

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – MAY 16, 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: Woykowski, Buoye, Oakley, Van Deursen and Turner – 5 Present.

Absent: Housel and Glaser – 2 Absent.

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

Municipal Court – The Honorable J. Edward Palmer, Judge and Virginia Cortese, Court Administrator

Judge Palmer gave a summarization of the Municipal Court activities for the past year up to present. Traffic violations are down from last year due to the Police not participating the Click It or Ticket Program last year. They handled seventy-five criminal cases this past year.

Judge Palmer thanked the governing body for appointing Mrs. Lisa Rudd as full-time Deputy Court Administrator. The Administrative Office of the Courts is requiring mandatory certification for Court Administrators. Virginia Cortese, Court Administrator explained the certification process to the governing body which encompasses a three year training course. Mrs. Rudd began her training classes. A written and oral examination is required and a court improvement project that she will design and implement.

Judge Palmer addressed a matter of truancy of our youth cutting school. He explained how he is presently handling these matters bringing in the parents, the child and the principal. The way the law is presently set up the parent is the one who would ultimately go to jail. He presently refers these cases to the Family Division for counseling..

Judge Palmer brought to the Council's attention a new statute that would allow the governing body to adopt a curfew for children during school hours. The child can be punished with perhaps doing community service work.

Officer Magyar was also present and supported Judge Palmer's recommendation. Officer Magyar had done research on the number of juvenile complaints they have dealt with this past year and the number was between 200 to 250 calls. The majority of complaints were between 9 PM to midnight in such areas as Quick Check and Dunkin Donuts in addition to the truancy from school.

This matter will be referred to Attorney Cushing for his review and recommendation.

Judge Palmer recognized the excellent job Court Administrator, Ginny Cortese and Lisa Rudd for the fine job they do in administering the court. The staff is to be commended for their efforts.

Mayor Van Deursen on behalf of the governing body thanked Judge Palmer and Officer Magyar for their excellent presentation.

MINUTES:

Regular Meeting – April 18, 2006 – Regular Meeting – May 2, 2006 and Special Meeting – May 10, 2006

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting of April 18th, May 2nd and the Special Meeting of May 10, 2006.

Hearing no corrections, it was moved by Turner, seconded by Oakley that the minutes of April 18, 2006, May 2, 2006 and May 10, 2006 be accepted as presented.

COMMUNICATIONS:

The following communications were entered into the Record:

- 1) Comcast – Thank You Note: Re: Breakfast Meeting;
- 2) NJLM Re: Property Tax Developments;
- 3) NJLM Re: Appellate Division Upholds Public Official's Right to Rely on Municipal Attorney's Advice;
- 4) NJLM Re: Mayor's Property Tax Summit;
- 5) NJLM Re: Smoke Free Act Up-date;
- 6) NJLM Re: Low Speed Vehicle (LSV's) Update;
- 7) NJLM Re: RPA Tax Reform Proposals;
- 8) NJLM RE: ACS-804 System-wide Cable Franchise;

- 9) NJLM Re: Solid Waste Facilities at Railroad Yards;
- 10) NJLM Re: Request for Shared Service Agreements;
- 11) Warren County Department of Human Services RE: 2007 Warren County Senior Citizen & Disabled Residents Transportation Assistance Program Grant;
- 12) NJLM Re: A-1667, with Committee Amendments (Public Safety Directors)

It was moved by Buoye, seconded by Oakley that the communications numbered #1 thru #12 be acknowledged, received and filed.

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.

Robin Klimko, 35 Marble Street commented on the recommended curfew and supported the idea of instituting it. She outlined for Council a multitude of items at the end of S. Prospect Street that should be looked into. The road, in her opinion, is an absolute mess. She stressed all the problems that were encountered with the contractor during the construction and the fact that they not only utilized her yard to park their vehicles but damaged the property. Garbage was left strewn all over her yard as well. They left her property with no grass as a result of the damage. Her neighbors sidewalk was damaged and should be repaired. Her husband spent the better part of one of their weekends raking their yard trying to put it back into some semblance of order. The equipment tore up the roadway to the point where she has incurred damage to her car as well. Mrs. Klimko felt that overall the contractor gave the Borough very poor workmanship and left everything a total mess.

Council suggested that she meet with Borough Manager Sheola and that a claim be filed against their insurance company for restitution. A meeting was scheduled for the following Monday.

