

**MINUTES OF THE REGULAR MEETING OF THE ALLAMUCHY TOWNSHIP COUNCIL
HELD APRIL 24, 2019 AT 7:00 P.M.**

Mayor Lomonaco: Okay, everybody rise and let's have the Pledge of Allegiance. Miss Lomonaco would you lead us?

Group: I pledge allegiance to the Flag of United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Mayor Lomonaco: We just take for a moment for a moment of silence just for loved ones that are in need or have passed. Thank you so much. This is the regular meeting of the Allamuchy Township Council held April 24th, 2019 which has been posted in advance and complies with the Open Public Meetings Act Chapter 231 P.I. 1975, otherwise known as the Sunshine Law. Notice has been posted on the Allamuchy Township bulletin board and by legal notice published in the January 5th, 2019 edition of the Express-Times and the January 5th, 2019 edition of the Daily Record. Roll call, please.

Municipal Clerk: Councilman Cote.

Councilman Cote: Here.

Municipal Clerk: Councilwoman Tuohy.

Councilwoman Tuohy: Present.

Municipal Clerk: Councilman Quinoa is absent for the record. Councilman Ochwat.

Councilman Ochwat: Present.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Present. Okay. Has everybody had a chance to look at the workshop meetings from 4/10? Any discussion needed? Then can I have a motion to approve?

Councilman Cote: I'll make a motion to approve.

Mayor Lomonaco: A second, please.

Councilwoman Tuohy: I'll second.

Mayor Lomonaco: Roll call, please.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Abstain.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes. Now for those that are here for the first time since the last meeting, we moved the public session up to now rather than waiting until the end. This way you get a chance to come in and discuss what prior to us doing the business and things that we have. Can I have a motion to open to the public please?

Councilwoman Tuohy: I make that motion.

Councilman Cote: Second.

Mayor Lomonaco: All in favor?

Councilman Ochwat: Aye.

Councilwoman Tuohy: Aye.

Mayor Lomonaco: Would anybody from the public like to come up? Okay, seeing none will close for the public session. Can I have that motion?

Councilwoman Tuohy: I'll make that motion.

Councilman Cote: Second.

Mayor Lomonaco: All in favor?

Councilman Ochwat: Aye.

Councilman Cote: Aye.

Mayor Lomonaco: Okay. Now we're going to do a public hearing for the adoption of the Municipal Budget and the Solid Waste Budget for 2019. What I'd like to do first is I just received my lesson on what's going on now with the approval of the budget. I would like our Auditor to come up and explain to Council and the audience prior to the audience possibly having any questions about the budget - if you notice - If you notice the process, sorry. If you notice, we did put it on the website for the last two weeks. If anybody did have a question or a chance to look at it, it

was posted, but now we're going to get a little bit more information. If you'd be so kind.

Auditor Man Lee: Good evening. I'm just going to give a short summary of the budget. The 2019 operating budget totals \$3.8 million, which includes \$410,000 in reserve on collected taxes. The operations within cap is \$1.793 million which is under the maximum tax appropriation cap levy that's set by the state of \$1.8 million which is about \$70,000 under the appropriation levy. The total local tax levy for 2019 is \$2.449 million, which is about approximately \$76,000 under the tax levy cap that's set by the state.

Auditor Man lee: In terms of tax rate in comparison to 2018 the tax rate for '18 is 0.418 and 2019 proposed local levy tax rate is 0.426, which is about eight of a cent of an increase or 1.85% over the prior year. In terms of dollar amount over the average assess home of \$231,000 is approximately \$18 annually increase or about a \$1.50 a month increase.

Mayor Lomonaco: Can the audience hear us?

Auditor Man Lee: For the-

Mayor Lomonaco: Can the audience hear? Okay, yes.

Auditor Man Lee: Sorry if I'm not loud enough. Actually, Anne Marie just sent... Handed me the State review of the budget. This year the state is very behind on their review of the budget, because of the implementation of what they call the FAST system. Last year they implemented the FAST system, and they were requiring all the municipalities to report all the... Enter all the annual financial statement information, and annual debt statement information onto this online reporting system.

Auditor Man Lee: As expected there were many, many glitches in the system last year and there are still a lot of glitches this year. That's why there's been delay. The state actually just sent over, fax over their review at 4:30 this afternoon. Because of that you can hold the public hearing tonight, but until we resolve all these issues we cannot... You cannot formerly adopt a budget until these issues are resolved. There are several pages here and I've explained to Anne Marie too and then to Mayor that most of these comments they have is because of the glitches in their FAST system. I'll work with your CFO and resolve all these issues so that you can adopt at your next meeting if you wish to.

Councilman Ochwat: I would assume that if we have a public hearing tonight and we certainly can, once all of those issues are resolved we should have another one anyway.

Auditor Man Lee: You're not required to have another public meeting.

Councilman Ochwat: No, I understand that, but-

Attorney Wacks: On second reading of the budget you have to open it to the public anyway. You're still... You'll have comments from the public and questions that would arise. By the way just for the public's information, this isn't the first time that you've postponed the introduction of the budget because the State's been behind or because there's been some glitch somewhere along the line. This is not something that you did that's creating an unusual problem here. This is something, which has happened a number of times in the past.

Mayor Lomonaco: Between 4:30 and 7:00 didn't give us much time to fix the problem.

Attorney Wacks: Not at all.

Mayor Lomonaco: Okay.

Auditor Man Lee: I wouldn't be with anybody at the State because-

Mayor Lomonaco: Jim's on vacation, so it doesn't help us out anyway.

Auditor Man Lee: Exactly.

Mayor Lomonaco: A timeframe of two weeks, would that be sufficient?

Auditor Man Lee: Oh, yeah. We will work on it. I'll start working on it tomorrow and then some of these issues we may have to wait until Jim comes back next week to work on it, but we'll get it done before your next meeting.

Mayor Lomonaco: Okay. Then our next meeting is the 8th, I believe?

Municipal Clerk: May 8th for the workshop.

Mayor Lomonaco: For the workshop, which we do have as an action meeting, so we can do the second reading then. Okay. While you're still standing if you don't mind, we'd like to open it to the public. Do I need a motion for that?

Attorney Wacks: Yes, you do.

Mayor Lomonaco: Can I have a motion to open to the public, please?

Councilwoman Tuohy: I'll make that motion.

Councilman Cote: Second.

Mayor Lomonaco: Do we need a roll call?

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes. Is there anybody in the audience that has any questions regarding the budget? Not a comment on \$1.50 a month, that we're doing a good job. Nothing. Okay. All right. Since there is no one, can we have a motion to close?

Councilman Ochwat: Make that motion.

Councilman Cote: I make a motion to close.

Mayor Lomonaco: Do you second it?

Municipal Clerk: No, Doug made the motion.

Attorney Wacks: Doug made the motion.

Mayor Lomonaco: I'm sorry.

Councilwoman Tuohy: Doug made a motion, and you second it.

Mayor Lomonaco: You second it.

Councilman Cote: I'm sorry Doug.

Mayor Lomonaco: Roll call.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes.

Councilman Cote: I'm not trying to steal your thunder there.

Mayor Lomonaco: Okay. Do we need her anymore?

Municipal Clerk: Yeah. We'll be in touch.

Auditor Man Lee: Okay, we will.

Mayor Lomonaco: Thank you so much for your explanation and your time.

Auditor Man Lee: All right, have a goodnight everyone.

Mayor Lomonaco: Okay. Safe travel home. It's all downhill.

Auditor Man Lee: Thank you.

Mayor Lomonaco: Okay.

Municipal Clerk: Thank you.

Mayor Lomonaco: She lives in Hackettstown. Okay. What do we have to do?

Municipal Clerk: Well, I would do the same thing with the Solid waste which is easy. That's an in and out budget. We did the public hearing on the 2019 municipal budget. Let's do the same thing, make a motion for a public hearing on the solid waste budget. That's strictly for the garbage contract. The garbage place management contract, but they need a separate budget for.

