

**TOWNSHIP COMMITTEE
DECEMBER 8, 2015 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 William J. Voyce presided.

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

Dana Desiderio was absent.

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

There were approximately five members of the public in attendance.

1. Open Public Meetings Statement

Mayor Voyce opened the meeting by announcing that adequate notice of the meeting had been provided by posting a copy thereof on the Police/Administration Building bulletin board, transmitting a copy to the Hunterdon Review and the Hunterdon County Democrat, and filing with the Municipal Clerk, all on January 5, 2015.

2. Flag Salute

Those present stood and pledged allegiance to the American flag.

3. Public Participation

Peter Melick was recused from the following discussion.

Jill Steck stated that she and her husband recently purchased a property at 3 Church Street and are asking that the Township Committee help them with matters that are occurring on the adjacent property. Mrs. Steck stated that the adjoining property owner has "a willful and blatant disregard for zoning" while she is following all the rules related to the work being done on their property. She listed several examples of work being done for which no permits were obtained, adding that her Attorney has sent a letter to the Township outlining the problems related to the adjoining property.

She added that recently she has had Police, Construction, Zoning and Public Works personnel to the site.

She added that the neighbor stated that she was given permission by the Township Administrator to do work on the property.

Mr. Landon stated that he did not give permission for any work to be performed without a permit. He noted that after LeRoy Lance passed away, Mrs. Lance was advised that there were problems with the properties, including illegal apartments. He advised that the matter of the easement between the properties is a civil matter and needs to be dealt with privately: the Township Committee has no jurisdiction in the manner. He added that the Zoning Officer has issued a violation to the property owner which will go to municipal court for resolution.

Mr. Selvaggi explained that the Zoning Officer has taken the proper action and the matter will reach resolution through the courts. In response to a question from Mrs. Steck, Mr. Selvaggi

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stated that the Stecks could attend the scheduled court hearing, but could only speak if subpoenaed.

In closing, Mrs. Steck stated that she hoped the Committee could help her with the problem, but will contact their Attorney to apprise him of tonight's discussion.

Paul Steck noted that the property is a commercial property and questioned if there are regulations related to the construction of the driveway to accommodate commercial vehicles.

In response to a question from Randy Diggelman, Oldwick Fire Company Chief, Mayor Voyce stated that discussion related to funding a new fire truck will be conducted during 2016 budget discussions in early 2016.

Mr. Melick returned to the discussion.

4. Actions to be taken

➤ **Ordinance Public Hearing- Ordinance Introduction**

The Committee was advised that the notice of Ordinance Introduction for Ordinance #06-2015 was not published in the Courier News in time for a Public Hearing to be held tonight.

It was the consensus of the Committee to reintroduce the Ordinance and schedule the Public Hearing for a meeting to be held on 12-22-15 commencing at 8:00 AM in the Police Administration Building.

Mr. Van Doren made a motion to re-introduce Ordinance #06-2015, seconded by Mr. DiMare. The motion was approved: Ayes: DiMare, Melick, Van Doren, Voyce. Nays: none. Absent: Desiderio.

**TOWNSHIP OF TEWKSBURY
COUNTY OF HUNTERDON
ORDINANCE NO. 06-2015**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF TEWKSBURY BY
REVISING CERTAIN PROVISIONS OF CHAPTER 13.08, ENTITLED "HUNTERS
GLEN SEWER SYSTEM"**

###

➤ **Consent Agenda**

Mr. Van Doren requested that Resolution #81-2015 be removed from the Consent Agenda and voted on separately.

Mr. Melick requested that the Executive Session minutes of 11-10-15 be removed from the Consent Agenda and voted on separately.

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

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**RESOLUTION #79-2015
TAX REFUND**

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 payments for the refund of tax.

