

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – March 2, 2010**

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: Boyle, Cioni, Gleba, McDonald, Valentine - Present
Higgins – 7:50 p.m.
Housel – 8:45 p.m.

Also Present: Richard Cushing, Esq. Municipal Attorney
Richard 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.

EXECUTIVE SESSION

Resolution 64-2010 was moved on a motion made by Cioni, seconded by Valentine and adopted.

Ayes: 5, Nays: 0
Motion Carried

Resolution 64-2010

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: DPW Garage/Police _____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

_____Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____

_____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

__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: ____ 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.

Council resumed regular session at 8:30 p.m.

AUDIENCE

Mayor McDonald entertained comments and questions from the audience members for items not listed on the agenda

Chief James McDonald Washington Township Police Department

Chief McDonald stated he is here to address any concerns that citizens may have with the police department. He stated that if residents do not see police cars in their neighborhood; that is good. They are patrolling and focusing on areas that are problems. The response time to calls remains on the average seven minutes. Mrs. Sloan asked Chief McDonald how citizens be kept informed if there was something going on in their neighborhoods. Chief McDonald stated that press releases are sent to the Express Times and the Star Ledger, there are also updates on the Police Department website as well as the departments Facebook page. The department is covering the arrival and departures at schools as much as they can. Chief McDonald will address the complaints regarding overnight parking. He also stated that the DARE program will continue in the schools.

Audience member Mr. Kressler commented on the revenues that have been coming in for tickets written in the Borough; they have dropped significantly in the past year. Chief McDonald stated that the department is writing twice as many tickets in the Borough then in the Township. The Police Department has many active investigations going on and is focusing on problem areas. We will find a balance. He stated that every school day as part of their daily patrols an officer will walk through the schools. Chief McDonald informed Council and the audience that if there are ever any questions or concerns please stop in to see him or call.

Dave Hockenbury Flower Ave

Mr. Hockenbury stated he did some research on what other neighboring towns are paying in sewer rates compared to Washington Borough. In Lopatcong the sewer bill is \$12.00 per month for a family of three. In Phillipsburg it is \$16.00 for a family of four. There is a huge difference between what we pay and the other neighboring towns. He stated he has a family of two; why should he pay the same rate that a family of eight pays. Council needs to figure out another way to supplement this.

Councilman Housel arrived at 8:45 p.m.

Joe Kressler 92 Carlton Ave

Mr. Kressler commented on the \$58,000 that was in reserve at the end of 2008 in the Sewer Audit. Natasha Turchin, CFO explained to Mr. Kressler this reserve is not a fund balance or surplus; but is a reserve to pay 2008 bills (expenditures) that did not come in to the borough until 2009.

Motion to close the audience portion was made by Cioni, seconded by Gleba.

Ayes: 7, Nays: 0

Motion Carried

COMMUNICATIONS

None

ORDINANCES

Ordinance 2-2010 ORDINANCE ESTABLISHING RECREATION DEPARTMENT PROGRAM FEES (Public Hearing/Adoption)

Mayor McDonald entertained a motion to introduce Ordinance #2-2010 on final adoption and have the clerk read by title.

The Clerk read Ordinance #2-2010 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.

Motion made by Housel, seconded by Cioni to introduce Ordinance 2-2010 on final adoption.

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

Ayes: 7, Nays: 0

Public Hearing:

Hearing no comments from the public, motion made by Boyle, seconded by Housel to close the public hearing.

Ayes: 7, Nays: 0
Motion Carried

Council Discussion:

Councilman Cioni stated he has no problem allowing senior citizens in the Borough free access to the pool but believes non-borough senior citizens should have to pay something. This could be a burden for the Borough. Attorney Cushing suggested adopting the Ordinance as it is and making the amendment at the next meeting to avoid large advertising costs. Councilman Boyle noted that the Park Director concurred with his suggestion to not charge senior citizens at all whether residents or not.

Motion made by Cioni, seconded by Housel to adopt Ordinance 2-2010 on final passage.

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

Ayes: 5
Nays: 2
Motion Carried

AN ORDINANCE ESTABLISHING RECREATION
DEPARTMENT PROGRAM FEES

BE IT ORDAINED by the Borough Council of the Borough of Washington, in the County of Warren, and State of New Jersey as follows:

SECTION 1. The Borough of Washington Recreation Department (“Recreation Department”) is authorized to recommend fees for participation in its programs/events in accordance with the following schedule.

