

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting  
September 16, 2014

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 pm by Mayor Robert Klingel.

SUNSHINE LAW COMPLIANCE – Mayor Klingel 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

Iacobucci, present; Klingel, present; Kovacs, present; Rossi, present; Willan, present

STAFF PRESENT

Anna C. Godfrey, Township Clerk; Peter deBoer, Township Administrator/Certified Public Works Manager; Attorney Michael Lavery; Chief McDonald; 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 Rossi, seconded by Iacobucci, to approve the minutes of the special meeting held August 7, 2014.  
ROLL CALL: Rossi, yes; Iacobucci, yes; Kovacs, yes; Willan, yes; Klingel, abstained

A motion was made by Iacobucci, seconded by Rossi, to approve the Executive Session minutes from the special meeting held August 7, 2014.  
ROLL CALL: Iacobucci, yes; Rossi, yes; Kovacs, yes; Willan, yes; Klingel, abstained

A motion was made by Kovacs, seconded by Willan, to approve the minutes of the regular meeting held August 19, 2014.  
ROLL CALL: Kovacs, yes; Willan, yes; Iacobucci, yes; Rossi, yes; Klingel, abstained

A motion was made by Rossi, seconded by Iacobucci, to approve the Executive Session minutes from the regular meeting held August 19, 2014.  
ROLL CALL: Rossi, yes; Iacobucci, yes; Kovacs, yes; Willan, yes; Klingel, abstained

ORDINANCE

A motion was made by Kovacs, seconded by Willan, to open to the public Ordinance 14-07, Ordinance Authorizing Special Emergency Appropriation N.J.S.A. 40A:4-53 in the Amount of \$110,000 for the Preparation of an Approved Tax Map in and by the Township of Washington in the County of Warren, New Jersey, public hearing on second reading. All were in favor. Mayor Klingel welcomed comments from the public.

Ralph Fiore, 162 Mine Hill Road, asked what is included for \$110,000. Mr. deBoer stated the Township's tax maps, 911 maps and zoning maps will be updated and digitized by Civil Solutions. R. Fiore asked if this was the lowest bid. Mr. Kovacs replied it is not; however, it is the most qualified bid.

Hearing no further comments from the audience, a motion was made by Willan, seconded by Kovacs, to close the public portion of Ordinance 14-07.  
ROLL CALL: Willan, yes; Kovacs, yes; Iacobucci, yes; Rossi, yes; Klingel, yes

Mr. Willan noted the ordinance does not state when or how the Township is funding the project. Mr. Kovacs stated there are other options and funds which can be used. Mr. Willan would like to determine how the project will be funded before approving it. Mr. deBoer explained funding options and discussed with the Committee and Attorney Lavery. Mr. Willan feels other funding options are available and will discuss them at the next meeting. He would like the CFO to review the Township's finances and freeze spending. Mayor Klingel suggested questions be submitted to the Township Auditor for discussion at the next meeting.

A motion was made by Willan, seconded by Rossi, to table the discussion of Ordinance 14-07 until the October 21, 2014 meeting.  
ROLL CALL: Willan, yes; Rossi, yes; Iacobucci, yes; Kovacs, yes; Klingel, yes

Mayor Klingel explained he is not in favor of a portion of Ordinance 14-08, Ordinance Amending and Supplementing Chapter 59, Construction Code, Uniform Permits Article II Subsection 59-10.1: Municipal Certificate of Continued Occupancy, Unsafe Structure, Notice, Enforcement and Penalty. He suggested moving Continued Occupancy, eliminating Subsection One, leave Subsection Two as is, enforcing abandoned and unsafe structure rules. Mr. Kovacs noted this Ordinance is already approved; however, there is a problem with the wording as per the State. The

Committee and Attorney Lavery discussed. J. Rossi provided examples of situations regarding the Continued Certificate of Occupancy to the Committee and explained why he is in favor of the Continued Certificate of Occupancy.

A motion was made by Rossi, seconded by Iacobucci, to change Ordinance 14-08 to include the changes suggested by Mayor Klingel.

ROLL CALL: Rossi, yes; Iacobucci, no; Kovacs, no; Willan, no; Klingel, yes  
Motion failed.

A motion was made by Kovacs, seconded by Iacobucci, to introduce Ordinance 14-08 on first reading.

ROLL CALL: Kovacs, yes; Iacobucci, no; Rossi, no; Willan, yes; Klingel, no  
Motion failed.

#### RESOLUTIONS

A motion was made by Willan, seconded by Rossi, to approve Resolutions 14-137 through 14-147. Resolutions 14-136 and 14-145 were pulled due to the postponement of Ordinance 14-07. Mrs. Iacobucci questioned Resolution 14-140. The Clerk explained this resolution is federally mandated. Attorney Lavery explained the Securities and Exchange Commission legislation requires the Township make certifications regarding bond issues. Due the complexity of the certifications, private companies make the certifications on behalf of municipalities.

14-137 Resolution Imposing a Halloween Curfew and Establishing Observance of Trick or Treat within the Township of Washington. (10/31/14 from 4:00 p.m. – 8:00 p.m.)

14-138 Resolution for a Person-To-Person Liquor License Transfer – Roaring Rock Inn, Inc. to 31 Pub LLC

14-139 Resolution for a Place-To-Place Liquor License Transfer – 388 Jonestown Rd. to 268 Route 31 North, Washington

14-140 Resolution to Enter into an Agreement with Phoenix Advisors, LLC in Connection With SEC MCDC Initiative Compliance Survey and Continuing Disclosure Agent Services

14-141 Resolution to Amend the 2014 Salary Resolution 2014-25, Authorizing and Approving Salaries and Wages for Certain Employees

14-142 Authorizing and Approving Salaries and Wages for Certain Employees (Jones, Parr, Black, Calello, Smith, Gleba - Crossing Guards)

14-143 Redemption Resolution - Block 40, Lot 31.02

14-144 Redemption Resolution - Block 40.05, Lot 2

14-146 Resolution Authorizing the Sale of Surplus Township Vehicles and Excess Equipment by Annual Warren County Public Auction 2014

14-147 Release of Performance Guarantee and Cash Portion – Village Super Market (Shop Rite)

ROLL CALL: Willan, yes; Rossi, yes; Iacobucci, yes; Kovacs, yes; Klingel, yes

#### STAFF ADMINISTRATIVE REPORTS

Chief McDonald previously submitted a report. He credited Deputy Chief Cicerelle and Lieutenant Teter for this year's National Night Out which was a very well attended, well run event. He spoke of the second homicide this year and commended the Police Department for having the suspect in custody within ten minutes.

J. Cooper previously submitted a report. With regards to the storage building, 1,600 tons of dirt has been delivered. The site is ready and drawings will be delivered to the Code & Construction Office this week. Concrete work should begin within the next two weeks. Mrs. Iacobucci asked if the equipment to be stored in this building is currently owned by the Township. J. Cooper replied it is and confirmed there are no plans to purchase any additional equipment.

J. Rossi updated the Committee on the pot hole in the A&P parking lot. The hole has been filled and he is awaiting approval from the Township Engineer.

Mr. deBoer previously submitted a report. He stated the Township's liability insurance and health care insurance are both due for renewal. He will be meeting with Sweat & Walters on October 7<sup>th</sup> and will have proposals for the Committee to review by the October meeting. Mr. deBoer thanked the Environmental Commission for their work on and approval of the ERI at their October 9<sup>th</sup> meeting. He has ordered two title searches with regards to the drainage issues on Edgemere Terrace and Butler Park Road. The County Engineer's office has yet to visit the property on Edgemere Terrace. Mrs. Iacobucci also thanked the many individuals on the Environmental Commission who went above and beyond to be sure the ERI was correct. She stated the ERI references an open space and recreation report from 2006 and the Environmental Commission questioned if another group should take this up as there is no open space committee. Mayor Klingel stated the Recreation Commission is being considered for this task.

#### PUBLIC QUESTIONS AND CONCERNS

A motion was made by Willan, seconded by Iacobucci, to open the meeting to the public. All were in favor.

Don Beisel, 13 Edgemere Terrace, stated there have been no changes regarding his drainage issues. Mr. deBoer confirmed he is in the process of having a title search done on the property above Mr. Beisel. Mayor Klingel will contact Freeholder Smith.

Louellen Hofgesang, 18 Partridge Run, questioned Ordinance 14-08. Mayor Klingel explained it did not pass tonight with the proposed changes. It remains on the record as is. Mayor Klingel explained the reasons for the proposed changes to the ordinance.

Sara Armbrecht, 22 Park Hill Road, stated the residents in her neighborhood are concerned about the recent crime in her neighborhood and asked how information can be made available to the public. Chief McDonald addressed the issue stating their press releases are posted on the Police Facebook page and sent to the Express-Times. Many times the newspaper does not print their press releases. S. Armbrecht discussed with Chief McDonald who suggested the neighbors form a Neighborhood Watch. He will schedule a meeting to speak with any interested residents. Mrs. Iacobucci suggested the Chief put something in the next newsletter.

