

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting
March 19, 2019

The regular meeting of the Township Committee was held on this date at the Washington Township Municipal Building, 211 Route 31 North, Washington, N.J. The meeting was called to order at 7:30 pm by Mayor Klingel.

SUNSHINE LAW COMPLIANCE – Mayor Klingel 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. This agenda is subject to change by order of the Washington Township Committee before and/or during the scheduled meeting.

ROLL CALL

Fiore, present; Kovacs, present; Rossi, present; Willan, present; Klingel, present

STAFF PRESENT

Ann Kilduff, Township Clerk; Attorney Michael Lavery; Peter deBoer, Township Administrator; Chief Cicerelle; Andrew Hart, Assistant Superintendent of Public Works; Eileen Parks, Acting CFO; Lt. John Kaufmann; Lt. James Teter; members of Washington Township Police Department

SALUTE TO THE FLAG

APPROVAL OF MINUTES

A motion was made by Fiore, seconded by Rossi, to approve the minutes of the Budget meeting of February 16, 2019.

ROLL CALL: Fiore, yes; Rossi, yes; Kovacs, yes; Willan, yes; Klingel, yes

A motion was made by Fiore, seconded by Willan, to approve the Executive Session minutes of the Budget meeting of February 16, 2019.

ROLL CALL: Fiore, yes; Willan, yes; Kovacs, yes; Rossi, yes; Klingel, yes

A motion was made by Rossi, seconded by Fiore, to approve the minutes of the regular meeting of February 19, 2019.

ROLL CALL: Rossi, yes; Fiore, yes; Kovacs, yes; Willan, yes; Klingel, yes

A motion was made by Kovacs, seconded by Fiore, to approve the Executive Session minutes of the regular meeting of February 19, 2019.

ROLL CALL: Kovacs, yes; Fiore, yes; Rossi, yes; Willan, yes; Klingel, yes

A motion was made by Willan, seconded by Fiore, to approve the minutes of the Budget meeting of February 23, 2019.

ROLL CALL: Willan, yes; Fiore, yes; Kovacs, abstain; Rossi, yes; Klingel, yes

A motion was made by Fiore, seconded by Rossi, to approve the Executive Session minutes of the Budget meeting of February 23, 2019.

ROLL CALL: Fiore, yes; Rossi, yes; Kovacs, abstain; Willan, yes; Klingel, yes

The Township Clerk administered (2) Oaths of Office, the first to Patrolwoman Valeriya Bagmut, the newest member of Washington Township Police Department and the second to Andrew Hart, Washington Township's new Superintendent of Public of Works.

Mayor Klingel introduced Carly Sopko of ShopRite of Washington and read the following proclamation:

***PROCLAMATION DESIGNATING
MARCH 2019 AS
NATIONAL NUTRITION MONTH***

WHEREAS, food is the substance by which life is sustained; and

WHEREAS, the type, quality, and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and

WHEREAS, there is a need for continuing nutrition education and a wide-scale effort to enhance healthy eating practices.

NOW, THEREFORE, BE IT RESOLVED, that I, Robert Klingel, Mayor of the Township of Washington, County of Warren, State of New Jersey hereby proclaim March 2019 to be National Nutrition Month and I encourage all citizens to join the campaign and become concerned about their nutrition and the nutrition of others in the hope of achieving optimum health for both today and tomorrow.

Mayor Klingel recognized those in attendance from the Washington Township Panther Football Program and read the following proclamation:

***PROCLAMATION TO RECOGNIZE THE
WASHINGTON TOWNSHIP PANTHER FOOTBALL PROGRAM***

WHEREAS, through hard work, great coaching and natural talent, the Washington Township Panther Football Team accumulated an outstanding record, having won the 2018 Warren County Midget Football League. An undefeated Panthers entered the Championship game with the Steele Hill Bulldogs. The Panthers defeated the Bulldogs 41-13; and

WHEREAS, the entire community is tremendously proud of this team's accomplishments in view of the fact that it is the Panther's sixth Championship since entering the Warren County Football League in 1995.

