

# WASHINGTON TOWNSHIP REORGANIZATION MINUTES

**JANUARY 1, 2009**

The Clerk swore Michael A Kovacs in as Township Committeeman for a three year term, prior to the beginning of the Reorganization Meeting.

Township Clerk Mary Ann O'Neil called the 2009 Reorganization Meeting to order at noon on this date at the Washington Township Municipal Building located at 211 Route 31 North, Washington, NJ, 07882.

SUNSHINE LAW COMPLIANCE - The Clerk 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 in the Clerks office. This agenda is subject to change by order of the Township Committee and/or during the scheduled meeting.

## ROLL CALL:

Elbassiouny, present; Horensky, present; Kovacs, present; Mueller, present; Strunk, present.

## SALUTE TO FLAG

## NOMINATIONS FOR MAYOR

The Clerk asked for nominations for Mayor of Washington Township for a one year term. Horensky nominated Samir Elbassiouny. The Clerk asked if there were any further nominations for Mayor. Horensky moved to close the nominations, Kovacs seconded. All were in favor. The Clerk asked for a motion for the appointment of Samir Elbassiouny as Mayor of Washington Township for one year. Horensky made this motion, Kovacs seconded. All were in favor

The Clerk swore Samir Elbassiouny in as Mayor of the Township of Washington for a one year term, expiring 12/31/09.

## NOMINATIONS FOR DEPUTY MAYOR

Horensky made a motion to appoint Barry Mueller as Deputy Mayor for one year term, Kovacs seconded.

ROLL CALL: Horensky, yes; Kovacs, yes; Mueller, yes; Strunk, yes; Elbassiouny, yes. The Clerk swore Barry Mueller in as Deputy Mayor of the Township of Washington for a one year term, expiring 12/31/09.

## TOWNSHIP ATTORNEY

The Mayor said they had solicited bids through a Fair and Open Process. It was advertised in the paper and several RFPs from professionals had been received. Horensky made a motion that Michael Lavery be appointed as Township Attorney at a monthly retainer of \$3000 a month, Kovacs seconded. Strunk said he would like to see an accounting of the hours worked for the Township submitted monthly.

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

## APPOINTMENTS

Elbassiouny made a motion to approve the appointment of Mary Ann O'Neil, for a term of one year (12/31/09) to the following positions, Election Official, Affirmative Action Officer, Secretary to the Local Board of Health, Secretary to the Safety Committee, Custodian of Government Records, Public Agency Compliance Officer and Safety Coordinator, and Certified Municipal Registrar for a three year term (12/31/11) Mueller seconded. Elbassiouny, yes; Mueller, yes; Horensky, yes; Kovacs, yes; Strunk, yes.

Mueller made a motion to approve the appointment of Anna C Godfrey for a one year term (12/31/09) for Deputy Election Official and Deputy Custodian of Records and Deputy Township Clerk, and three (3) year term (12/31/11) as Deputy Certified Municipal Registrar, Horensky seconded.

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

Horensky made a motion to approve Suzanne Heerwagen as Treasurer for a one year term ending 12/31/09, Mueller seconded.

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

Horensky made a motion to appoint Lydia Schmidt as the 911 Coordinator for a one year term expiring 12/31/09, Kovacs seconded. All were in favor.

Horensky made a motion to appoint Tom Bocko as Zoning Officer, for a one year term expiring 12/31/09, Mueller seconded. All were in favor.

Kovacs made a motion to appoint Gary and Betty Wysocki as Animal Control Officers for a one year term, expiring 12/31/09, Strunk seconded. All were in favor.

Kovacs made a motion to appoint Daniel Wyckoff to the Office of Aging for Washington Township for a one year term expiring 12/31/09, Mueller seconded. All were in favor.

