

TOWNSHIP COMMITTEE JULY 14, 2015 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 William J. Voyce presided.

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

Dana Desiderio was absent.

Jesse Landon, Township Administrator, Roberta Brassard, Municipal Clerk, Michael Selvaggi, Township Attorney and Ronald Cucchiaro, Special Counsel 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

Michael Manella stated his concern and frustration with the newly opened Legacy group home on County Road 517, particularly with regard to the matter of parking an excessive number of vehicles in the front yard. He stated that he was not part of the process and was unaware that a group home was going to be located in a residential neighborhood.

Mr. DiMare explained that there was not an application to the Land Use Board as no variance was needed, and a group home is allowed to be located in residential neighborhood. He further stated that the staff at the home should be advised that parking is not allowed on the County road.

Mr. Selvaggi agreed that a group home is a permitted use, but if there are local Ordinances not being followed, appropriate local action could be taken.

Mr. Manella stated that he would be willing to plant trees to act as a buffer from the County road and his property which is located across the road from the group home. He added that he is in favor of what is being offered to the residents, but felt a location closer to a hospital or the affordable units would be a more appropriate location. He reiterated his frustration that "no one (in the Township offices) knows what's going on." Mr. Manella cautioned the Committee that an accident is going to occur and something needs to be done about the number of cars parked on site sooner rather than later.

Mr. Landon stated that he would speak with the Police Chief about the concerns, and would advise the County Road Department if a road opening permit was determined to be necessary.

Mr. Manella added that the Oldwick Fire Company's request for an electronic sign should have been granted as it would be a vehicle for disseminating emergency information to the public.

**TOWNSHIP COMMITTEE
JULY 14, 2015 MINUTES**

George Cassa noted that the Highlands Council is considering adoption of a Resolution on 07/16/15 regarding COAH Third Round Rules and available grant monies for municipalities. He asked that the Committee “keep their ducks in a row” and continue on with being in compliance with Highlands timelines and adoption of Ordinances and Plans.

John Anderson, JCP&L Area Manager was present to announce several issues relating to JCP&L.

- The connection of the Lebanon and North Branch lines is proceeding well which will benefit the Township as it carries the voltage that powers the substation.
- A damaged pole on Main Street in Califon has been rectified by being shored up and paved (around).
- He will look to determine the damage pole location on 517 and Beacon Light Road.
- Third quarter tree trimming will be commencing shortly. Ash trees will be carefully trimmed as many are damaged through the northern portion of the County. He added that the tree crews will advise the residents prior to commencing work.

4. Actions to be taken

➤ **Consent Agenda**

Mr. Van Doren requested that Resolution #65-2015 and the minutes of 06-23-15 be removed from the Consent Agenda and acted on separately.

Mr. Van Doren moved adoption of the Consent Agenda as amended, 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.

RESOLUTION #62-2015

**TO ACKNOWLEDGE RECEIPT OF A \$750.00 DONATION FROM
THE ISABEL & DAVID MAHALICK FOUNDATION, INC. TO THE
TEWKSBURY POLICE DEPARTMENT**

WHEREAS, a charitable donation of \$750.00 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 equipment.

William J. Voyce
Mayor

RESOLUTION #63-2015

**A RESOLUTION SETTING THE 2015 SALARIES AND WAGES FOR OFFICERS AND
EMPLOYEES OF THE TOWNSHIP OF TEWKSBURY**

**TOWNSHIP COMMITTEE
JULY 14, 2015 MINUTES**

BE IT RESOLVED by the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey that the salaries or wages to be paid to certain officers and employees of the Township of Tewksbury be, and the same are hereby determined and fixed, at the respective amount or rates for the calendar year 2015 and until same is amended. This Resolution hereby supercedes previous salary and wage actions taken by the Township Committee.

BE IT FURTHER RESOLVED that Mr. Van Doren is recused from voting on the salary of his brother in this Resolution as his brother is employed by the Township of Tewksbury.

NAME	TITLE	SALARY	MERIT PAY
EXECUTIVE			
Dana Desiderio	Township Committee	4,335.00/annum	
Louis DiMare	Township Committee	4,335.00/annum	
Peter Melick	Township Committee	4,335.00/annum	
Shaun C. Van Doren	Township Committee	4,335.00/annum	
William Voyce	Township Committee	4,335.00/annum	
ADMINISTRATION			
Jesse W. Landon	Administrator	125,567.10/annum	2,462.10
Roberta Brassard	Municipal Clerk	65,510.52/annum	963.39
Kathleen Reddy	Receptionist/Secretary	22.44/hour	600.60
Stephanie Koven	Perc Test Witness	75.00 /inspection	
Thomas Anderson	Fire Marshall	26.81/hour	130.35
CONSTRUCTION CODE ENFORCEMENT			
Charles Rogers	Construction Code Official Electrical Subcode Official Building, Electrical, Plumbing & Fire Inspector	96,075.84/annum	1,412.88
Rita Bernstein	Technical Assistant	35,373.60/annum	693.60
Robert J. O'Connor	Plumbing Subcode Official & Inspector	43.22/hour	287.12
Ralph Price	Building sub-code, fire sub-code, back up electrical, back up construction official, back up plumbing inspector	40.73/hour	450.16

**TOWNSHIP COMMITTEE
JULY 14, 2015 MINUTES**

FINANCE			
Marie Kenia	Chief Financial Officer – as of 5/4/14	86,700.00/annum	1,133.33
Judith Demaris	Finance Assistant – Purchasing Agent	47,314.74/annum	927.74
Kay Winzenried	Tax Collector	47,054.64/annum	922.64
Ann Marie Obiedzinski	Tax Assessor	33,945.60/annum	332.80
LAND USE			
Shana Goodchild	Land Use Administrator	85,610.00/annum	1,258.97
Dennis Allen	Zoning Officer-part time	25.63/hour	272.94
POLICE			
Thomas Holmes	Chief	114,328.74/annum	1,681.31
Daniel Geiger	Sergeant	112,312.30/annum	
Timothy Barlow	Sergeant	112,312.30/annum	
Wayne Beam	Patrolman 1 st class	106,967.78/annum	
Matthew Krok	Patrolman 1 st class	106,967.78/annum	
Vincent Mankowski	Patrolman 1 st class	106,967.78/annum	
Michael Scotti	Patrolman 1 st class	106,967.78/annum	
Timothy Hanft	Patrolman 1 st class	100,913.00/annum	
Adam Bergman	Patrolman 9 th class	45,723.00/annum	
Jean Marie Du Hamel	Secretary	47,452.44/annum	697.83
PUBLIC WORKS			
Hayden Hull	Superintendent	86,402.16/annum	1,270.62
Brian Conner	Foreman	34.90/hour	
Kevin Pyatt	Assistant Foreman/Sewer Operator	33.74/hour	
W. Daniel Fechtman	Senior Public Works Employee	30.24/hour	
Mark Van Doren	Senior Public Works Employee	30.06/hour	
Dale Svenningson	Mechanic	25.76/hour	
Gary Conner	Senior Public Works Employee	25.81/hour	
Floyd Dipple	Senior Public Works	25.00/hour	

**TOWNSHIP COMMITTEE
JULY 14, 2015 MINUTES**

	Employee		
Roland Tiger	Senior Public Works Employee	22.36/hour	
Ben Quarne	Public Works Employee	15.45/hour	
Patrick Danser	Public Works Employee Temporary/Seasonal	\$12.00/hour not to exceed 28 hours per week	
Jerod Mutter	Public Works Employee Temporary/Seasonal	\$12.00/hour Not to exceed 28 hours per week eff. 7/20/15	
<u>COURT</u>			
Edward Martin	Municipal Court Judge	\$9,898.08/annum	194.08
Robert Ballard	Municipal Court Prosecutor	\$8,511.90/annum	166.90
Scott Mitzner	Municipal Court Public Defender	\$200.00/per case	
Cynthia Hooven	Court Administrator	19,702.32annum	386.32
Shauna Tillotson	Deputy Court Administrator	\$18.80/hour	30.96
Vilma Urbanski	Court Translator, Violations Bureau Court Staff	\$17.34/hour	76.84
Michael Clancy	Court Security	\$135.66/court session	18.62

William J. Voyce
Mayor

RESOLUTION #64-2015

**RESOLUTION APPROVING TAX REFUND
FOR RICHARD BETTS, BLOCK 11 LOT 10**

WHEREAS, Richard Betts is the owner of premises known as 32 Long View Road, in the Township of Tewksbury, and also known as Block 11, Lot 10 as shown on the Tewksbury Township Tax Map; and

WHEREAS, Richard Betts has been approved as a permanently-disabled Veteran, pursuant to N.J.S.A. 54:4-3.30, which status was designated on April 2, 2015; and

**TOWNSHIP COMMITTEE
JULY 14, 2015 MINUTES**

WHEREAS, the effective date of permanent disability was established by the Division of Veterans' Affairs as of January 28, 2013 and

WHEREAS, pursuant to said declaration, Richard Betts is entitled to a refund of all taxes paid on the property since the date of designation, to wit April 2, 2015; and

WHEREAS, the Township is obligated to reimburse taxes paid by Richard Betts retroactive to that time on his property, which is his principal residence; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.32, the Township has the option of reimbursing all taxes retroactive to the effective date of his disability, to wit January 28, 2013; and

WHEREAS, the Township Tax Collector has computed said amount to be \$14,937.69; and

WHEREAS, the Township is desirous, pursuant to the aforesaid statute, of reimbursing all of the tax payments made by Mr. Betts as of the effective date of his disability.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Tewksbury, County of Hunterdon and State of New Jersey, that the amount of \$14,937.69 shall be reimbursed to Richard Betts with reference to Block 11, Lot 10.

William J. Voyce
Mayor

MISCELLANEOUS

- Claims as submitted by the CFO
- Correspondence List

ITEMS REMOVED FROM THE CONSENT AGENDA

Pertaining to Resolution #65-2015, Mr. Van Doren questioned if the Draft Wastewater Management Plan (WMP) as submitted to the Highlands Council could be made available to the public for review. He noted that the document was created with taxpayer money and they should be entitled to view the document prior to its approval by the DEP.

Mr. Selvaggi noted that the DEP and Highlands Council regulations outline the procedure and state that the document is not a public document until finally adopted by the DEP.

Mr. Selvaggi explained how the document will be reviewed, how amendments (if necessary) will be made and why the DEP may not wish the Plan to be a publicly available document.

In response to a question from Mr. Van Doren, Mr. Selvaggi stated that once the WMP is finally adopted, all prior draft documents will be available through an OPRA request.

Mr. Selvaggi stated that he would review Mr. Van Doren's request and write a short opinion on the matter prior to adoption of the Resolution.

TOWNSHIP COMMITTEE JULY 14, 2015 MINUTES

Mr. Melick made a motion to table adoption of Resolution #65-2015, seconded by Mr. Van Doren. The motion was approved. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: None. Absent: Desiderio.

Mr. Melick made a motion to adopt the minutes of 06-23-15, seconded by Mr. DiMare. The motion was approved. Ayes: DiMare, Melick, Voyce. Nays: None. Absent: Desiderio. Abstain: Van Doren.

- Regular minutes of 06-23-15

5. Reports

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

Mr. Van Doren noted the following items.

- The finance subcommittee discussed utilizing a service to allow credit card usage for the payment of taxes. The draft Resolution and contract will be forwarded to the Attorney for review prior to adoption.
- The 7/7/15 Freeholders meeting held in Mountainville was uneventful.
- The Chair of the Scenic Roads and Bridges Commission received a letter from a resident regarding safety issues on Main Street in Mountainville. The Police Chief has recommended the installation of cautionary signs to address the problem(s).
- Plans for the National Night Out event scheduled for 08-04-15 are moving along. He noted that he would like to see this become an annual event in the Township.
- An increase in the pension became effective 7/1/15.

Mr. DiMare stated that he had a conversation with an acquaintance who is a retired engineer regarding the recent road bids and less than enthusiastic response by contractors. He noted his disappointment with the quality of bid packages and frustration that the road project(s) are not being bid on and awarded. Discussion followed regarding the time constraints for bid award and roadwork completion. Mr. Landon noted that the bid opening is scheduled for 7-15-15 will determine how to proceed with road projects moving into 2016.

Mr. Van Doren made a motion authorizing that bid documents for all capital road projects be prepared if acceptable bids are not received on 07-15-15 for the Bissell Road Phase IV/Deer Hill Road portion, or if acceptable bids are received for the Bissell Road Phase IV/Deer Hill Road portion on 07-15-15 to go to bid for all capital road work minus the above noted roads, 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.

Mayor Voyce noted that the Rescue Squad has been busy with calls, and plans for the National Night Out event scheduled for 08-04-15 are moving forward.

➤ **Township Attorney**

Mr. Selvaggi noted that much of his work for the Township has been regarding COAH matters and filing of the declaratory judgment. He added that some documents have been transmitted electronically in Hunterdon, Somerset and Warren counties. He stated that the work on the Fair Share Plan has commenced and will take up to five months with input from the Land Use Board.

**TOWNSHIP COMMITTEE
JULY 14, 2015 MINUTES**

Discussion followed regarding a second letter was sent to the property owner of Block 13, Lot 5 on Guinea Hollow Road regarding the structure that has been deemed unsafe by the Construction Official. It was stated that the front of the structure had been boarded up, but the rear of the structure was still open. It was noted that it would be difficult to get large machines to the site because of the constraints and the wetlands.

Mr. Van Doren made a motion to have the Attorney contact the owner of the structure located at Block 13 Lot 5 (Guinea Hollow Road) advising him that he has ten (10) days to comply with the Township's order to either raze the building or make the structure safe and no longer a danger, or the Township will file suit, seconded by Mr. DiMare. The motion was approved. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: None. Absent: Desiderio.

➤ **Township Administrator**

Mr. Landon reported on the following items.

- He has received positive feedback from a group interested in siting a group home at the Bartles site.
- A DOT grant for \$160,000 for Potterstown Road work and a Green Acres matching grant for \$350,000 have been received.
- A meeting needs to be held to discuss funding for the various fire and rescue groups servicing the Township.
- Plans for the 08-04-15 National Night Out are moving forward.

In response to a question from Mr. Van Doren, Mr. Landon stated that the Township is in compliance with the decision referenced in correspondence list item "r". Ordinance #05-2009 was adopted addressing this issue.

6. Executive Session

At 8:50 PM Mr. Van Doren moved adoption of the following Resolution, seconded by Mr. DiMare. The motion was approved. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: None. Absent: Desiderio.

**RESOLUTION #66-2015
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 Advice of Attorney -State v. Melick.

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

Mr. Melick was recused from the Executive Session discussion.

**TOWNSHIP COMMITTEE
JULY 14, 2015 MINUTES**

7. Reconvened

The meeting reconvened at 9:10 PM.

Mr. Van Doren made a motion authorizing Special Council to proceed with the State v. Melick case as discussed in Executive Session, seconded by Mr. DiMare. The motion was approved. Ayes: DiMare, Van Doren, Voyce. Nays: None. Absent: Desiderio. Recused: Melick.

Mr. DiMare made a motion to cancel the scheduled 07-28-15 Township Committee meeting, seconded by Mr. Van Doren. The motion was approved. Ayes: DiMare, Van Doren, Voyce. Nays: None. Absent: Desiderio, Melick.

8. Adjournment

There being no further business, the meeting was adjourned at 9:15 PM.

Roberta A. Brassard
Municipal Clerk