

**BOROUGH OF WASHINGTON, WARREN COUNTY, NJ
COUNCIL AGENDA**

April 19, 2011

7:30 PM

STATEMENT OF ADEQUATE NOTICE:

ROLL CALL: Clerk will call the Roll

PROCLAMATION:

Arbor Day Proclamation

FREEHOLDER EVERETT CHAMBERLAIN

MINUTES:

Regular Meeting of April 5, 2011

EXECUTIVE SESSION

MINUTES:

Executive Session of April 5, 2011

CORRESPONDENCE:

None

AUDIENCE:

Remarks, petitions, statements and testimony from guests

ORDINANCES:

None

2011 MUNICIPAL BUDGET

Public Hearing 2011 Budget Amendment

Resolution 79-2011 Adoption of 2011 Municipal Budget Amendment

Resolution 80-2011 Approving Adoption of the 2011 Municipal Budget

REPORTS

1. Managers Report
2. Issues/Details
3. Washington Township Police Activity Report
4. Municipal Court Report March 2011
5. Tax Collectors Current Fund Report
6. Tax Collectors Sewer Fund Revenue Report
7. Percent of Collection Report
8. DPW Report
9. CFO Report

COMMITTEE REPORTS

1. Sewer Committee Report

OLD BUSINESS:

NEW BUSINESS:

1. Quick Chek Sewer Connection – Debra Nicholson, Esq.
2. Approval of Shared Service Agreement for the Library Director Services Between the Borough of Washington and the Washington Borough Board of Education
3. Resolution 78-2011 Cancel Municipal Tax Lien
4. Resolution 81-2011 Authorizing the Approval of the Developers Agreement – Jade Developers

VOUCHERS:

List Attached

RECAP

COUNCIL REMARKS:

Remarks, Reports, Discussions

ADJOURNMENT: _____ P.M.

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – April 5, 2011**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 6:30 P.M.

Roll Call: Gleba, McDonald, Jewell, Higgins - Present
Torres (6:50 p.m.) Boyle (7:15 p.m.) Valentine (7:38 p.m.)

Also Present: Richard Phelan, Borough Manager (7:30 pm.)
Ann Kilduff, Acting 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.

Resolution 69-2011 Appointing Ann Kilduff as Acting Borough Clerk

Motion made by Higgins, seconded by Gleba and adopted.

Ayes: 4, Nays: 0
Motion Carried

RESOLUTION 69-2011

ACTING BOROUGH CLERK

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

WHEREAS, under this plan the Council of the Borough is directed and authorized to appoint an **Acting Borough Clerk** (as needed) for the Borough of Washington, New Jersey.

BE IT RESOLVED, that Ann Kilduff is hereby appointed as Acting Borough Clerk for the Governing Body Meeting of April 5, 2011.

Resolution 70-2011 Executive Session

Motion made by Higgins, seconded by Gleba and adopted.

Ayes: 4, Nays: 0
Motion Carried

70-2011
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; Real Estate Acquisitions

_____ 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: Forensic Audit Services _____ 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: _____; the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.

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.

Motion made by Higgins, seconded by Jewell to allow Mr. Del Elba to attend the Executive Session as a member of the concerned citizens group. Mayor McDonald explained the confidentiality of Executive Sessions to Mr. Del Elba.

Ayes: 4, Nays: 0
Motion Carried
Council exited Executive Session at 7:38 p.m.

MINUTES

Motion made by Boyle, seconded by Torres to approve the minutes from the Regular meeting of March 1, 2011, March 15, 2011 and the Budget Workshop of March 10, 2011.

Several corrections were noted by the Clerk.

Ayes: 7, Nays: 0
Abstain: 1 (Higgins 3/15, 3/10 only)
Motion Carried

EXECUTIVE SESSION MINUTES

Motion made by Boyle, seconded by Jewell and adopted.

Ayes: 7, Nays: 0
Abstain: 1 (Higgins on 3/15 only)
Motion Carried

CORRESPONDENCE

Kathy's Kove and Kafe Re: Outside Dining Request
BID Re: Festival in the Borough

Motion made by Gleba, seconded by Valentine to receive and file the correspondence.

Ayes: 7, Nays: 0
Motion Carried

Motion made by Higgins, seconded by Gleba approving the request by Kathy's Kove and Kafe for outside dining.

Ayes: 7, Nays: 0
Motion Carried

Motion made by Higgins, seconded by Jewell to approve the request by the Business Improvement District to extend the Festival in the Borough by one day. Festival dates will be Saturday, October 1 and Sunday, October 2, 2011.

Ayes: 7, Nays: 0
Motion Carried

AUDIENCE

Mayor McDonald opened the audience portion of the meeting.

Bob Del Elba 86 W. Stewart Street

Mr. Del Elba invited the Governing Body to the Concerned Citizens Meeting scheduled for Friday April 8, 2011. The meeting will review the OPRA law as well as an update on the forensic audit and the garbage collection. Councilman Higgins stated that only three Council members could attend.

Hearing no other comments from the public a motion was made by Jewell, seconded by Higgins to close the public hearing.

Ayes: 7, Nays: 0
Motion Carried

ORDINANCES

ORDINANCE 1-2011 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (Public Hearing/Adoption)

Mayor McDonald entertained a motion to introduce Ordinance #1-2011 on final adoption and have the clerk read by title.

Motion made by Gleba, seconded by Torres to introduce on final reading and have the clerk read by title only.

Councilman Higgins read Ordinance #1-2011 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.

Public Hearing:

The CFO explained that this Ordinance simply allows the Governing Body to bank an extra 1.5% for future needs. This does not increase the municipal budget.

Hearing no further comments from the public motion made by Valentine, seconded by Gleba to close the public hearing.

Ayes: 7, Nays: 0
Motion Carried

Councilman Higgins noted two typos on the Ordinance that will be corrected. Councilman Higgins asked the CFO how much the Borough is actually banking. The CFO explained that the Borough is asking permission to bank an additional \$45,000. The Borough does not need permission for the 2% bank only the additional 1.5% which is \$45,000.

Motion made by Jewell, seconded by Gleba to adopt Ordinance 1-2011 on final passage.

Roll Call: Gleba, Valentine, Torres, Jewell, McDonald - Yes
Higgins, Boyle – No

Ayes: 5, Nays: 2
Abstain: 0
Motion Carried

2011 MUNICIPAL BUDGET

Mr. Lance Rozsa Superintendent of Local Schools

Mr. Rozsa presented an update on some issues with the local schools. The first is on the potential shared service agreement with the Borough regarding the librarian. The Borough and the school are looking to share a librarian to cover both vacancies. The savings to the taxpayers is at least \$50,000. The interviews will be held this Monday. The second item is the school budget; the budget is identical to last year with the exception of \$78,000. This includes the money for the librarian, repairs to the gymnasium, and security upgrades. He stated that he is reasonably confident that the \$78,000 will probably be reduced due to retirements, etc that normally occur during the summer months.

Councilwoman Gleba asked if the salaries would be frozen this year as they were last year. Mr. Rozsa stated that would not be occurring this year. Councilman Torres asked if \$30,000 of the \$78,000 is for the librarian; what are the other costs that make up the \$78,000. Mr. Rozsa stated it includes some security upgrades, IT upgrades that need to be maintained, and a repair to the gymnasium. Councilman Torres asked about enrollment. Mr. Rozsa stated that the school enrollment is up about ten students.

Mayor McDonald thanked Mr. Rozsa for his presentation.

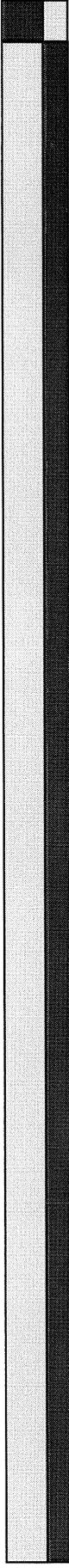
Rich Phelan and Natasha Turchan 2011 Municipal Budget Presentation

The CFO stated the presentation is part of a requirement of the Best Practices Policy as required by the State of New Jersey. Ms. Turchan stated the difference between budget years 2010 and 2011 \$238, 616.88 which is a decrease of 3.27%.

Ms. Turchan explained that in 2011 we are anticipating \$306,681.36 in surplus vs. only \$130,000 in 2010. There is also a decrease in miscellaneous revenue in 2011 mainly due to the loss of \$400,000 in State Aid that the Borough is not applying for. She also stated the amount to be raised by taxation for municipal purposes is 5,370,385.00. The major 2011 appropriations in the current budget are the forensic audit cost of \$100,000, deferred charges of \$70,000, payroll costs that the Borough now has to pay for of \$12,000, and the streets and road budget has increased due to the weather. Appropriations that are reduced are health insurance, police, recreation, capital improvements, and the reserve for uncollected taxes. Ms. Turchan also reviewed the difference in personnel over the last several years. In 2009 the Borough had 73 full and part time employees, in 2010 66 full and part time employees, and in 2011 63 full and part time employees.

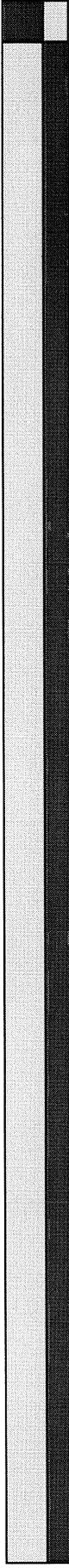
Councilman Higgins questioned the 63 employees. Manager Phelan stated the Borough had contractual obligations to the police department which required them to be listed as employees.

Ms. Turchan and Mr. Phelan's entire presentation to Council is incorporated into the minutes on the next page.



