

The Regular Meeting of the Township Committee of the Township of Washington was called to order by Mayor Tobin at 7:30 P.M.

**MEMBERS PRESENT:** Comm. Popper, Short, Walsh, Nedd, Mayor Tobin, Attorney Jansen, Administrator/Clerk Gallets, Recording Secretary Madden

**MEMBERS ABSENT:** None

Adequate notice of this meeting was sent to the Observer Tribune and the Morristown Daily Record on January 8, 2008 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** – The Pledge of Allegiance was recited.

**EAGLE SCOUT AWARD** – Mayor Tobin, on behalf of the Washington Township Committee, presented a plaque to Scout Matthew John Rowe in recognition of his achievement of the rank of Eagle Scout.

**RO-13-08 – AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND THE CODE OF THE TOWNSHIP OF WASHINGTON WITH REGARD TO ZONING PERMITS, THE ADMINISTRATION AND ENFORCEMENT OF THE ZONING ORDINANCE AND THE DUTIES OF THE ZONING OFFICIAL - 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 OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND THE CODE OF THE TOWNSHIP OF WASHINGTON WITH REGARD TO ZONING PERMITS, THE ADMINISTRATION AND ENFORCEMENT OF THE ZONING ORDINANCE AND THE DUTIES OF THE ZONING OFFICIAL be read by title upon second reading and a hearing held thereon.

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

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

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

**Mayor Tobin opened the meeting to the public. There being no comments or questions, Mayor Tobin 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 THE CODE OF THE TOWNSHIP OF WASHINGTON WITH REGARD TO ZONING PERMITS, THE ADMINISTRATION AND ENFORCEMENT OF THE ZONING ORDINANCE AND THE DUTIES OF THE ZONING OFFICIAL be adopted upon final reading and that said ordinance be published in the Observer Tribune according to law.

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

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

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

**RO-14-08 – AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 111, LAND USE PROCEDURES, OF THE CODE OF THE TOWNSHIP OF WASHINGTON WITH RESPECT TO DEVELOPMENT FEES - 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 111, LAND USE PROCEDURES, OF THE CODE OF THE TOWNSHIP OF WASHINGTON WITH RESPECT TO DEVELOPMENT FEES be read by title upon second reading and a hearing held thereon.

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

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

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

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

**Vic Fetterolf, 422 Naughtright Road**, stated that the Committee may want to consider a discussion on population and how that affects building. **Mayor Tobin** responded that local building is almost at an end due to various restrictions.

**There being no further comments or questions, Mayor Tobin 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 111, LAND USE PROCEDURES, OF THE CODE OF THE TOWNSHIP OF WASHINGTON WITH RESPECT TO DEVELOPMENT FEES be adopted upon final reading and that said ordinance be published in the Observer Tribune according to law.

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

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

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

**RO-15-08 – ORDINANCE FOR DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM - SECOND READING AND PUBLIC HEARING**

**BE IT RESOLVED**, by the Township Committee of the Township of Washington that an Ordinance entitled ORDINANCE FOR DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM be read by title upon second reading and a hearing held thereon.

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

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

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None



NEW JERSEY TO AMEND CHAPTER 46, ANIMALS, OF THE CODE OF THE TOWNSHIP OF WASHINGTON be adopted upon first reading.

**BE IT FURTHER RESOLVED** that said Ordinance shall be further considered for final passage at a meeting of the Township Committee on September 15, 2008 at 7:30 p.m. at the Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, New Jersey at which time and place all persons interested shall be given an opportunity to be heard concerning same.

**BE IT FURTHER RESOLVED** that the Clerk be authorized to advertise said Ordinance in full in the Observer Tribune according to law.

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

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

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

**RO-18-08 – AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 159, SITE PLAN REVIEW – INTRODUCTION AND FIRST READING**

**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 159, SITE PLAN REVIEW be introduced and read by title on first reading by the Township Committee.

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

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

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

**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 159, SITE PLAN REVIEW be adopted upon first reading.

**BE IT FURTHER RESOLVED** that said Ordinance shall be further considered for final passage at a meeting of the Township Committee on September 15, 2008 at 7:30 p.m. at the Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, New Jersey at which time and place all persons interested shall be given an opportunity to be heard concerning same.

**BE IT FURTHER RESOLVED** that the Clerk be authorized to advertise said Ordinance in full in the Observer Tribune according to law.

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

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

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

**PUBLIC PORTION**

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

**Vic Fetterolf, 422 Naughtright Road**, made a speech concerning the Tenth Amendment to the United States Constitution and the proper way to run local government.

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

**\*ACCEPT RESIGNATION**

That the following resignation be accepted:

Bruce Kuhlthau – Member, Washington Township Municipal Utilities Authority, effective July 14, 2008

**\*APPLICATION FOR CADET MEMBERSHIP – LONG VALLEY FIRST AID SQUAD**

An application has been received for cadet membership in the Long Valley First Aid Squad from William Andrew Reynolds.

That the foregoing application for cadet membership be approved and be forwarded to the Long Valley First Aid Squad.

**\*APPLICATIONS FOR AFFILIATE MEMBERSHIP – LONG VALLEY FIRST AID SQUAD**

Applications have been received for affiliate membership in the Long Valley First Aid Squad from Sergeant Christopher Bratus, Corporal William F. McCarthy, Patrol Officer Thomas Falleni, Sergeant Earl G. Barnes III, Patrol Officer Michael Arthur Hade, Patrol Officer Roger D. Garrison, Corporal James K. Burns, and Patrol Officer Peter Cecere.

That the foregoing applications for affiliate membership be approved and be forwarded to the Long Valley First Aid Squad.

**\*RAFFLE APPLICATIONS**

Applications have been received for the following raffles:

St. Mark the Evangelist Parish	Fifty-Fifty	10/03/2008
Musconetcong Valley Community Association	Draw Raffle	07/25/2009
Heath Village Inc.	Tricky Tray	10/25/2008

Noted that the Chief of Police has signed the Findings and Determination Forms and all forms are in order and that the foregoing raffle applications be approved.

That the foregoing raffle applications be approved, subject to the Mayor signing the Findings and Determination Forms.

**\*APPLICATION FOR PUBLIC EVENT – HOT AIR BALLOON RIDE EVENT**

An application has been received from Toll Brothers for a Hot Air Balloon Ride Event to be held on September 27, 2008 and/or September 28, 2008 from 11:00 A.M to 1:00 P.M. and from 3:00 P.M. to 5:00 P.M. at 12 Ridgeline Drive, Long Valley, New Jersey. Recommendations have been received from the Police Department, the Board of Health and the Zoning Officer.

That the foregoing public event be approved subject to the conditions of the Police Department, the Board of Health and the Zoning Officer.

**\*AUTHORIZE SPECIAL ABC PERMIT – LONG VALLEY FIRE COMPANY NO. 1**

An application has been received from the Long Valley Fire Company No. 1 for permission to dispense alcoholic beverages at a fundraising event to be held on September 27, 2008 from Noon to 6:00 P.M. at 99 West Mill Road, Long Valley, New Jersey. Noted that the Chief of Police has signed the permit application.

That the foregoing special permit for a social affair be approved and the Clerk be authorized to sign the permit application and forward it to the applicant for submission to Division of Alcoholic Beverage Control.

**\*APPROVE MINUTES**

June 16, 2008 Regular Meeting  
July 16, 2008 Work Session

**\*PAYMENT OF VOUCHERS**

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**

That the following monthly department reports be accepted and placed on file in the Township Clerk's office:



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

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

**RESOLUTION #R-127-08 – A RESOLUTION OF THE TOWNSHIP OF WASHINGTON AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH REGARD TO BLOCK 60, LOT 1**

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

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

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

**RESOLUTION #R-128-08 – APPROVAL OF CLOSED SESSION MINUTES**

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

**AYES:** Comm. Short, Popper(\*), Walsh, Nedd, Mayor Tobin

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

(\* ) Comm. Popper abstained on all 2007 minutes. All Committeemen voted yes for those minutes at which they were present and abstained on those when they were not present.

**RESOLUTION #R-129-08 – AWARD BID – CONSTRUCTION OF SIDEWALK IMPROVEMENTS TO EAST AND WEST MILL ROADS – IMAGE CONTRACTORS INC.**

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

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

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

Mayor Tobin recused himself from the discussion and vote concerning the traffic signal at Target at 8:08 P.M.

**RESOLUTION #R-131-06 – A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE STATE OF NEW JERSEY FOR THE INSTALLATION AND MAINTENANCE OF A TRAFFIC SIGNAL**

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

**AYES:** Comm. Popper, Short, Walsh, Nedd

**NAYS:** None

**ABSTENTIONS:** Mayor Tobin

**ABSENT:** None

Mayor Tobin returned to the dais at 8:09 P.M.

**CORRESPONDENCE NOTED FOR THE RECORD**

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Certificate from Rutgers Center for Government Services stating that Virginia R. Kesper has fulfilled the course requirements for the designation of Zoning Official.

Certificate from The New Jersey Council on Affordable Housing stating Virginia R. Kesper has completed COAH's training for Municipal Housing Liaisons, RCA Administrators and Administrative Agents.

Explanation of Computed Tax Rates and Certification Schedule of the 2008 General Tax Rate for Washington Township.

Newburg Road Bridge Historic Archeological Study – on file with the Historic Preservation Commission.

Letter from Commissioner Joseph V. Doria of the Department of Community Affairs, stating Washington Township will receive a Sharing Available Resources Efficiently grant of \$40,514.00 to be used for police and court services.

**DISCUSSION**

**GRANT FUNDS** – **Comm. Nedd** stated that **Assistant Administrator Burd** is investigating whether any portion of the Sharing Available Resources Efficiently Grant funds received by the Township can be received and appropriated pursuant to Chapter 159 this year.

**MORRIS COUNTY AGRICULTURAL DEVELOPMENT BOARD** – **Mayor Tobin** stated that he received a letter from the MCADB regarding Fairmont Land Corp advising that the State Department of Agriculture is reducing their cost share in this project because the New Jersey Administrative Code dictates that actual cost be used and not the appraised value to determine cost shares. **Administrator Gallets** stated that she and **Comm. Walsh** spoke to **Frank Pinto** at the County regarding the honoring of the current contract with the County. Mr. Pinto advised that the County would make up the difference of the State's reduction. The County is now stating that they are not paying the difference but the original amount indicated. **Attorney Jansen** stated that the controlling Administrative Code Provision regulates how the State calculates its share, but not necessarily how the County calculates its share. Administrator Gallets and Comm. Walsh will again contact Mr. Pinto to pursue this issue.

**NETCONG 10K RACE** – **Mayor Tobin** informed **Chief Bailey, WT Police Department** that Netcong Borough has invited the Washington Township Police Department to a competitive 10K race with their Police Department on Sunday Sep 7, 2008. Chief Bailey will inquire of his full time staff if there is an interest in participating.

**PUBLIC TAX FORUMS** – **Comm. Nedd** made a Tax Revaluation presentation to the Township Committee. He suggested a forum to educate the public concerning the impact of the revaluation, which brought their property values to market value, thus affecting their taxes. **Mayor Tobin** stated that the assessment process is confusing to many residents and should also be addressed. Comm. Nedd stated that an individual from the appraisal firm could possibly be present to justify the assessments and explain the process. **Comm. Short** suggested that **Dolores Pecorari, Municipal Tax Assessor** and an individual from the appraisal firm should head this forum. The Township Committee was in agreement that a public information session should be held by Ms. Pecorari and an appraisal firm representative, and it will be arranged.

#### **PUBLIC PORTION**

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

**Mayor Tobin** explained that the value of the homes were set by the market, and that the last appraisal process was ten years ago. **Comm. Nedd** stated that the intent of the revaluation was not to increase taxes but to fairly distribute the tax burden among the Township's residents. **Attorney Jansen** added that periodic revaluations are essential to fairly assess properties.

**Jim Harmon, 7 Abedim Way**, encouraged the Committee to fully explain the revaluation process to the public and what options may be available to them. **Attorney Jansen** explained that the initial (County Tax Board) appeal process is very informal and inexpensive.

**Comm. Walsh** stated that local government is a free and open process with many information forums available to the public.

**Dee DeVirgilis, a non-resident**, stated that renters have an extension until October 31, 2008 for filing for the Homestead Rebate.

**Dave Rodriguez, 1402 Moonlight Ct., Peachtree Village**, stated that 25 to 30 percent increases in taxes are hurtful.

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

**The Township Committee went into Executive Session at 9:35 P.M.**

#### **RESOLUTION R-130-08 -EXECUTIVE SESSION – LITIGATION: ROSS V. SALISBURY (ELIZABETH LANE)**

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

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

**NAYS:** None

**ABSTENTIONS:** None

**ABSENT:** None

**The Township Committee came out of Executive Session at 9:50 P.M.**

**The meeting adjourned at 9:51 P.M.**