

## TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting  
February 19, 2013

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 Robert Klingel.

SUNSHINE LAW COMPLIANCE – The Mayor noted that this meeting was being held in compliance with the Open Public Meetings Law of 1975 by notice to the Star Gazette and Express Times of the date, time and location as required by law. Notice was also posted on the bulletin board at the Municipal Building.

### ROLL CALL

Finke, present; Horensky, present; Klingel, present; Kovacs, present; Willan, present

### STAFF PRESENT

Anna C. Godfrey, Township Clerk; Peter deBoer, Township Administrator/Certified Public Works Manager; Attorney Michael Lavery; Chief McDonald; Lieutenant Doll; Kevin McCarthy, CFO; Jeff Cooper, Assistant Municipal Supervisor of Public Works; and Joseph Rossi, Construction Official/Zoning Officer.

### SALUTE TO THE FLAG

### PROCLAMATION

Mayor Klingel read a proclamation designating March 1, 2013 as "Read Across America Day".

### APPROVAL OF MINUTES

A motion was made by Finke, seconded by Willan, to approve the minutes from the regular meeting held January 15, 2013.

ROLL CALL: Finke, yes; Willan, yes; Horensky, abstained; Kovacs, yes; Klingel, yes

A motion was made by Horensky, seconded by Kovacs, to approve the Executive Session minutes from the reorganization meeting held January 1, 2013.

ROLL CALL: Horensky, yes; Kovacs, yes; Finke, yes; Willan, yes; Klingel, yes

A motion was made by Willan, seconded by Kovacs, to approve the Executive Session minutes of regular meeting held January 15, 2013.

ROLL CALL: Willan, yes; Kovacs, yes; Finke, yes; Horensky, abstained; Klingel, yes

A motion was made by Horensky, seconded by Finke, to approve the minutes of the budget meeting held February 9, 2013.

ROLL CALL: Horensky, yes; Finke, yes; Kovacs, yes; Willan, yes; Klingel, yes

### ORDINANCE

A motion was made by Kovacs, seconded by Horensky, to open to the public Ordinance 13-01, An Ordinance Re-Authorizing the Open Space Trust Fund for the Township of Washington, public hearing on second reading. All were in favor. Mayor Klingel entertained comments from the public. Hearing no one, a motion was made by Klingel, seconded by Kovacs, to close the public hearing of Ordinance 13-01.

ROLL CALL: Klingel, yes; Kovacs, yes; Finke, yes; Horensky, yes; Willan, yes

A motion was made by Kovacs, seconded by Horensky, to adopt Ordinance 13-01 on second reading.

ROLL CALL: Kovacs, yes; Horensky, yes; Finke, no; Willan, yes; Klingel, yes

A motion was made by Horensky, seconded by Kovacs, to open to the public Ordinance 13-03, Ordinance of the Township of Washington, County of Warren, State of New Jersey, Repealing Chapter 19 Titled "Economic Development Commission", public hearing on second reading. All were in favor. Mayor Klingel noted this ordinance will create an Economic Development Committee. Mayor Klingel entertained comments from the public. Hearing no one, a motion was made by Kovacs, seconded by Horensky, to close the public hearing of Ordinance 13-03. All were in favor. A motion was made by Horensky, seconded by Willan, to adopt Ordinance 13-03 on second reading.

ROLL CALL: Horensky, yes; Willan, yes; Finke, no; Kovacs, yes; Klingel, yes

### RESOLUTIONS

A motion was made by Horensky, seconded by Kovacs, to approve Resolutions 13-53, 13-54, and 13-56 through 13-59.

13-53 Resolution Authorizing the Execution of an Interlocal Services Agreement Between the Township of Washington and the Pollution Control Financing Authority of Warren County for Solid Waste Disposal

13-54 2012 Tonnage Grant Application

13-56 Resolution Appointing Members to the 2013 Safety Committee

13-57 Tax Sale Certificate Redemption – Block 40; Lot 65

13-58 Tax Sale Certificate Redemption – Block 42; Lot 1

13-59 Resolution to Authorize and Approve Salaries and Wages for Certain Employees (J. Vernon/Patrolman Step 3)

ROLL CALL: Horensky, yes; Kovacs, yes; Finke, yes; Willan, yes; Klingel, yes

A motion was made by Kovacs, seconded by Horensky, to approve Resolution 13-55, Resolution Relating to the Restatement of the Health Reimbursement Arrangement. Mr. deBoer explained this resolution authorizes him to communicate to the health insurance company, key benefit personnel, etc. on behalf of the Township. The resolution is a requirement of the insurance company. Mr. Finke asked how the cost of the employees' share of the benefits will be handled. Mr. deBoer stated he will be discussing this in Executive Session, but Resolution 13-55 does not address that. The Committee discussed.

