

The Regular Meeting of the Township Committee of the Township of Washington was called to order by Mayor Short at 7:32 P.M.

MEMBERS PRESENT: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short

OTHERS PRESENT: Attorney Jansen, Administrator Coppola, Municipal Clerk DiGregorio, Office Manager Lyons

ABSENT: None

Adequate notice of this meeting was sent to the Observer Tribune and the Daily Record on January 9, 2014 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’S UPDATE.

Mayor Short discussed the upcoming winter storm and the short supply of road salt.

Communication with JCP&L has been excellent in the past few weeks. They have been in touch with the Mayor before every winter storm/event.

Budget meetings will take place this month.

PUBLIC PORTION. **Mayor Short opened the meeting to the public.**

Chance Healy, Long Valley Baseball, requested permission to erect four storage sheds behind the backstops at Palmer Fields 1, 2, 4, and 5. **Administrator Coppola** reported that Long Valley Baseball appeared before the Recreation Committee last week and there were no objections to the sheds. **DPW Supervisor Frech** is fine with the proposal, but wants to be kept in the loop.

Motion was made by **Comm. Roehrich**, seconded by **Comm. Tobin** to allow the proposed sheds to be erected at Palmer Fields. Motion was carried by the following roll call vote:

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short

NAYS: None

ABSENT: None

ABSTENTIONS: None

Robert Mc Briar, legal counsel for **Ruth Spae** wanted to acknowledge receipt of **Ms. Spae’s** Rice Notice and confirm that the personnel matter will proceed in open session. **Mayor Short** asked if **Mr. Ruggiero** also wanted the matter discussed in open session. **Mr. Scirocco**, confirmed that his client, **Mr. Ruggiero** would also like the discussion held in open session.

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

RO-02-14 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) – INTRODUCTION AND FIRST READING

BE IT RESOLVED, by the Township Committee of the Township of Washington that an Ordinance entitled **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)** be introduced and read by title on first reading by the Township Committee.

DISCUSSION. **Comm. LiaBraaten** stated that after discussion with **Administrator Coppola** he concluded that this ordinance is not necessary. **Attorney Jansen** read an excerpt from a letter from the Township’ Auditing Firm recommending this ordinance.

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

AYES: Comm. Babb, Roehrich, Tobin, Mayor Short

NAYS: Comm. LiaBraaten

ABSENT: None

ABSTENTIONS: None

BE IT RESOLVED, by the Township Committee of the Township of Washington that an Ordinance entitled **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)** be passed on first reading.

BE IT FURTHER RESOLVED that said Ordinance shall be further considered for final passage at a meeting of the Township Committee on March 17, 2014 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 or by summary in the Observer Tribune according to law.

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

AYES: Comm. Babb, Roehrich, Tobin, Mayor Short
NAYS: Comm. LiaBraaten **ABSENT: None** **ABSTENTIONS: None**

RO-03-14 AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 27, POLICE DEPARTMENT, OF THE CODE OF THE TOWNSHIP OF WASHINGTON REGARDING PROMOTIONS- 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 27, POLICE DEPARTMENT, OF THE CODE OF THE TOWNSHIP OF WASHINGTON REGARDING PROMOTIONS be introduced and read by title on first reading by the Township Committee.

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None **ABSENT: None** **ABSTENTIONS: 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 27, POLICE DEPARTMENT, OF THE CODE OF THE TOWNSHIP OF WASHINGTON REGARDING PROMOTIONS be passed on first reading.

BE IT FURTHER RESOLVED that said Ordinance shall be further considered for final passage at a meeting of the Township Committee on March 17, 2014 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 or by summary in the Observer Tribune according to law.

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None **ABSENT: None** **ABSTENTIONS: None**

RO-01-14 AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY INC., ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF- SECOND READING AND PUBLIC HEARING

BE IT RESOLVED, by the Township Committee of the Township of Washington that an Ordinance entitled AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY INC., ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF be read by title upon second reading and a hearing held thereon.

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None **ABSENT: None** **ABSTENTIONS: None**

DISCUSSION. **Mayor Short** asked if Verizon had removed the old broken poles. **Administrator Coppola** stated that in a conversation with **DPW Superintendent Frech**, **Mr. Frech** stated that to the best of his knowledge Verizon had removed the poles. **Attorney Jansen** was informed that Verizon was unable to provide the check and the bond this evening and suggested that the public hearing be held, and the vote be tabled until the next Regular Meeting on March 17, 2014.

PUBLIC PORTION
Mayor Short opened the meeting to the public.

Mark Bocarri , Verizon, expressed appreciation that the vote would be tabled until March 17. Verizon has reached agreement with Mr. Jansen’s office regarding bond language. He confirmed that all requested poles have been removed and wires have been transferred.

Mayor Short notified Mr. Bocarri of a call he received stating that there were low wires on Reservoir Road. Mr. Bocarri will take care of the wire problem and in the future the Township can call his cell phone to report any problems.

Comm. LiaBraaten asked how the Township can confirm that poles were removed, when there is no inventory of poles in the Municipality. Mr. Boccarri stated that it is difficult to complete an inventory in Washington Township since some poles are shared with other telecommunications companies.

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

Motion to table the vote on R01-01-14 until March 17, 2014 was made by Comm. Roehrich, seconded by Comm. Tobin. Motion was carried by the following roll call vote:

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None ABSENT: None ABSTENTIONS: None

RESOLUTION #R-36-14 REFUND TO TAX LIEN HOLDERS

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None ABSENT: None ABSTENTIONS: None

RESOLUTION #R-37-14 REFUND 2013 TAX PAYMENTS

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None ABSENT: None ABSTENTIONS: None

RESOLUTION #R-38-14 RESOLUTION OF TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY, NJ, REQUESTING NEW JERSEY HIGHLANDS COUNCIL COOPERATION AND PLANNING ASSISTANCE IN THE MATTER OF A HIGHLANDS REDEVELOPMENT AREA DESIGNATION FOR NJ HIGHLANDS PRESERVATION AREA LANDS ADJACENT TO AND NEAR NJ STATE HIGHWAY ROUTE 46 INCLUDING TAX BLOCK 3.09, LOT 6

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None ABSENT: None ABSTENTIONS: None

RESOLUTION #R-39-14 AWARD CONTRACT – WASHINGTON TOWNSHIP RECREATION – YOUNG REMBRANDTS DRAWING CLASSES

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None ABSENT: None ABSTENTIONS: None

RESOLUTION #R-40-14 RESOLUTION SUPPORTING SENATE BILL NO. 673

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None ABSENT: None ABSTENTIONS: None

RESOLUTION #R-41-14 APPROVE APPLICATION FOR SOIL DISTURBANCE PERMIT FOR THE PREMISE KNOWN AS BLOCK 28, LOTS 46.01 THROUGH 46.05 LOCATED ON RASPBERRY LANE

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None ABSENT: None ABSTENTIONS: None

RESOLUTION #R-42-14 RESOLUTION IN SUPPORT OF EXTENDING SALARY CAP

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None **ABSENT: None** **ABSTENTIONS: None**

RESOLUTION #R-43-14 RESOLUTION IN SUPPORT OF ELIMINATING THE PRACTICE OF PAYING FOR ANY NEW ACCRUED UNEXPENDED SICK LEAVE

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None **ABSENT: None** **ABSTENTIONS: None**

RESOLUTION #R-44-14 APPROVAL OF CLOSED SESSION MINUTES

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

AYES: Comm. LiaBraaten, Tobin (#), Roehrich, Mayor Short
NAYS: None **ABSENT: None** **ABSTENTIONS: Comm. Babb**

(#) Comm. Tobin abstained from voting on the February 26, 2013 Closed Session Minutes, as he was not present at that meeting.

RESOLUTION #R-45-14 RESOLUTION AUTHORIZING THE SETTLEMENT OF CERTAIN TAX APPEALS

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short.
NAYS: None **ABSENT: None** **ABSTENTIONS: None**

***APPLICATION FOR PUBLIC EVENT – LONG VALLEY JR. WOMEN’S CLUB**

An application has been received from the Long Valley Jr. Women’s Club for a 5K Fun Run & Family Walk to be held on Sunday, April 27, 2014 between the hours of 7:00 AM and 12:30 PM at the Schooley’s Mountain entrance to Columbia Trail, Long Valley. Recommendations have been received from the Police Department, the Board of Health, the Zoning Officer, Construction Official and Fire Prevention Official.

That the foregoing application be approved subject to the conditions of the Police Department, the Board of Health, the Zoning Officer, Construction Official and Fire Prevention Official.

***APPROVE MINUTES**

September 11, 2013	Work Session
September 16, 2013	Regular Meeting
October 16, 2013	Work Session
October 21, 2013	Regular Meeting
November 13, 2013	Work Session
November 18, 2013	Regular Meeting
January 20, 2014	Regular Meeting

***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:

- Washington Township Board of Health, Washington Township Municipal Court,
- Washington Township Police Department, Washington Township Tax Collector,
- Washington Township Zoning Official

Mayor Short asked if anyone on the Committee or any member of the public wanted anything removed from the consent agenda and considered separately. There was no response.

All items proceeded by an (*) were approved as part of the consent agenda on a motion made by Comm. Roehrich, seconded by Comm. Tobin on the following roll call vote:

AYES: Comm. Babb(#), LiaBraaten(+), Roehrich, Tobin, Mayor Short
NAYS: None ABSENT: None ABSTENTIONS: None

(#) Comm. Babb abstained from voting on the approval of the 2013 Meeting Minutes as he was not present at those meetings.

(+) Comm. LiaBraaten abstained from voting on the September 11, 2013 and November 13, 2013 Meeting Minutes as he was not present at those meetings.

DISCUSSION

Underground Storage Tank – DPW. **Administrator Coppola** provided an update. He’s still awaiting proposals from LSRPs for the DPW site. A quote was received for the Long Valley Fire Department site in the amount of \$2,000. Funds are available in the Buildings and Grounds Budget.

Motion authorizing **Administrator Coppola** to enter into an agreement, not to exceed \$2,000, for the remediation work involving the Underground Storage Tank located on the Long Valley Fire Department property, was made by **Comm. Roehrich**, seconded by **Comm. Tobin**. Motion was carried by the following roll call vote:

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None ABSENT: None ABSTENTIONS: None

Municipal Building Generator. **Administrator Coppola** provided a brief report as to status of his efforts. After a brief discussion the Committee agreed to seek a natural gas generator sized 48KW, understandings that this will power the entire building minus air conditioning and the elevator. **Mr. Coppola** will see if anything is available on the state contract.

PUBLIC PORTION.

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

Personnel Discussion.

Mayor Short stated for the record that both **Mr. Ruggiero** and **Ms. Spae** received Rice Notices and requested to have the personnel matter discussed in the open portion of the Township Meeting. **Mayor Short** read from an interoffice memo (a copy of which is on file in the Clerk’s Office), summarizing dates of hire, job titles, job changes, and responsibilities for both **Mr. Ruggiero** and **Ms. Spae** in their employment with Washington Township. The opinion of the subcommittee, formed after the January 20, 2014 Regular Meeting, is that there appears to be a conflict of interest as defined in the Local Government ethics statutes. The recommendations of the subcommittee are: to consider modifying the Township Nepotism Policy, to adopt a uniform job application where familial relationships will be disclosed, to transfer **Ruth Spae** to a department where she will not be supervised by a family member and to revise her job responsibilities and reduce her hours to 24.5 each week effective March 3, 2014, to retain a copy of the interoffice memo read by **Mayor Short** in **Mr. Ruggiero’s** personnel file, and to authorize up to 10 hours each week for a part time inspector in the Building Department.

Attorney Scirocco , legal council for **Mr. Ruggiero**, asked if any punitive actions will be taken against **Mr. Ruggiero**. **Mayor Short** stated there would not be.

Attorney Mc Briar, legal council for **Ms. Spae**, asked for clarification on **Ms. Spae’s** change in employment. **Mayor Short** stated that the position would go from full time to part time, 24.5 hours each week. **Ms. Spae** would be under the supervision of the Zoning Office. **Attorney Mc Briar** requested an employee hearing.

Steven Trimboli, Labor Attorney for Washington Township directed **Ms. Spae** to the grievance procedures outlined in the Township Employee Manual.

Attorney McBriar and **Attorney Sirocco** received a copy of the interoffice memo **Mayor Short** read at the meeting containing the subcommittee’s findings.

RESOLUTION #R-46-14 APPOINTMENT/ADJUSTEMENT

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

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None ABSENT: None ABSTENTIONS: None

Motion to adjourn was made by **Comm. Roehrich**, seconded by **Comm. LiaBraaten**. Motion was carried by the following roll call vote:

AYES: Comm. Babb, LiaBraaten, Roehrich, Tobin, Mayor Short
NAYS: None ABSENT: None ABSTENTIONS: None

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The meeting adjourned at 8:35 P.M.

***Denotes Consent Agenda**

Nina DiGregorio, Municipal Clerk