

TOWNSHIP OF WASHINGTON, WARREN COUNTY

WORKSHOP MEETING

July 3, 2008

The Workshop 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 7:03 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 and posted at the municipal building.

SALUTE TO FLAG

ROLL CALL: Dempski, present; Horensky, present; Mueller, present; Strunk, present. Mary Ann O'Neil, Township Clerk, and Peter de Boer, Public Works Manager were also present. Elbassiouny was absent.

OLD BUSINESS

1. Strunk said that the Committee had Michael Lavery, Township Attorney, look into a request regarding a zoning matter. It was regarding Tom Bocko, Zoning Officer and Mr. Rosamilia, as to whether he could get a vending permit to be able to sell hot dogs. He was denied this permit by Bocko on the basis it was a structure. Lavery has looked into the issue and thinks that Bocko may have been wrong on this issue. Lavery believes the Committee can go forward and issue a vending license to Rosamilia to permit him to allow selling hot dogs and soda in the parking lot of the park and private events only. If Rosamilia wants to sell any where else, he must conform to all Township Ordinances and apply to Bocko for any relief to be able to do that. Strunk said he would like to resolve this issue tonight.

Horensky said, if the Committee goes forward with this, how do they police it so they do not have illegal activities at the park with vendors coming from all over and wanting to set up shop. Strunk said this is an issue they should address in the future. Horensky said, with respect to the applicant and without prejudice, he would like to have answers to these questions before a decision is made. Strunk said Lavery said that Mr. Rosamilia has a special exemption in this case and if they want to deal with other vendors, they should enact an ordinance to be able to deal with them. Horensky, said, if a veteran from South Jersey wants to come in and put up another hot dog stand in the park, which is a Green Acres Park, or other organizations from all over, how does the Township protect itself from the park running into a massive vending operation. He would like to see this addressed first, before they institute something that would open the door before they have the ability to close it. Dempski said he would abstain from the discussion. Mueller asked if the others would have to go through the same procedure.

Horensky said, again, this has nothing to do with Rosamilia and what he wants to accomplish. If they are going to allow this to happen in the park, they have to be assured there is a way in which they can prevent it from turning into the parking lot full of vending machines or vendors at any given time, because they invoke a certain status that allows them to do this.

Strunk said, in this case, it is because of the Veteran Status that Rosamilia has an exemption. However, he agreed with Horensky that the Committee should work expeditiously to take care of other items. This man has waited far too long for an answer and he felt they should move on this matter tonight. Then, the Committee should direct Lavery to address the issues of others. Horensky said, he understands the status and what it is there for, but his comments are, how would the Township insure that on some given Saturday they don't have 14 hot dog carts show up at the park and say they have Veterans Status.

Mueller asked the difference between the ice cream truck and a hot dog truck. Strunk said he did not know, but they were addressing the hot dog truck this evening. There is nothing in the ordinance now to prevent vending, just soliciting. Strunk made a motion that the Township Committee respectfully overturn Tom Bocko's denial to Rosamilia who is a veteran, which makes him exempt from obtaining a vending license and he should be allowed to sell hot dogs and soda in the parking lot of the Township Park and private events. He must also comply with any other zoning requirements at any other locations, which must be approved by Tom Bocko. Strunk said that Rosamilia is aware of this and he must get Board of Health approval, which must be submitted to the Clerk, then receive a no fee license. Mueller seconded the motion.

The Clerk advised that she had contacted the Board of Health and they have no record of him having an inspection. Rosamilia said that was because he had not been allowed to vend in the Township, but he will see that it is done.

Strunk asked the Mayor to step down so he could take roll call.

ROLL CALL: Strunk, yes; Mueller, yes; Horensky, no for reasons indicated; Dempski, abstain.

Strunk said the motion passed, as an abstain counts as a vote.

Strunk said the Lavery should look into the issues on the vending in Township. The Mayor said they should draw up a more comprehensive ordinance on vending. It is a Green Acres Park and there are going to be certain

guidelines about what can be made for profit in the park and what cannot be. They should also include where the physical location of sales should be stated as well. The Mayor asked for a motion to direct Michael Lavery, Township Attorney, to draft an ordinance specifically detailing what can be sold on the public property and where. Horensky moved the motion, Strunk seconded.

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

Mueller said he would also like to have a better understanding of the Veterans Exemption and what it provides. Strunk asked Mueller to call Lavery to get this information.

2. Discussion of New Municipal Building - There was discussion on the light on the exterior of the new building, replacing the model that had been purchased and trying to get a refund on original lights. Mueller made a motion to approve Change Order 55 in the amount of \$3,214.00 for furnishing fourteen new exterior wall packs, Horensky seconded.

ROLL CALL: Mueller, yes; Horensky, yes; Strunk, no, based on the fact on his feeling on how the project was initiated and has gone forward and he wanted to make sure it was part of the record is why he reflected a no vote; Dempski, yes.

Elbassiouny came into the meeting at 7:45 p.m.

There was discussion on Change Order 56 for furnishing and installing thirteen additional fire dampers not shown on plans. de Boer said, unfortunately, the architect missed some fire dampers that should have been in the building, 22 of them. The Code and Construction Office did an inspection and spotted the error. The bottom line they will not get CO unless this is corrected. They took a good look at the plans and reclassified some of the rooms, which brought the need down to 13 fire dampers. After further discussion, Horensky made a motion to approve Change Order 56 in the amount of \$13,823.00, Mueller seconded.

ROLL CALL: Horensky, yes, with the understanding this is something that is required for us to do as a result of getting a CO to meet code; Mueller, yes; Elbassiouny, yes; Strunk no, for reasons stated previously on last motion; Dempski, yes.

Elbassiouny made a motion to approve Change Order 57 to add a band on the EFIS, because a specific color was not on original plans for a different color on EFIS in the amount of \$3,205.00, Horensky seconded.

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

There was discussion on Change Order 58 in the amount of \$10, 200.00 for additional labor and material necessary to design and construct a roof top fence. It was the consensus of the Committee not do anything on this Change Order at this time. The Mayor called for a motion on this twice, no action was taken.

There was discussion on Change Order 59 for furnishing additional labor and material necessary to design, fabricate and install casework for Work Stations 1, 2 and 3. No action taken at this time.

There was discussion on Change Order 60 for furnishing additional labor and material necessary to design, fabricate and install casework for Work Stations 4,5,6 and 7. No action taken at this time.

There was discussion on Change Order 61 for furnishing additional labor and material necessary to design, fabricate and install casework for Police Work Stations. No action taken at this time.

de Boer is getting new numbers on Change Orders 59, 60 and 61 and will back to Committee on the Work Stations or the offices may use existing furniture.

EXECUTIVE SESSION

Strunk made a motion to approve Resolution 08-96 - Resolution to go into Executive Session at 8:35 p.m. to discuss potential litigation, 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.

The Mayor said the Committee came out of Executive Session at 8:45 p.m. where they discussed potential litigation. They will be getting information from the Certified Public Works Manager and making a decision in near future on how to proceed with this matter. Once information is received, it will be reviewed with the Township Attorney.

de Boer asked Committee if there were anything they wanted to discuss on new Building. The Mayor said the police antenna is being relocated. There was discussion on whether this could come out of Police O&E. de Boer will check with Chief Mc Donald. Strunk asked how they will be moving and the costs of doing it. The barn will also have to be emptied. de Boer said he thought the move would be done in house. He said he felt the Administration Personnel should move first. There is no real rush for the Police and Code and Construction people to get into building. You have to get Administration out, because the building has been sold.

NEW BUSINESS

Horensky made a motion to approve the Recreation Commission using the Meeting Room for July 22 and July 24 for a Field Scheduling Work Shop Meeting from 7:00 p.m. until 9:00 p.m., Strunk seconded.. All were in favor.

PAYMENT OF BILLS

Strunk said the CFO had sent a memo to the Committee. One of the recommendations of the 2007 Audit was that all vouchers contain all appropriate signatures before funds are released by the Township. To comply with this recommendation, the Committee will need to state at the Township Meeting which vouchers they are not approving on the bill list presented at the meeting. A Committee Person may state their reason for their disapproval of voucher, because the vendor should know why it is not being paid. Mueller made a motion to approve the payment of bills, Elbassiouny seconded.

ROLL CALL: Mueller, yes; Elbassiouny, yes, with the exception of the Architect Voucher, Horensky, abstain; Strunk, yes with the exception of Architect, PO 19262 and Medina Consultants, PO 19300; Dempksi, abstain.

There being nothing further to come before the Committee, Horensky made a motion to adjourn at 9:05 p.m., Elbassiouny seconded. All were in favor.

Respectfully submitted,

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