

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – July 1, 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: Cioni, Housel, Van Deursen, Higgins, Woykowski – Present
Oakley - Absent
Turner arrived at 10:15 p.m.

Also Present: John Corica, Borough Manager
Richard Cushing, Esq. Municipal Attorney
Kristine Blanchard, RMC Borough Clerk

Mayor Van Deursen led everyone in the flag salute.

Mayor Van Deursen read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.

COUNCIL APPEARANCE

Chief of Police George Cortellesi

Chief Cortellesi reported that the Borough Police Department answered a total of 5369 calls. There were 206 complaints filed, there were a total of 269 arrests. Additionally, motor vehicle summonses were 2249. The Police Department also answered a total of 129 domestic violence calls, which has gone down from previous years; however the Borough is still the second in the county.

Chief Cortellesi reported that he assisted the 911 Center with re-mapping of the Borough Streets. The Click it or Ticket program is working. There was a 50% drop in amount of people not wearing seatbelts. The Police Department also continues to work closely with the BID. Heroin seems to be becoming the drug of choice in the county. The Police Department will continue to work with the Prosecutors Office regarding the drug arrests.

Councilman Cioni asked since Council has adopted the Curfew Ordinance, how many charges were made as a result. The Chief stated none so far. There were some problems with wording. The Chief indicated that the he, Officer Magyar, and the Prosecutor will be meeting to review the ordinance.

Dorothy Repsher Municipal Alliance

Ms. Repsher thanked the new Borough Manager for his help and assistance with the alliance budget. She also thanked Officer Magyar for all of his work with the DARE program. She stated she provided Council with her annual report in their packets. The report gives an outline of what the alliance has done in the past as well as the programs for the new budget cycle. She reported the State of NJ is looking for more outcome based programs. Over the next three years the alliance will need to show that the current programs are effective. She thanked Council in advance for the funding for 2009 budget.

Ms. Repsher stated the enrollment for the 2008 summer program is 310 students. She advised that the program helps to keep children off the streets and helps the incoming 6th graders with the transition to Middle School.

Mayor Van Deursen thanked Ms. Repsher for all that she does for the community.

Sharon Cooper Brown and Brown

Ms. Brown informed Council that the Borough of Washington has been a member of Statewide for several years now. She stated at this time the agencies are starting to gather information for January. Since this is your third year in a three year term, she believes it is part of her responsibility to make sure the Borough is in the right fund. She would like Council's consent to search the market to do a cost and coverage comparison. Council agreed. Ms. Cooper stated she would have the information available by early December and would be able to make a recommendation at that time.

MINUTES:

Mayor Van Deursen entertained additions or corrections to the minutes of the Joint Meeting with the Planning Board of June 9, 2008.

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

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

Ayes: 3, Nays: 0
Motion Carried

COMMUNICATIONS:

The following communications were entered into the record:

1. Washington Township Re: Ordinance Clarifying Uses Permitted in the Village Core Area and Non-Village Commercial Area

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

Ayes: 5, Nays: 0.
Motion carried.

AUDIENCE:

Mary Jordan – Washington, NJ

Ms. Jordan stated that she is involved with youths from the area through her church. She is concerned about recent gang graffiti on buildings in the area that was brought to her attention by a member of her youth group. She stated that the young people she is involved with are concerned about some disturbing things going on throughout the town as well. She wanted to present these concerns to Council and suggested a meeting be called to address the issues with parents. Mayor Van Deursen suggested that she Ms. Jordan leave her name and number so that it can be provided to the Police Chief, the Municipal Alliance, and the middle school principal.

ORDINANCES:

Ordinance 5-2008 will be considered later in the meeting.

Ordinance 6-2008, “AN ORDINANCE TO AMEND CHAPTER 74 OF THE CODE OF THE BROOUGH OF WASHINGTON, “SPECIAL IMPROVEMENT DISTRICT” OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY. (Public Hearing/Adoption)

Mayor Van Deursen entertained a motion to introduce Ordinance #6-2008.

