

## **MINUTES OF REGULAR MEETING HELD DECEMBER 27, 2005**

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

Roll Call: Woykowski, Turner, Van Deursen, Housel, Buoye and Glaser.  
Present: 6.

Absent: Oakley (On Vacation) – Absent: 1.

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

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:**

#### **Special Meetings – December 7, 2005 and December 13, 2005 & Regular Meeting – December 13, 2005**

Mayor Van Deursen entertained a motion to approve the minutes of the Special Meetings of December 7<sup>th</sup> and 13<sup>th</sup> and the Regular Meeting of December 13, 2005.

Hearing no corrections, it was moved by Woykowski, seconded by Buoye that the minutes of the special meetings of December 7<sup>th</sup> and 13<sup>th</sup> and the regular meeting of December 13, 2005 be approved as presented.

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) Star Ledger Article – Sewer Agencies fight proposed rules;
- 2) NJLM Re: Local “Pay to Play” Powers,
- 3) NJLM Re: Disclosure of Bid List;
- 4) NJLM Re: State Health Benefit Changes;
- 5) Christine Woykowski – Two (2) Letters;

- 6) Letter – R. Harpster Re: Sewer bill; and
- 7) Letter – Washington Township Re: Shared Court

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

It was moved by Turner, seconded by Glaser that the communications numbered #1 thru #7 be acknowledged, received and filed.

Discussion: Councilman Turner referred to Mr. Harpster's letter and noted that this concern was going to be a reoccurring problem. When are we going to get a report from Stephanie Lewis. The Mayor noted that prior discussions with Council was that we remain status quo with the billing status based on problems in other communities. Stephanie Lewis is presently working on the 2006 sewer rate and will be giving Council and up-to-date report at that time. Mayor Van Deursen noted that a poll was taken and Council did not want to make any changes in calculating the sewer rate at this point in time.

Deputy Mayor Glaser acknowledged the letters from Councilwoman Woykowski and noted that she was going to be very sorry to see her step down from the Senior Services Advisory Committee. She would miss her tremendously.

Mayor Van Deursen also thanked Councilwoman Woykowski for her services and organizational skills on the Web-site Committee. If it wasn't for Councilwoman Woykowski there wouldn't have been a web-site. The web-site is up and running very well.

Mayor Van Deursen noted that she would be looking for volunteers to serve on both of these committees.

Ayes: 6, Nays: 0.  
Motion carried.

Mayor Van Deursen deviated from the order of business to discuss the Bids for the Cab & Chassis for the DPW in view of the fact John Burd was present but was not feeling well. Council concurred.

Councilman Turner noted that there were no problems with the bids; he just had some questions particularly on the size truck that was bid.

Mr. Burd noted that the Road Department is in need of a truck of this size to handle the snow plowing. This truck is replacing another big truck in the fleet of trucks the department presently has. The chassis on this truck can be put on another truck. Mr. Burd further noted that this truck will be replacing a truck that they have utilized for the past twenty years.

Councilwoman Glaser asked what the life expectancy of this truck would be if the Council voted to approve its purchase. Mr. Burd noted that this truck would last at least twenty years. Council discussion followed at which time it was the consensus that they award the bid for the truck by entertaining the adoption of Resolution #240-2005.

**Resolution #240-2005 – Awarding Bid for the Cab & Chassis with Dump Body, Plow and Tail Gate Spreader**

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

**RESOLUTION #240-2005**

**A RESOLUTION AWARDING BID FOR THE CAB & CHASSIS WITH DUMP BODY, PLOW AND TAIL GATE SPREADER**

**WHEREAS**, the Borough of Washington advertised in the Star Gazette for qualified bidders for the above project; and

**WHEREAS**, the Borough received one (1) bid from a qualified contractor at the Bid Opening on November 30, 2005; and

**WHEREAS**, the bids received were as follows:

	Opdykes Sales & Service Washington, NJ 07882	\$103,989.00 Base Bid
Options:	1. Automatic Tarp	\$ 1,875.00
	2. Pintle Hook	\$ 1,350.00
	3. Automatic Traction Control	\$ 2,250.00
	4. Tool Box	\$ 441.00
	<b>TOTAL w/OPTIONS</b>	<b>\$ 109,905.00</b>

