

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Minutes
June 15, 2010

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.

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 the order of the Washington Township Committee before and/or during the scheduled meeting.

ROLL CALL

Elbassiouny, present; Klingel, present; Kovacs, present; Marks, present. Michael Lavery, Township Attorney; Mary O'Neil, Township Clerk and Peter de Boer, Administrator and Certified Public Works Manager were present. Jeff Cooper, Assistant Municipal Supervisor of Public Works was also present. Strunk was absent.

SALUTE TO FLAG

ORDINANCES

The Mayor said a request had been made to postpone Ordinance 10-07 Ordinance of the Township of Washington, County of Warren, State of New Jersey, Amending, Revising and Supplementing Chapter 123 "Zoning," Section 24, "Signs" to include Subsection 24(B)(2)(1) "Temporary Signs" and Amending Chapter 123, "Zoning," Section 2 "Definitions and Word Usage" to include the definition of "Professionally Painted," to the July meeting, but it is up to committee as to whether they want to postpone it. The Mayor said it was his understanding that Committeeman Strunk asked that it be postponed until the next meeting as he was on the sub committee and will not be here for the second reading. Now he hears it was not Strunk that made the original request. There was discussion as to whether the Committee should open the ordinance to the public. Kovacs made a motion to open Ordinance 10-07 to the public, Klingel seconded.

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

Tom Prisk, 5 Osprey Court, said he would like to read comments made by Frank Cregan that were made on April 21, 2010.. The Mayor said that Cregan was on the Sign Committee. Cregan's comments follow: General Comment:- He is not in favor of the proposed sign ordinance. Specific Comments:- (1) Temporary signs (Daily, Special Events, Grand Opening or Closing Events) would add to existing sign clutter. All existing temporary signs would be "grandfathered" even though prohibited when they were put up under existing ordinance (2006) or previous ordinance (prior to 1980). Trade mark inflatable's, pennants and balloons should not be permitted. No setback requirements are provided - should be at least 30 feet from road right of way. (2) Removal of prohibited signs by Zoning Officer is not provided. (3) Persons whether in costume or not, holding signs or not, should be prohibited. (4) Use of US flags for any advertising purposes should be prohibited (Public Law 94-344) , (5) Painted wall signs, as allowed in current ordinance, should be prohibited, (6) Billboard on bus stop shelters should be prohibited. All bus stop shelters do not function as such. (7) Real estate signs should be "professionally lettered." (8) Christmas lights should be prohibited, except for specific times, and (9) Scarlett Doyle, Township Planner, specifically, should review any proposed sign ordinance. The Mayor asked if anybody else would like to be heard. Kovacs made a motion to close the public hearing, Marks seconded. All were in favor. The Mayor made a motion the ordinance be heard at the next meeting, Kovacs seconded.

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

RESOLUTIONS

The Mayor said he would be abstaining from Resolutions 10-101 through 10-106 and 10-110 because he has a liquor license. Klingel made a motion to approve 10-98 through 10-100 and 107 through 109, Kovacs seconded. ROLL CALL: Klingel, yes; Kovacs, yes; Marks, yes. Elbassiouny yes.

10-98 Refund Resolution, Block 38, Lot 22 C0081

10-99 Corrective Action Plan 2009 Audit Report

10-100 Return of Escrow - Milly Supplee

10-107 Chapter 159 Budget Amendment - Police Body Armor

10-108 Chapter 159 Budget Amendment - Police K9 Funds

10-109 Chapter 159 Chapter Amendment - Police National Night Out

Kovacs made a motion to approve resolution 10-101 through 10-106 and resolution 10-110, Klingel seconded.

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

10-101 Daya Wine & Liquor Inc Liquor License Renewal

10-102 Hawk Pointe Golf Club LLC Liquor License Renewal

10-103 Oakwood Lanes & Corp Liquor License Renewal

10-104 Roaring Rock Inn Inc Liquor License Renewal

10-105 Pohatcong Home Asso, VFW, Liquor License Renewal

10-106 Washington Township Liquor License Holding Co, t/a Ocino

10-110 Y3 Liquor License Holding Co, t/a 31 Steakhouse

Kovacs made a motion to approve Resolution 10-111 Resolution Authorizing to Exceed Bid Threshold and for the Purchase of Road Resurfacing, Klingel seconded.

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

Klingel made a motion to approve Resolution 10-112 Resolution Authorizing to Exceed Bid Threshold and for the Purchase of CRS-2P Polymer Modified Emulsified Asphalt, Kovacs seconded.

de Boer said this is for the paving project which includes Bowerstown, Castle Street and Dale Avenue, It includes some milling on spots that were identified by the township engineer, cutting out some ramps and catch basins and raising 2" risers on inlets and man hole risers. Bowerstown Road has been identified as the worst road and most traveled. Marks said she thought Pleasant Valley Road was going to be done. There was a grant and it was one of the roads concentrated on. de Boer said this is an ongoing project and involves state funding. Kovacs asked if this was one that must be done this year or we lose the grant. de Boer said they can get an extension. Marks asked if the paving on Dale Avenue was included, de Boer said no. Klingel said they never agreed to fix it or take ownership of it. de Boer said if they included this in the amount, the estimated cost would be less. Cooper said it would be roughly \$8000 to do the dirt section. de Boer encouraged the committee to pass this resolution, because school is out. They will get clarification, if it is included, it can be subtracted out. Kovacs asked if they could do the road and not accept it. Lavery said this could be a problem. Klingel asked if they could approve the resolution and de Boer can come back with clarification. The Mayor said the developer of the project has agreed to donate \$5000 on the road. After further discussion, Kovacs made a motion to approve resolution 10-112, which would cost township \$3000 and developer \$5000, Klingel approved.

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

Kovacs made a motion to approve Resolution 10-113, Authorizing the leasing of Police Vehicles, Klingel seconded. Chief McDonald said funds were appropriated for 2010 chargers and they are available under State Contract with a 3 year lease. The award would be held until certification of the availability of funds is approved by the CFO. The Mayor said he thought they were going on a purchase program, not a leasing program, what changed. The Chief said he feels leasing is the way to go and saves the township approximately \$18,000. Next year Oxford will pick up one lease payment on these vehicles. Marks asked if this saved money? The Chief said yes, this year the township will save around \$15,000 to \$18,000. The leasing works out well in the budget. The Mayor thought money was put in the budget to purchase. de Boer said they did last year, but not this year.

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

Kovacs made a motion to approve Resolution 10-114, Resolution Authorizing the Bid Threshold and for the Purchase of a Specialized Police Vehicle, Klingel seconded. de Boer said this in the budget, not to exceed \$42,000. de Boer said they have a quote for \$41,000. Klingel questioned why this was for an Expedition as opposed to anything else. The Chief said their other choice was Durango, but they are not making them any more.

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

STAFF ADMINISTRATIVE REPORTS

Chief Mc Donald had distributed his monthly report and gave a short talk on Dare Graduation.

Cooper had distributed his monthly report. Marks said she asked for back up last month, as this report does not make sense. She wants details. Copper explained how the pie chart works and it varies from month to month, season to season. Marks would like to see it either done differently or a report which shows Costs Analysis. Marks asked how they know the Township is saving money and how do they know how much money is used on what. The Mayor said when they go through the vouchers, every bill is on the list. Marks said they should move on, her question was answered.

Joe Rossi said he had gotten up a few meetings ago and told the Committee that Mt Eden was having an affair and the Township should do something about it. The Township Attorney wrote them several letters advising they needed permits, code and construction needed some things as did, fire prevention and Police Department. The Committee passed a resolution saying that all permits have to be in and done in order for these people to have their event. The Committee was not going to approve it, but the Township Attorney Lavery spoke up and said he got an e-mail from police, they are ok. The only things that remain is the tent because it is not up and electrical wiring. They had representatives in the audience and said it would be done Friday, provided everything is done, no problem. So, Friday he went up Friday at noon and asked about their electrical work, they said that he was to be there at 3:00 p.m. He went up at 3:00 p.m. and they were not done. They were advised they were in violation. They questioned whether they would be shut down. Rossi said no, but if something happens their insurance company can come out and advise they were in violation. The Township can issue a fine. He called Lavery and advised they were not done. He said it was his recommendation that the Township issue a \$500 fine to them for not to be in compliance and not abiding by the resolution. They

are now setting something up. If they are not in compliance, they should be fined. If another group want to do something similar, they would question why they could be fined, when Mt Eden was not fined. They should not be allowed to have any more affairs until they pay the \$500 fine. Lavery will check the code and see if they can be fined. They got the permits, but never complied with the permits. Lavery will check ordinance to see about them being fined. Rossi said Lavery should write a letter advising the problems and it should not happen again. If this happens again, Rossi will have the police shut them down.

Mt Hope of Warren will be doing projects throughout the area. This is a group of young people who will be doing projects. There may be permits involved for ramps, which must be inspected. He did not see any major construction going on, he asked that fees for this project be waived. Kovacs made a motion to waive fees on project being done by Mt Hope of Warren, Klingel seconded.
ROLL CALL: Kovacs, yes; Klingel, yes; Marks., yes; Elbassiouny, yes.

de Boer had nothing to report, but has some items for Executive Session.

PUBLIC QUESTIONS AND CONCERNS

George Willan, 32 Falcon Way, asked if the Committee knew any more about the Pinnacle Bond. Lavery said he called them twice and got no response as to when the money will be available. Also, he wanted to comment on the pie chart used by the Road Department. A monthly pie chart showing accumulative to date may be needed.

Walter Godfrey, 661 Mountain View Road and Thomas Gelpke 662 Mountain View Road, were present to discuss the Blue Army Shrine. They have had issues with Blue Army Shrine, especially Memorial Day Weekend. Mr. Rossi just talked about the congregation at Mt. Eden. They have an Ethnic Affair on Memorial Day Week End and between 5,000 to 7,000 people attend. Nothing is done about them having permits. This year the people set up picnics up on their property, leaving dirty diapers, one lady threw up in a bag and threw on their property and litter. Gelpke said one person walked into the woods and defecated. It is really an issue with the Shrine and he has called them. They would do a litter patrol after the event. They were wondering if there was an opportunity to put up no parking signs, if available to them, they would put up. The Mayor said they have no parking signs. They also need some sort of traffic plan, they clog up the road. The Mayor asked Chief Mc Donald if the police could do some sort of traffic control. Chief Mc Donald said the signs may not address the issue. A meeting should be arranged with the Shrine people. The Mayor said the Township Attorney will review the Public Exhibition try to make it more strict, possible fines and enforcement.

Mary Beth Ridge, 45 Dale Avenue, asked about the private road vs local road. She said New Jersey American Water has been out on the property. The Mayor said that if the developer donated the \$5000 that he said he would, the Township would do the road. de Boer needed the contact information of developer.

Kathy Enz, Spring Road said over the past few months she has reported littering being done on Montana Mountain Road. She mention to Cooper, who advised it was a County Road. Her concern is it is right through the park. She requested that the police patrol the area and try to catch whoever is littering. Also, Marks asked about the pie chart. Cooper had said there are eight men in the department and two men are out every day of the week. She said it sounds like there is an efficiency problem there. de Boar advised that contractionally the men are entitled to days for vacation, sick time and if they required to take mandatory training. Someone could also be out on workmen's compensation. Enz said that is 25% of the crew, it looks like it needs its own pie chart.

Daryl Detrick, 112 Little Philadelphia Road, was there to give an update on Hope in the Hills of Warren. Many young people are coming from all over the county to work on homes. There are 10 properties in Washington Township that will be worked on. There are about 80 people in the community that may take on what was not finished by the young workers. He invited the Committee to attend the Closing Ceremony on Friday, July 9 at 7:30 p.m. All the homeowners will be coming into Warren Hills Gym. He would love to see any Committee Person attend. There is also a service every night at 7:30 p.m. they could attend as well.

Closed Public Section at 8:46 p.m.

NEW BUSINESS

1. _____ Kovacs made a motion to approve Mary Ann O'Neil, Township Clerk, to attend Recertification Class August 20 in Asbury, New Jersey, Diane Edwards, Administration Assistant and Anna Godfrey, Deputy Clerk to attend training on June 15 at Warren County Community College and Lydia Schmidt, Tax Assessor to attend a conference July 14, 2010 in Jersey City, NJ. (1/3 of the cost of the conference), Klingel seconded.
ROLL CALL. Kovacs, yes; Klingel, yes; Marks, yes; Elbassiouny, yes.

REPORT FROM OFFICIALS

Eve C. Marks had attended a Shared Service meeting on July 21 and did not have a quorum.

Michael A. Kovacs said he had nothing to report. Periodically he checks with the CFO to see how things are going and he is on top of it.

Robert Klingel had nothing to report.

Mayor Samir Elbassiouny had nothing to report.

PAYMENT OF THE BILLS

Klingel made a motion to approve the bills, Kovacs seconded.

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

EXECUTIVE SESSION

Klingel made a motion at 8:49 p.m. to approve Resolution 10-115, 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. Lavery advised the Committee would be discussion on two contractual items by de Boer, Attorney Client matter by Marks, update on the Hawk Pointe Conservation Easement , update on Washington Cemetery and an Attorney Client matter dealing with videos. A short break was taken.

The door was opened. Kovacs made a motion to come out of Executive Session at 9:59 p.m., Klingel seconded. All were in favor. Lavery said the Committee discussed a contractual matter involving potential land purchase, contractual matter on a proposal by the Water Company, Attorney/Client Matter dealing with hiring practice, update on Hawk Pointe Asbury Farms having to deal with Conservation Easement, update on Washington Cemetery and Attorney Client Privilege dealing with video camera. Also, a police personnel issue. No action was taken. Copies of these minutes will be available at such time there is no harm to public interest.

Kovacs made a motion that the proposal as presented by Hawk Pointe on the Conservation Easement is not acceptable, Klingel seconded.

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

Klingel made a motion to adjourn at 10:00 p.m., Kovacs seconded. All were in favor.

Respectfully presented,

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