**BOROUGH OF
WASHINGTON**

**CY 2011 BUDGET
PRESENTATION**

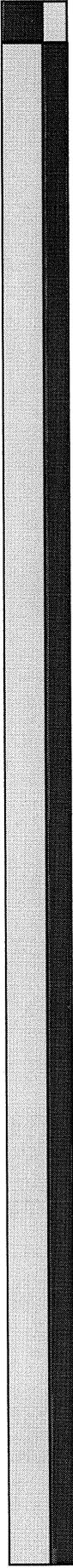


OVERVIEW

- 2010 Budget (net of Grants) \$7,307,555.57
- 2011 Budget (net of Grants) \$7,068,938.69
- Decrease: \$238,616.88 (3.27%)

REVENUE

| | 2011 | 2010 | \$ change | % change |
|---------------------------------------|--------------|--------------|--------------|----------|
| Surplus | 306,681.36 | 130,000.00 | \$176,681.36 | 135.9% |
| Miscellaneous Revenue (net of grants) | 902,776.00 | 1,301,846.00 | <399,070.00> | -30.7% |
| Delinquent Taxes | 293,170.00 | 581,000.00 | <287,830.00> | -49.5% |
| Local Taxes | 5,566,311.33 | 5,294,709.57 | \$271,601.00 | 5.1% |
| Total Revenue (net of grants) | 7,068,938.69 | 7,307,555.57 | <238,616.88> | -3.3% |



REVENUE

- Miscellaneous Revenue major changes:
 - Extraordinary and \$400,000
- No non-recurring revenue
- Surplus utilized is \$176,681.36 higher

CHANGES IN LOCAL TAXES

| | | |
|-------------|--|---------------------|
| □ | 2010 Amount to be Raised by Taxation | 5,294,710.00 |
| ■ | Less Changes in Service Provider: Transfer of Service/Function | <u>(192,013.00)</u> |
| | Net Amount to be Raised by Taxation | 5,102,697.00 |
| | 2% Levy CAP | <u>102,054.00</u> |
| | Adjusted Tax Levy | 5,204,751.00 |
| Exclusions: | | |
| | Shared Service Agreement | 120,508.00 |
| | Pension | 2,261.00 |
| | Deferred Charges to Future Taxation Unfunded | 70,000.00 |
| | 2010 Health Emergency | <u>3,234.00</u> |
| | Total Exclusions: | 196,003.00 |
| | Less Prior Year cancelled exclusions: | <u>(16,731.00)</u> |
| | Adjusted Tax Levy | 5,384,023.00 |
| | Add on New Construction | <u>4,071.00</u> |
| | Maximum Allowable Amount to be Raised by Taxation | 5,388,094.00 |
| | Amount to be Raised by Taxation for Municipal Purposes | 5,370,385.00 |

SURPLUS HISTORY

2011

2010

2009

2008

2007

2006

306,681.36

130,000.00

0

525,000.00

565,000.00

675,000.00

7,068,938.69

7,307,555.57

6,658,698.64

6,277,357.00

6,120,595.76

5,750,178.99

4.34%

1.78%

0%

8.36%

9.23%

11.74%

Surplus

Total Budget (Net of Grants)

Percentage of total

SURPLUS HISTORY

| | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
|----------------------------|------------|------------|------------|-----------|------------|------------|
| Surplus YE prior year | 728,210.39 | 654,717.45 | 551,409.39 | 39,381.41 | 166,830.64 | 666,681.14 |
| Surplus Used in the Budget | 675,000.00 | 565,000.00 | 525,000.00 | 0 | 130,000.00 | 306,681.36 |
| Balance Left over | 53,210.39 | 89,717.45 | 26,409.39 | 39,381.41 | 36,830.64 | 359,999.80 |
| Percentage of total Used | 92.69% | 86.3% | 95.21% | 0% | 77.92% | 46.0% |

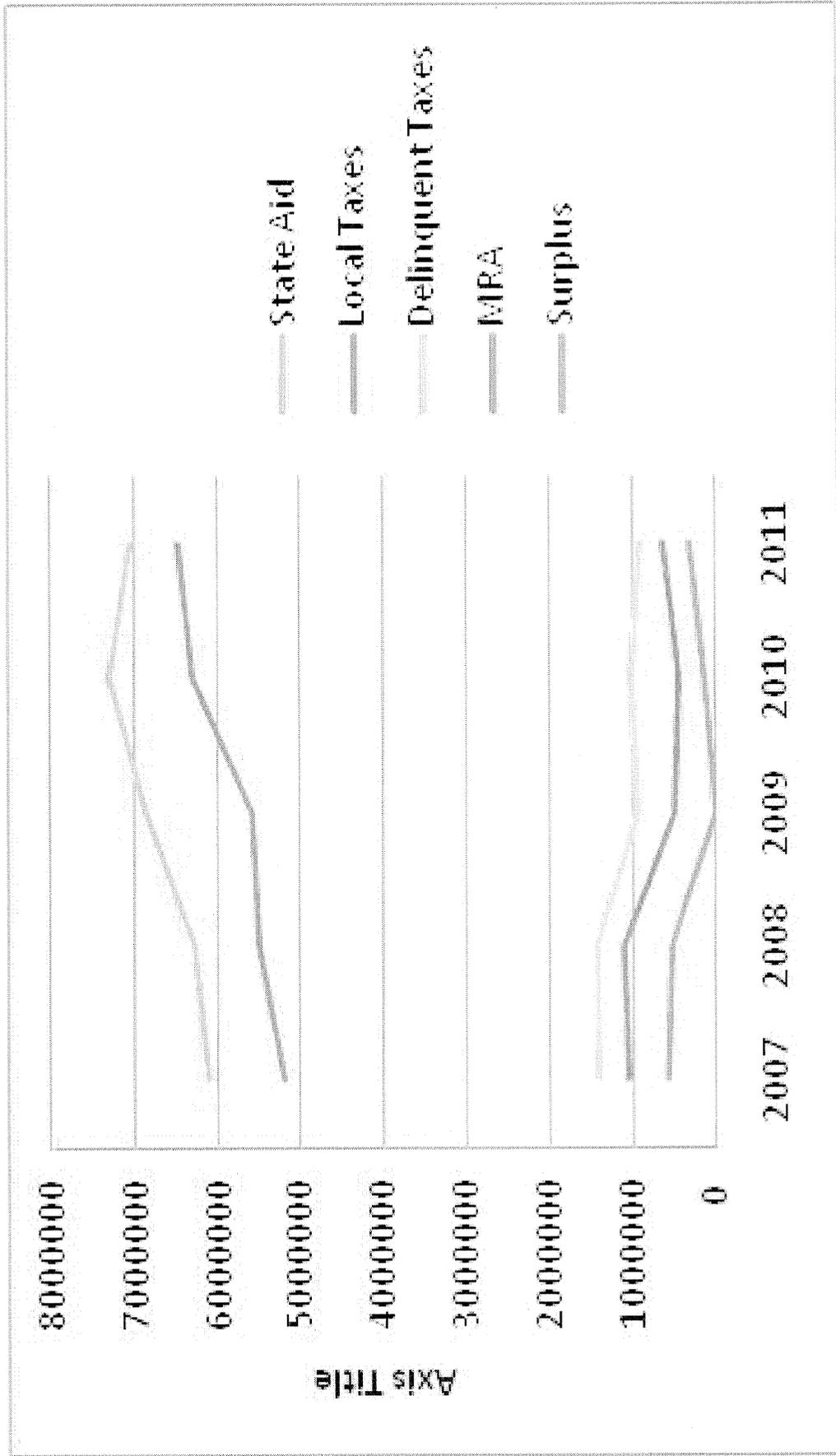
5 YEAR REVENUE TREND

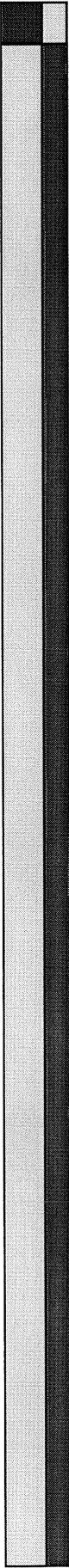
| | 2011 | 2010 Budgeted | 2010 Actual | 2009 Budgeted | 2009 Actual |
|---------------------------------------|--------------|---------------|--------------|---------------|--------------|
| | Budgeted | | | Budgeted | |
| Surplus | 306,681.36 | 130,000.00 | 130,000.00 | 0 | 0 |
| Miscellaneous Revenue (net of grants) | 309,400.00 | 308,470.00 | 380,055.38 | 495,766.00 | 408,087.41 |
| Delinquent Taxes | 293,170.00 | 581,000.00 | 657,536.78 | 430,000.00 | 457,515.88 |
| Local Taxes | 5,566,311.33 | 5,294,709.57 | 5,294,709.57 | 4,665,738.64 | 4,665,738.64 |
| State Aid | 593,376.00 | 993,376.00 | 993,376.00 | 1,268,808.00 | 1,268,808.00 |

5 YEAR REVENUE TREND

| | 2008 Budgeted | 2008 Actual | 2007 Budgeted | 2007 Actual |
|---|----------------------|-----------------------|---------------|--------------|
| Surplus | 525,000.00525,000.00 | 565,000.00565,000.00 | | |
| Miscellaneous Revenue (net of grants) | 570,352.00369,989.20 | 482,099.49555,718.97 | | |
| Delinquent Taxes | 352,295.00430,140.73 | 3350,000.00352,295.38 | | |
| Local Taxes | 4,042,471.00 | 3,962,750.53 | 3,809,943.27 | 3,809,943.27 |
| State Aid | 787,239.00787,239.00 | 913,553.00863,553.00 | | |

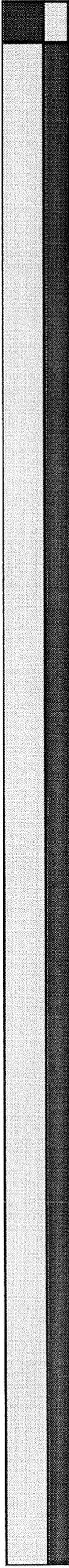
5 YEARS REVENUE TREND





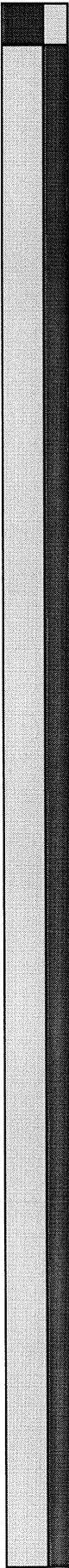
2011 APPROPRIATIONS

| | | |
|--------------------------|-------------------------------|-----------------|
| <input type="checkbox"/> | Forensic Audit | \$ 100,000.00 |
| <input type="checkbox"/> | Deferred Charges | \$ 70,000.00 |
| <input type="checkbox"/> | New charge for payroll cost | \$ 12,000.00 |
| <input type="checkbox"/> | Streets and Roads | \$ 17,985.50 |
| <input type="checkbox"/> | Health Insurance | \$ (46,126.30) |
| <input type="checkbox"/> | Police SW | \$ (57,491.96) |
| <input type="checkbox"/> | Recreation | \$ (85,818.03) |
| <input type="checkbox"/> | Capital Improvements | \$ (37,500.00) |
| <input type="checkbox"/> | Reserve for Uncollected Taxes | \$ (180,293.05) |



