

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – August 1, 2006**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 8:00 P.M.

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

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

The flag salute was led by Mayor Van Deursen.

Mayor Van Deursen read the following Statement into the Record:

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

**COUNCIL APPEARANCE:**

None

**MINUTES:**

**Regular Meeting – July 18, 2006**

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting of July 18, 2006.

The following corrections were noted: Councilman Buoye: page 5 - Star Gazette is spelled wrong. Councilwoman Woykowski: Page 4 – Resolution 155-2006 from the minutes of July 5, 2006 still contains the incorrect Ordinance number. The Ordinance number should be 13-2006.

Councilwoman Woykowski made a motion that this correction be made to the minutes of July 5, 2006, correct the copy posted on the website, and that a copy of corrected Resolution 155-2006 be in the meeting packets for the next council meeting. Councilman Turner seconded the motion.

Ayes: 7, Nays 0  
Motion Carried.

Mayor Van Deursen – Page 5 - Mr. Finnegan’s first name is spelled wrong. Page 13 – Change name to Mr. Mezzelis. Page 15 – under Old Business line should read: Borough Engineer, Bob Miller.

In order to further clarify the corrections pertaining to Resolution 155-2006, Richard Cushing, Borough Attorney suggested that Councilwoman Woykowski make a motion to correct Resolution 155-2006.

Councilwoman Woykowski made a motion that Resolution 155-2006 be corrected as follows: last line, last paragraph should read, “*contains language that is acceptable to the Municipal Attorney and approved by Council.*” Also, the Ordinance number should be changed to 13-2006. This motion was seconded by Councilwoman Glaser.

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

Ayes: 7, Nays: 0  
Motion Carried.

Hearing no additional corrections, it was moved by Turner, seconded by Oakley that the minutes of July 18, 2006 be approved with corrections.

Ayes: 7, Nays: 0.  
Motion Carried

### **COMMUNICATIONS:**

The following communications were entered into the Record:

1. Comcast Fax Re: On Demand Direct Tune Channels.
2. Comcast Re: On Demand Channel Additions.
3. NJLM Re: Special Session Property Tax Issues.
4. NJLM Re: Legislative Recap.
5. NJLM Re: Educational Seminar on COAH Regulations.
6. Constitutional Dedication of Half of the Sales Tax Increase to Property Tax Reform.
7. NJLM Re: Legislative Bulletin
8. NJLM Re: Pension & Health Benefits Costs

Mayor Van Deursen informed council that the Pollution Control Financing Authority of Warren County has approved a program to financially assist each Warren County municipality with a fall cleanup program. The Pollution Control and Financial Authority will provide financial credit to each district in the amount of \$1.00 per municipal resident. This will entitle the Borough of Washington to a credit of \$7,008.00. Manager Sheola explained that since the Borough does not have a designated clean-up week; the Borough will receive credit for anything Blue Diamond brings in during the regularly scheduled bulk pick up times.

Hearing no additional comments it was moved by Glaser, seconded by Oakley that the communications numbered #1 thru #8 be acknowledged, received and filed.

Ayes: 7, Nays: 0.  
Motion carried.

**AUDIENCE:**

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

**Henry Barends 44 Willow Street:** - Mr. Barends brought to Council's attention the matter of a drainage system behind his property that is owned by the Borough according to the tax map. The area is in terrible shape and needs to be cleaned up. Mr. Barends explained that water collects in this area and the grass becomes impossible to cut.

Councilman Turner stated that he has seen the area and something does need to be done about the situation. Councilman Turner believes that according to the Department of Environmental Protection, the Borough can only dig during certain times of the year and needs to apply for a permit.

Manager Sheola confirmed that permits do need to be obtained from the D.E.P., and could be received in several months.

Mayor Van Deursen suggested that Manager Sheola make a copy of the pictures taken by Mr. Barends, follow up with the D.E.P., and inform Council as to the status.

**Ed Little 80 South Lincoln Ave -** Mr. Little commented on the topic of stop signs on Lincoln Ave. Mr. Little stated that he is not against a three way stop on Lincoln Ave. He also feels that the one-way street possibility should be considered. Mr. Little suggested that during the reconstruction of Broad Street, why not put curbing in that area to prevent cars from using the cut through.

