

Approved: February 14, 2023

## **MONTAGUE TOWNSHIP COMMITTEE MEETING**

### **MINUTES**

**JANUARY 24, 2023**

**7:00 PM**

#### **OPENING STATEMENT**

Mayor Zitone 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. Innella, Mr. Krumpfer, Mr. LeDonne, Mr. Merusi, and Mayor Zitone  
Also present were Deputy Municipal Clerk Dana Klinger and Municipal Attorney Robert Rossmeissl

Absent: None

#### **MINUTES**

Mr. Krumpfer made a motion to approve the Regular Meeting Minutes of January 10, 2023. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

#### **ORDINANCES** (First Reading)

*None*

#### **ORDINANCES** (Second Reading)

*None*

#### **RESOLUTIONS**

2023-015 PEST CONTROL SERVICES RENEWAL AGREEMENT BETWEEN MASTERS PEST CONTROL AND THE TOWNSHIP OF MONTAGUE (CY2 2023)

Mr. Merusi made a motion to approve Resolution 2023-015. Mr. Krumpfer seconded, and the motion carried with a unanimous roll call vote.

2023-016 OUTSIDE LIEN REDEMPTION (BL 45, LT 5.02)

Mr. Krumpfer made a motion to approve Resolution 2023-016. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

2023-017 RESOLUTION OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AUTHORIZING A TRANSFER OF FUNDS TO THE MONTAGUE TOWNSHIP VOLUNTEER FIRE DEPARTMENT FROM THE FUNDS ALLOCATED TO THE TOWNSHIP IN CONNECTION WITH THE AMERICAN RESCUE PLAN ACT

Mr. Innella made a motion to approve Resolution 2023-017. Mr. LeDonne seconded, and the motion carried with a unanimous roll call vote.

#### **CORRESPONDENCE**

*None*

#### **NEW BUSINESS**

Recreation Committee 2023 Appointment(s) – Mr. LeDonne stated that based on the recommendation of the Montague Township Recreation Committee he would like to make a motion to appoint Dick Bostwick as Alternate # 2 for a one-year term and move Maureen Kaman to Alternate #1 for also a term of one year. Mr. Merusi seconded and the motion carried with a unanimous roll call vote.

#### **OLD BUSINESS**

Vacant Properties – Attorney Rossmeissl explained to all in attendance that several properties are owned by one particular company (GP7) that the Township would like to see foreclosed upon and then sold at land auction, but the problem is the cost to foreclose would be substantial. The Committee asked Attorney Rossmeissl if it were possible to “cluster” these GP7-owned properties to cut down on the foreclosure costs, which would include things like the title search etc. Attorney Rossmeissl stated that unfortunately, he found that this is not an option and each lot would have to be individually foreclosed. Mr. Krumpfer then went on to talk about the stretch of lots that GP7 owns along Clove Road, which should be very simple to sell. Also, in the section that used to be the 55 plus section/zone, of the 101 lots there only about 50 of those lots are buildable. That section might be appealing to a developer and get a pretty decent price for those. The Committee asked Attorney Rossmeissl if he could come up with an estimate on the cost to not only foreclose on these referenced lots but also the cost of the land sale auction to get these sold. Mr. Innella stated that if a developer were to purchase those lots he would prefer to see single-family homes in that area rather than multi-units. Attorney Rossmeissl will look into the cost estimate to foreclose on all 50 of the lots and hold a land sale auction afterward.

Walking Path – Mayor Zitone stated that Harold E. Pellow and Associates prepared a cost estimate for the Township of Montague for the proposed Walking Path. As it stands the total estimate that Harold Pellow and Associates came up with totals \$76,550. The Committee reviewed the various items included within the estimate. Mr. Merusi stated that he is not in favor of paving the path, he would rather see the path done with stone dust so there are no slick conditions in colder weather and the drainage would be better. Mr. Innella also stated that the Township is still in the process of procuring various grants for this project. Deputy Clerk Klinger stated that at this time only two grants would fit the criteria to support a project like this. The first grant is the AARP Community Challenge Grant, but the grant payout on average is only \$12,000. Therefore, the AARP Grant would not cover the entire cost of the project. Secondly, Green Acres Program is offering a Grant, but this is more like a low-interest loan at a 2% interest rate that would be paid back over the course of 25 years. Deputy Clerk Klinger added that Millennium Strategies is on notice and is aware of the Township’s desire to move forward with this project and they are keeping an eye on any upcoming Grants that would serve this purpose. Mayor Zitone asked if the Committee wants to move forward with this, and do they want to apply for a grant for this project. It was unanimous that the Committee would like to apply for a grant. Mayor Zitone added that they will have to further discuss this at the budget meeting as well.

Architect Proposal for Sprinkler System – Attorney Rossmeissl explained to all in attendance that the Township Architect, upon the request of the Township, has submitted a proposal in the amount of \$23,000 to provide engineering and architectural work for the installation of a sprinkler system at the Township Community Center. This is required for the Township to get a full Certificate of Occupancy from the State, which is necessary for the Township to utilize the building for one of its original purposes such as to hold banquets. In order for the Township to move forward and put the project out to bid the Township Committee would have to approve these services. Mayor Zitone added that the State changed the Code that would require a use group such as that of the Community Center with an occupancy of more than 100 or over 1,500 square feet to have an automated fire suppression system. Therefore, if the square footage of the Community Center Room were below 1,500 square feet and had an occupancy of 100 or less a sprinkler system would not be required. The space right now is 2,400 square feet, so 900 square feet would have to be removed. Mr. Innella added that if something like a divider was put up, yes that would be the cheapest way, but you would lose all that room. Mr. Krumpfer added that there are funds available from the American Rescue Plan Act that the Township received that could be used to fund this project. Mayor Zitone added that there really is no storage areas within the Community Center for things like tables and chairs either. After some additional discussion by the Committee, Mr. Merusi made a motion to approve the proposal received by Charles Schaffer Associates for engineering and architectural work for the installation of a sprinkler system at the Montague Township Community Center. Mr. Krumpfer then seconded Mr. Merusi’s motion. The motion then carried with Mr. Innella, Mr. Krumpfer, Mr. LeDonne, Mr. Merusi all voting yes and Mayor Zitone abstaining. Deputy Clerk Klinger then issued this approval Resolution 2023-019.

Local Recreation Improvement Grant – Zitone Ballfield – Deputy Clerk Klinger stated that the Township with the assistance of Millennium Strategies Grant Writers have submitted a Grant through the NJDCA for improvements at Zitone Ballfield on Clove Road. The notice of award will be announced in April of 2023. If the Township is successful and the grant is awarded you

can expect work to begin by June of 2023 and be complete by November of 2023. Mr. LeDonne made it known that Deputy Clerk Klinger put a lot of work and effort into getting this done on top of all the other responsibilities.

Sale of Wireless Tower Easement – Attorney Rossmeyssl stated that there has been interest expressed by a company to purchase an easement that would encompass the leases for the wireless cell tower that is owned by the Township. The Township must put out a Request for Proposals where formal proposals would be submitted to the Township, this must be done because the Township is technically selling a public asset. Mr. Krumpfer made a motion to approve moving forward with getting the Request for Proposals completed and advertised. Mr. LeDonne seconded and the motion carried with a unanimous voice vote.

Mayor Zitone then reported to all in attendance that the Township is looking for a volunteer to represent the Township of Montague as a member of the Sussex County Water Quality Commission. There is typically one meeting a month, the Commission prepares the Sussex County Wastewater Management Plan, which enables sewer service areas and identifies wastewater facilities. Deputy Clerk Klinger will post this vacancy on the Township website for anyone who is interested.

## **REPORTS**

*None*

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

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

Maureen Kaman – New Road – Ms. Kaman commented that she comes to the Municipal Building quite often to walk her dog in the parking lot area because it is safe. Ms. Kaman has looked at an aerial of the Township lot and feels that the proposed route of the walking path through the woods in the back of the building poses a safety issue. Ms. Kaman added as a retired Tax Assessor having a walking path that is visible to a passerby is a benefit to the town. Ms. Kaman then suggested having the route of the walking path to the front of the building going towards the area of the firehouse. This area is also relatively flat and the space would allow for a playground or a field to be built at a later date as well. Mr. Krumpfer said the current design actually allows for two different options for the potential walker, there are two loops one that does not go into the wooded area and one that gives the option to walk the wooded area. Ms. Kaman said that the NJDEP also offers grant money for trails and this could be utilized at that time for a trial. Ms. Kaman said a walking path has different standards than a trail. Ms. Kaman also informed the Committee of the 250<sup>th</sup> American Revolution, which is upcoming in 2026. She will provide a memo for the budget meeting to put money aside for this.

Laura Mayfield Davenport – Shore Drive - Ms. Davenport stated that she has lived in the same home within the High Point Country Club since 2006, from day one the water bill has been on the higher end, but over the years there has been such a substantial increase and with the rising costs and inflation it has gotten out of hand. Ms. Davenport spoke to the water company and they told her that they were not the ones that passed the rates and that she would have to speak with the State. Ms. Davenport then went to the State and spoke to the Trenton office and they broke down the charges within her water bill and then they also passed the buck and said that she would have to bring her complaint to the local Township Committee. Ms. Davenport stated that her water bill is over \$150 per month, there is a base of \$74 charged to her before she even turns on her tap. Ms. Davenport asked the Committee for any assistance they can provide in getting these rates lowered. It is apparent that everyone else she has talked to is passing the buck. Mayor Zitone stated that the Township also has an astronomical bill from Utilities Inc. for the Fire Hydrants within the Township, but unfortunately these rates are set in by a tariff by the Board of Public Utilities. Mayor Zitone clarified that the Township has nothing to do with setting rates, and just like everyone else they received a letter stating that the fees were going to be increased and that a public hearing was scheduled. Mayor Zitone suggested that Ms. Davenport contact the State Board of Public Utilities in this matter. Ms. Davenport urged the Committee as her public representatives to assist her as well. Mayor Zitone stated that the Township will also send a letter.

