

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

1. The meeting was called to order at 6:05 p.m. by Mayor DeTombeur which was followed by the Pledge of Allegiance and a moment of silence.
2. Mayor DeTombeur advised that this meeting was held in accordance with the Open Public Meetings Act.
3. **PRESENT:** Mayor DeTombeur, Councilwoman Cook, Councilman Lomonaco
Councilman Ochwat and Councilwoman Schultheis.

4. APPROVAL OF MINUTES:

- a. Special Meeting - 06/08/2016 as submitted.

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

- b. Regular Meeting - 06/23/2016 as submitted.

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

5. MAYOR'S REPORT:

- a. Mayor DeTombeur stated that the Rutherford Family owns property on Puffer Road which consists of a stone house and a chapel. The Rutherfurds are offering the property to the Board of Education as a donation. The Board of Education is determining if they want to accept the property.

Mayor DeTombeur stated that he would like to turn this matter over to Councilwoman Schultheis for consideration as part of the historical district study.

Mayor DeTombeur stated that Rutherford Hall is doing the second phase of the roof replacement project. This project will be going out to bid and bids will be accepted in August 18, 2016.

Councilwoman Cook advised that there will be tight control over the grant money that is available for this project and to make sure the money is used accordingly and within the specified time frame.

- b. Mayor DeTombeur advised that correspondence was received from the State of NJ - DEP regarding a drought warning that is in effect. At this point, water conservation is voluntary and not mandatory.

- c. Mayor DeTombeur advised that upgrades are being made to the website to include biographies and photos of the Township Council.
- d. Mayor DeTombeur stated that there is an issue at the Allamuchy General Store regarding the need to install a water meter at this location. The Township has received resistance from the owner to do this installation. Mayor DeTombeur suggested that if a meter is not installed then the water will be turned off until it is installed.

Motion by Mayor DeTombeur, seconded by Councilwoman Schultheis, carried to send a letter to Mr. Peshkopia of the Allamuchy General Store advising him that a meter needs to be installed. Failure to cooperate with the municipality will result in his water being turned off until he complies with the installation. Roll call vote: **AYES**- Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

- e. Mayor DeTombeur advised that two of the fair market units in the Village of Old Farm development owned by the municipality will be auctioned. It is proposed that a one bedroom unit be auctioned at a minimum price of \$130,000 and two bedroom unit at a minimum of \$150,000.00.

Motion by Councilman Ochwat, seconded by Councilwoman Cook, carried to authorize the Municipal Clerk to auction the two units at the Village of Old Farm at the minimum bid prices discussed. Roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

- f. Mayor DeTombeur stated that he would like to authorize Donnelly Architecture, LLC to provide architectural services for security upgrades to the Municipal Building.

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

6. TOWNSHIP COUNCIL REPORTS:

- a. Councilman Lomonaco advised that a resignation letter was received from Edward Wacks, Municipal Attorney, effective July 29, 2016. He advised that the Personnel Committee along with the Municipal Clerk had interviewed three firms for the position of Township Attorney. Representatives of the three firms interviewed were as follows: Robert B. McBriar, Esq. of Schenck Price Smith and King, LLP, Sparta, N.J., Mark Peck, Esq. of Florio Perrucci Steinhardt and Fader of Phillipsburg, N.J. and Christopher Corsini, Esq. of Mauro Savo Camerino Grant &Schalk, Somerville, NJ. The Personnel Committee is recommending the hiring of Robert McBriar, Esq. of Schenck Price Smith and King, LLP with an effective date of July 29, 2016. This appointment will be for the remainder of the year as proposals will be received in November for 2017.

Motion by Councilman Lomonaco, seconded by Mayor DeTombeur, and approved on roll call vote: **AYES** - Councilpersons Lomonaco, Ochwat, Schultheis and Mayor DeTombeur; **ABSTAIN** - Councilwoman Cook (Councilwoman Cook advised that she did not get a chance to review all the proposals and bios submitted).

ACCEPT THE RESIGNATION OF EDWARD WACKS, ESQ. EFFECTIVE JULY 29, 2016.

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

- b. Mayor DeTombeur advised that Nancy McCabe, Water and Sewer Administrator, will be retiring November 1, 2016. Her last day of work will be August 24, 2016. There is a letter of resignation from Ms. McCabe that has been provide to the Township Council.

Motion by Mayor DeTombeur, seconded by Councilman Lomonaco, carried to accept the resignation of Nancy McCabe effective November 1, 2016. Roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

Councilman Ochwat suggested that Ms. McCabe be recognized for her years of service at the August 25, 2016 Township Council Meeting.

- c. Councilwoman Schultheis stated that Mr. Quinoa of the Allamuchy Recreation Commission prepared an outline of programs, field diagrams and measurements. This information is valuable as it will give the municipality a guideline with regard to the open space property being acquired. This information was submitted to the Municipal Engineer for review.
- d. Councilwoman Schultheis stated that she would like to make a motion to have input from the Township Council for the workshop meeting agendas no later than 3:00 P.M. the Friday before the workshop meeting and no later than 3:00 p.m. the Monday before the regular meeting.

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

- e. Councilwoman Schultheis stated that she will review e-maintenance and administrative duties as discussed at a recent water/sewer team meeting.
- f. Councilwoman Cook advised that she has nothing to report at this time but will be reviewing the financials with the Chief Financial Officer and will report at the August workshop meeting.
- g. Councilman Ochwat stated that the sign for the Municipal Building is finished and ready for installation.

A meeting was held with the Municipal Engineer regarding parking on Route 517 where the cars and trailers park during the day and overnight. A meeting was also held with representatives of the State of NJ - DEP and truck parking is not allowed on that property. It was also discussed about the possibility of the Township receiving an easement for that specific area so the Township could maintain and install the "Welcome" sign.

Councilman Ochwat advised that the municipality is holding off on the “Welcome” signs until approvals are received from Warren County and the State.

Councilman Ochwat suggested that the Zoning Official look at the real estate sign next to the Route 517 property to see if the sign complies with the sign ordinance.

- f. Councilman Lomonaco stated that thanks to donations “Movie Night on the Lawn” will be held at Rutherford Hall on August 15, 2016 and Family Day will be held on October 9, 2016. The Committee organizing Family Day will be working with local farmers for donation of vegetables.
- g. Councilman Lomonaco stated that he wanted to thank the law firm of Wacks, Beilin and Weber for their 29 years of service to Allamuchy Township. It was a pleasure working with their firm and wished Attorney Beilin well.

7. MUNICIPAL CLERK'S REPORT:

a. APPROVAL OF THE ANIMAL RESCUE AGREEMENT WITH THE PET ADOPTION LEAGUE FOR THE YEAR 2016-2017.

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

8. ENGINEER'S REPORT/ACTION LIST:

- a. 2015 Water Main Replacement Project - Authorize Partial Payment # 7 to Haskell Paving, Inc. in the amount of \$18,872.23.

Councilwoman Cook questioned the status of the condition of the road and if anything would be done to it with regard to repairs.

Mayor DeTombeur stated that he believes there may be an agreement in place to leave Bald Eagle road as is since it will be worked on by the contractor doing the paving for PVPOA.

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 Municipal Engineer to advertise for bids for a lease agreement of the water tank site for telecommunications equipment.

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

9. **ATTORNEY'S REPORT:**

- a. Attorney Beilin advised that he has two items regarding litigation for discussion in executive session.

Attorney Beilin stated that he would like to thank everyone for being given the opportunity to represent the Township for the last 29 years.

10. **PUBLIC SESSION:**

- a. Charles Fineran, Open Space Director, was present and stated that he is in the process of writing a Thank You letter to a student who needed a project for school. The project involved a road clean-up detail. This student did a very nice job and the Environmental Commission will send her a letter of appreciation and thank you.

Mr. Fineran advised that he will also be preparing a letter and requested authorization for endorsement from the Township Council.

The Mayor and Council supported the recommendation of Mr. Fineran and supported the endorsement.

- b. Reinert Putz, Goldfinch Glen, was present and questioned if there were any retainer monies left over from Haskell Paving.

Mayor DeTombeur advised that no monies remained but a maintenance bond will be filed with the municipality.

Councilman Ochwat stated that a punch list of items and checklist must be complied with before Haskell Paving's check is released.

Mayor DeTombeur advised that the checklist items have nothing to do with the condition of the roads.

11. **ORDINANCES – FIRST READING:**

- a. # 2016-06 – **AN ORDINANCE CONCERNING SALARIES, VACATIONS, AND HOLIDAYS, AND OTHER WORK CONDITIONS FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF ALLAMUCHY.**

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

Second reading to take place on August 25, 2016.

- b. # 2016-07- **BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$475,000 FOR IMPROVEMENTS TO WATER/SEWER UTILITY SYSTEM FOR AND BY THE TOWNSHIP OF ALLAMUCHY IN THE**

**COUNTY OF WARREN, NEW JERSEY AND, AUTHORIZING THE
ISSUANCE OF \$475,000 BONDS OR NOTES OF THE TOWNSHIP FOR
FINANCING PART OF THE APPROPRIATION.**

Mayor DeTombeur advised that the State of New Jersey – DEP is making the Township install the UV System. This is something the water and sewer team tried not to do.

Motion by Councilwoman Cook, seconded by Councilman Lomonaco, carried to introduce Ordinance # 2016-07 on first reading. Roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

Councilwoman Cook advised that this is a mandatory project and the Township could get fined if the Ultraviolet System is not installed.

12. ORDINANCES - SECOND READING

- a. # 2016-05 - **AN ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY PROVIDING FOR THE APPROPRIATION OF \$100,000 FOR THE PURCHASE OF PROPERTY WITHIN THE TOWNSHIP OF ALLAMUCHY FROM THE GENERAL CAPITAL —CAPITAL IMPROVEMENT FUND AND THE WATER/ SEWER CAPITAL — CAPITAL IMPROVEMENT FUND.**

Motion by Mayor DeTombeur, seconded by Councilwoman Schultheis, and approved on roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, and Schultheis; **ABSTAIN** - Mayor DeTombeur (resides across the street from the property).

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

Lynne Kramer, Bald Eagle Drive, was present and stated that this is a great piece of property and if the Township acquires this land it would be great. She thanked the Mayor and Council for their hard work.

There being no further comments, the public session was closed.

13. RESOLUTIONS:

- a. Bond Resolution - Authorizing the Sale of Bonds (**ATTACHMENT 1**).

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

- b. Approval of Liquor License Renewal Application - Allamuchy Liquor Store, 19 Old Hackettstown Road, Allamuchy, N.J. (**ATTACHMENT 2**).

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

- c. Extension of 3rd Quarter Tax Payment due date to August 19, 2016
(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. County Tax Board Adjustments (Result of Tax Appeals) (ATTACHMENT 4).

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

14. **EXECUTIVE SESSION - 7:10 P.M. (ATTACHMENT 5).**

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

15. Motion by Councilman Ochwat, seconded by Mayor DeTombeur, carried to go out of executive session at 8:10 P.M. Roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

16. Motion by Councilman Ochwat, seconded by Mayor DeTombeur, carried to appoint Stacy Bockbrader as Water/Sewer Administrator on a part-time basis to fulfill the duties of Nancy McCabe. This position will be advertised and applications will be accepted for this position. Roll call vote: **AYES** - Councilpersons Cook, Lomonaco, Ochwat, Schultheis and Mayor DeTombeur.

17. **APPROVAL OF BILL LIST AND PAID LIST (ATTACHMENT 6).**

The bill for Rio Supply in the amount of \$383.35 will be approved and paid subject to review by the Water/Sewer Department.

Motion by Councilman Ochwat, seconded by Mayor DeTombeur, carried to approve the bill list and paid list as submitted subject to the review of the Rio Supply bill. Roll call vote: **AYES** - Councilpersons Lomonaco, Ochwat, Schultheis and Mayor DeTombeur; **ABSTAIN** - Councilwoman Cook.

18. **ADJOURNMENT - 8:15 P.M.**

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

Respectfully Submitted,

Anne Marie Tracy, Municipal Clerk

Keith A. DeTombeur, Mayor