

The Work Session of the Township Committee of the Township of Washington was called to order by Comm. Cullen at 7:34 p.m.

MEMBERS PRESENT: Comm. Tobin, Cullen, Kaiser, Walsh, Attorney Jansen,
Administrator/Clerk Gallets, Assistant Administrator Burd,

MEMBERS ABSENT: Mayor Short

Adequate notice of this meeting was sent to the Observer Tribune and the Morristown Daily Record on January 4, 2005 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.

Comm. Cullen recused himself from the discussion concerning the Township of Washington School District's Annual Budget.

BUDGET PRESENTATION – WASHINGTON TOWNSHIP BOARD OF EDUCATION – Dr. Gerald J. Vernotica, Superintendent of Schools, Washington Township Board of Education, presented budget goals for this year. He stated that they had the second lowest administrative cost in the County of Morris. Dr. Vernotica stated that this year's budget has three goals - opening the new school; a major emphasis on facility improvements and maintenance; and maintaining and improving upon the quality curriculum and instructional delivery

Ms. Liz George, Business Administrator, stated that the budget increase is approximately \$4 million, which represents an 11.4% increase. She stated that 5% of this is attributable to opening up the Cucinella School in January; 2% is related to the increase in debt service for next year; 2% is attributable to the increase in capital projects; and 2.4% is attributable to general operations. Ms. George stated that this represents a 6.75% tax increase. She stated that the complete budget is available on their website.

BUDGET PRESENTATION – WEST MORRIS REGIONAL HIGH SCHOOL DISTRICT – Mr. John Notte, Jr., President, West Morris Regional High School District introduced Ms. Cindy Field, Washington Township's representative on the West Morris Regional High School District Board of Education, who presented budget goals for this year. Ms. Field stated that in Washington Township, the rate for the proposed budget is .6951 - an increase of .0306. This means for every \$100,000 of assessed value, the annual tax would be \$695.10 - an increase of \$30.60 over last year. She stated that the school year tax level is an increase of 4.33% over last year and that it is the smallest tax increase in the municipality in 7 years.

Ms. Field stated that in the area of per pupil costs, they are number 7 out of the 10 similar districts. State aid remains that same as last year and that makes up over 12% of the total budget.

Comm. Cullen returned to the meeting.

Comm. Kaiser recused herself from the discussion concerning the Middle Valley Community Center.

MIDDLE VALLEY COMMUNITY CENTER GRANT PRESENTATION – Mr. Paul Krylowski stated that they are in the process of a restoration project and they have received grant money from the county. He stated that he is under the impression that since they are a non-profit, they can get the building permit fee waived. He stated that they are short of funds and could use any help that Washington Township can provide.

Attorney Jansen stated that he is not sure that such a waiver would be lawful. There are specific enabling statutes that provide for waivers under certain circumstances, and he has been unable to find one that provides the specific authorization for a general waiver for non-profits. He stated that he knows there are some municipalities that do it, with or without an ordinance, but that doesn't make it lawful.

Comm. Cullen stated that further research is needed and the Township Committee will give Mr. Krylowski an answer at the Township Committee meeting on April 18, 2005.

Comm. Kaiser returned to the meeting.

Comm. Cullen opened the meeting to the public.

Comm. Walsh recused himself from the discussion concerning the T.M. Group.

Daniel Sommers, Esq., representing the Scudese family, stated they have reviewed the T.M. Group's soil disturbance application, and his client has information that he would like to bring to the Township Committee's attention.

