

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – April 7, 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, Cioni, Valentine, Woykowski, Boyle, - Present
Housel – 9:00 p.m.

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

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.

Executive Session

At this time, Mayor McDonald entertained a motion to enter executive session to discuss potential litigation, and contracts.

Motion made by Boyle, seconded by Cioni and adopted.

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

Ayes: 6, Nays: 0

Motion Carried

RESOLUTION 81-2009

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;

_____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;

___X___ 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: 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.) Combe Landfill

_____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.);

X 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: Personnel

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 APPEARANCE

Shade Tree Committee – Lou Starita

Mr. Starita stated that in the year 2008 there were fifteen tree removals and five tree trimmings. Fifty Six trees were planted in the Borough with funds received from grant money. The Shade Tree Commission plans on applying for the same grant in 2009.

Mayor McDonald asked if there was any way the utility companies could do the tree trimmings in order to save Borough money. Mr. Starita stated that the utilities only do trimmings once every five years.

COMMUNICATIONS:

The following communications were entered into the record:

1. Washington Township Land Use Board – Notice of Hearing
2. Kaffe Kapry’s – Permission for Outdoor Dining
3. Lost Ladies Café – Permission for Outdoor Dining

4. Recreation Commission in Support of Councilman Boyle

Councilman Cioni stated the outdoor dining is a great idea. Motion to approve the outdoor dining requests from Lost Ladies Café and Kaffe Kapry's made by Cioni, seconded by Boyle and adopted.

Ayes: 6, Nays: 0
Motion Carried

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

Ayes: 6, Nays: 0.
Motion carried.

AUDIENCE:

Joyce Pyle – 88 West Stewart Street

Ms. Pyle stated she wanted to express her opposition to the potential changes at the library. The Borough of Washington has always been able to support the library. She feels this is one of the most important facilities in town.

Jim Chrisafous- 166 West Washington Avenue

Mr. Chrisafous stated that the Street Hockey team pays a registration fee to recreation every year. This program is also supported by the Devils Hockey Team. This program has always received a pizza party and trophies at the end of the year. The former Borough Manager promised this program a party. He stated that the street hockey program has spent \$2300.00 thus far and has raised \$4500.00 for the season. He wants to know what the Borough will do with the rest of the money. Manager Phelan stated that all sports in the recreation program must pay a certain level of liability insurance and this cost is not broken down per sport. The recreation trust account is solely designated for the operating of the recreation programs and costs. Some sports user fees may be higher than others. Mr. Phelan stated that there is also the staffing and soft costs associated with each sport.

Gary Taylor 18 Jackson Ave

Mr. Taylor stated that for the eight years he has been involved in street hockey there has been a party for the children. There is plenty of money left over for the children to have trophies and a pizza party. Mayor McDonald stated that it is his understanding that all recreation programs are treated equally. This would mean no parties and trophies but medals and certificates for each participant.

Councilman Higgins stated that he has reviewed the recreation accounting. In the year 2005 it was paid for but it was not paid for in the years 2006 and 2007. Councilman Higgins will share the accounting with Mr. Chrisafous.

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

Ayes: 7, Nays: 0
Motion Carried

ORDINANCES:

Ordinance 4-2009 An Ordinance Amending Chapter 47 of the Code of the Borough of Washington to Include New County Recycling Requirements (Introduction)

Mayor McDonald entertained a motion to introduce Ordinance #4-2009.

Ordinance 4-2009 was introduced by Councilman Cioni, seconded by Councilwoman Woykowski.

It was further moved by Cioni, seconded by Woykowski that the Clerk read Ordinance #4-2009 by title only.

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

Ayes: 7, Nays: 0
Motion Carried

The Clerk read Ordinance #4-2009 entitled, "An Ordinance Amending Chapter 47 of the Code of the Borough of Washington to Include New County Recycling Requirements."

Ordinance 4-2009 was moved by Councilman Housel, seconded by Councilwoman Woykowski to be introduced on first reading.

