

# TOWNSHIP OF WASHINGTON, WARREN COUNTY

Special Meeting  
December 3, 2009

The special meeting of the Washington Township Committee and Washington Township Land Use Board was held this date in the Washington Township Municipal Building located at 211 Route 31 North, Washington, N.J. The meeting was called to order at 7:39 p.m. by Mayor Samir Elbassiouny

SUNSHINE LAW COMPLIANCE - The Mayor noted that this meeting was being held in compliance with the Open Public Meeting 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 Clerks Office.

This agenda is subject to change by order of the Washington Township Committee before and/or during the scheduled meeting. The purpose of this meeting was for the purpose of a public hearing to present, discuss and accept public comments on the DRAFT Highlands Council Regional Master Plan Element of the Washington Township Master Plan and adopt a Township Committee Resolution of Petition for Plan Conformance in accordance with the Highlands Act.

ROLL CALL: Elbassiouny, present; Mueller, present; Strunk, present. Klingel ( 8:15 p.m). Kovacs was absent. Peter de Boer, Township Administrator and Anna Godfrey, Deputy Clerk were also present.

ROLL CALL BY LAND USE BOARD: Artigliere, present; Howell, present; Vergos, present; Sodtablers, present; Finke, present. Christine, Rossi, Cavazzini and Zaret were absent.

## SALUTE TO FLAG

Scarlett Doyle, Land Use Board Planner, said the first act of the evening would be a discussion and vote by council on the petition for Planning Conformance. Washington Township is in two portions of the Highlands Region, Preservation and Planning. The resolution before Council will be dealing with the Preservation Area. It is premature to make a fully informed decision on the Planning Area.

Strunk asked if the Township did not pass the resolution, would that open the Township up to COAH Regulations? Land Use Attorney Steve Gruenberg said yes. The Mayor said the resolution would protect the Township and give them a way out.

The Land Use Board had a brief discussion on how this would work for farmers and residents. The Mayor said that no one really thinks this is just, however the Township Committee as the governing Body must vote on the resolution.

The Mayor opened the discussion to the public.

Committeeman Robert Klingel came into the meting at 8:15 p.m.

Jim Kelsey, Independence Township and member of Land Use Board, Hank Klump, Tewksbury Township, and David Shope, Long Valley, gave both written and verbal dissertations urging the Township Committee to turn down the resolution to join the growing list of communities to oppose these Highlands Deadlines and Regulations.

Cheryl Burket asked Scarlett Doyle what would change if the Township went with this on an environmental standard. She said all of the large pieces of land are already preserved. Eric Sodtalbers, Land Use Board Member, said this is not correct. There are many farms that are not preserved and there is a large piece of land in the Township that is not preserved. Burket said we must really watch water resources.

Al Ivany said he wanted to provide information regarding the Pohatcong Valley Super Fund Site, even though most of it is not in the highlands, which he handed to the Committee. He wanted to make everyone aware of how this could effect the township in the future.

The Mayor asked if anyone else wished to be heard, nobody did. Strunk made a motion to close the Township Committee Portion of the Public Hearing, Mueller seconded.

ROLL CALL: Mueller, yes; Strunk, yes; Klingel, yes; Elbassiouny, yes.

A motion was made by a Land Use Board Member to close the public hearing, which was seconded. All were in favor.

Steve Gruenberg, Land Use Attorney, gave a wrap up, Highlands does provide legal representation to the Townships that opt to go into Planned Conformance. No one knows just how much representation they will give, because no one has had to use them. This is a State Regulation that the Township has to opt into, so they should provide legal representation. Klingel asked if this Resolution is recommended by the State. Scarlett Doyle said she had spoken with Christine Danis, Highlands Council Representative for this area and told them this was on the schedule. She advised her that the Committee could not agree with certain things and she advised what the modifications were in the resolution.

Land Use Board Members Sodtablers, Finke and Vergos gave reasons to the Township Committee why this resolution should be turned down.

Artigliere, Chairman of the Land Use Board, said that all of these issues have already been raised in litigation and he thinks the resolution protects the Township if there are additional problems. As much as we like to ignore laws that we do not like, we should consider the costs and ramifications if we do not adopt this resolution. We cannot ignore the laws that we do not like. Klingel said his concern was without the resolution the State down the line can dictate to us how we should run our municipalities. He wants to protect the Township.

There was a lengthy discussion regarding the pros and cons of passing the resolution. After the discussion, Strunk made a motion to approve Resolution 09-158, Washington Township Submission of Petition for Plan Conformance to the Highlands Water Protection and Planning Council for Land in the Preservation Area and in the Planning Area, Klingel seconded.

ROLL CALL: Mueller, no; Klingel, yes; Strunk, yes; Elbassiouny, yes.

There being nothing further to come before the Committee, Klingel made a motion to adjourn at 9:11 p.m., Mueller seconded.

ROLL CALL: Klingel, yes; Mueller, yes; Strunk, yes; Elbassiouny, yes.

Respectfully,

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

The minutes are from a recording of the meeting and have not been approved by the Committee. They will be approved at the next regular Township Meeting on Tuesday, December 15, 2009.