

WASHINGTON TOWNSHIP REORGANIZATION MINUTES

JANUARY 1, 2010

It should be noted, that minutes were held to have any corrections made and a portion of the minutes verbatim which will appear in bold.

The Clerk swore in Eve C Marks and Samir Elbassiouny for a three year term, prior to the beginning of the Reorganization Meeting.

Township Clerk Mary Ann O'Neil called the 2010 Reorganization Meeting to order at noon on this date at the Washington Township Municipal Building located at 211 Route 31 North, Washington, NJ, 07882.

SUNSHINE LAW COMPLIANCE - The Clerk 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 in the Clerks office. This agenda is subject to change by order of the Township Committee and/or during the scheduled meeting.

ROLL CALL:

Klingel, present; Kovacs, present; Marks, present; Strunk, present; Elbassiouny, present.

SALUTE TO FLAG

NOMINATIONS FOR MAYOR

The Clerk asked for nominations for Mayor of Washington Township for a one year term. Klingel nominated Samir Elbassiouny. The Clerk asked if there were any further nominations for Mayor. Kovacs moved to close the nominations, Klingel seconded.

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

The Clerk asked for a motion for the appointment of Samir Elbassiouny as Mayor of Washington Township for one year. Klingel made this motion, Kovacs seconded.

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

The Clerk swore Samir Elbassiouny in as Mayor of the Township of Washington for a one year term, expiring 12/31/10

NOMINATIONS FOR DEPUTY MAYOR

Kovacs made a motion to appoint Robert Klingel as Deputy Mayor for one year term, Elbassiouny seconded. Strunk said he was concerned about this appointment with Klingel just coming on to the Township Committee. **Request was made to review roll call.**

ROLL CALL; Kovacs, yes; Elbassiouny, yes; Klingel, yes; Marks, no; Strunk, had some concerns about this with him just coming on Township Committee, yes.

TOWNSHIP ATTORNEY

The Mayor said they had solicited bids through a Fair and Open Process. It was advertised in the paper and several RFPs from professionals had been received.

Kovacs made a motion that Michael Lavery be appointed as Township Attorney at a monthly retainer of \$3000 a month, Klingel seconded

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

Strunk said he has written to Lavery on several concerns and it took weeks to get a response and often had to be reminded. In his eyes, this performance is unacceptable.

APPOINTMENTS

Kovacs made a motion to approve Peter de Boer as Township Administrator, with a term ending 12/31/14 and Public Agency Compliance Officer for a one year term, ending 12/31/10, Klingel seconded.

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

Strunk did not think a five year term was necessary, de Boer was already tenured through his position as Certified Public Works Manager.

Strunk made a motion to approve the appointment of Mary Ann O'Neil, for a term of one year (12/31/10) to the following positions, Election Official, Affirmative Action Officer, Secretary to the Local Board of Health, Secretary to the Safety Committee, Custodian of Government Records and Safety Coordinator, Klingel seconded.

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

Strunk made a motion to approve the appointment of Anna C Godfrey for a one year term (12/31/10) for Deputy Election Official and Deputy Custodian of Records and Deputy Township Clerk, Kovacs seconded.

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

Kovacs made a motion to approve the appointment of Barbara Emery as Certified Finance Officer, with a four year term ending 12/31/13, Klingel seconded.

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

Klingel made a motion to approve the appointment of Suzanne Heerwagen as Deputy Treasurer, with a four year term ending 12/31/13, Kovacs seconded.

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

Kovacs made a motion to appoint Lydia Schmidt as the 911 Coordinator for a one year term expiring 12/31/10, Strunk seconded

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

Strunk made a motion to appoint Tom Bocko as Zoning Officer, for a one year term expiring 12/31/10, Kovacs seconded.

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

Strunk made a motion to appoint Gary and Betty Wysocki as Animal Control Officers for a one year term, expiring 12/31/10, Kovacs seconded.

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

Strunk made a motion to appoint Daniel Wyckoff to the Office of Aging for Washington Township for a one year term expiring 12/31/10, Klingel seconded.

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

Strunk made a motion to appoint Finelli Consulting Engineering, Inc. as Township Engineer, with this being year one of a three year term, ending 12/31/12, Marks seconded.

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

Strunk made a motion for a one year term, expiring 12/31/10, for following Court Personnel: the Shared Court Administrator Jerrilyn Harris, Deputy Court Administrator Vera Hart, Violations Bureau, Rosemarie Hoover and Judith Casella, Municipal Prosecutor Brett Morrow and Public Defender Donald Farino, Kovacs seconded.

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

Strunk made a motion to approve Peter de Boer and Suzanne Heerwagen as Recycling Coordinators, for a one year expiring 12/31/10, Kovacs seconded.

