

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting
March 15, 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. Anna C. Godfrey, Acting Township Clerk, Peter deBoer, Township Administrator/Certified Public Works Manager; Attorney Michael Lavery; James McDonald, Police Chief; Jeff Cooper, Assistant Municipal Supervisor of Public Works were also present.

SALUTE TO THE FLAG

APPROVAL OF MINUTES

A motion was made by Finke, seconded by Marks, to approve the executive session minutes of the meeting held January 18, 2011.

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

A motion was made by Marks, seconded by Kovacs, to approve the minutes of the budget meeting held February 12, 2011.

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

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

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

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

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

A motion was made by Marks, seconded by Kovacs; to approve the minutes of the special meeting held February 18, 2011.

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

PAIC/MEL PRESENTATION

John Daly, Risk Manager for Washington Township, introduced himself and explained the safety video he was about to present. Mr. deBoer, Safety Committee Chairman, noted it is recommended by PAIC that this video be viewed by all employees. After the video, Mr. deBoer thanked the Committee for the time to present it and noted J. Daly is available to answer any questions from the Committee. J. Daly explained the procedures of the Safety Committee and stated Washington Township has had only one major worker's compensation claim. Mayor Elbassiouny asked about physicals for certain job titles. Chief McDonald stated the chiefs tried to establish a physical fitness program but it is very hard to implement. Mr. Kovacs noted some health insurance companies offer gym memberships. Mayor Elbassiouny asked Mr. deBoer to look into employee physicals. J. Daly spoke about the Jifs and will return in July/August to discuss alternative Jifs with the Committee. Mayor Elbassiouny asked Mr. Daly to also do a three and five year analysis of the performance history of the Jifs he will be presenting.

AWARD OF BID

Mr. deBoer explained the bid process, stating six vendors picked up bid specs, three of them were very interested, but only one bid was received. Attorney Lavery had no concerns with the process. A motion was made Klingel, seconded by Kovacs, to accept the bid of a Chassis Mounted Vacuum Street Sweeper/Dual Sweep/Dual Steer from Municipal Supply. Mr. Finke stated he is concerned about making the purchase before the budget is passed. Mr. deBoer stated the current sweeper is a reconditioned 1985 sweeper and J. Cooper stated he is no longer comfortable with his staff using it. He added there are safety concerns operating it with the windows open and has had two fires, one electrical and one oil, in it over the past two years. They are not able to clean out catch basins as per the storm water regulations with the current equipment. The current sweeper is worth approximately \$2,000. J. Cooper would like to make a \$60,000 down payment and spoke about the benefits of having the new sweeper. Bill Holden of Municipal Supply discussed the sweeper,

maintenance, training and warranties with the Committee. Mayor Elbassiouny stated the bid, if awarded, is subject to the availability of funds.

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

ORDINANCES

A motion was made by Marks, seconded by Klingel, to open to the public Ordinance 11-05, Ordinance of the Township of Washington, County of Warren, State of New Jersey, to Amend, Revise and Supplement Chapter 123, "Zoning", of the Code of the Township of Washington to Create a Renewable Energy Section, public hearing on second reading. All were in favor. Mayor Elbassiouny entertained comments from the audience. Hearing no one, a motion was made by Klingel, seconded by Marks, to close the public hearing. All were in favor. A motion was made by Klingel, seconded by Marks, to adopt Ordinance 11-05 on second reading. Mrs. Marks questioned the locations of the industrial zones. Mayor Elbassiouny and Mr. Kovacs explained where they are. Mrs. Marks questioned the noise levels and setbacks. Mr. Finke questioned principal uses and noted a minor typo. Mayor Elbassiouny reminded the Committee, for future reference, they have a month to ask the professionals these types of questions. Attorney Lavery explained the benefits of the ordinance to the Committee. Mr. Finke feels the ordinance is too long and confusing to the residents. Mr. Klingel feels S. Doyle spent a lot of time researching the information and presented it very well to the Committee.

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

RESOLUTIONS

In regards to Resolution 11-44, Mr. Kovacs reminded the Committee the temporary budget will need to be extended again at the April meeting.

In regards to Resolution 11-43, Mrs. Marks questioned why there is a need to transfer funds. Mr. deBoer explained it is a contractual obligation to repay the Boro for the crossing guards salary adjustment.

A motion was made by Kovacs, seconded by Marks, to approve Resolutions 11-42, 11-45, 11-46, 11-47, 11-48 and 11-49.

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

11-42 Resolution to Set-Up Reserve for Group Health Insurance

11-45 Resolution Authorizing and Approving Salaries and Wages for Certain Employees (Crossing Guard – Callelo)

11-46 Resolution Authorizing the Township of Washington, Warren County, to Adopt the National Incident Management System (NIMS) for All Departments and Agencies of the Township, Including Volunteer Organizations, That Provide Government Services or Receive Financial or Other Township Support

11-47 Resolution Designating the Month of March as "Women's History Month"

11-48 Tax Sale Certificate Redemption Resolution Block 40; Lot 31.02

11-49 Tax Sale Certificate Redemption Resolution Block 28; Lot 22 C0061

A motion was made by Kovacs, seconded by Klingel, to approve Resolution 11-43, Resolution Authorizing the Transfer of Funds.

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

A motion was made by Kovacs, seconded by Klingel, to approve Resolution 11-44, Resolution to Extend the Temporary Budget.

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

A motion was made by Klingel, seconded by Kovacs, to approve Resolution 11-50, Resolution Authorizing the Lease/Purchase of a Chassis Mounted Vacuum Street Sweeper/Dual Sweep/Dual Steer.

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

A motion was made by Klingel, seconded by Marks, to approve Resolution 11-51, Resolution Authorizing and Approving Salaries & Wages for Certain Employees (C&C – Capricco).

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

PROCLAMATION

Mayor Elbassiouny presented proclamations to honor hometown heroes Ed Romanczuk, Mike Studlack, Gary McCormick and Bob Falzarano, explaining these gentlemen assisted in saving the life of another individual on March 7, 2011. That individual's wife thanked the men as well and credits them for her husband being alive today. Mayor Elbassiouny also thanked the Washington Emergency Squad, Washington Township Police and Fire Departments for their heroic actions during all emergency calls.

STAFF ADMINISTRATIVE REPORTS

Chief McDonald stated the radio command center truck has been here all week. New equipment is being installed in the cars and they received new portable radios. The Township Police will be part of the CODY

system which will enable them to share information with other county, state and country agencies. All of this is being done by a Federal grant.

J. Cooper stated there is a 17% drop in the price of black top. Prices went from \$62 per ton to \$52 per ton, but these prices aren't expected to last. J. Cooper will prepare estimates to repair some of the roads and present them at the April meeting.

Mr. deBoer had nothing to report at this time.

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 Enz of Spring Lane questioned orange cans J. Cooper placed on the bridge on Spring Lane. J. Cooper explained the bridge belongs to Warren County. He contacted the Warren County Bridge Commission and Ms. Enz should follow-up with them. Mayor Elbassiouny stated the Township will follow-up with them as well. Ms. Enz asked about the October minutes. Mayor Elbassiouny explained the Township is in the process of enhancing the website. Copies of the minutes can be available by contacting the Clerk's office. Ms. Enz had questions regarding the acreage and setbacks in regards to the solar ordinance. The Committee explained.

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

OLD BUSINESS

Mrs. Marks thanked the Clerk for coordinating the Pillars of Ethics seminar and stated we currently have a few towns participating and sharing in the cost. Mayor Elbassiouny thanked Mrs. Marks for bringing the idea of hosting the seminar from the Shared Services Committee.

NEW BUSINESS

A motion was made by Kovacs, seconded by Klingel, to approve N. Godfrey to attend a Registrar Re-Certification Seminar on March 25th. All were in favor.

Mr. deBoer will contact Oxford to reschedule a meeting with them to discuss the Shared Service Agreement. Mayor Elbassiouny stated this item is tabled until we hear from Oxford.

Mr. deBoer asked the Committee to review the information they received explaining The Abilities of Northwest Jersey Employment Pathways Program. He would like to table this discussion until the April meeting.

Mr. deBoer stated he is gathering information to present to the Committee. Chief McDonald and J. Cooper will be meeting with a technology representative later this week and will also have information to consider. Mayor Elbassiouny asked Mr. deBoer to contact VoTech for feedback from the board members regarding the iPads they purchased.

