

## **MINUTES OF REGULAR MEETING HELD JUNE 7, 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: Housel, Glaser, Van Deursen, Oakley, Turner, Woykowski and Buoye – 7 Present.

Also Present: Richard J. Sheola, Borough Manager  
Richard P. Cushing, Esq., Municipal Attorney  
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 Meeting – May 17, 2005**

Mayor Van Deursen entertained additions or corrections of the regular meeting held May 17, 2005.

Prior to the meeting Councilwoman Woykowski noted corrections on Pages 2 and 12 of which the Clerk so noted. Councilman Buoye requested that the third paragraph up from the bottom of Page 2 be deleted as he did not recall making the statement. He also noted on Page 3 that he abstained from taking part in the discussion regarding the Schlenk property as well as the Mayor. On Page 4 regarding the speeding on N. Prospect Street, the Manager stated he would have the police check the problem of speeding out and Mr. Robert Mayer did offer his driveway for police patrol.

Hearing no further corrections, it was moved by Woykowski, seconded by Turner that the minutes of the regular meeting May 17, 2005 be approved with the corrections noted.

Roll Call: Woykowski, Buoye, Van Deursen, Oakley and Turner – Ayes: 5,  
Housel and Glaser – Abstained.

Motion carried.

### **COMMUNICATIONS:**

The following communications were entered into the Record:

- 1) NJ State League RE: Property Tax Reform (2);
- 2) NJ State League RE: Educational Requirements for Zoning and Planning Board Members;
- 3) NJ State League RE: Advisory from Associated Humane Societies;
- 4) NJ State League RE: DEP Office Expands Website;
- 5) NJ State League RE: League Mayor’s Summit;
- 6) Warren County Department of Human Services – 2006 Casino Revenue Grant; and
- 7) Planning Department RE: North Jersey Transportation Authority Draft Transportation Improvement Plan

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

It was moved by Glaser, seconded by Oakley that the communications be acknowledged, received and filed.

Councilwoman Woykowski noted that she was going to attend the Warren County Department of Human Services public hearing on the 2006 Casino Revenue Grant. Councilman Turner and Councilwoman Glaser were also interested in attending.

Councilman Turner addressed Item #7 dealing with the North Jersey Transportation Authority Draft Transportation Plan. He suggested perhaps contacting them and request that they consider funding for Washington Borough in view of the fact we did not have any county roads in the Borough's jurisdiction. The Borough could utilize funding for projects we have ongoing such as the Railroad Avenue Park. We do not get any County funding.

Manager Sheola noted that this funding may only be available to the County such as the funding that we are eligible for through the State. He will reach out to the State D.O.T. to see what is available.

Vote on Communications: Ayes: 7, Nays: 0. – Motion carried.

**AUDIENCE:**

Mayor Van Deursen entertained remarks or comments from the audience on items that were not currently on the agenda.

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

Ayes: 7, Nays: 0.  
Motion carried.

**PRESENTATION:**

**Dr. William Austin, President, Warren County Community College**

Dr. Austin appeared before the Mayor and Council and gave a comprehensive report on the Warren County College. He touched upon the funding sources that provide their budget to operate the college. 55% is tax revenue generated from the state and county and the other 45% is direct fees from the public for tuition.

He outlined their mission and purpose and explained the curriculum that the college offers our residents. He outlined some of the courses available to offer a vast number of programs that would benefit the community overall. They will be offering a program for small businesses and are also working with some of the local businesses such as BASF Wyandotte and M & M Mars and are offering training for employees in the field of automation. They are reaching out to public service organizations and offering police academy courses, fire academy courses and emergency services such as the EMT course.

They will also be offering courses to government employees at cost.

Councilwoman Oakley was very glad to see that the College was expanding.

Councilwoman Glaser noted that courses to help the small business groups was an excellent program to pursue. The programs that are presently offered at the college are outstanding.

Councilman Turner also noted how impressed he was with the County College.

Councilwoman Woykowski was particularly impressed with the outreach to the community and the wide variety of courses offered. She noted that the college was now offering a lot of art and culture. The college is also working with the B.I.D. group as well. She thanked Dr. Austin for reaching out in a very positive way to the community.

Councilman Housel was very impressed the way the college has blossomed. He asked how the college was going as far as classroom space? Dr. Austin noted that they will be running out of space very soon if they continue to expand and grow.

Councilman Buoye was pleased with the courses and programs they offer and it looks like they are doing a good job for the community.

Mayor Van Deursen noted that this Council and past Councils have always supported the college. She was particularly interested in Eco Tourism. The seniors of the community are very important to the community and it is important that we meet the needs of our senior citizens. As an employee of the college she has seen many wonderful changes in the college and the way they have changed people's lives. They are working with the Transition Center for Women and placing them back out into the work force.

Mayor Van Deursen thanked Dr. Austin for his very informative presentation.

**ORDINANCES:**

**Ordinance #8-2005** – Bond Ordinance providing the Funding for Various Improvements and Purposes (Final Passage)

An ordinance providing for various improvements through bonding was introduced by Councilman Housel.

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

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

Ayes: 7, Nays: 0.  
Motion carried.

The Clerk read Ordinance #8-2005 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 in the Clerk's office.

Mayor Van Deursen opened up the public hearing on this ordinance to the audience for their questions and comments.

