

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting
June 21, 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; Detective Brooks Schott; and Jeff Cooper, Assistant Municipal Supervisor of Public Works were also present.

SALUTE TO THE FLAG

APPROVAL OF MINUTES

A motion was made by Kovacs, seconded by Finke, to approve the minutes of the regular meeting held May 17, 2011 with the revision noted by Mr. Finke.

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

A motion was made by Finke, seconded by Kovacs, to approve the executive session minutes of the meeting held May 17, 2011.

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

ORDINANCES

A motion was made by Kovacs, seconded by Finke, to open to the public Ordinance 11-08, Ordinance Amending & Supplementing Chapter 74 "Flood Damage Prevention" in Particular Section 74-8 Entitled "Penalties for Noncompliance", public hearing on second reading. Hearing no one, a motion was made by Klingel, seconded by Finke, to close the public hearing. All were in favor. A motion was made by Kovacs, seconded by Finke, to adopt Ordinance 11-08 on second reading.

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

A motion was made by Kovacs, seconded by Finke, to introduce Ordinance 11-09, Ordinance Supplementing and Amending Chapter 59 Construction Code, Uniform; Permits and Article III Fees on first reading.

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

Public hearing and adoption will take place at the July 19, 2011 meeting.

A motion was made by Kovacs, seconded by Finke, to introduce Ordinance 11-10, Ordinance Amending and Supplementing Chapter 59 "Construction Code, Uniform, Permits" Section 59-15, "Additional Fees" To Include Additional Fees on first reading.

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

Public hearing and adoption will take place at the July 19, 2011 meeting.

RESOLUTIONS

A motion was made by Kovacs, seconded by Klingel, to approve Resolutions 11-91 through 11-104 and 11-106. Mr. Lavery noted he has been involved with 11-103 and 11-104. These should be subject to attorney review. Mr. deBoer noted the escrow accounts are sufficient for those resolutions as well. The motion included the recommendation of the attorney.

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

11-91 Refund Resolution – Block 3; Lot 7

11-92 Refund Resolution – Taxes Paid to Wrong Municipality

11-93 Tax Sale Certificate Redemption Resolution – Block 20; Lot 12

11-94 Liquor License Renewal – Elydo Inc. (Star 31 Steakhouse)

11-95 Liquor License Renewal – Oakwood Lanes

11-96 Liquor License Renewal – VFW Post #6701

11-97 Liquor License Renewal – Roaring Rock Inn

11-98 Liquor License Renewal – Hawk Pointe

11-99 Liquor License Renewal – Daya Wine & Liquors Inc.

11-100 Liquor License Renewal – Washington Township Liquor License Holding Co. Inc.

11-101 Tonnage Grant Application (2010)

11-102 Release of Performance Bond – Martron LLC, Block 64; Lot 11

11-103 Acceptance of Performance Bond – Unity Bank

11-104 Acceptance of Performance Bond for Soil Permit - DeSapio
11-106 Chapter 159 Budget Amendment – Clean Communities Grant

A motion was made by Klingel, seconded by Finke, to approve Resolution 11-105, Certification of Annual Audit.
ROLL CALL: Klingel, yes; Finke, yes; Kovacs, yes; Marks, yes; Elbassiouny, yes

Mr. deBoer explained that due to the Direct Install Program and the upgrading of the furnace at the DPW facility, the Public Works Department is in possession of a forced hot air furnace that is no longer needed for Township use. He would like the Committee to approve the sale of the furnace on Ebay as has been done in the past with other items. A motion was made by Klingel, seconded by Marks, to approve Resolution 11-107, Resolution Authorizing Auction of Furnace Through Ebay.com.

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

Mr. deBoer explained he received a letter of retirement from the Tax Assessor, effective June 30th. The job has been posted on the League of Municipalities website and he has spoken to Mr. Kovacs as he is the Tax Assessor liaison. Mr. deBoer recommends passing Resolution 11-108. A motion was made by Kovacs, seconded by Klingel, to accept Lydia Schmidt's letter of retirement with regret.

