

## TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting  
May 15, 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 Katrina Campbell; Kevin McCarthy, CFO; James McDonald, Police Chief; Joseph Rossi, Construction Official; Brian Sweatt, Insurance Broker; and Jeff Cooper, Assistant Municipal Supervisor of Public Works.

### SALUTE TO THE FLAG

### APPROVAL OF MINUTES

A motion was made by Finke, seconded by Klingel, to approve the minutes from the regular meeting held April 17, 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 April 17, 2012 with the amendment noted by Mrs. Marks.

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

### RESOLUTIONS

A motion was made by Klingel, seconded by Finke, to approve Resolutions 12-74 through 12-77 and 12-79.

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

12-74 To Authorize and Approve Salaries and Wages for Certain Employees (J. Vernon/Step 3)

12-75 Tax Sale Certificate Redemption Resolution – Block 38, Lot 22 C0004

12-76 Reduction of Performance Guarantee for Washington Cemetery Associates Block 67, Lot 4

12-77 Resolution in Support of Phased-In Funding Restoration

12-79 Resolution of the Municipal Enlistment in the Military Initiate

Mrs. Marks questioned the donation process for Pedals for Progress as she understands a fee is required with each donation. Mr. deBoer explained Pedals for Progress does charge \$10.00 per bicycle but, because they received a grant, there will be no charge to the Township. A motion was made by Marks, seconded by Elbassiouny, to approve Resolution 12-73, Resolution Authorizing a Donation of Abandoned Bicycles to Charitable Organizations, Namely "Project Graduation" and "Pedals for Progress".

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

Per Mrs. Marks' request, K. McCarthy explained the original salary resolution was correct with the exception of the one Township crossing guard. A motion was made by Marks, seconded by Klingel, to approve Resolution 12-78, Resolution to Authorize and Approve Salaries and Wages for Certain Employees (McCormick/Crossing Guard).

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

Contrary to wording in Resolution 12-80, K. McCarthy feels the Township's cash balances are adequate and explained why. Mr. Klingel noted the Township only bonded three times in the past seven years. Mr. Elbassiouny stated he introduced this resolution and explained the State adopted similar policies and he feels the Township should allow the public to choose if the Township should bond for future projects. Mrs. Marks feels the intention is good, but the Township has policies in place to be transparent. Financial reporting is currently taking place and could be placed on the website. Mr. Klingel added items would need to be placed on the November or Special Election ballot which could cost up to \$20,000 and prolong the process. He would like input from the Township Auditor, Attorney and CFO before voting on this. The Committee discussed. A motion was made by Elbassiouny to approve Resolution 12-80, Resolution for the Purpose of a Policy for Voters to Approve Township Issued Bonds. There was no second. Motion failed.

### PRESENTATIONS

Dr. William Austin, President of Warren County Community College, provided the Committee with copies of the college's 2011 Annual Report. He stated the college has the highest two-year community college graduation rate in New Jersey and highlighted such things as the growing graduation rate, new library, new branch in Phillipsburg, and financials. Alan Lowcher, College Trustee, was also present and spoke of the success of some of the students and the value of education.

Mayor Kovacs stated he is pleased to have the college in the community. Dr. Austin explained the internship programs to K. McCarthy and the veteran program to Mrs. Marks.

Dave DeSanto, 66 Cemetery Hill Road, was present representing Washington H.O.P.E. (Homeowners Protecting Our Environment). The group is hoping to preserve 125 acres of open space in Washington Borough; however the property borders the Township on both the south and west sides. It is the land designated for the proposed expansion of the Washington Cemetery. D. DeSanto presented enlarged copies of the zoning map and satellite photos and explained their reasons for wanting to preserve the property and the damage the current cemetery is creating in the Township. The group is requesting financial assistance from the Township to purchase the land. Mayor Kovacs read from the open space trust fund ordinance. There would be some money available, but it would be a legal question as to whether open space money could be used for another municipality. Mr. Elbassiouny suggested D. DeSanto contact the County's Soil Conservancy Board and Freeholder Gardner. D. DeSanto asked if the Committee would be willing to meet in executive session. Mr. Finke stated he is interested. Mrs. Marks would first like to see if the Township can legally contribute. Attorney Campbell stated her office should review the Open Space Referendum language before the Township discusses. Mr. DeSanto noted Washington H.O.P.E. is currently in discussions with the Borough. Kathy Haake, Trust for Public Land Project Manager, provided the Committee with a map of the property and a description of her organization which works with municipalities to preserve open space. She spoke about funding opportunities and the benefits to both the Township and Borough. Julia Somers, Executive Director of the New Jersey Highlands Coalition, spoke about the value of the property to the Highlands and the financial impact of the property to the Township. Mayor Kovacs opened this presentation to the public. Joel Schnetzer, 240 Cemetery Hill Road, feels an appraisal of the property should be done before any financial discussions are held.

Mark VanDeursen, Captain of the Washington Emergency Squad, thanked the Committee for their continued support. He spoke about the squad's statistics and explained how the money the Township donates is distributed. The Emergency Squad has outgrown their current location and is looking to purchase property to expand in either the Township or Borough. Mayor Kovacs asked for the percentage of responses for Township residents. M. VanDeursen noted calls to both the Township and Borough are split almost equally. Mr. Finke asked why some calls are outside the Township and Borough. M. VanDeursen explained mutual aid response time. Mr. Elbassiouny asked the plans for the current building. M. VanDeursen feels it will be sold. Mr. Elbassiouny suggested M. VanDeursen work with Mr. deBoer to see if any land is available in the Township.

#### STAFF ADMINISTRATIVE REPORTS

Chief McDonald previously submitted a report and had nothing further to discuss.

J. Cooper previously submitted a report and had nothing further to discuss.

J. Rossi explained his department will pay, and later be reimbursed by JCP&L, for damage done when an excess of power entered the municipal building. His department will be looking into grants for a solar system, generator, etc. J. Rossi will be discussing the status of the generator and the 219 South Broad Street property with Attorney Lavery.

K. McCarthy previously submitted a report and had nothing further to discuss.

Mr. deBoer previously submitted a report. He noted a letter was received from JCP&L informing the Township of a 24/7 Power Center which offers information on mobile devices which alert residents of power outages and provide safety tips. There is a link to this on the Township website. Mr. deBoer requested Committee approval for Stan Prater, JCP&L Area Manager, to attend the July meeting to discuss this program and answer questions regarding power outages with the Committee. All were in favor. Also, Mr. deBoer provided the Committee with details and follow-up information regarding a phone call he received from a resident requesting there be a left hand traffic lane at the intersection of Jackson Valley Road (County Route 628) and Route 31 North. He also provided the Committee with a resolution he prepared in support of this. Mr. deBoer explained the traffic situation and discussed with the Committee. A motion was made by Elbassiouny, seconded by Klingel, to approve Resolution 12-81, Resolution of the Township Committee of the Township of Washington (Warren County) Supporting the Development of a "Left Lane for Left Turn Only" at the Intersection of State Highway Route 31 and County Route 628.

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

Mr. deBoer noted he will not be in attendance at the June meeting.

#### PUBLIC QUESTIONS AND CONCERNS

Mayor Kovacs opened the meeting to the public.

Lydia Schmidt, 21 Cemetery Hill Road, questioned Resolution 12-76, Reduction of Performance Guarantee for Washington Cemetery Associates Block 67, Lot 4. K. McCarthy explained the process of the reduction as recommended by the Township Engineer.

George Willan, 32 Falcon Way, questioned the Pinnacle Performance Bond. Attorney Campbell explained Pinnacle was hoping to get them information soon. G. Willan also questioned the status of making left hand turns out of Dollar

General. The Committee discussed. Attorney Campbell will provide a response before the next Land Use Board meeting.

Joel Schnetzer, 240 Cemetery Hill Road, had questions for K. McCarthy regarding his monthly report. Along with the expense analysis to be prepared for the June meeting, J. Schnetzer would also like to see a savings forecast. K. McCarthy explained his report. J. Schnetzer asked the Committee to try to keep taxes flat in 2013. He also recommends important resolutions be mentioned one month and be voted on the next month to give residents time to review and comment. He asked Chief McDonald questions on the police budget, scheduling of officers, and the amount of police cars. Per Mr. Klingel's suggestion, J. Schnetzer will contact the Chief to schedule a separate meeting. He would like the Committee to establish a Finance Committee, similar to the Township's other boards, to review the budget and expenses and help try to reduce taxes. The Committee discussed. Chief McDonald briefly discussed the police scheduling process. J. Schnetzer questioned the Police Department's high cell phone bill. Chief McDonald explained it is the air cards that are tied in to the Communication Center, not the phones. The Committee discussed.

Ron Greenwald, 6 Roaring Rock Road, stated he never received an answer from last month as to the direct and indirect cost of police officers' salaries. He worked up numbers based on what he received from the CFO. K. McCarthy disagreed with the numbers R. Greenwald presented. Discussion followed on the regular maintenance logs of police cars and DPW equipment. Mr. deBoer stated approximately seven years ago he discussed purchasing a computer program with the Committee that would track the maintenance of vehicles and equipment. He will work with R. Greenwald to research such a program to present to the current Committee.

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

#### OLD BUSINESS

There was no old business at this meeting.

#### NEW BUSINESS

Daniel Brundage, 1 Pinewood Lane, discussed the FEMA flood zone change. He's lived in the 25 year old development for 12 years and was told he now lived in a flood zone when they tried to refinance last year. D. Brundage explained the different tests done on the property and his discussion with the FEMA representative. He is asking if a drainage basin could be installed as the storm drains end in his property. Mr. Elbassiouny asked Mr. deBoer to work with D. Brundage and compare this situation with one that occurred in the past. Mr. deBoer will provide a recommendation to the Committee.

Dave Dempski, Clean Communities Coordinator, explained the grants for which he is requesting approval. Mr. Elbassiouny asked if grant funds are available. D. Dempski replied there are. A motion was made by Elbassiouny, seconded by Klingel, to approve the proposed 2012 Clean Community Grant Budgets as presented by D. Dempski.

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

A motion was made by Kovacs, seconded by Elbassiouny, to accept, with regret, the resignation of Barry Mueller from the Historical Commission. Mayor Kovacs stated B. Mueller served on the commission for many years and has recently moved out of the Township.

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

A motion was made by Kovacs, seconded by Marks, to appoint Mr. Finke to the Warren County Solid Waste Advisory Committee. All were in favor.

#### REPORT FROM OFFICIALS

Mr. Klingel stated he received an E-mail from a resident suggesting there be senior citizen rates for the Convenience Center. Mr. Elbassiouny and Mayor Kovacs agreed. Mr. deBoer will prepare a recommendation for the next meeting.

Mrs. Marks had nothing to report.

Mr. Elbassiouny stated the Youth Association is willing to donate defibrillators for the fields. The Township will then take over their maintenance. The Committee discussed. Mr. Klingel will discuss this further with the Recreation Commission. The Clerk will check with the insurance company regarding the liability associated with them.

Mr. Finke stated the Environmental Commission is strongly in support of preserving the property near the Washington Cemetery. He asked for clarification regarding the Open Space Committee. Mr. Klingel stated open space should be discussed during the Environmental Commission meetings.

Mrs. Marks asked when the Economic Development Commission meets. The Clerk stated meetings have not been scheduled as of yet.

Mayor Kovacs read a letter he received from M. Kaufman to the Committee. M. Kaufman is interested in having an outdoor flea market near his business on Route 57 West. Mrs. Marks noted he would need to speak to the Zoning Officer and the Land Use Board.

PAYMENT OF BILLS

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

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

EXECUTIVE SESSION

A motion was made by Elbassiouny, seconded by Klingel, to approve Resolution 12-82, 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. Mayor Kovacs explained the Committee will be discussing a personnel issue regarding the Police Department, an update from Dave Dempski regarding COAH and the Affordable Housing Spending Plan, financial issues regarding the Borough, a health insurance issue, and a pending litigation matter regarding the drainage easement.

A motion was made by Elbassiouny, seconded by Marks, to come out of Executive Session at 12:20 a.m. All were in favor. Attorney Campbell stated the Committee discussed several contractual matters regarding the following – COAH/Friese Property, Pinnacle, union matters, police contracts and a possible litigation. 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 Klingel, to authorize D. Dempski to proceed with the items discussed regarding a possible real estate transaction.

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

A motion was made by Elbassiouny, seconded by Klingel, to approve the affordable housing trust fund spending plan. All were in favor.

A motion was made by Elbassiouny, seconded by Klingel, to approve the drainage easement project not to exceed \$17,250 subject to project approval.

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

ADJORNMENT

Hearing no further business to come before the Committee, a motion was made by Elbassiouny, seconded by Klingel, to adjourn the meeting at 12:25 a.m. All were in favor.

Respectfully submitted,

Anna C. Godfrey  
Township Clerk