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

Ayes: 7, Nays: 0.  
Motion carried.

Council Discussion: None.

It was therefore moved by Glaser, seconded by Housel that Ordinance #8-2005 be adopted on final passage and that final publication be made as prescribed by law.

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

Ayes: 7, Nays: 0.  
Motion carried.

**ORDINANCE #8-2005**

**BOND ORDINANCE APPROPRIATING \$ 2,971,250, AND  
AUTHORIZING THE ISSUANCE OF \$2,734,500 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.**

**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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Washington, in the County of Warren, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums, except as described by paragraphs (d) and (E) of said Section 3, being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$ 2,871,250 including the aggregate sum of \$ 136,750 as the several down payments for Said improvements or purposes required by law and more particularly described in said Section 3 and now available therefore by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvements purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$ 2,871,250 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$ 2,734,500 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$2,734,500 are hereby authorized to Be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated amount of bonds or notes to be issued for each such purpose, are respectively as follows:

**IMPROVEMENT OR PURPOSE**

- (a) Acquisition by purchase of new and additional vehicular equipment, including one (1) dump truck with plow and sander for use by the Department of Public Works of the Borough, together with all equipment, attachments and accessories necessary therefore or incidental thereto, all as shown as and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

**APPROPRIATION AND ESTIMATED COST**

\$ 110,000

**ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES**

\$ 104,761

- (b) Acquisition by purchase of new and additional public safety equipment for use by the Police Department of the Borough, including breathalyzers and five (5) radar units, together with all appurtenances, apparatus and accessories necessary therefore or incidental thereto, all as shown on and in accordance with the specifications therefore on file or to be filed in the office of the Borough Clerk and hereby approved.

**APPROPRIATION AND ESTIMATED COST**

\$ 23,750

**EXTIMATED MAXIMUM AMOUNT OF BONDS OR NOTES**

\$ 22,619

- (c) Improvement of various streets and locations in and by the Borough, including Carlton Avenue, Belvidere Avenue, Youmans Avenue and East Church Street, by the reconstruction or resurfacing thereof to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), together with all structures, drainage improvements, curbing sidewalks, equipment work and materials necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specifications therefore on file or to be filed in the office of the Borough Clerk and hereby approved.

**APPROPRIATION AND ESTIMATED COST**

\$ 1,587,500

**ESTIMATED AMOUNT OF BONDS OR NOTES**

\$ 1,511,904

- (d) Improvement of Sunrise Terrace from State Highway Route #31 to Elizabeth Avenue and South Pickel Avenue from Sunrise Terrace to Myrtle Avenue, by the reconstruction thereof to provide roadway pavements at least equal in useful life or durability to a roadway pavements of Class B construction (as used or referred to in Section 40A2-22 of said Local Bond Law), together with all structures, drainage improvements, curbing, sidewalks, equipment, work and materials necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specifications therefore on file in the office of the Borough Clerk and heretofore and hereby approved, the said \$450,000 estimated cost thereof being exclusive of the amount of \$ 80,000 heretofore appropriated therefore by a prior bond ordinance of the Borough and the said \$ 428,571 estimated maximum amount of bonds to be issued therefore being exclusive of the amount of \$ 76,100 heretofore authorized to be issued therefore by a prior bond ordinance of the Borough.

**APPROPRIATION AND ESTIMATED COST**

- \$ 450,000

**ESTIMATED AMOUNT OF BONDS OR NOTES**

\$ 428,571

- (e) Construction of a new Public Works Garage in and by the Borough at the site of the Borough's Wastewater Treatment Plant at 313 West Washington Avenue said building being at least equal in useful life or durability to a building of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), including all site work, structures, paving, utility installation, equipment, work, and materials necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specifications therefore on file in the office of the Borough Clerk and heretofore and hereby approved, the said \$700,000 estimated cost thereof being exclusive of the amount of \$ 600,000 heretofore appropriated therefore by a prior bond ordinance of the Borough and the said \$ 666,645 estimated maximum amount of bonds to be issued therefore being exclusive of the amount of \$ 524,504 heretofore authorized to be issued therefore by a prior bond ordinance of the Borough.

**APPROPRIATION AND ESTIMATED COST**

\$ 700,000

**ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES**

\$ 666,645

**TOTAL APPROPRIATION AND ESTIMATED COST**

\$ 2,871,250

**TOTAL ESTIMATED MAXIMUM AMOUNT OF BONDS OR NOTES**

\$ 2,734,500

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the said 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 are not current expense and each 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 average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 14.7 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 authorization of the bonds and notes provided for in this bond ordinance by \$2,734,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

- (d) Amounts not exceeding \$ 300,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs 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 costs of said improvements and are included in the foregoing estimate thereof.

Section 5. 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 N.J.S.A. 40A:2-8. 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 date 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 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on said 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 7. 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 8. 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 #11-2005** – Amending the Zoning Map RE: Blk. 2.03, Lot 8 (Final Passage)

An ordinance amending the Zoning Map was introduced by Councilman Housel.

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

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

Ayes: 7, Nays: 0.  
Motion carried.

The Clerk read Ordinance #11-2005 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 Glaser, seconded by Oakley that Ordinance #11-2005 be adopted on final passage and that final publication be made as prescribed by law.

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

Ayes: 7, Nays: 0.  
Motion carried.

**ORDINANCE #11-20054**

**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 TAP MAP.**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Washington, Warren County, New Jersey that the Zoning which is incorporated by reference in Section 94-71 of the Washington Borough Code shall be revised to transfer Block 2.03, Lot 8 as shown on the Washington Borough Tax Map from the R-2 Zone to the B-1 Zone.

This ordinance shall take effect immediately upon final passage and final publication as provided by law.

**Ordinance #12-2005** – Capital Ordinance authorizing the funding of various public improvements from the Capital Improvement Fund (Final Passage)

An ordinance authorizing funding of various public improvements from the Capital Improvement Funds 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: Oakley, Glaser, Turner, Van Deursen, Woykowski, Housel and Buoye.

Ayes: 7, Nays: 0.  
Motion carried.

The Clerk read Ordinance #12-2005 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.

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

Hearing no remarks from the audience, it was moved by Glaser, seconded by Oakley that the public hearing portion of the ordinance be closed.



Ayes: 7, Nays: 0. – Motion carried.

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Council Discussion: None.

It was therefore moved by Glaser, seconded by Buoye that Ordinance #12-2005 be adopted on final passage and final publication as prescribed by law.

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

Ayes: 7, Nays: 0.  
Motion carried.

**ORDINANCE #12-2005**

**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 IMPROVEMENTS FUNDS OF THE BOROUGH.**

**BE IT ORDAINED** by the Borough Council of the Borough of Washington, in the County of Warren, New Jersey, as follows:

**Section 1.** The Borough of Washington (the “Borough”) in the County of Warren, New Jersey is hereby authorized to make the following public improvements and acquisitions in, by and for the Borough, including all work, materials and appurtenances necessary and suitable therefore:

Recreation Commission	\$ 18,000
Consisting of:	
Renovations to Floodlights at Borough Park	
 Borough Offices	
Technology Equipment	\$ 5,000
Semi-Automatic Defibrillator	\$ 2,000
 Total	 \$ 25,000

**Section 2.** The aggregate sum of \$ 25,000 is hereby appropriated from the Capital Improvement Fund of the Borough to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof.

**Section 3.** Said improvements and acquisitions are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

**Section 4.** The capital budget of the Borough is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Borough Clerk and is available there for public inspection.

**Section 5.** This capital ordinance shall take effect after final passage and publication as required by law.

**Ordinance #13-2005** – Capital Ordinance authorizing the funding of various public improvements from the Sewer Utility (Final Passage)

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

It was further moved by Buoye, seconded by Turner that the Clerk read Ordinance #13-2005 by title only.

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

Ayes: 7, Nays: 0.  
Motion carried.

The Clerk read Ordinance #13-2005 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 from the Clerk's office upon request.

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 Glaser, seconded by Oakley that the public hearing portion of the ordinance be closed.

Ayes: 7, Nays: 0.  
Motion carried.

Council Discussion: None.

It was therefore moved by Glaser, seconded by Housel that Ordinance #13-2005 be adopted on final passage and that final publication be made as required by law.

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

Ayes: 7, Nays: 0.  
Motion carried.

**ORDINANCE #13-2005**

**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 THEREFORE THE SUM OF \$25,000 FROM THE SEWER CAPITAL FUND OF THE SEWER UTILITY.**

**BE IT ORDAINED** by the Borough Council of the Borough of Washington, in the County of Warren, New Jersey, as follows:

**Section 1.** The Borough of Washington (the "Borough") in the County of Warren, New Jersey, is hereby authorized to make the following public improvements and acquisitions in, by and for the Borough Sewer Utility, including all work, materials and appurtenances necessary and suitable therefore:

Miscellaneous Renovations & Replacements	\$ 35,000
Computer & Tehnology Upgrades	6,000

Total \$ 41,000

**Section 2.** The aggregate sum of \$ 41,000 is hereby appropriated from the Sewer Capital Fund of the Sewer Utility to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof.

**Section 3.** Said improvement and acquisitions are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

**Section 4.** The capital budget of the Borough is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Borough Clerk and is available there for public inspection.

**Section 5.** This capital ordinance shall take effect after final passage and publication as required by law.

**Ordinance #14-2005** – Amending Chapter 94 to Create a New Active Adult Residential Zone District (Final Passage)

An ordinance amending Chapter 94 to create a new active adult residential zone 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: Oakley, Glaser, Turner, Van Derusen, Buoye, Housel and Woykowski.

Ayes: 7, Nays: 0.  
Motion carried.

The Clerk read Ordinance #14-2005 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 were available from the Clerk's office upon request.

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

Attorney George Dilts was present representing Candle Artisans. He addressed two letters he forwarded to the Borough under date of May 2<sup>nd</sup> and June 2<sup>nd</sup>. His clients have been in business adjacent to this proposed site for approximately thirty (30) years. His client does not have any objections to this development, however, they do wish to have adequate provisions built into their plans which would require buffering and they also would like something placed into the deeds of the residents purchasing homes in this development which would protect their rights as a business.

The business does generate a fair amount of noise with tractor trailers trucks coming onto the site, other equipment required to operate the business, rail traffic and certain amount of fumes as a result of the production of candles on site. Mr. Dilts suggested that an amendment or a new ordinance be developed to protect his client's property, Block 73, Lot 6.

Councilman Turner noted that this is a pre-existing business and their rights should be protected.

