

**NORTH HANOVER TOWNSHIP
TOWNSHIP COMMITTEE MEETING MINUTES
July 18, 2013, 7:00 P.M.**

CALL TO ORDER: Mayor Durr called the meeting to order at 7:00 p.m.

FLAG SALUTE: Led by Mayor Durr

ROLL CALL: Mayor Durr
Deputy Mayor Butler
Committeeman Delorenzo
Committeeman Moscatiello
Committeeman Quackenboss

Also present: Township Clerk Cindy Dye and Township Attorney Mark Roselli

SUNSHINE STATEMENT: “The provisions of the Open Public Meetings Act have been met. Notice of this meeting has been transmitted by email to the Bordentown Register News, Burlington County Times and The Trenton Times as well as given to those having requested same and posted on the Township bulletin board located in the foyer of the municipal building”.

Mayor Durr opened the meeting for public comment. Mayor Durr stated that comments regarding a possible ordinance for Spartan Village will be held later in the evening. There was no public comment.

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Committeeman Delorenzo
Seconded By: Committeeman Quackenboss
All were in favor by roll call vote.

ENGINEER’S REPORT

Justin Gibson stated that the construction has begun on the Schoolhouse Road Park project. The project should be completed by August 29. The FY2014 NJDOT State Aid Application has been announced. He inquired if the Township would like to reapply for Jacobstown-Arneytown Road again. It was the consensus of the Committee to reapply for the Jacobstown-Arneytown Road. Mr. Gibson stated that the Township received a road opening permit application for Byron Drive. His office is recommending approval.

DEPARTMENT REPORTS FOR MAY 2013

- a. Tax Collector
- b. Construction, Zoning & Mobile Homes
- c. North Hanover, Wrightstown & Chesterfield Courts

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo	X		X			
Committeeman Moscatiello			X			
Committeeman Quackenboss		X	X			

MINUTES FOR APPROVAL

- June 20, 2013 Regular Meeting

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler					X	
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

- June 29, 2013 Special Open Session Meeting

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr		X	X			
Deputy Mayor Butler					X	
Committeeman Delorenzo	X		X			
Committeeman Moscatiello					X	
Committeeman Quackenboss					X	

- June 29, 2013 Special Executive Session Meeting

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr		X	X			
Deputy Mayor Butler	X		X			
Committeeman Delorenzo			X			
Committeeman Moscatiello					X	
Committeeman Quackenboss					X	

BILLS AND CLAIMS FOR APPROVAL

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo	X		X			
Committeeman Moscatiello			X			
Committeeman Quackenboss		X	X			

ORDINANCE – INTRODUCTION

2013-04 An Ordinance Amending Chapter 16 “Zoning” by Amending Section 060, Definitions, for the term “Planned Unit Residential Development”

Mayor Durr stated that the zoning ordinance has come across problems with the intent of the ordinance. The Burlington County Office of Economic Development has worked with the Township’s Joint Land Use Board to correct the definition of the Planned Unit Residential Development, “PUD”. Currently our ordinance requires 100 acres. There are several farms that are below 100 acres and were downzoned to 25 acres. The Joint Land Use Board discussed at length and decided that the 100 acre minimum is very punishing to the landowner who owns less land. Therefore, the Board decided to request a change to the ordinance from 100 acres to 25 acres. If this ordinance is introduced, it will go back to the Joint Land Use Board for

consideration on July 24. Thereafter, public hearing will be scheduled for August 1. It is the intent of our master plan for farmland preservation, in which the current ordinance was not supporting.

**ORDINANCE 2013-04
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

**AN ORDINANCE AMENDING CHAPTER 16 “ZONING” BY AMENDING
SECTION 060, DEFINITIONS, FOR THE TERM
“PLANNED UNIT RESIDENTIAL DEVELOPMENT”**

SECTION 1. This Ordinance amends the Development Regulations of the North Hanover Township Code Chapter 16 “Zoning” by amending the definition of “Planned Unit Residential Development” to read as follows:

“Planned Unit Residential Development – An area with minimum contiguous or non-contiguous acreage of 25 acres to be developed as a single entity according to a plan containing one (1) or more residential clusters, which may include appropriate commercial, or public or quasi-public uses all primarily for the benefit of the residential development.”

SECTION 2. At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 3: This ordinance shall take effect upon final passage and publication according to law.

SECTION 4. The Township Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S. 40:44D-15. Upon adoption of this Ordinance, after public hearing thereon, the Township Clerk is further directed to publish notice of passage thereof and file a copy of this Ordinance as finally adopted with the County Planning Board as required by N.J.S. 40:55D-16 and with the Township Tax Assessor.

