

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – FEBRUARY 21, 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: Housel, Van Deursen, Turner, Woykowski, Buoye, Oakley and Glaser – 7 Present.

Also Present: Richard J. Sheola, Borough Manager
Richard P. Cushing, Esq., Municipal Attorney
Robert Miller, C.M.E., Borough Engineer
Linda L. Hendershot, RMC/CMC, Borough Clerk

Mayor Van Deursen led everyone in the flag salute.

Mayor Van Deursen read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.

COUNCIL APPEARANCE:

Tom Efstathiou, CTA – Tax Assessor

Mr. Efstathiou gave Council an overview of his office. Two tax appeals are pending in Tax Court, Star Plaza and Washington Plaza k/a Park Hill Apartments.

Based on the sales the year to date average ratio is 61%. Mr. Efstathiou noted that he estimates the 2007 average ratio will be approximately 65%.

The Warren County Board of Taxation has or will order several towns in Warren County to do a revaluation. Washington Borough is presently on the border of being ordered to do a revaluation.

Mr. Efstathiou recommended that the Borough propose a reassessment to the Warren County Board of Taxation. The reassessment will be done in 2006 and 2007 and placed on the 2008 assessment list.

Mr. Efstathiou explained the difference between a revaluation and a reassessment. An in-house reassessment is less costly and done by the Assessor with some outside assistance and a revaluation is done by an outside firm. The cost of both can be spread out over a five year period. Your ratio should be 85% or over. The bottom of the market continues to rise but the high may be leveling out.

Councilwoman Woykowski asked when the last reassessment was done? The Borough’s last reassessment was done in 2002. Councilwoman Woykowski asked when the last revaluation was done on the other communities the Tax Board has placed on notice. Mr. Efstathiou did not know the answer to her question but would find out.

Mr. Efstathiou indicated that with an in-house reassessment you have more control. Generally there is very few appeals with a reassessment versus a revaluation.

Councilman Housel suggested that Mr. Efstathiou prepared a proposal to be brought back to Council for their consideration. It doesn't necessarily mean Council has to authorize the work this year; it could be done next year.

Councilwoman Glaser questioned what the outcome would be if Council waited for the County Tax Board? Would it have to be a revaluation? Mr. Efstathiou indicated that Mr. Orcutt has been quoted as saying the County would demand a revaluation.

Councilwoman Woykowski questioned whether the application could be filed and requested for 2007?

It was the consensus of Council that the Assessor prepare a proposal for the next meeting for Council consideration.

MINUTES:

Regular Meeting – January 17, 2006

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting held January 17, 2006.

A questions was posed on Page 2 regarding the E. Washington Avenue property. A meeting was held with the State DCA and they will be investigating this property.

It was moved by Housel, seconded by Woykowski that the minutes of the regular meeting held January 17, 2006 be approved as presented.

Roll Call: Oakley, Turner, Van Deursen, Buoye, Housel and Woykowski –
Ayes; 6, Nays: 0. Abstained: Glaser.

Motion carried.

COMMUNICATIONS:

The following communications were entered into the Record:
An additional communication from the NJ Highlands was received.

- 1) NJLM Re: New Information from the Division of Local Government Services;
- 2) Comcast Fax Re: Olympics HD Coverage;
- 3) NJLM – Transportation Trust Fund;
- 4) NJLM – Proposed Re-adoption NJAC 10:50 – Ambulance Fees; and

5) NJ Highlands – Notice of Change of Meeting Time

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

It was moved by Turner, seconded by Glaser that the communications numbered #1 thru #5 be acknowledged, received and filed.

Ayes: 7, Nays: 0.

Motion carried.

AUDIENCE:

Jeff Dominic, 352 N. Prospect Street was very concerned with the safety and welfare of his children. He has observed cars lining up alongside each other and using this street as a race track. Miller Avenue is also a problem with the people in the development. He suggested perhaps that some signs could be posted warning of Children Playing in the area.

Mayor Van Deursen noted that a survey will be sent out to all residents on North Prospect with respect to whether the residents on this street wanted speed humps.

Robert Mayer, N. Prospect St. was pleased to hear that the survey was going to go out to the residents. He suggested that the street be changed to Washington's Drag Strip.

He also relayed an incident that took place recently where all the school children were evacuated from the Middle School for a fire alarm and were in the street on N. Prospect Street. What a catastrophe that would have been should cars have been dragging down the street that day.

