

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

MEMBERS PRESENT: Comm. Popper, Harmon, Walsh, Roehrich, Mayor Short, Attorney Jansen, Senior Deputy Clerk Madden

MEMBERS ABSENT: Assistant Administrator Burd

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.

Mayor Short commented that it was Veteran's Day and that it was important to remember those who fought for our freedom.

PUBLIC PORTION

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

ORDINANCES

MINIMUM IMPROVALBE LOT SIZE - 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 175, SUBDIVISION OF LAND, AND CHAPTER 217, ZONING, OF THE CODE OF THE TOWNSHIP OF WASHINGTON" at the November 16, 2009 Regular Meeting.

RE-ZONING (MASTER PLAN RE-EXAM) - 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 TO REZONE CERTAIN PROPERTIES AND TO ADD A CONDITIONAL USE IN THE OR ZONE" at the November 16, 2009 Regular Meeting.

DISCUSSION

WAIVER OF PLANNING BOARD FEES - \$2,660 in Planning Board fees will not be waived. Administrator Gallets will write a letter explaining that Township ordinances do not provide for the waiving of these fees.

INHERENTLY BENEFICIAL USES - The Township Committee will consider a resolution entitled, "RESOLUTION EXPRESSING OPPOSITION TO ASSEMBLY BILL 3062 AND SENATE BILL 1303 REGARDING 'INHERENTLY BENEFICIAL USES'" at the November 16, 2009 Regular Meeting.

ROUTE 24 EXTENSION - The Township Committee will consider a resolution entitled, "RESOLUTION SUPPORTING LEGISLATION TO ELIMINATE THE ROUTE 24 EXTENSION FROM THE OFFICIAL SITE MAP" at the November 16, 2009 Regular Meeting.

LEGAL SERVICES - The Township Committee concurred with Attorney Jansen's proposal for legal services in 2010.

TAX LIEN FORECLOSURES - **Administrator Gallets** stated that the Township has approximately 35 properties on which it could foreclose, and that title searchers are expensive. Ms. Gallets will make recommendations to be discussed in December 2009.

TEWKSBURY INTERLOCAL CONTRACT - Attorney Jansen will prepare indemnification language. The Township Committee will consider a resolution entitled, "RESOLUTION AUTHORIZING THE EXECUTION OF A REVISED INTERLOCAL SERVICES AGREEMENT WITH THE TOWNSHIP OF TEWKSBURY FOR A SHARED MUNICIPAL COURT FACILITY" at the November 16, 2009 Regular Meeting.

FIRE SCHOOL – An \$800 invoice was charged to Washington Township by the Somerset County Fire Academy. Comm. Popper will send an e-mail to the Fire Companies to encourage volunteers to attend the Morris County Academy which has lower fees for County residents. Administrator Galletts will review all invoices before payment.

USE OF COURTROOM - The Township Committee discussed a request by a resident to use the courtroom to take pictures to be used in creating a Christmas Card. The Committee denied this request.

JASON LANCE PROPERTY – The Washington Township Land Trust will take action to close on this 70 acre property to which the Township is committed. Funds are available.

ELECTRIC SUB-STATION – The Cleveland Industrial and Combe Fill Properties are being considered for an electric sub-station. Cleveland owes \$650,000 in back taxes and Combe Fill owes \$3 million. The Township will discuss this further in the future.

USE OF TOWNSHIP PROPERTY (HUNTING CLUBS) – Mayor Short suggested that certain municipal properties be offered to hunters/gun clubs for use. The land lease would be a source of income. Use of municipal property for recreational hunting is an issue that Assistant Administrator Burd will investigate with MCMJIF to see if they have any concerns or requirements. Parcels will be identified as possible hunting areas and a further discussion will be held in January 2010.

HIGHLANDS RESOLUTIONS – Several public meetings were held with the Planning Board regarding the Highlands and the filing of a Petition for Plan Conformance. Plan Conformance is mandatory in the Preservation Area and voluntary in the Planning Area. The Planning Board has recommended that the Township Committee adopt a resolution for submission of a Petition for Plan Conformance to the Highlands Water Protection and Planning Council for land in both the Preservation Area and the Planning Area. The Planning Board vote was three to two with three members abstaining and three absent. Three sample resolutions were provided by the Highlands Council. It was noted that there really is no choice with respect to the Preservation Area. Failure to conform can result in the Highlands Council taking over land use decisions. The real question relates to how to proceed with respect to the Planning Area. A lively discussion ensued and the pros and cons were discussed. It was again noted that the authorizing of a Petition for Plan Conformance in the Planning Area is voluntary and that that portion of the Petition may be withdrawn at any time. Moreover, if that part of the Petition is withdrawn, the Township is not required to reimburse the Highlands Council for grant monies used to develop the Petition and related documents. The consensus was to petition for Plan Conformance for both areas, but changes to the form resolution were discussed at length. Attorney Jansen was directed to prepare a resolution for action on November 16, 2009.

Mayor Short opened the meeting to the public regarding the Highlands resolutions.

Daivd Shope, 28 Camp Washington Road, stated that the State has taken the rights of Highlands property owners and the landowners are not being compensated. Mr. Shope continued that the Township's assets are also devalued in this manner. He feels that the Township should not participate. **Mayor Short** agreed with many of Mr. Shope's concerns. **Attorney Jansen** stated that the Committee can indicate its intention to petition for Plan Conformance in the Planning Area and still keep it's options open. Petitioning for Plan Conformance is **NOT** the final step in "opting in".

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

The Township Committee will consider a resolution with regard to both the Planning and Preservation areas at the Monday meeting to keep the Township's options open with the understanding that it is non binding with respect to the Planning Area.

PUBLIC PORTION

Mayor Short opened the meeting to the public.

Harlin Parker, 525 Naughtright Road, stated that if the Township is looking to generate revenue by allowing hunting on municipal property, it should expect many protestors due to inherent dangers and general objections to hunting. **Mayor Short** reiterated that no decision has been reached, just the exploration of the possibility of leasing land to gun clubs.

Mr. Shope stated that given that land is being hunted already, it would be prudent to lease the land formally. Mr. Shope commented on the Highlands Act again regarding rainwater and vegetation that takes nitrates out of the rainwater.

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

SKATEBOARD PARK – **Comm. Popper** inquired about the possibility of a skateboard park, an issue that was raised in the past by some young residents. **Mayor Short** stated that it was a plan that was never followed through.

VERIZON TOWER – A cell tower on Township property is being considered for enhanced public safety purposes and as a possible source of revenue.

The Township Committee went into Executive Session at 9:45 P.M.

RESOLUTION #R-179-09 - EXECUTIVE SESSION – CONTRACT NEGOTIATIONS: CALIFON CONTRACT

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

AYES: Comm. Popper, Harmon, Walsh, Roehrich, Mayor Short

NAYS: None

ABSTENTIONS: None

ABSENT: None

The Township Committee came out of Executive Session at 10:00 P.M.

The meeting adjourned at 10:01 P.M.

Dianne S. Gallets, Township Clerk