

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Minutes
December 15, 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 7:31 p.m. by Mayor Samir Elbassiouny.

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; Klingel, present; Kovacs, present; Mueller, present; Strunk, present. Michael Lavery, Township Attorney, Mary Ann O'Neil, Township Clerk, Peter de Boer, Township Administrator/Certified Public Works Manager and James Mc Donald, Police Chief were also present.

SALUTE TO FLAG

APPROVAL OF MINUTES

Mueller made a motion to approve the Regular Minutes of November 16, 2009, Kovacs seconded.

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

Kovacs made a motion to approve the Executive Minutes of November 16, 2009, Strunk seconded.

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

Klingel made a motion to approve the Special Meeting Minutes of December 3, 2009, Mueller seconded.

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

Lavery asked that a motion be made to affirm the action taken at the December 3, 2009 meeting. Lavery said at a prior meeting, there was an issue raised as to whether the committee had actually voted on formally holding the Special Meeting. So, this would not be an issue down the road, he asked for a motion to affirm the action taken. Klingel made a motion to affirm the action taken at the Special meeting on December 3, 2009, Strunk seconded. Strunk asked why this was done. Lavery said when the record was checked, there was no formal record of the scheduling of the Special Meeting.

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

ORDINANCES

Kovacs made a motion to open Ordinance 09-22, Ordinance 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-#5, (Township Administrator), to the public, Mueller seconded. All were in favor. Nobody from the audience wished to be heard. Kovacs made a motion to close the public hearing, Strunk seconded. All were in favor. Kovacs made a motion to adopt Ordinance 09-22, Mueller seconded.

ROLL ALL: Kovacs, yes; Mueller, yes; Klingel, yes; Strunk, no; Elbassiouny, yes.

RESOLUTIONS

The Mayor asked if anyone wanted to pull any resolutions, otherwise they would be passed with a Consent Agenda. The Mayor pulled out Resolution 09-159, 09-160, 09-161 and 09-162. The Mayor also pulled 09-170, 09-171, 09-172, 09-173, 09-175, 09-176 and 0-177. Strunk made a motion to approve Resolution 09-163 through 09-169 and 09-174, Mueller seconded.

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

09-163 Tax Sale Certificate Redemption Bl 38, Lot 22C0125

09-164 Tax Sale Certificate Redemption Bl 38, Lot 22C0125

09-165 Transfer Tax Sale Payment to Oxford Township Sewer Collector

09-166 Refund Resolution Bl 40.02, Lot 1

09-167 Cancel 2009 Overpayments Less than \$10.00

09-168 Cancel 2009 Amounts Owed Less than \$10.00

09-169 Refund Resolution - Various Properties

09-174 R

Resolution Accepting Certain Roadways and Streets within the Washington Farm Subdivision WFNB (formerly Pacesetter II) within the Pacesetter Development,

Strunk made a motion to approve Resolution 09-159, Resolution to Authorize & Approve Salaries & Wages for Certain Employees (Timothy Dieterman/Code & Construction), Mueller seconded.

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

Kovacs made a motion to approve Resolution 09-160 Transfer Resolution, Strunk seconded.

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

Kovacs made a motion to approve Resolution 09-161 Resolution to Authorize & Approve Salaries & Wages for Certain Employees (Deputy OEM Coordinator/Todd Pantuso), Strunk seconded.

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

Strunk made a motion to approve Resolution 09-162 Resolution to Authorize & Approve Salaries & Wages for Certain Employees (Crossing Guard/Dawn Marano), Klingel seconded. Strunk said there was a typo. There was discussion on whether it was Marano or Varano. Motion passed, with name to be corrected.

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

The Mayor said the Committee would be going into Executive Session on Shared Service and Contractual Matters. Klingel made a motion at 7:50 p.m. to approve Resolution 09-178, Resolution Authorizing an Executive Session of the Washington Township Committee for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, NJSA 10:4-12 to discuss the Shared Services and Contractual Matters, Mueller seconded. All were in favor.

The doors were opened. Kovacs made a motion to come out of Executive Session at 8:30 p.m. , Strunk seconded. All were in favor.

Lavery said the Township Committee discussed Shared Potential Service Agreement with Oxford township Police, no action was taken. Copies of these minutes will be available at such time the Committee determines there is no harm to the public interest.

The Mayor said he would like to entertain a motion on the Shared Service Agreement. The date was amended on Resolution to read February 1, 2010 and not December 31, 2009. Klingel made a motion to approve Resolution 09-170 Shared Service/Oxford Township, Kovacs seconded.

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

Kovacs made a motion to approve Resolution 09-177 Resolution for the Purpose of Authorizing the Signatures of Mayor and Municipal Clerk to Executive a Shared Services Agreement with the Township of Oxford, Klingel seconded.

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

Kovacs made a motion to approve Resolution 09 -173 Resolution Authorizing Execution of Interlocal Service Agreement between Township of Washington, Warren County and the Washington Township Board of Education, Mueller seconded. de Boer said they had increased the contract by \$500.00 and it is the same property.

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

Strunk made a motion to approve Resolution 09-176 Resolution in Memory of Frank Norci, a Washington Township Police Officer that recently died, Mueller seconded.

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

Strunk made a motion to approve Resolution 09-175 Return of Performance Guarantee for Washington Farms Subdivison WFNB (Formerly Pacesetter II), Mueller seconded.

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

Chief Mc Donald introduced two new officers that the Township will be hiring. The Committee asked each officer various questions.

Strunk made a motion to approve Resolution 09-171 Resolution to Authorize & Approve Salary & Wages for Certain Employees/Patrolman Marcos Vaz, effective February 1, 2010, as a Step I Patrolman, Klingel seconded.