James Prendergast, 97 Flower Avenue questioned the status of the Vara Soccer field in Washington Meadows. He asked when the work was going to be scheduled for this field. They are presently signing children up for the soccer program and that field is going to be needed.

Attorney Cushing noted that legally the Borough cannot do the work themselves. Washington Meadows is under the gun to do the work.

Mr. Prendergast asked whether the field will be available for the fall season? Engineer Miller updated Council on the meeting they finally had with Centex Home at the Borough Hall and the on-site meeting. The field will now be sodded versus the seeding previously requested.

The field itself was discussed as to whether it was a regulation field? Councilman Turner noted that the Planning Board did not specify that it be a regulation field when the land was dedicated to the Borough.

Attorney Cushing commented on the legalities of the issues with regard to this development and recommended that Council avoid going into a lawsuit.

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

Ayes: 5, Nays: 0.
Motion carried.

PRESENTATION:

Harry R. Pool, Jr., Vice-Chairman of the Pollution Control Authority presented the Borough with a Solid Waste and Stormwater Management Grant in the amount of \$ 5,000.00. This grant is to be utilized for something in the environmental area. The only stipulation with this grant is that the Authority be given an accounting of what the grant will be used for.

On behalf of the governing body Mayor Van Deursen thanked Mr. Pool for this generous grant.

ORDINANCES:

Ordinance #10-2006 – Amending the Land Development Ordinance of the Borough of Washington to Facilitate the Provision of the Third Round of Affordable Housing in Connection with the Residential and Nonresidential Growth and Development (First Reading)

An ordinance amending the Land Development Ordinance regarding the third round of affordable housing was introduced by Councilwoman Oakley.

It was further moved by Oakley, seconded by Buoye that the Clerk read Ordinance #10-2006 by title only.

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

Ayes: 5, Nays: 0.
Motion carried.

The Clerk read Ordinance #10-2006 entitled, “AN ORDINANCE OF THE BOROUGH OF WASHINGTON AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF WASHINGTON TO FACILITATE THE PROVISION OF THIRD ROUND AFFORDABLE HOUSING IN CONNECTION WITH RESIDENTIAL AND NONRESIDENTIAL GROWTH AND DEVELOPMENT.”

Council Discussion: Manager Sheola explained that this amendment sets up the contribution in lieu of construction.

Councilman Buoye pointed out a typo in the ordinance that will be corrected prior to publishing.

Hearing no further discussion it was moved by Buoye, seconded by Oakley that Ordinance #10-2006 be approved on first reading.

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

Ayes: 5, Nays: 0.
Motion carried.

It was further moved by Oakley, seconded by Buoye that Ordinance #10-2006 be published in the Star Gazette on May 25, 2006 as required by law and that the public hearing be scheduled for June 6, 2006.

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

Ayes: 5, Nays: 0.
Motion carried.

Ordinance #11-2006 – Amending AR-7 Zone (First Reading)

An ordinance amending the AR-7 Zone was introduced by Councilwoman Oakley.

It was further moved by Oakley, seconded by Turner that the Clerk read Ordinance #11-2006 by title only.

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

Ayes: 5, Nays: 0.
Motion carried.

The Clerk read Ordinance #11-2006 entitled, “AN ORDINANCE TO AMEND SECTION 94-40 – BUFFERS – OF THE CODE OF THE BOROUGH OF WASHINGTON AS PERTAINING TO THE AR-7 ZONE.”

Council Discussion:

Councilman Buoye questioned whether it should read “minimum” rather than “maximum”. Council discussion followed at which time it was the consensus of Council that the word “maximum” should be changed to read “minimum”.

Hearing no further discussion it was moved by Oakley, seconded by Buoye that Ordinance #11-2006 be approved on first reading with the correction so noted.

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

Ayes: 5, Nays: 0.
Motion carried.

It was further moved by Buoye, seconded by Oakley that Ordinance #11-2006 be published in the Star Gazette on May 25, 2006 as required by law and that the public hearing be scheduled for June 6, 2006.

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

Ayes: 5, Nays: 0.
Motion carried.

REPORTS:

It was moved by Turner, seconded by Oakley that the Road Department, Fire Prevention, Police (3), Municipal Court (2), Recreation Commission, Collector-Treasurer's, A & E O.T., Borough Manager's and Borough Engineer's reports be accepted as presented and filed.

