

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – April 15, 2008**

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

Roll Call: 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

Judge Edward Palmer and Ginny Cortese, Court Administrator – Municipal Court

Judge Palmer updated Council on the status of the court for 2007. There were 2,289 traffic complaints in 2007 which include 12 DUI’s, 1,810 moving violations, and 467 parking violations. There were 677 criminal complaints. There were 318 Borough Ordinance violations. The Court collected 254,322.06 in overall fines and costs. The court is running smoothly, and the auditors report is favorable. Ms. Rudd has been working towards her Municipal Court Administrator Certification.

Mayor Van Deursen thanked Judge Palmer and Ms. Cortese for all they do for the Borough.

**Charles Latini – Heyer, Gruel, & Associates
Borough Planner**

Mr. Latini stated that he was brought on board by the Planning Board and Council to assist the town with the planning efforts of the downtown. He is working with the Bid, Council,

and Planning Board to finalize a vision for the downtown area. He is currently setting timelines in terms of Planning Board meetings and Public Meetings over the next week.

He explained that today, he, Patrick Boyle, Councilwoman Woykowski, and Manager Corica met with Highlands Council to discuss how the Borough can take advantage of the money and technical resources the Highlands Council has to offer. There are two very strong opportunities for the Borough. The first is an opportunity for the Borough to receive \$15,000 to analyze the Highlands regulations and make sure that everyone is coordinated and report how their rules and regulations will be better influenced by the local experts. The other opportunity is TDR rights. The Borough can receive up to \$25,000 to coordinate the redevelopment efforts downtown to find out if TDR is going to be right for the Borough. If it is determined that TDR will not be in the best interest of the Borough that is fine too. This \$25,000 is considered good faith money, there is no obligation.

The Highlands is very receptive to what the Borough has done recently. The Borough is not in the preservation area so it is an opt in. The Borough is in the driver's seat.

Additionally, we are about to do a redevelopment study in another part of town; Vikon Tile and Turbine Alloy. The redevelopment committee will be looking at these properties to get them back on the tax roles.

Mayor Van Deursen asked Councilwoman Woykowski what her impression was of today's meeting. Councilwoman Woykowski stated that her impression was favorable. The monies are available right now, even before the redevelopment plan is adopted. There will be more money available once the plan is adopted. Mayor Van Deursen asked if the money available can be used to reimburse for studies already done. Councilwoman Woykowski stated yes, the Highlands Council is willing to work with the Borough on that. The TDR money includes sewer capacity and storm water management. They realize that we may not want to become a receiving zone. Councilwoman Woykowski explained that the grant application is available online.

Councilman Cioni stated that the Borough has done a lot of work done in the past, at what point do you pick up the ball and run with it? Will you go back and retool anything? Mr. Latini stated that he can use the existing plans in place; they don't want to reinvent the wheel.

Councilman Higgins stated he is concerned about applying for these grants without seeing the grant application. He expressed concern over the grant money not being enough to cover the costs of the studies. Mayor Van Deursen noted that Council can always include a not to exceed number. She also noted that it is a reimbursable grant. It is possible that the Borough could have the H2M study paid for. Mayor Van Deursen also noted that it is extremely important to Council to have a specific number of how many edu's are available to the Borough. Mr. Latini stated that his firm will be looking into all of that.

Councilwoman Woykowski motioned for a Resolution to be prepared to apply for the Highlands Funding, seconded by Councilman Cioni.

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

Ayes: 6, Nays: 1
Motion Carried

At this time Mayor Van Deursen deviated from the Agenda for Council to Consider Ordinance 2-2008.

Ordinance 2-2008 – BOND ORDINANCE PROVIDING FOR EXPENSES RELATED TO CERTAIN REDEVELOPMENT PROJECTS IN AND BY THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF. (Final Reading/Public Hearing)

Mayor Van Deursen entertained a motion to introduce Ordinance #2-2008.

Ordinance 2-2008 was introduced by Councilman Housel, seconded by Councilman Cioni.

It was further moved by Housel, seconded by Cioni that the Clerk read Ordinance #2-2008 by title only.