Mayor Lomonaco: Okay. A motion to open to the public, please.

Councilwoman Tuohy: I'll make that motion.

Councilman Cote: Second.

Mayor Lomonaco: Roll call.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes. Anybody from the public want to talk about our garbage? No complaints, no, nothing. No.

Claire Arcaro: Do we have a copy of it?

Municipal Clerk: No, it's probably not out there because it wasn't part of... It's not part of the User-Friendly Budget, but it's... Actually it doesn't even apply to you guys. It's outside the Valley. Yeah.

Mayor Lomonaco: It was on the website though, right?

Municipal Clerk: Yeah. Jim gave me both of them on a PDF [crosstalk 00:10:20].

Mayor Lomonaco: In case you want to refer to it before the next meeting.

Municipal Clerk: Yeah. Both budgets are on the website.

Mayor Lomonaco: Yes, ma'am.

Lisa Lomonaco: Lisa Lomonaco, 18 Cornerstone Drive. I've heard that they're not going to be doing recyclables anymore. Is that true?

Municipal Clerk: We haven't heard different yet.

Lisa Lomonaco: Okay. We heard somewhere that it was like they were going to stop burning the recyclables.

Mayor Lomonaco: In Oxford?

Lisa Lomonaco: Didn't I hear... Okay.

Mayor Lomonaco: Altogether?

Lisa Lomonaco: Yeah.

Mayor Lomonaco: Okay.

Municipal Clerk: We haven't been told yet.

Mayor Lomonaco: Okay. They're still taking our recyclables.

Municipal Clerk: Yeah. They're still going down there. I went on their website, and they are. They still have recycling days. We haven't heard, but if we do we'll let you know.

Mayor Lomonaco: Once Waste Management brings it to our attention we'll discuss [crosstalk 00:11:00]

Municipal Clerk: The Landfill was the one... The incinerator was the one that was supposed to be shutting down Covanta or whatever the name is.

Mayor Lomonaco: The one in Oxford, right?

Municipal Clerk: Yeah, the one in Oxford.

Councilman Ochwat: I thought the recyclables were part of the contract.

Municipal Clerk: They are, they are. That's up to Waste Management to let us know the change of destination. They should be letting us know where they're taking it if it changes.

Mayor Lomonaco: I did have one call already from a resident, and the answer was we're not aware of any changes yet. When we are I will contact that person back. If we hear anything obviously publicly we'll bring it up to your attention. Does that satisfy your question ma'am?

Lisa Lomonaco: Yes sir.

Mayor Lomonaco: Okay. Any comments from anybody else regarding our garbage? Motion to close?

Councilman Cote: I'll make that motion.

Councilman Ochwat: Second.

Mayor Lomonaco: Roll call.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes. Okay. I have... Doug's doing this one. I have two things to report. One in my box I have really wonderful news that Danielle who works in the Court for us has

passed her level three, advanced level three in the court. I have the judiciary certificate here. She's now going to be working on Level IV, I believe.

Municipal Clerk: Yes, in the Fall time.

Mayor Lomonaco: In the Fall. Then I believe and then sometime after doing certain requirement sometime hopefully by next years she will complete her state exam. We did ask her to keep pushing and she been doing it. This is just a sign that she's as committed to us in the court as we are. I wanted to give her kudos. Secondly, I had sent out to all Council people some quotes regarding trailer for public works. The price of the trailer is underneath the threshold of \$6,000. The reason that we want to do the trailer for is two-fold.

Mayor Lomonaco: One, when we do presently the patching of the streets we use the truck to roll over it in order to cut it down. We do have a roller that has been repaired and is in now operation. We want to be able to transport it so that things last a little bit longer, hopefully in between the re-tarring of the streets. Secondly, there's now other places that we're doing grass cutting, for example by Lone Pine, there by the new sign there. Then Maria who cuts up here also cuts the ball fields and is driving up and down Alphano, which is very unsafe.

Mayor Lomonaco: I would like to just make the motion that we allow them to take out of their capital budget, capital, right. The trailer that they're suggesting, which is the one from Roxbury. I asked for three quotes, even though we were under the 6,000. Short Track was one, which was a little bit more 5,700 and they did not receive one from Performance Trailers. I would like to make a motion for DPW that we allow them to purchase from Roxbury Trailer Sales a 2019 Short Track, 7 by 18 14,000 tilt equipment trailer at a cost of \$5,695.

Councilman Ochwat: Would you like a motion, are you making a motion?

Mayor Lomonaco: I will make the motion.

Councilman Ochwat: I'll second.

Mayor Lomonaco: Okay. Then I'll open it for discussion. Okay, no discussion. Can we have a roll call, please?

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes. Okay, thank you for that. That's all that I have for the Mayor's report. Councilman Cote, anything?

Councilman Cote: I have nothing,

Mayor Lomonaco: Councilwoman Tuohy?

Councilwoman Tuohy: Nothing.

Mayor Lomonaco: Councilman Ochwat?

Councilman Ochwat: I have two things. The first is, we received a letter in the last couple of days from Matt Begley, the President, I mean, the General Manager I'm sorry, of PVPOA. He really doesn't ask us for anything, but more or less addresses an issue that it's been an ongoing issue. It has to do with the opening up of Mallard Drive as a thruway prior to all the construction that's going on. Right now, it's scheduled for opening next month and just this past week or so or two, there was an overturned vehicle, a construction vehicle, a large construction vehicle on that road.

Councilman Ochwat: The concern has always been should we finish the construction or most of the construction of the townhouses, etc. and then open up the road, or do we need to open up the road in May as scheduled? Again, he doesn't ask us to do anything, he just brings it to our attention. I believe everyone got a copy, everyone on the Council got a copy of this. There really is a concern and I just wanted to open up a discussion on this with everyone as to whether we might want to delay that opening or not. There's probably, unless someone has an idea, not much we can do in terms of... If once we open it up in terms of a serious accident happening. Now is the time to discuss it before it opens next month.

Councilwoman Tuohy: Oh, in my discussions with Matt, I think Panther valley would like to see it stay closed. You can see from the accident we're very lucky that a school bus wasn't stopped there or somebody was going up or down the road. You have the construction trucks coming in and out and crisscrossing from one side of the development to the other side. I guess that's say if they were to keep it open maybe the town can have the builder have Baker provide flagmen to stop the traffic.

Councilwoman Tuohy: The site clearance number one isn't that great to begin with. I think ultimately that we would like to probably see it stay closed until a significant amount of the construction is done. It's going to cause a safety hazard.

Councilman Ochwat: This has been an issue for some time in terms of we didn't know when the construction would be finished, and that's obviously later than what we originally thought.

Councilwoman Tuohy: They're moving fast.

Councilman Ochwat: Pardon?

Councilwoman Tuohy: They're moving fast.

Councilman Ochwat: Oh, I know that.

Councilwoman Tuohy: That I can tell you.

Councilman Ochwat: I know that. The anticipation was give or take May. I see no reason that I know of, but I'm looking for anyone else who has some reasons to not delay the opening. I see no reason not to do that but maybe there are-

Attorney Wacks: Is Mallard a town road?

Councilman Ochwat: No, no.

Attorney Wacks: It's within Panther Valley, isn't it?

Councilman Ochwat: It's in Panther Valley. It'll be a through road once it opens.

Attorney Wacks: Yeah. I mean, is Baker concerned that they have to open it because of some permits or some... The ability to move forward?

Councilman Ochwat: Not to my knowledge.

Attorney Wacks: Yeah. I mean, so-

Councilwoman Tuohy: I believe now it's the town wide road.

Municipal Clerk: We don't own it. The town doesn't own it that's why the [crosstalk 00:19:39]

Attorney Wacks: It's really PVPOA's call as to whether to open it or not. I'm not sure why Matt's brought this to your attention. I mean, it's not wrong to bring it to your attention.

Councilwoman Tuohy: In the past, I believe Paul Sterbenz was the one that was closing down roads and opening them.

Attorney Wacks: Okay. Well, I mean-

Councilman Ochwat: Well, you didn't see the letter or you did see the letter?

Attorney Wacks: I saw it. I have it in front of me. I mean, I think the best you can do is to have a letter sent to Matt that said, the Town Council has no objection to keeping the road closed and making a suggestion that they required the developer to put out a flagman or something.

Councilwoman Tuohy: You're saying it's-

Attorney Wacks: It's really PVPOA's-

Councilwoman Tuohy: PVPOA's decision, okay.

Attorney Wacks: Decision, yeah. It's not a public road, it's not a municipal street.

Councilwoman Tuohy: Right, okay.

Mayor Lomonaco: It sounds like the letter was spurred by the overturned truck. I think as bad as that was it's a good thing for us to consider not opening the road. I mean, there's really no need to have it at this point. I mean we waited so long for it.

Councilman Ochwat: Ed is saying that it's not our decision whether [crosstalk 00:20:55]

Mayor Lomonaco: No, I know. That's why he's not asking the question and the letter, if it's okay or not but he's expressing a concern. By sending us a letter that expresses concern sort of brings it, the concern to our attention and we agree with the concern.

Attorney Wacks: Our concern is we agree and PV if they feel that they need to have some protective devices on the developer they should contact the developer and have them do it.

Councilman Ochwat: Mr. Mayor maybe you could write him a letter back and-

Mayor Lomonaco: I will be glad to.

Councilman Ochwat: ... and let him know how we feel.

Councilwoman Tuohy: I don't think PVPOA has control over the builder.

Mayor Lomonaco: The builder is through Paul?

Attorney Wacks: Yeah. The builder is through Paul. The reason I ask though is I recall there's a... They have a Planning Board resolution when they got approval for the development. I don't think the resolution demands that the road be opened at any particular time. You may be right. It may be Paul's call as the Engineer as to whether or not the road should be open with connection with the development.

Councilwoman Tuohy: I think it was supposed to open a couple of months ago and delayed it, to May. I think it was Paul's decision to whether we open it.

Mayor Lomonaco: Okay. I will speak with Paul then. Then see what the next [crosstalk 00:22:20]

Councilwoman Tuohy: If it's not, we have no problem dealing with the-

Mayor Lomonaco: I think we all agree that keeping it closed is not a bad thing. Yeah, but we [crosstalk 00:22:24]

Councilman Cote: I agree. I think PVPOA should be the one to contact Paul and discuss it with Paul.

Mayor Lomonaco: Okay. Let me have a private conversation with him.

Councilman Cote: Would you agree?

Mayor Lomonaco: Yeah, and get his guidance. Then if that is the way that it should be I'll refer that back to Matt in the letter. We suggest you contact Paul Sterbenz [crosstalk 00:22:47]

Councilwoman Tuohy: Yeah. I'm sure, we don't mind. He wouldn't mind-

Mayor Lomonaco: No. I just want to make sure they do the right thing.

Councilwoman Tuohy: ... contacting Baker, and saying, "Hey, you can't open the road." Then if we get pushback and then maybe Paul can step in.

Attorney Wacks: Well, Paul is the one that actually would contact Baker. Under the resolution the approval [crosstalk 00:23:01] Engineer that it is your agent. It's up to Paul to [crosstalk 00:23:07]

Mayor Lomonaco: Then we call Paul or Panther Valley calls Paul to find out what answer that is.

Attorney Wacks: Exactly.

Mayor Lomonaco: Do it that way. Okay. You have the second Doug.

Attorney Wacks: Yeah, the second Doug. You said you had two things.

Councilman Ochwat: Oh, yes. Secondly, I know we've been trying to contact Cablevision about... Initially about them providing service for a development that currently doesn't have service. Secondly, their contract is up at the end of this year.

Mayor Lomonaco: I believe it's May this year.

Councilman Ochwat: Yeah. At least in my experience it's very unusual but we have not heard anything from them. I know Rick, you've reached out to them about the homes that don't have the coverage. The question I have is, Ed would... Now, would it be an appropriate time to have a letter come from our Attorney about both issues and see if we can get some fire under there?

Attorney Wacks: Anytime is appropriate. I mean, I think we have some things happening sooner than the end of the year though. I think it's the end of May.

Municipal Clerk: May, 15th actually. I reached out to Office of Cable Television last year, the end of last year. I spoke to a lady who's retired, whatever her name was at the time. Then I got Nancy who you dealt with and remembers you very well. She basically said, "Well, the town is in compliance," like I said, they're not going to cut us off, but we got to get going with the public hearings.

Attorney Wacks: Yeah, it's a renewal of the franchise. That's what it is.

Councilman Ochwat: It's really weird that we haven't heard from them.

Municipal Clerk: I think that they basic, I think that we probably like Doug said should just get started with it. Either reach out to their Attorney whoever and get started with public hearings.

Attorney Wacks: Well, we know their attorneys. I certainly can reach out to the attorney. I don't think it's a bad idea for Anne Marie to send a letter on behalf of the town Council. That says, "Hey guys, your franchise is up in a couple of weeks, what's the story? What are you planning on doing?"

Mayor Lomonaco: I would like to do that letter to be honest with you because I like to incorporate the non-answer, non-answer, non-answer, non-answer, that I've gotten from them, bring that all together.

Councilman Ochwat: Yeah, recap all of that in the letter.

Mayor Lomonaco: Yeah.

Attorney Wacks: Yeah.

Mayor Lomonaco: Okay.

Municipal Clerk: I think that John Ursin had the... I gave John a copy of the document that they had submitted to us with the ones that they filed with Board of Public Utilities. I know when I spoke to Nancy she said, "We're okay, but let's get going with the public hearings. If I draft it tomorrow can you guys look at it and then let me know if it's okay? I'll send you the contact information.

Mayor Lomonaco: Right.

Councilman Ochwat: That's all I have, mayor.

Councilwoman Tuohy: Mayor, just to comment on the website. We had a second company come in for the website. I just wanted to clarify with the Attorney because I think we discussed this. Did we have to go out for RFPs on them?

Attorney Wacks: It depends again on a couple of things. Number one, do you know exactly what you want to happen with the website?

Councilwoman Tuohy: Yes.

Attorney Wacks: Then the answer is, it's not a bad idea to go out for RFPs, because that way you get some indication from the vendors as to what they're planning on doing. From a legal standpoint you can always go out for an RFP. I mean there's certain circumstances where you have to go for bids, but there's certain circumstances where you don't have to but there's nothing that prevents you from doing so. If you do have something that you know you want, you can put it out and get some people to come back to you and indicate whether or not it's capable of being done and how much it's going to cost to do that.

Councilwoman Tuohy: Now do you know if the co-op has companies?

Attorney Wacks: I don't think so.

Municipal Clerk: No.

Attorney Wacks: That's not something that co-op would normally have.

Municipal Clerk: Could this be done through a professional services agreement?

Attorney Wacks: It could be, it could be.

Municipal Clerk: That's easy.

Attorney Wacks: That's why I'm saying you could go out for an RFP because you could do it, it would qualify as a non-bid item. That you could just simply get somebody who you feel comfortable doing it, and then do it under Professional Services Agreement rather than anything else.

Mayor Lomonaco: Going through the process it's just we're customizing so many things within it.

Councilwoman Tuohy: It's hard to put it out there.

Mayor Lomonaco: Than to write an RFP for something where we're looking for ideas in order to make it better. We don't have specific 4 by 10s, and 6 by 8s, and things like that.

Attorney Wacks: Well, then maybe what you need is a consultant. Hire a consultant to come in and tell you what your website needs to look like.

Councilwoman Tuohy: Well, the companies are telling us, and we're learning as-

Attorney Wacks: Right, as you go.

Councilwoman Tuohy: Learn a lot like when the first guy.

Mayor Lomonaco: I think we're comfortable [crosstalk 00:28:17]

Councilwoman Tuohy: I think we're comfortable enough. We're just at a standstill of whether we should go out and get another quote, which I don't think can hurt.

