

MONTAGUE TOWNSHIP COMMITTEE MEETING

July 27, 2010

MINUTES

Deputy Mayor Brislin announced that he would be chairing the meeting until the arrival of Mayor Barbagallo, who had been detained. He called the session to order and indicated that adequate notice has been provided to the New Jersey Herald and The Sunday New Jersey Herald for publication in which notice was given of the date, time, place and general agenda of meetings in accordance with the Open Public Meetings Act, P. L. 1975, c. 231.

FLAG SALUTE: All present were asked to join in the Pledge of Allegiance.

ROLL CALL: Clerk DeFabiis was asked to call the roll.

Present were: Deputy Mayor Brislin, Committeemen Ponce, Teufert, and Zitone. Also present were Attorney Garofalo and Clerk DeFabiis.

Detained: Mayor Barbagallo arrived at 7:25 p.m.

PUBLIC PARTICIPATION REGARDING AGENDA ITEMS

No member of the public wished to speak regarding agenda items.

PAYMENT OF VOUCHERS

The Clerk explained these voucher items pertained to payments to Earth-Tec in the amounts of \$6,127.50 and \$32,585.00 which had been approved by the Township Engineer, and a filing fee in the amount of \$8.00 to Sussex County for the vacation of Red Hill Road. Mr. Teufert motioned to approve the vouchers for payment. Mr. Zitone seconded, and the motion carried with a unanimous roll call vote of the members present.

MINUTES

Mr. Teufert motioned to approve the minutes of the July 13, 2010 Regular Session. Mr. Zitone seconded, and the motion carried with all in favor. Mr. Ponce motioned to approve the Executive Session minutes of June 15, 2010. Mr. Teufert seconded, and the motion carried with all present in favor.

RESOLUTIONS

R 2010-74 RESOLUTION CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR TO ENACT PROPERTY TAX REFORM WITH PASSAGE OF THE "MUNICIPAL TOOLKIT" AND OTHER MANDATES RELIEF

Mr. Teufert motioned to approve the Resolution. Mr. Zitone seconded, and the motion carried with a unanimous roll call vote of the members present.

R 2010-75 RESOLUTION TO RESCIND ADOPTION OF 2010 MUNICIPAL BUDGET

Mr. Garofalo explained that in order to amend the budget, necessary since it was rejected by the State, the adoption of the original budget must be rescinded. Heidi Wohlleb, representing the Township Auditor, explained the need for this resolution in order to rescind, amend and adopt the amended budget resolution. Mr. Teufert asked CFO Gail Magura if the money being borrowed (tax anticipation notes) should have been reflected in this budget. Ms. Magura answered that as it turned out, not having to pay the School and County until September 1st, and the Township to receive 45% of State aid on August 2nd, the tax anticipation notes will not be needed. Mr. Zitone asked Ms. Wohlleb what the State didn't like about the budget. Ms. Wohlleb replied that it was an add-on to the 4% increase for the loss of State Aid. Mr. Teufert motioned to approve the Resolution. Mr. Zitone seconded, and the motion carried with a unanimous roll call vote of the members present.

The foregoing Resolution was passed upon first reading at a Regular Meeting of the Township Committee of the Township of Montague on July 27, 2010. It will be further considered for final

adoption at a Special Meeting of the Township Committee of the Township of Montague to be held on August 3, 2010 at 3:00 p.m. in the Municipal Building, 277 Clove Road, Montague, NJ.

R 2010-76 RESOLUTION TO AMEND ADOPTED BUDGET

Mr. Teufert motioned to approve the Resolution. Mr. Zitone seconded, and the motion carried with a unanimous roll call vote of the members present.

ORDINANCES

Ord 2010-11 ORDINANCE TO AMEND CHAPTER 76 OF THE CODE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY ENTITLED "ZONING" FOR THE PURPOSE OF AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES TO REGULATE SIGNS

Mr. Teufert motioned to approve the ordinance. Mr. Ponce seconded, and the motion carried with a unanimous roll call vote of the members present.

The foregoing Ordinance was introduced and passed upon first reading at a Regular Meeting of the Township Committee of the Township of Montague on July 27, 2010. It will be further considered for final adoption at a meeting to be held on August 10, 2010 at 7:00 p.m. in the Municipal Building, 277 Clove Road, Montague, NJ.