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

Ayes: 6, Nays: 1
Motion Carried

The Clerk read Ordinance #2-2008 by title only and stated that this ordinance had been published in the Star Gazette as required by law; a copy was posted on the bulletin board and copies available upon request from the Clerk's office.

Public Hearing:

Hearing no comments from the public Councilman Housel motioned to close the public hearing seconded by Councilwoman Oakley.

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

Ayes: 7, Nays: 0
Motion Carried

Council Discussion:

Councilman Housel expressed concerns over Council looking to recoup this money. He stated that we may not be able to recoup the costs of this project and Council needs to consider that.

Councilwoman Oakley noted that recent court decisions have ruled against municipalities going to developers to recoup redevelopment costs.

At this time Mayor Van Deursen entertained a motion to adopt on final passage.

Motion made by Councilman Cioni, seconded by Councilman Turner to adopt Ordinance 2-2008 on final passage.

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

Ayes: 4, Nays: 3
Motion Failed

Manager Corica expressed concern over how the Council will continue to pay for the redevelopment of the downtown. The Bond Ordinance needs to be adopted and the money put into the operating budget in order for the project to continue.

Councilman Higgins stated that he understands the concern; however Council has continued to pay and has not gotten an end result.

Mayor Van Deursen stated that Council has made a commitment to redevelopment the downtown; if we don't continue, Washington will close in. This Council worked very hard to hire new planners and professionals for the Borough.

Councilman Housel made a motion to reconsider Bond Ordinance #2-2008, seconded by Councilwoman Woykowski.

Council Discussion:

Councilwoman Woykowski stated that she is very pleased with the work from the new planner and redevelopment attorney. The redevelopment plan is an ordinance to protect the Borough from developers coming in. Redevelopment is itself is a separate issue and will take time.

Councilman Housel stated he is concerned that the Borough may not be reimbursed for the money that the Borough continues to spend. He noted that the sewer capacity is still questionable. The Borough has several different figures on sewer capacity with no explanation.

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

Ayes: 5, Nays 2
Motion Carried

BOND ORDINANCE PROVIDING FOR EXPENSES RELATED TO CERTAIN REDEVELOPMENT PROJECTS IN AND BY THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Washington, New Jersey (the "Borough") as a general improvement pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law") and the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"). For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$100,000. No down payment is required pursuant to N.J.S.A. 40A:12A-37(c) as this bond ordinance authorizes obligations for the purpose of aiding a redevelopment entity with respect to a redevelopment project within the Borough.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$100,000 pursuant to the Local Bond Law and the Redevelopment Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds are to be issued is for expenses related to proposed and ongoing redevelopment projects throughout the Borough located within the downtown redevelopment area and the proposed Turbine Alloy/Vicon Title redevelopment area, including all work and materials necessary therefore and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the

meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement within the redevelopment area described in the Redevelopment Plan, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) Pursuant to N.J.S.A. 40A:12A-37(c), the obligations authorized herein shall mature in annual installments commencing not more than two and ending not more than forty years from the date of issuance.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$100,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The obligations of the Borough authorized by this bond ordinance shall bear interest at a maximum rate of not to exceed nine (9.00%) per centum per annum.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

MINUTES:

Mayor Van Deursen entertained additions or corrections to the minutes of April 1, 2008 and the Executive Session of April 1, 2008.

Councilwoman Oakley noted a correction on page 14.

Hearing no further comments it was moved by Housel, seconded by Cioni that the minutes of be approved.

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

Ayes: 6
Nays: 0
Abstain: 1
Motion Carried

COMMUNICATIONS:

None

AUDIENCE:

Dirk Higgins Emergency Management Coordinator

Mr. Higgins stated that he was asked to brief Council on an incident that occurred last evening with the fire department. He stated last night he was informed of a hydraulic line on one of the Fire Department's apparatus that had failed. This leaked approximately 20 gallons into a parking lot off of Brass Castle Road. Mr. Higgins stated that he responded to the scene and was met by the Warren County Haz Mat team. They advised that the DEP was notified of the situation. The Fire Chief also showed me the location of the spill and how the fire department contained it. There was some concern with the cleanup of the spill. The Haz Mat team on the scene advised the Road Department to lay down sand to soak up the spill. Once the spill was soaked by the sand it could be placed into containers.

