

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – August 21, 2007**

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: Higgins, Housel, Turner, Woykowski, Cioni, and Van Deursen
– Present
Oakley - Absent

Also Present: John Corica, Interim Borough Manager
Richard Cushing, Esq. Municipal Attorney
Kristine Blanchard, RMC Borough Clerk

Mayor Van Deursen led everyone in the flag salute.

Mayor Van Deursen read the following Statement into the Record:

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

COUNCIL APPEARANCE

Robert Miller – Borough Engineer

Robert Miller reviewed the Department of Transportation grant applications with the Council. Two of the grants are Safe Streets to School the others are Municipal Aid grant applications. The Safe Streets to School grants include Taylor Street sidewalk and curbing and McDonald Street sidewalk and curbing. The Municipal Aid grants include Belvidere Avenue Section II roadway reconstruction and curbing and sidewalks, Grand Avenue roadway reconstruction, North Lincoln Avenue Sections I, II, and III (three separate grant applications for roadway reconstruction), and South Lincoln Avenue resurfacing and sidewalk repair.

Mr. Miller asked Council to prioritize the grant submissions for the Department of Transportation. Council agreed to the following: Safe Streets to School – Taylor Street priority 1, McDonald Street priority 2. Municipal Aid – Belvidere Avenue Section II priority 1, Grand Avenue priority 2, North Lincoln Avenue Section III priority 3, North Lincoln Avenue Section II priority 4, North Lincoln Avenue Section I priority, and South Lincoln Avenue priority 6.

Councilman Turner inquired when the bid submissions for the DPW garage were to be submitted. Mr. Miller indicated the bid opening for the garage is September 6, 2007.

Councilman Higgins indicated that the corner of Taylor Street and West Stewart Street is in bad shape right now after the most recent storm. He asked if this is something Council address that right away. Mayor Van Deursen stated Council should consider this later in the meeting.

Councilwoman Woykowski indicated that she wants Council to consider the Borough's drainage system when looking into road projects. Mr. Miller indicated that the Borough's drainage system is antiquated and undersized. He stated discussions have been held in regard to conducting a spring management study of the Shabbecong Creek that would be approved by the D.E.P. The drainage systems that lead to the Shabbecong are a separate issue and need to be addressed individually. The Borough needs to carefully consider the drainage system and make sure conditions do not worsen due to redevelopment.

Manager Corica stated he has had several conversations with residents this past week due to the flooding; one of the suggestions made was to see if the Army Corps. Of Engineer's to see if they would have any interest in helping the Borough, another option may be involving the County.

Councilman Higgins asked Mr. Miller if there were any grants available that would help pay for the storm damage. Mr. Miller indicated that he was not aware of any available funds from the State.

Council discussed with Mr. Miller the request from a downtown business owner to have heat coils installed in the sidewalk. The heating system for the sidewalk had been previously installed in the 1960's. Mr. Miller indicated that they were not aware of the system being in the sidewalk. The business owner has requested that the Borough replace this system.

Council agreed that the Borough will not pay for the sidewalk heating system.

Dawn Higgins – Chairperson Recreation Commission

Ms. Higgins briefed Council on the recent updates to the Recreation Commission. The DPW took care of the tree limb at the park after the terrible storm. The Recreation Commission now has two maintenance positions. The signs for the Borough Park have been located and will be installed by the DPW.

Ms. Higgins indicated that the Recreation Commission has hired T & M Associates to analyze the pool project and conduct a feasibility study. Bids were received for the pool project and the Recreation Commission has made a recommendation to the Governing Body. The Resolution to award the Pool Project is before Council this evening. Mayor Van Deursen commended the Recreation Commission on taking their consultants advice and on having a very successful bidding process.

Councilman Turner asked Ms. Higgins if the fence would be in the same area or would be moved. Ms. Higgins stated that the pump house will be included in the fenced area and that would be the only change.

Councilwoman Woykowski echoed the Mayor's sentiments.

Mayor Van Deursen entertained a motion to move Resolution 210-2007. Resolution 210-2007 was moved by Councilman Housel, seconded by Councilwoman Woykowski and adopted.

RESOLUTION # 210-2007
A RESOLUTION TO AWARD A CONTRACT FOR POOL
IMPROVEMENTS TO CFM CONSTRUCTION

WHEREAS, bids were advertised and were publicly opened and read on 2 August 2007 for Swimming Pool Renovations; including a base bid and four alternates; and

WHEREAS, 5 bids were submitted and reviewed by T & M Associates, consulting engineers; and

WHEREAS, T&M Associates has determined that the lowest responsible bidder for the base bid and all four alternates is CFM Construction of Stirling, New Jersey in the amount of \$348,000. said report is attached hereto; and

WHEREAS, T&M Associates, the Borough Manager and the Washington Borough Recreation Commission have recommended that a contract be awarded to CFM Construction for the base bid and the four alternates; said recommendation of the Recreation Commission is attached hereto; and

WHEREAS, a certification of funds by the Chief Financial Officer is attached.

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 it is in the best interest of the Borough to award a contract for the base bid and four alternates for the Swimming Pool Renovations.

BE IT FURTHER RESOLVED that a contract is hereby awarded to CFM Construction, Stirling, New Jersey for the base bid and four alternates in accordance with CFM Constructions bid dated 2 August 2007, in the amount of \$348,000.

BE IT FURTHER RESOLVED that Mayor, Borough Clerk and Borough Manager are hereby authorized to execute all necessary contracts and documents to award said contract.

Roll Call: Housel, Woykowski, Van Deursen, Cioni, Turner – Yes
 Higgins- Abstain

Ayes: 5, Nays: 0
Abstain: 1
Motion Carried

MINUTES:

Councilwoman Higgins motioned to accept the minutes of the Regular Meeting of August 7, 2007, Special Meeting of August 9, 2007, Special Meeting of August 14, 2007, and Emergency Meeting of August 15, 2007. This motion was seconded by Councilwoman Woykowski.

Roll Call: Woykowski, Housel, Higgins, Turner, Cioni and Van Deursen.
Housel – Abstain August 7, 2007
Turner – Abstain August 9, 2007

Ayes: 6, Nays: 0
Motion Carried.

COMMUNICATIONS:

The following communications were entered into the Record:

1. NJLM Re: Update and Clarification on PEG Stations on System Wide Franchises
2. Township of Monroe Re” Resolution Urging the State of New Jersey to take Financial Responsibility for the Cost of Gypsy Moth Control Program (in packets)
3. Hopewell New Jersey Re: In Support of Remedial Legislation to Authorize a Library Levy Cap Exception. (in packets)
4. NJLM Re: New Information from the DLGS
5. NJLM Re: Federal Census Accuracy Insurance
6. NJLM Re: Environmental Infrastructure Signed into Law

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

It was moved by Higgins, seconded by Turner that the communications be acknowledged, received and filed.

Ayes: 6, Nays: 0.
Motion carried.

AUDIENCE:

Mayor Van Deursen entertained remarks from the audience on items that were not on the agenda.

Nicole Tiger Kid Care 70/72 East Washington Avenue

Ms. Tiger explained to Council that the installation of the new sidewalk in front of the day care center has caused flooding in the basement. The sidewalk seems to be sloped towards the front door of the daycare. Ms. Tiger stated that the Borough Manager did come and take a look at the situation.

Mayor Van Deursen asked for an update from the Manager. Manager Corica stated that there is an obvious problem that exists. Mr. Miller's recommendation is to have the seal fixed between the sidewalk and the apron. He stated he is not sure if it will totally solve the issue however the sidewalk does have a slight slope. If the seal does not work the Borough will have to look at other alternatives.

Paul Terrik – 72 Lenape Trail

Mr. Terrik inquired as to the status of his application to the Governing Body to install a fence on his property which includes a sewer easement. He also asked as to the status of the trees installed on his property that need to be replaced. Manager Corica stated that the Chairperson of the Shade Tree Commission was directed to review the trees and report back to the Borough Manager as to their health. As far as the fence; the Borough has put together all of the necessary information and forwarded that information to legal counsel. Manager Corica stated that the fence could be allowed to be placed on his property however; the Borough will retain the right to remove the fence to access the sewer easement if there is an emergency.

Mayor Van Deursen asked Council if they are in agreement to allow Mr. Terrik to place a fence on his property as long as he agrees to grant the Borough access to his property.

Councilman Housel requested to see the plan of where the fence is going to be placed on the property. Mayor Van Deursen asked the Manager to have this prepared for the next meeting.

Mayor Van Deursen also requested the Manager set up a meeting with the Shade Tree Commission Chairperson and Mr. Terrik to try and come to some conclusion about the trees.

RJ Sherman – 15 Gardeners Court

Mr. Sherman stated he wanted to advise Council that the sewer did back up again into his basement during the last storm. He stated he is aware that the Council is working towards a resolution. He also stated that he understands that it was a horrific storm and a very exceptional one. He asked Council for a status on the resolution of this problem.

Manager Corica indicated that the report from H2M should be forwarded to Council very soon. Councilman Housel suggested pointing the sewer line the other way towards South Prospect. This needs to be checked with H2M when they present their report to Council.

Councilwoman Woykowski stated that the Council is also appropriating the money this evening to take care of this problem.

Mayor Van Deursen thanked Mr. Sherman for his testimony and for his patience as Council works towards a solution.

Motion made by Higgins, seconded by Turner to close the audience portion of the meeting.

Ayes: 6, Nays: 0
Motion Carried

ORDINANCES:

Ordinance 8-2007 Ordinance Amending Chapter 94 of the Washington Borough Ordinance Entitled “Borough of Washington Development Regulations Ordinance.” And More Particularly Amending the Borough’s Development Regulations Ordinance Section 94-79.1 Entitled “AR-7 Age Restricted Residential Zone District” (Final Reading)

Ordinance 8-2007 was moved by Councilman Turner, seconded by Housel.

It was further moved by Turner, seconded by Housel that the Clerk read Ordinance #8-2007 by title only.

The Clerk read Ordinance #8-2007 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 upon request from the Clerk’s office.

Roll Call: Cioni, Van Deursen, Housel, Woykowski, Turner, and Higgins.

Ayes: 6, Nays: 0.
Motion carried.

Public Hearing:

Lawrence Cohen, Esq.

Mr. Cohen stated he was appearing on behalf of Toll Brothers who had made the request for the passage of this Ordinance. Mr. Cohen briefly summarized the events leading up to the request for this Ordinance and the discussion that had taken place at the last Council meeting.

Mayor Van Deursen thanked Mr. Cohen for the information. She stated she is in support of the adoption of this Ordinance however when this plan came before the Planning Board she specifically remembers stating that the plan needs to include decks. She stated that she warned the Planning Board that we can not have the same mistakes made as we did in the past where the plans did not include decks. She also stated that this is a wonderful development for the town.

Mr. Cohen stated that this oversight was not an intentional error on the part of Toll Brothers.

Hearing no further comments from the public Councilman Housel motioned to close the public hearing seconded by Councilman Cioni.

Ayes: 6, Nays: 0
Motion Carried

Mayor Van Deursen entertained a motion to adopt Ordinance 8-2007 on final passage.

Councilman Housel moved Ordinance 8-2007 to adopt on final passage, seconded by Cioni.

Roll Call: Housel, Cioni, Van Deursen, Higgins, and Turner – Yes
Woykowski – No

Ayes: 5, Nays: 1
Motion Carried

ORDINANCE #8-2007

AN ORDINANCE AMENDING CHAPTER 94 OF THE WASHINGTON BOROUGH ORDINANCE ENTITLED “BOROUGH OF WASHINGTON DEVELOPMENT REGULATIONS ORDINANCE”, AND MORE PARTICULARLY AMENDING THE BOROUGH’S DEVELOPMENT REGULATIONS ORDINANCE, SECTION 94-79.1, ENTITLED “AR-7 AGE RESTRICTED RESIDENTIAL ZONE DISTRICT”

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY, that Chapter 94 of the Borough Ordinance entitled “Borough of Washington Development Regulations Ordinance,” Section 94-79.1, known as the “AR-7 Age Restricted Residential Zone District,” and more particularly Subsection 11(e) “Bulk Standards for Lotted Developments” “Rear Yard,” is hereby amended as follows:

SECTION I

(E) Rear Yard. The minimum rear yard for any building shall be twelve (12) feet. The minimum rear yard for any deck attached to any building or any patio emanating from any building shall be four (4) feet.

SECTION II

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This ordinance shall take effect immediately upon final publication as provided by law.

Ordinance 10-2007 An Ordinance to Amend, Revise, and Supplement the Code of the Borough of Washington, Chapter 3 “Administration of Government, Section 3-52 “Engineering Division.” (First Reading)

Mayor Van Deursen entertained a motion to introduce Ordinance #10-2007.

Ordinance 10-2007 was introduced by Councilman Turner, seconded by Councilman Housel.

It was further moved by Turner, seconded by Housel that the Clerk read Ordinance #10-2007 by title only.

Roll Call: Woykowski, Housel, Turner, Higgins, Van Deursen, and Cioni

Ayes: 6, Nays: 0

Motion Carried

The Clerk read Ordinance #10-2007 entitled, "An Ordinance to Amend, Revise, and Supplement the Code of the Borough of Washington, Chapter 3 "Administration of Government, Section 3-52 "Engineering Division."

Council Discussion

Councilman Higgins questioned if the NJ State Statute stated the engineer had to be appointed by the Borough Manager for three years. Manager Corica explained that the Borough Code stated that the engineer was appointed by the Manager, not State Statute.

Mayor Van Deursen entertained a motion to introduce Ordinance 10-2007 on first reading.

Ordinance 10-2007 was moved by Councilman Turner, seconded by Councilman Cioni to introduce on first reading.

Roll Call: Housel, Turner, Cioni, Higgins, Van Deursen, and Woykowski.

Ayes: 6, Nays: 0

Motion Carried

It was further moved by Turner, seconded by Cioni that Ordinance #10-2007 be published in the Star Gazette on August 30, 2007 as required by law and that the public hearing be scheduled for September 18, 2007.

Roll Call: Housel, Turner, Cioni, Higgins, Van Deursen, and Woykowski.

Ayes: 6, Nays: 0

Motion Carried

ORDINANCE NO. 10-2007

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

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE CODE
OF THE BOROUGH OF WASHINGTON, CHAPTER 3 “ADMINISTRATION OF
GOVERNMENT, SECTION 3-52 “ENGINEERING DIVISION”**

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that Chapter 3 of the Code of the Borough of Washington, Warren County, is hereby amended to read as follows:

Chapter 3-52 “There shall be an Engineer appointed by the Manager for a term of three (3) years:....” shall be deleted and replace as follows:

 “There shall be an Engineer appointed in accordance with statute;...”

The remainder of Chapter 3-52 shall remain unchanged.

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

Ordinance 11-2007 A Capital Ordinance Providing for Improvements of the Sanitary Sewerage System in and by the Borough of Washington Warren County New Jersey Appropriating the Sum of \$88,546.00 from the Sewer Capital Improvement Fund of the Borough (First Reading)

Mayor Van Deursen entertained a motion to introduce Ordinance #11-2007.

Ordinance 11-2007 was introduced by Councilman Housel.

It was further moved by Housel, seconded by Turner that the Clerk read Ordinance #11-2007 by title only.

Roll Call: Woykowski, Turner, Higgins, Van Deursen, Cioni and Housel.

Ayes: 6, Nays: 0.
Motion carried.

The Clerk read Ordinance #11-2007 entitled, “A Capital Ordinance Providing for Improvements of the Sanitary Sewerage System in and by the Borough of Washington Warren County New Jersey Appropriating the Sum of \$88,546.00 from the Sewer Capital Improvement Fund of the Borough.”

Council Discussion:

Councilman Higgins clarified that this is the money appropriating for the sewer problem. Manager Corica stated that is correct. This money was put into the 2007 Sewer Capital Budget; but in order to expend the money this procedure must be followed.

Mayor Van Deursen entertained a motion to introduce Ordinance 11-2007 on first reading.

Ordinance 11-2007 was introduced by Councilman Housel and seconded by Councilman Cioni.

Roll Call: Woykowski, Housel, Cioni, Turner, Higgins, and Van Deursen.

Ayes: 6, Nays
Motion Carried

It was further moved by Housel, seconded by Cioni that Ordinance #11-2007 be published in the Star Gazette on August 30, 2007 as required by law and that the public hearing be scheduled for September 18, 2007.

ORDINANCE #11-2007

CAPITAL ORDINANCE PROVIDING FOR IMPROVEMENTS OF THE SANITARY SEWERAGE SYSTEM IN, BY AND OF THE BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY APPROPRIATING THE SUM OF \$88,546 FROM THE SEWER CAPITAL IMPROVEMENT FUND OF THE BOROUGH.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY AS FOLLOWS:

Section 1. The Borough of Washington (the "Borough"), Warren County, New Jersey is hereby authorized to make the following improvements in, by and for the Borough, including all work, materials, engineering, legal and appurtenances necessary and suitable therefore:

Repair and replacement of sewer mains within the Borough \$88,546

Section 2. The aggregate sum of \$88,546 is hereby appropriated from the Sewer Capital Improvement Fund of the Borough as payment of the cost for the authorized improvements described in Section 1 *supra*.

Section 3. The improvements described in Section 1, *supra* are hereby respectively authorized as general capital improvements to be made or acquired by the Borough having a period of usefulness of at least five (5) years

Section 4. The said purposes described in Section 1 of this ordinance are not current expenses and is an improvement which the Borough may lawfully make as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

Section 5. Amounts not exceeding \$25,000 in the aggregate for engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 6 The sewer capital budget of the Borough is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and available for public inspection.

Section 7. This capital ordinance shall take effect twenty (20) days after final adoption, and publication as required by law.

Ordinance 12-2007 Capital Ordinance of the Borough of Washington Warren County New Jersey Authorizing the Acquisition and Improvements to Real Property in, by, and for the Borough and Appropriating the Sum of \$760,000.00 from the Capital Improvement Fund of the Borough. (First Reading)

Mayor Van Deursen entertained a motion to introduce Ordinance #12-2007.

Ordinance 12-2007 was introduced by Councilman Higgins.

It was further moved by Higgins, seconded by Turner that the Clerk read Ordinance #12-2007 by title only.

Roll Call: Woykowski, Turner, Higgins, Cioni, Van Deursen, and Housel.

Ayes: 6, Nays: 0.
Motion carried.

The Clerk read Ordinance #12-2007 entitled, "Capital Ordinance of the Borough of Washington Warren County New Jersey Authorizing the Acquisition and Improvements to Real Property in, by, and for the Borough and Appropriating the Sum of \$760,000.00 from the Capital Improvement Fund of the Borough."

Council Discussion:

Councilman Housel requested that prior to any property being acquired by the Borough clearance needs to be obtained from the DEP, EPA, and a clear title.

Mayor Van Deursen entertained a motion to introduce Ordinance 12-2007 on first reading.

Ordinance 12-2007 was introduced by Councilman Housel and seconded by Councilman Turner.

Roll Call: Turner, Higgins, Van Deursen, Housel, Cioni, and Woykowski

Ayes: 6, Nays 0
Motion Carried

It was further moved by Housel, seconded by Turner that Ordinance #12-2007 be published in the Star Gazette on August 30, 2007 as required by law and that the public hearing be scheduled for September 18, 2007.

ORDINANCE #12-2007

CAPITAL ORDINANCE OF THE BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY AUTHORIZING THE ACQUISITION AND IMPROVEMENTS TO REAL PROPERTY IN, BY AND FOR THE BOROUGH AND APPROPRIATING THE SUM OF \$760,000 FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY AS FOLLOWS:

Section 1. The Borough of Washington (the "Borough"), Warren County, New Jersey is hereby authorized to make the following improvements and acquisitions in, by and for the Borough, including all work, materials, engineering, legal and appurtenances necessary and suitable therefore:

Acquisition and improvements to one or more parcels of Real Property \$760,000

Section 2. The aggregate sum of \$760,000 is hereby appropriated from the Capital Improvement Fund of the Borough as payment of the cost for the improvements to, and acquisition of one or more parcels of real property authorized and described in Section 1 *supra*.

Section 3. The improvements described in Section 1, *supra* are hereby respectively authorized as general capital improvements to be made or acquired by the Borough having a period of usefulness of at least five (5) years.

Section 4. The said purposes described in Section 1 of this ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

Section 5. Amounts not exceeding \$150,000 in the aggregate for engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 6 The capital budget of the Borough is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and available for public inspection.

Section 7. This bond ordinance shall take effect twenty (20) days after final adoption, and publication as required by law.

REPORTS:

It was moved by Higgins, seconded by Housel that the Council acknowledge, receive and file the Managers Report, Engineer's Report, Highway Department Report, Fire Prevention Report, Recreation Treasurer's Report, Administration and Executive Report, and Municipal Court Report.

Roll Call: Housel, Higgins, Turner, Cioni, Van Deursen, and Woykowski.

Ayes: 6, Nays: 0
Motion Carried.

COMMITTEE REPORTS:

Special Shared Services Report: Borough Clerk, Kristine Blanchard reported to Council that the County of Warren has been awarded \$400,000.00 in PARIS funding to support those municipalities participating in records management. The \$400,000.00 will support the function of needs assessment, records inventory, and the strategic plan process for the participating municipalities in Warren County. There will be a kick-off meeting held on September 5, 2007 with the vendors who will be conducting the needs assessment and records inventories. More details of the process will be explained at that time. This is an extremely important step for the Borough to seriously take a look at space issues surrounding storage of records and also to consider plans for disaster recover in the event of a catastrophic event.

Redevelopment Committee: Mayor Van Deursen stated that the State is running a class on planning and development. There are also two representatives coming to the Borough to assess the downtown. They are interested in knowing how much money the Borough requires for further studies etc. Councilwoman Woykowski will be attending the seminar at the State and also

attending the meeting. Mayor Van Deursen invited one more Council member to view the downtown with the State. Councilman Turner will attend.

DPW Garage: Sewer Committee: Nothing to Report

Sewer Committee: Nothing to Report

Streets Committee: Nothing to Report

Finance Committee: Councilwoman Woykowski informed Council the finance committee held a brief meeting with the manager. This has greatly reduced the questions on the bill list. The finance committee is also looking into the reporting of legal matters. The report is very good however Council wishes to have it updated on a regular basis. Also a short statement/explanation and an approximate cost of the number of hours required for budget purposes.

Shared Services Committee: A meeting is schedule on August 29, 2007.

Senior Services: Nothing to Report

Website Committee: Nothing to Report.

Curfew Committee: Councilman Higgins questioned whether or not the ordinance is enforceable. He asked if due to the fact that these individuals are juveniles; shouldn't they have to appear in family court. Attorney Cushing stated he is not aware of that and that his office did communicate with the Borough's Judge regarding this matter.

Pedophile Committee: Councilwoman Woykowski stated the committee will have something prepared for the next meeting.

Bid – Nothing to Report

VOUCHERS AND CLAIMS

Mayor Van Deursen entertained questions or additions to the vouchers and claims for payment that were not previously addressed before the meeting.

Hearing no comments or questions the vouchers and claims were approved for payment in the revised amount of \$ 480, 242.80.

Roll Call: Woykowski, Turner, Higgins, Housel, Cioni, and Van Deursen.

Ayes: 6, Nays: 0.

Motion carried.

OLD BUSINESS:

Warren Hills Sewer

Manager Corica explained that Council had requested that he reach out to the Township of Oxford concerning the possibility of them accepting the Warren Hills sewage. The Borough received a follow up letter from Oxford's attorney stating that if the Borough wanted to continue with this possibility we would need to put up an escrow of \$10,000.00 to cover the cost of engineering. Manager Corica asked Council if that was an avenue they wanted to pursue.

Councilman Housel stated that H2M is going to be giving the Borough a report on the sewer capacity the Borough should wait until that report is received before making a decision on this issue.

NEW BUSINESS

Request for Proposals – 2008

Councilwoman Woykowski reminded Council that the governing body decided to request proposals from professionals prior to reappointments in January 2008. She stated that most municipalities send out for RFQ's on a regular basis. She pointed out that some municipalities send there RFQ's out in groups for example: municipal attorney, special legal council, and litigation. Councilwoman Woykowski suggested separating redevelopment legal services.

Councilwoman Woykowski motioned to have the Borough prepare and advertise for RFQ's for professionals to be reviewed by the Council in October. Seconded by Councilman Higgins.

Ayes: 6, Nays: 0

Motion Carried

Approval to Amend Bingo License – St. Joseph's Church

Motion made by Councilman Higgins seconded by Housel to approve the Bingo License amendment for St. Joseph's Church.

Roll Call: Housel, Cioni, Higgins, Turner, Woykowski, and Van Deursen.

Ayes: 6, Nays: 0

Motion Carried

Resolution 207-2007 Return of Police Escrow

Resolution 207-2007 was moved on a motion made by Higgins, seconded by Turner and adopted.

Roll Call: Housel, Higgins, Woykowski, Cioni, Van Deursen and Turner.

Ayes: 6, Nays: 0

Motion Carried

RESOLUTION # 207-2007

**A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS FROM
SPECIAL POLICE SERVICES ESCROW ACCOUNT HELD IN TRUST BY
THE BOROUGH OF WASHINGTON**

WHEREAS, the Schifano Construction Corporation has posted fees to cover anticipated costs of special police services with the Borough of Washington prior to specific planned events; and

WHEREAS, these funds were posted in the Schifano Construction Company escrow account to cover these anticipated costs; and

WHEREAS, a request has been made for the release of funds remaining in the account, and

WHEREAS, the Borough Treasurer has determined that all outstanding bills have been paid for special police 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: Schifano Construction Corporation, One Smalley Avenue, Middlesex, N.J. 08846 for the actual account balance in the Special Police Services Escrow account.

Resolution 209-2007 Resolution of the Governing Body Certification of the Annual Audit

Resolution 209-2007 was moved on a motion made by Higgins, seconded by Turner and adopted.

Council Discussion: Councilman Turner commented that the recommendations of the Annual Audit are the same year after year. Manager Corica agreed that the recommendations need to be addressed.

Councilman Higgins questioned the fund balance anticipated. Manager Corica explained that number represents the fund balance anticipated for 2006 and was realized. Councilman Higgins asked if next year that number will read \$550,000.00. Manager Corica stated yes.

Roll Call: Housel, Higgins, Turner, Cioni, Van Deursen, and Woykowski.

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION #209-2007

A RESOLUTION OF THE GOVERNING BODY **CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2006 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body

Centers of Place
Other (Specify)

Bridge Bond Act

Sponsor Priority No. 2

Total Center Line Municipal Road Mileage 17.4 Miles

BE IT RESOLVED, that application is hereby made to the Commissioner of Transportation for an allotment of aid for the improvement of:

Grand Avenue Reconstruction

From: NJSH Route 57

To: Carlton Avenue

In the municipality of Washington Borough County of Warren.

State of New Jersey for a distance of 0.32 miles or such portion thereof as may be approved by the Commissioner of Transportation. The total cost estimate for this improvement is \$1,097,390.00. The Sponsor requests \$200,000.00 in State funds and anticipates contributing \$897,390.00 AND BE IT RESOLVED, that any aid received as a result of this application will only be used for the eligible costs for the project.

Scope of Work:

Grand Avenue is a connector street from NJSH Route 57 to Carlton Avenue, a major connector street that provides access to Warren Hills Middle School. Grand Avenue also provides connections to several side streets that run parallel to Route 57.

Resolution 216-2007 Authorizing a State Aid Grant Application for Belvidere Avenue Section II

Resolution 216-2007
NEW JERSEY DEPARTMENT OF TRANSPORTATION RESOLUTION,
APPLICATION, AND AGREEMENT FOR STATE AID TO COUNTIES AND
MUNICIPALITIES.

Name of Sponsor: Borough of Washington

Mailing Address: 100 Belvidere Avenue
Washington, NJ 07882

Email: borowash@comcast.net

Federal Tax ID: 22-600-2375

Program: County Aid Discretionary Aid Bikeway

Municipal Aid
 Centers of Place
 Other (Specify)

Safe Streets to Schools
 Bridge Bond Act

Sponsor Priority No. 1

Total Center Line Municipal Road Mileage 17.4 Miles

BE IT RESOLVED, that application is hereby made to the Commissioner of Transportation for an allotment of aid for the improvement of:

Belvidere Avenue Section II

From: Carlton Avenue

To: Borough Line

In the municipality of Washington Borough County of Warren.

State of New Jersey for a distance of 0.31 miles or such portion thereof as may be approved by the Commissioner of Transportation. The total cost estimate for this improvement is \$668,134.00 The Sponsor requests \$200,000.00 in State funds and anticipates contributing \$468,134.00 AND BE IT RESOLVED, that any aid received as a result of this application will only be used for the eligible costs for the project.

Scope of Work:

This project entails the installation of drainage improvements, new curb and sidewalk and repair and overlay of existing concrete pavement area. Currently sidewalk does not exist in a section of this road, and is needed for pedestrian and school children access. Drainage improvements are necessary since there are no drainage improvements in this area. Belvidere Avenue is a major thoroughfare into Washington Borough from the north, including Kinnaman Avenue, which is a county road. This project is located in a town center.

Resolution 217-2007

Resolution 217-2007
NEW JERSEY DEPARTMENT OF TRANSPORTATION RESOLUTION,
APPLICATION, AND AGREEMENT FOR STATE AID TO COUNTIES AND
MUNICIPALITIES.

Name of Sponsor: Borough of Washington
Mailing Address: 100 Belvidere Avenue
Washington, NJ 07882
Email: borowash@comcast.net

Belvidere Avenue street crossing is a major crossing for walkers to the Taylor Street School. The entire Borough is a walking district.

RECAP

Manager Corica stated he will provide a list of professionals as to who the governing body wishes to develop RFP's for. He will also reach out to the Memorial School Superintendent to find out about the concrete left at the bridge. He will prepare a resolution in support of the gypsy moth issue for the next meeting. Manager Corica will provide a report of the EDU's for the High School and what their history of use has been in regards to sewer. Manager Corica will also follow up with Mr. Terrick in regards to the agreement.

COUNCIL REMARKS

Councilman Housel gave kudos to the Borough's emergency management personnel including the fire, rescue and road department by the way they handled the storm events last week. The Borough has excellent volunteers.

Councilman Turner requested that Council look into working with Washington Township on shared services again. Councilman Turner requested that the Borough Manager reach out to the Township to open the lines of communication again.

Councilman Higgins stated he asked Council at the last meeting if it would be possible to consider allowing Washington Township to join the Borough's public library system. The township is wondering if there is any statute that would preclude them from pulling out of the county library system and joining the Borough's. Manager Corica stated that he is not aware of one. Attorney Cushing agreed. Councilman Higgins stated he will inform Washington Township to make a formal request of the Borough.

Councilman Higgins re-addressed the storm damage the Borough sustained and how the Borough will go about fixing it. He stated that school starts in a week and the sidewalk needs to be repaired. Manager Corica stated that if it is only two sidewalks the DPW can come and take a look at it and possibly make a repair.

Councilman Turner motioned that the DPW evaluate the two danger spots and see what the solution could be and authorize the manager to make the decision. This was seconded by Councilman Cioni.

Ayes: 6, Nays: 0
Motion Carried

Manager Corica informed Council of a discussion held with a prospective property buyer in the Township. This person is looking to build a 350 storage unit. He has approached the Borough for an easement to cross our property. One suggestion goes through the DPW driveway, the other goes into the back of the sewer plant, follow that driveway and access his driveway. He has stated he will shoulder any costs incurred.

Council discussed and concurred that they are not interested in pursuing this.

Ayes: 6, Nays: 0
Motion Carried

Mayor Van Deursen entertained a motion to enter into Executive Session.
Motion made by Higgins, seconded by Housel to enter Executive Session after a five minute recess.

Council reconvened at 11:00 p.m.

Executive Session

RESOLUTION 219-2007

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

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

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

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

**Personnel
Litigation**

Council re-entered Regular Session at 11: 45 p.m.

Hearing no further business to come before Council, it was moved by Housel, seconded by Higgins that the meeting be adjourned at 11:45 p.m.

Ayes: 6, Nays: 0.
Motion carried.

Marianne Van Deursen, Mayor

Kristine Blanchard, RMC Borough Clerk