Horensky made a motion to approve Michael Finelli of Finelli Consulting Engineers, as Township Engineer, for a

three year term expiring 12/31/09, Strunk seconded. There was discussion on this appointment, because January 1, 2008, Finelli had been appointed to a three year term, expiring 12/31/10 and Medina, who was in the second year of a three year term, would finish projects they were working on. Kovacs felt, in-as-much as Medina's term was until 12/31/09, his name should be on the appointment. This was to be researched by Lavery for a future meeting. All were in favor.

Strunk made a motion for a one year term, expiring 12/31/09, for following Court Personnel: the Shared Court Administrator Jerrilyn Harris, Deputy Court Administrator Vera Hart, Violations Bureau, Rosemarie Hoover and Judith Casella, Municipal Prosecutor Brett Morrow and Public Defender Donald Farino, Horensky seconded. All were in favor.

Horensky made a motion to approve Pete de Boer and Joann Fascenelli as Recycle Coordinators, for a one year expiring 12/31/09, Strunk seconded. All were in favor. Strunk said he would like to see the Committee look into taking the convenience passes now being issued by Finance, out of Finance, because it is overwhelming. It should be given to Recycling, because that is where the money goes. The Mayor said this would be discussed at a future meeting. de Boer said there is a history on this being done and he could advise Committee.

Horensky made a motion to appoint Dave Evans, of Nisivoccia & Company, as Municipal Auditor, for a one year term, expiring 12/31/09, Kovacs seconded. All were in favor.

Kovacs made a motion to appoint Hawkins, Delafield & Wood LLP, as Bond Counsel for a fee of \$3500, plus \$1.00 per \$1000, up to \$15 million, for a one year term, expiring 12/31/09, Horensky seconded.

Kovacs said he had talked with the auditor recently and asked about bonding. He recommended, right now, the way things are, they should stay with BANS, because the rate is much better. Strunk said he is still concerned about this, because they are carrying debt from 1998 in BANS. The Mayor said this would be discussed further at budget time.

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

Horensky made a motion to appoint Michael Finelli Consulting Engineers as Consultants of the Land Use Board at a rate of \$125/hour, Mueller seconded.

Mueller made a motion to approve Pat Kollar as Municipal Alliance Coordinator, for a one year term, expiring 12/31/09, Strunk seconded. All were in order.

Horensky made a motion to approve Barry Mueller as member from Committee on the Municipal Alliance, for a one year term, expiring 12/31/09, Strunk seconded. All were in order.

Horensky made a motion to approve Lt. Thomas Cicerelle as Emergency Management Coordinator, for a three year term, expiring 12/31/11, Kovacs seconded. All were in favor.

Horensky made a motion to approve Bruce Smith as Sewerage Consultant, for a one year term, expiring 12/31/09, Mueller seconded. All were in favor.

There was discussion on Consulting Engineers, which has always been CREW. Horensky made a motion to table this appointment at this time, Strunk seconded. All were in favor.

There was discussion on Appraisers. Strunk made a motion to table this appointment at this time, Horensky seconded, All were in favor.

Horensky made a motion to approve Martin Allen as Special Tax Litigation at \$130/hour and Edward Glynn, for Special Litigation, \$130/hour, Kovacs seconded. Strunk said he thinks there has been a very good success with Martin Allen, but without knowing what type of litigation, sometimes they have to specialize. He doesn't like to appoint someone without knowing exactly what their track records are or specialty would be. He had no problem with Martin Allen, but Ed Glynn, not knowing type of litigation, he is questioning the appointment. He was advised that Ed Glynn has been doing the continuing litigation. Strunk said he understood that but, when an issue comes up, they should specialize in the need. Horensky said, when it comes time for any special litigation, it should be passed through Lavery, Township Attorney. He could make a decision as to when he may be able to handle it or if it is litigation his firm could not handle, then he could recommend someone else to pass it to. Horensky said that Lavery could pass things on to Ed Glynn to be utilized whenever possible for his expertise to be used. Kovacs asked if this should be a case to case basis. Horensky said it would be on a case to case basis. There would be someone available if Lavery feels special litigation is needed. Strunk said, not knowing what particular problem they are getting into, he is one that has always felt specialized would be better. We do not know what Ed Glynn's strengths are and he would like to see special litigation split into two votes. After discussion, Horensky withdrew his motion, Kovacs withdrew his second. This motion will be done with separate motions.

Strunk made a motion to approve, Martin Allen, for a one year term expiring 12/31/09, to handle Special Tax Litigation at \$130/hr, Horensky seconded. All were in favor.

Horensky made a motion to approve, for a one year term expiring 12/31/09, Edward Glynn for Special Litigation in process and continue on with Special Litigation, at \$130/hour, Mueller seconded.

ROLL CALL: Horensky, yes; Mueller, yes; Kovacs, yes; Strunk, no, for reasons stated previously; Elbassiouny, yes.

#### ORDINANCE

Strunk made a motion to approve Ordinance 09-01 Salary Ordinance on first reading, Mueller seconded.

The Mayor said there is one correction that needs to be amended. For the Assistant Emergency Management Coordinator it is now \$500-\$1000 range, it will be amended to \$1000 to \$2000. The Mayor said, last year the Emergency Management Coordinator made around \$7500, but Cicerelle has decided he would do the job for \$7000. Strunk wanted the cap on the range for Emergency Management Coordinator at \$7500. It must be stated in writing what he is getting, just in case this comes up again. The Mayor said the position was offered to Cicerelle at \$7000 and he accepted, there would be no change. Strunk said he thought the range should be up to \$7500. After discussion, the motion was withdrawn. Strunk made a motion, on the Emergency Management Coordinator, that the range be \$4000 to \$7500, Mueller seconded. ROLL CALL: Strunk, yes; Mueller, yes; Elbassiouny, yes; Horensky, no, because a range is a range, and should not be tied with positions, it is a document that is there to give flexibility: Kovacs, yes.

Strunk made a motion to approve the salary range on Ordinance 09-01 for Deputy Emergency Management Manager to \$500 to \$2000, Mueller seconded.

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

Horensky made a motion to approve Ordinance 09-01, as amended, Mueller seconded. Strunk said he knows that much of this locked in with contracts, but with the economic situation it is unprecedented. People are losing their jobs and losing their homes and unfortunately this may incur an increase in taxes. In good conscience, at this time he cannot vote yes, because we are going through an economic crisis right now. People have not had raises forever or lost their jobs. The Township has good employees and they deserve to be paid well, but now is not the time to give out increases. It is a moral decision. If he had to face someone on the street he would need to have a reason that he voted one way. He wanted to reflect this.

ROLL CALL: Horensky, yes; Mueller, yes; Kovacs, yes; Elbassiouny, yes; Strunk, no for reasons as stated. Public hearing and Second Reading will be January 20, 2009.

Mueller made a motion to approve Ordinance 09-02 Ordinance Reauthorizing the Open Space Trust Fund for the Twp of Washington, Strunk seconded.

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

#### RESOLUTIONS

The Mayor asked if anyone wanted to pull any resolutions, otherwise they would be done with a Consent Resolution. Strunk asked that Resolution 09-21 be pulled. Strunk made a motion to approve Resolution 09-01 through 09-20 and 09-22 through and including 09-25, Kovacs seconded.