NOW, THEREFORE, BE IT RESOLVED that the Washington Township Committee congratulates the Washington Township Panther Football Team, cheerleaders, coaches and parents on their outstanding achievements and commends them for their hard work and outstanding accomplishments.

Coaches: Sam Knutson, Steve Fritts, Eric Walls, Rob Rhinehart, Mark Cryan, Joe DeFranza, Mike Ferroni, Melvin Warren, Kyle Kays, Ronnie Pantuso, Jason Kries, and Georgette Miller

Players: Charles Amon, Hunter Cleaver, Vince Costa, Justin Daniel, Luke Dugan, Anthony Ferroni, Ralph Hagens Jr., Paulie Hamas, Tyler Hoffman, Luke Hufford, Johnathon Hurst, Jonathan Lewis, Anthony Mammaro, Cody Miller, Bryce Miller, Jarett Pantuso, Ryan Van Nest, Cameron Walker, and Maurice Warren

Cheerleading

Coaches: Tina McCatharn, Rachael Rhinehart, Nicole Cleaver, Veronica DeVoe, and Kellye Kries

Cheerleaders: Jada Berger, Bridgain Jaikin, Marissa Cozzolina, Kaitlyn DeGeorge, Alyssa Donoghue, Liya Gundersen, Keely Hunter, McKenna Konya, Madison McKenna, Mia Nisivoccia, Sabrina Nunez, Emily Read, Ava Rhinehart, Rylee Rhinehart, Natalie Ringer, Emma Schaffer, and Emma Smith

BE IT FURTHER RESOLVED, the Washington Township Committee wishes the Washington Township Football Program continued success in all future endeavors.

A statistical presentation was given by Dr. Phil Linfante, Mrs. Barbara Pratt, and Dr. Frank Gilly of Warren County Community College. The Committee found it to be most impressive.

ORDINANCES

A motion was made by Fiore, seconded by Rossi, to introduce to the public Ordinance 19-03, An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank – Introduction (2nd Reading, Public Hearing and Adoption at the April 16, 2019 meeting)

ROLL CALL: Fiore, yes; Rossi, yes; Kovacs, yes; Willan, yes; Klingel, yes

ORDINANCE NO. 2019-03

CALENDAR YEAR 2019

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS

AND TO ESTABLISH A CAP BANK

(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Washington in the County of Warren finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$170,976.08 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Washington, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of Washington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$170,976.08 and that the CY 2019 municipal budget for the Township of Washington be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

RESOLUTIONS

A motion was made by Kovacs, seconded by Fiore, to approve Resolution 19-66.

ROLL CALL: Kovacs, yes; Fiore, yes; Rossi, yes; Willan, yes; Klingel, yes

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION # 2019-66
DEFERRED REGIONAL HIGH SCHOOL DISTRICT SCHOOL TAX**

WHEREAS, the regional high school tax for the fiscal year July 1, 2018 to June 30, 2019 was raised in the 2018 tax levy in the amount of \$7,900,631.00; and

WHEREAS, the statutes permit the deferral of the cash liability of such school tax up to 50% of the school tax levy or \$3,950,315.50.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Washington, County of Warren that the deferred regional high school tax for the regional high school district be increased from \$3,918,084.50 to \$3,950,315.50 as of December 31, 2018; and

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Director of the Division of Local Government Services upon adoption.

A motion was made by Willan, seconded by Rossi, to approve Resolution 19-67.

ROLL CALL: Willan, yes; Rossi, yes; Fiore, yes; Kovacs, yes; Klingel, yes

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION # 2019-67
DEFERRED LOCAL DISTRICT SCHOOL TAX**

WHEREAS, the local district school tax for the fiscal year July 1, 2018 to June 30, 2019 was raised in the 2018 tax levy in the amount of \$6,218,548.00; and

WHEREAS, the statutes permit the deferral of the cash liability of such school tax up to 50% of the school tax levy or \$3,190,274.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Washington, County of Warren that the deferred local district school tax for the local school district be increased from \$3,039,660.00 to \$3,109,273.00 as of December 31, 2018; and

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Director of the Division of Local Government Services upon adoption.

