

**MINUTES OF THE WARREN TOWNSHIP COMMITTEE
FEBRUARY 25, 2016**

REGULAR MEETING

The Township Committee of the Township of Warren, County of Somerset, State of New Jersey, convened in Public Session on Thursday, February 25, 2016 at 7:30 a.m. in the Susie B. Boyce Meeting Room, 44 Mountain Boulevard, Warren, New Jersey.

Mayor Lazo read the following notice:

“In compliance with the Open Public Meetings Act of New Jersey, adequate notice of this meeting was provided on January 7, 2016 by sending written notices to the Echoes Sentinel and Courier News, posting on the Bulletin Board in the Municipal Building and filing with the Township Clerk”.

“This meeting is to be taped for broadcast on the Access Channel and everyone is required to comply with the policies and procedures governing access programming for the Access Channel. No mention of political affiliation or political advertising shall take place at this meeting or it will be deleted from any rebroadcast of the meeting.”

On call of the roll, the following Committee members were present:

Mr. Marion
Mr. DiNardo
Mr. Sordillo
Mrs. Garafola
Mayor Lazo

Also Present: Mark M. Krane, Township Administrator
 Patricia A. DiRocco, RMC, Township Clerk
 William Willard, Acting Township Attorney

Mayor Lazo led all in the Pledge of Allegiance.

Mr. Fallon, Board Member, Watchung Hills Regional H.S. spoke of the upcoming School Board Referendum. He explained that the Turf Field is in bad shape. There has been a tremendous amount of use. State aid is available and would be up to 40% of the cost if the Referendum passes. Also, repairs are planned for the inner surface of the track. Taxes would not be raised. The project would be bonded for 2 years.

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Mr. Stys, School Business Administrator noted there would be a concrete border around the field and the first lane of the track needs to be replaced. This is one third of the total cost. The governing body thanked Mr. Fallon and Mr. Stys for the explanation.

Mr. DiNardo introduced Ordinance No. 16-01 by title for second reading/adoption and read the following:

AN ORDINANCE AUTHORIZING AN APPROPRIATION IN THE AMOUNT OF \$45,000 FROM THE CAPITAL IMPROVEMENT FUND TO PROVIDE FOR THE PURCHASE OF A DUMP BODY FOR A DUMP TRUCK FOR USE BY THE PUBLIC WORKS DEPARTMENT

Mayor Lazo opened the public hearing on this ordinance. No one wished to speak and the public hearing was closed.

On motion of Mr. DiNardo, second of Mrs. Garafola, Ordinance No. 16-01 was adopted. The roll call vote was unanimous.

On motion of Mrs. Garafola, second of Mr. Marion, the Regular and Executive session meeting minutes of January 28, 2016 were approved. The roll call vote was unanimous.

Mayor Lazo opened the Comments on Agenda Items portion of the meeting.

Mr. Lakatos, 7 Horseshoe Road, questioned the purpose of Resolution No. 2016-62 regarding the establishment of an escrow fund for the purpose of paying fees for a Special Regional Master relative to the Affordable Housing issue ongoing in Court. Mr. Krane informed him, that pursuant to the Declaratory Judgment, the Court requires Towns to pay a share of the cost for the services of a Special Regional Master. The Master is a number's expert. The funds come from the Affordable Housing Trust fund.

Mr. Helewa, 79 Reinman Road, said that he thought the affordable housing funds were earmarked to offset rentals on Affordable Housing Developments that have affordability controls for many years. Mr. Krane stated that there are many purposes that are eligible for these funds. Affordable Planned Housing, Housing Rehabilitation and Rental

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Units are eligible. Mrs. Garafola spoke of housing rehabilitation. The Township has helped over 50 homeowners with no interest loans that are forgiven after 10 years. Those funds are taken from the Affordable Housing Trust fund.

The Comments portion of the meeting was closed, as no one else wished to speak.

Mr. Marion introduced and read Resolution No. 2016-55 for the payment of bills, seconded by Mrs. Garafola. The roll call vote was unanimous.

Resolution No. 2016-55 is appended to the official minutes.

Ms. DiRocco asked the governing body to recommend Rory Britt to the County Cultural and Heritage Advisory Committee and Doug Buro to the County Solid Waste Advisory Committee. The governing body agreed.

Mrs. Garafola introduced Ordinance No. 16-02 by title for first reading and read the following:

AN ORDINANCE AMENDING CHAPTER III "GENERAL POLICE REGULATIONS" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WARREN BY ADDING A NEW SECTION 3-29 ENTITLED "INVASIVE PLANT SPECIES"

On motion of Mrs. Garafola, second of Mr. DiNardo, Ordinance No. 16-02 was passed on first reading. The roll call vote was unanimous.

Mr. Sordillo introduced Ordinance No. 16-03 by title for first reading and read the following:

AN ORDINANCE AUTHORIZING THE AMOUNT OF \$135,000 AS AN APPROPRIATION FROM CAPITAL FUND BALANCE TO PROVIDE FUNDING FOR THE PURCHASE OF A 911 SYSTEM WITH TEXT TO 911 FEATURES FOR USE BY THE WARREN TOWNSHIP POLICE DEPARTMENT

On motion of Mr. Sordillo, second of Mrs. Garafola, Ordinance No. 16-03 was passed on first reading. The roll call vote was unanimous.

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Mr. DiNardo introduced Ordinance No. 16-04 by title for first reading and read the following:

AN ORDINANCE TO FIX AND DETERMINE SALARY AND WAGE RANGES AND OTHER COMPENSATION AND PERSONNEL BENEFITS TO BE PAID TO CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF WARREN IN THE COUNTY OF SOMERSET AND AMENDING ORDINANCE NO. 04-28, ORDINANCE NO. 05-17 AND ORDINANCE NO. 07-66

On motion of Mr. DiNardo, second of Mr. Marion, Ordinance No. 16-04 was passed on first reading. The roll call vote was unanimous.

On motion of Mr. Marion, second of Mrs. Garafola, the following Consent Agenda Resolutions were approved, carried by unanimous roll call vote:

- 2016-56 PROMOTION OF POLICE DEPARTMENT PERSONNEL
P. BENNETT AND J. SOHLER

- 2016-57 APPOINTMENT OF A MEMBER TO THE WARREN
TOWNSHIP VOLUNTEER FIRE DEPARTMENT –
SATWANT GREWAL

- 2016-58 APPOINTMENT OF JUNIOR MEMBER TO THE
WARREN TOWNSHIP
VOLUNTEER FIRE DEPARTMENT

- 2016-59 RENEWAL OF PLENARY RETAIL CONSUMPTION
LIQUOR LICENSE
VINJOHN LLC - POCKET LICENSE

- 2016-60 AUTHORIZING FILING OF REGISTRATION RENEWAL
FOR WARREN TOWNSHIP COMMODITY RESALE
SYSTEM WITH DLGS

- 2016-61 AWARD OF CONTRACT – E-CONSULT SOLUTIONS,
INC. FOR SERVICES RELATING TO THE SUPREME
COURT DECISION REGARDING AFFORDABLE
HOUSING

- 2016-62 AUTHORIZING ESTABLISHMENT OF A SPECIAL ESCROW ACCOUNT ENTITLED "VICINAGE 13 SPECIAL REGIONAL MASTER ESCROW ACCOUNT" AND INITIAL DEPOSIT FOR THE PURPOSES OF PAYING THE FEES OF THE SPECIAL REGIONAL MASTER AS ORDERED BY JUDGE MILLER
- 2016-63 CANCELING UNEXPENDED UNENCUMBERED BALANCE IN STREETS AND ROADS OE TO THE DEDICATED TRUST RESERVE FOR SNOW REMOVAL
- 2016-64 AUTHORIZING BUDGET TRANSFERS IN THE AMOUNT OF \$141,000
- 2016-65 AUTHORIZING THE TRANSFER OF \$12,000 FROM THE 2015 MUNICIPAL BUDGET ACCOUNT "OTHER INSURANCE OE" TO TRUST FUND ACCOUNT "PROPERTY AND CASUALTY INSURANCE FUND"
- 2016-66 AUTHORIZING 2ND & FINAL EXTENSION OF CONTRACT ASSESSOR SERVICES LLC FOR TAX ASSESSMENT SERVICES
- 2016-67 AUTHORIZING RENEWAL OF CONTRACT WITH COUNTY OF SOMERSET TRANSPORTATION SERVICES FOR SENIOR CITIZENS

Resolutions No. 2016-56 through No. 2016-67 are appended to the official minutes.

On motion of Mr. Sordillo, seconded by Mr. DiNardo, Resolution No. 2016-68 entitled "AWARD OF CONTRACT TO ZETRON, INC. FOR THE PURCHASE OF A 911 SYSTEM" was introduced and adopted. The roll call vote was unanimous.

Resolution No. 2016-68 is appended to the official minutes.

Mr. Krane gave an overview of the Open Space Tax Analysis Report.

Mr. Krane spoke of bids received for the Bond Sale. The rate is very low. Mr. Marion commented on the Bond Sale and stated that the Township has a AAA Rating. Mr. Marion also noted that the surplus has been kept in line and has helped significantly in keeping the debt service low.

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Mayor Lazo gave an overview of the development of the East County Reserve Park. It has been a work in progress and a terrific effort in working with the County. He commended Mr. Marion for taking the lead and working so hard to have the Township's vision come to fruition. Mr. Marion noted that the County originally wanted a road through this property. It is now a beautiful Park and the property is breathtaking. The Dog Park is coming as well as Gazebos. Families and Seniors have expressed much happiness and appreciation for all that has been accomplished at the Park. Mr. Sordillo commended his colleagues on preserving the rural character of the Township. It started fifteen years ago with preserving Wagner Farm. He commended Mrs. Garafola and Mr. DiNardo for taking the lead on that preservation and what it has become today. Those lands could have been developed.

Ms. DiRocco stated that the County has requested appointments to the Wastewater Management Planning Committee. Mrs. Garafola will represent the Township as an elected official and a member of the Sewerage Authority. Mr. Chadwick, Township Planner and Mr. Wancho, Sewerage Authority Engineer will represent the Township as well. A Planning Board member will be appointed. Once a Planning Board member agrees to represent, the list of appointments will be forwarded to the County.

Mr. Marion announced the 2016 Budget Goals and Objectives and stated that the Township is fiscally prudent. Mr. Krane noted that the budget is flat in terms of the amount to be raised by taxes. He reviewed the budget summary. Mrs. Garafola stated that the municipal tax portion remains flat. The Township has no control over the School taxes. Mr. Marion said that the budget is a work in progress and that planning is three to five years. Mr. Sordillo commended all for another fiscally prudent budget. Mr. Kerwin, Tax Assessor was present and gave an overview of rateables in terms of the changes from 2015 to 2016. He distributed a chart showing a summary of 2015/2016. The chart outlines classes of lands including vacant, residential, farms, commercial and utilities. The difference in rateables from 2015 to 2016 is an increase of 3.32%. The chart is on file in the Township Clerk's office. Mr. Kerwin noted that a mass appraisal process is done every year.

Mr. Sordillo left the meeting at 8:45 a.m.

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Mr. Kerwin explained market data, including sales. He stated that his office is putting together information that would be useful to residents who inquire about tax assessments. Mr. DiNardo spoke of the downtown zone. These commercial properties keep the town thriving. The current trend is to lower rents. The governing body thanked Mr. Kerwin for the report on assessments.

Mr. Krane stated that the Budget will be introduced on March 24th. The governing body commended Mr. Krane on a great job in complying with their wishes to keep a flat tax rate in the preparation of the budget.

Mayor Lazo opened the Privilege of the Floor portion of the meeting.

Mr. Lakatos, 7 Horseshoe Road, referred to an article in the Warren Patch. He said there was a list of 655 towns regarding property taxes. He stated that Warren was No. 42 on the list and that from 2000 to 2015 there was an increase of 4.2%. He mentioned the new Municipal Building and the cost thereof.

Mr. Helewa, Reinman Road, thanked the governing body for posting information on the Affordable Housing issue. He asked about land on the west side of town that might be used for housing. Mr. Krane told Mr. Helewa that the Zoning Map does not reflect future planning for housing and he should not draw conclusions. Mr. Helewa referred to the expert's report and asked what COAH's position is. He spoke of a 5X penalty and builder's remedy. Mr. Willard stated that the numbers have not been settled and that a 5X penalty does not exist. The Kinsey report is approximately 1000 units but the Econsult report is much lower. COAH is not even functioning. Judge Miller will eventually determine the numbers. Mr. Krane said that the Township will set out a plan once Warren gets the number and then the Township will comply. Mr. Willard stated that the Township is under immunity now from any builder's remedy. There is no builder's remedy at this point. The Township is in compliance and always has been. If the Township does not come up with a viable plan, there could be a penalty. Mr. Helewa expressed concern over changing the dynamic of the Township and would not want to see thousands of units. Mrs. Garafola explained that there have been several rounds and the Township has always complied. Mr. Helewa stated that residents are very concerned. Mrs. Garafola said that what she hears from Mr. Helewa is that he is in support with what the Township is trying to do to protect the Township. He replied that he thinks that the Township is trying its best. There is talk among residents concerning the number of

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units. The governing body reassured Mr. Helewa that they continue to fight to do the best for the residents. They do not want 1000 units, as it would drastically change the rural character of the Township.

The Privilege portion was closed, as no one else wished to speak.

Township Clerk DiRocco read the following Executive Session Resolution No. 2016-69. The resolution was introduced by Mrs. Garafola, seconded by Mr. Sordillo and carried by unanimous voice vote.

WHEREAS, the Open Public Meetings Act, P.L.1975 Chapter 231 permits the exclusion of the public from meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

Litigation: Affordable Housing; **Contract Negotiations:** Teamster Contract; **Personnel:** Sgt. Cline and Officer Foley - Extension of Leave

WHEREAS, when and if the matters discussed become public record, this will be made known to the public at that time;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Warren, that the public is excluded from this Meeting;

FURTHER RESOLVED, that formal action may be taken upon reconvening to Public Session.

The meeting convened in Executive Session at 9:20 a.m.

The meeting reconvened to Public Session at 9:35 a.m.

On motion of Mrs. Garafola, second of Mr. DiNardo, and unanimous voice vote, the meeting adjourned at 9:35 a.m.

Respectfully submitted,

Patricia A. DiRocco, RMC
Township Clerk