

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – March 17, 2009**

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: McDonald, Higgins, Woykowski, Boyle, Valentine, Cioni - Present
Housel: 9:00 p.m.

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

Mayor McDonald led everyone in the flag salute.

Mayor McDonald 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 Palmer/Ginny Cortese Municipal Court Administrator

Judge Palmer thanked the Mayor and Council for his reappointment. He also wants to take the opportunity to thank Ms. Cortese and Ms. Rudd for doing an outstanding job of running the court on a daily basis. He stated that in 2008 he has heard 2,055 traffic complaints, and the Court has turned over \$121,079.00 to the municipality. Additionally, this year, Ms. Rudd obtained her Certified Court Administrator certification.

Mayor McDonald thanked Judge Palmer for his annual presentation to Council.

Auditor – Tom Ferry

Mr. Ferry thanked the Mayor and Council for his appointment as Municipal Auditor this year. He stated he received the Annual Debt Statement and did a review of the Borough’s debt. Right now, the net debt is 1.93% which is high.

He stated that last year it was necessary for the Borough to take out a Tax Anticipation Notes in the amount of 1.5 million to overcome cash flow problems. Mr. Ferry explained to the Governing Body that for many years the Borough has owed cash to other funds for example; sewer, and capital. Historically, the Borough has only used one account which has contributed to

the cash flow problems. Mr. Ferry stated that right now, due to the Borough's cash flow problems, he is recommending that the Borough go out for Tax Anticipation Notes in the amount of two million in order to meet its payment obligations through the new tax quarter.

Mr. Ferry also explained the fund balance is very low for 2009. In 2008, the Borough used \$525,000 in fund balance but was not able to replenish it in 2008. Unfortunately revenues were down. There is a deficit in operations of \$23,000.00 that must be raised in next year's budget. The fund balance is \$39,000 and the Borough can not use any of it in 2009.

Mr. Ferry stated that the Borough Council needs to consider going to Trenton for a levy cap waiver, deferring pension payments, and applying for extraordinary aid.

MINUTES:

Mayor McDonald entertained additions or corrections to the minutes of the regular meeting of February 3, 2009.

Hearing no comments it was moved by Higgins, seconded by Boyle that the minutes be approved.

Roll Call: Woykowski, Higgins, McDonald, Cioni, Valentine, Boyle.

Ayes: 6, Nays: 0

Motion Carried.

COMMUNICATIONS:

The following communications were entered into the record:

- Planning Board Re: Permitted Businesses Downtown

Council Discussion: The Planning Board was fine with the changes to the above captioned ordinance. Their only comment was to define some items more specifically. Councilman Cioni stated he will make the suggested changes and send to Stuart Ours for review.

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

Ayes: 7, Nays: 0.

Motion carried.

AUDIENCE:

Mary Finnegan 23 Youmans Avenue

Ms. Finnegan stated that she is representing the Warren Hills Key Club. They are interested in a potential community garden project near the Shabbecong Village. This would benefit the community by reducing the Borough's cost of maintaining the area as the gardener's would be responsible for maintaining their own plots. She is requesting permission to start this project with planting to begin next spring. Mayor McDonald stated he thinks it is a great idea and asked Ms. Finnegan to obtain a map of the area the Key Club is interested in so that the Governing Body may see it and make an informed decision.

Hearing no further comments from the audience a motion was made by Housel, seconded by Woykowski to close the audience portion of the meeting.

Ayes: 7, Nays: 0
Motion Carried

ORDINANCES:

Ordinance 3-2009 AN ORDINANCE AMENDING CHAPTER 66 OF THE CODE OF THE BOROUGH OF WASHINGTON REGULATING THE RENTAL OF HOUSING UNITS (Introduction)

Mayor McDonald entertained a motion to introduce Ordinance #3-2009.

Ordinance 3-2009 was introduced by Councilman Housel, seconded by Councilman Cioni.

It was further moved by Housel, seconded by Cioni that the Clerk read Ordinance #3-2009 by title only.

