

Approved: January 23, 2024.

MONTAGUE TOWNSHIP COMMITTEE MEETING

MINUTES

DECEMBER 12, 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 at the Board of Health Meeting prior to the Township Committee Meeting.

ROLL CALL

Present were: Mr. Krumpfer, Mr. LeDonne, Mr. Merusi, and Mayor Zitone
Also present were Municipal Clerk Dana Klinger and Attorney Rossmeissl

Excused: Mr. Innella

MINUTES

Mr. Krumpfer made a motion to approve the Regular Meeting Minutes of November 28, 2023, and the Executive Session Meeting Minutes of November 28, 2023. Mr. LeDonne seconded, and the motion was 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 Mr. Krumpfer, Mr. Merusi, and Mayor Zitone all voting yes and Mr. LeDonne abstaining.

ORDINANCES (First Reading)

None

ORDINANCES (Second Reading)

2023-20 AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING & SUPPLEMENTING CHAPTER 45 OF THE TOWNSHIP OF MONTAGUE MUNICIPAL CODE, ENTITLED "JUNKYARDS"

Attorney Rossmeissl gave a brief summary of the proposed Ordinance, which will fall under the Township's "Health and General Welfare" section of the Township Code. The proposed Ordinance would add additional informational requirements to the application for a Junkyard, it would increase the annual licensing fee to \$350 per year, would name the Township Construction Official primarily responsible for processing the application and enforcement, but is would also deputize several Township officials. Furthermore, it would add a 250-foot buffer/setback from any adjacent properties, which could be negated by permission from neighbors, there would be a requirement for screening around the "Junkyard" section itself, this can be walling or fencing at a height no lower than 8-feet tall. It also imposes restrictions concerning fire safety, explosives, and hours of operation. Mr. Merusi asked for clarification on what the proposed hours of operation will be. Attorney Rossmeissl replied saying the proposed hours would be 8 am to 5 pm Monday through Friday, and 8 am through 1 pm on Saturdays, with no operations on Sunday. Mr. Merusi stated that he does not agree with the restrictions on the hours of operation for Saturdays. Mr. Krumpfer added that he feels that the proposed Ordinance seems to capture all the items that the Committee has been discussing for the past several meetings and some of the public concerns as well.

Mr. Krumpfer then made a motion to approve Ordinance 2023-20 and Mr. LeDonne then seconded Mr. Krumpfer's motion. Mr. Merusi made a motion to open to the public regarding Ordinance 2023-20. Mr. Krumpfer seconded, and the motion was carried with a unanimous voice vote.

Charles White – Representation for the Owner of JJ's Salvage 303 River Road – Mr. White asked the Committee if the Committee intends to hold his client's pre-existing non-conforming

