

**MINUTES OF THE REORGANIZATIONAL MEETING HELD  
JANUARY 2, 2007**

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

**Oath of Office**

Prior to the Roll Call the Oath of Office was administered to Christina Woykowski, Charles Housel, David Higgins, and Victor Cioni by Richard P. Cushing, Esq., Municipal Attorney.

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

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

The Flag Salute was led by the Mayor.

The Mayor read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law’ P.L. 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 stating the time, place and purpose of the meeting as required by law.

**Mayor’s Year End Message**

Mayor Van Deursen read her year-end message that summarized the events and accomplishments of the governing body during the year. She extended her sincere thanks and appreciation to the Council and the staff for their assistance during the year.

**Holiday Yuletide Contest Winner**

Mayor Van Deursen presented the owner of Kid-n-Kaboodle, Marianne Masterelli with a plaque from the Borough of Washington for winning the Holiday Yuletide decorating contest.

**Holiday House Decorating Contest Winners**

Recreation Chairwoman Dawn Higgins presented the awards for the 2006 Holiday House Decorating Contest. This year’s winners received a certificate, a 2007 family pool pass, and a Georgina Zimmer gift basket. The winners were:

Pete and Cathy Mulligan – 46 Carlton Avenue

Paul and Sandra Reed – 6 North Prospect Street  
Arther R. and Laura Lynn Saley - 36 McKinley Ave  
Sue Burd and Ron Gane - 49 Broad Street

### **Managerial Appointments**

The following appointments were made by Manager Richard J. Sheola:

Borough Treasurer – Kay Stasyshan – 1 Year Term

Emergency Management Council

Capt. Joe Groff	Washington First Aid Squad
Chief Kurt Klausfelder	Washington Borough Fire Department
Kevin Shoudt	Veolia Water, N.A.
John Burd	Superintendent – Department of Public Works
Chief George Cortellesi	Washington Borough Police Department
Charles T. Housel	Council Representative
Marianne Van Deursen	Mayor
Richard J. Sheola	Borough Manager
Gerald PhilKill	Borough Engineer
Martha Brapston	BASF Corp.
Kevin Kuchova	Warren Lumber

### **RESOLUTIONS:**

#### **Resolution #1-2007 – Temporary Budget**

The following Resolution was moved by Housel, seconded by Oakley and adopted:

#### **RESOLUTION #1-2007**

#### **A RESOLUTION PROVIDING FOR TEMPORARY CURRENT FUND APPROPRIATIONS**

**WHEREAS**, N.J.S.A. 40A: 4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2007 Budget, temporary appropriations should be made for the purpose and amount required in the manner and time therein provided; and

**WHEREAS**, the date of this resolution is within the first thirty days of January, 2007;  
and

**WHEREAS**, the total appropriation in the 2006 budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvements, is the sum of \$5,144,088.30; and

**WHEREAS**, one fourth of the total appropriations in the 2006 Budget, exclusive of any appropriation made for interest and debt redemption charges, and capital improvements in said 2006 Budget is the sum of \$1,286,022.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey do hereby make the following temporary appropriations:

**TEMPORARY APPROPRIATIONS – 2007 BUDGET**

General Government:

General Administration	
Salary & Wages	42,750
Other Expenses	3,593
Mayor & Council	
Salary & Wages	3,625
Other Expenses	500
Elections (Municipal Clerk)	
Salary & Wages	13,500
Other Expenses	1,500
Financial Administration	
Salary & Wages	3,000
Other Expenses	1,500

General Government

Revenue Administration	
Salary & Wages	31,000
Other Expenses	1,000
Assessment of Taxes	
Salary & Wages	9,800
Other Expenses	2,650
Legal Services	
Salary & Wages	12,000
Other Expenses	5,000

Engineering Services

Other Expenses 7,500

Downtown Redevelopment

Other Expenses 6,000

Land Use Administration:

Planning Board

Salary & Wages 2,000

Other Expenses 2,500

Board of Adjustment

Salary & Wages 2,000

Other Expenses 250

Code Enforcement

Local Code Enforcement

Salary & Wages 10,000

Other Expenses 750

Insurance:

Insurances

Commercial Package 124,877

Workmen's Compensation 16,685

Group Medical 85,000

Unemployment Compensation 1,500

Surety Bonds 1,980

Public Safety:

Police Department

Salary & Wages 280,000

Other Expenses 8,000

Civil Emergency Preparedness

Salary & Wages 1,700

Other Expenses 250

Fire Department

Other Expenses 7,000

First Aid Organization

Other Expenses	0
Uniform Fire Safety Act	
Salary & Wages	4,750
Other Expenses	750
Municipal Prosecutor	
Salary & Wages	5,400
<u>Public Works:</u>	
Road Department	
Salary & Wages	85,000
Other Expenses	8,000
Garbage Collection	
Other Expenses	70,000
Public Buildings & Grounds	
Salary & Wages	0
Other Expenses	5,000
Shade Tree Commission	
Salary & Wages	400
Other Expenses	1,000
<u>Health &amp; Human Services:</u>	
Animal Regulation	
Salary & Wages	2,200

Parks and Recreation:

Recreation Commission	
Other Expenses	7,000

Education:

Library	
Salary & Wages	51,000
Other Expenses	8,000

Utilities:

Electricity	
Other Expenses	10,500

Street and Traffic Lights	
Other Expenses	18,000

Telephone	
Other Expenses	8,000

Water	
Other Expenses	1,000

Natural Gas	
Other Expenses	7,000

Heating Oil	
Other Expenses	1,000

Sewage Disposal	
Other Expenses	2,000

Gasoline & Diesel Fuel	
Other Expenses	9,000

Fire Hydrants	
Other Expenses	10,000

Solid Waste Disposal:

Solid Waste Disposal	
Other Expenses	35,500

Statutory Expenditures:

Public Employees' Retirement	59,607
Pension Adjustment Fund	8,842
Social Security	32,786
Consolidated Police & Firemen's Pension	77
Police & Firemen's Retirement	119,100

Municipal Court

Municipal Court	
Salary & Wages	24,000
Other Expenses	1,500

Public Defender	
Other Expenses	200

**TOTAL APPROPRIATIONS WITH 25% LIMITATION:           \$1,286,022.**

Debt Service:

Bond Interest	41,449
Bond Principal	135,000
Green Trust Loan Principal	7,435
Green Trust Loan Interest	2,788

**TOTAL DEBT SERVICE:   186,672**

**TOTAL ALL TEMPORARY APPROPRIATIONS:                   \$1,472,694**

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

Ayes: 6, Nays: 0.  
Abstain – 1 (Cioni)  
Motion carried.