Roll Call: Higgins, Woykowski, Valentine, Boyle, McDonald, Cioni, Housel

Ayes: 7, Nays: 0
Motion Carried

The Clerk read Ordinance #3-2009 entitled, "An Ordinance Amending Chapter 66 of the Code of the Borough of Washington Regulating the Rental of Housing Units"

Council Discussion: Attorney Cushing stated that this Ordinance is used mainly to stop the hazard of stacking; and overcrowding of tenants. The Ordinance is used to protect the vulnerable and does not apply to homeowners. Council prefers to have more information

regarding the Ordinance prior to considering. The Acting Borough Manager will reach out to the towns of Hackettstown, Clinton, and Lambertville to review their Ordinances.

Motion made by Cioni, seconded by Housel to table the Ordinance until further information is obtained.

Roll Call: Housel, Cioni, Woykowski, McDonald, Valentine – Yes
Boyle, Higgins - No

Ayes: 5, Nays: 2
Motion Carried

REPORTS:

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

1. Fire Officials Report
2. Washington Borough Court
3. Issues and Details Report
4. Police Report

: Ayes: 7, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Redevelopment Committee: No Report

DPW Garage: Councilman House stated that the Borough Engineer has met with contractor and is working out the concerns.

Sewer Committee: No Report

Streets Committee: No Report

Finance Committee: No Report

Shared Services Committee: Councilwoman Woykowski suggested that the Borough Council meet with Marc Heifer from the DLGS separately to discuss any concerns they may have. She asked if Council would want to set aside some time to meet with him. Council agreed. She will reach out to Mr. Pheiffer.

Senior Services: No Report

Website Committee: - No Report

Curfew Committee: No Report

Concession Stand Committee – No Report

Pedophile Ordinance Committee: No Report

BID: No Report

Recreation Report – No Report

Parking Lot Committee – No Report

Security Camera – No Report

VOUCHERS AND CLAIMS

Mayor McDonald entertained questions or additions to the vouchers and claims for payments that were not previously addressed before the meeting. Motion made by Valentine, seconded by Boyle to pay the vouchers and claims in the amount of \$723,092.57.

Ayes: 7, Nays: 0

Motion Carried

OLD BUSINESS:

Manager Goals

Councilwoman Woykowski noted that she had provided information to all of Council regarding the goals and believes they are in line with what we want. Possibly Council can discuss during its quarterly workshop meeting.

BID PUBLIC HEARING ON 2009 BUDGET

Mayor McDonald opened the public hearing on the 2009 BID Budget.

Hearing no comments from the audience, Councilwoman Woykowski motioned to close the public hearing, seconded by Councilman Cioni.

Ayes: 7, Nays: 0
Motion Carried

Resolution 71-2009 Approval of the BID Budget 2009

Resolution 71-2009 was moved on a motion made by Housel, seconded by Cioni and adopted.

Roll Call: Housel, Cioni, Valentine, McDonald, Higgins, Boyle, Woykowski

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 71-2009

**APPROVING THE BUDGET OF
THE WASHINGTON BOROUGH SPECIAL IMPROVEMENT DISTRICT**

WHEREAS, at its meeting of February 3, 2009, the governing body of the Borough of Washington introduced and approved the Washington Borough Special Improvement District budget for the period January 1, 2009 – December 31, 2009, which budget is annexed hereto; and

WHEREAS, after notice and advertisement in a newspaper of general circulation, the governing body of Washington Borough conducted a public hearing on March 17, 2009; and

WHEREAS, the governing body of Washington Borough has determined that at least one (1) week prior to the hearing a complete copy of the proposed budgets were (a) advertised; (b) posted in the Borough Clerk's office; and (c) made available to each person requesting the same before and during the public hearing; and

WHEREAS, all persons having interest in the budget were given the opportunity to present objections; and

WHEREAS, the governing body of Borough of Washington having considered the comments at the public hearing is of the opinion that it is appropriate and desirable to ratify and adopt the budget without amendment as advertised; and

WHEREAS, pursuant to N.J.S.A. 40:56-80 and N.J.S.A. 40:56-84, the governing body of Borough of Washington is required to adopt the budget by resolution after closing the hearing;

NOW, THEREFORE, BE IT RESOLVED the governing body of the Borough of Washington that:

- (1) The Washington Borough Special Improvement District budget is approved by the governing body of the Borough of Washington and it is approved for the period of January 1, 2009 – December 31, 2009 in the amount of \$254,357.00 to the Washington Borough Business Improvement District Management Corporation
- (2) This special assessment is hereby imposed and shall be collected with either the regular tax payment (or payment in lieu of taxes), in the amount of **\$200,000.00**, on properties located within the Borough of Washington as set forth within Ordinance # 7-2003 as amended; and
- (3) Payments the District received by the Borough of Washington shall be transferred to the Washington Borough Business Improvement District Management Corporation to be expended in accordance with the approved budget; and

The Borough Clerk is hereby authorized to forward a certified copy of this resolution to Washington Borough Business Improvement District Management Corporation, the Warren County Board of Taxation, and the Director of the Division of Local Government Services in the State of New Jersey Department of Community Affairs.

