

**TOWNSHIP COMMITTEE
JULY 8, 2014 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 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, Roberta Brassard, Municipal Clerk and Michael Selvaggi, Township Attorney were in attendance.

There were approximately twenty 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

There were no comments heard from the public.

4. Actions to be taken

Mr. DiMare moved to open the Public Hearing on Ordinance #04-2014, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

Ms. Brassard provided proof of publication from the 06/27/14 Courier News.

Mayor Van Doren explained that this Ordinance is to repeal the existing Ordinance in its' entirety and to do away with zoning inspections. He added that Mr. Landon contacted surrounding municipalities and no other municipality has a similar provision.

Arnold Shapack recalled a neighbor who had inspections performed at their home at which several safety issues were noted and corrected making the home safer for the residents. He stated that he did not feel eliminating the inspections would be the prudent way to proceed. He suggested creating clear parameters for inspections, charging a higher fee and educating the public on the need to apply for permits when doing work around their homes.

Daniel Caffrey opined that some inspections should be done by a Zoning Officer and not the resident.

In response to a question from George Cassa, it was stated that if the Ordinance passed tonight, it would become effective upon publication.

In response to a question from Joe Tenerelli, Mayor Van Doren stated that the Ordinance was not meant to protect the Township from lawsuits.

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Discussion followed between the Mayor and Mr. Tenerelli regarding getting the Township out of the home inspection business and how the seller will be responsible for the home inspection and any contractual obligations.

Mayor Van Doren added that any permits the seller applied for and legally received through the Township would be documentation used during a closing.

Charles Reichold opined that the zoning inspections do nothing for the buyer, adding that it would be more prudent for the buyer to coordinate their own inspections prior to the purchase.

Leroy Lance opined that rescinding the existing Ordinance and eliminating inspections is the correct course of action, adding that the buyer and seller should be the only entities involved in the sale of a home.

In response to a question from Howard Weinreich, it was stated that the Zoning Officer could not perform inspections on his own time for Township residents.

Mayor Van Doren stressed that residents are encouraged to contact the Zoning Officer during regular business hours for guidance.

Mr. Selvaggi noted that the Zoning Officer should be contacted to see if there are open permits or zoning violations.

Mr. Melick added that the zoning officer should be contacted if a resident has a concern that an illegal apartment could exist over a barn.

There being no additional comments from the public, Ms. Desiderio moved to close the Public Hearing on Ordinance #04-2014, seconded by Mr. Melick. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

Mr. DiMare moved adoption of Ordinance #04-2014, seconded by Dr. Voyce.

Mr. DiMare noted that he has always been an advocate of repealing the Certificate of Inspections, adding that the Township should not be in the business of home inspections.

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

ORDINANCE NO. 04 -2014

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

WHEREAS, the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey, has determined that it is no longer necessary to require Certificates of Inspection as set forth in Title VIII, Chapter 8.40 upon the sale of any existing residential building in the Township; and

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WHEREAS, the Township Committee of the Township of Tewksbury, County of Hunterdon, has concluded that such inspections are overly invasive and potentially expose the Municipality to possible liability in the event an inspection by a municipal employee is not performed adequately; and

WHEREAS, the Township Committee of the Township of Tewksbury, County of Hunterdon, has found that diligent and responsible home buyers should perform their own independent evaluation and inspection of any residential structure they intend to purchase in Tewksbury Township and to conduct their own due diligence inquiry of the Township's public records relating to any property they intend to purchase in Tewksbury Township; and

WHEREAS, the Township Committee of the Township of Tewksbury, County of Hunterdon, for these reasons has concluded that it should not engage in any further inspections.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Tewksbury, in the County of Hunterdon, State of New Jersey, that the Code of the Township of Tewksbury, Title VIII, Chapter 8.40 entitled "Certificates of Inspection" is hereby rescinded, deleted, and eliminated, and there shall be no further need for any inspections by any municipal officer or employee as a condition precedent to the sale of any existing residential structure in the Township of Tewksbury.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Township Committee of the Township of Tewksbury, in the County of Hunterdon, State of New Jersey, that the aforesaid Ordinance shall take effect immediately upon passage and publication.

Shaun Van Doren
Mayor

• **Consent Agenda**

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

Mr. DiMare abstained from voting on the regular and executive session minutes of 06-24-14 as he was not in attendance at the meeting.