Mr. deBoer stated the Tax Collector provided information in order to inform the Committee about the Homestead Benefit mailing.

Mr. deBoer stated H&R Block contacted him as they would like use the municipal building to offer a free second look at the taxes. This program would be open to Township employees and residents and would review tax returns prepared by someone other than H&R Block. Mayor Elbassiouny denied the request to use the building as the Committee cannot endorse private businesses; however, he stated they could possibly rent the old parks building.

REPORT FROM OFFICIALS

Mr. Finke had nothing to report.

Mr. Klingel updated the Committee on the Pleasant Valley Road project. There is an issue near Meadow Breeze Park where the placement of the gas line will affect the installation of the curbing. The engineer notified the gas company and they visited the site. Also, in regards to a softball injury in the park, the Recreation Commission learned the Township does not have any liability regarding any unpaid bills. Attorney Lavery added a tort claim notice was not received. He reviewed both team's information and found each to have general liability coverage. Any claims should have been submitted through their carrier. The Township was listed as additionally insured on both policies. Attorney Lavery will provide Mr. Klingel with a letter he can forward to the Commission. He will also review the liability waiver on the registration forms.

Mrs. Marks had nothing to report.

Mr. Kovacs reminded the Committee the next budget meeting will be held on March 26th and is hoping to finalize the budget for an April introduction and May adoption.

Mayor Elbassiouny stated unfortunately our CFO, Barbara Emery, resigned today effective March 31st. A motion was made by Klingel, seconded by Kovacs, to accept B. Emery's resignation letter with regret. All were in favor. The Mayor instructed the Administrator to prepare a letter to Ms. Emery thanking her for her service to the Township. A motion was made by Klingel, seconded by Finke, to authorize Mr. deBoer to begin advertising for that position immediately. Mrs. Marks would like to look at resumes with Mr. deBoer. All were in favor. Mayor Elbassiouny stated he and Mrs. Marks will be present at the interviews and report back to the Committee. The Committee would like to hire someone at the April meeting.

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

Mayor Elbassiouny asked about the payment of the Recreation Commission secretary out of Recreation Commission funds. Attorney Lavery replied the statute states the Recreation Commission secretary is paid through the fees the Commission collects.

The committee took a ten minute break before entering into executive session.

EXECUTIVE SESSION

A motion was made by Klingel, seconded by Finke to approve Resolution 11-52, 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 9:11 p.m. All were in favor. Attorney Lavery explained the Committee will be discussing a Tonnage Grant and the procedure of a Rice notice for a personnel matter, both of which are attorney/client privileges, and one contractual matter.

A motion was made by Kovacs, seconded by Klingel, to come out of executive session. All were in favor. Attorney Lavery stated the Committee returned from executive session at 11:17 p.m. The Committee discussed a Rice notice for an employee issue, an attorney/client privilege issue dealing with a Tonnage Grant, the developer's agreement with Quick Chek and a contractual matter dealing with a sale of a property that was done in auction with Mr. Cotton. 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.

Mayor Elbassiouny stated there was a meeting with the Teamsters Union and another with the PBA and the Township requested they roll back their raises this year, giving back 1.5% towards healthcare. The contracts state they should receive 3.5%. The unions did not accept the offer, but the Teamsters' counter offer was for them to receive a 3.5% raise, but give back 1.5% towards healthcare effective immediately from their next payroll. Mayor Elbassiouny stated he explained to them they are under no obligation, just a good faith request from the Township Committee. Attorney Lavery stated this would be an amendment to the contract. Mayor Elbassiouny stated everything else on the contract would remain the same. This would be for the remainder of the contract which expires next year. A motion was made by Klingel, seconded by Finke, to authorize the Township Administrator to write a letter to the Teamsters acknowledging and accepting their offer of 1.5% towards healthcare beginning with their next payroll and thanking them for their willingness to work with the Committee and to support the Committee during these tough economic times.

ROLL CALL: Klingel, yes; Finke, yes; Kovacs, yes; Marks, yes; 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 11:21 p.m. All were in favor.

Respectfully submitted,

Anna C. Godfrey
Acting Township Clerk