Mayor Lomonaco: Well, our idea was to do since we weren't going to RFP it, was to do three quotes.

Attorney Wacks: Okay.

Mayor Lomonaco: We want to make sure we're not required to do.

Attorney Wacks: No, you're not. You're not required to do so. This is a professional service, so you won't have to do it.

Mayor Lomonaco: If we get a third, it doesn't have to be necessarily a co-op or anything since there isn't anything out for a co-op.

Councilwoman Tuohy: I thought we just ended when we talked about this last month. You said, "Go to the co-op."

Mayor Lomonaco: Yeah. We always try to get everybody in the mindset now.

Councilwoman Tuohy: I tried looking it up all night, I couldn't find anything.

Municipal Clerk: No, there's nothing for co-op. All I can say I'd rather just handle it. If you have a company that you like let's just do a professional service.

Mayor Lomonaco: Well, we do. We have one but we'd still like to see one more.

Councilwoman Tuohy: We still see another quote.

Mayor Lomonaco: Yeah.

Attorney Wacks: Well, do you have a solicitation from the company you like?

Councilwoman Tuohy: Yes.

Attorney Wacks: I mean, you have an outline [crosstalk 00:29:13] with the specs?

Mayor Lomonaco: Yes.

Attorney Wacks: Take those specs and see if someone else is willing to give you an indication of what they would charge you.

Councilwoman Tuohy: Okay.

Mayor Lomonaco: Okay, so we'll do that for the third?

Councilwoman Tuohy: Yeah. I'll get a company in New Jersey.

Mayor Lomonaco: Yeah. The process is going to take three to five months to turn it over anyway. If we can get one more-

Councilwoman Tuohy: The next meeting-

Mayor Lomonaco: ... that would be great.

Attorney Wacks: If you want maybe give you the company out of Jersey City that we used to design ours. I'll be happy to give you the names. I'll send it to you by email tomorrow, you can get in touch with them. Yeah, they're very good.

Councilwoman Tuohy: What's their name, do you remember?

Attorney Wacks: Let me think. Hudson something.

Councilwoman Tuohy: Okay. Yeah, send me their name. Thank you. I hope that we can set something up and meet before our next meeting. Before the next meeting, time to go forward.

Attorney Wacks: That's it Doug.

Councilwoman Tuohy: That's it, thank you.

Mayor Lomonaco: Yeah. Okay. Any board or commission reports? Municipal Clerk?

Municipal Clerk: Okay. I have here again for the Rutherford Hall Fireworks donation. It's a \$2,000 request.

Councilwoman Tuohy: We did 2,000 last year, maybe did 2,500.

Mayor Lomonaco: It's always 2,000.

Municipal Clerk: I thought it-

Councilwoman Tuohy: It got changed though.

Councilman Ochwat: Did we what?

Councilwoman Tuohy: Or it got changed the First Night.

Municipal Clerk: First Night it was two. I know First Night it was 2,000.

Mayor Lomonaco: Yeah, I've always remembered 2,000.

Councilwoman Tuohy: No, but I remember the last time I think we changed that.

Municipal Clerk: Well, you do 2,500.

Councilman Ochwat: No. We did change it but I don't think we changed it-

Councilwoman Tuohy: Did you change it to 2,500?

Councilman Ochwat: Memory serves me that we've changed it from 1,500 to 2,000.

Councilwoman Tuohy: Okay, that's what I wanted to know.

Councilman Ochwat: If I'm incorrect about that it would be higher, it wouldn't be lower. It would be nice if we... Someway to know that.

Municipal Clerk: I can find... Yeah. I can look it up right now if you want.

Councilman Ochwat: That would be great.

Municipal Clerk: Do you want to continue on or...?

Councilman Ochwat: At least thinking for myself I wouldn't want to do any less. If anything do more, but if we could.

Municipal Clerk: Unless you approve not to exceed 2,500.

Councilman Ochwat: Mm-hmm (affirmative).

Councilwoman Tuohy: Yeah, can you do that, Ed? Can we make a motion not to exceed, can we go not to exceed-

Attorney Wacks: Sure, absolutely.

Councilwoman Tuohy: ... or a motion that it'll be the same donation as last year.

Municipal Clerk: Okay. Then I can look it up and I can let everybody know, so that you [crosstalk 00:31:33]

Attorney Wacks: Make it same as last year but not to exceed 2,500.

Councilman Ochwat: That would be really helpful if we knew what it was last year.

Mayor Lomonaco: Did they request 2,000?

Municipal Clerk: I think she did.

Mayor Lomonaco: Okay.

Municipal Clerk: I think she did. You got-

Mayor Lomonaco: All right. No. Let's do the motion. We'll say that we'll do it the same as last year not to exceed 2,500.

Councilman Ochwat: All right. You don't want to increase it, that's what you're-

Mayor Lomonaco: No. If 2,000 is what they're asking for and that's what we paid last year, then we do it three times a year.

Municipal Clerk: I can pull Laurie's email real quick.

Mayor Lomonaco: Right. Between-

Mayor Lomonaco: First night.

Municipal Clerk: First night.

Councilman Ochwat: Oh, yeah. Okay.

Mayor Lomonaco: We do more times than we used to.

Councilman Ochwat: Well, then I'll make the motion the way you suggest and that's not to exceed 2,500 but to do what we did last year.

Councilwoman Tuohy: Yes. I'll second that.

Mayor Lomonaco: Any discussion? Roll call?

Municipal Clerk: Councilpersons Cote?

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco?

Mayor Lomonaco: Yes. There's a roll over on 80 if anybody is curious where they're going.

Councilwoman Tuohy: (inaudible)

Mayor Lomonaco: It's going somewhere. 19/7 westbound.

Municipal Clerk: Yeah, westbound. Okay.

Councilwoman Tuohy: Exit 19?

Mayor Lomonaco: Just past the-

Municipal Clerk: Past the exit?

Mayor Lomonaco: Yeah.

Municipal Clerk: Okay.

Mayor Lomonaco: That's it. Okay. Anything come to Engineers Report?

Municipal Clerk: You have no action.

Mayor Lomonaco: The Attorney's Reports?

Attorney Wacks: I have a few things. On the agenda is the emergency repairs. I'll explain to you what all... what that means and what happened? I received a call from Jim Kozimor last... A week ago, Thursday. Indicating that Bruce Smith was very concerned that the fire, the electric box at the water and sewer utility was in serious concern. That apparently Wires Electric had come in and looked at the box and said that the box could easily blow up, stop working, or whatever were the words that were used.

Attorney Wacks: Which would then literally paralyze the water and sewer utility. Wires had given the Bruce Smith and estimate which is in excess of the amount that you could authorize without bidding. There is an exception under the public contracts law that says that, "If a true emergency exists," and we've done this before. We've had a number of situations where we've had an emergency resolution. If a true emergency exists, that you can dispense with public bidding, and that what you need are two things.

Attorney Wacks: You need a certification from someone who knows the situation that says that you can't wait to do a public bid, that this is something that needs to be done immediately. Then you all need to adopt the resolution that says, you're going to do away with public bidding because of the emergency situation that's evidence by the certification. Then you can go ahead and hire who the contractor paid the cost of doing so, and the only thing you have to do is to submit that resolution to local government affairs in Trenton.

Attorney Wacks: What I did was based on the call I had received, I spoke with Bruce Smith. He sent me a statement of why he believed it was truly an emergency and it needed to be done immediately. I then took that, put that in the form of a certification which I sent you all today, you should have received that. Then I also prepared the resolution for this particular situation to act on tonight. In speaking with Rosemary earlier, she had a question of whether this really truly

was an emergency, whether or not there isn't enough time to go out to public bid for this.

Attorney Wacks: We're talking about \$50,000 or \$60,000 here. We're not talking about putting in some small electric panel. This is a major, major, major job. It's on the agenda for the evening. I'm not the one that's pressing for this resolution. Your Director of Water and Sewer is pressing for it. I'm going to leave it up to all of you whether or not you want to proceed with this resolution or not?

