

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting
October 16, 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 7:35 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

Finke, present; Klingel, present; Kovacs, present; Marks, present
Mr. Elbassiouny arrived at 7:50 p.m.

STAFF PRESENT

Ann Kilduff, Deputy Township Clerk; Peter deBoer, Township Administrator/Certified Public Works Manager; Attorney Michael Lavery; Chief McDonald; Kevin McCarthy, CFO; Jeff Cooper, Assistant Municipal Supervisor of Public Works; and Joseph Rossi, Construction Official

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 September 18, 2012.

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

A motion was made by Klingel, seconded by Finke, to approve the Executive Session minutes from the regular meeting held September 18, 2012 with a correction noted by Mr. Finke.

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

ORDINANCE

A motion was made by Klingel, seconded by Finke, to open to the public Ordinance 12-08, Ordinance Supplementing and Amending Chapter 50 "Brush, Grass and Weeds" §50-2 "Service of Notice: Contents" in the Code of the Township of Washington, County of Warren, State of New Jersey, for 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 Finke, to close the public hearing. All were in favor. A motion was made by Klingel, seconded by Finke, to adopt Ordinance 12-08 on second reading.

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

RESOLUTIONS

Mr. deBoer explained a municipality can now only apply for two grants in a calendar year, however; the Township Engineer recommends including Resolution 12-125 for approval as there may be a change in the State's procedure or in the event discretionary funding becomes available. A motion was made by Klingel, seconded by Finke, to approve Resolutions 12-123 through 12-125 with the correction noted by Mr. Finke.

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

12-123 Resolution for the Purpose of Authorizing the Township Engineer, Finelli Consulting, to Make an Application to the New Jersey Department of Transportation's State Aid Program for Rymon Road – Section IV

12-124 Resolution for the Purpose of Authorizing the Township Engineer, Finelli Consulting, to Make an Application to the New Jersey Department of Transportation's State Aid Program for Cemetery Hill Road – Section I

12-125 Resolution for the Purpose of Authorizing the Township Engineer, Finelli Consulting, to Make an Application to the New Jersey Department of Transportation's State Aid Program for Norfolk Avenue and Midland Avenue (Sidewalk Only)

With regards to Resolution 12-126, Mayor Kovacs stated there have been many calls from parents saying they get out of work late and do not have much time to take their children trick-or-treating. This resolution would extend trick-or-treat time by one hour. A motion was made by Finke, seconded by Klingel, to approve Resolution 12-126, Resolution Amending Resolution 12-115 Imposing a Halloween Curfew Establishing Observance of Trick-or-Treat Within the Township of Washington.

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

Mr. Finke requested the effective date of Resolution 12-127 be changed to October 16, 2012. A motion was made by Finke, seconded by Klingel, to approve Resolution 12-127, Resolution to Authorize and Approve Salaries and Wages for Certain Employees (J. Nolan – Crossing Guard) as amended by Mr. Finke.

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

Per Mr. Finke's request, Chief McDonald explained Ronald Pantuso previously resigned effective October 27th. Prior to that date, he informed the Chief he had decided to remain employed with Washington Township, so R. Pantuso never officially left the Police Department. After a brief discussion, a motion was made by Klingel, seconded by Marks, to approve Resolution 12-128, Resolution Rescinding the Acceptance of the Letter of Resignation and to Fully Reinstate Detective/PFC Step 5 Police Officer Ronald A. Pantuso.

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

Mr. Elbassiouny joined the meeting at this point.

Mrs. Marks asked for an explanation of Resolution 12-129. Mr. deBoer explained by passing this resolution, the Committee is certifying that they discussed the 2012/2013 Best Practice Inventory at a public meeting. Mr. Klingel stated this report helps the Township with regard to State funding. Mrs. Marks asked for clarification as to what the Committee is approving. Attorney Lavery explained the procedure for completing the report and the Committee's certification. Mr. Finke asked for clarification of many of the answers given on the report. After a lengthy discussion, a motion was made by Klingel, seconded by Kovacs, to approve Resolution 12-129, 2012 Best Practice Inventory Program – Best Practice Public Meeting Certification Form.

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

STAFF ADMINISTRATIVE REPORTS

Chief McDonald previously submitted a report. He read a letter of accommodation he had written with regards to P. deBoer, N. Godfrey and A. Kilduff. Mr. Klingel thanked those employees. Chief McDonald explained that during rainstorms gravel, mud and stones wash into the roadway on Cemetery Hill Road and become a safety hazard, especially with winter approaching. He provided the Committee with pictures of the property. He feels the cemetery is responsible and should be contacted. Mr. Elbassiouny feels the situation should be handled as it occurs. P. deBoer and J. Cooper further explained the situation. The Washington Cemetery did pipe work and changed the path of the water run-off. J. Cooper explained Warren County has plans to work on this intersection within the next few years and will be adding drainage. Mr. Elbassiouny suggested the situation be referred to the Construction Official.

J. Cooper stated utility poles on Pleasant Valley Road Section III will be relocated tomorrow. The gas company will then move the main and the project will be start shortly afterwards. As previously requested by Mr. Klingel, the estimate for mowing the Friese property is \$544.00 to \$946.00 per year based on time, gasoline, and either a part-time or full-time employee.

K. McCarthy had nothing to report. He will have transfer recommendations ready for the next meeting. Mayor Kovacs would like each department to begin working on their 2013 budget.

J. Rossi stated there is an order to demolish the structure at 219 S. Broad Street. Mr. Johnstone had requested an extension, but learned the estimate to hook up to Washington Borough's sewer is \$30,000. He would like the Township to either pay for the sewer or for septic which is estimated at \$25,000. After a brief discussion a motion was made by Elbassiouny, seconded by Marks, to deny both options requested by Mr. Johnstone regarding the sewer and septic at 219 S. Broad Street.

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

Mr. deBoer stated he obtained three quotes for the demolition of the structure. He recommends going with the lowest bidder pending availability of funds. Mayor Kovacs noted the Township does not own the building and recommends putting a lien of the cost of the demolition on the property. Mr. Klingel asked if the cesspool is a safety issue. J. Rossi replied it is not. Attorney Lavery stated there was a hearing was held and although they were notified, no one with an interest in the property attended. The Township is able to move forward. Mrs. Marks suggested the Township purchase the property and widen the road. P. deBoer stated he asked the County to reconsider the design of the road. The County will look at the intersection once the house is removed. A motion was made by Elbassiouny, seconded by Klingel, to demolish the structure at 219 S. Broad Street pending the availability of funds.

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

P. deBoer requested Committee approval to go out for RFP's for 2013. A motion was made by Elbassiouny, seconded by Marks, to approve the Township Administrator to solicit for RFP's for 2013.

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

PUBLIC QUESTIONS AND CONCERNS

Mayor Kovacs opened the meeting to the public.

Brian Wilcox, chairman of the Historical Commission, applauded the Committee for purchasing the Friese property. He would like to make sure there is a provision in the deed to protect the historic assets on the property. Mayor Kovacs assured him they would be protected. The Township may be receiving money from the County to preserve the property. Mr. Elbassiouny feels the Historic Commission should be working with the County. B. Wilcox agreed and will contact them. B. Wilcox would like a plaque placed by the blacksmith shop. Mayor Kovacs would like the Historic Commission to part of the discussion of the plaque.

Alisha Allen, 204 S. Lincoln Avenue, spoke to the Committee about a water problem in her basement after the Washington Cemetery drainage issue. She provided the Committee with pictures of the gravel at the nearby intersection. She stated gravel is a problem and there are many skid marks. She calls both the Township and the County every time it rains. Mr. Klingel feels this is an engineering issue and asked the Deputy Clerk to check with the Land Use Board to see if there are any applications for the Washington Cemetery or any past approvals. A. Allen discussed with the Committee and Attorney Lavery. Mr. deBoer stated the Cemetery opened concrete pipes and ditches where the water used to drain and added additional drainage pipes which are not allowed. Mr. Elbassiouny asked Chief McDonald to alert officers to monitor the intersection during storms while on their normal patrol. The Zoning Officer should be advised of the problem. Attorney Lavery stated a bill for road clean-up can be sent to the cemetery.

Joel Schnetzer, Cemetery Hill Road, suggested the Committee bring a container to the DPW garage for scrap metal. J. Cooper stated they have had a dumpster for scrap metal at the garage for approximately fourteen months. J. Schnetzer feels a motion should be moved one month and a follow-up resolution should be done the next month when hiring a police officer. Mr. Elbassiouny explained the process. Attorney Lavery stated the motion is the official action and a resolution is not necessarily required. J. Schnetzer discussed with the Committee. Chief McDonald stated he only hires an officer when he loses one. Waiting another month would result in paying overtime. A new officer at the bottom step is less expensive to the taxpayer. The discussion continued. J. Schnetzer feels his recommendation will clear up any misunderstandings as to what happened at previous meetings.

Mayor Kovacs reminded residents to limit their time to five minutes whenever possible. 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

Mrs. Marks requested clarification on the e-mail disclaimer at the bottom of Township employees' e-mails. Attorney Lavery stated it protects the sender in the event an e-mail is inadvertently sent to an unintended recipient.

Mayor Kovacs stated Jim Vergos has resigned from the Land Use Board. Mr. Klingel stated J. Vergos ran an excellent meeting and was an asset to the Board. A motion was made by Klingel, seconded by Elbassiouny, to accept Jim Vergos' resignation from the Land Use Board with regret.

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

Mayor Kovacs stated Erich Sodtalbers is now chairman of the Land Use Board. Mayor Kovacs is moving Joel Schnetzer from the Alternate 1 position to the position vacated by J. Vergos. He has also appointed Mark Glowinski as the Alternate 1 position, replacing J. Schnetzer.

P. deBoer stated that in speaking to Chief McDonald, it is not recommended the Committee accept the retirement of Police Secretary Helen Hartrum at this time. The Committee acknowledged H. Hartrum's intent to retire in February. No action was taken.

P. deBoer received a request from Anthony Pasquini, arboretum founder and coordinator, to allow the Township to use their vehicles to pick up twenty-one trees from two nurseries and plant them in the arboretum. Mr. Finke asked the cost of this project. P. deBoer estimates it will take two employees two days to complete plus fuel. The trees were paid for by an anonymous donor, but P. deBoer will ensure payment has been made before scheduling. The Committee discussed. Joel Schnetzer volunteered to pick up the trees from the Berks County nursery. P. deBoer will look into the size of the trees. A motion was made by Klingel, seconded by Marks, to authorize one trip by the DPW employees to Somerset/Heightstown and one trip by Joel Schnetzer to Berks County to pick-up trees from the nurseries. The DPW employees will plant the trees.

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

REPORT FROM OFFICIALS

Mayor Kovacs stated Governor Christie will be holding a Town Hall Meeting on October 25th at Vo-Tech. He will forward additional details once he receives them.

Mr. Elbassiouny had nothing to report.

Mrs. Marks stated there was a shared service meeting with the Warren Morris Council of Government and the Boards of Education from various towns. She looks forward to more shared services and is preparing a list of services surrounding areas are looking for and will have it for the November meeting.

Mr. Klingel had nothing to report.

Mr. Finke had nothing to report.

PAYMENT OF BILLS

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

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

The Committee took a short recess before entering into Executive Session. Mr. Elbassiouny noted for the public the November meeting will be held on Monday, November 19th.

EXECUTIVE SESSION

A motion was made by Klingel, seconded by Finke, to approve Resolution 12-130, 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 9:45 p.m. All were in favor. Attorney Lavery explained the Committee will be discussing a personnel matter dealing with Pete deBoer, a contractual/litigation matter dealing with health insurance with the Teamsters and PBA, a letter from the Land Use Board, an attorney/client privilege matter dealing with an anonymous complaint to the Township and a personnel matter dealing with the Police Department.

A motion was made by Klingel, seconded by Finke, to come out of Executive Session at 10:28 p.m. All were in favor. Attorney Lavery stated the Committee discussed a contractual/litigation matter dealing with health insurance with the Teamsters and PBA, a letter from the Land Use Board, an attorney/client privilege matter dealing with an anonymous complaint and a personnel matter dealing with the Police Department. The personnel matter dealing with Pete deBoer was not discussed. 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.

ADJORNMENT

Hearing no further business to come before the Committee, a motion was made by Klingel, seconded by Elbassiouny, to adjourn the meeting at 10:30 p.m. All were in favor.

Respectfully submitted,

Ann Kilduff
Deputy Township Clerk