

## TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting  
April 17, 2012

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 Michael Kovacs.

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 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, Township Clerk; Peter deBoer, Township Administrator/Certified Public Works Manager; Attorney Michael Lavery; Kevin McCarthy, CFO; Dave Evans and John Mooney, Municipal Auditors; James McDonald, Police Chief; Lieutenant Jim Teter; Joseph Rossi, Construction Official; Brian Sweatt, Insurance Broker; and Jeff Cooper, Assistant Municipal Supervisor of Public Works.

### SALUTE TO THE FLAG

Mayor Kovacs requested a moment of silence for Pete deBoer's father and Allie Valverde, a 6<sup>th</sup> grade Township student, both of whom recently passed away.

### AWARD OF BID

Mr. deBoer stated seven bids were received, reviewed by Attorney Lavery, and it is their recommendation to award the bid to the lowest bidder, Natural Systems Utilities. Background and reference checks have been completed. Mrs. Marks feels the RFP was vague and asked Mr. deBoer to elaborate on the special project. Mr. deBoer explained there are twelve tasks to be performed which are detailed in the Highlands Grant and will provide Mrs. Marks with a copy. Mr. Klingel questioned the experience of Natural Systems Utilities. Mr. deBoer stated it is comparable with the other bidders. Mr. Elbassiouny asked for the second highest bidder. Mayor Kovacs replied it was Maser Consulting at \$81,000. Mr. Finke questioned the two bids received after the deadline. Mayor Kovacs explained they will be returned unopened. Mr. Finke questioned the reason for going out to bid. Mayor Kovacs explained it was decided to look for companies with experience in this phase. Everyone was invited to bid. Mr. deBoer stated this company specializes in special projects. Hearing no further discussion, a motion was made by Klingel, seconded by Elbassiouny, to award the bid for a Special Project Planner/Engineering Services to Natural Systems Utilities at \$75,602.

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

### ADOPTION OF THE 2012 BUDGET

A motion was made by Klingel, seconded by Elbassiouny, to open to the public Ordinance 12-03, Ordinance of the Township of Washington, County of Warren, State of New Jersey to Exceed the Municipal Appropriation Limits and to Establish a CAP Bank – Calendar Year 2012 (N.J.S.A.40A:4-45.14), public hearing on second reading. All were in favor. Mayor Kovacs entertained comments from the audience. Hearing no one, a motion was made by Klingel, seconded by Elbassiouny, to close the public hearing. All were in favor. A motion was made by Klingel, seconded by Kovacs, to adopt Ordinance 12-03 on second reading.

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

A motion was made by Klingel, seconded by Elbassiouny, to open to the public Resolution 12-62, Resolution to Adopt the 2012 Budget. All were in favor. J. Mooney gave a brief overview of the 2012 Municipal Budget explaining the process, services provided by the Township, disbursement of tax money, and shared services. Mayor Kovacs explained the school budgets and entertained comments from the audience.

Ron Greenwald, 6 Roaring Rock Road, questioned what the Township has done to lower the employment rate. Mayor Kovacs explained how departments have been asked to submit flat budgets, will renegotiate two contracts later this year and explained salary increases. Mr. Elbassiouny noted employees pay towards their health care and three police positions have been eliminated. The Committee discussed total compensation of employees with Mr. Greenwald.

Liz Scovill, 5 Osprey Court, feels she has a better understanding of the budget due to her attendance at the Committee meetings and encourages others to attend as well. She asked Mr. Finke what he would like to see happen in order to support the budget. Mr. Finke replied he would like there to be no tax increase, the surplus cut and the money from the sale of the old municipal building used. D. Evans explained why that is not feasible at this time and the detriments of reducing the surplus too quickly.

Jeff Duckworth, 28 Coleman Hill Road, questioned why Code Enforcement is not part of the budget. K. McCarthy explained that it is included in a separate trust fund as Code Enforcement is a self-sustaining entity.

Joel Schnetzer, 240 Cemetery Hill Road, questioned the use of the money raised from the tax increase. D. Evans explained it will be used to offset the Township's expenses. J. Schnetzer questioned the debt service and feels the Committee should make this list available to the public. The Committee discussed with J. Schnetzer. D. Evans explained which purchases incurred debt. The Committee discussed Farmland Preservation with J. Schnetzer, who requested the Committee set a minimum bid when auctioning farmland.

Hearing no further comments, a motion was made by Klingel, seconded by Elbassiouny, to close the public portion of Resolution 12-62.

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

A motion was made by Klingel, seconded by Kovacs, to approve Resolution 12-62, Resolution to Adopt the 2012 Budget. Per Mayor Kovacs' request, D. Evans explained the process and consequences should the budget not be adopted.

