

**MINUTES OF THE REGULAR MEETING OF THE ALLAMUCHY TOWNSHIP COUNCIL HELD APRIL 27, 2017 AT 6:00 P.M.**

1. The meeting was called to order at 6:05 P.M. by Mayor DeTombeur.
2. At this time, the Pledge of Allegiance and a moment of silence was held.
3. Mayor DeTombeur advised that this meeting was held in accordance with the Open Public Meetings Act as prescribed by State Statute.
4. **PRESENT:** Mayor DeTombeur, Councilman Koppel, Councilman Lomonaco and Councilman Quinoa; **ABSENT** – Councilman Ochwat.

**5. APPROVAL OF MINUTES:**

- a. Regular Meeting – 03/23/2017 as submitted:

Motion by Councilman Koppel, seconded by Councilman Lomonaco, and approved on roll call vote: **AYES** - Councilman Koppel, Councilman Lomonaco and Councilman Quinoa; **ABSENT** – Councilman Ochwat.

6. Attorney McBriar advised that the COLA Ordinance needs to be adopted prior to the adoption of the 2017 Municipal Budget.
  - a. # 2017-05 - **CALENDAR YEAR 2017 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).**

Motion by Councilman Koppel, seconded by Councilman Lomonaco, carried to adopt Ordinance # 2017-05 on second reading.

At this time the meeting was opened to the public.

There were no comments or objections and the public hearing was closed.

Roll call vote: **AYES** - Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSENT** - Councilman Ochwat.

**7. ADOPTION OF THE 2017 MUNICIPAL BUDGET (ATTACHMENT 1).**

Motion by Mayor DeTombeur, seconded by Councilman Lomonaco, carried to adopt the 2017 Municipal Budget and to open the meeting to the public for comments or objections.

There were no comments or objections and the public hearing was closed.

Roll call vote: **AYES** – Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

**ADOPTION OF THE 2017 SOLID WASTE BUDGET (ATTACHMENT 2).**

Motion by Mayor DeTombeur, seconded by Councilman Lomonaco, carried to adopt the 2017 Solid Waste Municipal Budget as presented.

At this time the meeting was opened to the public and the public hearing was held.

There were no comments or objections from the public and the public hearing was closed.

Roll call vote: **AYES** – Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

8. At this time, Mrs. Hoyt was present to read the National Day of Prayer Proclamation and to Proclaim May 4, 2017 as National Day of Prayer (**ATTACHMENT 3**).

9. **MAYOR'S REPORT:**

Mayor DeTombeur advised that on April 15th a bike race was held and there were 187 cyclist and over 300 people in the Township that day for this event. He stated that it was a great day of fun and there was no garbage left behind.

Mayor DeTombeur advised that on April 19th Senator Josh Gottheimer was at the municipal building and conducted a Grant Summit. He advised that Warren County ranks 21 out of 42 counties. Mr. Rodriguez from N.J. Home security was present and different towns could apply for funds that federal monies do not cover. There was also a representative from the USDA to advise that grant monies are available and where to access this information.

Mayor DeTombeur stated that he had attended the Allamuchy Board of Education meeting and also attended the Great Meadows Regional School Board Meeting. It was stated at the meeting that consideration may be given to turning the Great Meadows Regional School into 7th and 8th grades only. It was unknown how that will work out financially with the sending the districts.

Mayor DeTombeur advised that a letter was received from Project Graduation requesting a donation. Last year's donation was \$500.00.

Motion by Councilman Lomonaco, seconded by Councilman Koppel, carried to donate \$500.00 to Project Graduation. Roll call vote: **AYES** – Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

Mayor DeTombeur stated that April 27th was bring your child to work day. He advised that one of the municipal employees brought their child to work and it turned out to be a fun day.

10. **TOWNSHIP COUNCIL REPORTS:**

- a. Councilman Quinoa stated that he had attended the Board of Education meeting and the 2017/2018 budget was presented. The Board of Education's budget is stable and there will not be an increase in their rate. The after school busing program will not be done this year but may be reviewed and reconsidered for next year.
- b. Councilman Koppel stated that there are 63 unmetered users of the water system according to computer records. This matter is being addressed and will be rectified.

Councilman Koppel advised that Dave Berkenbush, who was assisting with the water/ sewer department, has taken a new job and will be leaving that position.

Councilman Koppel stated that the Fire Department had a number of drills over the last few weeks including an extrication drill.

- c. Councilman Lomonaco stated that he would like to request an executive session to discuss a personnel issue which he was asked to investigate.

Councilman Lomonaco advised that Allamuchy Day will be held June 3, 2017 and signs are going up. This year's theme is the Year of the Allamuchy Farmer. There will be a mountain bike stunt show and talent show which will be open to all ages. The parade is at 12:00 noon.

Councilman Lomonaco stated that the Dog Park has been a four year project. The amount of \$26,000 has been raised by the dog park committee so far.

At this time, Councilman Lomonaco asked Ellen Nadeau and Lisa Lomonaco to stand as they should be recognized for their hard work and effort with the fundraising and planning of this dog park. A round of applause was given.

Councilman Lomonaco advised that it is now time to start working on the property. The park will be located at the Green Acres park where the tennis and basketball courts are currently located. Proposals have been received to begin construction and a low price of \$5,000.00 was received using in-house manpower and equipment. The Township will contribute \$2,500.00 to prepare the property and to designate the recreation area as a dog park. The area is approximately 200 sq. ft. X 180 sq. ft.

Mayor DeTombeur questioned where the plans were. He advised that he has a copy of the old plans but needs to see the new plans.

Councilman Koppel stated that as a member of the finance committee there is no allocation in the 2017 budget for the \$2,500.00 contribution.

Councilman Lomonaco stated that he had spoken to the Chief Financial Officer and \$2,500.00 is available through a capital ordinance and the Recreation Commission is donating \$2,500.00.

Motion by Councilman Lomonaco, seconded by Councilman Quinoa, carried to designate the existing recreation area which is approximately 200 sq. ft. X 180 sq. ft. to be used as a dog park with the municipality contributing \$2,500.

At this time the meeting was opened to the public.

There were no comments or objections and the public session was closed.

Roll call vote: **AYES** – Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

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

There were no items requiring action.

12. **ATTORNEY'S REPORT:**

Attorney McBriar reviewed the items on the agenda and briefly explained the ordinances and resolutions requiring action.

13. **PUBLIC SESSION:**

Motion by Mayor DeTombeur, seconded by Councilman Lomonaco, carried to open the meeting to the public. **AYES** – Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

- a. Rich Peter, Rutherford Road, was present and requested information on a name plate that was vandalized that belonged to another member of the Township Council. He asked why no action was taken other than an apology and was restitution made for the new name plate.

Mayor DeTombeur advised that Councilman Quinoa's name plate was scratched and he did reimburse the municipality for a new one.

Mr. Peter presented other questions and at this time Attorney McBriar advised that questions should be submitted in writing and are not to be answered at this meeting.

Mr. Peter advised that he will pursue this matter.

- b. Robert McCormack, 1 Cedar Court, was present and presented information to the Township Council regarding his property and drainage problems that he has been having (**ATTACHMENT 4**).

Mr. McCormick stated that there is water running down his driveway on the sidewalk which is creating a hazard in the winter with slippery conditions. He stated that he has spoken with the developer and has not been able to get anywhere with him.

Mr. McCormick advised that rocks have been installed by the developer but the rocks have not solved the runoff issues. The developer advised, according to Mr. McCormick, that the storm drains are operating properly. Mr. McCormick stated that he has water in his back yard.

Mr. McCormick stated that he is not satisfied with the answers from the developer or the municipal engineer. He stated that people need to be aware of the poor drainage and runoff situation which is creating a safety hazard.

Councilman Quinoa questioned Mr. McCormick as to what is the Township's responsibility in this matter.

Mr. McCormick stated that he was not sure at this time.

Attorney McBriar stated that the first step is to understand the issues . He advised that the Municipal Engineer and developer have spoken and it is his understanding that details are being gathered.

Attorney McBriar advised that he will keep in touch with the engineer and discuss the additional information presented by Mr. McCormick at this meeting.

Mr. McCormick advised that the developer came out last week and he received an email that there were no problems with the drainage.

Rosemary Tuohy, President of Bowers Glen Property Owner's Association was present and advised that she has walked the site with the municipal engineer. It was her understanding, according to the engineer, that the storm drains need to be lowered and two additional drains need to be installed – one between 1 and 3 Cedar Court and a drain in front of 1 Cedar Court.

Ms. Tuohy stated that she understands the developer will not do what is required and will only install the drain in front of 1 Cedar Court. She questioned where do these issues stand and will the engineer send a report with his findings. She is concerned that the builder can not be forced to comply.

Attorney McBriar advised that he will speak with the engineer and review the information with him.

Mayor DeTombeur stated to Mr. McCormick that he had prepared a nice presentation.

Lisa Strutin, Dogwood Court, was present and advised she went out to the property and agrees with Ms. Tuohy. She stated that she has received copies of all the emails. The developer has been very condescending to Mr. McCormick. The sidewalk does ice over and someone will fall and hurt themselves. The developer needs to be accounted for.

Ms. Strutin stated that the engineer is trying to keep everyone happy but the problem needs to be corrected. She asked the Township Council not to release any bonds until these items are addressed and corrected.

Lynne Kramer, 84 Bald Eagle, was present as a resident and questioned if the Township has any right to not issue a Certificate of Occupancy since there are outstanding issues.

Attorney McBriar stated that this is difficult since that policy falls under the DCA. The Municipal Engineer certifies to the Construction Department that a CO could or could not be released with or without conditions.

Mayor DeTombeur stated that he attended the PVPOA meeting and it is was his understanding that PVPOA will be hiring an independent engineer to look at the water basin - but not the storm drains.

Councilman Quinoa stated that it has not yet been authorized- they are just looking into it.

**14. ORDINANCES - FIRST READING:**

- a. # 2017-06 - **AN ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY PROVIDING FOR THE APPROPRIATION OF \$150,000 FOR IMPROVEMENTS TO THE ALLAMUCHY TOWNSHIP WATER/ SEWER TREATMENT FACILITIES FROM THE WATER/ SEWER UTILITY CAPITAL – CAPITAL IMPROVEMENT FUND.**

Motion by Mayor DeTombeur, seconded by Councilman Koppel, carried to introduce Ordinance # 2017-06 on first reading. Roll call vote: **AYES** – Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

Second reading to take place on May 25, 2017.

- b. # 2017-07 – **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 Mayor DeTombeur, seconded by Councilman Koppel, carried to introduce Ordinance # 2017-07 on first reading. Roll call vote: **AYES** – Councilpersons Koppel, Quinoa and Mayor DeTombeur; **ABSTAIN** – Councilman Lomonaco; **ABSENT** – Councilman Ochwat.

Second reading to take place on May 25, 2017.

- c. # 2017-08 - **ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING ALLENTOWN SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS TO LOCATE SMALL CELL NETWORK NODES ON EXISTING UTILITY POLES LOCATED IN THE PUBLIC RIGHT-OF-WAY.**

Motion by Mayor DeTombeur, seconded by Councilman Lomonaco, carried to introduce Ordinance # 2017-08 on first reading. Roll call vote: **AYES** – Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

Second reading to take place on May 25, 2017.

15. **RESOLUTIONS:**

- a. Purchase of Utility Vehicle – ATVFD (**ATTACHMENT 5**).

Motion by Mayor DeTombeur, seconded by Councilman Koppel, and approved on roll call vote: **AYES** - Councilpersons Koppel, Quinoa and Mayor DeTombeur; **ABSTAIN** - Councilman Lomonaco; **ABSENT** - Councilman Ochwat.

- b. Audit - 2016 (**ATTACHMENT 6**).

Motion by Mayor DeTombeur, seconded by Councilman Lomonaco, and approved on roll call vote: **AYES** - Councilpersons Koppel, Quinoa and Mayor DeTombeur; **ABSTAIN** - Councilman Lomonaco; **ABSENT** - Councilman Ochwat.