Mayor Van Deursen stated that without the Borough Engineer present that would be difficult to answer.

Councilman Housel said that he doubted the Railroad Company would allow us to put anything there.

Councilman Buoye stated that he has asked Manager Sheola to discuss with the Borough Engineer the possibility of making South Lincoln Ave. one-way up to Willow Street.

Mr. Little stated that would increase the traffic on Willow Street and the street won't be entirely safe until the cut through is eliminated.

**Ted Smith 14 Hartman Street Washington Township -** Mr. Smith questioned Council if a taxi permit is needed to pick up children and take them to the hospital. Attorney Cushing asked Mr. Smith if he is charging for these services, if he is not charging than he does not need a taxi permit.

Mr. Smith also stated that he raises money for the Methodist Church and had several projects that he did to raise money for his organization. Mr. Smith questioned if

he would need a permit for these projects. Attorney Cushing explained that unless you are exempt from obtaining permits, you will need a permit for fundraising activities if the law requires one.

Mr. Smith said that he wanted to sell hot dogs at the Methodist Church in the parking lane and had checked with the police department prior to setting up. He explained to Council that after he set up his hot dog stand, the Code Enforcement Officer explained to him that he was in violation. Mr. Smith gave several examples of the code violations that were explained to him by the Code Enforcement Officer. Mr. Smith also did not have a permit to sell hot dogs. He stated that he felt he was harassed and he was unable to conduct his business.

At this time, Manager Sheola stated that this is a personnel issue and should be referred to his office.

Hearing no further remarks 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.

### **ORDINANCES:**

#### **Ordinance #16-2006 – An Ordinance of the Borough of Washington Establishing Procedures for the Administration of Government and Amending Various Sections of the Borough Code.**

Mayor Van Deursen entertained a motion to introduce **Ordinance #16-2006**.

An Ordinance of the Borough of Washington Establishing Procedures for the Administration of Government and Amending Various Sections of the Borough Code was introduced by Councilwoman Glaser.

It was further moved by Glaser, seconded by Oakley that the Clerk read Ordinance #16-2006 by title only.

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

Ayes: 7, Nays: 0.

Motion carried.

The Clerk read Ordinance #16 – 2006 entitled, “**An Ordinance of the Borough of Washington Establishing Procedures for the Administration of Government and Amending Various Sections of the Borough Code.**”

Council Discussion:

Manager Sheola explained the purpose for the ordinance is to address the agenda and procedural matters.

Mayor Van Deursen stated in section 3-12 B - Councilman should be changed to Council member and “he” should be changed to “he/she.”

Councilwoman Woykowski clarified that section 3-12 B should read, “*Except for emergency matters, which may be added at any time with the approval of the Mayor and Council members.*”

Councilman Housel stated section 3-12 B should also read “the agenda shall include only such matters of Council business as have been presented or delivered to the Clerk by the Manager or *a Council member.*”

Councilman Housel also inquired as to why the deadline for agenda items was changed to 12:00 p.m. on Thursday. Council concurred that the deadline should be changed to close of business on Thursday preceding the meeting.

Mayor Van Deursen requested clarification on section 3-13 E. Attorney Cushing explained that the line should actually read, “*Such motion may be made by one (1) member from the prevailing side.*”

Mayor Van Deursen also requested that “Chairman” be changed to “Chairperson” or “Chair” throughout the document.

Councilman Housel inquired as to why in section 3-15 D “upon request of a majority of the Council present” was crossed out. After a brief explanation by Attorney Cushing, Council concluded that section 3-15 D should be eliminated.

Councilwoman Woykowski requested that as a matter of policy she would like to see the author of the Ordinance. Council concurred that the author of the Ordinance will appear on meeting agendas.

Councilman Housel requested clarification on section 3-15 E which reads, “Ordinances may be adopted by Council in accordance with law.” Councilwoman Woykowski stated she would prefer to leave in the statement, “by roll call vote.”

Attorney Cushing explained in his opinion it may be better to leave, “by roll call vote” in section E, but remove it from G, replacing it with, “*in a manner prescribed by law.*” In addition the next sentence should read, “*On a roll call vote, the clerk shall enter into the minutes the vote of each member present.*” Council concurred.

Mayor Van Deursen entertained a motion to approve Ordinance 16-2006 with changes on first reading.