Diane Folts, 78 W. Warren Street also noted that she is concerned with the speeding on W. Warren Street as well to the Memorial School. Speed humps should be considered in her neighborhood as well.

Manager Sheola advised that he would speak to the police for more radar patrols be set up in this area.

Denise Keller, 21 Lenape Trail noted that people in Shabbecong Village also speed in this area as well.

Ann Hardiman, N. Prospect Street suggested that documentation be researched as to how many and where tickets are being issued for speeding in the community.

Veronica Smith, Lenape Trail questioned whether it was town wide that cars be removed from the street during a snow emergency? Manager Sheola indicated that this is correct. Mrs. Smith noted that when she called the police they were not aware of this ordinance. They were quoting snow emergency routes.

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

Ayes: 7, Nays: 0.
Motion carried.

Mayor Van Deursen suggested deviating from the order of business to discuss the engineer's report. Mr. Miller had to leave around nine o'clock to attend the Township's meeting as well.

Engineer's Report

Bob Miller was present to go over his engineering report with Council.

Starting date for the Youmans Avenue, Church Street and School Street projects will be in approximately two weeks. Some drainage work has to be completed first.

Belvidere Avenue will be re-bid next month. Mr. Miller will need input from the Council on other streets to be done this year.

The Mid-Block Crosswalk is progressing. Final specifications and plans will be ready in approximately two weeks. Potential starting date a month after the bid is awarded. Bids will be accepted in April with thirty (30) days for the awarding and execution of the contract and all other pertinent documents. May starting day projected.

A meeting was held today regarding the Public Works Garage. Bids should go out in about two weeks.

Mr. Miller updated Council on the Sunrise/Pickel Avenue project. A meeting was held today and there are still some unresolved issues to work out. Work will resume once the weather warms up.

The engineer suggested that the Council consider a strong resolution to our area legislators to restore the Transportation Trust funds monies. It was moved by Turner, seconded by Housel that the Manager prepare a resolution for Council to consider at a future meeting.

Ayes: 7, Nays: 0. – Motion carried.

The Washington Meadows Project was discussed at length. The engineer received a letter but there is still a lot of issues to be resolved. The Recreation Commission does not want them to touch the fields again.

Attorney Cushing reported that the developer wants a meeting. There very well may litigation over this project but if we do have a meeting with them it will look better in court if we do end up in litigation. A meeting with them could be productive. Attorney Cushing noted that the cash portion of the bond is only \$ 110,000.00. A breakdown of the work that needs to be done should be finalized. The Performance Bond could be a tug of war to get this released from the Insurance Company and can be a long process.

Councilman Housel questioned whether we could recoup some of the professional fees?

Council discussion followed at which time a motion was made by Glaser, seconded by Turner that Council instruct our professionals to meet with Calton Homes within the next ten (10) days and if the results of the meeting are not satisfactory to our professionals that they be authorized to take whatever action necessary to go after the cash bond for the emergency work that must be done immediately and initiate steps to redeem the funds from the performance bond for the balance of the work to be done this year.

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

Ayes: 7, Nays: 0.
Motion carried.

The Carlton Avenue project will resume when the weather breaks. The work will be coordinated with the Middle School.

Hearing no further discussion of the engineer's report a motion was made by Glaser, seconded by Oakley that the Council take a short recess at 9:10 PM prior to entertaining the ordinances.

Ayes: 7, Nays: 0.
Motion carried.

Council reconvened at 9:15 PM with everyone present.

ORDINANCES:

Ordinance #3-2006 – Sex Offender Residency Prohibition (Final Passage)

An ordinance regarding sex offender residency prohibition was introduced by Councilman Housel.

It was further moved by Housel, seconded by Glaser that the Clerk read Ordinance #3-2006 by title only.

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

Ayes: 6, Nays: 0.
Motion carried.

The Clerk read Ordinance #3-2006 by title only and stated that this ordinance had been published in the Star Gazette as required by law, a copy posted on the bulletin board and copies were available upon request from the Clerk's office.

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

Julia Quelly 4 Cleveland Avenue questioned the definition of a sex offender giving an example of an eighteen year old with a seventeen year old. If they were convicted of statutory rape would they be considered a sex offender? The answer to this question was affirmative.

Dan Frascella, 87 W. Stewart Street was in favor of the ordinance. He asked if the ordinance has been challenged from the Supreme Court on its constitutionality yet? He also questioned whether the ordinance should only encompass the drug-free school zones?

Attorney Cushing commented on Mr. Frascella's questions and briefly discussed the only challenge to this ordinance was in Lower Township. This challenge has been dropped. Attorney Cushing suggested holding off on the adoption of this ordinance until it is challenged. In all probability it will be challenged by the ACLU (American Civil Liberties Union). The Borough does have insurance to cover this. The question of only making reference to school zone, Attorney Cushing felt it more safer to include not only schools but parks and day care centers as well where children would be congregating.

Mr. Frascella felt that the members of our community need to be protected by this Council. The public needs to be comfortable in the community they live in.

Rita Katrensky, McDonald Street – She commented that all of the surrounding towns have adopted this ordinance and the Borough should definitely do it.

Joyce Pyle, 88 W. Stewart St. resented the Attorney's opinion and was not concerned with the money that would be spent on a possible law suit. We should be thinking about protecting our children.

Bob Kozarek, 29 E. Church St. noted that the comments he made were strictly his own opinions. He was strongly in favor of this ordinance. His profession was that of a forensic officer in the Medical Examiner's Office and he has seen firsthand what sex offenders have done to small children. He urged Council to vote in favor of this ordinance.

Gina Appleby, 28 Willow St. stated that she was disappointed in the silence from the Council. As a homeowner and parent she was strongly in favor of the adoption of this ordinance. She noted that parents still need to be diligent in protecting their children. Everyone was not looking for Council to take on the job responsibilities of their children. They are just looking for some assistance. These zones are important to take these offenders out of the zones in which children are most prevalent. We need to close our doors as well as the other communities have. Council should contact our legislators to urge them to impose stricter penalties of these offenders. We don't need these predators in our community. If Council is considering a full-time Recreation Director then you should also think of protecting our children as well.

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

Ayes: 7, Nays: 0.
Motion carried.

Council Discussion: Councilwoman Woykowski noted for the record that Lower Township is backing their ordinance 100%. However, they may be looking at changing the radius. Attorney Cushing also noted that there was a community in Iowa whose pedophile ordinance was challenged and upheld.

Councilwoman Oakley alluded to the costs involved in representing a child. She questioned Attorney Cushing on how big is the risk if an insurance company doesn't pay?

Attorney Cushing noted that the Borough has public officials coverage and they are obligated to defend the Borough. The Council is taking an important step to protect the rights of the community and are acting in good faith.

Councilwoman Oakley questioned who would enforce the ordinance. It will be up to the Police Department to adopt procedures for its enforcement.

The question of renters and potential house buyers was brought up as well. Local Realtors will be given a copy of the ordinance. Sex offenders are mandated as part of the their parole to register with the Police Department.

Mayor Van Deursen noted that once the ordinance is adopted a procedure will be worked out with the Police Department.

Councilman Housel suggested that perhaps the Real Estate offices could prepare a disclosure statement when people enter into contracts to purchase real estate in the Borough.

Councilwoman Woykowski stated that the ordinance certainly is not foolproof. We need to protect ourselves as well. However, we are sending a message to the State and Federal government that more needs to be done.

Councilwoman Glaser noted that the Supreme Court has to stop stripping away at the real teeth of Megan's Law as well.

Hearing no further Council discussion, it was moved by Housel, seconded by Turner that Ordinance #3-2006 be adopted on final adoption and that final publication be made as prescribed by law.

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

Ayes: 7, Nays: 0.
Motion carried.

A motion was then made by Housel, seconded by Turner that a letter be sent to pressure our State Legislators to enact stronger legislation supporting the pedophile free zones that our communities are adopting.

Ayes: 7, Nays: 0.
Motion carried.

ORDINANCE #3-2006

**AN ORDINANCE AMENDING AND SUPPLMENTING THE CODE
OF THE BOROUGH OF WASHINGTON, NEW JERSEY
REGARDING SEX OFFENDER RESIDENCY PROHIBITION.**

WHEREAS, a tragic molestation and murder of a child by a convicted pedophile in New Jersey led to the adoption of Megan’s Law N.J.S.A. 2c:7-1, et seq., which law requires individuals convicted of sexual offenses to register with the authorities; and Council Minutes – 2-21-06
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WHEREAS, there are presently no State laws which concern or touch upon the prohibition of convicted sex offenders required to register with the authorities pursuant to Megan’s Law from residing or living near areas where children regularly meet and congregate; and

