

Approved: August 22, 2023

MONTAGUE TOWNSHIP COMMITTEE MEETING

MINUTES

AUGUST 08, 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 Municipal Clerk Dana Klinger and Municipal Attorney Robert Rossmeissl

Absent: None

MINUTES

Mr. Merusi made a motion to approve the Regular Meeting Minutes of July 25, 2023, Mr. LeDonne seconded, and the motion carried with a unanimous roll call vote.

VOUCHERS

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

ORDINANCES (First Reading)

None

ORDINANCES (Second Reading)

2023-13 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING CHAPTER 54B OF THE TOWNSHIP MUNICIPAL CODE IN ORDER TO ESTABLISH RESTRICTIONS ON THE RENTAL OF RESIDENTIAL DWELLING UNITS FOR PERIODS OF SIXTY ('60') DAYS OR FEWER

Attorney Rossmeissl gave a brief overview of the proposed Ordinance, this would add further restrictions on short-term rentals, and it would also legalize STRs in the R-4 Zone with a cap of 5 total units allowed, with two of the units being permissible within multi-unit buildings. The Committee then moved forward with a discussion regarding the proposed changes. Mr. Innella stated that he is not in favor of item D-2 within the ordinance that would allow for 2 STR units to be permissible within multi-unit buildings. Mr. Innella would like to see how this will work first before opening to these types of units, which would mimic the similar types that are already in place in other areas of the Township. Mr. Merusi expressed his opposition to allowing any STRs within the R-4 Zone, he further added that he has heard much opposition from the taxpayers of Montague regarding allowing STRs in the R-4 Zone. Mr. Krumpfer replied that there have been many people who have also come before the board or written letters who are adamantly in favor of STRs in the R-4 Zone. Mr. LeDonne stated that he too is not in favor of the D-2 clause of the proposed Ordinance. Mr. Innella stated that there were many changes included in the Ordinance that he wanted to see, and he understands that there must be compromise on this since it is a split issue, therefore he is willing to try out the 5 units for now and then revisit this at another time for allowing multi-units. Mr. Krumpfer made a motion to table the second reading of Ordinance 2023-13. Mr. LeDonne seconded, and the motion to table was carried with a unanimous roll call vote.

RESOLUTIONS

2023-096 CORRECTED REDEMPTION AMOUNT

Mr. Merusi made a motion to approve Resolution 2023-096. Mr. Krumpfer seconded, and the motion was carried with a unanimous roll call vote.

2023-097 RESOLUTION AUTHORIZING APPROVAL OF HEATING AND AIR CONDITIONING MAINTENANCE AGREEMENT BETWEEN CR WOLFE AND THE TOWNSHIP OF MONTAGUE

Mr. Merusi made a motion to approve Resolution 2023-097. Mr. LeDonne seconded, and the motion was carried with a unanimous roll call vote.

2023-098 **APPROVAL OF SERVICE AGREEMENT WITH WASTE MANAGEMENT OF NEW JERSEY INC. FOR MUNICIPAL SOLID WASTE DISPOSAL**

Mr. Merusi made a motion to approve Resolution 2023-098. Mr. Krumpfer seconded, and the motion was carried with a unanimous roll call vote.

CORRESPONDENCE

Montague Township Tax Collector, Theresa Schlosser – The Township Committee acknowledged receipt of Ms. Schlosser’s Certification of the Mailing of Tax Bills. Mayor Zitone added that no interest will be assessed to any tax payment received by August 14, 2023.

NEW BUSINESS

None

OLD BUSINESS

Municipal Auction – Mayor Zitone stated that on August 3, 2023, the Township held an online auction on the Municibid online auction site for 3 items no longer needed by the Township. These items included a 2002 Sterling Dump Truck (\$8,000), a 2003 International Dump Truck (\$10,820), and a Hallett UV Water System (\$61.00) for a total of \$18,881.00. Mr. Merusi made a motion to approve the bids received. Mr. Innella seconded, and the motion carried with a unanimous roll call vote.

Wireless Tower Easement Sale – Attorney Rossmeissl quickly stated that the Township closed on August 1, 2023, for the sale of a wireless tower easement to APC Municipal Towers. The sale totaled \$1,100,000.00.

Sprinkler System Update – Municipal Clerk Klinger stated that Architect Charles Schaffer provided the township with an update on the progress of the Sprinkler System project. The Architectural drawings are at about 90 percent, and he will also be reaching out to Strunk-Albert to see how far they are with the mechanical. Once these are complete the Township can publish the request for bids and then award a bid for the project to commence.

REPORTS

Construction Department – July 2023 - There were 13 permits issued for the month of July 2023 for a total collected of \$4,386.00.

