

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – November 4, 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: Cioni, McDonald, Gleba, Valentine - Present
Higgins, Housel – 7:45
Boyle - Absent

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

Minutes

Motion made by Cioni, seconded by Gleba to approve the minutes from October 20, 2009.

Ayes: 4, Nays: 0
Motion Carried

Council Appearance

Barbara Rose – Library Director

Ms. Rose stated that the Borough library was founded in 1913 and in 1927 became a municipal library. Historically, during times of economic difficulties people turn to their libraries for entertainment, education and information. The library now has wireless service available through a state grant. The library also has a new server and the card catalogue is available on line. The library has an enthusiastic and loyal Board of Directors. We have always been well supported and have been less expensive then the Warren County Library. In this economic atmosphere libraries get more use than at any other time. The library has become somewhat of an employment center; people will use us to search for jobs. The library will continue to find grants. Today alone there were 142 checkouts for the day and 24 people on the computers, which is a significant number. Councilman Cioni asked Ms. Rose what the peak times were for the library. Ms. Rose stated that Monday and Thursday night is a popular time. Tuesday is busy too.

Mayor McDonald thanked Ms. Rose for her annual report.

Susan Gruel – Heyer and Gruel Associates

Ms. Gruel stated that her firm was retained to prepare the housing plan for the Borough of Washington. The good news you have been active providing affordable housing in the Borough. The Council on Affordable Housing has determined that you have excess credits to meet your affordable housing obligation. Ms. Gruel explained that there are three components to the affordable housing obligation. One is rehabilitation; the Borough has 52 rehab units. The second is prior round obligations and the third is growth share projection. She explained that if a municipality is expected to grow; then the municipality has an affordable housing obligation. The Council on Affordable Housing has projected your growth share at 51 units. The Borough has 68 units in the Westgate Apartments. The Borough also has units in the age restricted Regency at Washington and 20% of your redevelopment area has been set aside for affordable housing requirements. Additionally, the Borough has 14 units with the ARC project and 13 units of rental bonuses based on Westgate. The Borough of Washington has a total credit of 173 units. Your growth share is 51 so the Borough has a surplus of 122 credits.

The Planning Board has scheduled a public hearing on the Affordable Housing Plan on November 9, 2009. Ms. Gruel explained that if the Planning Board adopts the plan will be sent to the Governing Body to be endorsed and then sent to the Council on Affordable Housing.

Audience member Ms. Johnson asked if this reduces her property taxes in any way. Ms. Gruel stated that the Borough does not use tax money to fund low income housing. Councilman Higgins asked how much information did you receive from the Highlands. Ms. Gruel explained that they did not use any information from Highlands Council. Councilman Higgins asked why did we need to pay the \$12,500 to get the information from the Highlands. Manager Phelan explained that the Council chose not to partake in Module 1 therefore they did not get paid for module 1; they would have only used the information from module 1 if the Borough chose to partake in it. Attorney Cushing stated that he the initial thinking was the obligation may have been lower if the Borough participated in the Highlands. Councilman Higgins stated that it's too bad we didn't know this prior to discussing the Highlands grant at length.

AUDIENCE:

Hearing no comments from the audience, it was moved by Higgins, seconded by Cioni to close the audience portion of the meeting.

Ayes: 5, Nays: 0

Motion Carried

ORDINANCES

Ordinance 13-2009 AN ORDINANCE FIXING THE SALARY AND WAGES OF CERTAIN MUNICIPAL OFFICIALS AND REPEALING PORTIONS OF PRIOR INCONSISTENT SALARY AND WAGE ORDINANCES FOR THE YEARS BEGINNING JANUARY 1, 2009 (Public Hearing/Adoption)

Mayor McDonald entertained a motion to introduce **Ordinance #13-2009**.

Ordinance 13-2009 was moved by Councilman Housel, seconded by Councilwoman Gleba.

It was further moved by Housel, seconded by Gleba that the Clerk read Ordinance #13-2009 by title only.

The Clerk read Ordinance #13-2009 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: Higgins, Gleba, Valentine, Cioni, Housel, McDonald

Ayes: 6, Nays: 0.

Abstain:

Motion carried.

Vince Smith 62 W Johnson

Mr. Smith stated that he understands the Borough Manager wants a new contract. Mayor McDonald stated that this will be discussed later in the meeting.

Mayor McDonald entertained a motion to adopt Ordinance 13-2009 on final adoption.

Motion made by Housel, seconded by Gleba to adopt Ordinance 13-2009 on final adoption.

