

## **MINUTES OF REGULAR MEEITNG HELD AUGUST 2, 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: Oakley, Turner, Woykowski, Van Deursen, Housel and Buoye – 6 Present.

Absent: Glaser – 1 Absent (Due to Illness)

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, 197, 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 – July 19, 2005**

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting held July 19, 2005.

Councilman Buoye requested that the last paragraph on Page 13 be reworded to reflect his frustrations with the problems people are bringing before the Council rather than the way it was worded.

Hearing no further corrections, it was moved by Turner, seconded by Buoye that the minutes of the regular meeting held July 19, 2005 be approved as corrected.

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

Motion carried.

### **COMMUNICATIONS:**

The following communications were entered into the record including two additional communications before Council this evening:

- 1) Workshop Re: Storm Water;
- 2) Notice of Rate Increase – Elizabethtown Gas Company;

- 3) NJ DEP Re: 44 E. Washington Avenue/Parking Lot;
- 4) Letter from Michael Schmidt commending Detective Whitmore;
- 5) Assemblyman M. Doherty RE: 2005 NJ DOT Transportation Enhancement Program;
- 6) Warren County Planning Board RE: 2005 NJ DOT Transportation Enhancement Program;
- 7) E-mail communication from Andrea Hayde RE: Baker Parcel;
- 8) NJ State League RE: DOT – Welcome Sign Program;
- 9) NJ State League RE: Federal Update on Community;
- 10) NJ State League RE: NEDA Seminar on Economic Development Incentives & Eminent Domain;
- 11) NJ State League RE: Union Card Check;
- 12) NJ State League RE: Federal Communications Act and
- 13) Assemblywoman C. Myers RE: Transportation Enhancement Grant application

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

Councilman Turner had some questions with regard to some of the communications.

Communications #3 – Councilman Turner questioned whether the Borough owned the parking lot yet?

Manager Sheola explained that this is additional paperwork that the DEP requires. Attorney Cushing noted that we are awaiting the DEP's determination with regard to the Memorandum of Understanding to see what exactly has to be done to clean up the site.

Councilman Turner addressed Michael Schmidt's letter commending Detective Whitmore and suggested that this letter be placed in his personnel file.

Councilman Turner also suggested that a letter of thanks go to Assemblyman Doherty for his support of the Borough's Transportation Enhancement Program application. The Clerk noted that a letter of support was also received from Assemblywoman Meyers.

Vote on Communications:

Ayes: 6, Nays: 0.  
Motion carried.

### **Status of Baker Settlement**

Mayor Van Deursen suggested that the Council deviate from the order of business to discuss the status of the Baker Settlement and whether to re-list the Ordinance and Resolution for adoption on a future agenda. Council concurred.

Mayor Van Deursen addressed the special Planning Board meeting held last week and summarized the events that happened at that meeting. After entertaining additional testimony and comments from the public for two and a half hours, the Planning Board voted not to approve the Baker settlement.

Mayor Van Deursen explained for the benefit of the public that there were several negotiation meetings encouraged by the attorney and the court but at no time was there any agreement struck. The Planning Board members remain concerned over several points that were raised by the public and it was going to be her recommendation that Council respect their judgment and honor their decision. In honoring their decision the Council would not consider the adoption of Ordinance #15-2005, nor would it execute the Baker settlement.

A motion was moved by Buoye, seconded by Woykowski that the Council vote to reject the Baker settlement.

Discussion: Mayor Van Deursen thanked the public for their comments and testimony. She explained that the governing body was trying to protect the Borough's rights and was trying to settle this litigation out of court. At this point we'll have to take our chances in court.

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

Ayes: 6, Nays: 0 – Motion carried.

**AUDIENCE:**

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

**Ed Little, 87 S. Lincoln Avenue** wanted to thank the Council for listening to his suggestions with respect to the S. Lincoln Avenue parking situation. He noted that South Lincoln Avenue is only one of forty-four (44) other streets that need to be addressed. Mr. Little urged the Council to consider the residents that live on S. Lincoln Avenue. They want a fair and just decision from the governing body. All the facts should be balanced out. Mr. Little did suggest that more stop signs should be placed for safety reasons.

