

The Work Session Meeting of the Washington Township Committee was called to order by Mayor Tobin at 7:00 p.m.

**MEMBERS PRESENT:** Comm. Short, Cullen, Nedd, Walsh, Mayor Tobin, Attorney Jansen, Administrator/Clerk Gallets, Assistant Administrator Burd

**MEMBERS ABSENT:** None

Adequate notice of this meeting was sent to the Observer Tribune and the Morristown Daily Record on January 3, 2006 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.

**SIGHT DISTANCE WAIVER - PICKLE ROAD (CANCELLED)**

**Administrator Gallets** - stated that Anthony Araneo has submitted a new Driveway Design Sight Distance Waiver application, along with another \$200.00 application fee. Administrator Gallets stated that Mr. Araneo would like the Sight Wavier Review Board to reconsider their position on his previous application.

**POLICE NEGOTIATING TEAM** - Comm. Nedd, Deputy Police Commissioner and Mayor Tobin, Police Commissioner will negotiate the 2006 Police Contract. Administrator Gallets and Deputy Administrator Burd will also be present.

**HACKETTSTOWN BYPASS** - The Township Committee agreed that they would meet with the Mayor of Hackettstown, Michael Lavery and his representatives, if such a request was made, to discuss the Hackettstown bypass issue. The Township Committee agreed that the meeting would be held at the Washington Township Municipal Building with the full Committee in attendance.

**MUNICIPAL ALLIANCE APPOINTMENTS** - The consensus of the Township Committee is to appoint Comm. Cullen, Township Committee representative, Mayor Tobin, Alternate representative and Kim Ball Kaiser, representative for the Teen Center/Fuzz Box.

**INTERNET SAFETY SEMINAR**

**Mayor Tobin** - stated that the Municipal Alliance is sponsoring an Internet Safety Seminar at the Municipal Building on January 31, 2006 from 7:00 p.m. - 9:30 p.m. The speaker will be Agent Bill Tsigaras of the Morris County Prosecutor's Office, Computer Crime Division. Mayor Tobin stated that there will be discussion about identity theft and fraud. Mayor Tobin stated that the program is focused on making parents, grandparents, and guardians aware of the risks the children are running on the Internet.

**BOARDS AND COMMITTEES** - The consensus of the Township Committee is to give recognition to the various township boards and committees, to give them the opportunity to address the Township Committee, starting at the March Regular Township Committee Meeting.

**Mayor Tobin** - stated that he would urge the Township Committee liaison members to the different departments that have budgets coming before the Township Committee, to review their budgets before it comes before the full Township Committee, so the budget meetings are as productive as possible.

**DISCUSSION**

**RECREATION FIELD USAGE FEES**

**Mayor Tobin opened the meeting to the public for comments or questions. There being none, Mayor Tobin stated that he would wait until 7:30 p.m. before continuing with the public portion, to allow the public to be present that were not aware that the Township Committee meeting now starts at 7:00 p.m. instead of 7:30 p.m.**

**Mayor Tobin** - asked if there were any issues that the Township Committee Members would like to discuss.

**Comm. Short** - stated that the National Wildlife Federation and the Audubon Society is going to have a meeting at the Municipal Building on January 25, 2006 at 1:00 p.m. Comm. Short stated that representatives from Chester, Tewksbury and Washington Township are officially invited to attend. Comm. Short stated that the topic of discussion is an animal study that has been going on for the last year and a half, which was started by Kim Ball Kaiser.

**Comm. Nedd** - stated that there is an organization, a liquor license broker, which could do an evaluation, based on the demographics and the township itself, to basically give the Township Committee some idea of what our liquor license is worth in the open market. Mr. Nedd stated that he will contact the company to get some background information on how they do business.

**Comm. Walsh** - stated that the Township Committee is having an Open House at the Municipal Building on January 21, 2006 for all of our Township volunteer groups and some additional organizations as well.

**Comm. Nedd** - stated that the Planning Board will be discussing a Sign Ordinance at their January 25, 2006 meeting.

**Assistant Administrator Burd** - stated that Gail Werner has received a grant for \$2,500.00 to start a record restoration process for old township records.