WHEREAS, this Borough governing body believes that it is in the resident’s best interest to adopt additional regulations regarding convicted sex offenders, so as to protect the health, safety and welfare of the children of this municipality.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that the Revised General Ordinances of the Borough of Washington are hereby amended and supplemented as follows:

Sex Offender Residency Prohibition:

- (a) No person over the age of 18 who has been convicted of a violation of any crime against a minor as listed in N.J.S.A. 2C:7-2 (hereinafter “Sex Offender”), and who as a result of said conviction is required to register with the proper authorities pursuant to N.J.S.A. 2C:7-1, et. seq., Registration and Notification of Release of Certain Offenders, be permitted to reside or live within 3,000 feet of any school, park, playground or day care center in the Township (hereinafter “Prohibited Area”).
- (b) A Sex Offender who resides within any Prohibited Area established pursuant to the provisions of this ordinance shall have sixty (60) days from the effective date of this ordinance, or upon termination of the existing lease term of any residential lease entered into prior to the effective date of this ordinance, the term of which is not longer than one (1) year, whichever is later, to relocate outside the Prohibited Area. Failure to move to a location which is in compliance with this section within the prescribed time period shall constitute a violation of this ordinance.
- (c) The provisions of this ordinance shall not apply to any Sex Offender who has purchased property in his/her individual name, either individually or as a joint tenant or tenant in common to be used as his/her primary residence which is located within the prohibited area prior to the effective date of this ordinance.

- (d) Each section, subsection sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this ordinance to be

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unconstitutional, void or ineffective for any cause or reason shall not affect any other portion of this ordinance.

- (e) Any violation of this section shall be punishable by one or more of the following penalties: a fine not exceeding \$ 1,250.00; imprisonment for a term not exceeding ninety (90) days; a period of community service not exceeding ninety (90) days.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent herewith are hereby repealed to such inconsistency only.

BE IT FURTHER ORDAINED that if any section, paragraph, subsection, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

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

Council took a short recess at 9:50 PM on a motion made by Glaser, seconded by Housel and adopted.

Ayes: 6, Nays: 0.
Motion carried.

Ordinance #4-2006 – Establishing a Full-time Recreation Director (First Reading)

An ordinance establishing a full-time Recreation Director was introduced by Councilwoman Glaser.

It was moved by Glaser, seconded by Oakley that the Clerk read Ordinance #4-2006 by title only.

Roll Call: Woykowski, Housel, Buoye, Van Derusen, Glaser and Oakley.
Ayes: 6, Nays: Turner.

Discussion: Councilman Turner is voting no on this ordinance as a result of the resistance he has observed with the Recreation Commission.

Motion carried.

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The Clerk read Ordinance #4-2006 entitled, "AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF WASHINGTON, ARTICLE VIIIA – BOARD OF RECREATION COMMISSIONERS ESTABLISHING A FULL-TIME RECREATION DIRECTOR POSITION FOR THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, NEW JERSEY.

Council Discussion:

Attorney Cushing explained how the chain of command would work with respect to a full-time Director. It mirrors how the Borough's form of government is set up. The Commission members would be the policy makers and the Recreation Director would be the Chief Executive Director to carry out the policy.

Rick Feldman, Commission member noted that the Recreation Commission has not seen the changes that were made to the ordinance.

Further Council discussion followed.

Councilman Buoye felt that there should be a clause in the ordinance that would require the Director to be experienced in grant writing. In order to justify the additional expense grant writing should be included as part of the job description.

Attorney Cushing noted that under Item (F) – (7) could be added to read: "To seek and administer grants from all available sources".

Councilwoman Woykowski noted that Council has been dancing around this ordinance. She cannot approve this ordinance without seeing a job description for the position.

Councilman Housel also felt that the section dealing with grants should be in the context of the ordinance.

Council concurred that this additional section on grant writing should be added.

It was therefore moved by Glaser, seconded by Oakley that Ordinance #4-2006 be approved on first reading.

Roll Call: Oakley, Glaer, Van Derusen, Buoye and Housel – Ayes: 5,

Turner and Woykowski – Nays: 2.

Motion carried.

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It was further moved by Housel, seconded by Glaser that Ordinance #4-2006 be published in the Star Gazette on March 2nd and that the public hearing be scheduled for March 21, 2006.

Roll Call: Oakley, Glaser, Van Deursen, Buoye and Housel – Ayes: 5,
Woykowski and Turner – Nays: 2.

Motion carried.

REPORTS:

It was moved by Glaser, seconded by Oakley that the Trial Balance – November, Road Department O.T., Borough Manager's, Recreation Commission, Engineer's, Court (2) and Police be accepted as presented and filed.

Discussion: Councilwoman Woykowski had a question on the light stanchions at the Borough Park. Manager Sheola noted that the engineer did not report that the poles were a safety issue.

Ayes: 7, Nays: 0.

Motion carried.

VOUCHERS:

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

Prior to entertaining a motion to approve the vouchers several questions were asked that were answered by the Manager.

Councilman Turner questioned the amount of money spent to purchase a new vacuum cleaner which he did not feel was warranted.

The ARC bills were discussed and Councilwoman Woykowski felt that the claims list should show the dates indicating what time period was being paid for. She would like to see this practice with other bills as well where there was time frames involved that are being paid for.

The Statewide Insurance bill was also questioned and the Manager noted that their bills are accelerated and is scheduled for payments in January, February, April and June.

Councilwoman Oakley had a question on the bills for TRC which were for the Turbine Alloy site. This money is paid from 2004 grant funding.

Hearing no further questions, it was moved by Glaser, seconded by Oakley that the vouchers and claims be paid in the amount of \$ 670,892.73 as reflected in the debit/credit memorandum on file in the Collector-Treasurer's office.

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

Ayes: 6, Nays: 0.

Motion carried.

OLD BUSINESS:

Council Goals -2006/2007

Mayor Van Deursen asked all of Council to electronically send their goals with their dates to the Manager for compiling.

Deputy Mayor – Term of Office

Councilman Turner reported to Council that they were in violation of their own ordinance concerning the appointment of our Deputy Mayor. According to the Code the Deputy Mayor cannot serve more than two consecutive one year terms. Our present Deputy Mayor is serving her third term. This appears to be an oversight in view of the change in the Mayor's appointment from two year's ago. It was thought that the Deputy Mayor's term would run concurrent with her term for two consecutive years. Deputy Mayor Glaser served the year before the Mayor's appointment was changed to an elective office of four years.

Extensive discussion followed at which time it was suggested that perhaps the terms of the Mayor and Deputy Mayor should be staggered so there would be someone of experience on board. However, it was found that this would not work with Council terms being staggered as well.

After extensive discussion it was decided to leave the section in the Code the way it is presently written.

It was therefore moved by Buoye, seconded by Oakley that the Deputy Mayor shall serve a term of two years and may not serve two consecutive terms as Deputy Mayor as reflected in Section 3-7 (B) of the Borough's Code Book

Ayes: 7, Nays: 0.

Motion carried.

The Clerk was directed to place as an item of Business the Nomination and Appointment of a new Deputy Mayor.

Deputy Mayor Glaser will submit her letter of resignation for acceptance at the next meeting as well.

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Application to Amend Bingo License – St. Joseph’s Rosary Altar Society

An application to amend St. Joseph’s Rosary Altar Society bingo license was submitted to the Clerk. The application is in order and fees have been paid.

It was moved by Glaser, seconded by Buoye that the Clerk be authorized to issue an amendment to St. Joseph’s Rosary Altar Society bingo license.

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

Motion carried.

Resolutions #64-2006 - #65-2006 - #66-2006 - #67-2006 and #72-2006

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

RESOLUTION #64-2006

**A RESOLUTION TO REFUND OVERPAYMENT
ON 2006 CURRENT YEAR REAL ESTATE TAXES**

WHEREAS, according to the Tax Collector’s records, there is an overpayment of \$ 1,637.42 on 2006 1st Quarter Regular Taxes paid on property located at 70 Grand Avenue, also known as Block 015.01, Lot 003, and in the name of Dilello, M. (purchased from Ferguson, Jay and Linda); and

WHEREAS, Countrywide Home Loan and the Dilello’s attorney have both paid the 1st quarter 2006 Regular Taxes causing the overpayment; and

WHEREAS, the Tax Collector has received a written request from the Countrywide Home Loans to refund the tax overpayment to the mortgage company.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$ 1,63.42 payable to:

Countrywide Home Loans

1757 Tapo Canyon Road
Suite 300
Simi Valley, CA 93063
Attn.: Refund Unit

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

Ayes: 7, Nays: 0.
Motion carried.

