

Approved: July 14, 2021

MONTAGUE TOWNSHIP COMMITTEE MEETING

MINUTES

JUNE 22, 2021

(Via GoToMeeting and In-Person)

7:00 PM

OPENING STATEMENT

Mayor Innella called the Montague Township Committee meeting to order at 7:00 p.m. announcing 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 the meeting according to the Open Public Meetings Act.

FLAG SALUTE

The Pledge of Allegiance commenced.

ROLL CALL

Present were: Ms. Crawford, Ms. Martin, Mr. Merusi, Mr. Zitone and Mayor Innella
Also present was Deputy Clerk Dana Klinger. Municipal Attorney Rossmeissl attended by phone.

Excused: None

PROPOSALS

Cleaning Service (Tabled at the June 1, 2021 Meeting) – Mayor Innella informed all in attendance that the Township had received four proposals for Cleaning Services for the Municipal Building with a once a week service and the Community Center with bi-weekly service. Out of the four proposals received Chelbus Cleaning Co., Inc. came in as the lowest bidder with a monthly cost of \$395.00 for the Municipal Building and a monthly cost of \$90.00 for the Community Center. Mayor Innella further added that this pricing is actually lower than what they are currently paying for Cleaning. Mr. Zitone made a motion to approve and accept the proposal received from Chelbus Cleaning Co., Inc. Mr. Merusi seconded and the motion carried with a unanimous roll call vote.

Community Center – Seating and Tables – The Township requested quotes from various vendors for tables, chairs, and dollies to move the tables and chairs for the Community Center. The first quote received was from Academy Furniture and Supplies which is the State Contract and their pricing came in at a total of \$11,137.60. The next quote received was from EventStable and their pricing came in at a total of \$10,377.54 but this company has many of the items on back order with the manufacturer. The last quote was from Uline and the total of this quote was \$15,420.51. Mayor Innella commented that the funds to purchase these items would be coming from the sale of the old Firehouse as well as from a \$1,500 donation from the Montague Seniors Group. Mr. Zitone asked if the Deputy Clerk can ask Academy Furniture to see if they can do any better on table pricing since there is an almost \$75.00 difference per unit. Mr. Zitone also asked if they will honor the current pricing and exempt the township from the manufacturers scheduled 5% increase on orders placed after June 15th. Deputy Clerk Dana Klinger will address both items with Academy Furniture. Ms. Crawford then made a motion to purchase the tables, chairs and dollies from Academy Furniture, with the provision to ask them to honor the pricing and to see if they can do any better on the table costs. The motion then carried with a unanimous roll call vote.

MINUTES

Ms. Martin made a motion to approve the Regular Meeting Minutes of June 1, 2021 and the Executive Session Minutes of June 1, 2021. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

ORDINANCES (First Reading)

2021-14 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PROVIDING FOR THE PURCHASE OF THE MITCHELL HUMPHREY SYSTEM FOR ZONING AND PROPERTY MAINTENANCE MANAGER. THE TOTAL COST OF THE EQUIPMENT IS \$15,000, APPROPRIATING A SUM OF \$15,000 FROM THE CAPITAL IMPROVEMENT FUND

Ms. Martin made a motion to approve Ordinance 2021-14 upon introduction. Ms. Crawford

seconded, and the motion carried with a unanimous roll call vote.

ORDINANCES (Second Reading)

2021-10 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING CHAPTER 18, FEES AND COSTS, OF THE TOWNSHIP CODE TO ESTABLISH ARTICLE XCV; RENTAL FEE SCHEDULE FOR THE RENTAL AND USE OF THE MONTAGUE TOWNSHIP COMMUNITY CENTER.

Ms. Crawford made a motion to approve this Ordinance. Mr. Zitone seconded. Mr. Zitone made a motion to open to public for discussion regarding Ordinance 2021-10. Ms. Crawford seconded, and the motion carried with a unanimous voice vote.

With no comment from the public, Mr. Merusi made a motion to close to public. Ms. Crawford seconded, and the motion carried with a unanimous voice vote.

Deputy Clerk Klinger then called the roll, and the motion to approve Ordinance 2021-10 carried with a unanimous roll call vote.

