

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Minutes
December 21, 2010

The regular meeting of the Township Committee was held this date at the Washington Township Municipal Building, 211 Route 31 North, Washington, NJ. The meeting was called to order at 7:30 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 a copy is posted at the municipal building. This Agenda is subject to change by order of the Washington Township Committee before and/or during the scheduled meeting.

ROLL CALL

Elbassiouny, present; Klingel, present; Kovacs, present; Marks, present; Strunk present. Michael Lavery, Township Attorney, Anna C. Godfrey, Deputy Township Clerk, Peter de Boer, Administrator/Certified Public Works Manager; Jeff Cooper, Assistant Municipal Supervisor of Public Works were also present.

SALUTE TO FLAG

The Mayor said that at this time, we will be going into executive session first. We have two positions to that the Township has to fill, the clerk, Mary Ann O'Neil is retiring, effective December 31, 2010 so that position will have to be filled and depending on the outcome of the clerk's position we will also be hiring someone to fill the position of Deputy Clerk.

Strunk made a motion at 7:35 p.m. to approve Resolution 10-182 Resolution Authorizing 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 N.J.S.A. 10:4-12, Marks seconded. All were in favor. The Mayor said that no action will be taken in Executive Session.

The Committee came out of Executive Session at 8:42 p.m. Strunk made a motion to come out of Executive Session, Klingel seconded. All were in Favor.

Lavery said the Committee discussed two personnel matters, that was filling the vacant Clerk position and the second was filling the Deputy Clerk position. Two interviews were conducted of the two Deputy Clerk candidates, Ann Kilduff and Melissa Nichols. No official action was taken and copies of these minutes will be available to the public at such time the Township determines there is no harm to the public.

Lavery said that next a motion is needed to revise the personnel policy to eliminate longevity for new hires and new positions.

Klingel made the motion to revise the personnel policy to eliminate longevity for new hires and new positions, Strunk seconded.

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

Klingel made the motion to fill the position of Acting Clerk, pending certification, at which time they will assume the role of Municipal Clerk.

Lavery said that when you appoint someone as Acting Clerk for one year and then for two subsequent extensions, but once they obtain their certification while serving as Acting Clerk, for tenure purposes, their tenure start date begins the day they become certified.

Kovacs made a motion to nominate Anna C. Godfrey, for the position of Acting Clerk, and upon obtaining the municipal clerk certification becoming the Municipal Clerk, Strunk seconded.

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

Strunk made a motion to pay Anna C. Godfrey a yearly salary of \$49, 00.00, with no longevity, Klingel seconded.

ROLL

Mayor Elbassiouny said that with Nancy accepting the Township Clerk position, it now leaves a vacancy in the position of Deputy Clerk, which was held by her. Kovacs explained that they had received over 50 applications for this position; they were reviewed and narrowed down to five candidates, who were interviewed by himself, Bob Klingel, Peter deBoer and Nancy Godfrey. From those five candidates it was narrowed down to two. Those two candidates were interviewed by the Township Committee tonight.

With that being said, he would like to make a motion to nominate Ann Kilduff as Deputy Clerk, with a salary of \$35,000.00 per year, with health benefits and no longevity, Klingel seconded.

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

Strunk left the meeting at 8:50 p.m.

APPROVAL OF MINUTES

Kovacs made a motion to approve the Regular Minutes of November 15, 2010, Klingel seconded.

ROLL CALL: Kovacs, yes; Klingel, yes; Marks, yes; Elbassiouny, yes.

Klingel made a motion to approve the Executive Minutes of November 15, 2010, Kovacs seconded.

ROLL CALL: Klingel, yes; Kovacs, yes; Marks, yes; Elbassiouny, yes.

ORDINANCES

Kovacs made a motion to open Ordinance 10-16 – 2011 Salary Ordinance, to the public, Klingel seconded. No one from the public wished to be heard. Klingel made a motion to close the public hearing, Marks seconded. All were in favor. Kovacs made a motion to adopt Ordinance 10-16, after public hearing and second reading, Klingel seconded.

ROLL CALL: Kovacs, yes; Klingel, yes; Marks, yes; Elbassiouny, yes.

Kovacs made a motion to open Ordinance 10-17 – Ordinance Amending, Revising and Supplementing Chapter 50 Article II Sections 50-6, 50-7 and 50-8 Entitled “Collection of Vegetative Wastes” of the Code of the Township of Washington “Brush, Grass and Weeds”, to the public, Klingel seconded. No one from the public wished to be heard. Klingel made a motion to close the public hearing, Marks seconded. All were in favor. Klingel made a motion to adopt Ordinance 10-17, after public hearing and second reading, Marks seconded.

ROLL CALL: Klingel, yes; Marks, yes; Kovacs, yes; Elbassiouny, yes.

RESOLUTIONS

The mayor noted that Resolution 10-177 Release of Performance Guarantee – Warren Plaza Site Plan/Levin Properties and 10-178 Acceptance of Maintenance Guarantee – Warren Plaza Site Plan/Levin Properties were being removed and Resolution 10-181 Release of Restoration/Demolition Bond – Village Super Market/Shop Rite was being added.

Kovacs said he wanted to bring the committee up to date on Resolution 10-173, Resolution Supporting the Adoption of the Warren Heritage Byway Corridor Management Plan. By supporting the Warren Heritage Byway Corridor Management Plan, it will open the door for us to apply for grant money to do some more work on the auto-gyro building and possibly, by working with the Historical Commission, turning it into a type of visitor center. Pete will be working on the application for a grant, which is due sometime in March. Marks said she would be interested in seeing the numbers before a decision is made as to what the grant money is spent on. deBoer said absolutely, it would have to be a Committee decision.

A motion was made by Kovacs to approve Resolutions 10-164 through and including 10-181, excluding Resolutions 10-177 and 10-178, Klingel seconded.

ROLL CALL: Kovacs, yes; Klingel, yes; Marks, yes; Elbassiouny, yes.

STAFF ADMINISTRATIVE REPORTS

Code & Construction - deBoer said that there was no report from the Code & Construction Official; Mr. Rossi is attending the Washington Borough Council meeting tonight on a matter that he would discuss with the Committee during Executive Session.

DPW - J. Cooper had handed out his report to the Committee earlier, however, he had one more item to report. There has been a theft at the Parks & Recreation Building; someone had drained the fuel out of a piece of equipment that is being used at the park, while left in the parking lot at the building. A police report was filled out.

Chief McDonald - deBoer said the Chief was unable to be at tonight's meeting, however, he did give him the Police report for the month. If there are any questions regarding this report they should be directed to the Chief.

deBoer - reported that he had worked with the sub-committee regarding the hiring of the Clerk and the Deputy Clerk. He also attended the Tax Sale conducted by the Tax Collector, Mr. Howell and assisted by

the Deputy Clerk, Nancy Godfrey. He also finalized our winter mailer which notified the residents of our annual tree lighting, which went very well, and he also attended. He also attended the Warren-Morris Council of Government along with Committeewoman, Eve Marks. He and Deputy Clerk, Nancy Godfrey, opened up the professional services RFP's, which he will be making recommendations on. He also met with a few web hosting agencies which he hopes to present a recommendation to the Committee in the near future. He also went to the PAIC Insurance meeting in Mansfield Township and also met with the CFO and the Tax Collector regarding our bank. The bank said that some of the services they provided for us at no cost will no longer be offered free beginning February 1. We have gone out for RFP's for Banking Services which will be received and opened on December 30th and we hope to have a recommendation by the Reorganization Meeting.

PUBLIC QUESTIONS/CONCERNS

The Mayor opened the meeting to the public. Nobody from the public wished to be heard.

NEW BUSINESS

2011 Reorganization Date – The Mayor said that at this time he would also like to set the 2011 Budget Meeting dates. After a discussion a motion was made by Kovacs that the Reorganization Date and time would be January 1, 2011 at 1:00 p.m. and the 2011 Budget Meeting dates be January 29, February 12, February 26, and March 26, 2011 at 10:00 a.m., Marks seconded.

ROLL CALL: Kovacs, yes; Marks, yes; Klingel, yes; Elbassiouny, yes.

Tax Sale Certificate Possible Assignment – Lavery said that he's pretty sure that you would have to go out to bid on this, you can't just sell them but he will look into this further.

TD Bank Interest Rates and Vendor Change – The Mayor explained that TD Bank now wants to start charging us for most of the services that they provided for free beginning February 1, 2011. This would take a big chunk out of our budget, so we are now going to go out for RFP's for Banking Services.

NJ Best Practice Initiative Aid Results – deBoer reported that we received 100% of the aid administered by the State.

