

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, Administrator/Clerk Gallets, Deputy Clerk Judy Madden

**MEMBERS ABSENT:** None

Adequate notice of this meeting was sent to the Observer Tribune and The Morristown Daily Record on January 6, 2007 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 ALLEGIANCE**

**BOARD AND COMMITTEE PRESENTATIONS – LIBRARY BOARD OF TRUSTEES** – Ed Carpenito, President, presented an overview of the services provided by the library, the value of such services, and the impact of the services on the residents of the community. The Township Committee applauded their efforts. A plea was made by the Library Board for the support of the Township Committee in seeking to have Libraries removed from the state mandated 4% budget cap.

**EAGLE SCOUT PRESENTATION** - Scout Justin Guenther presented plans to the Township Committee for a Gold Award Project to create a rest area for dog owners to be located immediately outside the fenced area of the Long Valley Dog Park. The rest area will contain a picnic bench, mulch, ornamental grasses and a flower bed. The Township Committee unanimously approved this project. They requested that a copy of the plans be sent to Ms. Hope Greenfield.

**GIS PRESENTATION – NATIONAL GEOMATICA** – Matthew C. Stawicki, Vice President of Business Development, presented an overview of National Geomatica, a Municipal Data Base Management System in which data is shared by municipal departments. National Geomatica offers a customized set of services per municipality, which can be progressively altered. Data efficiencies and reduction of paper are the greatest benefits. The service contract would have no term, no upfront cost, and full assistance is offered to set up the system. The Township Committee discussed several funding options to acquire this program, including increased building fees, tax revenues, and Paris Grant funding. Attorney Jansen stated that competitive contracting procedures should be employed. The Township Committee will consider this service during the 2008 budgetary process.

**FAIRMOUNT FIRE COMPANY – PUMPER TRUCK** – Chief Dave Steinel stated that their 2003 pumper truck has had significant blistering and rust issues since its purchase. He stated a Pierce representative viewed the pumper and recommended that the truck be returned to Wisconsin (the manufacturer's refurbishment plant) for repair. The Fire Company is waiting for a final decision as to how to proceed. Chief Steinel stated that if the truck is forwarded to Wisconsin, it will be there for a duration of at least two months. He requested the Committee's permission to use the tanker that is currently up for auction, (a 1983 Pierce Lance Tanker Truck) until the 2003 pumper truck is returned. The Committee authorized that the 1983 Pierce tanker be removed from the list of vehicles to be auctioned and directed Administrator Gallets to make certain that the truck is not made available for sale until a future date. Administrator Gallets will contact the manufacturer to discuss the repair and to determine the anticipated date the vehicle will be returned.

### **PUBLIC PORTION**

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

**Serge Kowalchuk, 89 Middle Valley Road**, stated that this past August's rainfall washed away the road, his front yard and newly constructed driveway, and the debris is sitting up against his house. He opined that over the past 11 years that he has lived there, four instances have occurred where the road has washed away. He stated that the road has been "band aided," but that a permanent solution, such as catch basins or re-angling of the road to channel the water, needs to be implemented. Mayor Walsh, Department of Public Works Superintendent Scott Frech and Assistant DPW Superintendent Roger Read visited the site. They agreed this is a unique situation. Mr. Kowalchuk requested that Washington Township restore his property to its original state. He submitted bids to the Township Committee for review. In response to a question, Attorney Jansen stated that it is not advisable to have municipal employees perform work on private property. Mayor Walsh stated that Mr. Kowalchuk's documentation has been submitted to the Township's insurance company. Mayor Walsh opined that historically, the homeowner submits a homeowner's insurance claim, and in some cases, the Township's insurance company will assume payment for the deductible. Mr. Kowalchuk stated that he does not have flood insurance, and that his homeowner's insurance does not cover this type of damage. Mr. Kowalchuk requested that Washington Township provide the

funding to engage a private contractor. The Township Committee will continue this discussion in the Executive Session portion of this meeting.

**Richard Welsh, 18 Janet Drive** stated he would like to address the water tower issue, but he will wait until the item is brought up on the agenda.

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

### **ORDINANCES**

**SIGN ORDINANCE** - The Township Committee postponed the scheduled discussion concerning the introduction of a sign ordinance until October 2007.

