

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – May 15, 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, Turner, Oakley, Cioni, Housel, Woykowski, Van Deursen
7 – Present

Also Present: John Corica, Interim Borough Manager
Richard P. 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:

Dorothy Repsher – Municipal Alliance Chairperson

Ms. Repsher presented to the Mayor and Council the annual report from the Municipal Alliance Committee. She stated that 2006 was a very exciting year and that she was named as Governor’s Council on Alcoholism and Drug Abuse 2006 Alliance Volunteer of the Year for Warren County.

Ms. Repsher reviewed the various grants received in 2006/2007. The Alliance received \$1,000.00 from the United Way and received an additional \$1,500.00 from Mansfield Township for the Warren Hills Middle School Summer Recreation program. The Parents as Partners program at Warren Hills has expanded as well.

Ms. Repsher thanked the Mayor and Council for their continued support of the Municipal Alliance.

Mayor Van Deursen thanked Ms. Repsher for everything she does for the Borough.

MINUTES:

Hearing no corrections it was moved by Turner, seconded by Oakley that the minutes of the Special Meeting of April 24, 2007, Executive Session March 20, 2007, Executive Session April 3, 2007, and Executive Session April 17, 2007 be adopted.

April 24, 2007

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

Ayes: 5, Nays: 0.
Motion carried.

March 20, 2007 Executive

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

Ayes: 7, Nays: 0
Motion Carried.

April 3, 2007 Executive

Roll Call: Woykowski, Housel, Turner, Higgins, Cioni, and Oakley – Yes
Van Deursen – Abstain.

Ayes: 6, Nays: 0
Motion Carried

April 17, 2007 Executive

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

Ayes: 7, Nays: 0
Motion Carried

COMMUNICATIONS:

The following communications were entered into the Record:

1. NJLM Re: Federal Issues – Amtrak reauthorization, COPS bill, Essential Air Services
2. Comcast RE: TVG, HD, PPV Additions
3. Marcia Karrow, Assemblywoman Re: Highlands Council’s Draft Regional Master Plan.

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

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

Ayes: 7, Nays: 0.
Motion carried.

AUDIENCE:

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

Jim Sheldon – Director, Business Improvement District

Mr. Sheldon requested permission from the Mayor and Council to install a banner across Rt. 57 for the upcoming car show and the Borough festival.

A motion was made by Cioni, seconded by Housel to allow the BID to install a banner across Rt. 57.

Ayes: 7, Nays: 0
Motion Carried

Mr. Sheldon also requested permission from the Mayor and Council to close Broad Street between the hours of 9:00 a.m. to 2:30 p.m. for the car show.

A motion was made by Cioni, seconded by Higgins to allow the BID to close Broad Street from 9:00 a.m. to 2:30 p.m.

Ayes: 7, Nays: 0
Motion Carried.

Dale Parichuk – 116 Myrtle Avenue

Mr. Parichuk asked the Borough Manager when the budget will be available for review for the public. Manager Corica stated the budget will be available early next week and can be reviewed during normal business hours.

Hearing no further comments, it was moved by Oakley, seconded by Housel to close the audience portion of the meeting.

Ayes: 7, Nays: 0.
Motion carried.

ORDINANCES:

This item will be addressed in New Business.

REPORTS:

It was moved by Oakley, seconded by Housel that the Council acknowledge, receive and file the Complaint Tracking, Managers Report, Borough Engineer's Report, Recreation Report, Fire Prevention Report, Highway Department Report, Administrative and Executive Report, Municipal Court Report, Borough Clerk's Report, Recreation Commission Treasurer Report, Police Report, and the Collector Treasurer Report for February 2007.

Discussion:

Councilwoman Oakley stated she was happy to see that there were no DWI summonses this month. Mayor Van Deursen stated that she was very impressed by the Recreation report.

Councilman Higgins questioned item number nine on the manager's report which is the process for determining sewer allotments and capacity for new applicants before the planning and zoning board. He stated that he does not recall the Council ever giving approval for sewer capacity. Mayor Van Deursen agreed stating that approvals were only given by the engineer at the Planning Board meetings. She stated that it would be a good idea to have Council give approval in the future. Borough Engineer, Gerry Philkill explained that in the past the Borough Manager referred these types of questions to the sewer engineer.