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business to the new codes and standards proposed by Ordinance 2023-20. Attorney Rossmeissl replied by saying that the proposed Ordinance is under the Health and General Welfare section of the Township Code, therefore it is not a Zoning Ordinance and explicitly omits the Zoning Officer from being able to enforce the regulations of this Ordinance. The court standard for a Health and General Welfare Ordinance is that it must be reasonably related to the Health and General Welfare of the residents of the Township, so even where there is a pre-existing use the Township always under this measure has the right to enforce new legislation, therefore it would apply to Mr. White's client as well. Before responding, Mr. White asked Municipal Clerk Klinger if when preparing the minutes, she may do so verbatim, Municipal Clerk Klinger agreed. Mr. White then stated that he understood, however, all the items that were previously discussed at outside meetings, which included those with the neighboring property owners, are as it appears, based on the "wish list" of the neighboring property owners, to which his client did not agree to in any of their meetings. Attorney Rossmeissl replied by saying that the proposed Ordinance would apply to any Junkyard in Montague Township, as it is a general Ordinance. Mr. White answered saying there is only one. Mayor Zitone interjected saying there is only one now. Mr. White then presented the Township Committee with a survey of his client's property, which is a 9-acre lot. Mr. White stated that according to how the Ordinance is written with the additional regulations this would leave his client with only a 10x10 section on his lot to use. Mayor Zitone asked that with 200' offsets, this would close him in that much. Mr. Krumpfer added that with a neighbor's approval the 200' offset can be waived. Mr. White responded by saying that in his opinion it is unconstitutional to ask a property owner to ask his neighbors for permission to use his own property, especially on a pre-existing non-conforming use. Mayor Zitone added that much of the regulations and enforcement standards used in drafting this proposed Ordinance the Township Committee received from researching other neighboring municipalities' Ordinances regarding the regulation of Junkyards, in fact, the offsets that Montague decided to use are much less than those of other municipalities where you can find 500' setbacks from neighboring residential properties. Mr. White replied by saying that is fine if you want to enforce that on any future Junkyards, but his client's property is a pre-existing non-conforming use, and they are going to put his client out of business. Mr. White added that when this all came about, and discussions were first starting the Committee was trying to keep the peace with all parties and intervene to keep this matter out of court, but obviously, if Mr. White's client is going to be held to these standards, there will be nowhere else to go besides through the courts. Attorney Rossmeissl added that he personally, did sit down and have a discussion with Mr. White, his client, and the neighboring property owners, and it is his understanding that one of the neighbors did not take any issue with the Junkyard running up to the point where it abuts with her property. So, per the proposed Ordinance, with that neighbor's permission, they would be able to operate the Junkyard up to that property line. Mr. White responded by saying, yes, until she changed her mind, which in the proposed ordinance it says that a neighboring property owner can revoke their permission at any time. Mr. White added that their stance has always been that the 9-acre lot located at 303 River Road, has always been the Junkyard and it has been approved as such for that long. So, to ask the permission of someone else to use your land is ridiculous. Mr. White further added that he does not intend to be disrespectful in this, but to be told that you can't enforce a pre-existing non-conforming use with the codes and then find a loophole through the Health and Welfare to be able to basically create a whole new code section and take away the use of his client's property is unconstitutional. Attorney Rossmeissl stated that that is absolutely not the intent of the Township Committee, this proposed Ordinance is a valid Ordinance that can be enforced, but he obviously understands the concerns that Mr. White and his client have with the Ordinance. Attorney Rossmeissl further added that the Township Committee has had several public discussions over the last few meetings. Mr. White said that he and his client were under the impression that the town was going to stay out of this neighbor dispute and let neighbors try and work things out, but in the meantime, an Ordinance was created that basically in Mr. White's opinion takes away all his client's rights. Mr. White closed by saying that if the Committee does vote to pass this new Ordinance, which at this time only affects one property, then they will be voting to trample his constitutional rights for his continued use of his property. Mayor Zitone replied saying that it was the Township Committee's understanding that the neighbors could never reach an agreement on offsets or any of the other numerous issues. Mr. White reputed that regardless, this is a neighbor dispute, the original agreement that they were trying to come to when they met together got turned down, Mr. White and his client threw a number out for setbacks that they felt was fair and the neighbors said 200 foot, which they felt was absurd, so they threw another number out and the neighbors would not budge off of the 200-foot setback. Mr. White further added that he and his client feel that this is a constitutional right and if the Committee votes to approve this Ordinance, they will continue to use the property the way they have been, and if the Township feels fit to send notice of violations, then they will let a judge decide. Mr. White then added that another option would be for the Committee to go back and take a look at this proposed Ordinance and see if the regulations are too stringent. Mr. LeDonne asked Mr. White to confirm, based on his comments