John Thonet, Engineer, 14 Upper Kingtown Road, Pittstown, NJ – stated that since the last public hearing, 5 individual lot grading plans have been put into the T.M. Group's files and what they show is that the applicant is not proposing a project that is similar to that which was represented before the Planning Board. In particular, it shows on one of the lots that the first floor and basement elevations proposed on that house are going to be 4.3 feet higher

than the Planning Board originally approved, and that is going to put the first floor 6-8 feet above existing grade. Also, the house has 3 times the footprint of the house that was shown as being representative on the plans approved by the Planning Board. This is the same for all the houses. They are all considerably bigger – often 2-3 times the size of the houses represented. The stormwater management facilities for this project have not been designed for that much impervious coverage. He stated that the recipient of any flooding problems due to inadequate design will be his client – the Scudese family. Mr. Thonet stated he doesn't feel the Township Committee should approve any additional permits until the drainage problem is fixed. He stated he believes the T.M. Group's request for fill is a backdoor attempt to avoid going back to the Planning Board to amend its application for a completely new grading and drainage plan, which is clearly needed. This is an amendment to the application and it belongs before the Planning Board, not before the Township Committee.

Mr. Thomas Scudese, 72 Hacklebarney Road presented photographs of his property, taken on April 2 and 3, 2004, showing water coming from the T.M. Group site flowing across his property.

Daniel Sommers, Esq. stated that the Township Committee should consider that a number of offices and agencies with jurisdiction over this project have found serious problems with it. One NJ Department of Environmental Protection violation involves filtration in the wetlands. Mr. Sommers stated that they should not be allowed to bring in more fill when they can't even control the fill they currently have on-site from the limited amount of disturbance that has occurred even before he has constructed the bulk of the houses.

Archibald S. Reid, Esq. representing the T.M. Group stated that preliminary grading plans are conceptual in nature and that the request for additional soil is a fairly standard reorganization of the site once the architectural plans have been drawn.

Mr. Frank Carfaro, 70 Hacklebarney Road stated that the retention basins that are already put in are not handling the street water after 3 days of rain. He stated they are overflowing right now, and he can't see what is going to happen once they put in houses.

Ms. Gail Mohr, Hacklebarney Road stated that the problem has not been addressed, and the water continues to pour down. Secondly, the T.M. Group has exported soil, which she has watched, and they have imported soil which many people have watched. He has violated Township ordinances, and he has violated stop work orders. Ms. Mohr stated that bringing the soil disturbance permit before the Township Committee isn't appropriate, and it should be back at the Planning Board level.

Ms. Sharon Carfaro, 70 Hacklebarney Road stated she has lived in her house for almost 30 years, and prior to that her parents lived in the house for 10 years, and there was never any water in the basement. During the last rainfall, not only did their one sump pump fail because of all the water, but they had to go out and buy a second sump pump to handle the water because it was coming in so quickly. After the last rainfall, she had two huge pot holes in the driveway. She has a mold problem in her basement now. She stated that if it is like this now, she can't imagine how it is going to be when there are houses there.

Mr. Ted Maglione, the T.M. Group stated that the main reason they need to bring the soil in is to have the site function the way the stormwater management plan was designed.

Mr. Steve Zaikowski, 212 Bartley Road stated the problem that the Township has is that more and more marginal land is trying to be developed by people who buy it cheaply and try to jury-rig a drainage system to make their design work. Most of the very good land is already built on. So, now you are dealing with very marginal land – wetlands – and engineers and developers are coming before you and saying they have a plan and can do it. The residents who live around these developments are the ones who are being hurt by it, and it is incumbent upon this town to see that this doesn't happen to the residents who are already living here.

Ms. Carol Zaikowski, 212 Bartley Road stated that she is an historic preservationist and archeologist, and some of these properties are eligible for the National Register of Historic Places and will probably soon be listed. However, a building which has sat there for well over one hundred years might disappear because of this project. If it has held its integrity for that long, how come a project like this is allowed to destroy this building? You can do a lot of things to restore the environment, but you cannot replace a historic structure that is as important as the one that is on this property.

Ms. Mary Collins, Long Hill Road, stated that there was a water problem on this land before this project, and we knew this was going to happen. She stated she is surprised that some of this property is not considered wetlands, and it is surprising to many of them that this land is even allowed to be built on. Does the fact that there was a lot of water there to begin with mean that there is no responsibility for making things worse. She gets the feeling that it was just stated that there was already water on the property so that wasn't the responsibility of the builder.