Councilwoman Oakley stated that for several years now the Borough has been asking how much sewer capacity they have and the sewer engineer has stated that he does not know the answer.

Borough Engineer, Gerry Philkill said that it sounds like a disconnect between the two sewer engineering firms. He also stated that the waste water management plan needs to be revisited as well.

Councilman Housel asked if the Borough was aware of what the density would possibly be in the downtown. Mayor Van Deursen clarified that the planner did not do a density study; what redevelopment did request was the proposed density. Councilman Housel stated that Council has been discussing this topic for far too long. He stated it should not cost the Borough \$20,000.00 to do another study on this topic. Mayor Van Deursen asked Council if they want the Borough Manager to follow up with Russ Johnson for a report on this topic.

Councilwoman Woykowski suggested a report be prepared by Russ Johnson with the stipulation that the report be presented to Council before the end of June. Councilwoman Woykowski clarified for the Borough Manager that Council wants a report; not a study.

Councilman Higgins asked if the sewer engineer is on a retainer or an hourly rate. Mayor Van Deursen stated the sewer engineer is on an hourly rate. Councilman Higgins stated that this is what he was talking about at the reorganization meeting at the beginning of the year. Using the same engineering firm for several different projects; it is a conflict.

Councilman Higgins stated that there was a request from the engineer working with the Recreation Commission for five years of financial information so that they could move forward with the feasibility study.

COMMITTEE REPORTS:

Redevelopment Committee: Mayor Van Deursen stated that the Redevelopment Committee, Borough Council, and the Planning Board held their joint meeting with the planner the previous evening. The Planning Board asked for several changes and will be at the next Planning Board meeting in June with the adjustments.

DPW Garage: Councilman Housel stated that he understands that the plans are here for Council to review this evening under Old Business.

Sewer Committee: The committee is awaiting the report from H2M.

Streets Committee: No report at this time.

Gina Appleby – 28 Willow Street – Ms. Appleby requested an update on the survey that was sent out in regards to South Lincoln Street. She stated that the parking on South Lincoln is an illegal solution to the problem and is curious if anything is going to be done about that issue. The previous manager informed her that when someone makes a formal complaint that is when the Borough will take action. Ms. Appleby stated that it is illegal to have this parking on South Lincoln without D.O.T. approval. Councilwoman Oakley stated that the previous manager was supposed to send a letter to the railroad asking if we could use barricades to block off the cut-through to see if it would change the flow of traffic. Borough Engineer, Gerry Philkill explained that the Ordinance may have needed to be approved by the State. Mayor Van Deursen requested that the street committee reconvene and discuss this issue.

Councilman Higgins requested that Borough Manager, John Corica find out if this Ordinance is correct and legal or if it is not correct from the State Engineer.

Shared Services Committee: Councilwoman Woykowski stated that Borough Clerk, Kristine Blanchard has made some progress but due to the fact that we are at an interim stage in the process we have nothing to report at this time.

Senior Services: Councilman Turner stated that the next meeting is scheduled for 7:00 prior to the first Council meeting in June. Mayor Van Deursen reminded Council that the first meeting in June is scheduled for Monday, June 4, 2007 due to Election Day.

Website Committee: Mayor Van Deursen thanked Councilman Cioni, and Borough Clerk, Kristine Blanchard for the FAQ's being posted on the Borough Website. She also stated that new pictures will be taken during the nice weather to update the website.

Curfew Committee: Councilwoman Oakley stated there is nothing to report at this time. Councilman Higgins asked Attorney Cushing if juvenile cases were heard in Family Court. Councilman Higgins asked Attorney Cushing to talk to the judge about that issue.

Pedophile Committee: This committee is scheduled to meet this weekend.