Roll Call: Gleba, Housel, McDonald, Cioni, Valentine, Higgins

Ayes: 6, Nays:

Abstain:

ORDINANCE #13-2009

AN ORDINANCE FIXING THE SALARY AND WAGES OF CERTAIN MUNICIPAL OFFICIALS AND REPEALING PORTIONS OF PRIOR INCONSISTENT SALARY AND WAGE ORDINANCES FOR THE YEARS BEGINNING JANUARY 1, 2009

SECTION 1. The annual salaries, wages and salary and wage ranges for the municipal officials and employees of the Borough of Washington hereinafter named shall be as follows:

SCHEDULE A - FULL-TIME CLASSIFIED

<u>POSITION TITLE</u>	<u>SALARY OR WAGE RANGE</u>
Account Clerk, Deputy Municipal Court Administrator, Sr. Clerk-Typist	\$30,012 - \$47,964 AN
Administrative Clerk, Municipal Court Administrator	\$41,532 - \$66,918 AN
Assistant Municipal Tax Collector	\$35,914 - \$57,439 AN
Assistant Supervisor, Streets	\$49,681 - \$65,801 AN
Building Maintenance Worker	\$37,394 - \$50,082 AN
Clerk	\$13,615- \$27,967 AN
Code Enforcement Officer/Zoning Officer	\$41,225 - \$59,222 AN
Equipment Operator, Principal Clerk-Typist	\$44,526 - \$60,085 AN
Laborer	\$33,647 - \$46,509 AN
Library Assistant, Clerk-Typist	\$26,492 - \$41,831 AN
Library Director	\$50,000 - \$79,322 AN
Police Chief	\$72,500 - \$98,794 AN
Supervising Library Assistant	\$32,026 - \$49,879 AN
Supervisor Streets	\$53,870 - \$68,657 AN
Truck Driver	\$39,937 - \$55,536 AN

SCHEDULE B - PART-TIME CLASSIFIED

Account Clerk	\$7.25 - \$25.00 Hr.
Animal Control Officer	\$2,750 - \$6,281 AN
Building Service Worker	\$7.25 - \$25.00 Hr.
Clerk	\$7.25 - \$25.00 Hr.
Clerk-Typist	\$7.25 - \$25.00 Hr.
Deputy Municipal Emergency Management Coordinator	\$2,000 - \$3,000 AN
Deputy Registrar of Vital Statistics	\$1,500 - \$1,700 AN
Fire Official	\$20.00 - \$30.00 Hr.
Fire Prevention Specialist	\$15.00 - \$25.00 Hr.
Library Assistant	\$7.25 - \$25.00 Hr.
Senior Library Assistant	\$7.25 - \$25.00 Hr.

SCHEDULE C - UNCLASSIFIED SERVICE

Chief Financial Officer	\$15,500 - \$60,000 AN
Council Members	\$2,000 AN
Deputy Municipal Clerk	\$7.25 - \$25.00 Hr.
Judge of the Municipal Court	\$20,000 - \$33,765 AN
Mayor	\$2,500 AN
Municipal Clerk	\$48,833 - \$74,373 AN
Municipal Department Head	\$15,000 - \$75,000 AN or \$8.25 - \$41.00 Hr.
Municipal Emergency Management Coordinator	\$ 2,000 - \$ 6,000 AN
Municipal Manager	\$80,000 - \$120,000 AN
Tax Assessor	\$25,500 - \$45,679 AN
Tax Collector	\$41,532 - \$66,918 AN

SCHEDULE D - UNCLASSIFIED SERVICE

(TEMPORARY OR SEASONAL)

Acting or Interim Department Head or Executive Management	\$10.00 - \$50.00 Hr
Assistant Recreation Supervisor(s) (Swim Team)	\$970 - \$2,132/Season
Attendant Baths & Pools	\$7.25 - \$25.00 Hr.
Equipment Operator	\$7.25 - \$25.00 Hr.
Food Service Manager	\$7.25 - \$25.00 Hr.
Food Service Worker	\$7.25 - \$25.00 Hr.
Laborer	\$7.25 - \$25.00 Hr.
Life Guard	\$7.25 - \$25.00 Hr.
Recreation & Park Maintenance Worker	\$7.25 - \$25.00 Hr.
Recreation Supervisor (Director)	\$17.00 - \$25.00 Hr.
Recreation Supervisor Arts & Crafts	\$7.25 - \$25.00 Hr.
Recreation Supervisor Playground	\$7.25 - \$25.00 Hr.
Recreation Supervisor Swimming (Swim Team)	\$2,500 - \$3,500/Season
Recreation Supervisor Swimming (Swim Lessons)	\$7.25 - \$25.00 Hr.
Secretary, Board/Commission (Board of Adjustment, Shade Tree, Planning Board, Recreation Department)	\$ 500 - \$4,000 AN or \$7.25 - \$25.00 Hr.)
Sports Official Basketball	\$ 900 - \$2,035/Season
Supervisor Baths & Pools	\$7.25 - \$25.00 Hr.
Truck Driver	\$7.25 - \$25.00 Hr.

SECTION 2. Salaries herein shall be payable at the rate fixed in equal installments twice a month. Wages shall be payable twice a month. Any annual salary may be re-calculated to an hourly wage for any position unless restricted by collective bargaining agreement. Any and all fees received by officials and employees of the Borough of Washington shall be paid unto the municipality.

SECTION 3. Any salary and wage ordinance adopted prior to the adoption of this ordinance with

provisions inconsistent with the provisions of Section 1 of this ordinance shall, to the extent of any inconsistency and only to the extent of the inconsistency, be repealed.

SECTION 4. In the event the position becomes vacant or no figure is listed, then the figures noted in the column with the heading "salary or wage range" shall be utilized by the appointing authority and any salary or wage paid within this range shall be deemed appropriate and valid.

SECTION 5. An employee who has medical coverage under a spouse's health benefit plan and waives participation in the Borough of Washington health benefits program shall be compensated at the rate of \$1,250.00 annually in 2009; \$1,500.00 in 2010; \$1,750 in 2011; and \$2,000 in 2012 prorated to compensate the employee for only those pay periods when the Borough is no longer obligated to make health benefit payments.

SECTION 6. The Supervisor of Streets in possession of a valid Certificate as Certified Public Works Manager shall have added to their base pay \$6,000.00 per year to be paid twice per month.

SECTION 7. A public works employee who works eight hours in one day out of title in a job classification with a higher salary or wage range shall be entitled to additional compensation for that day at the rate of his or her current rate of pay plus ten (10%) percent.

SECTION 8. Part-time Municipal Court employees, not covered by collective bargaining agreements, shall be paid \$30.00 per call-out for court work performed when outside the normal business hours of the Borough of Washington Municipal Court Office.

SECTION 9. The rates contained herein shall become effective January 1, 2009.

SECTION 10. In accordance with Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington, this Ordinance shall become effective 20 days after final passage unless the Council, by an affirmative vote of five (5) Council Members, shall adopt a resolution declaring the Ordinance to be an emergency upon which said Ordinance will take effect upon final passage.

REPORTS:

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

1. Issues and Details
2. Tax Collectors Revenue Report
3. Washington Borough Municipal Court Report
4. CFO Expenditure Report

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

Concession Stand Committee – No Report

Recreation Report – No Report

Parking Lot Committee – The Parking Lot Committee will be meeting next Thursday.

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 Valentine to pay the vouchers and claims in the amount of \$1662,658.26.

Councilman Higgins asked about the payment to Raz Construction for repair work at the pool and Vara Field. He was under the impression that the contractor did the damage. Councilman Housel stated that is not the case. Raz was hired to come in and finish up the work that our DPW had prepped at the pool and Vara Field. He also asked about the supplies for the park being charged to legal advertising for Recreation. He stated this was supposed to be fixed. It is now November and it's not fixed; we have to go back and fix 12 months worth of mistakes

Roll Call: Cioni, Valentine, McDonald, Higgins, Housel – Yes
Gleba – Yes and abstained from the Finelli Consulting payment

Ayes: 6, Nays: 0

Abstain: 1 (Gleba – Finelli Consulting)

Motion Carried

OLD BUSINESS:

None

NEW BUSINESS

Councilman Housel left the meeting at 8:25 p.m.

Approval of Todd Henderson as a Member of the Washington Fire Department

Motion made by Gleba seconded by Valentine and approved.

Ayes: 4, Nays: 0
Abstain: 1 (Higgins)
Motion Carried

Resolution 199-2009 Approval to Extend Sewer Lines for a Single Family Home on Harrison Street

Resolution 199-2009 was moved by Higgins, seconded by Cioni and adopted.

Ayes: 4, Nays: 0
Abstain: 1 (Gleba)
Motion Carried

RESOLUTION # 199- 2009
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON,
WARREN COUNTY, TO EXTEND THE APPORVAL OF SEWER LINES FOR A
SINGLE FAMILY HOME ON HARRISON STREET

WHEREAS, the Mayor and Council approved Resolution #270 – 2007 on November 20, 2007 to authorize submission of an application to DEP for extending sanitary sewer lines to a single family home on Harrison Street, designated as Block 61, Lot 10 on the tax maps of the Borough of Washington; and

WHEREAS, DEP approval was granted for a period of two years ending November 9, 2009 under NJDEP Treatment Works Approval Number 05-0598; and

WHEREAS, the work has not been completed on this project and the property owner has asked for a one year extension of the previous approval; and

WHEREAS, the DEP has advised this permit was issued on November 9, 2005, and is permitted to be extended for a maximum of five (5) years from the date the permit was issued; and

WHEREAS, the Borough Engineer by letter dated October 21, 2009 recommends that the Treatment Works Approval be extended for the final allowable year.

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 of Washington approves the final one (1) year extension of the Sanitary Sewer Extension NJDEP Treatment Works Approval Number 05-0598 to Harrison Street Block 61, Lot 10 on the Borough Tax Maps until November 9, 2010.

BE IT FURTHER RESOLVED, that the Borough Manager is hereby authorized to sign any and all permit extension applications as required by the NJDEP.

BE IT FURTHER RESOLVED, that copies of this Resolution are forwarded to the New Jersey Department of Environmental Protection, Borough Engineer, Borough Attorney, Alan Y. Lowcher, Esq., James J. Chmielak, Jr., P.E., P.P., Engineering & Land Planning Associates, Inc., and Samuel Hicks (Property Owner).

Resolution 201-2009 Refund of Overpayment of Tax Bill

Resolution 201-2009 was moved on a motion made by Higgins, seconded by Cioni and adopted.

Roll Call: Higgins, Cioni, Gleba, McDonald, Valentine

Ayes 5, Nays: 0
Motion Carried

RESOLUTION # 201 -2009

A RESOLUTION TO REFUND 2008 TAX OVERBILLS

WHEREAS, according to the Tax Collector's records, there is an overbill of 2008 taxes due to a decrease in the property assessment on the property listed below:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME OF OWNER/</u>	<u>QUARTER</u>	
<u>AMOUNT</u>		<u>PROPERTY LOCATION</u>		
500	5	Embarq	2008 3R	96.78
		PO Box 7909, Tax Dep	2008 4R	99.04
		Overland Park, KS 66211	Total	
		195.82		

WHEREAS, the Tax Collector has received a letter from Embarq Corporation requesting a refund of the above overbilled amounts of \$195.82.

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 refund the overbill in the amount above.

Resolution 202-2009 Rescinding Funding from the DOT

Resolution 202-2009 was moved on a motion made by Higgins, seconded by Cioni and adopted.

Roll Call: Higgins, Cioni, Gleba, McDonald, Valentine

Ayes: 5, Nays: 0

Motion Carried

RESOLUTION # 202-2009

**RESOLUTION RESCINDING FUNDING FROM THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION**

WHEREAS, in 2008 the Borough of Washington applied for grant funding from the New Jersey Department of Transportation Municipal Aid program for the project known as Belvidere Avenue – Section II; and

WHEREAS, the Borough was subsequently notified that funding in the amount of \$150,000.00 was awarded to offset the costs associated with this project; and

WHEREAS, the Borough intended to complete this project within the approved grant timeline, but was unable to fund the portion of the project above the awarded grant amount due to difficult financial times within the Borough; and

WHEREAS, the Borough wishes to remain good standing with the New Jersey Department of Transportation in order to apply for future funding as the need should arise, and does not wish to be penalized for not accepting these funds.

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Washington hereby rescind our acceptance of the grant funds associated with Belvidere Avenue – Section II, and request the New Jersey Department of Transportation keep the Borough of Washington categorized in good standing for future grant applications.

BE IT FURTHER RESOLVED that certified copies of this resolution are forwarded to the New Jersey Department of Transportation and Borough Engineer.

Resolutions 203-2009 through 213-2009 were approved on a motion made by Valentine, seconded by Cioni.

Discussion: Councilman Higgins asked why we are doing this now and does this mean that we now have \$60,000.00 more than we showed in the budget? Manager Phelan stated that the resolutions are being adopted now because we have a new CFO to take care of these tasks. This money cannot be shown in the budget until it has been approved by the DCA.

Roll Call: Valentine, Cioni, Gleba, McDonald, Higgins

Ayes: 5, Nays: 0
Motion Carried

Resolution 203-2009 Approval of Items of Revenue – Tonnage Grant

RESOLUTION #203-2009

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$5,347.82 which is now available from the County of Warren

BE IT FURTHER RESOLVED, that the like sum of \$5,347.82 is hereby appropriated under the caption of Other Expenses – Recycling Tonnage Grant.

Resolution 204-2009 Approval of Items of Revenue – Body Armor

RESOLUTION # 204-2009

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$1,399.11 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$1,399.11 is hereby appropriated under the caption of Other Expenses – Body Armor replacement Fund

Resolution 205-2009 Approval of Items of Revenue – Bulletproof Vest

RESOLUTION # 205-2009

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$1,075.50 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$1,075.50 is hereby appropriated under the caption of Other Expense-Bulletproof Vest.

Resolution 206-2009 Approval of Item of Revenue – Clean Communities

RESOLUTION # 206-2009

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$463.34 which is now available from the County of Warren

BE IT FURTHER RESOLVED, that the like sum of \$463.44 is hereby appropriated under the caption of Other Expenses – Clean Communities Program.

Resolution 207-2009 Approval of Item of Revenue – Click it or Ticket

RESOLUTION #207-2009

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$3,939.64 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$3,939.64 is hereby appropriated under the caption of Other Expenses – Click it or Ticket.

Resolution 208-2009 Approval of Item of Revenue – Drunk Driving Enforcement Fund

RESOLUTION #208-2009

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS NJSA 40A: 4-87

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$236.98 which is now available from the Division of Motor Vehicles

BE IT FURTHER RESOLVED, that the like sum of \$236.98 is hereby appropriated under the caption of Other Expenses – Drunk Driving Enforcement Fund.

Resolution 209-2009 Approval of Items of Revenue – Obey the Signs or Pay the Fines

RESOLUTION #209-2009

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS NJSA 40A: 4-87

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the

budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$428.17 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$428.17 is hereby appropriated under the caption of Other Expense-Obey the Signs or Pay the Fines.

Resolution 210-2009 Approval of Item of Revenue – Bulletproof Vest

RESOLUTION #210-2009

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$1,792.50 which is now available from the Department of Justice

BE IT FURTHER RESOLVED, that the like sum of \$1,792.50 is hereby appropriated under the caption of Other Expense-Bulletproof Vest.

Resolution 211-2009 Approval of Items of Revenue – Highlands TDR Program

RESOLUTION # 211-2009

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$25,000.00 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$25,000.00 is hereby appropriated under the caption of Other Expense-Highlands TDR program.

Resolution 212-2009 Approval of Item of Revenue – Clean Communities

RESOLUTION # 212-2009

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$11,708.57 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$11,708.57 is hereby appropriated under the caption of Other Expense-Clean Communities

Resolution 213-2009 Approval of Item of Revenue – Click it or Ticket

RESOLUTION #213-2009

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$3,573.88 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$3,573.88 is hereby appropriated under the caption of Other Expense-Click it or Ticket

Resolution 214B-2009 Authorizing an Award of Contract for Solid Waste, Yard Waste and Recyclable Materials Collection and Disposal Services

Resolution 214B was moved on a motion made by Higgins, seconded by Gleba and adopted.

Roll Call: Higgins, Gleba, Valentine – Yes
McDonald, Cioni – No

Ayes: 3, Nays: 0
Motion Carried

RESOLUTION # 214B-2009

**RESOLUTION AUTHORIZING AN AWARD OF CONTRACT FOR
SOLID WASTE, YARD WASTE & RECYCLABLE MATERIALS
COLLECTION & DISPOSAL SERVICES**

WHEREAS, bids were accepted by the Borough Purchasing Agent for Solid Waste, Yard Waste and Recyclable Materials Collection and Disposal Services on Thursday, October 15, 2009 at 10:00 a.m.; and,

WHEREAS, the following bids were submitted:

Bidder	Year	Base Bid		Option #1	(Option #2
		Solid Waste Materials	Recyclable Materials	Bulky Waste	Yard Trimmings
Blue Diamond Disposal	2010	\$150,000.00	\$75,000.00	\$35,000.00	\$28,000.00
	2011	\$153,000.00	\$78,000.00	\$35,000.00	\$28,000.00
	2012	\$156,000.00	\$81,000.00	\$35,000.00	\$28,000.00
	2013	\$165,000.00	\$90,000.00	\$35,000.00	\$28,000.00
Waste Management	2010	\$173,520.00	\$115,680.00	\$22,236.00	\$57,840.00
	2011	\$176,988.00	\$117,984.00	\$22,680.00	\$58,992.00
	2012	\$180,516.00	\$120,336.00	\$23,124.00	\$60,168.00
	2013	\$184,116.00	\$122,736.00	\$23,580.00	\$61,368.00
Global Waste Ind.	2010	\$208,175.00	\$100,975.00	\$43,350.00	\$22,400.00
	2011	\$213,379.00	\$103,499.00	\$44,434.00	\$22,960.00
	2012	\$218,714.00	\$106,087.00	\$45,545.00	\$23,534.00
	2013	\$224,182.00	\$108,739.00	\$46,683.00	\$24,122.00
Raritan Valley Disposal	2010	\$367,394.00	\$102,492.00	\$16,000.00	\$83,229.96
	2011	\$382,089.72	\$106,591.68	\$16,640.00	\$86,559.12
	2012	\$397,373.28	\$110,855.28	\$17,305.60	\$90,021.48
	2013	\$412,268.12	\$115,289.40	\$17,997.82	\$93,622.32

WHEREAS, the Purchasing Agent, by memorandum dated October 16, 2009, recommends that a four (4) year contract be awarded to Blue Diamond effective January 1, 2010 in the following amounts:

Year	Base + Option 1 & 2
2010	\$288,000.00
2011	\$294,000.00
2012	\$300,000.00
2013	\$318,000.00

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds will be made available during the preparation of the 2010 Temporary Budget and subsequent 2010 final budget when adopted.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington hereby authorizes award of a four-year contract for Solid Waste, Yard Waste and Recyclable Materials Collection and Disposal Services in the amounts

listed above and in accordance with the terms and conditions of the bid specifications to Blue Diamond Disposal.

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the Chief Financial Officer, Zoning Officer, Purchasing Agent, and all bidders.

Motion made by Higgins, seconded by Gleba to Reject Resolutions 214-2009 and 214A-2009.

Roll Call: Higgins, Gleba, McDonald, Valentine – Yes

Resolution 215-2009 Approval of Corrective Action Plan

Resolution 215-2009 was moved on a motion made by Cioni, seconded by Gleba and adopted.

Ayes: 5, Nays: 0
Motion Carried

RESOLUTION #215-2009

RESOLUTION AUTHORIZING SUBMISSION OF CORRECTIVE ACTION PLAN FOR THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY

WHEREAS, the Borough of Washington has received the Audit of its financial condition for the year 2008; and

WHEREAS, one of the requirements of the Audit is the filing of a Corrective Action Plan that addresses the Comments and Recommendation contained within the Audit Report; and

WHEREAS, the CFO of the Borough of Washington has prepared a Corrective Action Plan in conformance with standard practices and the Borough Council hereby approves of the Corrective Action Plan and endorses the submittal of same to the Department of Community Affairs, Division of Local Government Services; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that the CFO is hereby authorized to submit the Corrective Action Plan as noted and to ensure that all provisions are complied with by the deadlines so listed.

Resolution 216-2009 Appointment of James Chloros to Board of Adjustment

Resolution 216-2009 was moved on a motion made by Higgins, seconded by Gleba and adopted.

Ayes: 5, Nays: 0
Motion Carried

RESOLUTION 216-2009

BOARD OF ADJUSTMENT

WHEREAS, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

WHEREAS, under this plan the Borough Council is directed and authorized to appoint members of the Board of Adjustment.

WHEREAS, the Borough Council has designated the following person his appointee;

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the Board of Adjustment for an unexpired term ending **January 1, 2010**.

James Chloros

Resolution 217-2009 DEP

Attorney Cushing explained that the existing DEP Permit contained a number of limitations. The Borough challenged the limitations so that the sewer plant did not have to be redone which would have been extremely costly. The Borough was able to establish that DEP regulations were off base and too extreme; the level of treatment that the Borough was providing was correct. Through the efforts of studies and engineers the DEP backed off; saving the Borough millions of dollars. Attorney Cushing recommended that the Council adopt the dismissal.

Resolution 217-2009 was moved by Cioni, seconded by Valentine and adopted.

Ayes: 4, Nays: 0
Abstain: 1 (Gleba)
Motion Carried

Settlement on is on file in the Borough Clerk’s office.

Resolution 191-2009 Authorizing the Appointment of Richard D. Phelan as Borough Manager.

Councilman Higgins made a motion to provide the information contained in the contract to the audience members prior to the official vote, seconded by Councilwoman Gleba.

Mayor McDonald read the proposed employment agreement for the position of Borough Manager.

Borough of Washington Employment Agreement

THIS AGREEMENT is entered between the Borough of Washington, 100 Belvidere Ave, Washington New Jersey, 07882 (hereinafter referred to as “Borough”) and Richard D. Phelan, 190 Buckingham Way, Somerset, New Jersey, 08873 (hereinafter referred to as “Employee”).

The Borough hereby agrees to employ the services of Richard D. Phelan as Borough Manager of the Borough of Washington in accordance with all of the functions and duties specified by N.J.S.A. 40:69A-95. The purpose of this Agreement is to set forth the terms and conditions of said employment:

Term of Agreement: The terms and conditions of this Agreement shall remain in full effect from September 21, 2009 through December 31, 2014. By mutual agreement of the parties in writing, this Agreement can be extended.

1. Termination: Termination of Employee’s employment by the Borough shall be consistent with the Revised General Ordinances of the Borough of Washington, New Jersey Statutes Annotated and New Jersey Civil Service rules and regulations, as applicable.

The Employee understands that he serves at the pleasure of the Borough Council and may be removed at any time pursuant to N.J.S.A. 40A:69A-93. In the event the Borough Council terminates the Employee for reasons other than “good cause” as defined by N.J.S.A. 40:69A-93, the Borough will be responsible to pay the Employee his salary as required by N.J.S.A. 40:69A-93, and agrees to maintain Employee’s health benefits as indicated in Section 4C below for ninety (90) days after the termination date. In the event the Employee is terminated for good cause as defined in N.J.S.A. 40:69A-93, the Borough shall be under no obligation to pay the Employee his salary or continue health benefits as indicated above, but shall be responsible for payment of unused sick and vacation time pursuant to Section 4A & B below.

In the event the Employee voluntarily resigns his position with the Borough, the Employee shall provide the Borough with a minimum of forty-five (45) days notice, unless otherwise agreed to by both parties in writing. If Employee voluntarily resigns, the Borough shall not be responsible for any payments under N.J.S.A 40:69A-93, but shall be responsible for payment of unused sick and vacation time pursuant to Section 4A & B below.

2. Powers and Duties: The Employee shall have such powers and duties as set forth in the Revised General Ordinances of the Borough of Washington and New Jersey Statutes, as applicable, as well as further duties and responsibilities that may be assigned by the Borough Council of the Borough of Washington, providing such duties and responsibilities are not inconsistent with Borough Ordinances or other laws.

3. Annual Salary: The Borough agrees to compensate the employee as follows:

- a. Date of this agreement through December 31, 2009 - \$88,000/year
- b. January 1, 2010 - \$90,000/year
- c. January 1, 2011 – 4% increase over 2010 salary
- d. January 1, 2012 - 4% increase over 2011 salary
- e. January 1, 2013 - 4% increase over 2012 salary
- f. January 1, 2014 - 4% increase over 2013 salary

Salary shall be paid in accordance with established Borough payroll distribution schedule. At the discretion of the Borough Council, the Employee's salary may be adjusted in excess of the percentage increases noted above during the term of this agreement in recognition of his performance.

4. Other Compensation/Benefits: The Borough will provide the following benefits as part of compensation for this position:

- a. Vacation: The Employee shall be entitled to annual vacation leave of fifteen (15) days/per year during the term of employment and may accumulate from year to year if unused. In the event the Employee leaves employment with the Borough, the Employee shall be entitled to payment for accumulated unused vacation days, not to exceed \$20,000.
- b. Sick Leave: The Employee shall be entitled to annual sick leave of twelve (12) days/year during the term of employment, which may accumulate from year to year if unused. In the event the Employee leaves employment with the Borough, the Employee shall be entitled to payment for accumulated unused sick days, not to exceed \$15,000.00.
- c. Medical/Dental/Life Insurance: The Borough shall provide the Employee with full insurance coverage in all health/dental/life benefit programs that the Borough participates in through the entire duration of this contract.
- d. Pension: Contributory plan benefits under the Public Employees Retirement System based on the benefit schedule established by the New Jersey Department of Treasury.

- e. The Borough shall pay the employee the Federal mileage rate for the use of his personal vehicle for Borough business, exclusive of normal daily commutation to and from the Borough in accordance with Borough Policy
- f. The Borough shall assume costs or reimburse Employee for approved expenses associated with maintaining professional licenses in accordance with Borough Policy.

5. Hours of Work: Borough Manager is a full-time position. The Employee does not have set hours of work as he is expected to be available at all times, either via telephone, e-mail, or in person, as the situation shall warrant. The Employee is given the discretion to adapt his hours to accommodate the needs of the Borough's business, which may include working remotely.

6. Residency: The Council agrees to waive the residency requirement for the Employee during the term of this Agreement.

7. Indemnification: The Borough agrees to defend, save harmless and indemnify the Employee against claims brought against him in accordance with the Indemnification Ordinance of the Borough, Code of the Borough of Washington, Chapter 13, as amended.

8. Employee Manual/Borough Guidelines: The Borough's Employee Manual has been provided to the Employee. It is not part of this agreement and does not represent a contract. The Borough may change its terms from time to time, unilaterally. To the extent any of its provisions are inconsistent with those set forth in this Agreement, the terms and provisions of this Agreement shall prevail.

9. Full Disclosure: Employee and the Borough hereby acknowledge that they are entering into this Agreement freely and voluntarily for the purposes set forth herein. All parties acknowledge that the terms and conditions are fair and equitable and in the best interests of Employee and the Borough. Employee and the Borough agree to execute any and all documents that may be necessary to carry out the terms of this Agreement.

10. Entire Agreement: This Agreement represents the entire Agreement between the parties relating to the subject matter hereof and no representations or agreements made by either party or any representations of either party in the negotiations leading to this Agreement or otherwise which are not expressed in this Agreement shall be binding on either party.

No change in, addition to or modification of any provision of this Agreement shall be effective unless made by written agreement signed by the party to be charged with such change, addition or modification.

11. Controlling Law: The laws of the State of New Jersey shall govern this Agreement.

12. Successors and Assigns: Each party to this Agreement is hereby bound to the terms and conditions contained in this Agreement and the legal representatives,

successors and assigns of this Agreement, if any, shall be bound to the terms and conditions contained herein.

13. Severability: Any provision of this Agreement held to be void or unenforceable under any law or regulation shall be stricken and all remaining provisions shall continue to be valid and binding upon the parties to this Agreement.

IN WITNESS THEREOF, the Borough of Washington has caused this Agreement to be signed and executed in its behalf by its Mayor and duly attested to by the Borough Clerk and Employee has signed and executed this Agreement, both in duplicate, the day and year first above written.

Mr. Vince Smith stated that the Borough Manager works for the Council; he doesn't understand why he needs a contract. He asked who wrote the contract. It was stated that Mr. Phelan and Mr. Cushing wrote the agreement. Ms. Joseph of Alvin Sloan stated that this contract does not serve the residents of the Borough. She stated that I am an attorney I don't make 90,000 a year, and I don't get a 4% raise either. There is a lack of services in this town and it is outrageous and wrong. It is a burden to the municipality; this is money that could be going to the libraries. Mayor McDonald stated that this was a very competitive process for the position of Borough Manager. There were over fifty resumes received. Previous Borough Managers made significantly more than he does. Councilman Higgins stated that it is irresponsible for us as a Council to adopt this. There are departmental layoffs, cuts, we no longer have a police department. This agreement is not required by statute, if we release the manager according to statute, all we are required to pay him is 3 months salary. Mrs. Sloan of 89 Grand Avenue stated that she had to make an appointment to see the Borough Manager and she finds that totally unacceptable. I do not think that when anyone who stops in to see the manager should ever have to make an appointment. She stated that the manager should be available to the citizens.

Resolution 191-2009 was moved on a motion made by Cioni, seconded by Valentine and adopted.

Roll Call: Cioni, Valentine, McDonald – Yes
Gleba, Higgins – No

Ayes: 3, Nays: 2
Motion Carried

RESOLUTION # 191-2009

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

WHEREAS, on March 17, 2009, Richard D. Phelan was appointed as Borough Manager via Resolution # 76-2009, and

WHEREAS, the Mayor and Council of the Borough of Washington would like to amend the terms of his employment, and it is in the best interest of all parties to formalize the amendment via resolution.

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 terms of employment are hereby dictated by the attached employment contract.

Employment Agreement adopted as stated above.

COUNCIL REMARKS

Councilman Higgins asked if Westgate Apt. were paying regular taxes or if they were delinquent. Manager Phelan stated that their taxes are paid and not delinquent.

Councilwoman Gleba stated that she would like to have an appearance by the County Library. She also requested financial reports be available on the website. She also thanked the volunteers from Councilman Cioni's company for the work they did in the park.

Councilman Cioni stated that volunteer days were very productive. The park is in good shape for spring.

Councilman Valentine stated that he would like to say the Manager Phelan started this position at a much lower rate than other managers. He is doing an excellent job.

Mayor McDonald offered his congratulations to Councilwoman Gleba.

Mayor McDonald entertained a motion to enter Executive Session after a five minute recess for potential litigation. Motion made by Higgins, seconded by Gleba.

Ayes: 5, Nays: 0
Motion Carried

Councilman Higgins left the meeting.

Resolution 200-2009

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;

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 DPW Garage _____ 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 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: **___Approx. 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.

Hearing no further business to come before Council, it was moved by Valentine, seconded by Cioni that the meeting be adjourned at 10:30 p.m.

Ayes: 4, Nays: 0.
Motion carried.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk