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

Kovacs made a motion to approve Resolution 09-172 Resolution to Authorize & Approve Salary & Wages for Certain Employees/Recruit James Vernon, effective January 1, 2010, Elbassiouny seconded.

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

STAFF ADMINISTRATIVE REPORTS

Chief Mc Donald passed out his monthly report.

He said there has been good feed back from Washington Borough on the merger. They are happy with the police coverage being done.

Peter de Boer, Township Administrator, said the DPW Monthly Report had been submitted.

de Boer said he did not have a written report this month. He has had several meetings this month. He met with representatives from NJ American Water Company, representatives from Warren Hills High School in Finelli's Office regarding the drainage concerns raised about drainage going into Fairway Estates. There are ongoing communications that must take place between the School Engineer, Architect and Finelli to make sure the Township is protecting the residents in Fairway Estates from potential drainage issues. He worked on the Sage Grant, he sent it to the State and it was successfully received. There was a monthly staff

meeting today. He held a PAIC Seminar at the building for the DPW and Police Department.

PUBLIC QUESTIONS/CONCERNS

Kathy Enz, Spring Lane, said she wanted to thank Peter de Boer and Chief Mc Donald for their recent support. She also asked what is happening with the old Administration Building. The Mayor said the potential buyers are going before the Land Use Board. Nobody else wanted to be heard. (Ended 8:51pm)

OLD BUSINESS

de Boer said the RFP's have been opened. They have been sent to Lavery to review. The Mayor said he had asked de Boer to prepare a spread sheet on the RFP's.

NEW BUSINESS

1. Reorganization Date - After Discussion, Klingel made a motion that the 2010 Reorganization be held on Friday, January 1, 2010 at 11:00 a.m., Kovacs seconded.

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

2. Mueller made a motion to approve the Township Clerk attending a Licensing Review Class on January 22, 2010 in Asbury, NJ, Klingel seconded.

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

3. Strunk made a motion to approve a lien being placed on 20 Dogwood Lane, Bl 16, Lot 21, for mowing and cleaning of property in the amount of \$364.16, Kovacs seconded.

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

REPORT FROM OFFICIALS

R.J. Strunk said there have been ongoing meetings of the subcommittee on the Sign Ordinance. A rough draft had been prepared by Lavery and there will be a meeting this week to review it.

He now had all the contact names on the parking issues at the high school. He will be setting up a meeting in near future.

Robert Klingel had no report at this time.

Barry Mueller said the Historical Commission had the donated Township Map framed and it has been placed on wall in meeting room. During 2010, they plan to get other old pictures framed and hang throughout the building.

He said, representing the Recreation Commission, there are cracks in the tennis courts. The Recreation Commission thought there was a warranty in place on this. They need to be contacted to send somebody out to look at the tennis courts. Jeff Cooper said he had contacted them and they never call back. All information on the tennis courts is to be sent to Lavery to review. Strunk said the tennis courts had been faulty from the beginning, but he thought the bond had been released, so the Township accepted faulty work.

Michael Kovacs said a member of the DPW is having double knee replacement on January 11, 2010. He is asking to carry over vacation from 2009, which can be done according to Policy Manual. There was further discussion and the Mayor said, if temporary help is needed during this time it will be done.

Kovacs said they usually determine the salaries at the Reorganization Meeting. It would seem, at this point, there would be 3.5% increase for the two contracts (DPW/Police). . Kovacs said there are four positions (CFO, Tax Assessor, Tax Collector and Township Clerk) that would have to receive same raise, by statute.

After discussion, all full time employees will receive the same raise and there will be no raise for part time employees. Strunk asked if the police secretaries will receive a raise, they will not. Kovacs made a motion that all full time employees, except police secretaries, receive the 3.5% raise and there will be no raise for all part time employees, Klingel seconded. Kovacs said the CFO, Deputy Treasurer and Administrator are already under contract.

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

PAYMENT OF BILLS

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

ROLL CALL: Strunk, yes, the ones he signed: Kovacs, yes; Klingel, Mueller, yes; Elbassiouny, yes.

The Mayor said, at this time, unfortunately Committeeman Barry Mueller is leaving. He said he had only worked with Barry for three years, but found him to be a man of integrity in every decision he made for the

Township. He wished Mueller the best and said it was an honor to serve with him. Mueller said he enjoyed the time spent working on the Township Committee and working with and for the people of Washington Township.

EXECUTIVE SESSION

Kovacs made a motion at 9:12 p.m. to approve Resolution 09-179, Authorizing an Executive Session of the Washington Township Committee for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, NJSA 10:4-12 to discuss the Shared Services and Contractual Matters, Mueller seconded. All were in favor. There was to be discussion on a contractual matter, New Jersey American Water, Code and Construction and Court discussion with Washington Borough and update on A&P litigation.

The doors were opened. Strunk made a motion at 9:56 p.m. to come out of Executive Session, Klingel seconded. All were in favor. Lavery said the Committee emerged from Executive Session at 9:56 p.m. where they discussed a contraction matter regarding New Jersey American Water, contractual matter with Boro Court and Code and Construction and update on A&P litigation. No action was taken. Lavery said copies of the minutes will be available when it is determined there is no harm to the public interest.

Lavery said a motion will be needed to approve the updated Developers Agreement for the Village Shops for Asbury Farms. Klingel made a motion to approve the updated Developers Agreement for the Village Shops for Asbury Farms, Mueller seconded.

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

There being nothing further to come before the Committee, Mueller made a motion to adjourn at 9:58 p.m., Kovacs seconded. All were in favor.

Respectfully submitted,

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