Councilwoman Woykowski commented that she would like to see the Finance Committee added as well as a report from the BID. Councilwoman Woykowski also stated that she was not pleased with the presentation last night by Clarke, Caton, Hintz. She requested the Borough Manager contact Clarke, Caton, Hintz and have an outline written of the steps to be taken during redevelopment. Mayor Van Deursen suggested that the redevelopment committee reconvene with the attorney in order to review the timeframe and the targets that have been defined for the redevelopment committee. Councilwoman Woykowski requested that Clarke, Caton, and Hintz hold off on re-doing the plans until they meet with the entire redevelopment committee. Mayor Van Deursen agreed to have Manager Corica call Carl Hintz and request the planner to hold off on re-doing the plans until they have met with the redevelopment committee.

Mayor Van Deursen requested that the BID Director, Jim Sheldon schedule a redevelopment meeting for as soon as possible.

Councilman Housel moved to accept the committee reports, seconded by Oakley and adopted.

Ayes: 7, Nays: 0
Motion Carried.

VOUCHERS & CLAIMS:

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

Councilwoman Woykowski informed Council that the Finance Committee met with the Borough Manager and had their questions answered. The only items outstanding are the Clarke, Caton, and Hintz bills on page five of this bill list. The Manager will follow up with Clarke, Caton, and Hintz for more details.

Councilwoman Woykowski also requested that the Manager follow up on the charge for Jade and find out if that should be charged to developer's escrow instead.

Councilman Higgins asked about the charge for the general ledger contractual services. Manager Corica explained that the general ledger is up to date.

Councilman Higgins also reminded the Manager and the Borough Treasurer that a Resolution needs to be prepared to refund the BID's escrow money from last year.

Hearing no further comments or questions the vouchers and claims were approved for payment in the amount of \$1,421,880.05.

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

Ayes: 7, Nays: 0.
Motion carried.

OLD BUSINESS:

Department of Public Works Garage

Borough Engineer, Gerald Philkill presented Council with an updated plan of the DPW garage. The plans were changed to simplify the roofline and lower the eave height to 18 feet. The plans were also changed so that the building footprint maintains a consistent 70 foot width. The cupolas, police garage, and file storage area were also eliminated. The office area layout also changed. The intent of the committee is to bid this out as either a wood frame or a steel frame building.

Mayor Van Deursen asked the DPW garage committee if it is their recommendation that the governing body approve these plans. Councilman Turner stated that this garage is extremely scaled back from the original plans and it is his recommendation that the plans be prepared to go out for bid.

Councilman Turner motioned that the DPW garage plans go out to bid, seconded by Councilman Housel.

Roll Call: Housel, Woykowski, Cioni, Oakley, Turner, Van Deursen. – Yes
Higgins - No

Ayes: 6, Nays: 1
Motion Carried

NEW BUSINESS

Approval of Obey the Signs or Pay the Fines Grant Application

A motion to approve the grant application was made by Higgins, seconded by Housel and approved.

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

Ayes: 6, Nays: 1
Motion Carried.

Resolution 136-2007 Resolution to Approve the Berto Change Order

Resolution 136-2007 was moved on a motion made by Housel, seconded by Higgins and adopted.

Discussion: Borough Manager, John Corica explained that the contractor found some piping that was not properly marked out. As a result they needed to redirect the conduit under Rt. 57. He explained that anything not covered under the contract will be passed onto the owner.

RESOLUTION #136-2007 **A RESOLUTION APPROVING** **CHANGE ORDER #4 - BERTO CONSTRUCTION** **FOR THE DOWNTOWN STREETScape PROJECT**

WHEREAS, the Borough of Washington is providing a new streetscape project in the downtown business district; and

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

WHEREAS, the project engineers, Studer & McEldowney have recommended the following Change Order:

Additional Work related to installation of underground conduit under Rt 57 as described in the Change Order # 4 annexed hereto which work creates an increase of \$3,900; and

WHEREAS, original contract amount was \$297,182.70 and the change requested is less than 20% of the contract amount, and the new contract amount will be \$301,082.70; and

WHEREAS, the Mayor and Council of the Borough of Washington wishes to accept the change order for this work as it is in the best interest of the Borough of Washington. A Certification of Available Funds is attached and made part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey approve Change Order #4 and authorize the Borough Manager and Project Engineer to prepare the necessary documents as soon as possible and for the Borough Manager to execute the change order on behalf of Washington Borough; and

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

Ayes: 6, Nays: 1
Motion Carried

Resolution 137-2007 Redemption of Lien Block 101 Lot 22 Cert. 405-05

Resolution 137-2007 was moved on a motion made by Housel, seconded by Cioni and adopted.