Ordinance 6-2008 was moved by Councilman Higgins, seconded by Councilman Housel.

It was further moved by Higgins, seconded by Housel that the Clerk read Ordinance #6-2008 by title only.

The Clerk read Ordinance #6-2008 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.

Roll Call: Woykowski, Cioni, Van Deursen, Higgins, Housel

Ayes: 5, Nays: 0.

Motion carried.

Public Hearing:

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

Ayes: 5, Nays: 0
Motion Carried

Council Discussion:

None

Mayor Van Deursen entertained a motion to adopt Ordinance 6-2008 on final adoption.

Motion made by Housel, seconded by Higgins to adopt Ordinance 6- 2008 on final adoption.

Roll Call: Woykowski, Higgins, Van Deursen, Cioni, Housel

Ayes: 5, Nays: 0
Motion Carried

REPORTS:

It was moved by Housel, seconded by Cioni to receive and file the following reports.

1. Police Activity Report
2. Municipal Court Report
3. Engineers Report
4. Collector/Treasurer's Report

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

Ayes: 5, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Redevelopment Committee: Mayor Van Deursen stated the Redevelopment Committee met today. The planner and engineer reviewed the items discussed at the joint meeting with the

Planning Board and showed the committee a conceptual plan. They will be presenting this plan to Council.

DPW Garage: Councilman Housel asked for a an update on the DPW Garage. Manager Corica stated that the plans have been reviewed by the engineer. At this point, we are waiting for the approvals from the DCA. The construction will begin as soon as the approvals are in place.

Sewer Committee: No Report

Streets Committee: The street committee will meet with Manager Corica on Tuesday of next week to discuss the South Lincoln bypass.

Finance Committee: No Report

Shared Services Committee: No Report

Senior Services: No Report

Website Committee: No Report

Curfew Committee: No Report

Pedophile Ordinance Committee: No Report

BID: Mayor Van Deursen reported the BID met last night. They will be two professional firms. One will be conducting market research and the other will be doing grant writing. The BID is willing to fund both.

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 Higgins inquired about the gas bill for the Emergency Squad. Manager Corica stated that they need to make arrangements to pay for their own gas by August 1. Mayor Van Deursen suggested calling Bill Hepp to discuss the gas arrangements. Councilman Higgins also noted that LukOil is not open 24 hours anymore. Manager Corica stated arrangements have been made in case of emergency.

Councilman Higgins asked if the Borough can contact the State DOT to see if we can enter into an agreement to use their gas pumps. Manager Corica stated that he will make that inquiry.

Council discussed the renewal of the League of Municipalities Magazine. Council will continue the subscription and revisit this topic in December.

Hearing no further comments or questions the vouchers and claims were approved for payment in the amount of \$1,338,685.81.

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

Ayes: 5, Nays: 0
Motion carried.

OLD BUSINESS:

NEW BUSINESS

Resolution 153-2008 Temporary Budget

Resolution 153-2008 was moved on a motion made by Cioni, seconded by Higgins and adopted.

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

Ayes: 5, Nays: 0
Motion Carried

**RESOLUTION #153-2008
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 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 following amounts:

| | |
|------------------|----------|
| GREEN TRUST LOAN | \$10,221 |
| AUDITING | 25,325 |

| | |
|--------------------------------|-------|
| MUNICIPAL ALLIANCE STATE GRANT | 6,320 |
| TAX ASSESSOR OE | 2,000 |
| ENGINEERING OE | 5,000 |
| PLANNING BOARD OE | 2,000 |
| UNEMPLOYMENT | 7,000 |
| ANIMAL CONTROL SW | 1,500 |

Resolution 154-2008 Sewer Temporary Budget

Resolution 154-2008 was moved on a motion made by Cioni, seconded by Higgins and adopted.

