

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – December 19, 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, Glaser, Turner, Buoye – Present.
Oakley, Housel – Absent (Excused from the Meeting)

Also Present: Richard J. Sheola, Borough Manager
Richard P. Cushing Esq., Borough Attorney
Gerald Philkill, PE, CME, Borough Engineer
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.

Proclamations

Mayor Van Deursen presented Councilwoman Susan Wagner-Glaser and Councilman Alexander Buoye with proclamations for their outstanding service to the community.

**PROCLAMATION
OF THE
BOROUGH OF WASHINGTON**

WHEREAS, Susan Wagner-Glaser has been a longtime resident of the Borough of Washington; and

WHEREAS, Susan Wagner-Glaser has been a member of the Washington Borough Council since October, 1999 and was Deputy Mayor for three years; and

WHEREAS, Susan Wagner-Glaser also served the Borough of Washington as a member of the Warren-Morris Council of Governments and various committees within the Borough and served with skill, dedication and commitment above and beyond the reasonable expectations of a community; and

WHEREAS, Susan Wagner-Glaser will always be remembered by her colleagues for her willingness to help others, knowledge of municipal government, and dedication to Washington Borough; and

WHEREAS, the Mayor and Council, of the Borough of Washington, desire to express the appreciation of the entire community to Susan Wagner-Glaser for her many years of service to the Borough of Washington.

NOW, THEREFORE, BE IT PROCLAIMED by Marianne Van Deursen, Mayor of the Borough of Washington, in the County of Warren, State of New Jersey, that the heartfelt appreciation of the Mayor and Council of the Borough of Washington and all its inhabitants are hereby expressed for the many years of public service performed by Susan Wagner-Glaser.

BE IT FURTHER PROCLAIMED that this Proclamation be duly embossed, signed by the Mayor, publicly presented to Susan Wagner-Glaser on December 19, 2006, and forever recorded in the official records of the Borough of Washington, as an everlasting tribute to Susan Wagner-Glaser by an appreciative and thankful community.

Presented on the nineteenth day of December, 2006

PROCLAMATION
OF THE
BOROUGH OF WASHINGTON

WHEREAS, Alex Buoye has been a member of the Washington Borough Council since November, 2004; and

WHEREAS, Alex Buoye also served the Borough of Washington as a member of the Executive Board of the Washington Improvement District and various committees within the Borough and served with skill, dedication and commitment above and beyond the reasonable expectations of a community; and

WHEREAS, Alex Buoye will always be remembered by his colleagues for his humor, willingness to help others, commitment to local government and dedication to Washington Borough; and

WHEREAS, the Mayor and Council, of the Borough of Washington, desire to express the appreciation of the entire community to Alex Buoye for his many years of service to the Borough of Washington

NOW, THEREFORE, BE IT PROCLAIMED by Marianne Van Deursen, Mayor of the Borough of Washington, in the County of Warren, State of New Jersey, that the heartfelt appreciation of the Mayor and Council of the Borough of Washington and all its inhabitants are hereby expressed for the many years of public service performed by Alex Buoye.

BE IT FURTHER PROCLAIMED that this Proclamation be duly embossed, signed by the Mayor, publicly presented to Alex Buoye on December 19, 2006, and forever recorded in the official records of the Borough of Washington, as an everlasting tribute to Alex Buoye by an appreciative and thankful community.

Presented on the nineteenth day of December, 2006

Council Appearance

Gerald Philkill – Borough Engineer

Borough Engineer, Gerald Philkill summarized the annual engineer's report for the Mayor and Council. The Public Works construction projects completed in 2006 are: Sunrise/Pickel Avenue, Carlton Avenue reconstruction, Harding Drive and McKinley drainage, School Street, East Church Street, and Youmans Ave. overlay and the Rescue Squad Parking Lot.

The Borough projects currently in progress include: Cornish Street, Downtown Streetscape, Belvidere Avenue, Downtown Parking Lot, Grand Avenue Reconstruction, and the Public Works Garage.

Mr. Philkill also reviewed the feasibility studies and reports done by the engineering firm in 2006. These include the South Lincoln Avenue Traffic Circulation, and the North Prospect Avenue Traffic Calming.

Mayor Van Deursen asked Manager Sheola for a status on the traffic/speed counter that the Borough was going to borrow from Washington Township. Manager Sheola explained that Police Chief Cortellesi was going to arrange for that. Councilwoman Woykowski suggested updating Council on all open items at every meeting.