Shared Services for Automotive Repair Services with Washington Borough – deBoer said that Washington Borough is interested in a shared service with the Township for automotive repair services. The Mayor asked if our mechanic would have the time to be able to take this on, would this individual require more compensation and what would the fee scheduled be, these are the kind of questions he would have. deBoer said that since the Borough does not have a mechanic, this is something that we are already doing, but it is nothing more than a hand shake agreement with the Borough Manager, and no, he certainly does not have the time, of course he is not saying that he will never have the time, but this is something for us, so we could be compensated for what we are doing for them now. Marks asked if there would be a rate structure and deBoer said yes. deBoer said what he would like to do now, with the Committee permission, is to explore this agreement further. Kovacs made a motion to have deBoer to continue working with the Borough of Washington to enter into a shared service agreement for automotive repair services with the Borough of Washington, Klingel seconded.

ROLL CALL: Kovacs, yes; Klingel, yes; Marks, yes; Elbassiouny, yes.

REPORTS FROM OFFICIALS

Eve Marks – No Report

Michael Kovacs – He has one thing for later regarding the 2011 Salary Resolution before it goes on the agenda for the reorganization meeting.

Bob Klingel – Nothing to report except he would like to wish everyone on the Committee and the audience a wonderful Christmas and a Happy New Year.

Samir Elbassiouny – Wanted to also wish everyone a wonderful Holiday. Last week he met with an engineering firm named Van Cleef Engineering who adopted a new grant program and he asked them to look into what grants from the State we might be eligible for and they are going to do this and get back to us. Once he hears back from them, he will share this information with the Committee. Klingel asked if this is a study we are paying for. Elbassiouny said no, not at all, he would never approve a study that required payment without the Committee approval.

deBoer said there was just one thing he forgot to mention, Jeff Cooper passed his Certified Public Works Manager State exam with the second highest score of the class, so he is officially a Certified Public Works Manager. The Committee congratulated Jeff.

PAYMENT OF BILLS – Klingel made a motion to approve the bills, Kovacs seconded.

ROLL CALL: Klingel, yes; Kovacs, yes; Marks, yes to the ones she signed; Elbassiouny, yes.

Kovacs said he would like to get the Salary Resolution out of the way now so the public doesn't have to hang around. He would like to suggest that tonight we set the salaries for this resolution so on January 1, 2011 it will be in the Reorganization Meeting packet. The Mayor asked for Attorney Lavery to clarify. Lavery said that it was his understanding that Mr. Kovacs wanted the Committee to agree on what the raises for employees will be now, so that at the Reorganization meeting you will have a Resolution ready to be put in place, so you don't have to go back and retroactive everyone's new salary. Kovacs said we've done this for the last 15 years we really do not want to wait until the budget is passed to do this. He has put down 0% for the Committee; the Clerk is already set, as of tonight. Kovacs said that according to State Statute, the Clerk (who is not included in this statute this year), the CFO, Tax Collector and Tax Assessor either have to get the same 3.5 as the contractual employees or give them whatever we want, we won't know this until Lavery finds out this information and gets back to us. All other essential employees get 2% and part time employees get 0%. Klingel said since we have two executive sessions items to be discussed and he would like to move this until after executive session since the outcome of one of the executive session items might have an outcome on the vote.

EXECUTIVE SESSION

Kovacs made a motion at 9:39 p.m. to approve Resolution 10-183 to Resolution Authorizing Executive Session of the Washington Township Committee for a meeting not open to the public in accordance with the provisions of the NJ Open Public Meetings Act N.J.S.A. 10:4-12., Marks seconded. All were in favor.

The Committee came out of Executive Session at 10:50 p.m. Klingel made a motion to come out of Executive Session, Marks seconded. All were in favor.

Lavery said the Committee had discussed three matters, one was a contractual matter regarding an Interlocal agreement with the Borough of Washington, and the second was a contractual matter regarding the Chief's contract and the third was a contractual matter dealing with the Deputy Treasurer. No official action was taken and copies of these minutes will be available to the public at such time the Township determines there is no harm to the public interest.

Kovacs asked to go through the Salary Resolution again, in order to get this out of the way. Kovacs went over the Resolution and it was basically decided that again, the Clerk (who is not included in this statute this year), the CFO, Tax Collector and Tax Assessor either have to get the same 3.5 as the contractual employees or give them whatever we want, we won't know this until Lavery finds out this information and gets back to us all other essential employees get 2% and part time employees get 0%.

There being no further business to discuss, Kovacs made a motion to adjourn, Marks seconded. All were in favor.

Respectfully submitted,

Anna C. Godfrey
Acting Township Clerk