Ms. Courtney Hartman, Long Hill Road stated she is curious if anyone is concerned about Hacklebarney State Park. She stated that if nobody cares about their homes and their properties, they should care about the park which has been there for a very long time with a lot of wildlife. She stated it is the job of the Township Committee and the Planning Board to protect our natural environment. It is obvious that the builders don't care.

There being no further comments or questions, Comm. Cullen closed the meeting to the public.

Comm. Walsh returned to the meeting.

ORDINANCES

STORMWATER ORDINANCES AMENDMENT – The Township Committee discussed a proposed amendment to the recently adopted stormwater ordinances.

TELECOMMUNICATIONS ORDINANCE – The Township Committee discussed changes to the telecommunications ordinance.

LAND LEASE ORDINANCE – LVFC - The Township Committee will discuss an ordinance that will allow the Township to lease land to the Long Valley Fire Company at the May 11, 2005 Work Session.

RESOLUTIONS

RESOLUTION #R-64-05 - AUTHORIZE EXECUTION OF NEW JERSEY DEPARTMENT OF TRANSPORTATION APPLICATION AND AGREEMENT FOR STATE AID TO COUNTIES AND MUNICIPALITIES FOR IMPROVEMENTS TO FAIRVIEW AVENUE – SECTION 2

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

AYES: Comm. Tobin, Cullen, Kaiser, Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Mayor Short

RESOLUTION #R-65-05 - AUTHORIZE EXECUTION OF NEW JERSEY DEPARTMENT OF TRANSPORTATION APPLICATION AND AGREEMENT FOR STATE AID TO COUNTIES AND MUNICIPALITIES FOR IMPROVEMENTS TO FLOCKTOWN ROAD

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

AYES: Comm. Tobin, Cullen, Kaiser, Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Mayor Short

RESOLUTION #R-66-05 - AUTHORIZE AND ENDORSE THE SUBMISSION OF AN APPLICATION FOR A NEW JERSEY DEPARTMENT OF TRANSPORTATION TRUST FUND FISCAL YEAR 2006 STATE AID PROGRAM GRANT

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

AYES: Comm. Tobin, Cullen, Kaiser, Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Mayor Short

DISCUSSION

T & M – SOIL DISTURBANCE – The Township Committee will consider the TM Group’s soil disturbance application at the April 18, 2005 meeting.

ASSESSMENT/INSPECTIONS – The Township Committee discussed a recommendation by Ms. Dolores Pecorari to retain Dickinson & McCormick, Inc. for farmland assessments, and Appraisal Systems for added assessments and the new mall. The Township Committee also discussed appointing Ms. Pecorari to a second term as tax assessor.

PALMER PARK DRAINAGE – The Township Committee discussed a letter received from the Environmental Commission concerning drainage at Palmer Park.

BLOCK 30, LOT 59 – The Township Committee discussed a request by a resident to purchase the aforementioned property.

HEALTH DEPARTMENT RESIGNATION – The Township Committee discussed the resignation of Mr. Michael Busniak.

Comm. Kaiser recused herself from the discussion regarding the Highlands legislations.

HIGHLANDS LEGISLATION – The Highlands Legislation discussion will be tabled until the return of Mayor Short on Monday, July 18, 2005.

Comm. Kaiser returned to the meeting.

The Township Committee went into Executive Session at 10:50 p.m. upon approval of the following resolution:

RESOLUTION #R-67-05 – EXECUTIVE SESSION –
COLLECTIVE BARGAINING: POLICEMEN'S BENEVOLENT ASSOCIATION
CONTRACT NEGOTIATIONS: SALARY AND WAGES
LAND ACQUISITION: MEDINA; COVALESKY

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

AYES: Comm. Tobin, Cullen, Kaiser, Walsh

NAYS: None

ABSTENTIONS: None

ABSENT: Mayor Short

The Township Committee came out of Executive Session at 11:04 p.m.

The meeting adjourned at 11:05 p.m.

Dianne S. Gallets, Clerk