Mr. John Mooney, Township Auditor, offered a brief explanation of the 2019 Budget to the public.

A motion was made by Rossi, seconded by Fiore, to approve Resolution 19-68, 2019 Budget Introduction.

ROLL CALL: Rossi, yes; Fiore, yes; Kovacs, yes; Willan, yes; Klingel, yes

A motion was made by Willan, seconded by Fiore, to approve Resolution 19-69 through 19-79.

ROLL CALL: Willan, yes; Fiore, yes; Kovacs, yes; Rossi, yes; Klingel, yes

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION #2019-69**

RESOLUTION OF MUNICIPAL SUPPORT FOR THE COUNTY & STATE PURCHASE OF THE DEVELOPMENT EASEMENT ON THE KRISTOPHER ANEMA FARM, BLOCK 66 LOT 1.06 IN WASHINGTON TOWNSHIP CONSISTING OF APPROXIMATELY 20.25 (3%+) NET ACRES

WHEREAS, the Warren County Agriculture Development Board has determined that the property known as the Kristopher Anema Farm, owned by Kristopher Anema located on Block 66 Lot 1.06 in Washington Township, consisting of approximately 20.25 (3%+) net acres, has available for purchase a development easement in accordance with the requirements of the farmland preservation program; and

WHEREAS, the pressures from development have significantly heightened the degree of imminence of change of land use from productive agriculture to nonagricultural uses; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on May 15, 2018 it was determined by the State Agriculture Development Committee (SADC) that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on December 6, 2018 the State Agricultural Development Committee has certified a development easement value of \$4,000 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$4,000 per acre based on zoning and environmental regulations in place as of the current valuation date of September 7, 2018 with an estimated total value of \$81,000; and

WHEREAS, the property is part of the approved Warren County Planning Incentive Grant Application and is funded by the Warren County Open Space, Farmland, Recreation and Historic Preservation Trust Fund; and

WHEREAS, the tract would encourage the survivability of production agriculture in Washington Township, and said tract falls within a predetermined County Agricultural Development Area and is in the South East Project Area and property is located in the Highlands Planning Area; and

WHEREAS, the purchase of the development easement on the property will encourage the survivability of the productive agriculture in Washington Township and Warren County; and

WHEREAS, preliminary approval for the purchase of development rights on this farm has been granted by the State Agricultural Development Committee; and

WHEREAS, the SADC is expected to grant final approval for funding amount on said application at its May 23, 2019 meeting; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on March 21, 2019, the Warren County Agriculture Development Board is expected to approve the funding for the development easement with no cost share contribution by Washington Township as follows: SADC \$56,700, Warren County \$24,300; and

WHEREAS, the WCADB approval will include the following conditions:

- a. No existing structures on premises
- b. No existing agriculture labor housing on premises
- c. One non-severable exception of 4 acres around barns and outbuildings restricted to one single family residential unit and for future flexibility uses
- d. No Residual Dwelling Site Opportunities (RDSO's)
- e. No preexisting non-agricultural uses on premises
- f. Access easements to be determined by title search
- g. No proposed trails
- h. SADC funding from Base grant, competitive round or both
- i. Warren County is requesting SADC funding for a 3% buffer on the final surveyed acreage

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Washington, County of Warren hereby grants permission for the purchase of the development easement by the County of Warren under the Farmland Preservation Act as set forth above and will not be participating in the cost share.

