

## TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting  
April 18, 2011

The regular meeting of the Township Committee was held on this date at the Washington Township Municipal Building, 211 Route 31 North, Washington, N.J. The meeting was called to order at 7:35 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 and transmitted to the Express-Times, posted at the Municipal Building and a copy is on file in the Clerk's office. 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; Finke, present; Klingel, present; Kovacs, present; Marks, present. Anna C. Godfrey, Acting Township Clerk, Peter deBoer, Township Administrator/Certified Public Works Manager; Attorney Michael Lavery; James McDonald, Police Chief; and Jeff Cooper, Assistant Municipal Supervisor of Public Works were also present.

### SALUTE TO THE FLAG

Mayor Elbassiouny explained he would be making a few changes to the agenda per the suggestion of the Township Auditor.

### RESOLUTION

A motion was made by Klingel, seconded by Marks, to approve Resolutions 11-58, through 11-61\*.

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

11-58 Deferred Local District School Tax

11-59 Deferred Regional High School District School Tax

11-60 Self Examination of Budget Resolution

[\* due to a numbering error, only Resolution #11-58 through 11-60 should be included in this motion]

### ORDINANCE

A motion was made by Kovacs, seconded by Klingel, to introduce Ordinance 11-07, Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank – Calendar Year 2011 (N.J.S.A. 40A-45.14) on first reading.

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

Public hearing and adoption will take place at the May 17, 2011 meeting.

### APPROVAL OF MINUTES

A motion was made by Finke, seconded by Klingel, to approve the minutes of the budget meeting held March 5, 2011.

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

Kovacs, abstained

A motion was made by Klingel, seconded by Finke, to approve the minutes of the regular meeting held March 15, 2011.

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

A motion was made by Finke, seconded by Marks, to approve the executive session minutes of the meeting held March 15, 2011.

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

A motion was made by Klingel, seconded by Finke, to approve the minutes of the budget meeting held March 26, 2011.

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

A motion was made by Finke, seconded by Marks; to approve the executive session minutes of the meeting held March 26, 2011.

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

### ORDINANCES

A motion was made by Klingel, seconded by Finke, to open to the public Ordinance 11-06, An 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, #2011-02, to Include the Position of "Parking Enforcement Officer", public

hearing on second reading. All were in favor. Mayor Elbassiouny entertained comments from the audience. Hearing no one, a motion was made by Finke, seconded by Kovacs, to adopt Ordinance 11-06 on second reading. ROLL CALL: Finke, yes; Kovacs, yes; Klingel, yes; Marks, yes; Elbassiouny, yes

#### INTRODUCTION OF THE 2011 BUDGET

A motion was made by Klingel, seconded by Kovacs, to approve Resolution 11-61, Introduction of the 2011 Budget.

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

#### PROCLAMATION

Mayor Elbassiouny read the proclamation designating May as Older American Month.

#### RESOLUTIONS

A motion was made by Kovacs, seconded by Marks, to approve Resolutions 11-62, 11-63, 11-64, 11-65, 11-67, 11-69, 11-70, 11-71, 11-73, 11-74, 11-75 and 11-76.

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

- 11-62 Tax Sale Redemption Resolution - Block 38.04; Lot 13
- 11-63 Tax Sale Redemption Resolution – Block 44; Lot 5
- 11-64 Tax Sale Redemption Resolution – Block 65; Lot 1.01
- 11-65 Resolution Urging the Swift Passage of A-3430, A-3431 and A-3432
- 11-67 Resolution for Street Name Change from “Lannings Trail” to “Private Lannings Trail”, Off Jonestown Road, Township of Washington, County of Warren, State of NJ
- 11-69 Release of Performance Guarantee for Levin Properties, Block 46, Lot 64
- 11-70 Resolution of the Township of Washington, County of Warren, State of NJ Authorizing the Department of Transportation to Extend FY 2010 State Aid Funding for the Pleasant Valley Road Section 2 Reconstruction Project
- 11-71 Resolution Appointing John Ferri, Robert Klingel and Eric Lucy to the Washington Township Safety Committee
- 11-73 Resolution to Extend the Temporary Budget
- 11-74 Resolution Authorizing to Exceed the Bid Threshold and for the Purchase of Road Resurfacing and Milling
- 11-75 Resolution Authorizing to Exceed the Bid Threshold and for the Purchase of Road Resurfacing
- 11-76 Rescind Resolution for Leasing 2 Inc.

