

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – APRIL 4, 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, Oakley, Buoye, Woykowski, Van Deursen, Turner and Glaser – 7 Present.

Also Present: Richard P. Cushing, Esq., Municipal Attorney
Richard J. Sheola, Borough Manager

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:

John Burd, Road Superintendent

John Burd, Road Department was present to give the Council an overview of the work the Road Department is doing and the projects they will complete this year.

The parking lot adjacent to the Borough Hall will be started. The other two major projects that they will be undertaking will be the water problem on Harding Drive and McKinley Avenue. The Borough garage site has been completed and the site work is ready to go.

Mr. Burd reported that many of the street signs that the department has put up are being vandalized and being broken off.

Mr. Burd reported that the Road Department consists of six full-time men. The street sweeper is being operated every day beginning 7 AM and on Friday’s 4 AM until 12 Noon.

The road millings were discussed and the fact that the Road Department can put them to good use. The Carlton Avenue millings were not placed in the bid specs prepared by the engineer to be turned over to the Road Department but future contracts will take this into consideration. There may be an opportunity to get some millings from the State as well.

Mayor Van Deursen on behalf of the governing body thanked Mr. Burd and his crew for the fine job they do for the Borough.

MINUTES:

Regular Meeting – March 21, 2006

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting held March 21, 2006.

Corrections were noted on Page 11 by Councilman Buoye. Another typo was noted on Page 21, as well as the misspelling of the Mayor's name on Page 10 & 11. Councilwoman Woykowski had some minor typos that she would give to the Clerk.

It was therefore moved by Housel, seconded by Woykowski that the minutes of the regular meeting held March 21, 2006 be approved with the corrections so noted.

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

Ayes: 6, Nays: 0.
Motion carried.

COMMUNICATIONS:

The following Communications were entered into the Record:

- 1) Comcast Fax Re: Updated Channel additions;
- 2) NJLM RE: Cap Relief Bill introduced;
- 3) NJLM Re: League Budget Testimony;
- 4) NJLM Re: Attorney General Director – Police Body Armor;
- 5) Mayor's Fax Advisory – Seminar RE: How Manager's can Create an Effective Customer Service Environment;
- 6) NJLM RE: NJ Clean Power Program;
- 7) NJLM RE: Legislative Development – TTF Reauthorization and Heavy Truck Rules;
- 8) NJLM Re: Governor Corzine's Budget Proposal;
- 9) NJLM Re: Full Community Development Block Grant Funding;
- 10) NJLM RE: House Action on Local Franchising Authority; and
- 11) NJLM RE: NJLM Scholarship Competition.

It was moved by Glaser, seconded by Turner that the communications numbered #1 thru #11 be acknowledged, received and filed.

Discussion: Councilwoman Woykowski suggested that the seminar on Customer Service Environment be attended by the Manager with some of the staff members.

Ayes: 7, Nays: 0. – Motion carried.

AUDIENCE:

Mayor Van Deursen entertained remarks, petitions, statements and testimony from guests on items that were not on the agenda.

Hearing none, it was moved by Housel, seconded by Glaser that the audience portion of the meeting be closed.

Ayes: 7, Nays: 0.
Motion carried.

PRESENTATION:

John Moore, Risk Manager

Mr. Moore summed up a recent claims meeting held with the staff a couple of weeks ago. As a result of this meeting and the fact that the Borough has had little activity in the number of claims and is in compliance with the law the Borough was presented with a Special Recognition Award.

In the next two quarters they will be organizing a Management Activities Semimar which will prove beneficial to the Borough staff.

On behalf of the Council the Mayor thanked Mr. Moore for this presentation and bringing the governing body up-to-date on the Borough's claims.

ORDINANCES:

Ordinance #5-2006 – Amending Chapter 47 – Garbage, Refuse and Recycling
(Final Passage)

An ordinance amending Chapter 47 of the garbage refuse and recycling ordinance was introduced by Councilwoman Glaser.

It was moved by Glaser, seconded by Housel that the Clerk read Ordinance #5-2006 title only.

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

Ayes: 7, Nays: 0.
Motion carried.

The Clerk read Ordinance #5-2006 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 Glaser, seconded by Housel that the public hearing portion of the audience be closed.