Mayor Van Deursen asked about the remaining issues with Centex, specifically the monument and the berm issues. Borough Engineer, Gerald Philkill will update Council on those issues. Attorney Cushing also suggested that a copy of the resolution adopted by Council at the November 13, 2006 special meeting be forwarded to Mr. Philkill as well.

Mayor Van Deursen asked if there was a timeframe for turning the roads in the Centex development over to the Borough. Attorney Cushing explained that an Ordinance is passed by the Borough Council in order to officially turn the roads over to the Borough.

Councilwoman Glaser suggested that the Borough start to maintain the roads however; a formal letter be sent to Centex stating that the Borough will begin to plow the roads; but this is not an official acceptance of the streets. Council agreed.

An official motion was made by Councilwoman Glaser for a letter to be sent to Centex, seconded by Councilman Turner.

Ayes: 5, Nays: 0

Motion Carried

MINUTES:

Regular Meeting – December 5, 2006

Executive Session – October 17, 2006

Special Meeting – November 13, 2006

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting of December 5, 2006, executive session of October 17, 2006, special meeting of November 13, 2006.

Councilwoman Woykowski stated she would share her corrections with the clerk after the meeting.

Hearing no further corrections or changes, it was moved by Glaser, seconded by Turner that the minutes of December 5, 2006, executive session of October 17, 2006 November 6, 2006, and executive session of November 21, 2006 be approved with changes.

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

Ayes: 5, Nays: 0.

Motion Carried.

Abstain: Buoye, Glaser December 5, 2006 Executive Session

COMMUNICATIONS:

The following communications were entered into the Record:

Hearing no comments it was moved by Turner, seconded by Glaser that the communications numbered #1 thru #11 be acknowledged, received and filed.

1. NJLM Re: Constitutional Change Committee Meeting on Three Matters
2. NJLM Re: Joint Committee on Pension Reform Surprise Development on A-2
3. NLLM Re: Continuing Education Program Sponsored by the NJ Environmental Infrastructure Trust.
4. The Joint Committee on Consolidation and Shared Services

5. NJLM Re: Assembly Voting Session on Property Tax Bills
6. NJLM Re: New Information from the Division of Local Government Services
7. NJLM Re: New Caps
8. NJLM Re: S-1 Municipal Consolidation State to Deny State AID on Consolidation Vote
9. NJLM Re: State Comptroller Legislation
10. NJLM Re: Expansion on Health Coverage
11. NJLM Re: Revision to Redevelopment Law – Eminent Domain

Ayes: 5, Nays: 0.
Motion carried.

AUDIENCE:

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

Hearing no remarks from the audience, it was moved by Turner, seconded by Buoye that the audience portion of the meeting be closed.

Ayes: 5, Nays: 0.
Motion carried.

ORDINANCES:

Ordinance 20-2006 – An Ordinance to Amend, Revise, and Supplement the Code of the Borough of Washington, Chapter 85 “Vehicles and Traffic.”

Ordinance 20-2006 to Amend, Revise, and Supplement the Code of the Borough of Washington, Chapter 85 “Vehicles and Traffic” was introduced by Councilwoman Glaser.

It was further moved by Glaser, seconded by Buoye the Clerk read Ordinance #20-2006 by title only.

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

Ayes: 5, Nays: 0
Motion carried.

The Clerk read Ordinance #20-2006 by title only and stated that this ordinance was published in the Star Gazette as required by law, a copy was posted on the bulletin board and copies available upon request from the Clerk's office.

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

Manager Sheola indicated at this point in the meeting that his recommendation is to not adopt this ordinance as it stands now.

John Weisbern – 91 West Washington Avenue

Mr. Weisbern asked the Borough Manager if the white line will remain where it is now. Manager Sheola indicated yes, the white line will remain.

Mr. Mallory – 37 East Stewart Street

Mr. Mallory voiced concerns over trucks not being able to make the turn with cars parked on East Stewart Street.

Manager Sheola stated that he had a map of the area and would like to show the residents on the map exactly where the no parking and parking areas would be on East Stewart Street. Manager Sheola discussed with the residents of East Stewart Street the areas of concern using the map as a guide.

Councilwoman Glaser motioned to close the public portion of Ordinance 20-2006, seconded by Councilman Turner.

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

Ayes: 5, Nays: 0
Motion Carried.

Councilman Turner moved to defeat Ordinance 20-2006, seconded by Councilwoman Glaser.

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

Ayes: 5, Nays: 0
Motion Carried – Ordinance Defeated.

REPORTS

It was moved by Glaser, seconded by Turner that the Borough Manager's Report, Borough Engineer, Police Report, Zoning/Code Enforcement, Highway Department, Municipal Court, and Fire Prevention Report be accepted as presented and filed.

Council Discussion:

Councilwoman Woykowski stated she was very pleased with the Borough Engineers Annual Report as well as the monthly report from the Borough Engineer.

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

Ayes: 5, Nays: 0
Motion Carried

VOUCHERS:

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

Hearing no comments or questions it was moved by Glaser, seconded by Turner that the vouchers and claims be approved for payment in the amount of \$9,765,960.66 as reflected in the debit/credit memorandum on file in the Collector/Treasurer's office.

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

Ayes: 5, Nays: 0
Motion Carried.

OLD BUSINESS

JCP&L Lights for Downtown

Manager Sheola stated that JCP&L will be installing the lights for downtown. This will save the Borough approximately \$73,000.00

NEW BUSINESS

Council Workshop Meeting – January 2007

A Council Workshop Meeting was scheduled for January 30, 2007 at 8:00 p.m. at Borough Hall. The topics for discussion are:

Tax Abatement Exemption, South Lincoln Avenue, Highlands Master Plan, Subcommittee Meetings and Spending of Subcommittee Dollars.

Timing of Sub-Committee Meetings and Policy on Sub-Committee's Spending Taxpayer Dollars.

Tabled until the Workshop Meeting of January 30, 2007.

Resolution 262-2006

The following Resolution was moved on a motion made by Councilwoman Glaser, seconded by Councilman Buoye and adopted.

Resolution 262-2006

A RESOLUTION REJECTING BID FOR THE PARK POOL DRAINAGE PROJECT

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

WHEREAS, the Borough received six bids from contractors at the bid opening November 2, 2006; and

WHEREAS, the bids received are depicted below:

Penn Bower Inc High Bridge NJ	\$84,732.25
Fredco Landscaping Passaic NJ	\$100,007.00
Berto Contracting Rahway NJ	\$112,283.00
Pave King Inc Kenvil NJ	\$123,970.00
Kalogridis Contracting North Brunswick NJ	\$144,425.00
DeSapio Construction Inc Frenchtown NJ	\$187,958.34

WHEREAS, the Mayor and Council of the Borough of Washington wishes to reject the bids as it is in the best interest of the Borough to do so; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington in the County of Warren to reject all bids and authorize the Borough Manager to notify the vendors of this decision.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Richard J. Sheola Borough Manager and Gerald Philkill Borough Engineer.

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

Ayes: 5, Nays: 0

Motion Carried

Resolution 264-2006

RESOLUTION # 264-2006

**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

<u>BLOCK/LOT</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
10/2	Valerie Yawger 148 West Washington Ave.	\$ 181.89

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$181.89 should be mailed to:

Valerie Yawger
130 Washington Arms Apts.
C2
Washington, NJ 07882

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.

Resolution 265-2006

RESOLUTION # 265-2006

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

WHEREAS, Hicks Paving 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 Hicks Paving, 82 Rymon Road, Washington, NJ 07882, in the amount of \$1000.00 from the Street Opening Account.

Resolution 266-2006

RESOLUTION 266-2006
A RESOLUTION AUTHORIZING A REFUND

WHEREAS, the Tax Collector's records show an overpayment of \$164.91 on November 9th, 2006 for added assessment taxes on behalf of Ms. Kimberly Connors, Block 096 Lot 2.01, known as 108 South Lincoln Avenue, Washington, NJ, and

WHEREAS, the Tax Collector's office has received a written request that the above amount should be refunded to First American Real Estate Tax Service, and mailed to:

First American Real Estate Tax Service
1 First American Way
Mail Code: DFW 1-3
Westlake, TX 76262
Attn: Refunds

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 Treasurer is authorized to refund the above payment amount as directed.

Resolution 267-2006

RESOLUTION #267-2006
A RESOLUTION AUTHORIZING A REFUND
OF 2006 TAX OVERPAYMENT

WHEREAS, the Tax Collector's records show an overpayment of \$96.72 on November 9th, 2006 for added assessment taxes on behalf of Steven Alpaugh, Block 071.01 Lot 013, known as 45 Flower Avenue, Washington, NJ, and

WHEREAS, the Tax Collector's office has received a written request that the above amount should be refunded to First American Real Estate Tax Service, and mailed to:

First American Real Estate Tax Service
1 First American Way
Mail Code: DFW 1-3
Westlake, TX 76262
Attn: Refunds

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 Treasurer is authorized to refund the above payment amount as directed.