**TOWNSHIP OF WASHINGTON
 WARREN COUNTY, NEW JERSEY
 RESOLUTION #2019-70**

**RESOLUTION AMENDING VARIOUS FEES IN ACCORDANCE WITH CHAPTER 71,
 SECTION 71-3, "FEES FOR USE OF THE TOWNSHIP PARK, BALL FIELDS, TENNIS AND BASKETBALL COURTS
 AND OTHER FACILITIES," OF THE CODE OF THE TOWNSHIP OF WASHINGTON**

WHEREAS, from time to time the Recreation Fees in the Township of Washington are amended or modified; and

WHEREAS, the Washington Township Recreation Committee has recommended the following changes for 2019:

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Washington, County of Warren, State of New Jersey that the Recreation Use Fees for 2019 area as follows:

Fees for use of Township park, ball fields, tennis and basketball courts and other facilities.

BALL FIELDS, TENNIS & BASKETBALL COURTS (TEAM PLAY, PER SEASON)

Note: This fee enables a team to use a field for up to 10 hours per week.

	<u>Fields</u>	<u>Township Residents</u>	<u>Non-Twp. Residents</u>
Youth Leagues (9-18 yrs.)	D1-7, F1, P1, S1, S2, S5	\$ 125	\$ 150
	S3, S4, PC, BB, VB	\$ 50	\$ 100
Adult Leagues (over 18 yrs.)		\$ 150	\$ 300
Ages 8 and Under		No Fee	

In order for an organization to qualify for Township resident fee rates, the team must be made up of 50% Washington Township residents. A list of participants with addresses may be required.

Additional fees for paint (for field marking) will be calculated and charged per team on a usage basis.

Damage done to fields may incur additional charges.

It shall be required that fees and/or charges, as hereby mentioned above, must be collected before further usage of fields by a team/entity shall be granted.

PAVILION - DAILY FEE

	<u>Time</u>	<u>Group Size</u>	<u>Township Residents</u>	<u>Non-Twp Res or Non-Profit</u>	<u>Commercial (For Profit)</u>
Monday - Thursday	4 hours	Up to 50	\$ 30	\$ 60	\$ 100
		Over 50	\$ 55	\$ 110	\$ 150
Friday - Sunday & Holidays	4 hours	Up to 50	\$ 60	\$ 120	\$ 250
		Over 50	\$ 90	\$ 180	\$ 300

RECREATION BUILDING – DAILY FEE

	Time	Group Size	Township Residents	Non-Twp	Commercial (For Profit)
Monday-Thursday	4 hours	Up to 40	\$50.00	\$75.00	\$100.00
	4 hours	Over 40	\$75.00	\$100.00	\$150.00
Friday-Sunday & Holidays \$250.00	4 hours	Up to 40	\$100.00		\$150.00
	4 hours	Over 40	\$125.00	\$175.00	\$300.00
<u>Non-Profit Groups*</u>					
Monday-Thursday	4 hours	Up to 40	\$50.00		
	4 hours	Over 40	\$100.00		
Friday-Sunday & Holidays	4 hours	Up to 40	\$100.00		
	4 hours	Over 40	\$150.00		

OTHER FACILITIES & EVENTS (per day)

	Township Residents	Non-Twp. Res or Non-Profit	Commercial (For Profit)	
Group Picnics / Church Functions (No Pavilion)		\$ 25	\$ 50	\$ 100
Sports camp, clinic, Tournaments, etc (per field / 4 hours)	\$ 50	\$ 100	\$ 150	
Refreshment Stand (per day)	\$ 20	N/A	N/A	
Horseshoe Courts (Warren County Horseshoe Club)		\$ 60 per year (Twp. & Non-twp. Residents)		
Washington Township Youth Assoc. Field Day	\$ 25	N/A	N/A	
Removal and Replacement of Pitcher's Mound	\$200	\$400	\$500	

TENNIS COURTS - HOURLY RATES

	\$ 4	\$ 8	\$ 12
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Clinics, lessons, etc. There is no fee for recreational use of the courts

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION # 2019-71
RESOLUTION AUTHORIZING THE ADVERTISING OF BIDS FOR THE
PURCHASE OF ONE (1) MASON DUMP TRUCK WITH RELATED EQUIPMENT**

