

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – November 6, 2006**

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: Van Deursen, Woykowski, Turner, Buoye, Oakley, Glaser – Present.
Housel – 9:00 p.m.

Also Present: Richard J. Sheola, Borough Manager
Stephen D. Farsiou, Esq., Borough Attorney
Kristine D. Blanchard, RMC, Borough Clerk

The flag salute was led by Mayor Van Deursen.

Mayor Van Deursen read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law of 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.

Council Appearance

Kurt Klausfelder – Fire Chief

Fire Chief Klausfelder gave the Mayor and Council a brief update on the activities of the Washington Borough Fire Department. For the year 2006, the Washington Borough Fire Department has one new member, and forty six active members.

This year the fire department has been trained in live burn structural fire, live burn vehicle fire, forcible entry, ventilation, search and rescue, fire fighting survival, and fire fighting search teams. These trainings take place either in-house or at the Warren County Fire Academy.

Chief Klausfelder stated the fire department is anxiously awaiting the arrival of the new engine which has a delivery date of mid April 2007. Chief Klausfelder thanked the Mayor, Manager, and Council members for making the purchase of the new fire truck possible.

Chief Klausfelder reported that the fire department will have a brush truck in service very soon. The brush truck is being provided at no cost to the town. The funds for this truck have been raised using grant money and fire fighter fund raisers. This new truck will enable the firefighters to reach off road areas.

Chief Klausfelder also reported that from January 1, 2006 through November 1, 2006 the fire department has responded to 151 calls for a total man hours of 1,613. The overall average response time is eight minutes and thirty six seconds. The fire department also had a very large structure fire at the Washington Antique Center this year. It has

been thought for many years by our fire department members that if that building ever burned down the town may just lose the block. The fire department could not save the historic building but fortunately the block still stands.

In summary, Chief Klausfelder stated that in 2007 he wants to emphasize training and education. He would like to send some members to the Fire Instructor's Conference in Indianapolis as well as the Fire House Expo in Baltimore. Both of these seminars offer hands on training as well as seminars taught by some of the best instructors in the country. Chief Klausfelder's continued goals for 2007 are to make the department better trained, better equipped, and better prepared for the future.

Mayor Van Deursen thanked Chief Klausfelder for his excellent report and asked for questions or comments from the Council.

Councilwoman Glaser expressed her sincere thanks for the efforts put into fighting the antique store fire. The outstanding job by the fire department is a tribute to their commitment to training.

Councilman Buoye also expressed his thanks for the dedication of the fire department and stated that they do an admirable job in serving the Borough of Washington.

Councilwoman Woykowski stated she was glad to hear about the continued focus on training.

Councilman Turner offered the same sentiments and stated the Washington Fire Department is awesome in his opinion.

Mayor Van Deursen thanked the Chief and all of the members of the fire department and stated that they are a very well respected group within the community.

MINUTES:

Regular Meeting – October 17, 2006

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting of October 17, 2006 and the October 24, 2006 special meeting.

Councilwoman Woykowski stated that on page 4 of the October 24, 2006 meeting minutes it is recorded that Councilwoman Oakley will sit on the Municipal Court Security Committee; however Councilman Housel should be on this committee as well. Council concurred.

Hearing no further corrections or changes, it was moved by Oakley, seconded by Turner that the minutes of October 17, 2006, and the October 24, 2006 be approved.

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

Ayes: 6, Nays: 0.
Motion Carried

COMMUNICATIONS:

The following communications were entered into the Record:

1. NJLM Re: New Jersey Supreme Court Rules on Marriage and Civil Unions for Same Sex Couples.
2. NJLM Re: New Information from the Division of Local Government Services.
3. NJLM Re: Contact Information for Home Improvement Contractors.
4. NJLM Re: League Policy Summit Property Tax Reform.
5. NJLM Re: Public Questions.
6. NJLM Re: Legislative Bulletin.
7. NJLM Re: 2007 CAP Calculations.
8. NJLM Re: Important Conference Sessions Economic Development.
9. COMCAST FAX: Multiple Channel Alterations.
10. NJLM Re: S-638 Amends Public Contracts Law.
11. NJLM Re: The Acceptance of Fees by Mayors Performing Marriages.
12. General Assembly Re: Ethics Reform.
13. NJLM Re: Important Conference Sessions.
14. NJLM Re: State Cooperative Council.
15. NJLM Re: Verizon Filing for System Wide Video Franchise.
16. NJLM Re: Public Hearing Notice – Consolidation and Shared Services.

Hearing no comments it was moved by Glaser, seconded by Oakley that the communications numbered #1 thru #16 be acknowledged, received and filed.

Ayes: 6, Nays: 0.
Motion carried.

