

**TOWNSHIP COMMITTEE
MARCH 10, 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 Dana Desiderio, Louis DiMare, Peter Melick and Shaun Van Doren.

Jesse Landon, Township Administrator, Roberta Brassard, Municipal Clerk and Michael Selvaggi, Township Attorney were in attendance.

There were approximately two 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

In response to a question from George Cassa, Mr. Landon explained the reason for adoption of Resolution #34-2015. Because the property is located in the Township and a NJPDES permit is being sought, the Township needs to be notified and approve of the action. It was added that the Township Engineer has reviewed the application and has approved the action.

Elizabeth Rodriguez was present to express her concern with the condition of Meadow Lane. She stated that she would like to come to a meeting with neighbors to further discuss the dangerous conditions and petition the Committee to pave the entire road. She urged the Committee to drive on the road as it is in terrible condition and there have been numerous serious accidents.

Mr. Melick stressed that dirt roads are in their worst condition at this time of the year due to thawing and the frost coming out of the ground. He added that there is not much the DPW can do until the weather clears.

In response to a question from Ms. Rodriguez, Mr. Landon stated that it would be difficult to determine the annual cost for maintaining the road as some years require more work than others. He added that the DPW spent many hours in 2014 working on Meadow Lane due to the severity of the previous winter.

Ms. Rodriguez put the Committee "on notice" in the event a serious accident occurs.

Mr. Van Doren requested that the Administrator research the Resolution that was adopted by the Planning Board to determine if any restrictions exist regarding paving.

4. Actions to be taken

➤ **Ordinance Introduction**

Mr. Van Doren made a motion to introduce Ordinance #02-2915, seconded by Ms. Desiderio.

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The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

Several typographic mistakes will be corrected prior to publication.

The Public Hearing is scheduled for 04-14-15 at 7:30 PM.

ORDINANCE # 02-1015

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$4,716,269 FOR VARIOUS IMPROVEMENTS IN AND BY THE TOWNSHIP OF TEWKSBURY, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$4,444,831 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

➤ **Consent Agenda**

Mr. Melick requested that Resolution #34-2015 be removed from the Consent Agenda and voted on separately.

Mr. Van Doren 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.

MISCELLANEOUS

- Claims as submitted by the CFO 1/27/15, 2/24/15, 3/10/15
- Correspondence List
- Regular and e/s minutes of 02-10-15
- Authorization to have Clerk sign SA Permit for 5-2-15 American's Grow-A-Row event
- Authorization to have Mayor sign F & D for 5-2-15 American's Grow-A-Row 50/50 raffle
- Authorization to have Mayor sign F & D for 5-2-15 American's Grow-A-Row basket raffle

ITEMS REMOVED FROM THE CONSENT AGENDA

Mr. Van Doren moved adoption Resolution #34-2015, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, DiMare, Van Doren, Voyce. Nays: None. Abstain: Melick.

RESOLUTION #34-2015

TO APPROVE NJPDES PERMIT APPLICATION FOR CROSSROADS AT OLDWICK WWTF

WHEREAS, New Jersey American Water is seeking approval for the installation of two (2) fine screens to enhance the current Crossroads at Oldwick Waste Water Treatment Facility; and

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WHEREAS, the project requires approval of a Treatment Works Approval that requires a Statement of Consent to be signed by the authorized representative of the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey; and

WHEREAS, Township Engineer, Andrew Holt, of Suburban Consulting Engineers has reviewed and approved the attached Statement of Consent as to form and content in a letter dated 02-16-15; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey as follows:

1. The Mayor and Municipal Clerk are hereby authorized to execute the attached Statement of Consent regarding a Treatment Works Approval for the Crossroads at Oldwick (Block 45 Lots 42 & 43).
2. Upon its execution by the Mayor, the Municipal Clerk is directed to forward the original of said Statement of Consent to the following address.

Natural Systems Utilities
2 Clerico Lane
Hillsborough, NJ 08844
Attn: David C. Smith

William J. Voyce
Mayor

ADDITIONAL ITEMS FOR THE CONSENT AGENDA

Mr. Van Doren moved adoption Resolution #35-2015, 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 #35-2015

**A RESOLUTION OF THE TOWNSHIP OF TEWKSBURY AUTHORIZING THE PURCHASE
OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION
WEBSITE**

WHEREAS, the Township of Tewksbury has determined to move forward with the EMEX Reverse Auction in order to procure electricity for the Township of Tewksbury

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

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WHEREAS, the Township of Tewksbury will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier to whom a contract is awarded; and

WHEREAS, the auction will be conducted pursuant to the Act.

THEREFORE BE IT RESOLVED, that a certified copy of this Resolution be forwarded by the Municipal Clerk of the Township of Tewksbury to the following: (1) Department of Community Affairs; and (2) EMEX, LLC.

BE IT FURTHER RESOLVED, that the Township Administrator and the Municipal Clerk of the Township of Tewksbury be and are hereby authorized to execute on behalf of the Township of Tewksbury any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction.

William J. Voyce
Mayor

Ms. Desiderio made a motion authorizing the Mayor to sign the 2014 Tree City Application, seconded by Mr. Van Doren. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

- Authorization to have the Mayor sign the 2014 Tree City Application

5. Reports

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

Mr. Van Doren noted that the finance subcommittee met recently to discuss the 2015 Budget and matters related to the introduced Bond Ordinance, debt service and Township owned vehicles. A full vehicle inventory is being compiled for review.

It was stated that the operating budget will remain flat with a possible tax increase for 2015. A subsequent meeting is scheduled for 3/23 to finalize budget numbers.

Mr. Van Doren opined that the recent COAH court decision could have major ramifications for the Township. A meeting is scheduled to discuss the matter with the Township Planner, Attorney, Land Use Subcommittee, Land Use Administrator and Township Administrator.

Additional comments were made regarding the Highlands and monies owed to the Township.

Mr. DiMare noted that the recent DPW subcommittee meeting to discuss the proposed union was cancelled – a new meeting has not been rescheduled.

Mr. Melick reiterated that the dirt roads are in bad condition and the DPW is doing what they can to repair the roadways.

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Mayor Voyce noted that the recent matter regarding towing/storage fees has been rectified by the Police Chief.

It was noted that the Eagle Scouts for whom Proclamations have been prepared for the upcoming Committee meeting may not be in attendance, so the Proclamations will be formally presented at their 3/21/15 ceremony.

➤ **Township Attorney**

Mr. Selvaggi stated that he sensed “disdain and frustration” related to the above mentioned COAH court decision. Discussion followed regarding how the Township will have to proceed with regard to attaining substantive certification; he urged the Committee to contact their legislators regarding this matter. Further comments were heard regarding the process that will have to be followed for public hearings and contacting interested parties.

Mr. Selvaggi copied the Committee on a decision related to OPRA compliance.

➤ **Township Administrator**

Mr. Landon noted the following items from his report.

- A Land Use subcommittee meeting will be held with Mr. McGroarty and Mr. Selvaggi to discuss COAH matters.
- A meeting is scheduled for 03-19-15 to discuss funding for the Township fire and rescue groups.
- Grant monies from NJIF should be received.

In response to a question from Mr. Van Doren, Mr. Landon stated that the Environmental Commission has applied for a grant that will be utilized for cleaning ponds in the Township. Further comments were made regarding grants that could be utilized for farmland preservation, Green Acres and Blue Acres projects.

6. Executive Session

At 8:19 PM Ms. Desiderio moved adoption of the following Resolution, seconded by Mr. Van Doren. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

**RESOLUTION #36-2015
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 and Pending Litigation.

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

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7. Reconvened

Mr. Melick left the meeting at 8:40 PM.

The meeting reconvened at 9:10 PM.

Mr. Van Doren made a motion authorizing the Township Attorney to send a letter related to the property located at 27 Guinea Hollow Road as discussed in Executive Session, seconded by Mr. DiMare. The motion was approved. Ayes: Desiderio, DiMare, Van Doren, Voyce. Nays: None. Not present: Melick.

8. Adjournment

There being no further business, the meeting was adjourned at 9:13 PM.

Roberta A. Brassard
Municipal Clerk