

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Minutes
March 16, 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 7:37 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. 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; Marks, present. Michael Lavery, Township Attorney; Mary Ann O'Neil, Township Clerk and Peter de Boer, Certified Public Works Manager/Township Administrator were also present. David Evans, Auditor, and Nevitt Duvencck, Township Engineer were also present. Klingel and Strunk were absent.

SALUTE TO FLAG

APPROVAL OF MINUTES

Kovacs made a motion to approve the minutes of the Budget Meeting of February 13, 2010, Marks seconded.

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

Marks made a motion to approve the minutes of the Regular Meeting of February 16, 2010, Kovacs seconded.

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

Marks made a motion to approve the minutes of the Executive Session of February 16, 2010, Kovacs seconded.

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

Kovacs made a motion to approve the minutes of the Budget Meeting of February 27, 2010, Marks seconded.

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

ORDINANCE

Kovacs made a motion to open Ordinance 10-04, Ordinance Amending and Supplementing Chapter 59, Construction Code, Uniform; Permits Article III Subsection 59-11 Building Sub Code Fees: Retaining Walls, Roofing, Siding Fees, to the public, Marks seconded. All were in favor. Nobody from the public wished to be heard. Kovacs made a motion to close the public hearing, Marks seconded. All were in favor. Kovacs made a motion, after public hearing and second reading, to approve Ordinance 10-04, Marks seconded.

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

Ordinance 10-05, Bond Ordinance Appropriating \$2,300,000 and Authorizing the issuance of \$2,190,000 Bonds or Notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Washington, County of Warren, was tabled until later in meeting.

RESOLUTIONS

Kovacs made a motion to approve Resolutions 10-45 through and including 10-51, Marks seconded. The Mayor asked that 10-50 and 10-51 be removed. Kovacs amended his motion to remove these two, Marks seconded.

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

10-45 Resolution for a Place to Place Transfer for Extension of Purposes - Daya Wine and Liquors, Inc.

10-46 Refund of Building Permit Fee (St Luke's Lutheran Church)

10-47 Temporary Budget

10-48 Return of Performance Bond for Certificate of Occupancy and Driveway Escrow (Brooks Schott)

10-49 Resolution for Tonnage Grant Application (2009)

Kovacs made a motion to approve Resolutions 10-50, Resolution authorizing to exceed bid threshold for purchase of rock salt, Marks seconded

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

Kovacs made a motion to approve Resolution 10-51, Resolution to authorize and approve salaries and wages for certain employees (Douglas Koeppen), Marks seconded.

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

Resolution 10-52 - Resolution to authorize and approve salaries and wages for certain employees was pulled from the list.

Kovacs made a motion to approve Resolution 10-53, Resolution Authorizing to approve Affordable Housing Units for a period of 30 years, Marks seconded.

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

STAFF ADMINISTRATION REPORTS

de Boer passed out the Police February Monthly Report for the Police Department.

de Boer said the DPW Monthly Report had been distributed and asked if there were any questions, there were none.

de Boer distributed his report. There were four highlighted items that need answers.

1. Approval from the Committee to draft a Washington Township Municipal Shared Services Agreement (like County has in place) to do work for other municipalities. de Boer was to run this request past the Risk Manager, then the item was tabled until the next meeting. de Boer said the rates being considered are comparable to the County.

2. The Broadview Contract is expiring. He would like to set up a meeting to do a bill review and asked for volunteers to service on reviewing the information. The Mayor said he and Marks will serve on the Committee. de Boer was to set up meetings with three different vendors on three dates and to make sure he had three months of billing from Broadview to compare.

3. Shared Services Sub Committee Meeting (DPW) needs to be set up - The Mayor said they are doing away with Shared Services. He called the Governor's office and all grants for shared services have been cut out of budget. There is no money at this time for the shared service.

4. How to revise Master Plan to include recycling provisions, per memo/recycling regulation requirements. The Mayor said this is a Land Use Board Issue. Lavery advised the information be forwarded to the Land Use Board to see if the Township is in compliance with regulations.

Klingel came into the meeting at 7:59 p.m.

ORDINANCE

Kovacs made a motion to introduce Ordinance 10-05 - Ordinance 10-05, Bond Ordinance Appropriating \$2,300,000 and Authorizing the issuance of \$2,190,000 Bonds or Notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Washington, County of Warren, Marks seconded.

Evans advised, as discussed at the February 27, 2010 Budget Meeting, he was to proceed with a bond sale to encompass all temporary debt and add a sum of money for road improvements at \$2.3 million. In order to proceed, the bond must be done tonight and adopted before April 1, 2010 to pay notes on May 15th. This is on a very tight time constraint. He said they could introduce tonight and get any concerns addressed between now and adoption, if they are not satisfied, do not adopt it. Evans said the \$ 2.3 million only represents one quarter of the bond sale, the other money is already obligated. Kovacs said they should introduce tonight and get more details. Evans said they could prioritize what they want to spend the money on, but if it is not introduced tonight, it is a problem.

The Mayor did not see how the roads were going to be done, not many could be done and they will just be patching, this money is not going to be enough. Marks said the roads should be allocated by number, so they could see what roads were going to be done and how much is going to be done. She said, through the years they did not do anything, nothing is going to get better.

de Boer said, the difference to the tax payer, if the \$2.3 million was included, which would be \$77 on the current existing debt. If they include the \$2.3 million it would be \$128 annually.

Nevitt Duveneck, Engineer, said they have looked at the 33 miles of roadway and of this, 11.5 miles were targeted by de Boer. If this bond is passed, the Township would get 80-90% of the 33 miles completed. He said different roads have different needs. Some will need extensive work.

Kovacs said the roads are a major project. They should introduce the ordinance and get more information before making a decision. Marks said they need to do something, they must address the issue. They need to keep the Township running and address problems that have not been addressed.

The Mayor asked the time frame for this project. de Boer will work with the engineer and can only do so much a year. They will update the spread sheet and work from it. The Committee has control over what is done. Duveneck said, each year the Committee should sit down with de Boer and make sure of the roads they want to do each year, address this on a yearly basis.

The Mayor asked for a roll call on the Introduction of Bond Ordinance 10-05.

ROLL CALL: Kovacs, yes; Marks, yes; Klingel, yes; Elbassiouny, was concerned about the bond, but to get the bond introduced and more information provided, voted yes.

RESOLUTION

Klingel made a motion to approve Resolution 10-54, Resolution of the Township Committee of the Township of Washington providing a Temporary Capital Budget, Marks seconded.

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

PUBLIC CONCERNS AND QUESTIONS

Liz Scovill, 5 Osprey Lane, asked about the snow plowing and reimbursement. Lavery sent proposal to their attorney. They got one back, but he and de Boer must go through the terms and respond back. The numbers will have to be checked. The Mayor said money has already been budgeted for this.

Tom Prisk, 5 Osprey Lane, said he attended the court hearing and Lavery did a very effective job.

John Ettore, 44 Dale Avenue, bought his home in 2007. There was a development being done at the time. They expected, by now, the road would be completed. First year there was snow plowing by DPW, second year they said we owned the road and they would not plow and would not plow this year either. They are looking to have this road completed. He was looking for help. What can be done to get the road completed?

The Mayor advised that there are some legal issues on this road. Lavery said he cannot remember the issues about the road, but knows there are some issues. Ettore said the developer got a permit without a variance and it is not an improved street. Duvneck said the road is not up to township standards and is not paved. The Mayor asked what options the Township has, the developer is gone. Lavery will review the file with Duvneck.

Mary Beth Finley, 45 Dale Avenue, asked who owns the road? Is it a private road? De Boer said the developer never improved the road to be accepted. Lavery said they should have been advised that it was a private road.

The Mayor said he understand their frustrations, but they should contact their attorney to see what he recommends and go from there.

Kathy Enz, Spring Lane, asked what the roads are going to cost per mile and it varies from drainage, which has totally been ignored. Also, all along she had been in favor of merging with Washington Borough and the police merger was a good thing. However, she was not in favor of any further merging.

Charles Van Dursen with the Washington Emergency Squad. He spoke with Klingel about a month ago and he had asked that a representative from the squad explain what the squad does. He wanted to point out that this was the first organized shared service for approximately 75 years. He gave a summary of the various services they provide. Also, it is called the Washington Emergency Squad, not the Washington Borough Squad.

David Dempski, 4 Old Canal Road, had a request from the Washington Township Youth Association. They are trying to find a facility to teach a three hour course. He asked for permission to use the meeting room at 211 Route 31 North on a Saturday. There will be approximately 20 people, mostly township residents. He was advised to contact de Boer for any scheduling

Nevitt Duvneck was brought back up for discussion on the Warren Hill Regional High School fields. He said he and Gleba have been looking at the storm water as it relates to the athletic fields across from the high school. There are many contributing factors. They have gotten cooperation from the school. They cannot complete the analysis without continuing to do more work. There are really big problems with the drainage at this site. When the field is finished and turf is down, there is concerns about the detention basin at the school. He asked the Committee to read through Gleba's comments and asked how much more work they want them to do. The Mayor told them to submit the report to the school and see what they come back with.

Duvneck said they have been in touch with the architect and expressed their concerns. The Mayor asked for discussion on this at the next budget meeting and the costs involved to bring this to completion.

Kathy Enz, Spring Lane, said if the Environmental Commission was active, they would have known that years ago plans were done showing nothing should be built on that land. Nobody paid any attention to the flood plain records.

9:44 p.m. - End of public discussion

NEW BUSINESS

1. Kovacs made a motion to approve the request from Peter de Boer to attend a Public Works Conference on Wednesday, March 24 in East Windsor, NJ, Marks seconded.
ROLL CALL: Kovacs, yes; Marks, yes; Klingel, yes; Elbassiouny, yes.
2. Discussion on Assessor and Collector being incorporated under County - Kovacs said it would be a bad move to incorporate Assessors and Collectors with County. Lydia Schmidt, Tax Assessor, was present and said that is why she gave resolution to de Boer, so the Township knows what they are up against. There will be no more personal services to the public.
3. Recycling Requirement - had been done previously and the request was forwarded to Land Use Board to research.
4. Designate someone to attend forum on Warren County Transportation on 4/21/10. - Klingel made a motion that Peter de Boer, Administrator, attend this meeting, Kovacs seconded. All were in favor.
5. Traffic Patterns/Resident Robert Fasanello - Resident wrote letter regarding traffic pattern in and around Hawk Pointe and Shop Rite. Letter was to be sent to Chief Mc Donald for recommendations.
6. Letter of Resignation - Leonard Artigliere from Land Use Board - The resignation letter from Leonard Artigliere from the Land Use Board was accepted, with regrets.
7. Appointment to Land Use Board Meeting - to be done at April 1, 2010 Budget Meeting.
8. Request from Diane Edwards for mileage for a class on March 22, 2010 in Trenton - Kovacs made a motion to approve the request from Diane Edwards for mileage for a class in Trenton on March 22, 2010, Marks seconded. All were in favor.
9. Affordability Controls/Fairway Mews - Executive Session
10. Special Meeting Date - cancelled
11. Set Date for Budget Meeting/Bond Public Hearing - Kovacs made a motion that the next Budget Meeting for held Thursday, April 1, 2010 and the public hearing and second reading on Ordinance 10-05, Marks seconded.
ROLL CALL: Kovacs, yes; Marks, yes; Klingel, yes; Elbassiouny, yes.

REPORTS FROM OFFICIALS

Robert Klingel had nothing to report.

Michael Kovacs had nothing to report.

Eve Marks had nothing to report.

Mayor Elbassiouny had nothing to report.

PAYMENT OF BILLS

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

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

EXECUTIVE E SESSION

Klingel made a motion to go approve Resolution 10-55 at 9:56 p.m. 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 N J S A 10:4-12, Kovacs seconded. All were in favor. Lavery said they will be discussion the Washington Cemetery/Pending Litigation; A&P/Pending Litigation, Pinnacle /Pending Litigation, Fairway Mews and a contractual matter dealing with Washington Borough.

The doors were opened. Klingel made a motion at 10:53 p.m. to come out of Executive Session, Kovacs seconded. All were in favor. Lavery advised the Committee emerged from Executive Session at 10:53 p.m. where they discussed Washington Cemetery/Pending Litigation; A&P/Pending Litigation; Pinnacle/Hawk Pointe Pending Litigation; Fairway Mews/Contractual and Shared Service with Washington Borough, which is contractual. No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no harm to public issues.

Klingel made a motion to adjourn at 10:54 p.m., Kovacs seconded. All were in favor.

Respectfully submitted,

Mary Ann O'Neil
Township Clerk