AUDIENCE:

Mayor Van Deursen entertained remarks from the audience on items that do not appear on the meeting agenda.

Dale Parichuk – 116 Myrtle Ave.

Mr. Parichuk read from a prepared statement. A transcript of which is reflected below.

I am here to be heard, and express my concerns about the local property taxes. The issue this evening is the Borough's expenditure for the swimming pool. I am not here to debate the issue or to provoke or embarrass anyone. I believe that the Mayor, Manager, and Council have been doing a good job in most areas, and I commend your work. I am

asking the Council to consider thinking outside the box and examining all expenditures. We must work together to cut expenses, and keep a lid on the local taxes. I believe the pool issue is a good subject so start with.

Being a concerned taxpayer, I have some very serious concerns about what I believe is out of control spending, especially the allocation of tax money on a grant supplemented \$457,500.00 on the Borough pool expense. I ask you, is this spending justified. Has anyone conducted a feasibility study to determine if the Borough should spend any additional tax dollars on a pool that, from what I understand, only a very small percentage of the residents may directly benefit from? If only two percent of the residents benefit from the pool, in a Borough of 7,500 residents, that is only 150 residents.

I am sure we are all familiar with the problems faced in Alpha Borough and Phillipsburg with their pools which have been recently described by some as “money pits.”

It is my understanding that the Borough has obtained a grant. As we all know, there are conditions and possible restrictions associated with grants. Usually with most grants, the grant must be supplemented with tax dollars. I ask again, is the Borough’s portion statistically justified.

It is difficult for me to take such a position. I have friends on this Council, and I have friends on the Recreation Commission. But I must ask are my friends being fair to me and our fellow residents by supporting the potentially unjustified spending of my tax dollars in such a manner. I believe that the Mayor and Council should recruit a volunteer and unbiased, advisory committee to research any project that involves any considerable expenditure of tax dollars. I also ask you as my friends and representatives to examine all appropriations and consider how any decision will affect the quality of life for the majority of Borough residents.

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

Ayes: 6, Nays: 0.

Motion carried.

ORDINANCES:

Ordinance 18-2006 – An Ordinance of the Borough of Washington to Amend Sections of Chapter 35 Dogs and Cats. (Final Reading)

An ordinance of the Borough of Washington to amend sections Chapter 35 Dogs and Cats, was introduced by Councilman Glaser.

It was further moved by Glaser, seconded by Oakley that the Clerk read Ordinance #18-2006 title only.

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

Ayes: 6, Nays: 0.

Motion carried.

The Clerk read Ordinance #18-2006 by title only and stated that this ordinance was published in the Star Gazette as prescribed by law, a copy was posted on the bulletin board and copies available in the Clerk's office upon request.

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

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

Ayes: 6, Nays: 0.
Motion carried.

Council Discussion:

None

Hearing no discussion, it was moved by Glaser, seconded by Oakley that Ordinance #18-2006 be adopted on final passage and that final publication be made as prescribed by law.

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

Ayes: 6, Nays: 0.
Motion carried.

ORDINANCE 18-2006

AN ORDINANCE OF THE BOROUGH OF WASHINGTON TO AMEND SECTIONS OF CHAPTER 35 – DOGS & CATS

SECTION I.

§ 35-3. Time for application for license and tag.

Any person who shall own, keep or harbor a dog **or cat** of licensing age shall, in the month of **May 2007** and annually thereafter, apply for and procure from the Clerk of the borough a license and official ~~metal~~ registration tag for each dog **or cat** so owned, kept or harbored, and shall place upon each such dog **or cat** a collar or harness with the registration tag securely fastened thereto.

§ 35-4. Fees; exception; penalty for late payment. [Amended 12-18-1951; 8-16-1966; 10-23-1979 by Ord. No. 25-79; 10-13-1981 by Ord. No. 18-81; 11-22-1983 by Ord. No. 33-83]

- A. The person applying for the license and registration tag shall pay a fee or fees which shall be in accordance with P.L. 1983, c. 181, also known as A-1472, signed into law by the Governor on May 10, 1983, and in compliance with P.L. 1981, c. 172, also known as A-1917, or any laws supplementary or amendatory thereto **as follows:**

Dog – municipal fee	\$6.00
Cat – municipal fee	\$6.00
Cat – un-neutered fee	\$9.00

B. Effective immediately upon adoption hereof when applying for renewal of the dog or cat license or applying for the licensing of a new dog **or cat**, the owner thereof must provide proof of sterilization of the dog or cat, along with proof of valid rabies inoculation. Said proof of sterilization may be by affidavit, in lieu of certificate of a veterinarian as proof of sterilization, or by certificate of a licensed veterinarian; however, said proof of inoculation for rabies shall be provided by a certified veterinarian licensed to do business in the State of New Jersey.