Refund of the duplicate payment of the fourth quarter tax.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Year</u>	<u>Amount</u>
7	15	David Barnes & Carol Leighton PO Box 570 Gold Beach, OR 97444 Property location: 112 Fairmount Road East	2015	1,555.24

William J. Voyce
Mayor

RESOLUTION #80-2015

**BANKING OF ALLOCATED FUNDS FROM HUNTERDON COUNTY OPEN SPACE TRUST
FOR FISCAL YEAR 2015**

WHEREAS, the County of Hunterdon has established the Hunterdon County Open Space, Recreation, Farmland and Historic Preservation Trust Fund and has made municipal grant funding available to each municipality; and

WHEREAS, the funds available to the Township of Tewksbury for Fiscal year 2015 are \$451,341.14.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Tewksbury that the County of Hunterdon is requested to reserve and bank the allotment for Fiscal Year 2015.

William J. Voyce
Mayor

RESOLUTION #82-2015

**GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FISCAL GRANT CYCLE JULY 2014-JUNE 2019**

FORM 1B

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WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

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 therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Committee 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 has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hunterdon.

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

1. The Township Committee does hereby authorize submission of a strategic plan for the Voorhees Municipal Alliance grant for fiscal year 2017 in the amount of:

DEDR	22,852
Cash Match	5,713
In-Kind	17,139

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

William J. Voyce
Mayor

RESOLUTION #83-2015

**TO ACKNOWLEDGE RECEIPT OF A \$1000.00 DONATION FROM
A.M. BEST COMPANY, INC. TO THE
TOWNSHIP OF TEWKSBURY**

WHEREAS, a charitable donation of \$1000.00 was made to the Township of Tewksbury by the A.M. Best Company, Inc.

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

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acknowledged and the monies will be used to purchase equipment.

William J. Voyce
Mayor

**RESOLUTION #84-2015
REDEMPTION OF A TAX SALE CERTIFICATE**

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 payments for the redemption of tax sale certificates.

Block	Lot	Name	CERT #	Amount
6.07	2	US BANK FOR BV001 Trust & Creditors 50 S 16 TH ST SUITE 2050 PHILADELPHIA PA 19102-2513	2014-01 PREMIUM	927.27 <u>1,000.00</u> 1,927.27
32	7.09	US BANK FOR BV001 Trust & Creditors 50 S 16 TH ST SUITE 2050 PHILADELPHIA PA 19102-2513	2015-004 PREMIUM	95.91 <u>55,100.00</u> 55,195.91
29	8.02	US BANK CUST FOR PC 6, LLC STERLING CAPITAL 50 S 16 TH ST SUITE 2050 PHILADELPHIA PA 19102-2513	2015-002 PREMIUM	32,039.93 <u>42,000.00</u> 74,039.93
29	8.06	MTAG CUST FOR EMPIRE VII NJ PORTFOLIO PO BOX 2096 HICKSVILLE, NY 11802	2015-003 PREMIUM	14,620.90 <u>32,000.00</u> 46,620.90

William J. Voyce
Mayor

**RESOLUTION #85-2015
TRANSFERS**

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 transfers.

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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 transfers.

<u>Current Fund Appropriation</u>					
<u>Reserves</u>					
FROM			TO		
OTHER INSURANCE PREM	10GS10	1,000.00	WORKERS COMP INS	10GS 12	1000.00
Admin & Exec OE	10AE	806.00	Audit – Admin & Finance	10TB 11	806.00
		<u>1,806.00</u>			<u>1,806.00</u>

William J. Voyce
Mayor

**RESOLUTION #86-2015
CANCELLATION OF TAX AMOUNTS**

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 cancel the following tax amounts.

