

**MONTAGUE TOWNSHIP COMMITTEE MEETING**

**MINUTES**

**JUNE 14, 2022**

**7:00 PM**

**OPENING STATEMENT**

Mayor Innella called the Montague Township Committee meeting to order at 7:06 p.m. after the Board of Health Meeting 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 at the Board of Health Meeting prior to the Township Committee Meeting.

**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 Rossmeissl.

Absent: None

**VOUCHERS** Mr. Merusi made a motion to approve the vouchers. Mr. Krumpfer seconded, and the motion carried with Mr. Krumpfer, Mr. LeDonne, Mr. Merusi and Mayor Innella all voting yes and Mr. Zitone abstaining.

**PROPOSALS** Mayor Innella stated that the Township requested proposals for the hourly rate charged for General Architectural Services from four (4) different Architectural Companies, which included ANDesign, Spector Associates, Sowinski Sullivan Architects, and Charles Schaffer Associates, LLC. Out of those requested only two (2) responses were received. The first response was from Spector Associates thanking the Township for the opportunity, but stating that they do not provide these types of requested services. The other response was from Charles Schaffer Associates, LLC and the rates included: Principle Architect \$185/hour, Structural Engineer \$185/hour, Associate Architect \$110/hour, Associate Engineer \$110/hour, and Secretarial \$35/hour. Mr. Merusi made a motion to approve the hourly rates listed within the proposal from Charles Schaffer Associates for general architectural services naming Charles Schaffer Associates, LLC architect of record for the Township of Montague for 2022. Mr. LeDonne seconded and the motion carried with a unanimous roll call vote.

**MINUTES**

Mr. Merusi made a motion to approve the Regular Meeting Minutes of May 24, 2022. Mr. Zitone seconded and the motion carried with a unanimous roll call vote.

**ORDINANCES** (First Reading)

2022-10 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PROVIDING FOR THE PURCHASE OF MATERIALS FOR THE FIRE DEPARTMENT FIRE PIT. THE TOTAL COST OF THE MATERIALS IS \$8,506.52, APPROPRIATING A SUM OF \$8,506.52 FROM THE CAPITAL IMPROVEMENT FUND

Mr. Merusi made a motion to approve this Ordinance. Mr. Krumpfer seconded and the motion carried with a unanimous roll call vote.

2022-11 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PROVIDING FOR THE RESURFACING OF NEW MASHIPACONG ROAD AND APPROPRIATING \$80,000 FROM THE CAPITAL IMPROVEMENT FUND – IMPROVEMENTS TO ROADS IN THE GENERAL CAPITAL FUND FOR SUCH PURPOSE AND \$190,500 FROM A GRANT AWARDED BY THE NJ DEPARTMENT OF TRANSPORTATION FOR SUCH PURPOSE

Mr. Merusi made a motion to approve this Ordinance. Mr. LeDonne seconded and the motion carried with a unanimous roll call vote.

2022-12 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY, PROVIDING FOR ARCHITECTURAL SERVICES. THE TOTAL COST OF THESE SERVICES IS TO NOT EXCEED \$10,000, APPROPRIATING A SUM OF \$10,000 FROM THE CAPITAL IMPROVEMENT FUND.

Mr. Zitone made a motion to approve this Ordinance. Mr. Merusi seconded and the motion carried with a unanimous roll call vote.

**ORDINANCES** (Second Reading)

2022-07 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY, RELEASING, EXTINGUISHING, AND VACATING THE RIGHTS OF THE PUBLIC TO A PORTION OF A PAPER STREET KNOWN AS REINHARDT ROAD IN THE TOWNSHIP OF MONTAGUE

Mr. Krumpfer made a motion to approve this Ordinance. Mr. Zitone seconded. Mr. Zitone added that the Township did receive a letter from one of the property owners that owns a parcel on the section of Reinhardt Road that they plan on vacating. Mr. Zitone said that the owners would still be able to maintain the road on their own, but the Township would no longer be responsible, so in essence it would just become a private road. Mr. Zitone suggests sending a letter to this particular property owner informing them of the process and what happens after vacating the portion of the road. Also to be included in the letter a restriction that gates cannot be placed on the private roadway for safety reasons. Mr. Merusi made a motion to open to public for discussion regarding Ordinance 2022-07. Mr. Krumpfer seconded, and the motion carried with a unanimous voice vote.

Kathy Roll – Reinhardt Road – Ms. Roll stated that when they purchased their home in 1980 that portion of Reinhardt Road was accessible. The Township has since ignored/neglected that road, which goes through to Old Mashipacong and Steenykill Roads. Ms. Roll asked what the benefit would be to abandon the road. Mr. Zitone replied that the only benefit that they would get is if anyone were to build on that portion the Township would then be responsible to maintain, grade and bring the road up to standard, to pave, to plow, for drainage. Attorney Rossmessl commented that this is an accountability and liability issue. Ms. Roll added that she is not in favor of abandoning the portion of the Road.

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

Municipal Clerk DeFabiis then called the roll, and the motion to approve Ordinance 2022-07 carried with a unanimous roll call vote.

2022-09 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY, PROVIDING FOR THE REPAIR AND RESURFACING OF VARIOUS ROADS AND APPROPRIATING \$80,000.00 FROM THE CAPITAL IMPROVEMENT FUND (IMPROVEMENTS TO ROADS) AVAILABLE IN THE CAPITAL FUND FOR SUCH PURPOSE

Mr. Zitone made a motion to approve this Ordinance. Mr. Merusi seconded. Mr. Merusi made a motion to open to public for discussion regarding Ordinance 2022-09. Mr. Krumpfer 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 2022-09 carried with a unanimous roll call vote.

**RESOLUTIONS**

2022-068 LIQUOR LICENSE RENEWAL (MEHDI DUSHAJ, PONKY LLC, RAQUEL RODRIGUEZ, AND MELOI LIQUORS)

Mr. Zitone made a motion to pull Resolution 2022-068 from the consent Agenda and to amend

the Resolution to include the approval of Meloi Liquors' 2022/2023 Liquor License. Mr. LeDonne seconded and the motion carried with a unanimous voice 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. Krumpfer seconded, and the motion carried with a unanimous roll call vote for all Consent Agenda items.

2022-069\* RESOLUTION OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AMENDING RESOLUTION 2022-024 CONTRACT FOR A FIREWORKS DISPLAY

2022-070\* RESOLUTION AUTHORIZING TAX MAP MAINTENANCE/REVISIONS AGREEMENT BETWEEN REMINGTON & VERNICK ENGINEERS AND THE TOWNSHIP OF MONTAGUE FOR TAX YEAR 2022

2022-071\* A RESOLUTION AUTHORIZING MONTAGUE TOWNSHIP TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

### **REPORTS\***

Construction Report – May 2022\*

Tax Collector's Report – May 2022\*

### **CORRESPONDENCE**

Montague Volunteer Fire Department – Application for Membership NJ State Fireman's Association – Shane Lock – Mr. Merusi made a motion to approve this request. Mr. LeDonne seconded and the motion carried with a unanimous roll call vote.

Montague Volunteer Fire Department – Blue Light Permit Approval – Kevin Rudolph – Mr. Merusi made a motion to approve this request. Mr. LeDonne seconded and the motion carried with a unanimous roll call vote.

NJ Office of Planning Advocacy – Termination of Endorsement and/or Center Designation – The Township along with the recommendation of the Township Engineer has sought approval for termination of endorsement and/or Center Designation within the Township. Mayor Innella stated that this has been around with the State for the last 10-years or so and there has been nothing done with it or any incentive to continue to renew the designation. Clerk DeFabiis added that it would also cost \$8,000 to renew. The State has granted the termination of endorsement.

NJ Clean Communities – FY2022 Clean Communities Grant Distribution – Mayor Innella stated that the Township of Montague will be receiving \$12,182.67 for the 2022 fiscal year Clean Communities Grant from the State of New Jersey.

### **NEW BUSINESS**

MVFD – Chiefs Vehicle – Mayor Innella introduced Montague Fire Chief Ryan Riegel. Chief Riegel spoke regarding the current Chief's vehicle saying that it was purchased about twelve years ago under state contract, which was cheaper but there was a lot that was lacking in the vehicle. The vehicle is now completely rusted out, but the Fire Department was able to get a price of \$10,000 for a trade-in. The Fire Department has received a quote for a new 2022 GMC Sierra 1500 at a cost of \$43,205.50, which would include the trade-in of the current Chief's vehicle. The Fire Department is requesting the Township cover \$50,000 for the vehicle to not only purchase, but to also install the lights, radios, lettering and equipment to the vehicle. Mayor Innella has confirmed with the Attorney that funding for this could come from the American Rescue Plan monies, the Chief Financial Officer also confirmed. Mr. LeDonne made a motion to approve this request. Mr. Merusi seconded and the motion carried with a unanimous roll call vote. A formal Resolution will be introduced at the next Township Committee Meeting.

### **OLD BUSINESS**

None

**PUBLIC PARTICIPATION** (limited to three minutes per person)

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

Kathy Roll – Reinhardt Road – Ms. Roll asked if there was any news or update regarding the ongoing issues on Reinhardt Road and the court case. Mayor Innella gave a brief update as to the information that he has, but was not completely educated on this matter. Ms. Roll asked if anyone knew how she could get information on the status of the case. Mayor Innella stated that he would speak with the Zoning Officer regarding this matter.

Sandra Kohler – 40 River Road – Ms. Kohler discussed the current Short-Term Rental Ordinance. Ms. Kohler stated that the passing of this Ordinance has put her in financial liability and safety issues on her property. There is a deeded right-of-way on her property, which she knew about when she purchased it and there are four people who use it; at the time they were only little summer cottages down on the river. There is now a person that is behind her that is running a business. This particular person owns about ten properties all around her. There is extensive traffic, damage to her land, disturbances in the middle of the night. She has reached out to her homeowners insurance and it is going to cost an additional \$400 a year to get an umbrella policy to protect her interests. She does not know whom these people are that are renting, she is going to have to put more security on her property. Ms. Kohler is asking the Township Committee to do something about this to make a change or a restriction of some sort, to not allow for access to properties that have a shared driveway or a deeded right-of-way, etcetera. Mr. LeDonne stated that it seems that a major part of the issue is the lack of signage. Attorney Rossmeissl stated that he would like to review the Ordinance as it is written currently and then make a follow-up phone call to Ms. Kohler to discuss what the issues are and then he could find out whether or not the property owner is in violation of the Ordinance. Ms. Kohler was agreeable to Attorney Rossmeissl’s request.

John McCallum – Twin Pond Road – Mr. McCallum spoke regarding the issue that Ms. Kohler is having regarding the Short-Term Rentals on River Road near her property. One of the issues is that although it was a deeded right-of-way for residential use, it was never considered for businesses and maybe the Township might have missed that. Mr. McCallum said he feels that the simple fix would be for the Township to enforce that the property owner use his own right-of-way or driveway rather than the shared one.

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

**EXECUTIVE SESSION**

Mr. LeDonne made a motion to enter into Executive Session. Mr. Zitone seconded, and the motion carried with a unanimous voice vote.

**MONTAGUE TOWNSHIP**

**RESOLUTION 2022-067**

**WHEREAS** the Township of Montague is authorized, pursuant to N.J.S.A. 10:4-12 to exclude the public from that portion of this meeting for purposes of discussing specific matters as permitted by N.J.S.A. 10:4-12; and

**WHEREAS** the Township intends to discuss certain matters which are deemed confidential pursuant to N.J.S.A. 10:4-12 in Executive Session; and

**WHEREAS** at this time the Township cannot determine the time when the discussions to be held in Executive Session will be made public but will disclose the minutes of the Executive Session when the need for confidentiality no longer exists.

**NOW THEREFORE**, be it resolved by the Township Committee of the Township of Montague that this meeting shall be adjourned to an executive session (closed session) and the public will be excluded in order that the Committee may, in accordance with N.J.S.A. 10:4-13(a), discuss Attorney-Client Privilege without taking action, and after reconvening this public meeting action may be taken and the Mayor or her designee will announce, if possible, the time when and the

circumstances under which the discussion conducted in Executive Session will be disclosed to the public. This resolution is authorized and allowed by and pursuant to N.J.S.A. 10:4-13.

**NOW THEREFORE**, be it further resolved by the Township Committee that pursuant to N.J.S.A. 10:4-13(b) the time when and the circumstances under which the discussion conducted in closed session of the public body can be disclosed to the public is when the need for confidentiality no longer exists.

Mr. LeDonne made a motion to close Executive Session. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

Mr. Merusi made a motion to open to Regular Session. Mr. Zitone seconded, and the motion carried with a unanimous voice vote.

**ADJOURN**

Mr. Krumpfer made a motion to adjourn at 8:32 PM. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

Respectfully submitted:

**EILEEN DEFABIIS, RMC  
MUNICIPAL CLERK**