Mayor Barbagallo arrived at 7:25 p.m. and replaced Deputy Mayor Brislin in chairing the meeting.

CORRESPONDENCE

Jessica Caldwell – Kleso mortgage subordination – Mr. Garofalo explained that this regarded a Small Cities grant mortgage and a request by a title company for the Township to record the subordination, which it had not done in 2006. After discussion among the Committee, Mr. Brislin made a motion to table this matter pending review by the Township attorney. Mr. Ponce seconded, and the motion carried with a unanimous roll call vote.

Massenzio – 366 Rolling Ridge Road – Mayor Barbagallo said this request for repair of damage to a driveway would be checked out.

Scarinci & Hollenbeck, LLC – Mr. Brislin motioned to approve the turnover of Skymark funds to the trustee in the Highpoint Country Club bankruptcy. Mr. Zitone seconded, and the motion carried with a unanimous roll call vote.

Chief Financial Officer – Requested the Finance Clerk, Toni-Lu Martin, attend a finance course. Mr. Teufert motioned to approve the request. Mr. Zitone seconded, and the motion carried with a unanimous roll call vote.

NEW BUSINESS

Update on Ball Fields – Mayor Barbagallo indicated he had spoken with John Donahue of the Park Service, who is in favor of trading Township land for federal land in order to own the ball fields. He added that the process would be long and arduous.

Joint Township/County of Sussex Drainage Project – Mr. Ponce explained that a drainage project needs to be done on the end of New Road. To connect into Clove Road, the County is requesting the Township obtain an easement. Mayor Barbagallo indicated the County should do their part, but stated he would visit the property owner.

UNFINISHED BUSINESS

Vacating a portion of Red Hill Road – The Clerk advised that she was informed by the County that the New Jersey Title Company had provided them with a copy of the legal ad from 1977 approving the vacating of a portion of Red Hill Road. The County has accepted it, and begun the process of filing the vacation of a portion of Red Hill Road.

REPORTS

Recreation – Meg Snyder announced that 'Fun Days' have been started for children ages 4 – 7 at the same time as the adult softball games. Next Recreation meeting to take place on the first Monday of the month at 7:00 p.m., and everyone is welcome.

DPW – Report acknowledged.

Flood Mitigation – Report read and acknowledged.

Approved: August 10, 2010

Municipal Court - Approximately \$14,000 has been received from the court since the start of the year. Mayor Barbagallo suggested that the Committee figure the cost to the Township.

Friends of Trail Blazers – Mayor Barbagallo read a flyer advertising Barbecues on July 31st and August 5th.

Closing of Deckertown Turnpike – Mayor Barbagallo announced that the road will be closed between Crigger and Sawmill Roads for four months while drainage problems are being repaired.

PUBLIC PARTICIPATION

Mr. Brislin motioned to open to the public. Mr. Zitone seconded, and the motion carried with all in favor.

Richard Innella - updated the Committee and the public regarding the school roof. He indicated that the project came in at \$78,000 under the bid estimate, the project has been awarded, and work should be starting July 30th. When Mayor Barbagallo asked if the State Grant mentioned in the referendum voted upon by the taxpayers had been received, Mr. Innella responded that he did not know but would get back to the Committee.

Jordan Denner, Hemlock Hill Road – inquired if the Committee had written a letter to the bankruptcy trustee as discussed during the previous meeting. In view of the Petition to Vacate filed by the buyer, he asked the Committee to send a letter to the judge regarding the Township's position that an agreement be entered into with the bank for a maintenance agreement. He felt that immediate intervention is needed to save the greens on the golf course. Mayor Barabagallo indicated the letters would be sent.

Jack Elliot, Old Chimney Ridge Road – complained about damage to his driveway by a snowplow driver during the winter. He felt that since it was a Township driver doing this intentionally, the Township should be responsible for the repair. Mayor Barbagallo told Mr. Elliot to call the office the following week if he had not heard from him sooner.

With no one else wishing to speak, Mr. Teufert motioned to close to the public. Mr. Zitone seconded, and the motion carried with all in favor.

ADJOURN

Mr. Brislin motioned to adjourn. Mr. Teufert seconded, the motion carried with all in favor, and the meeting ending at 8:07 p.m.

Respectfully Submitted:

**Eileen DeFabiis, RMC
Municipal Clerk**