

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – August 18, 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, Boyle, McDonald, Gleba, Housel, Valentine - Present  
Higgins – Absent

Also Present: 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.

**MINUTES:**

Mayor McDonald entertained additions or corrections to the minutes of the Regular Meeting held August 4, 2009.

Councilman Cioni noted to changes to the minutes.

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

Ayes: 6, Nays: 0  
Motion Carried

**COMMUNICATIONS:**

**AUDIENCE:**

**Edward France 11 Vanatta St.**

Mr. France stated he is here tonight ask questions some questions regarding a fine he had received during a fire inspection. He stated he has fixed up his property and is a good landlord; always working with his tenants. He stated he received a fine for rotten wood on the front deck. He had a contractor patch it temporarily and had asked the Fire Inspector for more time. Mr. France stated he was shocked to see that he was fined \$25 dollars a day on the violation. He had no idea he was being fined daily. He feels the Zoning Officer/Fire Official is too aggressive. Mayor McDonald explained to Mr. France that when he spoke to him on the phone he had requested a letter from him explaining the situation. He also explained that the Council has no control over the day to day operations of the Borough; he does need to speak with the manager. The Borough Clerk will pass the information along to the manager.

## **ORDINANCES**

### **Ordinance 12-2009-2009 AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY, REGARDING THE LIBRARY BOARD (Public Hearing/Adoption)**

Mayor McDonald entertained a motion to introduce **Ordinance #12-2009**.

Ordinance 12-2009 was moved by Councilman Housel, seconded by Councilman Valentine.

It was further moved by Housel, seconded by Valentine that the Clerk read Ordinance #12-2009 by title only.

The Clerk read Ordinance #12-2009 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: Gleba, Boyle, Valentine, Cioni, Housel, McDonald

Ayes: 6, Nays: 0.  
Motion carried.

Mayor McDonald entertained a motion to adopt Ordinance 12-2009 on final adoption.

Motion made by Housel, seconded by Cioni to adopt Ordinance 12-2009 on final adoption.

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

Ayes: 6, Nays:

**BOROUGH OF WASHINGTON  
WARREN COUNTY, NEW JERSEY**

**ORDINANCE # 12-2009**

**AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE  
OF THE BOROUGH OF WASHINGTON, NEW JERSEY  
REGARDING THE LIBRARY BOARD**

ARTICLE XII, Library Department

§ 3-73. Library Board.

A. There shall be a Library Board consisting of ~~seven~~ **nine** members, one of whom shall be the Mayor of the Borough, one the Superintendent of the Washington Borough Public Schools or, in the event that there is no such official, the Principal with power of supervision over the local school system, and ~~five~~ **seven** citizens to be appointed by the Mayor of the Borough, at least ~~four~~ **six** of whom shall be residents of the Borough of Washington. One citizen member of the Library Board may be, but need not be, a nonresident of the Borough of Washington.

B. The appointment shall be for a term of one, two, three, four and five years, respectively, as they may be selected by the Mayor with the consent of the governing body.

C. The Mayor and the Superintendent or Principal, as the case may be, serving as a member of the Library Board may, respectively, appoint an alternate to act in his or her place and stead with authority to attend all meetings of the Board and, in his or her absence, to vote on all questions before the Board.

D. The member shall serve without compensation and shall possess those powers, duties and authorities as granted by general law and Charter governing free public libraries.

**REPORTS:**

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

1. Police Activity Report
2. Fire Prevention
3. CFO Expenditure Report
4. Issues and Details Report

It was noted to inform the manager when he returns that the columns in the CFO report are not titled.

### **COMMITTEE REPORTS:**

**Redevelopment Committee:** No Report

**DPW Garage:** Councilman Housel stated the DPW Garage is moving along. The front of the garage is still not poured; he will be discussing this with the engineer. Mayor McDonald also noted the Bond Company is on notice regarding the general contractor not paying his contractors.

**Sewer Committee:** No Report

**Streets Committee:** No Report

**Finance Committee:** No Report

**Shared Services Committee:** Councilman Boyle confirmed with the Borough Clerk that the next Shared Services Committee meeting will be held in the Borough of Washington on September 30, 2009.

**Senior Services:** No Report

**Website Committee:** - No Report

**Concession Stand Committee** – 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 Valentine to pay the vouchers and claims in the amount of \$1,116,078.80.

Councilman Boyle questioned the payroll total on page 22 of the voucher list. The Borough Clerk will look into the items and follow up with Council.

Roll Call: Boyle, Gleba, Valentine, McDonald, Housel, Cioni  
Gleba – Abstained from the payments to Finelli Consulting.

Ayes: 6, Nays: 0  
Motion Carried

**OLD BUSINESS:**

**NEW BUSINESS**

**Approval of Special ABC Permit for Washington Borough Fire Department – Festival in the Borough**

Motion made by Housel, seconded by Cioni and approved.

Ayes: 6, Nays: 0  
Motion Carried

**Approval of Special ABC Permit for the Washington Fire Department Ladies Auxiliary – Festival in the Borough**

Motion made by Housel. Seconded by Cioni and approved.

Ayes: 6, Nays: 0  
Motion Carried

**Approval of Bingo Application for Knights of Columbus**

Motion made by Housel, seconded by Valentine and approved.

Ayes: 6, Nays: 0  
Motion Carried

### **Approval of Bingo Application St. Joseph's Church**

Motion made by Housel, seconded by Valentine and approved.

Ayes: 5, Nays: 0  
Abstain: 1 (Boyle)

### **Discussion on Highlands Plan Conformance Module I**

Mayor McDonald explained that Hueyer and Gruel moved forward with the Module I of plan conformance without prior approval of the Council. He stated that the information obtained during Module I will be helpful during third round COAH. He asked if Council would consider paying Hueyer and Gruel for the work. The Highlands Council has agreed to pay the Borough as part of the grant.

Councilman Cioni made a motion to have the manager move forward with paying Hueyer and Gruel, with reimbursement from the Highlands Council, as long as the funds are certified by the CFO.

Ayes: 6, Nays: 0  
Motion Carried

### **Discussion and Authorization to Participate in the Highlands Council's Water Use and Conservation Management Plan**

Mayor McDonald explained that in order for any type of development or redevelopment to occur in the Borough, the Borough will have to address the deficit water supply. He stated that as outlined in the Borough Engineer's letter to the manager, it is in the best interest of the Borough to consider applying for this grant and to work with NJ American Water and the Highlands Council on preparing a Water Use and Conservation Management Plan. Councilman Housel noted that it will not hurt to apply for the grant.

### **Resolution 166-2009 Approval of Grant Application for Water Use and Management Plan – Highlands Council**

Motion made by Cioni, seconded by Valentine and adopted.

Council discussed including in the resolution: scope of services not to exceed \$5,000. All agreed.

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

Ayes: 6, Nays: 0  
Motion Carried

RESOLUTION # 166-2009  
OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF WASHINGTON, WARREN COUNTY,  
NJ

WHEREAS, Mayor and Council have determined that it is in the best interest of the Borough to conduct a Water Use and Conservation Management Plan Pilot Project in conjunction with the Highlands Council; and

WHEREAS, there are Pilot Project Assistance Grants to do the Water Use and Conservation Management Plan available from the Highlands Council; and

WHEREAS, the Highlands Council will provide up to \$5,000 reimbursement to offset professional expenses. Scope of services can not exceed \$5,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that a Water Use and Conservative Management Plan Pilot Project grant application be submitted to the Highlands Council.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to sign the grant application.

**Resolution 157-2009 Redemption of Tax Sale Certificate**

Resolution 157-2009 was moved on a motion made by Cioni, seconded by Gleba and adopted.

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

Ayes: 6, Nays: 0

Motion Carried

**RESOLUTION # 157-2009**

**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 Crusader Liens Services, 179 Washington Lane, Jenkintown, PA 19046, in the amount of \$4,208.59 for

taxes or other municipal liens assessed for the year 2007 in the name of Kalbarczyk, Piotr and Alicja, as supposed owners, and in said assessment and sale were described as 76-78 East Church Street, Block 27.02 Lot 9, which sale was evidenced by Certificate #08-00448; and

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 8-04-09 and before the right to redeem was cut off, as provided by law, Industry Consulting Group, Inc claiming to have an interest in said lands, did redeem said lands claimed by Crusader Servicing Corp by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$18,129.00, which is the amount necessary to redeem Tax Sale Certificate #08-00448.

**NOW THEREFORE BE IT RESOLVED**, on this 18th day of August 2009 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Crusader Servicing Corp, 179 Washington Lane, Jenkintown, PA 19046 in the amount of \$18,129.00.

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 27.02 Lot 9 from the tax office records.

**Resolution 158-2009 Cancel 2008/2009 Taxes Due to Exempt Status**

Resolution 158-2009 was moved on motion made by Cioni, seconded by Gleba and adopted.

Call: Cioni, Gleba, Boyle, Valentine, Housel, McDonald

Ayes: 6, Nays: 0  
Motion Carried

**RESOLUTION # 158-2009**

**A RESOLUTION TO CANCEL 2008 AND 2009 TAXES**

**DUE TO EXEMPT STATUS**

**WHEREAS**, the Tax Collector was notified that Block 24 Lot 3.01 was acquired as parking area for downtown improvement; and

**WHEREAS**, the deed change was done as of 10-22-08 and the Tax Assessor is advising that the property is exempt and therefore have no tax liability due and owing.

**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 Tax Collector is authorized to cancel 2008 and 2009 Real Estate Property Taxes on Block 24 Lot 3.01 due to the exempt status.



**Resolution 159-2009 Cancel 2008/2009 Taxes Due to Exempt Status**

Resolution 159-2009 was moved on a motion made by Cioni, seconded by Gleba and adopted.

Call: Cioni, Gleba, Boyle, Valentine, Housel, McDonald

Ayes: 6, Nays: 0  
Motion Carried

**RESOLUTION # 159-2009**

**A RESOLUTION TO CANCEL 2008 AND 2009 TAXES**

**DUE TO EXEMPT STATUS**

**WHEREAS**, the Tax Collector was notified that Block 24 Lot 30.01 was acquired as parking area for downtown improvement; and

**WHEREAS**, the deed change was done as of 5-22-08 and the Tax Assessor is advising that the property is exempt and therefore have no tax liability due and owing.

**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 Tax Collector is authorized to cancel 2008 and 2009 Real Estate Property Taxes on Block 24 Lot 30.01 due to the exempt status.

**Resolution 160-2009 Increase Municipal Clerks Change Fund**

Resolution 160-2009 was moved on a motion made by Housel, seconded by Cioni and adopted.

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

Ayes: 6, Nays: 0  
Motion Carried

**RESOLUTION #160-2009**

**A RESOLUTION INCREASING A CHANGE FUND FOR**

**THE BOROUGH CLERK'S OFFICE**

**WHEREAS**, the Borough Clerk needs to increase the change fund for the Clerk's office from \$20.00 to \$100.00 in order to make the proper change to the public for various items pertaining to the clerk's office; and

**WHEREAS**, it is the desire of the Treasurer, of the Borough of Washington, County of Warren to increase the amount of the change fund for the Borough Clerk from \$20.00 to \$100.00; 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 to hereby authorize the Treasurer to issue the amount of \$80.00 to Kristine Blanchard, the Borough Clerk for this increase in the Borough Clerk's change fund.

**Resolution 161-2009 To Support the Application of the Open Space and Historical Preservation Grant for the Washington Theatre**

Resolution 161-2009 was moved on a motion made by Valentine, seconded by Cioni and adopted.

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

Ayes: 6, Nays: 0  
Motion Carried

**Resolution 163-2009 Authorization to Apply 2008 Overpayment of Taxes to 2009 Taxes**

Resolution 163-2009 was moved on a motion made by Cioni, seconded by Housel and adopted.

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

Ayes: 6, Nays: 0  
Motion Carried

**RESOLUTION #163-2009**  
**A RESOLUTION AUTHORIZING APPLYING 2008**  
**OVERBILL TO 2009 TAXES**

**WHEREAS**, according to the Tax Collector's records, there exists an over bill 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	627.28

**WHEREAS**, the Tax Collector's office has received a request from Mr. Mennella concerning the overage be applied to the 2<sup>nd</sup> and 3<sup>rd</sup> 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 overage to the 2<sup>nd</sup> and 3<sup>rd</sup> Quarter 2009 taxes.

**Resolution 164-2009 Resolution to Cancel Tax Sale Certificate**

Resolution 16-2009 was moved on a motion made by Cioni, seconded by Housel and adopted.

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

Ayes: 6, Nays: 0

Motion Carried

**RESOLUTION # 164-2009**

**A RESOLUTION TO CANCEL TAX LIEN CERTIFICATE #08-00458**

**WHEREAS**, the Tax Collector's records show a Tax Title Lien Certificate #08-00458 was sold on 12-4-08 to the Borough of Washington in the amount of \$5,751.74 for taxes assessed for the year of 2007, property known as Block 100 Lot 52 and assessed in the name of Carp Kish Realty Co c/o FNJ as supposed owner; and

**WHEREAS**, the Tax Collector has received a Tax Court Appeal Docket #008608-2007 with the land assessment being reduced to 250,000 down from 409,800 thus reducing the 2007 Real Estate Property Taxes by \$6,765.93; and

**WHEREAS**, the reduction in the 2007 Real Estate Property Taxes voids the lien that was sold for the 2007 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 that the Tax Collector be authorized to cancel Certificate #08-00458 due to this Tax Court Appeal judgment.

**Resolution 165-2009 Resolution Authorizing Indemnification to the Washington Business Improvement District Management Corporation and the Execution of the Agreement of Indemnification and Undertaking**

Resolution 165-2009 was moved by Cioni, seconded by Housel and adopted.

**RECAP**

**COUNCIL REMARKS**

Councilman Boyle asked what the plans are for the parking lot now that the police department has merged. He suggested parking spaces for the Mayor, Manager, Clerk, and the Employee of the Month. Mayor McDonald stated that Councilman Boyle should speak to the Manager.

Hearing no further business to come before Council, it was moved by Boyle, seconded by Housel that the meeting be adjourned at 9:55 p.m.

Ayes: 6, Nays: 0.  
Motion carried.

\_\_\_\_\_  
Mayor Scott McDonald

\_\_\_\_\_  
Kristine Blanchard, RMC Borough Clerk