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

Ayes: 5, Nays, 0
Motion Carried

RESOLUTION # 154-2008
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 sewer 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:

| | |
|--|-----------|
| NJ ENVIRONMENTAL INFRASTRUCTURE LOAN TRUST | \$670,000 |
| AUDITOR6,000 | |

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

Ayes: 6, Nays: 0
Motion Carried

Resolution 155-2008 DOT Grant

Resolution 155-2008 was moved on a motion made by Housel, seconded by Cioni and adopted with amendments.

Council Discussion:

Councilwoman Woykowski stated she will vote on filing the application but not the signing of the grant agreement. The terms and conditions must come before council prior to accepting the agreement. Manager Corica stated that this the wording of the DOT and does not obligate the Borough to accept the grant. Councilwoman Woykowski said the resolution implies otherwise.

Councilman Housel recommended amending the wording to read, that the Mayor and Clerk are hereby authorized to sign the grant agreement after acceptance and approval from a majority vote of the Mayor and Council.

RESOLUTION # 155 -2008
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
WASHINGTON, WARREN COUNTY, NJ TO APPROVE A GRANT
APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE
GRAND AVENUE RECONSTRUCTION

WHEREAS, the Borough of Washington, Warren County, New Jersey desires to advance its street improvement capital projects; and

WHEREAS, the Borough of Washington is limited in its ability to fund these improvements; and

NOW, THEREFORE, BE IT RESOLVED, that Mayor and Council of the Borough of Washington formally approves the grant application for the above state project.

BE IT FURTHER RESOLVED that the Suburban Consulting Engineers, Inc., the Borough consulting engineers, and the Borough Clerk are hereby authorized to submit an electronic grant application identified as (MA-2009-Washington Borough-00468) to the New Jersey Department of Transportation on behalf of the Borough of Washington.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement after acceptance and approval from a majority vote of the Mayor and Council.

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

Ayes: 5, Nays: 0
Motion Carried

Resolution 156-2008 Municipal Alliance Grant

Resolution 156-2008 was moved on a motion made by Housel, seconded by Woykowski and adopted.

Roll Call: Housel, Woykowski, Cioni, Higgins, Van Deursen

Ayes: 5, Nays: 0
Motion Carried

**RESOLUTION # 156-2008
A RESOLUTION AUTHORIZING THE SUBMISSION OF A MUNICIPAL ALLIANCE
GRANT APPLICATION TO THE COUNTY OF WARREN**

WHEREAS, the Warren County Department of Human Services provides Municipal Alliance grants for drug prevention and education purposes; and

WHEREAS, the Borough of Washington desires to further the public interest by obtaining funding from the County of Warren for the Borough's Municipal Alliance for calendar year 2008;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Washington in the County of Warren State of New Jersey resolves that Dorothy Repsher or the successor to the office of Municipal Alliance Chairperson is hereby authorized to:

1. make application for such a grant,
2. provide additional application information and furnish such documents as may be required, and
3. act as the authorized correspondent of the above named applicant; and

WHEREAS, the County shall determine if the application is complete and in conformance with the scope and intent of the Governor's Council on Alcoholism and Drug Abuse Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the County's funds in accordance with such rules, regulations, and applicable statutes, and is willing to comply with the Statement of Assurances and adhere to all fiscal requirements;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE Mayor and Council of the Borough of Washington in the County of Warren and State of New Jersey:

1. That the Municipal Alliance Committee Chairperson, Mayor, Deputy Mayor, and one other council member of the above named body or board is hereby authorized to make application for and, in the event of grant award, to execute an agreement and any amendment thereto with the County of Warren for 2009 Municipal Alliance Grant Funding;
2. That the applicant will provide a cash matching share in the amount of \$6,528.00 in its 2009 Municipal Budget;
3. That the applicant agrees to comply with all applicable federal, state, and local laws, rules and regulations in its execution of the grant; and
4. That this resolution shall take effect immediately.

Resolution 157-2008 Feasibility Study

Resolution 157-2008 was moved by Housel, seconded by Cioni and adopted with amendments.

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

Ayes: 5, Nays: 0
Motion Carried

Council Discussion:

Councilwoman Woykowski stated she has some concerns regarding the wording of the Resolution. Manager Corica suggested changing the wording from grant agreement to grant application. Councilwoman Woykowski also noted she did not like the wording regarding the hiring of the auditor to do the feasibility study. Manager Corica stated this resolution is not giving him the authority to hire anyone. It simply is an application to obtain a grant to hire a firm.

Mayor Van Deursen suggested the wording be changed to, "Manager is hereby authorized to apply for a \$20,000 DCA grant to fund a CPA firm."

Councilman Higgins noted that we should also be applying for money to merge the two municipalities.

RESOLUTION # 157 -2008 **OF THE MAYOR AND COUNCIL OF THE BOROUGH OF** **WASHINGTON, WARREN COUNTY, NJ**

WHEREAS, the Mayor and Council have determined that it is in the best interest of the Borough to explore establishing a shared services agreement with Washington Township for police services; and

WHEREAS, the New Jersey Department of Community Affairs has made funds available

for feasibility study grants without requiring any municipal match in an amount up to \$20,000; and

WHEREAS, the Mayor and Council would like to have an economic feasibility study completed which would be covered by the DCA grant.

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 Manager is hereby authorized to apply for a \$20,000 DCA grant to fund the hiring of a CPA firm to do an economic feasibility study to merge the two police departments, as well as any ancillary costs associated with such a study.

BE IT FURTHER RESOLVED, that the Mayor, Clerk and Manager are hereby authorized to execute any grant application documents.

RECAP

Manager Corica asked if the proposed fee ordinance and parking ordinance could be placed on the agenda for the workshop meeting scheduled for July 22, 2008. Council agreed.

Manager Corica received a recommendation from Berto regarding the drainage issue. They would like to disconnect the leaders that are coming off the building next to the camera shop and see what type of an effect it has in the next rainstorm. Council concurred.

He stated that there has been some discussion by Council regarding the swim team being able to sell items during swim meets. This is a conflict with items sold at the concession stand. Manager Corica asked if that is the position of Governing Body. Council agreed that items should only be sold at the concession stand.

Manager Corica reported on the schedule for auditor interviews. He stated that Thomas Ferry from Ferraioli, Wielkotz, Cerullo, & Cuva will be able to attend the July 15th meeting. Warren will also be able to attend the August 5th meeting along with the second auditing firm. Councilman Higgins stated this is the second meeting were we pay someone's salary and they do not show up to a meeting. He asked why Paul could not be present for Warren. Manager Corica stated the firm prefers a partner make presentations. Councilman Higgins asked if it would be agreeable to them to have him contact the League of Municipalities for their recommendations on auditing firms. Council agreed.

Manager Corica reported he had met with Kay, Ginny, and Kristine regarding the agreement. This should be discussed at the July 15 meeting.

Manager Corica also stated that Green Acres is having another round of funding. He asked if Council wishes to have him re-file the application with Green Acres.

A motion was made by Housel, seconded by Cioni to re-file the application with Green Acres.

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

Ayes: 4, Nays: 1
Motion Carried

Manager Corica reported on the parking lot at Block 24 Lot 24. He stated in 2005 the Borough sent a memo of agreement to the DEP as part of the acquisition. The Van Note Harvey report identified several areas of soil contamination. This allowed the Borough to purchase the property and protected us from any problems. It also required the municipality take steps to remediate the property. Those remediation steps included asphaltting and capping. Unfortunately, we won't know until we start to excavate the soil if we are going to run into contamination. The terms being considered by the BID state that the BID accept the property clear of contamination. Mr. Holt would like to put a presentation together for Council as how to best proceed. Council agreed to have Mr. Holt attend the July 15 council meeting.

Councilman Higgins motioned for a recess at 10:00 p.m. seconded by Woykowski.

Ayes: 5, Nays: 0
Motion Carried

Council reconvened at 10:15 p.m. Councilman Turner arrived at 10: 15 p.m.

COUNCIL REMARKS

Councilwoman Woykowski commented on the police feasibility study for the police departments. She noted there may be some ramifications, that during the study, Council should pinpoint specific areas of concern. She advised she doesn't want to go into this without planning. She noted that she observed an incident in Borough Hall this past week and there were no police officers on the premises. If the police move out of the building, there will be no security. Mayor Van Deursen stated that when the two municipalities meet again these concerns should be brought to the table. It was also determined that Council will review any issues concerning the police merger at the July 22, 2008 Workshop Meeting. Councilwoman Woykowski asked of the reports from the Edmunds system are now available. Manager Corica stated that Council is receiving them. She stated she would like a list of the accounts, their description, and what they represent.

Councilman Cioni – No comments

Councilman Housel – No comments

Councilman Higgins asked if Council was going to discuss the police merger at workshop in July. Mayor Van Deursen stated she had reached out to Washington Township and some dates are being considered for the next meeting. Councilman Higgins stated he received a phone call from a concerned resident regarding the Cyber Dome business that was in front of the Board of Adjustment. Concerns were raised regarding the age differences of the players, the number of people allowed in the building at one time, and opening and closing times. Councilman Higgins informed Council he recently reviewed the park due to a complaint he received. There is black mold in the men's bathroom shower, and the mats are not sanitary and should be power washed. He also noted the sod that was put down is dead and will need to be pulled up. The basketball court has no rims on some of the back courts.

Mayor Van Deursen – No comments

Councilman Turner – No comments

Ordinance 5-2008 “A BOND ORDINANCE APPROPRIATING \$414,000 AND AUTHORIZING THE ISSUANCE OF \$393,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF WASHINGTON COUNTY OF WARREN STATE OF NEW JERSEY” (Final Adoption)

Mayor Van Deursen entertained a motion to remove Ordinance #5-2008 from the table.

Motion made by Housel, seconded by Cioni to un-table Ordinance #5-2008.

Ayes: 6, Nays: 0

Motion Carried

Councilman Housel moved Ordinance #-2008 for final adoption, seconded by Councilman Cioni.

Council Discussion

Councilman Higgins noted that he did have the opportunity to discuss with the Borough Manager regarding some of the Ordinances that had money left in them. He stated he identified some items that concern him. There are transfers from one capital account to another account with no justification. He also stated that the Manager gave him information regarding parking lot acquisition. The ordinance that Council is considering this evening includes \$180,000 for the parking lot. According to the Managers numbers we will have a \$96,000 balance on the parking lot acquisition portion of the Ordinance. He stated it was explained to him that this is a reserve for engineering and legal fees. He stated he would like to reduce item C in the Capital Ordinance 5-2008 by \$46,000. Manager Corica stated Council needs to consider the demolition of the buildings and legal expenses for Mr. Baumann. He stated it will be a mistake if you trim from this Ordinance.

Councilman Higgins stated that in Ordinance 10-2002 there was \$175,000 allocated for engineering and legal costs as well. How much money are we going to spend on this project? Manager Corica stated we do not know how much it will cost to knock down the buildings, or how much it will cost in additional engineering and legal fees that are related to the contamination. Councilman Higgins stated it will cost \$991,000 for the parking lot.

Councilwoman Woykowski noted that the item that concerns her is that the \$730,000.00 received from Jack Van Cleef was earmarked for acquisition of property only. She stated that now she understands that the money was used for something else. Manager Corica stated that Council directed Suburban Engineering to do the design for the parking lot in an expeditious fashion. Council directed me to use the money for that purpose. The alternative would have been to not hire Suburban until this Ordinance was passed. Councilman Higgins stated that he specifically asked if this money was in the budget and he was told yes. Councilman Higgins stated that out of the money from Jack Van Cleef there is only \$589,000 remaining. That is more than the \$49,000.00.

Councilman Turner stated that we do need to get to the bottom of the misinformation that Council is receiving. Hatch Mott MacDonald needs to be held accountable for the amount of money that we've spent on conceptual plans and lack of deliverables on this project.

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

Ayes: 5, Nays: 1
Motion Carried

Councilwoman Woykowski noted that this Council has been talking over and over again about purchasing properties and now the money is not there.

Mayor Van Deursen suggested that Manager Corica come up with a complete scenario for the budgeting of this project for the workshop.

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

Manager Corica stated that the new State Aid figures are in. The State is now giving the Borough \$244,000 in State Aid. Manager Corica stated with that number plugged into the budget, the Borough is looking at a tax increase of 4.6 cents. If Council desires to grant the raises to the non-union part time personnel, that would bring the rate to 4.96 cents. Councilman Cioni stated he would like to see raises merit based.

Councilman Turner stated he would like to see it stay at 4.6 cents due to the economy. Councilman Cioni reported that many municipalities have double digit tax increases this year. It should be noted that we only have a single digit increase. Mayor Van Deursen prefers to give the raises to the part time employees. Councilman Higgins stated that he does not believe Council can make a decision on that this evening. Mayor Van Deursen stated that Council should consider what they would like to do considering we should introduce the budget at the next

meeting. Councilman Cioni stated he would be fine with giving the manager the discretion to give part time employees raises.

Councilman Higgins indicated he thinks the budget requires more discussion. He suggested a budget workshop meeting next week. Councilman Turner stated he does agree that the Borough should have a clarification meeting on the budget.

Councilman Higgins motioned to have a meeting specifically to address budget issues in order to have the budget introduced at the July 15, 2008 meeting, seconded by Turner.

Ayes: 5, Nays: 0

Manager Corica stated that may be a problem due to the fact that the auditor is on vacation. We may not be able to have a document in hand by the 15th of July.

Mayor Van Deursen stated the only outstanding issue is the raises. Councilman Higgins said that Council is constantly put into a position to make a decision right away. The majority of Council has already cast their vote on the matter. It seems that casting a vote is not good enough. He stated it seems if the vote does not go the way some people want it to, we need to re-discuss it and take another vote until it passes.

Mayor Van Deursen stated that Council should discuss the raises now so that we do not have to schedule an additional meeting. Councilman Cioni stated he is fine with the 4.9 cent tax rate.

Councilwoman Woykowski noted that there are some issues that the finance committee needs to address and obtain better oversight. She stated that we have changed software systems and she does have high expectations for this system. She stated that just because we are passing the budget we will not ease up on the oversight. It will not be fixed in two week's time by putting off the budget another two weeks.

Mayor Van Deursen suggested that Council not meet next week, and Council instructs the Manager to have the budget prepared for introduction, at the 4.9 cent rate. Councilman Turner stated he preferred 4.59. Councilman Cioni stated 4.9 cents is fine. Councilwoman Woykowski concurred with Councilman Cioni.

Councilman Higgins stated that this is proof that if we discuss something long enough a vote will be overturned.

Councilman Cioni motioned for Executive Session, seconded by Councilwoman Woykowski.

Ayes: 5 Nays: 0
Motion Carried

EXECUTIVE SESSION

RESOLUTION 158-2008

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

WHEREAS, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

_____A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon: _____);

_____A matter where the release of information would impair a right to receive funds from the federal government;

_____A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

_____A collective bargaining agreement, or the terms and conditions thereof (Specify contract: _____);

A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Tilly Property

_____Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____Investigations of violations or possible violations of the law;

_____ Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: EPA _____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

_____ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

_____ Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is

_____ OR _____ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion. That time is currently estimated to be: SIX MONTHS (estimated length of time) OR upon the occurrence of _____;

BE IT FURTHER RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Council adjourned from Executive Session at 11:30 p.m.

Hearing no further business to come before Council, it was moved by Higgins, seconded by Cioni 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