WHEREAS, Ordinance 2018-05 provides funds for various improvements or purposes authorized to be undertaken by the Township of Washington which included one (1) dump truck with salt spreader and plow; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, the Acting Chief Finance Officer has certified the availability of funds for this contract and that the line items have been appropriated for this purpose in Account #30550071.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Washington, County of Warren, does hereby authorize the Advertising of Bids in accordance with the respective specifications for a total price not to exceed \$108,773.65

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION # 2019-72
RESOLUTION FOR A PLACE-TO-PLACE
LIQUOR LICENSE TRANSFER**

From 2026 Route 31 North; Suite 1 to 289 Route 31 South

WHEREAS, an application has been filed for a Place-to-Place Transfer of Plenary Retail Consumption License Number 2122-33-002-007, issued to **English Investment, LLC** for a premise heretofore located at 289 Route 31 South in Washington Township, New Jersey;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Washington, County of Warren does hereby approve, effective March 19, 2019 the Place-to-Place transfer of the aforesaid Plenary Retail Consumption Licensed premises, from its former location with a mailing address of 2026 Route 31 North; Suite 1, Glen Gardner, New Jersey to its new location at **289 Route 31 South in Washington Township, New Jersey** and does hereby direct the Township Clerk to endorse the license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to premises located at 289 Route 31 South in Washington Township, New Jersey".

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION # 2019-73
RESOLUTION OF THE TOWNSHIP OF WASHINGTON,
COUNTY OF WARREN, STATE OF NEW JERSEY
AUTHORIZING IN REM FORECLOSURE PROCEEDINGS**

WHEREAS, the Township of Washington holds Tax Certificates more specifically set forth in the annexed Tax Foreclosure List, which pertains to properties within Washington Township; and

WHEREAS, the Township Committee of Washington Township has determined that said Tax Certificates shall be foreclosed by summary proceedings in rem.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Washington Township, Warren County, New Jersey, as follows:

That the Tax Certificates, as shown on the annexed Tax Foreclosure List, now held by the Township of Washington be foreclosed by summary process In Rem as described in N.J.S.A. 54:5-104.29, et. seq., as amended, and pursuant to the Rules of Civil Practice of the Superior Court of New Jersey.

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION # 2019-74
Refund Resolution
Block 65.06, Lot 16**

WHEREAS, the owner of the property filed an application for veteran's deduction in January 2017 which was approved by the tax assessor that month. The deduction was entered into the assessor's system, but he believes due to a tax appeal that year the deduction was somehow overwritten. Since the deduction was not in the tax duplicate she has not received the 2017 and 2018 deduction which she was entitled. The tax collector is requesting approval to refund those deductions to her.

NOW THEREFORE BE IT RESOLVED, on this 18th day of December by the Mayor and Township Committee of the Township of Washington, County of Warren that the tax collector's request to refund the 2017 and 2018 deductions of \$250 is approved and therefore the acting CFO is hereby authorized and directed to prepare a check made payable to Helen Arrington in the amount of \$500. The check is to be returned to the tax collector who will mail it.

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION #2019-75
Redemption Resolution
Block 45, Lot 16**

WHEREAS, the Tax Collector was paid \$8,771.74 which is the amount necessary for the redemption of Tax Sale Certificate #2018-012 sold to USBANK Cust Tower DBVIII. The redemption is being done by the property owner.

NOW THEREFORE BE IT RESOLVED, on this 19th day of March by the Mayor and Township Committee of the Township of Washington, County of Warren that since USBANK Cust Tower DBVIII's identification number is already on file it will be unnecessary to make provision for back up withholding, therefore the Acting CFO is hereby authorized and directed to prepare a check made payable to USBANK Cust Tower DBVIII in the amount of \$13,171.74 (redemption amount of \$8,771.74 and premium of \$4400 which has been held in trust by the township since tax sale). The check is to be returned to the tax collector who will mail it once the tax sale certificate endorsed for cancellation has been received by him

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 45, Lot 16 from the tax office records.