SECTION 5: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 6: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

MOTION TO INTRODUCE

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

Mayor Durr announced that the public hearing is set for August 1, 2013, at 7:00 p.m.

2013-05 An Ordinance of the Township of North Hanover, in the County of Burlington, New Jersey, Providing for the Cost of Acquisition of a Tanker Truck (Fire Apparatus) Appropriating \$287,500 Therefor, and Authorizing the Issuance of \$273,000 in General Improvement Bonds or Notes of the Township to Finance the Same

The Committee has discussed the need for a new fire tanker truck at some length. We are now to the point of an ordinance.

**TOWNSHIP OF NORTH HANOVER
COUNTY OF BURINGTON
ORDINANCE 2013- 05**

AN ORDINANCE OF THE TOWNSHIP OF NORTH HANOVER, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE COST OF ACQUISITION OF A TANKER TRUCK (FIRE APPARATUS) APPROPRIATING \$287,500 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$273,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NORTH HANOVER, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$287,500, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$14,500 as the down payment required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$273,000, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the acquisition of a tanker truck for use by the Township's Fire Department, and including all work and related materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose authorized herein is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the

gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$273,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$2,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The Township reasonably expects to commence the acquisition of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The Township Committee hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

MOTION TO INTRODUCE

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello	X		X			
Committeeman Quackenboss		X	X			

Mayor Durr announced that the public hearing is set for August 1, 2013, at 7:00 p.m.

CONSENT AGENDA DEFINED:

All matters listed on tonight's consent agenda are to be considered as one vote by Township Committee and will be enacted by one motion. There will be no discussion of these items. If discussion is desired, that item will be removed from the consent agenda and considered separately.

RESOLUTION 2013-92

**TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF NORTH HANOVER
TO ENTER INTO A SHARED SERVICE AGREEMENT FOR THE
“BURLINGTON COUNTY DWI TASK FORCE” PROGRAM**

WHEREAS, the Township of North Hanover, Bordentown, Mansfield, Chesterfield, Florence and the Cities of Bordentown, Springfield and Burlington are neighboring municipalities within the County of Burlington; and

WHEREAS, their Police Departments provide DWI patrols in their respective municipalities; and

WHEREAS, the municipalities often rely upon each other for additional officers to provide such services; and

WHEREAS, the Township of North Hanover has applied for and been awarded a grant for the “Burlington County DWI Task Force Program”; and

WHEREAS, the municipalities wish to enter into a Shared Service Agreement to utilize overtime police work to enforce driving-while-intoxicated laws in the municipalities; and

WHEREAS, the attached Shared Service Agreement has been prepared by the Township of Florence and has been found to be acceptable by the Township Committee of the Township of North Hanover Township; and

WHEREAS, N.J.S.A. 40:65.1, et seq., the Shared Service Act, permits this Shared Service Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of North Hanover, County of Burlington, State of new Jersey, that the Mayor of the Township of North Hanover is hereby authorized to execute the Shared Service Agreement with the Townships of Mansfield, Chesterfield, Bordentown, Florence, Springfield and the Cities of Bordentown and Burlington concerning the “Burlington County DWI Task Force Program” grant; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief Financial Officer and the Municipal Clerks of Mansfield Township Chesterfield Township, Bordentown Township Florence Township, Springfield Township, Bordentown City and Burlington City.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler		X	X			
Committeeman Delorenzo			X			

Committeeman Moscatiello			X			
Committeeman Quackenboss	X		X			

2013-93 Resolution Authorizing Street Opening Permit

RESOLUTION 2013-93

TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON

RESOLUTION AUTHORIZING STREET OPENING PERMIT

WHEREAS, Ryan Seibert of Calmar Associates, LLC, hereinafter referred to as “Calmar”, has submitted an application for a Street Opening Permit for Byron Drive; and

WHEREAS, pursuant to Chapter 12 the Township Engineer, Justin Gibson of Remington, Vernick and Arango has reviewed said application and recommends approval by the Township Committee; and

WHEREAS, pursuant to Chapter 19 “Fees” a fee of \$25 is required prior to the issuance of a Street Excavation Permit.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of North Hanover that the application for a Street Excavation Permit to Calmar for the location known as Byron Drive is hereby approved subject to receipt of payment of the applicable fee.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler		X	X			
Committeeman Delorenzo			X			
Committeeman Moscatiello			X			
Committeeman Quackenboss	X		X			

NON-CONSENT RESOLUTIONS:

2013-94 Accepting the 2012 Municipal Audit

- *Township Committee to formally sign the Group Affidavit*

RESOLUTION 2013 - 94

TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON

ACCEPTING THE 2012 MUNICIPAL AUDIT

WHEREAS, N.J.S.A. 40:A5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transaction, and

WHEREAS, the Annual Report of Audit for the year 2011 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled: General Comments and Recommendations; and

WHEREAS, the members of the Governing Body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: Comments and Recommendations as evidenced by the group affidavit form of the Governing Body, and

WHEREAS, such Resolution of Certification shall be adopted by Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and, and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgation's of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52-27BB-52 to wit: R.S. 52:27BB-52 – “A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office”.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of North Hanover Township, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and required affidavit to said Board to show evidence of said compliance.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler		X	X			
Committeeman Delorenzo	X		X			
Committeeman Moscatiello			X			
Committeeman Quackenboss			X			

Mayor Durr was present for the bid opening with the Clerk. Mr. Roselli stated that he has reviewed the bid by Sutphen Corporation. Everything was satisfactory. He noted that the award of this contract is subject to the passage of the bond ordinance. Chief Herbert stated that he has reviewed the specs of the proposal and they are in compliance with the specs of the bid. He stated that the truck also has a pumper on it as well.

RESOLUTION 2013-95

**TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

**RESOLUTION AWARDING BID AND CONTRACT FOR
FIRE TANKER TRUCK**

WHEREAS, the Township of North Hanover desires to obtain a new fire tanker truck for the Jacobstown Volunteer Fire Company; and

WHEREAS, the Township of North Hanover issued a Notice to Bidders for purposes of receiving sealed bids in accordance with the Specifications, Proposal and Contract Documents prepared the Township Engineer; and

WHEREAS, on July 11, 2013, bids were received as follows:

Company

Sutphen Corporation	\$284,340.69
6450 Eiterman Road	
Dublin, OH 43016	

WHEREAS, the bids of each of the bidders were reviewed by the appropriate Township Officials and Sutphen Corporation was found by the Township to be completely responsive and the lowest responsible bidder; and

WHEREAS, the Chief Financial Officer has certified that funds are available, which is attached hereto and made a part of this resolution; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of North Hanover, County of Burlington County, State of New Jersey that an award is hereby issued to Sutphen Corporation, located at 6450 Eiterman Road, Dublin, OH 43016 in the amount of \$284,340.69 for the purchase of a Fire Tanker Truck as set forth in the bid specifications issued by the Township of North Hanover.

BE IT FURTHER RESOLVED that the Mayor and/or Township Clerk are hereby authorized to sign a contract with Command Company, Inc. on behalf of the Township for the purposes set forth herein.

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler		X	X			
Committeeman Delorenzo	X		X			
Committeeman Moscatiello			X			
Committeeman Quackenboss			X			

2013-97 Resolution to Amend Capital Budget

Ms. Dye stated this is a requirement due to the bond ordinance introduced this evening. The capital budget needs to be amended.

RESOLUTION 2013-97

**TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON**

RESOLUTION TO AMEND CAPITAL BUDGET

WHEREAS, the *Township Committee* of the *Township of North Hanover*, County of *Burlington* desires to amend the *2013* Capital Budget by inserting thereon or correcting the items as shown in such budget for the following reasons:

Add certain project(s) not previously described, and amend certain project(s) previously described in the *2013* Adopted Budget.

NOW, THEREFORE, BE IT RESOLVED, by the *Township Committee* of the *Township of North Hanover*, County of *Burlington* that the following changes be made to the Capital Budget of the year *2013*:

***AMENDMENT TO
CAPITAL BUDGET OF THE
TOWNSHIP OF NORTH HANOVER
COUNTY OF BURLINGTON, NEW JERSEY***

Project Schedule for *2013*

Method of Financing

	<u><i>CAPITAL IMP FUND</i></u>	<u><i>or FUND BALANCE</i></u>	<u><i>GRANTS IN AID</i></u>	<u><i>DEBT AUTHORIZED</i></u>
<u><i>PROJECT</i></u>	<u><i>ESTIMATED COST</i></u>			

*General
Improvements:*

Add:

Acquisition of Tanker Truck	\$ 287,500	\$ 14,500	\$0	\$ 273,000
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From:

Road Reconstruction	\$200,000	\$10,000	\$0	\$190,000
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To:

Road Reconstruction	0	0	0	0
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COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Mayor Durr			X			
Deputy Mayor Butler			X			
Committeeman Delorenzo			X			
Committeeman Moscatiello		X	X			
Committeeman Quackenboss	X		X			

DISCUSSION

- Recreation Committee “NHT Family Night Celebration” – September 6, 2013 (rain date September 13, 2013)

Committeeman Quackenboss stated that he wanted to make the Committee aware of this event. They are sponsoring a movie with a small fireworks show afterwards. The Recreation Committee is working with the vendor. This is not finalized at this point.