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

- 09-01 Resolution Authorizing Township of Washington Officials to Sign Checks
- 09-02 Cash Management Plan
- 09-03 Temporary Budget
- 09-04 Establishing Petty Cash Funds
- 09-05 Resolution Authorizing the Recording of Governing Body Executive Sessions & Maintaining Minutes
- 09-06 Resolution Designation Official Newspapers
- 09-09 Interest on Delinquent Taxes and Assessments
- 09-09 Tax Assessors/Township Attorney Stipulations
- 09-09 Regular Meetings of the Township Committee and Board of Health
- 09-10 Resolution Designating a Public Agency Compliance Officer (PACO)
- 09-11 Resolution Adopting a Uniform Notice of Claim
- 09-12 Resolution Appointing Public Alliance Insurance Coverage Fund Commissioner
- 09-13 Resolution Authorizing the Award of Fair and Open Contract for Township Attorney
- 09-14 Resolution Authorizing the Award of Fair and Open Contract for Special Litigation Counsel
- 09-15 Resolution Authorizing the Award of Fair and Open Contract for Special Tax Litigation Counsel
- 09-16 Resolution Authorizing the Award of Fair and Open Contract for Auditing & Accounting Services
- 09-17 Resolution Authorizing the Award of Fair and Open Contract for Bond Counsel
- 09-18 Award of Contract for Professional Services Without Public Bid - Public Defender (Donald Farino))
- 09-19 Award of Contract for Professional Services Without Public Bid - Municipal Alliance Coordinator (P Kollar)
- 09-20 Award of Contract for Professional Services Without Public Bid - Sewerage Consultant (B Smith)
- 09-22 Resolution to make appointment for Judge of Washington Township Municipal Court - 3 years
- 09-23 Municipal Master Signers Certificate/TD Banknorth Bank

09-24 Transfer Resolution

09-25 Resolution Regarding Liability Insurance Coverage Change of Broker of Record

Kovacs said they are dealing with an old salary ordinance from 2008 and the salaries may not be in Resolution 09-21. He is not sure the ranges are dealing with the resolution. Kovacs made a motion to approve Resolution 09-21, Salary Resolution, assuming all salaries are within the range, if not, salaries would be retroactive until the new ordinance is passed, Horensky seconded. Strunk said, as he stated before, the times we are going through now, the Township has good employees and they deserve to be paid well, but they have got to rethink things and bring the cost of government down. They cannot afford raises now with people losing their jobs and homes. This has been a consistent concern when they did initial union contracts, starting in 2004, they should rethink the way they do contracts and not give raises out all the time as government does. He could not vote for raises now with people losing jobs.

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

#### APPOINTMENTS TO BOARDS

##### Environmental Commission

The Mayor appointed Robert Finke to a three (3) year term, expiring 12/31/11, to the Environmental Commission and Al Ivany, as Chairman, to a one year term, expiring 12/31/09.

##### Historical Preservation Commission

The Mayor appointed Charlene Haun, to a Class A Membership, for a four (4) year term expiring 12/31/12 to the Historical Commission. He also appointed Susan Dickey, to a Class C Membership, for a four (4) year term, expiring 12/31/12.

##### Land Use Board

The Mayor is the Class I Member of the Land Use Board with a one (1) year term expiring 12/31/09. Evan Howell was appointed to a one (1) year term to the Land Use Board, Class II, with a term expiring 12/31/09. Horensky made a motion that Barry Mueller be appointed to a Class III Membership for a one (1) year term expiring 12/31/09, Elbassiouny seconded.

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

The Mayor appointed Mark Rossi, Erich Sodtalber and James Vergos to Class IV to four (4) year terms expiring 12/31/12. He appointed Efrem Zaret as Alternate #1 for one year term expiring 12/31/09 and Gordon Wallace as Alternate #2 for a two (2) year term expiring 12/31/10.

##### Recreation Commission

The Mayor appointed Stephen Fritts to a five (5) year term, expiring 12/31/12, on the Recreation Commission. He appointed James Miller as Alternate #1 for a one (1) year term expiring 12/31/09.

#### APPOINTMENT OF 2009 LIAISONS

The Mayor said this is a five man committee. Each member will be appointed as liaison to various departments. He stressed, if there are any situations between departments, respect the liaisons. If this could not be solved, address the Mayor, then if it is not resolved, it can come before the Committee. Strunk said that all he asks is for timely responses acknowledging some of his requests, there was difficulty last year. He has always tried to respond acknowledging one way or another. This would be a big help.