Tax Collector – July 2023 – Current taxes collected for the month of July 2023 totaled \$514,060.25, the prior year’s taxes collected \$9,085.98. Outside Liens totaled \$13,064.23. Interest collected for the month of July totaled \$8,768.90, for a total collected for the month of July of \$556,814.29.

PUBLIC PARTICIPATION (limited to three minutes per person)

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

Ed Zalinski – Shore Drive – Mr. Zalinski stated that he is aware that the Committee is working on the amendment to the second reading of the STR Ordinance. Mr. Zalinski felt that even upon the first reading there seemed to be some disagreement on the terms of the Ordinance and now it is up for second reading and there are a few items that were in the original that are not included. Attorney Rossmeissl added that this was an oversight, and those items should have been included and will be included in the final version.

Jody Case-Kennedy Merusi – Shore Drive and River Road – Ms. Case-Kennedy Merusi expressed her admiration for the quality of services provided by Vernon Animal Control to whom the Township has a Shared Service Agreement, specifically with Siggy who always does a wonderful job.

Stephanie Rakotz – Shore Drive – Ms. Rakotz stated, as a CCHP Board member, she would like to let everyone in attendance know that they have posted new signs in the Community for the Bridge. No trucks or buses are allowed over the bridge while they complete an engineering study, they are also doing the same for one of the dams as well. The CCHP Board wants to ensure that any emergency vehicles will still have access and during the winter months, they do

not want plows going over the bridge either. Ms. Rakotz is also going to suggest putting up some sort of barrier before the speed humps so the DPW can lift their plows before going over those speed humps because they are getting torn up. Ms. Rakotz also discussed the Lead mandate from the State. Ms. Rakotz then asked for some clarification regarding which type of units will be allowed to have STRs within the R-4 Zone and why the committee is so conflicted over allowing only 2 multi-family units out of 700 units within the HPCC to become STRs. Removing these is not a compromise, the ratio is too low, to begin with.

Paul DeToit – Shore Drive – Mr. DeToit asked Mr. Innella for some explanation on why he is against allowing STRs in multi-family units. Mr. Innella replied saying that he would like to see how this pans out in the R-4 Zone with single-family homes and duplexes before introducing multi-family units. Mr. LeDonne added that the Committee has come a long way on this issue, and they have made compromises to even allow for STRs in this zone at all. Mr. DeToit further added that if there is a multi-family which only has one or two owners, is that not the same as the criteria for a duplex, so couldn't there be some compromise in that regard? There was a lengthy discussion regarding additional considerations to the STR Ordinance.

Ed Zalenski – Shore Drive – Mr. Zalenski stated that the Committee needs to revisit the issue that he brought up regarding Judge Statton's ruling that does not allow for Commercial Uses within the HPCC, can these STR rentals be considered a Commercial Use because if so, they should not be allowed in the community at all. Mr. Zalenski added that he feels that the Committee has stretched out a lot in drafting this ordinance, but he feels that the Committee should start fresh with this and reexamine everything, including the Statton Judgements before going forward with this. Mayor Zitone added that for the past 30/40 years, nothing has ever changed in that Community, this is a slight change to try and better the community. Mr. LeDonne also added that the units that have been purchased have been renovated beautifully and they could use about 70 more of these units, there are still many homes in the Community that are in rough shape. There has been some improvement, but it needs to keep getting better. Mr. Zalinski says it does need to keep getting better but he does not feel that STRs are the answer.

Carlos Michelin – North Shore Point – Mr. Michelin spoke regarding the only native marsupial in our area, the opossum. Mr. Michelin stated that these animals are nocturnal and very sensitive to light, to the point that they are nearly blinded when light is present. Mr. Michelin stated that many people do not use care or caution to these animals while driving and would like to see signage warning drivers to be alert or aware that these animals need our consideration. Mayor Zitone stated that the Township will post a warning on the electronic sign board outside of the Municipal Building.

Rory Downs – Tomahawk Terrace – Mr. Downs shared with all in attendance a reminder of the history of humans. Throughout history, we have changed a lot and during each step we progress, people have always had a fear of change. Change can be scary, but progress is important, but with good restrictions, rules, and regulations you can introduce change gradually and it becomes acceptable, maybe even good. Mr. Downs further added that he understands the Committee's hesitance regarding the multi-family, but he asked that the Committee not exclude the single-family homes from the STR ordinance because he has a single-family home that he is interested in renting as a STR.

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

ADJOURN

Mr. Merusi made a motion to adjourn at 8:02 PM. Mr. Krumpfer seconded, and the motion carried with a unanimous voice vote.

Respectfully submitted:

**DANA KLINGER, RMC
MUNICIPAL CLERK**