2015

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
4	4.19	17.08
10	5.01	17.81
14	18.06	59.93
23.01	8.06	10.82
23.02	8.02	18.33
28	24	21.12
29	9.03	30.79
29	10.03	42.48
32	3.04	32.32
51	46	25.05
51	79	45.46
51	106.03	<u>40.10</u>
		361.29

2012

23	4.02	180.32
27	147.05 Q	15.32
32	7.07 Q	<u>225.40</u>
		421.04

2011

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30	4	Q	21.87
30	4.01	Q	<u>24.54</u>
			46.41
<u>2007</u>	28	27	Q
			51.52
<u>2005</u>	29	9.03	Q
			770.83
86-2015	CANCEL TAX AMOUNTS		

William J. Voyce
Mayor

MISCELLANEOUS

- Claims as submitted by the CFO for 11-24-15 and 12-08-15
- Correspondence List
- Regular minutes of 11-10-15
- Authorization to have Mayor sign Professional Agreement for Auditor
- Authorization to have Mayor sign Professional Agreement for Engineer (3 years) and Wastewater Engineer (1 year)

ITEMS REMOVED FROM THE CONSENT AGENDA

Mr. Van Doren made a motion to adopt the Executive Session minutes of 11-10-15, seconded by Mr. DiMare. The motion was approved. Ayes: DiMare, Van Doren, Voyce. Nays: None. Absent: Desiderio. Abstain: Melick.

- Executive Session minutes of 11-10-15

As there was not a quorum of eligible members, it was the consensus of the Committee to table adoption of Resolution #81-2015.

Mr. Melick made a motion to table the adoption of Resolution #81-2015 until the 12-22-15 Township Committee meeting, seconded by Mr. Van Doren. The motion was approved. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: None. Absent: Desiderio.

**TOWNSHIP OF TEWKSBURY
HUNTERDON COUNTY, NEW JERSEY**

RESOLUTION # 81-2015

**RESOLUTION GRANTING QUARRY LICENSE FOR THE YEAR 2016
SUBJECT TO CERTAIN CONDITIONS**

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5. Reports

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

Mr. Van Doren noted the following items.

- PBA contract negotiations need to be discussed in Executive Session.
- The financial state of the Township is good and the financial year is being closed out.
- The new Auditor will bring new ideas to the Township. Mr. Van Doren stated that he is looking forward to working with Hodulik & Morrison.

Mr. DiMare noted bridges in the Township that have been damaged. Mr. Landon is in contact with a County representative regarding their restoration.

Discussion followed regarding a letter from the Branchurg NJ Administrator regarding COAH matters.

Mr. Landon noted that he spoke with Freeholder Walton who also sits on the Highlands Council. It was reiterated that the Highlands Council will not assist the Township in COAH related matters.

Mr. Selvaggi noted that the manner in which this is being handled is a terrible way to solve a Statewide problem.

Mr. Van Doren stated that he would draft a letter regarding the reinstatement of utilizing RCA's in the new year.

Mr. Melick noted that salt has been delivered and snow fencing has been installed.

Mayor Voyce noted that a new engineer has been hired for 2016. He added that he attended a meeting at TES where he spoke with second graders about what it means to be the Mayor; adding that it was interesting to see the "mindset of the kids".

➤ **Township Attorney**

Mr. Selvaggi noted that a pre-trial memorandum to Judge Miller was sent out today outlining witnesses, documents and related information pertaining to the afore mentioned COAH matter. He added that a 01-28-16 date has been set for a case management conference with Judge Miller and he assumes many of the affected municipalities will be there to "plod along" in the action.

➤ **Township Administrator**

Mr. Landon noted that the capital work is completed and the DPW and the Morris County co-op did a good job on Boulder Hill Road and Bissell Road.

The Senior Party was well received with over 60 in attendance. Officer Hanft and representatives from the County Senior Services Division were also in attendance. Thanks were given to Mr. Melick for his donation of poinsettias for the event.

6. Executive Session

At 8:10 PM Mr. Van Doren moved adoption of the following Resolution, seconded by Mr. DiMare. The motion was approved. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: None. Absent: Desiderio.

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**RESOLUTION #87-2015
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 PBA Contract Negotiations, Litigation and Land Acquisition.

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

William J. Voyce
Mayor

7. Reconvened

The meeting reconvened at 8:35 PM.

8. Adjournment

There being no further business, the meeting was adjourned at 8:35 PM.

Roberta A. Brassard
Municipal Clerk