

**MINUTES OF THE REGULAR MEETING OF THE ALLAMUCHY TOWNSHIP
COUNCIL HELD JANUARY 28, 2016 AT 6:00 P.M.**

1. The meeting was called to order at 6:00 P.M. by Mayor DeTombeur.
2. Mayor DeTombeur advised that this meeting was held in accordance with the Open Public Meetings Act as prescribed by State Statute which was followed by the Pledge of Allegiance.
3. Present: Mayor DeTombeur, Councilwoman Cook, Councilman Lomonaco, Councilman Ochwat and Councilwoman Schultheis.

4. APPROVAL OF MINUTES:

- a. Regular Meeting - 12/15/2015 as submitted.

Motion by Councilwoman Schultheis, seconded by Councilwoman Cook, and approved on roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

5. MAYOR'S REPORT/CORRESPONDENCE:

- a. Mayor DeTombeur stated that he would like to extend his thanks and gratitude to the Allamuchy Township Department of Public Works in dealing with the last snow storm. He advised that he was contacted by JCP&L 9 times with regard to storm updates.
- b. Mayor DeTombeur stated that he was contacted by a resident on Ervey Road. This resident had a problem with Waste Management. Waste Management was picking up the recycling in a pickup and the recyclables were falling out of the pickup as it was traveling. He advised that he contacted Waste Management and they did go out and clean it up. This matter has been resolved.
- c. Mayor DeTombeur advised that he along with his wife attended that annual Allamuchy Fire Department Installation Dinner. He added that it was a great event and appreciated the invite.
- d. A Water and Sewer Meeting was held and the following committee members were present: Kenneth Dunlap, Art Schmelter, Charles Kramer and Matt Begley. He thanked those committee members for serving the Township so well and thanked them for their volunteerism.
- e. Mayor DeTombeur stated that he wanted to place on the record that Manny Quinoa and Elliott Koppel will serve on various committees. He stated that these individuals are interested in volunteering their time.

6. **ENGINEER'S REPORT/ACTION LIST:**

- a. Water Main Replacement Project - Approve Partial Payment # 2 to Haskell Paving in the amount of \$169,367.30.

Motion by Councilwoman Schultheis, seconded by Councilman Ochwat, and approved on roll call vote: **AYES** - Councilpersons Lomonaco, Ochwat, Schultheis and Mayor DeTombeur; **ABSTAIN** - Councilwoman Cook.

7. **ATTORNEY'S REPORT:**

- a. Attorney Beilin advised that the COAH documents were submitted and filed with the Court. There has been no response from interested parties.
- b. Attorney Beilin advised that he has items to discuss in executive session.

8. **PUBLIC SESSION:**

- a. Isobel Weill, Ajax Court, was present to discuss the naming of the playground. As the Chairperson of the playground committee she advised that she was never contacted by any members of the committee to discuss the naming of the playground.

Councilwoman Schultheis stated that a few committee members were contacted. It was then remembered that the naming rights of the playground is addressed in the playground brochure.

Isobel Weill stated that she heard that committee members were contacted by Candy Church and the members she spoke to were never contacted. A suggestion was made that the playground would be called the Allamuchy Township Playground or Allamuchy Township Community Playground.

Mayor DeTombeur stated that since Ms. Weill was Chairperson of the Playground Committee then she should go back to the committee and poll the committee members as to what the name of the playground should be.

Ms. Weill advised that she will poll the members of the playground committee. The committee will present to the Township Council a suggested name for the playground.

Councilman Ochwat stated that it is the intention of the Township Council to have a sign for the playground with the official name. The Buildings and Grounds Committee is in the process of ordering signs for various locations within the Township.

9. **ORDINANCES - FIRST READING:**

- a. # 2016-02 - **CALENDAR YEAR 2016 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).**

Motion by Councilwoman Cook, seconded by Councilwoman Schultheis, carried to introduce Ordinance # 2016-02 on first reading. Roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

Second reading to take place on February 25, 2016.

- b. # 2016-03 - **TOWNSHIP OF ALLAMUCHY, COUNTY OF WARREN - AN ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY PROVIDING FOR THE APPROPRIATION OF \$25,000 FOR THE PURCHASE OF FIRE DEPARTMENT EQUIPMENT FROM THE GENERAL CAPITAL - CAPITAL IMPROVEMENT FUND.**

Motion by Councilman Ochwat, seconded by Councilwoman Schultheis, carried to introduce Ordinance # 2016-03 on first reading. Roll call vote: Councilpersons Cook, Ochwat, Schultheis and Mayor DeTombeur; **ABSTAIN** – Councilman Lomonaco.

Second reading to take place on February 25, 2016.

10. **ORDINANCES - SECOND READING:**

- a. # 2016-01 - **ORDINANCE DESIGNATING HANDICAPPED PARKING SPACES WITHIN PANTHER VALLEY.**

Motion by Councilman Lomonaco, seconded by Councilman Ochwat, carried to adopt Ordinance # 2016-01 on second reading.

At this time, the meeting was opened to the public.

Lynne Kramer, President of the Panther Valley Property Owner's Association, was present and thanked the Township Council for adopting this ordinance.

There being no further comments the public hearing was closed.

Roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

11. **RESOLUTIONS:**

- a. Authorize the Mayor and Municipal Clerk to execute the Green Acres Project Agreement (**ATTACHMENT 1**).

Motion by Councilman Ochwat, seconded by Councilwoman Schultheis, and approved on roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

- b. Authorize the Mayor and Municipal Clerk to execute the Municipal and Charitable Grant agreement for Rutherford Hall (**ATTACHMENT 2**).

Motion by Councilwoman Cook, seconded by Councilman Ochwat, and approved on roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

- c. Performance Guarantee Reduction Request - Mountain Ridge at Panther Valley - Section 2C – from \$1,135,383.36 to \$340,615.00 (**ATTACHMENT 3**).

Motion by Councilman Ochwat, seconded by Councilwoman Schultheis, and approved on roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

- d. Maintenance Bond Release Request - Mountain Ridge Recreation Area in the amount of \$74,323.98 (**ATTACHMENT 4**).

Motion by Councilwoman Cook, seconded by Councilman Lomonaco, and approved on roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

12. **OTHER/NEW BUSINESS:**

- a. Appointment of Councilwoman Schultheis as Economic Advisory Liaison.
- b. Appointment of Councilwoman Schultheis as liaison to the Historic District.

Motion by Councilman Lomonaco, seconded by Councilwoman Cook, and approved on roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

- c. Appointment of Councilwoman Cook as Fire Department Liaison.
- d. Appointment of Councilwoman Cook to the Finance Committee.

Motion by Councilman Ochwat, seconded by Councilwoman Schultheis, and approved on roll call vote: **AYES** - Councilpersons Cook, Ochwat, Schultheis and Mayor DeTombeur; **ABSTAIN** - Councilman Lomonaco.

- e. Appointment of Councilman Ochwat as liaison to Rutherford Hall along with Charles Fineran.

Motion by Councilwoman Cook, seconded by Councilman Lomonaco, and approved on roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

- f. Approval of Raffle Applications – Catholic Academy of Sussex County - Event to be held at the Waterloo Concert Field - Carnival and 50/50.
- g. Approval of Social Affairs Permit - Catholic Academy of Sussex County - Event to be held June 2-5, 2016 at the Waterloo Concert Field.

Councilwoman Schultheis questioned if there was a point of contact for the Waterloo Concert Field. It was very costly and problematic when the

concerts were held there. She stated that she just wanted to bring it to everyone's attention that the Township needs to be informed and communicate with the proper representatives.

Councilman Lomonaco stated that this event also has a fireworks show. He advised that approval will also be needed from the Township Council. It is anticipated that the Fire Department will be called upon to cover that event.

Motion by Councilman Lomonaco, seconded by Councilwoman Cook, carried to approve the Raffle Applications and the Social Affairs Permit for the Catholic Academy of Sussex County. Roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

f. Councilwoman Schultheis stated that the Recreation Commission is in the process of entering into a Memorandum of Understanding with the Colonial Little League. The CLL will provide youth baseball for registrants ages 5 thru 15, consistent with the Youth Baseball League Model, and the Constitution, By-Laws and Division Playing Rules of the CLL and Little League International.

13. Councilwoman Cook stated that she would like to discuss the Stone House and Chapel Property which is located on Puffer Road. She suggested that these two properties be turned over for review to the Historic District and Economic Advisory Committee. The properties are owned by the Rutherford Family and something should be done to preserve and make the best use of the property as possible.

Councilwoman Cook advised that the Allamuchy Township Board of Education is hiring a grant writer. This may also help with the Chapel and the Stone House Property.

Councilwoman Cook stated that she would like to make a motion to rehire the professionals.

Mayor DeTombeur advised that only the Mayor could make that motion.

Attorney Beilin advised that it depends on what professionals are being discussed and considered. He added that he was not sure if that was the case and will provide legal advice on this issue in executive session.

14. **EXECUTIVE SESSION - 6:38 P.M.**

Attorney Beilin advised that the following issues will be discussed in executive session: Attorney Client Privilege, Potential Litigation and Contract Negotiations.

Motion by Councilman Ochwat, seconded by Councilwoman Schultheis, and approved on roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

15. Motion by Councilman Ochwat, seconded by Councilwoman Cook, carried to go out of executive session at 7:15 P.M. Roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

16. Attorney Beilin stated that he will prepare the Baker Residential Settlement Agreement for the amount of \$2,000 for unmetered water usage. He will prepare a release for signature by the Mayor and Clerk.
17. Attorney Beilin stated that an extension of time to move out will be granted to the tenant who resides at 184 Old Farm Drive for a period of one month - through the end of February. The tenant's lease is up on February 6, 2016 but is requesting additional time to move.

Motion by Councilwoman Cook, seconded by Councilwoman Schultheis, and approved on roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

18. Appointment of Richard O'Connor to perform a property review of properties constructed prior to 1980. This property inspection will be performed in compliance with COAH guidelines and checklist.

Mayor DeTombeur stated that will let the Township Council know what the exact rate for this service will be.

Motion by Councilman Ochwat, seconded by Councilman Lomonaco, and approved on roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

19. Mayor DeTombeur stated that he would like to begin the process of the installation of the security cameras at the municipal building. The Municipal Clerk and Administrative Assistant will have access to view these cameras on their computer screen.

Motion by Councilman Ochwat, seconded by Councilwoman Cook, and approved on roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

20. Mayor DeTombeur stated that the issue of a Moment of Silence has been brought up. He stated that he feels a moment of silent should be held when warranted.

Councilman Ochwat stated that he brought up the issue with Mayor DeTombeur. It was decided that this matter should be brought before the Township Council for a vote.

Councilman Lomonaco stated that he started the moment of silence for the passing of a Fire Department member or support member. He advised that he was fine either with or without having it on the Township Council agendas.

Councilwoman Cook stated that she believes a moment of silence should be held when it is needed and should be announced for a specific cause.

Councilwoman Schultheis stated that a moment of silence should be done at all the meetings. She advised that she had visited other towns and people have different reasons to observe a moment of silence.

Motion by Councilman Ochwat, seconded by Councilwoman Schultheis, to observe a moment of silence at every meeting.

Roll call vote: **AYES** - Councilpersons Lomonaco, Ochwat, Schultheis
NAYES - Mayor DeTombeur and Councilwoman Cook.

21. **APPROVAL OF BILL LIST AND ADD-ON LIST (ATTACHMENT 5).**

Motion by Councilwoman Schultheis, seconded by Councilman Ochwat, carried to approve the bill list and add-on list as submitted with the following two bills to be added:

- Nextel Communication - \$ 92.74 and \$ 92.60;
- Constellation Energy - \$ 3,271.99 (New energy provider).

Roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

22. **ADJOURNMENT – 7:23 P.M.**

Motion by Councilwoman Schultheis, seconded by Councilman Ochwat, carried to adjourn at 7:23 P.M. Roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

Respectfully Submitted,

Anne Marie Tracy, Municipal Clerk

Keith A. DeTombeur, Mayor