Resolution 268-2006

RESOLUTION #268-2006
A RESOLUTION AUTHORIZING A REFUND
OF 2006 TAX OVERPAYMENT

WHEREAS, the Tax Collector's records show an overpayment of \$299.46 on November 9th, 2006 for added assessment taxes on behalf of Bruce Dech, Block 101.01 Lot 007, known as 60 Lenape Trail, Washington, NJ, and

WHEREAS, the Tax Collector's office has received a written request that the above amount should be refunded to First American Real Estate Tax Service, and mailed to:

First American Real Estate Tax Service
1 First American Way
Mail Code: DFW 1-3
Westlake, TX 76262

Attn: Refunds

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 Treasurer is authorized to refund the above payment amount as directed.

Resolution 269-2006

The following Resolution was moved on a motion made by Councilman Turner, seconded by Councilman Buoye and adopted.

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

Ayes: 5, Nays: 0
Motion Carried.

RESOLUTION # 269-2006

**A RESOLUTION AWARDING BID FOR
BELVIDERE AVENUE
RECONSTRUCTION – PHASE I**

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

WHEREAS, the Borough received six (6) bids from contractors at the Bid Opening on December 14, 2006; and

WHEREAS, the bids received are depicted below:

S Brothers South River, NJ	\$374,736.50
MARVEC Construction Corp. Verona, NJ	\$422,197.25
TILCON of New York Wharton, NJ	\$457,469.41
Concrete Masters Newark, NJ	\$510,304.00
Intercounty Paving Hackettstown, NJ	\$577,250.00

Hale Built
Easton, PA

\$584,998.00

WHEREAS, the Mayor and Council of the Borough of Washington wishes to award the contract to the lowest responsible bidder it is in the best interest of the Borough of Washington to do so; 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 award the bid to S Brothers of South River, NJ for Belvidere Avenue Reconstruction – Phase I in the amount of \$374,736.50 and authorize the Borough Manager to prepare the contract documents as soon as possible and for the Mayor and Borough Clerk and any other municipal official to execute the contracts. A Certification of Available Funds is attached and made part of this document; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Richard J. Sheola, Borough Manager, Gerald Philkill, Borough Engineer and S Brothers.

Resolution 270-2006

The following Resolution was moved on a motion made by Councilman Buoye, seconded by Councilwoman Glaser and adopted.

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

RESOLUTION # 270-2006

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

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, is 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; Woykowski, Turner, Buoye, Glaser, and Van Deursen.

Ayes: 5, Nays: 0

Motion Carried

Approval for ABC Special Permit for a Social Affair – Washington Fire Department Ladies Auxillary.

Councilman Turner motioned for approval of the Washington Fire Department Ladies Auxillary ABC Special Permit, seconded by Councilwoman Glaser.

Roll Call: Woykowski, Tuner, Buoye, Glaser, and Van Deursen.

Ayes: 5, Nays: 0

COUNCIL REMARKS:

Councilwoman Woykowski - Stated that she will miss Councilwoman Glaser and Councilman Buoye very much and hopes to see them in the audience.

Councilman Buoye – Stated that he is thankful for having had the opportunity to serve his community. He has a great deal of confidence in the new members of Council.

Councilman Turner – Stated that he wishes Councilwoman Glaser, and Councilman Buoye the best of luck on their endeavors.

Councilwoman Glaser – Thanked the Mayor and Council and stated it was a wonderful opportunity to serve the community. It has been a pleasure and honor to serve with all of you on Council.

Mayor Van Deursen - Mayor Van Deursen stated that she will miss Councilwoman Glaser very much. She was a wonderful Deputy Mayor and

wishes her the best of luck in the future. Mayor Van Deursen also announced that Alex will be on the Planning Board. Mayor Van Deursen commended Alex and stated he was a valuable asset to Council.

RECAP

Manager Sheola stated he will ask for a status from the Police Chief in regards to the Speed Monitor from Washington Township. Manager Sheola will also compose a letter to Centex regarding the maintenance of the roads. He will discuss with Blue Diamond Disposal the possibility of using smaller trucks on some of the Borough roads.

EXECUTIVE SESSION:

It was moved by Councilman Turner, seconded by Councilman Buoye that Council go into Executive Session.

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

Ayes: 5, Nays: 0.

Motion Carried.

RESOLUTION 271-2006

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

It was moved by Glaser, seconded by Buoye that Council go out of Executive Session and back into open session.

Ayes: 5, Nays: 0.
Motion Carried.

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

Marianne Van Deursen
Mayor

Kristine Blanchard, RMC
Borough Clerk