

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – December 4, 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: Oakley, Housel, Higgins, Woykowski, Cioni, Van Deursen, - Present
Turner - 8:10 pm

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.

COUNCIL APPEARANCE

None

MINUTES:

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting held November 20, 2007 and the Executive Session held November 20, 2007.

Hearing no comments it was moved by Higgins, seconded by Oakley that the minutes of the regular meeting held on November 20, 2007 be approved.

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

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

COMMUNICATIONS:

The following communications were entered into the Record:

1. NJLM Re: Information from the Division of Local Government Services
2. Recreation Re: Sod

Councilman Higgins questioned the status of the sod pertaining to the Recreation Commission's communication to the Governing Body. Manager Corica explained that the Borough Engineer has made several attempts by phone and by letter to contact the landscaper and Centex. Manager Corica indicated that he does have copies of the letters sent by the Borough Engineer.

Councilman Higgins questioned if the Borough Engineer is willing to accept responsibility if the sod is installed now and goes bad. Councilman Higgins stated that the Borough Engineer's response to the article attached to the Recreation communication is that the Borough is installing a hardier variety of sod and will be able to withstand the cold nights. Councilman Higgins stated that is a huge risk to take. Additionally, Recreation is concerned over the new water wheel freezing up. Manager Corica stated that given all of this it looks like the Borough is looking at a spring planting.

Manager Corica also pointed out to Council that Centex was ready to go and the Borough asked them to hold off until we had an adequate water supply.

Councilman Housel noted that if we hold off until spring the field will need to re-graded.

Mayor Van Deursen asked the Dawn Higgins, Recreation Chairperson what the commission would suggest doing at this point. Ms. Higgins stated that the Recreation Commission feels that due to the weather conditions the sod should be installed in the spring.

Council concurred that the sod planting should be held off until the spring of 2008.

Mayor Van Deursen requested Attorney Cushing prepare a letter to Centex stating this decision and informing them that the Borough wants this sod installed by March or April of next year.

Councilman Higgins suggested contacting the local sod farms to inquire about the best time to install the sod.

Councilman Turner noted for the record that the Engineering firm has let us down again.

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

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

Dawn Higgins, Chairperson of the Recreation Commission informed Council of the tree lighting scheduled for 5:30 p.m. December 8th 2007.

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

Ayes: 7, Nays: 0
Motion Carried

ORDINANCES:

None

REPORTS:

It was moved by Higgins, seconded by Oakley that the that the Council acknowledge, receive and file the Issues and Details Report, Borough Clerk's, Recreation Report, and the Police Activity Report.

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

Ayes: 7, Nays: 0
Motion Carried.

COMMITTEE REPORTS:

Redevelopment Committee: No Report

DPW Garage: No Report

Sewer Committee: No Report

Streets Committee: No Report

Finance Committee: No Report

Shared Services Committee: Councilwoman Woykowski presented the draft of Interlocal Agreement between the Township of Mansfield and the Borough of Washington regarding the street sweeper. If council agrees this will be sent to the Borough Attorney for review.

The Borough of Washington will provide the sweeper for maximum of 10 days throughout year. A schedule will be prearranged. Councilman Oakley questioned what will happen if gas prices go up? Manager Corica indicated that the agreement will be changed to reflect a one year agreement.

Councilman Housel voiced concerns over one of our workers being gone for ten days out of the year; if there is an emergency, who will replace them? Manager Corica stated that is part of the compensation. The Borough will control when the machine goes out. We can pull them back to the Borough if needed. Councilman Cioni stated he is in favor of this agreement. This is a give and take partnership and generates good faith.

Manager Corica explained that he and Councilwoman Woykowski wanted a consensus from Council prior to sending the agreement to the attorney for review.

Council concurred that the agreement be sent to Attorney Cushing for review and revised to reflect a one year agreement.

Attorney Cushing indicated that he will have a resolution and the agreement prepared for the next meeting.

Manager Corica also informed Council that the Borough Attorney will be drawing up an Interlocal Agreement between the School Board and the Borough for plowing of the schools.