C. Dogs used as guides for blind persons and commonly known as "Seeing Eye" dogs shall be licensed and registered as other dogs hereinabove provided for, except that the owner or keeper of such dog shall not be required to pay any fee therefore.

D. Any person who violates or who fails or refuses to comply with § 35-3 of this chapter shall be liable to a late charge fee of \$2 **per month** in addition to being required to obtain a registration tag and license for said dog **or cat**. [Added 7-7-1987 by Ord. No. 19-87]

§ 35-5. Licensing newly acquired dog **or cats**.

The owner of any newly acquired dog or cat of licensing age or of any dog **or cat** which attains licensing age shall make application for license and registration tag for such dog **or cat** within 10 days after such acquisition or age attainment.

§ 35-6. Application information.

The application shall state the breed, sex, age, color and markings of the dog **or cat** for which license and registration are sought and whether it is of a long- or short-haired variety; also the name, street and post office address of the owner and the person who shall keep or harbor such dog **or cat**. The information on said application and the registration number issued for the dog **or cat** shall be preserved for a period of three years by the Clerk of the borough. In addition, he shall forward the information to the State Department of Health each month, on forms furnished by the said Department. Registration numbers shall be issued in the order of the applications.

§ 35-7. Licensing of dog **or cats** brought into borough.

A. Any person who shall bring or cause to be brought into the Borough of Washington, in the County of Warren, any dog **or cat** licensed in another state for the current year and bearing a registration tag, and who shall keep the same or permit the same to be kept within the borough for a period of more than 90 days, shall immediately apply for a license and registration tag for each such dog **or cat**.

B. Any person who shall bring or cause to be brought into the borough any unlicensed dog **or cat** and who shall keep the same or permit the same to be kept within the borough for a period of more than 10 days, shall immediately apply for a license and registration tag for each such dog **or cat**.

C. Fees for dog or cats or cats brought in to the Borough shall be prorated on a monthly basis for the unexpired portion of the license period.

§ 35-8. Unauthorized removal or attachment of registration tags.

No person, except an officer in the performance of his duties, shall remove a registration tag from the collar of any dog **or cat** without the consent of the owner, nor shall any person attach a registration tag to a dog **or cat** for which it was not issued.

§ 35-9. Dog **or cats** in kennels, pet shops, shelters or pounds.

No dog **or cat** kept in kennel, pet shop, shelter or pound shall be permitted off such premises except on a leash or in a crate or other safe control.

SECTION II. In accordance with Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington, this Ordinance shall become effective 20 days after final passage unless the Council, by an affirmative vote of five (5) Council Members, shall adopt a resolution declaring the Ordinance to be an emergency upon which said Ordinance will take effect upon final passage.

Ordinance #19-2006 - An Ordinance of the Borough of Washington Amending the Land Development Ordinance of the Borough of Washington to Facilitate the Collection of Development Fees. (First Reading)

Ordinance 19-2006 was introduced by Councilman Turner.

It was further moved by Turner, seconded by Oakley, that the clerk read Ordinance #19-2006 by title only.

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

Ayes: 6, Nays: 0

Motion Carried.

The Clerk read Ordinance #19 – 2006 entitled, “AN ORDINANCE OF THE BOROUGH OF WASHINGTON AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF WASHINGTON TO FACILITATE THE COLLECTION OF DEVELOPMENT FEES.”

Council Discussion:

Councilman Turner stated that he thinks it is important that an explanation of Ordinance 19-2006 be read into the record.

Manager Sheola explained Ordinance 19-2006 is part of a package of Ordinances and Resolutions that were adopted by the governing body at the end of 2005 and early 2006 for the third round COAH certification. This ordinance in particular allows the borough to collect development fees from individuals who are developing real estate in town, and also spells out the process by which we can use these fees towards construction or obtaining of lower to moderate income housing.

Councilwoman Glaser stated she would rather see this ordinance named impact fees instead of development fees or affordable housing fee. Manager Sheola explained that impact fees are not allowed in New Jersey and this Ordinance has been approved by COAH in its current form with four minor corrections and would caution changing the title of the Ordinance. Councilwoman Glaser stated she is afraid the use of the term development fees may impact the way people within the community and people looking to develop within the Borough see these fees.

It was moved by Turner, seconded by Oakley that Ordinance #19-2006 be approved on first reading.

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

Ayes: 6, Nays: 0.

Motion Carried.

It was further moved by Oakley, seconded by Housel that Ordinance #19-2006 be published in the Star Gazette on November 16, 2006 as required by law and that the public hearing be scheduled for December 5, 2006.

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

Ayes: 6, Nays: 0

Motion Carried.