Mayor Lomonaco: I'd like to add a little history to it.

Attorney Wacks: Go ahead.

Mayor Lomonaco: If you don't mind. That the Fire Department was called down to an electrical fire. We were able to put it out. As a way to look at putting it back into service was to have Wires, which is the contractor go down and do a clean-up of it. Looking up of the cleanup, which was paid for by insurance, it was not deemed that it was not safe yet. There wasn't enough insulation, there wasn't enough whatever is left on the machine to be able to do it. What we did was we got a quote from the contractor.

Mayor Lomonaco: We took the quote, sent it to insurance. We got insurance's approval that they'll pay for it. Everything that has been done as a result of the fire, we laid out the money for, but once it's concluded insurance is going to pay us back.

Councilwoman Tuohy: The 65,000?

Mayor Lomonaco: Including, yeah. What we did is we got... That plus everything else before. We wanted to make sure that insurance cleared it first. We do deem it... They showed me the panel. I could see where their concern is. It's not a dollar value that is coming out of our budgets, it's just a temporary layout until insurance comes back.

Councilwoman Tuohy: Yeah. The insurance-

Councilman Ochwat: Is there a deductible on our insurance?

Mayor Lomonaco: Is there a deductible on our insurance?

Municipal Clerk: 1,000.

Councilman Ochwat: 1,000?

Mayor Lomonaco: 1,000.

Councilwoman Tuohy: They're paying the full 65,000?

Mayor Lomonaco: Of this, yeah because we're already passed the 1,000. For the other stuff that we had done already.

Councilwoman Tuohy: They put it in writing to us that they're going to cover it?

Mayor Lomonaco: Yes.

Municipal Clerk: We've been in touch.

Councilwoman Tuohy: Okay.

Mayor Lomonaco: Yeah. We wanted to make sure that it was sign, sealed, and delivered before we authorized and brought it to your attention. We do deem it as an emergency situation.

Attorney Wacks: That was not a fact, but sure it was not a fact that was related to me until just now.

Mayor Lomonaco: Yeah. Not everybody was aware of [crosstalk 00:38:13]

Attorney Wacks: I think that was your concern Rosemary as well. At this point it's on the agenda. You should act on the resolution and then you can go ahead and have the work done.

Councilwoman Tuohy: Yeah, as long as we're getting reimbursed.

Attorney Wacks: All right.

Councilman Ochwat: I'd like to make the motion.

Attorney Wacks: Let me finish my report, and then we'll [crosstalk 00:38:27]

Councilman Ochwat: Oh, I'm sorry. Okay. Yeah, so [inaudible 00:38:29]

Mayor Lomonaco: Is there a baseball game?

Councilman Ochwat: No. We might, yeah, but it's late now that I think of it.

Attorney Wacks: Unless the Red Sox are playing, I don't really care.

Councilman Ochwat: Yeah, I know that. If they were I wouldn't care.

Attorney Wacks: Yeah, I know that. The Mayor asked me to just tell everyone especially people in the audience what transpired down at Lake Eagle Rock in Panther Valley. We're still trying by the way to figure out whether we have the investigation complete as to the environmental issues of the siltation that's in the lake. That's still ongoing. Apparently, as you may or may not know there is a gate that needs to

be kept closed in order for the spillway to not literally collapse and no longer exist.

Attorney Wacks: Which would flood a number of homes there. We received a letter from Panther Valley indicating that they wanted us to do something about the fact that the gate that was supposed to be left closed was opened and that... I'm not sure what they expected us to do. The mayor went for a boat trip.

Mayor Lomonaco: Well, we didn't know that the gate was opened. The water was coming through. We didn't know if the wall underneath the water was collapsing. There was other things that were happening. I didn't actually get the honor of doing the boat, but I did do the boat. As it turned out in looking at it we thought that there was a possibility that the lock had been changed. The chain was old and rusted and the lock was new. We waited until the next day, we cut the lock through Panther Valley, and they determined that somebody had opened it. Which is why the water was going through.

Mayor Lomonaco: Everything was so low in the lake because it's supposed to only go over the overflow. We reset it. Panther Valley or us, we're not able to determine who did that. What we're doing is putting, Panther Valley put a lock on it that they're now maintaining. Whether they do surveillance of it or not is something that they're going to handle internally. They were going to address the possibility of trying to find out who did it. At this point I don't think anybody can. I think the issue until they bring it again, we were talking about is [crosstalk 00:41:03]

Attorney Wacks: What the issue really is who owns the lake. Just so everybody knows what the situation is, is that the lake was originally owned by Frank H. Taylor. That is the original developer of Panther Valley. Frank H. Taylor then transferred ownership of a number of different elements of Panther Valley to a partnership that Washburn Wright and others were a part of, a limited partnership. That limited partnership took title to all of these various pieces that Frank H. Taylor had transferred to them, including Lake Eagle Rock.

Attorney Wacks: The partnership is gone, it's dissolved, it's finished, it's gone. There are no partners around, its general partners around available to take responsibility for Lake Eagle Rock or any of the elements that went to that particular entity. About 20 years ago we were approached to take over Lake Eagle Rock and be responsible for it. We, being the Township and I was Township Attorney at the time. I did a title search and I found out that number one, we didn't have any responsibility for it because we weren't the owners for it, but apparently it had been taxed for a number of years.

Attorney Wacks: There was a tax lien on the property that we could foreclose and take title to this property, take title to the lake. The Council at that time said, "absolutely not," because the cost of maintaining and repairing this dam at that time was about \$250,000. The Township decided at that point it was not in the interest of the citizens of Allamuchy in general to be responsible for the lake and for that

spillway. That's where it ended. It didn't raise its head again until we received the letter from PVPOA concerning the spillway.

Attorney Wacks: At this point I think Mayor it's back in their hands and we're doing nothing about it at this point. If it comes back to the table, we'll deal with whatever is coming back to the table.

Mayor Lomonaco: Good summation.

Attorney Wacks: Thank you. Number three. Anne Marie is very concerned about a message that she received from a company that apparently sends out people to do pest and spray, pest treatment for properties. We have a pretty good peddlers ordinance. By the way one of the things that I need to change in that peddlers ordinance which came about as a result of us looking at it today is that we have no peddling after six o'clock.

Municipal Clerk: We did change it last year.

Attorney Wacks: We did change that, great.

Municipal Clerk: Yeah, it will be codified this year.

Attorney Wacks: As long as it went to sunset that was fine.

Mayor Lomonaco: No.

Municipal Clerk: It was 9:00.

Mayor Lomonaco: 9:00.

Attorney Wacks: Well, actually it shouldn't be... 9:00 is probably okay, but it really just should be sunset. That after sunset there can't be no peddling.

Councilwoman Tuohy: I think [inaudible 00:44:13] didn't... Wasn't there a recent bill passed or something?

Attorney Wacks: Yeah. Well-

Mayor Lomonaco: We're piggybacking off that.

Attorney Wacks: Yeah, we'll check. I'll check into it.

Municipal Clerk: I'll send you the ordinance, 8:00 to 9:00.

Attorney Wacks: At any rate. One of the things that I did come up with, Panther Valley has its own "no solicitation." People are not going to, hopefully not going to be soliciting in Panther Valley. If they are the security people hopefully will throw them out of there. This doesn't mean that the rest of the community isn't going

to have somebody peddling if they can get the licenses to peddle these services. There is something that in other municipalities have done, and it's called the No-Knock Ordinance.

Attorney Wacks: It's very similar to a Do Not Call. You can go on a registry and you register your home that says no peddler should knock on my door. I don't want to have anybody bother me, knock on my door and try to sell me anything. It's called the No-Knock Ordinance, okay. It's not mandatory. You don't have to sign up for it, just the way you don't have to sign up for on the Do Not Call list. If you do sign up for it and we have the ordinance then at that point in time the person who knocks on your door has violated the ordinance and could be subject to penalties.

