

**TOWNSHIP COMMITTEE
MAY 27, 2014 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 Shaun Van Doren presided.

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

Dana Desiderio was absent.

Jesse Landon, Township Administrator and Roberta Brassard, Municipal Clerk 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 Van Doren.

2. Flag Salute

Those present stood and pledged allegiance to the American flag which was led by Eagle Scouts Nicholas Fernicola and Andrew Natale.

3. Public Participation

There were no comments taken from the public.

4. Actions to be taken

- **Proclamations**

**PROCLAMATION
TO HONOR NICHOLAS C. FERNICOLA**

WHEREAS, Nicholas C. Fernicola, Boy Scouts of America, Troop 199, has attained the designation of Eagle Scout, Scouting's highest award; and

WHEREAS, Nicholas C. Fernicola has been an active Scout demonstrating outstanding leadership and has contributed many service hours during his years of Scouting; and

WHEREAS, Nicholas C. Fernicola's Eagle Scout project involved the cleaning and repainting of the Nature Classroom and Book Loft located at the Life Camp in Pottersville, NJ; and

WHEREAS, the Life Camp is a ninety-nine acre outdoor campus that is part of the Fresh Air Fund – a Fund that gives inner city children the joy of a summer vacation filled with unforgettable memories and fresh possibilities; and

WHEREAS Nicholas C. Fernicola commenced the project by scraping off decades of paint from the windows and doors of the classroom and stairwell leading up to the Book Loft; and

**TOWNSHIP COMMITTEE
MAY 27, 2014 MINUTES**

WHEREAS, Nicholas C. Fernicola and his team of volunteers reorganized the Nature Classroom and installed new carpeting and a shoe rack on the stairwell; and

WHEREAS, Nicholas C. Fernicola organized a book drive in cooperation with the Tewksbury Elementary School and the Old Turnpike Middle School and was able to add 200 age appropriate books to the Book Loft; and

WHEREAS, Nicholas C. Fernicola collected sufficient funds from friends, family and neighbors to build six new bookcases in the Book Loft so that campers at the Life Camp will be able to enjoy a variety of activities including some quiet time for reading and learning about their environment.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey hereby extends to Nicholas C. Fernicola individually, collectively and with great pride, sincere congratulations for achieving this highest of Scouting awards which symbolizes the American ideal of good citizenship and service to community; and

BE IT FURTHER RESOLVED that the Township Committee wishes Nicholas C. Fernicola much success in all his future endeavors.

Shaun C. Van Doren
Mayor

**PROCLAMATION
TO HONOR ANDREW R. NATALE**

WHEREAS, Andrew R. Natale, Boy Scouts of America, Troop 199, has attained the designation of Eagle Scout, Scouting's highest award; and

WHEREAS, Andrew R. Natale has been an active Scout demonstrating outstanding leadership and has contributed many service hours during his years of Scouting; and

WHEREAS, Andrew R. Natale's Eagle Scout project involved the refurbishing of the interior of the music building at the Life Camp in Pottersville, NJ; and

WHEREAS, the Life Camp, which began as Life Farm in 1923 by the late James C. Brady is located in the historic weaving, milling and farming community of Pottersville and is affiliated with the Fresh Air Fund and the Boys and Girls Clubs of Newark which allows inner city children to experience the joy of a summer vacation filled with unforgettable memories and fresh possibilities; and

WHEREAS, Andrew R. Natale created a plan for renovating the dark, unfinished interior of the barn-style music building; and

**TOWNSHIP COMMITTEE
MAY 27, 2014 MINUTES**

WHEREAS, Andrew R. Natale and a team of Scouts from his troop and another troop designed, constructed and installed fifteen poplar benches which will accommodate three children on each, cleaned the area of nests and cobwebs, washed windows, primed and painted walls and barn doors and created decoupage music themed posters to mount on the walls; and

WHEREAS, Andrew R. Natale feels that his project will help to create an inspiring environment for campers to enjoy and develop their abilities through the aid of music; and

WHEREAS, through generous donations and conscientious spending, Andrew R. Natale was able to donate remaining funds to the Life Camp to sponsor children from the Newark Boys and Girls Clubs of Newark with the opportunity for a memorable 2014 summer Life Camp experience.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey hereby extends to Andrew R. Natale individually, collectively and with great pride, sincere congratulations for achieving this highest of Scouting awards which symbolizes the American ideal of good citizenship and service to community; and

BE IT FURTHER RESOLVED that the Township Committee wishes Andrew R. Natale much success in all his future endeavors.

Shaun C. Van Doren
Mayor

Mr. Melick made a motion to adopt the two Proclamations for Eagle Scouts Fernicola and Natale, seconded by Dr. Voyce. The motion was approved. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: None. Absent: Desiderio.

➤ **2014 Budget Public Hearing**

Mr. DiMare moved to open the Public Hearing on the 2014 Budget, seconded by Mr. Melick.

Ms. Brassard provided proof of publication from the 05-02-14 edition of the Courier News.

There being no comments from the public, Dr. Voyce moved to close the Public Hearing on the 2014 Budget, seconded by Mr. Melick.

➤ **Resolution #75-2014**

Mr. Melick moved adoption of Resolution #75-2014, seconded by Dr. Voyce. A roll call vote was taken and the motion was approved. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: None. Absent: Desiderio.

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

RESOLUTION #75-2014

**TOWNSHIP COMMITTEE
MAY 27, 2014 MINUTES**

WHEREAS, N.J.S.A.40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and,

WHEREAS, N.J.A.C.5:30-7 was adopted by the Local Finance Board on February 11, 1997; and,

WHEREAS, pursuant to N.J.A.C.5:30-7.2 thru 7.5 the Township of Tewksbury has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Tewksbury meets the necessary conditions to participate in the program for the 2014 budget year, so now therefore,

BE IT RESOLVED, by the Township Committee of the Township of Tewksbury that in accordance with N.J.A.C.5:30-7.6a & b, and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A.40A:45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C.5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated;
 - b. Items of appropriation are properly set forth;
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A.40A:4-5, shall not prevent such certification.

**TOWNSHIP COMMITTEE
MAY 27, 2014 MINUTES**

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Shaun C. Van Doren
Mayor

➤ **Resolution #76-2014**

Mr. Melick moved adoption of Resolution #76-2014, seconded by Dr. Voyce.

In response to a question from Mr. DiMare, Mr. Ardito explained that the Committee could adopt the amended Budget as introduced as the amendment did not cause a tax increase or any new appropriations. The order in which the Budget Public Hearing and Resolutions were presented was correct.

A roll call vote was taken on the above presented motion and was approved. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: None. Absent: Desiderio.

(Resolution is included at the end of these minutes.)

➤ **2014 Budget Public Hearing (continued)**

Dr. Voyce moved adoption of the 2014 Budget, seconded by Mr. Melick. A roll call vote was taken and the motion was approved. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: None. Absent: Desiderio.

➤ **Consent Agenda**

Dr. Voyce requested that the following be removed from the Consent Agenda and voted on separately.

- Authorization to have Mayor sign Blue Light permit for Armin Scholterbeck

Mr. Melick 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.

RESOLUTION #77-2014

**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.

**TOWNSHIP COMMITTEE
MAY 27, 2014 MINUTES**

CONSTRUCTION		
Phillip Izzo	Backup Construction Official, Backup Building/Electrical/Fire/Plumbing Sub-Code Official and Inspector	\$30.00/hour Effective 05-28-14

Shaun C. Van Doren
Mayor

RESOLUTION 78-2014

A RESOLUTION CONCERNING A CASH MANAGEMENT PLAN, DESIGNATING DEPOSITORIES FOR CERTAIN MUNICIPAL FUNDS & SIGNATORIES

WHEREAS, it is in the best interest of the Township of Tewksbury to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS, Public Law 1983, Chapter 8, approved January 18, 1983, is an act concerning the Local Fiscal Affairs Law; and

WHEREAS, said Public Law amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14; and

WHEREAS, said Public Law requires that each local unit adopt a cash management plan.

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S.A. 40A:5-82 and N.J.S.A. 40A:5-14 the Township of Tewksbury, County of Hunterdon, State of New Jersey the following shall constitute the Cash Management Plan for the Township of Tewksbury which shall deposit and manage its funds pursuant to this plan:

I. DEFINITIONS:

1. Chief Financial Officer shall mean the Chief Financial Officer of the Township of Tewksbury;
2. Fiscal Year shall mean the twelve-month period ending December thirty one (31).
3. Cash Management Plan shall mean that plan as outlined and approved by this resolution.

II. DESIGNATION OF DEPOSITORIES:

1. At least once each fiscal year at its organization meeting, the Committee shall by resolution, designate the depositories for the Township of Tewksbury, in accordance with N.J.S.A. 40A:5-14.

III. AUDIT REQUIREMENT:

1. The Cash Management Plan shall be subject to the annual audit conducted

**TOWNSHIP COMMITTEE
MAY 27, 2014 MINUTES**

pursuant to N.J.S.A. 40A:5-14.

IV. AUTHORITY TO INVEST:

1. The Township Committee, at its organization meeting, shall pass a resolution designating the Township Official(s) who shall make and be responsible for municipal deposits and investments.

V. INVESTMENT INSTRUMENT:

1. The Chief Financial Officer shall invest at his/her discretion, in any investment instruments as approved by the State of New Jersey, Department of Community Affairs, Division of Local Government Services and in accordance with N.J.S.A. 40A:5-15.1.

VI. RECORDS AND REPORTS:

1. The Chief Financial Officer shall report all investments in accordance with N.J.S.A. 40A:5-15.2.
2. At a minimum, the Chief Financial Officer shall:
 - a. Keep a record of all investments.
 - b. Keep a cash position record, which reveals, on a daily basis, the status of the Township's cash in its bank accounts.
 - c. Report investments to the Township Committee at regularly scheduled meetings of the governing body.
 - d. Report monthly to the Township Committee as to the status of cash balances in bank accounts, revenue collection, interest rates and interest earned.

VII. CASH FLOW:

1. The Chief Financial Officer shall ensure that the Township's accounting system provides regular information concerning the Township's cash position and investment performance.
2. All moneys shall be turned over to the Chief Financial Officer and deposited in accordance with N.J.S.A. 40A:5-15.
3. The Chief Financial Officer is authorized and directed to invest surplus funds of the Township as the availability of funds permit. In addition, it shall be the responsibility of the Chief Financial Officer to minimize the possibility of idle cash by depositing the Township's monies in interest bearing accounts wherever practical and in the best interest of the Township of Tewksbury.

BE IT FURTHER RESOLVED that the Township Committee designates Peapack-Gladstone Bank and TD Bank as depositories for all municipal funds for the Township of Tewksbury and the custodian shall be Marie Kenia. All disbursements shall be made by checks signed by the following two persons:

1. Marie Kenia, Chief Financial Officer

**TOWNSHIP COMMITTEE
MAY 27, 2014 MINUTES**

2. Jesse W. Landon, Township Administrator.

In the absence of one of the above, the Mayor shall be the second signatory for said checks.

BE IT FURTHER RESOLVED by the Township Committee that it authorizes the above named banks to accept facsimile signatures of Jesse W. Landon, Township Administrator and Marie Kenia, Chief Financial Officer.

Shaun C. Van Doren
Mayor

RESOLUTION #79-2014

**TO ACKNOWLEDGE RECEIPT OF A \$500.00 DONATION FROM
THE ISABEL & DAVID MAHALICK FOUNDATION, INC. TO THE
TEWKSBURY POLICE DEPARTMENT**

WHEREAS, a charitable donation of \$500.00 was made to the Tewksbury Police Department by the Isabel & David Mahalick Foundation, 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 acknowledged and the monies will be used to purchase photographic equipment.

Shaun C. Van Doren
Mayor

MISCELLANEOUS

- Claims as submitted by the CFO
- Regular and e/s minutes of 05-13-14

ITEMS REMOVED FROM THE CONSENT AGENDA

Mr. Melick moved authorization to have the Mayor sign the Blue Light Permit for Armin Scholtterbeck, seconded by Mr. DiMare. The motion was approved. Ayes: DiMare, Melick, Van Doren. Nays: None. Absent: Desiderio. Abstain: Voyce.

- Authorization to have Mayor sign Blue Light permit for Armin Scholtterbeck

5. Work Session Topics
➤ **Inspection Ordinance**

Mayor Van Doren stated that the Land Use subcommittee met recently to discuss this proposed Ordinance and the Land Use Board is not in favor of changing the existing zoning inspection process.

**TOWNSHIP COMMITTEE
MAY 27, 2014 MINUTES**

Mr. Landon stated that the Township insurance advisors have stated that the Township should abolish the zoning inspections or have a very minimal inspection rather than what currently exists. He explained that the change initially was proposed because errors were being made that resulted in a cost for the Township, adding that it is not always possible to perform property inspections due to weather conditions. He suggested doing away with inspections in their entirety.

Mr. DiMare agreed that zoning inspections should be eliminated, adding that sufficient Township resources are not currently in place, nor will they undoubtedly not be in the future.

Mayor Van Doren requested that grammatical corrections be made to the proposed Ordinance with regard to recording the document as the current wording is unclear.

Dr. Voyce questioned if a subcommittee should be created with two members of the Township Committee and two members of the Land Use Board to work to find a mutually agreeable form.

Mayor Van Doren expressed his skepticism with the proposed changes, adding that he would be willing to try the new process for 6-12 months.

Mr. Melick made a motion to introduce Ordinance #03-2013, seconded by Mayor Van Doren. The motion failed. Ayes: Melick, Van Doren. Nays: DiMare, Voyce. Absent: Desiderio.

Mr. DiMare stated that he would be in favor of the Ordinance if it were to be used on a trial basis and monitored for 6 months.

Mayor Van Doren noted that a time limit could not be made part of the Ordinance, but the Land Use subcommittee could look at the matter after a six month trial period.

Mr. DiMare made a motion to introduce Ordinance #03-2013 with the proviso that the process be reviewed after a six month trial period, seconded by Dr. Voyce. The motion passed. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: none. Absent: Desiderio.

Mayor Van Doren stated that the Ordinance should be forwarded to the Land Use Board for a courtesy review and if the new process is not working after the six month trial period, the Ordinance could be repealed.

The Public Hearing is scheduled for 06-24-14 at 7:30 PM.

ORDINANCE NO 03-2014

**AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY,
COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO
AMEND THE TEWKSBURY TOWNSHIP MUNICIPAL
CODE, TITLE VIII – HEALTH AND SAFETY, CHAPTER
8.40 ENTITLED “CERTIFICATES OF INSPECTION”**

➤ **Tree Cutting/Clearing Ordinance**

**TOWNSHIP COMMITTEE
MAY 27, 2014 MINUTES**

Mayor Van Doren stated that the existing Tree Ordinance needs to be reviewed in terms of providing relief for the home owner.

Mr. Landon stated that the consensus reached last year was that homeowners could self certify the viability of trees. He added that Mr. Selvaggi suggested rescinding the existing Ordinance to completely rewrite it.

Mayor Van Doren stated that the Land Use subcommittee should review this matter and bring it to the Township Committee for possible introduction on 7-8-14.

➤ **Wind/Solar Ordinances**

Mayor Van Doren stated that he needs to get his comments to the Land Use Administrator so that the draft Ordinances can be reviewed on 6/24/14.

6. Township Committee Comments

In response to a question from Mr. DiMare, Mr. Landon stated that a meeting has been scheduled to discuss the changes to the personnel policy.

Mr. DiMare noted that he received a call regarding the licensing of cats, specifically with regard to utilizing fees from licensing to address and correct the matter of feral cat communities.

Mr. Landon stated that he would check where the funds received from dog licensing goes in order to determine how it can be used.

Mayor Van Doren noted a recent dog bite at Christie Hoffman Park and the need to enforce leash laws.

Comments were made regarding water quality related to the Oldwick sewer.

Mr. DiMare noted that he would like the language in Proclamations changed to the following for future Proclamations as the current language is confusing.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey individually, collectively and with great pride hereby extends sincere congratulations to _____ for achieving...

7. Adjournment

There being no further business, the meeting was adjourned at 8:07 PM.

Roberta A. Brassard
Municipal Clerk

TOWNSHIP OF TEWKSBURY
COUNTY OF HUNTERDON
STATE OF NEW JERSEY

RESOLUTION #76-2014

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

WHEREAS, the public hearing on said Budget has been held as advertised; and,

WHEREAS, it is desired to amend said approved Budget.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Tewksbury, County of Hunterdon, that the following amendments to the approved budget of 2014 be made:

<u>Recorded Vote</u>	<u>Ayes</u>	(DiMare (Melick (Van Doren (Voyce (<u>Nays</u>	(none	<u>Abstained</u>	(none	<u>Absent</u>	(Desiderio	<u>FROM</u>	<u>TO</u>
3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Other Special Items:										
							-	383,000.00		
							<u>1,067,880.00</u>	<u>1,450,880.00</u>		
Reserve for Debt Service - FEMA										
Total Section G: Other Special Items										

SUMMARY OF REVENUE

3. Miscellaneous Revenues:										
							<u>1,067,880.00</u>	<u>1,450,880.00</u>		
							<u>2,124,084.00</u>	<u>2,507,084.00</u>		
							<u>4,620,879.00</u>	<u>5,003,879.00</u>		
5. Subtotal General Revenues										
6. Amount to be Raised by Taxes for Support of Municipal Budget:										
							<u>5,065,448.00</u>	<u>4,669,114.00</u>		
							<u>9,686,327.00</u>	<u>9,672,993.00</u>		
7. Total General Revenues										
8. <u>GENERAL APPROPRIATIONS</u>										
							<u>1,054,498.00</u>	<u>1,041,164.00</u>		
							<u>9,686,327.00</u>	<u>9,672,993.00</u>		
9. Total General Appropriations										

BE IT FURTHER RESOLVED, that two(2) certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the local municipal budget so amended.

It is hereby certified that this is a true and accurate copy of a Resolution amending the Budget, adopted by the governing body of the Township of Tewksbury at a regular meeting held on May 27, 2014.

Witness my hand and the SEAL of the Township of Tewksbury

(SEAL)

Roberta Brassard, Municipal Clerk