Ayes: 7, Nays: 0.
Motion carried.

Council Discussion:

Councilwoman Oakley questioned when the ordinance would go into effect with respect to enforcement. It will go into effect twenty (20) days after publication which would be May 2, 2006.

Manager Sheola noted that residents are picking up the calendars in the Borough lobby on a regular basis and familiarizing themselves with the changes in the new contract.

The purpose of some of the changes are to lessen the number of trucks that are in the Borough during the working week.

Councilwoman Oakley noted that the change from a Monday pick-up for those that now are picked up on Friday is a major change to get accustomed to. In the summer those citizens that have picnics will be forced to store their garbage for an entire week before it is collected.

Councilwoman Glaser was concerned that the changes are conveyed to the public and suggested and that perhaps another notice be placed in the newspaper.

Councilman Housel suggested taking advantage of Comcast as well.

Councilman Buoye was concerned with the vegetative waste pick-up schedule that was changed from March to December to May through October. Did the Borough save substantial money in instituting this change? People already have been bagging and cleaning up their vegetative waste. Councilman Turner noted that we went from March to May. This is a big jump.

Mr. Al Zabriskie noted that vegetative waste was picked up on Tuesday. Why couldn't garbage be picked up on this Tuesday? The change is very difficult for the residents to adjust to. The summer time is going to be difficult with certain items of refuse.

It was explained that Council was trying to reduce the number of trucks in town. The garbage and refuse require two different trucks.

Hearing no further discussion, it was moved by Housel, seconded by Glaser that Ordinance #5-2006 be adopted on final passage and that final publication be made as prescribed by law.

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

Ayes: 7, Nays: 0.
Motion carried.

ORDINANCE #5-2006

AN ORDINANCE TO AMEND SECTION 47 OF THE CODE OF THE BOROUGH OF WASHINGTON AS PERTAINING TO THE COLLECTION OF GARBAGE, RECYCLING & BULK TRASH WITHIN THE CONFINES OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY.

The following changes shall be made to the applicable sections to the Borough Code:

- 47-7. Preparation for collection; separation of recyclable materials. Garbage, recyclables and refuse shall be prepared for collection in accordance with the provisions hereof.
- F. Grass clippings, hedge clippings, leaves, straw, thatch, plant stems and roots and similar material shall be placed in kraft-type bags or covered heavy-duty plastic or galvanized metal containers whose overall capacity shall not exceed 32 gallons. All items in this section must be separated from all other garbage, refuse, recyclable materials and vegetative wastes.
- G. Scrap metal shall be free from all contamination from nonmetallic sources such as ceramic material, glass, plastic, cloth or other such material. Small quantities of scrap metal not in excess of 60 pounds in weight and no greater than six feet in height may be placed out at curbside for collection. Junk automobiles **or automobile parts**, heavy iron, scrap metal from construction or demolition projects and oversize or overweight scrap metal must be brought to a licensed scrap metal dealer or auto salvage facility and may not be placed at curbside for collection.

47-8. Containers.

- B. Containers shall be galvanized metal or of heavy-duty plastic composition, shall not exceed 32 gallons in overall capacity, shall have a lid or cover and shall have sturdy handle(s). Heavy-duty plastic bags (**with at least a 1.1 mil thickness**) not larger than 30 gallons may be used for garbage and rubbish if properly tied. Plastic bags may not be used for recyclable materials or vegetative wastes.

- F. **Containers must be stored in the side or rear yard of the property when not left for collection.**

47-10. Placement of containers for collection.

Each owner or occupier of premises desiring to have his/her garbage, refuse, recyclable materials and/or vegetative wastes collected by the Borough or its agents shall place the same in proper containers at the roadside no earlier than 6:00 p.m. the night before or prior to 7:00 a.m. on the day designated for the collection area. Containers may not be left at the roadside after collection. The owner or occupier of the premises is responsible to make sure containers are accessible for collection purposes.

47-13. Frequency of collections.

- A. Curbside collection of recyclable material in all areas of the Borough shall be once a week **on an every-other week schedule**. On Thursday. Clear, green and brown containers glass, aluminum cans, steel cans and plastic containers shall be collected, in accordance with the collection schedule posted annually by the municipality, on an every other week basis, except in the case of a holiday, when collection shall be on the Wednesday preceding the holiday. Newspapers, corrugated cardboard and magazines and mixed papers shall be collected in accordance with the collection schedule posted annually by the municipality. Collection of high-grade office paper and corrugated cardboard **shall be on the same days as residential collection** for commercial and industrial sites within the Borough.
- B. White goods, scrap metals and bulky items of refuse, such as but not necessarily limited to, furniture, bedsprings and mattresses, television sets, area rugs and other similar items of household furnishings, shall be collected on **a quarterly basis**.

Vegetative waste will be collected **From the first week in May to the last week in October, kraft-type bags or re-usable metal or plastic containers must be used.** Vegetative waste collection shall be suspended after the first Tuesday **last** week in **October** and prior to the **first week in May** of the following year, with the exception of collection of Christmas trees or storm-damaged limbs.

- C. **The Borough of Washington shall publish, at least annually, a comprehensive schedule for all Recycling, Garbage & Bulk Brush collections within the Borough.**

Ordinance #6-2006 – Amending Section 22 of the Borough Code pertaining to the Consumption of Alcoholic Beverages (Final Passage)

An ordinance amending Section 22 of the Code pertaining to consumption of alcoholic beverages was introduced by Councilman Buoye.

It was moved by Buoye, seconded by Glaser that the Clerk read Ordinance #6-2006 by title only.

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

Ayes: 7, Nays: 0.
Motion carried.

The Clerk read Ordinance #6-2006 by title only and stated that this ordinance had been published in the Star Gazette as required by law, a copy was posted on the bulletin board and copies available to anyone 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.

The reporter from the Star Gazette asked what the ordinance entailed? It was explained that the ordinance did not allow for consumption of alcoholic beverages upon any property owned by the borough, including the Firemens' Hall. The amendment will allow consumption of alcoholic beverages on the premises with the proper permits as required by law.

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

Ayes: 7, Nays: 0.
Motion carried.

Council Discussion: None.

It was therefore moved by Glaser, seconded by Oakley that Ordinance #6-2006 be adopted on final passage and that final publication be made as prescribed by law.

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

Ayes: 7, Nays: 0.
Motion carried.

ORDINANCE #6-2006

AN ORDINANCE TO AMEND SECTION 22 OF THE CODE OF THE BOROUGH OF WASHINGTON AS PERTAINING TO THE CONSUMPTION OF ALCOHOLIC BEVERAGES.

22-10. Certain consumption prohibited.

A. No person shall have in their possession an open container containing any malt or vinous beverage, spirits or alcohol. No person may consume malt or vinous beverages, spirits or alcohol upon any public street, highway, sidewalk, alley or roadway within the Borough of Washington or upon any property owned by said borough, **except within the confines of the Fletcher Wright Banquet Hall operated by the Washington Borough Fire Department with the appropriate permits.**

Ordinance #8-2006 – Capital Ordinance providing funds for public improvement and acquisitions (First Reading)

An ordinance providing the funds for public improvement and acquisitions was introduced by Councilwoman Glaser.

It was further moved by Glaser, seconded by Housel that the Clerk read Ordinance #8-2006 by title only.

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

Ayes: 7, Nays: 0.
Motion carried.

The Clerk read Ordinance #8-2006 entitled, "CAPITAL ORDINANCE OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE BOROUGH AND APPROPRIATING THEREFOR THE SUM OF \$ 7,100 FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH."

Council Discussion:

Council discussion followed regarding the purchase of the equipment that is covered under this ordinance. The Manager noted that there is already \$ 4,000.00 in the Capital Fund that has not been expended.

Councilman Buoye asked whether the Manager had gotten any numbers from Micro-Soft?

Councilman Housel thought that additional prices would be researched other than Dell?

Manager Sheola indicated that he will provide the prices to Council. The equipment will be purchased when a sale becomes available.

Councilwoman Woykowski did not think we need the capacity that is specified in the specS and that they should be revised.

Councilman Buoye noted that his biggest issue was the software. He did not have a problem with Dell Computers.

Councilman Turner noted that several figures had been thrown out and he would be more comfortable knowing what the exact numbers would be. The Manager noted that this ordinance provides for an expenditure of \$ 7,100.00 with the additional \$4,000.00 which has not been expended for a total of \$ 11,100.00.

Councilwoman Glaser suggested that the ordinance be introduced for adoption contingent upon Council approval prior to the equipment being purchased.

It was therefore moved by Glaser, seconded by Oakley that Ordinance #8-2006 be approved on first reading.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Turner, Glaser and Oakley - Ayes: 7, Nays: 0. Motion carried.

REPORTS:

It was moved by Glaser, seconded by Housel that the Borough Clerk's, Code Enforcement/Zoning and Borough Manager's reports be accepted as presented and filed.

Ayes: 7, Nays: 0.
Motion carried.

VOUCHERS:

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

Discussion followed with regard to some of the vouchers. It was then moved by Housel, seconded by Glaser that the vouchers and claims be paid in the amount of \$442,428.34 as reflected in the debit/credit memorandum on file in the Collector-Treasurer's office.

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

Ayes: 7, Nays: 0.
Motion carried.

OLD BUSINESS:

Council Goals – 2006-2007

Mayor Van Deursen suggested that a workshop session on the Council goals be established in the next couple of weeks. A date will be considered later on during the business portion of the meeting.

Amendment to Affordable Housing Ordinance

Attorney Cushing explained the background with regard to the status of the Borough's COAH obligations.

The Borough adopted an ordinance in December complying with Round 3 of the COAH obligations. There is no provisions in the ordinance for a monetary contribution to the Borough to fulfill the COAH obligations versus providing the specified number of units built either on-site or off site. The guidelines require one housing unit for every eight units built.

An amendment to the ordinance would give the Borough more flexibility to provide these units through perhaps rehabilitation of certain neighborhoods in the community.

Discussion followed at which time it was suggested that a sample ordinance be provided to the Council for further discussion.

Councilman Housel questioned where the Borough would develop these properties?

Councilwoman Glaser suggested that the Council see the ordinance that the planner is proposing with options that are available to the Borough with maximum flexibility.

Councilwoman Glaser questioned whether there would be an actual figure in the ordinance? She suggested that we should be networking with other municipalities to learn from them how they are meeting their COAH obligations.

No formal action was taken at this meeting. Council is awaiting additional information.

Status of Washington Meadows

Attorney Cushing reported that the meeting is scheduled for Thursday at 9 AM here in the Municipal Building. The Recreation is invited to attend also.

Status of Drainage Project – Harding Drive

This issue was addressed during the presentation made by John Burd. The project will be completed this year.

Resolution #53-2006 – Green Acres Application

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

RESOLUTION #53-2006

STATE OF NEW JERSEY **DEPARTMENT OF ENVIRONMENTAL PROTECTION** **GREEN ACRES** **ENABLING RESOLUTION.**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Washington desires to further the public interest by obtaining a loan of \$ 500,000.00 from the State to fund the following project:

Railroad Avenue Park Development Project

NOW, THEREFORE, the governing body resolves that Richard J. Sheola or the successor to the office of Borough Manager is hereby authorized to:

- (a) make application for such a loan and/or such a grant
- (b) provide additional application information and furnish such documents as may be required.
- (c) Act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project.

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:

1. That the Mayor of the above named body is hereby authorized to execute an agreement and any amendment thereto with the State known as project name Railroad Avenue Park Land Development Project; and
2. That the applicant will provide its matching share of the project, if a match is required, in the amount of \$ 500,000.00.
3. That, in the event the State’s funds are less than the total project cost specified above the applicant has the balance of funding necessary to complete the project; and

4. The applicant agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

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

Motion carried.

NEW BUSINESS:

Report – Borough Engineer Re: Speed Humps N. Prospect Street

The report was distributed to the Council and will be placed on the next meeting agenda. Councilwoman Glaser requested that the individual letters be made available in the copy room for Council to look at.

Sewer Contract with Veolia Water

This topic will be a future workshop item.

Policies – Conference Reimbursement and InterNet Use

Council discussed these policies and Councilman Turner noted that he had an ordinance dealing with the InterNet that he would provide to all of the Council. This policy was deferred and no formal action was taken.

Council discussion followed regarding the policy on Conference Reimbursements and Councilwoman Woykowski questioned the per diem cost outlined in the policy. Councilwoman Glaser noted that the federal reimbursement is much higher and the amounts seemed reasonable. After further discussion Council directed that this policy be introduced as a Resolution at the next meeting.

Discussion – Borough Owned Properties

Council discussed the report with the Manager and the Attorney. The Manager stated that he needed some direction from the Council to see whether they wanted him to pursue the sale of any of these properties.

Attorney Cushing noted that there is a specific statute that they must follow to prepare for the sale of these properties – Statute 38:12-13.

It was the consensus of the Council that the Manager and Attorney be authorized to pursue the sale of these properties through the necessary legal channels.

Resolution #84-2006 – To Void and Replace a Check

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

RESOLUTION #84-2006

A RESOLUTION TO VOID AND REPLACE A CHECK

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

WHEREAS, Check #048745 was written March 22, 2006 in the amount of \$ 30.00 on Washington Borough's Operating Fund #8102360230 and payable to TCTANJ Membership Services; and

WHEREAS, the accounts payable clerk has stated that the check was incorrectly posted and should have been made payable to the Tax Collector's and Treasurer's Association of Sussex and Warren.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington that the Treasurer be authorized to void check #048745 and issue a check in the amount of \$ 30.00 to Tax Collectors; and Treasurer's Association of Sussex and Warren Counties.

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

Ayes: 7, Nays: 0.
Motion carried.

Resolution #85-2006 – Authorizing the Planning Board to conduct a preliminary investigation as to whether as area designated herein is in need of redevelopment

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

RESOLUTION #85-2006

RESOLUTION AUTHORIZING THE PLANNING BOARD OF THE BOROUGH OF WASHINGTON TO CONDUCT A PRELIMINARY INVESTIGATION AS TO WHETHER AN AREA DESIGNATED HEREIN IS IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A 40A:12A-5

WHEREAS, the Local Redevelopment and Housing Law provides a legal framework for establishing a redevelopment area and for comprehensively planning for revitalization of such an area; and

WHEREAS, N.J.S.A. 40A:12A-6 provides that the governing body of a municipality may, by resolution, authorize the planning board to undertake a preliminary investigation to determine whether a proposed area is in need of redevelopment in accordance with the criteria set forth in N.J.S.A. 40A:12A-5.

WHEREAS, the Mayor and Council have identified a delineated area which may be determined to be in need of redevelopment.

WHEREAS, the map prepared by Clarke Caton Hintz, P.C. dated March 21, 2006 a copy of which is attached hereto, shall be considered the delineated area (“Delineated Area”).

WHEREAS, Mayor and Council wishes to authorize the Planning Board of the Borough of Washington to conduct a preliminary investigation to determine if conditions are present within the Delineated Area to establish a redevelopment area, in accordance with N.J.S.A. 40:12A-5.

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

1. The Planning Board of the Borough of Washington shall undertake a preliminary investigation to determine whether the Delineated Area is a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5.
2. The Planning Board shall specify a date for and give notice of a hearing for the purpose of hearing persons who are interested in or would be affected by a determination that the delineated area is a redevelopment area in accordance with the requirements of N.J.S.A. 40A:12A-6.
3. After completing this hearing on this matter, the Planning Board shall make its recommendations to the Mayor and Council regarding whether the Delineated Area, or any part thereof, is a redevelopment area in accordance with N.J.S.A. 40A:12A-6.
4. The Planning Board shall conduct all other necessary actions to conduct the preliminary investigation as required by N.J.S.A. 40A:12A-6.

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

Ayes: 7, Nays: 0.
Motion carried.

**Resolution #86-2005 – Appointing Erin Czarnecki from Alterate #1 to fill the
vacancy of James Prendergast**

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

RESOLUTION #86-2006

**RESOLUTION MOVING ALTERNATE #1 TO REGULAR POSITION
REPLACING THE RESIGNATION OF JAMES PRENDERGAST LEAVING
BOTH ALTERNATE #1 AND ALTERNATE #2 POSITIONS VACANT.**

WHEREAS, the Borough of Washington, Warren County, New Jersey is now governed by Plan “E” of Municipal Charter Law; and

WHEREAS, under this plan the Mayor of the Borough is to appoint the members of the Board of Recreation with the consent of Borough Council; and

WHEREAS, there is one vacancy left by the resignation of James Prendergast who is a regular member; and

WHEREAS, it is the recommendation of the Recreation Commission to move Alternate #1, Erin Czarnecki into James Prendergast’s position, said term to **expire on January 1, 2008.**

BE IT FURTHER RESOLVED, that by taking this action there is now two vacancies on the Recreation Commission, said terms to expire on January 1, 2007 and January 1, 2008.

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

Ayes: 7, Nays: 0.
Motion Carried.

Resolution #87-2006 – Declaring Items of Surplus

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

RESOLUTION #87-2006

**RESOLUTION FOR SALE OF BOROUGH PERSONAL
PROPERTY NO LONGER NEEDED FOR PUBLIC USE.**

WHEREAS, the Borough has items of personal property for which it no longer has any public use for; and

WHEREAS, State Law allows for the Borough to offer for public sale any item no longer needed for public use.

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

1. The public property, which is described in the attached list (hereinafter “PERSONAL PROPERTY” OR “PROPERTY”), is no longer needed for public use by the Borough of Washington;
2. Said PERSONAL PROPERTY shall be sold to the highest bidder at public sale to be held on the date, time and place listed below;
3. The notice of the time, date and place of the sale, together with a description of the items to be sold and the conditions of the sale shall be published in the newspaper listed below, which newspaper circulates in the BOROUGH. Such sale shall not be held less than seven (7) days nor more than fourteen (14) days after the latest publication of the notice thereof.
4. If no bids are received the PROPERTY may then be sold at private sale without further publication or notice thereof, but in no event at less than the estimated fair value; or the BOROUGH, may, if it so elects, reoffer the PROPERTY at public sale. As used herein, “estimated fair value,” means the market value of the PROPERTY between a willing seller and a willing buyer less the cost to the BOROUGH to continue storage or maintenance of any PERSONAL PROPERTY to be sold pursuant to this resolution.

5. The BOROUGH may reject all bids or any individual bids if it determines such rejection to be in the public interest. In any case in which the BOROUGH has rejected all bids or any individual bids, it may readvertise such PERSONAL PROPERTY for a subsequent public sale. If it elects to reject all bids at a second public sale, pursuant to this section, it may then sell such PERSONAL PRPOERTY without further publication or notice thereof at private sale, provided that in no event shall the negotiated price at private sale be less than the highest price to any bid rejected at the preceding two public sales and provided further that in no event shall the terms or conditions of sale be changed or amended.
6. The minimum bid for the PROPERTY shall be noted and each bid submitted must be in at least that amount or more.
7. The PROPERTY shall be sold “as is” without any representation as to quality or condition.
8. All bids must be sealed in an envelope and marked “Official Bid” in the lower right-hand corner. All bids must clearly identify the item or items bid upon and the bid prices offered next to each individual item. All bids must be clearly written in ink.
9. Payment by the highest bidder must be made in full within ten (10) business days, after notice of award is given, by either cash, certified check or money order payable to “Treasurer, Borough of Washington.” Items purchased must be removed by the successful bidder from Borough property within seven (7) business days after payment is received by the BOROUGH. Failure to remove the PROPERTY shall result in a storage charge of \$ 5.00 per day for each day that the PROPERTY remains unclaimed.
10. Items offered at public sale are available for inspection during the hours of 9:00 A.M. – 12 Noon and 1:00 P.M. – 3:30 P.M. Monday through Friday, excluding holidays. Inquiries as to the location of items may be made at the Borough Manager’s office, 100 Belvidere Avenue, Washington, New Jersey (908) 689-3600.
11. The date, time and place of the sale are as follows:

- A. Date: Saturday, May 6, 2006
- B. Time: 10:00 A.M.
- C. Place: Department of Public Works Garage, Allegar Street,
Washington, NJ

12. The sale shall be advertised in the following newspaper:

- A. Name of Publication: Star Gazette
- B. Date of Publication: Thursday, April 27, 2006

- The list of items consist of a several bicycles, a 1985 TARCO Vacuum TTA 1, Serial No. 2417 and a 1990 Ford New Holland 710 Leaf Loader, Serial No. #537-879. The complete list of bicycles is on file in the Clerk's office.

Discussion: It was suggested that if the bicycles are not sold perhaps they could be donated to NORWESCAP or the Hurricane Katrina victims.

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

Ayes: 7, Nays: 0.
Motion carried.

Resolution #88-2006 – Declaring Items of Surplus Vehicles

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

RESOLUTION #88-2006

RESOLUTION PURSUANT TO N.J.S.A. 12-13.1 APPROVING PUBLIC SALE OF PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE, BY THE BOROUGH COUNCIL OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY.

WHEREAS, the Borough of Washington is in possession of certain personal property which is no longer needed for public use; and

WHEREAS, the Borough of Washington is desirous of selling such property by holding an internet based public sale at auction on e-Bay to the highest bidder, pursuant to N.J.S.A. 40A:12-13 (a); and

WHEREAS, such sale must be authorized by Resolution, pursuant to N.J.S.A. 40A:12-13.1:

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Washington, County of Warren, State of New Jersey, that they do hereby authorize the sale of all property set forth in the annexed Exhibit A, which is hereby incorporated by reference herein, by open Internet sale at auction via e-Bay to the highest bidder; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause advertisement thereof to be published in the newspaper circulating in Washington, by one insertion thereof at least once during two consecutive weeks, the last publication of which shall be earlier than seven days prior to such sale, which advertisement shall include the conditions of sale set forth hereafter; and

BE IT FURTHER RESOLVED, that such sale be held under the following conditions:

- a) As to each item, the Borough of Washington will comply with the terms of sale as set forth by e-Bay;
- b) Each item may have a minimum price, as set forth in Exhibit A;
- c) Each item listed is sold “as-is/where’is” with no warranties or guaranties, whether expressed or implied given.

Exhibit A
Internet Auction
May, 2006

Item	Vehicle Identification Number	Mileage/Min. Price
1986 Dodge Caravan	2B7FK13C9GR799972	26,592 \$ 750.
1989 Ford F-350 Mason Dump	1FDKF38M8KNA56382	52,569 \$,2,500.
1999 Ford Crown Victoria	2FAFP71W8XX175258	84,834 500.
1997 Ford Crown Victoria	2FALP71W2VX213981	96,592 1,000.

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

Ayes: 7, Nays 0.
Motion carried.

Workshop/Caucus Sessions – Requested by Councilwoman Glaser

Workshop/Caucus sessions were discussed by Council to handle some agenda items that may require extensive discussion. The meetings would not be recorded but would require advertising. Council felt that this might be an idea to pursue.

It was agreed that the Clerk advertise for a workshop session to be scheduled for Tuesday, April 25, 2006 at 8 PM in the Council Conference Room to discuss further the Council goals and the policy on the InterNet.

COUNCIL REMARKS:

Mayor Van Deursen entertained remarks from Council prior to going into Executive Session.

No one on Council had any remarks to make.

It was therefore moved by Housel, seconded by Buoye that Council take a short five minute break at 9:40 PM and go into Executive Session for the purpose of discussing personnel and potential litigation.

Ayes: 6, Nays: 0.
Motion carried.

Council reconvened with everyone present except Councilman Housel who was excused as he was not feeling well. Council went into Executive Session at 10 PM.

It was moved by Glaser, seconded by Buoye that Council go back into open session at 12 midnight.

Ayes: 6, Nays: 0.
Motion carried.

Contract of Employment – Richard J. Sheola – Borough Manager

It was moved by Glaser, seconded by Buoye that the Mayor and Clerk be authorized to execute the contract for employment for Richard J. Sheola, Borough Manager for the year 2006.

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

Ayes: 6, Nays: 0.
Motion carried.

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Hearing no further business to come before the Council it was moved by Glaser, seconded by Oakley and adopted:

Ayes: 6, Nays: 0.
Motion carried.

Marianne Van Deusen, Mayor

Linda L. Hendershot, RMC/CMC
Borough Manager