

## TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting  
May 17, 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; and Jeff Cooper, Assistant Municipal Supervisor of Public Works were also present.

### SALUTE TO THE FLAG

### ADOPTION OF 2011 BUDGET

A motion was made by Klingel, seconded by Marks, to open to the public 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), public hearing on second reading.

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

Mayor Elbassiouny entertained comments from the audience. Hearing no one, Mayor Elbassiouny and John Mooney, Township Auditor, explained the budget process to everyone. Mayor Elbassiouny thanked his colleagues for their work on the budget and gave a brief presentation regarding the financial condition of the Township. Hearing no further questions from the audience, a motion was made by Kovacs, seconded by Marks, to close the public hearing.

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

A motion was made by Kovacs, seconded by Marks, to adopt Ordinance 11-07 on second reading.

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

A motion was made by Kovacs, seconded by Klingel, to approve Resolution 11-79, Resolution to Adopt the 2011 Budget.

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

### APPROVAL OF MINUTES

A motion was made by Klingel, seconded by Finke, to approve the minutes of the regular meeting held April 18, 2011.

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

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

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

### ORDINANCES

A motion was made by Kovacs, seconded by Klingel, to introduce on first reading Ordinance 11-08, Ordinance Amending & Supplementing Chapter 74 "Flood Damage Prevention" in Particular Section 74-8 Entitled "Penalties for Noncompliance".

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

Public hearing and adoption will take place at the June 21, 2011 meeting.

### RESOLUTIONS

Mayor Elbassiouny explained the process that takes place when the school budget is voted down. Mr. Klingel spoke about his experience attending this meeting, stating the board did an excellent job coming in under CAP with the massive cuts they had which he feels are too high. Mr. Kovacs spoke about the cuts to the Warren Hills budget and how he also feels they are too high. Mr. Finke asked the percentage of the proposed increase. Mayor Elbassiouny replied it was 1.48%. Mayor Elbassiouny opened the meeting to the public. Hearing no one, the meeting was closed to the public. A motion was made by Finke, seconded by Kovacs, to approve Resolution 11-80, Resolution of the Township Committee of the Township of Washington, County of Warren, New Jersey, in Regards to Certification of the Local Tax Levy for the Warren Hills Regional School District.

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

Mayor Elbassiouny stated the Township has an excellent working relationship with the Township School Board, with many shared services, a great rapport with the staff, and meeting frequently throughout the year. He

thanked Mr. Jinks and his staff for taking care of the Township's children. Mayor Elbassiouny briefly explained Resolution 11-88 regarding the distribution of state aid for education. Mr. Finke stated he attended the budget meetings as well and is comfortable recommending the proposed budget. A motion was made by Finke, seconded by Marks, to approve Resolution 11-81, Resolution of the Township Committee of the Township of Washington, County of Warren, New Jersey in Regards to Certification of the Local Tax Levy for the Washington Township School District.

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

Mr. Roger Jinks, Washington Township School Superintendent, spoke about shared services and the wonderful working relationship with the Township which helps save money for the taxpayers.

A motion was made by Kovacs, seconded by Klingel, to approve Resolutions 11-82 through 11-88. Mrs. Marks questioned 11-85, wishing to change the wording to read "not to exceed". Mr. deBoer explained why the estimated cost was included. Mr. Finke agreed with Mrs. Marks. The Committee discussed with Mr. deBoer and J. Cooper.

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

11-82 Resolution Opposing COAH Reform Bill S1/A3477 by the New Jersey State Senate and Assembly

11-83 Resolution Approving 2011 Clean Communities Grants

11-84 Resolution Appointing a COAH Municipal Housing Liaison, RCA Administrator and a Municipal Monitoring Primary and Secondary Designee for the Township of Washington

11-85 Resolution Authorizing to Exceed the Bid Threshold and for the Purchase of Road Resurfacing

11-86 Resolution to Adopt the Multi-Jurisdictional Hazard Mitigation Plan

11-87 Resolution Accepting Performance Guarantee from Washington Cemetery Association

11-88 Resolution for Fair Distribution of State Aid for Education

#### STAFF ADMINISTRATIVE REPORTS

The Police Chief's report was previously received by the Committee. There were no questions regarding his report.

Both the Administrator's and Public Works Department reports were also previously received. Mr. deBoer explained the Township was inspected by the NJ Department of Treasury, PACO Affirmative Action. We passed the inspection and Mr. deBoer thanked the Clerk's office for their help in making sure the files were in order. He also received a call from the NJ DEP regarding a possible violation with the walkover bridge at Meadow Breeze Park. When doing research, he found the bridge has been this way for approximately ten years and will discuss this with a representative from the DEP when they inspect it. Mayor Elbassiouny thanked Mr. deBoer for being proactive and ensuring things are not neglected. Mr. Finke questioned the requirement of physicals for the employees. Mr. deBoer replied he spoke to John Daly of Wells Fargo who advised against them, stating it could violate the HIPA laws.