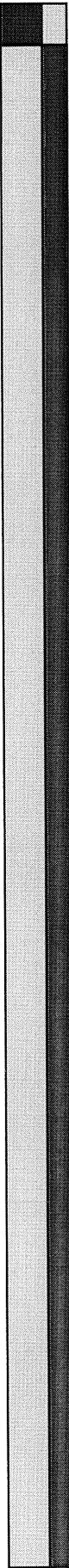
2011 APPROPRIATIONS

| | | | |
|--------------------------|-----------------|------------|-------|
| <input type="checkbox"/> | GENERAL ADMIN | 149,477.00 | 2.11% |
| <input type="checkbox"/> | MAYOR & COUNCIL | 22,215.00 | 0.31% |
| <input type="checkbox"/> | CLERK | 87,700.04 | 1.24% |
| <input type="checkbox"/> | FINANCIAL ADMIN | 107,224.33 | 1.52% |
| <input type="checkbox"/> | AUDIT SERVICES | 25,980.00 | 0.37% |
| <input type="checkbox"/> | FORENSIC AUDIT | 100,000.00 | 1.41% |
| <input type="checkbox"/> | TAX COLLECTION | 164,709.00 | 2.33% |
| <input type="checkbox"/> | TAX ASSESSMENT | 60,308.75 | 0.85% |



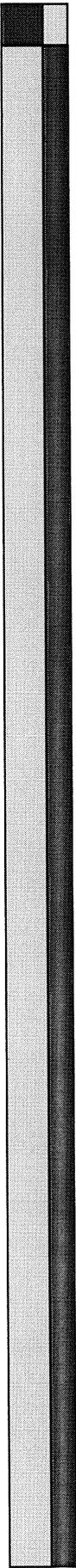
2011 APPROPRIATIONS

| | | |
|---|---------------------|---------------|
| <input type="checkbox"/> LEGAL | 69,000.00 | 0.98% |
| <input type="checkbox"/> ENGINEERING | 47,500.00 | 0.67% |
| <input type="checkbox"/> PLANNING BOARD | 15,464.93 | 0.22% |
| <input type="checkbox"/> BOARD OF ADJ | 9,568.34 | 0.14% |
| <input type="checkbox"/> LOCAL CODE ENFORCEMENT | 41,875.00 | 0.59% |
| <input type="checkbox"/> P.E.O.S.H.A | 1,000.00 | 0.01% |
| <input type="checkbox"/> LIABILITY INSURANCE | 220,000.00 | 3.11% |
| <input type="checkbox"/> GROUP HEALTH INSURANCE | 214,483.41 | 3.03% |
| <input type="checkbox"/> UNEMPLOYMENT INSURANCE | 23,746.98 | 0.34% |
| <input type="checkbox"/> POLICE DEPT | 2,099,608.04 | 29.70% |



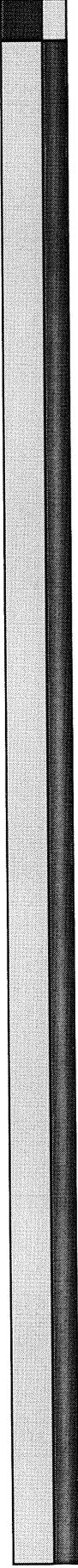
2011 APPROPRIATIONS

| | | |
|---|-------------------|--------------|
| <input type="checkbox"/> EMERGENCY MGMT | 6,015.00 | 0.09% |
| <input type="checkbox"/> FIRE DEPT | 33,319.00 | 0.47% |
| <input type="checkbox"/> AID TO VOL AMBULANCE | 19,300.00 | 0.27% |
| <input type="checkbox"/> FIRE & SAFETY CODE ENF | 27,484.00 | 0.39% |
| <input type="checkbox"/> FIRE HYDRANTS | 68,000.00 | 0.96% |
| <input type="checkbox"/> STREETS & ROADS | 505,065.00 | 7.14% |
| <input type="checkbox"/> SOLID WASTE COLLECTION | 259,000.00 | 3.66% |
| <input type="checkbox"/> BUILDINGS & GROUNDS | 42,278.24 | 0.60% |
| <input type="checkbox"/> SHADE TREE COMMISSION | 14,434.00 | 0.20% |



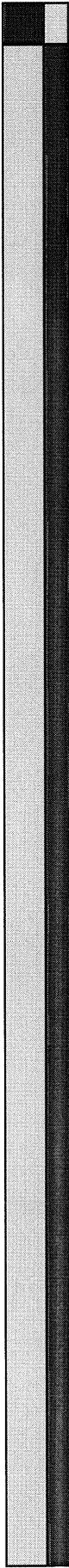
2011 APPROPRIATIONS

| | | |
|---|------------|-------|
| <input type="checkbox"/> RECREATION | 40,000.00 | 0.57% |
| <input type="checkbox"/> MUNICIPAL LIBRARY | 192,663.00 | 2.73% |
| <input type="checkbox"/> CELEBRATION OF PUBLIC EVENTS | 500.00 | 0.01% |
| <input type="checkbox"/> ELECTRICITY | 59,000.00 | 0.83% |
| <input type="checkbox"/> TRAFFIC LIGHTS | 81,000.00 | 1.15% |
| <input type="checkbox"/> TRAFFIC LIGHTS | 2,500.00 | 0.04% |
| <input type="checkbox"/> TELEPHONE | 35,000.00 | 0.50% |
| <input type="checkbox"/> WATER | 15,000.00 | 0.21% |
| <input type="checkbox"/> NATURAL GAS | 35,000.00 | 0.50% |
| <input type="checkbox"/> HEATING OIL | 5,000.00 | 0.07% |
| <input type="checkbox"/> GASOLINE & DIESEL | 15,000.00 | 0.21% |
| <input type="checkbox"/> SOLID WASTE DISPOSAL | 173,400.00 | 2.45% |



2011 APPROPRIATIONS

| | | |
|--|-------------------|---------------|
| <input type="checkbox"/> PERS | 136,453.00 | 1.93% |
| <input type="checkbox"/> SOCIAL SECURITY | 90,520.03 | 1.28% |
| <input type="checkbox"/> DCRP | 3,000.00 | 0.04% |
| <input type="checkbox"/> MUNICIPAL COURT | 162,622.00 | 2.30% |
| <input type="checkbox"/> PUBLIC DEFENDER | 6,000.00 | 0.08% |
| <input type="checkbox"/> DEBT SERVICE | 878,827.05 | 12.43% |
| <input type="checkbox"/> RUT | 702,697.55 | 9.94% |



PERSONNEL

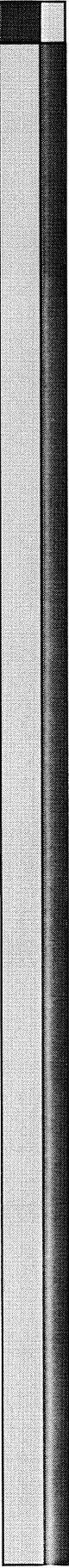
- 2009 we had **73** Full and Part time employees
(seasonal excluded)
- 2010 we had **66** Full and Part time employees
(seasonal excluded)
- 2011 budget has **63** Full and Part time
employees (seasonal excluded)

| Account Description | 2011 | 2010 | Difference | % Difference |
|---------------------------------|------------|------------|------------|--------------|
| GENERAL ADMIN SW | 119,818.00 | 118,521.00 | 1,297.00 | 1.09% |
| GENERAL ADMIN OE | 29,659.00 | 29,659.00 | - | 0.00% |
| MAYOR & COUNCIL Part Time | 14,500.00 | 10,500.00 | 4,000.00 | 38.10% |
| MAYOR & COUNCIL OE | 7,715.00 | 7,298.00 | 417.00 | 5.71% |
| CLERK SW | 72,670.60 | 67,621.50 | 5,049.10 | 7.47% |
| CLERK OE | 15,029.44 | 7,934.00 | 7,095.44 | 89.43% |
| FINANCIAL ADMIN SW | 92,224.33 | 89,595.00 | 2,629.33 | 2.93% |
| FINANCIAL ADMIN OE | 15,000.00 | 19,180.00 | (4,180.00) | -21.79% |
| AUDIT SERVICES Contractual Svcs | 25,980.00 | 25,980.00 | - | 0.00% |
| Forensic Audit | 100,000.00 | - | 100,000.00 | 100.00% |
| TAX COLLECTION SW | 158,839.00 | 154,281.00 | 4,558.00 | 2.95% |
| TAX COLLECTION OE | 5,870.00 | 5,660.00 | 210.00 | 3.71% |
| TAX ASSESSMENT SW | 38,608.75 | 37,677.00 | 931.75 | 2.47% |
| TAX ASSESSMENT OE | 21,700.00 | 22,500.00 | (800.00) | -3.56% |
| LEGAL OE | 69,000.00 | 69,000.00 | - | 0.00% |
| ENGINEERING Contractual Svcs | 47,500.00 | 47,500.00 | - | 0.00% |
| PLANNING BOARD Part Time | 3,727.59 | 3,746.00 | (18.41) | -0.49% |
| PLANNING BOARD OE | 11,737.34 | 7,636.50 | 4,100.84 | 53.70% |
| BOARD OF ADJ Part Time | 3,985.00 | 3,985.00 | - | 0.00% |
| BOARD OF ADJ OE | 5,583.34 | 5,850.00 | (266.66) | -4.56% |
| LOCAL CODE ENF SW | 40,000.00 | 47,800.00 | (7,800.00) | -16.32% |
| LOCAL CODE ENF OE | 1,875.00 | 1,875.00 | - | 0.00% |
| P.E.O.S.H.A | 1,000.00 | 1,000.00 | - | 0.00% |