BOROUGH OF WASHINGTON
ORDINANCE NO. 19-2006

AN ORDINANCE OF THE BOROUGH OF WASHINGTON AMENDING THE
LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF WASHINGTON TO
FACILITATE THE COLLECTION OF DEVELOPMENT FEES

1. Purpose

- a) **In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules. This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's rules. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees.**

2. Basic requirements

- a) Borough of Washington shall not spend development fees until COAH has approved a plan for spending such fees and Borough of Washington has received third round substantive certification from COAH or a judgment of compliance.

3. Definitions

- a) The following terms, as used in this ordinance, shall have the following meanings:
- i. "Affordable housing development" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an

inclusionary development, a municipal construction project or a 100 percent affordable development.

- ii. “COAH” means the New Jersey Council on Affordable Housing.
- iii. “Development fee” means funds paid by an individual, person, partnership, association, company or corporation for the improvement of property as permitted in COAH’s rules.
- iv. “Equalized assessed value” means the value of a property determined by the municipal tax assessor through a process designed to ensure that all property in the municipality is assessed at the same assessment ratio or ratios required by law. Estimates at the time of issuance of a building permit may be obtained utilizing estimates for construction cost. Final equalized assessed value will be determined at project completion by the municipal tax assessor.

4. Residential Development fees

- a) Residential developers shall pay a fee of one percent (1%) of the equalized assessed value for residential development provided no increased density is permitted.
- b) When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a “d” variance) has been permitted, developers will incur to pay a development fee of **six percent** (6%) of the equalized assessed value for each additional unit that may be realized.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one percent of either the equalized assessed value on the first two units; and six percent of either the equalized assessed value for the two additional units. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

5. Non-residential Development fees

- a) Non-residential developers shall pay a fee of two percent (2%) of the equalized assessed value for non-residential development.

- b) If an increase in floor area ratio is approved pursuant to N.J.S.A. 40:55D-70d(4), then the additional floor area realized (above what is permitted by right under the existing zoning) will incur a bonus development fee of six percent (6%) of the equalized assessed value for non-residential development. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base floor area for the purposes of calculating the bonus development fee shall be the highest floor area permitted by right during the two-year period preceding the filing of the variance application.
6. Eligible exactions, ineligible exactions and exemptions
 - a) Affordable housing developments and developments subject to the Growth Share Ordinance, as per Ordinance 21-2005, shall be exempt from development fees. All other forms of new construction shall be subject to development fees.
 - b) Developments that have received preliminary or final approval prior to the imposition of a municipal development fee shall be exempt from development fees unless the developer seeks a substantial change in the approval.
 - c) Development fees shall be imposed and collected when an existing structure is expanded or undergoes a change to a more intense use. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
 - d) Developers of educational facilities shall be exempt from paying a development fee.
 7. Collection of fees
 - a) Fifty percent of the development fee will be collected at the time of issuance of the building permit. The remaining portion will be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
 8. Contested fees
 - a) Imposed and collected development fees that are challenged shall be placed in an interest bearing escrow account by Borough of Washington. If all or a portion of the contested fees are returned to the developer, the accrued interest on the returned amount shall also be returned.

9. Affordable Housing trust fund

- a) There is hereby created a separate, interest-bearing housing trust fund in PNC Bank for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls. All development fees paid by developers pursuant to this ordinance shall be deposited into this fund.
- b) Within seven days from the opening of the trust fund account, Borough of Washington shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, *PNC Bank* and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:94-6.16(b).
- c) No funds shall be expended from the affordable housing trust fund unless the expenditure conforms to a spending plan approved by COAH. All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

10. Use of funds

- a) Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the municipal fair share. Such activities include, but are not limited to: rehabilitation, new construction, RCAs subject to the provisions of N.J.A.C. 5:94-4.4(d), ECHO housing, purchase of land for affordable housing, improvement of land to be used for affordable housing, purchase of housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, or administration necessary for implementation of the Housing Element and Fair Share Plan. The expenditure of all funds shall conform to a spending plan approved by COAH.
- b) Funds shall not be expended to reimburse Borough of Washington for past housing activities.
- c) After subtracting development fees collected to finance an RCA, a rehabilitation program or a new construction project that are necessary to address the Borough of Washington affordable housing obligation, at least 30 percent of the balance remaining shall be used to provide affordability assistance to low- and moderate-income households in affordable units

included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.

- i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, and rental assistance.
 - ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the third round municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income. The use of development fees in this manner shall entitle Borough of Washington to bonus credits pursuant to N.J.A.C. 5:94-4.22.
 - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) Borough of Washington may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:94-7.
- e) No more than 20 percent of the revenues collected from development fees each year, exclusive of the fees used to fund an RCA, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Development fee administrative costs are calculated and may be expended at the end of each year or upon receipt of the fees.

