

# TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Minutes  
August 19 , 2008

The regular meeting of the Township Committee was held this date at the Municipal/Police Building located on Little Philadelphia Road. The meeting was called to order at 7:30 p.m. by Mayor David Dempski

SUNSHINE LAW COMPLIANCE - The Mayor noted that this meeting was being held in compliance with the Open Public Meetings Law of 1975 in as much as a notice had been published in the Star Gazette, transmitted to the Express Times, posted at the municipal building and a copy is on file in the Clerk's Office.

ROLL CALL: Dempski, present; Elbassiouny, present; Horensky, present; Mueller, present; Strunk, present Michael Lavery, Township Attorney, Mary Ann O'Neil, Township Clerk, Pete de Boer, Certified Public Works Manager, Police Chief Mc Donald and Barbara Emery, CFO, were also present.

## SALUTE TO FLAG

The Mayor said the Committee would be taking the agenda out of order this evening. They have some hiring decisions to make and will be going into Executive session immediately after the approval of the minutes.

## APPROVAL OF MINUTES

Strunk made a motion to approve the minutes of the Joint Meeting with Washington Borough on June 19, 2008, Horensky seconded. All were in favor.

Horensky made a motion to approve the minutes of the Work Shop Meeting of July 3, 2008, Strunk seconded. All were in favor.

Mueller made a motion to approve the minutes of the Executive Session of July 3, 2008, Horensky seconded. All were in favor.

Strunk made a motion to approve the minutes of the Regular Meeting of July 15, 2008, Horensky seconded. All were in favor, except Elbassiouny and Dempski who abstained.

Strunk made a motion to approve the minutes of the Executive Session of July 15, 2008, Mueller seconded. All were in favor, except Elbassiouny, who abstained.

Horensky made a motion to approve the minutes of the Executive Session of August 7, 2008, Strunk seconded. All were in favor, except Elbassiouny who abstained.

Strunk made a motion to approve the minutes of the Work Shop Meeting of August 7, 2008, Mueller seconded. All were in favor, except Elbassiouny who abstained.

## EXECUTIVE SESSION

Strunk made a motion to approve Resolution 08-108, Resolution Authorizing the Recording of Governing Body Executive Sessions and Maintaining Minutes and went into Executive Session at 7:35 p.m. to discuss personnel, Elbassiouny seconded. All were in favor.

The doors were opened. Strunk made a motion to come out of Executive Session at 8:45 p.m., Mueller seconded. All were in favor.

Lavery said the Committee emerged from Executive Session at 8:45 p.m. where two personnel matters were discussed, one an interview with for assistance in the Finance Office and discussion regarding personnel with the Code and Construction Office, regarding days and hours. No official action was taken. A copy of these minutes will be available at such time the Committee determines there is no harm to the public interest.

Elbassiouny made a motion to approve Resolution 08-109, to Authorize and Approve Salaries and Wages for certain Employees, Suzanne Heerswagen, as Deputy Treasurer, at \$18.00 per hour, effective August 19, 2008, not to exceed 29 hours per week, probation period of 90 days with a 30 day review and no benefits included, Strunk seconded.

ROLL CALL: Elbassiouny, yes; Strunk, yes; Horensky, yes; Mueller, yes; Dempski, yes.

Horensky made a motion to re-notice on the website for Temporary Technical Assistant for the Code and Construction Office, not to exceed 10 hours per week at \$15/hour, Elbassiouny seconded.

Strunk said he still was not convinced they need to hire anybody except to cover during vacation. He did not think the work load justifies hiring an additional person.

ROLL CALL: Horensky, yes; Elbassiouny, yes; Mueller, yes; Strunk, no; Dempski, yes.

### ORDINANCES

Horensky made a motion to open Ordinance 08-13, Ordinance of the Township of Washington, County of Warren, State of New Jersey, Amending and Supplementing Section 93-2 Titled "Prohibitions to Restrict the Location of Vendors in Parks and Playgrounds," to the public, Strunk seconded. All were in favor. Nobody from the audience wished to be heard. Horensky made a motion to close the public hearing, Elbassiouny seconded. All were in favor. Horensky made a motion to adopt Ordinance 08-13, after public hearing and second reading, Elbassiouny seconded.

Lavery said an issue came up on this ordinance, because a veteran applied for a license to sell in the park. He would be exempt, but would be still subject to zoning and restrictions that the Township come up with. There is a provision that states that only the licensee can sell. If the actual veteran is the one that gets license, they cannot transfer it. There is a State Statute that permits a municipal judge to suspend or take the license away and impose penalties if someone other than the person issued the license is selling hot dogs. Also, he has a call into Green Acres to find out if there are any restrictions on the sale of commercial products within the park or any property obtained with Green Acres funding. Horensky asked that once Lavery gets the answer to the second question that a letter be prepared and sent to the individual that was approved to get the license. That individual should be "made aware" of the fact that only the licensed holder can operate it and whatever information that Lavery gets regarding sales on property, that the individual be made aware of that as well. Elbassiouny said he felt the vendor should be notified immediately that he is the one that has to be the one operating the business. Horensky agreed. ROLL CALL: Horensky, yes; Elbassiouny, yes; Mueller, yes; Strunk, yes; Dempski, yes.

Horensky made a motion to open Ordinance 8-14, Ordinance of the Township of Washington, County of Warren, State of New Jersey to Amend, Revise and Supplement Chapter 93, "Parks and Playgrounds" Section 3 "Conduct" and Section 7 "Violation and Penalties" of the Code of the Township of Washington to add Section 93-37 to revise the Violations Section, to the public, Mueller seconded. All were in favor. Nobody from the public wished to be heard. Elbassiouny again expressed his concern that this ordinance with a first offense of \$100 and community service is severe. He understands why the ordinance is being passed, but again he stressed that the police department understands that this is meant to deter full teams. His concern was if a family was playing and missed the sign, they should not pay fine and do community service. The Mayor said the officer on scene has the discretion on how to handle the situation. Strunk agreed. Elbassiouny made a motion to close the public hearing. Mueller made a motion to adopt Ordinance 08-14, Horensky seconded.

ROLL CALL: Elbassiouny, yes. Horensky, yes; Mueller, yes; Strunk, yes; Dempski, yes.

Horensky made a motion to open Ordinance 08-15, Ordinance of the Township of Washington, County of Warren, State of New Jersey, Amending and Supplementing Section 64-32 Titled "Fire Protection," to the public, Elbassiouny seconded. All were in favor. Nobody from the public wished to be heard. Horensky made a motion to close the public hearing, Mueller seconded. All were in favor. Horensky made a motion to approve Ordinance 08-15, Strunk seconded.

ROLL CALL: Horensky, yes; Strunk, yes; Elbassiouny, yes; Mueller, yes; Dempski, yes.

### RESOLUTIONS

The Mayor asked if anyone wanted to remove a resolution for discussion, if not, they would all be passed by consent agenda. Horensky made a motion to approve Resolution 08-106 Resolution of the Township Committee of the Township of Washington, County of Warren, New Jersey, Designating a \$1,523,000 Bond Anticipation Note, Dated August 15, 2008 and Payable May 15, 2009, as a "Qualified Tax-Exempt Obligation" pursuant to Section 26(b) (3) of the Internal Revenue Code of 1986, as amended and Resolution 08-107 To Authorize and Approve Salaries and Wages for Certain Employees (Richard Polhemus/Summer Help), Elbassiouny seconded. ROLL CALL: Horensky, yes; Elbassiouny, yes; Mueller, yes; Strunk, yes; Dempski, yes.

### REPORTS FROM STAFF

Police Chief Mc Donald gave the Township Committee his June and July Report and Overtime Statistics.

Elbassiouny said there was a RFP put out by the Borough on the Feasibility Study for the Police Merger. Only one RFP was received from Nisivoccio & Company. . There was to be a meeting on Wednesday to discuss RFPs and in-as-much as only one proposal was received, the meeting will be cancelled. Elbassiouny made a motion to accept this proposal and prepare the study, Mueller seconded.

ROLL CALL: Elbassiouny, yes; Mueller, yes; Horensky, yes; Strunk, yes; Dempski, yes.

The Clerk was to post notice of cancellation on Township Buildings.

There was discussion on the new Municipal Building expenses. Strunk asked Lavery if he was aware of any state statute on the records being brought over from the old building that the State requires the Township to safeguard. Strunk asked if there was anything in the Statutes that the Township may need additional fireproof protection for records or extra safeguard of them. Horensky said if the Township has not already done so, he thinks that the

Paris Grant People should come in and go over all the records being stored. The Clerk said they have already been in and done a record check. They went through records and did inventory, but did not tag any for disposal. Horensky said it was his understanding that they will come in and identify the records that have to be kept and those that can be destroyed. She has received approximately 200 emails from them, which did not truly identify too much. Horensky asked that records being moved into new building, if they are not required, that they be put on side and action be taken to dispose of them. The Clerk said each department would have to go through many records, files and boxes and put information down for disposal, which must then be sent to State for authorization to destroy. The entire basement is full of records, plats, drawings, land use files, Code and Construction Files. The Clerk asked Chief Mc Donald about the people that did their records, did he know what they want destroyed and he said no.

The Mayor said this may be something the Committee may want to do in the new year, to determine if they want to hire a temporary person to go through records and organize record disposal. The Clerk said they just went through boxes, they did not tag anything. Plus, only each department would know if they were permanent records or records that could be destroyed. Horensky felt the request should be made, right now, to identify what records should be destroyed. Elbassiouny said they could determine what can be destroyed and left behind. The Clerk said, each department would have to determine which must be kept and they must be put in special size boxes, labeled and permission from the State to destroy. Horensky said the Paris People could determine what they should be moving and what records are no longer needed. The Mayor said a letter should go to have this done now, because they don't want to waste tax payers money on paperwork that should be shredded.

Lavery said, to Strunk's previous question, pretty much any of the records need to be safe guarded and are required to be in the Municipal Buildings. Also, the Statute requires that the Clerk has to witness their destruction, so it is not like you can just destroy records. The Clerk said the State has to be notified in writing on record retention form and sign off before any records can be destroyed.

Strunk asked about birth, death, marriages. The Clerk said these records are in her fire proof cabinets. Lavery is to get in touch with County to see how this could be done.

#### BUILDING DISCUSSION

There was discussion on the office for Tax Assessor. de Boer proposes to turn the Copy Room into an office for the assessor. Strunk made a motion to approve, not to exceed \$2500 being spent on renovation of the Copy Room for Tax Assessor's office, Horensky seconded.

ROLL CALL: Strunk, yes; Horensky, yes; Elbassiouny, yes; Mueller, yes; Dempski, yes.

On the furniture issue, Frank Search, the man that is installing the steel case furniture will be in Friday. It is being put into Code and Construction area and wherever else it can be used. He will know more at the Work Shop Meeting in September. There is not enough steel case furniture to put in the squad room. They must decide on the chairs the people will sit on in the meeting room.

de Boer got proposals on panels. He recommended doing the squad room first with Schneider Kitchens with a price of \$5,286.00, diagram provided. Strunk asked why the police department needs eight stations if there are only two or three officers on at one time. The Chief said they are looking at the possibility of expanding the size of the department, so they are looking to the future. This will be installed now instead of in sections. de Boer said the floor plan and design is laid out for eight work stations, which was per architect's drawing. Strunk said it is great to plan for the future, but the Township should wait to do the expansion until the merger comes about. He did not think that Washington Township Taxpayers should be paying possibly for use by others and possibly they could get money back. The Mayor set they set aside \$10,000 for steel casing, which leaves \$20,000 in furniture. Horensky made a motion to approve the proposal from Schneider's Kitchens for \$5,286 for Police Squad Room Area and \$12,707 from Jiorle's Office Supplies for 100 wingback stacking chairs and 12 council chairs for \$12,707, Elbassiouny seconded. These two proposals, plus the \$10,000 already approved amounts to \$27,993. Strunk said he still is not convinced with the police aspect. If they are going to be merging, the person they are planning to merge with should be paying a portion of the amount that has to be paid to improve the space. Elbassiouny said the Borough would actually pay a monthly fee for using the building. Would you rather have something done once and be consistent, or build it and later try to add something? He understood, but doesn't want the Washington Township Taxpayers to pay for it.

Horensky said they are entering into a partnership. Strunk said he would approve a design that is functional for what Washington Township needs now, not for the future.

ROLL CALL: Horensky, yes; Elbassiouny, yes; Mueller, yes; Strunk, yes; Dempski, yes.

de Boer said he will know by the Work Shop Meeting what is left. He has identified four offices that they should start to furnish- Police Secretary, Township Clerk, CF O and Deputy Treasurer, if there is any money left over. Elbassiouny said, lets take an inventory and see what we have and use it. There should be no furniture discussion until after everybody is in.

de Boer said the antenna wire was not run to the Tax Collector's office. The other issue is regarding the police radio quote. There is no money in the bond for this. Chief Mc Donald was present to address the need. The Mayor said there is no money for new radios. Chief Mc Donald said they have found, which may be due to the seismic, the portable radios do not work in the building. They will have a bay station in the squad room. Currently they have a bay station in the patrol room downstairs, so if you are in the next room you will hear it. The way the new building is designed, the police secretary will not hear it, it would not be heard in the training room or locker room. There would also be no ability in those room to talk to dispatch. So, one bay station in patrol room would be sufficient. They would like to have lines from that to the police clerk's office, training room an locker room with speakers and microphone so they can communicate with dispatch. They could install speakers in the hallway out of his budget. Horensky asked if they could segregate the PA system from upstairs in the police department. The Mayor said this could be done and should cover the whole area downstairs. Chief Mc Donald was concerned about the microphone. He said there are two issues, (1)the ability to hear dispatch calls anywhere in the building and the ability to communicate to locations he just mentioned. Chief Mc Donald said he is only asking speakers in different areas to be run off the radio, but the ability to put in a microphone. The Mayor asked who would control the bay station. It would be in the squad room. Chief Mc Donald asked the Mayor if there was any money available in the Comcast Grant. He had a quote from M&W Communications for \$4601 total. Elbassiouny made a motion to approve the request for a new bay station and accessories in the amount of \$4601, from M&W Communications, pending availability of the Comcast Grant. Elbassiouny asked the Chief if he would have money in his A&E to pay half of this amount, he was not sure.

ROLL CALL: Elbassiouny, yes; Horensky, yes; Mueller, yes; Strunk, yes; Dempksi, yes.

#### de Boer Additional Reports

de Boer said he miss-spoke at the last meeting regarding the new truck. The purchase did not include a snow plow package.

de Boer said there has to be an administrator for the video and surveillance system and administrator for the key scan system and photo identification. This is going to be Officer Tom Cicerelle. He said they will need the Committee to provide them with a list of who they want to gain entry to what areas.

Strunk said on the new offices for the Clerk and Deputy Clerk, they are very unwelcoming and not very functional for a taxpayer to come in and do business in a rural community. They should be saving money to possibly consider changes in this area, as it doesn't look like it was laid out very well when it was designed. deBoer said he had talked to them and for now, they are agreeable to go into the office and there may be some needs that arise and they will deal with them. Strunk said once they are in there, there will be things they may have to tweak. Strunk said they should save money now that they don't have to spend up and hold for future alterations.

#### PUBLIC QUESTIONS AND CONCERNS

Anthony Tambasco, 70 New Hampton Road, said he is pro the traffic calming devices for the road. He had sent an e-mail to the Mayor, which had been distributed to everybody. He has been there for almost 14 years. It depends on which resident you ask, yes the people speed on this road, it is a wide road. Strunk asked him if he wanted the original proposal followed through. Tambasco said he is in favor of the original six island design, which was reduced to five, then three, then two. He will live with proposal that the Mayor is doing tonight, but would rather have the original design. Elbassiouny said that Oxford put theirs in and a year later removed them. Allamuchy had them in, not even three months, and removed them. So, anybody that followed through and put them in, they went and removed them. The Mayor said they were speed bumps that were put in.

The Mayor read a letter written by George Polachak, 40 year resident in Washington Township, which is included at the end of the minutes.

The Mayor had two comments. The petition in the beginning of this project was signed by people not in the neighborhood. There were 39 people that lived in the neighborhood who did sign the original petition. The survey responded to was done by Mary Ellen Dates, who opposed the project. The survey results were 11 in favor and 7 against. He asked this be reflected in the record.

#### OLD BUSINESS

Discussion/New Hampton Road - The Mayor said there will only be 2 traffic calming islands, located at the ends of the road. There will be no landscaping on islands. They will be covered with a Belgium block type topping. They will be straight and almost 13' of clearance on either side of the islands.

There will be two 3 foot strips of Safe-T-Grip material applied at the curb lines. White paint stripes will be painted at the edges for a clean border. The Safe-T-Grip color will be chosen to complement the Belgium block curb and will serve as a visual reduction of the roadway width. It could also serve as a bike lane for children.

The Mayor said the Committee will need to approve the revision. The plans will be reviewed by the NJDOT, which was notified of a potential change. The changes proposed will meet the intent of the traffic calming safety grant awarded to the Township.

The solution reflects some of the concerns raised by the residents and is the best possible compromise. If approval is given, the project should be completed by the start of school.

Strunk made a motion to approve the changes, as proposed by the Mayor, on the Final New Hampton Road Proposal, Mueller seconded. Elbassiouny stated that he thinks this might be a great plan and may work, but it is setting a standard for other properties in the Township when people come in and complain about speeding or traffic. They have to be careful. Some people are for it and some against it. Personally, he is not in favor of anything like speed bumps or humps, the island is the best solution. He is not in favor of anything like this, because they are then obligated to provide it to other areas in the Township that make the same request. This will reflect his vote on the matter.

ROLL CALL: Strunk, yes; Mueller, yes; Elbassiouny, no; Horensky, no; Dempski, yes.

