

# TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Minutes  
March 18, 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 7:35 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 and 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 and Strunk, present. Michael Lavery, Township Attorney, Mary Ann O'Neil, Township Clerk, Peter de Boer, Certified Public Works Manager and Chief James Mc Donald were also present.

## SALUTE TO FLAG

APPROVAL OF MINUTES Horensky made a motion to approve the Executive Session Minutes, Session I, of January 15, 2008, Elbassiouny seconded. Horensky had a correction in the 7<sup>th</sup> paragraph, there was a colon on first row, before the word Mc Cain. Horensky made a motion to approve the minutes, as amended, Elbassiouny seconded. All were in favor.

Strunk asked that the Executive Session Minutes of January 15, 2008, Session II, be held the Township Attorney is looking into some issues. He would like the answers before they move on the minutes. Horensky said he had a correction under Item II, fifth line, there were two \$ signs, under Item III, second paragraph, the word citing should replace the word siting and ninth paragraph, fourth line, the word represents should read misrepresent. Mueller had a correction on first page, fifth paragraph, the word say should be replaced by the word day. The corrections will be made and the minutes will be approved at the April meeting.

Horensky made a motion to approve the Workshop Minutes of February 7, 2008, Mueller seconded All were in favor.

Horensky made a motion to approve the Budget Meeting of February 9, 2008, Mueller seconded. All were in favor, except Strunk who abstained.

Elbassiouny made a motion to approve the Executive Session Minutes of February 19, 2008, Mueller seconded. All were in favor, except Horensky and Strunk who abstained.

Elbassiouny made a motion to approve the Regular Minutes from February 19, 2008, Mueller seconded. All were in favor except Horensky and Strunk who abstained.

## ORDINANCES

Horensky made a motion to open Ordinance 08-04 Ordinance to Exceed the Municipal Budget Appropriation Limits & to Establish a CAP Bank (NJSA 40A:4-45.14) to the public, Mueller 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. Mueller made a motion to approve Ordinance 08-04, after public hearing and second reading, Elbassiouny seconded.

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

Elbassiouny made a motion to open Ordinance 08-05 Ordinance to Amend and Ordinance Fixing the Salaries of the Officers and Employees of the Township of Washington, County of Warren and State of New Jersey #2008-05 to the public, Horensky 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. Mueller made a motion to approve Ordinance 08-05, after public hearing and second reading, Horensky seconded.

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

Horensky made a motion to introduce Ordinance 08-07, Ordinance of the Township of Washington, County of Warren, State of New Jersey, Amending and Supplementing Chapter 123, Section 123.2G( 2) (m)to Require Service Stations Operating Twenty-Four (24) hours per day to obtain lighting approval in the HC and GC Zones first reading, Elbassiouny seconded.

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

Public Hearing and Second Reading will be Monday, April 14, 2008.

Horensky made a motion to introduce Ordinance 08-08 Ordinance of the Township of Washington, County of Warren, State of New Jersey, Amending and Supplementing Chapter 123, Section 123.2 to Amend the Definition of Service Stations to Permit Service Stations with Convenience Stores as a conditional use in the HC and GC Zones on first reading, Elbassiouny seconded.

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

Public Hearing and Second Reading will be Monday, April 14, 2008.

Elbassiouny made a motion to approve Ordinance 08-09, Ordinance of the Township of Washington, County of Warren, State of New Jersey, Amending and Supplementing Chapter 59 Titled "Construction Permits" of the Code of the Township of Washington on first reading. Horensky seconded.

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

Public Hearing and Second Reading will be Monday, April 14, 2008.

#### RESOLUTIONS

Horensky made a motion to approve Resolution 08-57 through and including 08-59, Elbassiouny seconded.

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

08-57 Acceptance of Letter of Credit, for Site Improvement Construction Costs on Village Shoppes at Hawk Pointe-Shop Rite (Asbury Farms, Bl 65, Lots 2 & 4. Bl 64.01 Lot 1)

08-58 Acceptance of Performance Bond, Asbury Farms, For Construction of Offtrack Improvements to Clubhouse Drive & Hawk Pointe Blvd. (Otherwise known as Roads A&B)

08-59 Resolution Recommending Committeeman Samir Elbassiouny to the Warren County Municipal & Charitable Conservancy Committee.

#### NEW BUSINESS

1. The Mayor said there would be a presentation by Karen Williamson, Landscape Architect, from the Heritage Conservancy and once done, if the Committee agreed, they would pass Resolution 08-62.

Williamson said, she was present to talk about the proposed Designation of Route 57 as a Scenic By Way.

After the presentation, the Committee required further information and asked Ms. Williamson to return for the May Work Shop Meeting on May 1, 2008. There was no action taken on Resolution 08-62.

#### RESOLUTIONS

Elbassiouny made a motion to approve Resolution 08-63, Resolution Protesting the Reduction of State Aid to Rural Municipalities, Horensky seconded. Copies were to go to Governor Corzine, State Senator Lance, Assemblyman Doherty, Assemblywoman Karrow and surrounding municipalities. All were in favor.

Horensky made a motion to approve Resolution 08-60, Resolution of the Township of Washington, County of Warren, State of New Jersey, Authorizing the Sale of Certain Property owned by the Township and not required for Public Purposes, (350 Route 57 West) Pursuant to N.J.S.A. 40a-12-13(A) ET SEQ,

Elbassiouny seconded.

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

Elbassiouny suggested the increments on the Asbury Anderson Road be changed on Resolution 08-61 and made five thousand, not fifty thousand. Elbassiouny and Horensky wanted the information that it is not a conforming lot be put in the description. Horensky made a motion to approve Resolution 08-61, as amended, Elbassiouny seconded.

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

#### REPORT FROM STAFF

de Boer said on the fields, he recommended they open the baseball fields on Monday, March 24 and the entire park on March 31 for practices. Elbassiouny asked if there were any plans to make some fields just game fields and no practice would be done on them. Ray Berrie, Recreation Commission, asked which sport he was talking about, Elbassiouny said soccer. Berrie said, for soccer, they have kept S1 that way, but there are a number of lacrosse teams coming in and in order to fit them in, they need to move some soccer practices from D7 to S 1. Horensky said, as long as Berrie was present, he had a comment to make to him to get out to all the coaches on all the sports. They should look at the fields as an asset to the community When they are not really in a playable condition, it is not a way for the Township to stop recreation, it is a way to protect the fields. Last years there was a problem when coaches insisted on playing when the maintenance crew was at the fields and said they would just tear the fields up. He would like the coaches to work along with the Township to make sure the assets stay valuable for years to come. Berrie said he agreed and they do try to get that message across every year. There are always a few individuals who choose to disregard the message, but there is not a whole lot they can do about it. They would like to get the police department involved in enforcing the fields closed signs and they are looking into that right now.

Chief Mc Donald said had distributed the Overtime Report and Monthly Report to the Committee. Also, several months ago there had been discussion on grant writing. He contacted a company called Grant Writing USA and the Police Department is sponsoring a grant writing seminar on June 2 and 3 at Warren County Community College. The police department has two seats taken now, but at least four may open up and he recommended they be offered to Police, Fire, Code and Construction and Department of Public Works. The Chief said if he gets another free seat, he will offer it to the school. The chief also commented that they would keep an eye on the fields.

### PUBLIC QUESTIONS AND CONCERNS

Frank Cregan, 62 Merlin Drive, said he hopes none of the new ordinances concerning service stations will undo what was done with Petro Plaza to prevent it being a truck stop, namely eat in facilities.

Nobody else from the public wished to be heard.

### OLD BUSINESS

The Mayor said the OEM Search Status will be done during the Executive Session.

### NEW BUSINESS

2. Request from Hampton requesting flag pole for their recreation field - A request had been received from Hampton Mayor Rob Walton for one of flag poles at the new Municipal Building. They would like the flag pole for their little league field on Foss Avenue. The flag would be in memory of Brian Bogart, who was a long time volunteer of the Hampton Recreation Association and former employee of the Washington Township DPW until his untimely death. Mueller made a motion to approve a flag pole being donated to the Hampton Recreation Fields, in memory of Brian Bogart, Elbassiouny seconded.

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

The Mayor said that Lavery will do a resolution on donating the flag (public property) for a future meeting.

Mueller pointed out that the flag pole at the existing Administration Building should be moved, because it was an Eagle Scout Project.

3. Review of ENSR Quote for monitoring - The Mayor said a proposal had been received from ENSR to continue on the Port Colden Monitoring. The new proposal is for \$8580. Mueller made a motion to approve the proposal from ENSR for Port Colden Monitoring, Horensky seconded.

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

4. The Mayor said there would be a mailing on Stormwater Management Clean Community Grant by Good Impressions. This is a State Mandate and must be done by June. Mueller said he would like to review it before the mailing goes out. Elbassiouny made a motion to approve the mailing in the amount of \$1154.45 to be taken out of the Clean Community Grant, Horensky seconded.

