

MONTAGUE TOWNSHIP COMMITTEE MEETING

MINUTES

January 25, 2022

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: Mr. Krumpfer, Mr. LeDonne, Mr. Merusi, Mr. Zitone and Mayor Innella. Also present was Municipal Clerk Eileen DeFabiis and Municipal Attorney Rob Rossmeissl

Absent: None

Mayor Innella amended the meeting agenda to include under New Business – Walking Path and under Reports - Recreation.

MINUTES Mr. Merusi made a motion to approve Regular Session and Executive Session Meeting Minutes of December 28, 2021. Mr. Zitone seconded, and the motion carried with Mr. Krumpfer and Mr. LeDonne abstaining and Mr. Merusi, Mr. Zitone and Mayor Innella all voting yes.

Mr. Krumpfer made a motion to approve the Regular Meeting Minutes of January 11, 2022. Mr. Merusi seconded, and the motion carried with Mr. Krumpfer, Mr. LeDonne, Mr. Merusi and Mr. Zitone all voting yes and Mayor Innella abstaining.

ORDINANCES (First Reading)

None

ORDINANCES (Second Reading)

None

APPROVAL OF CONSENT AGENDA

All items listed with an asterisk (*) are considered to be routine and non-controversial by the Township Committee and will be approved by one motion. There will be no separate discussion of these items unless a Committee member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

Mr. Merusi made a motion to approve the Consent Agenda. Mr. Krumpfer seconded, and the motion carried with a unanimous roll call vote for all Consent Agenda items.

CONSENT AGENDA

RESOLUTIONS

- 2022-013* AMENDMENT TO RESOLUTION 2022-011 “OUTSIDE LIEN REDEMPTION”
- 2022-014* RESOLUTION AUTHORIZING SUBMISSION OF STRATEGIC PLAN FOR SANDYSTON/MONTAGUE WALPACK MUNICIPAL ALLIANCE GRANT FOR 2023 FISCAL YEAR
- 2022-015* AUTHORIZE EXECUTION OF A SHARED SERVICES AGREEMENT WITH SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS FOR THE PROVISION OF CERTIFIED RECYCLING PROFESSIONAL SERVICES TO CERTIFY AND SUBMIT THE 2021 RECYCLING TONNAGE REPORT TO NJDEP
- 2022-016* OUTSIDE LIEN REDEMPTION (BL 18.53, LT 35, CO1)
- 2022-017* A RESOLUTION FIXING THE SALARIES OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX AND STATE OF NEW JERSEY FOR THE YEAR 2022
- 2022-018* OUTSIDE LIEN REDEMPTION (BL 18.42. LT 67)

CORRESPONDENCE

Eileen Griffiths of Skylands Cycling – Requesting permission for cycling event High Point Climb Time Trial Bicycle Race on Route 23, Montague, NJ on Saturday, April 30, 2022 from 9 AM to 12 PM. Mr. Merusi made a motion to approve this request contingent upon receipt of any State and County permits. Mr. Krumpfer seconded, and the motion carried with a unanimous roll call vote.

Linda Acker (P/T Temp. Receptionist) – Resignation Letter – Mayor Innella commented that Ms. Acker was hired as a part-time temporary receptionist; she did a great job in the time she was here, so it is with great regret that she tenders her letter of resignation. Mr. Merusi made a motion to accept the resignation letter. Mr. Zitone seconded, and the motion carried with a unanimous roll call vote.

NEW BUSINESS

Reimbursement for Mailbox Damage Ordinance – Mayor Innella informed those in attendance that the DPW Foreman has brought this to their attention, remarking that currently the Township’s Policy is to reimburse for any damage incurred to mailboxes due to snowplow operations at a cost of \$12. The DPW Foreman has mentioned that the current cost for a basic mailbox is now about \$17 and he is looking to increase the fee to \$20.00 for damage to mailboxes caused by direct plow contact on the part of the DPW. Mr. Merusi made a motion to include the introduction of this Ordinance at the next Township Committee Meeting. Mr. Zitone seconded, and the motion carried with a unanimous voice vote.

Goals – Mayor Innella asked the Committee Members for any input on what they would like to see done this year so they can compile a list of goals to work towards. Mayor Innella stated that a few things that he would like to see, and can think of including, getting a Walking Path at the Municipal Building, getting the issues resolved at the Firehouse/Community Center, installing the kitchen in the Community Center as well as blinds for the Community Center and lastly, finishing up the pavilion. Mr. Merusi added that he would like to see the pavilion, fire pit and walking path completed. Mr. Krumpfer would like to see some sort-of resolution with the GP7 Lots. Mr. LeDonne agreed on the previously mentioned items and added that this may not necessarily be for this year, but he would like to see a park/playground built for the Township residents. Mr. Zitone added that these requests would be nice to see, but it is going to be a tough road financially to try to get all or most of these projects completed.