J. Rossi, Construction Official, spoke briefly regarding the Warren Hills refreshment stand, stating it needs to be completed before they can begin preparing any food. He discussed his report and spoke about the increase in permits and revenue. Mayor Elbassiouny thanked J. Rossi for his report, asking that further reports include inspector hours and/or payroll.

#### PUBLIC QUESTIONS AND CONCERNS

Mayor Elbassiouny opened the meeting to the public.

R. Lucy, Public Works Department, stated the department is concerned with the medical insurance the Township is considering. He did some investigation and found this insurance is not accepted in either of the two local hospitals or at either of the two local medical centers. Mayor Elbassiouny complimented R. Lucy for taking the time to look into this and asked Mr. deBoer to discuss this with Sweatt & Walters. Mayor Elbassiouny stated he is disappointed B. Sweatt was unable to attend this meeting as a decision needs to be made by June 1<sup>st</sup>. On Mayor Elbassiouny's recommendation, a motion was made by Klingel, seconded by Kovacs, to instruct Mr. deBoer to contact Sweatt and Walters to confirm R. Lucy's findings. Mayor Elbassiouny and Mr. Kovacs will meet with Mr. deBoer, B. Sweatt, the Teamsters and PBA representatives and the Committee hereby authorizes Mayor Elbassiouny and Mr. Kovacs to select the medical insurance.

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

Darryl Detrick stated the Township has six passive recreation areas that our Public Works Department does an excellent job in maintaining. He also wished to thank resident Dick Flint for his work in developing these areas. Unfortunately, not many people know about them. Washington Township Trail Days will be held on June 11<sup>th</sup> beginning at 9:00 a.m. at Meadow Breeze Park. The main focus of the day is to raise awareness and possibly do some clean-up of the trails. High School students are in the process of revising pamphlets and maps of all the trails. D. Detrick invited the Committee to join them on June 11<sup>th</sup>. Mayor Elbassiouny thanked D. Detrick for his time.

Hearing no further comments, Mayor Elbassiouny closed the meeting to the public.

#### OLD BUSINESS

Mayor Elbassiouny stated the Health Benefit Provider was discussed during the public portion of the meeting.

#### NEW BUSINESS

A motion was made by Kovacs, seconded by Finke, to approve Mr. deBoer's attendance at a Recycling Enforcement at the Local Level Workshop on Wednesday, June 15<sup>th</sup>.

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

#### REPORT FROM OFFICIALS

Mr. Finke had nothing to report.

Mr. Klingel stated parking on Jackson Valley Road during events at the high school was brought to his attention at a Warren Hills board meeting. As this has become a safety issue for the students, he worked with the Chief who received signs from the County to help alleviate the problem.

Mr. Kovacs stated he is very pleased with the way the Clerk's office is operating with both a new Clerk and Deputy Clerk.

Mrs. Marks had nothing to report.

Mayor Elbassiouny asked Mrs. Marks to follow-up with the Finance Department to have the CFO approve the bills and give the Committee a breakdown on each department's line items including overtime, how much of the budget is spent, and a quarterly report. Last year's numbers should be included in order to compare where the department stands.

#### 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 Finke, to approve Resolution 11-89, 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 a personnel matter and one attorney/client privileged potential litigation matter dealing with the Chief and one pending litigation 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 10:36 p.m. The Committee discussed one personnel matter, an attorney/client privileged matter dealing with an investigation report delivered by the Chief, and a pending litigation matter dealing with the recent lawsuit filed by T.Y. Lin, formally Medina Consulting Engineers. 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 recapped a discussion that took place regarding the Police Chief's salary and whether he is to receive a 3.5% or a 2% raise. Mr. Finke clarified this increase would affect his 2011 salary. Mr. Kovacs stated last year the Chief was affected by the 1.5% towards insurance and lost money on the raise everyone received. A motion was made by Finke, seconded by Marks, to approve Resolution 11-90, Resolution to Authorize and Approve Salaries and Wages for Certain Employees (Chief McDonald), giving the Chief a 2% increase which is retroactive to January 1, 2011.

ROLL CALL: Finke, yes; Marks, yes; Klingel, yes; Kovacs, no; 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 10:40 p.m. All were in favor.

Respectfully submitted,

Anna C. Godfrey  
Acting Township Clerk