**WHEREAS**, the Borough Manager's estimate was \$ 110,000.00; and

**WHEREAS**, the Mayor and Council of the Borough of Washington wishes to accept the lowest bid 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 award the bid for purchase of a Cab & Chassis with Dump Body, Plow and Tailgate Spreader to Opdykes Sales and Service, Washington, NJ and authorize the Borough Manager to prepare the contract documents as soon as possible and for the Mayor and Clerk and any other municipal official to execute the contracts.

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

Ayes: 6, Nays: 0.  
Motion carried.

Mayor Van Deursen thanked John Burd and his crew for the wonderful job they are doing for the community.

**AUDIENCE:**

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

**Judy Jones, 18 S. Pickel Avenue**

Mrs. Jones asked when the Sunrise Terrace/S. Pickel Avenue project was going to be completed?

Mayor Van Deursen noted that the base course was laid and the final course will be done as soon as the weather breaks. Mrs. Jones informed the governing body that the bottom of Pickel going into Myrtle Avenue was not finished. She was concerned about the water run-off forming into ice. The raised manholes are a hazard. Mrs. Jones complained about the inadequate notices she received.

Mayor Van Deursen noted that the engineer prepared a notice for the contractor for proper notification. She apologized on behalf of the governing body for the problems which have been reoccurring with this project. The project will resume in the spring for completion.

Mrs. Jones also noted that that she was promised a concrete apron for her driveway and this has not happened. There is also open ditches behind the curbs which should be attended to.

Mayor Van Deursen noted that the engineer will be contacted immediately to be apprised of all of her concerns.

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

Ayes: 6, Nays: 0.  
Motion carried.

**REPORTS:**

It was moved by Glaser, seconded by Housel that the Trial Balance, A & E O.T., Recreation Commission, Collector-Treasurer's and Borough Manager's reports be acknowledged, received and filed.

**VOUCHERS:**

Mayor Van Deursen entertained additions or questions of the vouchers and claims prior to their approval.

Several questions were asked regarding the vouchers of which the Manager answered.

It was therefore moved by Glaser, seconded by Buoye that the voucher and claims be paid in the amount of \$ 5,723,458.37 as reflected in the debit/credit memorandum on file in the Collector-Treasurer's office.

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

Ayes: 6, Nays: 0.  
Motion carried.

**OLD BUSINESS:**

**Continued Discussion – Ordinance Re: Pedophile Free Zones** Requested by Councilwoman Woykowski)

This topic was inadvertently left off the agenda. The Clerk revised the agenda and placed an amended agenda on the Council desks. Councilwoman Woykowski stated for the record, that at the meeting of November 22<sup>nd</sup> Council requested an ordinance be prepared for this meeting. Council was ignored.

Attorney Cushing assured Councilwoman Woykowski that Council is not being ignored. He is very concerned with the adoption of this type of ordinance. There will be a massive federal lawsuit challenging these ordinances in the not too distant future.

Attorney Cushing addressed Megan's Law for the benefit of the governing body.

Attorney Cushing noted he has grave concerns with respect to the adoption of an ordinance but if Council instructed him to do so he will prepare an ordinance for their review and consideration. Eventually, they will probably be part of a large federal lawsuit or a Civil Rights group may challenge it. He was also concerned with some of the problems that will occur with regard to the definitions spelled out in the ordinance.

Councilwoman Glaser noted that most of the teeth has been taken out of Megan's Law.

Lower Township's ordinance is being challenged and the community is being sued. Attorney Cushing noted that the Borough could be opening themselves up to a very large and costly lawsuit. We don't know how the courts are going to react to the law.

Councilman Turner stated that he felt an ordinance should be adopted. If they want to sue us, then sue us. All the other surrounding communities are adopting ordinances and that means the people affected will be filtering into the Borough.