- Bonding of North Hanover Township Police Vehicle

This item has been withdrawn from the agenda.

- Presentation by Aqua New Jersey, Inc. for a Franchise to Provide Water and Wastewater Service to Spartan Village

Mayor Durr stated that the Committee had a small presentation the last meeting from Aqua regarding their request. The Township Committee felt that there should be notification to the residents of Spartan Village regarding their request. He thanked Aqua for complying with their request.

Mr. Roselli stated that there will be no formal action taken this evening regarding Aqua’s request.

Frank Petrino, Esquire was present to represent Aqua New Jersey. Scott Mitchell, Director of Corporate Development testified on behalf of Aqua New Jersey. Steve Coyle, Jr., Steve Coyle, Sr. and their attorney, Margaret Carmelli was present representing the property owner.

Mr. Petrino stated that Aqua New Jersey is publicly traded and does business in 10 days and in this community provides service to Hanover Village, Deepwell Terrace and California Village. Aqua entered into an agreement for water and sewer system in Spartan Village. The ordinance being requested is for a franchise agreement in order to provide service to Spartan Village. What the owner and Aqua tried to do was provide a fact sheet to all the residents in hopes to answer most of their questions.

Mr. Petrino stated that Aqua would like to purchase these facilities, which purchase price is \$1.00. The seller and buyer are investing \$300,000 each for infrastructure improvements to be done over a five year period. The average sewer and water customer would pay approximately \$70.00 per month for these services. Although at the last meeting, the owner informed the Committee that there would be a \$30 a month reduction in rent; after reviewing all the information they have agreed to provide a \$70.00 reduction a month in rent.

Committee Quackenboss questions why the capital improvements are being performed.

Mr. Mitchell stated that the \$600,000 of capital improvements will be performed over a 5 year period. They are correcting a non-compliance matter, which is replacing and relocating the water lines from the rear of the units to the curb lines. The sewer lines will remain as is. There will be upgrades to the wells and sewer treatment plants. They became noncompliant some years back. There are no active violations. To correct the noncompliant issue, it would cost approximately \$236,000. Committeeman Delorenzo asked how long Aqua would expect to receive returns on this investment. Mr. Mitchell stated that he could not answer that since the 222 residents of Spartan Village will be a part of 50,000 customers and a part of their capital improvement investments. At this time there was a discussion on how the investment is paid back.

Mr. Coyle, Sr. stated that their system is old and insufficient and almost to capacity. The upgrades are needed to be done before there are issues in the future. Committeeman Moscatiello questioned if the owners had an engineer to review and inspect the system prior to purchasing the property. He knows of the previous owner and he invested a lot of money to put in a state of the art waste treatment facility, which was approved by the Township. Mr. Coyle, Sr. clarified that the improvements had to do with the wastewater. Mr. Coyle and Mr. Mitchell explained what the infrastructure consisted of. Mr. Coyle stated that they have investigated to see if they could tie into another system. Committeeman Moscatiello questioned how many issues occurred in 2013 regarding water lines burst, etc. Mr. Coyle stated approximately 6 or so; however, that is a normal maintenance issue. Committeeman Moscatiello explained the other history of the other parks serviced by Aqua. Ms. Carmelli explained the requirements of a water and sewer system.

Mr. Coyle, Sr. stated that transferring the ownership to Aqua New Jersey will not have any cost to the residents. Mayor Durr requested clarification as to why the amount being reduced per month to the residents changed from \$30 to \$70. Mr. Coyle, Sr. stated that when they originally started this transition, he thought the costs would be around \$30. However, when they found out it was going to be \$70, they decided to change the reduction to \$70 as he did not think this would pass if they did not match the reduction dollar for dollar. Mayor Durr questioned what the owners considered a permit reduction, as indicated in their fact sheet distributed to the residents.

Mayor Durr continued to question rate increases in rent. Mr. Coyle, Jr. explained the rate increases. Mr. Durr explains his concerns regarding costs and rate increases to the residents.

At this time there was a lengthy discussion regarding costs of this transition and expenses no longer being occurred by the owner. There was also a discussion regarding rent increases.