**Resolution #2-2007 – Temporary Budget for Municipal Sewer Utility**

The following Resolution was moved on a motion made by Housel, seconded by Oakley and adopted:

**RESOLUTION #2-2007**

**A RESOLUTION PROVIDING FOR TEMPORARY  
SEWER UTILITY APPROPRIATIONS**

**WHEREAS**, N.J.S.A. 40A: 4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2007 Budget, temporary appropriations should be made for the purpose and amount required in the manner and time therein provided; and

**WHEREAS**, the date of this resolution is within the first thirty days of January, 2007; and

**WHEREAS**, the governing body of the Borough of Washington has established sewer rates based upon a projected budget for the year 2007; and

**WHEREAS**, the total appropriations for the 2006 Sewer Utility Budget, exclusive of any appropriations made for interest and debt redemption charges, and capital improvements, is the sum of \$963,464; and

**WHEREAS**, one fourth of the appropriations for the 2006 Sewer Utility Budget, exclusive of any appropriation made for interest and debt redemption charges, capital improvements is the sum of \$240,866.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey do hereby make the following temporary appropriations:

**TEMPORARY APPROPRIATIONS – 2007 SEWER UTILITY**

Operations:

Salary & Wages	25,000.
Other Expenses	215,866.
<b>TOTAL APPROPRIATIONS WITH 25% LIMITATION:</b>	<b>240,866.</b>



Debt Service

Bond Interest	7,486.
Environmental Trust/Fund Principal & Interest	30,122.
<b>TOTAL DEBT SERVICE</b>	<b>37,608.</b>

**TOTAL ALL TEMPORARY APPROPRIATIONS: 278,474.**

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

Ayes: 6, Nays: 0.  
Abstain: 1 (Cioni)  
Motion carried.

**Resolution #4-2006 – Depositories**

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

**RESOLUTION 4-2007**

**DEPOSITORIES**

**N.J.S.A. 40:A-5-14**

**BE IT RESOLVED**, by the Mayor and Common Council of the Borough of Washington, Warren County, State of New Jersey, that the following banks be designated as legal depositories for the Year 2007.

BANK OF AMERICA

COMMERCE BANK

WACHOVIA

PNC BANK

COMMERCE CAPITAL

SUMMIT FINANCIAL

THE DEPOSITORY TRUST COMPANY

**Council Discussion:**

Councilman Higgins stated he had several questions pertaining to the appointment resolutions including Resolution 4-2007. Councilman Higgins asked if the Borough is aware of what the bank fees are for the banks listed above. He also asked if the Borough is aware of what the professional's fees are for 2007.

Manager Sheola explained that the bank fees are covered by compensating balances. For example, the cost to do payroll is covered by increasing the Borough's compensating balance therefore there is no cost to the Borough. The Borough's primary bank is PNC Bank and the other banks are listed for investment purposes and there is no charge.

Councilman Higgins asked how the Borough would know that these banks are offering the best deal. Manager Sheola explained that the Borough Treasurer and the Borough Manager periodically review the banks. Changing lead banks would be a business decision that would be presented to Council if the need arose. Manager Sheola stated that this resolution basically allows the Borough to use the banks listed.

Councilman Turner asked Manager Sheola how often is the Borough reviewing the banks. Manager Sheola replied the banks are reviewed once a year. Councilman Higgins asked the Borough Manager how the Council is informed of the bank information. Councilwoman Woykowski suggested that this information be included in the Borough Manager's report. Manager Sheola indicated that it could be included in the Manager's Report when the banks are reviewed. If there was going to be a change in the designated banks it the information would definitely be presented to Council.

Councilman Higgins voiced his concern over voting on this item when Council is not sure of the bank fees. Manager Sheola indicated that he could not recall an instance where the Borough has had a service charge from a bank.

Attorney Cushing suggested that Councilman Higgins request from the Manager a short report on how the banks are used and what the charges are. Manager Sheola stated that the Borough just reviewed the banks in late summer of 2006 and decided to stay with the lead bank of PNC due, to the fact that they offer the best proposal with the highest yield and the lowest compensating balance.

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

Ayes: 5, Nays: 1.  
Abstain: 1.  
Motion carried.

Councilwoman Woykowski made a motion to have a quarterly report submitted to Council on the bank information, this motion was seconded by Councilman Turner.

Ayes: 7, Nays: 0  
Motion Carried.

**Resolution #5-2007 – Interest Rates on Taxes**

The following Resolution was moved by Housel, seconded by Higgins and adopted:

**RESOLUTION #5-2007**  
**INTEREST RATES ON TAXES**

**WHEREAS**, municipal charges, namely taxes are payable in quarterly installments due on February 1, May 1, August 1 and November 1, and the installments becoming delinquent if not paid on or before those dates.

**BE IT THEREFORE RESOLVED**, that Council does hereby authorize an interest charge not to exceed eight (8%) percent per annum on the first \$1,500.00 of the delinquency and eighteen (18%) per annum on any amount in excess of \$1,500.00 upon all delinquent installments; and

**BE IT ALSO RESOLVED**, that Council does hereby authorize a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year. The penalty so fixed shall not exceed six (6%) percent of the amount of the delinquency.

**BE IT FURTHER RESOLVED**, that any installments received after the expiration of the grace period, and such grace period shall be the period starting with the second day and ending on the 10th day after the quarterly due date, shall bear interest at the applicable interest rate from the original due date.

**BE IT FURTHER RESOLVED**, that the Tax Collector of the Borough of Washington is hereby authorized to conduct the annual sale of delinquent municipal charges, namely taxes for the Calendar Year of 2006.

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

Ayes: 5, Nays: 1.  
Abstain: 1.  
Motion carried.

**Resolution #6-2007 – Sewer Interest Charges**

The following Resolution was moved by Housel, seconded by Oakley and adopted.

**RESOLUTION #6-2007**  
**SEWER INTEREST RATES**

**WHEREAS**, municipal charges, namely sewer are payable in monthly installments due on

the 10<sup>th</sup> of the following month after billing, and the monthly installments becoming delinquent if not paid on or before those dates.

**BE IT THEREFORE RESOLVED**, that Council does hereby authorize an interest charge not to exceed eight (8%) percent per annum on the first \$1,500.00 of the delinquency and eighteen (18%) per annum on any amount in excess of \$1,500.00 upon all delinquent installments; and

**BE IT ALSO RESOLVED**, that Council does hereby authorize a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year. The penalty so fixed shall not exceed six (6%) percent of the amount of the delinquency.

**BE IT FURTHER RESOLVED**, that any installments received after the expiration of the grace period, and such grace period shall be the period starting with the second day and ending on the forty-fifth (45<sup>th</sup>) day after billing, shall bear interest at the applicable interest rate from the original due date.

**BE IT FURTHER RESOLVED**, that the Tax Collector of the Borough of Washington is hereby authorized to conduct the annual sale of delinquent municipal charges, namely sewer for the Calendar Year of 2006.

**Council Discussion:**

Councilman Turner asked the Borough Manager about the interest rates for sewer charges and how could it be possible for a residential home to have over \$1,500.00 in charges. Manager Sheola explained that it is unlikely a residential home would have charges over \$1,500.00; however these interest rates are Statutory for any municipal charge or tax.

Roll Call: Woykowski, Housel, Van Deursen, Turner, Higgins, Oakley  
Cioni (Abstain)  
Ayes: 6  
Nays: 0  
Abstain: 1(Cioni)

**Resolution #7-2007 – Deputy Borough Clerk**

The following Resolution was moved by Housel, seconded by Turner and adopted.

**RESOLUTION #7-2007**

**DEPUTY BOROUGH CLERK**

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

**WHEREAS**, under this plan the Council of the Borough is directed and authorized to appoint the **Deputy Borough Clerk** for the Borough of Washington, New Jersey.

**BE IT RESOLVED**, that Richard Sheola is hereby appointed for a term ending December 31, 2007.

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

Ayes: 6, Nays: 0.  
Abstain: 1  
Motion carried.

**Resolution #8-2007 – Municipal Attorney**

The following Resolution was moved by Higgins, seconded by Turner and adopted.

**RESOLUTION #8-2007**

**MUNICIPAL ATTORNEY**

**WHEREAS**, there exists a need for legal services to be rendered to the Borough of Washington, Warren County, New Jersey; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that the Resolution authorizing the award of contracts for professional services without competitive bidding must be publicly advertised.

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

1. That the Mayor and Common Council are hereby authorized to execute the appointment of Richard P. Cushing of the firm of Gebhardt & Kiefer, Municipal Attorney, as outlined in Article VI, Department of Law S3-40 of the Borough Code adopted by the Borough of Washington January 8, 1974.
2. This appointment is made without competitive bidding as professional service under the provisions of the Local Public Contracts Law because:

“The service to be rendered by the Municipal Attorney can only be rendered by a person that meets the qualification standards of the New Jersey State Bar and is further subject to the rules and procedures of the courts of the State of New Jersey; and further, the services which are of such a qualitative nature as will not reasonably permit the drawing of specifications for the receipt of competitive bids.”

3. A Copy of this Resolution shall be published in the Star Gazette as required by law within ten days of its passage.

**Council Discussion:**

Councilman Higgins asked Council and the Borough Manager if Request for Proposals had been obtained for this years professional appointments.

Mayor Van Deursen stated that customarily the Council will decide if they would like to go out for RFP's earlier in the year. Councilman Higgins stated that the Council should be looking to start a policy of requesting RFP's from all of its professionals. Councilman Turner stated he would like to start seeing RFP's because the Borough has not seen any in recent years.

Councilman Higgins asked if the professionals who are being reappointed are being reappointed at the rates of last year. Attorney Cushing explained that the Attorney's fees customarily go up 3% a year.

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

Ayes: 5, Nays: 1.  
Abstain: 1  
Motion carried.

At this time, Councilwoman Woykowski made a motion to adopt a policy that in June of every year, the Borough advertises for proposals from all of the professional appointments that are up at the end of the year. The proposals should be received by October 1st of every year. This motion was seconded by Councilman Higgins.

Ayes: 7, Nays: 0  
Motion Carried.

**Resolution #9-2007 – Municipal Prosecutor**

The following Resolution was moved by Housel, seconded by Oakley and adopted.

**RESOLUTION #9-2007**

**MUNICIPAL PROSECUTOR**

**WHEREAS**, there exists a need for legal services to be rendered to the Borough of Washington, Warren County, New Jersey; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that the Resolution authorizing the award of contracts for professional services without competitive bidding must be publicly advertised.

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

1. That the Mayor and common Council are hereby authorized to execute the appointment of **Roger J. Skoog, Municipal Prosecutor**, whose duties shall be as outlined in Article VI, Department of Law, S3-40 of the Borough Code adopted by the Borough of Washington on January 8, 1974 and P.L. 1996, C. 95, Section 14, together with such additional legal sources as may be authorized by the Mayor and Council.
2. This appointment is made without competitive bidding as a professional service under the provisions of the Local Public Contracts Law because:

“The service to be rendered by the Municipal Prosecutor can only be rendered by a person that meets the qualification standards of the New Jersey State Bar and further, the services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids.”

3. A copy of this Resolution shall be published in the Star Gazette as required by law within ten (10) days of its passage.

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

Ayes: 5, Nays: 1.  
Abstain: 1  
Motion carried.

**Resolution #10-2007 – Public Defender**

The following Resolution was moved by Housel, seconded by Higgins and adopted.

**RESOLUTION #10-2007**

**MUNICIPAL PUBLIC DEFENDER**

**WHEREAS**, there exists a need for legal services to be rendered to the Borough of Washington, Warren County, New Jersey; and

**WHEREAS**, P.L. 1997, Chapter 256 requires the governing body of the municipality which has a Municipal Court to appoint a **Municipal Public Defender** for a one year term from the date of his or her appointment; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:1-1 et. seq.) requires that the Resolution authorizing the award of contracts for professional services without competitive bidding must be publicly advertised.

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

1. That the Mayor and Common Council hereby appoint Scott Wilhelm, Esq. **Municipal Public Defender**, as provided for in P.L. 1997, Chapter 2356 and in accordance with Chapter 3, Article VI, S3-41.1 of the Code of the Borough of Washington.
2. This appointment is made without competitive bidding as a professional service under the provisions of the Local Public Contracts Law because:  
  
“The service to be rendered by the **Municipal Public Defender** can only be rendered by a person that meets the qualification standards of the New Jersey State Bar and is further subject to the rules and procedures of the courts of the State of New Jersey; and further, the services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids.
3. A copy of this Resolution shall be published in the Star Gazette as required by law within ten (10) days of its passage.

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

Ayes: 5, Nays: 1.  
Abstain: 1.  
Motion carried.

**Resolution #11-2007 – Municipal Auditor**

The following Resolution was moved by Oakley, seconded by Higgins and adopted.

**RESOLUTION #11-2007**

**MUNICIPAL AUDITOR**



**WHEREAS**, there exists a need for financial consultant services to be rendered to the Borough of Washington, Warren County, New Jersey; and

**WHEREAS**, funds for these services are included in the 2007 Budget; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that the Resolution authorizing the award of contracts for professional services without competitive bidding must be publicly advertised.

**NOW, THEREFORE, BE IT RSOVLED**, by the Mayor and Common Council of the Borough of Washington, Warren County, New Jersey as follows:

1. That the Mayor and Common Council are hereby authorized to execute the appointment of the firm of Suplee, Clooney, and Company as Municipal Auditor, as outlined in Chapter 7, Section 5:6 of the Administrative Code adopted by the Borough of Washington on January 2, 1969.
2. This appointment is made without competitive bidding as a professional service under the provisions of the Local Public Contracts Law because:

“The services to be rendered by the Municipal Auditors are of such a qualitative nature and will not reasonably permit the drawing of specifications of the receipt of competitive bids.”

3. A copy of this Resolution shall be published in the Star Gazette as required by Law within ten (10) days of its passage.

Council Discussion:

Councilman Turner asked if this was the only proposal received by the Borough. Mayor Van Deursen stated that the Borough Council had decided to request proposals for Municipal Auditors every five years.