Attorney Wacks: If you want to take a look at it I can send you something that's done in another municipality, and you can give some consideration. Don't have to do it tonight, it's not something you have to do immediately. I think we have the matter under control. Anne Marie knows what she has to do so far as the situation is concerned. Mayor you had said in an email to me today that maybe I should do some... Write to Panther Valley and let them know about this, but then Anne Marie advised me they have a no peddling-

Mayor Lomonaco: That takes care of that.

Attorney Wacks: That's it. I mean, if somebody shows up at somebody's doorstep they can be arrested.

Mayor Lomonaco: Are we getting permit or license request?

Municipal Clerk: I have a stack.

Mayor Lomonaco: All for-

Municipal Clerk: They dropped them off today.

Mayor Lomonaco: All for-

Municipal Clerk: All 30.

Mayor Lomonaco: ... pest control.

Municipal Clerk: All 30 individual licenses applications for different people with photo IDs, and they were from Utah, California and Nevada.

Councilwoman Tu: What's the name of the company?

Attorney Wacks: AP something or other.

Municipal Clerk: Aptive Environmental. They have probably, I don't even know, they have a little out-cove or whatever in Succasunna. I guess, the way I understand it is these are summer students that are coming out here to work here.

Councilwoman Tuohy: It's what it is.

Attorney Wacks: If you go on Better Business Bureau, Anne Marie sent me the link to it today. There are 444 complaints against this company. I was absolutely astounded as to what I saw. What I'm going to do with your permission is I'm going to prepare a No-Knock Ordinance and have it for your work session, and you take a look at it and decide whether you think it's something you might want to have. We can share it with Panther Valley. I mean, there's no reason why Panther Valley can't also take advantage of something like that as well.

Mayor Lomonaco: Like Rosemary said people can walk in to get through the gate and still-

Attorney Wacks: Right, right. Exactly. Apparently these people are pretty slick with how they deal with things. I mean, I'm not sure I would want to work on one of the farms here with feral cats and shotguns and try to con one of the farmers, but that's another story completely.

Councilman Ochwat: Are you saying they might have a sawed off?

Municipal Clerk: They take care of their own pest.

Mayor Lomonaco: Doug, would you and Rosemary take a turn on ordinance and then Ed would you send it to them to review then you guys present to Council?

Attorney Wacks: Be happy to do that, be happy to do that.

Councilman Cote: Sure.

Mayor Lomonaco: I appreciate that. Thank you.

Councilman Ochwat: We just hope that works better than the Do Not Call list.

Attorney Wacks: Yeah, right. The only thing else I have to report on Mayor would be anything that comes up with the ordinances are resolutions. That's it for me. Thank you.

Mayor Lomonaco: Okay, thank you.

Councilman Ochwat: I was about to make a motion. I don't want to lose track of it.

Mayor Lomonaco: Go ahead.

Councilman Ochwat: With regard to... Unless it comes up later. It does come up later, doesn't it? The capital improvement. Is that the one for \$50,000?

Attorney Wacks: No.

Councilman Ochwat: No.

Attorney Wacks: No. It's not on this agenda... It's the emergency repair [inaudible 00:48:30] plan.

Councilman Ochwat: Oh, yeah. It's on the amended agenda.

Attorney Wacks: Yeah. It's on their 13B.

Councilman Ochwat: Yeah, okay. We've got it. Mayor, just a question. Would it be our plan to have our Engineer at the next meeting?

Mayor Lomonaco: He is coming to the next meeting.

Councilman Ochwat: He is coming?

Mayor Lomonaco: Yes, he is.

Councilman Ochwat: Okay, thank you.

Mayor Lomonaco: Sure.

Councilman Cote: So, do we need to do something with the emergency-

Mayor Lomonaco: You'll do that in resolutions Jim under 13B.

Mayor Lomonaco: Okay. First reading for ordinances. **(ORDINANCES – FIRST READING)**

Municipal Clerk: Okay. We got, let's see. 2019-07, it's on the Capital Improvement ordinance for... Or a grant that we received from the State. An Ordinance of the Township at 2019-07. **"AN ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY PROVIDING FOR THE APPROPRIATION OF \$400,000 FOR IMPROVEMENTS TO ALLAMUCHY TOWNSHIP STREETS AND ROADS IN THE GENERAL CAPITAL, CAPITAL IMPROVEMENT FUND AND THE NEW JERSEY TRANSPORTATION TRUST FUND."**

Mayor Lomonaco: Okay. We're putting up as a town the 260?

Municipal Clerk: 260, yeah. I believe the grant is the 140.

Mayor Lomonaco: With the recommendation of the roads and [inaudible 00:49:59] and-

Municipal Clerk: Catswamp I believe.

Mayor Lomonaco: The 140 is, right?

Municipal Clerk: Yeah, yeah. Then [crosstalk 00:50:03]

Mayor Lomonaco: Then we're putting up to 260?

Municipal Clerk: Correct.

Councilman Ochwat: Then the 140 comes back to us after we do the work I believe?

Municipal Clerk: Yeah, after... Yeah, because you have core samples and stuff.

Councilman Ochwat: Which is why we need the 400 to begin with?

Mayor Lomonaco: Okay. A motion to or do we need to motions on the first ordinance?

Municipal Clerk: Motion to adopt.

Mayor Lomonaco: Okay. Can I have a motion to adopt Ordinance 2019-07?

Councilman Ochwat: I'll make that motion.

Councilwoman Tuohy: I'll second it.

Municipal Clerk: Motion to introduce on first reading.

Councilwoman Tuohy: Motion to introduce?

Municipal Clerk: Yeah.

Mayor Lomonaco: Any questions or discussion? Roll call.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes. B, please.

Municipal Clerk: 2019-03... Eight. All right. Nine.

Councilman Cote: [inaudible 00:51:11].

Municipal Clerk: Okay. **“AN ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY PROVIDING FOR THE APPROPRIATION OF \$75,000 FOR THE IMPROVEMENT OF THE ALLAMUCHY TOWNSHIP FOR WATER AND SEWER TREATMENT FACILITIES FROM THE WATER AND SEWER GENERAL UTILITY CAPITAL, CAPITAL IMPROVEMENT FUND.”**

Mayor Lomonaco: We're just moving money, right? We're just moving it over to be able to use it.

Municipal Clerk: Yeah.

Councilwoman Tuohy: Nothing specific.

Municipal Clerk: No. It's just whatever.

Mayor Lomonaco: Okay. Motion to introduce?

Councilman Cote: I'll make a motion.

Mayor Lomonaco: Second?

Councilwoman Tuohy: I'll second.

Mayor Lomonaco: Roll call.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes.

Municipal Clerk: 2019-09 – **“AN ORDINANCE OF THE TOWNSHIP ALLAMUCHY PROVIDING FOR THE APPROPRIATION OF \$14,655 FOR THE IMPROVEMENTS TO THE RUTHERFURD HALL FROM THE WARREN COUNTY HISTORIC PRESERVATION TRUST.”** This is as I said earlier the conduit for the MCCTF grant.

Mayor Lomonaco: This is a pass group because they can't get their own.

Municipal Clerk: We still handle the old grant, now we have a new grant.

Councilwoman Tuohy: More money coming in.

Mayor Lomonaco: Okay. Motion to introduce?

Councilwoman Tuohy: I'll make the motion.

Councilman Cote: Second.

Mayor Lomonaco: Any questions, discussion? Roll call.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tu: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes.

Attorney Wacks: Are we going to get a new agreement, because that's a little funny situation where Rutherford Hall can't make the application for the money, we have to do it.

Municipal Clerk: We have a new one.

Attorney Wacks: We do have a new agreement?

Municipal Clerk: Yeah.

Attorney Wacks: Is there any significant change?

Municipal Clerk: No. It's just the dollar amounts. In fact I'm going to... I'll scan it and then I'll send it to you for your records.

Attorney Wacks: Proceed.

Municipal Clerk: It's a new agreement for the new funding.

Attorney Wacks: Okay.

Municipal Clerk: Okay. Second reading on all those ordinances will take place on May 22nd at 7:00 PM. Okay.

Mayor Lomonaco: Ordinances for second reading (**ORDINANCES - SECOND READING**):

Municipal Clerk: Correct . Okay. Ordinance 2019-04. **“AN ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY PROVIDING FOR THE APPROPRIATION OF \$20,000 FOR IMPROVEMENTS TO THE ALLAMUCHY TOWNSHIP BUILDINGS FROM THE GENERAL CAPITAL - RESERVE FOR IMPROVEMENTS.”**

Mayor Lomonaco: So, this is the same, they're just moving money?

Municipal Clerk: Yeah. [inaudible 00:53:40] have money there because there's some work that we want to get done around here.

Mayor Lomonaco: Okay. We need to approve it first and then open.

Attorney Wacks: Somebody needs to offer it on second reading. Second, open it to the public, get comments, bring it back, somebody then needs to adopt it.

Councilman Ochwat: I'll make a motion.

Councilman Cote: Second.

Mayor Lomonaco: Now the public?

Attorney Wacks: Get a roll call on second reading.

Mayor Lomonaco: Okay.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes.

Attorney Wacks: Now open it to the public.

Mayor Lomonaco: I need a motion to open to the public.

Attorney Wacks: No just open it to the public for comment.

Mayor Lomonaco: Anybody have any comments or questions from the public regarding ordinance 2019-04? None being said.

Attorney Wacks: Close the meeting to the public.

Mayor Lomonaco: We'll close the meeting to the public.

Attorney Wacks: Somebody want to move on to second reading.

Mayor Lomonaco: Motion to move on second reading?

Councilwoman Tuohy: I'll make that motion.

Councilman Cote: Second.

Mayor Lomonaco: Roll call.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes.

Attorney Wacks: Now do the same thing with the next one.

Municipal Clerk: Seems like a lot of work there. 2019-05 – **“AN ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY PROVIDING FOR THE APPROPRIATION OF \$50,000 TO IMPROVEMENTS TO ALLAMUCHY TOWNSHIP DEPARTMENT OF PUBLIC WORKS BUILDINGS AND THE GENERAL CAPITAL RESERVE FOR MAINTENANCE BUILDING IMPROVEMENTS.”**

Attorney Wacks: Someone needs to offer the second reading.

Mayor Lomonaco: Motion to move on second reading?

Councilman Cote: I'll make the motion.

Mayor Lomonaco: Second?

Councilwoman Tuohy: I'll second it.

Mayor Lomonaco: Okay. Jim had the motion and Doug second.

Councilwoman Tuohy: Oh.

Attorney Wacks: Yep. Open to the public.

Mayor Lomonaco: Anybody from the public want to discuss # 05? Close to the public.

Attorney Wacks: Motion to introduce... To adopt.

Mayor Lomonaco: Motion to adopt, please.

Councilman Cote: I'll make that motion.

Councilwoman Tuohy: I'll second it.

Mayor Lomonaco: Any discussion? Roll call.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes.

Attorney Wacks: The same thing with salary. Somebody should move it on second reading.

Councilman Cote: I'll move it on second reading.

Mayor Lomonaco: Do you need to read it or... No. Okay. Can we have a second, open to the public? Anybody have any questions in salary?

Municipal Clerk: Let me just read by title.

Mayor Lomonaco: Okay.

Municipal Clerk: **ORDINANCE 2019-06 – “ORDINANCE CONCERNING SALARIES, VACATIONS AND HOLIDAYS AND OTHER WORK CONDITIONS FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF ALLAMUCHY, WARREN COUNTY IN THE STATE OF NEW JERSEY.”**

Attorney Wacks: Motion to adopt.

Mayor Lomonaco: Motion to adopt, please.

Councilman Cote: I'll make a motion to adopt.

Councilman Ochwat: Second.

Mayor Lomonaco: Any discussion?

Councilwoman Tuohy: Yeah. I just I have a question.

Mayor Lomonaco: Okay.

Councilwoman Tuohy: Under the Water and Sewer utility, I don't think we can say names [inaudible 00:56:36] is our consultant, right? Am I... That's incorrect. I'm [inaudible 00:56:45] the supervisor 72,000 to 93,000. That's our supervisor.

Municipal Clerk: That's the range that we-

Councilwoman Tuohy: That's a range, yes. Then assistant supervisor that's 65,000 to 75,000, right? Can't mention the name, we do have an assistant supervisor, correct?

Municipal Clerk: Mm-hmm (affirmative).

Mayor Lomonaco: Not a full-timer.

Councilwoman Tuohy: Yes, we do.

Mayor Lomonaco: Assistant supervisor?

Councilwoman Tuohy: Mm-hmm (affirmative).

Councilman Cote: I don't think so.

Municipal Clerk: Yeah [crosstalk 00:57:15]

Mayor Lomonaco: Water and sewer, yeah.

Councilwoman Tuohy: Water and sewer.

Mayor Lomonaco: Yes, okay.

Councilwoman Tuohy: Here's my question. The salary range he's not in that range? I don't believe.

Attorney Wacks: Below or above?

Councilwoman Tuohy: Below. That was with the recent raise.

Councilman Cote: I didn't believe he was classified as an assistant supervisor.

Councilwoman Tuohy: I think he was.

Mayor Lomonaco: Aren't all of the water/sewer people considered assistants?

Municipal Clerk: No.

Mayor Lomonaco: Not necessarily assistant supervisor?

Councilwoman Tuohy: There was a change. I think it was changed. I am almost positive his position was changed.

Mayor Lomonaco: You did the [crosstalk 00:57:58]

Councilman Cote: Well, there were increases based on completing certain levels of training, but I don't think there was a job classification change.

Councilwoman Tuohy: I'm almost positive it was.

Attorney Wacks: Just remember Rosemary this salary ordinance is just setting a range whether or not somebody is qualified for, classified for is another story altogether.

Councilwoman Tuohy: Okay. That's... I just want to-

Attorney Wacks: All you're doing is just setting a range. You're not giving someone a salary tonight.

Councilwoman Tuohy: Okay. No. I know that. I don't want people coming back and saying, "I'm not in that range. Why aren't I in the range?" That could cause an issue or a problem.

Attorney Wacks: I mean, technically speaking you don't have to hire somebody within the range. If somebody is willing to work for less than what their range is, you can hire that person.

Councilwoman Tuohy: Even a covered employee?

Attorney Wacks: Mm-hmm (affirmative).

Councilwoman Tuohy: Okay. I just want to [inaudible 00:58:48].

Municipal Clerk: Basically, just making sure money is in the budget, so we don't overspend.

Attorney Wacks: That's right.

Councilwoman Tuohy: Okay. Perfect.

Mayor Lomonaco: No. I make [inaudible 00:58:56] she was concerned you... He was under... Being underpaid, which is a valid concern.

Municipal Clerk: Very, yeah.

Mayor Lomonaco: Your answer there takes care of business. Any other [inaudible 00:59:08]?

Municipal Clerk: I'm sorry. When we do the resolution next month, because this will put the money in the budget, the resolution will be more specific with the correct range, correct amount, exact amount.

Councilwoman Tuohy: Now I'm good. Thank you.

Municipal Clerk: Okay.

Attorney Wacks: Should have it, you need a roll call or adopting?

Mayor Lomonaco: Roll call.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes. Resolutions? **(RESOLUTIONS)**.

Municipal Clerk: Okay. I did go back to the two... It was \$2,000 just for the record, each donation First Night, the Carnival and the fireworks donation.

Mayor Lomonaco: Okay. You're okay with that Doug?

Councilman Ochwat: Mm-hmm (affirmative).

Municipal Clerk: You're okay with the \$2,000 donation [inaudible 01:00:03]?

Councilwoman Tuohy: Yes.

Municipal Clerk: Okay. It's going to be \$2,000. The resolution I have on for under the... For the approval is for the actual fireworks display for the company to do. I get all those certificates of insurance, additionally insured, but then you need a resolution from us permitting it.

Mayor Lomonaco: Okay. Motion to approve?

