

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting
March 20, 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, Municipal Auditor; James McDonald, Police Chief; Lieutenant Jim Teter; and Jeff Cooper, Assistant Municipal Supervisor of Public Works.

SALUTE TO THE FLAG

Due to the school elections being moved to November, a motion was made by Marks, seconded by Klingel, to move the April meeting from Monday, April 16th to Tuesday, April 17th.

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

RESOLUTIONS

A motion was made by Marks, seconded by Elbassiouny, to approve Resolution 12-51, Deferred Local District School Tax. D. Evans explained the deferred school tax resolutions to the Committee.

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

A motion was made by Klingel, seconded by Marks, to approve Resolution 12-52, Deferred Regional High School District School Tax.

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

D. Evans explained the self-examination of the budget to the Committee. A motion was made by Klingel, seconded by Elbassiouny, to approve Resolution 12-53, Self-Examination of Budget.

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

ORDINANCES

A motion was made by Elbassiouny, seconded by Klingel, to introduce 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 for Calendar Year 2012 (N.J.S.A.40A:4-45.14) – first reading. D. Evans gave an explanation of this ordinance.

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

Public hearing and adoption will take place at the April 17, 2012 meeting.

APPROVAL OF MINUTES

A motion was made by Klingel, seconded by Elbassiouny, to approve the minutes of the budget meeting held February 11, 2012.

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

A motion was made by Elbassiouny, seconded by Klingel, to approve the minutes of the regular meeting held February 21, 2012.

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

A motion was made by Klingel, seconded by Elbassiouny, to approve the Executive Session minutes of the regular meeting held February 21, 2012.

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

A motion was made by Elbassiouny, seconded by Marks, to approve the minutes of the budget meeting held March 3, 2012.

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

INTRODUCTION OF THE 2012 BUDGET

Per Mayor Kovacs' request, D. Evans explained to the public the procedure for introducing the budget. A motion was made by Klingel, seconded by Marks, to approve Resolution 12-54, Introduction of the 2012 Budget. Mr. Finke feels the budget increase is unnecessary.

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

D. Evans noted there will be a budget hearing at the April 17th meeting where the public is encouraged to ask questions and/or comment on the budget. He left the meeting at this point.

RESOLUTIONS

A motion was made by Klingel, seconded by Elbassiouny, to approve Resolutions 12-55 through 12-58.

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

12-55 Refund Resolution – Block 38.03, Lot 2

12-56 Temporary Budget

12-57 Resolution Establishing the Election of Members of the Washington Township Board of Education as the First Tuesday After the First Monday in November

12-58 Resolution Establishing the Election of Members of the Warren Hills Regional Board of Education as the First Tuesday After the First Monday in November

Mayor Kovacs noted three part-time employees were not included in a previously approved resolution which gave part-timers a pay increase, and therefore recommends giving them a 2% increase as well. A motion was made by Klingel, seconded by Marks, to approve Resolution 12-59, Resolution to Authorize and Approve Salaries and Wages for Certain Employees (T. Bocko, G. Wysocki, B. Wysocki).

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

STAFF ADMINISTRATIVE REPORTS

Chief McDonald previously submitted a monthly report. There were no questions for Chief McDonald.

J. Cooper previously submitted a report. There were no questions regarding the Public Works Department.

K. McCarthy stated bi-monthly reporting of expenses will be given to department heads beginning in May. Forecasting will be done in August and November. He worked with the Escrow Account Manager to develop policies and procedures for older escrow accounts which he explained. These policies and procedures were approved by the Township Auditor. K. McCarthy stated he met with K. Blanchard, Acting Borough Manager, regarding numbers requested by Borough Council. He noted Oxford Township still owes \$5,000 for 2011 Shared Services.

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

PUBLIC QUESTIONS AND CONCERNS

Mayor Kovacs opened the meeting to the public.

George Willan, 32 Falcon Way, stated he is concerned with vehicles making a left turn out of the new Dollar General on Route 31. He feels it is very dangerous. The Committee requested Mr. deBoer contact D. Hurt of the DOT regarding "No Left Turn" signs. Chief McDonald stated his department will do an analysis of the area and provide Mr. deBoer with the results. G. Willan also asked about accepting the roads in Hawk Pointe. Attorney Lavery explained the problems that could occur if the Township accepts the roads without the bonding issues being resolved.

Lou Fratesi, 4 Oakwood Lane, requested an update on the drainage easement issues at Southwinds. Mr. Elbassiouny stated the plans have been submitted and the Township is waiting for a response from the State.

Joel Schnetzer, 240 Cemetery Hill Road, requested a paper copy of the proposed budget. The Clerk will provide him with a copy. He asked for the trend of the budget since 2009. Mayor Kovacs explained. J. Schnetzer requested copies of the staff reports be made available to the public at meetings. Mayor Kovacs stated copies will be on the back table at future meetings. J. Schnetzer commented on the amount of police cars and other issues regarding the Police Department. Chief McDonald invited him to stop by his office and speak to him regarding his concerns.

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

NEW BUSINESS

Attorney Lavery stated he received a phone call from Quick Chek's attorney and they will not be appearing at tonight's meeting.

