

The Work Session of the Washington Township Committee was called to order by Mayor Short at 7:39 P.M.

MEMBERS PRESENT: Comm. Popper, Harmon, Walsh, Mayor Short, Attorney Jansen, Administrator Gallets, Assistant Administrator Burd, Recording Secretary Madden

MEMBERS ABSENT: Comm. Tobin

Adequate notice of this meeting was sent to The Observer Tribune and The Morristown Daily Record on January 8, 2009 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.

PUBLIC PORTION

Mayor Short opened the meeting to the public.

YORKSHIRE ESTATES – Residents in this neighborhood expressed concern with the commercial business being operated by the owner of 36 Yorkshire Drive out of his home.

Brian Harmon, 17 Yorkshire Drive, stated that he is concerned about a possible zoning variance for a residential property in his neighborhood that is being used for business purposes.

Ginny Kesper, Township Zoning Official, stated that the property owner must request approval to continue the commercial use on the property.

Helen Lo, 34 Yorkshire Drive, discussed her concern over the noise that begins at 6:45 A.M., and the construction vehicle and worker that are on site.

Ms. Kesper responded that the Planning Board needs to inspect the property and review the situation. Regulations require notification of owners within 200 feet if the application for commercial use by the resident is considered.

Mayor Short and **Comm. Popper** assured Yorkshire Estate property owners that this will be addressed.

Attorney Jansen stated that he is not aware of a prohibition of the usage of small dumpsters on a residential property, especially in a rural area. Certain conditions must be met for the disposal of waste and the refuse must remain incidental to the lawful use of the property.

Comm. Popper is familiar with the situation and stated that although home occupations cannot be easily restricted, they should be in keeping with the particular neighborhood. He further stated that the use of dumpsters seems to be the most common complaint.

Mayor Short requested that Ms. Kesper take a look at the ordinance to see if it should be amended.

Ken Dlouhy, 21 Yorkshire Drive, asked during what time periods a property owner can operate a conditional home occupation.

Attorney Jansen stated that the time period for operating a conditional home occupation is between 8 A.M. and 8 P.M.

Ms. Lo intends to file a formal complaint.

Mayor Short stated that he hopes this issue will be resolved in two weeks and if not, resolution will be pursued.

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

CONSERVATION EASEMENT ENCROACHMENT – 2 HARVEST LANE – HUA PRIEUR – The Committee decided that the encroachment of a pool at 2 Harvest Lane will be allowed to continue as long as the owner implements the settlement worked out with the DEP. **Attorney Jansen** stated that an ordinance will be required at some point to reflect the changes in the easement. **Ms. Prieur** clarified that they did not create this issue but happened to “buy it.” Township Engineer Leon Hall will review the encroachment, and Attorney Jansen reviewed the process necessary to formalize these changes.

CARICATURE ARTIST – TOWNSHIP PARKS – JESSICA PRATT – The Committee approved Jessica Pratt’s request to draw and sell caricatures in public parks. Ms. Pratt is a local High School student attempting to supplement her income.

ORDINANCES

C-1 ZONE – NON-CONFORMING GARAGE USES - 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 TO AMEND CHAPTER 217, ZONING, OF THE CODE OF THE TOWNSHIP OF WASHINGTON REGARDING AUTOMOBILE REPAIR AND SERVICE STATIONS**” at the July 20, 2009 Regular Meeting.

SNOW REMOVAL – DOWNTOWN DISTRICT- 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 TO AMEND CHAPTER 172, STREETS AND SIDEWALKS, OF THE CODE OF THE TOWNSHIP OF WASHINGTON, WITH REGARD TO THE REMOVAL OF SNOW AND ICE**” at the July 20, 2009 Regular Meeting.

DISCUSSION

PROPERTY REASSESSMENT – DOLORIS PECORARI – **Ms. Pecorari, Township Tax Assessor**, stated that Washington Township revenue from taxes are down approximately \$51,000 due to recent tax appeals. She further explained that further appeals have been filed. Ms. Pecorari stated that recent sales have shown that sale prices are approximately 15% below assessed values. She has a difficult time justifying assessments when such sales take place within a particular neighborhood. She also stated that she is getting many calls from residents to immediately reassess their properties. **Comm Popper** expressed his concern that everyone will need to be revalued, not just certain neighborhoods. Ms. Pecorari stated that the problem will be that reassessments are being done by appeal in the current market instead of by revaluation. Ms. Pecorari would prefer to do all of the residential inspections currently required and outsource the commercial inspections that are required. The Township Committee will check with CFO Lifer to confirm if the budget can sustain the reassessment request and make a decision at Monday’s Regular Meeting.

AMERIPAY – The IRS has been contacted and the Township is currently not at risk of being charged a penalty. CFO Kevin Lifer is working on this situation.

RECREATION FIELD USAGE FEES – No park usage fees have been received to date in order to maintain the fields. Recreation groups will be sent a letter so that they understand what is due and owed, and that adherence to the ordinance is expected.

CALLERINI CORRESPONDENCE - Mayor Short received a letter from Callerini Pontiac/Buick/Cadillac/AMC stating that the dealership has been a good neighbor and supports many causes. They have asked for a resolution endorsing keeping the dealership open. The Township will consider the endorsement at the July 20, 2009 meeting.

PUBLIC PORTION

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

DUMPSTER ISSUE - **Comm. Popper** restated his concern about the dumpster issue discussed earlier.

COURT EMPLOYEES - **Comm. Popper** would like a discussion on the appointment of a court employee. He was assured that the employee appointed is qualified.

SURVEY – Mayor Short mentioned that the Township is reviewing the performance of Township professionals. This year the Township Attorney is being reviewed.

The Township Committee went into Executive Session at 9:16 P.M.

RESOLUTION #R-125-09 - EXECUTIVE SESSION – **ATTORNEY CLIENT PRIVILEGE; PASCALE CONTRACT NEGOTIATIONS; HEALTH BENEFITS; DISPATCH**

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, Walsh, Harmon, Mayor Short

NAYS: None

ABSTENTIONS: None

ABSENT: Comm. Tobin

The Township Committee came out of Executive Session at 9:25 P.M.

The meeting adjourned at 9:26 P.M.

Dianne Gallets, Clerk