Mayor Van Deursen thanked Mr. Little his remarks. It is very helpful to have citizens serve on committees with the governing body.

**Scott McDonald, 342 N. Prospect Street** thanked the governing body for their decision. It was his opinion that the Council made the right decision. It was his understanding that Phillipsburg Riverview Organization has offered their assistance in donating monies for the purchase of this property. Mayor Van Deursen noted that this information is rumors that have been circulating around. Mr. McDonald suggested that Council approach them on this avenue.

Hearing no further business to come before the audience, it was moved by Oakley, seconded by Buoye that the audience portion of the meeting be closed.

Ayes: 6, Nays: 0.  
Motion carried.

**REPORTS:**

Prior to accepting the reports the Manager distributed the Chart of Goals for 2005 and 2006.

It was therefore moved by Housel, seconded by Turner that the WWTP Flow Capacity report submitted by Maser, Borough Clerk, Zoning/Code Enforcement and the Manager's Chart of Goals for 2005 and 2006 be accepted as presented and filed.

Discussion:

Councilman Turner had some questions in regard to the WWTP Flow Capacity report, particularly, Page 3. The figures Maser is working from are approximately almost ten years old? Manager Sheola noted that the DEP has not requested any updates to date.

Councilman Turner commented on some of the recommendations in the Zoning/Code Enforcement Officer's report. Manager Sheola noted that some of the departmental recommendations set forth in their reports would be discussed during updating of the Borough's Codification Code process based on the attorney's review.

During the discussion of the reports Martha Potter was recognized by Mayor Van Deursen. Mrs. Potter questioned whose responsibility it was to repair sidewalks? It was noted that it is the property owner's responsibility.

Mr. Robert Mayer was also recognized by Mayor Van Deursen. Mr. Mayer asked when they could expect the contractor back on N. Prospect Street to complete their project? It was explained that the contractor is working in town and will resume work on N. Prospect Street Wednesday to do all the top soil in one shot.

The Manager's goals chart was reviewed by the Mayor item by item and an updated copy will be prepared for Council by the Manager.

The Road list will be reviewed by the Manager and a priority list of roads will be prepared for next year for Council consideration.

The Senior Services Committee is up and running with a great start.

The PEOSHA program is completed.

The pavilion at the Borough Park is scheduled for completion on September 15<sup>th</sup>.

The Railroad Avenue Park is deferred to the 2006 budget.

Discussion ensued as to whether the Council goals and their progress reports should be on the web-site so that the citizens know what Council is working on? Also, the Policy committees and their progress. It was agreed that this matter would be discussed by the web-site committee to see how best it should be handled.

Manager Sheola will provide the Council with an up-date on the Policy list which will be discussed at the next meeting.

Vote on Reports:

Ayes: 6, Nays: 0.

Motion carried.

### **VOUCHERS:**

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

Councilman Turner had some questions regarding the cost of camera film and whether digital photos were admissible in court? This would save on the purchase of film. Attorney Cushing noted that digital photos are admissible.

Councilman Turner questioned the cost of universal kits for road department vehicles. He recalled that this work was done back in December? Is it another truck? Manager Sheola will look into this matter and advise Councilman Turner.

Hearing no further questions, it was moved by Housel, seconded by Buoye that the vouchers and claims be paid in the amount of \$473,613.90 and the handwritten vouchers in the amount of \$224,198.04 as reflected in the debit/credit memorandum on file in the Collector/Treasurer's office.

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

Ayes: 6, Nays: 0.

Motion carried.

### **OLD BUSINESS:**

#### **Continued Discussion RE: Pool Renovations**

Dawn Higgins from the Recreation Commission was present to address any questions the Council had with respect to the pool renovations. The Commission is looking at other means of funding for the renovations and they are also eligible for another Green Acres grant. They have also been apprised by Jim Sheldon, B.I.D. Director that they may be eligible for a Community Development Block Grant.

Mayor Van Deursen noted that the Council has already committed an amount of \$283,000.00 to the project. The filtration system was discussed and it a priority issue that must be upgraded.

Mayor Van Deursen noted that pools should be upgraded every five years and the Commission has never done it in the past.

Discussion ensued as to how much additional monies Council would consider budgeting to begin renovations to the pool.

Councilman Turner noted that the pool would have to be upgraded for handicapped accessibility. This may be an avenue where additional funding could be applied for. He had no problem with funding the pool but not at the full expense of the taxpayers. Councilman Turner felt that the Recreation Commission had to be more imaginative and creative in finding ways and means of funding this project through grants. He offered to sit down and work with the Recreation Commission.

Mrs. Higgins noted that the previous Manager assisted the Recreation Commission in writing the grant for the Green Acres Funding. The Commission is comprised of volunteers who work very hard for the Commission's programs in running them but they lack the expertise and time to write grants. They need to have someone more permanent to write grants on their behalf.

Councilman Housel asked whether their architect had explored the feasibility of utilizing a fiber glass filter vs. concrete? This avenue was explored by the architect and he still recommended concrete for endurance for a community pool over fiber glass.

Councilman Housel also reminded the governing body that the storm water/sewer piping needs to be addressed and corrected first.

Councilwoman Woykowski noted that grant writing can be very time consuming. Prioritizing the projects at the park and what work must be done first is very important. The filtrations system appears to be a must.

Councilwoman Oakley noted that a serious accounting of where the money is going and for what purposes it is going to be spent is something that the Council needs to see. The Recreation Commission Reports will be available for the Council.

Extensive discussion followed at which time a motion was made by Housel, seconded by Turner that the Council appropriate and dedicate an additional \$ 150,000 in addition to the \$ 283,000.00 Green Acres Loan in the 2006 Municipal Budget.

Discussion: Manager Sheola commented on the bid specifications and their preparation. The filtration system needs to be done. Councilman Turner noted that this filtration system should be designed to accommodate a new pool.

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

Councilman Housel suggested that we make available the services of the local government for the grant writing process.

**NEW BUSINESS:**

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

An application for raffle license was submitted from St. Joseph’s Church. The application was in order and fees paid.

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

Roll Call: Turner, Buoye, Woykowski and Housel – Ayes: 4, Nays: 0.  
Abstained: Oakley and Van Deursen.

Motion carried.

**To consider approving date(s) for the Town-wide Yard Sale and Waiving Permit Requirements**

A letter from the Business Improvement District was received requesting permission to hold the Town-Wide Yard Sale on Saturday, September 17, 2005. The Clerk suggested changing the rain date from the 24<sup>th</sup> of September to the following day, September 18<sup>th</sup> which is a Sunday. Anyone wishing to be on the map should contact the B.I.D. office. There will be a charge of \$ 10.00 for inclusion on the map. Deadline for inclusion on the map will be September 9<sup>th</sup>.

A motion was made by Housel, seconded by Oakley that the Town-Wide Yard Sale be scheduled for Saturday, September 17<sup>th</sup> with a rain date of Sunday, September 18<sup>th</sup> and that the permit fees and Sunday prohibition as noted in the ordinance be waived.

Ayes: 6, Nays: 0.  
Motion carried.

**To consider the Award of the Pershing Avenue Sanitary Pump Station**

Manager Sheola recommended that the Council award the bid to Electrical Design & Construction, their firm being the low bidder at a bid price of \$ 62,185.00. The Certification of available funding was received from Kay F. Stasyshan, Treasurer.

A resolution will be prepared for insertion in the minutes. It was therefore moved by Oakley, seconded by Turner that the following Resolution be adopted awarding the bid:

**RESOLUTION #136-2005**

**A RESOLUTION ACCEPTING BID FOR THE PERSHING AVENUE SANITARY SEWER PUMP STATION**

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

**WHEREAS**, the Borough received three (3) bids from qualified contracts at the bid opening on July 27, 1005; and

**WHEREAS**, three bids received were:

Electrical Design & Construction Shrewsbury, NJ	\$ 62,185.00
Penn-Bower, Inc. High Bridge, NJ	69,180.20
William Kohl Construction Lincroft, NJ	\$230,100.00

**WHEREAS**, the low bid of \$ 62,185.00 was higher than the Sewer Engineer's estimate of \$ 50,000 for a contractor to perform the work; and

**WHEREAS**, the low bid, while above the Engineer's estimate, is still a reasonable price and has been recommended by the Engineer; and

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Council of the Borough of Washington wishes to award the contract for this work to Electrical Design & Construction Corporation and hereby authorizes the Mayor and Borough Clerk to execute all documents pertaining to this contract.



**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to John van Dorpe, Utilities Engineer.

Councilman Turner asked when the starting date of this project might be anticipated? Projected starting date would probably be the early part of September.

Councilman Turner noted that the Borough's resolution #58-90 that is on the books should be updated.

Mrs. Kimble wanted to thank the Mayor and Council for their vote tonight.

Attorney Cushing noted that this resolution is adopted subject to the attorney's review of the bid documents submitted from Electrical Design and Construction.

**Resolution #131-2005 – Authorizing the Refunding of an Overpayment of the Borough's Sewer Service Charge**

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

**RESOLUTION #131-2005**

**A RESOLUTION AUTHORIZING THE REFUNDING OF AN OVERPAYMENT OF THE BOROUGH'S SEWER 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>
100/56	Lacey, Carl 7 Ramapo Way	\$ 2.30

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$ 2.30 should be mailed to:

Carl Lacey Jr.  
4431 Greenwood Dive  
Kunkletown, PA 18058

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

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

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

Ayes: 6, Nays: 0. – Motion carried.

**Resolution #132-2005 - Supporting the NJ Highlands Council's Municipal Partnership Pilot Project**

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

**RESOLUTION #132-2005**

**RESOLUTION ENDORSING BOROUGH OF WASHINGTON COUNCIL'S  
SUPPORT OF THE NEW JERSEY HIGHLANDS COUNCIL'S  
MUNICIPAL PARTNERSHIP PILOT PROJECT**

**WHEREAS**, the Highlands Water Protection and Planning Act N.J.S.A. 13:20-1 et seq. (hereinafter "Highlands Act") authorizes the Highlands Council to develop a Regional Master Plan for the Highlands Region; and

**WHEREAS**, Washington Borough is a municipality in the Highlands Region as set forth in Section 7 of the Highlands Act, N.J.S.A. 13:20-7; and

**WHEREAS**, the Highlands Council has identified Washington Borough as a Highlands Region municipality with distinctive characteristics, including the desire to develop according to smart growth principles while simultaneously desiring to revitalize its historic downtown, maintain its character and redevelop it as a regional center; and

**WHEREAS**, the Highlands Council is initiating a Highlands Community "Partnership" Municipal/County Advisory Council with the goal of identifying issues of local concern that should be addressed in the Regional Master Plan; and

**WHEREAS**, representatives of the Highlands Council made representations and assurances that the Municipal Partnership Projects for determining the types of land use, economic and environmental issues facing Washington Borough for the purposes of formulating the Regional Master Plan.

**NOW, THEREFORE BE IT RESOLVED**, by the Washington Borough Council that it hereby endorses the Highlands Council's efforts to conduct a Municipal Partnership Pilot Project for Washington Borough and hereby expresses a willingness to conduct a Municipal Partnership Pilot Project in Washington Borough with the Highland's Council; and

**BE IT FURTHER RESOLVED**, that the Washington Borough Council hereby encourages the Borough's committees, boards and departments to assist and provide support to the Highlands Council in conducting the Municipal Partnership Pilot Project for Washington Borough; and

**BE IT FURTHER RESOLVED**, that the Washington Borough Council hereby reserves the right to withdraw from the Municipal Partnership Pilot Project for Washington Borough at any time, in its sole discretion, without liability to the Highlands Council, if it determines that further participation is not in the best interest of the Borough.

**BE IT FURTHER RESOLVED**, that a signed copy of this resolution be forwarded to the Highlands Council signifying the Washington Borough Council's support for the Pilot Project.

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

Ayes: 6, Nays: 0.  
Motion carried.

Manager Sheola advised Council that he has been asked to serve on one of the Highlands Council advisory committees. They generally hold one meeting a month for approximately two hours.

Councilman Turner questioned whether there would be any conflicts that might arise from the Manager serving in this capacity? Manager Sheola noted that he would advise the Council if there was.

Attorney Cushing noted that he did not see any legal reason the Manager shouldn't serve in this capacity. He felt that it was a good opportunity for the Manager.

Councilwoman Woykowski noted that if there was a conflict they would not have made the offer.

**Resolution #133-2005 – To Close an Escrow Account for Street Opening Permit**

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

**RESOLUTION #133-2005**

**RESOLUTION TO CLOSE AN ESCROW ACCOUNT FOR  
STREET OPENING PERMIT FOR THE PURPOSE OF  
CONNECTING DOWNSPOUTS INTO STORM DRAIN.**

**WHEREAS**, Shirley Bauer did apply to the Borough of Washington for a street opening permit to connect her downspouts from her home into the storm drain on her property located at 64 State Street, Block 13, Lot 10 on the Washington Borough Tax Map; and

**WHEREAS**, the Borough requires the filing of a surety bond or cash bond in the amount of \$ 1,000.00 to be filed with the Clerk and deposited with the Borough Treasurer; and

**WHEREAS**, Robert Miller, C.M.E., Borough Engineer has notified the Clerk that the work has been completed in satisfactory condition and that the cash bond can be released.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington that the Treasurer be authorized to refund Shirley Bauer, 64 State Street, Washington, NJ the amount of \$ 1,000.00 drawn on the Street Opening – Security Escrow Account at Commerce Bank, Account #7200020864.

Discussion: Councilman Turner was concerned about some of the street opening excavations. He suggested that the engineer inspect some of the street opening excavations and contact the necessary utility company or contractor who filed for a street opening permit to restore the street back to its original condition.

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

Ayes: 6, Nays: 0.  
Motion carried.

**Resolution #134-2005 – Endorsing the Borough of Washington’s application for NJ  
DOT – Transportation Enhancement (TE) Program**

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

**RESOLUTION #134-2005**

**RESOLUTION ENDORSING THE BOROUGH OF WASHINGTON'S  
APPLICATION FOR NEW JERSEY DEPARTMENT OF TRANSPORTATION –  
TRANSPORTATION ENHANCEMENT (TE) PROGRAM FUNDS.**

**WHEREAS**, the Borough of Washington is preparing an application to the State of New Jersey Department of Transportation TE program; and

**WHEREAS**, the Borough of Washington is proposing streetscape improvements on Washington Avenue – Phase II, from School Street to Rt. 31 on the north side and Lincoln Avenue to Wandling Avenue north and south sides, to increase pedestrian use and safety, promote downtown revitalization, improve viability for commercial properties in the business district and visually enhance a vital thoroughfare within the Borough; and

**WHEREAS**, an award from the TE program will enhance the economy of the Borough of Washington and improve the overall quality of life for residents and those who travel through the area; and

**WHEREAS**, the Borough is committed to continual ownership and maintenance of the project for a minimum of twenty years and throughout its useful life; and

**WHEREAS**, in order to enhance the projects construction readiness, the Borough of Washington will be responsible for design and engineering fees associated with the project.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of Washington that the Borough fully supports and endorses the project and the above mentioned grant application to the State of New Jersey Department of Transportation TE Program.

Discussion: Manager Sheola explained the purpose of this program noting that this was a second grant program which is Phase II of the streetscape improvements for the downtown business district.

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

Ayes: 6, Nays: 0.

Motion carried.

**COUNCIL REMARKS:**

Mayor Van Deursen entertained Council remarks from the governing body.

Councilman Buoye commented on the Baker settlement. He noted that he could see both sides of the issue; however, he felt that the governing body should respect the Planning Board's decision.

Councilman Buoye commented on the pool renovation project and did understand some of the needs for improvement to the pool. It was his opinion that the \$ 150,000.00 was too high of an appropriation to justify at this point in time. He would entertain approaching the project through any grants that the Borough and Recreation Commission could pursue.

Councilman Housel commended the Police Department on the National Night Out Program.

Councilwoman Woykowski also commented with regard to the Baker Development issue. She was not sure if Council made the right decision, but she was sure this was the wishes of the majority of the people in the community and she supports the recommendation by the Planning Board. It is a gamble, but she was sure the people of the community would support this governing body and their decision, no matter what the future brings. The majority of the citizens, through their comments with the governing body and Planning Board, did not want the Borough to enter into the settlement agreement. She hoped the decision Council made tonight would work out for the best interest of the community.

Councilwoman Oakley also spoke with regard to the pool renovations and is still not comfortable with all the bells and whistles included in the project. She wanted to be sure there was accountability with regard to expenditures for some of the items included in this pool project. She definitely felt there was a need for the wading pool.

Councilwoman Oakley also commented on the Baker Development issue. She commented that she did not want to go against the Planning Board's recommendation. However, the settlement was going to alleviate any more costly legal bills in moving forward with the litigation. If the Borough loses were going to lose big.

Councilwoman Oakley expressed her desire to see the dog and cat licenses issued for three years instead on one.

Councilwoman Oakley noted that her mother has made a request that the Mayor be in the 4<sup>th</sup> of July parade next year. This will be one of Councilwoman Oakley's goals to see that this happens.

Councilman Turner thanked the Mayor and Council for supporting the Planning Board's decision on the Baker Development. The Planning Board took a long hard look at the proposed settlement but also had to weigh the concerns and testimony it heard from the citizens of our community.

Mayor Van Deursen also commended the Police on their National Night Out Program. It is a wonderful community project and one that the Council is very supportive of.

Mayor Van Deursen thanked the Council for supporting the Planning Board in its decision with respect to the Baker Development.

It was moved by Housel, seconded by Oakley that the Council take a short recess at 9:45 PM prior to going into Executive Session.

Ayes: 6, Nays: 0.  
Motion carried.

Council reconvened at 10 PM with everyone present.

**Executive Session – Personnel and Land Acquisition**

It was moved by Housel, seconded by Oakley that the Council go into Executive Session to discuss personnel matters and land acquisition.

Ayes: 6, Nays: 0.  
Motion carried.

It was moved by Turner, seconded by Oakley that the Council go back out into open session.

Ayes: 6, Nays: 0.  
Motion carried.

**Resolution #135-2005 – Authorizing a Contract for Professional Services**

It was moved by Turner, seconded by Oakley that the Council authorize the following Resolution for professional accounting services as follows:

**RESOLUTION #135-2005**

**A RESOLUTION AUTHORIZING THE MAYOR TO  
ENTER INTO A CONTRACT FOR PROFESSIONAL  
SERVICES WITHOUT SEEKING COMPETITIVE BIDS.**

**WHEREAS**, thee exists a need for professional accounting services in the Treasurer's office; and

**WHEREAS**, funds are available in the Contingency Account; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. Seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

**WHEREAS**, the firm of Suplee, Clooney & Company of Westfield, New Jersey has agreed to perform professional accounting services, as outlined in the August 1, 2005 letter attached hereto; and

**WHEREAS**, the services to be provided by Suplee, Clooney & Company constitutes professional services that need not be bid pursuant to the Public Contract Law (N.J.S.A. 40A:11-1 et. Seq).

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey as follows:

1. The Mayor and Clerk are hereby authorized and directed to enter into an Agreement with Suplee, Clooney & Company of Westfield, New Jersey;
2. The contract is awarded without competitive bidding as professional services in accordance with N.J.S.A. 40A:11-5 in the amount of \$ 2,500.00;'
3. The necessary funds are available in Current – Contingent;
4. Notification of the contract award shall be printed in the Star Gazette;
5. That an executed copy of the contract between the parties be on file with the Office of the Clerk and be available for public inspection in accordance with the law.

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

Ayes: 6, Nays: 0.  
Motion carried.



Hearing no further business to come before the Mayor and Council, it was moved by Turner, seconded by Oakley that the meeting be adjourned.

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