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

Strunk made a motion to approve Diane Edwards and Sue Berger as Technical Assistants for a one year term expiring 12/31/10, Marks seconded.

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

Kovacs made a motion to appoint Dave Evans, of Nisivoccia & Company, as Municipal Auditor, for a one year term, expiring 12/31/10, Klingel seconded.

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

Kovacs made a motion to appoint Hawkins, Delafield & Wood LLP, as Bond Counsel for a one year term expiring 12/31/10, Strunk seconded.

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

Strunk made a motion to table the Consultant for the Land Use Board for another meeting, Klingel seconded. All were in favor.

Strunk made a motion to approve Pat Kollar as Municipal Alliance Coordinator, for a one year term, expiring 12/31/10, Klingel seconded.

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

The Mayor appointed Eve Marks, as a representative of the Township Committee, to be liaison to the Municipal Alliance, Strunk seconded.

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

The Clerk was to provide Marks with contact information to Pat Kollar.

Kovacs made a motion to appoint Bruce Smith as Sewerage Consultant for a one year term expiring 12/31/10, Strunk seconded.

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

Strunk made a motion to table the appointment of the Consulting Engineer for the next meeting, Kovacs seconded. There was a question as to whether Finelli Engineering was qualified to work on the sewerage engineering.

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

There were no RFP's for special court litigation. Strunk made a motion to table the appointment of Special Court Litigation until the next meeting, Klingel seconded.

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

Strunk made a motion to appoint Martin Allen of Di Fancesco, Bateman, Coley and Yospin, Kunzman, Davis and Lehrer to handle Special Tax Appeals, Klingel seconded.

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

ORDINANCES

Kovacs made a motion to introduce Ordinance 10-01, Salary Ordinance, on first reading, Klingel seconded. Strunk said that Kovacs has a conflict of interest on this. He has two relatives on the Township DPW Department payroll and it is inappropriate for him to make a motion on this or be involved in any discussion on this. Kovacs said this is a Salary Ordinance, it sets no salaries so he sees no conflict, it is just ranges. Strunk said his request still stands.

ROLL CALL: Kovacs, defer; Klingel, yes; Marks, abstain; Strunk, no; Elbassiouny, yes.

Strunk questioned the vote defer, Kovacs said it is allowable under Roberts Rules. Strunk asked the Clerk to investigate this further. Kovacs then abstained and Strunk withdrew his request for the Clerk to look into the deferred voting.

Public Hearing and Second Reading will be January 19, 2010.

Elbassiouny made a motion to introduce Ordinance 10-02 Ordinance Reauthorizing the Open Space Trust Fund for the Twp of Washington, Klingel seconded.

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

Public Hearing and Second Reading will be January 19, 2010

Elbassiouny made a motion to introduce Ordinance 10-03 Amending and Supplementing Chapter 71 "Fees" of the Code of the Township of Washington, to Include New Subsection 71-4 "Establishing Rate of Payment for Outside Employment of Off-Duty Police Officers, Marks seconded.

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

RESOLUTIONS

The Mayor asked if anyone wanted to pull any resolutions, otherwise they would do a Consent Resolution for all of them. The Mayor asked that 10-21, 10-24 and 10-25 be removed. Strunk made a motion to approve Resolutions 10-1 through 10-25, with the exception of 10-21, 10-24 and 10-25, Klingel seconded

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

10-01 Resolution Authorizing Township of Washington Officials to Sign Checks

10-02 Cash Management Plan

10-03 Temporary Budget

10-04 Establishing Petty Cash Funds

10-05 Resolution Authorizing the Recording of Governing Body Executive Sessions and Maintaining Minutes

10-06 Resolution Designation Official Newspapers

10-07 Interest on Delinquent Taxes and Assessments

10-08 Tax Assessors/Township Attorney Stipulations

10-09 Regular Meetings of the Township Committee and Board of Health

10-10 Resolution Designating a Public Agency Compliance Officer (PACO)

10-11 Resolution Adopting a Uniform Notice of Claim

10-12 Resolution Appointing Public Alliance Insurance Coverage Fund Commissioner

10-13 Resolution Authorizing the Award of Fair and Open Contract for Township Attorney

10-14 Resolution Authorizing the Award of Fair and Open Contract for Special Litigation Counsel

10-15 Resolution Authorizing the Award of Fair and Open Contract for Special Tax Litigation Counsel

10-16 Resolution Authorizing the Award of Fair and Open Contract for Auditing & Accounting Services

10-17 Resolution Authorizing the Award of Fair and Open Contract for Bond Counsel

10-18 Award of Contract for Professional Services Without Public Bid - Public Defender (Donald Farino)

10-19 Award of Contract for Professional Services Without Public Bid - Municipal Alliance Coor (P Kollar)

10-20 Award of Contract for Professional Services Without Public Bid - Sewerage Consultant (B Smith)

10-22 Municipal Master Signers Certificate/TD Banknorth Bank

10-23 Municipal Master Signers Certificate/Wachovia Bank

Klingel made a motion to approve Resolution 10-21 Salary Resolution, Kovacs seconded.