RESOLUTION #65-2006

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

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$ 1,769.61 on 2005 4th Quarter Regular Taxes paid on property located at 345 Belvidere Avenue, also known as Block 017.01, Lot 002, and in the name of Sbriscia III, Anthony; and

WHEREAS, Countrywide Home Loans paid the 4th quarter 2005 Regular Taxes twice causing the overpayment; and

WHEREAS, the Tax Collector has received a written request from the Countrywide Home Loans to refund the tax overpayment to the mortgage company.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$ 1,769.61 payable to:

Countrywide Home Loans
1757 Tapo Canyon Road
Suite 300
Simi Valley, CA 93063
Attn.: Refund Unit

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

Ayes: 6, Nays: 0.
Motion carried.

RESOLUTION #66-2006

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

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WHEREAS, according to the Tax Collector's records, there is an overpayment of \$ 1,032.36 on 2005 3rd Quarter Regular Taxes paid on property located at 15 Monroe Street, also known as Block 095, Lot 022 and in the name of Cals, Danny L. and Jaime K.; and

WHEREAS, Countrywide Home Loans and Equity Settlement both paid the 3rd quarter 2005 Regular Taxes twice causing the overpayment; and

WHEREAS, the Tax Collector has received a written request from the Countrywide Home Loans to refund the tax overpayment to the mortgage company.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$ 1,032.36 payable to:

Countrywide Home Loans
1757 Tapo Canyon Rd.
Suite 300
Simi Valley, CA 93063
Attn.: Refund Unit

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

Ayes: 7, Nays: 0.
Motion carried.

RESOLUTION #67-2005

**RESOLUTION AUTHORIZING APPROPRIATE BOROUGH OFFICIALS TO
SIGN AGREEMENT WITH UNITED STATE DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT (HUD) WITH THE
BOROUGH OF WASHINGTON, COUNTY OF WARREN,
NEW JERSEY.**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that appropriate Borough officials are hereby authorized to sign and complete the agreements with United States

Department of Housing and Urban Development (HUD) for a grant associated with part of the Mid-Block Crosswalk and Downtown Revitalization Program.

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

Ayes: 7, Nays: 0. – Motion carried.

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RESOLUTION #72-2006

**A RESOLUTION OF THE BOROUGH OF WASHINGTON
AUTHORIZING APPLICATION FOR A SMART FUTURES PLANNING GRANT
FOR THE BOROUGH OF WASHINGTON, COUNTY OF WARREN.**

WHEREAS, the Borough of Washington desires to apply for a grant from the New Jersey Department of Community Affairs, Office of Smart Growth, Smart Futures Planning Grant Program for approximately \$110,000 to develop Design Guidelines to enhance the redevelopment and rehabilitation of the downtown area; and

NOW, THEREFORE, BE IT RESOLVED,

- 1) That the Borough of Washington does hereby authorize the application for such a grant; and
- 2) Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the grant agreement; and, also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Borough of Washington and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

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

Ayes: 7, Nays: 0.
Motion carried.

Resolution #71-2006 – Amend Temporary Current Fund Budget

Resolution #68-2006 – Change Order #7 – Extraneous Flow Project

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

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RESOLUTION #68-2006

**A RESOLUTION APPROVING CHANGE ORDER #7
RELATED TO THE EXTRANEEOUS FLOW REDUCTION PROJECT**

WHEREAS, the Borough of Washington is repairing/replacing various sanitary sewers as part of an extensive rehabilitation program; and

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

WHEREAS, the project engineers, Schoor DePalma have recommended the following Change Order:

Field Changes – Christine Place	\$ 17,441.17
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WHEREAS, the Mayor and Council of the Borough of Washington wishes to accept the change order for this work as it is in the best interest of the Borough of Washington. A Certification of Available Funds is attached and made part of this document.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey approve Change Order #7 and authorize the Borough Manager and Project Manager to prepare the necessary documents as soon as possible and for the Borough Manager to execute the change order on behalf of Washington Borough.

Roll Call: Van Deursen, Buoye, Housel and Woykowski – Ayes: 4,
Turner, Glaser and Oakley – Nays: 3.

Motion carried.

Resolution #69-2006 - Change Order #9 – Extraneous Flow

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

Hearing no further business to come before Council, it was moved by Glaser, seconded by Oakley that the meeting be adjourned at 11:45 PM.

Ayes: 7, Nays: 0. – Motion carried.

Marianne Van Deursen, Mayor

Linda L. Hendershot, RMC/CMC, Clerk