

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting  
March 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 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; Dave Evans and John Mooney, Township Auditors; Chief McDonald; Deputy Chief Cicerelle; Kevin McCarthy, CFO; Jeff Cooper, Assistant Municipal Supervisor of Public Works; and Joseph Rossi, Construction Official/Zoning Officer.

Mayor Klingel stated one of the Township's Animal Control Officers, Betty Wysocki, recently passed away and asked for a moment of silence. Betty was a Township employee since the early 1990's.

SALUTE TO THE FLAG

RESOLUTION

J. Mooney explained the reasons for the following resolutions as they relate to the budget.

A motion was made by Horensky, seconded by Willan, to approve Resolution 13-62, Deferred Local District School Tax.

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

A motion was made by Horensky, seconded by Willan, to approve Resolution 13-63, Deferred Regional High School District School Tax.

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

A motion was made by Kovacs, seconded by Horensky, to approve Resolution 13-64, Three Year Average Tax Resolution.

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

ORDINANCE

A motion was made by Kovacs, seconded by Horensky, to introduce Ordinance 13-04, Ordinance of the Township of Washington, County of Warren, State of New Jersey to Exceed the Municipal Appropriation Limits and to Establish a CAP Bank – Calendar Year 2013 (N.J.S.A. 40A-4-45.14) on first reading.

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

Public hearing and adoption will take place at the April 16, 2013 meeting.

APPROVAL OF MINUTES

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

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

A motion was made by Horensky, seconded by Finke, to approve the minutes of the regular meeting held February 19, 2013.

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

A motion was made by Horensky, seconded by Finke, to approve the Executive Session minutes from the regular meeting held February 19, 2013.

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

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

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

RESOLUTIONS

A motion was made by Horensky, seconded by Willan, to approve Resolutions 13-66 through 13-80.

13-66 Resolution Authorizing and Approving Salaries and Wages for Certain Employees (S. Orlando – Sub Crossing Guard)

13-67 Resolution Authorizing and Approving Salaries and Wages for Certain Employees (G. Wysocki)

13-68 Release of Performance Bond – Toll Brothers/Fairway Greens Retaining Wall

- 13-69 Tax Sale Certificate Redemption – Block 38; Lot 22; C0086
- 13-70 Tax Sale Certificate Redemption – Block 38; Lot 22: C0064
- 13-71 Tax Sale Certificate Redemption – Block 38.03; Lot 11
- 13-72 Tax Sale Certificate Redemption – Block 38.03; Lot 11
- 13-73 Refund of Overpayment – Block 65.05; Lot 3
- 13-74 Reduction of Performance Bond – DeSapio Realty Development; Block 66; Lots 20.05 & 20.06
- 13-75 Resolution Authorizing and Approving Salaries and Wages for Certain Employees (R. Burd)
- 13-76 Transfer Resolution
- 13-77 Resolution Authorizing the Execution of a Uniform Shared Service Agreement with the County of Warren for Local Public Health Services
- 13-78 Extension of the 2013 Temporary Budget
- 13-79 Release of Driveway Performance Bond – John Sanocki – Block 45; Lot 3 – 21 McCullough Road
- 13-80 Reduction of Performance Guarantee for Soil Moving Permit, DeSapio Real Estate Development; Block 66; Lots 20.05 & 20.06

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

J. Mooney explained the Township is in compliance with both the tax levy cap and the tax expenditure cap. The impact of the budget to the average residential taxpayer will be \$23.00 per year. The local tax rate will be increased approximately 1.67%. The State will be reviewing the budget as the Township is not in a self-examination year. Action cannot be taken on the adoption of the budget until approval is received from the State. The Committee discussed with J. Mooney. A motion was made by Horensky, seconded by Kovacs, to approve Resolution 13-65, Introduction of the 2013 Budget.

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

Mayor Klingel informed the public that the budget will be put on the Township's website. Copies will also be available in the Clerk's office. D. Evans and J. Mooney left the meeting at 7:43 p.m.

#### 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.

K. McCarthy stated the police will begin paying towards their health benefits. This will be an approximate \$52,000 benefit to the Township.

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

Mr. deBoer previously submitted a report and had nothing further to report.

#### PUBLIC QUESTIONS AND CONCERNS

Mayor Klingel opened the meeting to the public.

Joel Schnetzer, Cemetery Hill Road, requested the process for a resident to donate money to the Township for a particular project. K. McCarthy explained the process and how the money would be held for that particular purpose. Chief McDonald and Attorney Lavery both agree donations to the Township are permissible. J. Schnetzer asked the percentage the police will be spending towards health insurance. K. McCarthy stated the percentages are based on the employee's salary and explained this process. J. Schnetzer asked the tax rate increase. Mayor Klingel stated the rate is a .0092 increase over 2012 and explained. J. Schnetzer asked how much State Aid the Township will be receiving. Mr. Kovacs stated the Township is receiving \$540,273.00, the same amount as last year. K. McCarthy and Mr. Kovacs explained how the tax rate was reduced during the budget process.

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

Richard Cotton gave a presentation of the next phase at Hawk Pointe. Future plans include seventy-five more townhouses and using solar panels to power more buildings. R. Cotton is hoping to add enough solar panels to entirely power Shop-Rite. A wellness center for the general public is in the plans. R. Cotton is hoping to create a sense of community by tying in recreation with agricultural support for the farms. R. Cotton discussed his plans with Joel Schnetzer.

A motion was made by Horensky, seconded by Kovacs, to accept with regret the retirement of Frank Gara from the Department of Public Works.

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

A motion was made by Kovacs, seconded by Horensky, to permit Nick Kaufman to hold a "Cruise Night" in his parking lot at 390 Route 57 West once per month from May through October. All were in favor.

Attorney Richard Keiling was present on behalf of Mr. Etere of 44 Dale Avenue, a private road. He explained the Land Use Board Engineer required dedication of the road for future improvements. Attorney Keiling questioned if there will there be an actual deed or a deed of easement. Attorney Lavery suggested the Committee discuss this during Executive Session.

Mayor Klingel noted a public notice from the Warren County Mosquito Control Commission was received. The Clerk stated the information has been placed on the Township's website and copies are available at the Clerk's office.

A motion was made by Kovacs, seconded by Horensky, to allow Ann Kilduff to attend the Introduction to the Duties of the Municipal Clerk classes on April 5, 6, 13, and 19.

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

#### REPORT FROM OFFICIALS

Mr. Horensky stated he met with the Zoning Officer to discuss fees and penalties that are in need of being updated.

Mayor Klingel stated he met with the Recreation Commission regarding defibrillators in the park. He will be speaking to the insurance company regarding some issues.

Mr. Finke had nothing to report.

Mr. Kovacs had nothing to report.

Mr. Willan had nothing to report.

#### PAYMENT OF BILLS

K. McCarthy noted two errors regarding duplications on the bills list and will make the necessary adjustments. Mr. Finke discussed the bills list with K. McCarthy. A motion was made by Horensky, seconded by Kovacs, to approve the payment of the bills as amended.

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

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

#### EXECUTIVE SESSION

A motion was made by Horensky, seconded by Kovacs, to approve Resolution 13-81, 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 litigation matter dealing with Pinnacle/Hawk Pointe, a personnel matter dealing with the Police Department, an attorney/client privilege matter dealing with the subdivision discussed by Attorney Keiling, a contractual matter dealing with the Police Shared Service Agreement, and two contractual matters dealing with the Police Department.

A motion was made by Horensky, seconded by Finke, to come out of Executive Session at 9:38 p.m. All were in favor. Attorney Lavery stated the Committee discussed a litigation matter dealing with Pinnacle/Hawk Pointe, a personnel matter dealing with the Police Department, an attorney/client privilege matter dealing with the subdivision discussed by Attorney Keiling, a contractual matter dealing with the Police Shared Service Agreement, and two contractual matters dealing with the Police Department. 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 Willan, to accept the recommendation of settlement on the police matter discussed in Executive Session with Chief McDonald.

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

A motion was made by Finke, seconded by Horensky, to award the Phase II contract to Practical Environmental Solutions subject to Attorney Lavery's review of the bid and subject to the certification of the availability of funds.

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

A motion was made by Kovacs, seconded by Finke, to accept a dedication of easement on the Etere subdivision on Dale Avenue as was discussed by Attorney Keiling.

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

Attorney Lavery will inform Attorney Keiling of the Committee's decision.

A motion was made by Horensky, seconded by Willan, to approve the Police Chief Contract and the Deputy Chief Contract as discussed in Executive Session.

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

ADJORNMENT

Hearing no further business to come before the Committee, a motion was made by Kovacs, seconded by Horensky, to adjourn the meeting at 9:45 p.m. All were in favor.

Respectfully submitted,

Anna C. Godfrey  
Township Clerk