NEW BUSINESS

Amendment to Policy for Professionals

Councilwoman Woykowski stated that Council should strengthen the policy on professionals. She would like consensus to present a resolution to Council at the next meeting. Council agreed.

Resolution 67-2009 Redemption of Tax Sale Certificate

Resolution 67-2009 was moved on a motion made by Higgins, seconded by Boyle and adopted.

Roll Call: Higgins, Boyle Valentine, Woykowski, Housel, McDonald, Cioni

Ayes: 7, Nays: 0

Motion Carried

RESOLUTION #67-2009

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL MEN BY THESE PRESENTS, THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on December 4, 2008 to John LaFlamme, in the amount of \$188.11 for taxes or other municipal liens assessed for the year 2007 in the name of Porras, Disfredo and Elizabeth , as supposed owners, and in said assessment and sale were described as 208 W Washington Avenue, Block 9.01 Lot 1, which sale was evidenced by Certificate #08-00439; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of

Washington, do certify that on 03-03-09 and before the right to redeem was cut off, as provided by law, IndyMac Bank, claiming to have an interest in said lands, did redeem said lands claimed by John LaFlamme, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$849.24, which is the amount necessary to redeem Tax Sale Certificate #08-00439.

NOW THEREFORE BE IT RESOLVED, on this 17th day of March, 2009 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to John LaFlamme, 9 Lisa Ct, Oxford, NJ 07863 **in the amount of \$849.24.**

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 9.01 Lot 1 from the tax office records.

Resolution 68-2009 2008 Recycling Tonnage Grant

Resolution 68-2009 was moved on a motion made by Higgins, seconded by Boyle and adopted.

Ayes: 7, Nays: 0
Motion Carried

Councilman Housel left the meeting at this time.

RESOLUTION # 68 - 2009

**OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON, WARREN
COUNTY. TO APPLY FOR A 2008
RECYCLING TONNAGE GRANT**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2008 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to

indicate the assent of the Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Kristine Blanchard, Interim Borough Manager, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution 69-2009 Resolution Memorializing the Establishment of Recreation Fees for 2009

Resolution 69-2009 was moved on a motion made by Cioni, seconded by Valentine and adopted.

Roll Call: Cioni, Valentine, McDonald, Woykowski – Yes
Higgins, Boyle – No

Ayes: 4, Nays: 2
Motion Carried

RESOLUTION NO. 69-2009

**RESOLUTION MEMORIALIZING THE ESTABLISHMENT
OF RECREATION FEES FOR 2009**

WHEREAS, the Recreation Committee provided the Mayor and Council with recommendations for fees to be charged for recreational activities in the Borough of Washington for 2009; and

WHEREAS, the Borough Manager and Park Director also provided the Mayor and Council with a proposed fee schedule for pool and park activities; and

WHEREAS, the Mayor and Council considered both recommendations in an extensive and thorough discussion at a public session as part of the budget preparation process; and

WHEREAS, in that discussion the fees were reviewed to determine whether they are fair to the public and fairly reflect the reasonable cost of public facilities, taking into account such municipal expenses as wages and benefits, insurance, utility costs, maintenance and repair costs and other unpredictable costs incurred by the Borough to operate the Borough's recreational

facilities; and

WHEREAS, the Mayor and Council reached a determination on the appropriate fees to be charged in 2009, a copy of which fee schedule is attached to this resolution and has been posted on the Borough website; and

WHEREAS, the Mayor and Council wish to memorialize the approval of the 2009 fee schedule;

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

The 2009 Recreation Fee Schedule, in the form attached to this resolution, is hereby approved.