It was moved by Oakley, seconded by Glaser that Ordinance 16-2006 be approved with changes on first reading.

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

Ayes: 7, Nays: 0  
Motion Carried.

Councilwoman Woykowski made a motion to review Ordinance 16-2006 prior to publication. The council concurred.

**Dawn Higgins 113 Harding Drive** – asked Council when the full Ordinance will be included in the minutes.

Councilwoman Glaser explained that when the introduced Ordinance is approved for publication; the Ordinance will appear in full in the minutes on the web site.

## **REPORTS**

It was moved by Glaser, seconded by Housel that the Trial Balance 12/31/05, Trial Balance 2/28/06, Managers Personnel Report, Treasurers/Collectors Report, Managers Report, and the Zoning Report be accepted as presented and filed.

Ayes: 7, Nays: 0  
Motion Carried.

### Discussion:

Councilman Turner asked for a status on the soccer field and also the pavilion that was going to be dedicated in April. Councilman Turner explained that he understood the reason the pavilion was not dedicated was because of issues with the handicapped parking lot.

Manager Sheola said the issue with the handicapped parking lot is in hiring a paver. Right now the Borough Engineer has nothing pending in the Borough. Councilman Turner stated that it may be better to have our own Road Department do the paving.

Dawn Higgins stated that there are several things wrong with the pavilion. There is a flooding issue, the sealant is cracking and chipping away around the support beams. Also, the driveway was going to be paved during the Youman's Ave project but never was.

Councilman Turner asked how much it would cost for the Road Department to do the paving. Manager Sheola said that he would talk to John Burd about doing this.

## **VOUCHERS:**

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

Hearing none it was moved by Housel, seconded by Glaser that that the vouchers and claims be approved for payment in the amount of \$311,945.12 as reflected in the debit/credit memorandum on file in the Collector/Treasurer's office.

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

Ayes: 7, Nays: 0.

Motion Carried.

Councilman Housel asked why the vendor who delivered stone to the school was not paid yet.

Manager Sheola will look at the bill list from last meeting to see if he has been paid and update Councilman Housel.

Councilwoman Woykowski questioned the Budget to Actual Report page 6 – Buildings and Grounds. Manager Sheola stated that the remaining \$270.00 was leftover from the retirement stipend for the janitor.

**OLD BUSINESS**

None

**NEW BUSINESS**

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

**Resolution 157-2006**

**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

<b><u>Block/Lot</u></b>	<b><u>Property Owner</u> <u>Property Location</u></b>	<b><u>Refund</u></b>
66.02/2	Cooke, Eric O. 120 Sunrise Terrace	\$45.00

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$45.00 should be mailed to:

Cooke, Eric O.  
918 Liberty Street  
Belvidere NJ 07823

**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.

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

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

Ayes: 7 Nays: 0  
Motion Carried

**Resolution 165-2006**

**Resolution #165-2006**

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

**WHEREAS**, Rigoberto Vaca posted review and/or inspection fees in the amount of \$1,000.00 with the Borough of Washington prior to a driveway installation; and

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

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

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the Municipal Treasurer is hereby authorized to issue a check to Rigoberto Vaca, 59 4B Sandra Circle, Westfield NJ 07090 for the actual account balance in the review and/or inspection accounts.

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

Ayes: 7, Nays: 0  
Motion Carried



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

**Resolution 166-2006**

**RESOLUTION # 166-2006**

**A RESOLUTION ESTABLISHING A SPECIAL PERIOD FOR THIRD QUARTER LOCAL PROPERTY TAXES IN THE BOROUGH OF WASHINGTON**

**WHEREAS**, the printing and mailing of tax bills has been delayed beyond the N.J.S.A. 54:4-64 date of June 14<sup>th</sup>; and

**WHEREAS**, according to State Statute, taxes are due and payable February 1, May 1, August 1, and November 1 and these dates can not be changed; and

**WHEREAS**, N.J.S.A. 54:4-67 allows the Borough Council to establish a grace period of 25 days from the date that tax bills are mailed; and

**WHEREAS**, the Borough of Washington has historically given its taxpayers a grace period of 10 days for each tax period.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Washington that the third quarter installment of current year taxes shall not be subject to interest until after August 22, 2006, the additional interest-free period authorized pursuant to R.S. 54:4-67. Any payment received on August 23, 2006 will be subject to interest charged back to the statutory date of August 1, 2006.

