

**MINUTES OF THE WARREN TOWNSHIP COMMITTEE
MAY 12, 2016**

REGULAR MEETING

The Township Committee of the Township of Warren, County of Somerset, State of New Jersey, convened in Public Session on Thursday, May 12, 2016 at 6:30 p.m. in the Susie B. Boyce Meeting Room, 44 Mountain Boulevard, Warren, New Jersey.

Deputy Mayor Garafola 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
Deputy Mayor Garafola

Absent: Mayor Lazo

Also Present: Mark M. Krane, Township Administrator
Patricia A. DiRocco, RMC, Township Clerk
Jeffrey Lehrer, Township Attorney

Deputy Mayor Garafola led all in the Pledge of Allegiance.

Township Clerk DiRocco read the following Executive Session Resolution No. 2016-92. The resolution was introduced by Mr. Marion, seconded by Mr. Sordillo and carried by unanimous voice vote.

May 12, 2016

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; Hwang vs. Warren

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 6:30 p.m.

The meeting reconvened to Public Session at 7:08 p.m.

Mr. Baines, Operations Manager, N.J. American Water Company presented a grant check in the amount of \$874 to Mt. Bethel Volunteer Fire Company. Assistant Chief LoSapio stated that the grant funds will be utilized to purchase an LED light pack that will be used at emergency scenes.

Deputy Mayor Garafola stated that the 2016 Municipal Budget was approved by the Township Committee on March 24, 2016. A summary of the budget was published in the Courier News on April 8, 2016. Copies of the budget were made available for public inspection in the Warren Township Library and in the Township Clerk's Office.

On motion of Mr. Marion, second of Mr. DiNardo, Resolution No. 2016-93 entitled "BUDGET EXAMINATION" was introduced and adopted. The roll call vote was unanimous.

Resolution No. 2016-93 is appended to the official minutes.

May 12, 2016

Deputy Mayor Garafola opened the public hearing on the 2016 Budget. No one wished to speak and the public hearing was closed.

Mr. Krane thanked Mr. Korecky of Suplee Clooney Auditing Firm for his assistance in the preparation of the budget. Mr. Korecky commended Warren Township on being eligible to perform the review of the budget in lieu of submitting same to the State for the review.

On motion of Mr. Marion, second of Mr. DiNardo, Resolution No. 2016-94 entitled "ADOPTION OF 2016 MUNICIPAL BUDGET" was introduced and adopted. The roll call vote was unanimous.

Resolution No. 2016-94 is appended to the official minutes.

On motion of Mr. Sordillo, second of Mr. Marion, the Regular and Executive session meeting minutes of April 14, 2016 were approved. The roll call vote was unanimous.

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

Mr. Lakatos, Horseshoe Road, commented on proposed Ordinance No. 16-11 regarding the purchase of license plate readers. He said that readers are sometimes used in inappropriate ways. Chief Keane stated that readers have been used in Warren in the past. The Township had borrowed license plate readers from the County. There are strict guidelines and are used primarily for detecting violations. The Comments portion was closed, as no one else wished to speak.

Mr. Marion introduced and read Resolution No. 2016-95 for the payment of bills, seconded by Mr. Sordillo. The roll call vote was unanimous.

Resolution No. 2016-95 is appended to the official minutes.

Mr. DiNardo introduced Ordinance No. 16-11 by title for first reading and read the following:

AN ORDINANCE AUTHORIZING THE AMOUNT OF \$20,000 AS AN APPROPRIATION FROM THE CAPITAL IMPROVEMENT FUND TO PROVIDE FUNDING FOR THE PURCHASE OF AN AUTOMATIC LICENSE PLATE READER UNIT WITH TWO CAMERAS AND SOFTWARE TO BE UTILIZED BY THE POLICE DEPARTMENT

May 12, 2016

On motion of Mr. DiNardo, second of Mr. Sordillo, Ordinance No. 16-11 was passed on first reading. The roll call vote was unanimous.

Mr. Sordillo introduced Ordinance No. 16-12 by title for first reading and read the following:

AN ORDINANCE AUTHORIZING THE AMOUNT OF \$15,000 AS AN APPROPRIATION FROM THE CAPITAL IMPROVEMENT FUND TO PROVIDE FUNDING FOR THE PURCHASE OF AN INDUSTRIAL WASHER FOR WASHING GEAR FOR USE BY THE WARREN TOWNSHIP VOLUNTEER FIRE DEPARTMENT

On motion of Mr. Sordillo, second of Mr. DiNardo, Ordinance No. 16-12 was passed on first reading. The roll call vote was unanimous.

Mr. DiNardo introduced Ordinance No. 16-13 by title for first reading and read the following:

AN ORDINANCE AMENDING SECTION 3-22 ENTITLED "TOBACCO RESTRICTIONS IN SCHOOL ZONES" OF CHAPTER III ENTITLED "POLICE REGULATIONS" OF *THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WARREN* BY PROHIBITING ELECTRONIC SMOKING DEVICES.

On motion of Mr. DiNardo, second of Mr. Sordillo, Ordinance No. 16-13 was passed on first reading. The roll call vote was unanimous.

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

2016-96 AWARD OF CONTRACT – ATLANTIC TACTICAL FOR WARREN TOWNSHIP POLICE DEPARTMENT WEAPONS AND HOLSTERS

2016-97 AUTHORIZING THE EXECUTION OF A MUNICIPAL SHARED SERVICE DEFENSE AGREEMENT WITH THE VICINAGE 13 MUNICIPALITIES LEGAL SERVICES – AFFORDABLE HOUSING LITIGATION

- 2016-98 AUTHORIZING EXECUTION OF AGREEMENT WITH NEW JERSEY STATE POLICEMAN'S BENEVOLENT ASSOCIATION, INC. WARREN TOWNSHIP LOCAL NO. 235 FOR YEARS 2016-2019
- 2016-99 AUTHORIZING EXECUTION OF A PROPERTY ACCESS AGREEMENT WITH CABLEVISION LIGHTPATH NJ LLC REGARDING TELECOMMUNICATION SERVICES FOR THE NEW MUNICIPAL BUILDING
- 2016-100 AWARD OF CONTRACT WARREN TOWNSHIP PUBLIC DEFENDER
- 2016-101 AWARD OF CONTRACT ZONING OFFICER
- 2016-102 AWARD OF CONTRACT MUNICIPAL AUDITING SERVICES
- 2016-103 AWARD OF CONTRACT MUNICIPAL ATTORNEY
- 2016-104 AWARD OF CONTRACT TOWNSHIP ENGINEER
- 2016-105 AWARD OF CONTRACT COMMUNITY ASSISTANCE PROFESSIONAL FOR WATCHUNG HILLS MUNICIPAL ALLIANCE – LAURA STEELE CORBO OF RED FOX CONSULTING LLC
- 2016-106 AWARD OF CONTRACT MUNICIPAL PROSECUTOR TO BRENT BRAMNICK, ESQ.
- 2016-107 AWARD OF CONTRACT MUNICIPAL BOND ATTORNEY
- 2016-108 AUTHORIZING EXECUTION OF A INDEMNIFICATION AND HOLD HARMLESS AGREEMENT WITH "ANY EXCUSE FOR A PARTY, INC." RECREATION TEEN SUMMER FEST

- 2016-109 AWARD OF CONTRACT – NEW JERSEY
EMERGENCY VEHICLES FOR PURCHASE OF TYPE 1
FORD F450 4X4 AMBULANCE THROUGH
HOUSTON-GALVESTON PURCHASING
COOPERATIVE
- 2016-110 RELEASING INSPECTION FEE BLOCK 70 LOT 32.02
- 2016-111 APPOINTING HILLCREST ROAD SEWER PROJECT
ASSESSMENT COMMISSIONERS
- 2016-112 SUPPORTING A-2375/S-981 ELECTRONIC WASTE
MANAGEMENT ACT
- 2016-113 AWARD OF CONTRACT – ROBERT H. HOOVER &
SONS, INC. 2017 10 TON DUMP TRUCK WITH PLOW
AND HYDRAULICS

Resolutions No. 2016-96 through No. 2016-113 are appended to the official minutes.

On motion of Mr. DiNardo, second of Mr. Sordillo, Resolution No. 2016-114 entitled “AWARD OF CONTRACT – MARMIC ASSOCIATES” was introduced and adopted. The roll call vote was unanimous.

Resolution No. 2016-114 is appended to the official minutes.

On motion of Deputy Mayor Garafola, second of Mr. Marion, Resolution No. 2016-115 entitled “RE-APPOINTING MARK M. KRANE AS TOWNSHIP ADMINISTRATOR” was introduced and adopted. The roll call vote was unanimous.

Resolution No. 2016-115 is appended to the official minutes.

The governing body commended Mr. Krane for his dedication and great work he has always done for almost 30 years. Mr. Krane gave thanks to the Township’s staff members and the governing body. He stated that it has been a pleasure all these years working for the Township.