| | | | | |
|--|--------------|--------------|-------------|----------|
| LIABILITY INSURANCE | 220,000.00 | 216,617.00 | 3,383.00 | 1.56% |
| GROUP HEALTH INSURANCE | 214,483.41 | 260,609.44 | (46,126.03) | -17.70% |
| UNEMPLOYMENT INSURANCE | 23,746.98 | 20,000.00 | 3,746.98 | 18.73% |
| POLICE DEPT SW | 14,608.04 | 72,100.00 | (57,491.96) | -79.74% |
| POLICE DEPT OE | 2,085,000.00 | 2,085,000.00 | - | 0.00% |
| EMERGENCY MGMT Part Time | 5,015.00 | 3,015.00 | 2,000.00 | 66.33% |
| EMERGENCY MGMT OE | 1,000.00 | 1,000.00 | - | 0.00% |
| FIRE DEPT OE | 33,319.00 | 33,319.00 | - | 0.00% |
| AID TO VOL AMBULANCE OE | 19,300.00 | 19,300.00 | - | 0.00% |
| FIRE & SAFETY CODE ENF SW | 21,734.00 | 21,734.00 | - | 0.00% |
| FIRE & SAFETY CODE ENF OE | 5,750.00 | 4,810.00 | 940.00 | 19.54% |
| FIRE HYDRANTS Fire Hydrant Chgs | 68,000.00 | 68,000.00 | - | 0.00% |
| MUNICIPAL PROSECUTOR | | 21,600.00 | (21,600.00) | -100.00% |
| STREETS & ROADS SW | 363,578.00 | 353,014.00 | 10,564.00 | 2.99% |
| STREETS & ROADS OE | 141,487.00 | 123,501.50 | 17,985.50 | 14.56% |
| SOLID WASTE COLLECTION Contractual Svcs | 259,000.00 | 270,500.00 | (11,500.00) | -4.25% |
| BUILDINGS & GROUNDS SW | 12,083.24 | 12,060.00 | 23.24 | 0.19% |
| BUILDINGS & GROUNDS OE | 30,195.00 | 28,816.00 | 1,379.00 | 4.79% |
| SHADE TREE COMMISSION SW | 934.00 | 939.00 | (5.00) | -0.53% |
| SHADE TREE COMMISSION OE | 13,500.00 | 8,000.00 | 5,500.00 | 68.75% |
| ANIMAL CONTROL Part Time | 40,000.00 | 10,108.00 | (10,108.00) | -100.00% |
| RECREATION SW - Part-Time | | 85,646.00 | (45,646.00) | -53.30% |
| RECREATION OE | | 40,172.03 | (40,172.03) | -100.00% |
| MUNICIPAL LIBRARY SW | 147,141.00 | 143,615.00 | 3,526.00 | 2.46% |
| MUNICIPAL LIBRARY OE | 45,522.00 | 50,664.75 | (5,142.75) | -10.15% |
| CELEBRATION OF PUBLIC EVENTS Miscellaneous | 500.00 | 500.00 | - | 0.00% |
| ELECTRICITY | 59,000.00 | 53,000.00 | 6,000.00 | 11.32% |
| TRAFFIC LIGHTS OE | 81,000.00 | 81,000.00 | - | 0.00% |
| TRAFFIC LIGHTS Street Lighting | 2,500.00 | 2,500.00 | - | 0.00% |
| TELEPHONE | 35,000.00 | 35,000.00 | - | 0.00% |

| | | | | |
|-------------------------------------|---------------------|---------------------|---------------------|---------------|
| WATER | 15,000.00 | 14,500.00 | 500.00 | 3.45% |
| NATURAL GAS | 35,000.00 | 27,000.00 | 8,000.00 | 29.63% |
| HEATING OIL | 5,000.00 | 9,000.00 | (4,000.00) | -44.44% |
| GASOLINE & DIESEL | 15,000.00 | 13,000.00 | 2,000.00 | 15.38% |
| SOLID WASTE DISPOSAL | 173,400.00 | 170,000.00 | 3,400.00 | 2.00% |
| PERS | 136,453.00 | 132,586.91 | 3,866.09 | 2.92% |
| SOCIAL SECURITY | 90,520.03 | 101,369.24 | (10,849.21) | -10.70% |
| CONS. POLICE & FIRE PEN | | 10,103.18 | (10,103.18) | -100.00% |
| DCRP | 3,000.00 | 500.00 | 2,500.00 | 500.00% |
| MUNICIPAL COURT SW | | 114,969.78 | (114,969.78) | -100.00% |
| MUNICIPAL COURT OE | 162,622.00 | 40,422.00 | 122,200.00 | 302.31% |
| PUBLIC DEFENDER - Legal Services | 6,000.00 | 6,000.00 | - | 0.00% |
| CAPITAL IMPROVEMENT | | 37,500.00 | (37,500.00) | -100.00% |
| Deferred Charges to Future Taxation | 70,000.00 | | 70,000.00 | 100.00% |
| BOND PRINCIPAL | 305,000.00 | 275,000.00 | 30,000.00 | 10.91% |
| PAYMENT OF BAN & CAPITAL NOTES | 87,000.00 | 50,000.00 | 37,000.00 | 74.00% |
| TAX ANTICIPATION NOTES - INTEREST | 35,000.00 | 60,000.00 | (25,000.00) | -41.67% |
| INTEREST ON BONDS | 290,160.00 | 303,141.25 | (12,981.25) | -4.28% |
| INTEREST ON NOTES | 51,964.65 | 101,872.48 | (49,907.83) | -48.99% |
| GREEN TRUST LOAN PRIN & INTEREST | 39,702.40 | 39,702.41 | (0.01) | 0.00% |
| RESERVE FOR UNCOLLECTED TAXES | 702,697.55 | 882,990.60 | (180,293.05) | -20.42% |
| Total | 7,068,938.69 | 7,300,597.57 | (231,658.88) | -3.17% |

\$



SALARIES AND WAGES

- IN 2011 BUDGET
 - Union increase 3.5% per union contract
 - Non-Union increase 3.5%

PUBLIC HEARING 2011 MUNICIPAL BUDGET

Mayor McDonald opened the public hearing on the 2011 Municipal Budget.

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

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION 76-2011 BUDGET AMENDMENT

Motion made by Valentine, seconded by McDonald for discussion.

Councilwoman Gleba asked the CFO several questions relating to the Municipal Alliance Grant and the Borough's cash match. She also asked about the Animal Control salaries. Ms. Turchan stated that the salaries for animal control do come from the fees generated from animal licensing however; the money must be in the budget and also on the revenue side which makes the net effect zero. Councilwoman Gleba asked what is the tax increase. The CFO stated the tax increase is still at 7 cents.

Councilman Higgins and Councilman Jewell did not receive copies of the budget amendment Resolution. Councilman Valentine and Mayor McDonald withdrew the motion on Resolution 76-2011. Motion made by Torres, seconded by Gleba for a ten minute recess so that Councilman Higgins and Councilman Jewell could review Resolution 76-2011.

Council returned with all members present at 8:43 p.m..

Resolution 76-2011 was moved on a motion made by Valentine, seconded by McDonald and approved.

Roll Call: Valentine, McDonald, Gleba, Jewell – Yes
Higgins, Boyle – No
Torres – Abstain

Ayes: 4, Nays: 2
Abstain: 1
Motion Carried

BOROUGH OF WASHINGTON

RESOLUTION TO AMEND BUDGET

| | <u>FROM</u> | <u>TO</u> |
|---|--------------|--------------|
| Anticipated Revenues: | | |
| 3. Miscellaneous Revenues-Section F: Special Items of Revenue Anticipated With Prior Written Consent Director Of Local Government Services-Public and Private Revenues: | | |
| Municipal Alliance | | 10,517.00 |
| Total Section F: Special Items of Revenue Anticipated With Prior Written Consent Director Of Local Government Services-Public and Private Revenues | 0.00 | 10,517.00 |
| 3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special | | |
| Animal Control Trust Fund | | 10,108.00 |
| Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special | 53,000.00 | 63,108.00 |
| Summary of Revenues: | | |
| 3. Miscellaneous Revenues | | |
| Total Section F:Public and Private Revenues | 0.00 | 10,517.00 |
| Total Section G: Special Items of General Revenue | 53,000.00 | 63,108.00 |
| Total Miscellaneous Revenues | 902,776.00 | 923,401.00 |
| 4. Receipt from Delinquent Taxes | 293,170.00 | 344,431.55 |
| Subtotal General Revenues | 1,502,627.36 | 1,574,513.91 |
| 6. Amount to Be Raised By Taxes | | |
| a) Local Tax for munc. Purposes including Reserve for Uncollected Taxes | 5,566,311.33 | 5,370,385.14 |
| c) Minimum Library Tax | 0.00 | 192,012.62 |
| Total Amount to be Raised by Taxes for Suppot of Municipal Budget | 5,566,311.33 | 5,562,397.76 |
| 7. Total General Revenues | 7,068,938.69 | 7,136,911.67 |

| | <u>FROM</u> | <u>TO</u> |
|---|-------------|------------|
| 8. General Appropriations: | | |
| a. Operations Within "CAPS": | | |
| Mayor and Council-Salaries and Wages | 14,500.00 | 10,500.00 |
| Planning Board- Other Expenses | 11,737.34 | 7,637.34 |
| Uniform Fire Safety Code Enforcement-Salaries and Wages | 21,734.00 | 22,662.72 |
| Uniform Fire Safety Code Enforcement-Other Expenses | 5,750.00 | 4,821.28 |
| Road Repaid and Maintenanncne-Salaries and Wages | 363,578.00 | 360,344.00 |
| Animal Control-Salaries and Wages | 0.00 | 10,108.00 |
| Utilities-Telephone | 35,000.00 | 30,000.00 |

| | | |
|---|--------------|--------------|
| Total Operations (Items 8(A) Within "CAPS" | 2,793,409.08 | 2,787,183.08 |
| | | |
| Total Operations Including Contingent Within "CAPS" | 2,793,409.08 | 2,787,183.08 |
| | | |
| Salaries and Wages | 1,002,325.55 | 1,006,128.27 |
| Other Expenses | 1,791,083.53 | 1,781,054.81 |
| | | |
| Total General Appropriations For Municipal Purposes Within "CAPS" | 3,047,129.09 | 3,040,903.09 |
| | | |
| (A) Operations Excluded From "CAPS" | | |
| Other Operations: | | |
| Road Repaid and Maintenance-Salaries and Wages | 0.00 | 3,234.00 |
| | | |
| Total Other Operations- Excluded From "CAPS" | 192,663.00 | 195,897.00 |
| | | |
| (A) Operations Excluded From "CAPS" | | |
| Shared Services | | |
| Shared Police Services-Washington Township | 2,085,000.00 | 2,143,646.13 |
| | | |
| Total Shared Services Agreements | 2,247,622.00 | 2,306,268.13 |
| | | |
| Public and Private Programs Offset By Revenues | | |
| Municipal Alliance-State Share | 0.00 | 10,517.00 |
| Municipal Alliance-Local Share | 0.00 | 1,958.00 |
| | | |
| Total Public and Private Programs Offset By Revenues | 0.00 | 12,475.00 |
| | | |
| Total Operations - Excluded From "CAPS" | 2,440,285.00 | 2,514,640.13 |
| | | |
| Detail: | | |
| Salaries and Wages | 147,141.00 | 150,375.00 |
| Other Expenses | 2,293,144.00 | 2,364,265.13 |

FROM

TO

(D) Municipal Debt Service - Excluded From CAPS
Improvement Authority

| | | |
|--|--------------|--------------|
| Total Municipal Debt Service - Excluded From CAPS | | |
| (H-2) Total General Appropriations for Municipal Purposes Excluded From "CAPS" | 3,319,112.05 | 3,393,467.18 |
| (O) Total General Appropriations-Excluded From "CAPS" | 3,319,112.05 | 3,393,467.18 |
| (L) Subtotal General Appropriations (Items (h-1) and (o)) | 6,366,241.14 | 6,434,370.27 |
| (M) Reserve for Uncollected Taxes | 702,697.55 | 702,541.40 |
| | | |
| 9. TOTAL GENERAL APPROPRIATIONS | 7,068,938.69 | 7,136,911.67 |

REPORTS:

Motion was made by Higgins, seconded by Torres to receive and file the following reports:

1. Managers Reports (redacted version)
2. Issues/Details
3. Police Activity Report
4. Municipal Court Report

Ayes: 7, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Subcommittee Committee – Councilman Torres stated that he would like the surveys to go out in the next municipal mailing.