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that if the Committee passes this Ordinance, Mr. White's client intends to use the property as he has and not abide by the new regulations. Mr. White replied saying, yes, they absolutely will use that property as they have. Mr. White then added that Mr. LeDonne should be recusing himself from this issue based on the proximity of his property to the Junkyard. Mr. LeDonne added that he has no interest based on the location of any property. Mr. Krumpfer said, in effect, Mr. White is basically saying exactly what the issue has been from the beginning that there is no compromise, that his client is not going to change, and the neighbors are still going to be upset. Mr. White asked why his client would compromise when the committee had said that they should be good neighbors and look how his client is being treated. Mr. LeDonne added that they have been discussing this at the last several meetings. Mr. White replied saying that they agreed that they wouldn't come and discuss anything further because it wasn't supposed to be talked about. Attorney Rossmeissl reiterated that everything from the Committee has been transparent, this discussion has been out in the public at the last three consecutive meetings, and the details of the proposed Ordinance have all been hashed out at these public meetings. Mr. White stated that they were told that there would be no discussion regarding the Junkyard, the Committee unanimously agreed that they do not remember that being stated. Municipal Clerk Klinger stated that part of the problem here is that the current Ordinance in place regulating Junkyards is obsolete, and if a business came in that wanted to open a Junkyard in a commercial zone, they would be able to do so with hardly any regulation at all, therefore, no matter what the outcome is the Township needs to update this Ordinance for that reason alone. Mr. White agrees the current Ordinance is terrible, but to try and put an Ordinance together that completely destroys his client's property and makes him unable to continue operations and use of his property is unreasonable. Mr. Krumpfer added that there is still an opportunity here for the neighbors to get along, there is flexibility in the Ordinance where the setbacks are not written in stone, and a compromise can be made on the setbacks. Mr. White stated that in his opinion this is not "getting along" it is abiding by permission to use your property from your neighbor. Mr. Krumpfer added that it wasn't working out the way it was, so something must change. Mr. White replied saying that it absolutely was working out. To which Mr. Krumpfer responded, that it was working out for one party, and the problem is that the Junkyard kept expanding. Mr. White stated that the Junkyard is still within the 9 acres. Mr. Krumpfer stated that Mr. White mentioned the 9 acres of the property, yet no one on this board has ever felt that the entire 9 acres was "Junkyard" property, there was always a Junkyard section within the 9 acres. Mr. White stated that from the very first meeting, he has asked for a document that regulates where his client can have his junkyard, and every document says a 9-acre lot. Mr. Krumpfer stated that the Committee has talked about the history of the property and what it was and how it kept growing and escalating, therefore the Committee made an Ordinance that they felt would address it for the whole township. Attorney Rossmeissl stated, speaking separately and apart from this ordinance, regarding the conversation that was had regarding pre-existing use, that pre-existing use can be what it was when a Zoning Ordinance came into place, which essentially prohibited what the use was. Therefore, it is limited to the expanse of the use at that time, and then it would come down to which side can prove what the scope of that use was there at that time. So, any expansion outside of the so-called "footprint", which there has not been any map indicating that area from that time. Mr. LeDonne asked what has been done by Mr. White's client as far as a compromise with the neighbors. Mr. White stated that his client has hired engineers, architects, and attorneys. Mr. LeDonne replied that none of those things have to do with compromising. Mr. White stated that his client did show up for a couple of meetings and he was talking with the neighbor directly to his left. Mr. LeDonne asked what the outcome of that was. Mr. White replied saying, that he is unsure of exactly what they have come up with, he and his client were under the impression that the issue was to stay between the neighbors now and they were either going to work it out or not work it out, because it was a civil matter. Mr. White reiterated that it was his understanding that there was not going to be any further discussion, so it was a little shocking to hear that not only was an Ordinance created, but it was a very restrictive Ordinance. Mayor Zitone added that the restrictions within the Ordinance were never directed at Mr. White's client, it is an Ordinance that needed to be updated and amended, which the Township drafted based upon neighboring municipalities so as to not be overly restrictive, but to be parallel to that of other towns. Mayor Zitone further added that in all honesty, the Committee did not scale Mr. White's map or look specifically at that property to take into consideration the 200-foot setbacks. Mr. White asked after seeing the map does the Committee still feel like the proposed setback is acceptable. Mr. LeDonne and Mr. Krumpfer feel that they are still comfortable sticking with the 200-foot setback given that there is a consideration within the Ordinance to allow for a waiver of the setback with the adjoining property owners' permission. Mr. Merusi does not agree with the setback of 200 feet. Mr. White then thanked the Committee for their time and consideration.

With no further comment from the public, Mr. Krumpfer made a motion to close to the public and Mr. LeDonne seconded.