A motion was made by Marks, seconded by Klingel, to approve Resolutions 11-66 and 11-72. Mrs. Marks asked if these positions are part of the original ordinance. Mayor Elbassiouny replied that they are.

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

- 11-66 Resolution to Authorize and Approve Salaries and Wages for Certain Employees (Cross Guard Bishop)
- 11-72 Resolution to Authorize and Approve Salaries and Wages for Certain Employees (DPW Temp J. Slack)

A motion was made by Finke, seconded by Marks, to approve Resolution 11-68, Resolution for Street Name Change from “Bryans Road” to “Franklin Road” Located at the Intersection of Route 31 South and Rymons Road, Township of Washington, County of Warren, State of NJ. Mayor Elbassiouny explained the reason behind changing the name of Bryan’s Road and Mr. Kovacs explained Lannings Trail.

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

#### STAFF ADMINISTRATIVE REPORTS

The DPW, Police and Administrator’s reports were distributed to the Committee. Mayor Elbassiouny requested these reports be submitted prior to the meetings. Mr. deBoer stated this was discussed at the staff meeting earlier today and future reports will be included in the meeting packet.

Mayor Elbassiouny explained there is a challenge on the assessment of Fairway Mews. He, Mr. Lavery and the Tax Assessor have been in negotiations with them. The Tax Assessor must now do a trial appraisal and has two quotes in the amount of \$2,800 and \$3,500. The Committee agreed three quotes must be presented to them. Action will be taken at the May meeting. Mr. deBoer will speak to the Tax Assessor. Mrs. Marks asked if the appraisers are local. Mr. deBoer replied they are.

Mr. deBoer explained he would like to rescind the approval of the website design. The approved vendor will no longer be able to fulfill our needs. Mr. deBoer is in the process of obtaining other quotes. A motion was made by Klingel, seconded by Finke to authorize Mr. deBoer to search for another vendor not to exceed the previously approved amounts for the website design.

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

#### RESOLUTIONS

A motion was made by Kovacs, seconded by Marks, to approve Resolutions 11-77 and 11-78\*.

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

11-77 Resolution to Enter into a Leasing Agreement with Bank of West

[\* due to a numbering error, only Resolution #77 should be included in this motion]

#### OLD BUSINESS

Mayor Elbassiouny stated Employment Pathways is a program offered by Abilities of Northwest Jersey and he encourages the town to participate in this program if there is anything that can fit the Township's needs. He asked Mr. deBoer to prepare a list of requirements for the next meeting as well as jobs that could be done with the help of Abilities' clients. Mr. Finke asked where the funding comes from. Mr. deBoer will include hourly rates with his information for discussion at the next meeting.

#### PUBLIC QUESTIONS AND CONCERNS

A motion was made by Klingel, seconded by Finke, to open the meeting to the public. All were in favor.

Hearing no one, a motion was made by Klingel, seconded by Finke, to close the meeting to the public. All were in favor.

#### NEW BUSINESS

Brian Sweatt of Sweatt and Walters, the Township's Insurance Broker since 1992, was present to discuss employee medical, dental and vision coverage as the Township's renewal date is June 1<sup>st</sup>. B. Sweatt provided the Committee with an Insurance Benefit Analysis which he discussed. R. Lucy of the Public Works Department asked about out of network coverage. B. Sweatt explained the difference between our current coverage and going with an HMO. Mayor Elbassiouny requested B. Sweatt, Mr. deBoer, Chief McDonald, R. Lucy and A. Godfrey meet with the PBA and Teamsters regarding both the HMO option and Starmark Insurance. Starmark Insurance Company has the same or better medical coverage, but every employee would have to be underwritten, providing full disclosure of illnesses through a confidential health questionnaire. Mayor Elbassiouny recommends submitting all medical paperwork by May 3<sup>rd</sup> so a final cost can be obtained from Starmark Insurance prior to the May meeting. He would like to receive a concession from the employees regarding Starmark and the out of network options. B. Sweatt explained the dental and vision options. Mayor Elbassiouny thanked B. Sweatt for his presentation and his time.

Richard Cotton of Asbury Farms/Hawk Pointe was unable to show his presentation due to technical difficulties. R. Cotton spoke briefly to the Committee about compliance with the Highlands Regional Master Plan, plans for Hawk Pointe, as well as plans for along the Route 31 corridor. Mayor Elbassiouny invited him to attend the June 21<sup>st</sup> meeting and feels the Township Engineer and Township Planner should both be at that meeting as well.

A motion was made by Kovacs, seconded by Marks, to approve E. Howell's attendance at the Tax Collector/Treasurer's Spring Conference from May 17<sup>th</sup> thru May 19<sup>th</sup>.

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

Anna McClement, Township resident, was present to ask the Committee to consider waiving a \$250.00 fee that was charged to her escrow account from Finelli Consulting Engineers for review of a foundation permit request. Joseph Rossi, Township Construction Official, stated he spoke to the Township Engineer because she did not have a full site plan. A. McClement discussed steps taken by her in trying to eliminate this charge. Mayor Elbassiouny reviewed the invoice and will follow-up with her after speaking to the Engineer. Attorney Lavery explained the escrow procedure to A. McClement.

A. McClement asked about a letter sent from Land Use Board Attorney Gruenberg to the Land Use Board Secretary recommending the Board withdraw her application. She does not want her application withdrawn. Attorney Lavery and Mr. Klingel explained the situation and application time limits to A. McClement. Per Mr. Klingel, her application has been withdrawn without prejudice and she has the option to reapply if she so chooses. Mayor Elbassiouny explained the difference between the application fees and escrow fees to A. McClement.

#### REPORT FROM OFFICIALS

Mr. Finke had nothing to report.

Mr. Klingel had nothing to report.

Mr. Kovacs had nothing to report.

Mrs. Marks asked permission to have the Warren Morris Shared Service meeting at the Municipal Building on the last Tuesday in May. A motion was made by Marks, seconded by Finke to hold the Warren Morris Shared Service meeting at the Municipal Building on May 31<sup>st</sup> at 7:00 p.m. All were in favor.

Mr. deBoer stated Warren County is holding a Shared Services seminar on April 29<sup>th</sup> at the Warren County Community College and asked the Committee if they would like him to attend. Mayor Elbassiouny replied he would and recommends other Committee members attend as well. Mrs. Marks will be attending. Mr. deBoer will forward the information to the Committee.

Mayor Elbassiouny had nothing to report.

#### PAYMENT OF BILLS

A motion was made by Klingel, seconded by Kovacs, to approve the payment of the bills.

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

The Committee took a five minute recess before entering into Executive Session.

#### EXECUTIVE SESSION

A motion was made by Klingel, seconded by Marks to approve Resolution 11-79\*, Resolution Authorizing Executive Session for a Meeting Not Open to the Public in Accordance With the Provisions of the NJ Open Public Meeting Act, N.J.S.A. 10:4-12 at 9:05 p.m. All were in favor. Attorney Lavery explained the Committee will be discussing a contractual potential litigation matter dealing with Diversified Properties; two personnel matters, a police contract matter, the health insurance proposal, a potential litigation matter dealing with an accident with an employee and a contractual matter dealing with the Oxford Police contract.

[\* due to a numbering error, Resolution for Entering into Executive Session is actually #78]

A motion was made by Kovacs, seconded by Finke, to come out of Executive Session. All were in favor. Attorney Lavery stated the Committee returned from Executive Session at 10:50 p.m. The Committee discussed a contractual potential litigation matter dealing with Diversified Properties and the Fairway Mews Development, a personnel matter dealing with the DPW, a personnel matter dealing with petty cash, the Police contract with Oxford Township, and a potential litigation matter dealing with a pedestrian accident. No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no harm to the public interest.

A motion was made by Finke, seconded by Marks, to authorize the Mayor and Mr. Klingel to propose the contractual agreement with Oxford Township.

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

A motion was made by Klingel, seconded by Finke, to approve payment, not to exceed \$100.00, to the pedestrian discussed. Mayor Elbassiouny would like the payment to be made immediately with a waiver that Attorney Lavery will provide to Mr. deBoer tomorrow and for Mr. deBoer to hand-deliver the check. The check should be made payable to both the pedestrian and the clinic.

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

The Committee discussed the laptops and i-Pads. Mr. deBoer explained the cost savings of using the laptops versus the i-Pads. It was decided the Committee will keep the laptops but the air cards will be deactivated after the 30-day trial period.

#### ADJORNMENT

Hearing no further business to come before the Committee, a motion was made by Finke, seconded by Marks, to adjourn the meeting at 10:59 p.m. All were in favor.

Respectfully submitted,

Anna C. Godfrey  
Acting Township Clerk