Margot Sawicki – High Point Country Club – Ms. Sawicki said she is here at tonight's meeting representing the High Point Country Club Board. Ms. Sawicki stated that the HPCC Board is in

full support of the Township regarding the foreclosures and Land Sale Auction, particularly with the GP7 lots. It would be a great benefit to the HPCC to have those lots sold since those delinquent lots inflate their accounts receivable and there aren't any lending institutions that want to engage with them because of the delinquent rates. They need many repairs/capital items within the Community and they cannot get the funding for these items because of these lots. Ms. Sawicki also added that the Board would appreciate if the Township Committee would get Short Term Rentals back on the Agenda for discussion. Lastly, Ms. Sawicki asked if the Committee had received any additional information regarding the No National Park issue. Mayor Zitone replied that the Township has not heard much as of late, they did send out a Resolution in opposition of the resignation of the Delaware Water Gap National Recreation Area to a National Park. Ms. Sawicki added that there was a letter sent out regarding the increase on the water rates with notice of a public hearing, but maybe there weren't enough people who reached out to have their voices heard in opposition of the 98% increase.

Barbara Holstein – Hemlock Hill – Ms. Holstein asked about the foreclosures and costs associated. Mayor Zitone stated that it will probably cost about \$250,000 to foreclose on all of the GP7 lots and that is why the Township has not done so yet, the costs are just massive. Ms. Holstein also commented regarding the issue that Ms. Davenport discussed. Ms. Holstein stated that her water bill is consistent and is only about \$25 per month. Also, if the unit has a septic there should not be a sewer fee. Ms. Holstein stated that water seems to be expensive everywhere, but confirming that there are no water leaks should be a priority. Ms. Holstein also agreed with Ms. Kaman's suggestion to move the route of the Walking Path to encompass more of the property and have it in an area that is visible, which gives the residents a sense of ownership in the community. Ms. Holstein added that the grant funding is a great start to getting this project going, but fundraising should also be considered. Ms. Holstein added that at the last Township meeting she came and spoke to the Committee regarding the Tristate Mall property. Ms. Holstein said in the days after that meeting she received phone calls from people saying that she came before the Committee and threatened them, which is not what happened. Mayor Zitone replied that they did not take it that way. Ms. Holstein stated that she has deep concerns if that property is sold for multi-unit housing, the Township simply cannot support it, and the school is already at capacity. Mr. Innella expanded upon the very brief conversation he had with the potential buyer adding that if they would were interested in putting residential units in that area they would need a variance from the Land Use Board since it is zoned commercial. Ms. Holstein asked if the Township is seeking smart development, and attracting businesses. Mayor Zitone stated that they try, but the problem is they lose a lot of interest because there is no central water or sewer in the Township.

Toni-Lu Martin – Montague Township Senior Citizens Club, President – Ms. Martin stated that she made individual calls to many members of the Seniors Club to get their feelings on the construction of a Walking Path in the Township. The reason for conducting these individual calls is the Club itself tries to be as non-political, non-biased as possible at the meetings, so they shy away from having the Committee address the Seniors regarding things such as the Walking Path. After making these phone calls Ms. Martin said the general consensus was yes, they would like a walking path so long as it does not raise taxes. This was followed by questions on where the path itself would be. Ms. Martin explained that from what she was told it will go behind the municipal building in the back and around. They also wanted to know if it would be flat, to which she explained that some areas would be uphill and/or downhill. Ms. Martin also discussed the various other projects or needs of the Township such as the full use of the Community Center, the various maintenance costs that will be associated with the walking path. Ms. Martin ended saying that a better financial plan needs to be in place before moving forward with the Walking Path. Mayor Zitone it seems as though if the Township can secure the funding for it through a grant and not raise taxes to do so and maybe change the area of where it will be placed so it is more visible the majority of residents would be in favor of constructing the Walking Path. Ms. Martin added that it is a great idea for the Community, she just wanted to share the input that she received.

Andre Campbell – Armstrong Road – Ms. Campbell expressed her support for the Walking Path, most days, weather permitting, she goes over to Airport Park in Matamoras to walk. Unfortunately, there is nothing like that here in town and she feels that we need something like this for our community.

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

**EXECUTIVE SESSION**

Mr. LeDonne made a motion approve Resolution 2023-018 to enter into Executive Session. Mr. Krumpfer seconded, and the motion carried with a unanimous voice vote.

**MONTAGUE TOWNSHIP**

**RESOLUTION 2023-018**

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

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

No action was taken regarding Executive Session – Personnel.

**ADJOURN**

Mr. Krumpfer made a motion to adjourn at 8:18 PM. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

Respectfully submitted:

**DANA KLINGER, RMC  
DEPUTY MUNICIPAL CLERK**