

MONTAGUE TOWNSHIP COMMITTEE MEETING

MINUTES

April 26, 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 Robert Rossmessl

Absent: None

MINUTES

Mr. Krumpfer made a motion to approve the Regular Meeting Minutes of March 8, 2022 with a correction to page five, under “Old Business, Foreclosures” the third line reads 60 parcels and should read 68 parcels. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

Mayor Innella amended the Meeting Agenda to include under “Resolutions (not within the Consent Agenda)” Resolution 2022-059 Cancellation of Tax Sale Certificate and under Old Business – PTA.

PROPOSALS – Annual Town-Wide Cleanup Day – Mayor Innella explained that requests for proposals for the Annual Town-Wide Cleanup Day went out on March 9, 2022. These proposals were sent to Interstate Waste, Ayers Sanitation, Blue Diamond Disposal, GEATA, Jefferson Recycling, Cavalier and Waste Management. Only one Proposal was received from Blue Diamond Disposal. The proposal received came in as follows.

- Blue Diamond Disposal – Services for May 13, 2022 and May 14, 2022
 - 30 Yard Container Per Pull Price - \$325.00, Plus \$115 per ton County tipping rate for disposal (to be charged to the Township’s Account at the SCMUA).
 - Tires –
 - Option (1) – Price per Tire \$75
 - Option (2) – 30 Yard Top Container Trucking Services \$325. Disposal to be billed to Township Account at SCMUA per County Rate.
 - Truck and Driver for Monday, May 16, 2022 for curbside pickup (disabled resident’s only - \$2,000 (Disposal not Included) plus \$115 per Ton County tipping rate for disposal.

Mr. LeDonne made a motion to award the contract for the Township’s Annual Cleanup Day to Blue Diamond Disposal with Option 2 for Tires and removing the services for a Truck and Driver for curbside pickup for the disabled residents within the Township. The Township DPW will be doing that portion this year. Mr. Merusi seconded and the motion carried with a unanimous roll call vote.

ORDINANCES (First Reading)

2022-08 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE TOWNSHIP OF MONTAGUE NOT REQUIRED FOR PUBLIC PURPOSES PURSUANT TO N.J.S.A. 40A:12-13, ET SEQ.

Attorney Rossmessl commented that the Township has been discussing this matter at great

length in the past months. This Ordinance will allow the Township to hold a public Land Auction of properties that the Township owns, through foreclosure; the tentatively scheduled date is set for June 14, 2022 at 2 PM in the Township Meeting Room. Attorney Rossmeissl has also been in discussion with the Township Assessor, Jason Laliker and in speaking with Mr. Laliker and researching further, it has come to his attention that the Township will be able to consolidate parcels with the deed that will be used to convey the properties to the successful bidders using one single deed. This would allow the Township to still sell the parcels in groups, as listed within the Ordinance. Currently the minimum bids are all set at \$500, statutorily the Township Assessor must agree to the minimums, which Mr. Laliker agreed he would be comfortable with whatever the Committee decides. Mr. Zitone made a motion to approve Ordinance 2022-08 and Mr. Merusi seconded. Mayor Innella then asked who is eligible to bid on these properties and who is ineligible to bid. Attorney Rossmeissl replied that the general public can bid and anyone who has a conflict of interest, such as anyone associated with the Township, Committee Members and their spouses, and their children and, the Municipal Attorney etc. would not be able to bid on these properties. Mr. Krumpfer then asked what conflict of interest would there be for the Committee, to which Attorney Rossmeissl replied, that they are the people that are deciding which properties will be going up for auction, what the minimum bids will be, the time and place in which the auction will take place etcetera which is a pretty direct conflict, but he can review further if necessary, but in his opinion this is pretty clear cut. Mr. Zitone and Mr. Krumpfer both expressed that they disagree that there is a conflict, because these properties are all up for auction because they are foreclosures, which are available for auction with no influence from them. Mr. Rossmeissl is going to research the conflict law a little further on this. Mr. Krumpfer also added that it is important to note that the properties that were selected by the Township Committee for the auction were selected because they felt that these properties will actually sell, they went through and took out lots that were wetlands or sloped. Mr. LeDonne also added that there were several that were also taken off the final list. Mr. LeDonne then asked for clarification from Attorney Rossmeissl regarding Section 4 of Ordinance 2022-08. Attorney Rossmeissl stated that as the Ordinance currently reads, a \$500 fee would be assessed to every successful bid; there are only 23 bids available. The Committee then began to discuss the minimum bids required for each lot. Mr. Merusi said he feels that as it \$500 for a minimum bid is okay because you are still getting a piece of land for only \$500. The other Committee members felt that this was still too high for some of the smaller lots. Mayor Innella suggested setting a separate minimum bid for anything under 2 acres and a separate minimum bid for anything over 2 acres. Mr. Zitone suggested having the minimum bids listed as such: anything under 5 acres should be a minimum of \$100 and over 5 acres should be \$500. The other Committee members agreed with Mr. Zitone's suggestion and the Ordinance will be updated accordingly before the public hearing. The Committee then went back and revisited the Legal Costs associated with processing the deeds and the other fees that are currently laid out in Section 4 of the Ordinance. Attorney Rossmeissl said if the Committee leaves the other fees as they are, then the Township should be close to recovering their costs to hold this auction. Mayor Innella added if the Township didn't take care of the deed filing or combining lots for the properties that have multiple parcels, then the successful bidder would still have to pay for this out of their pocket, but have to organize everything as well, this way the Township does all the leg work. Mr. Zitone and Mr. Krumpfer were adamantly against having a fee at all for administrative costs, deed preparation etcetera. The idea is to get these back on the tax rolls, they know no matter what, upfront they are going to lose money. Mr. Zitone then suggested raising the minimum bids on the parcels under 5-acres up to \$200 and getting rid of the charges in section 4. The other members agreed to all changes discussed and the motion carried with a unanimous roll call vote.

ORDINANCES (Second Reading)

2022-04 CALENDAR YEAR ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mr. LeDonne made a motion to approve this Ordinance. Mr. Merusi seconded. Mr. Zitone made a motion to open to public for discussion regarding Ordinance 2022-04. Mr. Krumpfer seconded, and the motion carried with a unanimous voice vote.

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

Municipal Clerk DeFabiis then called the roll, and the motion to approve Ordinance 2022-04 carried with a unanimous roll call vote.

2022-05 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PROVIDING FOR THE PURCHASE OF ROAD EQUIPMENT. THE TOTAL COST OF THE EQUIPMENT NOT TO EXCEED \$15,000, APPROPRIATING A SUM OF \$15,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF ROAD EQUIPMENT

Mr. Merusi made a motion to approve this Ordinance. Mr. Krumpfer seconded. Mr. Zitone made a motion to open to public for discussion regarding Ordinance 2022-05. 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. LeDonne seconded, and the motion carried with a unanimous voice vote.

Municipal Clerk DeFabiis then called the roll, and the motion to approve Ordinance 2022-05 carried with a unanimous roll call vote.

2022-06 AN ORDINANCE TO AMEND CHAPTER 36 OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, IN ORDER TO RELIEVE THE UNDUE FIRE CODE FEE BURDEN ON CERTAIN RENTAL PROPERTIES IN THE TOWNSHIP

Mr. Merusi made a motion to approve this Ordinance. Mr. Krumpfer seconded. Mr. Krumpfer made a motion to open to public for discussion regarding Ordinance 2022-06. Mr. Zitone seconded, and the motion carried with a unanimous voice vote.

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

Municipal Clerk DeFabiis then called the roll, and the motion to approve Ordinance 2022-06 carried with a unanimous roll call vote.

RESOLUTIONS

2022-059 RESOLUTION OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF MUNICIPAL TAX SALE CERTIFICATES

Mr. Krumpfer made a motion to approve Resolution 2022-059. Mr. Merusi seconded and the motion carried with a unanimous roll call vote.

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. Zitone seconded, and the motion carried with a unanimous roll call vote for all Consent Agenda items.

CONSENT AGENDA

RESOLUTIONS

2022-052* OUTSIDE LIEN REDEMPTION (BL 18.56, LT 6, CO102)

2022-053* A RESOLUTION AWARDED A CONTRACT TO TRI-STATE RENTALS (TSR) FOR THE RENTAL OF A DUNK TANK AND 20X40 FRAME TENT AT A COST OF \$850.00 FOR 3 DAYS FOR THE TOWNSHIP'S ANNUAL MONTAGUE DAY EVENT

2022-054* A RESOLUTION AWARDED A CONTRACT TO OC ENTERTAINMENT INC. FOR THE RENTAL OF AN 18 FOOT WATERSLIDE AT A COST OF \$450.00 FOR THE TOWNSHIP'S ANNUAL MONTAGUE DAY EVENT

2022-055* AUTHORIZATION TO CANCEL TOWNSHIP TAX SALE CERTIFICATE (BL 8, LT 56)

CONSENT AGENDA CONTINUED...

RESOLUTIONS

- 2022-056* RESOLUTION APPROVING PER DIEM MUTUAL AID AGREEMENT FOR WATER EMERGENCY STANDBYS WITH SUSSEX COUNTY FIRE COORDINATOR AND THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY
- 2022-057* RESOLUTION AUTHORIZING DMHAS YOUTH LEADERSHIP GRANT
- 2022-058* RESOLUTION AMENDING THE FUNDING APPROPRIATION OF THE SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF MONTAGUE AND THE TOWNSHIP OF SANDYSTON

CORRESPONDENCE

County of Sussex – Certification for Emergency Rescue Squad (EMS) Contribution – Mr. Merusi made a motion to approve the Certification for Emergency Rescue Squad (EMS) Contribution. Mr. LeDonne seconded and the motion carried with a unanimous roll call vote.

Montague Volunteer Fire Department – Blue Light Permit Approvals for: Edward J. Smith; Michael McMickle; Edward L. Smith; Joseph Koba; Richard Bostwick; Kyle Gottemoller; Peter Smith. Mr. Zitone made a motion to approve these requests. Mr. Merusi seconded and the motion carried with a unanimous roll call vote.

NEW BUSINESS

Materials/Trucking for Additional Parking by Firehouse – Mr. Merusi explained that there is a lot next to the Firehouse that was left over from when the Gas Pipeline went in and they were using it to store materials. There is still some leftover riprap, so the DPW Foreman on his own time took the Township Grader and graded that area off. The Township would like to put some stone down so they can use this area for additional parking for events such as Montague Day. They estimate about 100 ton of stone would be needed and about three or four loads to haul or truck in. The total estimated cost will be \$1,700. Mr. Merusi made a motion to approve this request. Mr. LeDonne seconded and the motion carried with Mr. Krumpfer, Mr. LeDonne, Mr. Merusi and Mayor Innella all voting yes and Mr. Zitone abstaining.

Request for Reimbursement – Montague Fire Department – Trusses - Mayor Innella commented that the Montague Fire Department has requested reimbursement for the materials needed to finish out the BBQ Pit. Mayor Innella also thanked everyone who put their time in to get that project completed. The total cost of reimbursement totals \$5,887.50. Mr. Merusi made a motion to approve this reimbursement. Mr. LeDonne seconded and the motion carried with a unanimous roll call vote.

PTA – The PTA is holding their Spring Fling Event in conjunction with the Montague Little League Opening Day at Zitone Field on Saturday, April 29, 2022. They have been notified that an additional porta-potty will be need for that event and they are asking if the Township would be willing to cover the cost of \$110. Mr. Merusi made a motion to approve this request. Mr. Krumpfer seconded and the motion carried with a unanimous roll call vote.

OLD BUSINESS

Firehouse/Community Center – Mayor Innella happily stated that the Township received the Temporary Certificate of Occupancy for the Firehouse/Community Center. Mayor Innella then went into detail on what items have been done and what items still need to be addressed. Mr. Krumpfer noted that the contractor built everything to the exact specification, the problem was that the spec. was off.

Montague School – Mayor Innella updated all in attendance that the Montague School recently had an election and within that election the voters approved the 2022/2023 School Budget with no increase from the previous year. There will also be some new School Board Members, which will include Michael Zernhelt, Tasha DeGeorge and Andree Campbell. Mayor Innella offered his

congratulations to each of the new members.

REPORTS

Tax Collector's Report – March 2022- Tax Collector – March 2022 - Current taxes collected for the month of March 2022 totaled \$132,964.14. Prior year's taxes collected totaled \$32,600.92. Tax Title Lien's Receivable totaled \$5,810.33. Interest collected for the month of March totaled \$3,850.92. Total collected for the month of March \$175,266.31

Joint Municipal Court – 1st Quarter 2022 – The Fees and Fines collected through the Joint Municipal Court for Montague Township totaled \$2,273.56 for the 1st Quarter 2022.

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.

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

ADJOURN

Mr. Zitone made a motion to adjourn at 7:59 PM. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

Respectfully submitted:

**DANA KLINGER, RMC
DEPUTY MUNICIPAL CLERK**