

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Minutes
November 16, 2009

The regular meeting of the Township Committee was held this date at the Washington Township Municipal Building, 211 Route 31 North, Washington, N.J. The meeting was called to order at 7:31 p.m. by Mayor Samir Elbassiouny.

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, transmitted to the Express Times and posted at the municipal building and a copy is on file in the Clerks Office. This agenda is subject to change by the order of the Washington Township Committee and/or during the scheduled meeting.

ROLL CALL: Elbassiouny, present; Klingel, present; Kovacs, present; Mueller, present; Strunk, present. Michael Lavery, Township Attorney, Mary Ann O'Neil, Township Clerk, Peter de Boer, Acting Administrator/Certified Public Works Manager and James Mc Donald, Police Chief were also present. Barbara Emery, CFO and Suzanne Heerwagen, Deputy Treasurer, were also present.

SALUTE TO FLAG

APPROVAL OF MINUTES

Kovacs made a motion to approve the minutes of the Regular Meeting of October 20, 2009, Mueller seconded.
ROLL CALL: Kovacs, yes; Mueller, yes; Klingel, yes; Strunk, yes; Elbassiouny, yes;

Kovacs made a motion to approve the minutes of the Executive Meeting of October 20, 2009, Mueller seconded.

ROLL CALL: Kovacs, yes; Mueller, yes; Klingel, yes; Strunk, yes; Elbassiouny, yes.

ORDINANCES

Kovacs made a motion to open Ordinance 09-19 Ordinance Amending, Revising & Supplementing Chapter 23 of the Code of the Township of Washington, Entitled "Officers and Employees", Article VIII entitled "Acting Township Administrator" to "Township Administrator", to the public, Mueller seconded. All were in favor. Nobody from the audience wished to be heard. Kovacs made a motion to close the public hearing, Strunk seconded. All were in favor. Kovacs made a motion to approve Ordinance 09-19, Mueller seconded.

Strunk said on page 2, item O - he thought the word full should be deleted, because it does not reflect what is being considered, he is multi tasking in this position. Strunk said the Committee had planned to advertise this position in the beginning January 2010. The Mayor said this has been done. Kovacs said he had resumes of those that responded and would share them later with Strunk. Lavery said they could strike the word full. Kovacs felt it wasn't necessary, it should be approved as is. Strunk said de Boer has two separate jobs. The Mayor said it is the interpretation.

ROLL CALL: Kovacs, yes; Mueller, yes; Klingel, yes; Strunk, no; Elbassiouny, yes.

Klingel made a motion to open Ordinance 09-20 Ordinance Amending, Revising and Supplementing Section 117-10 Entitled "Parking on Land Owned or Leased by Board of Education" of the Code of the Township of Washington "Vehicles & Traffic," to the public, Kovacs seconded. All were in favor. Nobody from the public wished to be heard. Mueller said he was not clear on the hours, who it will affect and what provisions have been made for parking. de Boer said he and Chief Mc Donald had met with the School Superintendent and Church Trustees and they went over the parking issues. Only school vehicles on school property during school, but Church has permission to park there when school is not in session. Strunk asked about the issues with a neighbor in this area. De Boer said there had been issues, but was not aware that there were ongoing issues. Klingel made a motion to close the public hearing, Kovacs seconded. All were in favor. Kovacs made a motion to approve Ordinance 09-20, Elbassiouny seconded.

ROLL CALL Klingel, yes; Kovacs, yes; Mueller, no; Strunk, no; Elbassiouny, yes.

Kovacs made a motion to open Ordinance 09-21 Ordinance to Amend an Ordinance Fixing the Salaries of the Officers and Employees of the Township of Washington, County of Warren and State of New Jersey, 2009-01, to the public (Municipal Court Officer), Mueller seconded. All were in favor. Nobody from the public wished to be heard. Mueller made a motion to close the public hearing, Kovacs seconded. All were in favor. Mueller made a motion to approve Ordinance 09-21, Klingel seconded.