Anthony Tambasco, 70 New Hampton Road, said he major concern was New Hampton Road being designated an emergency by-pass road. His focus was, if and when an accident occurs in Route 31 and they have to use New Hampton Road, he is looking to control the increased volume. Elbassiouny said, in this case, there would probably be police control of the situation. Tambasco said they had discussed having police on site and they were told it is not feasible. Elbassiouny said, in case of an emergency, they would be there.

#### NEW BUSINESS

1. Strunk made a motion to approve the Township Clerk attending a course on Legalized Game/Raffle/Bingo, sponsored by the NJMCA Mini Conference North on Thursday, September 25, 2009, Mueller seconded. All were in favor.

2. Strunk made a motion to approve the CFO attending a course on New IROC Preparation Tips, sponsored by Institute for Professional Development on Friday, September 19, 2008, the Township paying half of course and mileage, Mueller seconded. All were in favor.

3. Strunk made a motion to schedule the next Work Shop Meeting at the old municipal building on September 4, 2008 and a Work Shop Meeting on October 2, 2008 at the new building, Mueller seconded. All were in favor.

#### REPORTS FROM OFFICIALS

Barry Mueller said the Recreation Commission is having a dedication of a bench in memory of Dr Wasser by the horse shoe pits on Sunday, August 24 at 1:00 p.m.

Samir Elbassiouny said that he had a conversation with Tom Bocko, Zoning Officer, regarding the issue with the cars. He has already issued summons. Police Officers were dispatched to the house and the resident went and registered all the vehicles. He said, in the Code Book, it states that vehicles must be registered and used for transportation purposes. His feeling was, if the cars are registered, the next question is, are they inspected, if they are not, then you cannot use them for transportation. Lavery said he thought the State Statute only says they have to be registered, but he will check into this matter further, because as the ordinance reads, it may be invalid.

RJ Strunk had no report.

John Horensky had nothing to report.

Mayor David Dempski said he attended the Habitat for Humanity Groundbreaking ceremony for the Butler Park Project. They finally have a habitat home in the Township.

On Pinnacle, they have the report on the items to be fixed on the reserve at Hawk Pointe, which is the condo homes and village homes. There is about 15 items that need to be done. He has asked de Boer and Tom Quinn, Engineer, to develop an estimate. He asked the policy to lay claim to the cash portion of the bond. Lavery said the remaining items that are outstanding will have to be given to him and provided they are the ones in the original estimate, they will take the money and do it. He will send them a notice with a list of the items that are not finished that are required to be finished. If they are not completed within a certain time, the Township will take the cash from cash portion of bond and do it ourselves. Lavery will have to check conditions they originally posted the cash under. The Mayor said that ENSR are doing the Port Colden Monitoring and there are two questions involving them. This year they budgeted \$11,150 as per the original estimate. The estimate this year turned out to be roughly \$2,000. The other problem is, ENSR did not bill the Township enough for 2007, so they submitted an outstanding balance of \$2817.19, but the books on that budget are closed, they can not spend 2008 money for a 2007 bill. Strunk made a motion not to exceed \$2,000 to ENSR for the 2008 for preparation of the Bi- Annual Certification of the CEA, Mueller seconded.

ROLL CALL: Strunk, yes; Mueller, yes; Elbassiouny, yes; Horensky, Dempski, yes.

Strunk made a motion to deny the request for the additional 2007 balance from ENSR of \$2817.19, Elbassiouny seconded. Horensky said it should be clarified that the books are closed for expenses in 2007 and they cannot spend money in 2008 for expenses from 2007.

ROLL CALL: Strunk, yes; Elbassiouny, yes; Horensky, yes; Mueller, yes; Dempski, yes.

The Mayor said that Chris Cavazzini had sent a letter of resignation from the Land Use Board. Strunk made a motion to accept, with regret, the resignation letter of Chris Cavazzini from Land Use Board, Elbassiouny seconded All were in favor.

The Mayor appointed Erich Sodtalbers as a Class IV Member of the Land Use Board to replace Cavazzini, with a term expiring 12/31/08.

PAYMENT OF BILLS

The Mayor said the bills need to be reviewed to make sure there are three signatures, which was done by Committee. The Mayor asked for a motion to pay the bills each one signed. Horensky made a motion to approve the bills he signed, Mueller seconded.

ROLL CALL: Horensky, yes; Mueller, yes; Elbassiouny, yes the ones he signed; Strunk, yes, the ones he signed and Dempski, the ones he signed.

ADJOURN

There being nothing further to come before the Committee, Strunk made a motion to adjourn at 10:35 p.m., Elbassiouny seconded. All were in favor.

Respectfully submitted,

Mary Ann O'Neil RMC/CMC/MMC  
Township Clerk