Joel Schnetzer, 240 Cemetery Hill Road, asked if there was any mention of Farmland Preservation in the Open Space portion of the ERI. Mrs. Iacobucci stated there is a map of Farmland Preservation. J. Schnetzer feels an Open Space Committee should be set up if there is talk of farmland in that plan. He is not in favor of the Recreation Commission having input on open space as it relates to farmland. Mayor Klingel stated others would also be involved. J. Schnetzer asked the cost of the new DPW building. Mr. deBoer answered the total amount is \$343,000 and is being paid for by the sale of the old municipal building. J. Schnetzer asked where the money came from to cover the shortfall from Warren Hills. Mr. deBoer replied it came from surplus. J. Schnetzer discussed the surplus amount and monies left from the sale of the old municipal building with Mr. deBoer. He was pleased to see the Committee begin to prioritize where to spend money tonight. J. Schnetzer questioned the Township equipment sold at the Warren County sale. Mr. deBoer stated a dump truck and fifteen tires were sold. J. Schnetzer asked about spending money on the old backhoe. J. Cooper stated money was spent to repair it before the new one was received. J. Schnetzer doesn't see the need for two backhoes.

Tammy Firmin, 9 Pebble Beach Way, spoke about the employees who have a salary over \$100,000, take home Township cars and have allowances for personal use. She would like the Committee to look into this to cut extra expenses and help the taxpayers. Mayor Klingel stated it will be looked into.

Jeff Duckworth, 28 Coleman Hill Road, questioned how the Township could fix drainage problems on private roads and is the Township legally responsible if what was fixed breaks again. Mayor Klingel explained the Township couldn't fix the problem unless the Township owns it. Ownership would make the Township responsible.

Hearing no further comments, a motion was made by Iacobucci, seconded by Rossi, to close the public portion of the meeting. All were in favor.

#### OLD BUSINESS

There was no old business at this meeting.

#### NEW BUSINESS

A motion was made by Willan, seconded by Rossi, to approve Nancy Godfrey to attend the Warren County Clerk's Association Fall Mini-Conference on September 25, 2014.

ROLL CALL: Willan, yes; Rossi, yes; Iacobucci, yes; Kovacs, yes; Klingel, yes

A motion was made by Iacobucci, seconded by Rossi, to approve Joe Rossi to attend a webinar entitled "New and Old Tools to Deal with Abandoned Properties" on October 1, 2014 at the Municipal Building. Mrs. Iacobucci would like to attend the webinar as well.

ROLL CALL: Iacobucci, yes; Rossi, yes; Kovacs, yes; Willan, yes; Klingel, yes

#### REPORT FROM OFFICIALS

There were no reports from the Committee.

#### PAYMENT OF BILLS

A motion was made by Willan, seconded by Kovacs, to approve the payment of the bills. Mrs. Iacobucci would like to see a quarterly summary of the dollar amount coming out of each account. Mr. Kovacs and Mayor Klingel agreed they would like to see this as well. Mayor Klingel stated he and Mr. Willan discussed conducting a thorough research on software and hardware applications as well as upgrades to produce the reports the Committee is looking for.

ROLL CALL: Willan, yes; Kovacs, yes; Iacobucci, yes; Rossi, yes; Klingel, yes

#### EXECUTIVE SESSION

A motion was made by Kovacs, seconded by Rossi, to approve Resolution 14-148, 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 9:00 pm. All were in favor. Attorney Lavery explained the Committee will be discussing a litigation matter regarding DP Warren, a Police personnel matter, an attorney/client privilege matter dealing with responsibilities for tree removal, an attorney/client privilege matter dealing with a letter from the DEP, and a contractual matter dealing with Oxford Township and a shared service agreement.

A motion was made by Willan, seconded by Iacobucci, to come out of Executive Session at 10:37 pm. All were in favor. Attorney Lavery stated the Committee discussed a litigation matter regarding DP Warren, a Police personnel matter, an attorney/client privilege matter dealing with responsibilities for tree removal, an attorney/client privilege matter dealing with a letter from the DEP, and a contractual matter dealing with Oxford Township and a shared service agreement. 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 Rossi, seconded by Willan, to approve the Mayor to sign the release of a deed restriction as discussed in Executive Session.

ROLL CALL: Rossi, yes; Willan, yes; Iacobucci, yes; Kovacs, yes; Klingel, yes

A motion was made by Iacobucci, seconded by Rossi, to authorize the solicitation of quotes for the Waste Water Management Services not to exceed \$12,000.

ROLL CALL: Iacobucci, yes; Rossi, yes; Kovacs, yes; Willan, yes; Klingel, yes

ADJORNMENT

Hearing no further business to come before the Committee, a motion was made by Willan, seconded by Iacobucci, to adjourn the meeting at 10:45 pm. All were in favor.

Respectfully submitted,

Anna C. Godfrey, RMC  
Township Clerk