COMMITTEE
NOVEMBER 27, 2012 MINUTES**

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey that the above noted contract be awarded.

Dana Desiderio
Mayor

**RESOLUTION #90-2012
REFUND OF AN ERRONEOUS PAYMENT**

BE IT RESOLVED, by the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey that the Chief Financial Officer is hereby authorized to make the following refund of an erroneous payment.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Year</u>	<u>Amount</u>
Califon Borough		Adam Kalkin Living Trust 3 Big Oak Way Ext Califon, NJ 07830		3830.56

Dana Desiderio
Mayor

RESOLUTION NO.91-2012

**TEWKSBURY TOWNSHIP,
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION AUTHORIZING RELEASE
OF PART OF MORTGAGED PROPERTY FROM
AFFORDABLE HOUSING MORTGAGE**

WHEREAS, William Taggart is owner of Lot 26.03, in Block 23, as noted on the Tax Map for Tewksbury Township; and

WHEREAS, Mr. Taggart had previously agreed to record an Affordable Housing Mortgage against the property in connection with an agreement with Tewksbury Township to establish and provide an affordable housing unit on said property; and

WHEREAS, the mortgage was recorded on October 27, 2008, in the Hunterdon County Clerk's Office in Book 3296, Page 133 in the amount of \$10,000; and

WHEREAS, Mr. Taggart subsequently received permission to subdivide Lot 26 in Block 23, thereby creating Lot 26.03; and

WHEREAS, as a result of the aforesaid subdivision, the Affordable Housing Unit is and will continue to remain on Lot 26; and

**TOWNSHIP COMMITTEE
NOVEMBER 27, 2012 MINUTES**

WHEREAS, the newly created Lot 26.03 will not have an Affordable Housing Unit located on same and should be released from the previously recorded affordable housing mortgage; and

WHEREAS, the Township agrees that Lot 26.03 should be released from the Affordable Housing Mortgage.

NOW, THEREFORE IT BE RESOLVED by the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey, that the Township Administrator be and is hereby authorized and permitted to execute a Release of Part of Mortgaged Property, in the form attached hereto, thereby releasing newly created Lot 26.03 in Block 23 from the previously recorded Affordable Housing Mortgage.

BE IT FURTHER RESOLVED that said Affordable Housing Mortgage shall continue to remain in full force and effect on remainder Lot 26 in Block 23 as the parties originally agreed.

BE IT FURTHER RESOLVED that upon full execution of the Release, same shall be transmitted to Mr. Taggart, or his authorized representative, for recording at Mr. Taggart's sole cost and expense.

Dana Desiderio
Mayor

RESOLUTION #93-2012

**TEWKSBURY TOWNSHIP,
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION AUTHORIZING TOWNSHIP ADMINISTRATOR'S
EXECUTION OF EASEMENTS FOR
JERSEY CENTRAL POWER & LIGHT**

WHEREAS, Jersey Central Power & Light, ("JCP&L") desires to upgrade its electrical service in and around the area identified on the Township of Tewksbury Tax Map as Lot 20 in Block 46 and Lot 23 in Block 44; and

WHEREAS, the upgrade in service sought by JCP&L shall include the replacement of existing single phase open wire primary with new three phase open wire primary using "flat" cross-arm construction traveling along existing JCP&L poles which may possibly need to be replaced or relocated; and

WHEREAS, to effectuate this upgrade of its electrical service, JCP&L shall require modifications to the existing easements in and around the aforesaid properties, with said modifications being set forth in the proposed easements attached hereto; and

WHEREAS, the Township agrees that JCP&L should upgrade its service and should proceed expeditiously with same; and

WHEREAS, the governing body for the Township is prepared to grant to JCP&L the easements in accordance with the attached instruments.

**TOWNSHIP COMMITTEE
NOVEMBER 27, 2012 MINUTES**

NOW, THEREFORE IT BE RESOLVED by the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey, that its Township Administrator be and is hereby authorized to execute easements in the form attached hereto.

BE IT FURTHER RESOLVED that upon the execution of the within easement, same shall be transmitted to JCP&L for recording at the Clerk's Office in the County of Hunterdon at JCP&L's sole cost and expense.

Dana Desiderio
Mayor

**RESOLUTION #94-2012
A RESOLUTION SETTING THE 2012 SALARIES AND WAGES FOR OFFICERS AND
EMPLOYEES OF THE TOWNSHIP OF TEWKSBURY**

BE IT RESOLVED by the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey that the salaries or wages to be paid to certain officers and employees of the Township of Tewksbury be, and the same are hereby determined and fixed, at the respective amount or rates for the calendar year 2012 and until same is amended. This Resolution hereby supercedes previous salary and wage actions taken by the Township Committee.

BE IT FURTHER RESOLVED that Mr. Van Doren is recused from voting on the salary of his brother in this Resolution as his brother is employed by the Township of Tewksbury.

NAME	TITLE	SALARY	MERIT PAY
<u>EXECUTIVE</u>			
Dana Desiderio	Township Committee	4,250.00/annum	
Louis DiMare	Township Committee	4,250.00/annum	
Peter Melick	Township Committee	4,250.00/annum	
Shaun C. Van Doren	Township Committee	4,250.00/annum	
William Voyce	Township Committee	4,250.00/annum	
<u>ADMINISTRATION</u>			
Jesse W. Landon	Administrator	119,496.00/annum	2,343.00
Roberta Brassard	Municipal Clerk	62,344.00/annum	611.00
Kathleen Reddy	Receptionist/Secretary	19.07/hour	
Stephanie Koven	Perc Test Witness	75.00 /inspection	
Thomas Anderson	Fire Marshall	25.50/hour	125.00
<u>CONSTRUCTION CODE ENFORCEMENT</u>			
Charles Rogers	Construction Code Official Electrical Subcode Official Building, Electrical, Plumbing and Fire Inspector	91,431.00/annum	896.00
Carolyn Quinn	Technical Assistant	35,700.00/annum	700.00

**TOWNSHIP COMMITTEE
NOVEMBER 27, 2012 MINUTES**

Robert J. O'Connor	Plumbing Subcode Official & Inspector	42.16/hour	
Ralph Price	Building sub-code, fire sub-code, back up electrical, back up construction official	38.76/hour	500.00
<u>FINANCE</u>			
Judie A. McGrorey	Chief Financial Officer	94,345.00/annum	1,387.00
Judith Demaris	Finance Assistant – Purchasing Agent	45,027/annum	892.00
Kay Winzenried	Tax Collector	44,779.00/annum	659.00
Ann Marie Obiedzinski	Tax Assessor	32,304.00/annum	475.00
<u>LAND USE</u>			
Shana Goodchild	Land Use Administrator	81,470.00/annum	1,597.00
Randall Benson	Zoning Officer/Housing Officer	58,671.00/annum	
<u>POLICE</u>			
Thomas Holmes	Chief	108,801.00/annum	1,600.00
Daniel Geiger	Sergeant	92,787.00/annum	
Timothy Barlow	Sergeant	92,787.00/annum	
Wayne Beam	Patrolman 1 st class	88,372.00/annum	
Matthew Krok	Patrolman 1 st class	88,372.00/annum	
Vincent Mankowski	Patrolman 1 st class	88,372.00/annum	
Michael Scotti	Patrolman 1 st class	88,372.00/annum	
Timothy Hanft	Patrolman 1 st class	88,372.00/annum	
Jean Marie Du Hamel	Secretary	45,158.00/annum	885.00
<u>PUBLIC WORKS</u>			
Hayden Hull	Superintendent	82,225.00/annum	
Brian Conner	Foreman	34.56/hour	
Kevin Pyatt	Assistant Foreman/Sewer Operator	33.40/hour	1,021.00
Peter Samski	Senior Public Works Employee	31.45/hour	
W. Daniel Fechtman	Senior Public Works Employee	29.94/hour	312.00
Mark Van Doren	Senior Public Works Employee	29.76/hour	624.00
Dale Svenningson	Mechanic	25.50/hour	790.00
Gary Conner	Senior Public Works	25.56/hour	

**TOWNSHIP COMMITTEE
NOVEMBER 27, 2012 MINUTES**

	Employee		
Floyd Dipple	Senior Public Works Employee	24.76/hour	1,019.00
Roland Tiger	Senior Public Works Employee	22.14/hour	458.00
Ben Quarne	Public Works Employee	15.30/hour	624.00
<u>COURT</u>			
Edward Martin	Municipal Court Judge	\$6,120.00/annum	
Robert Ballard	Municipal Court Prosecutor	\$5,100.00/annum	
Scott Mitzner	Municipal Court Public Defender	\$200.00/per case	
Cynthia Hooven	Court Administrator	12,750.00/annum	250.00
Shauna Tillotson	Deputy Court Administrator	\$13.77/hour	
Vilma Urbanski	Court Translator Violations Bureau Court Staff	\$13.00/hour	
Michael Clancy	Court Security	\$125.00/court session	

Dana Desiderio
Mayor

RESOLUTION #95-2012

**TO ACKNOWLEDGE RECEIPT OF A \$500.00 DONATION FROM
THE SOMERSET HILLS PONY CLUB TO THE
TOWNSHIP OF TEWKSBURY**

WHEREAS, a charitable donation of \$500.00 was made to the Township of Tewksbury by the Somerset Hills Pony Club.

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 construction of a horse jump at the Christie Hoffman Farm.

Dana Desiderio
Mayor

MISCELLANEOUS

- Claims as submitted by the CFO
- Regular minutes of 11-08-12
- Authorization to have Mayor sign Shared Services Agreement between Township of Lebanon and Township of Tewksbury for Sharing of Municipal Court
- Authorization to have Mayor sign agreement with Ashbritt for Tree Removal

**TOWNSHIP COMMITTEE
NOVEMBER 27, 2012 MINUTES**

- Authorization to have Mayor sign proposal with Appraisal Systems

ITEMS REMOVED FROM THE CONSENT AGENDA

Mr. Melick stated that he would like the wording of the Resolution amended, specifically in the final **NOW, THEREFORE BE IT RESOLVED**. He felt that the wording that states that BPU hold hearings and find JCP&L to be in default may not be appropriate.

Mr. Van Doren, who drafted the Resolution, stated that he wanted there to be strong language so that the issue be seriously addressed. He noted that BPU hearings were held after the 2011 storms and nothing was done to address the problems.

Dr. Voyce suggested that the language be amended to reflect more of an if/when feeling.

Mr. DiMare noted that facts need to be presented to the BPU for them to reach a decision and the suggestion of a revocation of an entire franchise is very serious. He added that JCP&L's communications during the past years' storms was sub-par and there need to be repercussions.

George Cassa stated that the parent company of JCP&L is First Energy and they need to be made aware of the matter so that action can be taken.

Mr. DiMare reminded the Committee that the Resolution should actually reference Super Storm Sandy.

Mr. Van Doren made a motion to adopt Resolution #92-2012 as amended, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

RESOLUTION # 92-2012

**REQUESTING THE NJ BOARD OF PUBLIC UTILITIES HOLD HEARINGS ON JCP&L'S
RESPONSE TO HURRICANE SANDY AND TAKE THE APPROPRIATE ACTIONS AS MAY
BE AUTHORIZED**

WHEREAS, the Township of Tewksbury as well as hundreds of municipalities across the State of New Jersey were without power ranging from a few days to over 2 weeks as a result of Hurricane Sandy, which struck the State on Monday, October 29, and

WHEREAS, Hurricane Sandy caused devastation across the State in the form of downed power lines and trees, flooding, road closures, closed businesses and schools as well as disruption to transportation infrastructure and hubs, and

WHEREAS, the weather forecasts ahead of Hurricane Sandy as well as communications from the State of New Jersey Office of Emergency Management warned residents of the impending hurricane and the damage that it could inflict upon the residents of the State and that all utility companies should be prepared, and

WHEREAS, the Township of Tewksbury was severely impacted by Hurricane Sandy with County Routes 512, 517, 523, and 639 closed for several days and over two-thirds of its

**TOWNSHIP COMMITTEE
NOVEMBER 27, 2012 MINUTES**

municipal roads closed for several days, and both Tewksbury elementary schools closed, all due to downed trees and power lines, and

WHEREAS, the Township of Tewksbury and its residents began reporting power outages immediately following the passing of Hurricane Sandy on Tuesday, October 30 to JCP&L with JCP&L providing dates and timelines via its website and the NJ media that were false and erroneous, raising residents' hopes that they would soon get power restored, and

WHEREAS, it was 9 days before the visible presence of any utility crews were seen in the Township to attempt to restore power to the over 85% of the Township that lacked any power, and

WHEREAS, it was clear to the Governing Body and residents of the Township that the infrastructure that JCP&L was charged to maintain – its utility poles, transformers, substations and wiring, failed miserably and that the utility was totally unprepared for the storm, for which they had been warned for several days to a week plus before it hit, and

WHEREAS, the Township of Tewksbury's business operations, including all of its emergency management functions (police, fire and rescue) and its citizens ability to live and take comfort in their homes has now been impacted not once, not twice but three times in just 14 months with not having the basic need of electric power, which the Governing Body finds totally and completely unacceptable in the Year 2012 thus rendering the Township as well as a large part of New Jersey to a country where basic electricity hardly exists, and

WHEREAS, JCP&L is a public utility as defined by state statute and thus it is subject to the jurisdiction of the NJ Board of Public Utilities (BPU) and remains bound by its rules, regulations and policies as well as all applicable requirements of the New Jersey Administrative Code, which specifically deal with said utilities, plants, facilities and services, and

WHEREAS, under N.J.A.C 14:3-3.1, each utility has an affirmative duty to provide end users with "safe, adequate and proper service, including furnishing and performance of service in a non-discriminatory manner, and in a manner that tends to conserve energy resources and preserve the quality of the environment", and

WHEREAS, the Governing Body of the Township of Tewksbury finds that JCP&L failed to provide that service, irrespective of Hurricane Sandy, in the length of time it took to restore the Township to full power, taking over 14 days in some areas, 10-11 days in most areas, caused its two elementary schools to lose over a week of school, failed to respond to the Township's repeated requests for what areas were to be prioritized as per the direction of the Governor of the State of New Jersey – opening the County Roads, opening the two schools (restoring power) and restoring power to the Municipal Complex, where the Township's Emergency Management Command Center is located.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey requests the New Jersey Board of Public Utilities to hold hearings on JCP&Ls response to Hurricane Sandy to solicit public comment and following such hearings to take the appropriate action(s), as they may be authorized under State statutes and regulations.

**TOWNSHIP COMMITTEE
NOVEMBER 27, 2012 MINUTES**

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to BPU President Robert Hanna and Board of Public Utilities Commissioners, Legislators representing the 23rd Legislative District, all Hunterdon County Municipalities and the New Jersey State League of Municipalities.

Dana Desiderio
Mayor

5. Township Committee Comments

Mr. DiMare noted the excellent job done by members of the DPW during the recent storms.

Dr. Voyce echoed the statement made by Mr. DiMare adding that he worked with many of the Police and DPW during the storm.

He noted that there is an OEM meeting scheduled for 11-29-12 at 8:00 am.

Mr. Melick agreed that the DPW did an excellent job during the storms. He noted that County offices allowed certain personnel to get gas during the storm for emergency purposes and then reimburse the County afterwards. He suggested that the Township institute a similar policy. He noted that the school is continuing its search for a Superintendent.

Mrs. Brakewood stated that the School Board will be holding a closed meeting in December to review applicants for Superintendents with the hopes of hiring in February of 2013. She added that the current interim Superintendent will work through June or July of 2013. In response to a question from Mr. Melick, Mrs. Brakewood stated that there would be two principals- one for TES and one for OTS- and the hiring of the new principal is the responsibility of the Superintendent.

Mr. Van Doren stated that a finance subcommittee was held and the adopted 2012 Salary Resolution was a result of the meeting. He noted that salary increases ranged from 0-2% and a merit pay also followed the same range.

He added that there is still no Police contract in effect, and reiterated the terms of the contract with Ashbritt for cleanup of storm debris.

He noted the Ordinance that was introduced pertained to the dissolution of the North Hunterdon Court with the hopes that Clinton Township would take over all documents effective 3/1/13.

Mayor Desiderio noted that 13 applications have been received for the Mayor's Ad-Hoc Emergency Communication Committee. All interested applicants will be contacted to determine if a meeting on 12/06/2012 at 7:30 pm can be conducted.

A memo dated 10-19-12 from Shana Goodchild regarding Village Residential District Zoning was noted. It was the consensus of the Committee that the Planner be advised that an amendment to the DRO be drafted prior to 12-15-12 for Ordinance introduction in 2013.

6. Adjournment

There being no further business, the meeting was adjourned at 8:01 PM.

Roberta A. Brassard
Municipal Clerk