ORDINANCES:

Ordinance 4-2008 AN ORDINANCE TO AMEND CHAPTER 85-81 OF THE CODE OF THE BOROUGH OF WASHINGTON, “ON STREET PARKING FOR HANDICAPPED.” (First Reading/Introduction)

Mayor Van Deursen entertained a motion to introduce Ordinance #4-2008.

Ordinance 4-2008 was introduced by Councilwoman Oakley, seconded by Councilman Housel.

It was further moved by Oakley, seconded by Housel that the Clerk read Ordinance #4-2008 by title only.

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

Ayes: 7, Nays: 0
Motion Carried

The Clerk read Ordinance #4-2008 entitled, “An Ordinance to Amend Chapter 85-81 of the Code of the Borough of Washington, “On Street Parking for Handicapped.”

Council Discussion:

Councilman Turner asked if the person had relocated out of the area. Manager Corica indicated yes.

Mayor Van Deursen entertained a motion to introduce Ordinance #4-2008 on first reading.

Ordinance 4-2008 was moved by Councilman Cioni, seconded by Councilman Housel to be introduced on first reading.

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

Ayes: 7, Nays: 0
Motion Carried

It was further moved by Cioni, seconded by Housel that Ordinance #4-2008 be published in the Star Gazette on April 24, 2008 as required by law and that the public hearing be scheduled for May 20, 2008.

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

Ayes: 7, Nays: 0

Motion Carried

**ORDINANCE # 4-2008
BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 85-81 OF THE CODE OF THE
BOROUGH OF WASHINGTON, “ON-STREET PARKING FOR HANDICAPPED”**

WHEREAS, the handicapped parking designation on the west side of School Street is no longer needed for the purpose for which it was installed; and

WHEREAS, the Mayor and Council deem it to be in the best interest of the Borough to remove the restriction to permit additional parking on the street; and

WHEREAS, two residents have requested that handicapped parking spaces be designated in front of their residences, one at 40 Carlton Avenue and one at 62 East Church Street, with each request supported by a recommendation from the resident’s medical doctor; and

WHEREAS, the Mayor and Council have determined that there is sufficient justification to designate two additional handicapped parking spaces as requested and that it is in the best interest of the Borough to do so.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Washington, County of Warren, as follows:

Section 1. Section 85-81 of the Code of the Borough of Washington be and the same is amended as follows:

1. The following paragraph is to be deleted in its entirety: “School Street: west side, beginning at a point 50 feet south of the curb line of East Church Street and extending 22 feet southerly therefrom.”

2. The following paragraphs are to be added:

“Carlton Avenue: north side beginning at a point 97 feet west of the curb line of North Lincoln Avenue and extending 22 feet westerly therefrom.”

“East Church Street: north side beginning at a point 74 feet east of School Street and extending 22 feet easterly therefrom.”

Section 2. This Ordinance shall take effect upon passage in accordance with law.

SEWER CONNECTION FEE:

Manager Corica stated that the number provided by Stephanie Lewis was a very substantial increase. He stated that unfortunately the number was incorrect due to a Bond Ordinance that did not show on the audit report. This error inflated the calculations of the sewer connection fee. This will be re-advertised and the public hearing held in May.

REPORTS:

It was moved by Higgins, seconded by Oakley to receive and file the reports.

Councilman Higgins stated that it was his understanding that T&M should have submitted the plans for the pool to the Board of Health if there was going to be an alteration to the wading pool. Manager Corica stated that he is not sure of that. Councilman Higgins stated that the New Jersey State Statutes does indicate this. Due to this, an \$8,000 fence must be installed. Our professionals did not do what they were supposed to do in this situation. The \$8,000.00 should be T&M's responsibility. Councilman Cioni stated that T&M are the professionals and this is a huge oversight that the Borough will now have to pay for. Councilman Higgins noted that the designs would have been modified to accommodate the cost of the fence if the Borough had been aware of this. Councilwoman Oakley stated that T&M should assume some responsibility for this.

Councilman Higgins motioned to have the Borough Manager write a letter to T&M Associates stating that they are responsible for the \$8,000.00 cost of the fence, seconded by Councilman Cioni.

Ayes: 7, Nays: 0
Motion Carried

Councilman Higgins asked why T&M made the recommendation to remove the slide if they designed the pool. Manager Corica stated that Bob Griffin commented on the Borough's liability with that type of slide.

Councilman Higgins motioned to keep the original slide in the plans and have it installed. Councilman Turner seconded the motion.

Councilman Cioni asked how much the slide will cost. Manager Corica stated the cost is \$6,400 for the slide, the cost of the fence will be \$8,250.

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

Ayes: 5, Nays: 2
Motion Carried

Manager Corica stated he needs guidance on some issues regarding the pool project. There are several additional items that will need to be addressed. A broken valve on the pool filter that needs to be replaced for \$300.00, additional equipment for the wading pool chlorination system at \$4,850, and putting the slide back into the project will put us approximately \$2,100 over budget. This does not include the fence. Manager Corica asked how Council would like to proceed.

Council agreed that if Manager Corica is reasonably confident there will not be any more charges to go ahead and have the contractor do the additional work; however T&M should be responsible for the fence.

Councilman Higgins stated that he has concerns over the depth of the concrete being poured in the DPW Garage Bays. Manager Corica will need to discuss this with the Engineer as has not heard this concern.

Councilman Cioni asked for the status of the tennis courts offered by Ray Rice. Manager Corica indicated he has discussed the tennis courts with him and the specifics need to be worked out. Manager Corica will obtain a written document from Mr. Rice and present this to Council.

Councilman Turner excused himself from the meeting at 9:45 p.m.

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

Ayes: 6, Nays: 0

Motion Carried

COMMITTEE REPORTS:

Redevelopment Committee: No Report

DPW Garage: No Report

Sewer Committee: Councilman Higgins reported the Sewer Committee had met recently. Mr. Shoudt reported that the problem with the alarm had been resolved. Manager Corica gave an update on the billing with Veolia. Council agreed to have Manager Corica work something out with Veolia. There is also a sewer pipe along the creek that is not working properly. This is scheduled to be repaired. Manager Corica will inform Council when this is completed. Councilman Higgins noted that H2M's latest report on the siphon design showed that the design was approved by the DEP and Council. There were a total of ten change orders; nine were approved by the Governing Body.

Streets Committee: No Report

Finance Committee: No Report

Shared Services Committee: This committee will have an extensive report for next meeting.

Senior Services: No Report

Website Committee: Councilman Cioni stated that the home page will be redesigned. Councilwoman Woykowski noted that some of the links are broken. The committee will address these issues.

Curfew Committee: No Report

Pedophile Ordinance Committee: No Report

Bid: Councilman Higgins asked for an update on the parking lot negotiations. Manager Corica stated he had not heard anything yet, however will reach out to Joe Baumann for a status.

VOUCHERS AND CLAIMS

Mayor Van Deursen entertained questions or additions to the vouchers and claims for payments that were not previously addressed before the meeting.

Councilman Turner inquired about the meal reimbursement for DPW. Manager Corica explained that this meal reimbursement is contractual with overtime.

Councilwoman Woykowski asked about the rescue squad paying for their own gas at LukOil. Manger Corica stated that the Borough will continue to pay until they receive their own credit card.

Councilman Turner excused himself from the meeting at this time.

Hearing no comments or questions the vouchers and claims were approved for payment in the amount of \$ 738,900.77

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

Ayes: 6, Nays: 0

Motion carried.

OLD BUSINESS:

None

NEW BUSINESS

Approval of Special ABC License for the Washington Fire Department Parade June 7, 2008.

Motion made by Housel, seconded by Cioni to approve the Special ABC Permit.

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

Ayes: 4, Nays: 0
Abstain: 2
Motion Carried

Resolution 103-2008 Release of Special Police Escrow Communications Construction Group

Resolution 103-2008 was moved on a motion made by Housel, seconded by Higgins and adopted.

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

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION # 103-2008

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

WHEREAS, Communications Construction Group, LLC has posted fees to cover anticipated costs of special police services with the Borough of Washington

WHEREAS, these funds were posted in the Communications Construction Group, 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 and Police Secretary have 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: Communications Construction Group, LLC, 235 E. Gay Street, West Chester, Pa., 19380 for the actual account balance in the Special Police Services Escrow account.

Resolution 104-2008 Refund of Tax Overpayment Block 44 Lot 18

Resolution 104-2008 was moved on a motion made by Housel, seconded by Cioni and adopted.

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

Ayes: 6, Nays: 0
Motion Carried.

RESOLUTION #104-2008

RESOLUTION TO REFUND VETERAN DEDUCTION ALLOWED

As per N.J.S.A. 54:4-8.40 Et seq

WHEREAS, the Tax Assessor and Tax Collector has allowed the following Veterans' Deduction and wishes to refund this deduction; and

<u>BLOCK</u>	<u>LOT</u>	<u>NAME OF OWNER/ PROPERTY LOCATION</u>	<u>EXPLANATION</u>	<u>AMOUNT</u>
044	018	Orlando, Corey 122 Myrtle Avenue Washington, NJ 07882	Veteran's Deduction Allowed in 2007	250.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Treasurer be authorized to refund the amount of \$250.00 to Corey Orlando.

Resolution 105-2008 Opposing the Failure of the Governor's Proposed State Budget for the 2008-2009 Fiscal Year to Treat Property Tax

Resolution 105-2008 was moved by Housel, seconded by Cioni and adopted.

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

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION 105-2008

**RESOLUTION OF THE BROUGH OF WASHINGTON COUNCIL OF WARREN
COUNTY OPPOSING THE FAILURE OF THE GOVERNOR'S PROPOSED STATE
BUDGET FOR THE 2008-2009 FISCAL YEAR TO TREAT PROPERTY TAX RELIEF
AS A PRIORITY**

WHEREAS, on February 26, 2008, in Trenton, Governor Jon S. Corzine presented his FY2009 Budget proposal to a Joint Session of the State Legislature; and

WHEREAS, the proposal, which represents what the Governor called “many unpleasant choices,” called for the elimination of two Departments of State Government, the Departments of Agriculture and Personnel and the State Commerce Commission, and asks all other Departments to absorb funding cuts, and further calls for sacrifice in a number of other areas, including direct property tax relief, hospital aid, higher education assistance and Medicaid, with inordinately deep cuts in municipal property tax relief funding; and

WHEREAS, one year after the historic Special Session for Property Tax Reform, which purportedly eliminated the need for a Citizens’ Convention, our property taxpayers will once again be asked for patience, and they will be asked to shoulder more than their fair share of the funding burden; and

WHEREAS, local officials have done so much with so little for so long and have no realistic ability to make further budget cuts on a local level; and

WHEREAS, under the proposal, municipal property tax relief will be slashed by \$189.6 million; and

WHEREAS, for municipalities with a population of less than 5,000, there will be no CMPTRA funding this year; for municipalities with a population total between 5,000 and 10,000, this relief will be limited to one-half of the amount received in the State’s 2006-2007 budget; and the \$32.6 million distributed according to the CMPTRA formula, which municipalities received last year as 2008 Municipal Property Tax Assistance, has been eliminated; and

WHEREAS, all municipalities will receive level Energy Tax Receipts Property Tax Relief funding, despite State Law that “requires” annual inflationary adjustments of this (and CMPTRA) funding; and

WHEREAS, last year’s \$32 million in Municipal Homeland Security Funding was eliminated, Special Municipal Aid funding is cut from \$153 million to \$145.4 – a loss of \$7.6 million, Extraordinary Aid funding is reduced by \$1.7 million – from \$34 million to \$32.3 million, and the \$8 million Regional Efficiency Aid Program will not be funded; and

WHEREAS, beyond these cuts, certain municipalities served by the State Police will be asked to contribute \$20 million to the State's General Fund, and Homestead Rebates for Homeowners will be cut by \$257 million, and for Renters by \$124 million.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Washington calls on its elected representatives in Trenton, Senator Leonard Lance and Assembly members Michael J. Doherty and Marcia A. Karrow, to work with their colleagues in the Legislature and with the Governor to take affirmative action to restore program funding sufficient to honor state statutes and their stated commitment to the cause of property tax relief in all New Jersey municipalities; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Governor Jon S. Corzine, Acting State Treasurer R. David Rousseau, Senate President Richard J. Codey, Senate Minority Leader Thomas H. Kean, Assembly Speaker Joseph J. Roberts, Assembly Minority Leader Alex DeCroce, the Chairs and Members of the Senate and Assembly Budget and Appropriations Committees, our Own Senator Leonard Lance and Assembly members Michael J. Doherty and Marcia A. Karrow and to the New Jersey League of Municipalities.

RECAP

Manager Corica will follow up with Ray Rice regarding a letter of commitment for the installation of the tennis courts. Manager Corica will also telephone T&M Associates to discuss the installation of the fence and who will be responsible for paying it. He will also advise the contractor and T&M that they can go ahead and proceed with the items discussed this evening which include: pool gutters, wall tiles, valve on the baby pool for chlorination, fence, and slide. He will follow up with the engineer regarding the depth of the cement in the new DPW garage bays and will revise the sewer connection fees for a new public hearing date.

COUNCIL REMARKS

Councilman Cioni asked if a press release had been sent out regarding the Recreation Director. Manager Corica stated that it was sent to the press today.

Councilman Cioni motioned for the manager to send another letter to Mr. Phillips regarding his property. This motion was seconded by Councilman Higgins.

Ayes: 5, Nays: 1 (Oakley)

Councilman Cioni also asked for the status on the Post Office painting. Manager Corica spoke with the interim manager. The interim manager indicated that he needs to contact the Hoboken office and will do so.

Councilwoman Woykowski asked how the sewer connection fees are established. Manager Corica indicated that are established by statutory formula.

Councilman Higgins noted for the record that the Fire Department did a great job last night during the hydraulic oil spill. He also asked if the Borough had heard from the residents of

Gardner's Court regarding the Borough's offer. Manager Corica stated he has not heard from any of the homeowners yet.

Councilman Cioni and Housel excused themselves from the meeting at this time.

Councilman Higgins also asked for more information regarding some Borough Capital Ordinances. He noted that in Ordinance 14-2003 the Borough paid for Dunkin Donuts out of a Capital Ordinance. Manager Corica stated that he is unsure of why that happened and would need to look into it further. Councilman Higgins inquired about the beginning balance of Ordinance 15-2004 and the bonded amount. This Ordinance was for \$283,000.00 for the pool project. There is an \$11,000.00 difference between the bonded amount and the beginning balance of the Ordinance. Manager Corica stated the payments are coming out of the Green Acres loan. He does not have an explanation as to why the Ordinance was crafted in that form. Councilman Higgins asked if the Borough can pay for T&M out of an Ordinance that was done in 2001. Manager Corica indicated that it doesn't matter if they are paid out of a 2001 Ordinance, as long as the Ordinance was crafted to cover those types of expenses. Councilman Higgins asked if computers and the phone system should have been charged to the Ordinance for the stadium lights at the ball field. Manager Corica stated probably not however a bond ordinance will have many components to it. Councilman Higgins asked how the Borough will know what the balances are for the various Bond Ordinances. Manager Corica stated that the finance system will track these expenses.

Councilman Higgins requested a complete audit of the Ordinances from 2001 to present. Council agreed to have the Manager request from the auditor how much this would cost.

Mayor Van Deursen– Commended the Fire Department, the Office of Emergency Management Coordinator, and Chuck Alleger for all they did for the Borough on Monday evening. Mayor Van Deursen asked Council for the items to they wanted to discuss at the Workshop Meeting. All items for discussion will be emailed to Manager Corica during the week.

Councilwoman Oakley – No Comments

EXECUTIVE SESSION

Mayor Van Deursen entertained a motion to enter executive session. Moved by Oakley, seconded by Higgins.

Ayes: 4, Nays: 0
Motion Carried

Resolution 102-2008 Executive Session

RESOLUTION 106 -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:**

Contracts/Litigation

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

Ayes: 4, Nays: 0.
Motion carried.

Mayor Marianne Van Deursen

Kristine Blanchard, RMC Borough Clerk