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION #2019-76
Redemption Resolution
Township Chapter 50 Brush, Weeds & Grass Liens - Block 38, Lot 20.02**

WHEREAS, lien #170 was placed on this property on October 16, 2018 for costs associated with grass cutting and removal of weeds in the amount of \$290.00. The lien was approved by the township committee and placed on the property by their order.

WHEREAS, the tax collector has been paid \$299.86 which is the amount necessary to redeem the lien.

NOW THEREFORE BE IT RESOLVED, on this 19th day of March by the Mayor and Township Committee of the Township of Washington, County of Warren the Township Committee acknowledges the redemption of this lien.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 38, Lot 20.02 from the tax office records.

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION #2019-77
Redemption Resolution
Township Chapter 50 Brush, Weeds & Grass Liens- Block 2, Lot 1**

WHEREAS, lien #130 was placed on this property on July 17, 2018 for costs associated with grass cutting and removal of weeds in the amount of \$540.00. The lien was approved by the township committee and placed on the property by their order.

WHEREAS, the tax collector has been paid \$570.96 which is the amount necessary to redeem the lien.

NOW THEREFORE BE IT RESOLVED, on this 19th day of March by the Mayor and Township Committee of the Township of Washington, County of Warren the Township Committee acknowledges the redemption of this lien.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 2, Lot 1 from the tax office records.

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION 2019-78
RESOLUTION TO RETURN PERFORMANCE GUARANTEES
TO CONTI SOLAR, LLC**

WHEREAS, Conti Solar, LLC, is represented to be the general contractor for the construction of a solar energy project within the Township of Washington, generally known as Washington Solar Farm, which is scheduled to begin construction, and;

WHEREAS, Conti Solar, LLC, presented a Performance Guarantee and Performance Guarantee – Safety & Security to the Township, with a cash portion of these guarantees being \$42,597.00 and \$1,137.44, respectively, and;

WHEREAS, the cash portion of these guarantees were duly deposited by the Township, and;

WHEREAS, upon review of the guarantees by the Township Attorney, it was subsequently determined that guarantees shall be provided by the project owner rather than the general contractor, that the performance guarantees presented by Conti Solar, LLC would be unenforceable, and that said guarantees should be returned to Conti Solar, LLC., and;

WHEREAS, performance guarantees from the project owner shall be presented and approved by the Township Attorney and Engineer prior to the start of construction.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Washington, County of Warren, that the noted bonds and cash surety, presented to the Township, be returned to Conti Solar, LLC.

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION 2019-79**

RESOLUTION OF GOVERNING BODY CONSENT FOR FILING OF AN NJDEP TREATMENT WORKS APPROVAL APPLICATION FOR SEWER SERVICE FOR “HAWK POINTE TOWNHOMES” AND AUTHORIZING THE SIGNATURE OF THE TOWNSHIP FOR SAID APPLICATION

WHEREAS, a development project known as the “Hawk Pointe Townhouses” was found to be consistent with Municipal ordinances and approved by the Washington Township Land Use Board, at a public hearing on February 27, 2019, with said project being Areas 6, 7 and 9 of the Township’s “Redevelopment Plan for the Hawk Pointe Village Redevelopment Area”, and;

WHEREAS, an extension of the existing sanitary sewer collection system is necessary, and that an application to the NJDEP for a Treatment Works Approval (TWA) is required for this extension, and;

WHEREAS, the existing sanitary sewer treatment plant and collection system are owned, operated and maintained by New Jersey American Water, and that the newly constructed sewers will be similarly owned, operated and maintained, and;

WHEREAS, “Consent of the Governing Body” is required on the NJDEP-TWA application form WQM-003.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Washington consents to the filing of the Treatment Works Application (TWA) and that the Mayor is authorized to endorse the Treatment Works Application (TWA), where required, on behalf of the Township.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forward to the applicant / owner New Jersey American Water, 601 Route 202/206, Bedminster, NJ 07921.

