

MINUTES OF REGULAR MEETING HELD MAY 3, 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: Buoye, Van Deursen, Housel, Glaser, Turner, Woykowski and Oakley (Arrived at 8:05 P.M.) – 7 Present.

Also Present: Richard J. Sheola, Borough Manager
Richard P. Cushing, Esq., Borough Attorney
Linda L. Hendershot, RMC/CMC, Borough Clerk

The flag salute was led by the Mayor.

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 stating the time, place and purpose of the meeting as required by law.

MINUTES:

Regular Meeting – April 19, 2005

Mayor Van Deursen entertained additions or corrections to the minutes. As suggested by the Manager Councilwoman Woykowski pointed out a couple of corrections on Page 2 and 5 that were minor in nature that the Clerk corrected.

It was therefore moved by Housel, seconded by Glaser that the minutes of the regular meeting held April 19, 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 State League RE: DOT Response to Engine Braking concerns;
- 2) NJ State League RE: A-3335, Business Retention Act;
- 3) NJ State League RE: Property Tax Reform;
- 4) NJ State League RE: Fair Plan, One Year Later;
- 5) NJ State League RE: Ethics;
- 6) State of NJ - Soil Erosion & Sediment Control Short Course;
- 7) Comcast Updates;
- 8) NJ State League Re: Mayor’s 2nd Annual Property Tax Summit;
- 9) NJ State League RE: Verizon Fiber Optic Roll Out;
- 10) NJ State League Re: S-2118 “Time of Decision” Rule

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

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

Discussion: Councilman Turner noted that Item #6 had been an invitation to a short course on Soil Erosion and Sediment Control. Had this communication been received earlier someone may have attended.

Councilwoman Woykowski noted that Council can sign up on the web-site to have notification of these documents. She would address this matter with Councilman Turner after the meeting.

Councilman Turner also asked whether the Mayor's 2nd Annual Property Tax Summit could be attended by anyone else other than Mayor's? The Mayor did not know if it was open to any other governing body members.

Councilman Housel addressed Item #1 dealing with engine braking and suggested that restricting it to certain hours rather than all the time might be a possibility.

Hearing no further discussion the Mayor called for a vote.

Ayes: 7, Nays: 0.
Motion carried.

Mayor Van Deursen suggested that Council deviate from the order of business to consider the adoption of Resolution #86-2005 in regard to certification of the local tax levy for the school year for the Washington Borough Schools. Mr. Lance Rosza, School Superintendent, Mrs. Golda, President of the Local School Board and some members of the School Board were present.

Ordinance #86-2005 – Certification of Local Tax Levy for 2005-2006 - Washington Borough Public Schools

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

RESOLUTION #86-2005

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW
JERSEY IN REGARD TO CERTIFICATION OF THE LOCAL TAX LEVY FOR
2005-2006 SCHOOL YEAR, FOR THE WASHINGTON BOROUGH PUBLIC
SCHOOLS.**

WHEREAS, the Board of Education of Washington Borough presented to the voters, at the Annual School Election held on Tuesday, April 19, 2005, a question concerning the levy requirements for the Board of Education for General Fund in the amount of \$ 3,351,216.00; and

WHEREAS, the voters at said election, having rejected the General Fund question by the following vote:

Ayes: 203

Nays: 225;

And

WHEREAS, the Board of Education transmitted the Budget to the Mayor and Council of the Borough of Washington on Friday April 22, 2005 pursuant to N.J.S.A. 18A:23-37; and

WHEREAS, the Mayor and Council of the Borough of Washington reviewed the Budget and related information as presented by the Board of Education; and

WHEREAS, a joint meeting of representatives from the Mayor and Council of the Borough of Washington and the Board of Education was held on Thursday, April 28, 2005 to discuss the Budget as submitted by the Board of Education; and

WHEREAS, after careful deliberation of the information relative to the local school budget, a majority of the Council present decided to reduce the amount of the proposed appropriations from the general fund as follows:

11-000-219-104	\$19,532	2/5 Social Worker
11-120-100-101	\$17,600	half-time pre-school teacher GRS 1-5
11-000-262-620	\$ 368	Heat/Energy & Electric

\$37,500.00, from \$ 6,520,526 to \$6,483,026, and to reduce the local tax levy by \$37,500.00, from \$3,351,216.00 to \$3,313,716.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the amount of the local district tax levy requirement for the Board of Education is \$ 3,313,716.00, said amount to be raised is considered by the Mayor and Council of the Borough of Washington to be sufficient to provide a thorough and efficient education system for the local schools of the Borough; and

