

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – October 16, 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, Woykowski, Cioni, Van Deursen, Housel, and Oakley
Turner – 9:00 p.m.

Also Present: John Corica, 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.

PROCLAMATION:

Mayor Van Deursen presented the following presentation to the Washington Women’s Club.

**PROCLAMATION FOR NJSFWC MEMBERSHIP WEEK
OCTOBER 22-27, 2007**

WHEREAS, the New Jersey State Federation of Women’s Clubs of GFWC (NJSFWC) was organized on November 16, 1894 to provide opportunities for women in education, leadership training and community service; and continues to be one of the oldest and largest non-denominational, non-partisan service organizations of volunteer women in the state of New Jersey, with more than 11,000 members in 300 local clubs; and

WHEREAS, throughout its 113 year history, NJSFWC members have worked in their communities to assist in a variety of activities; such as founding the New Jersey College for Women (Douglass College of Rutgers University), preserving the Palisades of the Hudson, saving the New Jersey Highlands, supporting Canine Companions for Independence, the Valerie Fund, the community Food Bank of New Jersey, statewide Domestic Violence Shelters, Special Olympics, Operation Smile, CARE and UNICEF, while contributing to many other charities, academic scholarships, community libraries and beautification of local areas; and

WHEREAS, the GFWC Woman's Club of Washington is a member of NJSFWC; celebrating 80 years of service to the Washington community, and has provided a variety of assistance in projects such as Operation Smile, the Girl's Career Institute, Mary LaRiew scholarships to high school seniors, the Robert Rush Garden and assistance to abused women while it continues to provide annual donations to local, state, and national charities;

NOW, THEREFORE, BE IT RESOLVED, that the Council Members of the Borough of Washington do hereby proclaim the week of October 22-27, 2007 NJSFWC Membership Week on the 16th day of October, 2007 in recognition of the many hours of service, members of the New Jersey Federation of Women's Clubs of GFWC have provided to this community and others.

Dated this 16th day of October, 2007

COUNCIL APPEARANCE

None

MINUTES:

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting held October 2, 2007.

Hearing no comments it was moved by Oakley, seconded by Housel that the minutes of the regular meeting held October 2, 2007 be approved.

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

Ayes: 6, Nays: 0
Motion Carried.

At this time Mayor Van Deursen deviated from the agenda to discuss the Tax Re-Assessment.

Tax Re-Assessment

Tom Efstathlou, Borough Tax Assessor provided property tax information to the Mayor and Council in regards to a tax re-assessment vs. a property tax revaluation. He suggested that prior to any decision being made; the Council and Borough Manager should meet with the County Board of Taxation.

Mr. Efstathlou explained that a revaluation is done by an outside firm and a re-assessment is done by the Tax Assessor. The inspection of the properties is what is most time consuming during either scenario. He explained that a town the size of the Borough would require two inspectors.

Mayor Van Deursen asked if a property tax revaluation is normally ordered by the Warren County Board of Taxation. Mr. Efstathlou stated yes. Mr. Efstathlou stated a revaluation and a re-assessment are similar. He feels in the Borough's case a re-assessment is more in order.

Mayor Van Deursen asked if there was a major price difference between the two. Mr. Efstathlou stated that a properly done revaluation with the updated tax maps would be approximately \$240,000.00. A property re-assessment would be approximately \$150,000.00.

Councilman Cioni stated that it seems the Borough is doing a property tax re-assessment every six years. How does this happen? Mr. Efstathlou stated it is the current marketplace. Housing prices have exploded since 2000.

Councilman Higgins asked if property values go down does the tax rate go up? Mr. Efstathlou stated that was correct; however the tax rate will go down after a re-assessment. He explained the tax rate will drop, the value of the home will increase, and spending will remain the same; therefore property taxes will equalize. Some homeowners will pay more, some less, and some will remain the same.

Councilman Cioni asked how long a re-assessment would take to complete. Mr. Efstathlou stated it would take one year.

Mayor Van Deursen asked Mr. Efstathlou if he had made plans to meet with Mr. Unorski's group. He indicated that a meeting is in the process of being scheduled.

