

MINUTES OF REGULAR MEETING HELD MARCH 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: Woykowski, Buoye, Housel, Turner, Van Deursen and Glaser.
6 Present.

Absent: Oakley – 1 Absent.

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:

Mayor Van Deursen entertained additions or corrections to the minutes of the special meeting held March 1, 2005. The following corrections were noted by Council members:

Page 3 – Motion was made by Turner instead of Tucker;

Page 4 – The word result should read results;

Page 5 - Third paragraph, the word “a” was inserted and the word much should read must. The question mark was removed from G. Appleby’s statement and at the bottom of the page the word “is” should be “are”.

Page 6 – The first sentence, the statement was made by Councilman Housel instead of Councilman Buoye.

It was moved by Housel, seconded by Turner that the minutes of the regular meeting held March 1, 2005 be approved with corrections.

Roll Call: Woykowski, Housel, Buoye, Van Deursen and Turner – Ayes: 5,
Nays: 0. Abstained: Glaser. Motion carried.

COMMUNICATIONS:

The following communications were entered into the Record:

- 1) Township of Washington RE: Proposed Amendment to Chapter 64 – Development Regulations;
- 2) Township of Washington Re: Senate Bill – 1023 & Assembly Bill A-1835;
- 3) NJ State League RE: Property Tax Reform;
- 4) NJ State League RE: State Budget Introduced;
- 5) NJ State League RE: Property Tax Convention Progress;
- 6) NJ State League RE: Mayor’s 2nd Annual Property Tax Summit;
- 7) NJ State League Re: Celebrate New Jersey;
- 8) Musconetcong Watershed Association;’
- 9) Brownfields Marketplace Conference; and
- 10) NJ Highlands Council Meeting – March 17th

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

It was moved by Glaser, seconded by Housel that the communications numbered #1 thru #10 be acknowledged, received and filed.

Discussion: Discussion ensued with regarding Property Tax Reform and a consensus was taken by the Mayor that no action be taken to date.

Councilman Housel suggested that Item #7 regarding Celebrate New Jersey be used in some way for the 4th graders to have some involvement. The Resolution will be considered for adoption at the first meeting in May.

Manager Sheola noted that he and Jim Sheldon were planning on attending the Brownfields Marketplace Conference on Wednesday, May 25, 2005. Councilman Turner also expressed an interest in attending with the Manager and Mr. Sheldon.

Vote on Motion:

Ayes: 6, Nays: 0.

Motion carried.

AUDIENCE:

Mayor Van Deursen entertained remarks from the audience on items that were not part of the meeting agenda.

Gary Pohorely, 115 Wayne Street appeared representing the Pohatcong Creek Watershed Organization. They plan on having their annual stream clean-up project they have each year on April 23, 2005 with a rain date of April 30th beginning at 9 AM. This project each year has always been very successful and volunteer organizations take part in this program such as the Boy Scouts. In the past the Borough has always provided the pick-up of the refuse.

Mr. Pohorely also addressed the water quality of our stream and would like to pursue meeting with groups that could provide us with some assistance. One of the area addressed was repairing of the buffers along the stream.

Mr. Miller, Borough Engineer noted that there would be permits involved that could be very costly.

Mayor Van Deursen suggested that Mr. Pohorely and some of these agencies meet with the Manager and Engineer to discuss this project.

Patricia Post, 2 James Street commended the Washington Fire Department for the fine job they did in containing the fire on Fisher and O'Shea Street.

Mrs. Post also addressed the editorial in the Express Times from Jerry Giaimis. The editorial did not reflect what took place at the Council meeting. Mrs. Post felt that the public should be made aware of what actually happened here at the meeting.

Mayor Van Deursen noted that the governing body made it quite clear at that meeting that they would not entertain exercising eminent domain or condemnation. The presentation was purely a conceptual plan outlined by Mr. Cotton. Mr. Cotton had indicated he would be willing to take all the risks in this redevelopment project. The plan is to purchase all the homes.

Councilman Turner indicated that if the Express is going to publish articles that pertain to the Borough they should be attending our meetings to cover them.

Mayor Van Deursen noted that she has invited the reporter from the Express Times to cover our meetings to print the accurate information.

Jerry Giaimis, Washington Gardens addressed the Mayor and Council and stated that he was present at that meeting and saw a portion of the presentation. The presentation given by Mr. Cotton did make reference to acquisition of land.

The meeting minutes do reflect that the Council did not want to take this position.

Hearing no further remarks from the audience, it was moved by Glaser, seconded by Housel that the audience portion of the meeting be closed.

Ayes: 6, Nays: 0.
Motion carried.

PRESENTATION:

Lifeline – AED

Keith Gonzales, Emergency Management Coordinator gave an excellent demonstration on the Lifeline – AED – Defibrillator chosen by the committee that he chaired for the emergency organizations here in the Borough. It was his recommendation that the Council purchase one for outside the Council Chambers. The response time with this unit is three minutes and the unit has a five-year shock life. The unit also shows that there is limited training involved in using the unit.

A question and answer period followed with Council and Mr. Gonzales. Council concurred that the Borough should acquire a unit and place it outside the Council Chambers.

ORDINANCES:

None

REPORTS:

It was moved by Housel, seconded by Glaser that the A & E O.T, Borough Clerk's, Recreation Commission, Road Department O.T., Collector-Treasurer's, Police, Borough Manager's and Borough Engineer's reports be accepted as presented and filed.

Discussion: The reports were discussed. The engineer's report was discussed and the applications for state aid in particular. It was the recommendation of the engineer to apply for the projects that were filed for last year and no funding granted. The applications will be prepared for the next meeting. They will be for Carlton Avenue sidewalks, Belvidere Avenue, Youmans Avenue, Carlton Avenue reconstruction and School Street drainage. Councilman Turner noted that perhaps somehow the applications could have a statement in noting that the Borough is not eligible for any county funding inasmuch as the Borough has no county roads.

Councilwoman Woykowski noted that she liked the format for the engineer's report. She did suggest that perhaps the dates be done in bold-face to stand out more.

Councilwoman Glaser noted that Washington Meadows has not been addressed in some time. The engineer will include an up-date of the Washington Meadows project in his next report. The trees need to be up-dated also.

Ayes: 6, Nays: 0.
Motion carried.

VOUCHERS & CLAIMS

Mayor Van Deursen entertained any questions or additions to the vouchers and claims for payment.

Councilman Buoye questioned why the difference in the cost of the nameplates from Seton was on Page 1? Page 4, a question was posed on the mailing fee; this was for the postage meter. Page 4, made reference to paying a bill for electric on Jonestown Road.

This bill will be held for an explanation. A question was posed on Page 3 for the Road Department for an article referred to as a pro-terry bonnet. A question was also asked if Cattelle Court was the Borough? It is. Page 7 there was a question with regard to the elevator maintenance bill. A question was also posed with regard to gloves for the Code Enforcement Office and the fact that a lot of film was being purchased. A digital camera would be much more cost effective. The Manager explained that digital photos are not acceptable in court. On Page 9 the purchase of auto batteries seemed excessive. On Page 12 there was a question on the Fire Department's Nextel cell phones?

Councilman Turner also noted that he was disappointed and not happy to see that running boards were purchased for the 2004 Mason Dump Truck. He did not feel that this purchase was necessary.

Hearing no further questions on the vouchers and claims, it was moved by Glaser, seconded by Housel that the vouchers and claims be paid in the amount of \$ 1,009,357.08 and the January handwritten vouchers in the amount of \$ 285,892.55 as reflected in the debit/credit memorandum on file in the Collector-Treasurer's office.

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

Ayes: 6, Nays: 0.

Motion carried.

OLD BUSINESS:

None

NEW BUSINESS:

Sub-Committee to establish criteria and move forward to start reviewing proposals from Redevelopers

Discussion regarding the process for the downtown redevelopment was held. The Mayor was looking for volunteers to serve on the committee with her to meet with the Manager, Attorney and Jim Sheldon as to how the Borough should proceed.

Councilman Housel and Councilman Andrew Turner volunteered to serve on this committee. An executive summary of the status of the redevelopment process and how the committee should proceed will be prepared by the attorney and discussed at the next meeting.

It was therefore moved by Glaser, seconded by Buoye that the Council appointment a committee consisting of Councilman Housel and Councilman Turner to serve with the Mayor and that the Attorney provide the Council with an executive summary of the status of the redevelopment process and how the committee should proceed for discussion at the next Council meeting.

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

Ayes: 6, Nays: 0.

Motion carried.

To consider establishing the format for Council Committee and Council Goal Reports (Requested by Councilwoman Woykowski)

Council reviewed the Policy Review Report, Standing Committee Report and Council Goal Report prepared by Councilwoman Woykowski to keep on track as to who was on each committee, it's starting date, ending or completion date and comments.

Council agreed that it was an excellent tool to keep them on track.

It was therefore moved by Glaser, seconded by Turner that Council adopt the Policy Review Report, Standing Committee Report and Council Goal Report as designed by Councilwoman Woykowski.

Ayes: 6, Nays: 0.
Motion carried.

To consider a request for donation for WW II Veterans from Hunterdon & Warren Counties – Rick Allen

Council was in receipt of a request for a donation towards a bus trip for WWII Veterans from Hunterdon and Warren Counties to the World War II Memorial in Washington D.C.

Councilman Housel stated that he felt that Council should support and promote Mr. Allen's efforts but with the budget constraints it is not a program that Council should be supporting with taxpayer's dollars. Perhaps the website could be utilized as a means of support requesting donations or posters advertising this project.

Councilman Turner also noted that Council could make their own contribution to this effort.

No formal action was taken.

Resolution #53-2005 – Supporting the Adoption of S-1990 & A-2432 Re: Overcrowded Dwellings

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

RESOLUTION #53-2005

A RESOLUTION SUPPORTING THE ADOPTION OF S-1900 AND A-2432 AUTHORIZING THE IMPOSITION OF ADDITIONAL FINES FOR OVERCROWDING IN DWELLINGS CONTAINING FOUR OR FEWER UNITS.

WHEREAS, the Borough of Washington is one of a number of communities that has been struggling to eliminate housing overcrowding; and

WHEREAS, overcrowding creates unsafe and unhealthy living conditions, and places a strain on municipal services and schools; and

WHEREAS, the problem is particularly difficult in smaller dwellings containing four or fewer units that are frequently converted in to illegal rooming houses, which are so profitable that any penalties imposed are merely considered a cost of doing business; and

WHEREAS, bipartisan legislation, S-1990 and A-2430, now stand at 2nd Reading in the respective houses and authorize municipalities to adopt ordinances imposing penalties as high as \$ 10,000 for repeated overcrowding violations which the Mayor and Council believe will help deter such illegal overcrowding; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington as follows:

1. The Mayor and Council express their support of S-1990 and S-2430, authorizing the imposition of additional fines for overcrowding in dwellings containing four or fewer units;
2. A certified copy of this Resolution shall be forwarded to Acting Governor and Senate President Cody, Senator Anthony Bucco, Senator Nia Gill, Assemblyman Wilfred Caraballo, Assemblyman Eric Munoz, Senator

Leonard Lance, Assemblywoman Connie Myers and Assemblyman Michael Doherty and the New Jersey State League of Municipalities.

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

Ayes: 6, Nays: 0.
Motion carried.

Resolution #54-2005 – Full & Fair Funding for the TEA-21 Re-Authorization

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

RESOLUTION #54-20905

**A RESOLUTION CALLING FOR FULL AND FAIR
FUNDING OF THE TEA-21 REAUTHORIZATION**

WHEREAS, New Jersey continues to be last in the nation of federal tax dollars that are returned to their state or origin and for every dollar that New Jersey citizens sends to Washington, only 65 cents worth of federal services is returned;

WHEREAS, this injustice has long been a problem, though when our economy was strong, we were better able to bear it, but now, the economic situation has intensified this problem for our State and its municipalities; and

WHEREAS, investments in our infrastructure, which would help to revitalize our economy, have been indefinitely deferred, crucial positions, which could be filled from the ranks of our unemployed, are left vacant; and essential property tax relief funding from the State government remains flat; and

WHEREAS, as a result, our historic and unequalled over-dependence on the regressive property tax grows more and more severe; and

WHEREAS, one priority of Congress, as it fashions the shape of TEA-21 reauthorization, should be to alleviate traffic congestion that is costing millions of dollars in lost productivity in many of the nation's urban regions; and

WHEREAS, even though local governments own and operate about 75 percent of the nation's 4-million-mile highway system, about 300,000 bridges and 90 percent of the nation's mass transit systems, yet, when it comes time to make crucial transportation decisions, local officials have control of only 6 cents of every tax dollar in federal transportation spending; while State departments of transportation have nearly complete autonomy over transportation spending decisions; and

WHEREAS, in New Jersey, municipal government maintains 25,382 miles of New Jersey's total 35,175 miles, 70% of our State's roads and in particular, Washington Borough maintains 23 miles of Borough roads within its 2 square mile jurisdiction, and does not have any County roads within its boundaries; and

NOW, THEREFORE, BE IT RESOLVED, the Borough of Washington, call upon Congress to support full and fair funding of TEA-21 reauthorization; and

BE IT FURTHER RESOLVED, that we do ask our delegation to work towards giving local officials direct access to and flexibility in the use of our federal dollars commensurate with their responsibilities to police and maintain roads, bridges, transit facilities and transit equipment; and

BE IT FURTHER RESOLVED, that the Borough of Washington recognizes the national imperative for a predictable long-term transportation reauthorization, which is adequately funded for the mobility and safety needs of the people, and supports the funding level of \$ 318 billion over six years as set forth by the Senate in S1072 during the 108th Congress; and

BE IT FURTHER RESOLVED, that authentic copies of this resolution be forwarded to the New Jersey State League of Municipalities, Congressman Scott Garrett, Senators Corzine and Lautenberg and the Governor of the State of New Jersey.

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

Ayes: 6, Nays: 0.
Motion carried.

Resolution #55-2005 – Refunding of an Overpayment of the Borough’s Sewer Service Charge

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

RESOLUTION #55-2005

A RESOLUTION AUTHORIZING THE REFUNDING OF AN OVERPAYMENT OF THE BOROUGH’S SEWER SERVICE CHARGE

WHEREAS, according to the Treasurer’s records, there is an overpayment showing on the following property; and

<u>BLOCK/LOT</u>	<u>PROPERTY OWNER/ PROPERTY LOCATION</u>	<u>AMOUNT TO BE REFUNDED.</u>
8/14	Konecki, Bogdan 51 Grand Avenue	\$ 43.00

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$ 43.00 should be mailed to:

Bogdan Konecki
2242 McLaughin Ave. #1
San Jose, CA 94122-3538

WHEREAS, the Borough Treasurer’s office has received a written request that the above amount be refunded.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Borough Treasurer is authorized to refund the above overpayment amount.

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

Ayes: 6, Nays: 0.
Motion carried.

Resolution #56-2005 – Authorizing the Transfer of Appropriations

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

RESOLUTION #56-2005

**A RESOLUTION AUTHORIZING THE TRANSFER OF RESERVE
APPROPRIATIONS**

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made by not less than 2/3 vote of the full membership of the governing body from unexpended balances which are expected to be sufficient to accounts with insufficient appropriation balances during the first three months of the succeeding year; and

WHEREAS, the Borough Manager and the Chief Financial Officer have determined that excess appropriations do exist in some accounts and there is a need for supplemental appropriations in other accounts.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the following appropriation transfers are hereby approved:

<u>Transfer From:</u>	<u>Transfer To:</u>	<u>Amount:</u>
COLLECTION OF TAXES Salary & Wages	ADMIN & EXECUTIVE Salary & Wages	\$ 1,000.00
COLLECTION OF TAXES Salary & Wages	ADMIN & EXECUTIVE Other Expenses	1,500.00
POLICE DEPT Other Expenses	MAYOR/COUNCIL Other Expenses	1,500.00
ELECTRICITY Other Expenses	MAYOR/COUNCIL Other Expenses	1,500.00
FINANCE ADMIN Other Expenses	STREET/TRAFFIC LIGHTS Other Expenses	500.00
POLICE DEPT Salary & Wages	TELEPHONE Other Expenses	1,500.00
POLICE DEPT Salary & Wages	ENGINEERING Other Expenses	5,000.00
TOTAL OF ALL TRANSFERS		\$ 12,500.00

Engineer's Attendance at Council Meetings

Council discussed the engineer's attendance at Council meetings. It was felt that that his attendance was not necessary at every meeting unless there was a specific topic that required his attendance. However, they felt that he should appear the second meeting of each month. Attendance at the second meeting of each month will begin in May.

COUNCIL REMARKS:

Mayor Van Deursen polled Council for their remarks.

Councilwoman Glaser wished everyone a Happy Holiday.

Councilman Turner also expressed his wishes to everyone for a Happy Holiday. He once again expressed his displeasure on the Road Department putting running boards on the Mason Dump truck. In his opinion this was a waste of taxpayers dollars.

Councilman Buoye thanked Council and the Manager for very productive budget workshop sessions. He especially thanked the senior members of Council for their support and guidance.

Councilman Buoye also reported that the Pool Sub-Committee has met and are working towards completing their report to be submitted to the governing body. He also wished everyone a Happy Holiday.

Councilman Housel wished everyone a Happy Holiday and commended everyone for the excellent budget meetings.

Councilwoman Woykowski addressed the budget process and was very pleased and surprised at how well the budget workshops went. She commended Manager Sheola and thanked the senior members and new members of Council for working so well together. She wished everyone a Happy Holiday.

Mayor Van Deursen wished everyone a Happy Holiday. She commended the Washington Borough Fire Department and Emergency personnel for their excellent response to the fire on Fisher and O'Shea Street.

The Mayor thanked Mr. Sheola for his budget presentation. It was very well prepared and well presented. She also thanked Councilwoman Glaser for her assistance as well. Special thanks to the new members on Council as well as the senior members. The Council worked very well together and there was a good amount of give and take on everyone's part.

Manager Sheola thanked Council for their complements. Manager Sheola explained that he did not know what to expect with regard to the budget process coming into the Borough as a new Manager. He was very pleased with the cooperation and insight of the Council. The workshop sessions were very productive and there was a lot of questions asked and a lot of give and take in the preparation of the budget. He stated that he doesn't ever remember working with a governing body that was so goal orientated. He was thrilled to be here in Washington Borough and commended the Council for their hard work on the budget.

The budget will be ready for introduction at the Council meeting of April 5th.

Manager Sheola took the opportunity to observe our Washington Borough Fire Department at the recent fire on O'Shea and Fisher Avenue. He was very impressed with the operation and was happy to see that there were no injuries. He also wanted to commend the mutual aid companies who assisted our Fire Department.

Executive Session – Personnel

It was moved by Glaser, seconded by Buoye that Council go into Executive Session to discuss a personnel matters after a short recess at 9:30 PM.

Ayes: 6, Nays: 0.
Motion carried.

Council reconvened at 9:40 PM and went into Executive Session with everyone present.

It was moved by Glaser, seconded by Woykowski that Council go out of Executive Session and back into open session.

Ayes: 6, Nays: 0.
Motion carried.

A motion was made by Glaser, seconded by Wokowski that Council approve the increase in the part-time Deputy Municipal Court Administrator's position to twenty (20) hours a week to include all of the benefits that are included with the position.

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

Ayes: 6, Nays: 0.
Motion carried.

Hearing no further business to come before Council, it was moved by Glaser, seconded by Woykowski that the meeting be adjourned at 10:05 PM.

Marianne Van Deursen, Mayor

Linda L. Hendershot, RMC/CMC
Borough Clerk