Mayor Durr questioned the timing of the entire project. Mr. Mitchell explained the entire process and timeline to the Committee. Mayor Durr asked what an appropriate rate structure is. Mr. Mitchell explained the rate structure process. Mayor Durr asked several questions regarding the Board of Public Utilities.

Deputy Mayor Butler questioned how much of the rent goes towards water and sewer now. Mr. Coyle, Jr. answered approximately \$50.00 a month.

Mayor Durr advised of the history of Spartan Village and the previous owner Mr. Forman.

Mr. Coyle, Sr. explained how rent increases are determined. Committeeman Moscatiello explained the concerns of the Committee and residents regarding the additional costs/rent increases to the residents. Mr. Coyle spoke about his taxes on the property.

Committeeman Moscatiello asked the owner to define the \$70 rate decrease. There was a discussion regarding the rent for the residents. Mr. Coyle, Sr., stated that when Aqua New Jersey takes over, they will not raise the rent more than \$20 for the first year.

At this time Mayor Durr called for a five minute recess.

Mayor Durr called the meeting back to order. He opened the meeting to the public.

Gail Svatik of Lot 7, Spartan Village questioned the additional \$20 charged for additional people were for water and sewer and if they were getting their money back after this transaction takes place. She also questioned the wastewater charge. Mr. Coyle explained how the charges work and what they are for.

At this time there was a discussion regarding the owners operating the wastewater and sewer facility.

Andy Kasony of Lot 71 Spartan Village questioned charges that will be made by Aqua New Jersey. He also questioned how often increases in the water and sewer fee are. He also questioned where the meters and shut off valves will be placed. Mr. Mitchell responded.

David Snowdy of Lot 166 Spartan Village questioned the type of meters that will be installed. Mr. Mitchell stated he could not guarantee which meter will be installed at this time.

Danny Nelson of Lot 139 Spartan Village questioned the size of mains will be replaced. Mr. Mitchell stated that they will be approximately the same size as to what exists now. Mr. Nelson asked if it was ever considered to get larger size mains to facilitate a fire system. Mr. Mitchell stated that if they were going to install a fire system, it would be difficult to do. He explained the procedure. Mr. Nelson expressed a concern regarding the fees and rent costs.

Christine Germann of 66 Mary Street asked what happens if the Committee does not approve an ordinance. Mr. Roselli stated if the Township Committee opted to do nothing, Aqua New Jersey could sue the Township. This occurred in 2002.

Barbara Kasony of Lot 71 Spartan Village asked if she could shut off/lock the water if they are going away on vacation. Mr. Mitchell responded no.

Bonnie Jackson of Lot 184 Spartan Village asked if the lot rent will be raised on November 1 and will the lot rent be increased each year thereafter. Mr. Coyle, Jr. stated in all likelihood the lot rent will be raised this year. He will have to make a determination for subsequent years. Mr. Roselli stated that in reviewing the consent order for Deepwell Terrace, the owner held the rent for 2 years in anticipation of the sale.

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Committeeman Delorenzo

Seconded By: Committeeman Quackenboss

All were in favor by roll call vote.

Committee Moscatiello summarized the discussions. Mr. Coyle stated that he will review the \$10 additional person (after 2 people). Mayor Durr stated that he apologizes that he did not consider fire suppression system. He recommended that an investigation take place regarding fire hydrants. Mr. Mitchell explained the process to the Committee. Mr. Mitchell stated that he would look into it and report back to the Committee.

Mr. Mitchell explained all the upgrades and changes that will occur with the \$600,000 investment. He will provide an itemized list of all the changes.

Mayor Durr reiterated that there is no decision going to be made this evening. He stated that it is his goal to make a decision at the next meeting on August 1.

TOWNSHIP COMMITTEE "COMMENTS"

Deputy Mayor Butler stated that she was working with Chris Webster on the Township website. It looks fantastic. If you have any questions or inquiries, the website has a great deal of information.

Mayor Durr thanked Aqua New Jersey for attending this meeting and thanked the residents for attending.

EXECUTIVE SESSION RESOLUTION (if needed)

2013-96 Authorizing a Closed Session Meeting to discuss the following matter(s) pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12; Personnel, Contract Negotiation and Litigation matters.

Mayor Durr announced that there are no subjects for closed session this evening.

BACK TO PUBLIC SESSION

MOTION TO ADJOURN

Proposed By: Committeeman Delorenzo

Seconded By: Committeeman Quackenboss

All were in favor.

TIME OF ADJOURNMENT: 9:02 PM

Respectively submitted,

Cindy A. Dye, RMC
Township Clerk