

**TOWNSHIP COMMITTEE
FEBRUARY 10, 2015 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 7:30 PM, roll call held and a quorum established. Mayor William J. Voyce presided.

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

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

There were approximately four 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

Marco Mateo, from Washington Township, Warren County was present to discuss the Washington Theatre and his vision and thoughts to save the structure from being razed. He gave a brief history of the theatre from its opening in 1927 to the present, including the "twinning" of the cinemas in the late 1970's.

Mr. Mateo currently rents the structure and has acquired not for profit status in order to apply for grant funding from various sources. He hopes to rehabilitate the old theatre so that it can be used for concerts and other events that would benefit surrounding Counties.

Mr. Mateo stated that he would like a letter of support from the Committee that he could present to various groups in his quest for grant funding.

In response to a question from Mr. Van Doren, Mr. Mateo stated that he has a meeting planned to discuss a business plan regarding the maintenance, restoration and sustaining costs of the project.

Further discussion followed regarding the matter of parking in the area of the theatre. Mr. Mateo expressed his passion for the project, noting the many areas in the structure that need updating and rehabilitating.

Mr. DiMare stated that he liked Mr. Mateo's idea and enthusiasm, adding that he had fond memories of attending an old theatre very similar to the Washington Theatre.

In response to Mr. DiMare's question as to what exactly Mr. Mateo is requesting from the Committee tonight, he stated that he would like a letter of support that he can show to groups that could help with grant funding.

**TOWNSHIP COMMITTEE
FEBRUARY 10, 2015 MINUTES**

No final decision was reached by the Committee regarding endorsing the project as presented by Mr. Mateo.

4. Actions to be taken

➤ **Ordinance Public Hearing**

Mr. Van Doren made a motion to open the Public Hearing on Ordinance #01-2015, seconded by Mr. Melick. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

Ms. Brassard provided proof of publication from the 01-16-15 Courier News.

There being no comments from the public, Mr. Van Doren made a motion to close the Public Hearing on Ordinance #01-2015, seconded by Mr. DiMare. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

Mr. Van Doren moved adoption of Ordinance #01-2015, seconded by Mr. DiMare. A roll call vote was taken and the motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

**ORDINANCE #01-2015
CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Tewksbury in the County of Hunterdon finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.5% increase in the budget for said year, amounting to \$ 84,318.38 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**TOWNSHIP COMMITTEE
FEBRUARY 10, 2015 MINUTES**

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Tewksbury, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Township of Tewksbury shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 196,742.88, and that the CY 2015 municipal budget for the Township of Tewksbury be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

William J. Voyce
Mayor

➤ **Consent Agenda**

Mr. Melick requested that the Executive Session minutes of 01-13-15 be removed from the Consent Agenda and voted on separately.

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

**RESOLUTION #31-2015
REFUND FOR OVERPAYMENT OF TAXES**

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 payment for the refund of overpaid taxes.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Year</u>	<u>Amount</u>
52	1	Justin& Jenna Steele 3 Pruner Farm Rd. Lebanon, NJ 08833	2014	3283.02

**TOWNSHIP COMMITTEE
FEBRUARY 10, 2015 MINUTES**

William J. Voyce
Mayor

RESOLUTION 32-2015

**PROVIDING FOR THE FORM, MATURITIES AND OTHER
DETAILS OF THE REFUNDING BONDS OF THE TOWNSHIP
OF TEWKSBURY**

February 10, 2015

WHEREAS, the Township Committee of the Township of Tewksbury, in the County of Hunterdon, New Jersey (the "Township"), has heretofore issued its General Obligation Bonds, Series 2006, in the aggregate principal amount of \$8,276,000, dated January 12, 2006, which bonds are subject to redemption (on or after January 1, 2016) prior to their stated dates of maturity, consisting of (i) \$1,880,000 General Improvement Bonds, Series 2006, maturing on January 1, 2017 to 2019, inclusive, in an aggregate amount of \$523,000 and (ii) \$6,396,000 Open Space Bonds, Series 2006, maturing on January 1, 2017 to 2026, inclusive, in an aggregate amount of \$3,811,000 (the "Refunded Bonds"); and

WHEREAS, the Township desires to redeem the Refunded Bonds on January 1, 2016 at a redemption price of 100% of the principal amount of the Refunded Bonds and has adopted a bond ordinance entitled "Refunding Bond Ordinance Providing for the Refunding of Certain General Obligation Bonds of the Township of Tewksbury, State of New Jersey, Appropriating \$4,800,000 Therefor and Authorizing the Issuance of \$4,800,000 Bonds or Notes of the Township for Financing The Cost Thereof," which authorized refunding bonds to be issued to refund the Refunded Bonds;

BE IT RESOLVED BY TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TEWKSBURY IN THE COUNTY OF HUNTERDON, NEW JERSEY that:

Section 1. There shall be issued bonds of the Township in an amount not to exceed \$4,800,000 pursuant to the following bond ordinance (#10-2014):

"REFUNDING BOND ORDINANCE PROVIDING FOR THE
REFUNDING OF CERTAIN GENERAL OBLIGATION BONDS OF
THE TOWNSHIP OF TEWKSBURY, STATE OF NEW JERSEY,
APPROPRIATING \$4,800,000 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$4,800,000 BONDS OR NOTES OF THE
TOWNSHIP FOR FINANCING THE COST THEREOF."

Section 2. The bonds referred to in Section 1 hereof are sometimes hereinafter collectively referred to as the "Bonds." The Bonds will be issued in one series as "General Improvement Refunding Bonds, Series 2015" and another series as "Open Space Refunding Bonds, Series 2015." The Bonds of said issue (i) shall be dated the date of delivery of the Bonds, (ii) shall mature in the years 2017 through 2026, inclusive, or such other years as may

**TOWNSHIP COMMITTEE
FEBRUARY 10, 2015 MINUTES**

be determined by the Chief Financial Officer, (iii) shall bear interest at the interest rates per annum as determined by the Chief Financial Officer, (iv) shall be sold at such price or prices as determined by the Chief Financial Officer, and (v) may be subject to redemption prior to their stated maturities as determined by the Chief Financial Officer, as shall be set forth in the proposal for the purchase of the Bonds acceptance of which is authorized pursuant to Section 10 hereof. The Bonds shall be numbered one consecutively upward, and will be issued in fully registered form. When issued, the Bonds will be registered in the name of and held by Cede & Co., as the owner thereof and nominee for The Depository Trust Company, New York, New York ("DTC"), an automated depository for securities and clearinghouse for securities transactions. Upon issuance, the Bonds will be delivered to DTC in single denominations for each series for each maturity of the Bonds. Individual purchases of beneficial interests in the Bonds will be made in book-entry form (without certificates) in the denomination of \$1,000 each or any integral multiple thereof.

Section 3. The Bonds shall bear interest from their date based on their outstanding principal amount at the rate to be set forth in Section 2 hereof, shall be payable as to principal in lawful money of the United States of America at the administration office of the Township in Tewksbury, New Jersey, or its designated paying agent, payable semi-annually on the first day of January and July in each year until maturity, commencing on July 1, 2015, or such other commencement date as may be determined by the Chief Financial Officer, by check or draft mailed on such interest payment date to the owners thereof registered as such as of each next preceding June 15 and December 15. Interest on the Bonds shall be calculated on the basis of a 360-day year of twelve 30-day calendar months.

Notwithstanding any other provision herein to the contrary, so long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made directly to Cede & Co., as nominee of DTC in accordance with the provisions of the DTC Letter of Representations to be executed by the Township and DTC. Disbursal of such payments to the DTC participants is the responsibility of DTC, and disbursal of such payments to the beneficial owners of the bonds is the responsibility of the DTC participants.

Section 4. The Bonds shall be signed by the Mayor and the Township Chief Financial Officer, by their manual or facsimile signatures, and the corporate seal of the Township shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Township.

Section 5. The Bonds and the registration provisions endorsed thereon shall be in substantially the following form:

William J. Voyce
Mayor

MISCELLANEOUS

- Claims as submitted by the CFO

**TOWNSHIP COMMITTEE
FEBRUARY 10, 2015 MINUTES**

- Correspondence List
- Regular minutes of 01-13-15
- Authorization to have Clerk sign SA Permit for 3-28-15 Woman's Club of Tewksbury event
- Authorization to have Mayor sign F & D for 3-28-15 Woman's Club of Tewksbury raffle

ITEMS REMOVED FROM THE CONSENT AGENDA

Mr. Van Doren moved adoption of the Executive Session minutes of 01-13-15, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, DiMare, Van Doren, Voyce. Nays: None. Abstain: Melick.