Mr. Sordillo introduced Resolution No. 2016-116 entitled “AUTHORIZING A THIRD AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT - SALUSTRO PARTNERSHIP ARCHITECTS LLC REGARDING THE NEW MUNICIPAL ANNEX”. Mr. DiNardo seconded the motion. The roll call vote was as follows:

May 12, 2016

Mr. Marion	No
Mr. DiNardo	Yes
Mr. Sordillo	Yes
Deputy Mayor	No

The motion failed. A tie vote disallows the passage of the Resolution. The Resolution will be considered at the next Township Committee meeting.

Ms. DiRocco asked for a motion to authorize the Mayor to sign a letter to the State Legislature requesting clarification on the Affordable Housing "Gap Period" issue facing municipalities. On motion of Mr. Marion, second of Mr. DiNardo the signing of the aforesaid letter to the Legislature was approved. The roll call vote was unanimous.

Mr. Chadwick, Township Planner, gave a history of Land Use Amendments. The Township needs to incorporate changes through the Land Use Re-examination Report. The Zoning Ordinances can then move forward. Mr. Lehrer explained that incorporating the changes through the Re-examination Report will preclude the noticing of every property owner. That noticing is very expensive. The Land Use law allows this process. Mr. Chadwick outlined the proposed Zoning Ordinance changes and exhibited a map. Most changes will better clarify areas and some will help residents in the Plainfield Gardens area with Floor Area Ratio. Also, some of the proposed ordinances will correct inconsistencies in zones, help homeowners in some areas to expand without going through the Zoning Board of Adjustment and some ordinances will address environmentally sensitive areas. The process will take time and must go through the Planning Board.

With regards to the Road overlay list, Mr. Krane informed the governing body that the list is being formulated. Mr. DiNardo stated that the list does not include Round Top Road and Dead River Road, as these roads are receiving grants from the State. Deputy Mayor Garafola asked about the quality of roads that are paved by Developers. Mr. DiNardo and Mr. Krane are investigating the quality of roads. Mr. DiNardo said that roads built 25 years ago were done with different materials. Newer roads have a life of 6 to 7 years.

A discussion ensued regarding change orders for the construction of the new Municipal building. Mr. Cummings, Construction Manager gave an overview on the progress. The building is 40% complete. There were twelve change orders, 9 of which were increases

May 12, 2016

amounting to approximately \$30,000. The governing body noted that there were issues with the Utility Company and there were changes that were not realized upfront. Mr. DiNardo commended Mrs. Garafola and Mr. Marion for keeping a close watch on the overall costs.

On motion of Mr. Sordillo, second of Mr. DiNardo, verbal approval was granted to agree to the Change Orders. The roll call vote was unanimous. A resolution memorializing the verbal approval will be placed on the June 9th agenda.

The Township Clerk hiring process was discussed, as Ms. DiRocco will be retiring at the end of July. Mrs. Garafola, Mr. Marion, Mr. Krane and Ms. DiRocco will be involved in the process. The position will be advertised as soon as possible.

Mr. Krane spoke of the request from Tilson Co. on behalf of Verizon Wireless to install a DAS pole on Nottingham Way. An inquiry was received from a resident on Fox Hill Drive West concerning a pole that was constructed without the Township's knowledge. There are underground utilities on both these roads. Ms. Hopkins was present on behalf of Tilson and Verizon Wireless to answer questions. Mr. Lehrer expressed concern stating that the original Use Agreement was to install nodes on existing poles. The language states that if pole replacement was needed, approvals must be obtained. The Use Agreement did not give carte blanche to Verizon. Mr. Marion stated that the Township agreed to nodes on existing poles. Mr. Lehrer informed Ms. Hopkins that permits were issued; however, those permits can be revoked. Verizon and Tilson need to have a meeting with Mr. Lehrer, Mr. Krane and Mr. Chadwick to discuss this issue further and directed Tilson to cease work until everything is resolved.

The governing body agreed with the proposed Pop Warner Plan.

Mr. Lehrer gave an update on the Affordable Housing issue. The Gap Period issue is being appealed in Appellate Court. A letter to be sent to State Legislators was authorized requesting clarification on the Gap Period issue. The Township is continuing to fight to do what is best for the residents.

Deputy Mayor Lazo opened the Privilege of the Floor portion of the meeting. No one wished to speak and this portion was closed.

May 12, 2016

On motion of Mr. Marion, second of Mr. DiNardo, and unanimous voice vote, the meeting adjourned at 9:02 p.m.

Respectfully submitted,

Patricia A. DiRocco, RMC
Township Clerk