

**March 14, 2007**

The Work Session of the Washington Township Committee was called to order by Mayor Walsh at 7:30 P.M.

**MEMBERS PRESENT:** Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh, Attorney Jansen, Assistant Administrator Burd, Deputy Clerk Madden

**MEMBERS ABSENT:** None

Adequate notice of this meeting was sent to the Observer Tribune and The Morristown Daily Record on December 28, 2006 and was posted on the bulletin board in the Municipal Building on the same date. This meeting is being held at the Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, New Jersey. Notices of this meeting were sent, as there were requests.

**PLEDGE OF ALLEGIENCE**

**CONTINUATION OF PUBLIC HEARING – COMCAST CABLE FRANCHISE RENEWAL**

This public hearing is a continuation from the February 19, 2007 Regular Meeting. Attorney Jansen read aloud a letter written by Attorney DeBona, dated March 9, 2007, to Charles Smith, Comcast Director of Government and Community Affairs, which stated that the renewal of the franchise was dependent upon provision of extended coverage to the entire municipality as provided in the 1992 franchise. Attorney Jansen stated this condition was not met and Comcast is therefore not entitled to an automatic renewal. The Washington Township Committee is now renegotiating a franchise renewal with Comcast. Mayor Walsh closed this hearing.

**DRIVEWAY WAIVER – LANG**

Attorney Jansen stated that our ordinance requires that driveways have certain sight distance requirements for oncoming vehicles in each direction. Attorney Jansen added the ordinance provides that any applicant for a driveway permit may request a waiver of sight distance requirements from the Township Committee. He stated that in September 2006, the Department of Public Works, the Municipal Engineer, and the Police Department recommended to the Township Committee that the waiver should be denied since hardship and the inability to comply with these requirements had not been demonstrated by Mr. Lang. Attorney Kevin Hahn and Engineer John Hansen of Fierriero Engineering appeared on behalf of Mr. Lang and requested that the waiver be approved. They communicated economic hardship (approximately \$76,000 in costs) and noted a practical inability to comply (environmental concerns). Scott Frech, Superintendent of the Department of Public Works, stated that he believes it is possible to comply with the ordinance's requirements. Comm. Short expressed his concern regarding potential liability to the Township should the waiver be granted. Superintendent Frech and the Police Department will review the waiver request and will provide further recommendations. The Township Committee will reconsider this matter at the April Work Session.

**ORDINANCES**

**TOBACCO USAGE ON RECREATION PARKS & FIELDS** – The Township Committee will consider the introduction of an ordinance entitled “AN ORDINANCE PROHIBITING TOBACCO USE ON ALL RECREATIONAL FACILITIES OWNED OR MAINTAINED BY THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY” at the March 19, 2007 regular meeting.

**EXPANSION OF NON-CONFORMING SINGLE FAMILY DWELLINGS** – Attorney Jansen stated that he reviewed a recommendation from the Board of Adjustment suggesting that since they routinely grant relief for the expansion of non-conforming single family homes, the ordinance should be amended to specifically allow a one time exception to the requirement. Attorney Jansen stated that the Municipal Land Use Law has a specific procedure for expansion which requires permission for a variance from the Board of Adjustment. Attorney Jansen stated this process works well and it should remain in place. The Township Committee agreed with Attorney Jansen's recommendation.

**LILLIS ORDINANCE** – The Township Committee will discuss the introduction of this ordinance in the Executive Session portion of this meeting.

**MAXIMUM FEE ORDINANCE** – The Township Committee will consider the introduction of an ordinance entitled “AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY ESTABLISHING MAXIMUM PENALTIES FOR VIOLATION OF ORDINANCES” at the March 19, 2007 regular meeting.

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

**Don Storms, 15 Cherry Tree Lane**, stated that he and his family own land located in Chester and Washington Townships, and Chester Township officials are interested in preserving their portion as open space. Mr. Storms asked if the Township Committee will consider jointly preserving the portion of the land located in Washington Township as open space through the acquisition of funding granted from the Morris County Open Space Trust Fund. Mr. Storms stated that Chester Township will appraise the 103.65 acre parcel. Mr. Storms requested written permission from the Washington Township Committee to be included in the application. Mayor Walsh stated he will discuss this matter with Chester Mayor Ben Spinelli, and Mr. Frank Pinto, the Director of the Morris County Agriculture Development Board. The Committee will continue this discussion at the March 19, 2007 meeting.

**\*Comm. Tobin recused himself from the U.S. Homes/HMUA discussion at 8:20 P.M.**

**U.S. HOMES USAGE FEES** – Mr. Bruce Smith, a representative of the Hackettstown Municipal Utilities Authority stated the HMUA, a non-profit public authority, will not waive fire hydrant fees to be assessed to Washington Township for a period of ten years in exchange the their use of the proposed water supply facility to be located in a conservation easement at the site of a U.S. Homes development. The Committee discussed the ramifications of their approval. The Committee will revisit this matter at the March 19, 2007 regular meeting.