A motion was made by Rossi, seconded by Fiore, to approve Resolution 19-80.

ROLL CALL: Rossi, yes; Fiore, yes; Kovacs, abstain; Willan, yes; Klingel, yes

**TOWNSHIP OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION # 2019-80
RESOLUTION TO AUTHORIZE AND APPROVE
SALARIES AND WAGES FOR CERTAIN EMPLOYEES**

WHEREAS, the current Salary Ordinance establishes the salary, and compensation for Township Engineer/Planner of the Township of Washington, County of Warren,

WHEREAS, an Interlocal Services Agreement has been negotiated between the Township of Washington (Resolution 2019-65) and the Borough of Washington (Resolution 2019-20); and

WHEREAS, in accordance with the Interlocal Services Agreement the Township of Washington is designated as the lead agency.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Washington, County of Warren that the following named employee be compensated on an annual basis effective April 1, 2019 unless otherwise noted, in the amounts as designated below:

<u>NAME</u>	<u>POSITION</u>	<u>ANNUALLY</u>
Kevin Smith	Township Engineer/Planner	\$110,000.00

The Township Clerk administered the Oath of Office to Kevin Smith.

STAFF ADMINISTRATIVE REPORTS

Chief Cicerelle had previously submitted a report and stated that he will present awards at the next meeting.

Mr. Hart previously submitted a report. He updated the Committee concerning the parks and roads.

PUBLIC QUESTIONS AND CONCERNS

Mayor Klingel opened the meeting to the public.

William Phillips and Eric Phillips addressed the Committee regarding foreclosure on 3 lots on Lanning's Lane. Seeing no one else, Mayor Klingel closed the public portion of the meeting.

OLD BUSINESS

Mr. Fiore informed the Committee of correspondence from Stefanie Miller of the State Agriculture Development Committee regarding Farmland Preservation.

NEW BUSINESS

There was no new business at this meeting.

ECONOMIC DEVELOPMENT

There was nothing to report regarding Economic Development.

REPORTS FROM OFFICIALS

Mr. Fiore updated the Committee concerning the Seniors' Group meeting held March 5th at which Det. Hayes presented the dangers of phone and internet scams. He also requested that the Committee appoint Mr. Bill Darcy Jr. to the Recreation Committee. Work is planned at the arboretum. The Environmental Commission did not meet. Ralph then commented on the positive direction of the foreclosed properties and the upcoming auction.

Mayor Klingel appointed Mr. Bill Darcy Jr. to the Recreation Committee.

PAYMENT OF BILLS

A motion was made by Fiore, seconded by Rossi, to approve the payment of the bills in the amount of \$3,012,612.61.

ROLL CALL: Fiore, yes; Rossi, yes; Kovacs, yes; Willan, yes; Klingel, yes

EXECUTIVE SESSION

A motion was made by Fiore, seconded by Rossi, to approve Resolution 19-81, Resolution Authorizing Executive Session for a Meeting Not Open to the Public in Accordance with the Provisions of the NJ Open Public Meeting Act, N.J.S.A. 10:4-12 at 8:33 pm.

ROLL CALL: Fiore, yes; Rossi, yes; Kovacs, yes; Willan, yes; Klingel, yes

Attorney Lavery stated that the Committee would be discussing a pending litigation matter regarding TORT claim notice; a personnel matter dealing with salary increases for certain certifications; a potential land acquisition; attorney-client privilege matters dealing with Liberty Snacks, NJ American Water, zoning of truck stops, rental properties in the Township, and foreclosure of 221 Changewater Road.

RESOLUTION # 2019-81

RESOLUTION AUTHORIZING EXECUTIVE SESSION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WASHINGTON FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

WHEREAS, the Governing Body of the Township of Washington, County of Warren, will be going in Executive Session; and

WHEREAS, the meeting is not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12; and

THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Washington will give a brief summary of meeting upon coming out of Executive Session.