Audit Committee – Councilman Higgins stated the committee discussed whether or not the Ordinance was binding or non – binding. Councilman Higgins stated the request in the RFP was for a full forensic audit for the last five years. He stated this Council would need to decide whether or not this is binding. He asked if Council deems it non binding does Council need to go out for RFP’s again? Manager Phelan stated the only way you need to go out for another RFP is if the Governing Body changes the scope of the audit. Audience member Mr. Del Elba stated that there seems to be a discrepancy with the word “all” as stated in the question and the RFP. He also stated that any delay in the audit will be perceived as a cover up by this Governing Body. Councilman Boyle stated he is ready to move forward with this. Mayor McDonald stated that the confusion is regarding the line by line audit and what encompasses the word “all.” Further discussion regarding the proposals received will be discussed in Executive Session.

OLD BUSINESS

Recreation Commission Ordinance Discussion

Councilman Torres stated he participated in an depth discussion with the Recreation Committee regarding the Ordinance. Not all members of the Recreation Committee have had a chance to review this proposed Ordinance. This item will be tabled until Councilman Torres and the Recreation Committee have met to review the information. A final draft will be presented to the Governing Body when prepared.

NEW BUSINESS

Resolution 68-2011 Authorizing the Application of the 2010 Tonnage Grant

Resolution 68-2011 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 68 - 2011

**OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON,
WARREN COUNTY. TO APPLY FOR A 2010
RECYCLING TONNAGE GRANT**

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

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

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

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

WHEREAS, a resolution authorizing this municipality to apply for the **2010 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

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

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

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

Resolution 71-2011 Authorizing the Grant Application and 2011 Contract for the Municipal Alliance for the Borough of Washington and Franklin Township

Motion made by Higgins, seconded by Boyle and adopted.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 71-2011

**A RESOLUTION AUTHORIZING THE
SUBMISSION OF A MUNICIPAL ALLIANCE
GRANT APPLICATION TO THE COUNTY OF
WARREN**

**THE GRANT APPLICATION SUBMISSION WILL BE
COMBINED BETWEEN THE MUNICIPAL ALLIANCE OF
FRANKLIN TOWNSHIP AND WASHINGTON BOROUGH
OF WARREN COUNTY**

WHEREAS, the Warren County Department of Human Services provides Municipal Alliance grants for drug prevention and education purposes; and

WHEREAS, the Township of Franklin and the Borough of Washington desires to further the public interest by obtaining funding from the County of Warren for the Franklin Township/Washington Borough's Municipal Alliance for calendar year 2011;

NOW THEREFORE, the Mayor and Council of the Borough of Washington in the County of Warren and State of New Jersey resolves that Dorothy E. Repsher or the successor to the office of Municipal Alliance Coordinator is hereby authorized to:

- (a) Make application for such a loan and/or such grant,
- (b) provide additional application information and furnish such documents as may be required and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the County shall determine if the application is complete and in conformance with the scope and intent of the Governor's Council on Alcoholism and Drug Abuse Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the County's funds in accordance with such rules, regulations and applicable statutes, and is willing to comply with the Statement of Assurance and adhere to all fiscal requirements;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE Mayor and Council of the Borough of Washington in the County of Warren and State of New Jersey;

1. That the Municipal Alliance Committee Coordinator, Mayor, Deputy Mayor, and one other council member of the above named body or board Is hereby authorized to make application for and, in the event of grant Award to execute and agreement and an amendment thereto with the County of Warren for 2011 Municipal Alliance Grant Funding;
2. That the applicant will provide a cash matching share in the amount of \$1,958.00 in its 2011 Municipal Budget;
3. That the applicant agrees to comply with all applicable federal, state, and Local laws, rules, and regulations in its execution of the grant.

Resolution 72-2011 Refund of Zoning Application Permit Fee

Motion made by Higgins, seconded by Boyle and adopted.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION #72-2011

A RESOLUTION AUTHORIZING THE REFUND OF A ZONING APPLICATION FEE MISTAKENLY PAID TO THE BOROUGH OF WASHINGTON

WHEREAS, Michael Gowiski of Total Renovations applied for a Zoning Permit on March 1, 2011 on Block 33 Lot 12 which lies within the Township of Washington,

Warren County; and

WHEREAS, Michael Gowiski of Total Renovations mistakenly applied to and paid the Borough of Washington for the Zoning Permit.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to issue a check to Michael Gowiski of Total Renovations 1767 Rt. 22 West Union NJ 07083, in the amount of \$25.00 from the revenue account Fees and Permits 1-01-08-105-000.

Resolution 73-2011 Redemption of Tax Certificate

Motion made by Higgins, seconded by Boyle and adopted.

Ayes: 7, Nays: 0
Motion Carried

**RESOLUTION #73-2011
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 September 16, 2010 to US Bank Cust CCTS Capital, LLC, TLGS; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102, in the amount of \$590.72 for taxes or other municipal liens assessed for the year 2009 in the name of Barron, Beulah M Estate of, as supposed owners, and in said assessment and sale were described as 106 Myrtle Avenue, Block 44 Lot 26, which sale was evidenced by Certificate #10-00019; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-24-11 and before the right to redeem was cut off, as provided by law, Tammy Barron, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust CCTS Capital, LLC, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$674.12, which is the amount necessary to redeem Tax Sale Certificate #10-00019.

NOW THEREFORE BE IT RESOLVED, on this 5th day of April, 2011 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 CCTS Capital, LLC, TLGS; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102 in the amount of **\$674.12.**

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 44 Lot 26 from the tax office records.

Resolution 74-2011 Redemption of Tax Certificate

Motion made by Higgins, seconded by Boyle and adopted.

Ayes: 7, Nays: 0

Motion Carried

RESOLUTION # 74-2011

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 November 17, 2009 to Changsheng Lu, 4235 Coral Berry Path, Apt 204, Gurnee, IL 60031, in the amount of \$161.08 for taxes or other municipal liens assessed for the year 2008 in the name of Theodoridis, Vasilios & Maria, as supposed owners, and in said assessment and sale were described as 8 Sunrise Terrace, Block 45 Lot 12, which sale was evidenced by Certificate #09-00012; and;

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-24-11 and before the right to redeem was cut off, as provided by law, Atty Callen for Summit claiming to have an interest in said lands, did redeem said lands claimed by Changsheng Lu by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$2,902.88, which is the amount necessary to redeem Tax Sale Certificate #09-00012.

NOW THEREFORE BE IT RESOLVED, on this 5th day of April, 2011 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Changsheng Lu, 4235 Coral Berry Path, Apt 204, Gurnee, IL 60031 in the amount of **\$2,902.88**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 45 Lot 12 from the tax office records.

Resolution 75-2011 Appointment to Planning Board

Motion made by Boyle, seconded by Higgins and adopted.

Ayes: 7, Nays: 0

Motion Carried

RESOLUTION 75-2011

PLANNING BOARD – CITIZEN MEMBER

CLASS IV MEMBER

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

WHEREAS, under this plan the Mayor is directed and authorized to appoint certain members of the **Planning Board**.

I do hereby appoint the following named person as a **Class IV Member** to the **Planning Board**, term to expire December 31, 2014.

Gary Pohorely
Name

Resolution 77-2011 Adjust Sewer EDU Billing

Resolution 77-2011 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 77-2011
A RESOLUTION TO ADJUST SEWER BILLINGS IN
ACCORDANCE WITH CHAPTER 70, SECTION 28B OF
THE CODE OF THE BOROUGH OF WASHINGTON.

WHEREAS, the Borough of Washington commenced operations of a municipal sewer utility in January of 1999; and

WHEREAS, certain facts have come to the attention of the Borough to justify modification of sewer service charges which have been reviewed by the Borough Manager; and

WHEREAS, notice has been provided to the owner(s) of the property or properties listed below of the action proposed to be taken with the date, time and place where the Mayor and Council will meet to consider change(s) in the E.D.U.’s assigned to the property or properties listed below; and

WHEREAS, all parties affected by this resolution will be notified of the action taken, in writing, and notified of an opportunity to appear, in person, at a formal hearing of the governing body, if dissatisfied with the decisions made herein.

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 changes in the sewer service charge(s) are approved:

| BLOCK/LOT | NAME/ADDRESS | REASON/ADJUSTMENT |
|------------------|--|--|
| 22.04/4 | B M D T Inc. 113 Belvidere Ave. Washington, NJ 07882 | Change in Use (2.5) to (1.5) E.D.U.s Effective: April 2011 |

BE IT FURTHER RESOLVED that the Borough Clerk be directed to send a certified copy of this resolution to all parties affected by this resolution and advise them of their right to protest the decision and request a formal hearing before the governing body, as provided in Chapter 70, Section 13. If no protest is filed, the decisions contained herein shall be considered final.

VOUCHERS

Mayor McDonald entertained a motion to approve the payments and vouchers in the amount of \$ 786,619.65

Motion made by Higgins, seconded by Boyle and approved.

Council Discussion: Councilman Jewell questioned a charge for automotive books the library. Manager Phelan explained these are books normally purchased by the library for their patrons use. Councilman Torres stated there are an extensive amount of library charges on the voucher list. Manager Phelan stated these are normal operational charges used to operate the library.

Councilwoman Gleba asked about a charge for the Shade Tree Commission from 2010. Manager Phelan stated that this charge is paid from the 2010 budget. The voucher was just received. She also asked about the physical for a new employee. Manager Phelan stated that is standard from EMS/Fire personnel.

Councilman Torres noted the Verizon bill seems high. Is there a telephone at the park? Manager Phelan stated yes. Councilman Torres also stated the janitorial supplies charge seems high; specifically paper towels. Manager Phelan stated these are purchased in bulk.

Roll Call: Torres, McDonald, Boyle, Higgins, Valentine, Jewell, Gleba – Yes
Jewell – abstain from EMS and Fire Department vouchers
Gleba – abstain from Finelli Consulting Engineers vouchers
Higgins – abstain from Fire Department vouchers

Ayes: 7, Nays: 0

Abstain: 3 (Jewell – EMS, Fire, Gleba – Finelli, Higgins - Fire)

Motion Carried

RECAP

Manager Phelan stated he will provide the tonnage report to Council as requested.

COUNCIL REMARKS

Councilman Jewell thanked the CFO for her budget presentation. He stated the Manager and CFO did a great job with the budget. He also stated he would like the copy room door locked at night. He noticed it has been left open.

Councilman Boyle asked if the Recreation Department is using the office downstairs. Manager Phelan stated yes. Councilman Boyle noted there is a sewer subcommittee meeting on Wednesday, April 6 at 10:00 a.m.

Councilman Higgins noted the lights are still out at the crosswalk. Manager Phelan stated it is still being worked on and the engineer is trying to find a permanent solution. Councilman Higgins also stated that the concerned citizens meeting is not an advertised meeting so there can not be a quorum of Council members there.

Councilwoman Gleba asked if she could get a copy of the Green Acres laws regarding contributions so that she can understand what the Recreation Committee can do as far as fund raising. Manager Phelan will provide. She would also like a copy of the sewer fee forecast. Manager Phelan stated that the CFO can only do one year at a time right now. He believes he stated that in a Manager's Report. Councilwoman Gleba asked if Manager Phelan could resend the email to her. Councilwoman Gleba also requested the Chief of Police come in to present to Council. Mayor McDonald suggested the May 3, 2011 meeting. Councilwoman Gleba also thanked the CFO for her budget presentation. She also thanked everyone who has pulled together and contributed by donating time and items to the Borough Park. She thanked NJ American Water for donating the water to fill the pool, Veolia Water for donating the drainage pipe, the Baseball Association for the installation of the pipe, Sunshine Tree Service for their contributions, and the anonymous resident that donated the grill and refrigerator.

Mayor McDonald stated that he read to first graders at Taylor Street School for the Mayors Book Club. He also was able to give out books to each student donated by NJ League of Municipalities and Verizon. Mayor McDonald also reminded Council that Freeholder Chamberlain will be in attendance at the April 19, 2011 Council meeting.

At this time, motion made by Jewell, seconded by Valentine to enter Executive Session for contract negotiations.

Ayes: 7, Nays:
Motion Carried

Council entered Executive Session at 9:25 p.m.

EXECUTIVE SESSION

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;

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; Real Estate Acquisitions

_____ 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: Forensic Audit Services _____ 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 Personnel _____ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

 Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion. ;

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.

A motion was made by Jewell, seconded by Boyle, to exit Executive Session at 9:57 p.m.

Ayes: 7, Nays: 0
Motion carried.

Hearing no further business, a motion was made by Higgins, seconded by Jewell, to adjourn the meeting at 9:57 pm.

Ayes: 7, Nays, 0
Motion Carried.

Mayor Scott McDonald

Ann Kilduff Acting Clerk/Kristine
Blanchard, Borough Clerk

BOROUGH OF WASHINGTON
RESOLUTION 79-2011 TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2011 was introduced and approved on the 1st day of March, 2011 and WHEREAS, the public hearing on said budget has been held as advertised, and WHEREAS, it is desired to amend said approved budget, now THEREFORE, BE IT RESOLVED, by the BOROUGH Council of the Borough of Washington, County of Warren, that the following amendments to the approved budget of 2011 be made:

| | <u>FROM</u> | <u>TO</u> |
|---|--------------|--------------|
| Anticipated Revenues: | | |
| 3. Miscellaneous Revenues-Section F: Special Items of Revenue Anticipated With Prior Written Consent Director Of Local Government Services-Public and Private Revenues: Municipal Alliance | | 10,517.00 |
| Total Section F: Special Items of Revenue Anticipated With Prior Written Consent Director Of Local Government Services-Public and Private Revenues | 0.00 | 10,517.00 |
| 3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Animal Control Trust Fund | | 10,108.00 |
| Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special | 53,000.00 | 63,108.00 |
| Summary of Revenues: | | |
| 3. Miscellaneous Revenues | 0.00 | 10,517.00 |
| Total Section F: Public and Private Revenues | 53,000.00 | 63,108.00 |
| Total Section G: Special Items of General Revenue | | |
| Total Miscellaneous Revenues | 902,776.00 | 923,401.00 |
| 4. Receipt from Delinquent Taxes | 293,170.00 | 344,431.55 |
| Subtotal General Revenues | 1,502,627.36 | 1,574,513.91 |
| 6. Amount to Be Raised By Taxes | | |
| a) Local Tax for munic. Purposes including Reserve for Uncollected Taxes | 5,566,311.33 | 5,370,385.14 |

c) Minimum Library Tax
 Total Amount to be Raised by Taxes for Support of Municipal Budget

0.00 192,012.62
 5,566,311.33 5,562,397.76

7. Total General Revenues

7,068,938.69
 FROM TO
 7,136,911.67

8. General Appropriations:

a. Operations Within "CAPS":

| | | |
|---|------------|------------|
| Mayor and Council-Salaries and Wages | 14,500.00 | 10,500.00 |
| Planning Board- Other Expenses | 11,737.34 | 7,637.34 |
| Uniform Fire Safety Code Enforcement-Salaries and Wages | 21,734.00 | 22,662.72 |
| Uniform Fire Safety Code Enforcement-Other Expenses | 5,750.00 | 4,821.28 |
| Road Repair and Maintenance-Salaries and Wages | 363,578.00 | 360,344.00 |
| Animal Control-Salaries and Wages | 0.00 | 10,108.00 |
| Utilities-Telephone | 35,000.00 | 30,000.00 |

Total Operations (Items 8(A) Within "CAPS"

2,793,409.08 2,787,183.08

Total Operations Including Contingent Within "CAPS"

2,793,409.08 2,787,183.08

Salaries and Wages
 Other Expenses

1,002,325.55 1,006,128.27
 1,791,083.53 1,781,054.81

Total General Appropriations For Municipal Purposes Within "CAPS"

3,047,129.09 3,040,903.09

(A) Operations Excluded From "CAPS"
 Other Operations:
 Road Repair and Maintenance-Salaries and Wages

0.00 3,234.00

Total Other Operations- Excluded From "CAPS"

192,663.00 195,897.00

(A) Operations Excluded From "CAPS"
 Shared Services
 Shared Police Services-Washington Township
 Total Shared Services Agreements

2,085,000.00 2,143,646.13
 2,247,622.00 2,306,268.13

Public and Private Programs Offset By Revenues
 Municipal Alliance-State Share

0.00 10,517.00

| | | |
|--|--------------|--------------|
| Municipal Alliance-Local Share | 0.00 | 1,958.00 |
| Total Public and Private Programs Offset By Revenues | 0.00 | 12,475.00 |
| Total Operations - Excluded From "CAPS" | 2,440,285.00 | 2,514,640.13 |
| Detail: | | |
| Salaries and Wages | 147,141.00 | 150,375.00 |
| Other Expenses | 2,293,144.00 | 2,364,265.13 |
| (D) Municipal Debt Service - Excluded From CAPS Improvement Authority | | |
| Total Municipal Debt Service - Excluded From CAPS | | |
| (H-2) Total General Appropriations for Municipal Purposes Excluded From "CAPS" | 3,319,112.05 | 3,393,467.18 |
| (O) Total General Appropriations-Excluded From "CAPS" | 3,319,112.05 | 3,393,467.18 |
| (L) Subtotal General Appropriations (Items (h-1) and (o)) | 6,366,241.14 | 6,434,370.27 |
| (M) Reserve for Uncollected Taxes | 702,697.55 | 702,541.40 |
| 9. TOTAL GENERAL APPROPRIATIONS | 7,068,938.69 | 7,136,911.67 |

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A.40A:4-9, be published in the Star Gazette in the issue of April 14, 2011, and that said publication contain notice of public hearing on said amendment to be held at Municipal Building on April 19, 2011 at 7:30 (p.m.).

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 1st day of March, 2011.

Certified by me

_____, 2011

Municipal Clerk

RESOLUTION #80-2011
APPROVAL OF MUNICIPAL BUDGET
OF THE BOROUGH OF WASHINGTON,
WARREN COUNTY, NEW JERSEY.

BE IT RESOLVED, that the statements and revenues and appropriations shall constitute the Municipal Budget for the year 2011 in the amount of \$7,136,911.67 Current Fund and \$2,392,461.92 Sewer.

BE IT RESOLVED, that said Budget was published in the Star Gazette in the Issue of March 10, 2011 and a Public Hearing was held April 5, 2011. The governing body of the BOROUGH OF WASHINGTON does hereby approve the Budget for the year 2011.

Roll Call:

Ayes:

Nays:

Kristine Blanchard, RMC

Dated:



MANAGERS WEEKLY REPORT
4/8/11

I have attached the Recap list for your review.

| Meeting Date | Recap Item | Status | Completed |
|------------------|--|--|-----------|
| January 18, 2011 | <p>Contact County Freeholder in order to ask them to attend a Council meeting to discuss the methodology in which County Taxes are applied in the Borough.</p> | <p>Letter mailed to Freeholder's Gardner and Chamberlain. To date - no response. 2/22/11 - No response from County Freeholder. 3/18/11 - No response from the County. The Mayor has advised that he will call the County directly. 4/4/11 - Per e-mail from the Mayor, Freeholder Chamberlain will be in attendance at an upcoming Council meeting.</p> | Yes |
| February 3, 2011 | | | |

| | | | |
|---------------------------------|---|---|------------|
| | <p>Recreation Commission Draft Ordinance - Council to provide their comments on the ordinance to Manager no later than Tuesday, Feb. 8th. Manager to compile all comments into one document for Council's review.</p> | <p>Awaiting comments from Council. 2/9/11 - Sent memo to BC summarizing comments received. 2/15/11 Additional comments made by BY @ public meeting. Amended "Draft" ordinance to be presented to BC @ their next public meeting. Also, Councilman Torres will provide 4 sample "Commission By-Laws" from different municipalities for Council's consideration at the next meeting. 3/2/11 - Additional amendments to the "draft" Ordinance made based on changes proposed by the BC at their March 1st meeting. 3/15/11 - No changes made. Tabled until the next Council meeting 4/5/11 - Per motion from Councilma Torres, this issue will be tabled until he can prepare a full draft ordinance for Council's consideration.</p> | <p>Yes</p> |
| <p>February 15, 2011</p> | | | |
| <p>March 1, 2011</p> | | | |

| | | | |
|------------------------------|---|---|------------|
| | <p>Councilman Higgins asked why the mid-street crosswalk was not working.</p> | <p>3/3/11 - E-mailed BC with information from the Borough Engineer. It seems that the column sensors and mats were damaged over the winter, possibly by the State plows. Engineer to determine property repair procedure and Manager to contact DOT to advise. 4/8/11 - Received corrective actions needed from Borough Engineer. Will wait until budget is adopted and repairs as funds allow.</p> | <p>Yes</p> |
| <p>March 15, 2011</p> | <p>Contact Judge Palmer regarding possible language that can be placed on the website relating to payment of summons via affidavit.</p> | <p>3/17/11 - Spoke with the Judge. He advised that this is governed by the Administrative Office of the Courts, and they will need to provide the appropriate language. Called the AOC and am awaiting response. 4/1/11 - Still trying to speak with a representative from the AOC.</p> | <p>No</p> |
| | <p>Update from Borough Engineer relating to the Gardner's Court sewer issue.</p> | <p>3/16/11 - Contacted Engineer who will provide update in writing. 4/6/11 - Sewer Committee met and discussed this issue. The will be presenting Council with an update at an upcoming public meeting.</p> | <p>Yes</p> |
| <p>April 5, 2011</p> | | | |

| | | | |
|--|--|--|-----|
| | Per Councilman Boyle - e-mail the 2010 recycling tonnage report. | 4/8/11 - E-mailed document to Council. | Yes |
|--|--|--|-----|