Councilwoman Woykowski agreed with Mr. Efstathlou regarding the need for the Borough to sit down with the Warren County Tax Board. Mayor Van Deursen requested Mr. Efstathlou coordinate the meeting and inform the Borough Manager.

COMMUNICATIONS:

The following communications were entered into the Record:

1. Solid Waste Facility Siting Loop Hole

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

It was moved by Housel, seconded by Oakley that the communication 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.

Motion made by Housel, seconded by Oakley to close the public portion of the meeting.

Ayes: 6, Nays: 0
Motion Carried

ORDINANCES:

None

REPORTS:

It was moved by Housel, seconded by Oakley that the that the Council acknowledge, receive and file the Issues and Details Report, Borough Engineer's Report, Collector/Treasurer Report, Municipal Court Report, and the Highway Department Report.

Council Discussion

Councilman Cioni inquired as to the status of the sod being planted at Vara Field. Dawn Higgins, Recreation Chairperson stated she has not had a response from the engineer as to when they are going to install the sod. Mayor Van Deursen asked the Borough Manager to facilitate movement between Centex and the Borough Engineer in regards to getting the sod installed as quickly as possible.

Mayor Van Deursen asked for a status update on the traffic signal on Rt. 57 and Prospect Street. Manager Corica stated he had reached out to JCP&L. Hannah Massaquoi will be reaching out to their engineering department to move this along.

Manager Corica reported that the trees will also be planted downtown after October 15th.

Councilwoman Woykowski stated that the Borough needs to be on top of the punch list from the downtown streetscape. Manager Corica stated he had communicated with Hatch Mott MacDonald to schedule a walk through of the downtown area to review the punch list items.

Councilman Higgins stated that on the Engineering Report every item is updated with the date of October 10th. He would like to see the actual date of the project update reflected on the report. He also stated if a project is complete it should be removed from the report and a plan included resolving any outstanding engineering issues.

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

Ayes: 6, Nays: 0
Motion Carried.

COMMITTEE REPORTS:

Redevelopment Committee: Mayor Van Deursen reported that the Redevelopment Committee met on October 11, 2007. A report has been presented to the Council. Highlights of the meeting are outlined in the report and include short and mid term goals, and expected deliverables.

DPW Garage: No Report

Sewer Committee: No Report

Streets Committee: No Report

Finance Committee: No Report

Shared Services Committee: No Report

Senior Services: No Report

Website Committee: Councilman Cioni stated the website committee is waiting for the new trees to be planted before taking pictures of the downtown for the website. The new website should be up and running by the end of October.

Curfew Committee: No Report

Pedophile Ordinance Committee: No Report

Bid – No 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.

Councilman Higgins inquired about the cost to fix the street sweeper being much higher than the estimate. Manager Corica explained that the sweeper had substantial damage that had not been foreseen. Councilman Higgins if the bills from Hatch Mott MacDonald have been adjusted based on the results from the meeting with the engineering firm. Manager Corica indicated that these bills have been adjusted.

Hearing no further comments or questions the vouchers and claims were approved for payment in the amount of \$1,541,489.17.

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

Ayes: 6, Nays: 0.

Motion carried.

OLD BUSINESS:

Councilman Turner arrived at 9:00 p.m.

Trans Options Grant

Manager Corica stated that Council had tabled this topic several months ago. He asked if Council is interested in pursuing the \$2,500.00 grant bike pathways. Councilman Higgins asked if the study could be done for \$2,500.00. Manager Corica stated he was not sure. Councilman Turner stated that the Borough has more important things to do right now. Councilwoman Oakley agreed with Councilman Turner but indicated that she would like to look at it at some point in the future. Council agreed they would not pursue this grant at this time.

Pleasant Valley Mill Dam

Manager Corica informed Council that the Borough owns a dam in Washington Township. He stated he was informed that the dam is in need of repairs. He asked Council why the Borough would own a dam in Washington Township.