2009

Girl's Softball: Ages 2nd thru 8th Grade

January 16	7:00 - 8:00 p.m.	Boro Residents: \$35 per person, Not to exceed \$70 per family
January 17	9:00 - 11:00 a.m.	Non-Residents: \$40 per person, Not to exceed \$80 per family
January 24	9:00 - 11:00 a.m.	
January 31	9:00 - 11:00 a.m.	

Karate/Self-Defense - Session 2: Ages 5 thru 12

March 6	7:00 - 8:00 p.m.	Boro Residents: \$40 per participant
March 7	9:00 - 11:00 a.m.	Non-Residents: \$45 per participant
March 14	9:00 - 11:00 a.m.	

Easter Egg Hunt: Ages 3 to 6th Grade

April 4 2:00 p.m.
Washington Borough Park
Raindate: April 11

Free

Swim Team: Ages 5 to 18

March 27	7:00 - 8:00 p.m.	Boro Residents: \$50 each person, not to exceed \$125 per family
March 28	9:00 - 11:00 a.m.	Non-Residents: \$100 each person, not to exceed \$250 per family
April 4	9:00 - 11:00 a.m.	

Swim Lessons: Ages 2 1/2 and Up

April 24	7:00 - 8:00 p.m.	Boro Residents: All Levels - \$45
April 25	9:00 - 11:00 a.m.	Non-Residents: All Levels - \$65
May 2	9:00 - 11:00 a.m.	

Pool Membership

Sign up at any time beginning March 27

Boro Residents: Family - \$175; Individual - \$100; Senior - \$25
Non-Residents: Family - \$265; Individual - \$150; Senior - \$50

Soccer: Ages 5 to 8th Grade

May 8 7:00 - 8:00 p.m.
May 9 9:00 - 11:00 a.m.
May 16 9:00 - 11:00 a.m.

\$40 for 5, 6, and 7 years old
\$45 for 8 years and up; not to exceed \$90 per family

Field Hockey: Ages 2nd to 6th Grade

May 8 7:00 - 8:00 p.m.
May 9 9:00 - 11:00 a.m.
May 16 9:00 - 11:00 a.m.

Boro Residents: \$40 per person, not to exceed \$80 per family
Non-Residents: \$50 per person, not to exceed \$100 per family

Karate/Self-Defense - Session 3: Ages 5 thru 12

May 8 7:00 - 8:00 p.m.
May 9 9:00 - 11:00 a.m.
May 16 9:00 - 11:00 a.m.

Boro Residents: \$40 per participant
Non-Residents: \$45 per participant

Men's Basketball

May 15 7:00 - 8:00 p.m.
May 16 7:00 - 8:00 p.m.
May 23 9:00 - 11:00 a.m.

Team Sponsor \$500

Boro Residents: \$60
Non-Residents: \$70
High School Students: \$40

Movies in the Park

Friday Evenings in July and August

Free

Movies begin at dusk (approx. 8:30 p.m.) at Boro Park
Bring a lawn chair or blanket

Youth Basketball: Ages 3rd to 8th Grade

October 9 7:00 - 8:00 p.m.
October 10 9:00 - 11:00 a.m.
October 17 9:00 - 11:00 a.m.

Boro Residents: \$45 per person, not to exceed \$90 per family
Non-Residents: \$55 per person, not to exceed \$110 per family

Street Hockey: Ages K to 8th Grade

October 9 7:00 - 8:00 p.m.
October 10 9:00 - 11:00 a.m.
October 17 9:00 - 11:00 a.m.

Boro Residents: \$40 per person, not to exceed \$80 per family
Non-Residents: \$50 per person, not to exceed \$100 per family

Grand Illumination Ceremony

TBD 5:30 p.m.

Free

Holiday House Decorating Contest

Free

Judging to end December 18th

Karate/Self-Defense - Session 1 - 2010: Ages 5 thru 12

December 11 7:00 - 8:00 p.m.

Boro Residents: \$40 per participant *

December 12 9:00 - 11:00 a.m.

Non-Residents: \$45 per participant *

* Prices subject to change per 2010 Fee Schedule

Baseball Field Usage Fee

TBD

Late Fee of \$10.00 will apply after the last sign-up date for each activity

All sign-ups are held at Borough Hall; 100 Belvidere Avenue, Washington NJ Second Floor

With the exception of swim lessons, early registration via mail or drop-off is encouraged.

