

## **MINUTES OF REGULAR MEETING HELD FEBRUARY 15, 2005**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 8:00 P.M.

Roll Call: Turner, Van Deursen, Housel, Woykowski, Buoye, Glaser and Oakley (Arrived at 8:10 PM). – 7 Present.

Absent: None.

Also Present: Richard J. Sheola, Borough Manager  
Richard P. Cushing, Esq., Municipal Attorney  
Robert Miller, C.M.E., Borough Engineer  
Linda L. Hendershot, RMC/CMC, Borough Clerk

Mayor Van Deursen led everyone in the flag salute.

Mayor Van Deursen read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.

### **MINUTES:**

#### **Regular Council Meeting – February 1, 2005**

Mayor Van Deursen entertained additions or corrections to the minutes of the regular Council Meeting held February 1, 2005.

Councilwoman Woykowski and Councilman Buoye pointed out some minor corrections on Pages 4, 5 and 6 of which the Clerk noted.

It was therefore moved by Turner, seconded by Glaser that the minutes of the regular Council meeting held February 1, 2005 be approved as corrected.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Turner and Glaser.

Ayes: 6, Nays: 0.

Motion carried.

### **COMMUNICATIONS:**

The following communications were entered into the Record:

1. NJ League Re: Property Tax Reform Convention;
2. NJ League RE: Municipal Eminent Domain Power;
3. Township of Belleville Re: Senate Bill S-1023 & Assembly Bill A-1835;
4. NJ State League RE: Veterans Centers;
5. NJ State League RE: Cross Acceptance;
6. NJ State League RE: A-3529 Update on Pension Offset;
7. NJ State League Re: Cap Relief Amendments;
8. NJ State League Re: Stormwater Grants;
9. NJ State League RE: NLC Local Lobby Day;
10. Township of Cherry Hill – Supporting A 1023/S1835
11. Warren County Planning Department – Public Hearing Notice – Cross Acceptance Report (added to the agenda this evening).

Mayor Van Deursen entertained a motion to acknowledge, receive and file the communications

It was moved by Turner, seconded by Glaser that the communications numbered #1 thru #11 be acknowledged, received and filed.

Discussion: Councilman Buoye was interested in the Property Tax Reform Convention in addressing property tax relief. He entertained discussion from his fellow Council people on what their thoughts were and how they felt about this issue.

He wanted to get a general feeling from Council as to whether it would be appropriate to have a resolution drafted in support of the Property Tax Reform Convention.

Councilwoman Woykowski was in support of a resolution by the governing body.

Mayor Van Deursen noted that she trusted the legislators to do the right thing and to do something to relieve the taxpayers burden, particularly the funding of the school monies. Our senior citizens are having a difficult time. She was in favor of the convention but feels that she trusts the legislators that we have elected to do the right thing.

Councilman Turner noted that the political climate of the State has a lot to do with what is going to happen. Our legislators are aware of the property tax problem in the State of New Jersey.

Councilwoman Glaser agreed with Councilman Turner. The tools needed by the legislators are already in place. We have to hold our legislators to the fire that they do what is right and best for the taxpayers of New Jersey.

Councilman Buoye questioned what options do we as the governing body have that they will do it? Councilwoman Glaser noted that letters to our legislators from the citizens would be appropriate.

Mayor Van Deursen noted that the Constitutional Convention will in all probability happen and she supported the theory behind it.

Councilman Turner noted that the school taxes are the biggest burden to our taxpayers. The rural areas do not get their fair share of the school funding.

Mayor Van Deursen noted that Council is looking for the distribution of school funds to be fair and equitable which at this point time they are not. Reference was made to the Abbott Districts and the amount of school funding they receive, a lot of which is attributed to their administrative costs.

Mayor Van Deursen suggested that Council wait and see whether a Constitutional Convention is chosen by our constituents, then it might be appropriate for Council to consider a resolution voicing our concerns and opinions at that point in time.

Councilwoman Oakley took her seat during this discussion at 8:10 P.M.

Ayes: 7, Nays: 0.  
Motion carried.

**AUDIENCE:**

Mayor Van Deursen entertained remarks, petitions, statements or testimony from guests on items that were not part of the meeting agenda.

Hearing none, it was moved by Glaser, seconded by Buoye that the audience portion of the meeting be closed.

Ayes: 7, Nays: 0.  
Motion carried.

**ORDINANCES:**

**Ordinance #1-2005** – Bond Ordinance providing the funding for the Improvement to West Washington Avenue (Final Passage)

An ordinance providing the funding through bonds or notes for the improvement to West Washington Avenue was introduced by Councilwoman Glaser.

It was further moved by Glaser, seconded by Buoye that the Clerk read Ordinance #1-2005 by title only.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Oakley, Glaser and Turner.

Ayes: 7, Nays: 0.  
Motion carried.

The Clerk read Ordinance #1-2005 by title only and stated that this ordinance was published in the Star Gazette as required by law, a copy posted on the bulletin board and copies were available in the Clerk's office upon request.

Mayor Van Deursen opened up the public hearing for questions or comments from the audience.

Hearing none, it was moved by Housel, seconded by Glaser that the public hearing portion of the ordinance be closed.

Ayes: 7, Nays: 0.  
Motion carried.

Council Discussion: None.

It was therefore moved by Housel, seconded by Turner that Ordinance #1-2005 be adopted on final passage and that final publication be made as prescribed by law.

Roll Call: Oakley, Glaser, Turner, Van Deusen, Buoye, Housel and Woykowski.

Ayes: 7, Nays: 0.  
Motion carried.

**ORDINANCE #1-2005**

**BOND ORDINANCE PROVIDING FOR THE  
IMPROVEMENT OF WASHINGTON AVENUE IN AND BY  
THE BOROUGH OF WASHINGTON, IN THE COUNTY OF  
WARREN, NEW JERSEY, APPROPRIATING \$ 1,350,000  
THEREFOR AND AUTHORIZING THE ISSUANCE OF  
\$1,333,100 BONDS OR NOTES OF THE BOROUGH FOR  
FINANCING SUCH APPROPRIATION.**

**BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF  
THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW  
JERSEY (not less than two-thirds of all the members thereof affirmatively concurring),  
AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Washington, in the County of Warren, New Jersey. For the said improvement or purpose stated in said Section 3, thereby is hereby appropriated the sum of \$ 1,350,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of

\$16,900 as the down payment for said improvement or purpose required by law and now available therefore by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and including also the sums of \$ 995,796 and \$ 175,000 received or expected to be received by the Borough from, respectively, the New Jersey Department of Transportation and the United States of America, or agencies thereof, as grant-in-aid of financing said improvement or purpose.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$ 1,350,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$ 1,333,100 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$ 1,333,100 are hereby authorized to be issuance pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of Washington Avenue (State Route 57) in and by the Borough, including the construction of a mid-block pedestrian crossing along Washington Avenue between Belvidere Avenue and School Street, the construction or reconstruction of a parking lot between Washington Avenue and East Church Street, the construction or reconstruction of roadways, curbing, sidewalks, and pavers, and the installation of a bus shelter, trees, lamps, benches, trash receptacles, crossing lights and bicycle racks, together with all inlets, drainage improvements, milling, equipment, signage, lighting, fencing, site work, work and materials necessary therefor in or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the Office of the Borough Clerk and hereby approved.

- (b) The estimated maximum amount of bonds or notes to be issued for said purposes is \$ 1,333,100 of which \$ 1,170,796 is the amount of the notes of the Borough to be issued pending receipt of the said \$ 995,796 NJDOT grant and the said \$ 175, 000 federal grant.
- (c) The estimated cost of said purpose is \$ 1,350,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$ 16,900 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- (a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The period of said usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.
- (c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by

\$1,333,100, and the said obligations authorized by this bond ordinance will be within all debit limitations prescribed by said Local Bond Law.

- (d) An aggregate amount not exceeding \$ 250,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.
- (e) This bond ordinance authorizes \$995,796 of obligations of the Borough to be issued pending receipt of the said NJDOT grant and pursuant to section 40A:2-11(c) of said Local Bond Law no down payment is required for such obligations.

Section 5. The funds from time to time received by the Borough on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of Section 40A:2-8 of said Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Borough are pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

**Ordinance #2-2005** - Salary Ordinance – Non Union Employees (Final Passage)

A Salary Ordinance for Non-Union Employees was introduced by Councilwoman Glaser.

It was further moved by Glaser, seconded by Oakley that the Clerk read Ordinance #2-2005 by title only.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Turner, Glaser and Oakley.

Ayes: 7, Nays: 0.  
Motion carried.

The Clerk read Ordinance #2-2005 by title only and stated that this ordinance was published in the Star Gazette as required by law, a copy was posted on the bulletin board and copies available in the Clerk's office upon request.

Mayor Van Deursen opened up the public hearing portion of the ordinance for questions or comments from the audience.

Hearing none, it was moved by Glaser, seconded by Oakley that the public hearing portion of the ordinance be closed.

Ayes: 7, Nays: 0.  
Motion carried.

Council Discussion:

Councilman Turner made an interesting observation that he wanted to share with the Mayor. The Animal Control Officer makes more than the Mayor!

Hearing no further discussion, it was moved by Glaser, seconded by Oakley that Ordinance #2-2005 be adopted on final passage and that final publication be made as required by law.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Oakley, Glaser and Turner.

Ayes: 7, Nays: 0.  
Motion carried.

**ORDINANCE #2-2005**

**AN ORDINANCE FIXING THE SALARY AND WAGES  
OF CERTAIN MUNICIPAL OFFICIALS AND REPEALING  
PORTIONS OF PRIOR INCONSISTENT SALARY AND WAGE ORDINANCES.**

**SECTION 1** The annual salaries, wages and salary and wage ranges for the municipal officials and employees of the Borough of Washington hereinafter named shall be as follows:

**SCHEDULE A – FULL-TIME CLASSIFIED**

**POSITION TITLE**

**SALARY OR WAGE  
RANGE**

Library Director  
Police Chief

\$50,000.00-\$65,000.00 Yr.  
\$72,500.00-\$90,000.00 Yr.

**SCHEDULE B – PART-TIME CLASSIFIED**

Account Clerk	\$8.50-\$14.50 Hr.
Animal Control Officer	\$2,750.00-\$5,500.00 Yr.
Building Service worker	\$8.50-\$13.50 Hr.
Clerk	\$7.00-\$12.50 Hr.
Clerk/Typist	\$8.50-\$14.50 Hr.
Deputy Municipal Court Administrator	\$9.80-\$15.50 Hr.
Deputy Mun. Emerg. Mgm't. Coordinator	\$2,000.00-\$3,000.00 Yr.
Fire Official	\$20.00-\$30.00 Hr.
Fire Prevention Specialist	\$25.00-\$25.00 Hr.
Library Assistant	\$8.50-\$13.50 Hr.
Municipal Emerg. Mgm't. Coordinator	\$4,000.00-\$5,000.00 Yr.
Secretary, Board/Commission (Board of Adjustment, Planning board, Shade Tree, Welfare Board, Recreation Commission)	\$500.00-\$4,000.00 Yr.
Senior Library Assistant	\$15.20-\$25.00 Hr.

**SCHEDULE C – UNCLASSIFIED SERVICE**

Attorney (Board of Adjustment or Planning Board)	\$3,000.00-\$5,250.00
Council Members	\$2,000.00 Yr.
Judge of the Municipal Court	\$20,000.00-\$31,000.00 Yr.
Mayor	\$ 2,500.00 Yr.
Municipal Attorney (Retainer-Salary)	\$35,500.00-\$55,000.00 Yr.
Municipal Manager	\$80,000.00-\$110,000.00 Yr.
Municipal Prosecutor	\$13,500.00-\$25,000.00 Yr.
Tax Assessor	\$25,500.00-\$40,000.00 Yr.
Treasurer (When not combined with Tax Collector)	\$15,500.00-\$60,000.00 Yr.
Municipal Attorney Fee: (Litigation, Codification & Sewer Work)	\$145.00 Hr.

**SCHEDULE D – UNCLASSIFIED SERVICE**  
**(TEMPORARY OR SEASONAL)**

Equipment Operator	\$16.00-\$25.00 Hr.
Laborer	\$12.00-\$16.00 Hr.
Municipal Director of Welfare	\$2,500.00-\$6,000.00 Yr.
School Traffic Guards	\$12.00-\$15.00 Hr.
Truck Driver	\$14.00-\$18.50 Hr.

SECTION 2. Salaries herein shall be payable at the rate fixed in equal bi-weekly installments. Wages shall be payable bi-weekly. Any annual salary may be re-calculated to an hourly wage for any position unless restricted by collective bargaining agreement.

SECTION 3. Any salary and wage ordinance adopted prior to the adoption of this ordinance with provisions inconsistent with the provisions of Section 1 of this ordinance shall, to the extent of any inconsistency and only to the extent of the inconsistency, be repealed.

SECTION 4. In the event the position becomes vacant or no figure is listed, then the figures noted in the column with the heading "salary or wage range" shall be utilized by the appointing authority and any salary or wage paid within this range shall be utilized by the appointing authority and any salary or wage paid within this range shall be deemed appropriate and valid.

SECTION 5. A vehicle cash allowance shall be provided to the Borough Manager in lieu of the Borough providing a vehicle for business use. The allowance shall be \$ 300.00 per month and shall be paid in the first payroll of each month. This allowance will not preclude the Borough Manager from utilizing Borough vehicles for business use provided the Borough Manager has made permanent arrangements for normal routine business travel.

SECTION 6. The Borough Manager shall be reimbursed for his personal cell phone usage. The allowance shall be \$ 60.00 per month and shall be paid in the first payroll of each month.

SECTION 7. An employee who had medical coverage under a spouse's health benefit plan and waives participation in the Borough of Washington Health Benefits Program shall be compensated at the rate of \$ 1,000.00 annually pro-rated to compensate the employee for only those pay periods when the Borough is no longer obligated to make health benefit payments.

SECTION 8. The rates contained herein shall become effective January 1, 2005.

SECTION 9. Part-time Municipal Court employees, not covered by collective bargaining agreements, shall be paid \$ 30.00 per call-out for court work performed when outside the normal business hours of the Borough of Washington Court Office.

SECTION 10. In accordance with Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington, this Ordinance shall become effective 20 days after final passage unless the Council, by an affirmative vote of five (5) Council Members, shall adopt a resolution declaring the Ordinance to be an emergency upon which said Ordinance will take effect upon final passage.

**Ordinance #3-2005** – Implement a Recommendation of the Master Plan Land Use Plan Amendment to create a New Active Adult Residential Zone

Manager Sheola reported that this ordinance would have to be tabled until the next meeting.

**REPORTS:**

It was moved by Glaser, seconded by Housel that the Borough Manager's, A & E O.T., Borough Clerk's and Construction Code reports be accepted as presented and filed.

Ayes: 7, Nays: 0.  
Motion carried.

**VOUCHERS:**

Mayor Van Deursen entertained additions or questions in regard to the payment of the vouchers and claims.

Hearing none, it was moved by Housel, seconded by Buoye that the vouchers and claims be paid in the amount of \$ 711,595.40 as reflected in the debit/credit memorandum on file in the Collector-Treasurer's office.

Roll Call: Woykowski, Housel, Buoye, Oakley, Glaser, Turner and Van Deursen.

Ayes: 7, Nays: 0.  
Motion carried.



**OLD BUSINESS:**

**Street Survey Update by Borough Engineer**

Engineer, Robert Miller distributed an updated survey to the governing body which reflects the work done last year. The initial survey was completed in December of 2003. During the calendar year of 2004 road work was done on West Johnston Street, Railroad Avenue and Flower Avenue.

Mr. Miller reviewed the survey and noted that the drainage problems are a separate issue and are not reflected in the ranking of the streets in the survey.

The D.O.T. applications must be submitted to the State this year by April 15<sup>th</sup>, two months earlier than previous years.

Councilman Turner suggested that perhaps the streets that were applied for last year and were not funded be re-submitted this year for funding.

Councilman Turner also felt that it would be prudent to correct the drainage problems on any streets that would be reconstructed. The engineer noted that this decision is up to Council when they decide what streets they want to concentrate their efforts on and how far they want to go with the improvements to the street.

Manager Sheola noted that the streets that Council decides to submit applications to the State for, the Borough would not be appropriating any funds until the submission of the 2006 budget.

Councilwoman Glaser inquired as to whether there was any more available funding for storm-water grants. The engineer noted that the Borough did receive funding last year and additional funding would be applied for. However, these funds should be utilized toward the preparation of a Storm-Water Management Plan.

Mayor Van Deursen asked the engineer for some direction as to how Council should proceed. He suggested that a five (5) year program be put into place and a long term plan of twenty (20) years. Allocation of the funding could be done on a rotation plan. A review of what streets need attention would have to be analyzed and prioritized and develop the short term and long-range plan. It was suggested that a sub-committee be formed to meet with the Engineer and Manager.

Councilman Turner noted that since the Borough does not get any funding from the County because we have no county roads going through the community perhaps Council could lobby for funding from the County for street improvements.

Manager Sheola noted that there are five or six streets in the Borough that presently require immediate attention. These streets will be discussed during the budget workshops.

Engineer Miller noted that improvement of the streets is going to cost money because it has been delayed for a number of years.

Moratorium on streets was discussed briefly on streets that would be improved. There is a process set forth by statute that the Borough has to follow. An ordinance would have to be introduced and a public hearing would have to be held with all the utility companies and cable company. This would not preclude streets from having to be opened if an emergency developed.

Mayor Van Deursen solicited volunteers to serve on this committee with the Engineer and Manager. Councilman Buoye, Councilman Housel and Councilman Turner volunteered to serve on this committee.

**Sunrise Terrace/Pickel Avenue Project – Discussion and Authorization to place the project out to bid**

Engineer Miller brought the Council up-to-date with the status of this project. A decision must be reached on whether or not to include sidewalks and curbing with this project when it is placed out to bid.

It was the recommendation of the engineer that sidewalks and curbing be on at least one side of the street. Due to the width of the street parking should be prohibited. The width of the street was discussed and it was proposed that the street width be 26' with sidewalks and curbing being constructed on the south side of the street.

Mayor Van Deursen noted that the Borough is a walking school district and for reasons of safety she felt that sidewalks should be installed. It was noted that approximately thirty (30) homes would be affected by the installation of sidewalks.

Councilman Turner summarized what the residents concerns were at the meetings he was in attendance and their main concern was the loss of parking. If the citizens could apply for on-street parking in front of their residences if they did not have access to their property for off street parking, then Councilman Turner did not have a problem with constructing sidewalks and curbing on the street.

Council was polled and everyone agreed that sidewalks and curbing should be included in the project for reasons of safety as long as residents could apply for on-street parking stickers to park on the street.

**NEW BUSINESS:**

**Taylor Street School Request – Please bring your copy with you from your agenda packet of 2-1-05**

This topic was tabled for a future meeting.

**Report from Committee – Senior & Community Services**

The Senior Services Committee Report was distributed to Council by the committee which consisted of the Mayor, Councilwoman Glaser and Councilman Housel.

Councilwoman Woykowski was very pleased and impressed with the response time in which the committee submitted their report to the governing body. The report encompassed the purpose of establishing the formulation of a Senior Services Advisory Board. The goals of the Board were established, the report recommended the people who would serve on the Board, and talked about the mid-term goals and long-term goals of the Board.

It was moved by Woykowski, seconded by Buoye that the Manager be instructed to prepare a resolution for the creation of a Senior Services Advisory Board composed of the members recommended by the Committee for consideration at the next Council meeting.

Ayes: 7, Nays: 0.  
Motion carried.

**Warren Hills Regional School's request to consider an Ordinance to ban underage drinking in private homes**

A letter was received from Peter Merluzzi, Superintendent of School of the Warren Hills Regional School District.

The letter was requesting that the Council consider the possibility of enacting an ordinance that would ban underage drinking in private homes.

Mayor Van Deursen noted that Council has had other issues where this same request came before the governing body. She further noted that Council can regulate and pass policies and ordinances that cover public areas of the Borough but she did not feel that the Council should be setting policy or ordinances on what people do in the privacy of their own homes.

Council discussion ensued.

Councilman Buoye felt that it was the parents' responsibility to supervise what is going on in their homes with respect to their under age children.

Councilwoman Oakley also felt that the Borough had no authority or the right to tell people what they can do in their own homes with respect to their under age children and drinking.

Councilman Turner noted that there are other means of regulating under age drinking in the home if the police are called to the home as a result of a complaint. There are statutes and penalties already on the books.

Attorney Cushing noted that the School's request and main goal is to stop under age drinking parties. The question is how do the Police enforce this?

After extensive discussion the Council agreed that this was an area in which they did not feel comfortable with taking an active role in regulating under age drinking in private homes.

**Authorize the Execution of the 2005 Municipal Alliance Contract with Warren County**

It was moved by Glaser, seconded by Housel that the Council authorize the Mayor and Clerk to execute the Municipal Alliance Contract with Warren County.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Oakley, Glaser and Turner.

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #36-2005 – Redemption of Tax Sale Certificate**

The following Resolution was moved by Glaser, seconded by Turner and adopted:

**RESOLUTION #36-2005**

**REDEMPTION OF TAX SALE CERTIFICATE**

**KNOW ALL MEN BY THESE PRESENCE, THAT, WHEREAS,** lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 8, 2002 to Wachovia-Coll Agt/Sass Muni-IV dtr, 123 S. Broad Street-PA 1328S, Philadelphia, PA 19109 in the amount of \$ 56,893.21 for taxes or other municipal liens assessed for the year 2001 and in the name of Washington Enterprises Ltd as supposed owners, and in said assessment and sale were described as Kinnaman Avenue, Block 006, Lot 011.01, which sale was evidenced by Certificate #360-02, dated and recorded in the office of the County Clerk.

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2-2-05 and before the right to redeem was cut off, as provided by law, USDA-Rural Development, claiming to have an interest in said lands, did redeem said lands claimed by Wachovia-Coll Agt/Sass Muni-IV dtr, and last above mentioned, by paying to the Collector of Taxes of said taxing district of Washington Borough the amount of \$ 253,624.76, which is the amount necessary to redeem Tax Sale Certificate #360-02.

**NOW, THEREFORE, BE IT RESOLVED**, on this 15<sup>th</sup> day of February, 2005 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Wachovia-Coll Agt/Sass Muni-IV dtr, 123 S. Broad Street-PA 1328, Philadelphia, PA 19109 in the amount of \$ 288,624.76 (this amount consists of \$ 253,624.76 + \$ 35,000.00 premium).

**BE IT FURRRER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 006, Lot 011.01 from the tax office records.

Roll Call: Woykowski, Buoye, Housel, Van Deursen, Turner, Glaser and Oakley.

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #37-2005 – Redemption of Tax Certificate**

The following Resolution was moved by Glaser, seconded by Turner and adopted:

**KNOW ALL MEN BY THESE PRESENCE, THAT, WHEREAS**, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey were sold on October 8, 2002 to Crusader Servicing Corp., 179 Washington Lane, Jenkintown, PA 19046, in the amount of \$ 53,036.33 for taxes or other municipal liens assessed for the year 2001 in the name of Highland Associates Ltd, as supposed owners, and in said assessment and sale were described as Kinnaman Avenue Rear, Block 006, Lot 011.01, which sale was evidenced by Certificate #361-02, dated and recorded in the Office of the County Clerk.

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington do certify that on 02-02-05 and before the right to redeem was cut off, as provided by law, USDA-Rural Development, claiming to have an interest in said lands, did redeem said lands claimed by Crusader Servicing Corp., by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$269,848.26, which is the amount necessary to redeem Tax Sale Certificate #361-02.

**NOW, THEREFORE, BE IT RESOLVED**, on this 15<sup>th</sup> day of February, 2005 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Crusader Serving Corp., 179 Washington Lane, Jenkintown, PA 19046 in the amount of \$ 306,848.26 (this amount consists of \$ 269,848.26 + \$37,000.00 premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 006, Lot 011,02 from the tax office records.

Roll Call: Van Deursen, Glaser, Oakley, Turner, Buoye, Housel and Woykowski.

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #38-2004 – Designating Salary & Wage Ordinance to be an Emergency Ordinance**

The following Resolution was moved by Housel, seconded by Woykowski and adopted:

**RESOLUTION #38-2005**

**A RESOLUTION DESIGNATING SALARY & WAGE ORDINANCE TO BE AN EMERGENCY ORDINANCE.**

**WHEREAS**, Chapter 3, Article II, Section 15 Subsection E of the Code of the Borough of Washington, states that Ordinances shall become effective 20 days after final passage unless the Council, by an affirmative vote of five (5) Council Members, adopts a resolution declaring the Ordinance to be an emergency upon which said Ordinance will take effect upon final passage; and

**WHEREAS**, the Borough Manager was hired on December 13, 2004 at a salary different than the current Ordinance; and

**WHEREAS**, the Borough Manager is due retroactive salary and allowances; and

**WHEREAS**, the Mayor and Council desire to pay the retroactive salary and allowances to the Borough Manager as expeditiously as possible.

**NOW, THEREFORE, BE IT RESOLVED**, by the members of the Borough of Washington, in the County of Warren, State of New Jersey that Salary & Wage Ordinance #2-2005 in accordance with Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington and that this Ordinance shall take effect immediately upon final passage.

Roll Call: Woykowski, Buoye, Van Deursen, Housel, Turner, Oakley and Glaser.

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #29-32005 – Salary – Borough Manager**

The following Resolution was moved by Housel, seconded by Glaser and adopted:

**RESOLUTION #29-2005**

**RESOLUTION SETTING SPECIFIC SALARIES FOR NON-UNION EMPLOYEES OF THE BOROUGH OF WASHINGTON, PURSUANT TO SALARY ORDINANCE ADOPTED BY THE BOROUGH COUNCIL, OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY.**

**WHEREAS**, the Borough of Washington did on February 15, 2005 enact a Salary Ordinance establishing certain salary ranges for non-union employees of the Borough of Washington, pursuant to **NJSA** 40A:9-165; and

**WHEREAS**, the Borough Council of the Borough of Washington is desirous of establishing actual salary for the following position effective as indicated:

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Washington, County of Warren, State of New Jersey, they do hereby establish respective salaries or compensation set forth below as the actual amounts to be paid, effective as noted, to the respective position, and until further established by resolution or ordinance:

Borough Manager	\$84,000 – December 13, 2004
Borough Manager	\$98,000 – January 1, 2005
Borough Manager – Auto Allowance	\$300 per month effective December 13, 2004 (pro-rated For December, 2004)
Roll Call:	Woykowski, Buoye, Housel, Van Deursen, Oakley, Turner and Glaser.
	Ayes: 7, Nays: 0. Motion carried.

**Resolution #40-2005 – Awarding Contract for the Downtown Drainage Project**

The following Resolution was moved by Housel, seconded by Turner and adopted:

**RESOLUTION #40-2005**

**A RESOLUTION AWARDING CONTRACT FOR THE  
DOWNTOWN DRAINAGE STATE AID PROJECT.**

**WHEREAS**, the Borough of Washington was awarded a 2003 Municipal Aid Grant from the New Jersey Department of Transportation for the East Washington Avenue (State Route #57) Downtown Drainage Project; and

**WHEREAS**, the Borough had to resubmit plans for approval to the N.J. Department of Transportation based upon comments from this agency on the original design of the mid-block crosswalk which delayed design of the drainage system; and

**WHEREAS**, the Borough publicly bid the construction of said project and on October 14, 2004 opened the bids for the project; and

**WHEREAS**, only one bid was received for the project which bid was lower than the engineer's estimate and the contractor agreed to honor the pricing until February 2005; and

**WHEREAS**, the Mayor and Council of the Borough of Washington wish to award the contract for this work as it is in the best interest of the Borough of Washington.

**NOW, THEREFORE, BE IT RESOLVED**, that a certified copy of this resolution be forwarded to the State of New Jersey Department of Transportation, Penn-Bower, Inc., and Robert Miller, C.M.E., Borough Engineer and Kay Stasyshan, Borough Treasurer.

Roll Call: Turner, Housel, Buoye, Woykowski, Glaser, Oakley and  
Van Deursen.

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #41-2005 – Approving the Washington Borough Cross-Acceptance Report**

The following Resolution was moved by Housel, seconded by Glaser and adopted:

**RESOLUTION #41-2005**

**A RESOLUTION APPROVING THE WASHINGTON BOROUGH CROSS-ACCEPTANCE REPORT**

**WHEREAS**, the Borough of Washington has prepared a Cross-Acceptance Report in conformity with the State of New Jersey Development and Re-development Plan; and

**WHEREAS**, the Borough submitted said Report to the County of Warren in due course; and

**WHEREAS**, the Borough commented on the Warren County Report through its Planning Consultant on January 10, 2005 and noted deficiencies in the Warren County Report specifically addressing Washington Borough; and

**WHEREAS**, Warren County will be holding a Public Hearing on the transmittal of the Final Report Warren County Cross-Acceptance Report to the State Planning Commission on Wednesday, February 16, 2005; and

**WHEREAS**, the Mayor and Council of the Borough of Washington wish to have their comments listed for the record in accordance with the letter report of January 10, 2005 from Carl Hintz, PP, AICP, CLA, ASLA;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey their comments and obligations with respect to Washington Borough be duly recorded and that they support the submission of the Final Report – Cross Acceptance Report of Warren County.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Board of Freeholders of Warren County and the State Planning Commission.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Turner, Glaser and  
Oakley.

Ayes: 7, Nays: 0.  
Motion carried.

**To Consider Authorizing a Contract for Sanitary Sewer Services – Maser Consulting**

It was moved by Glaser, seconded by Turner that the Mayor and Clerk be authorized to sign the contract for professional services with Maser Consulting for the Borough's sanitary sewer services.

Roll all: Oakley, Glaser, Turner, Van Deursen, Buoye, Housel and  
Woykowski.

Ayes: 7, Nays: 0. – Motion carried

**COUNCIL REMARKS:**

Mayor Van Deursen polled the Council for their remarks.

Councilwoman Oakley had no comments.

Councilwoman Glaser announced her candidacy for the Office of Assemblywoman and pledged her platform would be fiscal responsibility and property tax relief for the citizens of New Jersey.

Councilman Turner congratulated Councilwoman Glaser on her announcement and wished her the best of luck in her endeavors.

Councilman Turner noted that the League Magazine had some excellent articles this issue, particularly on shared services. The League web-site is also an excellent tool for information.

Councilman Buoye congratulated the committee for the excellent report they produced on the Senior Services Advisory Committee. He also wanted to congratulate Councilwoman Glaser on her announcement. He wished her the best of luck in her campaign.

Councilman Housel also extended his congratulations to Councilwoman Glaser and wished her well.

Councilman Housel requested that the Clerk send individual letters to all the emergency organization, police department and code enforcement official for the excellent job they did during the snow emergency. Councilman Housel did note he got a warning notice from Rudy on shoveling his snow.

Mayor Van Deursen noted that Centex did not take care of Washington Meadows in a timely manner for removal of the snow.

Councilwoman Woykowski extended her congratulations to Councilwoman Glaser as well. She also wanted to commend the committee for the excellent report they submitted for the Senior Services Advisory Committee and hoped that all of the other committees would use this report as an example of a job well done.

**Executive Session**

It was moved by Glaser, seconded by Oakley that the Council go into Executive Session to discuss contract negotiations after a short recess at 9:20 PM.

Ayes: 7, Nays: 0.  
Motion carried.

Council reconvened at 9:35 PM and went into Executive Session.

It was moved by Glaser, seconded by Housel that Council go out of Executive Session and back into open session at 10:45 PM.

Ayes: 7, Nays: 0.  
Motion carried.



The budget was discussed and the Manager advised the Council that they would have the work copy of the proposed Municipal Budget by March 1, 2005.

Hearing no further business to come before the Council, it was moved by Glaser, seconded by Oakley that the meeting be adjourned at 10:50 PM.

Ayes: 7, Nays: 0.  
Motion carried.

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Marianne Van Deursen, Mayor

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Linda L. Hendershot, RMC/CMC  
Borough Clerk