11. Monitoring

- a) Borough of Washington shall complete and return to COAH all monitoring forms included in the annual monitoring report related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, and funds from

the sale of units with extinguished controls, and the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

12. Ongoing collection of fees

- a) The ability for Borough of Washington to impose, collect and expend development fees shall expire with its substantive certification in December 2015 unless Borough of Washington has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If Borough of Washington fails to renew its ability to impose and collect development fees prior to December 2015, it may resume the imposition and collection of development fees only by complying with the requirements of N.J.A.C. 5:94-6. Borough of Washington shall not impose a development fee on a development that receives preliminary or final approval after the expiration of its substantive certification or judgment of compliance on December 2015 nor will Borough of Washington retroactively impose a development fee on such a development. Borough of Washington will not expend development fees after the expiration of its substantive certification or judgment of compliance on December 2015.

Ordinance #20-2006 - An Ordinance to Amend, Revise, and Supplement the Code of the Borough of Washington Chapter 85 Vehicles and Traffic. (First Reading)

Ordinance 20-2006 was introduced by Councilwoman Oakley.

It was further moved by Oakley, seconded by Glaser, that the clerk read Ordinance #20-2006 by title only.

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

Ayes: 6, Nays: 0
Motion Carried.

The Clerk read Ordinance #20 – 2006 entitled, “AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT THE CODE OF THE BOROUGH OF WASHINGTON CHAPTER 85 VEHICLES AND TRAFFIC.

Council Discussion:

Manager Sheola stated that it is mandatory to have a twenty - five foot no parking zone at a T – intersection. East Stewart Street happens to be particularly narrow and an

ordinance needs to be adopted to establish the twenty – five foot no parking buffer on East Stewart Street.

It was moved by Oakley, seconded by Turner that Ordinance #20-2006 be approved on first reading.

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

Ayes: 6, Nays: 0.
Motion Carried.

It was further moved by Oakley, seconded by Turner that Ordinance #20-2006 be published in the Star Gazette on November 16, 2006 as required by law and that the public hearing be scheduled for December 5, 2006.

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

Ayes: 6, Nays: 0
Motion Carried.

ORDINANCE NO. 20-2006

**BOROUGH OF WASHINGTON
COUNTY OF WARREN
STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE CODE
OF THE BOROUGH OF WASHINGTON, CHAPTER 85 “VEHICLES AND
TRAFFIC”**

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that Chapter 85-23 of the Code of the Borough of Washington, Warren County, are hereby created to read as follows:

<i>Name of Street</i>	<i>Side</i>	<i>Hours</i>	<i>Days</i>	<i>Location</i>
East Stewart St	North	All.	All	25 Feet West of the Intersection with School Street for a length of 25 feet and 25 feet east of

the
intersection
of School
Street for a
length of 25
feet.

**NO
PARKING**

This Ordinance shall take effect upon its adoption and final publication in accordance with law.

Ordinance #21-2006 - An Ordinance to Amend Chapter 85 of the Code of the Borough of Washington to Create Off Street Handicapped Parking Spaces. (First Reading)

Ordinance 21-2006 was introduced by Councilwoman Oakley.

It was further moved by Oakley, seconded by Glaser, that the clerk read Ordinance #21-2006 by title only.

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

Ayes: 6, Nays: 0
Motion Carried.

The Clerk read Ordinance #21 – 2006 entitled, “AN ORDINANCE TO AMEND CHAPTER 85 OF THE CODE OF THE BOROUGH OF WASHINGTON TO CREATE OFF STREET HANDICAPPED PARKING SPACES.”

Council Discussion: None

It was moved by Oakley, seconded by Glaser that Ordinance #21-2006 be approved on first reading.

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

Ayes: 6, Nays: 0
Motion Carried.

It was further moved by Oakley, seconded by Glaser that Ordinance #21-2006 be published in the Star Gazette on November 16, 2006 as required by law and that the public hearing be scheduled for December 5, 2006.

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

Ayes: 6, Nays: 0
Motion Carried.

ORDINANCE # 21-2006

AN ORDINANCE TO AMEND CHAPTER 85 OF THE CODE OF THE BOROUGH OF WASHINGTON TO CREATE OFF-STREET HANDICAPPED PARKING SPACES

WHEREAS, there is a need at Washington Borough Park for Handicapped Parking spaces; and

WHEREAS, the Mayor and Council have determined that the proposed amendment to the Borough's Traffic Ordinance is in the interest of public safety and provide for the general welfare of the citizens of the Borough of Washington.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that Chapter 85 of the Code of the Borough of Washington is hereby amended as follows:

SECTION I. By adding the following section:

“Borough Park shall have a space clearly marked for handicapped parking at the northerly side of Borough Park, adjacent to Lower Park Drive in the parking area reserved for the Park Pavilion.”

SECTION II. In accordance with Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington, this Ordinance shall become effective 20 days after final passage unless the Council, by an affirmative vote of five (5) Council Members, shall adopt a resolution declaring the Ordinance to be an emergency upon which said Ordinance will take effect upon final passage.

REPORTS

It was moved by Glaser, seconded by Turner that the Borough Manager's Report, Borough Clerk's Report, Highway Department Reports, Zoning/Code Enforcement Report, Police Reports, Recreation Finance Report, and the Appropriation Control Summary Reports be accepted as presented and filed.

Council Discussion:

Councilwoman Glaser asked Manager Sheola to explain the items on the CD that was given to Council with the meeting packets. Manager Sheola explained the CD contains two PDF files representing the accounting for the 2005 and 2006 redevelopment funds. Also on the CD is the Council handbook.

Mayor Van Deursen requested Manager Sheola print the PDF files out for Council so that it may be included on the next agenda for discussion.

Councilman Turner asked Manager Sheola if the Borough DPW Garage Committee is going to meet again. Manager Sheola stated the Borough Garage Committee needs to decide if they are meeting again. Councilman Turner stated that the committee outlined action items for people on the committee and there will need to be follow-up.

Councilman Turner also inquired about the fact that the drainage ditch on Willow Street is not on Borough property. Manager Sheola stated that this was found out by looking at the actual survey and also explained that the property owner has to sign off on the clean-up.

Councilwoman Woykowski commented that the Managers Report is in reverse chronological order and can be confusing to read. Councilwoman Oakley suggested highlighting the dates – this may eliminate the confusion. Council concurred.

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

Ayes: 6, Nays: 0

Motion Carried.

VOUCHERS:

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

Mayor Van Deursen requested that the bill for City Connections be paid. Manager Sheola stated the bill from City Connections is higher than anticipated. Councilwoman Woykowski stated that the Manager will need to look at the contract for City Connections.

Hearing no further comments or questions it was moved by Glaser, seconded by Oakley that the vouchers and claims be approved for payment in the amount of

\$987,677.63 as reflected in the debit/credit memorandum on file in the collector/Treasurer's office.

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

Ayes: 6, Nays: 0.

Motion Carried.

OLD BUSINESS

Traffic Signal Belvidere/Ave Broad St.

Manager Sheola explained he observed the traffic signal at Belvidere Ave and Broad St. Pedestrians need to watch for cars making the right hand turn onto Route 57. Manager Sheola will contact the Department of Transportation to see if it is possible to reprogram the traffic light to give pedestrians extra time to cross the street. Councilman Turner suggested Manager Sheola ask the DOT if it is possible to change the sequence of the lights as well.

Councilwoman Woykowski asked for an update on the light on Prospect Street. Manager Sheola stated that an update will be available at the next meeting when the engineer is present.

Aquatic Consultant Contract

Manager Sheola stated that the Aquatic Consultants Contract does not state anything in regards to re-bidding. The Recreation Commission will be discussing at their next meeting the re-bid for the pool. Councilwoman Oakley asked if contracts normally have a re-bid clause in them. Manager Sheola explained that some contract do but this one did not.

Collection of Developers Fees

Manager Sheola explained that Chuck Herring from the Division of Community Affairs has worked out the collection process in several towns. The municipality will collect the fees from the developers. The developers will take the receipt to the Division of Community Affairs Construction Office; upon proof of payment the DCA Construction Office will issue the necessary permits.

NEW BUSINESS

Resolution 236-2006

Resolution 236-2006 was moved on a motion made by Councilwoman Glaser, seconded by Councilwoman Oakley and adopted.

RESOLUTION # 236-2006

**A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS FROM
STREET OPENING ESCROW ACCOUNT HELD IN
TRUST BY THE BOROUGH OF WASHINGTON**

WHEREAS, Susan McArdle, has posted review and/or inspection fees in the amount of \$1000.00 with the Borough of Washington prior to a street opening; and

WHEREAS, these funds were posted in the Street Opening Account to cover the cost of review and/or inspection services; and

WHEREAS, Municipal Engineer Robert Miller, C.M.E., P.E. has determined that all outstanding bills have been paid for review and inspection services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the Municipal Treasurer is hereby authorized to issue a check to Susan McArdle 31 Nunn Avenue Washington NJ 07882 in the amount of \$1000.00 from the Street Opening Account.

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

Ayes: 6, Nays: 0

Motion Carried

Resolution 238-2006

This resolution was moved on a motion made by Councilwoman Glaser, seconded by Councilwoman Oakley and adopted.

RESOLUTION # 238-2006

**A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS FROM
AN ESCROW ACCOUNT ESTABLISHED IN THE NAME OF ABD
WASHINGTON INC. IN TRUST BY THE BOROUGH OF WASHINGTON**

WHEREAS, ABD Washington Inc applied for site plan approval for the development of Village Gate on North Pickle Avenue; and

WHEREAS, fund were posted in escrow to cover the cost of professional review of this site plan application; and

WHEREAS, Municipal Engineer Robert Miller, C.M.E., P.E. has determined that all site work required under the site plan approval has been completed in a satisfactory manner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the Municipal Treasurer is hereby authorized to issue a check to ABD Washington Inc PO Box 126 Changewater NJ 07831 for the balance in the review escrow account in the name of ABD Washington Inc, PO Box 126 Changewater NJ 07831.

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

Ayes: 6, Nays: 0

Motion Carried

Resolution 239-2006

Resolution 239-2006 was moved on a motion made by Councilwoman Glaser, seconded by Councilwoman Oakley and adopted.

Council Discussion:

Councilman Turner asked if this Resolution was a rollover. Manager Sheola explained that this is an annual resolution authorizing the sale of our outstanding short term debt. The amount includes \$7.0 million in municipal debt and \$3.5 million in sewer debt. This resolution's rollover date is June, 2007 rather than December 2007. In conferring with the Bond Counsel and Auditor it was decided to go for the short term rather than long term in order to prepare for a bond sale in the summer months.

Councilwoman Glaser requested that the Borough Manager include in the budget package this year a list of each bond issue, expiration dates, and first available callable date.

RESOLUTION #239-2006

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$10,545,529 BOND ANTICIPATION NOTES OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY.

Be It Resolved By The Mayor And Common Council Of The Borough Of Washington, In The County Of Warren, New Jersey, As Follows:

Pursuant to a bond ordinance of the Borough of Washington, in the County of Warren (herein called "local unit") entitled: "Bond ordinance making a further supplemental appropriation of \$13,300,000 for improvement of the wastewater treatment plant in and by the Borough heretofore authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey, and authorizing the issuance of

\$13,300,000 bonds or notes of the Borough for financing such supplemental appropriation”, finally adopted on June 17, 1997 (#6-97), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$701,067 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance making a further supplemental appropriation of \$4,400,000 for improvement of the wastewater treatment plant and sanitary sewerage collection system in and by the Borough heretofore authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey, and authorizing the issuance of \$4,400,000 bonds or notes of the Borough for financing such supplemental appropriation”, finally adopted on October 21, 1997 (#12-97), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$2,793,102 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$218,000, and authorizing the issuance of \$207,100 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”, finally adopted on July 17, 2001 (#6-2001), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$177,466 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$295,000, and authorizing the issuance of \$280,800 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”, finally adopted on June 4, 2002 (#10-2002), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$259,238 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance making a further supplemental appropriation of \$150,000 for the construction of sidewalks along North Prospect Street in and by the Borough heretofore authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey and authorizing the issuance of \$100,000 bonds or notes of the Borough for financing such supplemental appropriation”, finally adopted on June 4, 2002 (#11-2002), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$74,736 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance making a further supplemental appropriation of \$95,000 for improvement of Myrtle Avenue in and by the Borough heretofore authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey, and authorizing the issuance of \$90,400 bonds or notes of the Borough for financing such supplemental appropriation”, finally adopted on June 4, 2002 (#12-2002), Bond Anticipation Notes of the local unit in a principal amount not exceeding

\$65,642 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance making a further supplemental appropriation of \$60,000 for improvement of Myrtle Avenue in and by the Borough heretofore authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey, and authorizing the issuance of \$57,000 bonds or notes of the Borough, for financing such supplemental appropriation”, finally adopted on September 3, 2002 (#23-2002), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$49,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$331,600, and authorizing the issuance of \$284,495 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”, finally adopted on November 3, 2003 (#14-2003), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$277,878 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$151,245, and authorizing the issuance of \$134,000 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”, finally adopted on July 6, 2004 (#11-04), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$134,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for improvement of the sanitary sewerage system in and by the Borough of Washington, in the County of Warren, New Jersey appropriating \$40,000 therefore, and authorizing the issuance of \$40,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on July 6, 2004 (#10-04), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$40,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for improvement of the municipal swimming pool in and by the Borough of Washington, in the County of Warren, New Jersey appropriating \$283,200 therefore, and authorizing the issuance of \$283,200 bonds or notes of the Borough for financing such appropriation”, finally adopted on September 21, 2004 (#15-04), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$283,200 shall be issued for the purpose of temporarily

financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the improvement of Washington Avenue in and by the Borough of Washington, in the County of Warren, New Jersey appropriating \$1,350,000 therefore, and authorizing the issuance of \$1,333,100 bonds or notes of the Borough for financing such appropriation”, finally adopted on February 15, 2005 (#1-2005), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,333,100 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$2,871,250, 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”, finally adopted on June 7, 2005 (#8-2005), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$2,734,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$1,823,765, and authorizing the issuance of \$1,622,600 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”, finally adopted on April 18, 2006 (#7-2006), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,622,600 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 through 14 described, shall be combined into a single and combined issue of bonds in the principal amount of \$10,545,529.

The following matters in connection with said Bond Anticipation Notes are hereby determined:

All notes issued hereunder shall mature at such times as may be determined by the chief financial officer or the collector-treasurer of the local unit (the “chief financial officer”), provided that no note issued pursuant to Sections 1 through 14 hereof shall mature later than (i) one year from the date of the first note issued pursuant to the respective ordinances referred to in said Sections, and (ii) three years from the date of the first note issued pursuant to each such respective ordinance unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of

Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;

All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and

The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the signature of the chief financial officer upon said notes shall be conclusive as to such determinations.

The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefore.

Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser. The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

This resolution shall take effect immediately.

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

Ayes: 6, Nays: 0
Motion Carried.

Resolution 240-2006

Resolution 240-2006 was moved on a motion made by Councilwoman Glaser, seconded by Councilwoman Oakley and adopted.

RESOLUTION # 240-2006

**A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE
BOND FUNDS FROM THE DEVELOPERS ESCROW ACCOUNT
ESTABLISHED IN THE NAME OF ABD WASHINGTON INC BY THE
BOROUGH OF WASHINGTON**

WHEREAS, ABD Washington Inc has posted a Performance Bond with the Borough of Washington prior to work beginning on this project; and

WHEREAS, funds were posted in the Developers Performance Bond account to cover the cost the performance of the contract specifications; and

WHEREAS, the Borough of Washington and ABD Washington Inc entered into an agreement stating the Borough was to retain the amount of \$7,400.00 and the balance to be refunded to ABD Washington which was processed by Resolution #205-2006 on September 17th, but interest has accrued in the amount of \$57.01, which is due to ABD Washington Inc. and needs to be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the Municipal Treasurer is hereby authorized to issue a check to ABD Washington Inc PO Box 126 Chagewater NJ 07831 for the balance of interest in the amount of \$57.01.

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

Ayes: 6, Nays: 0
Motion Carried

St Joseph's Church Raffle Application

A motion to approve the raffle application for St. Joseph's Church was made by Councilman Turner, seconded by Councilwoman Glaser and approved.

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

Ayes: 4 Nays: 0
Abstain: 2 (Oakley, Van Deursen)
Motion Carried.

COUNCIL REMARKS:

Councilwoman Oakley – None

Councilwoman Glaser wished everyone who is on the ballot tomorrow good luck in the election.

Councilman Tuner echoed the sentiments of Councilwoman Glaser and wished everyone luck in the election.

Councilwoman Woykowski asked if the Borough Engineer would clarify at the next meeting his discussion with the gas company in reference to the McKinley Ave project. On two occasions this project was delayed due to incorrect mark outs of the gas utility line.

Councilman Buoye - None

Mayor Van Deursen – Wished everyone running for a seat on the governing body good luck and she looks forward to working with everybody.

RECAP

EXECUTIVE SESSION:

It was moved by Councilwoman Glaser, seconded by Councilman Oakley that Council go into Executive Session.

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

Ayes: 6, Nays: 0.
Motion Carried.

RESOLUTION 241-2006

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from the remaining portion of this meeting.
2. The general nature of the subject matter to be discussed is as follows:
 - Personnel
 - Negotiations

It was moved by Turner, seconded by Oakley that Council go out of Executive Session and back into open session at 9:10 p.m.

Ayes: 6, Nays: 0.
Motion Carried.

Councilman Buoye explained to Council a concern that came up during the BID meeting in regards to design standards in the downtown redevelopment area. One item in particular that came up as a concern were the backlit signs or neon signs. Councilman Buoye suggested that Council may want to consider adopting a sign ordinance prohibiting those types of signs.

Mayor Van Deursen asked Council to consider the types of designs they do not want to see downtown and the members of the redevelopment committee would discuss them at the next redevelopment meeting.

Councilman Turner stated that there was an Ordinance considered at one time that did not pass. This should be readdressed again.

Mayor Van Deursen entertained a motion to approve the Executive Session Minutes from October 17, 2006.

A motion was made by Councilwoman Oakley, seconded by Councilman Turner and approved.

Ayes: 5, Nays: 0

Abstain: 2 (Glaser, Buoye)

Hearing no further business to come before the governing body, it was moved by Glaser, seconded by Turner that the meeting be adjourned.

Marianne Van Deursen
Mayor

Kristine Blanchard, RMC
Borough Clerk