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

Kovacs made a motion that Resolution 10-24 Transfer Resolution be approved, Klingel seconded. Strunk questioned why additional money was needed for Finance in salary and wages? Why didn't they stay within their budget? After discussion, Kovacs withdrew his motion, Klingel seconded.

Klingel made a motion to hold Resolution 10-24 until the next meeting, Marks seconded.
ROLL CALL: Klingel, yes; Marks, yes; Kovacs, yes; Strunk, yes; Elbassiouny, yes.

Strunk made a motion to approve Resolution 10-25, Resolution to Authorize and Approve Salaries and Wages for Certain Employees (David Dempski), Klingel seconded. Dempski will serve as Clean Communities Coordinator and COAH Administrator, Klingel seconded.
ROLL CALL: Strunk, yes; Klingel, yes; Kovacs, yes; Marks, yes; Elbassiouny, yes.

APPOINTMENTS TO BOARDS

WASHINGTON TOWNSHIP ECONOMIC DEVELOPMENT COMMISSION

The Mayor recommended the reappointment of the Warren County Chamber of Commerce as the Washington Township Economic Development Commission. Klingel made a motion to appoint the Warren County Chamber of Commerce to serve as the Washington Township Economic Development Commission, Strunk seconded.

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

ENVIRONMENTAL COMMISSION

The Mayor reappointed Al Ivany as Chairman of the Washington Township Environmental Commission for a one year term expiring 12/31/10. He reappointed Efrem Zaret and Lynn Griffin, for a three year term, expiring 12/31/ 12 on the Commission. He appointed Louis Accetturo to a three year term, expiring 12/31/12.

There was a brief discussion on combining the Environmental Commission with the Open Space Advisory Commission. This will be researched further, because both were created under ordinances.

WASHINGTON TOWNSHIP HISTORICAL COMMISSION

The Mayor reappointed Sheila Dempski to the Washington Township Historical Commission, for a three year term, expiring 12/31/12.

LAND USE BOARD

The Mayor will serve as Class I Member on the Land Use Board with a one year term expiring 12/31/10.

The Mayor made a motion to appoint Robert Klingel as Class III Member on the Land Use Board, for a one year term ending 12/31/10, Kovacs seconded.

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

The Mayor appointed Evan Howell as a Class II Member on the Land Use Board with a one year term expiring 12/31/10.

The Mayor reappointed Robert Christine as a Class IV Member on the Land Use Board with a four year term ending 12/31/13.

The Mayor appointed Louis Accetturo, as member of Environmental Commission, as Alternate 1 for a two year term, expiring 12/31/11.

RECREATION COMMISSION

The Mayor appointed Mel Kries to the Recreation Commission, for a five year term ending 12/31/14.

The Mayor appointed Ray Kunzman to fill an unexpired term on Recreation Commission expiring 12/31/11.

The Mayor appointed Jim Miller as Alternate #1, for a two year term expiring 12/31/11

The Mayor appointed Chris Cavazinni as Alternate #2 for a one year term expiring 12/31/12.

LIAISON APPOINTMENTS

The Mayor passed out the liaisons for 2010. As they have in the past, the Mayor explained to Marks and Klingel, there are a lot of responsibilities with different departments. You as the liaison for that department, are the direct supervisor. If there are any issues with any department that you are not assigned to and you have questions or concerns, please lets honor the liaisonship and go through the liaison to that particular department you have a concern or issue with. If you do not get an answer, go to the mayor to see if you can get an answer, if not, it would go before the entire committee. The Mayor said the liaisonship is their main direct responsibilities. This is your assigned department.

Marks had a slight problem considering she is a realtor and that is her actual job and supervising a shared code and construction office, not to mention Affordable Housing could be a conflict. The Mayor said the reason he gave it to her was she had the experience. You are not really supervising, because they are regulated too much by the State. You are liaison to the department, but you are not actually, you only deal with basically issues that township residents might have. The only time you will get a call is to complain. They cannot set policy. Its not like she is liaison with the Police department, you cannot get involved with day to day operations. They are licensed by the State and must comply with certain jobs. (Mayor) If you feel like, (Marks) her only question was, how was this list predetermined, what qualifications do you, does everybody else know when they are coming into the committee what their assignments are going to be, because it seems like it has already been decided. The Mayor said he gave her Mueller's place on the committee, so he gave her most of the offices that Mueller had on his assignments. Marks, most of them. Mayor, said, because you are a realtor it would help with affordable housing, that is why he gave her that, based on her strength to help us out.

Kovacs recommended, under Klingel, that you add another one, Land Use Board, since he is the member to the Land Use Board. It shows up on the directory and he is the one that would get the telephone calls from the public. Klingel would be Land Use Board Liaison.

The Mayor asked Marks is she had any other concerns. She said she really has no concerns, her question was, if she was taking Mueller's place, in that particular case, when Klingel was appointed, that means he took Horensky's liaisons. So, Horensky wasn't responsible for what Klingel got. She is losing the concept.

Kovacs explained that Horensky had Finance and he had the Road Department. Because he had the Finance for 15-20 years, (Marks what does that mean) and because of any conflict of the Road Department, the Mayor made a shift. Marks, so we already knew who the Mayor was going to be prior to this meeting. Kovacs said the Mayor made the decision, (Marks, back then). Marks said she was losing the concept, it needs to be explained, because to her it seems it has all been predetermined and everybody knew who the mayor was going to be. The Mayor said this is the procedure that has always happened. She said she understood, but she was questioning. When they came in it was predetermined who was going to be mayor. The Mayor said it was not determined, because everybody has to vote on it.

Nothing is predetermined. (Marks) Then how do you know, how is the nomination made, explain that to me. Kovacs said the Mayor assumed he was going to be Mayor again. The Mayor said, (three people speaking at same time). Kovacs said, since Samir thought he was going to be Mayor, but if Kovacs had been made Mayor, he would have asked for Samir's list.

The Mayor said, for example, last year Dave Dempski gave him the list he had and the year before that, whoever the current sitting mayor is, he prepares that list, whether that person becomes mayor or not. Marks said this is what she is asking. The Mayor said if he did not have the votes, he would not be Mayor. It is his responsibility as former mayor to prepare a list. So, if you get voted in, those lists will be handed to you, this is what is prepared. The assignments, if you do not feel comfortable you do not have to do them. Marks said she did not know too much about them so the point is mute. The Mayor said you have to start somewhere, so he could not come in and ask her what she wanted or what she liked. So, he took the next best thing, you do what was done in the past. If you know somebody who has some expertise in something, you make the recommendation. These are the recommendations that are going to committee. Kovacs said that is why they call this form of government the benevolent dictatorship. Marks said that is the Township Form of Government, yeah. (End of discussion)

SAMIR ELBASSIOUNY

Farmland Preservation/Open Space
Police Department
Shared Court
Township Attorney
Township Engineer
Emergency Management
Fire District/Fire Department/Fire Official
Township Administrator
Public Health officer

MICHAEL KOVACS

Township Clerk
Deputy Township Clerk
Senior Citizens Advisory Committee
Tax Assessor
Tax Collector
Budget & Finance
Township Auditor
Finance Department

ROBERT KLINGEL

Department of Public Works
Buildings and Grounds
Board of Education/Washington Township
Township Web Site/Public Information
Environmental Commission
Recreation Commission Administrator/Recreation Committee

EVE MARKS

Shared Code & Construction Office
Historic Preservation Commission
Municipal Alliance
Warren-Morris Council of Government (Shared Services)
Affordable Housing
Warren County Community College
Economic Development Commission

JEFF STRUNK

Clean Communities Coordinator
Zoning Officer
Animal Control/First Aid Squad
Board of Education/Warren Hills Regional
Public Utilities
Warren County Solid Waste Advisory Committee
Recycling

Marks felt that her serving as liaison to the Shared Code and Construction would be conflict of interest. The Mayor will serve as liaison to the Shared Code and Construction Office.

NEW BUSINESS

After discussion, Kovacs made a motion that the Budget Meetings be held at 10:00 a.m. on Saturday, January 12, February 13, February 27 and March 6, Klingel seconded.
ROLL CALL: Kovacs, yes; Klingel, yes; Marks, yes; Strunk, yes; Elbassiouny, yes..

PAYMENT OF BILLS

Kovacs made a motion to approve the payment of bills, Klingel seconded.
ROLL CALL: Kovacs, yes; Klingel, yes; Marks, yes; Strunk, no; Elbassiouny, yes.

The Mayor wished everyone a "Happy New Year" and reminded every one that they should adhere to their liaison duties. Kovacs said if someone has a problem with a department or employee, they should consult with the liaison immediately.

There being nothing further to come before the Committee, Kovacs made a motion at 12:20 p.m. to adjourn, Klingel seconded. All were in favor.

Respectfully submitted,

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