Councilman Housel noted that the roads in the Borough must be the top priority for plowing.

Senior Services: No Report

Website Committee: No Report

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 questioned the voucher for the Cornish Street project. This project was completed a long time ago. Manager Corica stated that this is the last bill. This voucher contained punch list items through November 2, 2007.

Hearing no further comments or questions the vouchers and claims were approved for payment in the amount of \$353,499.76.

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

Ayes: 7, Nays: 0.
Motion carried.

OLD BUSINESS:

None

NEW BUSINESS

2008 Workshop Discussion

Councilwoman Woykowski stated she would like to see more than four workshops throughout the year. Manager Corica suggested to Council that they may want to consider changing the format of the meetings. Many municipalities hold a workshop meeting during the first half of the meeting; then move into regular business around 9:00 p.m. Many Resolutions can be passed using a consent agenda. Anything controversial could be worked out during workshop meeting. Mayor Van Deursen suggested Manager Corica provide an example of a restructured agenda with the next few meeting packets.

Councilwoman Oakley voiced some concerns over the audience portion of the meeting. What if we have the large group in the audience like we have had in the past? Manager Corica stated that Council can put a time limit on the audience portion.

Resolution 273-2007 Establish a Dedicated Trust Fund by Rider for Snow Removal

Resolution 273-2007 was moved on a motion made by Higgins, seconded by Housel and adopted.

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

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 273 -2007

**OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON,
WARREN COUNTY, REQUESTING APPROVAL OF THE DIRECTOR OF
THE DIVISION OF LOCAL GOVERNMENTS SERVICES TO ESTABLISH A
DEDICATED TRUST BY RIDER FOR SNOW REMOVAL PURSUANT TO
P.L. 2001, C.138**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, P. L. 2001 C.138 permits municipalities to lapse unexpended balances budgeted annually for snow removal or other purposes; and

WHEREAS, N.J.S.A. 40A: 4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider.

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

1. The Mayor and Council hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Snow Removal created in accordance with the provisions of P.L. 2001 c.138 as per N.J.S.A. 40A:4-39; and
2. The municipal clerk of the Borough of Washington, County of Warren is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services; and
3. A copy of this resolution is to be forwarded to the Chief Financial Officer.

Resolution 274-2007 Correcting the Labor Lien on Block 21.01 Lot 4.02

Resolution 274-2007 was moved on a motion made by Higgins, seconded by Housel and adopted.

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

Ayes: 7, Nays: 0
Motion Carried

Resolution 275-2007 Cancel Small Balances for 2007

Resolution 275-2007 was made on a motion made by Cioni, seconded by Housel and adopted.

Resolution 275-2007

CANCEL SMALL BALANCES FOR 2007 AS PER N.J.S.A 40A:5-17.1

WHEREAS, the State of New Jersey allows a Municipal employee to process the cancellation of any municipal charges including overpayments or delinquencies of \$10.00 or less; and

WHEREAS, the Municipal employee allowed to process the cancellations shall be the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, hereby authorizes the Tax Collector of the Borough of Washington to process the cancellation of municipal charges of \$10.00 or less.

Resolution 276-2007 Planning Board Appointment

Resolution 276- 2007 was moved on a motion made by Oakley, seconded by Cioni and adopted.

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

Ayes: 7, Nays: 0

Motion Carried

RESOLUTION 276-2007

Planning Board

WHEREAS, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

WHEREAS, under this plan the Mayor is directed and authorized to appoint members of the Planning Board.

WHEREAS, the Mayor has designated the following person as her appointee;

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the Planning Board for a term ending **December 31, 2011**.

Oswaldo Perez

Resolution 277-2007 Redemption of Tax Title Lien

Resolution 277-2007 was moved on a motion made by Higgins, seconded by Cioni and adopted.

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

Ayes: 7, Nays: 0

Motion Carried

RESOLUTION # 277-2007

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, 2007 to Park Finance LLC in the amount of \$551.26 for taxes or other municipal liens assessed for the year 2006 in the name of Alfano, John and Judith as supposed owners, and in said assessment and sale were described as Block 44.01 Lot 012 which sale was evidenced by Certificate #433-07; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 12-03-07 and before the right to redeem was cut off, as provided by law, Countrywide Home Loans, Inc. claiming to have an interest in said lands, did redeem said lands claimed by Arthur Frustaci by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$113.66, which is the amount necessary to redeem Tax Sale Certificate #433-07.

NOW THEREFORE BE IT RESOLVED, on this 4th day of December 2007 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Park Finance LLC in the amount of \$579.07.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 44.01 Lot 012 from the tax office records.

Resolution 278-2007 Recreation Appointment

This resolution was tabled.

Resolution 279-2007 Transfer Appropriations

Resolution 279-2007 was moved on a motion made by Turner, seconded by Housel and adopted.

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

Ayes: 7, Nays: 0

Motion Carried

RESOLUTION # 279-2007

A RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS

WHEREAS, N.J.S.A. 40A: 4-58 provides for the transfer of excess appropriations by not less than 2/3 vote of the full membership of the governing body during the last two months of the

fiscal year; and

WHEREAS, the Borough Manager and the Chief Financial Officer have determined that excess appropriations do exist in some accounts and there is a need for supplemental appropriations in other accounts.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the following appropriation transfers are hereby approved:

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
ADMINISTRATIVE & EXECUTIVE Salary and Wages	REVENUE ADMINISTRATION Salary and Wages	\$2,406.81
MUNICIPAL CLERK Salary and Wages	REVENUE ADMINISTRATION Salary and Wages	\$1,234.75
EMERGENCY MANAGEMENT Salary and Wages	REVENUE ADMINISTRATION Salary and Wages	\$2,010.14
BOARD OF ADJUSTMENT Salary and Wages	REVENUE ADMINISTRATION Salary and Wages	\$462.00
FIRE AND SAFETY CODE ENF. Salary and Wages	REVENUE ADMINISTRATION Salary and Wages	\$122.67
TOTALS OF ALL TRANSFERS		\$6,236.37

Be It Further Resolved that a copy of this resolution be forwarded to the Chief Financial Officer for implementation.

RECAP

COUNCIL REMARKS

Mayor Van Deursen requested a copy of the Ordinance establishing the Business Improvement District. Councilwoman Woykowski has an electronic version and will forward. She stated that reports have been given to Council from those of us who went to the convention in November.

Councilwoman Oakley – No Comments

Councilman Higgins – No Comments

Councilman Turner – Commended Manager Corica for his innovative way of thinking in suggesting ways to streamline Council meetings.

Councilman Housel – Reminded Council that letters need to be sent to the homeowners in the meadows regarding the placement of their mailboxes. The Borough will not be responsible for mailboxes hit by snow plows this year. Council requested Manager Corica to send a letter to the homeowners of the meadows informing them that their mail boxes can not hang over the street and that there is no on street overnight parking in the Borough.

Councilman Cioni – Applauded Councilwoman Woykowski’s efforts on shared services. He also stated he would like to see the good neighbor policy on the next workshop agenda for discussion.

Councilwoman Woykowski – Thanked the Borough Manager for his help with shared services.

Manager Corica – Informed Council that he has been advised by the Borough Detective that the Borough must have a camera in the interview room as per the Attorney General. Council agreed that the camera may be placed in the conference room.

Manager Corica also informed Council that Mrs. Devoe is withdrawing her name from the petition regarding the vacation of the alley at North Jackson.

Manager Corica also met with Kevin Shoudt and Rick Hoyt of Veolia Water. An agreement has been made regarding the seals in the man holes. If the Borough purchases the materials; Mr. Hoyt will authorize the work be performed by Veolia at no cost to the Borough.

EXECUTIVE SESSION

Councilman Turner motioned to enter executive session after a five minutes recess; this motion was seconded by Councilman Higgins.

Ayes: 7, Nays: 0
Motion Carried

Resolution 280-2007 Executive Session

RESOLUTION 280-2007

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 10:15 p.m.

Ayes: 7, Nays: 0.
Motion carried.

Mayor Marianne Van Deursen

Kristine Blanchard, RMC Borough Clerk