Forms may be mailed to the Recreation Department, 100 Belvidere Avenue, Washington, NJ 07882

Registration forms are also available on the Borough website: washingtonboro-nj.org

Please call 689-8290 with any questions.

Resolution 70- 2009 Shade Tree Grant

Resolution 70-2009 was moved on a motion made by Cioni, seconded by Valentine and adopted.

Roll Call: Cioni, Valentine, Woykowski, McDonald, Higgins, Boyle

Ayes: 6, Nays: 0

Motion Carried

Whereas, the Governing Body of the Borough of Washington desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000.00 to fund the following project: Community Forest Management Plan

Therefore, be it resolved that, the governing body resolves that Scott McDonald, or the successor to the office of the Mayor is authorized to make application for such grant and to execute a grant agreement with the State of New Jersey for not less than \$3,000.00.

The Washington Borough Council authorizes and hereby agrees to match 33% of the total project amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property is hereby certified 100% of the match will be made up of in-kind services.

Resolution 72-2009 Approval of Tax Anticipation Notes

Resolution 72-2009 was moved on a motion made by Cioni, seconded by Valentine and adopted.

Roll Call: Cioni, Valentine, Woykowski, McDonald, Boyle – Yes
Higgins – No

Ayes: 5, Nays: 1
Motion Carried

72-2009 RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,000,000 TAX ANTICIPATION NOTES OF 2009 OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY.

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY, AS FOLLOWS:

In anticipation of the collection of taxes for the year 2009 levied or to be levied in such year or in anticipation of other revenue for such year, and for the purposes provided for in the budget or for which taxes are levied or to be levied for such year, Tax Anticipation Notes of 2009 of the Borough of Washington, in the County of Warren, are hereby authorized to be issued in the principal amount of \$2,000,000 pursuant to the Local Budget Law of the State of New Jersey.

The following matters in connection with said notes are hereby determined:

TITLE:	\$2,000,000 Tax Anticipation Notes of 2009
DATE, NUMBER, DENOMINATION AND PLACE OF PAYMENT:	As may be determined by the Chief Financial Officer.
MATURITY:	As may be determined by the Chief Financial Officer.
INTEREST RATE:	As may be determined by the Chief Financial Officer.
FORM:	As may be determined by the Chief Financial Officer.

The borrowing power of the Borough on Tax Anticipation Notes for the year 2009 is \$4,931,240 as determined by a certificate of the interim chief financial officer or chief financial officer (the "Chief Financial Officer") filed in the office of the Borough Clerk, such certificate being as follows:

"CERTIFICATE

I, THOMAS F. KANE, Interim Chief Financial Officer of the Borough of Washington, in the County of Warren, New Jersey, HEREBY CERTIFY as follows:

The gross borrowing power in respect to Tax Anticipation Notes of 2009, being 30% of the tax levy of the next preceding fiscal year for all purposes, plus 30% of the amount of miscellaneous revenues realized in cash during the next preceding fiscal year, is \$4,931,240.

The amount of notes outstanding in anticipation of the collection of the taxes of the 2009 fiscal year, except such notes as will be renewed by or paid from other proceeds of the notes to be issued is \$0.

The net borrowing power, being the excess of the first over the second of the two above amounts, is \$4,931,240.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of March, 2009.

Thomas F. Kane
Interim Chief Financial Officer"

The Chief Financial Officer signing such notes is hereby authorized and directed to determine all matters in connection therewith not determined by this or a subsequent resolution and the signature of the Chief Financial Officer upon said notes shall be conclusive evidence that all such matters have been so determined in manner and effect consistent with the form and substance of such notes. The Chief Financial Officer is hereby authorized to sell said Tax Anticipation Notes of 2009 at public or private sale at not less than par and to deliver the same to the purchasers thereof upon receipt of the purchase price plus accrued interest from the date of the notes to the date of delivery thereof and payment therefore.

Said notes shall be general obligations of the Borough and the full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on said obligations, and, unless otherwise paid or payment provided for, taxes shall be levied in an amount sufficient to pay the principal of and interest on said obligations as the same shall become due and payable.

The Chief Financial Officer is authorized and directed to report in writing to this Mayor and Common Council at the meeting next succeeding the date when the sale of any of said notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full in the minutes of such meeting.

The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the

purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended. This resolution shall take effect immediately.

Resolution 73-2009 Redemption of Tax Sale Certificate

Resolution 73-2009 was moved on a motion made by Higgins, seconded by Boyle and adopted.

Roll Call: Higgins, Boyle, Woykowski, McDonald, Cioni, Valentine

Ayes: 6, Nays: 0
Motion Carried

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE **As per N.J.S.A.54:5**

KNOW ALL MEN BY THESE PRESENTS, THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on December 4, 2008 to CCTS Capital LLC, 1415 Route 70 East, Suite 504, Cherry Hill, NJ 08034, in the amount of \$171.39 for taxes or other municipal liens assessed for the year 2007 in the name of Aroneo, Kristen, as supposed owners, and in said assessment and sale were described as 10 Vannatta Street, Block 94 Lot 19.01, which sale was evidenced by Certificate #08-00455; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 01-27-09 and before the right to redeem was cut off, as provided by law, LPS Property Tax Solutions/EMC Mortgage Corporation, claiming to have an interest in said lands, did redeem said lands claimed by CCTS Capital LLC, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$191.02, which is the amount necessary to redeem Tax Sale Certificate #08-00455.

NOW THEREFORE BE IT RESOLVED, on this 17th day of March, 2009 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to CCTS Capital LLC, 1415 Route 70 East, Suite 504, Cherry Hill, NJ 08034 in the amount of \$191.02.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 94 Lot 19.01 from the tax office records.

Resolution 74-2009 Award of Bid – Municipal Air Conditioning System Improvements

Resolution 74-2009 was moved on a motion made by Cioni, seconded by Valentine and adopted.

Roll Call: Cioni, Valentine, McDonald, Woykowski, Higgins, Boyle

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION # 74-2009

**A RESOLUTION TO AWARD A BID MUNICIPAL AIR
CONDITIONING IMPROVEMENTS**

WHEREAS, bids were advertised and were publicly opened and read on the 13th of March 2009 for Municipal Building Air Conditioning Improvements; and

WHEREAS, 4 bids were submitted and reviewed by Suburban Consulting Engineers; and

WHEREAS, Suburban Consulting Engineers has determined that the lowest responsible bidder for the bid for the Municipal Building Air Conditioning System Improvements is Binsky and Snyder Service LLC of Piscataway, New Jersey in the amount of \$53,193 with said report is attached hereto; and

WHEREAS, Suburban Consulting Engineers and the Acting Borough Manager have recommended that a contract be awarded to Binsky and Snyder Service LLC for the bid; and

WHEREAS, a certification of funds by the CFO is attached.

NOW, THEREFORE BE IT, by the Mayor and Council of the Borough of Washington in the County of Warren State of New Jersey that it is in the best interest of the Borough to award a contract for the bid for the Municipal Building Air Conditioning System Improvements.

BE IT FURTHER RESOLVED, that a contract is hereby awarded to Binsky and Snyder Service LLC Piscataway NJ in accordance with Binsky and Snyder LLC bid dated March 13, 2009.

Resolution 76-2009 Appointment of Borough Manager

Resolution 76-2009 was moved on a motion made by Cioni, seconded by Valentine and adopted.

Roll Call: Cioni, Valentine, McDonald, Woykowski – Yes
Higgins, Boyle – No

Ayes: 4, Nays: 2

Motion Carried

RESOLUTION 76-2009
RESOLUTION AUTHORIZING THE APPOINTMENT OF RICHARD PHELAN AS
BOROUGH MANAGER.

WHEREAS, the members of Council present concurred on March 3, 2009 to appoint Richard Phelan as the Borough Manager effective March 23, 2009 and;

WHEREAS, it is in the best interest of the parties to formalize the appointment through a written Resolution; and

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

1. The Mayor and Council hereby appoint Richard Phelan as Borough Manager with the terms of employment outlined in the employment offer letter.

COUNCIL REMARKS

Councilwoman Woykowski requested some type of monthly reporting from the Tax Assessor's office. Motion made by Woykowski, seconded by Higgins to receive a monthly report from the Assessor's office.

Ayes: 6, Nays: 0
Motion Carried

Councilman Cioni requested a report of gang related activities from the Police Chief.

Hearing no further business to come before Council, it was moved by Higgins, seconded by Cioni that the meeting be adjourned at 11:00 p.m.

Ayes: 6, Nays: 0.
Motion carried.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk