

**TOWNSHIP COMMITTEE
SEPTEMBER 12, 2017 MINUTES**

The Tewksbury Township Committee met 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 Dana Desiderio presided.

Other officials in attendance were Township Committee members Louis DiMare, Peter Melick and William Voyce.

Shaun Van Doren was absent.

John Eskilson, Interim Township Administrator, Roberta Brassard, Municipal Clerk and Michael Selvaggi, Township Attorney were in attendance.

There were approximately thirteen members of the public in attendance.

1. Open Public Meetings Statement

Mayor Desiderio 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, 2017.

2. Flag Salute

Those present stood and pledged allegiance to the American flag.

3. Public Participation

Stan Prater, JCP&L Area Manager was present to introduce himself to the Committee and advise that maintenance is needed at the Tewksbury substation and a short period of de-energizing will be necessary. He added that he will notify the affected customers prior to the event.

George Cassa mentioned the recent problems that occurred in the Township concerning the removal of electric meters from homes as related to break-ins. He questioned if there were any sort of locking mechanisms available from JCP&L to affix to meters. Mr. Prater stated that he would look into the matter and advise accordingly.

4. Presentation

Rob Walton- Hunterdon County Daytime Fire Department

Attached to the minutes is a Power Point presentation as given at the meeting.

Discussion followed regarding the presentation. Mr. Walton noted that he is looking to have all municipalities in Hunterdon County adopt the suggested Resolution for presentation to the Board of Freeholders for consideration. It was added that if the program is approved, all municipalities will have to contribute even if they did not support the concept.

Mr. Melick stated that volunteer fire companies never have enough help and he was not sure that putting fire services in the lap of politicians was a wise decision. He added that he did not "have a lot of trust" in the plan, adding that fire companies have the best interest of the residents

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whereas politicians may not care as personally. He added that it would be difficult to bring the volunteer services back if the County wide plan failed.

Mr. Walton stated that there are no better options, and used the County dispatch as an example of a working arrangement between emergency services and politicians.

Robert Becker questioned the cost as outlined in the presentation asking if overtime costs were built in.

In response to a question from George Cassa, Mr. Walton stated that other municipalities in the State utilize a hybrid approach as outlined in the presentation.

Jim Conner stated that the Oldwick Fire Company is looking for endorsement to get started as the alternative is that the Township would have to have a paid company.

Mark Ciarlariello stated that the intent is to provide service to daytime groups and to address the problems of safety. He added that additional manpower is needed for fire fighting and the problem needs to be addressed.

Additional discussion followed regarding the possibility of current volunteers moving over to paid fire fighters and the ongoing dearth of volunteers.

Mr. DiMare stated that he was not inclined to adopt the Resolution as he would like to review the Power Point presentation more closely.

Mayor Desiderio made a motion to adopt Resolution #105-2017, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, Melick, Voyce. Nays: DiMare. Absent: Van Doren.

RESOLUTION #105-2017

**SUPPORTING THE CREATION OF A COUNTY DAYTIME FIRE DEPARTMENT TO
SUPPORT OUR VOLUNTEER FIRE COMPANIES**

WHEREAS, Hunterdon County has 28 volunteer fire companies answering 3,500 calls for service each year; and

WHEREAS, the changes in where people work, increases in the training requirements, a decline in volunteerism, have all contributed to a reduction in available volunteer firefighters; and

WHEREAS, these changes are especially acute during daytime responses, specifically from 0600 until 1800 weekdays; and

WHEREAS, in the face of these challenges Hunterdon's fire companies are doing an amazing job of protecting her citizens; and

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WHEREAS, when one fire company is struggling, its neighbors always rise to the occasion to assist, thus placing further strain on those companies doing well with personnel response; and

WHEREAS, public safety and specifically providing fire protection to its citizens are among the primary responsibilities of local government; and

WHEREAS, in Hunterdon County, the fire service has long been a combination of volunteer companies, Municipal Government support and County Government coordination; and

WHEREAS, Hunterdon's 28 fire companies, through mutual aid agreements, multiple task forces, the Office of Fire Coordinator, Hunterdon County Fire Chiefs Association and Hunterdon's Division of Communications & Office of Emergency Management, operate similarly to one fire company with 28 stations.; and

WHEREAS, in response to these challenges and cognizant of these long standing practices, the Hunterdon County Fire Chiefs Association has crafted a plan to address the problem of daytime fire response; and

WHEREAS, that plan calls for the creation of a County Daytime Fire Department staffed with paid employees in three regions strategically placed across the county to ensure timely response; and

WHEREAS, this Department will serve as a supplement to our local first due fire companies to ensure on every call there is a fully staffed engine.

NOW THEREFORE BE IT RESOLVED the Township of Tewksbury fully supports our volunteers on our fire company and the mutual aid companies that routinely answer calls in our municipality;

AND BE IT FURTHER RESOLVED that the Township of Tewksbury endorses and supports this plan to create a County Daytime Fire Department to ensure the continued protection of our citizens and their property;

AND BE IT FURTHER RESOLVED that the Township of Tewksbury encourages our 25 neighboring Hunterdon municipalities to endorse this plan and the Board of Chosen Freeholders to implement same

AND BE IT FINALLY RESOLVED that a copy of this resolution be sent to all Hunterdon municipalities, the Board of Chosen Freeholders, our fire company(ies) and the Hunterdon County Fire Chiefs Association.

Dana Desiderio
Mayor

5. Actions to be Taken

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- **Ordinance Introduction**

Dr. Voyce made a motion to introduce Ordinance #06-2017, seconded by Mr. Melick. The motion was approved. Ayes: Desiderio, DiMare, Melick, Voyce. Nays: None. Absent: Van Doren.

The Public Hearing is scheduled for 10/10/2017 at 7:30 PM in the Mountainville Meeting Hall.

AN ORDINANCE AMENDING CHAPTER 2.20, ENTITLED "POLICE DEPARTMENT," OF THE CODE OF THE TOWNSHIP OF TEWKSBURY

➤ **Consent Agenda**

Dr. Voyce requested that the authorization to allow the TRS to contract to have a utility pole erected on the Township ROW located at Block 51 Lot 50 subject to receipt of requisite insurance be removed from the Consent Agenda and voted on separately.

Mr. Melick requested that the regular and executive session minutes of 8-8-2017 be removed from the Consent Agenda and voted on separately.

Mr. Di Mare requested that the regular minutes of 8-15-2017 be removed from the Consent Agenda and voted on separately.

In response to a question regarding Resolution #104-2017, Mr. Eskilson explained that it is being included as a matter of book keeping requested from the courts.

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

RESOLUTION #99-2017

A RESOLUTION SETTING THE 2017 SALARY AND WAGES FOR 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 salary or wage to be paid to the certain 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 2017 and until same is amended.

NAME	TITLE	SALARY
<u>ADMINISTRATION</u>		
Jennifer Ader	Receptionist/Secretary - PT	\$18.00/hour not to exceed 25 hours/week

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Dana Desiderio
Mayor

**RESOLUTION #100-2017
NATIONAL SUICIDE PREVENTION AWARENESS MONTH**

WHEREAS, suicide is a serious but preventable public health problem that can have lasting harmful effects on individuals, families, and communities; and

WHEREAS, nationally, suicide is the tenth leading cause of death overall and the second leading cause of death among Americans aged 10 to 34; and

WHEREAS, most recent data shows that in New Jersey there are 8.8 self-inflicted deaths per 100,000 people; and

WHEREAS, the best way to minimize risk of suicide is to learn about risk factors, recognize warning signs and take them seriously, and know how to respond to possibly save a life; and

WHEREAS, National Alliance on Mental Illness – Hunterdon Chapter (NAMI Hunterdon) is proud to partner with organizations like the Hunterdon County Department of Human Services, Division of Social Services and the Hunterdon County Mental Health Board to collaborate with other stakeholders, organizations and individuals to save lives; and

WHEREAS, local suicide prevention efforts including Hunterdon's Stigma Free Task Force have been formed to raise awareness, eliminate stigma, promote suicide prevention as a public health issue and increase help-seeking behavior; and

WHEREAS, effective prevention strategies are needed to promote awareness of suicide while also promoting prevention, resilience, and a commitment to social change; and

WHEREAS, NAMI Hunterdon invite all residents of Hunterdon County to become educated about suicide and participate in National Suicide Prevention Awareness Month; and

WHEREAS, every Hunterdon citizen can play a role in bringing mental illness out of the shadows, and every Hunterdon resident deserves a chance to succeed and has a right to achieve his or her God-given purpose.

NOW, THEREFORE, the Township Committee, does hereby recognize September 2017 as NATIONAL SUICIDE PREVENTION AWARENESS MONTH throughout the Township of Tewksbury and calls upon the citizens of this great Township to observe this month with appropriate programs, activities and ceremonies, and to take the NAMI Stigma-free Pledge to take action, know the signs, reach out and know that there is help and hope.

Dana Desiderio
Mayor

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RESOLUTION #101-2017

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING
OF HOMESTEAD ROAD PROJECT**

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Tewksbury formally approves the grant application for the above stated project.

BE IT RURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as 2018- MA-00101 to the New Jersey Department of Transportation on behalf of the Township of Tewksbury.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Tewksbury and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Dana Desiderio
Mayor

**FINAL APPROVAL
RESOLUTION #102-2017**

**APPROVING COST SHARE FOR THE LIVINGSTON & BERRY (formerly "Craigmar) FARM,
TEWKSBURY TOWNSHIP TAX BLOCK 30. LOT 6.02**

WHEREAS, there are certain properties within the Township of Tewksbury for which the owners have filed applications to place their properties within the farmland preservation program; and **WHEREAS**, the Hunterdon County Agriculture Development Board (CADB) informed the Township that the CADB has received a farmland preservation application from Marsha Livingston and Marbern Berry ("Owners") for the preservation of Tax Block 30, Lot 6.02 located within the Township of Tewksbury, (also known as the "Livingston & Berry Farm"), which property is contained in Tewksbury Township's Municipal Planning Incentive Grant list of farms; and

WHEREAS, the application states that Block 30, Lot 6.02 consists of approximately 47 +/- gross acres which are proposed to be preserved with no (0 acres) non-severable exception area; and

WHEREAS, the State Agriculture Development Committee certified the fair market value (CMV) of the development easement pursuant to N.J.A.C. 2:76-7.14 at **\$24,800.00** per acre on **April 28, 2017**. The landowner owner accepted the SADC's CMV offer of **\$24,800.00** per acre. The estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on an estimated **47** acres), subject to:

- (a) The actual acreage to be covered by the development easement per the final survey which conforms to the farmland preservation program requirements, and
- (b) Any additional adjustments pursuant to State statute, rule, regulation, or policy:

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State Agriculture Development Committee (~\$14,880.00/acre; 60% of est. total cost)	~\$699,360.00
Hunterdon County (~\$4,960.00/acre; 20% of est. total cost)	~\$233,120.00
Tewksbury Township (~\$4,960.00/acre; 20% of est. total cost)	~\$233,120.00
Total	<u>~\$1,165,600.00</u>

WHEREAS, the Township Committee of the Township of Tewksbury desires to adopt this Resolution to approve of the said preservation and to agree to cost share with the State Agriculture Development Committee (SADC) and the Hunterdon CADB for the purchase of a farmland preservation easement on approximately 47+/- ac. portion of Block 30, Lot 6.02.

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

1. The Township of Tewksbury approves of the application for a farmland preservation easement on approximately 47+/- ac portion of Block 30, Lot 6.02 as proposed by the Owners within the Township of Tewksbury, and further agrees to cost share with the County of Hunterdon and the New Jersey SADC for the purchase of the same, subject to the Owners entering into a contract with the County of Hunterdon for the sale of the development easement, and both the County's and the SADC's approval of the cost-share for the same, at a purchase price to be determined after a certified market value is established by appropriate appraisals.
2. The Township of Tewksbury's cost share shall be drawn from the County's Municipal Open Space set aside program.
3. A copy of this Resolution shall be forwarded to the Hunterdon County Agriculture Development Board for its information and records.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Dana Desiderio
Mayor

**TOWNSHIP OF TEWKSBURY
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION #103-2017

**PERMISSION, WITH CONDITIONS, TO ALLOW THE FRIENDS OF WHITTEMORE TO
SERVE WINE AT THEIR ART GRAB RECEPTION EVENT TO BE HELD ON
NOVEMBER 4, 2017**

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WHEREAS, the Township of Tewksbury is the owner of property designated as Tax Block 46, Lot 20.01 on the official tax map of the Township; and

WHEREAS, said property was bequeathed to the Township of Tewksbury in the Last Will and Testament of Helen A. Whittemore dated December 15, 1978 for the benefit of the residents of Tewksbury in order to “promote the appreciation of woodland in its natural state and especially to establish and maintain a sanctuary for deer and birds and other wildlife”; and

WHEREAS, the Last Will and Testament of Helen A. Whittemore, further established a Board of Trustees to oversee the finance of her estate; and

WHEREAS, the Friends of Whittemore was established as a not-for-profit 501 c.3 corporation for the purpose of promoting community, culture and conservation on the Whittemore property; and

WHEREAS, the Friends of Whittemore have scheduled an Art Grab Reception fund raising event for November 4, 2017; and

WHEREAS, the Friends of Whittemore have requested permission to serve wine as part of their Artist Reception fund raising event; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Tewksbury, County of Hunterdon that it hereby grants the request of the Friends of Whittemore to serve wine at their Art Grab Reception fund raising event of November 4, 2017 to be held on the Township’s Whittemore property subject to the following conditions:

1. The issuance of a Special Permit for Social Affair by the New Jersey Department of Law and Public Safety Division of Alcoholic Beverage Control;
2. The Friends of Whittemore shall provide proof to the Township of Tewksbury that they hold the following insurance:

General Liability: \$1,000,000 per occurrence/\$2,000,000 aggregate
Host Liquor Liability: \$1,000,000 per occurrence/\$2,000,000 aggregate

In addition, the applicant shall name the Township of Tewksbury as an additional insured, and the Certificate of Insurance shall be submitted to the Township at least thirty (30) days prior to the event. The Certificate of Insurance must specifically note that coverage is provided for Liquor Liability.

3. Alcoholic beverages, other than wine, shall not be served at the Art Grab Reception November 4, 2017 fund raising event.

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4. The Friends of Whittemore, by accepting this approval, acknowledges and holds harmless the Township of Tewksbury and its municipal officials and employees from any and all claims, damages and cost of suit which may arise out of the approval granted hereunder.

Dana Desiderio
Mayor

RESOLUTION 104-2017

**A RESOLUTION APPOINTING THE MUNICIPAL COURT ADMINISTRATOR AND
MUNICIPAL COURT JUDGE**

BE IT RESOLVED, by the Township Committee of the Township of Tewksbury, County of Hunterdon, New Jersey that the following appointments are effective.

Julie Kosakowski	Interim Court Administrator	1 year (effective 07/01/2017)
Edward Martin	Municipal Court Judge	3 years (effective 01/01/2016)

Dana Desiderio
Mayor

MISCELLANEOUS

- Claims as submitted by the CFO 08/22/17 and 09/12/17
- Correspondence List

In response to Mr. Eskilson's suggestion that Resolution #103-2017 be adopted as a stock resolution for further events at Whittemore, it was the consensus of the Committee that individual Resolutions be adopted for individual events.

ITEMS REMOVED FROM THE CONSENT AGENDA

Dr. Voyce made a motion to adopt the regular and executive session minutes of 8-8-17, seconded by Mayor Desiderio. The motion was approved. Ayes: Desiderio, Voyce. Nays: none. Absent: Van Doren. Abstain: DiMare, Melick.

- Regular and E/S minutes of 08-08-17

Dr. Voyce made a motion to adopt the regular minutes of 8-15-17, seconded by Mr. Melick. The motion was approved. Ayes: Desiderio, Melick, Voyce. Nays: none. Absent: Van Doren. Abstain: DiMare.

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- Regular minutes of 8-15-17

Mr. Melick made a motion authorizing the TRS to contract to have a utility pole erected on the Township ROW located at Block 51 Lot 50 subject to receipt of requisite insurance, seconded by Mayor Desiderio.

Discussion followed concerning a separate application related to the placement of towers in the Township and the associated revenues.

The above noted motion was approved. Ayes: Desiderio, DiMare, Melick. Nays: none. Absent: Van Doren. Abstain: Voyce.

- Authorization to allow the TRS to contract to have a utility pole erected on the Township ROW located at Block 51 Lot 50 subject to receipt of requisite insurance

5. Reports

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

Mr. Melick noted that school is in session and there is ongoing discussion related to a possible merging of Tewksbury, Califon and Lebanon schools.

Dr. Voyce noted an ongoing discussion regarding the Oldwick Fields, adding that a 10-14-17 fundraiser is planned at which the Red Bulls will be present. Mr. Eskilson started that he had spoken with a TAA representative regarding the field plans and he will contact the Township Engineer to discuss drainage and other issues. A Resolution will be presented at the upcoming meeting.

A Resolution related to the agreement between Tewksbury and Washington Township/ Fairmount Fire Company will be prepared for the October 10 meeting.

➤ **Township Attorney**

Mr. Selvaggi noted that a representative from AT&T will be at the upcoming meeting to discuss locating a cell tower at the OFC site.

Mr. Selvaggi noted that there is no new, additional information related to COAH that can be discussed in open session.

➤ **Interim Township Administrator**

Mr. Eskilson noted the following items.

- The search for a permanent Administrator is ongoing and the Canning Group has received over 12 resumes. Interviews will be conducted in October and a report will be brought back to the Committee.
- Discussion regarding the position of Superintendent of Public Works is ongoing.
- Jennifer Ader will begin work on 9/18/17 as the front desk secretary.
- Discussion regarding the Chief of Police will be discussed at the upcoming meeting in Executive Session. It was noted that 16 candidates for Police officers have been conducted and the Chief has narrowed down the field to three. It was the consensus of

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the Committee that two officers be hired once all paperwork and background information has been executed.

- Work is commencing on the 2018 budget and requests will be sent out to the department heads by month's end.
- The Teamsters/DPW contract expires at year's end and Mr. Eskilson has a call in to the attorney regarding the matter. The matter should be discussed with the negotiating committee in advance of the October meeting.
- Road paving was noted and it was stated that Tilcon should be finishing up in the coming weeks.
- Two different companies were contacted regarding having an outside firm oversee affordable housing matters for the Township.

Mr. DiMare thanked Mr. Eskilson for a recent conversation with a resident which resolved a problem.

It was noted that the time schedule for road work on Rocky Glen Way needs to be looked at as the roadway is deteriorating.

➤ **Township Attorney**

Additional discussion followed regarding a tenant in a Township owned affordable unit who is delinquent in her rent payments and has been cited for smoking (which is not allowed). Mr. Melick suggested offering \$1000.00 to the tenant so she would vacate the apartment and make it open for a new tenant.

Mr. Melick made a motion to have the Attorney and Interim Administrator take the necessary steps to not renew the lease for the apartment under discussion, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Voyce. Nays: None. Absent: Van Doren.

Mr. Becker questioned if the presentation for Verizon that will be discussed at the upcoming meeting could be made available to the public.

6. Executive Session

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

**RESOLUTION #105-2017
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 and Pending Litigation.

It is expected that the discussion undertaken in closed session can be made public at the time official action is taken.

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Dana Desiderio
Mayor

7. Reconvened

The meeting reconvened at 9:20 PM.

8. Adjournment

There being no further business, the meeting was adjourned at 9:20 PM.

Roberta A. Brassard
Municipal Clerk