Councilman Higgins stated that the DEP required the Borough to maintain the dam due to due the Borough's use of the Shabbecong and the water treatment plant. Councilman Housel indicated the Borough has always had ownership of the dam. The sewer plant discharges into that area.

Attorney Cushing clarified that the Borough acquired the dam for in order to keep the outfall downstream; as a result the Borough acquired the property.

Manager Corica indicated the Borough is paying \$670.00 a quarter in property taxes on the property. Councilman Housel suggested sending a letter to the DEP to see if it is still necessary for the Borough to own the property. Attorney Cushing suggested discussing that with the engineer before sending a letter to the DEP.

OEM Coordinator

Manager Corica stated he will have more information at the first meeting in November. He is still accepting applications.

Business District Sign Ordinance

Mayor Van Deursen noted that Jim Sheldon, Bid Director has been trying to move this Ordinance along. She explained that the Planning Board did not have a quorum at the last meeting so they were unable to pass a Resolution supporting this Ordinance however; the Governing Body does not need the Resolution from the Planning Board in order for Council to take action. Mayor Van Deursen explained that the Planning Board would like to have this Ordinance in place due to the potential for a lot of businesses going in downtown and due to revitalization.

Councilman Cioni asked Mr. Sheldon what the process will be for helping business owners comply with the sign ordinance or the Bid's recommendations for downtown signage. Mr. Sheldon indicated that the Bid reaches out to the business owners offering monetary help in the form of grants to pay for new signage. He stated that applications are even mailed to potential recipients to encourage participation. Mr. Sheldon stated that a lot of the business owners are reluctant to remove back lit signs. They feel that back lit signs are much better.

Manager Corica stated that New Jersey Land Use Law will prevail over local Ordinance. If the Land Use Act does not say that this is no longer grand fathered we may not have authority to overrule it. Attorney Cushing stated that if the sign is being used; you will have difficulty enforcing this Ordinance even if there is a change in ownership.

Councilwoman Oakley stated that enforcing this Ordinance may take away a part of history. What some people see as an eyesore is not necessarily how other people view it.

Councilman Cioni stated he is in favor of the Sign Ordinance. The idea is to set standards. The Council needs to look at the long term benefits. He stated he feels that most businesses will want to conform when they move into town.

Attorney Cushing stated that any new development will be required to comply however realistically you will have trouble with the current business owners. He also stated that the Town of Clinton has a very good Sign Ordinance that Council should take a look at.

Mayor Van Deursen asked Attorney Cushing to send Jim Sheldon the information from Clinton so that an Ordinance can be prepared and be available for introduction at the second meeting in November.

NEW BUSINESS

H2M Report

Councilman Housel stated he had read through the report and noticed it did not address the problems on Gardner's Court. Manager Corica suggested to Council to bring Mr. Hearl in to discuss the report.

Manager Corica asked the Mayor and Council when they would like to have Mr. Hearl come in to meet with them. Mayor Van Deursen asked Manager Corica to schedule Mr. Hearl for the next Council meeting so that the capacity issue could be discussed as well.

BID Downtown Business Recruitment and Retention/Dr. Mangraviti Proposal

Mayor Van Deursen stated that this agenda item is in response to Council's request to see the Bid Boards plan on business recruitment and retention.

Jim Sheldon, Bid Director explained the Bid's New Business Welcome Program which consisted of three types of programs. Program A consists of inviting "hot" prospects to the Borough for a day to meet with the Bid Director, the Warren County Chamber of Commerce CEO, and business owners downtown. Program B focuses on real estate agents, while program C focuses on bringing developers into the Borough.

Councilman Housel asked how long the Business Improvement District had been in existence. Mr. Sheldon stated five years. Councilman Housel stated that it was his understanding that the primary focus of the Bid was going to be business recruitment and retention. Mr. Rossi, Chairman of the Bid stated that recruitment and retention have equal weight with other responsibilities. Mr. Rossi stated that many businesses have opened up in the Borough since the inception of the Bid.

Bob Goltz, Warren County Chamber of Commerce CEO explained to Council that N.J. is number 49th in business friendliness. The Lehigh Valley Economic Development Corporation spends more money than the entire state of NJ for economic development. This creates many issues due to this portion of the state being so close to the border of Pennsylvania.