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

#### PROCLAMATIONS

Mayor Kovacs stated April 2012 is designated as Alcohol Awareness Month and read a portion of the proclamation. He also stated May 2012 is designated as Older American Month and read a portion of the proclamation.

#### APPROVAL OF MINUTES

A motion was made by Finke, seconded by Klingel, to approve the minutes from the regular meeting held March 20, 2012.

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

A motion was made by Finke, seconded by Klingel, to approve the Executive Session minutes from the regular meeting held March 20, 2012.

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

#### RESOLUTIONS

Mayor Kovacs stated it was requested by the Tax Collector to pull Resolutions 12-63, Tax Sale Certificate Redemption - Block 42 Lot 1, and Resolution 12-64, Tax Sale Certificate Redemption - Block 40 Lot 65.

A motion was made by Klingel, seconded by Elbassiouny, to approve Resolutions 12-65, 12-66, and 12-68.

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

12-65 Resolution Supporting A-2717 – Extending the Time Period for Municipalities to Commit to Expend Collected Development Fees and Payments-In-Lieu of Constructing Affordable Units

12-66 Resolution to Authorize and Approve Salaries and Wages for Certain Employees (J. Weaver – Crossing Guard)

12-68 Resolution Approving 2012 Clean Communities Grants

Mrs. Marks asked Mr. deBoer to explain the criteria for Resolution 12-67. Mr. deBoer explained it was approved by the Committee to go out for RFP's for the Highlands Project and to remove \$10,000 from the Highlands grant money to hire an Administrative Assistant. The projected time frame is part-time for one year at \$15.00 per hour. There were a total of six applicants and Mr. deBoer explained the reasons for his recommendation. Sean Brown introduced himself and explained why he is interested in this project. A motion was made by Klingel, seconded by Elbassiouny, to approve Resolution 12-67, Resolution to Authorize and Approve Salaries and Wages for Certain Employees (S. Brown - Admin Assistant).

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

Mr. Finke explained Resolution 12-69 is in support of Washington Borough's application for funding to preserve the property known as the Shabbacong Mountain Nature Preserve. This area is the proposed site for the 125 acre expansion of the Washington Cemetery. Washington Hope Organization is trying to preserve the property and is speaking before the Borough Council this evening. A motion was made by Elbassiouny, seconded by Finke, to approve Resolution 12-69, A Resolution of the Township of Washington, County of Warren, State of New Jersey in Support of Washington Borough's Application for Funding to Preserve the Property Known as Block 97, Lots 1, 2, 3, and 4 and Block 97.01, Lot 1 Within the Borough of Washington.

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

#### STAFF ADMINISTRATIVE REPORTS

Chief McDonald previously submitted a report. There were no further questions regarding the Police Department.

J. Cooper previously submitted a report. He stated FEMA will be reimbursing the Public Works Department \$3,600 from Hurricane Irene and October 29, 2011 snowstorm. The Police Department will be reimbursed approximately \$6,000 for their overtime. Mrs. Marks asked where the money will be allocated. K. McCarthy will speak to the Township's Auditor as the costs were incurred in 2011.

J. Rossi previously submitted a report, including pictures of the property at 219 S. Broad Street, explaining the house has been deemed an unsafe structure. The house is now in foreclosure. He discussed the property with the Committee. Mayor Kovacs referred to a letter from the Tax Collector which he read aloud. A motion was made by Marks, seconded by Elbassiouny, to authorize Attorney Lavery to investigate the tax sale certificate/lien on the property. All were in favor.

The Committee skipped ahead to New Business Item #3. Walter Winchurch, 159 S. Lincoln Avenue in Washington Boro gave a brief history of the property. He previously provided Mr. deBoer with a petition from neighbors who would like the site cleaned up and made safe. He appreciates the Committee's help in alleviating the eyesore and health issue.

K. McCarthy will supply the department heads with copies of their budgets. Mayor Kovacs thanked him for supplying the Police budget information to the Boro.

P. deBoer previously submitted a report. There were no further questions for Mr. deBoer.

#### PUBLIC QUESTIONS AND CONCERNS

Mayor Kovacs opened the meeting to the public.

Joel Schnetzer, 240 Cemetery Hill Road, stated he appreciates the staff reports being made available to the public. J. Cooper explained the chart attached to his report to J. Schnetzer.

Ron Greenwald, 6 Roaring Rock Road, questioned if the recycling center is strictly for Washington Township residents. Mr. deBoer replied that it is. R. Greenwald feels the attendants should be more diligent about asking for proof of residency. He asked for a breakdown of Mr. deBoer's time as both Administrator and Public Works Manager. Mr. deBoer replied the majority of his time is spent as Township Administrator.

Al Ivany, 1010 Butlers Park Road and Chairman of the Environmental Commission, thanked the Committee for supporting the resolution regarding the Shabbacong Mountain Nature Preserve, thanked Dave DeSanto of Washington Hope for his help in expediting the process, and explained the benefits to the Township. He would like to ensure the Environmental Commission will continue to be involved with the Highlands project. Mr. deBoer replied they would. A. Ivany would like the Environmental Commission to also serve as an Open Space Advisory Committee until the Township has one in place. Mayor Kovacs provided A. Ivany with dollar amounts dedicated to the Open Space Fund.

Hearing no further comments, Mayor Kovacs closed the public portion of the meeting.

The Committee took a five minute recess, returning with all members present.

#### NEW BUSINESS

Mrs. Marks stepped down from the dias for this portion of the meeting.

Brian Sweatt of Sweatt & Walters Associates provided the Committee with informational packets and gave a presentation on health, vision and dental insurance. Mayor Kovacs explained the savings to the Township over the years. B. Sweatt recommends the Horizon/Ancillary Changes option for \$529,932. Mayor Kovacs and Mr. deBoer explained the problems some employees are experiencing without coverage in Pennsylvania. Mayor Kovacs noted the PBA and Teamsters contracts state their coverage should be comparable or better coverage than the current policy. The Committee discussed. A motion was made by Elbassiouny, seconded by Klingel, to change to the Horizon/Ancillary Changes health benefit option for \$529,932.

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

A motion was made by Elbassiouny, seconded by Klingel, to change to the Guardian Life Davis Vision Network with dental at \$32,863 and vision at \$4,234.

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

Mrs. Marks returned to the dias.

A motion was made by Klingel, seconded by Finke, to allow "Reach the Beach Relay" to conduct a race through the Township. All were in favor.

Mayor Kovacs appointed Mr. Elbassiouny to serve on the Warren County Municipal and Charitable Conservancy Trust Fund Committee. The Committee had no objections.

A motion was made by Klingel, seconded by Elbassiouny, to approve Mr. deBoer's attendance at a class entitled "Recycling with Project Learning Tree" on May 2, 2012 in Bordentown, NJ. All were in favor.

A motion was made by Elbassiouny, seconded by Klingel, to approve E. Howell's attendance at the "Tax Collectors/Treasurers Annual Spring Conference" on May 15, 16, and 17, 2012 in Atlantic City, NJ. All were in favor.

A motion was made by Elbassiouny, seconded by Klingel, to authorize the Mayor and Clerk to sign an amended Developer's Agreement for DeSapio.

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

#### REPORT FROM OFFICIALS

Mr. Elbassiouny had nothing to report.

Mrs. Marks had nothing to report.

Mr. Klingel had nothing to report.

Mr. Finke had nothing to report.

Mayor Kovacs reported the State Aid Grant for road improvements on Rymon Road and Cemetery Hill Road was denied. D. Dempski will assist with trout clean-up as part of the Township's Clean Community Grant. The Committee had no objections. Big Brothers Big Sisters is sponsoring a Mayor's Challenge/Bowl for Kids Tournament. Mr. Elbassiouny will handle this for Mayor Kovacs.

#### OLD BUSINESS

There was no old business at this meeting.

#### PAYMENT OF BILLS

A motion was made by Klingel, seconded by Elbassiouny, to approve the payment of the bills. Mr. Klingel feels the review and signing of the bills should be the responsibility of all members of the Committee, not just the few that have been consistently handling this. The Committee discussed.

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

Mr. deBoer left the meeting at this point.

#### EXECUTIVE SESSION

A motion was made by Elbassiouny, seconded by Klingel, to approve Resolution 12-70, 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 10:15 p.m. All were in favor. Attorney Lavery explained the Committee will be discussing a personnel issue regarding the Police Department, a pending litigation matter regarding Medina, a contractual matter dealing with COAH, and a pending litigation matter regarding the drainage easement.

A motion was made by Klingel, seconded by Marks, to come out of Executive Session at 11:28 p.m. All were in favor. Attorney Lavery stated the Committee discussed a personnel matter dealing with the Police Department, a pending litigation matter dealing with Medina, a contractual matter dealing with COAH, a potential litigation matter dealing with the drainage easement and an attorney/client privilege matter. 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 Elbassiouny, seconded by Finke, to approve Resolution 12-71, Resolution Requesting Review and Approval of a Municipal Affordable Housing Trust Fund Spending Plan.

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

A motion was made by Elbassiouny, seconded by Finke, to authorize Finelli Consulting Engineers to obtain a quote and prepare necessary permits regarding what was discussed in Executive Session. The cost is to be funded through the general engineering budget.

ROLL CALL: Elbassiouny, yes; Finke, yes; Klingel, yes; Marks, yes; Kovacs, 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 11:30 pm. All were in favor.

Respectfully submitted,

Anna C. Godfrey  
Township Clerk