

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting
December 15, 2015

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 Robert 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

Iacobucci, present; Klingel, present; Kovacs, present; Rossi, present; Willan, present

STAFF PRESENT

Anna C. Godfrey, Township Clerk; Peter deBoer, Township Administrator; Attorney Michael Lavery; Deputy Chief Cicerelle; Kevin McCarthy, CFO; Joseph Rossi, Construction Official; and Jeff Cooper, Superintendent of Public Works

Also present: Assemblyman Erik Peterson and Committeeman-elect Ralph Fiore

SALUTE TO THE FLAG

PROCLAMATION

Mayor Klingel approved a proclamation designating January 2016 as Radon Action Month and encouraged residents to check for radon in their homes.

APPROVAL OF MINUTES

A motion was made by Willan, seconded by Kovacs, to approve the minutes of the regular meeting held November 16, 2015.

ROLL CALL: Willan, yes; Kovacs, yes; Iacobucci, abstained; Rossi, abstained; Klingel, yes

A motion was made by Willan, seconded by Kovacs, to approve the Executive Session minutes of the regular meeting held November 16, 2015.

ROLL CALL: Willan, yes; Kovacs, yes; Iacobucci, abstained; Rossi, abstained; Klingel, yes

A motion was made by Kovacs, seconded by Willan, to approve the minutes of the special meeting held November 30, 2015.

ROLL CALL: Kovacs, yes; Willan, yes; Iacobucci, yes; Rossi, abstained; Klingel, yes

A motion was made by Kovacs, seconded by Willan, to approve the Executive Session minutes of the special meeting held November 30, 2015.

ROLL CALL: Kovacs, yes; Willan, yes; Iacobucci, yes; Rossi, abstained; Klingel, yes

ORDINANCES

A motion was made by Willan, seconded by Kovacs, to open to the public Ordinance 15-06, An Ordinance Amending an Ordinance Entitled “Code of the Township of Washington, County of Warren, State of New Jersey, 1997” is Hereby Amended by the Adoption of a New Chapter, Chapter 57, Adopting Certain Regulations of Drone Technology and Unmanned Aircraft for the Township of Washington. All were in favor. Richard Cotton of Asbury Farms asked the height requirement of the drones. Mayor Klingel stated the regulation is 400 feet. Hearing no further comments, a motion was made by Kovacs, seconded by Willan, to close the public portion of Ordinance 15-06.

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

A motion was made by Kovacs, seconded by Willan, to adopt Ordinance 15-06 on second reading.

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

A motion was made by Iacobucci, seconded by Rossi, to open to the public Ordinance 15-07, 2016 Salary Ordinance for the Township of Washington, County of Warren, State of New Jersey. All were in favor. Hearing no one, a motion was made by Iacobucci, seconded by Rossi, to close the public portion of Ordinance 15-07. All were in favor. A motion was made by Iacobucci, seconded by Rossi, to adopt Ordinance 15-07 on second reading. Mrs. Iacobucci reminded the public this ordinance sets salary ranges, not the actual salaries.

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

RESOLUTIONS

A motion was made by Kovacs, seconded by Rossi, to approve Resolutions 15-139 through 15-166, excluding Resolutions 15-141, 15-160 and 15-164.

15-139 Resolution Authorizing the Execution of an Interlocal Agreement for Lawn Mowing Services Between the Township of Washington and the Washington Township Board of Education

15-140 Chapter 159 – Drunken Driving Enforcement

15-142 Chapter 159 – National Night Out

- 15-143 Chapter 159 – K-9 Donation
 - 15-144 Refund Resolution – Block 28.01, Lot 22
 - 15-145 Refund Resolution – Block 45, Lot 33
 - 15-146 Interest Resolution – Extension of August Grace Period
 - 15-147 Cancel 2015 Overpayments Less Than \$10.00
 - 15-148 Refund Resolution – Block 67.01, Lot 46
 - 15-149 Refund Resolution – Block 50, Lot 15
 - 15-150 Refund Resolution – Block 300, Lot 5
 - 15-151 Refund Resolution – Block 20, Lot 8
 - 15-152 Redemption Resolution – Block 71, Lot 4.17
 - 15-153 Transfer Tax Sale Payments to Oxford Township Sewer Utility Collector
 - 15-154 Redemption Resolution – Block 78, Lot 9.01
 - 15-155 Cancel 2015 Amounts Owed Less Than \$10.00
 - 15-156 Resolution Authorizing and Approving Salaries and Wages for Certain Employees (E. Parks)
 - 15-157 Accepting Performance Bond – DeSapio
 - 15-158 Resolution Authorizing the Township Special Tax Appeal Attorney to Enter into a Stipulation of Settlement Relative to the Tax Appeals Captioned DeSapio Real Estate Development LLC vs. Washington Township, Tax Court of New Jersey, Docket Numbers 008477-2013, 006448-2014 and 007592-2015.
 - 15-159 Resolution Authorizing and Approving Salaries and Wages for Certain Employees (J. Cahill/Cross Guard)
 - 15-161 Resolution Authorizing Emergency Appropriation for the Settlement Agreement and Release Regarding the Terms of Said Agreement of the DP Warren, LLC and Diversified Properties, LLC vs. Washington Township and Township Committee of Washington Township
 - 15-162 Release of Performance Guarantee – DeSapio Real Estate Developer Block 66, Lots 20.05 & 20.06
 - 15-163 Resolution Accepting the Developers Agreement between DeSapio Real Estate Development, LLC and the Township of Washington– Block 66, Lot 20.06
 - 15-165 Acceptance of Performance Guarantee from Asbury Farms Project 30 LLC (Medical Arts Building)–Block 65, Lot 2
 - 15-166 Resolution Authorizing Salaries and Wages for Certain Employees (S. Wheeler-Sub SRO)
- ROLL CALL: Kovacs, yes; Rossi, yes; Iacobucci, yes; Willan, yes; Klingel, yes

Mr. Rossi asked for clarification of Resolution 15-141, Chapter 159 – BASF Armored Car Contribution. K. McCarthy explained Chapter 159 is a budget modification and stated BASF has provided the Township with grants towards the armored police car. A motion was made by Kovacs, seconded by Iacobucci, to approve Resolution 15-141.

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

With regard to Resolution 15-160, Transfer Resolution, Mr. Willan asked if the department heads approved the monies being transferred either to or from their budgets. Mr. McCarthy replied these decisions were made by him. There are adequate funds in the budget for these transfers. A motion was made by Rossi, seconded by Willan, to approve Resolution 15-160.

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

Attorney Lavery stated Resolution 15-164, Resolution Accepting the Developers Agreement between Asbury Farms Project 30, LLC (Medical Arts Buildings) and the Township of Washington – Block 65, Lot 2, reduces the amount to be posted to 10% for the performance guarantee. This has been approved by the Township Engineer. A motion was made by Iacobucci, seconded by Rossi, to approve Resolution 15-164.

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

STAFF ADMINISTRATIVE REPORTS

Deputy Chief Cicerelle previously submitted a report and stated that suspects in a home robbery that occurred last week have been apprehended.

J. Cooper previously submitted a report and had nothing further to add.

J. Rossi reported the old Roaring Rock Inn is in the process of being renovated.

Mr. deBoer previously submitted a report. He thanked Mrs. Iacobucci and Mr. Willan on behalf of the Township employees for their service to the Township.

K. McCarthy thanked Mrs. Iacobucci for initiating a plan to lower the Township's electricity costs for a yearly savings of approximately \$22,000.

PUBLIC QUESTIONS AND CONCERNS

A motion was made by Willan, seconded by Kovacs, to open the meeting to the public. All were in favor.

Frank Marascia, 27 St. Andrews Drive, asked for an update on the rash of car burglaries. Deputy Chief Cicerelle stated an arrest has not yet been made.

Joel Schnetzer, 240 Cemetery Hill Road, asked if the Committee has any plans to fund a comprehensive farmland preservation plan in the Township. Mayor Klingel stated the Committee will look into this during the budget process. Mr. Kovacs feels monies could be made available if there is a farm that wants to be included in the preservation. J. Schnetzer questioned the amount of the transfer resolution. K. McCarthy stated it was a total of \$38,038 and explained the reason for the resolution. J. Schnetzer asked the CFO if he knew how much money has been saved this year on fuel. K. McCarthy replied there was an approximate savings of \$30,000 from the Police Department and an approximate savings of \$6,000 from the Department of Public Works.

Hearing no further comments, a motion was made by Kovacs, seconded by Willan, to close the public portion of the meeting. All were in favor.

OLD BUSINESS

Mayor Klingel stated a letter was received from Assemblyman Peterson to the NJ DOT regarding the dangerous intersection at Route 57 West and Pleasant Valley Road. Mr. deBoer stated he has also been in contact with the DOT and is waiting for a response. Assemblyman Peterson offered to schedule a meeting with the DOT if the Committee wishes.

NEW BUSINESS

Richard Cotton of Asbury Farms spoke to the Committee about his on-going projects. He would like to expand communication and avoid confusion by having a Township sub-committee meet with him on a regular basis. He feels this would help the process move more smoothly and avoid delays. Hunterdon Medical is currently on schedule to occupy the new building on August 1, 2016. Mayor Klingel will work with Mr. deBoer to create a sub-committee.

A motion was made by Kovacs, seconded by Rossi, to schedule the Township Committee's Reorganization Meeting for Friday, January 1, 2016 at 10:00 am.

ROLL CALL: Kovacs, yes; Rossi, yes; Iacobucci, abstained; Willan, abstained; Klingel, yes

A motion was made by Kovacs, seconded by Rossi, to approve the 2016 Municipal Office Holiday Closings as presented.

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

A motion was made by Willan, seconded by Rossi, to approve the request from Kevin McCarthy to attend a seminar, "Preparing for the Municipal Audit and Grant Accounting", on Wednesday, December 16, 2015.

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

Mayor Klingel appointed Frank Marascia to the Environmental Commission with an unexpired term ending 12/31/15.

Attorney Lavery will review the Township Administrator's recommendations regarding the Professional Services RFP's for 2016.

A motion was made by Rossi, seconded by Iacobucci, to approve the request from Joanne Musa to be assigned the lien held on Block 50, Lot 25 owned by the Township to Tax Lien Profit Club, LP. Attorney Lavery explained and will provide the Clerk with the proper procedure.

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

A motion was made by Iacobucci, seconded by Willan, to approve the Township of Washington's Annex of the Warren County Hazard Mitigation Plan.

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

J. Cooper gave an overview of the improvements to be done in Spring 2016 as required by Green Acres. After a brief discussion, a motion was made by Rossi, seconded by Kovacs, to approve the Green Acres Program Compliance Inspection report.

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

REPORT FROM OFFICIALS

Mr. Willan thanked the Committee, residents, and staff for all that was done during his time on the Township Committee.

Mrs. Iacobucci thanked the Committee, volunteers, and staff for the honor and privilege of serving on the Township Committee and for the accomplishments made by everyone for the residents.

Mayor Klingel thanked both Mrs. Iacobucci and Mr. Willan for their time and effort while on the Township Committee and their dedication and commitment to the Township.

Mr. Kovacs stated he enjoyed this Committee and thanked Mrs. Iacobucci and Mr. Willan for their time.

PAYMENT OF BILLS

A motion was made by Iacobucci, seconded by Rossi, to approve the payment of the bills.

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

EXECUTIVE SESSION

A motion was made by Willan, seconded by Kovacs, to approve Resolution 15-167, 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 8:30 pm.

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

Attorney Lavery stated the Committee will be discussing a personnel matter, a contractual matter dealing with the DPW contract and a contractual matter dealing with the Shared Service Agreement with Washington Borough. Mayor Klingel stated he expects the Committee will be in Executive Session for approximately one hour.

A motion was made by Willan, seconded by Kovacs, to come out of Executive Session at 9:38 pm. All were in favor. Attorney Lavery stated the Committee discussed a personnel matter, a contractual matter dealing with the DPW contract and a contractual matter dealing with the Shared Service Agreement with Washington Borough. 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.

Mayor Klingel asked for a motion to approve the DPW Contract Option 1 with a performance appraisal included as discussed in Executive Session. There was no motion.

A motion was made by Kovacs to approve the DPW Contract Option 2 with a \$.20 per hour increase as discussed in Executive Session. There was no second. Motion died.

A motion was made by Kovacs, seconded by Iacobucci, to approve the DPW Contract Option 3 as stated with the exception of any hourly work performance appraisal increase. Mr. Kovacs stated this is the Township Committee's final offer.

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

ADJORNMENT

Hearing no further business to come before the Committee, a motion was made by Iacobucci, seconded by Willan, to adjourn the meeting at 9:45 pm. All were in favor.

Respectfully submitted,

Anna C. Godfrey, RMC
Township Clerk