**Comm. Tobin returned to the meeting at 8:30 P.M.**

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

## **DISCUSSION**

**Comm. Short recused himself from the discussion concerning sidewalks in downtown Long Valley at 8:33 P.M.**

**DOWNTOWN SIDEWALKS** – Ms. Leona Harrington, a member of the Washington Township Downtown Revitalization Committee, requested that the committee approve the construction of 780 feet of sidewalks from the service station to the center of Long Valley at a cost of \$44,000.00. Ms. Harrington stated that the Township Committee has budgeted \$45,000 to fund the downtown sidewalks. DPW Superintendent Scott Frech and Municipal Engineer Leon Hall will prepare specifications, bids for the project will be advertised by the Clerk, and the Committee will award this project to the lowest qualified bidder upon the approval of Attorney John Jansen.

**Comm. Short returned to the meeting at 8:43 P.M.**

**WEST MORRIS REGIONAL HIGH SCHOOL TENNIS COURT USAGE** – The Township Committee directed Administrator Gallets to obtain a certificate of insurance from the West Morris Regional High School for use of tennis courts located at Rock Spring Park in Washington Township. Attorney Jansen stated that youth organizations associated with the Washington Township School District and the West Morris Central High School are exempt from tennis court usage fees.

**SNOW DAY REIMBURSEMENT** – The Township Committee will discuss a part-time employee's request to receive monetary compensation equal to the employee's loss of pay as a result of the recent closing of the municipal offices due to unsafe conditions resulting from inclement winter weather.

**Comm. Tobin and Comm. Nedd recused themselves from the discussion concerning the Length of Service Award Program Cadet Status at 8:55 P.M.**

**LOSAP BENEFITS – CADET STATUS** – Members of the Township Committee considered whether emergency services cadet volunteers should receive Length of Service Award Program benefits. Attorney Jansen stated that the Township's ordinance indicates it is the intention of the LOSAP program to reward active volunteer members of the Washington Township Fire Department and the Long Valley First Aid Squad for their services. Attorney Jansen opined that since cadets do not enjoy the privileges of full membership, they do not qualify for these benefits. He stated New Jersey Regulatory Statutes indicate "cadet" or "junior members" are considered "in training" to become regular members of the emergency service groups. Comm. Short and Comm. Cullen will advise the Fire Department and the First Aid Squad that the Township Committee has determined that cadets are not eligible for Length of Service Award Program benefits.

**Comm. Tobin and Comm. Nedd returned to the meeting at 9:10 P.M.**

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**BOARD & COMMITTEES – APPOINTMENTS** – At the March 19, 2007 meeting, the Township Committee will consider a resolution to appoint two members to the Downtown Revitalization Ad Hoc Committee, one member to the Board of Health, two members to the Planning Board, and one member to the Environmental Commission or to the Open Space Committee .

**VACANT LOT – EAST MILL ROAD** – The Township Committee discussed the acquisition of a one-acre lot adjacent to the Long Valley First Aid Squad and the possible conveyance of the land to the squad for use as a parking lot and, in emergency situations, as a heliport landing pad.

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

**2007 MUNICIPAL BUDGET** – Comm. Nedd distributed budget recommendations for discussion at the March 19, 2007 regular meeting.

**SPEED LIMITS** – Mayor Walsh directed Comm. Cullen to organize a review of the legal speed limits established for main roads located in Washington Township; such as East Mill Road, Old Farmers Road, Naughtright Road, Flocktown Road and Schooley’s Mountain Road.

**RIDGE ROAD SPEED LIMIT** – Comm. Short stated that Toll Brothers representatives have requested that Washington Township officials contact Department of Transportation representatives to request a reduction in the speed limit set for Ridge Road, located off Coleman Road, from 35 MPH to 25 MPH. Comm. Short stated that it is the applicant’s responsibility to go to Trenton to obtain approval of a reduction of the speed limit.

**CARRY OVER VACATION** - The Township Committee approved a request to carry over accumulated vacation hours earned in excess of the one week permitted due to extenuating circumstances which justify this exception.

**The Township Committee went into Executive Session at 9:30 P.M. upon approval of the following resolution:**

**RESOLUTION #R-60-07 - EXECUTIVE SESSION – PERSONNEL: OEM**  
**CONTRACT NEGOTIATIONS: LIBRARY**  
**LAND ACQUISITION: LILLIS PROPERTY**

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

**AYES:** Comm. Cullen, Short, Tobin, Nedd, Mayor Walsh

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

**The Township Committee came out of Executive Session at 9:49 P.M.**

**The meeting adjourned at 9:50 P.M.**

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**Dianne S. Gallets, Clerk**