- Executive Session minutes of 01-13-15

5. Reports

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

Mr. Van Doren reported on the following matters.

- He and Harold Wrede, Chairman of Scenic Roads & Bridges, met recently with Tom Matthews, HC Director of Public Works to discuss bridges that could qualify for historic status. Also discussed in the meeting was the replacement of the bridge on CR 523 between Readington and Tewksbury, although no clear time line had been determined. Further information was related regarding the Transportation Trust Fund and a plan to have a consulting firm inspect all bridges and culverts greater than 5 feet. Mr. Van Doren also noted that work on the Pottersville bridge was discussed with the idea of utilizing a foot bridge to assist with pedestrian traffic, although this project is "years down the road."
- He noted the recent Highlands Council discussion that was held at the Oldwick Fire Company that included attendance by a consultant and elected HC officials.
- He stated that NJ American Water is proposing a rate increase that could positively affect some of the residents of Pottersville.
- An additional Finance subcommittee will be held to discuss the 2015 Budget prior to bringing to the full Committee.
- He thanked Mr. Selvaggi and Ms. Campbell for the recent Ethics seminar that was offered to board/committee/commission members.
- He recommended that the Clerk contact Alan Johnson from the HC Solid Waste and Recycling Services Department to obtain additional information about the collection of paints in the Township.

Mr. Melick noted that the discussion related to the reconstruction of the bridge on CR 523 as previously noted by Mr. Van Doren has been discussed for years as it could entail the taking of Township owned land that was purchased with FEMA money. Discussion followed regarding the proper procedures that would have to be done to effectively affect a land swap.

Ms. Desiderio questioned what constitutes the job of a patroller on Township property.

**TOWNSHIP COMMITTEE
FEBRUARY 10, 2015 MINUTES**

Mr. DiMare noted that the DPW subcommittee met recently to discuss the proposed union, adding that most of the issues have been clarified and there should be a recommendation to the full Township Committee by the next meeting.

In response to a question from Mr. Melick regarding the amount of road salt currently on hand, Mr. Landon explained that the vendor (from whom the salt is purchased) does not have adequate trucks for delivering the product. Further discussion followed regarding having an ample supply of salt moving into next winter and the possibility of stockpiling in the salt dome.

Mayor Voyce noted the following items.

- A recent power outage effecting over 450 residents in the north of the Township that was caused by an electronic defect on the lines serviced by the new substation.
- If the Committee was interested in passing a Resolution supporting the Township Police officers as was done in other municipalities.
- A letter to Chief Holmes regarding towing and storage fees in the Township. The Police Department is looking into the matter.
- The number of recent chimney fires due to the extreme cold.
- No severe motor vehicle accidents have occurred.

➤ **Township Attorney**

Mr. Selvaggi noted the following items.

- The DPW negotiations are ongoing.
- He thanked Mr. Van Doren for being present at the recent meeting held to discuss ethics parameters for local volunteers.
- No final decision has been reached with regard to the Johnson helistop matter.

➤ **Township Administrator**

Mr. Landon noted the following items.

- The Land Use subcommittee met to discuss the Highlands Ordinance and the Wastewater Management Plan. The document should be ready for introduction in April of 2015.
- The 2015 Budget is being discussed and worked on with Department Heads. A Finance subcommittee meeting is scheduled for later in February.
- There is one COAH unit still available.
- A meeting was held with Clinton and Readington Township staff to discuss work to be done on Potterstown Road.
- Further discussion regarding sharing work on Califon Cokesbury Road needs to be addressed.
- Discussion followed regarding introducing an Ordinance to fund various capital projects prior to adoption of the 2015 Budget.

6. Executive Session

At 8:30 PM Mr. Van Doren moved adoption of the following Resolution, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

RESOLUTION #33-2015

**TOWNSHIP COMMITTEE
FEBRUARY 10, 2015 MINUTES**

**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 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 8:40 PM.

Mayor Voyce stated that there currently is no business for the 2/24/15 meeting, but he would like to wait to cancel until closer to the meeting.

A brief discussion regarding the Equestrian Committee's wish to have an e-mail notification sent to residents who wish to be notified of horse related events was held.

It was the consensus of the Committee that a new e-mail listing be created specifically for these matters, and the information be transmitted from the office of the Municipal Clerk.

The Equestrian Committee will be notified of this decision.

8. Adjournment

There being no further business, the meeting was adjourned at 8:45 PM.

Roberta A. Brassard
Municipal Clerk