Councilwoman Tuohy: I'll make that motion.

Councilman Cote: Second.

Mayor Lomonaco: Any discussion? Roll call.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes. Then B, the Emergency Repairs.

Municipal Clerk: Everybody has the certification and attached to it with Bruce's signature. This is deeming the emergency, so it covers us.

Councilwoman Tuohy: That's the 65,000.

Municipal Clerk: Yeah, it's in your notebooks, yeah.

Councilwoman Tuohy: Yeah. You need a motion?

Mayor Lomonaco: Yeah, motion to approve please.

Councilwoman Tuohy: I'll make that motion to approve, [inaudible 01:01:06].

Municipal Clerk: 65,565 [crosstalk 01:01:12]

Councilwoman Tuohy: I'll make a motion to approve \$65,565 to Wires Electric for an emergent situation down at the plant, water and sewer plant. With the understanding that we will be getting a reimbursement from the insurance.

Mayor Lomonaco: Second please.

Councilman Ochwat: Second.

Mayor Lomonaco: Any discussion? Roll call.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: Yes. Any other new business?

Attorney Wacks: I just want to throw something out very quickly there. I have a young man who's going to be working in my law firm this summer as a clerk who is going to be in... He's in law school. I know there was a discussion at one point of somebody looking at ordinances and seeing whether or not we needed to address anything that's old and shouldn't be there or should be there, which has not been done for 20 years. It doesn't have to be you have to make the decision tonight, but I want to just put it on the table to consider at our work session in May.

Attorney Wacks: He's going to start with our firm middle of June and he would be very happy to look at it. I'm paying him \$25 an hour to work for the summer. He would look through your entire ordinances and give you a list of things that look like they need to be changed or where there's inconsistencies or whatever. That might be a very inexpensive way for you to get up [inaudible 01:02:38] on your ordinances.

Mayor Lomonaco: The \$25 would be incurred by us in order to reimburse you for his time?

Attorney Wacks: Yeah.

Councilman Ochwat: I just like to make a comment on that. It says [inaudible 01:02:50] 20 years ago I do recall when, less than 20 years ago where a serious attempt was made at that. What I wanted to say is that it is a real labor intensive job.

Attorney Wacks: It's a tough job.

Councilman Ochwat: Extremely labor intensive. I remember working with Betty Schultheis on it. I think the idea of having someone like Ed Wacks is mentioning would be very good from the legal end of it, because no matter... If any of us work at it, there's so many questions that come up. It'd be much better if it went the other way around. Meaning that someone with a legal background looks at it and then they set up the list of questions for us to [crosstalk 01:03:53]

Mayor Lomonaco: I think the timing of it only for the sake that we're working on the website now so we can incorporate the new correct one at the same time that the new website is going up.

Attorney Wacks: Just so that you know, I won't be charging you for any time that I spend with him when he has questions or whatever he has, I want you... You won't be paying for my time to do it. It'll just be to review-

Mayor Lomonaco: No, no. Can you give us some type of budget when you [crosstalk 01:04:20]

Attorney Wacks: I'll [inaudible 01:04:20] at our work session I'll try to get you an estimate well how many hours I think it might take him.

Mayor Lomonaco: That would be great.

Attorney Wacks: Okay. All right, that's it.

Councilwoman Tuohy: I would volunteer to assist him. I like doing this stuff, if he needed help.

Attorney Wacks: Got it.

Mayor Lomonaco: Okay. Any other new business? Okay. Approvement of the bills, Rosemary just handed me another possible duplicate. Can you take a look at this? I signed them both, I didn't notice it.

Councilwoman Tuohy: Yeah.

Mayor Lomonaco: Our concern on the duplication is that it's possibly put in the computer twice to paid twice and we don't want that to happen.

Municipal Clerk: Okay. I will have Stacy look at these - this is the second one.

Mayor Lomonaco: That's a second one. We had one for David Diehl that Doug and I had caught. Other than that I believe we have one add-on or you have [inaudible 01:05:18].

Municipal Clerk: Yes. We have one add-on and the reason there was a problem with the Home Depot card today.

Councilwoman Tuohy: We did not pay the bill [inaudible 01:05:27].

Municipal Clerk: What was it?

Councilwoman Tuohy: We do not pay the bill [inaudible 01:05:30].

Municipal Clerk: You're right. Thank God, [inaudible 01:05:30] she was nice enough to pay out of her own pocket, but I don't think she needs to wait for the money to return. We got the [inaudible 01:05:37], they got the shrubs with great reason and Claire set the [inaudible 01:05:44] get this paid this month.

Councilman Ochwat: I make a motion to the bills and the one add-on.

Councilwoman Tuohy: I'll second it.

Mayor Lomonaco: Any discussion? Roll call.

Municipal Clerk: Councilpersons, Cote... Oh.

Councilwoman Tuohy: I just have one question, I'm sorry. The 520, is that all the welcome signs [inaudible 01:06:02] or...?

Mayor Lomonaco: That is the shrubbery [inaudible 01:06:04] for all the welcome signs. We've also asked for donations, so it's coming out of the donation money that we're getting. Mr. Wacks was kind enough to contribute-

Councilwoman Tuohy: How much did we get in donations?

Mayor Lomonaco: So far, I think it was 1,000.

Councilwoman Tuohy: 1,000 bucks.

Municipal Clerk: 1,250.

Lisa Lomonaco: 1,250.

Mayor Lomonaco: 1,250. We got 1,250 which includes the lights and the shrubs and the mulch and any of the stuff to keep the mulch in. The Public Works supervisor donated the creation of the box, which will be at the sign when you're coming off of route 80. You'll see very shortly that they're all going to be beautified, and that's with generous contributions. Okay. Roll call.

Municipal Clerk: Councilpersons Cote.

Councilman Cote: Yes.

Municipal Clerk: Tuohy.

Councilwoman Tuohy: Yes.

Municipal Clerk: Ochwat.

Councilman Ochwat: Yes.

Municipal Clerk: Mayor Lomonaco.

Mayor Lomonaco: I will abstain on that one.

Municipal Clerk: On that bill, not the bill lists. Just that the bill.

Mayor Lomonaco: Okay. [inaudible 01:07:00] I just abstain on Mrs. Lomonaco's bill.

Lisa Lomonaco: [inaudible 01:07:07].

Mayor Lomonaco: Do we have a need for executive session? Since everybody is packing, I would assume no.

Attorney Wacks: No sir.

Municipal Clerk: I guess not.

Mayor Lomonaco: Okay.

Councilwoman Tu: All workshops meetings at six o'clock.

Municipal Clerk: Yes. From the-

Mayor Lomonaco: All workshops are at 6:00 and all regular town meetings are now at 7:00. Or they always were at 7:00 but we're going back to 6:00 on the workshops.

Lisa Lomonaco: Can I just make a quick comment that I would like to thank Claire for helping me and the DPW as well as Rick and you Doug today. Well, Claire was very instrumental in helping us pick the place to go for the sign, I mean for the shrubbery.

Claire Arcaro: No. Nope, nope.

Lisa Lomonaco: Please.

Claire Arcaro: No, don't go there. I made arrangements for someone who I felt was a plant expert and that didn't work-out. We had to readjust and we wound up going Home Depot because it was easier to pick the stuff up. All I did was wheel the cart.

Lisa Lomonaco: But she did help out and help pick out some really nice things. I think everybody will be very pleased to see how nice they look.

Mayor Lomonaco: Okay. Motion to adjourn.

Councilwoman Tuohy: I make that motion.

Councilman Cote: Second.

Mayor Lomonaco: All in favor?

Councilwoman Tuohy: Aye!

Councilman Cote: Aye!

Mayor Lomonaco: Thank you all.

Councilwoman Tuohy: Okay.

Attorney Wacks: Very well-run meeting, so very well-run meeting.

The meeting was adjourned at 8:10 P.M.

Respectfully Submitted,

Anne Marie Tracy, Municipal Clerk

Rick Lomonaco, Mayor