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

A motion was made by Kovacs, seconded by Finke, to approve Resolution 11-108, Resolution to Authorize and Approve Salaries and Wages for Certain Employees (Eloise Hagaman).

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

Attorney Lavery provided the Committee with a copy of Resolution 11-109 which he noted he was asked to prepare. He read the resolution. A motion was made by Klingel, seconded by Kovacs, to approve Resolution 11-109, Resolution of the Township of Washington, County of Warren, State of New Jersey, to Censure Committeewoman Eve Marks for an Inappropriate Text Message Sent to the Township Administrator. Mr. Finke asked if Committeewoman Marks needed more time to respond. Mrs. Marks replied her legal counsel will be in receipt of this and the text was not sent on public time. It was sent in error from her personal phone. Mrs. Marks further explained one digit of the phone number was different and stated it was an unfortunate mistake.

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

Mrs. Marks did not vote on this.

STAFF ADMINISTRATIVE REPORTS

Mr. deBoer explained the reports were included in the meeting packets. Detective Schott was present to answer any questions for the police report and J. Cooper was available to answer any Public Works Department questions. Mayor Elbassiouny commended the Public Works Department on the paving of the roads. Mr. deBoer stated he would like the Committee to consider a new position of Supervisor of Motor Pool per the proposed job description, salary range and ordinance that would create the position. These have been provided to the Committee for further discussion at another time. Mayor Elbassiouny asked the Committee to review the documents for discussion at the July 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.

Jennifer Price, 10 Pohatcong Terrace, wished to discuss issues with the parking ordinance. During high school graduation, parents of four of the students singing in the choir received tickets in the cul-de-sac, where they have parked for the last four years. They do not receive parking passes to park at the school, as only those graduating receive them. Mayor Elbassiouny noted there is parking on the one side of the street. J. Price noted the parking signs can only be seen when entering the road from one direction. Mayor Elbassiouny asked Mr. deBoer to contact the high school regarding graduation parking passes for those in the choir and the band. Mr. deBoer clarified the street signage and reviewed the map with J. Price and Mayor Elbassiouny. Mayor Elbassiouny asked Mr. deBoer to review the area and install one more sign on the street if necessary.

James Ryan, 10 Pohatcong Drive, feels it tends to get confusing with three parking ordinances in their development. He feels the signs are not placed at the proper height or the proper distance apart. Mayor Elbassiouny noted the parking ordinance was put in place for safety and the ability of an emergency vehicle to be able to pass through. J. Ryan stated the new stadium has not generated any additional traffic in the development and feels a fire truck can pass through with cars parked on either side. He feels the ordinance serves no purpose in the development and would like to see it reversed. Mayor Elbassiouny asked Mr. deBoer to take a further look at this street. Mr. Klingel asked if anyone concerned was notified of the parking committee or had seen the notice in the paper regarding the ordinance. They all replied they had no knowledge of either. Mayor Elbassiouny noted there was a representative from that development on the parking committee making recommendations to the Committee. Mr. deBoer explained the background of the parking committee and Ordinance 2010-15. J. Ryan again stated he is completely against this ordinance and would like it reconsidered. Mayor Elbassiouny would like

both Mr. deBoer and a member of the police department to take a look at that section and bring their recommendations to the Committee's attention.

Cathy Wyglendowski also wished to speak about the parking ordinance, asking if parking stickers can be issued to residents. The neighbors do not want other cars in front of their houses and noted it is an inconvenience to wash your car in front of the house across the street or to bring in groceries from there. She feels the Township took their rights away by not allowing them to park at their own house and questioned what the elderly people in the neighborhood are to do. She noted that the people on the parking committee do not live in her neighborhood. She would like the Committee to reconsider. Mayor Elbassiouny stated the street will be re-evaluated and discussed at the next meeting.

Kathy Matlock stated she lives in Franklin Township and received a parking ticket while at a graduation party. She feels letters should have been sent to the residents.