A motion was made by Willan, seconded by Fiore, to come out of Executive Session at 10:10 pm. **All were in favor.** Attorney Lavery stated the Committee discussed a pending litigation matter regarding TORT claim notice; a personnel matter dealing with salary increases for certain certifications; a potential land acquisition; attorney-client privilege matters dealing with Liberty Snacks, NJ American Water, zoning of truck stops, rental properties in the Township, and foreclosure of 221 Changewater Road. 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 interest.

A motion was made by Fiore, seconded by Rossi, to introduce to the public Ordinance 19-04, An Ordinance to Amend and Supplement Chapter 71, Adding Article IV and Section 71-5, "Fees for Municipal Engineering Services" of the Code of the Township of Washington— **Introduction (2nd Reading, Public Hearing and Adoption at the April 16, 2019 meeting)**

ROLL CALL: Fiore, yes; Rossi, yes; Kovacs, yes; Willan, yes; Klingel, yes

ORDINANCE NO. 2019-04
ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF WARREN, STATE OF
NEW JERSEY TO AMEND AND SUPPLEMENT CHAPTER 71, ADDING ARTICLE IV AND SECTION 71-5, "FEES FOR
MUNICIPAL ENGINEERING SERVICES" OF THE
CODE OF THE TOWNSHIP OF WASHINGTON

WHEREAS, the Township Committee of the Township of Washington, County of Warren, State of New Jersey desires to supplement and amend Chapter 71 of the Code of the Township of Washington in order to establish fees for Municipal Engineering Services.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Washington, County of Warren, State of New Jersey that Chapter 71 of the Code of the Township of Washington be supplemented and amended to read as follows:

ARTICLE IV Municipal Engineering Services

Section 1

§71-5, Fees for Municipal Engineering Services.

A. The Fees for Municipal Engineering Services shall be set annually and/or as needed by Resolution.

Section 2:

REPEAL

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 3:

SEVERABILITY

If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

A motion was made by Fiore, seconded by Rossi, to introduce to the public Ordinance 19-05, An Ordinance to Amend and Supplement Chapter 123, Section 123-32, "Conditional Uses; Special Requirements" of the Code of the Township of Washington – Introduction (2nd Reading, Public Hearing and Adoption at the April 16, 2019 meeting)

ROLL CALL: Fiore, yes; Rossi, yes; Kovacs, yes; Willan, yes; Klingel, yes

ORDINANCE NO. 2019-05

ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND AND SUPPLEMENT CHAPTER 123, SECTION 123-32, "CONDITIONAL USES; SPECIAL REQUIREMENTS" OF THE CODE OF THE TOWNSHIP OF WASHINGTON

WHEREAS, the Township Committee of the Township of Washington, County of Warren, State of New Jersey, desires to supplement and amend Chapter 123 of the Code of the Township of Washington in order to update the special restrictions for truck stops and travel centers.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Washington, County of Warren, State of New Jersey that Chapter 123 of the Code of the Township of Washington be supplemented and amended to read as follows:

§123-32, shall be amended as follows:

Section 1:

§123-32, subsection (2) (l) shall be amended as follows:

(l) Truck Stops and/or what is commonly referred to as travel centers (which usually include overnight parking, a diner/restaurant, showers and full-service over-the-road truck maintenance garage) shall be prohibited.

Section 2:

REPEAL

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 3:

SEVERABILITY

If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

This Ordinance shall take effect immediately upon final publication as provided by law.

A motion was made by Fiore, seconded by Willan, to authorize the Township Attorney to negotiate regarding the property at 221 Changewater Road as discussed in Executive Session.

ADJOURNMENT

Hearing no further business to come before the Committee, a motion was made by Fiore, seconded by Rossi, to adjourn the meeting at 10:12 pm.

All were in favor.

Respectfully submitted,

Ann Kilduff, RMC
Township Clerk