2021-11 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PROVIDING FOR THE REPAIR AND RESURFACING OF VARIOUS ROADS AND APPROPRIATING \$140,000.00 FROM THE CAPITAL IMPROVEMENTS FUND (IMPROVEMENTS TO ROADS) AVAILABLE IN THE CAPITAL FUND FOR SUCH PURPOSES

Mr. Zitone made a motion to approve this Ordinance. Ms. Martin seconded. Ms. Crawford made a motion to open to public for discussion regarding Ordinance 2021-11. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

With no comment from the public, Mr. Merusi made a motion to close to public. Mr. Zitone seconded, and the motion carried with a unanimous voice vote.

Deputy Clerk Klinger then called the roll, and the motion to approve Ordinance 2021-11 carried with a unanimous roll call vote.

2021-12 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PROVIDING FOR THE PURCHASE OF A GRADER. THE TOTAL COST OF THE EQUIPMENT IS \$15,000.00, APPROPRIATING A SUM OF \$15,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF ROAD EQUIPMENT

Mr. Merusi made a motion to approve this Ordinance. Mr. Zitone seconded. Ms. Crawford made a motion to open to public for discussion regarding Ordinance 2021-12. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

With no comment from the public, Mr. Merusi made a motion to close to public. Mr. Zitone seconded, and the motion carried with a unanimous voice vote.

Deputy Clerk Klinger then called the roll, and the motion to approve Ordinance 2021-12 carried with a unanimous roll call vote.

2021-13 AN ORDINANCE AMENDING CHAPTER 54B-11 OF THE CODE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, IN ORDER TO INCREASE REGISTRATION/LICENSE AND INSPECTION FEES FOR RENTAL PROPERTIES

Ms. Martin made a motion to approve this Ordinance. Ms. Crawford seconded. Ms. Crawford made a motion to open to public for discussion regarding Ordinance 2021-13. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

With no comment from the public, Ms. Crawford made a motion to close to public. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

Deputy Clerk Klinger then called the roll, and the motion to approve Ordinance 2021-13 carried with a unanimous roll call vote.

2021-05 AN ORDINANCE TO AMEND CHAPTER 76 OF THE CODE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, IN ORDER TO ESTABLISH REGULATIONS FOR THE KEEPING OF CHICKENS AND ROOSTERS ON RESIDENTIAL PROPERTY

Mr. Zitone made a motion to approve this Ordinance. Ms. Crawford seconded. Ms. Crawford made a motion to open to public for discussion regarding Ordinance 2021-05. Ms. Martin seconded, and the motion carried with a unanimous voice vote.

Attorney Rossmessl reiterated the provisions of this Ordinance for all of those in attendance. This Ordinance does not apply to any residents who already have chickens and roosters; those residents will be grandfathered in.

The public comment then proceeded.

Darren Ponce – Millville Road – Mr. Ponce commented that this Ordinance has been discussed at length, but one thing that seems to be included that he feels was never discussed was section 76-116 license required for everyone. Attorney Rossmessl clarified saying that any current owners are exempt from the quantity limitations, but they would still need to register how many chickens and roosters. The license in this Ordinance is at no cost and is a one-time license for first-time owners of chickens and roosters. Ms. Crawford further added that it really is more of a registration rather than a license.

Althea Quigley – River Road – Ms. Quigley asked the Committee to consider putting in verbiage to also exempt members of breeding clubs not just 4-H members. Attorney Rossmessl commented that this does not apply to this type of agricultural use. This Ordinance will only effect residential uses. Ms. Quigley added that in the Ordinance it specifically exempts 4-H, but not for breeders. Ms. Crawford suggested including under the “Agriculture” section to include in the last sentence of the paragraph, “use of land for 4-H sanctioned projects and other similar agricultural organizations...”

Darlene DeNicola – New Road – Ms. DeNicola said that her issue with this Ordinance is the ban on Roosters. Many people in this community sell hatching eggs, or chicks for supplemental income and taking away Roosters will totally diminish that opportunity. Ms. DeNicola added that she provides eggs for her neighbors and many seniors in the community because she has an overabundance. Mayor Innella added that they really tried to make it so that everyone would be given the opportunity to own chickens if they wanted the way the Ordinance read in the past would not allow for any chickens on a property smaller than 2 acres, now the residents will have that opportunity. Ms. Crawford further added that if a resident wants roosters and does not meet the required acreage they are always welcome to appeal to the Land Use Board for a variance and again this is for residential areas only.