**LAND ACQUISITION – DONATION – LONG HILL ROAD** The Township Committee will consider the introduction of an ordinance entitled, “AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY IN THE TOWNSHIP OF WASHINGTON, COUNTY OF MORIS, AND STATE OF NEW JERSEY AND ACCEPTING THE DONATION OF BLOCK 42.03, LOTS 17, 18, 19, 21 AND 22 IN WASHINGTON TOWNSHIP AND BLOCK 16.03, LOT 3 IN THE TOWNSHIP OF CHESTER” at the September 17, 2007 Regular Meeting.

### **DISCUSSION**

**LONG VALLEY RAIDERS FOOTBALL ASSOCIATION (LVRFA) - Mr. Craig Thompson**, a Trustee of the Long Valley Raiders Football Association, requested that the Township Committee approve the Association’s use of temporary mobile lighting at Rock Spring Park for eight additional games to be played during the week as part of the Central Conference which will allow the novice players more active game time. **Mayor Walsh** stated the lighting could be intrusive to the residents of Springtown Road. **Mayor Walsh** stated that the football program is excellent, however, the Springtown Road residents must be considered. He asked whether other avenues have been pursued. Mr. Thompson replied the Trustees have considered other options. **Mayor Walsh** and **Comm. Cullen** will meet with Mr. Thompson and the residents of Springtown Road on September 15, 2007 at 9:00 P.M. to consider the playing of games during the week, using the mobile lighting.

Motion was made by Comm. Short, seconded by Comm. Cullen that games be permitted to take place using mobile lighting at Rock Spring Park on Monday, September 17, 2007 from 6:00 P.M. to 9:30 P.M. and on Tuesday, September 18, 2007 from 6:00 P.M. to 8:30 P.M. Motion was carried by the following roll call vote:

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

**NAYS:** None

**ABSENT:** None

**ABSTENTIONS:** None

### **WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**Comm. Nedd and Comm. Cullen recused themselves from this discussion at 9:37 P.M. Comm. Nedd is a member of The Woods at Long Valley Homeowners Association. Comm. Cullen is a member of the Washington Township Municipal Utilities Authority.**

Mr. Tom Horn, the Washington Township Municipal Utilities Authority Executive Director and Mr. Sam Akin, the Washington Township Municipal Utilities Authority Board Chairman, made presentations as follows:

### **SEWER LINE**

**Mr. Horn** stated that the existing sewer line was constructed between the mid 1970’s and the late 1980’s. He stated an overall plan was prepared by the Onheimer Engineering Firm which included a pumping station around Winay Terrace. As the homes were developed quickly, a temporary pumping station was constructed near Ashwood Trail until the Winay Terrace pumping station was completed. As there were many developers involved, records regarding this issue are not clear. Mr. Akin opined that the plans included a utility easement for a gravity sewer line from Ashwood Trail to Sparrow Lane, and then to the Winay Terrace pumping station. He stated this line would be the responsibility of the Washington Township Municipal Utilities Authority. Through some error, the required easement was never shown on the final plan and was never filed. Since the area considered is now a Green Acres property, the Department of Environmental Protection must approve the construction of a new sewer line. Upon the Department of Environmental Protection’s approval, the WTMUA must secure an easement from the Township before beginning the project. Mr. Horn stated representatives of Green Acres were contacted and their response was favorable. Mr. Horn asked that the Washington Township Committee forward a letter giving Washington Township Municipal Utilities Authority representatives permission to discuss this matter with the appropriate Department of Environmental officials.

Motion was made by Comm. Short, seconded by Comm. Tobin that Administrator Gallets forward a letter on behalf of the Washington Township Committee giving permission for a direct discussion concerning this matter between Department of Environmental Protection and Washington Township Municipal Utilities Authority representatives. Motion was carried by the following roll call vote:

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

**NAYS:** None

**ABSENT:** None

**ABSTENTIONS:** Comm. Cullen, Nedd

**PROPOSED WATER TANK SITE AT WOODS AT LONG VALLEY**

**Mr. Sam Akin** stated the recent Schooley’s Mountain water shortage indicated there is an inadequate amount of water stored in the water system to meet seasonal outdoor watering demands. He stated in order to avoid placing restrictions on water use, the Washington Township Municipal Utilities Authority has embarked on a number of different initiatives. In order to increase the water supply, the WTMUA has considered new well sites, stimulating existing wells, an interconnection with the Hackettstown MUA system, and improving the Long Valley system. **Comm. Tobin** asked the anticipated time line for the resolution of the inadequate water supply. Mr. Akin stated the process could take a year or more.

The existing infrastructure was indicated by Mr. Akin on a map. He stated New Jersey Department of Environmental Protection (DEP) regulations mandate how the water storage system must be designed. Mr. Akin stated a minimum amount of water must be stored according to a formula. He stated that based on the formula, the WTMUA is well within the guidelines. The other requirement is that the system must maintain 20 pounds of pressure at the curb for every customer within the system. He advised elevation differences in our Township make conforming to this requirement difficult. He stated the system must be designed to accommodate the highest elevation customer, where it is hardest to maintain such pressure. Mr. Akin stated gravity is a better alternative than pumping in this instance, and a height of 1262 feet is needed to achieve the 20 pound pressure requirement. Fire considerations must also be met. Mr. Akin stated in order to meet our current needs, a five hundred thousand gallon tank must be erected. He stated the required elevation for the tower is approximately 1289 feet and the tower’s height can be a maximum of 140 feet. Mr. Akin stated that the location of the proposed tank must be determined.

Places that meet the above referenced criteria are:

- 1. Next to the original tank.
- 2. Small lot off Ann Road
- 3. Conservation Area in The Woods at Long Valley )
- 4. Conservation Area in The Woods at Long Valley ) All Potential Sites within
- 5. Conservation Area in The Woods at Long Valley ) The Woods at Long Valley Development
- 6. Conservation Area in The Woods at Long Valley )

Every potential site is visible to homes at that elevation.

The Washington Township Municipal Utilities Authority will present their analysis to an outside consultant with the addition of the Township Committee’s input. Washington Township Municipal Utilities Authority representatives met with Cucinella School representatives on September 11, 2007 to discuss a site behind the school as a possible location for the tank. Mr. Akin stated discussions regarding this option will continue, however, this site is not considered an optimal location.

The Township Committee stated that it looks forward to receiving additional information.

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

**Anne Christensen, 6 Emily Place**, asked whether WTMUA representatives requested a waiver of the conservation easement in September 2006; WTMUA representatives responded that they requested that this issue be discussed before the Township Committee in September 2007. Ms. Christensen further opined that although there have been discussions to this effect, the Woods at Long Valley Homeowners Association has not endorsed the proposed erection of the tower on the conservation easement.

**Steve Masood**, inquired about the height of the water tower. Mr. Masood asked if the tower would be Township regulated and if financial constraints could dictate the height of the tower. He further stated that the Township should consult an engineering firm and not even consider the relaxation of conservation easement regulations.

**Kevin Schwint, 4 Ginger Lane**, asked the age of the existing water tower. **Mr. Akin** stated the existing tower was erected in 1978. Mr. Schwint asked whether a new tower could be constructed to replace the old tower in the same location. Mr. Akin stated the new tower will have a capacity of approximately 500,000 gallons needed in addition to the existing tower which supplies 770,000 gallons of water.

**Brian Johnson, 5 Corinne Court**, stated his concern regarding the use of the conservation easement. He stated land deemed "sacred" should not be considered until no alternative exists. He requested that the WTMUA act with due diligence and consider all alternatives available for the location of this tower.

**Richard Welch, 18 Janet Drive**, stated that as a community dealing with ongoing water pressure/restriction issues, it is difficult to have faith in the WTMUA. Mr. Welch stated he fears the community does not have a mechanism to ensure that the WTMUA will consider all possible alternatives.

**Mr. Kevin Nedd, Woods at Long Valley** expressed his disappointment that the Woods at Long Valley Homeowners Association was not invited to approach the Township Committee with a presentation regarding this matter as was the Washington Township Municipal Utilities Authority.

**Mayor Walsh** stated that the Homeowners Association did not request such a forum.

**Comm. Tobin** stated historically, in situations such as this, a viable solution would be sought via a meeting of members of the Washington Township Committee, the Homeowners Association, the Washington Township Municipal Utilities Authority, and any other interested parties to discuss this topic.

**Mr. Kevin Nedd** stated the Washington Township Municipal Utilities Authority was never offered the land in question as a site for the water tank as they stated. Mr. Nedd stated preliminary discussions have not taken place, as stated by representatives of the WTMUA.

**Anne Christensen** requested the opportunity to read a letter recently sent to the WTMUA. Ms. Christensen requested that the Township Committee support the residents of The Woods at Long Valley development, as they are taxpayers.

**Sam Akin, WTMUA**, stated that before the proposed meeting can take place, all pertinent information to be considered will be collected for the presentation and a resolution.

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

**Comm. Nedd and Comm. Cullen returned to the dias.**

**DPW PROMOTIONS** - The Township Committee will consider a resolution to promote four Department of Public Works employees at the September 17, 2007 Regular Meeting.

**E-MAIL RECORD RETENTION** - **Administrator Gallets** stated that officials of other municipalities have reported that their efforts to establish formal policies and procedures for e-mail retention have been difficult. **Comm. Nedd** stated e-mails sent from his home computer are not saved on the township's server. **Administrator Gallets** stated that e-mails that contain Township business must be saved. **Comm. Nedd** stated that he believes this is an unreasonable request. **Mr. Bob Kelly**, our Municipal Information Technology Specialist, stated the Township does not have a server capable of harboring this information. **Mr. Kelly** stated e-mails from remote sites must be sent through an exchange server. **Mr. Kelly** stated an exchange server could be purchased, however, funding is not available. **Comm. Cullen** stated all e-mails regarding Township business must be saved or be printed and copies forwarded to **Administrator Gallets**. **Comm. Nedd** stated he will not save the e-mails sent from his home computer. **Mayor Walsh** stated that Washington Township is in the process of researching a long term solution to the issue of e-mail retention. **Mr. Kelly** stated that Washington Township could subscribe to an online archiving service whereby e-mails posted through the WTMorris site would be sent to the server and saved in an administrative file. **Comm. Nedd** stated he does not feel that the Township Committee has the right to direct him to store records on his personal computer. **Attorney Jansen** stated that e-mails dealing with official municipal business must be retained and a failure or refusal to do so will be in violation of the OPRA law.

**MORRIS COUNTY/MENDHAM – FREQUENCY CO-OWNERSHIP** – **Administrator Gallets** stated that Morris County/Mendham would like to become a co-owner of our radio frequency so that they would get better reception. **Mayor Walsh and Administrator Gallets** will send a letter to Mendham Township officials declining their offer of co-ownership.

#### **POLICE RETIREMENT**

Motion was made by Comm. Short, seconded by Comm. Tobin that a Washington Township Police Officer be promoted to the rank of Corporal within the Washington Township Police Department at a future meeting before the corporal's promotion list expires. Motion was carried by the following roll call vote:

09-12-07  
7775

September 12, 2007

7775

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

**NAYS:** None

**ABSENT:** None

**ABSTENTIONS:** None

**GARDEN STATE TRUST FUND RESOLUTION** – A resolution concerning the Garden State Trust Fund will be presented at the September 17, 2007 Regular Meeting.

**BOARD & COMMITTEE INTERVIEWS** – The Township Committee will continue to conduct interviews to fill vacant Board and Committee positions.

**WMHS - PALMER PARK PARKING** – The Township Committee discussed that permission for parking in Palmer Park for High School games and school has resulted in people walking on Bartley Road. **Administrator Gallets** stated that she will notify the County of the parking situation

**POLE BARN** – The Township Committee will consider a resolution to award a bid for the erection of a pole barn at the Department of Public Works at the September 17, 2007 Regular Meeting.

**The Township Committee went into Executive Session at 11:40 p.m. upon approval of the following resolution:**

**RESOLUTION #R-152-07 - EXECUTIVE SESSION – ATTORNEY/CLIENT PRIVELEDGE:**

**KOWALCHUK**

**LAND ACQUISITION: COOPER CHEMICAL;  
EAST MILL ROAD**

Motion was made by Comm. Short, seconded by Comm. Tobin 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

**ABSENT:** None

**ABSTENTIONS:** None

**The Township Committee came out of Executive Session at 11:45 p.m.**

**The meeting adjourned at 11:46 p.m.**

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**Dianne S. Gallets, Clerk**