- c. Award of a Contract – Fine Step Screening Equipment – Water/Sewer Dept. (**ATTACHMENT 7**).

Motion by Mayor DeTombeur, seconded by Councilman Koppel, and approved on roll call vote: **AYES** - Councilpersons Koppel, Quinoa and Mayor DeTombeur; **ABSTAIN** - Councilman Lomonaco; **ABSENT** - Councilman Ochwat.

- d. Shared Services Agreement w/ HMUA (**ATTACHMENT 8**).

Motion by Mayor DeTombeur, seconded by Councilman Koppel, and approved on roll call vote: **AYES** - Councilpersons Koppel, Quinoa and Mayor DeTombeur; **ABSTAIN** - Councilman Lomonaco; **ABSENT** - Councilman Ochwat.

e. Approval of the SMSD Budget (**ATTACHMENT 9**).

Motion by Councilman Lomonaco, seconded by Mayor DeTombeur, and approved on roll call vote: **AYES** - Councilpersons Koppel, Lomonaco and Mayor DeTombeur; **ABSTAIN** -Councilman Quinoa; **ABSENT** - Councilman Ochwat.

16. **OTHER/NEW BUSINESS:**

- a. Councilman Quinoa stated that he was made aware that the recreation concession stand was being painted. He advised that he thought Township personnel was painting the stand but later learned that an individual was hired to do the painting.

Councilman Quinoa stated that the painting was never approved by the recreation commission. He stated that an email was sent out to the Chief Financial Officer, Municipal Clerk and Mayor with a number of questions and has not heard from anyone.

Mayor DeTombeur advised that he has the authority as Mayor to have any building painted as deemed necessary.

Mayor DeTombeur stated that the recreation commission gave money to the dog park in the amount of \$2,500.00 and does not recall this donation being discussed at any recreation commission meetings.

Councilman Quinoa stated that he had contacted the Recreation Director and the Recreation Director contacted each member directly. It may have not been done at a meeting but every member knew what was happening.

Mayor DeTombeur stated that he did not know about it.

Councilman Quinoa advised that the Deputy Mayor was advised. He questioned who the individual was that was painting and how much is the cost.

Mayor DeTombeur stated that his name is Carlos Orozco and he is getting \$15.00 per hour. He was the same individual who painted Town Hall this year. Mayor DeTombeur advised that he also uses Mr. Orozco in his personal business.

Attorney McBriar advised that the monetary amount is under the bid threshold and the points have been made. He stated that if there are any questions unanswered then discussions should continue to the May workshop meeting.

Councilman Quinoa stated that he wanted any remaining work to be put on hold.

Mayor DeTombeur advised that the work will not be placed on hold.



Attorney McBriar stated that this matter shall be placed on hold until further meetings of the Township Council. There is a Land Use Board meeting after this meeting and discussions will be carried until the May workshop meeting.

17. **APPROVAL OF BILL LIST AND ADD-ON LIST (ATTACHMENT 10).**

Add on: Acclaim Inventory – \$1,300.00 (Fixed Asset Accounting Inventory)

Motion by Councilman Lomonaco, seconded by Councilman Koppel, carried to approve the bill list and add-on list as presented. Roll call vote: **AYES** - Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSENT** - Councilman Ochwat.

18. Mayor DeTombeur advised that do to time constraints and executive session will not be held. There is a personnel matter for executive session which will be discussed at the May 10, 2017 workshop meeting.

19. Motion by Mayor DeTombeur, seconded by Councilman Koppel, carried to authorize the Municipal Clerk to advertise the May 10, 2017 workshop meeting as an action meeting since Councilman Koppel will not be present at the 05/25/17 regular meeting. **ABSENT** - Councilman Ochwat.

20. **ADJOURNMENT – 7:26 P.M.**

There being no further business, motion was made by Mayor DeTombeur, seconded by Councilman Lomonaco, carried to adjourn at 7:26 P.M. Roll call vote: **AYES** – Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

Respectfully Submitted,

Anne Marie Tracy, Municipal Clerk

Keith A. DeTombeur, Mayor