

**TOWNSHIP COMMITTEE
SEPTEMBER 8, 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 was approximately one 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

George Cassa questioned the policy for access to the Creekside Conservancy. Mr. Landon stated that the chain is normally there so that vehicles do not enter the site if the conditions are too wet.

4. Actions to be taken

➤ **Ordinance Introduction**

Ms. Desiderio made a motion to introduce Ordinance #04-2015, seconded by Mr. Van Doren. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

The Public Hearing is scheduled for 09-22-15 at 7:30 PM.

ORDINANCE 04-2015

AN ORDINANCE TO CANCEL THE BALANCE FROM ORDINANCE #07-2004 ENTITLED "FINANCING OF EQUIPMENT FOR THE OLDWICK WATER POLLUTION CONTROL FACILITY" AND ORDINANCE #07-2010 ENTITLED "AN ORDINANCE TO CANCEL THE BALANCE FROM ORDINANCE #08-2009 ENTITLED "AN ORDINANCE TO FUND THE IMPROVEMENTS TO THE OLDWICK SEWER" TO THE OLDWICK SEWER UTILITY FUND" TO THE OLDWICK SEWER UTILITY FUND TO THE FUND BALANCE

➤ **Consent Agenda**

Mr. DiMare requested that the regular and executive session minutes of 08-11-15 be removed from the Consent Agenda and voted on separately.

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Mr. Melick requested that the authorization to have the Clerk sign the OFC applications for M. Conner, K. Sargenti and J. Marquardt be removed from the Consent Agenda and voted on separately.

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

MISCELLANEOUS

- Claims of 8/25/15 and 09/08/15 as submitted by the CFO
- Correspondence List
- Authorization to have Mayor sign F & D for 11-14-15 Printmaking Center of NJ raffle
- Authorization to have Clerk sign SA permit for 11-14-15 Printmaking Center of NJ event

ITEMS REMOVED FROM THE CONSENT AGENDA

Mr. Van Doren made a motion to adopt the regular and executive session minutes of 08-11-15, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, Melick, Van Doren, Voyce. Nays: None. Abstain: DiMare.

- Regular and e/s minutes of 08-11-15

Mr. Van Doren made a motion authorizing the Clerk to sign the OFC applications for the individuals noted below, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, DiMare, Van Doren, Voyce. Nays: None. Abstain: Melick.

- Authorization to have Clerk sign OFC applications for M. Conner, K. Sargenti, J. Marquardt

5. Reports

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

Ms. Desiderio reported on a recent Hunterdon County Planning Board retreat that was well received and very informative.

She added that an acquaintance of hers was able to film for a commercial at the Tewksbury Rescue Squad and the Oldwick Fire Company recently and donated a life time supply of cleaning materials to the two groups.

Mr. DiMare stated that the subcommittee to discuss emergency service funding is scheduled for the coming week.

Mr. Melick noted that paving on Bissell Road is being done this week and many residents have expressed their appreciation.

He expressed his concern with the contract mowing being done when there is not a need to mow during the dry season. He stated that there needs to be better oversight of the scheduling for mowing. Mr. Landon stated that he will work with Mr. Hull to address the matter.

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Mayor Voyce noted a motor vehicle accident on Route 78 this morning and a helicopter fly for a Township resident before Labor Day.

➤ **Township Attorney**

Mr. Selvaggi reported on recent correspondence received from the attorney for the NJ Builders' Association regarding their request to participate in all COAH matters in Vicinage 13.

He stressed the need for the Committee to keep moving forward with creating the Fair Share Plan. It was added that the Burchell report is still considered a draft document for the process and is thus not able to be disclosed. He stated that the (Burchell) report is a generic report and the methodologies and formulas utilized apply to all NJ municipalities. Both Mr. Selvaggi and Mr. McGroarty agree that the unique characteristics of Tewksbury need to be reviewed as they feel the number in the (Burchell) report can be further reduced.

He added that some municipalities that filed a motion for immunity received an opposition motion in response. The date of 12-8-15 has been given as the deadline for submission of a Fair Share Plan.

The following comments were related to the Staller-Haddad property located on Alder Creek Road.

It was noted that the matter is scheduled to be discussed at a Hunterdon County Ag. Board (CADB) meeting on 9-10-15, however, Rick Steffey, CADB Administrator stated that it may not be heard as there is an outstanding issue with Soil Conservation (HCSCD).

Mr. Selvaggi surmised that the applicant may not "care if it is addressed or not."

It was additionally noted that Charlie Rogers, Construction Official has issued construction code violations for buildings erected without permits- this is scheduled to be heard by the Construction Board of Appeals on 9-16-15.

Further discussion followed regarding whether the property will be designated a commercial farm, the 2002 den Hollander case and the authority of the Construction Board of Appeals. Comments were heard related to the amount of land that was cleared on the property and if the business could be shut down by a County or State agency.

Mr. Van Doren suggested speaking with Bill Engisch from HCSCD as they may not know that work is continuing on the property and a large amount of land has been disturbed.

Attorney Rich Wenner has advised that DPW negotiations are close to completion.

Additional comments were heard regarding the decision of Judge Ciccone and the procedures that need to be followed with the Township Construction and Zoning departments.

It was added that if a decision is made to not allow the business to run, the property will have to be checked in order to determine compliance.

➤ **Township Administrator**

Mr. Landon noted the following items from his report.

- Bissell Road phase 3 was completed by the contractor, phase 4 is close to completion and the 2015 chip and seal has been completed.
- Two separate sub-committee meetings are scheduled for upcoming dates in September.
- There is currently 1 one bedroom affordable apartment available in Pottersville.

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- Inspections have begun on the multi-unit users in the Oldwick Sewer Service Area to verify billing. A report will be compiled and distributed by month's end.

Mr. Van Doren stated that he had received a complaint that the chip and seal work on Black River Road was not done well. Mr. Landon stated that the area should flatten out over time, but he will view the area.

Mr. Landon noted a recent meeting held through a County agency that dealt with the wide spread use of drugs County wide.

6. Executive Session

At 8:10 PM Ms. Desiderio moved adoption of the following Resolution, seconded by Mr. Melick. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

**RESOLUTION #70-2015
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 Personnel.

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

7. Reconvened

The meeting reconvened at 8:15 PM.

Mr. Melick made a motion to appoint Anne Marie Mulhauser to the Equestrian Committee to complete the unexpired term of Louisa Sargent through 12-31-16, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

Anne Marie Muhlhauser	Equestrian Committee	Regular	3 years	12-31-16
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8. Adjournment

There being no further business, the meeting was adjourned at 8:18 PM.

Roberta A. Brassard
Municipal Clerk