RESOLUTION # 137-2007

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL MEN BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 25, 2005 to Wachovia-Cust/Sass Muni V dtr, 123 S Broad Street, PA 1328S, Tax Lien Services Group,

Philadelphia, PA 19109, in the amount of \$1,447.11 for taxes or other municipal liens assessed for the year 2004 in the name of Johnson, Susan, as supposed owners, and in said assessment and sale were described as 22 S Prospect Street, Block 101 Lot 022, which sale was evidenced by Certificate #405-05; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 05-08-07 and before the right to redeem was cut off, as provided by law, Middle Atlantic Settlement claiming to have an interest in said lands, did redeem said lands claimed by Wachovia-Cust/Sass Muni V dtr, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$16,460.36, which is the amount necessary to redeem Tax Sale Certificate #405-05.

NOW THEREFORE BE IT RESOLVED, on this 15th day of May 2007 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to **U S Bank (formerly Wachovia)-Cust/Sass Muni V dtr, 123 S Broad St, PA 1328S, Tax Lien Services Group, Philadelphia, PA 19109** in the amount of **\$17,060.36** (this amount consists of \$16,460.36 Certificate Amount + \$600.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 101 Lot 022 from the tax office records.

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

Ayes: 7, Nays: 0
Motion Carried

Resolution 138-2007 Redemption of Lien Block 101 Lot 22 Cert. 428-06

Resolution 138-2007 was moved on a motion made by Housel, seconded by Cioni and adopted.

RESOLUTION # 138-2007

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL MEN BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on December 27, 2006 to U.S. Bank-Cust/Sass Muni V dtr, Tax Lien Services Group, 50 South 16th St #1950, Philadelphia, PA 19102, in the amount of \$68.40 for taxes or other municipal liens assessed for the year 2005 in the name of Johnson, Susan, as supposed owners, and in said assessment and sale were described as 22 S Prospect Street, Block 101 Lot 022, which sale was evidenced by Certificate #428-06; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 05-08-07 and before the right to redeem was cut off, as provided by law, Middle Atlantic Settlement claiming to have an interest in said lands, did redeem said lands claimed by

U.S. Bank-Cust/Sass Muni V dtr by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$125.12, which is the amount necessary to redeem Tax Sale Certificate #428-06.

NOW THEREFORE BE IT RESOLVED, on this 15th day of May 2007 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to **U.S. Bank-Cust/Sass Muni V dtr, Tax Lien Services Group, 50 South 16th St #1950, Philadelphia, PA 19102 in the amount of \$125.12.**

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 101 Lot 022 from the tax office records.

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

Ayes: 7, Nays: 0
Motion Carried

At this time Mayor Van Deursen deviated from the agenda to entertain Ordinance 6-2007.

ORDINANCE 6-2007 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK. (First Reading)

Mayor Van Deursen entertained a motion to introduce **Ordinance #6-2007.**

Ordinance #6-2007 was introduced by Councilwoman Oakley. It was further moved by Oakley, seconded by Housel that the Clerk read Ordinance #6-2007 by title only.

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

Ayes: 5, Nays: 2.
Motion carried.

The Clerk read Ordinance #6 – 2007 entitled, **“An Ordinance to Exceed the Municipal Budget Appropriations Limits and to Establish a Cap Bank”**

It was moved by Housel, seconded by Oakley that Ordinance 6-2007 be approved on first reading.

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

Ayes: 5, Nays: 2
Motion Carried.

It was further moved by Housel, seconded by Oakley that Ordinance 6-2007 be advertised in the Star Gazette on May 24, 2007 and public hearing of Ordinance 6- 2007 be scheduled for June 19, 2007.

Roll Call: Oakley, Cioni, Housel, Turner, Woykowski, and Van Deursen
Higgins - No

Ayes: 6, Nays: 1
Motion Carried.

**ORDINANCE 6-2007
CALENDAR YEAR 2007
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Washington in the County of Warren finds it advisable and necessary to increase its CY 2007 budget up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety, and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$42,744.18 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Washington in the County of Warren, a majority of the fully authorized membership of this governing by affirmatively concurring, that in the 2007 budget year, the final appropriations of the Borough of Washington shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$149,604.63 and that the 2007 municipal budget for the Borough of Washington be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Resolution 139-2007 Introduction of 2007 Proposed Municipal Budget

Resolution 139-2007 was moved on a motion made by Housel, seconded by Oakley and adopted.

Council Discussion:

Councilman Higgins questioned the reserve for uncollected taxes. Manager Corica stated the reserve for uncollected taxes is required by the state to cover the anticipated amount that we don't raise. Last year we were at 98% of collection of taxes. We have to pay the County of Warren and the Board of Education taxes regardless of whether we raise them or not. We have to have a reserve equal to the collection rate.

Councilman Higgins asked if we took \$25,000.00 off of the Budget would the municipal rate drop of 7.8 cents to an even 7 cents. Manager Corica explained that you would only gain about 8/10^{ths} of \$39,000.00 because a penny represents approximately \$40,000.00 in tax revenue.

Councilman Housel stated that the Council needs to take some of the responsibility for this budget. We have asked many things of our engineer and not asked the main question; which is how much is it going to cost? Councilman Housel that the one thing Council must do is fix the problem on Gardner's Court. Do we have any idea how much this is going to cost? Councilman Housel proposes an additional \$80,000.00 to fix the problem on Gardner's Court.

Manager Corica explained to Council that there is a line item in the Sewer Utility budget under Capital Improvement Fund for \$88,546.00. This was originally envisioned to cover a small project and grinder pumps. If Council wishes to use this money for Gardner's Court we would just need to know in order to prepare the Capital Ordinance after the budget is adopted. The alternative is to bond the amount for Gardner's Court and use some of that money for the 5% down payment.

Mayor Van Deursen asked Council if they agree to take the money to fix Gardner's Court out of the sewer utility. Council concurred.

Manager Corica explained that there is one small change to the budget for Municipal Alliance. The state requires a 25% cash match to the Municipal Alliance grant. In prior years Council has given a 100% cash match to the Municipal Alliance Budget. The Alliance will need to be given an additional \$4,213.00.

Councilwoman Woykowski addressed her concern over the parking lots to be done this year. Mayor Van Deursen stated that the money for the parking lots should be in the Downtown Streetscape line item. Councilwoman Woykowski stated that she does not believe Council worked up a cost estimate for any demolition or improvements needed for the parking lots.

Mayor Van Deursen stated that she does not believe that the Borough will be going out to bid for the parking lots until early 2008. Councilman Housel reminded Council that there are a lot of things on the horizon for 2008. Mayor Van Deursen asked if Council wanted to use the leftover money from Mr. Van Cleef for the 5% down payment for the bond.

Attorney Cushing explained that one of the properties will not be available for purchase this year. If Council wanted to use some of the money for a down payment to bond you could certainly do that.

RESOLUTION #139-2007
INTRODUCTION OF 2007 PROPOSED MUNICIPAL BUDGET
OF THE BOROUGH OF WASHINGTON,
WARREN COUNTY, NEW JERSEY.

BE IT RESOLVED, that the statements and revenues and appropriations shall constitute the Municipal Budget for the year 2007.

BE IT RESOLVED, that said Budget be published in the Star Gazette in the Issue of May 24, 2007 and the governing body of the BOROUGH OF WASHINGTON does hereby approve the Budget for the year 2007.

NOTICE IS HEREBY GIVEN that the Budget and Tax Resolution was approved by the governing body of the Borough of Washington, County of Warren, on May 15, 2007; and

BE IT FURTHER RESOLVED, that the hearing on the Budget will be held at Borough Hall, on June 19, 2007 at 8:00 o'clock (p.m.) at which time and place objections to said budget for the year 2007 may be presented by taxpayers or other interested persons.

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

Ayes: 5 Nays: 2
Motion Carried.

At this time Councilman Housel made a motion for the sewer capital monies to be used for Gardner's Court, seconded by Councilman Higgins

Council Discussion: Councilman Higgins cautioned Council on doing that right now when we do not know how much Gardner's Court will cost to fix. He stated that Council could earmark this money for Gardner's Court when the budget passes. Councilman Cioni stated in order to find out how much this will cost; Council needs the report from H2M. Manager Corica stated that there should be an update two weeks after he gives them the last bit of information they requested.

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

Ayes: 3, Nays: 4
Motion Failed

Resolution 140-2007 Return of Developers Escrow

This Resolution was moved on a motion made by Housel, seconded by Oakley and adopted.

RESOLUTION 140-2007

**A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS FROM
DEVELOPER'S ESCROW ACCOUNT HELD IN TRUST BY THE
BOROUGH OF WASHINGTON**

WHEREAS, Leonides Rosado has posted review/inspection fees with the Borough of Washington prior to work beginning on this project; and

WHEREAS, these funds were posted in the Developer's Escrow 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 inspection and review 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 Leonides Rosado, 13 Main Street, Glen Gardner, NJ 08826 for the actual account balance in the Developer's Escrow account.

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

Ayes: 6, Nays: 1
Motion Carried.

Resolution 141 – 2007 Return of Developers Escrow

This Resolution was moved on a motion made by Housel, seconded by Oakley and adopted.

RESOLUTION 141-2007

**A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS FROM
DEVELOPER'S ESCROW ACCOUNT HELD IN TRUST BY THE
BOROUGH OF WASHINGTON**

WHEREAS, Mike's Auto Body has posted Performance Bond fees with the Borough of Washington prior to work beginning on this project; and

WHEREAS, these funds were posted in the Developer's Performance Bond Escrow 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 inspection and review 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 Mike's Auto Body, 91 Route 31 North,

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

Ayes: 6, Nays: 0
Motion Carried.

Resolution 142-2007 Resolution Supporting Click it or Ticket

Resolution was moved on a motion made by Housel, seconded by Higgins and adopted.

RESOLUTION 142-2007

**A RESOLUTION SUPPORTING THE CLICK IT OR TICKET
MOBILIZATION OF MAY 21 – JUNE 3, 2007**

WHEREAS, 773 motor vehicle fatalities in New Jersey in 2006; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

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

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

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* safety belt mobilization from May 21- June 3, 2007 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate in the state from the current level of 90% to 92%; and

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

NOW, THEREFORE, BE IT RESOLVED that Borough of Washington declares it's support for the *Click It or Ticket* safety belt mobilization both locally and nationally from May 21- June 3, 2007 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

Roll Call: Housel, Higgins, Woykowski, Van Deursen. - Yes
Turner, Oakley - No
Cioni - Abstain
Ayes: 4, Nays: 2
Abstain: 1
Motion Carried

Resolution 143-2007 Return of Developers Escrow

Resolution 143-2007 was moved on a motion made by Higgins, seconded by Turner and adopted.

Council Discussion: Councilman Housel questioned whether there was still a right of way encroachment issue with the property. Councilwoman Oakley stated that was a good point and we should probably check on that before returning the escrow. Attorney Cushing cautioned Council on doing so.

RESOLUTION # 143-2007

**A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS FROM
DEVELOPER'S ESCROW ACCOUNT HELD IN TRUST BY THE
BOROUGH OF WASHINGTON**

WHEREAS, Washington Collision Center has posted review and/or inspection fees with the Borough of Washington prior to work beginning on this project; and

WHEREAS, these funds were posted in the Developer's Escrow 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 inspection and review 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 Washington Collision Center, 65 Route 31 North, Washington, NJ, 07882 for the actual account balance in the review/inspection account.

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

Ayes: 5, Nays: 2
Motion Carried.

Resolution 144-2007 Refund of Tax Overpayment

Resolution 144-2007 was moved on a motion made by Housel, seconded by Cioni and adopted.

RESOLUTION # 144-2007

**A RESOLUTION AUTHORIZING A REFUND
OF CURRENT YEAR TAX OVERPAYMENT**

WHEREAS, the Tax Collector's records shows an overpayment of \$938.37 on the 1st quarter 2007 taxes on Block 18.01 Lot 006, 241 Belvidere Avenue, owned by Richard and Patricia Thompson. On February 13th, we received payment in this amount from Wells Fargo by diskette; it duplicated an earlier payment made on January 30th, 2007, in the same amount, from Rapid Title Company for Richard and Patricia Thompson. Wells Fargo has subsequently requested that the overpayment be refunded to them.

WHEREAS, the Tax Collector's office has received a written request that the above amount should be refunded to Wells Fargo Real Estate Tax Service, and mailed to:

Wells Fargo Real Estate Tax Service, LLC
PO Box 14506
Des Moines, IA 50328

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 Treasurer is authorized to refund the above payment amount as directed.

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

Ayes: 7, Nays: 0
Motion Carried.

Resolution 145-2007 Refund of Tax Overpayment

Resolution 145-2007 was moved on a motion made by Housel, seconded by Cioni and adopted.

RESOLUTION #145-2007

**A RESOLUTION AUTHORIZING A REFUND
OF PRIOR YEAR TAX OVERPAYMENT**

WHEREAS, the Tax Collector's records shows an overpayment of \$119.04 on the 4th quarter 2006 added assessment taxes on Block 044.01 Lot 020 , 115 Sunrise Terrace, owned by Michael & Shirley Bauer. On November 11th, we received payment in this amount from Wells Fargo by diskette; it duplicated an earlier payment made on October 31st, 2006, in the same amount, from Michael Bauer on his own behalf. Wells Fargo has subsequently requested that the overpayment be refunded to them.

WHEREAS, the Tax Collector's office has received a written request that the above amount should be refunded to Wells Fargo Real Estate Tax Service, and mailed to:

Wells Fargo Real Estate Tax Service, LLC
PO Box 14506
Des Moines, IA 50328

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 Treasurer is authorized to refund the above payment amount as directed.

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

Ayes: 7, Nays: 0
Motion Carried.

EXECUTIVE SESSION

A motion was made by Higgins, seconded by Cioni to enter executive session after a five minute recess.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION 146 -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

It was moved by Higgins, seconded by Turner that Council go out of Executive Session and back into open session.

Ayes: 7, Nays: 0.
Motion Carried.

COUNCIL REMARKS

Councilwoman Oakley – None

Councilman Higgins – Councilman Higgins stated he received a phone call from Mr. Zoltan in regards to the soil being delivered to his property to fix the water problem. Mr. Zoltan raised concerns over this stating that the dirt would be six inches higher than the sidewalk; causing the same problem. Manager Corica said the dirt is going to be graded out and away from the house and the sidewalk. The topsoil will be level with the sidewalk. Councilman Higgins requested that the Borough Manager call Mr. Zoltan and explain what will be happening. Councilman Housel requested input from Council on having the Borough Engineer attend meetings only when necessary. This will cut down on fees to be paid to the engineer. Council concurred. Councilman Higgins stated that he was also approached by the Fire Chief and the OEM Coordinator in regards to the Borough's policy on abandoned buildings. This is something that Council should consider looking into given the recent occurrence in Washington Township. Councilman Higgins also reminded Council that the waster water consultant appointment is up in June.

Manager Corica briefly updated Council on the status of watering the sod at Vara Field. The Fire Department has agreed to water the sod every other day. Recreation Chair Dawn Higgins raised concerns over that being a temporary solution to the watering problem but they still need to have

a water source at Steinart/Vara Field. Mayor Van Deursen stated the Recreation Commission has been given the money to obtain a water source and purchase the watering machine.

Councilman Turner – None

Councilwoman Woykowski – None

Councilman Cioni – None

Councilman Housel – None

Mayor Van Deursen - None

Hearing no further business to come before Council, it was moved by Oakley, seconded by Turner that the meeting be adjourned at 11:00 p.m.

Ayes: 7, Nays: 0.
Motion carried.

Marianne Van Deursen, Mayor

Kristine Blanchard, RMC Borough Clerk