

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – FEBRUARY 19, 2008**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:30 P.M.

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

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

Executive Session - Dr. Frank Mangraviti

Motion made by Woykowski, seconded by Oakley to enter executive session.

Ayes: 7
Nays: 0
Motion Carried:

Also present during Executive Session: Andrew Holt, CME – Borough Engineer/Sewer Engineer
Jim Sheldon – BID Director

Motion to exit Executive Session made by Housel, seconded by Higgins.

Ayes: 7, Nays: 0
Motion Carried

Council reconvened after a five minute recess.

A moment of silence was held in honor of Mr. Alvin Sloan former Mayor of the Borough of Washington.

MINUTES:

Mayor Van Deursen entertained additions or corrections to the minutes of the Budget Workshop Meeting of January 29, 2008.

Councilman Higgins requested Councilman Cioni's comments from the January 29th meeting be added to the minutes.

Hearing no further comments it was moved by Woykowski, seconded by Oakley that the minutes of January 29, 2008 approved.

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

Ayes: 7
Nays: 0
Motion Carried.

COMMUNICATIONS:

The following communications were entered into the Record:

1. NJLM Re: COAH Mercer/Middlesex Regional Meeting
2. NJLM Re: CY 2008 Municipal and County Budget Guidance
3. NJLM Re: New Jersey Digital Government Summit
4. NJLM Re: Information on QPA
5. Heritage Conservancy: Proposed NJ Scenic Byway Designation for Route 57 (in packets)
6. NJ Department of Environmental Protection Re: DEP Report on Stormwater Pollution Control Requirements. (in packets)
7. Letter from Recreation Commission (in packets)

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

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

Ayes: 7, Nays: 0.
Motion carried.

Councilwoman Woykowski noted communication number five. She stated that the Borough should request from the other municipalities their feelings on the topic prior to the Borough adopting a Resolution. Jim Sheldon, Bid Director stated that Karen Williamson from the Heritage Conservancy is presenting in Washington Township this evening; Jim will contact her to gather additional information. Mr. Sheldon will provide additional information to the Council. Council agreed to have Karen Williamson present to Council the second meeting in March.

AUDIENCE:

Dawn Higgins, Recreation Chairperson read a prepared statement to Council. The statement is as follows:

As the events of the past several weeks have unfolded it has become increasingly clear to me what my course of action should be. I have looked at my almost nine years with Recreation Commission as a labor of love. I with my fellow Commissioners have put in countless volunteer hours to improve services for our Community. We have planned permitted and executed many diverse programs such as: Free Concerts, Baseball/Softball Tournaments, Revivals, Fourth of July Floats, Military Band Concerts, Men's Basketball Tournaments, and Nine Sports programs. The Recreation Commission has added new programs such as the battle of the bands, children's day event, holiday house decorating contest, tree lighting with Santa and movie, and movies in the park. The Recreation Commission also developed and administered the annual budgets, hired personnel as needed for the park, ordered equipment and supplies as needed, administered Borough policies, made repairs on our own dime, patrolled the park after hours, developed and executed plans for the new pool project, and developed and presented plans for the Railroad Avenue project.

We provided the same level of programming and more while, I can say proudly, staying within the budget that has been consistently cut for the past five years.

I have availed myself to the many workshops and training that was offered by the New Jersey Recreation and Parks Association. I initiated the use of the Association as a resource for the Commission. I attended local district meetings and met many professionals who admired the fact that we do their job for free.

As the recent Chair of the Commission I made it my goal to keep the council in the loop of all the activities of the Commission. I took an active role in dealing with the many projects going on at the Park. For instance, when Lucas Electric damaged the field on the first day of construction I had them come back to the field to fix the damage. I worked closely with our vendor to install new playground equipment. I visited the Township for a demonstration of the new watering system for Vara Field, before we purchased one for the Borough. I am in constant contact with T & M Assoc. regarding the pool project. Our relationship with T&M is good but I will tell them when they are wrong. I was the one who told them the Borough is not paying for additional grounding work. I expressed my displeasure when a change order was not done properly and yet we continue to have good open communication despite some bumps in the project.

It is in vein that I must address my future with the Recreation Department of the Borough. It is imperative that a successful working relationship have honesty, trust, and good communication. In recent weeks, Council has moved to abolish the Recreation commission. It is puzzling to me why you chose to do this move in secret and not include the Recreation Commission from the onset. To compound that you have made comments that insult the very definition of the word volunteer.

“Volunteers shouldn’t tell paid employees what to do.” “They (the Commission) don’t have the professional training to do the job.” “If you quit that would be selfish and hurt the town and the kids.” “Why is it so important to have control of the money if you’re doing it for the kids?”

These comments and others are a slap in the face for every hour of volunteer time that was spent on the Commission. Considering the fact four out of the six Commissioners don’t have children in the programs.

With the recent actions and story lines, coupled with the manner in which you executed the vote on January 29, 2008, has left me no confidence that you will work with us in a forthright manner. I cannot continue with a severed relationship, so I will be stepping down from my duties as a Recreation Commissioner effective immediately.

Mayor Van Deursen stated she was sorry to hear that Ms. Higgins was stepping down. She has contributed much to the community and all of Council is very grateful.

ORDINANCES:

None

REPORTS:

It was moved by Higgins, seconded by Oakley that the Council acknowledge, receive and file the Borough Engineer Report, Fire Prevention Report, Police Activity Report, Municipal Court Report, Highway Department Report, and the Issues and Details 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: Councilman Higgins stated the sewer committee met and reviewed the H2M report. The sewer committee is recommending no conditional approvals on sewer capacity by the Planning Board. Councilman Turner stated that the new Planning Board Engineer is well aware that we no longer want conditional approvals. Councilwoman Woykowski commented that if there are conditionals granted; we need to have them attached to the Ordinance. Councilman Higgins asked Attorney Cushing if this will require an Ordinance change. Mr. Cushing explained that most Zoning and Planning Boards have a check list which is adopted by Ordinance by the Governing Body. Mayor Van Deursen stated the Planning Board is reviewing the check list document now. It will be presented to Council for adoption.

Councilman Higgins stated that the sewer treatment facility has not yet reached 80% capacity which would require a plan by the D.E.P; however it is the committee's recommendation that one be adopted prior to hitting the 80% mark. It should be noted that Warren Hills High School and the Acme Plaza are hooked into the Borough sewer system. Council discussed the need to re-evaluate what is going on at the High School concerning additions. How is the Borough informed that their usage is going up? Manager Corica will review six months of water bills from the schools. Manager Corica also stated a procedure needs to be established with Washington Township for notifying the Borough in situations like this. Attorney Cushing stated that the Sewer Ordinance addresses this topic. The Ordinance stated that the water usage should be reviewed every five years.

Councilman Higgins also cautioned Council that if the sewer permit changes to 1.1 the Borough will have no additional sewer capacity.

The committee also discussed the situation at Gardner's Court. A plumber suggested installing a gated ball valve in the lines. This will allow the two homeowners affected to manually close the line and prevent back ups into the home. Councilman Higgins stated it is the least expensive way to temporarily solve the issue. The cost of the valves in both homes will be \$1,500.00.

Councilman Higgins motioned for the Borough paying for the installation of the valves, seconded by Councilman Housel by either having a written agreement with the homeowner or having the homeowner hire a contractor to install the valves and letting the Borough pay for it.

Ayes: 7, Nays: 0
Motion Carried

Streets Committee: No Report

Finance Committee: No Report

Shared Services Committee: Mayor Van Deursen stated there is a meeting scheduled with Washington Township on February 20th.

Senior Services: Councilman Higgins informed Council of a program being offered by the County on emergency awareness and viral infections.

Website Committee: No Report

Curfew Committee: No Report

Pedophile Ordinance Committee: No Report

Bid – Mayor Van Deursen requested that Mr. Sheldon provide a copy of the minutes from the Bid retreat be given to Council.

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 Turner questioned the oil being used at the DPW garage. He commented that it seems excessive. Councilman Housel questioned the voucher for a mailbox. Manager Corica explained that this was for a drop box for tax payments, court payments, etc.

Hearing no further comments or questions the vouchers and claims were approved for payment in the amount of \$ 609,929.67.

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

Ayes: 7, Nays: 0.

Motion carried.

OLD BUSINESS:

Recreation Commission Draft Ordinance

Mayor Van Deursen requested Council send the proposed Ordinance to a workshop meeting of the Governing Body for further review. No changes have been suggested by the Recreation Commission. Council concurred to hold a workshop on February 26, 2008 at 7:30 p.m.

NEW BUSINESS

**Managers Appointment to the Emergency Management Council – Eddie Dalton
Operations Manager BASF**

Manager Corica appointed Eddie Dalton to the Emergency Management Council.

License Agreement for Downtown Security Cameras

Manager Corica explained this document if for informational purposes. When the agreements are finalized they will be presented to Council for approval. Councilwoman Woykowski asked who will own the security cameras. Manager Corica indicated that the BID will be giving ownership to the Borough. She requested that ownership and maintenance responsibility should be put into the documents for future Council members.

Councilman Housel left the meeting at this time.

Approval of Washington Fire Department Raffle Application

The Borough Clerk indicated that the Fire Department will be extending the selling of raffle tickets by one week. The paperwork will be amended.

Approval was moved on a motion made by Oakley, seconded by Turner and adopted.

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

Ayes: 6, Nays: 0
Motion Carried

Resolutions 61-2008 through 67-2008

Resolutions 61-2008 through 67-2008 were moved on a motion made by Higgins, seconded by Oakley and adopted.

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

Ayes: 6, Nays: 0
Motion Carried

Resolution 61-2008 Return of Special Police Escrow – Dulaine

RESOLUTION # 061-2008

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

WHEREAS, Dulane Contracting, Inc., has posted fees to cover anticipated costs of special police services with the Borough of Washington prior to specific planned events; and

WHEREAS, these funds were posted in the Dulane Contracting, Inc. Special Police Escrow Account to cover these anticipated costs; and

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

WHEREAS, the Borough Treasurer has determined that all outstanding bills have been paid for special police services,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the Municipal Treasurer is hereby authorized to issue a check to: Dulane Contracting, Inc., 904 McKinley Street, Bridgewater, N.J., 08807 for the actual account balance in the Special Police Services Escrow account.

Resolution 62 – 2008 Return of Special Police Escrow – Hoff Bros.

RESOLUTION # 062-2008

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

WHEREAS, Hoff Brothers Plumbing & Excavating, has posted fees to cover anticipated costs of special police services with the Borough of Washington prior to specific planned events; and

WHEREAS, these funds were posted in the Hoff Brothers Plumbing & Excavating Special Police Escrow Account to cover these anticipated costs; and

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

WHEREAS, the Borough Treasurer has determined that all outstanding bills have been paid for special police services,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the Municipal Treasurer is hereby authorized to issue a check to: Hoff Brothers Plumbing & Excavating, 2504 Plainfield Avenue, Scotch Plains, N.J., 07076 for the actual account balance in the Special Police Services Escrow account.

Resolution 63-2008 Return of Special Police Escrow – PNC Bank

RESOLUTION # 063-2008

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

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

WHEREAS, these funds were posted in the PNC Bank Special Police Escrow Account to cover these anticipated costs; and

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

WHEREAS, the Borough Treasurer has determined that all outstanding bills have been paid for special police services,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the Municipal Treasurer is hereby authorized to issue a check to: PNC Bank, 48 West Washington Avenue, Washington, N.J. 07882 for the actual account balance in the Special Police Services Escrow account.

Resolution 64-2008 Return of Special Police Escrow - Jewish Center

RESOLUTION # 064-2008

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

WHEREAS, Jewish Center of Northwest Jersey Inc., has posted fees to cover anticipated costs of special police services with the Borough of Washington prior to specific planned events; and

WHEREAS, these funds were posted in the Jewish Center of Northwest Jersey Special Police Escrow Account to cover these anticipated costs; and

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

WHEREAS, the Borough Treasurer has determined that all outstanding bills have been paid for special police services,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the Municipal Treasurer is hereby authorized to issue a check to: Jewish Center of Northwest Jersey, c/o Paul May, 57 Philhower Road, Lebanon, NJ 08833 for the actual account balance in the Special Police Services Escrow account.

Resolution 65-2008 Return of Special Police Escrow – Washington Theatre

RESOLUTION # 065-2008

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

WHEREAS, Washington Theater Enterprises, LLC., has posted fees to cover anticipated costs of special police services with the Borough of Washington prior to specific planned events; and

WHEREAS, these funds were posted in the Washington Theater Enterprises, LLC, Special Police Escrow Account to cover these anticipated costs; and

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

WHEREAS, the Borough Treasurer has determined that all outstanding bills have been paid for special police services,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the Municipal Treasurer is hereby authorized to issue a check to: Washington Theater Enterprises, LLC, 105 East Washington Avenue, Washington, NJ, 07882 for the actual account balance in the Special Police Services Escrow account.

Resolution 66 – 2008 Return of Special Police Escrow Verizon

RESOLUTION # 066-2008

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

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

WHEREAS, these funds were posted in the Verizon Communications Special Police Escrow Account to cover these anticipated costs; and

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

WHEREAS, the Borough Treasurer has determined that all outstanding bills have been paid for special police services,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the Municipal Treasurer is hereby authorized to issue a check to: Verizon Communications, R. Flint, R.O.W. Agent, Verizon New Jersey, 175 Park Avenue, Madison, NJ 07940 for the actual account balance in the Special Police Services Escrow account.

Resolution 67-2008 Return of Sewer Refund

RESOLUTION #67-2008

**A RESOLUTION AUTHORIZING THE REFUNDING OF
AN OVERPAYMENT OF THE BOROUGH'S
SEWER SERVICE CHARGE**

WHEREAS, according to the Treasurer's records, there is an overpayment showing on the following property; and

<u>BLOCK/LOT</u>	<u>PROPERTY OWNER/ PROPERTY LOCATION</u>	<u>AMOUNT TO BE REFUNDED</u>
20.01/2	Thomas Smeraldo 38 West Johnston St.	\$ 45.00

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$45.00 should be mailed to:

Thomas Smeraldo
Rose Park Apts.
670 Parliament St. Apt.#708
Toronto, Ontario CANADA, M4X1R4

WHEREAS, the Borough Treasurer's office has received a written request that the above amount be refunded.

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 Treasurer is authorized to refund the above overpayment amount.

Resolution 68-2008 Resolution to Approve Budget Transfer

Resolution 68-2008 was moved on a motion made by Turner, seconded by Oakley and adopted.

RESOLUTION # 68 – 2008
A RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS

WHEREAS, N.J.S.A. 40A: 4-59 provides for the transfer of excess appropriations by not less than 2/3 vote of the full membership of the governing body during the first three 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>
POLICE Other Expenses	PLANNING BOARD Other Expenses	\$1,305.81
TOTALS OF ALL TRANSFERS		\$1,305.81

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

Roll Call: Higgins, Turner, Oakley, Cioni, Woykowski, and Van Deursen.
Ayes: 6, Nays: 0
Motion Carried

Resolution 69-2008 Amend Temporary Budget

Resolution 69-2008 was made by Turner, seconded by Oakley and adopted.

RESOLUTION # 69-2008
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
WASHINGTON, WARREN COUNTY, TO AMEND THE
2008 TEMPORARY BUDGET

WHEREAS, a temporary budget was approved by Resolution 1-2008; and

WHEREAS, N.J.S.A. 40A: 4-20 provides that emergency temporary appropriations may be made “for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year,” by a 2/3 vote of the full membership of the governing body; and

WHEREAS, it has been determined that there is a need for additional appropriations not included in the temporary budget.

NOW, THEREFORE, BE IT RESOLVED, by the a 2/3 vote of the full membership of the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the temporary budget for the year 2008 is hereby amended to add the follow amounts:

Utilities – Heating Oil Other Expenses

\$2000.00

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

Ayes: 6, Nays: 0
Motion Carried

Resolution 70-2008 Amend Temporary Sewer Budget

Resolution 70-2008 was moved by Turner, seconded by Oakley and adopted.

RESOLUTION # 70-2008
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
WASHINGTON, WARREN COUNTY, TO AMEND THE
2008 SEWER TEMPORARY BUDGET

WHEREAS, a temporary budget was approved by Resolution 2-2008; and

WHEREAS, N.J.S.A. 40A: 4-20 provides that emergency temporary appropriations may be made “for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year,” by a 2/3 vote of the full membership of the governing body; and

WHEREAS, it has been determined that there is a need for additional appropriations not included in the temporary budget.

NOW, THEREFORE, BE IT RESOLVED, by the a 2/3 vote of the full membership of the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the temporary budget for the year 2008 is hereby amended to add the follow amounts:

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

Ayes: 6, Nays: 0
Motion Carried

COUNCIL REMARKS

Mayor Van Deursen stated that before Mr. Sloan passed away he stated a few things to her that she would like to share. He wanted to tell Mr. Sheldon that he was wrong about the downtown redevelopment. This Governing Body and the Redevelopment Board have accomplished what he would never be able to accomplish. He also stated that this is the first Governing Body working for the community rather than politics.

Councilman Cioni left the meeting at this time.

EXECUTIVE SESSION

Resolution 71-2008 Executive Session

RESOLUTION 71-2008

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 Woykowski, seconded by Oakley that the meeting be adjourned at 11:30 p.m.

Ayes: 5, Nays: 0.
Motion carried.

Mayor Marianne Van Deursen

Kristine Blanchard, RMC Borough Clerk