Councilman Buoye felt the Council should revisit this topic after the case is settled that is being challenged; perhaps in three to five months.

Councilman Housel noted that he was in favor such an ordinance. We have the right to protect our children and must stand up to our liberal society.

Councilwoman Woykowski noted that there is new legislation pending that will require that municipalities be notified of the type of crime we are discussing. In most cases this type of crime cannot be rehabilitated. There is treatment out there for those who want to take advantage of it.

Councilman Turner noted that there is the question as to whether this ordinance is constitutional? The ordinance will not tell them they cannot move to the Borough; it will limit them as to where they can live.

Councilman Buoye questioned whether the ordinance will have a grandfather clause that will not affect those people who already fall into this category and have lived in the Borough prior to the adoption of the ordinance.

The general consensus was to have the attorney prepare an ordinance for review and consideration by the governing body sometime in January.

**NEW BUSINESS:**

**Application for Special ABC Permit – Washington Fire Department**

An application for a Special ABC Permit for the Washington Fire Department was submitted to the Council for their approval.

It was therefore moved by Housel, seconded by Glaser that this Special ABC Permit for the Washington Borough Fire Department be approved.

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

Ayes: 6, Nays: 0.  
Motion carried.

**Application for Raffle License – St. Joseph's Church**

An application was submitted from St. Joseph's Church for a raffle license. The application is in order and the fees have been paid.

It was moved by Housel, seconded by Glaser that the Clerk be authorized to issue a raffle license to St. Joseph's Church.

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

Ayes: 6, Nays: 0.  
Motion carried.

**Resolution #228-2005 thru Resolutions #230-2005**

The following Resolutions were moved on a motion made by Glaser, seconded by Turner and adopted:

**RESOLUTION #228-2005**

**RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE**  
**AS PER N.J.S.A. 54:5**

**KNOW ALL MEN BY THESE PRESENCE, THAT, WHEREAS,** lands in the taxing district of Washington Borough, County of Warren, State of New Jersey were sold on December 1, 2004 to Wachovia/Cust/Sass Muni V dtr, 123 S. Broad St., PA 1328S, Tax Lien Services Group, Philadelphia, PA 19109 in the amount of \$ 1,362.00 for taxes or other municipal liens assessed for the year 2003 and in the name of Ruiz, Edwin as supposed owners and in said assessment and sale were described as 60 E. Washington

Avenue, Block 024, Lot 020, which sale was evidenced by Certificate #389-04, dated and recorded in the office of the County Clerk.

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 12-14-05 and before the right to redeem was cut off, as provided by law, Edwin Ruiz, claiming to have an interest in said lands, did redeem said lands claimed by Wachovia-Cust/Sass Muni V dtr, and last above mentioned, by paying to the Collector of Taxes of said taxing district of Washington Borough the amount of \$ 9,030.36, which is the amount necessary to redeem Tax Sale Certificate #389-04.

**NOW, THEREFORE, BE IT RESOLVED**, on this 27<sup>th</sup> day of December, 2005 by the Mayor and Council of the Borough of Washington, County of Warren, to authorize the Treasurer to issue a check payable to Wachovia-Cust/Sass Muni V dtr, 123 S. Broad St., PA 1328S, Tax Lien Services Group, Philadelphia, PA 19109 in the amount of \$12,030.36 (this amount consists of \$ 9,030.36 + \$3,000.00 premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 024, Lot 020 from the tax office records.

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

Ayes: 6, Nays: 0.

Motion carried.

**RESOLUTION #229-2005**

**A RESOLUTION TO REFUND OVERPAYMENT  
ON 2005 REAL ESTATE TAXES**

**WHEREAS**, according to the Tax Collector's records there is an overpayment of \$ 189.54 on 2005 Regular Taxes paid on property located at 3 McKinley Avenue, also known as Block 054, Lot 002, and in the name of Barends, Brian H. and Sharon L.; and

**WHEREAS**, Wells Fargo for the Barends and the Barends have both paid the 4<sup>th</sup> quarter 2005 added taxes causing an overpayment; and

**WHEREAS**, the Tax Collector has received a written request from the Barends to refund the tax overpayment to the Barends.

**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 and Treasurer to refund the amount of \$ 189.54 payable to:



Barends, Brian H. and Sharon L.  
3 McKinley Avenue  
Washington, NJ 07882

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

Ayes: 6, Nays: 0.  
Motion carried.

**RESOLUTION #230-2005**

**A RESOLUTION AUTHORIZING THE REFUNDING OF  
AN OVERPAYMENT OF THE BOROUGH'S  
SEWER SERVICE CHARGE.**

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

<b><u>BLOCK/LOT</u></b>	<b><u>PROPERTY OWNER/ PROPERTY LOCATION</u></b>	<b><u>AMOUNT TO BE REFUNDED</u></b>
24/20	Ruiz, Edwin 60 East Washington Avenue	\$ 43.00

The outside lien holder, Wachovia-Cust/Sass Muni V sent a sewer payment in November for the above property's balance. This payment was applied to the sewer account but not towards the lien as a subsequent payment. Therefore, a refund of \$ 43.00 should be mailed to:

Wachovia-Cust/Sass Muni V dtr  
123 S. Broad St., PA 1328S  
Tax Lien Services Group, Philadelphia, PA 19109

**WHEREAS**, the Borough Treasurer's office has acknowledged the posting error and will rectify it through this refund.

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

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

Ayes: 6, Nays: 0. – Motion carried.

**Resolution #231-2005 – Cancel Small Balances for 2005**

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

**RESOLUTION #231-2005**

**CANCEL SMALL BALANCES FOR 2005**  
**AS PER N.J.S.A. 40A:5-17.1**

**WHEREAS**, the State of New Jersey allows a Municipal employee to process the cancellation of any property tax refund or delinquencies of less than \$ 10.00; and

**WHEREAS**, the Municipal employee allowed to process the cancellation shall be the Tax Collector.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey hereby authorizes the Tax Collector of the Borough of Washington to process the cancellation of any property tax refund or delinquency of less than \$ 10.00.

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

Ayes: 6, Nays: 0.

Motion carried.

**Resolution #232-2005 – Transfer of Appropriations**

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

**RESOLUTION #232-2005**

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

**WHEREAS**, N.J.S.A. 40A:4-58 provides for the transfer of excess appropriations by not less than 2/3 vote of the full membership of the governing body during the last two months of the fiscal year; and

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

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

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
MAYOR & COUNCIL Other Expenses	ADMIN/EXEC Salary & Wages	\$ 250.00
PLANNING BOARD Other Expenses	ADMIN/EXEC Salary & Wages	500.00
PUBLIC BUILDS. & GROUNDS Other Expenses	ADMIN/EXEC Salary & Wages	2,000.00
FINANCE ADM. Other Expenses	ADMIN/EXEC Salary & Wages	750.00
ASSESSMENT OF TAX Other Expenses	ADMIN/EXEC Salary & Wages	500.00
LOCAL CODE ENFORCE. Other Expenses	ADMIN/EXEC Salary & Wages	750.00
COLLECTION OF TAXES Other Expenses	ADMIN/EXEC Salary & Wages	500.00
DOWNTOWN REDEVELOP. Other Expenses	ADMIN/EXEC Salary & Wages	500.00
INSURANCES Other Expenses	XCAP MUNICIPAL COURT Salary & Wages	6,000.00
INSURANCES Other Expenses	STATUTORY EXPENDITURE Other Expenses	4,895.00
POLICE DEPARTMENT Other Expenses	STATUTORY EXPENDITURE Other Expenses	1,000.00
SURETY BONDS Other Expenses	STATUTORY EXPENDITURE Other Expenses	105.00

GARBAGE COLLECTION	SOLID WASTE DISPOSAL	
Other Expenses	Other Expenses	\$ 2,000.00
HIGHWAY DEPARTMENT	SOLID WASTE DISPOSAL	
Other Expenses	Other Expenses	2,000.00
TOTALS OF ALL TRANSFERS:		\$21,750.00

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

Ayes: 7, Nays: 0.  
Motion carried.

**Resolutions #233-2005 & #234-2005**

The following Resolutions were moved on a motion made by Glaser, seconded by Turner and adopted:

**RESOLUTUON #233-2005**

**A RESOLUTION TO REFUND OVERPAYMENT OF 2005  
ADDED REAL ESTATE TAXES DUE TO TAX APPEAL.**

**WHEREAS**, according to the Tax Collector's records, there is an overpayment of \$ 47.39 on 2005 4<sup>th</sup> Quarter Added Taxes paid on property located at 22 Gibson Place, also known as Block 052, Lot 003 and in the name of Richold, Robert W. and Ann M.; and

**WHEREAS**, this overpayment was created by Tax Appeal #21-05-02A being granted on the Added Assessment; and

**WHEREAS**, the Tax Collector wishes to refund this overpayment to the homeowner due to this appeal being awarded for an erroneous assessment.

**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 and Treasurer to refund the amount of \$ 47.39 in the name of

Robert W. and Ann M. Richold  
22 Gibson Place  
Washington, NJ 07882

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

Ayes: 6, Nays: 0.  
Motion carried.

**RESOLUTION #234-2005**

**A RESOLUTION TO REFUND OVERPAYMENT OF 2005  
ADDED REAL ESTATE TAXES DUE TO TAX APPEAL.**

**WHEREAS**, according to the Tax Collector's records, there is an overpayment of \$ 71.96 on 2005 4<sup>th</sup> Quarter Added Taxes paid on property located at 259 W. Warren Street, also known as Block 003, Lot 006 and in the name of Annese, Michael L.; and

**WHEREAS**, this overpayment was created by Tax Appeal #21-05-01A being granted on the Added Assessment; and

**WHEREAS**, the Tax Collector wishes to refund this overpayment to the homeowners due to this appeal being awarded for an erroneous assessment.

**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 and Treasurer to refund the amount of \$ 71.96 in the name of:

Michael L. Annese  
259 W. Warren St.  
Washington, NJ 07882

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

Ayes: 6, Nays: 0.  
Motion carried.

**Resolution #235-2005 – To Approve Change Order #3 – Sunrise/Pickel Avenue –  
Extend Time**

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

**RESOLUTION #235-2005**

**A RESOLUTION APPROVING CHANGE ORDER #3  
RELATED TO THE SUNRISE TERRACE/PICKEL AVENUE  
SIDEWALK/CURBING PROJECT.**

**WHEREAS**, the Borough of Washington is repairing/replacing various curbs and sidewalks as part of an extensive rehabilitation program; and

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

**WHEREAS**, the project engineers, Studer & McEldowney have recommended the following Change Order:

Extend Length of Project	94 Days
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**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 approve Change Order #3 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.

Discussion: Councilman Turner was not in favor of adopting this resolution at this meeting. He suggested that it be tabled for the next meeting.

The backfill behind the curbing was mentioned.

Councilwoman Woykowski was concerned that the prices would go up for the material if the project was extended? She questioned whether there was a clause in the contract to protect the governing body from this happening. It was noted that they could request a price adjustment but it does not mean Council has to give it to them.

Roll Call: Glaser, Van Deursen, Buoye, Housel and Woykowski – Ayes: 5,  
Turner – 1 Naye.

Motion carried.

**Resolution #236-2005 – Contract extending garbage and recycling service – month to month**

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

**RESOLUTION #236-2005**

**RESOLUTION AUTHORIZING MANAGER TO SIGN EXTENSION OF AGREEMENT WITH BLUE DIAMOND DISPOSAL BY THE BOROUGH OF WASHINGTON, WARREN COUNTY, NJ.**

**WHEREAS**, the Borough of Washington has advertised for the receipt of bids for garbage, recycling and bulk trash collection and

**WHEREAS**, the bids are scheduled to be received and opened on January 9, 2006; and

**WHEREAS**, it is necessary to have a qualified carting firm remove garbage, recycling and bulk trash until such time the Borough has selected a contractor for 2006 and beyond; and

**WHEREAS**, Blue Diamond Disposal is currently collecting the garbage, recycling and bulk trash from the Borough of Washington and has agreed to continue to collect at the same price of \$ 22,167.00 per month until a new contractor is selected.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that the Borough Manager is authorized to sign and complete the requirements for an extension to the existing contract to Collect and Dispose of Solid Waste with Blue Diamond Disposal on a month to month basis, in an expeditious manner.

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

**Resolution #237-2005 – Authorizing the execution of a Contract for Janitorial Services**

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

**RESOLUTION #237-2005**

**RESOLUTION AUTHORIZING MANAGER TO SIGN CONTRACT  
WITH ARC OF WARREN COUNTY AND THE BOROUGH  
OF WASHINGTON, WARREN COUNTY, NEW JERSEY.**

**WHEREAS**, the Borough of Washington has the need for building maintenance services; and

**WHEREAS**, the ARC of Warren County provides such services; and

**WHEREAS**, the proposal submitted by ARC of Warren County of \$ 70.00 per diem is acceptable to the Borough of Washington; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that the Borough Manager is authorized to sign and complete the requirements for an agreement with ARC of Warren County for building maintenance services at the rate of \$ 70.00 per idem from January 1, 2006 to March 31, 2006.

Discussion: Council discussed the ARC proposal and questioned whether the three days a week would be sufficient? Manager Sheola explained that the contract is only for a three month trial period. The Road Department will be called in if necessary for work that cannot be done by ARC. Councilman Housel was not in favor of calling in the Road Department and there was also a concern from some of the Council people on overtime being incurred by the Road Department as a result of helping with this building.

Councilman Housel suggested perhaps considering hiring someone part-time for the position.

It was also noted that the Borough has a lot of community service workers being supervised by Mr. Bescherer and they have been doing a lot of the janitorial work at the building presently.

Roll Call: Glaser, Turner, Van Deursen and Buoye – Ayes: 4,  
Woykowski and Housel – Nays: 2.

Motion carried.

**Resolution #238-2005 - Authorizing the Release of a Performance Bond – L.  
Kropynvckyj – 6 Cleveland St.**

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



**RESOLUTION #238-2005**

**A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS  
FROM AN ESCROW ACCOUNT ESTABLISHED IN THE NAME  
OF LUCAS KROPYWNYCKYJ AND HELD IN TRUST BY THE  
BOROUGH OF WASHINGTON.**

**WHEREAS**, Lucas Kropywnyckyj applied for and received a permit to construct a sewer extension and to open Cleveland Street up for the purposes of connection to the public utilities; and

**WHEREAS**, funds were posted in escrow to provide performance guarantee on the work within the public right-of-way; and

**WHEREAS**, Municipal Engineer Robert Miller, C.M.E., P.E. and MASER Consulting have determined that all site work required under the site plan approval has been completed in a satisfactory manner; 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 that the Municipal Treasurer is hereby authorized to issue a check to Lucas Kropywnyckyj for the balance in the inspection escrow account in the amount of \$ 23,920.00

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

Ayes: 6, Nays: 0.  
Motion carried.

**Resolution #239-2005 Authorizing the Manager to sign Inter-Local Agreement with  
Pollution Control Financing Authority**

It was moved by Glaser, seconded by Housel that the following resolution be adopted:

**RESOLUTION #239-2005**

**RESOLUTION AUTHORIZING MANAGER TO SIGN INTERLOCAL  
AGREEMENT WITH POLLUTION CONTROL FINANCING AUTHORITY  
OF WARREN COUNTY BY THE BOROUGH OF WASHINGTON,  
WARREN COUNTY, NEW JERSEY.**

**WHEREAS**, the Borough of Washington has been notified of the receipt of a proposed Interlocal Agreement between the Pollution Control Financing Authority of Warren County and the Borough of Washington; and

**WHEREAS**, if the Interlocal Agreement were not signed, the Borough of Washington would have no legal means to dispose of the municipal waste generated within its borders; and

**WHEREAS**, the Borough desires to sign the Interlocal Agreement and having the municipal waste disposed of in a safe and legal manner.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that the Borough Manager is authorized to sign and complete the requirements for the Interlocal Agreement for Solid Waste Disposal with the Pollution Control Financing Authority of Warren County in an expeditious manner.

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

Ayes: 6, Nays: 0.  
Motion carried.

### **Schedule of MeetingS for 2006**

A draft of the schedule of meetings for the calendar year of 2006 was discussed by Council and agreed to. This schedule will be adopted at the organizational meeting held January 3, 2006.

### **Executive Session**

It was moved by Glaser, seconded by Turner that the Council go into Executive Session to discuss personnel and litigation after a short recess at 9:20 PM.

Ayes: 6, Nays: 0.  
Motion carried.

Council reconvened with everyone present at 9:30 PM and went into Executive Session.

It was moved by Turner, seconded by Glaser that the Council out of Executive Session at 10:50 PM.

Ayes: 6, Nays: 0. – Motion carried.

**Dental Plan**

A motion was made by Glaser, seconded by Turner that the Police and Non-Union employees be able to participate in a new dental plan that has been proposed.

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

Ayes: 6, Nays: 0.

Motion carried.

**Ordinance Creating a Full-time Recreation Director**

Discussion took place regarding a proposed ordinance creating a full-time position for the Recreation Director. It was suggested that the ordinance be more specific on what areas the Recreation Commission would be taking care of. It should include all recreational facilities including the pool.

Councilwoman Woykowski also suggested that the ordinance provide for a Council liaison to the Recreation Commission. Attorney Cushing was not sure that there is a provision in the statute for this?

Councilman Turner offered to act as a voluntary liaison to the Commission as he presently does attend most of their meetings.

Councilman Housel felt that the Recreation Commission should be reporting to the Manager. He was not comfortable with the way the ordinance was written.

It was noted that the Manager will be taking an active part in the interviews for this position.

Councilman Housel noted that the employees should be reporting to the Recreation Commission Director for direction involving their duties and responsibilities.

Any misconduct should also be reported to the Manager as well as the Recreation Commission.

Councilwoman Woykowski pointed out that the Council has not looked at their budget plus the benefit package that would be considered for this position. The salary history for this position with a range will be discussed and available for the January 17<sup>th</sup> meeting.

This Ordinance will be given to the Recreation Commission for their review and comments.

Manager Sheola noted that Council should leave their calendar's open weekends beginning the last weekend in January thru March to schedule the budget workshop sessions.

**Public Record – E-Mails**

A reminder to Council was sent via a communication from the attorney. The Government Records Council has ruled that public records include e-mails on public officials' personal computers are public records. All e-mails should be saved.

**Committee Minutes**

Councilwoman Woykowski requested that Council be provided with the minutes from the BID (Business Improvement District) meetings and also requested that all committees submit reports to Council on a regular basis, so Council is informed of all the issues.

**Meeting with Van Cleef Enterprises – Parking**

Councilman Turner brought Council up-to-date regarding a meeting they had with Mr. Van Cleef regarding parking issues in the redevelopment of a portion of our downtown he is presently before the Planning Board on. The Board is concerned with Mr. Cleef providing adequate parking for his project. One of the suggestions discussed at this meeting was shared parking spaces. Mr. Turner will keep Council abreast of what is happening in this regard.

**COUNCIL REMARKS:**

Everyone wished all a Happy New Year.

Mayor Van Deursen reminded Council of the Fire Chief's Banquet scheduled for January 14<sup>th</sup>.

Hearing no further business to come before Council, it was moved by Glaser, seconded by Turner that the meeting be adjourned at 11:30 PM.

Ayes: 6, Nays: 0.  
Motion carried.

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Marianne Van Deursen, Mayor

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Linda L. Hendershot, RMC/CMC  
Borough Clerk