OLD BUSINESS

Short-Term Rental Form – Attorney Rossmeissl commented that he made the requested changes from the last Committee Meeting to the proposed Short-Term Rental Registration Form.

Attorney Rossmeissl then asked the Committee to review the changes and additions to see if there is anything else that they would like to include or modify. Mr. Zitone suggested the addition of a timeframe on when the applications will be processed by, such as 30 days. Mayor Innella also recommended that the form include an area for the applicant to list what site/sites the Short-Term Rental is listed on. Mayor Innella further added that he spoke with the Fire Marshal and with the Zoning Officer and both felt comfortable doing the inspections for Short-Term Rentals at a fee of \$35 per inspection that would be reimbursable through payroll. The Committee also agreed that the renewals will be due on the anniversary of approval rather than at the start of the Calendar Year.

Abandon Roads – Attorney Rossmeissl explained that he drafted an Ordinance to abandon a section of Reinhardt Road. The Township Engineer will have to go through and insert the metes and bounds in order to abandon this section by statute. Mr. Zitone made a motion to forward the draft Ordinance to Harold Pellow’s Office for their review and additions. Mr. Krumpfer seconded, and the motion carried with a unanimous roll call vote.

GP7 Lots – Mr. Krumpfer said that these GP7 Lots have been looked at as cost to foreclose on. Mr. Krumpfer said he has looked into this a little further on the possible loss of revenue from taxes. Mr. Krumpfer stated that all in all these GP7 lots totals to about 45 acres of property. Based on figures that were provided to him from 2020 taxes the GP7 Lots owed \$38,170.00. The GP7 Lots that are designated for 55 plus community accounted for about 35% of the property or about \$13,412 for 2020 taxes. The delinquent taxes through October 22, 2019 for the 55 plus section of the GP7 lots totaled \$135,000. These are all vacant land lots with no improvements; once a lot has an improvement on it, you can estimate about 3 times the revenue in taxes. So by a simple calculation it is estimated that there is a loss of revenue of about \$500,000 for the GP7 lots that are designated 55 plus. Therefore, yes upfront it would cost money, but long-term, if these properties are foreclosed on and sold to a developer and can get back on to the tax rolls then the Town stands to make a lot of tax revenue. Mr. Krumpfer further added that he has heard many complaints about the conditions in the High Point Country Club, but right now the HPCC cannot get any Capital Improvement Loans because their delinquency rate is higher than 10%, these GP7 lots are almost solely to blame. Additionally, they cannot get any FHA Mortgages. Lastly, Mr. Krumpfer stated that the fact that these lots have not been addressed is really a burden to the Township as a loss of tax revenue and to the HPCC for the loss of dues collected to help to improve the community. Attorney Rossmeissl remarked that he has thought extensively about these lots, and he feels that everyone would like to do something with these lots; it is senseless for them to just be sitting with tax sale certificates. Attorney Rossmeissl added that the unfortunate part of this is the cost to foreclose. There are 187 lots total and just for a title search it would cost \$450 per lot. Legally there are a few options to do something where the Township may not have to do the foreclosure. The Township does not actually own these properties; they only hold the Tax Lien therefore they do not have the right to sell the properties unless they foreclosed; they only have the right to sell the tax lien. The Township does have the right to do a private sale to any entity at the price that the tax sale certificate was auctioned off at. Therefore, this would be before any interest or fees accrued. It seems very unlikely for this scenario to do a private sale to anywhere between 187 different buyers or just 1 buyer. A public auction is always an option as well, where the tax sale certificate could be sold and then in just 6-months whoever bought the certificate(s) could then foreclose on the properties right away. Finally, the last most creative option is, sometimes when property owners receive a notice of foreclosure and they have no interest in the property or any intention of paying the taxes they will reach out to do a deed-in-lieu instead, this way they do not have a foreclosure on their record. Attorney Rossmeissl asked if the Township gives the GP7 lots indication that they are interested in foreclosing and then gives them the opportunity to do a deed-in-lieu of taxes and essentially wash their hands clean of these lots, would this be something that they would be interested in. Mr. Krumpfer replied saying that GP7 is a shell company who is very unresponsive, and is not threatened in anyway. Mr. Krumpfer added that he does have the contact information for their attorney, but you would never get someone from GP7 directly on the phone. Mr. Krumpfer thinks if the threat of foreclosure was sent they might be willing to let these lots go. Mr. Zitone wanted to clarify that the Township did not just decide not to do the foreclosures to begin with, these Tax Foreclosures are very pricey and the Township was held to a 2% Cap with their budget. Mr. Zitone then further added that he is all for this, but it has to be economical. In