**RESOLUTION #88-2014
REFUND OF TAX**

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 refund for a successful tax appeal.

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<u>Block</u>	<u>Lot</u>		<u>Year</u>	<u>Amount</u>
45	1.01	SPINNER, JACLYN 290 FAIRMOUNT ROAD LONG VALLEY, NJ 07853	2013	2,046.17

Shaun Van Doren
Mayor

**RESOLUTION #89-2014
REDEMPTION OF A TAX SALE CERTIFICATE**

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 payments for the redemption of a tax sale certificate.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>CERT #</u>	<u>Amount</u>
11	34	US BANK CUSTODIAN FOR PRO CAPITAL I LLC 50 S 16 TH St Suite 1950 Philadelphia, PA 19102	2012-01	32,669.86

Shaun Van Doren
Mayor

RESOLUTION #91-2014

THANKING ELIZABETH "LIBBY" DEVLIN FOR HER SERVICE TO TEWKSBURY

WHEREAS, Libby Devlin has devoted countless hours of service to the citizens of the Township of Tewksbury, in the County of Hunterdon, State of New Jersey by serving on the Historic Preservation Commission, Planning Board and the Land Use Board; and

WHEREAS, Libby Devlin has always availed herself to counsel, guide and assist anyone seeking her valuable time, expertise and assistance in a manner characterized by honesty, integrity and intelligence.

NOW, THEREFORE BE IT RESOLVED on this eighth day of July in the year two thousand and fourteen that the Township Committee wishes to thank Libby Devlin for her years of service by way of this Resolution.

BE IT FURTHER RESOLVED that a copy of this Resolution be entered into the official minutes of the Township Committee of the Township of Tewksbury.

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Shaun Van Doren
Mayor

MISCELLANEOUS

- Claims as submitted by the CFO
- Regular and e/s minutes of 06-24-14
- Correspondence List
- Authorization to have Mayor sign letter re: Turn The Towns Teal
- Authorization to accept changes to the Personnel Policy

5. Reports

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

Mr. Melick noted that the Township roads are in rough condition, adding that Fox Hill Road had to be closed due to damage caused from truck traffic. He added that summer hours have proved beneficial as it allows the DPW longer working hours for large projects.

Mr. DiMare stated that he was not in favor of receiving press releases from the Police Department related to department matters. Mayor Van Doren stated that he had asked the Police Chief that this be distributed to the entire Committee for their information.

Dr. Voyce noted that there will be a TRS sponsored helicopter landing and barbecue on 7/10/14 in front of the Police Administration Building.

Mayor Van Doren stated that the finance subcommittee met with the CFO recently to discuss the budget, adding that the Township is currently operating under budget.

He noted that the letter from the NJDEP regarding the NJPDES permit for the Bellemead property should be discussed in executive session.

6. Public Participation

In response to a question from Bob Simpson, it was reiterated that zoning inspections will no longer be needed effective upon publication of Ordinance #04-2014.

7. Reports (cont.)

➤ **Township Attorney**

Regarding the Johnson helistop, Mr. Selvaggi noted that the DOT's request for an extension with the Appellate Division seeking additional time to file their brief was granted.

➤ **Township Administrator**

Mr. Landon noted that capital road projects are underway and a preconstruction meeting is scheduled for the coming week.

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➤ **Mayoral Comments**

Mayor Van Doren noted the following.

- The 7/22/14 meeting could be cancelled
- The Township Planner will be at the 8/12/14 meeting to discuss the proposed wind and solar ordinances.
- The Land Use subcommittee needs to meet to discuss the tree ordinance.
- The COAH subcommittee needs to meet later this month.
- The September work session should include a tour of Township roads with the Township Engineer and Superintendent of Public Works in attendance.

8. Executive Session

At 8:00 PM Dr. Voyce moved adoption of the following Resolution, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

**RESOLUTION #92-2014
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 Advice of Attorney, Contract Negotiations and Personnel.

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

Mr. Melick and Mayor Van Doren left the meeting during Executive Session.

9. Reconvened

The meeting reconvened at 8:55 PM.

Ms. Desiderio made a motion to adopt Resolution #90-2014, seconded by Mr. DiMare. The motion was approved. Ayes: Desiderio, DiMare, Voyce. Nays: None. Dismissed: Melick, Van Doren.

**RESOLUTION #90-2014
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 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 2014 and until same is amended.

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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.

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>	<u>MERIT PAY</u>
<u>EXECUTIVE</u>			
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	
<u>ADMINISTRATION</u>			
Jesse W. Landon	Administrator	123,105.00/annum	2,414.00
Roberta Brassard	Municipal Clerk	64,226.00/annum	630.00
Kathleen Reddy	Receptionist/Secretary	22.00/hour	
Stephanie Koven	Perc Test Witness	75.00 /inspection	
Thomas Anderson	Fire Marshall	26.28/hour	62.00
<u>CONSTRUCTION CODE ENFORCEMENT</u>			
Charles Rogers	Construction Code Official Electrical Subcode Official Building, Electrical, Plumbing & Fire Inspector	94,192.00/annum	923.00
Rita Bernstein	Technical Assistant	34,680.00/annually effective 3/18/14	680.00
Robert J. O'Connor	Plumbing Subcode Official & Inspector	42.79/hour	144.00
Ralph Price	Building sub-code, fire sub-code, back up electrical, back up construction official, back up plumbing inspector	39.93/hour	536.00

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<u>FINANCE</u>			
Judie A. McGrorey	Chief Financial Officer	97,194.00/annum	1906.00
Judith Demaris	Finance Assistant – Purchasing Agent	46,387.00/annum	682.00
Kay Winzenried	Tax Collector	46,132.00/annum	678.00
Ann Marie Obiedzinski	Tax Assessor	33,280.00/annum	653.00
<u>LAND USE</u>			
Shana Goodchild	Land Use Administrator	83,931.00/annum	823.00
Dennis Allen	Zoning Officer-part time	25.25/hour eff. 3/18/14	144.00
<u>POLICE</u>			
Thomas Holmes	Chief	112,087.00/annum	1099.00
Daniel Geiger	Sergeant	96,536.00/annum	
Timothy Barlow	Sergeant	96,536.00/annum	
Wayne Beam	Patrolman 1 st class	91,942.00/annum	
Matthew Krok	Patrolman 1 st class	91,942.00/annum	
Vincent Mankowski	Patrolman 1 st class	91,942.00/annum	
Michael Scotti	Patrolman 1 st class	91,942.00/annum	
Timothy Hanft	Patrolman 1 st class	91,942.00/annum	
Timothy Stringer	Special Police Officer Class 2	\$18.00/hour	
Jean Marie Du Hamel	Secretary	46,522.00/annum	912.00
<u>PUBLIC WORKS</u>			
Hayden Hull	Superintendent	84,708.00/annum	1661.00
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	

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Floyd Dipple	Senior Public Works Employee	25.00/hour	
Roland Tiger	Senior Public Works Employee	22.36/hour	
Ben Quarne	Public Works Employee	15.45/hour	
Ryan Welch	Public Works Employee	\$15.00/hour	
John Obiedzinski	Public Works Employee Temporary/Seasonal	\$12.00/hour not to exceed 29 hours per week	
Bryan Silverthorne	Public Works Employee Temporary/Seasonal	\$12.00/hour not to exceed 29 hours per week	
<u>COURT</u>			
Edward Martin	Municipal Court Judge	\$9,704.00/annum	190.00
Robert Ballard	Municipal Court Prosecutor	\$8,345.00/annum	164.00
Scott Mitzner	Municipal Court Public Defender	\$200.00/per case	
Cynthia Hooven	Court Administrator	19,316.00/annum	379.00
Shauna Tillotson	Deputy Court Administrator	\$18.43/hour	
Vilma Urbanski	Court Translator Violations Bureau Court Staff	\$17.00/hour	
Michael Clancy	Court Security	\$133.00/court session	23.00

Shaun Van Doren
Mayor

Mr. DiMare made a motion to sell the James Street Garage to the Tewksbury Historical Society for the cost of \$1.00, with a reverter clause that if the Society ceases to exist, the building be returned to the Township. It is further stated that the existing fire horn and compressor remain on site, and access and use language be included in the contract to be drafted by the Township Attorney. The motion was seconded by Ms. Desiderio. A roll call vote was taken and the motion was approved. Ayes: Desiderio, DiMare, Voyce. Nays: None. Dismissed: Melick, Van Doren.

10. Adjournment

There being no further business, the meeting was adjourned at 8:57 PM.

Roberta A. Brassard
Municipal Clerk