ROLL CALL: Mueller, yes; Klingel, yes; Kovacs, yes; Strunk, yes; Elbassiouny, yes.

Kovacs made a motion to introduce Ordinance 09-22, Ordinance to Amend an Ordinance fixing the Salaries of the Officers and Employees of the Township of Washington, County of Warren and State of New Jersey, 2009-#5, (Township Administrator), Mueller seconded.

ROLL CALL: Kovacs, yes; :Mueller, yes; Klingel, yes; Strunk, no; Elbassiouny, yes.

Public Hearing and Second Reading will be December 15, 2009.

RESOLUTIONS

The Mayor asked if anyone wanted to pull any resolutions. If not, they would do a consent motion for all resolutions. The Mayor pulled Resolution 09-146, 09-147, 09-148, 09-150. Kovacs made a motion to approve Resolutions 09-144 through 09-153, excluding 09-146, 09-147, 09-148 and 09-150, Mueller seconded.

ROLL CALL: Kovacs, yes; Mueller, yes; Klingel, yes; Strunk, yes; Elbassiouny, yes.

09-144 Return of Permit Fee Resolution

09-145 Transfer Resolution

09-149 Model Highlands Septic System Maintenance Ordinance and Model Highlands Potential Contamination Source Management Ordinance

09-151 Tax Sale Redemption Resolution; Block 3, Lot 13.04

09-152 Resolution in Support of Warren Hospital to Provide Advanced Cardiac Procedures

09-153 Governing Body Certification of the Board of Commissioners of the Fire District No. 1 Annual Audit

Kovacs made a motion to approve Resolution 09-150 Authorize & Approve Salaries & Wages for Certain Employees (Kurt Pantuso & Todd Pantuso), Strunk seconded.

ROLL CALL: Kovacs, yes; Strunk, yes; Klingel, yes; Mueller, yes; Elbassiouny, yes.

NEW BUSINESS

1. Pam Farago from the Domestic Abuse and Sexual Crisis Center of Warren County gave a presentation on Ending Violence One Green Dot At a Time.

OLD BUSINESS

Strunk made a motion to approve the Service Order Request from the Warren County Board of Health to cut the grass and weeds at Block 40, Lot 74, 41 Lock Street, being done and a lien being put on the property for same in the amount of \$536.80, Kovacs seconded.

ROLL CALL: Strunk, yes; Kovacs, yes; Klingel, yes; Mueller, yes; Elbassiouny, yes.

PUBLIC QUESTIONS AND CONCERNS

Nobody from the public wished to be heard.

EXECUTIVE SESSION

Mueller made a motion at 8:09 p.m. to approve resolution 09-154 Resolution Authorizing Executive Session of the Washington Township Committee for a meeting not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act, N J S A 11:4-12, Kovacs seconded. Lavery said there would be discussion with Oxford Mayor Alex Lazorisak regarding Police Negotiations. Lavery will not be part of the meeting, as he is also Township Attorney for Oxford. Strunk suggested Eve Marks be part of the discussion.

The doors were opened. Strunk made a motion at 8:55 p.m. to come out of Executive Session, Kovacs seconded. All were in favor. Lavery said the Committee emerged from Executive Session at 8:55 p.m., where they discussed police negotiations with Oxford Township. No official action was taken. Lavery was not part of the Executive discussion. Copies of these minutes will be available at such time as the Committee determines it is no harm to the public interest.

NEW BUSINESS

2.

There was discussion on setting the date of the Holiday Tree Lighting at the Municipal Building. It will be done on Saturday, December 12, 2009 at 7:00 p.m.

3. Mueller made a motion to approve the Service Order Request from the Warren County Board of Health to cut the grass and weeds at 20 Dogwood Lane, Block 6, Lot 21, Kovacs seconded.

ROLL CALL: Mueller, yes; Kovacs, yes; Klingel, yes; Strunk, yes; Elbassiouny, yes.

4. Mueller made a motion to approve Peter de Boer, Administrator attending a Stimulus Act/Recovery Zone Bond Program on January 19, 2010 in Holmdel, NJ, Kovacs seconded.

ROLL CALL: Mueller, yes; Kovacs, yes; Klingel, yes; Strunk, yes; Elbassiouny, yes.

5. Strunk asked if he could provide the Holiday Luncheon for the employees, which was approved by the Committee.

STAFF ADMINISTRATIVE REPORTS

Chief Mc Donald provided the October Monthly Report to the Committee. He also provided a list of the vehicles and the mileage on each car. He said he has received many positive comments on the officers in the department.

de Boer said that Jeff Cooper had passed out the DPW Monthly report and was available for questions. There were no questions.

de Boer said he had passed out his November report, but he had additional things to discuss. He followed up the request to contact the prior Township Consultant Engineers Office, now known as Hatch Mott Mc Donald (formerly known as Studer McEldowney) on the Spring Lane Driveway Permit issue. According to personnel at Hatch Mott Mc Donald, there are no known Washington Township driveway permits in their files for the Spring Lane discussed.

Lavery said Mrs. Enz had brought this up at last meeting, but he is not sure what opening this is or if a permit was required. Lavery said the only thing they know is there is nothing in the files on this property. If you go any further you would have to pay the engineer to do it.

Strunk asked Mrs. Enz if she was aware they were talking about Spring Lane. She said she was aware. Lavery said the question was, what do we do now because they have a memo from the engineer dated today stating there are no driveway permits. Lavery said he was not sure permits were required for any of the driveways. It looks like there are no permits on file. The Mayor asked Enz if she has permits for her property. She said George Washington would have had to do it, because its been there 200 years. Enz said the neighbors opened a driveway into her driveway. They did it at night. Lavery said there is no record of anybody getting any driveway permits. So, now the Township is faced with decision as to whether they spend money on going out to see if anybody on the street got permits. Lavery said if the neighbors are using her driveway, then they are trespassing. This has all been litigated and the Township cannot get involved. She should get a motion to enforce for something that was already ordered. Enz said she will pursue this matter herself. She was given a copy of the letter from Finelli Consulting Engineers stating there are no driveway permits for Spring Lane.

de Boer said he questioned the site plan for drainage for the new football field at Warren Hills Regional High School. All the drainage is going into the Fairway Drainage, which had major flooding problems a few years ago. Strunk suggested a letter be sent to the school expressing the concerns of the Township Committee.

de Boer has concerns on the 2010 municipal aid for Pleasant Valley Road, because there are timetables. He will be meeting with the Mayor, liaison to public works, Nevitt and Gleba from Finelli Engineering.

The Mayor requested a motion for the Mayor to start the Implementation Grant Component for a shared service between the Oxford Township Police Department and Washington Township Police Department. Strunk made a motion to approve Resolution 09-155, that the Mayor start the Implementation Grant Component for a Shared Service Agreement between Oxford Township Police Department and Washington Township Police Department, Elbassiouny seconded.

ROLL CALL: Strunk, yes; Elbassiouny, yes; Klingel, yes; Kovacs, yes; Mueller, yes.

REPORT FROM OFFICIALS

Strunk said he wanted to discuss the use of the gold car. He does not remember authorizing de Boer to get the car and the expense of having it painted. de Boer said, as part of his position of public works he gets a vehicle to drive back and forth to work. Since much of his work is more administrative in DPW and as Administrator, the pick up truck was not being utilized to its capacity. The decision to give the truck to Cooper was his and he borrowed a car from the Police Department, which he had painted, to use. Kovacs said there is a fine line as to how they micro manage a department and this falls into that area. The Committee should stay of out micro managing a department, it is a gray area. Strunk said last year they were trying to balance a budget, the employee had a vehicle, this is not micro managing, the money could have been used elsewhere.

de Boer said the Code and Construction Vehicle needs to be taken off the road, this vehicle could be given to them and the funding recouped from them. The police may want it back as an unmarked vehicle and would have painted it anyway. Strunk said his concern was that it was done without coming before the committee, Mayor agreed in some way with this, de Boer should have come before the Committee on this.

There was discussion on COAH. Strunk had said from the beginning of the year that he could not oversee this, the Land Use Board Representative should be doing it. The Mayor said the Land Use Board is working on it.

Strunk said there is a meeting Thursday on the sign issues and he will bring back the information to the Committee.

Klingel had nothing to report.

Kovacs had nothing to report.

Mueller had nothing to report.

Mayor Elbassiouny had nothing to report.

PAYMENT OF BILLS

Strunk made a motion to pay the bills he signed, Mueller seconded to the ones he signed.

ROLL CALL: Strunk, yes to the ones he signed; Mueller, yes to the ones he signed; Kovacs, yes; Klingel, yes; Elbassiouny, yes.

OTHER

de Boer said they had interviewed for the Code and Construction Office with a representative from Mansfield sitting in. They had applications from outside, but the prices were too high, so they would be working from within the department. de Boer recommended they move Joseph Rossi, Acting Construction Official, into this position at a salary of \$5500 a year.

Mueller made a motion to approve Resolution 09-156, the appointment of Joseph Rossi as Construction Official at a salary of \$5500 a year, Kovacs seconded.

ROLL CALL: Mueller, yes; Kovacs, yes; Klingel, yes; Strunk, yes; Elbassiouny, yes.

Strunk made a motion to approve Resolution 09-157, the appointment of Dennis Allen as Acting Code Official on an as needed basis, Kovacs seconded.

ROLL CALL: Strunk, yes; Kovacs, yes; Klingel, yes; Mueller, yes; Elbassiouny, yes.

OTHER RESOLUTIONS

Three employees had been Rice Noticed. (Administrator, CFO, Deputy Treasurer). It was their decision to have discussion in open session.

Kovacs made a motion to approve Resolution 09-148 Authorize & Approve Salaries & Wages for Certain Employees (Administrator), Mueller seconded. Strunk did not agree with the salary and felt it should remain at \$10,000 with no raise. He would also like to see more language as to what the daily duties are as Administrator. Strunk asked, why if de Boer is tenured, does the Township have to lock in for a five year contract. The Mayor said, for the benefit of the Township at this rate. Strunk felt it should be a yearly appointment.

ROLL CALL: Kovacs, yes; Mueller, yes; Klingel, yes; Strunk, no; Elbassiouny, yes.

Kovacs made a motion to approve Resolution a 09-147 Authorize & Approve Salaries & Wages for Certain Employees (CMFO), Mueller seconded. Strunk asked if the CFO's job is described by law, what is the need for a contract? The CFO is covered under the State Contract. The Mayor said the contract pin points her responsibilities and makes it salary and not hourly. Kovacs said there is a possibility that she can get a lap top and do additional work at home and maybe Blairstown could help pay for it.

ROLL CALL: Kovacs, yes; Mueller, yes; Klingel, yes; Strunk, yes; Elbassiouny, yes.

Mueller made a motion to approve Resolution 09-146 Authorize & Approve Salaries & Wages for Certain Employees (Deputy Treasurer), Kovacs seconded. Strunk said he felt the Finance Office would be better served with a third person. Kovacs said he is looking to getting the Finance Office covered full time for five days. He felt bringing another person, they would have to be trained. Strunk felt they could be cross trained.

ROLL CALL: Mueller, yes; Kovacs, yes; Klingel, yes; Strunk, no; Elbassiouny, yes.

Strunk said he wanted to have it on record, he is talking about positions, not the individuals involved. He was talking about how the office could be run.

There being nothing further to come before the Committee, Klingel made a motion at 10: 27 p.m. to adjourn, Strunk seconded. All were in favor.

Respectfully submitted,

Mary Ann O'Neil RMC/CMC/MMC
Township Clerk