summation, Attorney Rossmeissl stated that there are about 187 lots that all have a very significant amount of money needed to redeem the Township tax sale liens that are currently placed on them. It seems that there is a consensus that this is well over any amount that is ever going to be paid for these lots. Attorney Rossmeissl added that if the Township so chooses they can authorize him to write to the company, GP7 noting that the Township is very serious in its intentions to foreclose on these lots. If GP7 were willing to do a deed-in-lieu, where they give the Township these properties, then the Township would be willing to forgive the tax lien. Mayor Innella and Fred Merusi commented saying it is a lot to think about and would like some time to process the options. Mr. Krumpfer said it is his understanding that the Township would only be approving Attorney Rossmeissl to move forward with writing a letter to GP7. Attorney Rossmeissl further added that he would send the request with the language included saying that the offer is tentative subject to governing body approval, but the Township is seriously considering foreclosing on these properties, and the Township is willing to accept a deed-in-lieu for the properties. Attorney Rossmeissl added that he would draft the letter first for the Committee's review and approval at the next Township Meeting because there is still much to take into consideration.

Walking Paths – Mayor Innella stated that he, Mr. Krumpfer and DPW Foreman, Dave Coss met with the Township Planner Tom Knutelsky regarding the potential to put in Walking Paths at the Township Municipal Building property. Mr. Krumpfer added that the meeting was successful. They discussed the idea of doing the project in phases and eventually adding in additional loops or lengths of path to break up the costs associated with the project. Mr. Coss was a little hesitant due to the workload that the DPW will have to balance out to take on this project, but he was receptive to the idea of assisting in any way they could. Mr. Knutelsky is going to draw up a proposal for the project and present it to the Township Committee for their approval on whether or not they would like to move forward with this project.

REPORTS

Joint Municipal Court – Annual Income Report 2021 – Mayor Innella announced that in 2021 the Township of Montague received \$12,006.45 in fees and fines from the Joint Municipal Court.

Recreation Report – Mr. Merusi commented that the Recreation Committee had their first meeting for 2022 and they discussed the various details of having Montague Day, which would include Miss Montague and the Fireworks Display. They would like to schedule a tentative date of June 25, 2022. Mr. LeDonne added that it was a good meeting with lots of ideas, everyone on the Committee are eager to get a lot done this year.

PUBLIC PARTICIPATION (limited to three minutes per person)

Mr. Merusi made a motion to open to the public. Mr. Krumpfer seconded, and the motion carried with a unanimous voice vote.

Paul Du Toit – Shore Drive – Mr. Du Toit asked if there was any update on the R4 Zoning and changes that were being proposed. Mayor Innella added that there is no update on the Master Plan yet through this Committee, but the Land Use Board will be reviewing and discussing it at their next scheduled Meeting. Mayor Innella suggested reaching out to the Land Use Board Secretary for any update.

Edward Zalenski – Shore Drive – Mr. Zalenski asked if there was any update on the status of the Tri-State Mall since ShopRite has relocated out of town. Mayor Innella replied that they have not received any new applications or notice of any change of use to the building from the property owners. Mayor Innella further added that in speaking with the Township Tax Assessor he assured him that the Township would not be facing any immediate tax repercussions from the building being empty, this would take several years. Mr. Zitone stated that it was his understanding ShopRite still holds a lease on that space and may hold the lease for another few months or a year. Mr. Zalenski also said there has been some talk at the HPCC regarding snow plowing and speed humps, Mr. Zalenski asked if there were any issues with that from the town's perspective. Mayor Innella replied saying that they did talk to them, and the last that he heard the HPCC was going to discuss at their next meeting the possibility of grinding the speed humps down a bit.

Approved: February 8, 2022

There being no further comment from the public, Mr. Merusi made a motion to close to the public. Mr. LeDonne seconded, and the motion carried with a unanimous voice vote.

ADJOURN

Mr. Zitone made a motion to adjourn at 8:07 PM. Mr. Krumpfer seconded, and the motion carried with a unanimous voice vote.

Respectfully submitted:

**EILEEN DEFABIIS, RMC
MUNICIPAL CLERK**