Councilman Housel stated that business recruitment and retention is a major part of what the Bid should be doing. Councilman Housel stated that he sees the Bid helping to negotiate lower rents for new businesses coming into town or for struggling businesses. Mr. Sheldon stated that there is a business in town that is struggling right now and he is working very closely with the property owner to assist this particular business owner.

Councilwoman Woykowski stated that the plan presented to Council this evening is not up to par. While it may not be the Governing Body's job to tell the Bid what to do; we can set benchmarks and ask for progress reports.

Mayor Van Deursen stated the public/private partnership needs to work together for a mutual benefit. The Governing Body created the Bid to help the Governing Body sustain the downtown businesses. We do not want to give impression that there is a loss in.

Councilman Higgins stated that originally he was anti Bid and voted against it. He now sits on the Bid Board. There is great teamwork at the Bid meetings. The Governing Body does not need to micro manage the Bid. Jack Van Cleef came to the Borough because of the Business Improvement District. The Washington BID has received state recognition and Mr. Sheldon has evolved into the biggest asset the Borough has ever had.

Councilwoman Woykowski stated she would like to see what the current prospects are. We need to consider what characteristics we want to give our downtown. This is a good starting point. She asked when we can expect a follow up to this plan with a few more specifics.

Mr. Rossi stated that this process will continue and the Bid plans on utilizing the Chamber and use them as a resource.

Dr. Mangraviti Proposal

Councilman Housel left the meeting at 10:40 p.m.

Manager Corica reported that there are two different proposals here. One is to do an audit of the operations of the sewer plant. The audit will review the procedures and processes of Veolia in the management of the plant. The second proposal addresses the I and I problem. These proposals are about \$22,000.00 each.

Manager Corica's suggestion to Council was not to do four quarterly audits; but to do one audit and evaluate the results. We will be able to see what the needs are and do another audit in six months if necessary.

Mayor Van Deursen asked if the cost of one audit will be \$5,000.00. Manager Corica indicated yes. Mayor Van Deursen stated that the Bid Board will need to decide if they will contribute \$2,500.00 towards the audit. If they will not, the Governing Body will shoulder the financial responsibility.

Councilman Turner motioned to have the initial audit done and requested Manger Corica to prepare a Professional Services Resolution for the Governing Body. This motion was seconded by Councilwoman Oakley.

Ayes: 6, Nays: 0
Motion Carried

BID Flower Pot Request

Mr. Sheldon stated that the Bid is requesting the Council's permission to install 36 wine barrel halves which will have seasonal flowers rotated four times a year. The Bid Board has approved the funding for this improvement project. The Bid will donate the flower pots to the borough with the intent of maintaining.

Council approved the request.
Ayes: 6, Nays: 0

Handicapped Parking 49 State Street

Manager Corica stated that was a request from 49 State Street for a handicapped parking space for medical reasons. He stated he will prepare an Ordinance for the next Council meeting if agreed to by Council. Council concurred.

N.J. State Firemen’s Application Approval Adrien McGlynn and Scott Davis

The Borough Clerk indicated that all the paper work was in order. Motion made by Turner, seconded by Oakley to approve both State Firemen’s Applications.

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

Ayes: 6, Nays: 0
Motion Carried

Resolution 239-2007 Release of Funds from Street Opening Permit

Resolution 239-2007 was moved on a motion made by Cioni, seconded by Higgins and adopted.

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

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION # 239-2007

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

WHEREAS, Michael Yates, “The Belvidere House” has posted review and/or inspection fees in the amount of \$1000.00 with the Borough of Washington prior to a street opening; 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 Michael Yates, “The Belvidere House, 519 Lannon Lane, Glen Gardner, NJ 08826, in the amount of \$1000.00 from the Street Opening Account.

Resolutions 240-2007 through 242-2007

The following Resolutions were moved on a motion made by Councilman Higgins, seconded by Councilwoman Oakley and adopted.

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

Ayes: 6, Nays: 0
Motion Carried.

RESOLUTION # 240-2007

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

WHEREAS, the Tax Collector's records shows an overpayment of \$299.46 on the 4th quarter 2006 added taxes and 1st quarter added 2007 taxes on Block 044.01 Lot 023, known as 121 Sunrise Terrace.

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

First American Real Estate Tax Service
Attn: Refunds Department
PO Box 961250
Ft. Worth, Tx. 76161-0250

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.

RESOLUTION # 241-2007

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

WHEREAS, the Tax Collector's records shows an overpayment of \$71.91 on the 4th quarter 2006 added taxes on Block 046 Lot 003, known as 4 McKinley Avenue.

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

First American Real Estate Tax Service
Attn: Refunds Department
PO Box 961250
Ft. Worth, Tx. 76161-0250

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.

RESOLUTION # 242-2007

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

WHEREAS, the Tax Collector's records shows an overpayment of \$26.04 on the 4th quarter 2006 added taxes on Block 082 Lot 027, 89 Park Avenue.

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

First American Real Estate Tax Service
Attn: Refunds Department
PO Box 961250
Ft. Worth, Tx. 76161-0250

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.

Resolution 243-2007 Establishing Observance of Halloween

Resolution 243-2007 was moved on a motion made by Cioni, seconded by Higgins and adopted.

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

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION 243-2007

A RESOLUTION SUGGESTING A HALLOWEEN CURFEW AND ESTABLISHING OBSERVANCE OF TRICK OR TREAT WITHIN THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NJ.

WHEREAS, Halloween Night and several nights before and after have historically been nights when acts of criminal mischief and vandalism have increased throughout the municipality; and

WHEREAS, the Borough of Washington desires to take some action to help reduce the likelihood of such incidents by establishing a suggested curfew to assist parents and lawful guardians of minor children; and

WHEREAS, said curfew is viewed as an important part of maintaining the peace and order of the community and all persons are strongly urged to cooperate with the Borough of Washington Police Department abiding by the curfew. The Mayor and Council suggest that this curfew be imposed on all minors in their care and custody; and

WHEREAS, the door to door solicitation of treats is a tradition enjoyed by many as well as an annoyance and inconvenience to others and, therefore needs to be regulated to provide for the safety, health and welfare of all persons within the community.

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 there is hereby established a suggested curfew for all persons seventeen (17) years of age or younger of 9:00 p.m. from Friday, October 26, 2007 up to and including Thursday, November 1, 2007. Curfew shall be extended for school-sponsored events to one (1) hour after the conclusion of the event.

BE IT FURTHER RESOLVED, that Trick or Treat shall be observed within the Borough of Washington on Wednesday, October 31, 2007 from 4:00 p.m. to 8:00 p.m.

Resolution 244-2007 Resolution Granting Leave of Absence to Marjorie J. Bundschuh

Resolution 244-2007 was moved on a motion made by Higgins, seconded by Oakley and adopted.

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

Ayes: 6, Nays: 0

Motion Carried

Resolution 245-2007 Resolution Authorizing Participation in Regional Coordination Grant Program

Resolution 245-2007 was moved on a motion made by Higgins, seconded by Oakley and adopted.

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

Ayes: 6, Nays: 0
Motion Carried

Bond Anticipation Notes

Manager Corica indicated that a Resolution will be prepared for the November 5th Council meeting to reduce the amount of debt the Borough is carrying. Most of the projects have long since been completed and there is not reason to have the debt sitting on the books.

COUNCIL REMARKS

No remarks from Council.

EXECUTIVE SESSION

Councilman Higgins motioned to enter executive session; this motion was seconded by Councilman Turner.

Ayes: 6, Nays: 0
Motion Carried

Resolution 246-2007 Executive Session

RESOLUTION 246-2007

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

Hearing no further business to come before Council, it was moved by Higgins, seconded by Turner that the meeting be adjourned at 11:30 p.m.

Ayes: 6, Nays: 0.
Motion carried.

Mayor Marianne Van Deursen

Kristine Blanchard, RMC Borough Clerk