Kathy Enz asked if there is anything the Township can do about the closed bridge near her house. She has to go five miles out of her way and emergency vehicles would need to do the same. Mayor Elbassiouny asked K. Enz to submit a letter to the Committee stating her concerns which they will then forward to the County Road Department. He also asked Mr. deBoer to look into this and update K. Enz on the timeline of the project.

Richard Cotton of Hawk Pointe asked if the Tax Assessor appointment is permanent or will the position be advertised. Mayor Elbassiouny explained the position is being advertised and the Committee will be making a decision on the position.

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

OLD BUSINESS

Richard Cotton of Hawk Pointe, with the help of Randall Welsh, presented an update of Hawk Pointe and opportunities they'd like the Township to consider. They have created approximately 200 jobs and are proud they have become a model for people in the Highlands. They are looking to construct additional units. Mayor Elbassiouny asked how many will be proposed as affordable units. R. Cotton explained the two sets of apartments will be proposed as affordable housing. R. Cotton feels they have exceeded in what they set out to accomplish. Mr. Kovacs questioned the expansion of the sewer and asked if it will be offered to businesses or other Township residents along Route 31. Mr. Cotton replied it would only be for the Hawk Pointe community now, but he is open to other considerations. Mayor Elbassiouny would like to see the other side of Route 31 able to tap into the sewer. He will get feedback from the Highlands at their July meeting. Tom Prisk from Hawk Pointe feels it would be a great opportunity if Ocino's, the medical building and others could use the sewer system. He feels this is the nicest community he and his wife have ever lived in and thanked Mr. Cotton. K. Enz questioned why there is no traffic light at the entrance to Shop-Rite. R. Cotton explained it was a decision of the DOT. Mayor Elbassiouny thanked Mr. Cotton for his presentation.

NEW BUSINESS

Mayor Elbassiouny noted Cathy Wyglendowski spoke during the audience portion of the meeting.

Mr. deBoer stated that the County Board of Health issued two work orders to cut high grass and weeds. The property on Windemere Terrace has been completed and the Lock Street property will be done shortly. Per Mr. Kovacs's request, Mr. deBoer will have the Board of Health look into a property on Brass Castle Road.

REPORT FROM OFFICIALS

Mrs. Marks provided trial balance expenditures as well as an overtime report as previously requested. She will be working with the CFO to obtain quarterly information as well as comparison reports of 2010 and 2011 for the next meeting. Mrs. Marks asked if any applications have been received for the CFO position. Mr. deBoer stated he has received some and will discuss this further in Executive Session.

Mr. Kovacs had nothing to report.

Mr. Finke stated he and Mr. deBoer gave a "Green Team" presentation at the Environmental Committee meeting. The Environmental Committee will take the information under advisement and discuss it at their next meeting.

Mr. Klingel wished to thank the Recreation Commission and Daryl Detrick for all the work they did in preparing for the First Annual Trail Day which was held at the pavilion two weeks ago. There are now maps of all the trails and he hopes more people get to enjoy the trails.

Mayor Elbassiouny had nothing to report.

PAYMENT OF BILLS

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

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

The Committee took a five minute recess before entering into executive session.

EXECUTIVE SESSION

A motion was made by Finke, seconded by Klingel, to approve Resolution 11-110, 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 9:00 p.m. All were in favor. Attorney Lavery explained the Committee will be discussing personnel matters and a contractual matter.

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 9:36 p.m. The Committee discussed two personnel matters/contractual matters regarding the CFO and Tax Assessor positions and a contractual matter dealing with the Oxford Township Police Contracts. 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 Finke, to authorize Mr. Lavery to send a letter to Oxford.

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

A motion was made by Finke, seconded by Kovacs, to authorize Mrs. Marks and Mr. Kovacs to conduct CFO interviews.

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

A motion was made by Kovacs, seconded by Klingel, to authorize Mr. Kovacs and Mayor Elbassiouny to conduct Tax Assessor interviews.

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

ADJORNMENT

Hearing no further business to come before the Committee, a motion was made by Klingel, seconded by Finke, to adjourn the meeting at 9:40 p.m. All were in favor.

Respectfully submitted,

Anna C. Godfrey
Acting Township Clerk