

**TOWNSHIP COMMITTEE
MARCH 13, 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 seven 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

Basil Hone read a letter written by Richard Width regarding his opposition to siting a cell tower on the Oldwick Fire Company (OFC) site

Speaking on behalf of the OFC, Robert Boak stated that the matter of siting a cell tower is a Land Use Board (LUB) issue and he requested that the discussion not be “taken off at the knees” at such an early stage. He added that there are lots of cell towers behind fire companies throughout the state, adding that they are not pretty, but are a part of everyday life. He added that if in the future, smaller technology comes into existence, the tower will be removed as that is part of the proposed contract. He added that emergency equipment could also be erected on the proposed tower, and he urged the Committee to allow the cell tower people to make a full presentation to the LUB.

Tom Schroth stated that he had seen the letter from Mr. Boak regarding the cell tower and he opined that the need for the tower has nothing to do with emergency services in Oldwick, but had everything to do with additional revenue for the OFC. He added that he has made his career in the field of communication and he found the previously mentioned letter “cagey” with regard to the language that a cell tower onto which emergency communications antennae could be mounted would be within the scope of the OFC’s public safety fire fighting mission. He stressed that the proposed cell tower is not necessary.

Mary Ace stated that former Committees worked very hard to maintain the green belt around Oldwick and the lengthy struggle with former property should not be forgotten. She stressed that the Committee needs to maintain the vision of former Committees and stick with the existing Master Plan, which she opined was a “pretty good document that captures what we (Tewksbury) are.” She opined that a cell tower outside of the village would be bad for the entire Township and would forever change the look of the area.

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Robin Love stated her agreement with comments made by Mr. Width, Mr. Schroth and Ms. Ace adding that if the OFC needs additional funds, perhaps the Township can provide them with additional funding.

George Cassa questioned if the Scenic Roads and Bridges Commission could be copied on the letter regarding Bridge T-87 which was listed on the Correspondence List. Mr. Van Doren noted that the Township has no say on weight limits on bridges as that is totally up to the County, but the Township has some input with regard to changing a bridge or performing maintenance. Discussion followed regarding the fact that the weight limit on the bridge is unrestricted and the noted Resolution from the Freeholders affirms that action. The requested correspondence will be forwarded to Mr. Cassa.

Ms. Love noted that she is pleased that the Scenic Roads and Bridges Commission is being copied on the letter.

Mr. Boak reiterated that the cell tower discussion needs to be fully vetted by the LUB.

Mr. Selvaggi read from the OFC deed, noting that the restriction is open to interpretation. He stressed that interpreting the language of the deed is not the LUB's jurisdiction and the Township Committee needs to make this decision prior to the OFC appearing before the LUB. He added that if the deed is breeched, there is a reverter clause in the contract and ownership of the structure returns to the Township.

It was the consensus of the Committee that this matter be put on the 06-27-12 meeting agenda for further discussion.

Mr. Van Doren agreed that the Committee needs to hear from the public and the Committee needs to know how a cell tower could affect emergency communication.

It was noted that a Resolution may need to be adopted if the Committee agrees that a cell tower could be erected if they believe that an antenna (on the tower) would be associated with the advancement of firefighting purposes.

4. Actions to be taken

➤ **Consent Agenda**

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

MISCELLANEOUS

- Claims as submitted by the CFO
- Correspondence List
- Regular minutes of 02-14-12 and 02-28-12
- Authorization to have Clerk sign application for Special Permit for Social Affair – 6/9/12 America's Grow A Row – Brady Life Camp
- Authorization to have Mayor sign F & D for 5-5-12 TEF event at Brady Life Camp

5. Reports

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

Mr. Melick noted that members of the Township Board of Education will be in attendance at the 5/22/12 work session meeting.

Mr. Van Doren noted that a finance subcommittee meeting was held and the budget was discussed. He noted that the budget will remain flat for 2012, debt will be paid down and BAN's will be refinanced

There is nothing major planned for the capital budget, and the Township will continue with the chip and seal program.

New software is being purchased to more closely monitor the fuel dispensing service.

A .9¢ increase is planned for the 2012 budget which will equate to approximately \$40.00 annually per household.

Mayor Desiderio noted that the Board of Health, Environmental Commission, Parks Committee and Scenic Roads and Bridges Commission need to coordinate coming to a Township Committee meeting.

Mayor Desiderio noted that she met with John Anderson from JCP&L to view Harold Wrede's property. The problem about which Mr. Wrede was concerned, will be rectified within two weeks when all the wood that was cut has been picked up.

Mr. Van Doren noted that there are two trees located across from the substation that he would like a tree expert to look at before they are removed. Discussion followed regarding the need to remove the trees for regular road and drainage maintenance. Mr. Landon will provide Mr. Van Doren with a copy of the engineering plan for his review.

Mayor Desiderio noted a County Planning Board map that depicts the amount of acreage in farmland preservation.

Mr. Van Doren noted pending legislation regarding the Open Public Records Act and the Open Public Meetings Act, which, he opined, would seriously affect how Tewksbury runs their business and their meetings. He stated that he would draft a letter to Senator Weinberg and the Governor regarding the matter.

Discussion followed regarding a request from Mayor Desiderio regarding creating a listing of residents who wish to receive Township Committee agendas and adopted minutes.

➤ **Township Attorney**

Mr. Selvaggi noted that he felt that the amendment to the zoning fees and the "John's law" amendment were appropriate Ordinances to introduce.

➤ **Township Administrator**

Mr. Landon noted the following items from his report.

- He would like to have the Mutual Aid Agreement signed at the upcoming meeting.
- The means of alcohol testing with regards to the John's Law amendment were discussed.
- Mr. DiMare and Dr. Voyce will meet to review the various sign Ordinances prior to any Ordinance introduction.

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- A recent meeting with Hunters Glen representatives was held and it was determined that the wastewater system will need capital work to be done to the system.
- A draft Ordinance amending the existing Grading and Surface Water Management Ordinance was distributed for review and discussion. Mr. Van Doren and Mayor Desiderio will meet to review the document prior to introduction on 04/10/12.
- An amendment to the construction fee Ordinance was distributed for review and discussion prior to introduction.
- Two shared services agreement were distributed to the Committee for review and authorization to sign.

Mr. Melick made a motion authorizing the Mayor to sign the shared service agreements between Califon Borough and Tewksbury Township DPW, and the Tewksbury Township Board of Education and Tewksbury Township, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

6. Township Committee Comments (continued)

Mr. Van Doren stated that he would like to have the Ethics Policy amended to include language as drafted by Mr. Selvaggi.

Mr. Van Doren made a motion to amend the existing Policy on Conflict of Interest and Decorum by inserting the new language and to re-issue to all board, committee and commission members, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

Mr. Van Doren made a motion authorizing the Administrator to copy the letter from Blake Johnstone (item "m" on the correspondence list) and send to John Anderson with a cover letter. This letter outlines Mr. Johnstone's solution to power outages on Hell Mountain.

7. Adjournment

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

Roberta A. Brassard
Municipal Clerk