##### Samir Elbassiouny

Farmland Preservation/Open Space

Police Department

Shared Court

Township Attorney

Township Clerk

Deputy Township Clerk

Township Engineer

Emergency Management

Fire District/Fire Department/ Fire Official

##### John Horensky

Public Health Officer

Senior Citizens Advisory Committee

Finance Department

Tax Assessor

Tax Collector

Budget & Finance

Township Auditor

##### Michael Kovacs

Department of Public Works

Building & Grounds

Warren County Community College  
Board of Education/Washington Township  
Recycling

Barry Mueller

Environmental Commission  
First Aid Squad  
Historic Preservation Commission  
Municipal Alliance  
Recreation Commission Administrator/Recreation Commission  
Warren-Morris Council of Governments (Shared Services)  
Shared Code & Construction Office

Jeff Strunk

Affordable Housing  
Clean Communities Coordinator  
Township Web Site/Public Information  
Zoning Officer  
Animal Control  
Board of Education-Warren Hills Regional  
Public Utilities  
Economic Development Commission  
Warren County Solid Waste Advisory Committee

Shared Library Study Committee - Samir Elbassiouny & Barry Mueller

Shared Municipal Court Review Committee - Samir Elbassiouny & Barry Mueller

Mayor

Land Use Board Class I Member (as required by Municipal Land Use Law)

BUDGET WORK SHOP MEETINGS

Horensky made a motion that the Budget Work Shop Meetings should be held at 10:00 a.m. on Saturday, January 24, Saturday, February 14, Saturday February 28 and Saturday, March 14, Mueller seconded. All were in favor.

PUBLIC QUESTIONS AND CONCERNS

Tom Prisk, 5 Osprey Rd., congratulated Samir on his appointment as Mayor and welcomed Michael Kovacs back on the Committee. The Mayor asked for a motion to close the public session. Mueller made a motion to close the public session, Horensky seconded. All were in favor.

COMMENTS FROM OFFICIALS

R.J. Strunk said they should consider going to two meetings a month. They are taking in \$15 million dollars and running between a \$4 million and \$5 million budget a year. When they held the work shop during the construction of the new building, it moved the regular meeting along better and the bills got paid quicker.

John Horensky wished everybody a new year and was glad to be sitting with the Committee and Clerk to do the business of the Township. One of the issues that he would like to see the Committee tackle this year is just that, "tackle issues." Separate issues, problems and concerns from persons and personalities. It is important to solve problems and issues and leave persons and personalities out of the equation. They should make it a priority that the residents of the Township be served, not individual preferences, but is what is best for the Township.

Barry Mueller said he is looking forward to working with this Committee for another year in the best interest of the Township Residents.

Kovacs said it is his 19<sup>th</sup> year on serving on the Committee and thinks it time to buy a hearing aid.

Strunk said he agreed with Horensky and Elbassiouny, that when Committee people feel they have issues they feel they need to bring to the boards attention, they should do that, because they need a good accountability in government and they could do a better job.

The Mayor said he agrees with every and the only priority they have is to serve in the best of their ability to the Township. He echoes everybody.

Horensky said he wanted to recognize the fact that Tom Prisk has been at many, many meetings and shown his

sincere interest in the Township. Strunk made a motion to honor Tom Prisk for his diligence in attending meetings and showing interest in the Township, Horensky seconded. All were in favor.

Horensky said he also wanted to recognize Dr. William Austin, President of Warren County Community College, for being at the meeting. It is very important that the governing body recognize their partners, they cannot do the job by themselves. Our partners, our employees, our businesses and other individuals are the backbone of the Township and make it great.

PAYMENT OF BILLS

Horensky made a motion to pay the bills, Strunk seconded.

ROLL CALL: Horensky, yes; Strunk, yes to the bills he signed; Kovacs, abstain; Mueller, yes; Elbassiouny, yes.

There being nothing further to come before the Committee, Horensky made a motion to adjourn at 1:00 p.m., Elbassiouny seconded. All were in favor.

Respectfully,

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