

Approved: August 24, 2010

**MONTAGUE TOWNSHIP COMMITTEE MEETING**  
**August 10, 2010**

**MINUTES**

Mayor Barbagallo called the session to order at 7:01 p.m. 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, Zitone, and Mayor Barbagallo. Also present were Attorney Garofalo and Clerk DeFabiis.

**Absent:** None

**PUBLIC PARTICIPATION REGARDING AGENDA ITEMS**

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

**MINUTES**

Mr. Brislin motioned to approve the minutes of the July 27, 2010 Regular Session. Mr. Teufert seconded, and the motion carried with all in favor. Mr. Brislin motioned to approve the minutes of the August 3, 2010 Special Meeting. Mr. Teufert seconded, and the motion carried with all in favor.

**PAYMENT OF VOUCHERS**

Mr. Brislin motioned to approve the payment of vouchers. Mr. Teufert seconded. The motion carried with a unanimous roll call vote.

**RESOLUTIONS**

R 2010-79 OUTSIDE LIEN REDEMPTION

Mr. Brislin motioned to approve the resolution. Mr. Teufert seconded, and the motion carried with a unanimous roll call vote.

R 2010-80 AUTHORIZATION TO CANCEL TOWNSHIP TAX SALE CERTIFICATES

Mr. Brislin motioned to approve the resolution. Mr. Teufert seconded, and the motion carried with a unanimous roll call vote.

R 2010-81 OUTSIDE LIEN REDEMPTION

Mr. Brislin motioned to approve the resolution. Mr. Teufert seconded, and the motion carried with a unanimous roll call vote.

R 2010-82 CANCEL UNFUNDED ORDINANCES

Mr. Brislin motioned to approve the resolution. Mr. Ponce seconded, and the motion carried with a unanimous roll call vote.

**ORDINANCES** (Second Reading)

2010-11 AN 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.

The foregoing Ordinance was introduced at a Regular Meeting of the Township Committee of the Township of Montague on September 24, 2010 and will be considered for final adoption after Public Hearing at a Regular Meeting of the Township Committee of the Township of Montague on August 10, 2010.

Mr. Brislin motioned to approve the ordinance. Mr. Teufert seconded. Mr. Brislin motioned to open to the public. Mr. Zitone seconded. With no member of the public wishing to speak, Mr. Brislin motioned to close to the public. Mr. Zitone seconded. Upon roll call, the main motion carried unanimously.

## **CORRESPONDENCE**

Chief Financial Officer – Mayor Barbagallo read a report from CFO Gail Magura regarding Bond Anticipation Notes due in September, suggesting the attorney prepare a note sale in the amount of \$357,000.00. Mr. Teufert motioned to authorize bond counsel to prepare the note. Mr. Zitone seconded, and the motion carried with a unanimous roll call vote.

Robert B. Wasserman, Esq. – Mayor Barbagallo read a letter from the court appointed Trustee in the Highpoint bankruptcy matter which in effect stated he had no means of taking care of the golf course property, but would urge the mortgagee to maintain the property as a whole.

Sussex County Board of Chosen Freeholders – After Mayor Barbagallo read the request, Mr. Brislin motioned to approve financial assistance to Blue Ridge Rescue Squad from the County of Sussex for the calendar year 2010. Mr. Teufert seconded, and the motion carried with a unanimous roll call vote.

New Jersey League of Municipalities – After explanation by Clerk DeFabiis of the League's request, Mr. Brislin motioned to approve sending two letters in support of the "tool kit". Mr. Zitone seconded, and the motion carried with a unanimous roll call vote.

Tax Collector – Mayor Barbagallo read the report with rates of 2008, 2009 and 2010 for comparison, and requested this be posted on the bulletin board.

## **NEW BUSINESS**

7 Weider Road – The Committee discussed considerations to be taken regarding the property, including the Fire Department's ideas on where the future Fire House may be situated.

Wolosky v. Township of Montague – Attorney Garofalo explained that the plaintiff in this matter won his lawsuit because he 'brought about change' regarding fees for OPRA requests. Having won the lawsuit, Mr. Wolosky's attorney is seeking legal fees in the amount of \$2,900.00 for eleven hours of work. Mr. Garofalo will make a counter-offer to plaintiff's attorney in the amount of \$500.00.

## **UNFINISHED BUSINESS**

After reviewing quotes from three local restaurants, Mr. Teufert motioned to select Apple Valley Restaurant in Milford, Pa. for this year's Volunteer Appreciation Dinner. Mr. Brislin seconded, and the motion carried with a unanimous roll call vote. Mr. Teufert motioned to allow each volunteer one guest. Mr. Zitone seconded, and the motion carried with a unanimous roll call vote.

Other Trust Funds & Capital Reserves – Mr. Brislin suggested a review of numerous trust funds adding up to approximately \$1,000,000.00 with the intention to consolidate, where possible, before the next budget.

Highpoint Country Club (driveways) – Mr. Ponce reported on damage to driveways caused by snowplows ripping up aprons abutting the roadways, and stated that the damage is being taken care of by the HPCC.

## **REPORTS**

Recreation – Meg Snyder announced that the Recreation Commission received a \$1,000.00 donation from the El Paso Corporation of Houston, Texas for the Classic Car Show on October 10, 2010. Mr. Teufert motioned to approve the use of the township facilities for the car show. Mr. Brislin seconded, and the motion carried with a unanimous roll call vote.

Tax Collector - Month of July:       \$ 75,228.79    Year to Date: \$ 4,162,559.61

Mayor Barbagallo announced that another auction is planned for the bankruptcy holdings, and the approximate amount of \$120,000 owed to Montague Township will be paid up before the auction.

Clean Communities – Mr. Brislin reported that the 2009 Statistical Report has been filed and hopefully will qualify the Township for a grant in 2010.

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CCHP Report – Mr. Brislin stated that he had attended CCHP meetings as the Township’s liaison, and found the main concern among all was the deterioration of the golf course. He asked Mr. Mark Benetti, CCHP President, to speak. Mr. Benetti said he considered Trustee Wasserman’s letter an insult, that CCHP is owed approximately \$182,000 in back taxes and unpaid dues, and that letters would be written to the Judge and Grand Pacific. He asked for any help the Township can offer. Mr. Jordan Denner, CCHP Vice President, suggested a letter be sent directly to Wells Fargo who has the largest stake in the outcome being it is owed \$5.3 million. Mr. Brislin made a motion to send a letter, similar to that sent to the Trustee, to Wells Fargo with a copy to Judge Gambardella. Mr. Zitone seconded, and the motion carried with all in favor. A release to maintain the golf course was discussed, and Mayor Barbagallo stated he would make a call to see if that can be done.

**PUBLIC PARTICIPATION**

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

**Charlett Johnson**, Shore Drive – suggested the Township purchase the property for the amenities it would offer including the lake, pool, buildings and land for ballfields. Mayor Barbagallo agreed that would be nice if the economic times allowed it.

**ADJOURN**

Mr. Teufert motioned to adjourn. Mr. Brislin seconded, the motion carried and the meeting adjourned at 8:09 p.m.

**Respectfully Submitted:**

**Eileen DeFabiis, RMC  
Municipal Clerk**