Discussion: Councilman Turner addressed the Recreation Commission report and indicated that this report does not give him any idea of how they are doing. This report is a report from the Treasurer on the financial end of Recreation Commission. As a liaison member to the Recreation Commission there is a certain level of frustration he has observed from the Recreation Commission members. There are issues that should be addressed in a report that should be generated by the Recreation Commission. Councilman Turner noted that he asked that two members from the Recreation Commission be present this evening. There was no representation from the Recreation Commission in the audience.

Councilman Turner asked what the next move was with regard to the bids for the Streetscape project? Engineer Miller noted that the bids will be opened on June 15th and that a pre-bid meeting is scheduled for June 2nd at 2 PM. Councilman Turner still suggested that perhaps some of the items could be purchased ourselves.

Engineer Miller noted that on Sunrise Terrace there are still some minor items to take care of before the final topcoat is scheduled for next Monday.

The Belvidere Avenue project was discussed. The second re-bid was also too high. The engineer noted the alternative options. Council can request more in state aid or the road could be placed out to bid in sections. The engineer noted that the bid prices are coming in high in several of the municipalities. Another reason why the bids are coming in high is due to the gasoline prices. If the project is sectioned off Council suggested doing from the Borough line down to Carlton Avenue. Mr. Miller will check with the State on the options discussed and report back to Council.

Councilman Turner noted that 2,000 tickets were ordered for the court. These tickets were ordered for the Click-It-Or-Ticket Program.

Councilwoman Woykowski was pleased with the Police Chief's memorandum on the North Prospect Street speeding problem. The report reflects the results of checking the speed limit during different times of the day.

Councilman Turner noted that it would be interesting to know how many tickets were issued. Engineer Miller stated that the speed results would be helpful.

Councilwoman Oakley noted that there have been no responses from the Fire Department of Emergency Squad with regard to speed humps to date.

State Aid applications were discussed and the following streets were proposed: Belvidere Avenue for additional funding or what is known as discretionary funding, North Lincoln Avenue from Rt. 57 to Johnston Street, W. Church Street and Grand Avenue.

Vote on Reports: Ayes: 5, Nays: 0. – Motion carried.

VOUCHERS:

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

Several questions arose with regard to the vouchers and claims, all of which were answered. Councilwoman Woykowski suggested more of an explanation on the fees charged by the planner on the claims list. Councilman Turner noted that the purchase of a dogwood tree for the Shade Tree Commission was charged to the Planning Board. This will be corrected. The purchase of the bicycle for the Police Department by the B.I.D. was discussed. It was noted that an anonymous donor purchased by bicycle.

It was therefore moved by Buoye, seconded by Oakley that that the vouchers and claims be approved for payment in the amount of \$ 1,007,921.78 as reflected in the debit/credit memorandum on file in the Collector/Treasurer's office.

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

Ayes: 5, Nays: 0.
Motion carried.

OLD BUSINESS

None.

NEW BUSINESS:

Notification of Award – Smart Futures Grant

The Borough has received notification that the Department of Community Affairs has awarded us a Smart Futures Grant in the amount of \$ 55,000.00

Discussion – School-Time Curfew Ordinance for Juveniles

This matter has been turned over to the Attorney for his review and recommendation

Report on Meeting with Washington Township Representatives

Mayor Van Deursen gave Council a report on the recent meeting they had with Washington Township representatives. The topics discussed are outlined in the Manager's report. The meeting was for the purpose of beginning some exploration of certain areas where both municipalities could share services to save our taxpayers money. There is grant money available as well for many of the areas they wish to explore.

Councilwoman Woykowski noted that grants are available for feasibility studies without having to use tax dollars.

Manager's Goals

Manager Sheola noted that he will have his list available for the next meeting. He requested that Council forward any topics to him in order that they may be discussed as well for the next meeting.

Resolutions #107-#108-#109-#110 & #111-2006

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

RESOLUTION #107-2006

**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/ PROPERTY LOCATION</u>	<u>AMOUNT TO BE REFUNDED</u>
101.01/11	Tuttle, Cheryl 52 Lenape Trail	\$ 39.29

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$ 39.29 should be mailed to:

Cheryl Tuttle
5 Walters Lane
Flemington, NJ 08822

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

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

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

Ayes: 5, Nays: 0.
Motion carried.