SECTION 2. The Recreation Director, or his/her designee, will schedule dates, times and locations for the following programs/events. The fee for participation in the program/event for each registrant shall be within the following parameters:

Recreation Program/Event		Minimum	Maximum
Girl's Softball: Ages 2nd thru 8th Grade			
	Borough Residents	\$35	\$100
	Non-Borough Residents	\$40	\$100
Karate/Self-Defense - Ages 5 thru 12			
	Borough Residents	\$35	\$100
	Non-Borough Residents	\$40	\$100
Easter Egg Hunt: Ages 3 to 6th Grade	No Charge		
Swim Team: Ages 5 to 18			
	Borough Residents	\$50	\$150
	Non-Borough Residents	\$100	\$260
Swim Lessons: Ages 2 1/2 and Up			
	Borough Residents	\$40	\$100
	Non-Borough Residents	\$60	\$100
Pool Membership			
	Borough Residents		
	Individual	\$75	\$125
	Family	\$150	\$200
	Senior Citizen	\$0	\$0
	Daily Fee	\$1	\$15
	Non-Borough Residents		
	Individual	\$125	\$175
	Family	\$240	\$290
	Senior Citizen	\$0	\$0
	Daily Fee	\$1	\$15
Soccer: Ages 5 to 8th Grade			
	Ages 5, 6 & 7	\$35	\$50
	Ages 8 and up	\$45	\$100
Field Hockey: Ages 2nd to 6th Grade			

	Borough Residents	\$35	\$100
	Non-Borough Residents	\$40	\$100
Men's Basketball	Team Sponsor	\$400	\$600
	Borough Residents	\$50	\$75
	Non-Borough Residents	\$60	\$85
	High School Students	\$35	\$50
Movies in the Park	No Charge		
Youth Basketball: Ages 3rd to 8th Grade			
	Borough Residents	\$40	\$100
	Non-Borough Residents	\$50	\$120
Street Hockey: Ages K to 8th Grade			
	Borough Residents	\$35	\$100
	Non-Borough Residents	\$45	\$100
Grand Illumination Ceremony	No Charge		
Holiday House Decorating Contest	No Charge		
Baseball Field Usage Fee	Daily Fee	\$45	\$60
	4 or more days per season	\$175	\$225
	Lighting at park(per night, additional cost)	\$45	\$55
Late Fees (Apply after last sign-up date for each activity)		\$5	\$15

SECTION 3. By no later than March first of each year the Recreation Director shall evaluate the costs and expenses for operating each Program/Event and make a recommendation to the Mayor and Council and Manager as to the amount to be charged for participation in the Program/Events presented by the Recreation Department, which shall be within the range of fees established by this ordinance. The Borough Council shall review the Recreation Program/Event Fee recommendations made by the Recreation Director in order to establish the current year Recreation Program Fee Schedule, which shall be adopted by the Mayor and Council via resolution annually.

SECTION 4. All ordinances and resolutions inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies.

SECTION 5. This ordinance shall take effect immediately after final passage, approval and publication of notice thereof as required by law.

REPORTS:

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

1. Issues and Details
2. Tax Collectors Report

Councilman Boyle noted that the YTD redemption numbers don't match the monthly numbers. Manager Phelan stated this is an error and will be corrected.

Ayes: 7, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Redevelopment Committee: No Report

DPW Garage: No Report

Sewer Committee: No Report

Streets Committee: Councilman Boyle reported this committee will be meeting Tuesday March 9 at 6:00 p.m.

Finance Committee: No Report

Shared Services Committee: Councilman Boyle reported that this committee will meet on Thursday March 4 at 6:00 p.m.

Senior Services: Councilman Housel stated he received information from the County of Warren and will be sending it to Councilman Cioni for inclusion on the website.

Website Committee: - Councilman Cioni reported that the Borough received an honorable mention from Rutgers for website design.

Concession Stand Committee – No Report

Recreation Report – No Report

Park Committee – Councilman Cioni reported that the former antique lot owners had the additional soil tests completed. The results were turned over to the Borough Engineer to determine the level of contamination. The report came back stating that there are some levels of contamination that could cost \$30,000 to \$50,000 in remediation costs. The BID Director has been informed and she has been in contact with the owners of the lot. We are not comfortable introducing an Ordinance at this time; neither the BID or the Borough is in a position to undertake that kind of money for remediation at this time.

Councilwoman Gleba noted to add the Grant Committee to the committee reports.

Councilman Boyle noted that the Washington Community Garden groundbreaking will be April 24th.

OLD BUSINESS:

None

NEW BUSINESS

Mayor McDonald deviated from the agenda to entertain Resolution 62-2010.

Resolution 62-2010 Change Order Downtown Streetscape - Berto

Andrew Holt, Borough Engineer explained to Council that during the NJDOT reconciliation of the Berto paperwork; it was found that the original contract award contained an error. The bid, which included alternate bid items and materials, did not net out correctly. The contract should have been awarded with a lesser amount; however it should be noted that the contractor was paid the correct amount. This resolution will clear the error and allow the DOT to reconcile the paperwork and send the Borough its funds.

Councilman Higgins asked Manager Phelan what the money will be used for once it is received. Manager Phelan stated that this money combined with the money from Van Cleef will be used to pay for the parking lot. Councilman Higgins asked if this was voted on. Manager Phelan stated yes.

RESOLUTION #62-2010
A RESOLUTION APPROVING THE FINAL CHANGE
ORDER RELATED TO THE WASHINGTON AVENUE
DOWNTOWN STREETScape PROJECT
Berto Construction Inc. Contract
Project 2-Pipework and Project 4 - Landscaping

WHEREAS, the Borough of Washington is in the process of administratively closing the downtown streetscape project; and

WHEREAS, in order to satisfactorily close-out the downtown streetscape project a final change order is necessary for Berto Construction Inc. contract; and

WHEREAS, the Borough Engineer, Andrew S. Holt of Suburban Consulting Engineers, Inc. has reviewed the documentation relating to the downtown streetscape project and recommends that in order to satisfactorily close-out the project and secure the NJDOT grant money originally allocated for this project, a final change order is necessary for NJDOT files to summarize the original contract amount, all changes during construction and the final (paid) contract amount, and

WHEREAS, due to a clerical error, the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey approved an incorrect contract award in the amount of \$297,182.70

WHEREAS, the correct original contract award in Resolution 187-2006 should have been \$270,182.70

WHEREAS, detailed explanations are provided in the email dated February 16, 2010 with attachments from the Borough Engineer's Office to the Borough Manager,

WHEREAS, as a result of this resolution, the project price is not changed, as all payments to Berto Contracting in the correct amount for the project are already made in the total amount of \$276,518.09,

WHEREAS, the Mayor and Council of the Borough of Washington wish to accept the recommendations as it is in the best interest of the Borough of Washington,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey approve the modification in the original Berto Construction Contract Amount from \$297,182.70 to \$270,182.70 to correct the clerical error in the original contract award amount and authorize the Borough Manager and Borough Engineer to prepare the necessary documents and for the Borough Manager to execute the final change order on behalf of Washington Borough resulting in the necessary documentation to NJDOT in support of the Borough's total payment amount to Berto of \$276,518.09 which has already been made

Approval for Special ABC License – Washington Fire Department

The Borough Clerk reported that all of the paperwork is in order.

Motion made by Housel, seconded by Cioni to approve the special ABC license for the Washington Fire Department.

Ayes: 6, Nays: 0

Abstain: 1 (Higgins)

Motion Carried

Discussion on Sewer Rate Increase and Consideration of Resolution 63-2010

Councilman Higgins stated that the Borough is looking at a seven dollar increase. Manager Phelan stated that is correct; seven dollars will make up for this years shortfall. Councilman Higgins asked if we know where the \$300,000 went. Tom Ferry, Borough

Auditor explained the sewer utility would have run at a \$300,000 deficit last year. When you do a budget, in the State of NJ, the budget needs to be balanced. This means your revenues must equal the amount of expenditures. He explained that last year he was able to find money to offset the deficit in the budget in order to not raise sewer rates last year. These additional sources do not exist this year.

Councilman Boyle asked if it states in the audit report; that we are running at a \$300,000 deficit. Mr. Ferry stated that it is a loss of revenue and would not be stated in the audit report.

Councilwoman Gleba stated that when the sewer utility was established it was anticipated that every three years the rates would increase because of our debt obligation. Between the year 1998 and 2005 the rates were never increased. In 2006 the rates increased to \$45.00. The Borough was able to use the fund balance in sewer to offset the budget to avoid sewer increases. The \$300,000 is not from years past; it's just to cover this year's budget.

Audience member, Rachel Semonche asked if the expenditures could be cut back. Manager Phelan stated that every departmental budget was cut back 5 to 15%; this is not a budget issue but a debt issue.

Councilman Housel offered some history on the sewer plant. He stated that the Borough had to upgrade the sewer plant otherwise the Borough would begin receiving daily fines. The Borough bonded to re-do the plant and received a very low interest rate at the time. The debt is coming due on the money borrowed to upgrade the sewer plant.

Audience member, Mr. Kressler stated that he is disappointed in council that they were not aware of this before. He stated this makes him mad that Council is spending money downtown, etc. Councilman Housel stated that this is Council's fault. According to the Borough's Sewer Ordinance; we should have raised rates every three years.

Councilman Higgins asked if there is anything in the sewer budget that we can reduce. Manager Phelan stated that there is very little to reduce. Most of our budget is debt service and contractual obligations to Veolia Water.

At this time, Mayor McDonald entertained a motion for Resolution 63-2010 and the sewer rates that need to be inserted into the resolution.

Motion made by Housel, seconded by Valentine to raise sewer rates to \$52.00 per EDU, with an annual rate of \$624.00 per year for all bills generated after February, 2010.

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

Ayes: 5, Nays: 2
Motion Carried

RESOLUTION # 63- 2010

**RESOLUTION ESTABLISHING SEWER RATE PER EQUIVALENT
DWELLING UNIT FOR THE BOROUGH OF WASHINGTON
COUNTY OF WARREN, STATE OF NEW JERSEY
FOR THE YEAR 2010.**

WHEREAS, the Borough of Washington owns and operates a Sewer Utility known as the Borough of Washington Municipal Sewer Utility (BOWMSU); and

WHEREAS, the Mayor and Council, under the Borough of Washington Code, Chapter 70, Article II, §5(G), have the ability to fix and collect rates, fees, rents and other charges in accordance with the law; and

WHEREAS, under Chapter 70, Article VI, §28(A)(1), the Mayor and Council have the authority to review and revise the rates for services and to establish an annual sewer charge, which shall be uniform and equitable for the same types and classes of use and services; and

WHEREAS, the Mayor and Council have not changed the Equivalent Dwelling Unit (EDU) rate since 2006 and upon consideration have determined the EDU rate for 2010 must be amended.

NOW, THEREFORE, BE IT RESOLVED, the EDU rate for 2010 shall be \$ 624.00 per year, billable monthly at the rate of \$52.00 per EDU; and

BE IT FURTHER RESOLVED, the revised rate shall take effect for all bills generated after February, 2010.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector, Chief Financial Officer and Veolia Water.

Councilwoman Gleba stated that Greenwich Township recently reduced sewer rates by 10% for senior citizens age 65 and older. She will be contacting the Borough Manager to discuss this.

Resolution 59-2010 Temporary Appropriations Current Fund

Resolution 59-2010 was moved on a motion made by Housel, seconded by Cioni and adopted.

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

Ayes: 7, Nays: 0

Motion Carried

RESOLUTION 59-2010

A RESOLUTION PROVIDING FOR EMERGENCY TEMPORARY APPROPRIATIONS FOR CURRENT FUND

WHEREAS, there will be a delay in the adoption of the 2010 Borough of Washington, County of Warren, New Jersey, Local Municipal Budget; and

WHEREAS, a temporary budget in the amount of 26.25% of the total appropriations in the 2009 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance was adopted in January 2010; and

WHEREAS, if additional funds are not budgeted the public welfare will be adversely affected; and

WHEREAS, it is the recommendation of the Chief Financial Officer this emergency temporary appropriation be authorized

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Washington, County of Warren, New Jersey, that in accordance with N.J.S.A. 40A:4-20, an emergency temporary appropriation be and same is hereby made for in the amount of \$1,587,357.38 and that said emergency temporary appropriation shall be provided in full in the 2010 budget.

CURRENT FUND

Account Number

Account Description

0-01-20-100-000-010	GENERAL ADMIN SW	21,230.83
0-01-20-100-000-020	GENERAL ADMIN OE	9,617.08
0-01-20-110-000-012	MAYOR & COUNCIL Part Time	3,625.00
0-01-20-110-000-020	MAYOR & COUNCIL OE	2,324.50
0-01-20-120-000-010	CLERK SW	17,472.75
0-01-20-120-000-020	CLERK OE	3,408.37
0-01-20-130-000-010	FINANCIAL ADMIN SW	21,769.00

0-01-20-130-000-020	FINANCIAL ADMIN OE	1,920.00
0-01-20-145-000-010	TAX COLLECTION SW	24,514.00
0-01-20-145-000-020	TAX COLLECTION OE	1,540.00
0-01-20-150-000-010	TAX ASSESSMENT SW	9,419.25
0-01-20-150-000-020	TAX ASSESSMENT OE	5,625.00
0-01-20-155-000-020	LEGAL OE	16,586.83
0-01-20-165-000-028	ENGINEERING Contractual Services	11,900.00
0-01-20-170-000-020	DOWNTOWN REDEV OE	2,500.00
0-01-21-180-000-012	PLANNING BOARD Part Time	936.50
0-01-21-180-000-020	PLANNING BOARD OE	1,904.96
0-01-21-185-000-012	BOARD OF ADJ Part Time	954.58
0-01-21-185-000-020	BOARD OF ADJ OE	1,587.50
0-01-22-195-000-010	LOCAL CODE ENF SW	13,757.25
0-01-22-195-000-020	LOCAL CODE ENF OE	468.75
0-01-22-195-001-020	P.E.O.S.H.A	163.34
0-01-23-210-000-000	LIABILITY INSURANCE	37,500.67
0-01-23-220-000-000	GROUP HEALTH INSURANCE	61,580.74
0-01-23-225-000-000	UNEMPLOYMENT INSURANCE	5,000.00
0-01-25-240-000-010	POLICE DEPT SW	54,989.46
0-01-25-240-000-020	POLICE DEPT OE	600,000.00
0-01-25-252-000-012	EMERGENCY MGMT Part Time	753.75
0-01-25-252-000-020	EMERGENCY MGMT OE	250.00
0-01-25-255-000-020	FIRE DEPT OE	8,950.00
0-01-25-265-000-010	FIRE & SAFETY CODE ENF SW	5,633.50
0-01-25-265-000-020	FIRE & SAFETY CODE ENF OE	1,702.50
0-01-25-265-001-073	FIRE HYDRANTS Fire Hydrant Charges	16,958.33
0-01-25-275-000-028	MUNICIPAL PROSECUTOR	5,200.00
0-01-26-290-000-010	STREETS & ROADS SW	100,000.00
0-01-26-290-000-020	STREETS & ROADS OE	50,000.00
0-01-26-305-000-028	SOLID WASTE COLLECTION Contractual Services	61,466.67
0-01-26-310-000-010	BUILDINGS & GROUNDS SW	3,015.00
0-01-26-310-000-020	BUILDINGS & GROUNDS OE	7,204.00
0-01-26-313-000-010	SHADE TREE COMMISSION SW	234.75
0-01-26-313-000-020	SHADE TREE COMMISSION OE	5,103.75
0-01-27-340-000-012	ANIMAL CONTROL Part Time	2,531.00
0-01-28-370-000-012	RECREATION SW - Part-Time	9,533.17
0-01-28-370-000-020	RECREATION OE	12,540.83
0-01-29-390-000-010	MUNICIPAL LIBRARY SW	35,371.67
0-01-29-390-000-020	MUNICIPAL LIBRARY OE	15,466.08
0-01-30-420-000-299	CELEBRATION OF PUBLIC EVENTS	100.00
0-01-31-430-000-299	ELECTRICITY	12,500.00
0-01-31-435-000-075	TRAFFIC LIGHTS Street Lighting	21,000.00
0-01-31-435-000-100	TRAFFIC LIGHTS Traffic Lights	2,000.00
0-01-31-440-000-000	TELEPHONE	8,333.33
0-01-31-445-000-000	WATER	1,700.00

0-01-31-446-000-000	NATURAL GAS	7,000.00
0-01-31-447-000-000	HEATING OIL	2,083.33
0-01-31-460-000-000	GASOLINE & DIESEL	2,700.00
0-01-31-465-000-000	SOLID WASTE DISPOSAL	41,700.00
0-01-36-471-000-000	PERS	131,561.00
0-01-36-472-000-000	SOCIAL SECURITY	14,889.41
0-01-36-474-000-000	CONS. POLICE & FIRE PEN	10,103.18
0-01-43-490-000-010	MUNICIPAL COURT SW	34,290.50
0-01-43-490-000-020	MUNICIPAL COURT OE	1,685.25
0-01-43-495-000-027	PUBLIC DEFENDER - Legal Services	1,500.00
0-01-45-927-000-000	TAX ANTICIPATION NOTES - INTEREST	20,000.00
		-
Total		\$1,587,357.38

Resolution 60-2010 Temporary Appropriations Sewer Fund

Resolution 60-2010 was moved on a motion made by Housel, seconded by Cioni and adopted.

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

Ayes: 7, Nays: 0

Motion Carried

RESOLUTION 60-2010

A RESOLUTION PROVIDING FOR EMERGENCY TEMPORARY APPROPRIATIONS FOR SEWER UTILITY

WHEREAS, there will be a delay in the adoption of the 2010 Borough of Washington, County of Warren, New Jersey, Local Municipal Budget; and

WHEREAS, a temporary budget in the amount of 26.25% of the total appropriations in the 2009 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance was adopted in January 2010; and

WHEREAS, if additional funds are not budgeted the public welfare will be adversely affected; and

WHEREAS, it is the recommendation of the Chief Financial Officer this emergency temporary appropriation be authorized

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Washington, County of Warren, New Jersey, that in accordance with N.J.S.A. 40A:4-

20, an emergency temporary appropriation be and same is hereby made for in the amount of \$292,409.43 and that said emergency temporary appropriation shall be provided in full in the 2010 budget.

0-05-55-501-000-010	SEWER OPERATING S&W	18,249.81
0-05-55-502-000-020	SEWER OPERATING OE	269,263.50
0-05-55-540-000-000	Sewer - PERS	3,500.00
0-05-55-541-000-000	Sewer - Social Security	1,396.11
Total		292,409.43

Resolution 61-2010 Transfer of Reserve Appropriations

Resolution 61-2010 was moved on a motion made by Housel, seconded by Cioni and adopted.

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

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 61-2010

A RESOLUTION AUTHORIZING THE TRANSFER OF RESERVE APPROPRIATIONS

WHEREAS, N.J.S.A. 40A: 4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made by not less the 2/3 vote of the full membership of the governing body from unexpended balances which are expected to be sufficient to accounts with insufficient appropriation balances during the first three months of the succeeding year; and

WHEREAS, the Borough Manager and the Chief Financial Officer have determined that excess appropriations do exist in some accounts and there is a need for supplemental appropriations in other accounts.

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 appropriation transfers are hereby approved:

Transfer From:
Amount:

Transfer To:

ELECTRICITY	TRAFFIC LIGHTS /STREET LIGHT	4,000.00
Other Expenses	Other Expenses	
MUNICIPAL LIBRARY	AUDIT SERVICES	4,000.00
Salary & Wages	Other Expenses	
GASOLINE & DIESEL	AUDIT SERVICES	6,000.00
Other Expenses	Other Expenses	
TELEPHONE	AUDIT SERVICES	3,000.00
Other Expenses	Other Expenses	
NATURAL GAS	AUDIT SERVICES	4,000.00
Other Expenses	Other Expenses	
SOCIAL SECURITY	AUDIT SERVICES	6,000.00
Other expenses	Other Expenses	
GENERAL ADMINISTRATION	AUDIT SERVICES	
Salary & Wages	Other Expenses	2,000.00
TAX ASSESSMENT	AUDIT SERVICES	
		1,000.00
Salaries and Wages	Other Expenses	
LEGAL EXPENSES	AUDIT SERVICES	3,135.00
Salaries and Wages	Other Expenses	
STREETS AND ROADS	STREETS AND ROADS	40,000.00
Salaries and Wages	Other Expenses	
TOTALS OF ALL TRANSFERS		73,135.00

Resolution 65-2010 Redemption of Tax Sale Certificate

Resolution 65-2010 was approved by unanimous vote.

Ayes: 7, Nays: 0

Motion Carried

RESOLUTION # 65-2010

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

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

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on December 27, 2006 to US Bank-Cust/Sass Muni V dtr, TLSG; 2 Liberty Place, 50 South 16th Street #1950, Philadelphia, PA 19102, in the amount of \$49,903.51 for taxes or other municipal liens assessed for the year 2005 in the name of Washington Enterprises LTD, as supposed owners, and in said assessment and sale were described as Kinnaman Avenue, Block 6 Lot 11.01, which sale was evidenced by Certificate #06-00407; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2-10-2010 before the right to redeem was cut off, as provided by law, USDA claiming to have an interest in said lands, did redeem said lands claimed by U.S. Bank-Cust/Sass Muni V dtr by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$386,007.78, which is the amount necessary to redeem Tax Sale Certificate #06-00407.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of March 2010 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank-Cust/Sass Muni V dtr, TLSG; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102, in the amount of **\$386,007.78**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 6 Lot 11.01 from the tax office records.

Resolution 66-2010 Redemption of Tax Sale Certificate

Resolution 66-2010 was approved by unanimous vote.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 66-2010

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

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

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on December 27, 2006 to Royal Tax Lien Services LLC, 179 Washington Lane, Jenkintown, 19046, in the amount of \$21,667.18 for taxes or other municipal liens assessed for the year 2005 in the name of Highland Assoc LTD, as supposed owners, and in said assessment and sale were described as Kinnaman Avenue-Rear, Block 6 Lot 11.02, which sale was evidenced by Certificate #06-00408; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2-2-2010 before the right to redeem was cut off, as provided by law, USDA claiming to have an interest in said lands, did redeem said lands claimed by Royal Tax Lien Services LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$375,952.84, which is the amount necessary to redeem Tax Sale Certificate #06-00408

NOW THEREFORE BE IT RESOLVED, on this 2nd day of March 2010 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Royal Tax Lien Services LLC, 179 Washington Lane, Jenkintown, PA 19046, in the amount of **\$375,952.84**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 6 Lot 11.02 from the tax office records.

Resolution 67-2010 Shade Tree Grant

Resolution 67-2010 was approved by unanimous vote.

Ayes: 7

Nays: 0

Motion Carried

Resolution 67-2010

Whereas, the Governing Body of the Borough of Washington desires to further the public interest by obtaining a Business Stimulus Fund grant from the State of New Jersey, Department of Environmental Protection in the amount of \$7,000.00 to fund the following project:

Washington Borough Park Tree Maintenance

Therefore, be it resolved that, the governing body resolves that Mayor Scott McDonald, or the successor to the office of the Mayor is authorized to make application for such grant and to execute a grant agreement with the State of New Jersey for not less than \$7,000.00.

VOUCHERS:

Motion made by Valentine, seconded by Cioni to pay the vouchers and claims in the amount of \$1,311,294.90

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

Ayes: 7, Nays: 0
Motion Carried

RECAP

Manager Phelan stated he will look into when Council discussed/approved using the Van Cleef money along with the DOT money for the parking lot.

COUNCIL REMARKS

Councilman Housel asked the Borough Manager to give a public update on the DPW Garage. Manager Phelan stated that in November of 2009 the contractor was found in default of the project. Their bonding agency reviewed our documents to make sure we acted properly; they agreed with the Borough. There is some discrepancy between what the bonding company thinks their obligation is and what we think their obligation should be. We will be inviting the bonding company and the bonding company attorney to a meeting to discuss with them how to move the project forward.

Councilman Cioni asked the Borough Manager to follow up with the Road Department on how they will be fixing potholes this spring.

Councilman Valentine thanked the professionals for being in attendance this evening.

Councilwoman Gleba requested a list of our debt broken out. She stated she will be contacting the Borough Manager regarding the senior rate on sewer fees.

Councilman Higgins stated he contacted the Department of Criminal Justice regarding the forensic audit and they do not audit municipalities. He was informed to contact Marc Pheifer at the DCA. He asked if we had gone out for proposals yet. The Borough Manager stated that the cost will be between \$100,000 and \$500,000; Council will have to determine whether or not they want to budget for this in the 2010 budget.

Councilman Boyle noted that the monthly report from the Police Department does not really give them enough information.

Mayor McDonald informed Council that Sustainable Jersey will be at the March 16 meeting to do a presentation.

Hearing no further business to come before Council, it was moved by Cioni, seconded by Valentine that the meeting be adjourned at 10:50 p.m.

Ayes: 7, Nays: 0.
Motion carried.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk