

**TOWNSHIP COMMITTEE
MARCH 25, 2014 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 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 Roberta Brassard, Municipal Clerk were in attendance.

There were approximately four 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. Public Participation

Dana Desiderio left the meeting at this time.

Nancy Held speaking for the Friends of the Fairmount Historic District (Friends) noted that their petition to seek an additional 30 days to file their documents related to the Johnson helistop was granted. She noted that there are additional DOT documents that the Friends would like to submit for the 3/31/14 deadline.

She questioned if the Township is going to file the amicus brief document and if there would be sufficient funds in the established escrow account for Mr. Selvaggi to complete the work for the Township. Ms. Held noted that there is currently \$650 remaining from the original \$2500.

Mayor Van Doren stated that he would contact Mr. Selvaggi to determine the status of the filing of the brief and to ascertain the amount needed to carry through with the process.

Mr. Landon noted that Mr. Selvaggi state that he felt the remaining funds would be sufficient.

Ms. Held noted the time parameters related to filing and rebuttal for all parties, adding that she was unsure if there would be the opportunity for rebuttal extended towards the amicus brief.

Mr. DiMare stated that the Township Attorney should be consulted to determine the allowance of rebuttal and submission of supplemental information. He stated that he did not want the Friends to leave the meeting thinking that the remaining \$650 would cover everything related to the matter as oral arguments could cost more.

George Cassa stated his support of having the Committee see the appeal through to the end and not to drop the matter because of monetary matters.

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Chris Kennedy stated that the Committee needs to consider this situation for future matters and not get engaged in this manner again. He stressed that the Committee needs to either support a LUB decision or not.

Ms. Desiderio returned to the meeting at this time.

Susie McGreevey representing the TAA was present to request that an outside vendor be allowed to come to the Oldwick ball fields with prepared food items to sell at 18 t-ball to little league games. She noted that the volunteer base is not there and the TAA is hoping to raise funds by the sale of food.

Mayor Van Doren noted that the applicant would have to comply with County health requirements and local fire inspections.

It was reiterated that no indoor cooking is allowed in the "snack shack" but it is permissible to serve cooked food from the inside.

It was stated that the fire inspection is \$42.00 and the fire marshal should be able to do one inspection for the entire season. It was additionally noted that vendor's inspection will suffice for County Health inspection.

Mrs. McGreevey noted that the TAA and the vendor will provide the requisite insurance.

Ms. Desiderio questioned how the TAA would profit from the sales adding that it was unfortunate that the parents and youth were not more involved in selling and serving food.

Mrs. McGreevey reiterated that the TAA is hopeful that the outside vendor will prove successful and lucrative.

Charlie Garrett (jokingly) suggested having the parents post bonds if they were not available to help.

Hope Kaufman stated that the youth should not be allowed to work the concession because of insurance matters adding that the funds raised may be used to fix up the snack for use as a real concession stand.

Mayor Van Doren advised that the Township Committee imposed the restriction that the snack shack not be used for commercial gain.

Mr. DiMare made a motion to provide permission to the TAA for the 2014 baseball season (18 games) at the Oldwick fields to contract with an outside food vendor conditional upon receipt of all health, fire and insurance requirements.

In response to a question from Mr. Melick, Mrs. McGreevey stated that the TAA plans to have the outside vendor in the spring of 2014 and will determine to move forward if successful.

Dr. Voyce seconded the above noted motion. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

4. Work Session Topic

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➤ **Parks Committee/FAB**

Charlie Garrett, Norman Diegnan and Hope Kaufman were present to discuss the possible merging of Parks and FAB. Mr. Garrett noted that both boards often have a problem meeting because of quorum issues and he felt that the boards could be combined as the work that both boards do is similar in content and intent.

Mr. Diegnan noted that a FAB member may be resigning, agreeing that securing additional members is an ongoing issue.

Mayor Van Doren noted that there has been recent success securing volunteers for most Township boards, but the Parks Committee still needs additional members. He agreed that merging the two boards seemed like an agreeable solution.

Mr. DiMare stated that he had no issue with the proposed merger.

In response to a suggestion by Dr. Voyce, Mayor Van Doren stated that he and Mr. Landon would review the existing Parks Ordinance to determine if it would have to be amended.

Further discussion followed regarding the makeup of the merged boards and if the liaison members of the FAB would still serve.

If the existing Ordinance needs to be amended, the introduction will be on 4-22-14.

➤ **Wind-Solar Ordinance Discussion**

The proposed Wind and Solar Ordinances and comments from the Township Attorney Planner and Attorney were presented to the Committee.

Ms. Desiderio stated that she felt the Land Use subcommittee needed to thoroughly review the comments and any additional comments from the entire Township Committee.

Mr. Melick opined that the proposed Ordinances were “too restrictive”.

In response to a question from Mr. DiMare, it was advised that any Township Committee comments on the Planner/Attorney comments should be presented to the Land Use subcommittee no later than 4/11/14 in advance of the subcommittee meeting on 4/14 or 4/15.

➤ **Hunterdon County Planning Board (HCPB)**

Dana Desiderio distributed information from the HCPB regarding nominations to recognize current and past achievements in Planning, Historic Preservation and the Arts. The award dinner is planned for 9/29/14 at Razberry’s Banquet and Conference Center in Frenchtown.

Additional comments were made about the breakfast talks that were held in the past and the plan to start having quarterly talks. Ms. Desiderio stated that she would like to bring two topics for the breakfast talks back to the HCPB from each municipality. Mayor Van Doren stated that the topic of affordable housing needs to be discussed at the county level. He added that it is important to have speakers familiar with Hunterdon County speak at these talks and not individuals from large State agencies.

➤ **Budget Introduction**

Mayor Van Doren noted that the 2.925¢ tax increase is due to not receiving \$1.95 million in FEMA funds related to Hurricane Sandy clean up. He added that if the funds are received in the coming 30 days, the budget could be amended and re-advertised rather than raising the tax rate.

He noted that the Township cannot pay off the general serial bonds early, that Hunters Glen wastewater will be paid off in 2015 and the Oldwick Sewer System will be paid off in 2019.

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Mayor Van Doren also noted that not all capital requests were honored, only one car for the Police Department would be purchased and the plan to update the Mountainville Meeting Hall for use as a warming center during an emergency would be put on hold.

Mr. Melick agreed that if the FEMA funds had been received, the tax rate would be flat.

Mr. DiMare stated that he would like to review all of the worksheets that the Finance subcommittee was presented.

5. Actions to be taken

➤ **Consent Agenda**

Mayor Van Doren requested the authorization to have the Clerk sign the SA permit for Tewksbury Foot Bassets event on 04-26-14 be removed from the Consent Agenda.

Dr. Voyce 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 #43-2014

A RESOLUTION SETTING THE 2014 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 following salary and wage for the employee so stated is hereby set for the year 2014.

PUBLIC WORKS		
Sawyer Waller	Public Works Employee Temporary/Seasonal	\$12.50/hour not to exceed 29 hours per week Effective 4-9-14

Shaun Van Doren
Mayor

**COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION#44-2014

WHEREAS, under provisions of N.J.S.A.40A:4-5, a municipality shall introduce the Local Municipal Budget no later than March 14th of the fiscal year; and,

WHEREAS, the Township of Tewksbury has delayed the introduction of the 2014 Municipal Budget past the statutory deadline; and,

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NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Tewksbury, Hunterdon County, New Jersey, that the Township of Tewksbury hereby petitions the Director of the Division of Local Government Services to allow a delayed introduction of the 2014 Tewksbury Township Municipal Budget; and,

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Director of the Division of Local Government Services, 101 South Broad Street, P.O. Box 803, Trenton, New Jersey 08625-0803.

Shaun Van Doren
Mayor

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

RESOLUTION #45-2014

WHEREAS, the 2014 Local Municipal Budget was introduced on the 25th day of March, 2014; and,

WHEREAS, during the fiscal year 2014 the Township of Tewksbury has been allocated a state grant for various programs in the amount of \$32,783.

NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2014 Local Municipal Budget include a special item of revenue under the heading of "**Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues Offset with Appropriations:**"

Clean Communities Program-2014	\$ 24,126.00
Clean Communities Program-2013	3,578.00
Recycling Tonnage Grant-2013	3,365.00
ANJEC Grant - 2013	300.00
Body Armor Grant-2013	<u>1,414.00</u>
	<u>\$ 32,783.00</u>

Shaun Van Doren
Mayor

**TOWNSHIP OF TEWKSBURY
COUNTY OF HUNTERDON
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RESOLUTION #46-2014**

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WHEREAS, the 2014 Local Municipal Budget was introduced on the 25th day of March, 2014; and,

WHEREAS, during fiscal year 2014, the Township of Tewksbury will receive revenue for various other special items in the amount of \$1,067,880.00.

NOW, THEREFORE BE IT RESOLVED, that petition be made herewith to the Director of the Division of Local Government Services that the 2014 Local Municipal Budget include a special item of revenue under the heading of "**Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Other Special Items**:"

Hunter's Glen Sewer Utility-Debt Service	\$ 26,545.00
Capital Fund Balance	22,335.00
Capital Fund-Reserve for Debt Service	300,000.00
Reserve for Open Space-Debt Service	675,000.00
Lease of Municipal Facilities	36,000.00
Fire Safety Fees	<u>8,000.00</u>
	<u>\$1,067,880.00</u>

Shaun Van Doren
Mayor

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

RESOLUTION-#47-2014

WHEREAS, the Township of Tewksbury is holding a meeting on March 25, 2014, for the purpose of introducing the 2014 Municipal Budget and conducting other matters; and,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Tewksbury, Hunterdon County, New Jersey, that the Township of Tewksbury hereby petitions the Director of the Division of Local Government Services that the 2014 Local Municipal Budget be introduced and approved on March 25, 2014.

2014 TEWKSBURY TOWNSHIP MUNICIPAL BUDGET

Surplus anticipated general revenues	\$ 2,196,795.00
Total Miscellaneous revenue	2,124,084.00
Receipts from Delinquent Taxes	300,000.00
Local Property Taxes	<u>5,065,448.00</u>
Total General Revenues	<u>\$9,686,327.00</u>
Salaries and Wages	\$2,765,892.00

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Other Expenses	2,501,916.00
Capital Improvements	400,000.00
Debt Service	2,252,780.00
Statutory Expenditures	711,241.00
Reserve for Delinquent Taxes	<u>1,054,498.00</u>
Total 2014 Municipal Budget	<u>\$9,686,327.00</u>
2014 Municipal Tax Rate	\$0.3737

2014 TEWKSBURY TOWNSHIP MUNICIPAL SEWER UTILITY BUDGET

Surplus anticipated general revenues	\$ 33,150.00
Total Miscellaneous revenue	<u>209,150.00</u>
Total General Revenues	<u>\$242,300.00</u>
Total Operations	\$212,200.00
Capital Improvement	<u>30,100.00</u>
Total 2014 Municipal Budget	<u>\$242,300.00</u>

Shaun Van Doren
Mayor

RESOLUTION #48-2014

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF TEWKSBURY, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY, AUTHORIZING RELEASE
OF MAINTENANCE BOND FOR OLDWICK ANIMAL HOSPITAL, LLC**

WHEREAS, the Oldwick Animal Hospital, LLC (“Developer”) is the developer of the property known and designated on the Tewksbury Township Tax Map as Lot 28 in Block 45 (“Property”); and

WHEREAS, the Developer received final site plan approval for the development of the Property as a veterinarian facility; and

WHEREAS, the Developer was required to, among other things, post a Performance Guarantee prior to commencing with the approved site plan work; and

WHEREAS, the Developer did, in fact, post said Guarantee, which was subsequently released upon the Developer’s satisfactory completion of the required improvements; and

WHEREAS, in consideration of the release of the Performance Guarantee, the Developer was required to post a two-year maintenance bond in the amount of \$9632.97; and

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WHEREAS, the Developer did post said two-year maintenance bond in the aforesaid amount; and

WHEREAS, the two-year period has since expired and there being no issues related to the bonded improvements or the maintenance thereof, as confirmed by the municipal engineer, Andrew S. Holt, P.E., in a report dated March 10, 2014; and

WHEREAS, the Developer has requested to be released from the maintenance bond; and

WHEREAS, the Township Committee is prepared to do so, contingent upon the Developer satisfying 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 two-year Maintenance Bond previously posted by the Developer, Oldwick Animal Hospital, LLC, be and is hereby released, subject to the Developer's satisfaction of any and all outstanding escrow account balances.

Shaun Van Doren
Mayor

RESOLUTION #49-2014

SATISFACTION OF GREEN ACRES DEBT USING OPEN SPACE TRUST FUNDS

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 pay off of a debt incurred by the purchase of the Pottersville Reservoir Preserve.

Green Acres 2002 Trust Fund Loan of \$500,000.00
Green Acres File # 1024-99-004

Principle	\$228,801.06
Interest	\$ 2,288.01
Total	\$231,089.07

Amount to be paid from the Township of Tewksbury's Open Space Trust Fund.

Shaun Van Doren
Mayor

MISCELLANEOUS

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- Claims as submitted by the CFO
- Regular minutes of 03-11-14

ITEMS REMOVED FROM THE CONSENT AGENDA

Dr. Voyce moved to authorization the Clerk to sign the SA permit for Tewksbury Foot Bassets event on 04-26-14, seconded by Mr. Melick. The motion was approved. Ayes: Desiderio, DiMare, Melick, Voyce. Nays: None. Abstain: Van Doren.

- Authorization to have Clerk sign SA permit for Tewksbury Foot Bassets event on 04-26-14

6. Township Committee Comments

Mr. Melick noted that he spoke with Hayden Hull regarding capital budget items. He noted that the playing fields in the Township are still wet and questioned when they would be ready for play.

Mayor Van Doren thanked members of the Pottersville Fire Company for coordinating a recent trip into NYC to view Ground Zero and the 911 Memorial. He noted a recent Mayor's Advisory regarding interest arbitration and the 2% cap. The League of Municipalities is not in favor of this action.

7. Township Administrator

Mr. Landon questioned the Committee regarding the enactment of summer hours for Township offices in 2014.

Mr. DiMare stated that he heard that "half of the employees" are not in favor of summer hours. Mr. Landon was given the task to contact all departments to get a consensus on the matter which will be discussed at an upcoming meeting.

Mr. Landon stated that amendments to the personnel policy "based on happenings" will be made part of the next Consent Agenda.

Mr. Van Doren questioned a recent letter from the NJDEP regarding the WTMUA and NJAW systems in the Township. Mr. Landon stated that he spoke with the Township Engineer and was advised that the letters were sent in error.

8. Executive Session

At 8:40 PM Mr. DiMare moved adoption of the following Resolution, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

**RESOLUTION #50-2014
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 Personnel and Litigation.

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

Shaun Van Doren
Mayor

9. Reconvened

The meeting reconvened at 9:08 PM.

Ms. Desiderio made a motion to authorize the settlement as discussed in Executive Session, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

10. Adjournment

There being no further business, the meeting was adjourned at 9:09 PM.

Roberta A. Brassard
Municipal Clerk