**Mayor Tobin** - stated that the consensus of the Township Committee is to apply for a Community Grant in the amount of \$57,900.00 for rehabilitation of the Senior Citizen Center.

**Mayor Tobin stated that the meeting is still open to the public for any questions or comments on any matter.**

#### **RECREATION FIELD USAGE FEES**

**Cynthia Thieringer, 177 Naught Road** - stated that she is representing the Long Valley Baseball Club. Ms. Thieringer stated that the Long Valley Baseball Club is aware that at some point consideration was being given to charging a field usage fee to township recreational programs. Ms. Thieringer stated that the Long Valley Baseball Board is opposed to such a fee. Ms. Thieringer submitted a petition to the Township Committee with over 200 signatures, demonstrating their opposition to a potential field usage fee.

**Mayor Tobin** - stated that there has been no formal discussion, at this point, of a field usage fee. The concept has been proposed and discussed at the Recreation Committee level. Mayor Tobin stated that the Recreation Committee is very concerned about being able to keep the field conditions to the level that sports organizations appear to desire, given the constraints of the budget.

**Mayor Tobin** - stated that no decision has been made on a field usage fee. Mayor Tobin stated that there have been requests from different groups that they wanted something over and above the funding level we have now. Mayor Tobin stated as the Township Committee goes through the Recreation Committee's budget, "My perspective would be to maintain the funding level that we had last year".

**Michael Rec, 15 Acorn Drive - Long Valley Soccer Association** - suggested that the Recreation Committee or a sub-committee, create a definition of what is considered adequate to maintain the fields and then decide what necessary budgeting is required. Mr. Rec stated that the Long Valley Soccer Association does not object to contributing incremental dollars to help improve field conditions beyond what is defined as adequate, but they are against a flat dollar fee per player. Mr. Rec stated that it is important for the Township Committee to recognize that they did approve additional fields and in doing so, that they also take into consideration incremental dollars that will be necessary to maintain them.

**Mayor Tobin** - stated that the Township Committee has scheduled a Budget Meeting for the Recreation Committee, which will be held on January 26, 2006 at 7:00 p.m. at the Senior Citizen Center. Mayor Tobin suggested that representatives from the sports organizations attend the Budget Meeting to listen to the discussions.

**Cameron Esemplare, 26 Squire Hill Road** - explained how the discussion of a field usage fee started.

**Mayor Tobin** - stated that he substituted for Comm. Walsh at the last Recreation Committee Meeting and the question was raised as a formal motion, "Was the Recreation Committee in favor or opposed to field usage fees if the money could not be specifically dedicated to field maintenance?". The vote was "no" they were not in favor of it if the money could not be guaranteed to go to field maintenance.

**Attorney Jansen** - explained the dedication by rider process for certain types of funds and also discussed the use of a Chapter 159 Resolution, whereby funds can be accepted as a gift or bequest and then appropriated for a specific purpose.

**Comm. Short** - stated that there are two issues. One is per player field usage and the other is non-profit camps. Comm. Short stated he feels the Township Committee has certain obligations to their residents to provide safe, level playing fields. Comm. Short stated he is against the per athlete fee. However, he is fully supportive if some groups can make a profit on a field - whether it be baseball, football, or soccer camps. I think that it should be bid out and that it should come back to the Township Recreation Program.

**Attorney Jansen** - Attorney Jansen explained the requirements of the Local Public Contracts Law and the Competitive Contracting process.

**Cameron Esemplare** - stated that she would like a copy of the law.

**Attorney Jansen** - stated his advice to the Township Committee is not to allow non-profit groups to continue to unilaterally run these camps and clinics without Township authorization or participation, because it is not lawful and ultimately we are going to get in a jam. Attorney Jansen stated he suspects that some recommendations will come from the Recreation Committee as to how they wish to proceed.

**Comm. Short** - recommended having the Long Valley Baseball Club write up specifications of what they want for camps or clinics, prepare the specs and put it out to bid.

**Attorney Jansen** - stated that the Township would run the programs and contract with someone to provide the services. The Township would solicit quotes or go out for formal bids or go to the Competitive Contracting route. Attorney Jansen stated certainly there are different ways to go about this and ways to bring the non-profit groups and the township together, to work together. The non-profits can contract with the Township to run the programs.

**Comm. Nedd** - stated that it is his understanding that the town and the taxpayer has fulfilled their obligation by supporting the sports season, if camps or clinics are held over and above the season and use the facilities, the burden of maintaining the fields does not fall on the general taxpayer.

**Attorney Jansen** - stated that under the public contract process, if they want to raise money, yes, they have the ability to raise the money and there will be some arrangement within the specifications that will return something to the Township to cover the wear and tear on the fields and the D.P.W.'s involvement in picking up garbage and all those sorts of things, and the difference will be kept by the non-profit group.

**Bill Boyd - President Long Valley Baseball Club** - stated it would make sense for the Recreation Committee to put together a proposal, share it with each of the leaders of the sports organizations, to get concurrence and then bring it to the Township Committee for approval.

**Comm. Short** - questioned what was the total revenues collected.

**Cynthia Thieringer** - stated that "The fees grossed were \$8,520.00, paid to trainer and workers was \$6,823.00 and we netted \$1,697.00". Ms. Thieringer stated that "The bill is for \$6,000.00 - we used the fields from 9:00 a.m. to 2:00 p.m. - 5 hours for 4 days a week. 20 hrs. x 4 weeks would be \$80.00 by the fees you gave us, \$2,000.00 times 2 fields". Ms. Thieringer stated that if the bill was done correctly, it should have only been a \$4,000.00 bill, not a \$6,000.00 bill. Ms. Thieringer stated that "Her perspective was that, because of the copy of the ordinance that I had, that we were exempt from the fee."

**Comm. Short** - questioned how many athletes were actually involved in the program and how much was each individual charged.

**Cynthia Thieringer.** - stated that she does not have that information with her this evening.

**Mayor Tobin** - requested that Ms. Thieringer attend the Regular Township Committee Meeting on Monday, January 16, 2006, to present the Township Committee with the information requested by Comm. Short. Mayor Tobin instructed Administrator Gallets to check with Eleanora Murfitt-Hermann to see if she is aware of any other sports groups that ran clinics using non-volunteers, that should have been given an invoice.

**David Kennedy, 22 Setting Sun Drive** - stated that the Township Committee may have an ordinance that may be unclear, but the bottom line is, you can draft an ordinance that shares some of the responsibility in the gray areas, to make sure that this does not happen again and we can work together.

**Charley DiSalvo, 8 Bolton Drive** - stated that it was his understanding that the Long Valley Baseball Club was not notified of the field usage fee, until the invoice was rendered in November.

**Attorney Jansen** - stated that here is a copy of a letter from Eleanora Murfitt-Hermann dated July 2, 2005 to Long Valley Baseball Club, Bill Boyd, 81 Old Turnpike Road, Port Murray, New Jersey, which states " enclosed is a letter from the Township lawyer explaining that the Long Valley Sports Organizations do not have to pay a field usage fee for games during the season. However, these groups may not contract with outside for-profit entities, to provide camps or clinics using the Township facilities. Because you already planned this year's baseball clinic, the Township will allow you to proceed this year with a field usage fee of \$25.00 an hour per field."

**Charley DiSalvo** - stated if that letter was sent to Mr. Boyd, I am in agreement with the Township Committee. Mr. DiSalvo stated that he did not know that letter was received by Mr. Boyd.

**Attorney Jansen** - stated that Eleanora Murfitt-Hermann apparently did communicate the Township Committee's position to the Long Valley Baseball Association, along with follow-ups in June, July, September and November of 2005.

**Mayor Tobin** asked if there was anyone in the audience that has a different topic to be discussed. There being no further questions or comments, Mayor Tobin closed the meeting to the public.

**Meeting adjourned at 9:10 p.m.**