RESOLUTION #108-2006

**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/ PROPERTY LOCATION</u>	<u>AMOUNT TO BE REFUNDED</u>
93/3	Secula, Daniel William 135-137 W. Washington Ave.	\$ 264.00

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$ 264.00 should be mailed to:

Daniel William Secula
11 Carswell Court
Basking Ridge, NJ 07920-1035

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

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

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

Ayes: 5, Nays: 0.
Motion carried.

RESOLUTION #109-2006

RESOLUTION FOR REDEMPTION OF TAX SALE CERTIFICATE

KNOW ALL MEN BY THESE PRESENCE, THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on June 27, 1995 to Washington Borough, 100 Belvidere Avenue, Washington, NJ 07882 in the amount of \$ 4,820.28 or taxes or other municipal liens assessed for the year of 1994 and in the name of Blew, Monte & Roy M as supposed owners, and in said assessment and sale were described as 246 E. Washington Avenue, Block 070, Lot 001, which sale was evidenced by Certificate #218-95.

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 12/30-2005 and before the right to redeem was cut off, as provided by law, United States Bankruptcy Court representing the property owner, claiming to have an interest in said lands, did redeem said lands claimed by Washington Borough, and last above mentioned, by paying to the Collector of Taxes of said taxing district of Washington Borough the amount of \$ 60,674.94, which is the amount necessary to redeem Tax Sale Certificate #218-95.

NOW, THEREFORE, BE IT RESOLVED, on this 16th day of May, 2006 by the Mayor and Council of the Borough of Washington, County of Warren authorizes the Mayor to sign Certificate #218-95 for cancellation.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 070, Lot 001 from the tax office records.

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

Ayes: 5, Nays: 0.

Motion carried.

RESOLUTION #110-2006

**RESOLUTION AUTHORIZING ASSIGNMENT OF
TAX SALE CERTIFICATE NO. 383-03**

WHEREAS, the Borough of Washington acquired Tax Sale Certificate No. 383-03 on October 24, 2003 for the property located at 176 E. Washington Avenue, Washington, New Jersey, also known as Block 065, Lot 006.01 on the Tax Map of the Borough of Washington; and

WHEREAS, the municipality has, on two prior occasions, attempted to sell the above mentioned tax sale certificate by public sale, and, on both occasions was unable to complete any public sale of the tax sale certificate; and

WHEREAS, it is in the best interest of the Borough of Washington to obtain the monies due and owing to the Borough of Washington for past due taxes and subsequent municipal liens by way of a private sale pursuant to N.J.S.A. 54:5-113; and

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

1. The Borough of Washington authorizes the private sale of Tax Sale Certificate No. 383-03 together with subsequent liens thereon, for the total amount of the liens charged against the property located at 176 E. Washington Avenue, Washington, New Jersey, also known as Block 065, Lot 006.01 on the Tax Map of the Borough of Washington.
2. The total amount due and owing to the Borough of Washington through July 6, 2006 is \$ 64,844.55.
3. At least five days prior to the taking of action by the governing body regarding the assignment of the Tax Sale Certificate No. 383-03, notice by regular and certified mail, return receipt requested, shall be mailed to the owner at the address appearing on the tax books of the Borough of Washington. The notice shall also be mailed by regular mail to “occupant” at the same address.
4. Notice shall also be posted in three public places in the Borough of Washington at the time of the mailing of the notice, as well as posted on the property and shall be published at least once in a public newspaper published or circulated in the Borough of Washington within five days prior to taking action.
5. The Borough Manager, Richard Sheola, Borough Clerk and Borough Tax Collector, Kay Stasyshan, are each hereby authorized to execute all documents required to effect the assignment of Tax Sale Certificate No. 383-03 for the amount of \$ 64,844.55 to the assignee.

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

Ayes: 5, Nays: 0.
Motion carried.

RESOLUTION #111-2006

**A RESOLUTION TO CANCEL OUTSTANDING
2005 PAYROLL CHECKS**

WHEREAS, the Treasurer’s Payroll Account records show the listed payroll checks to be still outstanding; and

WHEREAS, there has been no response to written attempts to contact the payees concerning these outstanding checks, and no requests from the payees for replacement of these checks.

<u>PAYROLL DATE</u>	<u>PAYEE</u>	<u>CHECK #</u>	<u>CHECK AMOUNT</u>
8-26-2005	Hoy, Kayle	30695	\$.35
8-26-2005	Leavitt, T.	30698	\$1.94
8-26-2005	Wilson, M.	30700	\$.14
8-26-2005	Zrodsky, T.	30703	\$.43

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 cancel payment of these checks.

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

Ayes: 5, Nays: 0.
Motion carried.

Resolution #112-2006 – Requesting Legislation to Impose Spending Limits on State Budget

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

RESOLUTION #112-2006

RESOLUTION OPPOSING EXCLUSION OF STATE FROM CAP LAW

WHEREAS, N.J.S.A. 401A:4-45 et seq. declares that it is the policy of the legislature that spiraling costs of local government must be controlled to protect the homeowners of the State and enable them to maintain their homesteads; and

WHEREAS, N.J.S.A. 40A:4-45.2 prohibits Counties and Municipalities from increasing their final appropriations by more than 2.5% or the cost-of-living adjustment, whichever is less, over the previous year's appropriations, which is referred to as the "CAP Law"; and

WHEREAS, N.J.S.A. 4-45.2 sets forth the items of appropriations that must be included in the “CAP” which include amounts of revenue generated by an increase in assessments; amounts approved by referendum, expenditures for the assumption of any service or function of a local public utility; and

WHEREAS, local elected officials are extremely aware of the burden imposed upon their taxpayers and exercise appropriate fiscal and community responsibility in the adoption of their respective budgets; and

WHEREAS, it is inconceivable the State of New Jersey government does not have the same or similar law limiting how its budget increases from year-to-year, or does the State have a “CAP law” to limit its appropriations; and

WHEREAS, the State of New Jersey is not keeping up with the increases in state aid to municipalities and counties as mandated in law; and

WHEREAS, without limitations on the amount the Government of the State of New Jersey may increase its budget, taxpayers are vulnerable to rising tax burden in every year; and

WHEREAS, in the spirit of tax relief, the State of New Jersey should voluntarily subject itself to the same financial controls that it has imposed on Municipalities, Counties, Authorities and School Districts.

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

1. It requests that legislation be enacted to impose limits on the annual New Jersey State Budget to include spending limitations comparable to those required of Municipalities, Counties, Authorities and School Districts; and
2. A certified copy of this resolutions be forwarded to Governor Jon Corzine, the representative of the 30th legislative district, all New Jersey Boards of Chosen Freeholders and all 566 municipalities in the State of New Jersey.

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

Ayes: 5, Nays: 0.
Motion carried.

Resolution #13-2006 – Amending Budget to include Pollution Control Financing Authority Solid Waste Grant of \$ 5,000.00

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

RESOLUTION #113-2006

**A RESOLUTION OF THE BOROUGH OF WASHINGTON
REQUESTING APPROVAL OF AN ITEM OF REVENUE
AND APPROPRIATION UNDER N.J.S.A. 40:4-87.**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, hereby request the Director of Local Government Services with the Department of Community Affairs to approve the insertion of an item of revenue in the budget of the year 2006 in the sum of \$5,000.00 which item is now available as a revenue from the Warren County Pollution Control Financing Authority for solid waste or Stormwater Management programs.

BE IT FURTHER RESOLVED, that the like sum of \$ 5,000.00 is hereby appropriated under the caption “Pollution Control Grant” Other Expenses outside the CAP.

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

Ayes: 5, Nays: 0.
Motion carried.

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Resolution #114-2006 – Certification of Local Tax Levy for Warren Hills Regional School District

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

RESOLUTION #114-2006

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY IN REGARD TO CERTIFICATION OF THE LOCAL TAX LEVY FOR THE WARREN HILLS REGIONAL SCHOOL DISTRICT.

