

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Minutes  
June 16, 2009

The regular meeting of the Township Committee was held this date at the Washington Township Municipal Building, 211 Route 31 North, Washington, N.J. The meeting was called to order at 7:30 p.m. by Mayor Samir Elbassiouny. Michael Lavery, Township Attorney, Mary Ann O'Neil, Township Clerk, Chief McDonald and Lt. Cicerelle, Barbara Emery, CFO, Dave Evans and John Mooney, Auditors were also present.

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, transmitted to the Express Times and posted at the municipal building and a copy is on file in the Clerks Office. This agenda is subject to change by the order of the Washington Township Committee and/or during the scheduled meeting.

ROLL CALL:

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

SALUTE TO FLAG

PROCLAMATIONS

The Mayor read a proclamation honoring Joseph Rossi, Township Employee, who has donated bone marrow twice to increase the chance of a child to survive.

APPROVAL OF MINUTES

Strunk made a motion to approve the Executive Session Minutes of March 17, 2009, Kovacs seconded. All were in favor.

Strunk made a motion to approve the Executive Session Minutes of April 20, 2009, Kovacs seconded. All were in favor.

Mueller made a motion to approve the Executive Session Minutes of May 19, 2009, Kovacs seconded. All were in favor.

Kovacs made a motion to approve the Regular Minutes of the meeting of May 19, 2009, Mueller seconded. All were in favor.

Kovacs made a motion to approve the Special Meeting Minutes of June 3, 2009, Kovacs seconded. All were in favor.

ORDINANCES

Kovacs made a motion to introduce, on first reading, Ordinance 09-12 to amend an ordinance fixing the salaries of the Officers and Employees of the Township of Washington, County of Warren and State of New Jersey #2009-01 (Police Secretary), Mueller seconded.

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

Public Hearing and second reading will be July 21, 2009.

Mueller made a motion to introduce, on first reading, Ordinance Authorizing an Emergency Appropriation NJS 40A:4-53 Updating the Master Plan with a Wastewater Management Plan, Kovacs seconded.

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

Public Hearing and second reading will be July 21, 2009.

RESOLUTIONS

The Mayor asked if anyone want to pull any resolutions, otherwise they would be approved with a consent vote. Strunk asked that 09-79 be removed.

Kovacs made a motion to approve Resolutions 09-73 through 09-78 and 09-80 through and including 09-88, Mueller seconded.

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

09-73 Acceptance of Performance Guarantee - Skyline Equipment LLC

09-74 Approval to Submit a Grant Application and Execute a Grant Agreement with the NJDOT for Pleasant Valley Road Project

09-75 Approval to Submit a Grant Application and Execute a Grant Agreement with the NJDOT for the Rymon Road Project

09-76 Resolution authorizes the Township Special Tax Appeal Attorney to enter into a Stipulation of Settlement Relative to the Tax Appeals captioned Fairway Valley, Inc. v Washington Township, tax court of NJ, Docket 010479-2008

09-77 Chapter 159 Budget Amendment, DDEF Grant

09-78 Chapter 159 Budget Amendment, Clean Communities Grant

09-80 Liquor License Renewal, Roaring Rock Inn. Inc.

09-81 Liquor License Renewal, Pohatcong Home Assoc, Inc. VFW

09-82 Liquor License Renewal, Oakwood Lanes

- 09-83 Liquor License Renewal, Daya Wines & Liquors, Inc., t/a Town & Country Liquors
- 09-84 Liquor License Renewal, Hawk Pointe Golf Club (pending tax clearance)
- 09-85 Resolution Authorizing Finelli Engineering Consultants to Prepare Bid Specifications for the Purchase of CRS-2P Emulsified Asphalt & #8 Broken Stone
- 09-86 Resolution Authorizing the Mayor to Execute A Revised Application to the NJDEP, in the Form of a Letter, for Alternative Assignment of the Wastewater Management Plan Responsibility
- 09-87 Chapter 159 Budget Amendment, Police Consolidation Sage Grant
- 09-88 Chapter 159 Budget Amendment, Police Consolidation/Washington Borough

Strunk asked if there has been any change in the restrictions on Y3 /t/a 31 Steakhouse on their liquor license, is it still necessary to have restrictions? Is there a time table for this to be reviewed. He said it appears to be a well run business. Is there a review process on having restrictions lifted? The Mayor said it was done on the recommendation of Chief Mc Donald and ABC. Strunk asked if the Chief has reviewed this or should he review this? Lavery said the owners attorney had contacted the Township and ask some of the restrictions be lifted and it was the consensus of the Committee not to do so at that time, but could be revisited at this time. Lavery said the ABC came down and there had been issues previously and the Police Department felt these conditions would help control some of the problems. Strunk said, hopefully, since last year there has been a change and they should get a second chance. Lavery said he was not aware of any recent problems. Lavery said when they met with ABC they agreed, if the Township wanted this, then they would proceed with it. Lavery said the restrictions could be rescinded if the Police and Township Committee agree it should be done. Strunk asked that the Chief review the records and if there has been no problems, that the restrictions be lifted. Strunk made a motion to approve 09-79 Liquor License Renewal, with conditions, Y3, t/a/ 31 Steak House Restaurant, Mueller seconded.

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

#### STAFF ADMINISTRATIVE REPORTS

A report from Peter de Boer, Acting Administrator was in the packet for the month of May. No report from the Police Department.

#### PUBLIC QUESTIONS AND CONCERNS

George Willan, 32 Falcon Way, had a question - at the intersection of Falcon Way and Club House Drive, where the entry sign is to the community, as you are coming out of Falcon Way on to Club House Drive, there is a sign, no problem. On Club House Drive, if you turn right, it will take you to the golf club and out if you turn left on to Hawk Point Blvd and whenever the light starts... A question that has been asked is about the traffic signs at the intersection of Club House Drive that are in place, is there anything else coming, such as yield or stop signs? The Mayor asked Cicerelle to drive down and look at the streets and advise if any more signs will be put in place. Cicerelle was not aware of any signs being put in place. The Mayor said they were not aware of any more signs being put into this area.

#### NEW BUSINESS

1. The Mayor advised that Diversified Properties LLC, Fairway Mews, Bense Court asked to be taken off the June agenda and placed on July agenda.
2. Strunk made a motion to approve Dennis Allen, Code and Construction, attending a class on June 23, 2009, Kovacs seconded. All were in favor.

#### REPORT FROM OFFICIALS

RJ Strunk said he saw the communication regarding COAH issue. As he stated in January, he felt that this should be handled by committee people on the Land Use Board. He would be willing to switch to something else, because he is out of the loop on this. He asked that he not be liaison regarding COAH. The Mayor asked Mueller if he had any problem on doing this with him, as members of the Land Use Board. Mueller had no problem with this and would be the first contact, with the Mayor being second contact.

Barry Mueller said the Lifetime and Dedication Subcommittee reviewed the applications for 2009 and recommended that Frank Dick Rhinehart be honored. There is a possibility they put another bench in the park. This suggestion was to come before the Committee and if no objections, it will be put near the baseball and football fields. The Mayor suggested a stand bench. Mueller said different ideas are being discussed at this time. They will be discussing this further and he will keep the Committee informed.

The Code and Construction Office has asked him who will be filing the COAH Reports that must be filed. He has checked the information from NORWESCAP, who had said they would be filing this. He will meet with de Boer and try and find out who will be filing this paperwork.

Warren Morris Council of Governments is being hosted by Washington Township on June 29. Mueller and de Boer will be attending. Mueller said one more committeeman could attend if they would like to do so.

Last week there was field damage done by one of the groups using the baseball field. Jeff Cooper had given him pictures to be distributed to the Committee to show the damage. After being contacted, the group came back and redistributed the dirt. However, they did some permanent damage. Mueller said this will be discussed at the next Recreation Meeting.

Michael Kovacs said he had two items for Executive Session, one of which may require action.

The Township received a Service Order Request from the Warren County Health Department to have the DPW cut grass and weeds at 41 Lock Street. Strunk made a motion to approve the DPW cutting grass and weeds at 41 Lock Street and a lien be put on the property for the work being done, Mueller seconded.

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

There was further discussion on another property 92 Cemetery Hill Road with high grass. Mueller said many complaints have been received. Kovacs said, in the past, when complaints are made, it is reported to the Warren County Board of Health. They check it and if grass and weeds are high, they send a request to have the work done and a lien be put on the property. There was further discussion on whether the Township could order the weeds and grass cut by DPW. Kovacs said, because of the rain and we do not meet until July 21, a motion could be made to cut the grass and weeds at 92 Cemetery Hill Road if we get a report from the Warren County Board of Health. Mueller made a motion that the grass and weeds be cut at 92 Cemetery Hill Road and any other properties identified by the Board of Health, Kovacs seconded. The Clerk will check into this further.

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

Mayor Samir Elbassiouny said he had items for Executive Session, one having to do with Fairway and flooding issue and there was chaos graduation night at Fairway Estates with parking. Lt. Cicerelle said the Police Department only received one call about parking. The Mayor said he received several calls. He wanted a sub committee of two residents from the area, one or two committeeman, member of school board and a police officer that could help with the problem. Kovacs suggested parking people at the park and running a shuttle bus. Strunk and Mueller will serve from the Committee.

#### PAYMENT OF BILLS

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

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

#### EXECUTIVE SESSION

Mueller made a motion at 8:07 p.m. to approve Resolution 09-89, Resolution Authorizing Executive Session of the Washington Township for a meeting not open to the public in accordance with the provisions of New Jersey Open Public Meetings Act NJSA 10:4-12 at 8:07 p.m. for the purpose of discussion Fairway, personnel matter

regarding letter received from Assessor, personnel matter regarding longevity, contract negotiations, regarding a cemetery issue/potential litigation and attorney/client matter regarding a letter from the attorney for Asbury farms, Kovacs seconded. All were in favor.

The doors were opened. Strunk made a motion to come out of Executive Session at 9:21 p.m. , Kovacs seconded. All were in favor.

Lavery said potential litigation had been discussed on Fairway/Mr. Koch; personnel matter regarding a letter from the Tax Assessor whose home is in a flood zone; personnel on a longevity issues; Attorney/Client Privilege, letter received from Asbury Farms attorney; contract negotiations and cemetery issue/potential litigation.

Kovacs made a motion that longevity not be paid on the part time acting administrator position, Strunk seconded.

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

There being nothing further to come before the Committee, Kovacs made a motion to adjourn at 9:22 p.m., Strunk seconded. All were in favor.

Respectfully submitted,

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