

The Regular Meeting of the Township Committee of the Township of Washington was called to order by Mayor Short at 7:35 P.M.

**MEMBERS PRESENT:** Comm. Cullen, \*Krickus, Kaiser, Mayor Short, Attorney Jansen, Administrator/Clerk Gallets, Recording Secretary Madden.  
\* (Comm. Krickus arrived at 7:40 P.M.)

**MEMBERS ABSENT:** Comm. Tobin.

Adequate notice of this meeting was sent to the Observer Tribune and the Morristown Daily Record on January 5, 2004, January 30, 2004 and July 27, 2004 and was posted on the bulletin board in the Municipal Building on those same dates. This meeting is being held at the temporary Municipal Offices at 55 Fairview Avenue, Long Valley, New Jersey. Notices of this meeting were sent as there were requests.

### **PLEDGE OF ALLEGIANCE**

### **PALMER PARK FLAGPOLE – Presentation by Scout Leader Keith Applebaum.**

**Scout Leader Keith Applebaum** stated that he is proposing that a memorial area be set aside at Palmer Park for Bruce Andersen, who passed away a little over a year ago. Keith stated that Mr. Andersen gave a lot to the boy scouts and specifically to Troop #236. Keith stated that his scout troop has collected money from people who are interested and we would like to place a memorial in Palmer Park. The memorial would consist of a flagpole with benches located around it and it would also have a plaque for Mr. Andersen and Mr. Palmer. Keith stated that the Long Valley Garden Club is also interested in putting a gazebo in the park. Keith stated that Dan Lenning is proposing putting in a picnic area in the back with picnic benches.

**Mayor Short** asked Keith if he was proposing to install brick around the flagpole.

Keith stated that he talked to Eleanora Murfitt and, since they don't have a whole lot of money, they are proposing "buy a brick", where people can buy a brick and have their name put on it. He stated that they have money from the troop and Eleanora mentioned that Mrs. Palmer would like to donate some money for this project in 2005.

**Mayor Short** stated that there was some concern expressed by the Garden Club, regarding whether the gazebo should be located at Palmer Park or somewhere else in the township.

**Mayor Short** asked Keith when he would like to start the project.

Keith stated that most of the work of getting things together for the project would be done this year and the actual project would begin in the spring of next year.

**Joann McKee, President of Long Valley Garden Club** - Joann stated that the Garden Club would like to donate a gazebo to the town and is looking for the Committee's input on the most appropriate spot where it would get the most use. Joann stated Palmer Park was one possible location, however they are open to any other suggestions.

**Mayor Short** stated that the Township Committee had a brief discussion last Wednesday and agreed that the Township is willing to accept the gazebo, but the Committee did not determine a location. Mayor Short stated that there were seven potential locations listed where the gazebo could be located. Mayor Short advised Joann that Administrator Gallets will be sending her a letter listing the potential locations.

**Joann McKee** stated that the Garden Club is looking forward to receiving the Committee's suggestions.

**Mayor Short** stated that the Township is very thankful for the potential donation and is looking forward to receiving it. When the Township Committee gets a little more information, maybe some real tough decisions can be made as to where it actually should be located.

### **WELSH FARMS SITE – BROWNFIELD – Presentation by Ray Price and Barry Skoultchi**

**Mayor Short** stated that the presentation has been rescheduled to October 18, 2004.

### **RO-21-04 – AN ORDINANCE TO AMEND CHAPTER 42, ALCOHOLIC BEVERAGES, ARTICLE 1, GENERAL PROVISIONS, SECTION 3, LICENSES OF THE CODE OF THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY, NEW JERSEY – SECOND READING AND PUBLIC HEARING**

**BE IT RESOLVED**, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 42, ALCOHOLIC BEVERAGES, ARTICLE 1, GENERAL PROVISIONS, SECTION 3, LICENSES OF THE CODE OF THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY, NEW JERSEY, be read by title upon second reading and a hearing held thereon.

Motion was made by Comm.Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin

**Mayor Short opened the meeting to the public. There being no comments or questions, Mayor Short closed the meeting to the public.**

**BE IT RESOLVED**, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE TO AMEND CHAPTER 42, ALCOHOLIC BEVERAGES, ARTICLE 1, GENERAL PROVISIONS, SECTION 3, LICENSES OF THE CODE OF THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY, NEW JERSEY, be adopted upon final reading and that said ordinance be published in the Observer Tribune according to law.

Motion was made by Comm.Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin

**RO-22-04 – AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 175, SUBDIVISION OF LAND, OF THE CODE OF THE TOWNSHIP OF WASHINGTON REGARDING FINAL PLATS – SECOND READING AND PUBLIC HEARING**

**BE IT RESOLVED**, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 175, SUBDIVISION OF LAND, OF THE CODE OF THE TOWNSHIP OF WASHINGTON REGARDING FINAL PLATS, be read by title upon second reading and a hearing held thereon.

Motion was made by Comm. Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin

**Mayor Short opened the meeting to the public. There being no comments or questions, Mayor Short closed the meeting to the public.**

**BE IT RESOLVED**, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 175, SUBDIVISION OF LAND, OF THE CODE OF THE TOWNSHIP OF WASHINGTON REGARDING FINAL PLATS, be adopted upon final reading and that said ordinance be published in the Observer Tribune according to law.

Motion was made by Comm. Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin

**RO-23-04 – AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT INTEREST IN CERTAIN REAL PROPERTY IN THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY – SECOND READING AND PUBLIC HEARING**

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**BE IT RESOLVED**, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT INTEREST IN CERTAIN REAL PROPERTY IN THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY, be read by title upon second reading and a hearing held thereon.

Motion was made by Comm. Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin

**Mayor Short opened the meeting to the public. There being no comments or questions, Mayor Short closed the meeting to the public.**

**BE IT RESOLVED**, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT INTEREST IN CERTAIN REAL PROPERTY IN THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY, be adopted upon final reading and that said ordinance be published in the Observer Tribune according to law.

Motion was made by Comm. Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin

**RO-24-04 – AN ORDINANCE TO AMEND, IN ITS ENTIRETY, CHAPTER 143, PEDDLING AND SOLICITING, OF THE CODE OF THE TOWNSHIP OF WASHINGTON – SECOND READING AND PUBLIC HEARING**

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**BE IT RESOLVED**, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE TO AMEND, IN ITS ENTIRETY, CHAPTER 143, PEDDLING AND SOLICITING, OF THE CODE OF THE TOWNSHIP OF WASHINGTON, be read by title upon second reading and a hearing held thereon.

Motion was made by Comm. Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin



**Mayor Short opened the meeting to the public.**

**Laura Akin, 98E Mill Road** stated that she feels it is a huge burden to put on people who are volunteering for township activities. She also stated that she did not feel that it is necessary to require social security numbers.

**Attorney Jansen** explained that the Township has had a similar ordinance on the books for years. Attorney Jansen stated that there have been a number of challenges in the Federal District Court to local solicitation ordinances, so the ordinance had to be modified to conform with recent decisions. Attorney Jansen advised that you cannot treat local non-commercial, charitable type organizations differently than charitable organizations from outside of the Township. What we have tried to do here is make it as easy and as painless as possible for the charitable, non-commercial solicitors. They do not have to be licensed; they do not have to go through a police background investigation; they do not have to be finger printed; they do not have to get an I.D. card; but they do have to register at town hall so that the municipality and the police department know who is out there and why. They are also required to look at the "do not solicit list" so that they do not go to the homes of the people who do not want to be bothered by solicitors.

**There being no further comments or questions, Mayor Short closed the meeting to the public.**

**BE IT RESOLVED**, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE TO AMEND, IN ITS ENTIRETY, CHAPTER 143, PEDDLING AND SOLICITING, OF THE CODE OF THE TOWNSHIP OF WASHINGTON, be adopted upon final reading and that said ordinance be published in the Observer Times according to law.

Motion was made by Comm. Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote.

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin

**\*ACCEPT RESIGNATION**

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Thomas E. Lance – Building/Fire Inspector, Building Department, effective October 1, 2004

**RESOLUTION #R-182-04 – APPOINTMENTS/ADJUSTMENT**

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Motion was made by Comm. Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin

**RESOLUTION #R-183-04 – AUTHORIZATION FOR SALE OF CERTAIN REAL PROPERTY**

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Motion was made by Comm. Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin

**RESOLUTION #R-184-04 – PROFESSIONAL SERVICES - ENGINEERING - SUBURBAN CONSULTING ENGINEERS, INC.**

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Motion was made by Comm. Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin

**RESOLUTION #R-185-04 – AUTHORIZE EXECUTION OF AMENDMENT TO AGREEMENT AND TEMPORARY ACCESS EASEMENT WITH THE LONG VALLEY SOCCER ASSOCIATION**

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Motion was made by Comm. Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin



Motion was made by Comm. Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted. Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin

**\*RESOLUTION #R-193-04 - AUTHORIZE BOND REDUCTION – HILLTOP MEADOW**

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**\*RESOLUTION #R-194-04 - REFUND CASH PERFORMANCE GUARANTEES – JAMES D. AND LISA SENN**

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**\*RESOLUTION #R-195-04 - RETURN OF CASH BOND(S) FOR STREET OPENING – NATCO. DEV. K-LAND 51 LLC**

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**\*RESOLUTION #R-196-04 - RETURN ENGINEERING TRUST DEPOSIT ACCOUNT FUNDS**

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**\*RESOLUTION #R-197-04 - AUTHORIZE EXTENSION OF DEVELOPER'S AGREEMENT AND BOND REDUCTION – HIDDEN HILLS, SECTION 1**

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**\*RESOLUTION #R-198-04 - AUTHORIZE EXTENSION OF DEVELOPER'S AGREEMENT AND BOND REDUCTION – HIDDEN HILLS, SECTION 2**

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**\*RESOLUTION #R-199-04 - AUTHORIZE EXTENSION OF DEVELOPER'S AGREEMENT AND BOND REDUCTION – HIDDEN HILLS, SECTION 3**

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**\*RESOLUTION #R-200-04 - AUTHORIZE EXTENSION OF DEVELOPER'S AGREEMENT AND BOND REDUCTION – HIDDEN HILLS, SECTION 4**

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**\*RAFFLE APPLICATION**

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An application has been received for the following raffle:

St Mark the Evangelist Parish

Fifty-Fifty

11/13/04

Noted that the Chief of Police has signed the Findings and Determination Forms and all forms are in order. That the foregoing raffle application be approved, subject to the Mayor signing the Findings and Determination Form.

**\*PAYMENT OF VOUCHERS**

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That the vouchers be approved and that the Treasurer shall issue warrants in payment when there are sufficient funds to meet them. The bill list is on file in the finance office.

**\*MONTHLY DEPARTMENT REPORTS**

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Washington Township Board of Health, Washington Township Municipal Court,  
Washington Township Police Department, Washington Township Tax Collector

That the foregoing monthly department reports be accepted and placed on file in the Township Clerk's Office.

All items preceded by an (\*) were approved as part of the consent agenda on a motion by Comm.Cullen, seconded by Comm. Kaiser that the foregoing be adopted. Motion was carried by the following roll call vote:

**Noted for the record, Mayor Short abstained on the Raffle Application for St. Mark the Evangelist Parish.**

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short.

**NAYS:** None

**ABSTENTIONS:** Mayor Short

**ABSENT:** Comm. Tobin

**CORRESPONDENCE NOTED FOR THE RECORD**

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Letter from Assembly Minority Leader Alex DeCroce, thanking the Committee for adopting a resolution asking the Legislature to pass ACR 181, which amends the State Constitution to prohibit the State from using bonds to balance the State budget.

Letter from Communications Officer Patrick Curtin, thanking the employees for their kindness and sympathy concerning the recent loss of his wife.

Letter from Eagle Scout Brian Fitzpatrick, thanking Comm. Cullen for attending his Eagle Scout Ceremony and the Committee for the proclamation and the plaque.

E-mail from Ms. Maureen Fitzpatrick, complimenting Washington Township for the Municipal Website.

Letter from Parks and Recreation Director Eleanora Murfitt, thanking Girl Scout Briana Kennedy for building a seating area at the skating rink at Palmer Park.

Letter from Matthew Elchison, requesting that the Township Committee authorize a location for the construction of a skate park in Washington Township.

**DISCUSSION**

**CLUSTER ORDINANCE - PLANNING BOARD BUDGET**

**Attorney Jansen** stated that the Township Committee should move forward on the Cluster Ordinance.

**Mayor Short** stated that we are going to have to find funds somewhere in our budget to move into the Planning Board budget in November.

**Administrator Gallets** stated that she will check the status of funds remaining in the committee projects budget.

**Mayor Short** stated that the request is for \$1,500.00 and we already have another request for an additional \$2,500.00, so we would need an additional \$4,000.00. It was the consensus on the Township Committee to move forward with the Cluster Ordinance.

**POLICE RETIREMENT/STAFFING**

**Chief Ehrenburg** stated that the police department will be facing some additional retirements, which will change the structure of the department. Chief Ehrenburg stated that he must maintain a level of staffing, while preparing some officers for future development and growth. He stated that if one lieutenant, who has verbally committed to retirement, does in fact retire, he would like to proceed with the lieutenant's examination to fill that position.

**Mayor Short** stated that the lieutenant's position should be immediately advertised, subject to a formal letter from the lieutenant confirming the date of his retirement. It was the consensus of the Township Committee to advertise for the position of lieutenant.

**Mayor Short** stated the question is are we looking to put another replacement police officer on the roll commencing January 1<sup>st</sup> and put him in the Police Academy for training.

**Comm. Cullen** stated we are not increasing the size of the force, we are simply replacing highly paid officers with lower paid officers.

**Chief Ehrenburg** stated if we authorize two people to attend the Police Academy, they would be hired effective January 2, 2005. Chief Ehrenburg requested that the Township Committee authorize the employment of two officers as needed.

**Mayor Short** stated absolutely.

**FALL FESTIVAL – MUNICIPAL CONTRIBUTION** - The Township Committee agreed to provide police coverage for the parade and D.P.W. overtime for cleanup after the event. The Township Committee did not agree to contribute \$400.00 for custodian costs at the school.

**POLE BANNERS** - Administrator Gallets will contact Mendham Boro to see about the use of their bucket truck to hang the banners in the downtown area. It was noted that "Sprint" has donated their services on a number of occasions for hanging banners on their poles and those services have been free of charge.

**Mayor Short opened the meeting to the public.**

**Michael Mulvihill, 68 Rock Road** presented pictures of the damage to Rock Road caused by the heavy rainfall from the storm on Saturday, September 9, 2004. Mr. Mulvihill asked for an update on the work being done at Falcon Fields.

**Comm. Krickus** stated that it is on schedule. It should be finished by the middle or end of October, as long as the weather is favorable. He stated that the irrigation has been put in and now it is a matter of putting the topsoil, sand mixture, and sod on the fields and then seeding the rest of the common areas.

**Mayor Short** asked Mr. DeFranzo if the project is on schedule.

**Ralph DeFranzo, D.P.W. Superintendent** stated that the project is about two weeks behind schedule, because of all the rain that we have had, which we hope to make up this week. He stated that even when it stops raining, it takes a couple of days for the soil to dry out before you can work on it, which is part of the issue. He stated that the contractor has been working ten hour days. They also want to get the project done.

**There being no further comments or questions, Mayor Short closed the meeting to the public.**

**The Township Committee went into executive session at 8:47 P.M. upon approval of the following resolution:**

**RESOLUTION #R-201-04 EXECUTIVE SESSION**  
**ATTORNEY/CLIENT PRIVILEGE: ACKERMAN DRIVEWAY DESIGN;  
ACCESS TO PELIO PROPERTY;  
MULVIHILL PROBLEM**  
**LAND ACQUISITION: WOZNIAK; ROSEWOOD**  
**CONTRACT NEGOTIATIONS: DEPARTMENT OF PUBLIC WORKS –  
TEAMSTERS LOCAL 866**

Motion was made by Comm. Cullen, seconded by Comm. Kaiser that the foregoing resolution be adopted.  
Motion was carried by the following roll call vote:

**AYES:** Comm. Cullen, Krickus, Kaiser, Mayor Short.

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** Comm. Tobin

The Township Committee came out of executive session at 9:19 p.m.  
The meeting adjourned at 9:20 p.m.

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Dianne S. Gallets, Clerk