BE IT FURTHER RESOLVED, that the following detail represents the amounts necessary in the judgment of the Mayor and Council of the Borough of Washington to support the system of education:

Total Expenditure Amount:	<u>\$6,483,026</u>
Total Tax Levy General Fund:	<u>\$3,313,716.00</u>

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Washington that the Municipal Clerk is hereby directed to certify, by May 19, 2005 to the Warren County Board of Taxation, the Warren County Superintendent of Schools, the Borough of Washington Tax Assessor, the Division of Local Finance of the Department of Treasury, State of New Jersey, the Board Secretary of the Borough of Washington Board of Education the amount of \$ 3,313,716.00 is necessary to be raised by taxation for 2005-2006 in said Borough, for which amount shall be raised, levied and collected in said municipality for General Fund purposes of the schools; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Municipal Clerk to the persons and/or departments herein named for certification purposes.

By Order of the Mayor and Council of the Borough of Washington.

Roll Call: Woykowski, Buoye, Van Deursen, Oakley, Glaser and Turner.
Ayes: 6, Nays: 0, Abstained: Housel.

Motion carried.

Mr. Lance Rosza, Superintendent of Schools was recognized by the chair and thanked Council for the very expeditious and productive meeting they had with the School Board.

AUDIENCE:

Mayor Van Deursen entertained remarks, petitions, statements and testimony from guests.

Michael Schlenk, 28 Lambert Street - Mr. Schlenk appeared before Council in the Spring of 2005 to request consideration by Council to reconsider the zoning officer's decision to refuse him a permit to erect a fence on his property. His property has two deed restrictions on his property, one for a J.C.P. & Light easement and a drainage easement. He has limited access of his property given where he would have to erect his fence. He would lose approximately 35% of his property if the fence was erected inside the easement. He has a dog that necessitates fencing in his property.

Mr. Schlenk has since received permission from J.C.P. & Light Company to build within their easement. Mr. Schlenk explained that two years ago there was a severe drainage easement on his property. Since his last visit to Council Centex has constructed drains on his property to divert the water. The type of fence he is proposing would not restrict the flow of water. He is proposing to move the fence in 10' on the easterly side of his property as well as the westerly side. He also proposed a 10' gate that could be opened in the event of an emergency should access to his property be necessary.

Council discussion ensued.

Councilman Turner noted that if the Council entertained any action he would suggest 12' wide gates for access of equipment, rather than the 10'.

Council was inclined to get some feedback from the engineer. Mr. Schlenk indicated that his contact with the engineer led to comments that, in his opinion, were absurd and unreasonable. The type of fence he was proposing would not constrict the flow of water.

Councilwoman Oakley noted that this is a specific deed restriction and questioned the right to deviate from it. What if this property would to be sold in the future. A rider would have to be prepared to this deed.

Further discussion followed at which time the Council felt that this request should be referred back to the engineer for his comments and recommendation.

Donna Howard, 44 E. Stewart St. reported that she had come into the Borough Hall and did some research regarding parking restriction on the street in which she resides, 44 E. Stewart St. There is a yellow line that has been painted for a distance of 64' 3" which precludes her from parking in front of her property. She could not find an ordinance to support the "no parking" restrictions on her side of the street. Mrs. Howard lives just adjacent to the Henkel and McCoy property.

The Police Chief and Engineer will be asked to look into this matter and report back to Council.

Anthony Perricone, Sunrise Terrace wanted to bring to the attention of Council the disastrous condition of the streets in the Sunrise Terrace and Pickel Avenue area as a result of a recent development built in his area.

Council reported that this project is slated for resurfacing this year.

Mr. Perricone also reported that R & S Trophies, Rt. 46 has not received payment for trophies they provided for the field hockey program. The bill was approximately \$ 400.00. The Manager will look into this matter and direct that the bill be paid.

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

Ayes: 7, Nays: 0. – Motion carried.

Mayor Van Deursen noted that Council was in receipt of a revised agenda for the budgetary documents that require consideration this evening. She requested permission to deviate from the agenda to follow the order in which the budget documents should be handled and recorded in the minutes. Council concurred.

Ordinance #6-2005 – To Establish a CAP Bank (Final Passage)

An ordinance to establish a CAP Bank was introduced by Councilwoman Glaser.

It was further moved by Glaser, seconded by Oakley that the Clerk read Ordinance #6-2005 by title only.

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

Ayes: 7, Nays: 0.
Motion carried.

The Clerk read Ordinance #6-2005 by title only and stated that this Ordinance had been published in the Star Gazette as required by law, a copy was posted on the bulletin board and copies available upon request from the Clerk's office.

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

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 Glaser that Ordinance #6-2005 be adopted on final passage and that final publication be made as prescribed by law.

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

Ayes: 7, Nays: 0.
Motion carried.

ORDINANCE #6-2005
CALENDAR YEAR 2005
ORDINANCE TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et. Seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.5% or the cost of living adjustment of 3.5% over the previous years final appropriations; and

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations subject to the 2.5% cap and the 3.5% cost of living adjustment when said difference is not appropriated as part of the final budget; and

WHEREAS, the Borough Council of the Borough of Washington, County of Warren, hereby determines that this difference in the amount of \$ 36,704.81 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriations in either of the next two succeeding years; AND

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.

Resolution #80-2005 – Designating CAP Bank Ordinance to be an Emergency Ordinance

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

RESOLUTION #80-2005

**A RESOLUTION DESIGNATED CAP BANK 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 Ordinance 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 adoption of the CAP Bank Ordinance is necessary prior to the adoption of the 2005 Municipal Budget; and

NOW, THEREFORE, BE IT RESOLVED, by members of the Borough of Washington, in the County of Warren, State of New Jersey, that Salary & Wage Ordinance #6-2005 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: Turner, Glaser, Oakley, Van Deursen, Woykowski, Housel and Buoye.

Ayes: 7, Nays: 0.
Motion carried.

Resolution #84-2005 – Deferring School Taxes

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

RESOLUTION #84-2005

TO DEFER LOCAL DISTRICT SCHOOL TAXES

WHEREAS, the Local District School Tax for the year July 1, 2004 to June 30, 2005 was raised in the 2004 Tax Levy in the sum of \$ 3,422,241.00; and

WHEREAS, the statutes permit the deferral of such School Tax up to 50% of the School Tax Levy or \$ 1,711,120.50.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Washington, County of Warren, that the Deferred School Tax for Local District School purposes be 50% of the Tax Levy or the sum of \$ 1,711,120.50 as of December 31, 2004.

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services.

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

Ayes: 5, Nays: 0.
 Motion carried.

Resolution #85-2005 – Amending 2005 Budget

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

RESOLUTION #85-2005

TO AMEND 2005 BUDGET

WHEREAS, the local municipal budget for the year 2005 was approved on the 5th day of April, 2005; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget; **NOW**

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Washington, County of Warren, that the following amendments to the approved budget of 2005 be made:

CURRENT FUND BUDGET

Anticipated Revenues:	<u>FROM</u>	<u>TO</u>
1. Surplus Anticipated	\$ 500,000.00	\$ 506,416.00
Total Surplus Anticipated	500,000.00	506,416.00

SUMMARY OF REVENUES

1. Surplus Anticipated	500,000.00	506,416.00
5. Sub-total Gen. Revenues (Items 1,2,3, and 4)	2,428,319.54	2,434,735.54
7. TOTAL GENERAL REVENUES	\$ 5,587,020.87	\$5,593,436.87

8. A. Operations within “CAPS”:

Deferred Charges and Other Statutory Expenditures-
 Municipal within “CAPS”

Public Employees Retirement System of N.J.	0.00	\$ 4,309.00
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Total Deferred Charges and Other Statutory Expenditures – Municipal within “CAPS”	\$ 140,977.92	\$ 145,286.92
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	<u>FROM</u>	<u>TO</u>
Total General Appropriations for Mun. Purposes within "CAPS"	\$3,599,457.92	\$3,603,766.92
Operations Excluded from "CAPS"		
Public & Private Programs Offset by Revenues:		
Municipal Alliance on Alcoholism & Drug Abuse Local Aid	0.00	2,107.00
Total Public & Private Programs Offset By Revenues	\$ 34,959.95	\$ 37,066.95
b. Total Operations-Excluded from "CAPS"	\$ 893,955.95	\$ 896,062.95
Detail:		
Other Expenses	\$ 683,015.95	\$ 685,122.95
h-2. Total General Appropriations for Municipal Purposes Excluded from "CAPS"	\$ 1,437,562.95	\$ 1,439,669.95
o. Total General Appropriations- Excluded from "CAPS"	\$ 1,437,562.95	\$ 1,439,669.95
l. Subtotal General Appropriations (Items (h-1) and (o))	\$ 5,0937,020.87	\$ 5,043,436.87
TOTAL GENERAL APPROPRIATIONS	\$ 5,587,020.87	\$ 5,593,436.87
DEDICATED SEWER UTILITY BUDGET		
10. Dedicated Revenues from Sewer Utility		
Operating Surplus Anticipated	\$ 635,625.00	\$ 636,940.00
Total Operating Surplus Anticipated	\$ 635,625.00	\$ 636,940.00
TOTAL SEWER UTILITY REVENUES	\$ 2,477,978.00	\$ 2,479,292.00
11.Appropriations for Sewer Utility:		
Debt Service:		
Interest on Notes	\$ 80,222.00	\$ 81,537.00
TOTAL SEWER UTILITY APPROPRIATIONS	\$ 2,477,978.00	\$ 2,479,293.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

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

Ayes: 7, Nays: 0.
 Motion carried.

PUBLIC HEARING – 2005 PROPOSED MUNICIPAL BUDGET

Mayor Van Deursen opened up the public hearing portion of the meeting for questions or comments on the 2005 proposed Municipal Budget. \$ 37,550.00 represents an increase of one point in the tax rate. This year's auditor, Suplee, Clooney Company assisted in the preparation of the Municipal Budget.

Hearing no comments from the audience the public hearing portion of the budget was closed.

Manager Sheola gave a comprehensive slide presentation on the 2005 Municipal Budget for the benefit of the audience.

Resolution #81-2005 – Adopting the 2005 Municipal and Sewer Utility Budget

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

RESOLUTION #81-2005

RESOLUTION ADOPTING 2005 MUNICIPAL BUDGET

BE IT RESOLVED, by the Mayor and Common Council of the Borough of Washington, County of Warren, State of New Jersey that the **2005 Municipal Budget** herein set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums thereof set forth as appropriations and authorized of the amount of **\$5,593,436.87** for Municipal purposes and **\$2,479,293.00** for the Sewer Utility.

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

Ayes: 7, Nays: 0.
Motion carried.

ORDINANCES:

Ordinance #7-2005 – Amend Chapter 94 – Development Regulations ((Final Passage)

It was moved by Glaser, seconded by Housel that Ordinance #7-2005 be defeated on final passage due to changes instituted by the Planning Board and an incorrect block number shown in the ordinance content.

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

Ayes: 7, Nays: 0.
Motion carried.

Ordinance #14-2005 – Amend Chapter 94, Development Regulations (First Reading)

An ordinance amending Chapter 94 of the Development Regulations to create a new active adult residential zone district was introduced by Councilwoman Glaser.

It was further moved by Glaser, seconded by Housel that the Clerk read Ordinance #14-2005 by title only.

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

Ayes: 7, Nays: 0. – Motion carried.

The Clerk read Ordinance #14-2005 entitled, “AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS ARTICLES OF CHAPTER 94 ENTITLED, “BOROUGH OF WASHINGTON DEVELOPMENT REGULATIONS ORDINANCE” TO IMPLEMENT A RECOMMENDATION OF THE MASTER PLAN LAND USE PLAN AMENDMENT DATED OCTOBER 28, 2004 TO CREATE A NEW ACTIVE ADULT RESIDENTIAL ZONE DISTRICT.

Council Discussion: It was noted for the record that this new ordinance reflects the changes recommended by the Planning Board as well as the correct Block number.

It was therefore moved by Glaser, seconded by Housel that Ordinance #14-2005 be approved on first reading.

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

Ayes: 7, Nays: 0.
Motion carried.

It was further moved by Housel, seconded by Glaser that Ordinance #14-2005 be published in the Star Gazette on May 12, 2005 and that the public hearing be scheduled for June 7, 2005.

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

Ayes: 7, Nays: 0.
Motion carried.

Attorney Cushing noted that the Borough is in receipt of a letter from Candle Artisans. They are not opposed to the adult community but they would like additional buffering between the properties in view that there will be a manufacturing business adjacent to this proposed development. This issue should be addressed during the Planning Board process.

Ordinance #9-2005 – Salary Ordinance – Recreation Commission Director (Final Passage)

An ordinance providing the salary for the Recreation Commission Director was introduced by Councilwoman Woykowski.

It was further moved by Woykowski, seconded by Housel that the Clerk read Ordinance #9-2005 by title only.

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

Ayes: 7, Nays: 0.
Motion carried.

The Clerk read Ordinance #9-2005 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 upon request from the Clerk's office.

The Mayor opened up the public hearing portion of the ordinance to the audience for their questions or comments.

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

Ayes: 7, Nays: 0.
Motion carried.

Ordinance #9-2005
(Cont'd.)

Council Discussion: None.

It was therefore moved by Glaser, seconded by Oakley that Ordinance #9-2005 be adopted on final passage and that final publication be made as prescribed by law.

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

Ayes: 6, Nays: 0.
Motion carried.

ORDINANCE #9-2005

**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

SCHEDULE B – PART-TIME CLASSIFIED

SCHEDULE C – UNCLASSIFIED SERVICE

SCHEDULE D – UNCLASSIFIED SERVICE

(TEMPORARY OR SEASONAL)

SALARY OR WAGE

**SALARY OR
WAGE RANGE**

Recreation Supervisor (Director) ----- \$ 17.00-\$21.00 /Hour

SECTION 2. Salaries herein shall be payable at the rate fixed in equal bi-weekly installments. Wages shall be payable bi-weekly. Any and all fees received by officials and employees of the Borough of Washington shall be paid unto the municipality.

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. Salaries and wages listed in the column with the heading “salary or wage” are the salaries or wages to be paid to employees currently holding the position noted on the date of final passage of this ordinance. 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 wages paid within this range shall be deemed appropriate and valid. In the event no wage or salary range is listed, then the figure in the column with the heading “Salary or Wage” shall apply.

SECTION 5. The rates contained herein shall become effective January 1, 2005.

SECTION 6. 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 #8-2005 – Bond Ordinance Providing the Funding for Various Improvements & Purposes (First Reading)

An ordinance providing the funding through bonds for various projects was introduced by Councilwoman Glaser.

It was further moved by Glaser, seconded by Housel that the Clerk read Ordinance #8-2005 by title only.

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

Ayes: 7, Nays: 0.

Motion carried.

The Clerk read Ordinance #8-2005 entitled, “BOND ORDINANCE APPROPRIATING \$ 2,871,250, AND AUTHORIZING THE ISSUANCE OF \$3,734,500 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY.”

Council Discussion: Councilman Turner inquired as to the status of the site work on the new public garage? Manager Sheola noted that everything is moving ahead to the point that THIS project may be ready to go out to bid sometime in July.

It was therefore moved by Housel, seconded by Glaser that Ordinance #8-2005 be approved on first reading.

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

Ayes: 7, Nays: 0.

Motion carried.

Ordinance #11-2005 – Amending the Zoning Map Re: Blk. 2.03, Lot 8 (First Reading)

An ordinance amending the Zoning Map regarding Block 1.03, Lot 8 was introduced by Councilman Housel.

It was moved by Housel, seconded by Glaser that the Clerk read Ordinance #11-2005 by title only.

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

Ayes: 7, Nays: 0.

Motion carried.

The Clerk read Ordinance #11-2005 entitled, “AN ORDINANCE OF THE BOROUGH OF WASHINGTON AMENDING THE ZONING MAP WITH RESPECT TO BLOCK 2.03, LOT 8 AS SHOWN ON THE WASHINGTON BOROUGH TAX MAP.”

Ordinance #11-2005
(Cont'd.)

Council Discussion: None.

It was moved by Glaser, seconded by Oakley that Ordinance #11-2005 be approved on first reading.

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

Ayes: 7, Nays: 0.
Motion carried.

It was further moved by Glaser, seconded by Turner that Ordinance #11-2005 be published in the Star Gazette on May 12, 2005 and that the public hearing be scheduled for June 7, 2005.

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

Ayes: 7, Nays: 0.
Motion carried.

Ordinance #12-2005 – Capital Ordinance authorizing the funding of various public improvements from the Capital Improvement Fund (First Reading)

An ordinance authorizing funding of various public improvements from the Capital Improvement Fund was introduced by Councilman Housel.

It was moved by Housel, seconded by Glaser that the Clerk read Ordinance #12-2005 by title only.

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

Ayes: 7, Nays: 0.
Motion carried.

The Clerk read Ordinance #12-2005 entitled, "CAPITAL ORDINANCE OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE BOROUGH AND APPROPRIATING THEREFOR THE SUM OF \$ 25,000 FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH."

Council Discussion: Councilman Turner asked what equipment was being replaced? The Manager explained that there was some computers that required replacing.

Manager Sheola explained that no debt will be required for these expenditures. The ordinance will authorize of moving of funds.

It was therefore moved by Housel, seconded by Oakley that Ordinance #12-2005 be approved on first reading.

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

Ayes: 7, Nays: 0.
Motion carried.

It was further moved by Glaser, seconded by Housel that Ordinance #12-2005 be published in the Star Gazette on May 12, 2005 and that the public hearing be scheduled for June 7, 2005.

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

Ayes: 7, Nays: 0.
Motion carried.

Ordinance #13-2005 – Capital Ordinance authorizing the Funding of various public improvements from the Sewer Utility (First Reading)

An ordinance authorizing the funding of various public improvements from the Sewer Utility Fund was introduced by Councilman Housel.

It was moved by Housel, seconded by Glaser that the Clerk read Ordinance #13-2005 by title only.

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

Ayes: 7, Nays: 0.
Motion carried.

The Clerk read Ordinance #13-2005 entitled, "CAPITAL ORDINANCE OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE BOROUGH AND APPROPRIATING THEREFOR THE SUM OF \$ 25,000 FROM THE SEWER CAPITAL FUND OF THE SEWER UTILITY."

Council Discussion: None.

It was therefore moved by Glaser, seconded by Turner that Ordinance #13-2005 be approved on first reading.

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

Ayes: 7, Nays: 0.
Motion carried.

It was further moved by Glaser, seconded by Housel that Ordinance #13-2005 be published in the Star Gazette on May 12, 2005 and that the public hearing be scheduled for June 6, 2005.

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

Ayes: 7, Nays: 0.
Motion carried.

REPORTS:

It was moved by Glaser, seconded by Buoye that the Borough Manager's (2), Borough Clerk's, Trial Balance and Budget reports be accepted as presented and filed.

Discussion: Councilwoman Woykowski noted that the Manager's report on the new hires will be put up on the web-site.

Ayes: 7, Nays: 0.
Motion carried.

VOUCHERS:

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

Councilman Turner had some minor questions of which were answered. He did request that if at all possible some of the vouchers be more detailed.

Councilman Housel had a question on Page 7 for manhole covers.

Hearing no further questions, it was moved by Glaser, seconded by Buoye that the vouchers and claims be paid in the amount of \$ 699,817.05 as reflected in the debit/credit memorandum on file in the Collector-Treasurer's office.

OLD BUSINESS:

None

NEW BUSINESS:

Resolution #79-2005 – Refund Tax Monies from Tax Appeal

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

RESOLUTION #79-2005

**A RESOLUTION TO REFUND TAX MONIES
PER TAX COURT APPEAL**

WHEREAS, the Tax Collector has received a Tax Court Judgment for the year 2004 for the property listed below:

<u>BLOCK/LOT</u>	<u>PROPERTY OWNER/ PROPERTY LOCATION</u>	<u>YEAR-AMOUNT</u>
037 001	Pechiney Plastic Packaging, Inc. 191 Route 31, North	2004 Taxes \$22,592.40
	TOTAL	\$22,592.40

Refund payable to: Pechiney Plastic Packaging, Inc., c/o Bruce J. Stavitsky, Esq., P.C., Crossroads Corporate Center, One International Blvd., Suite 400, Mahwah, NJ 07495-0400.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector to refund the above tax overpayment.

Resolution #82-2005 – Approving Change Order #1 for Extraneous Flow Project

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

RESOLUTION #82-2005

**A RESOLUTION APPROVING CHANGE ORDER #1
RELATED TO THE EXTRANEIOUS FLOW REDUCTION PROJECT.**

WHEREAS, the Borough is repairing/replacing various sanitary sewers as part of an extensive rehabilitation program; and

WHEREAS, from time to time during the construction process, various field changes and adjustments are necessary; and

WHEREAS, the project engineers, Schoor DePalma have recommended the following Change Order:

Epoxy Lining of various pipes and connections \$ 987.36

WHEREAS, the Mayor and Council of the Borough of Washington wishes to accept the change order for this work as it is in the best interest of the Borough of Washington. A Certification of Available Funds is attached and made part of this document.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey to approve Change Order #1 and authorize the Borough Manager and Project Engineer to prepare the necessary documents as soon as possible and for the Borough Manager to execute the change order on behalf of Washington Borough.

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

Ayes: 7, Nays: 0.
Motion carried.

Resolution #83-2005 – Approving Change Order #2 for Extraneous Flow Project

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

RESOLUTION #83-2005

**A RESOLUTION APPROVING CHANGE ORDER #2
RELATED TO THE EXTRANEIOUS FLOW REDUCTION
PROJECT**

WHEREAS, the Borough of Washington is repairing/replacing various sanitary sewers as part of an extensive rehabilitation program; and

WHEREAS, from time to time during the construction process, various field changes and adjustments are necessary; and

WHEREAS, the project engineers, Schoor DePalma have recommended the following Change Order:

Pressure Pumping, Labor & Equipment of existing Siphon \$ 5,184.49

WHEREAS, the Mayor and Council of the Borough of Washington wishes to accept the change order for this work as it is in the best interest of the Borough of Washington. A Certification of Available Funds is attached and made part of this document.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey to approve Change Order #2 and authorize the Borough Manager and Project Manager to prepare the necessary documents as soon as possible and for the Borough Manager to execute the change order on behalf of Washington Borough.

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

Ayes: 7, Nays: 0. – Motion carried.

Resolution #87-2005 – Adoption of a Purchasing Policy for the Borough of Washington

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

RESOLUTION #87-2005

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON ADOPTING A PURCHASING POLICY OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY.

WHEREAS, the Mayor and Council of the Borough of Washington have from time to time adopted certain policies by resolution pertaining to the efficient operation of the municipal government; and

WHEREAS, the Municipal Auditor has investigated the status of this policy and has concluded this policy should be adopted; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, County of Warren, in the State of New Jersey that the Purchasing Policy is hereby made part of the general policy guide on file with the Municipal Clerk shall be adopted and affirmed as legal policy of the Borough of Washington and shall remain in full force and effect until either repealed or amended; and

BE IT FURTHER RESOLVED, this policy may be inspected during normal working hours at the Borough Clerk's Office and copies of this policy may be requested and will be supplied upon payment of the required copy fee established by Borough Ordinance.

BE IT FURTHER RESOLVED, that nothing shall effect the validity of any administrative policy or regulation of the Borough or any By-law or policy or regulation of any other Board, Commission, Agency or Department of the Borough due to the fact that it is not mentioned, noted, named or included above in this Resolution.

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

Ayes: 7, Nays: 0.
Motion carried.

Bingo License Application – Central Warren Youth Association

An application for a bingo license was submitted to the governing body for approval from Central Warren Youth Association.

The application is in order and fees have been paid.

It was therefore moved by Housel, seconded by Glaser that the Clerk be authorized to issue Central Warren Youth Association a license to conduct their bingo games.

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

Ayes: 7, Nays: 0.
Motion carried.

COUNCIL REMARKS:

Mayor Van Deursen polled Council for their remarks.

Councilwoman Glaser had no remarks.

Councilman Turner had no remarks.

Councilwoman Oakley had no remarks.

Councilwoman Woykowski was pleased to report that Senator Lance was in Washington visiting one of the volunteer organizations she works with.

Councilman Housel had no remarks.

Councilman Buoye addressed the sewer utility issue and noted that one of the reasons the Borough chose the route they did to charge for the sewer utility was because of the municipal credit rating.

Mayor Van Deursen was pleased to attend an Open House for a program that is operating in the Borough for families and youth substance abuse and education. This office is very visible on the main street of the Borough.

Council took a short recess at 9:30 PM prior to going into Executive Session on a motion made by Glaser, seconded by Buoye.

Ayes: 7, Nays: 0.
Motion carried.

Council reconvened with everyone present at 9:50 PM.

Executive Session – Personnel

It was moved by Glaser, seconded by Oakley that the Council go into Executive Session to discuss personnel matters.

Ayes: 7, Nays: 0.
Motion carried.

It was moved by Buoye, seconded by Glaser that the Council go out of Executive Session and back into open session at 11:15 PM.

Ayes: 7, Nays: 0.
Motion carried.

There being on further business it was moved by Glaser, seconded by Buoye that the Council meeting be adjourned at 11:15 PM.

Ayes: 7, Nays: 0.
Motion carried.

Marianne Van Deusen, Mayor

Linda L. Hendershot, RMC/CMC
Borough Clerk