ROLL CALL: Kovacs, yes; Horensky, yes; Finke, no; Willan, yes; Klingel, yes

#### STAFF ADMINISTRATIVE REPORTS

Chief McDonald previously submitted a report. He reported on the recent incident at Albea on January 29<sup>th</sup>. He commended his officers for the way the situation was handled. Chief McDonald read a letter he had received from Albea which praised and thanked the Police Department. Albea will be donating \$3,000 towards the repairs of the tactical vehicle.

J. Cooper previously submitted a report. He noted the Parks & Recreation Building has been repaired, painted and brought up-to-date.

K. McCarthy stated he has been preparing the 2013 budget. He has two items to discuss in Executive Session with regards to the Borough budget and finances.

J. Rossi previously submitted a report and had nothing further to report.

Mr. deBoer previously submitted a report and spoke about S. Brown and A. Clerico attending a Highlands meeting. They will meet with J. Schnetzer and M. Sendell of the Land Use Board to review the data with them. Mr. deBoer has been in contact with Warren County Arts as they are hoping to use the Log Cabin to hang art. They will prepare a proposal to present to the Committee at a later date.

#### PUBLIC QUESTIONS AND CONCERNS

Mayor Klingel opened the meeting to the public.

Joel Schnetzer, 240 Cemetery Hill Road, requested copies of the paperwork the Committee looks at during budget meetings. Attorney Lavery stated the Committee is not required to release preliminary figures to the public. After a brief discussion, Mr. deBoer suggested paperwork be placed on the screen rather than as handouts. J. Schnetzer questioned the funding of the implementation of the Farmland Preservation Plan and the Highlands Conformance Plan. Mr. Kovacs replied the Open Space monies have been committed to the debt of prior Open Space projects. Mr. deBoer stated it may be provided for in the 2014 budget once everything is approved. Mr. Finke asked if the Township is legally responsible for paying down debt with Open Space money. Attorney Lavery replied the Committee is permitted to pay down debt, but will discuss with D. Evans.

Anthony Pasquini, Pohatcong Native Arboretum, updated the Committee on the progress made at the arboretum. He would like to install an entranceway and a sign at the arboretum to complete the project. A. Pasquini has worked as a volunteer at the arboretum for the past eleven years, but will no longer be directly involved after June. He would like a stipend of \$5,000.00 made available for a new point person to the arboretum. He noted organizations such as The Warren Garden Club and Warren County Community College are interested in the arboretum. Mr. Kovacs requested A. Pasquini put his future plans in writing and seek approval from the Committee before beginning any work. A. Pasquini explained his plans and requested Committee approval for an entranceway. He also requested the Township fund the \$675.00 needed to complete the entranceway with gates to replace the current fence that is starting to deteriorate. The sign to be mounted on the entranceway will be donated. He would like the Department of Public Works to construct the entranceway and would like to schedule a dedication ceremony in June. Mr. Kovacs would like to see plans. Mayor Klingel asked A. Pasquini if he had approached any of the interested organizations for funding. A. Pasquini replied he did not. Mayor Klingel requested A. Pasquini contact other organizations for funding and provide his plans to the Committee. A. Pasquini will prepare a list of what is needed to complete the arboretum and stated he would be able to get the funding. Mayor Klingel stated approval will be discussed at a later date when he returns with plans.

Walter Wilson stated he is an attorney representing Mr. & Mrs. Fratesi of 4 Oakwood Lane with regard to the drainage easement issue. He asked the Committee for authorization to discuss this issue with the Township Attorney and Engineer. After a brief discussion, the Committee was agreeable to Mr. Wilson speaking with Attorney Lavery.

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

#### OLD BUSINESS

There was no old business at this meeting.

#### NEW BUSINESS

Mayor Klingel stated Big Brothers Big Sisters of Hunterdon, Somerset and Warren is sponsoring a Bowl for Kids Sake Fundraiser on April 13 at 11:00 a.m. at Oakwood Lanes. He asked anyone interested in participating to contact the Clerk.

A motion was made by Finke, seconded by Horensky, to approve the request from Nancy Godfrey and Ann Kilduff to attend a Mid-State Registrar's Association meeting on March 21, 2013. All were in favor.

The letter from Joseph Dorman regarding the purchase of Block 40, Lot 93 (360 Route 57 East) was discussed later in the meeting.

Mr. deBoer provided information regarding the Highlands Transfer Development Rights (TDR) Program and explained approval of Resolution 13-60 is required to apply for a \$25,000.00 grant. A motion was made by Horensky, seconded by Kovacs, to approve Resolution 13-60, Washington Township Authorizing Submission of Highlands TDR Receiving Zone Feasibility Grant Application.

ROLL CALL: Horensky, yes; Kovacs, yes; Finke, no; Willan, yes; Klingel, yes

A motion was made by Finke, seconded by Horensky, to approve a request from Eileen Parks to attend "Property Tax Administration – Part 1" classes on March 20, March 27, April 2, and April 9 in New Brunswick.

ROLL CALL: Finke, yes; Horensky, yes; Kovacs, yes; Willan, yes; Klingel, yes

#### REPORT FROM OFFICIALS

Mr. Finke stated he received an e-mail from the Hunterdon County Land Trust asking if the Township had any Open Space projects and if the Township would be interested in partnering with them. Mr. Finke will ask his contact to attend a Committee meeting.

Mr. Horensky stated he held meetings with the DPW and Code Enforcement employees to introduce himself and advise them of his plans for the future of the Township. He feels the meetings went well and was pleased with the employees' response.

Mr. Kovacs had nothing to report.

Mr. Willan had nothing to report.

Mayor Klingel had nothing to report.

#### PAYMENT OF BILLS

A motion was made by Horensky, seconded by Willan, to approve the payment of the bills.

ROLL CALL: Horensky, yes; Willan, yes; Finke, no; Kovacs, yes; Klingel, yes

Mr. Horensky questioned the foreclosure on the property mentioned in the letter from Joseph Dorman, Block 40; Lot 93 (360 Route 57 East). Mr. Lavery explained the process and will provide the Committee with an estimate of the cost to foreclose on other properties as provided by the Tax Collector. The Committee discussed their options with Attorney Lavery.

#### EXECUTIVE SESSION

A motion was made by Horensky, seconded by Willan, to approve Resolution 13-61, 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 8:45 p.m. All were in favor. Attorney Lavery explained the Committee will be discussing a potential litigation matter dealing with an OPRA request for an old lawsuit, a contractual matter/potential litigation matter dealing with the Toll Brothers bond release, a contractual matter dealing with the Friese contract, a contractual matter dealing with the Washington Borough Police contract and recommendations for 2013, a police health insurance issue, a personnel issue and a potential litigation matter dealing with Pinnacle/Hawk Pointe.

A motion was made by Horensky, seconded by Finke, to come out of Executive Session at 9:55 p.m. All were in favor. Attorney Lavery stated the Committee discussed an OPRA request for an old lawsuit, a contractual matter/potential litigation matter dealing with the Toll Brothers bond release, a contractual matter dealing with the Friese contract, a contractual matter dealing with the Washington Borough Police contract and recommendations for 2013, a police health insurance issue, a personnel issue and a potential litigation matter dealing with Pinnacle/Hawk Pointe. 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 Horensky, seconded by Willan, to authorize Attorney Lavery to make an offer on the Pinnacle lawsuit as discussed and outlined in Executive Session.

ROLL CALL: Horensky, yes; Willan, yes; Finke, yes; Kovacs, yes; Klingel, yes

A motion was made by Kovacs, seconded by Willan, to appoint P. deBoer and J. Horensky as representatives to hear the grievance as discussed in Executive Session.

ROLL CALL: Kovacs, yes; Willan, yes; Finke, yes; Horensky, yes; Klingel, yes

A motion was made by Kovacs, seconded by Finke, to appoint Kevin Smith of Finelli Consulting Engineers on a temporary basis effective immediately.

ROLL CALL: Kovacs, yes; Finke, yes; Horensky, yes; Willan, yes; Klingel, yes

ADJORNMENT

Hearing no further business to come before the Committee, a motion was made by Horensky, seconded by Finke, to adjourn the meeting at 10:00 p.m. All were in favor.

Respectfully submitted,

Anna C. Godfrey  
Township Clerk