WHEREAS, the Board of Education of the Warren Hills Regional School District presented to the voters, at the annual School Election held on April 18, 2006, a question concerning the tax levy requirements for the said Board of Education for current expenses and capital outlay, designated as the General Fund, in the amount of \$16,991,299; and

WHEREAS, the voters of Washington Borough rejected the current expense and capital outlay budget designated as the General Fund, by a vote of 166 Yes votes and 218 No votes; and

WHEREAS, the total votes cast of the four municipalities comprising the Warren Hills School District rejected the current expense and capital outlay budget, designated as the General Fund by a total vote of 866 Yes votes and 1034 No votes; and

WHEREAS, the same Warren Hills Regional School Board of Education transmitted an official copy of the rejected current expense and capital outlay budget designated as the General Fund and documentation to the Borough Council of the Borough by April 21, 2006; and

WHEREAS, the Mayor and Borough Council of the Borough of Washington have reviewed information on the current expense and capital outlay budget, designated as the General Fund as submitted in the General Fund; and

WHEREAS, careful consideration has been given to the information received from the Board of Education, with a view toward providing a thorough and efficient system of education in the school system of the Warren Hills Regional School District.

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

1. The tax levy amount of \$ 16,991,299 on the ballot was rejected by the voters for the General Fund (base budget);

The Mayor and Borough Council has determined that the rejected General Fund is above the maximum T & E budget and that a reduction of \$ 75,000 will not adversely affect the Board of Education’s ability to meet the thoroughness and efficiency standard as set forth in N.J.A.C. 6:19-5.5(a)(3). Therefore, the Mayor and Borough Council hereby reduce the General Fund tax levy by \$ 75,000. It is recommended that such reductions come from the following line-item accounts:

Account No.	Account	Reduction
11-000-218-104	Guidance Salaries	\$ 11,000
11-140-100-101	High School Salaries	\$ 10,000
11-000-252-100	Information Technology Salaries	\$ 20,000
11-401-100-100	Extra-curricular Activities	\$ 13,365
11-000-222-600	Library Supplies	\$ 3,900
11-000-222-300	Library Tech Services	\$ 2,000
11-190-100-106	Other Salaries – Summer	\$ 3,035
11-000-270-512	Contracted Transportation	\$ 5,000
11-000-270-161	Transportation Salaries (field trips)	\$ 6,000
11-000-213-600	Health Supplies	\$ 700

In consideration of these reductions, the tax levy will be adjusted as follows:

\$16,991,299	presented to voters
\$ 75,000	above reductions
\$16,916,299	certified tax levy amount

2. The Mayor and Borough Council hereby certifies that the amount of the tax levy herein above certified by this Municipal Government for the General fund (base budget) is sufficient to provide a thorough and efficient system of education for the Warren Hills Regional School District.
3. The aforementioned tax levy herein certified by the Borough of Washington for the base budget exceeds the local share required by the Comprehensive Educational Improvement and Financing Act of 1996.

4. The Borough Clerk of the Borough of Washington is directed to certify no later than Friday, May 19, 2006, to the Warren County Board of Taxation, the Warren County Superintendent of Schools, the Warren Hills Regional School District Board of Education, the Washington Borough Tax Assessor, the Division of Local Finance of the Department of the Treasury of the State of New Jersey, and to any other parties required by law to receive such certification, that the amount of \$ 16,916,299 is necessary to be raised by taxation for General Fund revenues (District tax levy); a proportionate amount of which shall be included in the taxes to be raised, levied and collected in this Borough for current expense and capital outlay, designated as General Fund set forth herein, for the Warren Hills Regional School District; and copies of this Resolution, to be executed by the Mayor and Borough Clerk, shall be forwarded by the Borough Clerk of the persons and/or departments named herein for certification purposes.

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

Motion carried.

Resolution #115-2006 – Certification of Local Tax Levy for Washington Borough School District

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

RESOLUTION #115-2006

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF WASHINGTON, COUNTY OF WARREN,
STATE OF NEW JERSEY IN REGARD TO
CERTIFICATION OF THE LOCAL TAX LEVY FOR 2006-2007
SCHOOL YEAR FOR THE WASHINGTON BOROUGH
PUBLIC SCHOOLS.**

WHEREAS, the Board of Education of Washington Borough presented to the voters, at the Annual School Election held on Tuesday, April 18, 2006, a question concerning the levy requirements for the Board of Education for General Fund in the amount of \$ 3,328,518.00; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Washington that the Municipal Clerk is hereby directed to certify, by May 19, 2006 to the Warren County Board of Taxation, the Warren County Superintendent of Schools, the Borough of Washington Tax Assessor, the Division of Local Finance of the Department of the Treasury, State of New Jersey, the Board Secretary of the Borough of Washington Board of Education the amount of \$ 3,313,716.00 is necessary to be raised by taxation for 2006-2007 in said Borough, for which amount shall be raised, levied and collected in said municipality for General Fund purposes of the schools; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Municipal Clerk to the persons and/or departments herein named for certification purposes.

By Order of the Mayor and Council of the Borough of Washington.

Discussion: By reducing the budget by the \$ 14,802.00 the local School Budget remains the same as last year's budget.

Roll Call; Turner, Buoye, Woykowski, Oakley and Van Deursen.

Ayes: 5, Nays: 0.
Motion carried.

Resolution #116-2006 – Authorizing filing of an application with NJ DOT for Additional Funding

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

RESOLUTION #116-2006

A RESOLUTION OF THE BOROUGH OF WASHINGTON AUTHORIZING APPLICATION FOR FILING OF AN APPLICATION WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL FUNDS FOR THE DOWNTOWN IMPROVEMENT PROJECT OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN.

WHEREAS, the Borough of Washington desires to apply for a grant from the New Jersey Department of Transportation in the amount of \$ 500,000 for additional funding for the Downtown Streetscape Project within the Borough of Washington; and

NOW, THEREFORE, BE IT RESOLVED,

- 1) That the Mayor and Council of the Borough of Washington does hereby authorize the application for such funding; and
- 2) Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receive of the grant agreement from the New Jersey Department of Transportation 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 Transportation.
- 3) That Borough Manager Richard Sheola, or his successor in office, is hereby authorized to complete and file the grant application.

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

Ayes: 5, Nays: 0.
Motion carried.

Resolution #117-2006 – Authorizing the Mayor to send a letter of support for Small Cities Housing Rehabilitation Application

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

RESOLUTION #117-2006

**RESOLUTION OF THE BOROUGH OF WASHINGTON ENDORSING
THE APPLICATION ON BEHALF OF WARREN COUNTY FOR
PARTICIPATION IN THE SMALL
CITIES PROGRAM FOR REHABILITATION OF LOW AND
MODERATE INCOME HOUSING.**

WHEREAS, the New Jersey Department of Community Affairs, Small Cities Program (“State”), provides 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 support the County of Warren efforts in the rehabilitation of low and moderate income housing within the County of Warren; and

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the Borough of Washington authorizes the Mayor of the Borough of Washington to provide a letter of endorsement to the County of Warren, through its consultant, Carol Lowy of Housing and Community Development Services, Inc.

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

Ayes: 5, Nays: 0.
Motion carried.

Resolution #118-2006 – Supporting the Click It or Ticket Mobilization of May 22 – June 4, 2006

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

RESOLUTION #118-2006

A RESOLUTION OF THE BOROUGH OF WASHINGTON SUPPORTING THE CLICK IT OR TICKET MOBILIZATION OF MAY 22 – JUNE 4, 2006 WITHIN THE BOROUGH OF WASHINGTON, COUNTY OF WARREN.

WHEREAS, there were 757 motor vehicles fatalities in New Jersey in 2005; and

WHEREAS, a large percentage of the motor vehicles occupants killed in traffic crashes were not wearing seat belts; and

WHEREAS, use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicles crash; and

WHEREAS, the National Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975 and 2000; and

WHEREAS, the State of New Jersey will participate in the nationwide Click It or Ticket safety belt mobilization from May 22 through June 4, 2006 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Safety has set a goal of increasing the safety belt usage rate in the state from the current level of 86% to 88%; and

WHEREAS, a further increase in safety belt usage in New Jersey will save lives on our highways; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Washington declares its support for the Click It or Ticket safety belt mobilization both locally and nationally from May 22 through June 4, 2006 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

Roll Call: Woykowski, Buoye, Van Deursen and Turner.
Ayes: 5, Nays: Oakley.

Motion carried.

COUNCIL REMARKS:

Mayor Van Deursen polled Council for their remarks.

Councilwoman Oakley wished Happy Mother's Day to all of the mothers.

Councilman Turner had no remarks.

Councilwoman Woykowski had no remarks.

Councilman Buoye reported that the B.I.D. had a nice presentation from a grant writer. There are grants available for the Railroad Avenue Park Project.

Mayor Van Deursen reported on a meeting she attended through the Department of Agriculture and there are also a lot of grants available for projects in the Borough dealing with senior services.

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

Marianne Van Deursen, Mayor

Linda L. Hendershot, RMC/CMC
Borough Clerk`