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Municipal Links	MINUTES OF WANTAGE TOWNSHIP MAYOR & COMMITTEE				
Municipal News	November 12, 2007				
Contact Info	MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF WANTAGE, HELD AT THE WANTAGE SCHOOL AUDITORIUM, 815 ROUTE 23 IN WANTAGE, N.J. ON NOVEMBER 12, 2007				
Animal Control	Mayor William DeBoer called the meeting of the Mayor and Committee of the Township of Wantage to order, and requested the Clerk to call the roll.				
Board of Health	Upon roll call, the following members of the governing body were present: Mayor DeBoer, Committee member Space, Parrott. The following member was absent: None.				
Consolidation Commission	Mayor DeBoer stated, "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, Public Laws 1975, Chapter 231. It has been properly noticed and posted to the public, and certified by the Clerk."				
Dog Park	CONSIDERATION OF CO-SIGNING A LOAN FOR DAM REPAIR				
Economic Development Commission	Mayor DeBoer stated that the purpose of this meeting was for the Mayor and Committee of the Township of Wantage to consider a request made by the Friends of Lake Neepaulin, to co-sign a loan application to the New Jersey Department of Environmental Protection for the purpose of securing funds for the rehabilitation of the Lake Neepaulin Dam.				
Emergency Management Committee	At Mayor DeBoer's request, Administrator Clerk Jim Doherty offered a Statement of the Issue of Concern on this topic. Mr. Doherty stated that the Lake Neepaulin Dam was constructed in 1927. The Dam is owned by the Friends of Lake Neepaulin (FOLN), which is a tax-exempt, Not-For-Profit Watershed Association. Mr. Doherty explained that the New Jersey Department of Environmental Protection (NJDEP) has informed FOLN that the dam does not meet requirements for proper safety of the general public, under current requirements of the State of New Jersey. NJDEP has the authority to order the dam be removed if it is not rehabilitated. Removing the dam would lead to draining Lake Neepaulin. Mr. Doherty informed that FOLN, as a private association, does not qualify for any available low-interest government loan programs unless the Township of Wantage co-signs the loan application. Mr. Doherty stated that, based on several meetings held in recent months, it has become clear to the governing body that without a long-term, low-interest loan through a government funding program, the limited membership of FOLN would face the need to pay for the dam rehabilitation through a market loan, which would be excessively burdensome, and the likelihood of long-term fiscal survival for FOLN would be minimal.				
Fire Departments	Mr. Doherty then presented a flow chart detailing various options and their potential implications and consequences. Mr. Doherty stated that the issue of whether or not the dam is repaired could have a significant impact on Property Values, Water Supply, Fire fighting capability, and the Ecology/Environment.				
First Aid	Mr. Doherty presented a scenario for consideration of potential costs involved in a special assessment for dam repairs. The scenario represented costs to be anticipated for a special assessment on a \$1 million loan with 2% interest over 20 years, the cost of which would be borne by 720 property lot owners in Lake Neepaulin. Mr. Doherty stated that exact details of these costs would vary depending on the actual number of property owners included in the assessment, as well as the actual cost of the loan for dam repair.				
Land Use Board	In this scenario, Mr. Doherty stated that a \$1 million loan at 2% interest for 20 years would equal an annual debt service OF \$61,157; Rounded to nearest hundred = \$61,200. Continuing the scenario, Mr. Doherty stated that if all 720 lots paid equally, the special assessment would come to \$61,200 :- 720 = \$85.00 a year for 20 years.				
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Municipal Map

Poison Control
Center Phone
800-222-1222

Senior Gold

Prescription Discount Program

Sussex County
Senior Services

Mr. Doherty stated that there are certain variations on this scenario which can be considered, and are often enacted in similar circumstances when other communities consider such a special assessment. For example, Mr. Doherty suggested that Vacant Lots could be assessed at 50% of the assessment cost compared to lots with improvements upon them. Under this variation, 100 Owners of vacant lots would pay \$42.50 per year each, while 620 households would pay the balance of the debt service: \$91.85.

Mr. Doherty explained that still another variation on the special assessment might involve a scenario in which "lake front" properties would pay more money than property owners who do not own lake front property. This scenario could suggest a payment plan as follows:

100 Owners of Vacant Lots would each pay \$42.50 per year

90 Owners of Lake Front Properties would each pay 2 X the "Base": \$184 a year

Remaining 530 Properties would pay the balance of the debt service: \$76.21 a year.

For the sake of a uniform option for consideration before the governing body, Mr. Doherty suggested that the governing body consider this scenario of Vacant lot owners paying less, Lake front property owners paying more, and the remainder of property owners paying the balance. Mr. Doherty reiterated that these are only scenarios, and that actual costs could vary depending on final decisions made.

At the request of Mayor DeBoer, representatives of the Wantage Fire Department and Sussex Fire Department stated that the presence of the Lake Neepaulin water supply represented a vital resource in their ability to conduct fire fighting within the Lake Neepaulin community. Wantage Fire fighter Larry Bono stated that the absence of the Lake for firefighting capability could also have an impact on insurance costs for homeowners in the area.

At the request of Mayor DeBoer, Ms. Joy Steinbacher spoke on behalf of FOLN, indicating agreement with the presentation and details offered so far this evening, and adding that costs for dam repair continue to rise with time.

Mayor DeBoer invited the members of the governing body to speak at this time, if they had any comments for the attention of the general public.

Mr. Parrott spoke with respect to the conditions of the area's hydrology, and the likely negative impact upon residential wells if Lake Neepaulin were to be drained, indicating that this could have a domino effect of negative consequence on property values, insurance costs, and public safety.

OPEN PUBLIC SESSION

Mayor DeBoer opened the meeting to the public at this time, for any questions or comments involving the topic of discussion.

Mr. Ed Wiessmann, of Fernwood Road, offered comments in favor of the proposed co-signing of the loan for repair of the dam.

Mr. Bill Gettler, of Gemmer Road, spoke in opposition to the proposed co-signing of the loan for repair of the dam, citing concerns he perceives regarding constitutionality of the existing loan program offered by the New Jersey Department of Environmental Protection. Mr. Gettler also expressed concern regarding a possible mandatory special assessment being placed upon any property owner who does not wish to pay it.

Mr. Jim Donnelly, of Holly Court, spoke in favor of the proposed loan, but suggested that it would be appropriate for the costs to be borne by the general tax base of the community rather than by the owners of the Lake Neepaulin community.

Mr. Tom Jable of North Shore Drive, offered a rebuttal to the comments of Mr. Gettler, offering legal citations within state statutes for the Safe Dam Act, and expressing his belief that the New Jersey Department of Environmental Protection would not be administering a loan program that is contrary to the New Jersey State Constitution.

Mr. Joe Retz, of Libertyville Road, made inquiries regarding the exact details concerning repairs that need to be made to the dam.

Mr. Jable offered a response to Mr. Retz. General discussion ensued regarding the nature of the details required for dam repair. Mr. Jable, Ms. Steinbacher, and Mr. Doherty assured Mr. Retz that engineering reports do exist regarding the Lake Neepaulin Dam.

Mr. Ken Meibach, of Coykendall Road, offered comments in support of the proposed loan for dam repair.

Ms. Betsy Jable of North Shore Drive, offered comments in support of the proposed loan for dam repair.

Mr. Bob Heiden of Old Clove Road, offered comments in support of the proposed loan for dam repair.

Mr. Wagner of North Shore Drive, offered comments in support of the proposed loan for dam repair.

Ms. Rebecca Fitzgerald of North Shore Drive, inquired what the next step would be, if the governing body does agree to co-sign the loan.

Mr. Doherty offered a response, indicating that for the remainder of this calendar year, the Township and FOLN would negotiate a written agreement to outline the responsibilities of both parties in the loan application. Simultaneously, the Wantage Township Tax Assessor would commence an official process to ascertain exactly which property owners would be considered a part of the Lake Neepaulin special assessment, while the Wantage Township Attorney draws up enabling ordinances and resolutions to commence the legal process for the loan application and the special assessment. While these actions were being taken, the Township Engineer would work with professionals engaged by FOLN and NJDEP to determine the specific scope of work needed for dam repair and the anticipated over all cost, including all incidental costs, for this dam repair project. An appeals process would be made available to any property owner who disagreed with the determinations of the Assessor, after which the exact details of costs would be ascertained.

Mr. Meibach asked how the decision would be made regarding which property owners should be included in the special assessment and which would not.

Mr. Doherty stated that the Tax Assessor would be charged with the responsibility of making this determination, and there would be an appeals process implemented for any property owner who disagrees with that determination.

Mr. Wiessmann offered further observations regarding details of the dam's structural integrity, in response to questions asked by Mr. Retz.

Mr. Donnelly asked Mr. Parrott to address the following question from the standpoint of his experience as a Real Estate Agent: if the Lake Neepaulin Dam were to fail, would the negative impact on property values be contained within the Lake Neepaulin community?

Mr. Parrott responded, indicating his belief that there would be a negative impact greater than just the Lake neighborhood; that the potential negative impact would have repercussions felt throughout the Township.

Ms. Fraser-Smith of 59 South Shore Drive, inquired what the cost breakdown would be if the dam repair loan were to be borne equally by all property owners in Wantage Township.

Mr. Doherty explained that if the cost of the loan's debt service were paid through general taxation, it would not be spread evenly among all property owners. Rather, the cost would be charged per \$100 of assessed value, so that a property owner with property valued at \$1 million would pay much more each year than a property owner with property assessed at \$200,000. Mr. Doherty clarified that only under a special assessment arrangement could all property owners of an area share the costs equally.

Mr. Gettler inquired regarding the extent to which costs of the dam repair were specifically known.

Mr. Doherty responded that while exact costs were not yet known, estimated costs have been

derived by engineering reports and evaluations. Mr. Doherty derived his scenario as presented this evening, based on those anticipated costs.

Mr. Gettler reiterated his expressed concern regarding constitutionality of the proposed dam loan program with NJDEP.

Mr. Jable spoke with respect to the likelihood of a negative impact on aesthetics if Lake Neepaulin were drained.

Ms. Jable spoke with regard to the beauty of Lake Neepaulin, urging support for the lake.

After all persons had an opportunity to address the governing body, Mayor DeBoer closed the meeting to the public and the governing body returned to the regular order of business.

Mayor DeBoer thanked all persons present for participating in this meeting, and informed that the governing body would consider the input presented and make a formal decision regarding whether or not to co-sign the loan for dam repair in the very near future.

There being no other items for consideration at this time, Mr. Space moved to adjourn the meeting. Mayor DeBoer seconded the motion. Upon roll call,

Ayes: DeBoer, Space Nays: None Absent: Parrott Abstain: None

Mayor DeBoer declared this meeting to be adjourned.

James R. Doherty, Administrator/Clerk

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