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

5. Mueller made a motion to approve Peter de Boer, Public Works Manager, to attend a class on March 28, 2008 in Holmdel, New Jersey, Strunk seconded. All were in favor.

### REPORTS FROM STAFF

R.J. Strunk said he had received a telephone call from Barbara Emery, CFO, regarding the number of hours that Meadow (treasurer) was allowed to work during a week. He said that during the interview, he and Elbassiouny both recall Meadow being told it would be between 26 to 29 hours. There has been some confusion, because some of the information submitted said she could work 32 hours. Strunk wanted this clarified and a motion made that her hours were not to exceed 26 to 29 hours. Strunk made a motion that Meadow Mc Cain, treasurer, shall not exceed working 29 hours in any week, Horensky seconded.

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

John Horensky said he had been to the Fire Department and Fire District Meetings. No report to make on this.

He has been doing an OEM search and results will be presented in Executive Session.

Barry Mueller said the Recreation Commission has formed a sub committee to review the use fees for the park. Mueller said the fields are being used at maximum. It is frustrating for those using them and for Recreation Commission who does the scheduling. Elbassiouny asked if the fields are being overused because everybody is using them. Is there a way they can limit the number of times used? Mueller said the sub committee is also looking into this matter.

Mueller asked for feedback on the lifetime achievement recognition by Committee.

The Historical Preservation Commission are anxious to help decorate the new Municipal Building. They have some ideas and if the Committee so desires, they would like to proceed with photographs, maps, etc.

Samir Elbassiouny said one of the Code and Construction employees was in a car accident. In the meantime, they have been given another vehicle.

He and Mueller are working with Washington Borough on Shared Services and have some great plans on the table. They will present the results in a few months, which will benefit both municipalities.

Mayor David Dempski attended a meeting on March 7 at the Pequest Hatchery and Assemblywoman Marcia Karrow was present. He handed out a copy of some of the bills she is putting forth. She is proposing to take on some of the aspects of sex offenders living in residential areas, three bills for COAH Relief in terms of helping with mutual contribution agreements, limiting affordable housing in planning areas 4 and 5 and a bill which would allow Washington Township or other Townships to become certified to reserve affordable housing for employees and staff.

He met with residents at Hawk Pointe and for some reason, the roads sidewalks and public areas have not been accepted. The engineer has met with residents and there was confusion on escrow funds available. He is going to reach out to the developer to see if he can recharge his escrow account to have engineer do the final inspections. If this does not work out, he would like to have a motion to allow the Township to take funds from the 10% cash payment on the bond, not to exceed \$2,000, to be used for engineering inspections pending legal review. Lavery is researching this. Elbassiouny made a motion that if the developer, Pinnacle, does not replace escrow monies, that the Township take funds, not to exceed \$2,000 from cash payment of bond, for engineering inspections pending legal review, Horensky seconded.

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

He is still processing the COAH request for waiver.

If all goes well, they will be introducing the budget on April 4 and public hearing and adoption will be on May 20 and a copy of the PDF State Budget Forms will be put on Township Website for review and inspection.

On Finance, he would like to see the gas/diesel bid done and go out for bidding on it and not be chained to one vendor.

de Boer said he has contacted the various municipalities and the school and they are interested in the Township getting above ground storage tanks. Elbassiouny said, if this was done, it might be a good idea to take it to someplace else rather than the new municipal building. de Boer will have various options look at for the tanks.

#### PAYMENT OF BILLS

Horensky made a motion to pay any bills that the each committeeman has signed, Elbassiouny seconded.

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

#### EXECUTIVE SESSION

Horensky made a motion to go into Executive Session at 9:10 p.m. for a matter of personnel and one update on attorney/client privilege on a liquor license, Elbassiouny seconded.

The doors were opened. Elbassiouny made a motion to come out of Executive Session at 9:55 p.m., Horensky seconded. All were in favor.

Lavery said the Committee emerged from Executive Session at 9:55 p.m. where they discussed personnel matter, Emergency Management Coordinator and an attorney/client privilege matter, dealing with ABC and Grape Vine and Investigation Matter and another personnel matter dealing with the Treasurers hours. No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no harm to the public.

Horensky made a motion to approve the hiring of Steven Scher as Emergency Management Coordinator, effective immediately, serving the unexpired term of James Vergos, who then resigned, Elbassiouny seconded.

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

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

Respectfully submitted,

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