Wednesday, April 13, 2011
9:06:31 AM

Issues by Assigned To

| Status | Title | Due Date | Priority | Category | Opened By | Opened Date |
|-----------|-------|-----------|------------|----------------|---------------|-------------|
| John Burd | | | | | | |
| Resolved | | 07-Jan-11 | (2) Normal | Garbage Issues | Debbie Smolar | 05-Jan-11 |
| Resolved | | 25-Feb-11 | (2) Normal | Signs | Debbie Smolar | 22-Feb-11 |
| Resolved | | 04-Apr-11 | (2) Normal | Special Detail | Debbie Smolar | 28-Mar-11 |
| Active | | 08-Apr-11 | (1) High | Catch Basin | Debbie Smolar | 08-Apr-11 |
| Resolved | | 08-Apr-11 | (1) High | Pot Holes | Debbie Smolar | 05-Apr-11 |
| Active | | 18-Apr-11 | (1) High | Special Detail | Debbie Smolar | 18-Mar-11 |

Issue Count: 0

| Status | Title | Due Date | Priority | Category | Opened By | Opened Date |
|---------------|-------|-----------|----------|----------------|---------------|-------------|
| Michael Stone | | | | | | |
| Resolved | | 08-Apr-11 | (1) High | Garbage Issues | Debbie Smolar | 08-Apr-11 |

Issue Count: 0

Issues Details

Wednesday, April 13, 2011

9:06:48 AM

Issue 357

| | | | |
|---------------------|---------------|-----------------|----------------|
| Assigned To: | John Burd | Status | Resolved |
| Opened By: | Debbie Smolar | Category | Garbage Issues |
| Opened Date | 05-Jan-11 | Priority | (2) Normal |
| | | Due Date | 1/7/2011 |

Mike, Councilman Boyle noticed that there is a large amount of furniture placed on the front lawn at 90 Church Street.

Please advise the Manager's Office when this done.

Thank you,

Debbie

1/11/11 Per Mike this is going to take a little time there is an Estate involved.

2/22/11 Per Mike the DPW will be cleaning this property up and their will be a labor lien placed on the property.

This is now being turned over to DPW. The property is in probate

3/10/11: Per Mike he is working with the DPW to get it cleaned up

4/8/11: Per John Burd this is done.

Issue 373

| | | | |
|---------------------|---------------|-----------------|------------|
| Assigned To: | John Burd | Status | Resolved |
| Opened By: | Debbie Smolar | Category | Signs |
| Opened Date | 22-Feb-11 | Priority | (2) Normal |
| | | Due Date | 2/25/2011 |

John, someone came in to advise that the street sign for Hann is down.

Please advise Manager's Office when this is replaced.

Thank you,

Debbie

4/8/11: Per John Burd this is done

Issue 387

| | | | |
|---------------------|---------------|-----------------|----------------|
| Assigned To: | John Burd | Status | Active |
| Opened By: | Debbie Smolar | Category | Special Detail |
| Opened Date | 18-Mar-11 | Priority | (1) High |
| | | Due Date | 4/18/2011 |

John, per Rich during the week of April 18, 2011, you will need to supply 2 drivers to assist the Community Garden with manure delivery from a Township farmer who will be donating it. Please contact Laurie Finnegan at 908-689-3505 to schedule pick-up and delivery.

If you have any questions please see Rich. When this request is done please advise the Manager's Office.

Thank you,

Debbie

Issue 388

| | | | |
|---------------------|---------------|-----------------|----------------|
| Assigned To: | John Burd | Status | Resolved |
| Opened By: | Debbie Smolar | Category | Special Detail |
| Opened Date | 28-Mar-11 | Priority | (2) Normal |
| | | Due Date | 4/4/2011 |

John, per Rich please conduct the quarterly HVAC inspection in accordance with the Borough's Indoor Air Quality Program.

Please see Rich for the Inspection Log.

Thank you,

Debbie

4/8/11: Per John Burd this is done.

Issue 389

| | | | |
|---------------------|---------------|-----------------|-----------|
| Assigned To: | John Burd | Status | Resolved |
| Opened By: | Debbie Smolar | Category | Pot Holes |
| Opened Date | 05-Apr-11 | Priority | (1) High |
| | | Due Date | 4/8/2011 |

John, per Rich there are potholes that need repair ASAP they are the following:

Green Street off of Belvidere Ave.
66 Park Ave.

Please advise the Manager's Office when this is done.

Thank you,
Debbie

4/6/11: Per John Burd the above is done as well as Youmans Ave. potholes and South Lincoln Ave. potholes and Vanatta Street. All have been patch.

Issue 390

| | | | |
|---------------------|---------------|-----------------|-------------|
| Assigned To: | John Burd | Status | Active |
| Opened By: | Debbie Smolar | Category | Catch Basin |
| Opened Date | 08-Apr-11 | Priority | (1) High |
| | | Due Date | 4/8/2011 |

John, per Rich please check out a catch basin located behind Warren Hills Memorial Home by McDonald Street. Rich Maguire called this in stating that the basin is failing. If you have any questions regarding the exact location please call Rich Maguire on his cell. The cell number is 908-619-5749.

Thank you,

Debbie

I spoke to John Burd and he will check it out.

Issue 391

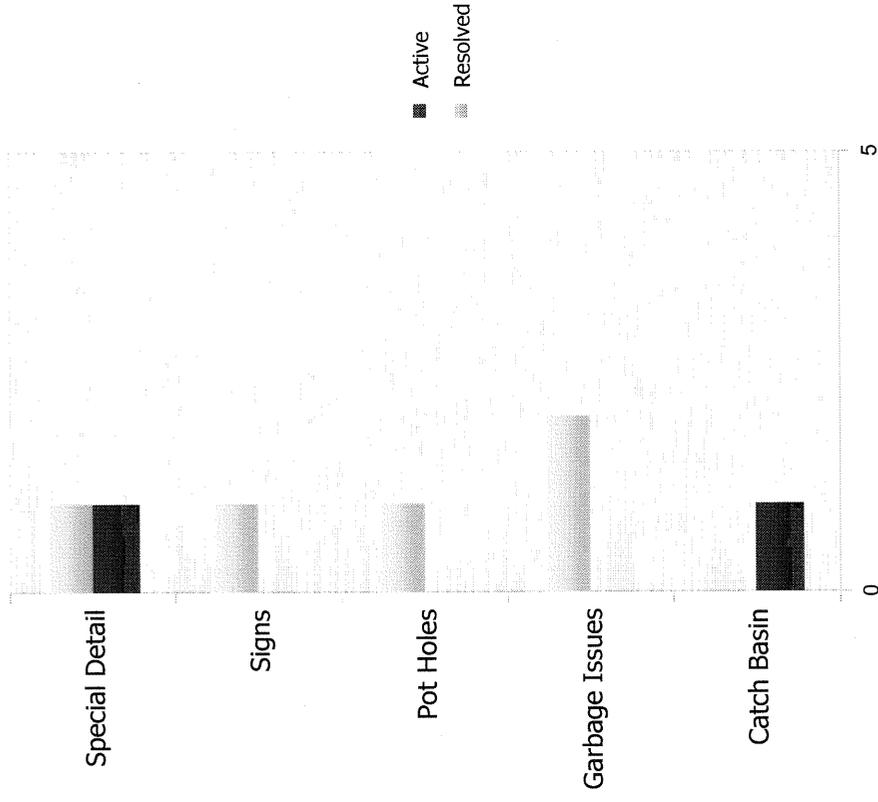
| | | | |
|---------------------|---------------|-----------------|----------------|
| Assigned To: | Michael Stone | Status | Resolved |
| Opened By: | Debbie Smolar | Category | Garbage Issues |
| Opened Date | 08-Apr-11 | Priority | (1) High |
| | | Due Date | 4/8/2011 |

Mike, I rec'd a complaint concerning 61 State Street the landlord put all garbage stickers on carpet, light bulbs, wood, etc in garbage bags along the side of the building. Please contact the Landlord and advise the Manager's Office when this is done. The Block is 10.02 and Lot 2 Mr. Rizza.