Attorney Lawrence Cohen noted that these issues should be addressed during the Planning Board process. He also affirmed that his client will disclose Mr. Dilt's concerns to the residents prior to purchasing a unit in this adult community.

Councilman Housel questioned whether an agreement could be negotiated. Attorney Cushing noted that these issues should go before the Planning Board.

Council assured Mr. Dilts that his letters would be referred to the Planning Board and that his concerns on behalf of his client would certainly be addressed.

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

Ayes: 7, Nays: 0.  
Motion carried.

It was therefore moved by Glaser, seconded by Housel that Ordinance #14-2005 be adopted on final passage and that final publication be made as prescribed by law.

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

Ayes: 7, Nays: 0.  
Motion carried.

#### **ORDINANCE #14-2005**

#### **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.**

**WHEREAS**, the Planning Board of the Borough of Washington adopted an amendment to the Land Use Element of the Master Plan, dated October 28, 2004 on December 13, 2004 and memorialized said action in the Planning Board Resolutions; and

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40A:55D-62) requires substantial consistency of the regulations governing zoning and land use development with the adopted Master Plan; and

**WHEREAS**, the Planning Board recommends to the Borough Council that the land use regulations and the Zoning Map as established in Chapter 94, more particularly known as the "Borough of Washington Development Regulations Ordinance" be amended and supplemented to create a new age restricted residential zone district in accordance with the recommendations as set forth in the current Master Plan, as amended; and

**WHEREAS**, the Borough Council of the Borough of Washington concurs with the recommendations set forth by the Planning Board and does find that the public health, safety, morals, and general welfare of the community will be promoted by the proposed new zone district for the purpose of creating housing opportunities for active adults;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Washington, County of Warren and State of New Jersey that the Borough's Development Regulations Ordinance and Zoning Map be amended to add a new S94-

79.1, to be known as the AR-7 Age Restricted Residential Zone District to the established residential zone districts and to provide development standards as provided herein.

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**Section 1. Article III**, entitled “Definitions and Word Usage” is hereby amended as follows:

1. **S94-5**, entitled “Definitions” is revised to add the following new definitions:

**Dwelling Duplex** – A building containing two single-family dwelling units totally separated from each other by an unpaired wall extending from the ground to roof.

**Dwelling, Multifamily** – A building occupied or intended to occupancy as separate living quarters for two families or more than two households, with direct access from the outside for each family or household or through a common hall, and further provided for the exclusive use of the occupants of each dwelling unit.

**Age-Restricted Residential Community** – A comprehensively designed residential development containing dwellings with occupancy limited to at least one member of the household fifty-five (55) years of age or older with no children under nineteen (19) years of age in permanent residence, pursuant to the Federal Fair Housing Amendments Act of 1998 and any amendments thereto, including but not limited to the Housing for Older Persons Act of 1995. Irrespective of the Federal Fair Housing Amendments Act, there shall be no occupancy of any residential unit unless at least one member of the household who is also a titleholder to the Property, is fifty-five (55) years of age or older.

**Section 2. Article VII**, entitled “Zone District Requirements” is hereby amended and supplemented as follows:

1. **S94-70**, entitled “Enumeration of Districts:” is revised to add the following new zone district: AR-7 Age Restricted Residential Zone District.
2. **S94-71**, entitled “Zoning Map, Schedules and Performance Standards” is revised to amend the Zoning Map to rezone Lots 7 and 7.01 in Tax Block 73 from the B-1/Highway Business Zone District to the AR-7 Age Restricted Residential Zone District.
3. **S94-79.1**, entitled “Reserved” shall be amended to incorporate the following new zone district regulations: **S94-79.1** – AR-7 Age Restricted Residential Zone District.

#### **A. PURPOSE**

The purpose of the AR-7 Age Restricted Residential Zone District is to provide for active adult residential development.

#### **B. PRINCIPAL PERMITTED USES**

1. Duplex dwellings
2. Multifamily dwellings
3. Townhouse dwellings

#### **C. PERMITTED ACCESSORY USES**

1. Recreational, social and communal facilities for the exclusive use of residents of the community and guests
2. Recreation buildings and facilities
3. Off-street parking areas
4. Individual and common mailboxes

5. Trash receptacle enclosures

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6. Project sign during time of construction, which shall be removed immediately after construction has ceased.
7. Fences
8. Construction and sales trailer(s) during time of construction which shall be removed immediately after construction has ceased.

#### **D. MANDATORY AFFORDABLE HOUSING SET-ASIDE**

Eighteen percent (18%) but not more than 16 of the residential dwelling units within the AR-7 zone district, shall be set aside for low and moderate-income households. A minimum of one-half of the affordable units shall be affordable to low-income households and the remaining affordable units shall be affordable to moderate-income households. As an alternative, the affordable housing set aside may be met with a minimum of twelve (12) of the residential units constructed on site as units for low and moderate income households and a payment in lieu of constructing four (4) of the affordable units. Pursuant to N.J.A.C. 5:94-4.4 (c), the amount of payments in lieu of constructing affordable units shall be \$ 35,000 per unit for and in lieu of payment. All affordable housing units constructed on site shall conform to the requirements of the Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26 et seq. and the Council on Affordable Housing per N.J.A.C. 5:94-1.1 et seq.

#### **E. GENERAL CONDITIONS**

1. **Minimum Tract Area.** The minimum tract area for the development shall be fifteen (15) acres under the ownership or control of a single entity and the subject of a development application.
2. **Residential Density.** The maximum density shall not exceed six (6) dwelling units per gross acre.
3. **Townhouse Configuration.** Townhouse units shall not exceed six (6) units within any one overall structure.
4. **Minimum Tract Frontage.** The minimum tract frontage shall be two hundred (200) feet.
5. **Minimum Building Setback From Tract Boundaries.** All buildings shall maintain a minimum setback of thirty-five (35) feet from an existing public street right-of-way and twenty-five (25) feet from all other tract boundaries
6. **Minimum Building Setback From Interior Street.** All buildings shall maintain a minimum setback of eighteen (18) feet from the curb line of any street located within the tract boundaries except that the garage entrance shall maintain a minimum distance of twenty-five (25) feet to the curb line.
7. **Minimum District Between Residential Buildings.** The minimum district between residential buildings shall be as follows:
  - a. The front of one building to the front of another building: seventy (70) feet.
  - b. The front of one building to the side of another building: sixty (60) feet.

- c. The front of one building to the rear of another building: seventy (70) feet.

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- d. The side of one building to the side of another building (end unit): twenty (20) feet.
- e. The side of one building to the rear of another building: thirty-five (35) feet.
- f. The rear of one building to the rear of another building: forty-five (45) feet.

8. **Minimum District Between Residential Building and Community Center Building.** The minimum distance between any residential building and the Community Center shall be thirty-five (35) feet.
9. **Maximum Building Coverage.** The maximum building coverage, including principal and accessory buildings and structures, shall not exceed twenty-five (25%) percent of the gross acreage of the tract.
10. **Maximum Impervious Coverage.** Maximum impervious shall not exceed fifty-five (55%) percent of the gross acreage of the tract.
11. **Bulk Standards or Lotted Developments.** The following additional standards apply to lotted development proposals:
  - a. **The Minimum Lot Area.** The minimum lot area for a building containing duplex, townhouse or multi-family dwellings shall be 2000 square feet.
  - b. **Minimum Lot Frontage and Width.** The minimum lot frontage and width shall be 20' except that lots on curving streets or private driveways frontage may be reduced to 1/2 of the required width.
  - c. **Minimum Frontage Yard.** The minimum front yard shall be 18' from the curb line of any street located within the tract boundary and 35' from an existing public street right-of way.
  - d. **Minimum Side Yard.** The minimum side yard shall be 0' for an interior unit and 5' for an end unit.
  - e. **Rear Yard.** The minimum rear yard shall be 12'.
  - f. **Building and Impervious Coverage.** Building coverage and impervious coverage shall be calculated only for the entire tract.
  - g. **Condominium/Unlotted Developments.** Unlotted developments may be permitted in lieu of lotted developments, provided that the area for each building and the location of each building is identified on the plan to show compliance with the regulations for lotted developments as above.
12. **Common Open Space.** A minimum of five percent (5%) of the total land area of the tract shall be devoted to open space. The open space shall be set-aside for open space as common property for the benefit of the residents. Whenever possible, common open space shall be designed as a continuous system of usable areas, interspersed around groupings of residential dwelling unit. Common open space shall not include lots,

dwellings of the same type shall be inscribed around the building, and shall not be considered common open space.

13. **Community Center and Recreation Improvements.** The age-restricted development shall include a community center building consisting of at least eight (8) square feet per residential dwelling unit. The Community Center may include, but is not limited to, a kitchen, office, recreational and social activity rooms. The maximum height of the community building shall not exceed thirty-five (35) feet. Recreation improvements shall consist of active and passive facilities including, but not limited to, two (2) tennis courts and a swimming pool. Recreation improvements may be constructed off-tract of a cash payment made in lieu of locating them on the development tract.

14. **Maximum Residential Building Height.** The maximum building height for any residential building shall not exceed 38 feet or 2.5 stories.

15. **Parking Requirements.** The number and design of parking spaces for the residential dwellings shall conform to the requirements of sections 5:21-4.14 and design standards of 5:21-4.15 and 5:21-4.16 of the Residential Site Improvement Standards. At least one parking space per unit shall be provided within an enclosed garage.

16. **Utilities.** Any development within the AR-7 Age Restricted Residential Zone District shall be served by municipal water and sewerage systems. All utility lines, including power, telephone and cable lines shall be installed underground.

#### **F. SITE ACCESS AND INTERNAL STREETS**

There shall be at least one point of public access to an existing collector or major arterial road within the Borough. The approving authority shall reserve the right to require on-tract, off-tract and/or offsite road improvements to ensure safe and efficient ingress and egress to the site. All internal streets shall be designed in accordance with the Residential Site Improvement Standards. The ownership of the roads shall be determined at the time of site plan review by the Approving Authority.

#### **G. PEDESTRIAN FACILITIES**

Safe pedestrian access is required to link all developed components of the development and to the Borough's Downtown District. Sidewalks having a minimum width of four (4) feet shall be provided along both sides of all internal streets, between parking areas, individual driveways and residential buildings and recreation areas/community facilities. The entire pedestrian circulation network shall be provided with appropriately scaled lighting to ensure public health and safety.

#### **H. LANDSCAPING, STREET TREES AND BUFFERS**

A landscape plan, prepared by a New Jersey Certified Landscape Architect, shall be required to provide for the following:

1. Off-street parking areas shall be screened to provide with year-round landscaping and/or decorative fencing. All screening materials shall be planted/installed at a minimum height of five (5) feet.



2. Street trees 3-3-1/2 caliper, B + B shall be installed on both sides of all streets planted at a distance not to exceed forty (40) feet on-center. Trees shall be generally spaced evenly along the street within a planting strip not less than five (5) feet in width.
3. The interior of stormwater basins shall be planted with the quantity of trees equal to the number of trees that would be necessary to cover the entire area, based upon a 20 foot by 20 foot grid to the high water line or outflow elevation. Of this number, ten percent (10%) shall be two to two and one-half (2-2-1/2) inch caliper, twenty percent (20%) shall be one to two (1-2) inch caliper; and seventy percent (70%) shall be 6-8 foot height whips. The trees shall be planted in groves and spaced five (5) feet to fifteen (15) feet on center. The ground plane shall be seeded with a naturalization, wildflower and/or wet meadow grass mix. Wet site tolerant shrubs shall be massed around the basin(s). The specific blend shall be approved by the Borough Landscape Architect. All woody and herbaceous plants shall be species indigenous to the area and/or tolerant to typical wet/dry flood plain conditions.
4. A landscape buffer, consistent of a combination of deciduous trees, conifer, shrubs, berms, and/if appropriate, fences or walls in sufficient quantities and sizes to create a year-round screening shall be provided within a minimum depth of fifteen (15) feet along all tract boundaries. An enhanced buffer beyond the minimum standard may be required by the Planning Board if it determines that the minimum requirements are not sufficient to provide adequate protection from the adverse impacts of factors external to the development site, including, but not limited to, noise and the visual impact of incompatible land uses. This shall include berms and/or wood or concrete fences.

#### **I. PHASING PLAN**

The developer may submit a phasing plan for approval by the Planning Board. The Community Center and all exterior recreational facilities shall be constructed and available for use by the residents no later than the point where fifty (50) percent of the Certificates of Occupancy of the total approved residential units in the development have been issued.

#### **J. MAINTENANCE OF COMMON ELEMENTS**

Common open space and recreation facilities shall be owned in common by the residents of the planned age-restricted community and managed by a homeowners' association in accordance with the provisions of N.J.S.A. 40:55D-43. All open space and recreation areas shall be deed restricted in a manner satisfactory to the Planning Board Attorney. The restrictions shall be sufficient to assure that the open space and recreation areas will be maintained and preserved for their intended purpose. Covenants or other legal arrangements, including homeowner's association documents, shall specify ownership of the area, method of maintenance, responsibility for maintenance; maintenance taxes; and insurance; compulsory membership and assessment provisions; and guarantees that any association formed to own and maintain the area will not be dissolved without the consent of the Planning Board.

#### **K. PERMANENT DEED RESTRICTIONS**

The developer shall submit a permanent deed restriction detailing on the deed for the entire tract and in the deeds for each individual lot, if applicable within the

development, methods of implementing the age restriction to the Planning Board for its review and approval.  
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**L. HOMEOWNER’S ASSOCIATION**

The applicant shall establish a homeowner’s association for the planned age-restricted community. The association shall own and be responsible for the maintenance, repair and reconstruction of all commonly owned buildings, facilities and lands. At a minimum, all such lands shall include recreational areas, open space, and drainage facilities required by the Planning Board. Notification of the ownership and maintenance responsibilities of the homeowner’s association for all recreation, security facilities and undeveloped open space shall be included in the contract of sale and deed of each residence. The documents creating a Homeowner’s Association shall be approved by the Township attorney prior to recording.

**M. AGE-RESTRICTED FOR DWELLING UNIT OCCUPANCY**

Approval of an Age Restricted Residential Community shall require the placement of restrictive covenants, in a manner satisfactory to the Planning Board Attorney, on the deeds to all portions of a tract to insure that occupancy will be limited to at least one member of the household fifty-five (55) years of age or older with no children under nineteen (19) years of age in permanent residence, pursuant to the Federal Fair Housing Amendments Act of 1998 and any amendments thereto, including but not limited to the Housing for Older Persons Act of 1995. Irrespective of the Federal Fair Housing Amendments Act, there shall be no occupancy of any residential unit unless at least one member of the household, who is also a titleholder to the Property, is fifty-five (55) years of age or older.

Council took a short recess at 9:05 PM. A motion was made by Glaser, seconded by Turner to take a short recess.

Ayes: 7, Nays: 0.  
Motion carried.

Council reconvened with a Roll Call vote at 9:15 PM with everyone present.

**Ordinance #15-2005** – Amending Chapter 94 of the Zoning and Land Development Ordinance to add a new section creating a New District entitled, “TH Residence District” and to add definitions and amend the Zoning Map.

Prior to introducing this ordinance a settlement of litigation between Baker Development and the Borough of Washington was read by Mayor Van Deusen.

A motion was made by Housel, seconded by Buoye that Ordinance #15-2005 be introduced and the Clerk read by title only.

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

Ayes: 7, Nays: 0.  
Motion carried.

The Clerk read Ordinance #15-2005 entitled, “AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE CODE OF THE BOROUGH OF WASHINGTON, CHAPTER 94, “ZONING AND LAND USE” TO ADD A NEW SECTION, SECTION 94-79.1 CREATING A NEW DISTRICT ENTITLED, “TH RESIDENCE DISTRICT” AND TO ADD RELATED DEFINITIONS AND AMEND THE ZONING MAP.”

Council Discussion: None.

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It was moved by Housel, seconded by Glaser that Ordinance #15-2005 be approved on first reading.

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

Ayes: 7, Nays: 0.  
Motion carried.

It was moved by Housel, seconded by Turner that Ordinance #15-2005 be published in the Star Gazette on June 16, 2005 and that the public hearing be scheduled for June 29, 2005.

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

Ayes: 7, Nays: 0.  
Motion carried.

**Presentation – Township Mayor – Dave Dempski**

Mayor Van Deursen requested that Council deviate from the order of business to invite Mayor Dave Dempski from the Township to approach Council on the S. Lincoln Avenue problem.

Council concurred.

Mayor Dave Dempski summarized what the Township has done to date with respect to the intersection of Broad Street, S. Lincoln Avenue and Cemetery Hill intersection. They have formed a sub-committee consisting of Barry Mueller, Township Committee, Lt. Tom Cicerelle and Pete de Boer, Manager DPW. They are exploring several ideas that may perhaps lend a hand to solving the Borough's problems on S. Lincoln Avenue. They are presently working with the NJ Department of Transportation. Mayor Dempski suggested a joint cooperative effort that both the Township and Borough work together to solve all of the traffic problems that are related to this intersection which filter over into the Borough.

Council agreed that our committee for S. Lincoln Avenue, Councilman Housel and Councilman Buoye work with the Township Committee.

Mayor Van Deursen suggested that Borough Engineer Robert Miller also be a part of the committee. The expenses involved would be shared by the Township and Borough since both communities engage Mr. Miller as their engineer.

Councilman Buoye noted that DOT approval would be required with any changes proposed. Mayor Dempski indicated that they have already been working with DOT and two proposed changes they've recommended would be to remove the passing lanes on Rt. 31 and to reduce the speed. They are also looking into a traffic light near this area.

**REPORTS:**

It was moved by Turner, seconded by Glaser that the Collector-Treasurers, Borough Clerk's and Borough Manager's reports be accepted as presented and filed.

Ayes: 7, Nays: 0.  
Motion carried.

**VOUCHERS:**

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

Some minor questions were asked and answered by the Borough Manager.

It was therefore moved by Glaser, seconded by Turner that the vouchers and claims be paid in the amount of \$ 296,260.59 and the handwritten vouchers for the month of April in the amount of \$358,923.14 as reflected in the debit/credit memorandum on file in the Collector-Treasurer's office.

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

Ayes: 7, Nays: 0.  
Motion carried.

**NEW BUSINESS:**

**Resolution #99-2005 – Installation of Handicapped Parking Space on State Rt. #57**

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

**RESOLUTION #99-2005**

**A RESOLUTION TO APPROVE THE INSTALLATION OF  
HANDICAP PARKING SPACE ON STATE ROUTE 57 IN  
WASHINGTON BOROUGH, WARREN COUNTY.**

**WHEREAS**, the New Jersey Department of Transportation has requested approval by the Mayor and Council of the Borough of Washington to install a handicap parking space on Route #57 (East Washington Avenue) beginning at a point 55 feet east of the easterly curb of Belvidere Avenue and extending to a point easterly therefrom; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey agrees that a handicapped space is necessary in the business district and approves the request by the New Jersey Department of Transportation's request for handicap parking as noted; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk shall send to the Commission of the New Jersey Department of Transportation a certified copy of this resolution.

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

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #100-2005 – Designating Ord. #12-2005 to be an Emergency Ordinance**

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

**RESOLUTION #100-2005**

**A RESOLUTION DESIGNATING ORDINANCE #12-2005**

**TO BE AN EMERGENCY ORDINANCE**

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**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 projects enumerated within the above captioned Ordinance are necessary for the betterment of the residents of the Borough of Washington; and

**WHEREAS**, the 20 day waiting period is not in the best interest of the residents and employees of the Borough of Washington; and

**WHEREAS**, the Mayor and Council desire to have the projects listed begun and completed 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 Ordinance #12-2005 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.

Discussion: Councilwoman Glaser questioned whether it was really necessary to adopt this resolution? Manager Sheola indicated that this is a requirement in the Borough's Code Book which eventually he would like to see removed. These projects should be able to move forward following the adoption of the ordinance. This is an area that will be recommended for repealing from the Code book which he and the attorney will be reviewing and offering several recommendations.

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

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #101-2005 - Designating Ordinance #13-2005 to be an Emergency Ordinance**

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

**RESOLUTION #101-2005**

**A RESOLUTION DESIGNATING ORDINANCE #13-2005  
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 projects enumerated within the above captioned Ordinance are necessary for the betterment of the residents of the Borough of Washington; and

**WHEREAS**, the 20 day waiting period is not in the best interest of the residents and employees of the Borough of Washington; and

**WHEREAS**, the Mayor and Council desire to have the projects listed begun and completed as expeditiously as possible.

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**NOW, THEREFORE, BE IT RESOLVED**, by the members of the Borough of Washington, in the County of Warren, State of New Jersey that Ordinance #13-2005 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, Housel, Buoye, Van Deursen, Glaser, Oakley and Turner.

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #102-2005 – Celebrate New Jersey Month**

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

**RESOLUTION #102-2005**

**CELEBRATE NEW JERSEY MONTH**

**WHEREAS**, since earliest times, New Jersey's short line, Pine Barrens, mountains and valleys have been recognized as places of great beauty, rich in natural resources and an abundance of plant and animal species; and

**WHEREAS**, New Jersey was the "cockpit of the American Revolution" having more encampments, skirmishes, headquarters, and impact on the civilian population than any other state, with Washington and his army fighting back and forth the across the state for four long years, involving almost every village and hamlet in the state; and

**WHEREAS**, New Jersey's illustrious history and citizens have changed the nation and the world, including such "firsts and bests" as the first state to ratify the U.S. Bill of Rights, the first railroad charter in the U.S., the nation's first seaside resort, the first baseball game, and the first college football game; and

**WHEREAS**, life saving health care innovations were invented in New Jersey including, ether, penicillin, early chemotherapy, cortisone, streptomycin and antihypertensive drugs; and

**WHEREAS**, such life enhancing developments were invented in New Jersey as the first sound motion picture, the first live TV transmission, the first long-distance direct dialing, the first touch-tone dialing, the first transatlantic fiber-optic cable, the first high-definition digital TV, the first bar code, the first production of safe, practical air conditioners of large spaces, the first electric light, the first phonograph, the first canned condensed soups, the first mass produced, quick-frozen vegetables, the first canned beer, the first glass company, and the first cloverleaf traffic intersection; and

**WHEREAS**, New Jersey's illustrious citizens include such greats as Thomas Edison, Frank Sinatra, President Woodrow Wilson, Bruce Springsteen, Alice Paul, Charles Lindbergh, Meryl Streep, Paul Robeson, Susan Sarandon and Jackie Robinson; and

**WHEREAS**, New Jersey's strength is its highly educated work force, its diversity and the resilience, ingenuity, creativity, and generosity of its citizens.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Washington, Warren County, New Jersey that we declare June, 2005 as New Jersey's first annual

**Celebrate New Jersey Month** and direct all Borough agencies and authorities to participate in showcasing all that makes our Borough a great place to live and work.

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

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #103-2005 – Fireworks Display**

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

**RESOLUTION #103-2005**

**RESOLUTION GRANTING PERMISSION FOR A  
FIREWORKS DISPLAY IN THE  
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY.**

**BE IT RESOLVED**, by the Mayor and Common Council of the Borough of Washington, Warren County, New Jersey that permission is hereby granted to Interstate Fireworks, Inc., Dingmans Ferry, Pa. to have a **Fireworks Display** in the Borough of Washington at 9:00 P.M., **Monday, July 4, 2004** with a **Rain Date of Saturday, July 9, 2005**.

**BE IT RESOLVED**, that a true copy of this Resolution be forwarded to the New Jersey Department of Labor and Industry, Trenton, NJ, together with a copy of the required Certificate of Liability Insurance.

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

Ayes: 7, Nays: 0.  
Motion carried.

**COUNCIL REMARKS:**

Mayor Van Deursen polled Council for their remarks.

Councilman Buoye addressed the action taken by the Council with respect to the “Click It Or Ticket Program” and stated that he really appreciated the Police Department and the ways in which they serve the community. There was no negative statement against the Police Department with voting against this the resolution. He was not in favor of the program.

Councilman Housel noted that he was not present but that he was very disappointed in the vote on the “Click It Or Ticket” program.

Councilwoman Woykowski had no comments.

Councilwoman Oakley noted that her vote was strictly personal and it was the program, not the job the Police Department is doing. In the future, if there is a program that the Police Department is endorsing, it would be helpful to have a representative from the department present at the Council meeting. She did not think that everything that comes before the governing body should have an automatic approval.

She also extended the best of luck to Councilwoman Glaser in the election.

Councilwoman Glaser requested that Mr. Robert Mayer’s letter be placed on the next meeting agenda for discussion.

The next meeting of the Senior Services Advisory Committee is scheduled for Tuesday, June 14<sup>th</sup>.

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Councilman Turner noted that he stood firm on his vote last meeting on the “Click It Or Ticket Program”.

Councilman Turner was pleased to see the spirit of cooperation being extended by Mayor Dempksi from the Township. As a member of Council he offered to help in any way possible.

Mayor Van Deursen wished Councilwoman Woykowski good luck in the election as well as Councilwoman Glaser.

Mayor Van Deursen also stated she was very pleased that Mayor Dempksi approached the Borough. She was looking forward to working together in any cooperative effort such as was demonstrated this evening.

It was moved by Housel, seconded by Glaser that the Council go into Executive Session to discuss personnel and negotiations at 9:50 P.M.

Ayes: 7, Nays: 0.  
Motion carried.

It was moved by Housel, seconded by Buoye that the Council go back into open session at 10:15 PM.

Ayes: 7, Nays: 0.  
Motion carried.

Hearing no further business to come before Council, it was moved by Glaser, seconded by Turner that the meeting be adjourned at 10:15 PM.

Ayes: 7, Nays: 0.  
Motion carried.

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Marianne Van Deurrsen, Mayor

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Linda L. Hendershot, RMC/CMC  
Borough Clerk