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Mayor Zitone commented that from the discussion and input that they received, it seems that the 200-foot offset seems to be an issue. Mr. Krumpfer stated that the Committee was modeling its Ordinance based on those of neighboring municipalities but is willing to consider lowering the setback. Attorney Rossmeissl spoke regarding the logistics, given that there is only one more meeting before the end of the year and Ordinances cannot be carried into the following year, there is also a possibility for the Committee to cancel the meeting, but if the Committee does not have the last meeting of the year, they would have to have a new introduction and public hearing of the Ordinance in the new year. Mayor Zitone then asked if the Committee members were in favor or willing to amend the offsets in the Ordinance. Mr. LeDonne commented that they have talked about this so much at this point to come up with that figure. Mr. Krumpfer added that part of the issue is that the Committee is hearing right here in public that the property owner intends to use the property as he sees fit regardless of what the Committee decides, so it doesn't feel like it is going to change anything. Municipal Clerk Klinger added that looking at other municipalities' Ordinances regarding setbacks of Junkyards within residential areas a majority of them are 500-foot setbacks. Mr. LeDonne repeated that this Ordinance was based on neighboring municipalities' Ordinances. At this time additional comments from the public were requested. Mr. Krumpfer then made a motion to reopen to the public, Mr. LeDonne seconded, and the motion carried with a unanimous voice vote.

Joe Barbagallo – 295 River Road – Mr. Barbagallo stated that in reference to the Junkyard on River Road if there were an area of delineation within the survey referencing the area as to where the Junkyard would operate within the property that would work for both the property owner and the neighbors then he would be in favor of going in that direction. Mr. LeDonne commented that is why the Committee left that as an option within the Ordinance to receive a waiver from the neighbors. Mr. Merusi asked Mr. Barbagallo what setback he would be comfortable with. Mr. Barbagallo stated that he said this from the beginning he just doesn't want to see the cars, so maybe having a fence. Mr. Merusi asked if Evergreens would be an option. Mayor Zitone interjected saying that would not be an option, animals would end up mowing them down and there would be no security. Mr. LeDonne added that there is not a Junkyard out there that does not have a fence. Mr. Barbagallo added that no one ever wanted to put the Junkyard out of business. Mr. Barbagallo would like to see it drawn out on a map that showed specific lines on it that maybe gave the Junkyard owner enough room to operate and gave the neighboring residential properties a buffer zone and then have an ordinance moving forward for any new Junkyard business coming in. Mayor Zitone stated that the problem is, is that this Ordinance isn't just for one property. Mr. White added that they were working on coming up with an acceptable number for setbacks, but the town came in and chose 200 for them. Mr. White further added that the Ordinance reads that if the neighbors change their minds about waiving the 200-foot setback they can revoke that letter at any time. Attorney Rossmeissl confirmed that that would be the case, the waiver would not run with the land, it would be something that the owner/current owner would have to consent to the whole time. Mr. White said, "So after seeing the map with the proposed setbacks you can see that his client cannot use his land unless he makes his neighbors happy, which there is nothing wrong with, but what if you cannot make them happy?"

Darren Ponce – Millville Road – Mr. Ponce is one of the neighboring properties to the Junkyard and he wants to see the setback at 200 feet. Mr. Ponce commented that this is a business in a residential area, and they have to do the right thing. Mr. Ponce stated that Mr. White's client offered a 30-foot setback, which is an absolute joke. Mr. White replied saying that they offered 30 feet and then the neighbors went to 200 feet without any other offer. Mr. Ponce stated that the Junkyard has always been down in a hole on the property since 1940 and that area is a 200-foot setback. Mr. White stated that you can see automatically his client will be losing 200 feet in the back of the property. Mr. Ponce replied saying that the area was never used to begin with. Mr. White then added that under this requirement his client would also then have to put up a fence on the setback line, not the property line. Mr. Ponce stated that Mr. White's client intends to open the Junkyard to the public and he does not want the public wandering about his property or his neighbor's property. Mr. White stated that his client is not going to open it to the public. Attorney Rossmeissl asked Mr. White if separate and apart from the Ordinance, would he say that through and through this whole discussion between neighbors, which everyone knows about at this point, does he feel that all parties have been acting in good faith, as far as trying to work with each other. Mr. White feels that his client and Mr. Barbagallo have been trying to work things out, but Mr. Ponce is stuck to a 200-foot setback and will not budge and there is no working with him. Mayor Zitone added that the Township did not want to be here at this point, all they asked from the beginning was for the Junkyard to move the vehicles back into where they were, but that did not happen, so this put their backs against the wall. Mr. White stated that the first complaint from the Township was that there were vehicles on the tract of land that was subdivided from the property on 303 River Road. Immediately Mr. White's client met the Township's deadline to cooperate and moved those vehicles from the lot at 299 River Road.

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Mayor Zitone added, and outside of the so-called footprint. Mr. White replied, saying there is no footprint. Mayor Zitone explained that due to the nature of the preexisting non-conforming use, there was never a document put on file with the Township expressing the exact location of the footprint, and for the last few decades there has never been an issue with any of the owners staying within that area. Mr. White said this is a civil matter and the Township has now joined this when they should have stayed out of it. Attorney Rossmeissl responded saying, again, separate and apart from the Ordinance from the time that the Junkyard use began there has been a Zoning Ordinance in the Township that makes this a prohibited use in that residential zone. However, that use is legally able to continue in spite of that Zoning Ordinance because it is a preexisting use, but it can only continue to be used in exactly the form it was when that Zoning Ordinance was passed that made it an illegal use in the residential zone with no intensification or expansion. So, whatever space it was restricted to or whatever the size of the operation was at that time, again the debate is what was that use at the time that the Zoning Ordinance was passed that made that use illegal in the residential zone. Mr. Rossmeissl stated in his opinion everyone would agree that use has absolutely from what we understand expanded from what it was at the time the Zoning Ordinance was passed that made it an illegal use in the residential area. So, when Mr. White talks about a taking or the Township banning his client from being able to use his property as he pleases, under the law that Mr. White refers to, he really only is permitted to use the property out to the extent that it was being used way back when the Township passed its Zoning Ordinance making that use illegal in the residential zone. Mr. White reiterated from his original statement that he and his client believe that the whole property of the 9-acre lot was a Junkyard, adding that in every document that he has read, he has never seen anything that says only 3-acre or 5-acre for example. Mr. White stated if the Committee passes this Ordinance his client will not be able to operate and you cannot rely on the approval of a neighbor to let you use your own land, because there would be a taking and that would be taking without compensation. Mayor Zitone then asked Mr. White to see a copy of the survey that Mr. White marked up using the proposed setbacks. Mr. White stated that he would be able to scan this to the Municipal Clerk as well. Mr. White added that it is not just the setbacks that are the concern in this Ordinance there are also other items that have been included that they are not in favor of.

Mr. Krumpfer then made a motion to close public discussion. Mr. LeDonne seconded and the motion to close public carried with a unanimous voice vote. At this time the Township Committee would like to take a short recess to discuss the possible amendment of Ordinance 2023-20. Mr. LeDonne then made a motion to enter into an executive session discussion, Mr. Krumpfer seconded, and the motion was carried with a unanimous voice vote.

Mayor Zitone stated that after consideration of the public comments the Township Committee has considered amending the offsets for the proposed Ordinance to 150 feet, this will be the only change to the Ordinance. Mr. Krumpfer then made a motion to reopen the public hearing on Ordinance 2023-20. Mr. Merusi seconded, and the motion then carried with a unanimous roll call vote. Attorney Rossmeissl explained that due to this amendment being a substantive change, the Township Committee could not vote to approve Ordinance 2023-20 at tonight's meeting. After the publication of a public hearing, the Township Committee will consider Ordinance 2023-20 at its next regularly scheduled meeting on December 26, 2023. With no further comments from the public Mr. Merusi made a motion to close. Mr. Krumpfer seconded, and the motion was then carried with a unanimous roll call vote.

RESOLUTIONS

2023-127 TRANSFER RESOLUTION

Mr. Krumpfer made a motion to approve Resolution 2023-127. Mr. Merusi seconded, and the motion was carried with a unanimous roll call vote.

2023-128 RESOLUTION APPROVING DEER CARCASS REMOVAL SERVICE AGREEMENT FROM JANUARY 1, 2024, THROUGH DECEMBER 31, 2024.

Mr. Krumpfer made a motion to approve Resolution 2023-128. Mr. LeDonne seconded, and the motion was carried with a unanimous roll call vote.

2023-129 RESOLUTION APPROVING THE ANNUAL KYOCERA COPIER SERVICE AGREEMENT FROM DECEMBER 1, 2023, THROUGH NOVEMBER 30, 2024, BETWEEN T.A. MOUNTFORD COMPANY AND THE TOWNSHIP OF MONTAGUE

Mr. Krumpfer made a motion to approve Resolution 2023-129. Mr. LeDonne seconded, and the motion was carried with a unanimous roll call vote.

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2023-130 RESOLUTION AUTHORIZING THE PURCHASE OF A RICOH IMCW2200 WIDE FORMAT PRINTER/COPIER/SCANNER THROUGH THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM

Mayor Zitone explained that this purchase is for the Construction Department to comply with the State-mandated requirement to allow for online permitting. Mr. Krumpfer made a motion to approve Resolution 2023-130. Mr. Merusi seconded, and the motion was carried with a unanimous roll call vote.

2023-131 OUTSIDE LIEN REDEMPTION (BL 4, LT 25.04)

Mr. Merusi made a motion to approve Resolution 2023-131. Mr. Krumpfer seconded, and the motion was carried with a unanimous roll call vote.

2023-132 OUTSIDE LIEN REDEMPTION (BL 18.42, LT 121, CO3)

Mr. Krumpfer made a motion to approve Resolution 2023-132. Mr. Merusi seconded, and the motion was carried with a unanimous roll call vote.

CORRESPONDENCE

Mareva Hutson – Letter Commending the Montague DPW for Drainage Work – Mayor Zitone stated that the Township received Correspondence praising the DPW for the excellent job they did in the Montague Lake Area to fix a drainage issue.

Montague Seniors – Letter of Appreciation to Township Clerk – Mayor Zitone stated that the Montague Seniors sent a letter expressing their gratitude to the Township Clerk for all her assistance in upkeeping the webpage and other various items.

NEW BUSINESS

Tri-State Mall – Attorney Rossmeisl explained that this year the owner of the Tri-State Mall located on Route 23 in Montague filed a tax appeal against the Township. This appeal encompasses three lots, which include: BL 2, LTs 5, 5.03, and 5.04. Block 2, Lot 5 includes the bulk of the mall. Lot 5 has been assessed for many years at about 12 million dollars and about 2 years ago ShopRite and many of the other retailers moved out of the mall. The Montague Township Assessor was able to negotiate with the owner of the Tri-State Mall and their lawyer to come to a settlement agreement, the assessment for 2023 would be reduced from 12 million to 9.5 million. This would mean that if the Township Committee chooses to agree to the settlement this would include a tax refund of about \$73,000. Attorney Rossmeisl added that the Township Tax Assessor did an excellent job of negotiating because if this had gone to court the Township could have ended up losing about \$350,000 in tax revenue. Attorney Rossmeisl added that when the property is redeveloped then the assessment can be raised at that time. Mr. Krumpfer made a motion to authorize the settlement of a tax appeal concerning the property located at block 2, lot 5 on the township tax map. Mr. Merusi seconded, and the motion was carried with a unanimous roll call vote. Municipal Clerk Klinger then issued this approval Resolution 2023-133.

OLD BUSINESS

2024 Engineer's Appointment – Mr. Krumpfer stated that he would like to discuss the Township's options for Professional Engineering Services for the upcoming year. Mr. Krumpfer said that he and a couple of the other board members are not completely satisfied with the level of attention for engineering services that the Township is receiving with their current firm. Mayor Zitone replied that it is a little late to make any changes for the 2024 professional services appointments as these are done at the Reorganization Meeting. Mayor Zitone further added that there was a lot that the State threw on the Engineering firms this year with the redesignation of all municipalities to Tier A Stormwater Permitting. If the Committee still feels this way mid-year and are unhappy with their services, then at that point they can consider reaching out to other firms.

Mayor Zitone amended the meeting agenda to include under "Old Business - CO2 Detectors Community Center."

CO2 Detectors Community Center - Mayor Zitone stated that the Township needs to move forward with getting quotes for the installation of CO2 Detectors at the Community, these are required per the DCA for the building. The Committee then briefly discussed the Sprinkler System at the Community Center.

REPORTS

Construction Department – November 2023 - There were 15 permits issued for the month of November 2023 for a total collected of \$6,990.

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Tax Collector – November 2023 - Current Year Taxes collected were \$1,673,022.42. Prepaid 2024 taxes collected were \$22,343.74. Interest Collected was \$11,349.70. Outside Liens \$5,409.28, Township Liens \$13,948.61, for a total collected for the month of November of \$1,726.073.75

Recreation Report – Mr. Merusi informed all in attendance that the Tree Lighting Ceremony and Pictures with Santa event went extremely well. This year was the biggest turnout that the Township has ever seen. The Committee thanked all who attended and all those who volunteered their time to make this event a huge success.

Municipal Clerk’s Report – Municipal Clerk Klinger stated that she will be setting the meeting schedule for 2024 and is suggesting going to one meeting a month for the summer months, which would include June, July, and August, this is common practice in many other municipalities and gives the administration a chance to catch up on many needed housekeeping items. Municipal Clerk Klinger further noted that if an additional meeting is required the Committee can always do so with 48-hour notice. The Committee agreed to the proposed schedule. Municipal Clerk Klinger added that there will be a Christmas Tree drop-off beginning on December 26th through January at the Montague Township DPW Garage located at 2 Weider Road.

Municipal Occupancy Tax Distribution – December 2023 – Mayor Zitone stated that this is the tax that is collected for Short-Term Rentals, for December 2023 \$426.54 was collected.

PUBLIC PARTICIPATION (limited to three minutes per person)

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

Stephanie Rakotz – CCHP Board President – Ms. Rakotz stated that the High Point Community Corp. has installed speed humps and speed tables and they have also installed signage where these are as well as wording that says, “raise plow”. Ms. Rakotz added that the Montague DPW gave them some feedback that they were not too happy about this. The DPW feels like this will hinder their snow removal efforts. Ms. Rakotz then suggested that the DPW simply raise the plows 24 inches and go over the top of the speed humps/tables and skim over. Mr. Merusi added that part of the problem is that these speed humps/tables were not installed correctly, they are not cut into the pavements. Ms. Rakotz said either way this should not be a problem giving the signage for the DPW to not rip these things out. The Mayor and Committee replied by saying that the DPW will do the best they can, of course, they do not want to hit these things, but sometimes when the visibility isn’t there and they’ve been out for hours they cannot memorize where each speed hump is. Ms. Rakotz then asked about the last Tax Lien Sale that was held in October. Ms. Rakotz stated that they did not know anything about it and asked if it was listed somewhere. Municipal Clerk Klinger replied, saying that by State Statue the listing must be posted in various public buildings, as well as published numerous times in the Official Municipal Newspaper, it was also posted on the website and the LED display sign outside of the Municipal Building. Ms. Rakotz then asked if the Township Committee had anything scheduled as far as a Municipal Land Sale Auction for 2024. Attorney Rossmeissl replied by saying currently the foreclosure offices are currently behind and there may be changes coming down the line regarding foreclosure and tax sale law, therefore, at this time there is not a definite date yet when the Township will be able to hold the next Land Sale Auction.

Darren Ponce – Millville Road – Mr. Ponce asked for clarification on whether the Township Committee will be holding the second meeting in December. Mayor Zitone replied saying that yes, at this time they plan on holding the meeting. Mr. Krumpfer then asked Mr. Ponce for his input regarding the proposed change for the setback on the Junkyard Ordinance. Mr. Ponce stated that it doesn’t matter what the Committee decides, the owner of the Junkyard is just going to continue doing whatever he wants. Mr. Ponce added, that separately from that, the Township Committee must think of any other properties in town that could possibly be purchased or developed into a Junkyard.

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

ADJOURN

Mr. Krumpfer made a motion to adjourn at 8:30 p.m. Mr. LeDonne seconded, and the motion was carried with a unanimous voice vote.

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Respectfully submitted:

**DANA KLINGER, RMC
MUNICIPAL CLERK**