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

Ayes: 7, Nays: 0
Motion Carried

It was further moved by Housel, seconded by Woykowski that Ordinance #4-2009 be published in the Star Gazette on April 16, 2009 as required by law and that the public hearing be scheduled for May 5, 2009.

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

Ayes: 7, Nays: 0
Motion Carried

Ordinance 1-2009 An Ordinance of the Municipal Council of the Borough of Washington, County of Warren, State of NJ Adopting the Redevelopment Plan Relating to the Downtown Redevelopment Area (Adoption/Public Hearing)

Mayor McDonald entertained a motion to introduce **Ordinance #1-2009**.

Ordinance 1-2009 was moved by Councilman Housel, seconded by Councilman Cioni.

It was further moved by Housel, seconded by Cioni that the Clerk read Ordinance #1-2009 by title only.

The Clerk read Ordinance #1-2009 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: Boyle, Valentine, Woykowski, Cioni, Housel, Higgins, McDonald

Ayes: 7, 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: 7, Nays: 0
Motion Carried

Mayor McDonald entertained a motion to adopt Ordinance 1-2009 on final adoption.

Motion made by Housel, seconded by Cioni to adopt Ordinance 1- 2009 on final adoption.

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

Ayes: 7, Nays: 0
Motion Carried

REPORTS:

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

1. Report from Assessor
2. Engineers Report March 2009
3. Fire Prevention Report
4. Issues/Details Report

Ayes: 7, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Redevelopment Committee: No Report

DPW Garage: No Report

Sewer Committee: No Report

Streets Committee: No Report

Finance Committee: No Report

Shared Services Committee: No Report

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

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 Cioni, seconded by Housel to pay the vouchers and claims in the amount of \$1,078,334.01.

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

Ayes: 7, Nays: 0
Motion Carried

OLD BUSINESS:

Rental Housing Units/Stacking

Council discussed the fees associated with the proposed Ordinance. The fees recommended were \$25.00 to \$50.00 depending on the size of the unit. This Ordinance will ensure that the property is up to code when the building is vacated.

Attorney Cushing stated this Ordinance will also protect the safety of the tenants and prohibits overcrowding saving lives during an emergency. The Ordinance requires that each landlord register with the borough and have an annual inspection. Additionally a change in tenancy would require re-inspection.

Councilman Cioni motioned to incorporate the suggested fee schedule and bring to the next Council meeting for consideration, seconded by Councilman Valentine.

Ayes: 7, Nays: 0
Motion Carried

NEW BUSINESS

Graffiti Ordinance

Councilman Cioni stated he was concerned about not having any type of Ordinance on the books to clean up graffiti. He has provided Council with a sample Ordinance obtained from another Warren County town. The property owner would be responsible for the clean up of the property. Mayor McDonald suggested the person responsible for the graffiti should be the one to

clean the property. Councilman Housel stated that would probably be at the discretion of the Judge. Council will consider this Ordinance for introduction at the next Council meeting.

Resolution 78-2009 Policy Defining Process of Professionals

Resolution 78-2009 was moved on a motion made by Higgins, seconded by Cioni and adopted.

Ayes: 7, Nays: 0
Motion Carried

Resolution 78-2009
to replace Resolution 197-2007

Of the Mayor and Council Of the Borough of Washington, Warren County

Establishing A Policy defining the process of professional services provided by all appointed professionals

Whereas, the mayor and council of the Borough of Washington, Warren County are committed to improving the process of record keeping, accounting and budgeting and wish to ensure effortless continuity in the face of changes in the ranks of employees, appointed professionals, as well as appointed and elected officials,

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the following policy be adopted:

POLICY DEFINING THE PROCESS OF PROFESSIONAL SERVICES PROVIDED BY ALL APPOINTED PROFESSIONALS

1. **Scope of Services.** Before the start of any project, a scope of services shall be presented to the Mayor and council, by the respective professional(s) including variables and cause and effect, and estimated costs with sufficient details so the Mayor and council can make an informed decision whether to consider this project at all and if so, which direction to take. The professional should be prepared to give reasonable explanations of each step during the project, and answer questions by the Mayor and council.

