

**TOWNSHIP COMMITTEE  
MARCH 11, 2014 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 Shaun Van Doren presided.

Other officials in attendance were Township Committee members Dana Desiderio, Louis DiMare, Peter Melick and William Voyce.

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

There were approximately two members of the public in attendance.

**1. Open Public Meetings Statement**

The Open Public Meetings Statement was read by Mayor Van Doren.

**2. Flag Salute**

Those present stood and pledged allegiance to the American flag.

**3. Actions to be taken**

➤ **Consent Agenda**

Dr. Voyce moved adoption of the Consent Agenda, 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 #39-2014  
APPROPRIATIONS RESERVES 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.

<i><b>From:</b></i>		<i><b>To:</b></i>	
A&E OE	6,891.00	Financial Admin OE	1,141.00
		Public Bldg & Grounds OE	350.00
		Gasoline & Diesel	5,400.00
	6,891.00		6,891.00

**Oldwick Sewer Fund Appropriations Reserves Transfers**

<i><b>From:</b></i>		<i><b>To:</b></i>	
Oldwick Sewer S&W	135.00	Oldwick Sewer OE	135.00

**TOWNSHIP COMMITTEE  
MARCH 11, 2014 MINUTES**

---

Shaun Van Doren  
Mayor

**RESOLUTION #40-2014**

**CALLING ON THE LEGISLATURE TO MAKE PERMANENT THE 2% CAP ON INTEREST  
ARBITRATION AWARDS**

**WHEREAS**, on December 21, 2010, Governor Christie signed into law reforms to the Arbitration process that took effect January 1, 2011; and

**WHEREAS**, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing the weight accorded to each of the required considerations and expedited the appeal process; and

**WHEREAS**, these reforms marked a dramatic change to the arbitration process and have helped municipalities to control the never-ending rise in public safety personnel costs; and

**WHEREAS**, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of the property tax levy will expire on April 1, 2014; and

**WHEREAS**, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the State to further reduce or even eliminate crucial services, personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and

**WHEREAS**, the 2% Interest Arbitration cap has controlled one of the largest municipal expense, public safety salaries, not only through arbitration awards but through contract negotiations; and

**WHEREAS**, absent further action by the Legislature, any contract that expires on or after April 1, 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and

**WHEREAS**, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and

**WHEREAS**, without the 2% cap on Interest Arbitration Awards but with the 2% cap on property tax levy

**TOWNSHIP COMMITTEE  
MARCH 11, 2014 MINUTES**

local

budget makers could be forced to reduce other essential municipal services to fund an arbitration award;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Tewksbury strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1, 2014 sunset; and

**BE IT FURTHER RESOLVED**, that a that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, the legislators of the Township of Tewksbury's State Legislative representatives, Governor Chris Christie, and the New Jersey State League of Municipalities.

---

Shaun Van Doren  
Mayor

**RESOLUTION #41-2014  
REFUND OF TAX**

**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 tax.

Block Lot		Year	Amount
15 3-03	Alexander & Darby Tulloch 3 Sblendorio Way Lebanon NJ 08833	2014	4285.80

---

Shaun Van Doren  
Mayor

**RESOLUTION #42-2014**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF TEWKSBURY, COUNTY OF HUNTERDON,  
STATE OF NEW JERSEY, AUTHORIZING RELEASE OF  
PERFORMANCE GUARANTEE**

**WHEREAS**, the Developer, Tewksbury Fine Wine and Spirits ("the Developer"), received final site plan approval for Lot 24.01, Block 44 in 2005, at which time the Developer was obligated to post a Performance Guarantee in the amount of \$55,956.00 with Tewksbury Township; and

**WHEREAS**, the Developer did, in fact, post said Guarantee; and

**TOWNSHIP COMMITTEE  
MARCH 11, 2014 MINUTES**

**WHEREAS**, the amount of the Performance Guarantee was later reduced in accordance with law and pursuant to the recommendations of the Municipal Engineer, Suburban Consulting Engineers, Inc. to \$5107.39; and

**WHEREAS**, the Developer has now satisfactorily addressed all outstanding conditions associated with and required by the prior land use approvals, as confirmed in a March 6, 2014 letter from Suburban Consulting Engineers, Inc.; and

**WHEREAS**, the Developer has requested to be released from the Performance Guarantee; and

**WHEREAS**, the Township is prepared to do so, subject to the payment of any and all outstanding escrow account balances.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Tewksbury, County of Hunterdon, New Jersey, that the Performance Guarantee in the remaining amount of \$5107.39 previously having been posted by the Developer is hereby released, subject to the prior payment of any and all outstanding escrow account balances.

---

Shaun Van Doren  
Mayor

**MISCELLANEOUS**

- Claims as submitted by the CFO
- Correspondence List
- Regular and e/s minutes of 2-25-14
- Authorization to have Mayor sign F & D for 5-17-14 raffle – TEF Barn Dance
- Authorization to have Clerk sign SA permit for 5-17-14 TEF Barn Dance
- Authorization to have Mayor and Administrator sign Engagement letter as submitted by Auditor
- Authorization to have Mayor and CFO sign Management letter as submitted by Auditor
- Authorization to have Mayor sign Form 1A – Strategic Plan for Funding Municipal Alliances

**APPOINTMENT**

Mr. Melick made a motion to appoint Norman Diegnan as Chair of the Forestry Advisory Board for a one year term through 12-31-14, seconded by Mr. DiMare.

The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

Members of the Parks Committee and FAB will be invited to the 3-25-14 meeting to discuss the possibility of merging.

**4. Reports**

- **Township Committee Sub Committees & Township Committee Comments**

**TOWNSHIP COMMITTEE  
MARCH 11, 2014 MINUTES**

Ms. Desiderio noted that she would like to speak at the 03-25-14 Committee meeting to outline the work being done by the County Planning Board.

Mr. DiMare noted that the two police vehicles that were ordered and came in with the wrong specs, should be in within the next two weeks.

Mr. Melick noted that road salt has been received, adding that the new DPW employee started on 03-10-14.

He noted that because of a disease in the NJ fish hatcheries, many rivers and streams will not be stocked this spring.

George Cassa stated that he heard that some fund raisers are being planned so that private stream stocking could occur.

Dr. Voyce noted that Rescue Squad calls continue to come in every week.

Mayor Van Doren noted that the finance subcommittee met to review the 2014 budget and will have another meeting in hopes of budget introduction on 03-25-14. He noted that the non-receipt of FEMA funding may lead to a tax increase.

Capital expenditures need to be looked at and it was suggested that some equipment requests be deferred and the funds put towards road repairs above what Mr. Hull requested.

Mayor Van Doren noted the following correspondence.

- A letter received from Liz Kneser thanking the DPW for the work done on Cold Brook Road.
- A letter pertaining to the replacement of court hardware and software.
- Correspondence from the HC Dept. of Public Safety introducing their new Health Officer Karen DeMarco.

➤ **Township Attorney**

Mr. Selvaggi noted that a 30 day extension was granted for submission of information pertaining to the Johnson helistop. This extension was initially requested by the Friends of the Historic Fairmount District.

➤ **Township Administrator**

Mr. Landon noted a letter from Attorney Bob Boak regarding sewer capacity. There is a desire to convert an existing office at the Oldwick General Store into an apartment.

Mr. Landon stated that the Oldwick Sewer has capacity and if the zoning allows the conversion, the apartment will be allowed. He added that he will advise Mr. Boak of the matter.

He noted that the rules related to the Fair Housing Act (formerly known as COAH) continue to change and the timeframe for submission of the report due 02/2014 has been amended.

The solar and wind Ordinances that were distributed earlier will be forwarded to Mr. Selvaggi and Mr. McGroarty for their comments. If ready, the two can be introduced at the 04-08-14 meeting or discussed at the upcoming work session.

Interviews for the CFO are ongoing.

**TOWNSHIP COMMITTEE  
MARCH 11, 2014 MINUTES**

Discussion followed regarding the matter related to reimbursement for fuel.

Mr. DiMare noted a complementary phone call he received from a citizen regarding Mr. landon.

Mayor Van Doren stated that salary increases should be determined and effective earlier than in past years.

**5. Adjournment**

There being no further business, the meeting was adjourned at 7:50 PM.

Roberta A. Brassard  
Municipal Clerk