

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting  
July 16, 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 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; 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; Kevin McCarthy, CFO; Jeff Cooper, Assistant Municipal Supervisor of Public Works; and Joseph Rossi, Construction Official/Zoning Officer

SALUTE TO THE FLAG

APPROVAL OF MINUTES

A motion was made by Finke, seconded by Willan, to approve the minutes of the regular meeting held June 18, 2013.

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

A motion was made by Finke, seconded by Kovacs, to approve the Executive Session minutes from the regular meeting held June 18, 2013.

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

ORDINANCE

A motion was made by Kovacs, seconded by Willan, to open to the public Ordinance 13-05, Ordinance of the Township of Washington, County of Warren, to Petition the Highlands Council for Plan Conformance for the Planning Area, public hearing on second reading. All were in favor.

Joel Schnetzer, Cemetery Hill Road, asked the benefits of opting into the Highlands. Mayor Klingel stated the Township would receive a re-examination of the Master Plan and it would create an area where rateables can come into the Township. J. Schnetzer and Mr. Finke expressed their displeasure with Natural Systems Utilities. Mayor Klingel stated he will be meeting with their representative and the Land Use Board Chairman. Discussion followed. Mr. Finke spoke about high density housing in the planning area and feels large landowners would be hurt financially. The Committee discussed. J. Schnetzer feels this ordinance should be tabled as there are too many unknowns.

J. Rossi stated there are currently eleven exceptions in the Highlands area which could affect renovations to current buildings. He discussed with Mr. Finke.

Cheryl Burket of the Environmental Commission also requested the ordinance be tabled until the Land Use Board gains a better understanding of the process.

A motion was made by Kovacs, seconded by Finke, to close the public portion of this ordinance. All were in favor.

Mr. Finke asked the implication of tabling this ordinance. Attorney Lavery stated the Committee would only be delaying the decision to be made at another meeting.

A motion was made by Finke to table the adoption of this ordinance. Mr. Horensky asked Mr. Lavery if the Township could be completely committed to the Highlands. Attorney Lavery stated the Township would be opting into the Highlands, conditional on the Land Use Board revising the Master Plan. If adopted and the Committee decides to no longer be a part of the Highlands, an ordinance could be done to revoke this ordinance. The Committee discussed. Mayor Klingel has no problem postponing the adoption of this ordinance, but would like the Land Use Board and Environmental Commission to make the Highlands a priority. He would like J. Schnetzer and Al Ivany, Environmental Commission Chairman, to meet with the representative from Natural Systems Utilities to discuss their concerns. J. Schnetzer and A. Ivany, who was in the audience, agreed. Mr. Kovacs feels this is one of the most important decisions the Committee has had to make. Mr. Horensky would like someone from the Highlands Commission present at the next meeting where this ordinance will be discussed. He would like to hear what the State feels are the benefits to the Township. Mayor Klingel would also like to hear from the Land Use Board and Environmental Commission at that meeting. Mr. Finke amended his motion to table the adoption of Ordinance 2013-05 until the September 17, 2013 meeting. Mr. Willan seconded Mr. Finke's motion.

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

Chief McDonald spoke of speeding issues on Mine Hill Road and noted County approval is also needed to change the speed limit in this area. A motion was made by Horensky, seconded by Finke, to introduce Ordinance 13-06, Ordinance Amending, Revising, and Supplementing Chapter 117 of the Code of the Township of Washington Entitled "Vehicles and Traffic", Specifically Article VIII Entitled "Schedules", Subsection Thirty-Nine Entitled "Schedule XVII: Speed Limits", on first reading.

ROLL CALL: Horensky, yes; Finke, yes; Kovacs, yes; Willan, yes; Klingel, yes  
Public hearing and adoption will take place at the August 20, 2013 meeting.

#### RESOLUTIONS

Mayor Klingel noted Resolution 2013-113, Redemption Resolution – Block 15; Lot 10.11, is being pulled and not being discussed.

A motion was made by Kovacs, seconded by Finke, to approve Resolutions 13-112, 13-114 and 13-115.

13-112 Redemption Resolution – Block 68; Lot 21

13-114 Corrective Action Plan

13-115 Resolution of the Township of Washington, County of Warren, and State of New Jersey, to Place a Lien on Block 62; Lot 1 (219 S. Broad Street) for the Cost of Demolition Pursuant to Section 53-1 of the Code of the Township of Washington.

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

#### STAFF ADMINISTRATIVE REPORTS

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

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

J. Rossi had nothing to report.

K. McCarthy stated he conducted a mid-year review of expenses and met with Department Managers and the Township is within budget. Areas of concern are fuel costs, medical insurance and legal expenses. The UCC has realigned its operating hours to ensure revenues are in line with expenses.

Mr. deBoer stated the Committee was provided information regarding the Municipal Storm Water Regulations Program in their packet. It is required that the Governing Body be updated on this information on an annual basis. He complimented J. Cooper and the Public Works Department for the Township's exceptional level of compliance. Mr. deBoer discussed storm drain maintenance with Mr. Finke and Mr. Horensky.

Mayor Klingel addressed Mr. deBoer's request to designate the Municipal Building as a cooling center during the present heat wave. After a brief discussion, the Committee was in favor of advertising on the website that the Municipal Building is open as a cooling center during normal business hours.

#### PUBLIC QUESTIONS AND CONCERNS

Mayor Klingel opened the meeting to the public. Hearing no one, Mayor Klingel closed the public portion of the meeting.

#### OLD BUSINESS

Mayor Klingel stated the Township's Vision and Mission Statements were previously discussed and changes have been made. Mr. Finke would like to have a policy to discourage the hiring of family members. Mr. Horensky only feels it is an issue if a person directly reports to a family member. Discussion followed. Mayor Klingel feels this would be part of the personnel policy, not the mission statement. Mr. Kovacs discussed the bullet point regarding the employee compensation structure and the Committee made changes accordingly. A motion was made by Willan, seconded by Horensky, to accept the Township's Vision and Mission Statements as amended.

ROLL CALL: Willan, yes; Horensky, yes; Finke, no; Kovacs, yes; Klingel, yes  
Mayor Klingel asked that these statements be posted on the Township's website.

Mr. deBoer stated the Committee recently adopted a voice mail policy. It was suggested the Township also have an e-mail policy. He is currently in the process of updating the Policies and Procedures Manual, which will include the existing e-mail policy as well as other forms of social media.

#### NEW BUSINESS

A motion was made by Kovacs, seconded by Horensky, to approve the request from Damon Bee for reimbursement for classes being taken at Warren County Community College towards obtaining an Associates Degree (as per the PBA contract). Mr. Kovacs noted D. Bee has not yet taken the course.

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

Mr. Willan explained a Township resident, who lives on the Route 31 South corridor, requested an ordinance be passed to prohibit engine braking as it is very noisy and disruptive. The Committee discussed with Chief McDonald. Mr. deBoer stated State approval would be required as it is a state highway. Chief McDonald noted the ordinance would be difficult to enforce. Mayor Klingel requested Attorney Lavery discuss this with the Mayor of Hope Township as they currently have an ordinance in place. J. Cooper stated it is after-market modifications that make engine braking that much louder.

Mayor Klingel requested Attorney Lavery review a draft ordinance prepared by the Zoning Officer with regards to outdoor flea markets.

Mayor Klingel stated Abilities of Northwest Jersey would like to donate and plant a Japanese Maple tree for the Township. The tree would be planted in front of the Municipal Building. All Committee members were in favor. Mr. Horensky will attend the planting if his schedule allows.

J. Cooper stated the backhoe was discussed briefly earlier this year at a budget meeting. His department has an unreliable 1987 backhoe which has a repair estimate of \$16,000. J. Cooper discussed the repairs needed and provided the Committee of examples of how the current backhoe is no longer useful. K. McCarthy stated he has budgeted for the backhoe. The existing backhoe will be auctioned on E-bay or other auction site. The Committee discussed with J. Cooper. A motion was made by Horensky, seconded by Kovacs, to approve Resolution 13-116, Resolution Authorizing the Lease/Purchase of a New 2013 Caterpillar Backhoe with 4-Wheel Drive and Related Equipment.

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

Mayor Klingel stated there is a Service Order Request from the Warren County Health Department for 46 Hillcrest Avenue. J. Cooper stated the work has been completed and discussed the work that was done totaling \$230 .00 with Mr. Finke. Mr. deBoer explained the process of the Service Order Requests from the Board of Health.

Mayor Klingel stated he has an Eagle Scout Project Proposal from John "Ike" Smith. I. Smith explained he has been maintaining the Red Trail at Lake Marguerite for the past four years. He noticed the stream crossings need improvement, one being 10' long and the other being 16' long. He would like to use pressure treated wood to build two bridges across the stream as his Eagle Scout Project. The Clerk stated Mr. Flint has been working with I. Smith and highly recommends him. Walter Godfrey, Recreation Chairman, was in the audience and approves of this project as well. A motion was made by Finke, seconded by Willan, to approve Ike Smith's Eagle Scout Service Project. All were in favor. The Committee wished I. Smith well with his project.

#### REPORT FROM OFFICIALS

Mr. Finke had nothing to report.

Mr. Horensky had nothing to report.

Mr. Willan had nothing to report.

Mr. Kovacs had nothing to report.

Mayor Klingel stated the Warren County League of Municipalities is being re-established, which will be beneficial to the Township. He encouraged the Committee to attend and will advise them of the next meeting date and location.

#### 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, yes; Kovacs, yes; Klingel, yes

Mayor Klingel stated that due to the Special General Election on October 16<sup>th</sup>, the meeting room will be unavailable for that month's Committee meeting. After a brief discussion, a motion was made by Willan, seconded by Finke, to move the October Committee meeting to Tuesday, October 22<sup>nd</sup> at 7:30 p.m. All were in favor.

#### EXECUTIVE SESSION

A motion was made by Willan, seconded by Finke, to approve Resolution 13-117, 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 9:05 p.m. All were in favor. Attorney Lavery explained the Committee will be discussing a personnel matter dealing with the Clerk, a contractual matter dealing with the Friese property, a litigation matter dealing with an update on Washington Township vs. Pinnacle, and a contractual matter dealing with the Police Shared Service Agreement with the Borough.

A motion was made by Kovacs, seconded by Willan, to come out of Executive Session at 9:50 p.m. All were in favor. Attorney Lavery stated the Committee discussed a personnel matter dealing with the Clerk, a contractual matter dealing with the Friese property, a litigation matter dealing with an update on Washington Township vs. Pinnacle, and a

contractual matter dealing with the Police Shared Service Agreement with the Borough. 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 Kovacs, seconded by Finke, to approve the contract with Practical Environmental to complete water testing subject to the certification of available funding.

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

A motion was made by Horensky, seconded by Finke, to appoint retired Judge John Coyle as the mediator for the Borough Police Contract, in the event the Borough does not pick a mediator.

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

A motion was made by Kovacs, seconded by Finke, to appoint Harold Braff, Esq. as a secondary mediator for the Borough Police Contract, in the event the Borough does not pick a mediator.

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

A motion was made by Kovacs, seconded by Horensky, to approve Resolution 13-118, Resolution to Authorize and Approve Salaries and Wages for Certain Employees (A. Godfrey), retroactive to July 1, 2013.

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

#### ADJORNMENT

Hearing no further business to come before the Committee, a motion was made by Finke, seconded by Kovacs, to adjourn the meeting at 9:55 p.m. All were in favor.

Respectfully submitted,

Anna C. Godfrey, RMC  
Township Clerk