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

Ayes: 5, Nays: 1.  
Abstain: 1  
Motion carried.

**Resolution #12-2007 – Waste Water Consultant**

The following Resolution was moved by Housel, seconded by Turner and defeated.

**Council Discussion:**

Councilman Turner stated that he has a large concern over Hatch Mott McDonald holding four positions in the Borough.

Councilman Higgins stated he would prefer Hatch Mott McDonald stay on as Waste Water Consultant due to the fact that we have dealt with them for many years.

Councilman Turner said the Borough should have gone out for RFP's on this position. Councilwoman Oakley agreed with Councilman Turner stating having one company hold four positions in the Borough is not a good idea.

Councilman Housel stated he would prefer to stay with Hatch Mott McDonald because they are a premiere engineering firm and they know the sewer system in great detail.

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

Ayes: 3, Nays: 3.  
Abstain: 1  
Motion Defeated.

Resolution 12-2007 was re-introduced by Councilman Higgins, seconded by Councilman Turner to amend the length of the appointment to a 6 month period.

**RESOLUTION #12-2007**

**A RESOLUTION APPOINTING WASTE WATER  
CONSULTANT**

WHEREAS, there exists a need for professional engineering services in the area of wastewater collection and treatment; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et. seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, the firm of Hatch Mott MacDonald of Millburn, New Jersey has agreed to perform professional engineering services; and

WHEREAS, the services to be provided by, Hatch Mott MacDonald of Millburn New Jersey constitutes professional services that need not be bid pursuant to the Public Contract Law (N.J.S.A. 40A: 11-1 et. seq.).

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. Hatch Mott MacDonald is hereby appointed Wastewater Consultant for the

Borough of Washington for a six month period – January through June 2007.

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

Ayes: 7, Nays: 0  
Motion Carried.

**Resolution #13-2007– Open Public Meetings Act**

The following Resolution was moved by Higgins, seconded by Oakley and adopted.

**Council Discussion:**

Councilman Turner suggested changing the June 5<sup>th</sup> 2007 meeting to Monday, June 4<sup>th</sup> 2007 as to not interfere with the Primary Election. Council concurred.

**RESOLUTION 13-2007**

**OPEN PUBLIC MEETINGS ACT**

**WHEREAS**, pursuant to the Open Public Meetings Act, P.L. 1975, C.231, the Borough of Washington is required to file and post certain notices of public meetings of the Common Council of the Borough of Washington; and

**WHEREAS**, among the obligations imposed upon the Borough of Washington is the obligation to file the said notices with the newspaper of general circulation circulating in the Borough of Washington; and

**WHEREAS**, a schedule of regular meetings must be prepared, posted and filed within (7) seven days of the date of the annual reorganization meeting of the Common Council.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Common Council of the Borough of Washington, County of Warren, State of New Jersey, that the **Star Gazette**, a newspaper published in the Town of Hackettstown, and circulating in the Borough of Washington and the **Express Times**, a newspaper published in the Town of Easton, be designated as the newspapers to which all notices of regular and special meetings of the Common Council shall be transmitted, pursuant to the provisions of the Open Public Meetings Act, P.L. 1975 C. 231.

**BE IT FURTHER RESOLVED**, by the Authority aforesaid that a copy of the attached **Schedule of Regular Meetings** be furnished to any member of the public requesting same, upon the payment by such person of the sum of \$1.00 to the Borough of

Washington, said charge to cover the cost of duplicating the same and the administrative expense of compliance with the request, all as required by the Open Public Meeting Act.

**WASHINGTON BOROUGH COUNCIL MEETINGS**

**SCHEDULE OF 2007 REGULAR MEETINGS**

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

**REGULAR MEETINGS:**

January 2, 2007	July 3, 2007
January 16, 2007	July 17, 2007
February 6, 2007	August 7, 2007
February 20, 2007	August 21, 2007
March 6, 2007	September 4, 2007
March 20, 2007	September 18, 2007
April 3, 2007	October 2, 2007
April 17, 2007	October 16, 2007
May 1, 2007	November 5, 2007 *
May 15, 2007	November 20, 2007
June 4, 2007 *	December 4, 2007
June 19, 2007	December 18, 2007

Official Action May be Taken

\* Monday Meeting

\*\* Wednesday Meeting

**ORGANIZATIONAL MEETING:** January 2, 2008 \*\*

Approved: January 2, 2007

Any business that requires Council consideration and action at a particular meeting must be in the Borough Manager's or Borough Clerk's office no later than the close of business on Thursday preceding the meeting date.

**WASHINGTON BOROUGH COUNCIL**  
**ADDITIONAL MEETINGS 2007**

**Council Workshop Meeting:**

January 30, 2007	8:00 p.m.
May 29, 2007	8:00 p.m.
July 31, 2007	8:00 p.m.
October 30, 2007	8:00 p.m.

**Council Budget Meetings:**

Saturday, February 3, 2007	9:00 a.m. – 3:00 p.m.
Sunday, February 4, 2007	1:00 p.m. – 3:30 p.m.
Saturday, February 10, 2007	9:00 a.m. – 3:00 p.m.
Sunday, February 11, 2007	1:00 p.m. – 3:30 p.m.

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

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #14-2007 – Planning Board Appointment Employee Member**

The following Resolution was moved by Housel, seconded by Turner and adopted.

**RESOLUTION #14-2007**

**PLANNING BOARD – EMPLOYEE MEMBER**

**CLASS II MEMBER**

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

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

**BE IT RESOLVED**, that a Borough Employee, **Class II Member** hereby is appointed to serve.

Richard Sheola  
Name

Term to expire on **January 1, 2008.**

The above Declaration was an appointment made by the Mayor with Council consent.

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

Ayes: 6, Nays: 0.

Abstain: 1

Motion carried.

**Resolution #15-2007 – Planning Board Appointment – Council Member**

The following Resolution was moved by Higgins, seconded by Oakley and adopted.

**RESOLUTION #15-2007**

**PLANNING BOARD – EMPLOYEE MEMBER**

**CLASS III MEMBER**

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

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

**BE IT RESOLVED**, that a Council Representative, **Class III Member** hereby is appointed to serve.

Andrew Turner  
Name

Term to expire on **January 1, 2008.**

The above Declaration was an appointment made by the Mayor with Council consent.

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

Ayes: 6, Nays: 0  
Abstain: 1  
Motion carried.

**Resolution #16-2007 – Planning Board Member – Class IV Alex Buoye**

The following Resolution was moved by Housel, seconded by Turner and adopted.

**RESOLUTION #16-2006**

**PLANNING BOARD – CITIZEN MEMBER**

**CLASS IV MEMBER**

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

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

I do hereby appoint the following named person as a **Class IV Member** to the **Planning Board**, term to expire **January 1, 2011**.

**Alexander Buoye**  
**Name**

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

Ayes: 6, Nays: 0.  
Abstain - 1  
Motion carried.

**Resolution #17-2006 – Library Board**

The following Resolution was moved by Housel, seconded by Oakley and adopted.

**RESOLUTION #17-2006**

**RESOLUTION APPOINTING A MEMBER TO THE**  
**LIBRARY BOARD OF TRUSTEES**

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

**WHEREAS**, under this plan the Mayor of the Borough is to appoint the members of the Library Board of Trustees for Washington with the consent of the Borough Council; and

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

**WHEREAS**, the Council does approve of this appointment.

**BE IT THEREFORE RESOLVED**, that the following named person is appointed to the Library Board of Trustees, for a term ending January 1, 2012.

**Charlene Jones**

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

Ayes: 5, Nays: 0.

Abstain: 2

Motion carried.

**Resolution #18-2007 – Shade Tree Commission**

The following Resolution was moved by Oakley, seconded by Turner and adopted.

**RESOLUTION # 18-2007**

**RESOLUTION APPOINTING A MEMBER TO THE  
SHADE TREE COMMISSION**

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

**WHEREAS**, the Borough of Washington, Warren County, New Jersey under this plan is directed and authorized to appoint a **Shade Tree Commission** in accordance with N.J.S.A. 40:64-2 et. seq.

**BE IT RESOLVED**, that the following named person is hereby appointed by the Mayor to serve as a member of the Shade Tree Commission for a term to expire 1/1/2012.

Patricia Huizenga



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

Ayes: 5, Nays: 0.  
Abstain: 2  
Motion carried.

**Resolution #19-2007 – Board of Adjustment**

The following Resolution was moved by Turner, seconded by Housel and adopted.

**RESOLUTION #19-2007**

**BOARD OF ADJUSTMENT**

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

**WHEREAS**, under this plan the Borough Council is directed and authorized to appoint the members of the Board of Adjustment.

**BE IT HEREBY RESOLVED**, that Charles Post be hereby appointed to the **Board of Adjustment for a term** expiring on 1/01/2011.

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

Ayes: 6, Nays: 0.  
Abstain: 1  
Motion carried.

**Resolution #20-2007- Board of Adjustment**

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

**RESOLUTION #20-2007**

**BOARD OF ADJUSTMENT**

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

**WHEREAS**, under this plan the Borough Council is directed and authorized to appoint the members of the Board of Adjustment.

**BE IT HEREBY RESOLVED**, that Tina Truman be hereby appointed to the **Board of Adjustment for a term** expiring on 1/01/2011.

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

Ayes: 6, Nays: 0.  
Abstain: 1  
Motion Carried

**Resolution #21-2007 – Recreation Commission Member**

The following Resolution was moved by Turner, seconded by Oakley and adopted.

**RESOLUTION #21-2007**

**RECREATION COMMISSION**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is now governed by Plan "E": of Municipal Charter Law; and

**WHEREAS**, under this plan the Mayor of the Borough is to appoint the members of the Board of Recreation with the consent of the Borough Council; and

**WHEREAS**, the Mayor has designated the following person as his appointee;

**WHEREAS**, the Council does approve of this appointment.

**BE IT THEREFORE RESOLVED**, that the following named person is appointed to the **Board of Recreation** for a term ending **January 1, 2012**.

**Angella Wallace**  
Name

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

Ayes: 6, Nays: 0.  
Abstain: 1  
Motion carried.

**Resolution #22-2007 – Recreation Commission**

The following Resolution was moved by Turner, seconded by Housel and adopted.

**RESOLUTION #22-2007**

**RECREATION COMMISSION**

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

**WHEREAS**, under this plan the Mayor of the Borough is to appoint the members of the Board of Recreation with the consent of the Borough Council; and

**WHEREAS**, the Mayor has designated the following person as his appointee;

**WHEREAS**, the Council does approve of this appointment.

**BE IT THEREFORE RESOLVED**, that the following named person is appointed to the **Board of Recreation** for a term ending **January 1, 2012**.

**Gary Pohorley**  
Name

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

Ayes: 6, Nays: 0.  
Abstain: 1  
Motion carried.

**Resolution #23-2007 – Business Improvement District Board Member**

The following Resolution was adopted on a motion made by Woykowski, seconded by Oakley and adopted:

**RESOLUTION #23-2007**

**BUSINESS IMPROVEMENT DISTRICT**  
**BOARD MEMBER**

**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 of the Borough is to appoint a Council member to the Business Improvement District Board with the consent of the Borough Council; and

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

**WHEREAS**, The Council does approve of this appointment.

**NOW, THEREFORE, BE IT RESOLVED**, that the following named person is appointed to the BID BOARD for a term ending **1/01/2008**.

DAVID HIGGINS

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

Ayes: 6, Nays: 0.

Abstain: 1

Motion carried.

### Minutes

Regular Meeting – December 19th, 2006

Executive Session – December 5, 2006

Executive Session – December 19, 2006

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting of December 19<sup>th</sup>, 2006, and the executive sessions of December 5<sup>th</sup> and 19<sup>th</sup> 2006.

Several minor corrections were noted by the Clerk.

Hearing no additional corrections, it was moved by Turner, seconded by Woykowski that the minutes of December 19 2006, and executive session minutes of December 5<sup>th</sup> and 19<sup>th</sup> be approved with corrections.

December 19, 2006

Ayes: 4, Nays: 0.

Abstain – 3 (Housel, Cioni and Oakley.)

Motion Carried

December 5, 2006  
Ayes: 6, Nays: 0  
Abstain: 1 (Cioni)  
Motion Carried

**COMMUNICATIONS:**

The following communications were entered into the Record:

1. NJLM Re: S-457/A-3870, Time of Decision
2. NJLM Re: Sales Tax Exemptions
3. NJLM Re: Civil Unions
4. NJLM Re: New Jersey Hall of Fame Announces Public Voting
5. NJLM Re: Regional Contribution Agreements

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

It was moved by Woykowski, seconded by Turner that the communications numbered #1 thru #5 be acknowledged, received and filed.

Ayes: 7, Nays: 0  
Motion Carried.

**AUDIENCE:**

Mayor Van Deursen entertained remarks, petitions, evidence and testimony from the audience on items that are not part of the meeting agenda.

**Richard Sherman - 15 Gardner's Court**

Mr. Sherman advised Council of several problems he is having at his home on Gardner's Court. The first being the storm-water drainage issue from Cornish Ave to the Verizon parking lot. Mr. Sherman stated that it is not. Mr. Sherman stated that he had called Verizon several times in regards to the issue. It seems that all Verizon has at the end of the parking lot is a filled in drywell that does not allow water in. The storm-water seeps onto the properties in Gardner's Court.

Attorney Cushing stated that the Borough may have jurisdiction if their site plan required some type of maintenance of the storm-water retention facility.

Mayor Marianne Van Deursen suggested to Mr. Sherman to schedule a meeting with the Borough Manager, Richard Sheola to investigate the issue further.

Mr. Sherman also stated that there is also a sanitary issue at Gardner's Court and questioned if the Borough is looking into the issue. Manager Sheola stated that the Borough is working towards a resolution on the issue. Mr. Sherman stated that every three months he

is getting sewage in his basement. Mayor Van Deursen suggested that the sanitary issue be a part of the conversation with the Borough Manager.

Councilman Turner asked Mr. Sherman when the sanitary problem first started. Mr. Sherman stated the problem began the third weekend he lived in the house and he has owned the home for 3 ½ years.

Hearing no further remarks, it was moved by Higgins, seconded by Turner that the audience portion of the meeting be closed.

Ayes: 7, Nays: 0.  
Motion carried.

### **ORDINANCES:**

NONE

### **REPORTS:**

It was moved by Housel, seconded by Oakley that the Borough Manager's Report, Borough Clerk's Report, Admin. & Exec. Report, Zoning/Code Enforcement reports be approved and filed.

### **Council Discussion:**

Councilman Higgins questioned the extraneous flow follow up on the Manager's Report. He asked about the T.V. line that was put in the discovery of a sag in the pipe. Councilman Higgins questioned the statement by Bob Clerico that there are too many variables to accurately determine who is at fault. Councilman Higgins stated he has concern over why there would be too many variables.

Manager Sheola explained that this portion of the area was part of the area that was addressed during the last phase of the extraneous flow project. There is a manhole to the east of the last house on Gardner's Court and the main was replaced up to that manhole. The line was not replaced northwest of the manhole and that is the area that has a sag in the pipe. A decision was made several years ago not to replace the line with the sag. The manhole is also six inches to high. Manager Sheola stated that the remainder of the discussion should take place in Executive Session.

Councilman Turner stated he is very unhappy about the fact that Mr. Sherman has been having a sanitary issue for over three years and no one from the Sewer Plant has informed Council on these issues.

Councilman Higgins asked about the D.P.W. garage design plans. Manager Sheola gave a brief history on the D.P.W. project up to this point. Councilman Higgins asked why the Borough is looking at redesigning the garage. Manager Sheola stated that there was no cost to meeting with this contractor for the redesign suggestions.

Councilman Cioni commented that it is a common thread that the bids are coming back much higher than the money the Borough has allocated. Councilwoman Oakley stated that particular issue was addressed several months ago and is continuing to be addressed.

Councilman Higgins voiced concerned over the meeting with the contractor for redesign suggestions. Councilman Turner explained that originally the Council wanted a Morton type building. The DPW Garage Committee asked the Borough Manager to meet with the contractor for suggestions on using the original designs for a Morton type building.

Manager Sheola explained that he has met with a Morton contractor, and he also has information regarding the Butler style building as well. The committee now needs to reconvene to decide in which direction the Borough should go.

Councilman Turner asked for an explanation on the Siphon Landscaping project. Manager Sheola stated that the Borough planted the evergreens on the South Prospect side of the street.

Ayes: 7, Nays: 0.  
Motion carried.

### **VOUCHERS:**

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

It was moved by Housel, seconded by Higgins that that the vouchers and claims be approved for payment in the amount of \$1,252,206.62 as reflected in the debit/credit memorandum on file in the Collector/Treasurer's office.

### **Council Discussion:**

Councilman Higgins asked if the \$69.00 charge for the DPW Garage had come out of the Bond Ordinance 8-2005. Manager Sheola stated that yes it had. Councilman Higgins asked if the money left over in the 2000 Bond Ordinance was part of the recent BAN sale. Manager Sheola confirmed that it was.

Councilman Higgins questioned what the \$616.00 bill for the park drainage was. Manager Sheola stated that it was for design work.

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

Ayes: 6, Nays: 0.  
Abstain: 1 (Cioni)  
Motion carried.

Councilman Housel questioned why the Borough Engineer was unaware that the Borough had 30 inch drainage pipe at the park when we just paid him \$616.00 for design work.

At this time Councilman Housel also made a motion that the bill for the Borough Engineer for \$616.00 be pulled from the bill list until an explanation from the Engineer can be obtained. Councilwoman Woykowski seconded the motion.

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

Ayes: 7, Nays: 0  
Motion Carried.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**Resolution #24-2007 – Establishing Insurance Commissioners**

The following Resolution was moved by Housel, seconded by Oakley and adopted:

**RESOLUTION #24-2007**

**A RESOLUTION DESIGNATING THE BOROUGH MANAGER AS THE STATEWIDE INSURANCE FUND COMMISSIONER AND BOROUGH CLERK AS ALTERNATE COMMISSIONER FOR THE YEAR 2007**

**WHEREAS**, pursuant to the Bylaws of the Statewide Insurance Fund, each local unit member is required to appoint a Commissioner to represent them in the Fund; and

**WHEREAS**, the Fund Administrator is required annually to submit the full name and title of each appointed Fund Commissioner to the State of New Jersey, Department of Insurance; and

**WHEREAS**, the Borough Manager is the Chief Executive Officer of the Borough of Washington and authorized to represent the Borough's interest in matters of intergovernmental affairs and to negotiate contracts on behalf of the municipality.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Borough Manager Richard Sheola is hereby appointed to represent the Borough as the Fund Commissioner to the Statewide Insurance Fund for the year 2007.

**BE IT FURTHER RESOLVED**, in the event of the Borough Manager's absence, Borough Clerk, Kristine Blanchard is hereby appointed Alternate Commissioner to the



Statewide Insurance Fund for the year 2007 and that notice of these appointments be forwarded to the Fund Administrator of the Statewide Insurance Fund.

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

Ayes: 6, Nays: 0.  
Abstain: 1  
Motion carried.

**Resolution #25-2007 – Tax Appeals**

The following Resolution was moved by Housel, seconded by Oakley and adopted:

**Resolution 25-2007**

**RESOLUTION AUTHORIZING THE TAX ASSESSOR AND LEGAL COUNSEL OF  
THE BOROUGH OF WASHINGTON TO FILE AND PROSECUTE ANY  
AND ALL TAX APPEALS BEFORE THE WARREN COUNTY BOARD OF  
TAXATION AND THE TAX COURT OF NEW JERSEY.**

**WHEREAS**, the County Tax Board has issued a ruling requiring a Resolution by the Mayor and Council of each and every municipality in Warren County through their Administrator, Melissa Pritchett, CTA; and

**WHEREAS**, said Administrator requires that the Mayor and Council of each municipality in the County of Warren adopt a Resolution to authorize the Assessor of the municipal and their legal counsel to file and prosecute any and all tax appeals before the Warren County Board of Taxation.

**NOW, THEREFORE, BE IT RESOLVED**, that Athan Efstathious, CTA, Assessor of the Borough of Washington, County of Warren and State of New Jersey, and Richard M. Conley, Esq., special counsel for the Borough of Washington, County of Warren and State of New Jersey are hereby authorized to file, prosecute, stipulate, modify, agree upon and otherwise perform the duties which are required of said Assessor and Attorney, in the process of prosecution and/or filing of said Tax Appeals, within the jurisdiction of the Warren County Board of Taxation of the Tax Court of New Jersey.

