

## TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting  
August 16, 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 7:30 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 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.

### STAFF PRESENT

Anna C. Godfrey, Acting Township Clerk, Peter deBoer, Township Administrator/Certified Public Works Manager; Katrina Campbell, Esq. in for Attorney Michael Lavery; Kevin McCarthy, CFO; and Jeff Cooper, Assistant Municipal Supervisor of Public Works.

### SALUTE TO THE FLAG

### APPROVAL OF MINUTES

A motion was made by Finke, seconded by Marks, to approve the minutes of the regular meeting held July 19, 2011.

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

A motion was made by Marks, seconded by Finke, to approve the executive session minutes of the meeting held July 19, 2011.

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

### ORDINANCES

A motion was made by Klingel, seconded by Finke, to open to the public Ordinance 11-11, 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 (CFO/Tax Assessor), public hearing on second reading. All were in favor. Hearing no one, a motion was made by Marks, seconded by Kovacs, to close the public hearing. All were in favor. A motion was made by Kovacs, seconded by Finke, to adopt Ordinance 11-11 on second reading. Mr. Kovacs noted an ordinance passed by the Committee in December covers the CFO's range, but as this ordinance also includes the Tax Assessor, he feels it should still be voted on.

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

A motion was made by Finke, seconded by Klingel to introduce Ordinance 11-12, An Ordinance Amending, Revising and Supplementing Section 117-23 Entitled "No Parking" of the Code of the Township of Washington "Vehicles and Traffic", on first reading.

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

Public hearing and adoption will take place at the September 20<sup>th</sup> meeting. Mr. deBoer explained the amendment eliminates the roads in the Jackson Parkway development, except for Jackson Parkway, from the original ordinance.

### RESOLUTIONS

A motion was made by Kovacs, seconded by Finke, to approve Resolutions 11-123 and 11-124.

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

11-123 Resolution of the Township Committee of the Township of Washington, Warren County, Assigning a Lien on Block 65, Lot 5.11 (12 Deer Run)

11-124 Corrective Action Plan – 2010 Audit Report

A motion was made by Finke, seconded by Klingel, to approve Resolution 11-125, Resolution Authorizing Finelli Engineering to Design Plans, Construct Specifications and Bid Documents for Public Bidding of Pleasant Valley Road, Section 3, Widening and Reconstruction Project.

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

### PRESENTATION

Bernie Vitti stated he would like to present an Employee Medication Assessment Program (EMAP) sponsored by Pharma-Care, a healthcare consultation specialist company. Pharma-Care specializes in medication reviews, working with municipalities and government monitoring drug interactions for those driving a vehicle or operating heavy machinery. B. Vitti showed pictures of actual incidents that occurred because of prescription and/or over-the-counter medications and explained how the program works. Per Mayor Elbassiouny's request, B. Vitti explained how the plan would be implemented, how the employee's prescriptions are monitored and the fee schedule. He noted this program can decrease a municipality's liability insurance rate. Mr. Finke asked about the Unions and Mrs. Marks asked if the PBA has concerns with the program. B. Vitti replied they do not and thanked the Committee for their time.

STAFF ADMINISTRATIVE REPORTS

Mr. deBoer stated J. Rossi is in attendance should anyone have any questions for him. J. Cooper is also present and has previously submitted a report. The Police Chief's report was distributed. Mr. deBoer previously submitted his report and stated he is obtaining quotes from other insurance companies. He also recommends the Committee hold joint meetings with both the Recreation Commission and the Land Use Board.

PUBLIC QUESTIONS AND CONCERNS

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

Kathy Wyglendowski, asked when the amendment to Ordinance 11-12 would take effect. Mayor Elbassiouny explained the process and stated the ordinance will be adopted on September 20<sup>th</sup>. Mayor Elbassiouny further explained other parking ordinances already in place in that development remain as is.

Liz Scoville of Hawk Pointe asked the status of a sign ordinance. Mayor Elbassiouny stated the ordinance did not pass last year. He and the Committee will discuss this again.

George Willam stated he is representing the residents of Hawk Pointe and asked about the right-of-ways being taken over by the Township and about the snow removal agreement. Mayor Elbassiouny stated he will speak with Mr. Lavery. A snow removal contract for this winter will be prepared.

Kathy Enz stated she spoke to the Committee in June regarding emergency vehicle access to her property. She doesn't believe the Fire Department looked into this and feels this issue must be resolved. Mr. deBoer stated he discussed this with B. Cooper of the Fire Department and will have a report for the next meeting.

James Ryan asked Mr. deBoer about a hole from a fallen tree by the Pohatcong Creek as he feels it is a safety issue. Mr. deBoer will take a look at it.

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

OLD BUSINESS

There was no old business at this meeting.

NEW BUSINESS

Mr. deBoer requested Committee approval to complete a form for the State to conduct a survey of gypsy moth egg masses at no cost to the Township. A motion was made by Kovacs, seconded by Klingel, to approve the completion of the form.

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

A motion was made by Klingel, seconded by Finke, to approve the Turn the Town Teal campaign to observe National Ovarian Cancer Awareness Month for the month of September. All were in favor.

Attorney Alan Lowcher was present and requested an amendment to Resolution 2011-116, Acceptance of Performance Bond for the Retail Shoppes at Hawk Pointe which was discussed at the July meeting. Mr. Lowcher requested relief on the performance bond for his client. Mrs. Marks asked if this has been done before. Mayor Elbassiouny stated this is not standard procedure, but noted this is Phase 4 of the project. Mr. Lowcher discussed the project and request with the Committee. Ms. Campbell stated it is at the Committee's discretion, but the request is permissible from a legal standpoint. A motion was made by Klingel, seconded by Marks, to allow Mr. Lowcher's client to post ten percent cash and establish the inspection escrow pending approval from the Township Engineer.

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

A motion was made by Klingel, seconded by Finke, to allow the Township Engineer to attend a pre-construction meeting with a Warren County Soil Conservation district representative and others regarding renovations to the Warren Hills Regional High School fields.

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

Mayor Elbassiouny briefly discussed Resolution 11-127 and stated he would like to appoint Daryl Detrick as the Township's liaison as he feels D. Detrick is very knowledgeable when dealing with the Morris Canal. Mrs. Marks asked if this is a volunteer appointment. Mayor Elbassiouny replied that it is. A motion was made by Klingel, seconded by Finke, to approve Resolution 11-127, Resolution Supporting a 25 Year Action Plan for the Morris Canal Greenway in Warren County and Appointment of a Designee (D. Detrick). All were in favor.

Mr. Klingel explained the Township can apply for municipal aid no later than mid-September through the Municipal Aid, Bikeway and Safe Streets to Transit Program and the Township's intent would be to designate the money for road repairs on Cemetery Hill Road and a section of Rymon Road. Mrs. Marks asked if any of the Township streets qualify as safe streets or bikeways. J. Cooper replied they do not. A motion was made by Finke, seconded by Klingel, to apply to the NJDOT for Municipal Aid through the Bikeway and Safe Streets to Transit Program, not to exceed \$1,000 per application.

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

A motion was made by Kovacs, seconded by Finke, to allow Nancy Godfrey to attend a Municipal Clerk's Review Course on September 7<sup>th</sup>, 14<sup>th</sup>, and 21<sup>st</sup> in Wantage, NJ.

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

A motion was made by Klingel, seconded by Finke, to allow Peter deBoer and Kevin McCarthy to attend a Pension and Health Reform Seminar on August 30<sup>th</sup>.

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

#### REPORT FROM OFFICIALS

Mrs. Marks had nothing to report.

Mr. Kovacs had nothing to report.

Mr. Klingel reported the Township was paid \$4,020 by Mansfield for helping them line their fields for their fall sports. This did not take away from regular Township responsibilities. Mr. Klingel also stated an issue with a high pressure gas line delayed the Pleasant Valley Road project for a short time. Phase 3 will most likely be awarded in October.

Mayor Elbassiouny stated he was invited by the Governor's office to do a tour of the World Trade Center and the progress that has been made. He spoke about getting a piece of steel from the Trade Center and about placing it and a small plaque outside by the flagpole. The Committee had no objections. \* Verbatim minutes are attached.

Mr. Finke asked Mayor Elbassiouny if he spoke to the Environmental Commission chairperson about more volunteers. Mayor Elbassiouny stated we have advertised the need for volunteers on the website. Those members not wishing to remain on the Commission would need to submit a letter of resignation. Mrs. Marks asked if there were by-laws for the Environmental Commission. Mayor Elbassiouny replied that there are. Mr. Kovacs suggested the appointment of a Committeeperson on the Recreation Commission be changed to a one-year appointment. Mayor Elbassiouny asked Mr. deBoer to prepare this for the next meeting.

#### PAYMENT OF BILLS

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

ROLL CALL: Klingel, yes; Finke, yes; Kovacs, 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 Finke, to approve Resolution 11-128, 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 9:30 p.m. All were in favor. Mayor Elbassiouny explained the Committee will be discussing personnel litigation, the Oxford shared service agreement and a possible personnel issue for the Tax Assessor.

Mayor Elbassiouny stated the Committee returned from Executive Session at 10:09 p.m. Attorney Campbell stated the Committee discussed matters of personnel, litigation and the contract with Oxford regarding the Police. 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 Klingel, seconded by Kovacs, to approve Resolution 11-129, Resolution to Authorize and Approve Salaries and Wages for Certain Employees (L. Schmidt) naming Lydia Schmidt as the Township's Tax Assessor with an annual salary not to exceed \$14,900.

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

A motion was made by Klingel, seconded by Kovacs, to authorize the attorney to file an answer if the insurance carrier does not decide to cover the litigation discussed in executive session within twenty days.

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

#### ADJORNMENT

Hearing no further business to come before the Committee, a motion was made by Kovacs, seconded by Klingel, to adjourn the meeting at 10:20 p.m. All were in favor.

Respectfully submitted,

Anna C. Godfrey  
Acting Township Clerk

\* Following is a verbatim section of the minutes as requested by Committeeman Michael Kovacs at the September 20, 2011 meeting.

**Excerpt from Minutes**

Mayor Elbassiouny stated he was invited by the Governor's office to do a tour of the World Trade Center and the progress that has been made. He spoke about getting a piece of steel from the Trade Center and about placing it and a small plaque outside by the flagpole. The Committee had no objections.

**Verbatim**

**Mayor Elbassiouny:** Three weeks ago I was uh fortunate enough to get invited uh to the Governor's office to do a tour of the World Trade Center and the progress that's happening there um and basically the purpose of the tour is basically to inform the public of the progress that's been going on cause a lot of people really haven't seen it yet or they think it's a big hole in the ground and I assure you it's everything but that. Um, also, a at the time a you know as you hear some other municipalities are getting a piece of the old World Trade Center steel to put at their local municipalities or in their county or state houses and so on. Um, so while I was there um I spoke to a \_\_\_\_ Veroni and a said our town might be interested in something like that so I kinda wanted you all to be aware and see if anybody would have any objection to us getting a piece of steel from the old World Trade Center. And my idea we'd put it outside um by the flagpole there. All we would need is basically like a piece of um um what is it called Pete, just um like a concrete

**Mr. deBoer:** What's that? Pardon? To put it on?

**Mayor Elbassiouny:** Yeah a panel or

**Mr. deBoer:** We'll put a slab

**Mayor Elbassiouny:** Like a slab outside to put it on and maybe a little plaque honoring the 9/11 victims we had in the past and we're fortunate enough to know that there is cause I know it's been completely running out we did um would qualify for getting a piece here in the Township. So, if anybody has any objections please let me know, if not, I'm not sure what the cost of the slab would be, but that would be something I guess you guys can put up, you don't need to purchase so really the cost is cement. OK. So does anybody have any objection to that? Thank you. Other than that I think it's pretty good.

End of Discussion