John Silvers – New Road – Mr. Silvers agreed with Mr. Ponce’s comment saying that the wording in section 116-licenseing is a little misleading because the Ordinance does not specifically mention this as an exemption to current owners. Mayor Innella clarified that even current owners would need to come, just once to let the Township know how many chickens and roosters they currently own. Mr. Silvers added that in the Ordinance it claims there has been substantial interest, but he cannot fathom where that interest is coming from. In his opinion this Ordinance aims to solve a problem that the Township really doesn’t have. There have been a couple of very vocal residents, but other than that there really has not from what he has seen and heard been a problem with this. Ms. Crawford commented that this Ordinance really was more about allowing people in developments with smaller lots to be able to have a few chickens if they wanted to do so, not in the high-density area, but in the rest of the R3 Zone.

Althea Quigley – River Road – Ms. Quigley asked if there are different limits that apply for free-range chickens or do they have to be caged. Mayor Innella replied that any properties under two-acres that want to have chickens must have them caged. Ms. Quigley then added that it seems like the people who complain the most get the Committee’s attention, but then a lot of the time they move and then the residents are stuck with the Ordinance. Mayor Innella reminded all in attendance that Ordinances aren’t always final, things can be changed and amended if something isn’t working in the best interest of the residents.

Christian DeNicola – New Road – Mr. DeNicola said that it would be rather hard to have a fixed number on your flock considering in keeping of chickens the flocks are always waning or growing. It is a very dynamic process and from this Ordinance, depending on the cycle, you may be in

violation of the Ordinance. Mr. DeNicola also added that it seems like the major issue is the noise that a flock can produce, but the Township already has an Ordinance in place for noise. Ms. Crawford added that they understand that the flock is going to vary, and the Township will not be going out counting chickens, it is only going to come up when there is a complaint of some sort.

With no further comment from the public, Ms. Martin made a motion to close to public. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

Mr. Zitone said the Township is not denying the right for people to have chickens, they want people to have them if they so choose. What they do want to do is limit that amount to be courteous to neighbors. What really started most of this was someone that came before them who had less than the minimum required acreage in the previous Ordinance to own chickens who wanted them. So the Committee came up with a reasonable alternative to allow all residents to keep chickens.

Ms. Martin added that most of the time when there is an issue it is neighbor against neighbor, the town doesn't go out looking for issues. If neighbors cannot work out an issue they have the right to come to the Township to help them work it out, so this was the best solution.

Deputy Clerk Klinger then called the roll, and the motion to approve Ordinance 2021-05 carried with a unanimous roll call vote.

RESOLUTIONS

2021-52 A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

Mr. Zitone made a motion to approve Resolution 2021-52. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

2021-53 SERVICE AGREEMENT BETWEEN DOLLY JINGLES ICE CREAM LLC AND MONTAGUE TOWNSHIP

Ms. Martin made a motion to approve Resolution 2021-53. Ms. Crawford seconded, and the motion carried with a unanimous roll call vote.

2021-54 RESOLUTION OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING RESOLUTION 2021-41 CONTRACT FOR A FIREWORKS DISPLAY

Mr. Merusi made a motion to approve Resolution 2021-54. Ms. Crawford seconded, and the motion carried with a unanimous roll call vote.

2021-55 LIQUOR LICENSE RENEWAL (RAQUEL RODRIGUEZ, LLC AND MELOI LIQUOR STORE, LLC)

Ms. Martin made a motion to approve Resolution 2021-55. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

2021-56 OUTSIDE LIEN REDEMPTION (BL 18.53, LT 27)

Ms. Martin made a motion to approve Resolution 2021-56. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

2021-57 AUTHORIZE TAX TITLE LIEN REDEMPTION (BL 19.01, LT 3)

Ms. Martin made a motion to approve Resolution 2021-57. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

CORRESPONDENCE

None

NEW BUSINESS

Recycling Center Schedule – Mr. Merusi stated that the Recycling Facility is currently open on the 1st and 3rd Saturdays of each month, but it seems like the demand is getting higher because when the DPW goes to bring the trailer down to SCMUA it is overloaded. Mr. Merusi suggested having the Recycling Center open every Saturday. Ms. Martin commented that this will take a substantial amount of time away from the DPW for an employee to go down once a week to unload the recycling trailer as well as the added expense to have the Recycling Center attendant work every Saturday. Ms. Martin commented that maybe it would be better to consider budgeting for a larger

trailer. Mr. Zitone commented that if Mr. Bostwick who currently runs the Recycling Facility is unavailable on a Saturday then he will have to get coverage from one of the DPW staff, whom would leave early on the Friday before instead of getting Overtime on a Saturday. Mr. Merusi made a motion to have the Recycling Center open every Saturday on a trial basis for the summer months (July, August and September).