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

Ayes: 7, Nays: 0

Motion Carried.

The following Resolution was moved on a motion made by Glaser, seconded by Housel and approved.

**Resolution 167-2006**

**A RESOLUTION AUTHORIZING THE REFUNDING OF AN OVERPAYMENT OF THE BOROUGH'S SEWER SERVICE CHARGE**

**WHEREAS**, according to the Treasurer's records, there is an overpayment showing on the following property; and

<u>Block/Lot</u>	<u>Property Owner</u> <u>Property Location</u>	<u>Refund</u>
79/24	Martelli, Gary 75 Railroad Ave.	\$25.50

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$25.50 should be mailed to:

Gary Martelli  
28 Hillcrest Road  
Budd Lake NJ 07828

**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, Housel, Buoye, Turner, Glaser, Van Deursen, and Oakley.

Ayes: 7, Nays: 0  
Motion Carried.

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

**Resolution 168-2006**

**RESOLUTION #168-2006**

**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 \$1,000.00, which item is now available as a revenue from the United Way of Warren County for the Warren Hills Middle School Parent Volunteer Summer Recreation Program – Municipal Alliance.

BE IT FURTHER RESOLVED that the like sum of \$1,000.00 is hereby appropriated under the caption "Municipal Alliance – Summer Recreation Program" Other Expenses outside the CAP.

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

Ayes: 7, Nays 0  
Motion Carried.

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

**Resolution 169-2006**

Discussion:

Manager Sheola explained that the dollar amount on this resolution has changed from \$4,575.00 to \$5,500.00 in order to pay for the website for the Council of Governments. The Borough's share is \$915.67. Councilwoman Woykowski stated that if additional municipalities join it will lower the Borough's cost.

Councilwoman Glaser noted that Mansfield Township has agreed to be the lead agency however, when the Council of Governments receives their corporate certificate and the 501(c)(3) non-profit designation it will become an independent entity separate from all of the governmental units.

Mayor Van Deursen asked for an explanation of the concept of the Council of Governments. Manager Sheola explained that the Council of Governments is to bring together municipalities in Warren and Morris Counties for the purpose of evaluating and exploring shared services and shared facilities.

Councilwoman Glaser noted that this money will pay for the professional to write the grant application, and launching the website for the Council of Governments. Brian Valentino from Patriot Consulting has been selected as the consultant and will be meeting with department heads in the participating municipalities. He will be able to explore where the most savings will come from and what other joint ventures may be possible as a larger group and as neighboring municipalities.

**Resolution #169-2006**

**RESOLUTION AUTHORIZING PARTICIPATION IN REGIONAL  
COORDINATION GRANT PROGRAM**

WHEREAS, the Governing Body of Borough of Washington has agreed to apply for a *SHARE* (Sharing Available Resources Efficiently) Grant through the State of New Jersey Local *SHARE* Program in the amount of \$5,500.00; and,

WHEREAS, the Township of Mansfield has agreed to be the lead agency in this endeavor; and

WHEREAS, the Governing Body of the Township of Mansfield is acknowledging and accepting the responsibility of acting as applicant for this grant on behalf of the Borough of Washington; and

WHEREAS, the State of New Jersey has made *SHARE* grants available to assist local units study, develop and implement new shared and regional services; and

WHEREAS, the purpose of this grant is to promote shared services between our local units through the sharing of various services and activities, that would be beneficial to all local units;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Washington, that the Township of Mansfield does hereby join with other participating units in applying for a grant for the purpose of a feasibility study of such an endeavor; and

BE IT FURTHER RESOLVED that the Borough of Washington agrees to provide its agreed share of the required local matching funds or other resources in the amount of \$915.67 and to accept receipt of the local match requirements from the other participating local units and to be responsible for its proper expenditure.

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

Ayes: 7, Nays: 0

Motion Carried

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

**Resolution 170-2006**

**RESOLUTION # 170-2006**

**A RESOLUTION TO TRANSFER PRIOR YEAR OVERPAYMENT OF  
REAL ESTATE TAXES TO SEWER ACCOUNT**

**WHEREAS**, according to the Tax Collector's records, there is an overpayment of \$798.79 on 4th Quarter 2003 taxes paid on property located at 106 E Washington Avenue, also known as Block 025.01 Lot 005, and

**WHEREAS**, this overpayment was created when redemption of lien was processed and the payment was inadvertently applied to the taxes when it should have been applied to the sewer.

**WHEREAS**, the Tax Collector wishes to transfer the payment to Sewer Account #10761000 of Block 025.01 Lot 005 in the amount of \$798.79.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Washington that the Tax Collector/Treasurer authorized to issue a check made payable to BOWMSU in the amount of \$798.79 for Sewer Account of Block 025.01 Lot 005.

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

Ayes: 7, Nays: 0

Motion Carried.

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

**Resolution 171-2006**

**RESOLUTION # 171-2006**

**A RESOLUTION AUTHORIZING APPLYING SEWER PAYMENT FROM TAX  
SALE CERTIFICATE ASSIGNMENT TO SEWER ACCOUNT**

**WHEREAS**, according to the Tax Collector's records, the sewer for Block 065 Lot 006.01 was paid in the amount of \$3,656.22 per the awarding of the Tax Sale Certificate #383-03 to the successful buyer, Qin Lin: and

**WHEREAS**, the Tax Collector wishes to transfer the payment of the sewer to the Sewer Account # 11282000 of Block 065 Lot 006.01 in the amount of \$3,656.22.

**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 issue a check made payable to BOWMSU in the amount of \$3,656.22 for the Sewer Account of Block 065 Lot 006.01

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

Ayes: 7, Nays: 0  
Motion Carried.

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

**Resolution 172-2006**

**RESOLUTION #172-2006**

**RESOLUTION AUTHORIZING SIGNING OF NO FURTHER ACTION LETTER  
PERTAINING TO THE BOROUGH PUBLIC WORKS GARAGE SITE WITHIN  
THE BOROUGH OF WASHINGTON, COUNTY OF WARREN,  
STATE OF NEW JERSEY**

WHEREAS, the Borough of Washington has received a letter notification from the Department of Environmental Protection indicating that No Further Action is necessary with respect to environmental testing at the Borough Public Works garage site; and

WHEREAS, it is necessary for a Borough Official to sign the letter acknowledging such action; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that the Mayor or Borough Manager is hereby authorized to submit the No Further Action Letter as noted and to ensure that all provisions are complied with by the deadlines so listed.

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

Ayes: 7, Nays 0  
Motion Carried.

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

**Resolution 173-2006**

**RESOLUTION #173-2006**

**RESOLUTION AUTHORIZING SUBMISSION OF CORRECTIVE ACTION PLAN FOR THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY**

WHEREAS, the Borough of Washington has received the Audit of its financial condition for the year 2005; and

WHEREAS, one of the requirements of the Audit is the filing of a Corrective Action Plan that addresses the Comments and Recommendation contained within the Audit Report; and

WHEREAS, the Treasurer of the Borough of Washington has prepared a Corrective Action Plan in conformance with standard practices and the Borough Council hereby approves of the Corrective Action Plan and endorses the submittal of same to the Department of Community Affairs, Division of Local Government Services; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that the Treasurer is hereby authorized to submit the Corrective Action Plan as noted and to ensure that all provisions are complied with by the deadlines so listed.

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

Ayes: 7, Nays: 0  
Motion Carried.

**COUNCIL DISCUSSION**

**Railroad**

Mayor Van Deursen noted that the Historical Railroad program has decided not to pursue Phillipsburg; however the people running the program are now interested in Washington Borough. They are interested in meeting with Borough Officials. Mayor Van Deursen said that with Council's consent a meeting will be scheduled for next Wednesday after the Redevelopment Meeting.

**Senior Services**

Mayor Van Deursen asked Councilman Turner for an update on the Transitions for the Senior Services. Councilman Turner stated that he would like to reconvene in September.

### **Curfew Ordinance**

Councilman Housel questioned setting up a committee to discuss the Curfew Ordinance. Councilwoman Glaser stated that she felt we did not need a committee. Mayor Van Deursen polled council as to what they want to do with the night time curfew Ordinance. Council felt the night time Curfew Ordinance should be much more specific. Mayor Van Deursen asked Attorney Cushing to draft a night time Curfew Ordinance and bring it to the next meeting.

Councilwoman Glaser stated she still feels the Curfew Ordinance leaves too much discretion to the officers on duty in the evenings. Councilman Turner commented that children should not be out at those hours without a purpose and the police officer can make that a distinction.

Attorney Cushing explained that Curfew Ordinances need careful guidelines for the police and is very difficult to define a cultural activity.

Mayor Van Deursen asked Attorney Cushing to draft an Ordinance and email it to the council for their review.

Councilwoman Oakley noted that the Ordinance should state that parents can give permission for their child to be out.

Dave Higgins commented from the audience that the residents of the Borough wanted to be involved in the decision making process on this Ordinance.

Attorney Cushing stated that once council has reviewed a draft and made any changes they felt necessary; Council can hold a public hearing on the Ordinance.

Mayor Van Deursen commented that the Curfew Ordinance was a great learning experience and also a great example of how the legislative process is supposed to work.

### **Bid Threshold**

Councilman Housel commented that he feels the \$29,000 bid threshold is too high and would like to discuss lowering the threshold.

Councilwoman Glaser stated she feels the bid threshold at \$29,000 gives the Borough more flexibility on projects before having to go out to bid.

Councilwoman Woykowski stated that the \$29,000 bid threshold is the maximum allowed and the Borough doesn't necessarily need to be that high. She also indicated that there were some comments in the auditor's recommendation that would warrant a reduction in the bid threshold.

Councilman Buoye feels that government has a tendency to work slowly enough and the bidding process slows things down even more.

Councilman Housel questioned why the Borough did the parking lot at Borough Hall as part of the Youman's Ave project when the driveway at the pavilion was part of the planned project and did not get done.

Manager Sheola explained that the original plan did not include the driveway at the pavilion. It was an additional agreement made by Borough Engineer, Bob Miller. The only explanation for the pavilion driveway not being paved is that it was an oversight.

Manager Sheola also stated the savings from the Youman's Avenue project was a result of less material being used and that is how the back parking lot at the Borough Hall was paved.



Councilman Housel stated that right now the Borough is A.D.A non-compliant at the park and is costing the recreation commission money by not having the driveway paved.

At this time Mayor Van Deursen polled the council as to whether or not they wanted to lower the threshold.

Councilman Turner –	Lower to 17,500
Councilwoman Oakley -	Remain at 29,000
Councilwoman Woykowski –	Lower to 17,500
Councilman Housel -	Lower to 17,500
Councilman Buoye -	Remain at 29,000
Councilwoman Glaser -	Remain at 29,000
Mayor Van Deursen -	Remain at 29,000

Mayor Van Deursen also informed Council that the Better Future Self Help Center is celebrating their 10<sup>th</sup> Anniversary on Friday, August 25, 2006 between 11:00 a.m. – 8:00 p.m. if any Council member is interested

**COUNCIL REMARKS:**

Councilwoman Glaser – None

Councilman Turner – None

Councilwoman Woykowski – None

Councilman Buoye - None

Councilwoman Oakley asked Manager Sheola to look into an Ordinance requiring coaches/volunteers involved with sports to submit to a criminal background test. Mayor Van Deursen stated that procedure is already in place.

Councilman Housel asked Attorney Cushing a question in reference to the Van Cleef Resolution passed in open session. Attorney Cushing clarified the resolution and stated negotiations are ongoing and the contract will be subject to approval of the Mayor and Council and himself.

Mayor Van Deursen stated that National Night Out was a very nice celebration.

At this time Councilwoman Glaser made a motion to recess for five minutes, seconded by Councilman Turner.

Ayes: 7, Nays 0.  
Motion Carried.

The meeting was called back to order at 10:40 p.m. with everyone present.

**EXECUTIVE SESSION:**

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

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

Ayes: 7, Nays: 0.

Motion Carried.

**RESOLUTION 174-2006**

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

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

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

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

It was moved by Turner, seconded by Glaser that Council go out of Executive Session and back into open session at 11:15 PM.

Ayes: 7, Nays: 0.

Motion Carried.

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

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Marianne Van Deursen  
Mayor

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Kristine Blanchard, RMC  
Borough Clerk