

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting  
June 19, 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; Attorney Michael Lavery; Kevin McCarthy, CFO; James McDonald, Police Chief; Detective Koch, Joseph Rossi, Construction Official; David Dempski, COAH Coordinator; and Jeff Cooper, Assistant Municipal Supervisor of Public Works.

SALUTE TO THE FLAG

APPROVAL OF MINUTES

A motion was made by Klingel, seconded by Finke, to approve the minutes from the regular meeting held May 15, 2012. Mrs. Marks noted a clarification she would like noted. Mr. Klingel and Mr. Finke amended their motion to include this change.

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

A motion was made by Marks, seconded by Elbassiouny, to approve the Executive Session minutes from the regular meeting held May 15, 2012.

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

ORDINANCE

Per Mayor Kovacs' request to explain Ordinance 12-04, J. Rossi stated businesses along Route 31 and Route 57 should have large enough numbers to read while traveling on those roads. Mrs. Marks questioned if it would only pertain to businesses or include residents and feels clarification is needed as to where the numbers are to be placed. Mr. Rossi will amend the ordinance. Mr. Finke questioned the amendment to the fees. J. Rossi explained it is to ensure the Township's fees are paid. The introduction of Ordinance 12-04, Ordinance Supplementing and Amending Chapters 52 "Numbering of Buildings" §52-7, Visibility of Numbers and Chapter 59 "Construction Code, Uniform; Permits", §59-15 Additional Fees, has been deferred to the July 17, 2012 meeting.

Mayor Kovacs requested Ordinances 12-05 and 12-06 be held until after Executive Session. The Committee agreed.

RESOLUTIONS

A motion was made by Klingel, seconded by Finke, to approve Resolutions 12-83 through 12-93.

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

12-83 Liquor License Renewal – Elydo (t/a Rokmex – formally Star 31 Steakhouse)

12-84 Liquor License Renewal – Veterans of Foreign Wars Pohatcong Memorial Post #6701

12-85 Liquor License Renewal – Roaring Rock Inn

12-86 Liquor License Renewal – Hawk Pointe, LLC

12-87 Liquor License Renewal – Daya Wine & Liquors, Inc (t/a Town & Country Liquors)

12-88 Liquor License Renewal – Oakwood Lanes

12-89 Liquor License Renewal – Washington Retail Consumption License Holding Co. (t/a Ocino)  
Year 2 of 2 of Special Ruling Permit

12-90 Resolution to Accept a Sight Easement on Block 74, Lot 4.01

12-91 Tax Sale Certificate Redemption Resolution – Block 67, Lot 75

12-92 Tax Sale Certificate Redemption Resolution – Block 16, Lot 17.02

12-93 Resolution of the Township Committee of the Township of Washington, Warren County, Assigning a Lien on Block 40, Lot 7

Mrs. Marks questioned if the grant money in Resolution 12-94 would have to be matched. K. McCarthy replied the full amount was not known when the budget was prepared and this resolution is for proper recording of the dollar amount. J. Cooper verified this is for Phase 2 of the Pleasant Valley Road project. He spoke to the Township Engineer who is hoping to file for an extension for Phase 3. The Committee discussed. The Committee agreed that no extension shall be given and feel the project should be completed by winter. J. Cooper will follow-up with the Engineer. A motion was made by Klingel, seconded by Elbassiouny, to approve Resolution 12-94, Chapter 159 Budget Amendment, NJ Department of Transportation Grant.

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

#### STAFF ADMINISTRATIVE REPORTS

Chief McDonald previously submitted a report. He stated on June 1<sup>st</sup> at 4:30 a.m. a seven month investigation came to an end when several houses in Washington Borough and Washington Township were raided. The investigation began with the Washington Township Police Department who then worked with several other agencies. Detective Koch, who worked with Lieutenant Cicerelle, explained the details. There were thirteen arrests in the Washington area and one in Oxford. A substantial amount of drugs were recovered and two vehicles were seized. Seventy officers were part of the task force from many jurisdictions. The Committee commended the Police Department. Mr. Elbassiouny would like the Police Department to speak to high school students, hopefully making them think twice before getting involved with drugs. Chief McDonald commended Detective Koch and Lieutenant Cicerelle on an outstanding job.

J. Cooper previously submitted a report. Mr. Elbassiouny questioned the road project plans. J. Cooper replied he is waiting for Pleasant Valley Road to be completed to be sure there are enough funds to finish the project.

J. Rossi stated he will go out to bid for the generator soon. He stated 219 Broad Street will be going into foreclosure. He will request it be demolished as it is a life hazard issue. Mr. Elbassiouny stated that in regards to the ordinance discussed earlier, he feels the buildings should be consistent as to where they place their numbers. He stated he is concerned with the cost and suggested contacting the Rotary Club to see if they would fund the numbering of all the businesses.

K. McCarthy previously submitted a report. He stated he developed a preliminary full-year forecast. He will meet with department heads next week to discuss their budgets. The Township is well within the budget.

#### PUBLIC QUESTIONS AND CONCERNS

Mayor Kovacs opened the meeting to the public.

Mr. Winchurch asked the progress of the house at 219 Broad Street. Attorney Lavery stated he was in contact with the lien holder and explained the next steps. Mr. Winchurch stated there are two other houses in the same area that are in disrepair. One house has many vehicles on the lawn; some he thinks are not registered. Mayor Kovacs asked Chief McDonald to look into the vehicles. He asked the Clerk to have Mr. deBoer contact the Board of Health regarding the clean-up of the property.

Ron Greenwald questioned the subdivision of the property as noted in Ordinance 12-06. Mayor Kovacs explained one part would be donated to Habitat for Humanity and the other would be kept by the Township for parking. Mr. Elbassiouny stated although the house would be taxed, the service provided to the residents will be greater. Mayor Kovacs noted the house has been appraised. Mr. Finke asked the tax rate of subsidized housing. Mr. Elbassiouny explained the house will be assessed.

Joel Schnetzer, Cemetery Hill Road, feels the Committee should have a certified appraisal done when purchasing any property in the Township to assure the residents are not paying over appraised value. He asked if this appraisal was done after the offer was made. The Committee replied it was and Mayor Kovacs explained the COAH deadlines.

A motion was made by Finke, seconded by Elbassiouny, to have a certified appraisal done before purchasing property.

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

J. Schnetzer and Mr. Elbassiouny discussed the assessment of the property. J. Schnetzer would like the Committee to discuss future property purchases with the Township's Tax Assessor. He questioned payments to Blue Cross and Key Benefits on the May bill list. Mr. Elbassiouny and Mayor Kovacs explained the Township's insurance policy. J. Schnetzer asked if the 2009 Shared Service numbers the Boro requested were supplied to them. K. McCarthy replied 2011 numbers were provided, but due to resource constraints the Township is looking into a third party source to handle the request.

Dave DeSanto of 66 Cemetery Hill Road and Washington H.O.P.E. updated the Committee on the Washington Cemetery property stating they have applied for Green Acres funding as well as Warren County funding. Washington Borough Council approved to add an Open Space Tax question to their ballot in November. D. DeSanto asked for an interpretation as to whether the Township's Open Space Funds can be used to preserve the land. Attorney Lavery explained the Township's Open Space Tax monies can only be used for property within the Township. D. DeSanto would like the Township to consider purchasing part of the property. Mayor Kovacs and Mr. Elbassiouny discussed with D. DeSanto. The Committee is not in favor of purchasing property at this time. Mr. Finke asked if the Township could add the question on the November ballot. Mr. Elbassiouny replied the Township cannot.

Cheryl Burkett, Environmental Commission, spoke about the Friese property, explaining a 300' buffer will be required by the Brass Castle Creek. The Morris Canal is a historic site, and variances will be needed if the property is subdivided. Mayor Kovacs noted the Township Engineer is currently working on the plans for the property.

Jeff Duckworth, 28 Coleman Hill Road, questioned the Township's maintenance of the sinkhole on the Pacesetter retention pond, asking if that is Township property. J. Cooper gave a history of the property and stated it is not Township property. J. Duckworth feels it is not the Township's responsibility. Mayor Kovacs asked Attorney Lavery to see who is responsible for the property per the Developers Agreement. J. Duckworth stated he is opposed to any money being spent on the cemetery property and feels the property has not been taken care of by previous property owners. He would like the burials to continue as long as there is no illegal activity.

Joel Schnetzer stated he opposes the Township purchasing the cemetery property. He noted open space monies can be used for agricultural property as well. He explained why he feels farmland assessed properties bring more money to the Township than business or residential properties. He discussed with Mr. Elbassiouny.

Dave DeSanto spoke of how the lives of those who live by the cemetery have had their lives turned upside down.

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

Mayor Kovacs stated he appointed Kathy Fiore to the Historical Commission, replacing Barry Mueller. Joseph Rossi has been appointed to the Historical Commission as the Class A member.

J. Cooper explained the request for a minor subdivision of Block 24, Lot 2 on Dale Avenue. The Township Engineer will be speaking with the Fire Chief to see what requirements he has for a turnaround. Mayor Kovacs noted this is for informational purposes only and requested the Committee continue to be advised of the status.

Mr. Klingel described a Senior Citizen Curbside Fee/Convenience Center Pass Discount Program which was prepared by Mr. deBoer. The Committee discussed and agreed to delete the income requirement, and Township residents age 65 and older will receive a 30% discount on both curbside pick-up and Convenience Center fees. A motion was made by Klingel, seconded by Elbassiouny, to approve the senior citizen discount for those age 65 and older and a resident of Washington Township to receive a 30% discount as part of the Senior Citizen Curbside Fee/Convenience Center Pass Discount Program.

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

A motion was made by Elbassiouny, seconded by Klingel, to support the request to "Turn the Town Teal" during the month of September for National Ovarian Cancer Awareness Month. All were in favor.

A motion was made by Elbassiouny, seconded by Klingel, to approve the request from Nancy Godfrey and Ann Kilduff to attend a Registrar Class on June 14, 2012. Mrs. Marks noted the class already took place. The Clerk explained notice of the class came after the last meeting. All were in favor.

A motion was made by Elbassiouny, seconded by Finke, to approve a letter be sent in support of the Small Cities Housing Rehabilitation Application. All were in favor.

#### REPORT FROM OFFICIALS

Mr. Klingel had nothing to report

Mr. Finke stated the new Highlands Planner attended the last Environmental Commission meeting and invited the Commission to provide input.

Mr. Elbassiouny had nothing to report.

Mrs. Marks had nothing to report.

Mayor Kovacs had nothing to report.

#### PAYMENT OF BILLS

A motion was made by Klingel, seconded by Elbassiouny, to approve the payment of the bills. Mr. Finke questioned the amount being paid to the water company. Mrs. Marks explained. Mr. Finke questioned the amount of the gas company bill versus this time last year. K. McCarthy explained we were being billed incorrectly last year. Mr. Finke questioned the possible double payment of office supplies. K. McCarthy will look into this. Mr. Finke noted the absence of descriptions on some vouchers.

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

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

EXECUTIVE SESSION

A motion was made by Elbassiouny, seconded by Finke, to approve Resolution 12-95, 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 10:30 p.m. All were in favor. Attorney Lavery explained the Committee will be discussing a contractual matter dealing with the Friese Estate and Habitat for Humanity, the PBA/Teamsters grievance, an attorney/client privilege matter dealing with Pinnacle/Hawk Pointe Development, an attorney/client privilege matter dealing with a letter from S. Gruenberg, Land Use Board Attorney, and a pending litigation matter regarding Marks/Washington Township.

A motion was made by Klingel, seconded by Elbassiouny, to come out of Executive Session at 11:11 p.m. All were in favor. Attorney Lavery stated the Committee discussed a contract with the Friese Estate, the PBA/Teamsters grievance, Pinnacle at Hawk Pointe, an attorney/client privilege matter dealing with a letter received from S. Gruenberg, Land Use Board Attorney, and the Marks/Washington Township 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 Finke, to verify availability of funds for the lease/purchase of two police vehicles this year.

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

Chief McDonald noted Lieutenant Cicerelle gave a presentation at the Boro meeting with regards to the recent arrests. They were very receptive. Mr. Klingel stated the Township is also appreciative.

A motion was made by Klingel, seconded by Marks, to schedule a special meeting for July 9, 2012 at 7:30 p.m.

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

A motion was made by Klingel, seconded by Elbassiouny, to introduce Ordinance 12-05, Ordinance Authorizing the Sale of Certain Property Owned by the Township of Washington, Warren County, NJ and Not Required for Public Purposes, Pursuant to N.J.S.A. 40A:12-21(L) Et. Seq. on first reading.

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

Public hearing and adoption will be held on July 9, 2012.

A motion was made by Elbassiouny, seconded by Klingel, to introduce Ordinance 12-06, An Ordinance of the Township of Washington, County of Warren, State of New Jersey, Authorizing the Purchase by Washington Township of Real Property From the Estate of Friese Known as Lot 15, Block 18, Pursuant to N.J.S.A. 40A:12-3, Et. Seq. on first reading.

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

Public hearing and adoption will be held on July 9, 2012

A motion was made by Elbassiouny, seconded by Klingel, requesting D. Dempski apply for a grant in the amount of \$250,000.

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 Klingel, seconded by Finke, to adjourn the meeting at 11:20 p.m. All were in favor.

Respectfully submitted,

Anna C. Godfrey  
Township Clerk