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

Ayes: 6, Nays: 0  
Abstain: 1  
Motion Carried.

**Resolution #26-2007 –Re-establishing Borough Policies.**

The following Resolution was moved by Turner, seconded by Oakley and adopted:

**RESOLUTION 26-2007**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON READOPTING AND AFFIRMING VARIOUS POLICIES OF THE GOVERNING BODY OF THE BOROUGH OF WASHINGTON COUNTY OF WARREN STATE OF NEW JERSEY**

**WHEREAS**, the Mayor and Council of the Borough of Washington have, from time to time adopted certain policies by resolution pertaining to the efficient operation of the municipal government; and

**WHEREAS**, the Municipal Attorney and Municipal Auditor have investigated the status of these policies and have concluded that these policies should be readopted and reaffirmed each and every year unless they are adopted by way of an ordinance; and

**WHEREAS**, it is the desire of the Mayor and Council to retain the flexibility of dealing with policy matters through the format of resolution of the governing body as opposed to the ordinance procedures; and

**WHEREAS**, the governing body desires to readopt and affirm its existing policies kept on file with the Municipal Clerk.

**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 named policies on file with the Municipal Clerk shall be readopted and affirmed as legal policies of the Borough of Washington and shall remain in full force and effect until either repealed or amended:

Personnel Policy – as adopted on November 9, 1982 and amended on September 16, 1986, December 19, 1989, November 16, 1992, December 30, 1993, August 2, 1994, April 16, 1996, December 3, 1996, October 5, 1999, December 17, 2002 and May 6, 2003.

Cash Management Policy – as adopted on August 20, 1991, and amended on December 13, 2005.

Policy Regarding Complaints Against Borough Employees Lodged by Citizens – as adopted on April 18, 1989, and amended on October 4, 2005.

Policy on a Drug-Free Workplace – as adopted on November 16, 1992.

Policy on Equal Employment Opportunity and Affirmative Action – as adopted on November 16, 1992.

Policy on Claims Against the Borough Alleging Discrimination on the Basis on Handicap – as adopted on September 25, 1984.

Technology Master Plan – as adopted on December 13, 2005.

Policy on Conferences – as adopted on April 18, 2006.

Policy on Computer Use – as adopted April 18, 2006.

Purchasing Policy – as adopted May, 2005

Policy on Solicitation of Price Quotes for Insurance Coverage – as adopted on June 22, 1982, and amended on December 13, 2005.

Policy on Leaf Collection – as adopted on June 25, 1985, and amended on December 13, 2005.

Policy Regarding Outside Employment of Off-Duty Municipal Police Officers – as adopted on March 20, 1990.

Policy of the Borough of Washington for Extensions of Sewer Mains in Public Rights-of-way – as adopted on May 1, 1990

Borough Policy on Sexual Harassment – as adopted on November 16, 1992.

Council Policy Regarding Citizen Requests to Vacate Municipal Streets – as adopted on November 21, 1989.

Drug/Alcohol Testing Policy Mandated for Employees with Commercial Driver's License (CDL) – as adopted on January 23, 1996.

Washington Borough Police Department Manual – as adopted on March 5, 1996.

Council Policy for the Accountability of Checks – as adopted on April 7, 1998.

**BE IT FURTHER RESOLVED**, that these policies may be inspected during normal working hours at the Borough Clerk's office and copies of any or all policies may be requested and will be supplied upon payment of the required copy fee established by Borough Ordinance.

**BE IT FURTHER RESOLVED**, that nothing shall effect the validity of any administrative policy or regulation of the Borough of any By-law or policy or regulation of any other Board, Commission, Agency or Department of the Borough of Washington due to the fact that it is not mentioned, noted, named, or included above in this Resolution.

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

Ayes: 6, Nays: 0.

Abstain: 1

Motion carried.

Councilman Turner suggested that a copy of these Borough policies be forwarded to the new Council members.

**Resolution 27-2007 – Appointment of Risk Manager**

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

Council discussed and agreed that Resolution 27-2007 be amended to a three month period – from January 1 – March 31, 2007. Request for Proposals will be requested by mid February 2007.

**RESOLUTION 27 - 2007**

**RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT FOR THE  
BOROUGH OF WASHINGTON COUNTY OF WARREN STATE OF NEW JERSEY  
FOR THE YEAR 2007**

**WHEREAS**, the Borough of Washington (hereafter “LOCAL UNIT”) has joined the Statewide Insurance Fund (hereinafter “FUND”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq; and

**WHEREAS**, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the FUND; and

**WHEREAS**, the FUND has requested its members to appoint individuals or entities to that position; and

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

1. The Borough of Washington hereby appoints John Moore of Banc of American Corporate Insurance Agency, LLC, as its local Risk Management Consultant for a Three (3) month period January – March 2007.

**Resolution 28-2007 – Authorization of the Risk Managers Agreement**

Resolution was moved on a motion made by Housel, seconded by Higgins and adopted with changes to reflect a three month period. Councilwoman Oakley noted that the actual agreement needs to be changed as well in paragraph three.

**RESOLUTION #28-2007**

**RESOLUTION APPROVING RISK MANAGEMENT CONSULTANT AGREEMENT  
FOR THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF  
NEW JERSEY FOR THE YEAR 2007**

**WHEREAS**, the Borough of Washington (hereafter “LOCAL UNIT”) has joined the Statewide Insurance Fund (hereinafter “FUND”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

**WHEREAS**, the Borough of Washington has appointed John Moore of Banc of America Corporate Insurance Agency as its Risk Manager for the period of January 1, 2007 through March 31, 2007; and

**WHEREAS**, it is in the best interest of the parties to formalize the appointment through a written agreement outlining the terms and conditions of the appointment; and

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

1. The Borough Manager and John Moore hereby authorized to execute the Risk Management Consultant’s Agreement for the fund year 2007, as noted above, in the form attached hereto.

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

Ayes: 7, Nays: 0  
Motion Carried.

**Resolution 29-2007 Waste Water Engineer Agreement**

The following Resolution was moved on a motion made by Turner, seconded by Higgins and adopted with changes to reflect a six month appointment. The changes will also need to be reflected in the agreement.

**RESOLUTION #29-2007**

**A RESOLUTION AUTHORIZING THE MAYOR TO  
ENTER INTO A CONTRACT FOR PROFESSIONAL  
SERVICES WITHOUT SEEKING COMPETITIVE BIDS.**

WHEREAS, there exists a need for professional engineering services in the area of wastewater collection and treatment; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et. seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, the firm of Hatch Mott MacDonald of Millburn, New Jersey has agreed to perform professional engineering services, as outlined in the proposed Agreement for Professional Engineering Services attached hereto; and

WHEREAS, the services to be provided by, Hatch Mott MacDonald of Millburn New Jersey constitutes professional services that need not be bid pursuant to the Public Contract Law (N.J.S.A. 40A: 11-1 et. seq.).

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 Clerk are hereby authorized and directed to enter into the attached Agreement with Hatch Mott MacDonald of Millburn, New Jersey for the period of January 1, 2007 through June 30, 2007;
2. The contract is awarded without competitive bidding as professional services in accordance with N.J.S.A. 40A: 11-5; and
3. The necessary funds are available in the 2007 Municipal Budget and 2007 Sewer Utility Budget.
4. Notification of the contract award shall be printed in the Star Gazette.
5. That an executed copy of the contract between the parties be on file with the Office of the Clerk and be available for public inspection in accordance with the law.

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

Ayes: 5, Nays: 2  
Motion Carried.

At this time, a motion was made by Councilman Housel, seconded by Councilman Turner that the Borough of Washington request proposals for the Waste Water Consultant in early March 2007 with a return date of early April.

Ayes: 7, Nays: 0  
Motion Carried

**Resolution 30-2007 Transfer Resolution**

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

**RESOLUTION 30-2007**  
**A RESOLUTION AUTHORIZING THE TRANSFER OF RESERVE**  
**APPROPRIATIONS**

WHEREAS, various 2006 bills have been presented for payment this year, which bills were not covered by purchase orders and encumbered at the time of appropriation transfers between 2006 budget accounts during the last two months of 2006; and

WHEREAS, NJSA 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available until lapsed at the close of the succeeding year to meet specific claims, commitments, or contracts incurred during the preceding fiscal year, and allow transfers to be made by not less the 2/3 vote of the full membership of the governing body from unexpended balances which are expected to be sufficient to accounts with insufficient appropriation balances during the first three months of the succeeding year; and

WHEREAS, the Borough Manager and the CFO 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, in the County of Warren, State of New Jersey that the following appropriation transfers are hereby approved.

TRANSFER FROM	TRANSFER TO	AMOUNT
Planning Board Other Expenses	Board of Adjustment Salary and Wages	206.00
Police Department Other Expenses	Police Department Salary and Wages	7,000.00
General Administration Salary and Wages	Police Department Salary and Wages	4,000.00
Revenue Administration Salary and Wages	Police Department Salary and Wages	2,700.00

General Administration	Municipal Court	9.00
Salary and Wages	Salary and Wages	
Total		13,915.00

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

Ayes: 6, Nays: 0  
Abstain: 1  
Motion Carried

**Resolution 31-2007 Change Order Resolution – Fire Truck**

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

**RESOLUTION 31-2007**  
**A RESOLUTION APPROVING CHANGE ORDER #1 RELATED TO THE DESIGN**  
**AND PURCHASE OF A AUTOMOTIVE FIRE PUMPING APPARATUS**

WHEREAS, the Borough of Washington has publicly bid for the purchase of a automotive fire pumping apparatus; and

WHEREAS, from time to time during the final design process, various changes and adjustments are necessary; and

WHEREAS, the Washington Borough Fire Department Truck Committee have met with the manufacturer at the factory and have recommended the following Change Order:

Deletions	(\$1,950.00)
Additions	\$9,645.00
Net Change	\$7,965.00

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

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 #1 and authorize the Borough Manager and Washington Borough Fire Department to prepare the necessary documents as soon as possible and for the



Borough Manager to execute the change order on behalf of Washington Borough.

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

Ayes: 6, Nays: 0  
Abstain: 1  
Motion Carried

**Resolution 32-2007 Authorizing Agreement between USEPA and CH2M HILL**

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

**RESOLUTION 32-2007**

**RESOLUTION AUTHORIZING THE BOROUGH AMMANER TO SIGN RENTAL AGREEMENT WITH UNITED STATES DEPARTMENT OF ENVIRONMENTAL PROTECTION AND CH2M HILL BY THE BOROUGH OF WASHINGTON WARREN COUNTY**

WHEREAS, the Borough of Washington has previously entered in to an Access Agreement with the United States Environmental Protection Agency (USEPA) and CH2M Hill for the purpose of staging equipment at the Borough Waste Water Treatment Facility; and

WHEREAS, to provide for access to the site during non business hours, USEPA and Hill have agreed to pay for the installation of such security measures as deemed appropriate for the site; and

WHEREAS, the security measures are to be paid via monthly rental fee of \$400 per week for the term of 25 Weeks, regardless of the length of actual use of the facility; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of The Borough Of Washington, Warren County, New Jersey, that the Borough Manager is authorized to sign and complete the requirements for the Rental Agreement for Security Measures with USEPA and Hill in an expeditious manner.

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

Ayes: 6, Nays: 0  
Abstain: 1  
Motion Carried.

### **Reappointments for Council Subcommittees**

Council discussed the appointments for subcommittees for the year 2007. The following are the appointments.

Senior Services:	Heather Oakley and Andrew Turner
Website Committee:	Mayor Van Deursen and Victor Cioni
Redevelopment Committee:	Christina Woykowski, and Andrew Turner
Streets Committee:	Terry Housel and David Higgins
Curfew Committee:	Heather Oakley, David Higgins, and Terry Housel.
Warren Morris Council of Governments:	Christina Woykowski and Andrew Turner
Property Maintenance Code:	Victor Cioni

### **Approval of Council Appearances**

It was moved by Higgins, seconded by Cioni, that the Council Appearances Schedule be approved as presented.

Mayor Van Deursen suggested bringing Kevin Shoudt from the Sewer Plant in for two appearances.

Ayes: 7, Nays: 0  
Motion Carried.

### **COUNCIL REMARKS:**

Councilwoman Oakley welcomed Councilman Cioni and Councilman Higgins and stated she is looking forward to working with everyone this year.

Councilman Turner also stated he is looking forward to working with everyone this year and is also looking forward to completing goals Council has set forth.

Councilwoman Woykowski also welcomed the new members.

Councilman Cioni stated he is also very excited about working with everyone. He has a lot of ideas and looks forward to the learning experience.

Councilman Housel also welcomed the new members and looks forward to a busy year with many accomplishments.

Councilman Higgins also stated he is excited to be back on Council and looks forward to working with everyone.

Mayor Van Deursen welcomed Councilman Higgins and Councilman Cioni. She stated she was very pleased with the Council's ability to share their concerns in a healthy and respectful manner.

**Executive Session**

It was moved by Higgins seconded by Turner that Council go into Executive Session to discuss personnel and potential litigation matters after a short recess.

**RESOLUTION 33-2007**

**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:**
  - Negotiations**
  - Litigation**

Ayes: 7, Nays: 0.  
Motion carried.

Council went into Executive Session with everyone present. Councilman Higgins and Councilman Housel excused themselves from Executive Session due to a conflict.

It was moved by Turner, seconded by Oakley that Council go out of Executive Session and back into open session at 12:00 a.m.

Ayes: 5, Nays: 0.  
Motion carried.

Hearing no further business to come before Council, it was moved by Turner, seconded by Oakley that the meeting be adjourned at 12:00 a.m.

Ayes: 5, Nays: 0.  
Motion carried.

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Marianne Van Deursen, Mayor

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Kristine Blanchard, RMC  
Borough Clerk