OLD BUSINESS

Burned-Out Buildings – Attorney Rossmeyssl commented that currently the Construction Official may be out doing his inspection of the burned-out building at 174 River Road. On another positive note the Technical Assistant to the Construction Official was also able to track down somewhat of a paper trail of past notices sent to the property owner. Attorney Rossmeyssl is pretty confident that the Township will be able to move forward pretty quickly on this particular piece of property. Attorney Rossmeyssl then added that the other property at 34 River Road has taken a demolition permit out with the town and the permit is valid for up to a year.

Airbnb's – Mayor Innella commented that this matter has been turned over to the Land Use Board for their review, the Land Use Board Secretary has been provided copies of any Ordinances that the other Sussex County Municipalities have in place either allowing or banning Airbnb's. Mayor Innella and the Committee then discussed what they felt comfortable allowing as guidance to the Land Use Board. Attorney Rossmeyssl commented that the Township would be allowed, through State statute, to collect Hotel Tax on any Airbnb that is operating legally within the Township. The issues in Montague is there really isn't the administration to oversee it, but as the Zoning Officer seems to get his bearings this could possibly be something that he could take on. The bigger issue would be getting people to comply with the registration provision.

REPORTS

Construction Department – May 2021 - There were 26 permits issued for the month of May 2021 for a total collected of \$8,803.

Tax Collector – May 2021 - Current taxes collected for 2021 for the month of May 2021 totaled \$1,381,228.81. Prior year's taxes collected \$27,099.58. Interest collected for the month of May totaled \$4,679.38 for a total collected for the month of May of \$1,413,077.77.

Recreation – Ms. Martin stated that the Ribbon Cutting Ceremony for the New Firehouse/Community Center will be this Saturday, June 26, 2021 at 3 PM followed by the Miss Montague Pageant at 4 PM and then there will be free ice cream from 7 PM- 9PM ending with the Annual Fireworks display at dark.

Ms. Martin also added that the ShopRite in Montague has dissolved their Pharmacy and many of the Residents that use the State assistance program PADD (Pharmaceutical Assistance to the Aged & Disabled) used the ShopRite Pharmacy's services. Ms. Martin reached out to some neighboring out-of-state pharmacies to see if they would be able to accept this program, but unfortunately, they are not. Ms. Martin then added that on Monday's the Sussex County Skylands Ride will be available by appointment between 10 AM-12 PM to pick up Montague Residents and bring them to the ShopRite in Newton if they needed to get their prescriptions or they will take them to doctors' appointments etcetera.

PUBLIC PARTICIPATION (limited to three minutes per person)

Mr. Zitone made a motion to open to the public. Ms. Martin seconded, and the motion carried with a unanimous voice vote.

John Silvers – New Road – Mr. Silvers commended the Committee and their predecessors on everything that they have done to get the New Firehouse and Community Center up and running. The Township really needed it and they did a fantastic job it was a monumental effort.

There being no further comment from the public, Ms. Martin made a motion to close to the public. Ms. Crawford seconded, and the motion carried with a unanimous voice vote.

Ms. Crawford asked Attorney Rossmeyssl if there was any update on where they stand with the Solar Project. Mr. Rossmeyssl replied saying that GeoScape is still working on putting together the final contract documents and they will be sent when they are ready. GeoScape is putting these panels up on the new Community Center building with no cost to the Township to basically recoup what it spends over a period of years. Because there is no cost the Township really has little to no

leverage to get them to get those documents done quickly. The Township has no contract signed yet, just the authority to sign a contract so right now the Township is just waiting.

ADJOURN

Ms. Crawford made a motion to adjourn at 8:23 pm. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

Respectfully submitted:

**DANA KLINGER, RMC
MUNICIPAL CLERK**