Anthony Pasquini spoke to the Committee regarding the Pohatcong Creek Watershed Native Plant Arboretum. He provided the Committee with a brochure, explained how the project began in 2002 and has expanded to eighty four species of trees and shrubs and provided a progress update. He would like to provide identification plaques for the various plants and shrubs for educational purposes. He would like to see a partnership between the Township and Warren Hills Regional High School to continue this project. Karen Graf was in the audience and suggested he attend a Board of Education meeting to discuss an Advisor position. A. Pasquini stated the cost of the plaques would be approximately \$3,000 - \$5,000 and asked if grant money would be available for the plaques. Mr. Elbassiouny suggested he contact the Rotary Club or an Eagle Scout. Mayor Kovacs stated the Township will research funds from the State. Mrs. Marks suggested he contact the Recreation Commission.

Mr. deBoer stated the Township never accepted the roads in the Pacesetter II development and noted the Township has been maintaining those roads for approximately fifteen years. Mayor Kovacs gave a brief history. Mr. Finke stepped down from this conversation as he lives in the development. Attorney Lavery recommended having a title search done to be sure the roads were not previously accepted. The Committee discussed. A motion was made by Klingel, seconded by Kovacs, to approve Resolution 12-60, Resolution Accepting Certain Roadways and Streets Within the Pacesetter II Residential Development.

ROLL CALL: Klingel, yes; Elbassiouny, no; Kovacs, yes; Marks, no – Motion failed
Attorney Lavery will conduct a title search. Mr. Finke returned to the dias.

A motion was made by Elbassiouny, seconded by Finke, to approve Mr. deBoer to attend a NJ Compost Operator Certification Course on March 23rd at Rutgers.

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

A motion was made by Elbassiouny, seconded by Klingel, to authorize the Mayor and Clerk to sign and attest the 2012 contract between the Warren County Municipal Alliance Program and the Township of Washington.

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

Mayor Kovacs appointed Stephen Swinton to the Land Use Board in the Alternate 2 position.

REPORT FROM OFFICIALS

Mr. Finke reported Washington Cemetery has pulled their application for expansion in the Borough. Mayor Kovacs noted he received numerous letters from the 6th grade classes against the expansion. Per Mr. Finke's request, Cheryl Burket of the Environmental Commission spoke about the Highlands and the Historic District of Port Colden. Mr. Elbassiouny discussed this with C. Burket.

Mr. Klingel had nothing to report.

Mayor Kovacs had nothing to report.

Mrs. Marks had nothing to report.

Mr. Elbassiouny made a motion, seconded by Finke, to appoint Rob Plenge and Bennett Rymon to the Economic Development Committee.

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

Mayor Kovacs requested the Environmental Committee meet with Richard Cotton regarding the Highlands.

OLD BUSINESS

In D. Dempski's absence, K. McCarty stated the Township received approval on the 2012 Clean Communities Grant in the amount of \$12,718. Combined with the balance from 2011, the Township has a current balance of \$15,455. He explained D. Dempski prepared a proposed budget for informational purposes. A motion was made by Klingel, seconded by Elbassiouny, to approve D. Dempski's budget and the Clean Communities Grant.

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

PAYMENT OF BILLS

A motion was made by Klingel, seconded by Elbassiouny, to approve the payment of the bills. Mr. Finke would like the bills list included in the meeting packets. Mr. Finke questioned the Verizon bill. Chief McDonald explained the new phones for the Police Officers and DPW and the credit that will be applied.
ROLL CALL: Klingel, yes; Elbassiouny, yes; Finke, yes; Marks, abstained; Kovacs, yes

The Committee took a five minute recess before entering into Executive Session.

EXECUTIVE SESSION

A motion was made by Klingel, seconded by Marks, to approve Resolution 12-61, 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 the Quick Chek Sidewalk Agreement and Indemnification, the Highlands foreclosures and COAH, all attorney/client privilege and contractual matters, a Police Department personnel matter, and a pending litigation matter.

A motion was made by Finke, seconded by Klingel, to come out of Executive Session at 10:37 p.m. All were in favor. Attorney Lavery stated the Committee discussed an attorney/client privilege and contractual matter dealing with the Quick Chek sidewalks, a pending litigation matter dealing with Medina, the Highlands which is an attorney/client privilege & contractual matter, foreclosures which is an attorney/client privilege matter, a personnel matter dealing with the Police Department and an attorney/client privilege & contractual matter dealing with COAH. 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 Elbassiouny, to authorize D. Dempski to make an offer on the property discussed in Executive Session within the parameters that were approved.
ROLL CALL: Klingel, yes; Elbassiouny, yes; Finke, yes; Marks, yes; Kovacs, yes

A motion was made by Klingel, seconded by Elbassiouny, to authorize the Chief of Police to take the action discussed by the Committee in Executive Session with regard to a personnel issue.
ROLL CALL: Klingel, yes; Elbassiouny, yes; Finke, yes; Marks, yes; Kovacs, yes

A motion was made by Elbassiouny, seconded by Marks, to authorize the Township Administrator to RFP for the work discussed in Executive Session.
ROLL CALL: Elbassiouny, yes; Marks, yes; Finke, yes; Klingel, yes; Kovacs, yes

A motion was made by Elbassiouny, seconded by Finke, to authorize the Mayor to execute the Quick Chek Sidewalk Agreement, provided an Indemnification Agreement is included, if the Land Use Board determines the sidewalks cannot be removed.
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 10:43 pm. All were in favor.

Respectfully submitted,

Anna C. Godfrey
Township Clerk