In the case of more **complex projects** the scope of services shall include all the steps in chronological order, including time frames and cost breakdowns. The scope of services shall also contain a fee schedule for the various levels of professionals of the firm that will be working on the project at the various stages. It shall also list all additional resources required, such as other professionals, consultants, borough personnel and contractors and materials, if they are to receive payment for their services by the borough and their fee is not included in the professional's proposal.

2. **Resolution.** Work on the project cannot commence until after the passage of a resolution; the resolution shall state the budgeted amount and the projected deadline. Acceptance and approval of the proposal shall be done by resolution, by a majority vote of the governing body. The resolution is to be accompanied by a certification of available funds, issued by the chief financial officer of the borough. The resolution is to be filed in the clerk's office, with the Scope of Services and the Certification of Available funds attached to it.
3. **Invoices.** All invoices in connection with a particular project (Resolution) must be submitted on a timely basis. All invoices must have the Resolution number in a prominent area on the invoice; the resolution number is to be used in the description area of the bill list. Only allowable costs as defined in the Scope of Services may be charged against this Resolution.
4. **Responsibility for Errors.** All documents are to be presented in a fashion that is deemed complete for the specific purpose and free of errors. The professional shall be responsible for his/her work and results under the Resolution and Scope of Services. The professional, when requested, shall furnish clarification and/or explanation as may be required by the manager or mayor and council, regarding any services rendered under this agreement at no additional cost to the borough. A thorough report or presentation would keep these incidents to a minimum.

The Manager and the Mayor and Council should be informed of any new developments no later than the next council meeting from the date of the occurrence.

In the event that an error or omission attributable to a Professional occurs, then the Professional shall, at no cost to the borough, rectify and correct the matter to the satisfaction of the borough and to participate in any meeting required with regard to the correction. The Resolution and the Scope of Services shall serve as guidelines and all directions must come from the borough manager or from full membership of borough council during a council meeting. If the professional acted at the direction of someone other than the manager or one or more members of the governing body not assembled in a council meeting, he will be automatically responsible for the error.

5. **Revisions and Modifications.** Any request for a revision (increase or decrease) to the approved spending budget, or an extension of time for the project, as set forth in the Scope of Services must be made in writing, clearly stating the reasons for the revision and must be approved by Resolution by a majority of council. The number of the original resolution must be clearly referenced in the new resolution granting a revision.
6. **Applicability.** This policy shall apply to all, but not be limited to the following professionals and consultants:
 - Municipal Attorney
 - Municipal Engineer
 - Sewer Engineer
 - Redevelopment Attorney
 - Planner

Planning Board Engineer
Planning Board Planner
Planning Board Attorney
Board of Adjustments Attorney
Bond Counsel
Municipal Auditor

7. Exceptions.

- a.) The Municipal Attorney shall be paid an annual retainer, as provided for in the Salary Ordinance, which shall be approved by the Mayor and Council and shall be reviewed and updated by the Mayor and Council on an as needed basis.

However, in the event of litigation or Code codification, the reimbursement shall be on a fee basis in conformance with the Administrative Code of the Borough of Washington, Chapter 3, Section 40, in which case the rules of this policy must be followed.

- b.) The Municipal Engineer shall be paid an annual retainer, which shall be approved by the Mayor and Council and shall be reviewed and updated by the Mayor and Council on an as needed basis.

Any projects that fall outside the scope of the agreed upon retainer, shall comply with the rules of this policy.

- c.) The Municipal Auditor shall be paid an annual retainer, which shall be approved by the Mayor and Council and shall be reviewed and updated by the Mayor and Council on an as needed basis.

Any projects that fall outside the scope of the agreed upon retainer, shall comply with the rules of this policy.

- d.) The Planning Board Engineer shall be paid an annual retainer to attend Planning Board meetings and shall also receive reimbursement through a developer's escrow, whenever there is such an agreement.

- e.) The Planning Board Attorney shall be paid an annual retainer to attend Planning Board meetings and shall also receive reimbursement through a developer's escrow, whenever there is such an agreement.

- f.) The Board of Adjustments Attorney shall be paid an annual retainer to attend Board of Adjustments meetings.

Resolution 79-2009 Refund of Sewer Service

Resolution 79-2009 was moved on a motion made by Higgins, seconded by Cioni and adopted.

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

Ayes: 7, Nays: 0

Motion Carried

RESOLUTION #79-2009

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

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

<u>BLOCK/LOT</u>	<u>PROPERTY OWNER/ PROPERTY LOCATION</u>	<u>AMOUNT TO BE REFUNDED</u>
70/5	Karam, Michael 258 East Washington Ave.	\$ 180.92

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$180.92 should be mailed to:

Michael Karam
593 Grace Avenue
Phillipsburg, NJ 08865

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Borough Treasurer is authorized to refund the above overpayment amount.

Resolution 80-2009 Click it or Ticket

Resolution 80-2009 was moved on a motion made by Higgins, seconded by Cioni and adopted.

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

Ayes: 7, Nays: 0

Motion Carried

RESOLUTION # 80-2009

**A RESOLUTION SUPPORTING THE CLICK IT OR TICKET
MOBILIZATION OF MAY 18 – MAY 31, 2009**

WHEREAS, 716 motor vehicle fatalities in New Jersey in 2008; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

WHEREAS, use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* safety belt mobilization from May 18- May 31 2009 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate in the state from the current level of 91% to 93%; and

WHEREAS, a further increase in safety belt usage in New Jersey will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED that Borough of Washington declares its support for the *Click It or Ticket* safety belt mobilization both locally and nationally from May 19- May 31 2009 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

Resolution 82-2009 Municipal Alliance Grant

Resolution 82-2009 was moved on a motion made by Higgins, seconded by Cioni and adopted.

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

Ayes: 7, Nays: 0
Motion carried

RESOLUTION #82-2009

A RESOLUTION OF THE BOROUGH OF WASHINGTON

**APPROVING A CONTRACT WITH THE COUNTY OF
WARREN FOR MUNICIPAL ALLIANCE PROGRAMS
FOR THE YEAR 2009**

WHEREAS, the County of Warren Board of Freeholders have notified the various communities within the county of available grants for Municipal Alliance purposes; and

WHEREAS, the Borough of Washington is desirous of partaking in the grant opportunities with the County of Warren; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, hereby approves the contract with the County of Warren for a Municipal Alliance grant in the amount of \$6,528.00 and that a like sum will be appropriated in the 2009 Municipal Budget and the Mayor and Borough Clerk are hereby authorized to execute the contract agreement.

Resolution 83-2009 Overpayment of Taxes

Resolution 83-2009 was moved on a motion made by Higgins, seconded by Cioni and adopted.

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

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 83-2009

**A RESOLUTION TO REFUND OVERPAYMENT OF
ADDED REAL ESTATE TAXES DUE TO TAX APPEAL**

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$6,499.78 on 2008 4th Quarter Added Taxes and an overpayment of \$1,624.95 on 2009 1st Quarter Added Taxes paid by Spencer Savings Bank, SLA on property located at 37 Belvidere Avenue, also known as Block 23 Lot 9 and in the name of 37-39 Belvidere Avenue, LLC and

WHEREAS, this overpayment was created by Tax Appeal #21-08-01A being granted on the Added Assessment; and

WHEREAS, the Tax Collector wishes to refund this overpayment to the mortgage company due to this appeal being awarded for an erroneous assessment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector

and Treasurer to refund the amount of \$8,124.73 in the name of:

Spencer Savings Bank, SLA
River Drive Center 3
611 River Drive
Elmwood Park, NJ 07407

Resolution 84-2009 Overpayment of Taxes

Resolution 84-2009 was moved on a motion made by Housel, seconded by Cioni and adopted.

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

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION #84-2009
A RESOLUTION AUTHORIZING APPLYING 2008
OVERPAYMENT TO 2009 TAXES

WHEREAS, according to the Tax Collector's records, there exists an overpayment from a previous year's quarter on the following property due to a change in the tax assessment (house burned down);

<u>BLOCK/LOT</u>	<u>NAME OF OWNER/ PROPERTY LOCATION</u>	<u>QUARTER</u>	<u>AMOUNT</u>
98/25	Mennella, Michele 57-59 S Lincoln Avenue	2008 4R	264.09

WHEREAS, the Tax Collector's office has received a request from Mr. Mennella concerning this overpayment and that the overage be applied to the 1st Quarter 2009 taxes.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey to hereby authorize the Tax Collector to apply the overpayment to the 1st Quarter 2009 taxes.

Resolution 85-2009 Approval of Vending Machine Contract for Park

Resolution 85-2009 was moved on a motion made by Cioni, seconded by Housel and adopted.

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

Ayes: 6, Nays: 1
Motion Carried

RESOLUTION # 85- 2009

**A RESOLUTION TO AWARD A BID FOR VENDING
MACHINE SERVICES**

WHEREAS, bids were advertised and accepted by the Municipal Clerk/Acting Borough Manager for Vending Machine Services on Wednesday March 18, 2009 at 5:00 p.m.; and

WHEREAS, 2 bids were submitted and reviewed; and

WHEREAS, the contract for Vending Services be awarded to Morning Star, allowing for the sale of food and drinks via machines in accordance with the terms of the bid specifications, and revenue to be paid to the Borough; and

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 Vending Machine Services Contract be awarded to Morning Star.

BE IT FURTHER RESLOVED that Mayor, Borough Clerk and Borough Manager are hereby authorized to execute all necessary contracts and documents to award said contract.

Approval of Raffle Application for the Washington PTO

Motion made by Councilman Housel, seconded by Councilman Higgins for the approval of a raffle Application for the Washington PTO.

Ayes: 7, Nays: 0
Motion Carried

Resolution 86-2009 Fletcher Creamer and Sons – Police Services Account

Resolution 86-2009 was moved on a motion made by Cioni, seconded by Higgins and adopted.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 86-2009

**RESOLUTION AUTHORIZING THE RELEASE OF FUNDS
FROM AN SPECIAL POLICE SERVICES ACCOUNT
ESTABLISHED IN THE NAME OF J FLETCHER CREAMER &
SON, INC IN TRUST BY THE BOROUGH OF WASHINGTON**

WHEREAS, J Fletcher Creamer & Son, Inc applied for a Police Services Agreement in 2007 for Washington Borough Police to do traffic duty for a project on Route 57, Washington Avenue; and

WHEREAS, funds were posted in escrow to cover the cost of this traffic duty; and

WHEREAS, J Fletcher Creamer & Son, Inc have sent in a written request to have the balance of their account refunded since the project is finished since 2008.

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 Municipal Treasurer is hereby authorized to issue a check to J Fletcher Creamer & Son, Inc for the balance in the Special Police Services Sub account #7200020942 in the amount of \$3,441.97.

COUNCIL REMARKS

Councilman Cioni – requested the Borough Park field usage fees be discussed at the next meeting.

Manager Phelan stated he had discussed the Highlands Grant and the 3rd Round COAH 2009. This is a seven part grant and is a reimbursable grant if Council decides they want to move forward. This grant will not relieve the Borough of any COAH obligation. Council concurred that there will be no further action on the Highlands Plan Conformance Grant.

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: 7, Nays: 0.
Motion carried.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk