

**TOWNSHIP COMMITTEE
JULY 26, 2011 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 8:00 PM, roll call held and a quorum established. Mayor Peter Melick presided.

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

Dana Desiderio was absent.

Jesse Landon, Township Administrator was in attendance.

There were approximately three members of the public in attendance.

1. Open Public Meetings Statement

The Open Public Meetings Statement was read by Mayor Melick.

2. Flag Salute

Those present stood and pledged allegiance to the American flag.

3. Public Participation

George Cassa stated his support of the effort to designate more historic landmarks in the Township.

4. Actions to be taken

➤ **Ordinance Public Hearing**

Mr. Van Doren was recused from the following Public Hearing.

Dr. Voyce made a motion to open the Public Hearing on Ordinance #08-2011, seconded by Mr. DiMare. The motion was approved. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: None. Recused: Van Doren. Absent: Desiderio.

Mr. Landon provided proof of publication from the 07/15/11 Courier News.

There being no comments from the public, Dr. Voyce made a motion to close the Public Hearing on Ordinance #08-2011, seconded by Ms. Mr. DiMare. The motion was approved. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: None. Recused: Van Doren. Absent: Desiderio.

Dr. Voyce moved adoption of Ordinance #-6-2011, seconded by Mr. DiMare. The motion was approved. Ayes: DiMare, Melick, Van Doren, Voyce. Nays: None. Recused: Van Doren. Absent: Desiderio.

ORDINANCE NO. 08-2011

**AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY,
COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING**

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**THE ACQUISITION OF CERTAIN REAL PROPERTY KNOWN AS BLOCK 51, LOTS 80
(PARTIAL), 80.05 AND 80.06, KNOWN AS THE HILL AND DALE FARM PROPERTY**

WHEREAS, there is within the Township of Tewksbury, (“the Township”) certain real property which is 80.698 acres known as Block 51, Lots 80 (partial), 80.05 and 80.06 (the “Property”) as shown on the official Tax Map of the Township; and

WHEREAS, the Township has determined that there is a need to acquire the Property for open space preservation, parkland and/or other public purposes, and that such acquisition is in the best interest of the Township; and

WHEREAS, the Township has agreed to partner with the Tewksbury Land Trust, the Lamington Conservancy, the Upper Raritan Watershed Association and the New Jersey Conservation Foundation to purchase the property for \$4,791,841, said agreement and purchase conditioned on the Township receiving the funding through its NJDEP Green Acres Nonprofit grant; and

WHEREAS, the Township has been asked to provide payment in the amount of \$300,000.00 from its NJDEP Green Acres Nonprofit grant, and in exchange will be receiving a 15.07% undivided interest at closing; and

WHEREAS, the Township, either at closing or sometime soon thereafter, will transfer its 15.07% interest to the New Jersey Conservation Foundation, who will become the sole title holder of the property; and

WHEREAS, the Township is authorized pursuant to N.J.S.A. 40:12-1, et. seq., and other Statutes to acquire the Property for public purposes; and

WHEREAS, the Township has confirmed with NJDEP Green Acres that the purchase of this property will not require its inclusion on the Township’s Recreation Open Space Inventory (ROSI) because it is considered an administrative transfer under N.J.A.C. 7:36 - 25.5.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Tewksbury in the County of Hunterdon, and State of New Jersey, hereby authorized the Township’s participation in the purchase of Block 51, Lots 80 (partial), 80.05 and 80.06, known as the Hill and Dale Farm property for a contribution of \$300,000.00 from the Township’s Green Acres Nonprofit grant monies; and

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the Township Committee of the Township of Tewksbury in the County of Hunterdon, and State of New Jersey, as follows:

Section 1. The Township Administrator is authorized to make application to the New Jersey Green Acres Program to seek the grant funds needed for the acquisition of the Property.

Section 2. The Mayor is authorized to execute all documents necessary to effectuate the closing on this property, including but not limited to the Green Acres payment request form, the joint funding agreement, Deed of Conservation Restrictions and the deed transferring the

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Township's interest to NJCF.

Section 3. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 4. Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 5. Effective Date. This Ordinance shall take effect upon final passage and publication.

Peter Melick
Mayor

Mr. Van Doren returned to the meeting.

➤ **Consent Agenda**

Mr. Van Doren questioned the grace period for the payment of taxes with regard to interest payment.

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

**RESOLUTION #77-2011
REGARDING THE GRACE PERIOD FOR THE PAYMENT
OF TAX BILLS**

WHEREAS, NJSA 54:4-67 provides that tax bills be allowed a minimum grace period of twenty-five days when tax bills are mailed late; and

WHEREAS, the Hunterdon County Board of Taxation certified the tax rate on July 21, 2011 and the State of New Jersey provided the State Aid amounts for the tax bills on July 21, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Township tax bills were sent out on July 25, 2011, the grace period for the third quarter will be extended until September 1, 2011.

Peter Melick
Mayor

MISCELLANEOUS

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- Claims as submitted by the CFO
- Regular minutes of 07/12/11
- Authorization to sign F & D for 09/17/11 event at Brady Life Camp
- Authorization to sign F & D for 09/10/11 Hickory Grove Farm

5. Work Session Topics

➤ **Historic Landmark Designation**

Mr. Landon reported that he has been researching the matter of historic landmark designation with the State. He noted that the Township may adopt an ordinance to designate local landmarks as opposed to State and National landmarks. He added that letters were sent to residents living in historic structures and the majority of individuals contacted were not interested in receiving landmark designation. This information was copied to the Committee members.

Discussion followed regarding the Rockaway Valley Railroad and where it runs in the Township. It was noted that the area is notated on the tax map, but there is no information in the block and lot files or any recorded deeds.

Mr. DiMare noted correspondence received from the attorney representing a resident advising that the Township should not designate his structure as historic. It was recommended that Mr. Selvaggi be apprised of this correspondence.

Mr. Van Doren noted that the Master Plan may have incorrect information regarding historic structures. Also noted was an older study done by Nancy Zerbe.

Mr. Landon noted the Cokesbury District in Clinton Township and suggested that the Committee look into a similar designation for Tewksbury.

Mayor Melick stated that he has heard comments from residents that they feel an historic designation would be another strike against the homeowner and there is not a lot of positive input from home owners.

Further discussion followed regarding the Rockaway Railroad and how the rail bed in some areas goes through private homes.

Mr. Van Doren stated that the Historic Preservation Commission and Mr. Benson know that information in the Master Plan is incorrect. He added that getting State and National historic designation would incur a cost to the Township.

Mr. DiMare questioned if the properties in question could be condemned. It was the consensus of the Committee, that condemnation is not a "fun process" and should not be further pursued.

Mr. Van Doren noted that he will discuss the Vliet farm at an upcoming Land Use Board meeting.

Mr. Cassa questioned the difference between local designation versus State and Federal. It was reiterated that a municipality can designate specific properties as historic.

6. Township Committee Comments

Dr. Voyce noted upcoming events in the area over the weekend: the Antique Show in Pottersville, the Balloon Festival at Solberg Airport and the concert at the Hickory Grove Farm.

Mr. Van Doren questioned the status of performing a speed survey on Water Street. It was noted that the results from a survey were lost and the Police have not run the test again.

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Discussion followed regarding the current speed limit and the difficulty to enforce such a low limit of 20 MPH.

It was noted that the current speed limit is based on road width, the number of structures on the roadway and other factors.

Further discussion followed regarding whether tickets were dismissed because of the stated speed limit.

Mr. Van Doren made a motion to appoint Mary Fazzini as the Alternate #2 member to the Scenic Roads and Bridges Commission for an unexpired term through 12/31/11, seconded by Mr. DiMare. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

7. Adjournment

There being no further business, the meeting was adjourned at 8:30 PM.

Roberta A. Brassard
Municipal Clerk