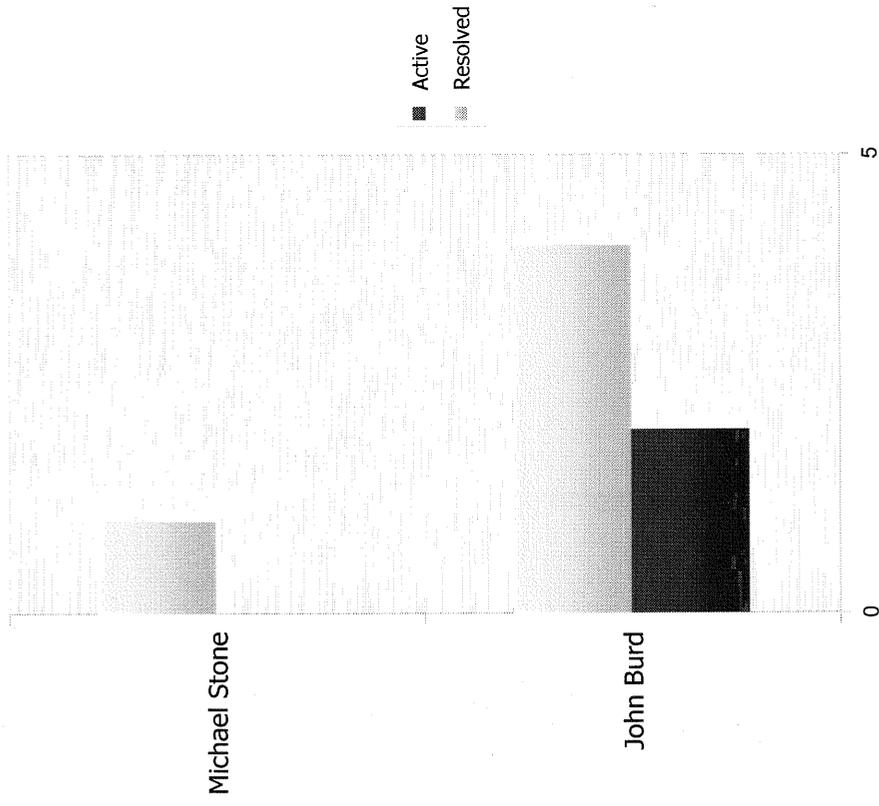
Thank you,

Debbie

Issues by Category



Issues by Assigned To



WASHINGTON TOWNSHIP POLICE
DEPARTMENT
MONTHLY REPORT
2011

| ACTIVITY | MARCH |
|--------------------------------|----------------|
| POLICE DISPATCHED INCIDENTS | 3,060 |
| TOTAL CRIMINAL INVESTIGATIONS | TOWNSHIP = 51 |
| | BOROUGH = 67 |
| | OXFORD = 13 |
| TOTAL CRIMINAL ARREST | TOWNSHIP = 15 |
| | BOROUGH = 28 |
| | OXFORD = 3 |
| TOTAL MOTOR VEHICLE CRASHES | TOWNSHIP = 20 |
| | BOROUGH = 8 |
| | OXFORD = 6 |
| MOTOR VEHICLE STOPS/COMPLAINTS | 523 |
| MOTOR VEHICLE SUMMONS | TOWNSHIP = 144 |
| | BOROUGH = 201 |
| | OXFORD = 55 |
| CRIMES TO ANOTHER'S PROPERTY | 61 |
| CDS /ALCOHOL INCIDENTS | 37 |
| DOMESTIC/FAMILY ISSUES | 89 |
| ALARMS | 44 |
| EMS/FIRE CALL | 124 |
| OTHER TYPES | 2,155 |
| PATROL MILE (APPROX.) | 20,577 |

Borough of Washington Municipal Court
Monthly Financial Report

| Washington Borough | | Current Month | Year to Date |
|--------------------|--|---------------|--------------|
| Check # | 1029 Tres, Warren County | \$ 2,352.50 | \$ 8,823.50 |
| Check # | 1030 Tres, Borough of Washington Title 39 | \$ 8,123.53 | \$ 23,269.17 |
| Check # | 1031 Tres, Borough of Washington POAA | \$ 40.00 | \$ 82.00 |
| Check # | Tres, State of NJ Judiciary | | |
| Check # | 1032 Tres, County W & M | \$ 150.00 | \$ 150.00 |
| Check # | Various Restitution | | \$ 20.00 |
| Check # | Tres, State of NJ ACH | \$ 5,649.99 | \$ 16,857.35 |
| Check # | Over Payments | | - |
| Check # | NJ Dept. of Environmental Protection | | - |
| Check # | Tres, Borough of Washington PD | | - |
| Check # | Tres, State of NJ W & M | | - |
| Check # | Tres, Borough of Washington, non-cashed checks | | - |

Month: March 2011
 Respectfully Submitted: Jerilyn Harris C.M.C.A.

Borough of Washington Municipal Court
 Monthly Report

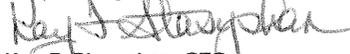
| Category | Year to Date |
|-------------------|--------------|
| Added: | |
| DWI | 0 |
| Moving | 243 |
| Parking | 296 |
| Indictable | 13 |
| Disorderly Person | 15 |
| All Other | 24 |
| Disposed: | |
| DWI | 5 |
| Moving | 84 |
| Parking | 114 |
| Indictable | 13 |
| Disorderly Person | 17 |
| All Other | 34 |
| | 21 |
| | 60 |
| | 110 |

Month: March 2011
 Respectfully Submitted: Jerilyn Harris C.M.C.A.

Tax Collector's Current Fund Revenue Report 2011

| <u>REVENUE</u> | <u>MARCH 2011</u> <u>REVENUE</u> | <u>REVENUE YEAR TO</u> <u>DATE</u> |
|---|-------------------------------------|---------------------------------------|
| 2009 Real Estate Property Tax | 0.00 | 0.00 |
| 2010 Real Estate Property Tax | 32,248.18 | 153,551.74 |
| 2011 Real Estate Property Tax | 159,255.12 | 3,993,876.68 |
| 2012 Real Estate Property Tax | 0.00 | 0.00 |
| 6% Year-End Penalty | 812.97 | 4,093.64 |
| Interest and Costs on Taxes | 7,761.97 | 16,400.06 |
| Special Charges for Labor Liens | 284.50 | 284.50 |
| Borough Clerk | 0.00 | 22,529.62 |
| Registrar | 1,826.00 | 2,616.00 |
| Public Library Fees | 0.00 | 30.00 |
| Investment Interest/Investment Account Interest | 446.71 | 1,387.14 |
| Tax Print-Out Copies | 0.00 | 0.00 |
| Tax Search | 0.00 | 20.00 |
| Return Check Fee | 25.00 | 25.00 |
| Subdivision Fee | 0.00 | 0.00 |
| Duplicate Bill Fee | 0.00 | 12.00 |
| Variance Fee | 0.00 | 0.00 |
| Landlord/Tenant Reg. Fee | 725.00 | 1,500.00 |
| CO Letters-Landlord/Tenant Fee | 100.00 | 150.00 |
| Zoning Application Fees | 175.00 | 500.00 |
| Fire Prevention Bureau Fees | 645.00 | 1,322.00 |
| Municipal Court | 7,514.86 | 20,754.22 |
| Redemption O/L | 7,823.95 | 21,595.83 |
| Municipal Lien Redemption | 0.00 | 0.00 |
| Tax Sale Premiums | 0.00 | 0.00 |
| Tax Sale Ad Fee | 0.00 | 0.00 |
| Petty Cash Reimbursement | 0.00 | 0.00 |
| Soil Erosion Fee | 0.00 | 0.00 |
| Site Plan Fee | 0.00 | 0.00 |
| Supplemental Energy Receipts | 0.00 | 0.00 |
| CMPTRA | 0.00 | 0.00 |
| Energy Receipts | 0.00 | 0.00 |
| NJ Balanced Housing Program | 0.00 | 0.00 |
| Veteran/Senior Citizen State Subsidies | 0.00 | 0.00 |
| CFMP(Green Community Grant) | 0.00 | 0.00 |
| Recycling Tonnage Grant | 0.00 | 8,074.01 |
| Cool Cities Grant | 0.00 | 0.00 |
| Small Cities State Grant | 0.00 | 0.00 |
| Smart Growth Grant | 0.00 | 0.00 |
| Div of Fire/Safety LEA Rebate | 0.00 | 0.00 |
| MC-Restitution | 0.00 | 0.00 |
| State Aid Hwys | 0.00 | 0.00 |
| WT-General Bonds Proceeds | 0.00 | 0.00 |
| WT-BAN Proceeds | 0.00 | 0.00 |
| Extraordinary Aid | 0.00 | 0.00 |
| Highland Regional Master Plan-RMP Compliance Aid | 0.00 | 0.00 |
| Library State Aid | 0.00 | 0.00 |
| MC- Div of Motor Vehicle Fines | 597.00 | 597.00 |
| Municipal Alliance-WC Freeholders | 3,058.00 | 3,058.00 |
| Clean Communities Grant | 0.00 | 0.00 |
| Appropriation Refund-Analysis Credit from PNC for che | 415.00 | 415.00 |
| TAN Proceeds | 2,002,740.00 | 2,002,740.00 |
| Sewer Charges combined with Taxes | 0.00 | 0.00 |
| Interfunds-From General Capital Fund for receipt of BANs(Amount of \$2,787,628.00) & to General Fund for Pending Garage Expenditure- (120,000.00) | 2,667,628.00 | 2,651,260.18 |
| MRNA-NJ Div of Pension/Benefits Refund of Credit | 3,838.80 | 3,878.80 |
| Balance on Pension-Appar | 3,838.80 | 3,878.80 |
| TOTAL REVENUE | 4,897,921.06 | 8,910,671.42 |

Respectfully Submitted,



Kay F. Stasyshan, CTC
Tax Collector

Prepared by: Kay F Stasyshan
April 12, 2011

Tax Collector's Sewer Fund Revenue Report 2011

| <u>REVENUE</u> | <u>MARCH 2011 REVENUE</u> | <u>REVENUE YEAR TO DATE</u> |
|---------------------------------------|---------------------------|-----------------------------|
| 2005 Sewer Receipts (From Bankruptcy) | 0.00 | 0.00 |
| 2006 Sewer Receipts(From Bankruptcy) | 0.00 | 0.00 |
| 2007 Sewer Receipts(From Bankruptcy) | 0.00 | 0.00 |
| 2008 Sewer Receipts(From Bankruptcy) | 0.00 | 0.00 |
| 2009 Sewer Receipts(From Bankruptcy) | 90.00 | 91.46 |
| 2010 Sewer Receipts | 29,138.54 | 99,736.17 |
| 2011 Sewer Receipts | 274,509.68 | 563,194.66 |
| 2012 Sewer Receipts= | 2.45 | 13.78 |
| Interest and Costs on Taxes | 1,340.93 | 3,111.43 |
| Interest earned on Checking Account | 119.53 | 296.48 |
| Discharge Test | 0.00 | 0.00 |
| Reserve Capacity Receipts | 3,100.35 | 9,021.48 |
| Connection Fees | 653.66 | 1,960.98 |
| Industrial/Commercial Fees | 4,395.45 | 9,886.65 |
| Duplicate Bill Fee | 0.00 | 0.00 |
| Return Check Fee | 0.00 | 0.00 |
| TOTAL REVENUE | 313,350.59 | 687,313.09 |

Respectfully Submitted,



Kay F. Stasyshan, CTC
Tax Collector

Prepared by: Kay F Stasyshan
April 12, 2011

April 13, 2011

Dear Mayor and Council:

The following is the collection percentages for Taxes and Sewer for the Quarter-January to March 31st, 2011:

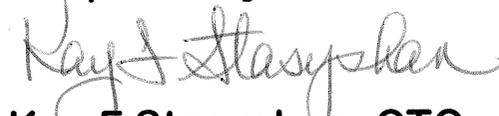
| | | |
|------------------------------------|------------|----------------|
| 1 st Quarter 2011 Taxes | Billed: | \$4,286,531.51 |
| | Collected: | \$4,016,582.61 |

Collection Percentage for Taxes is: 93.70%

| | | |
|------------------------------------|------------|--------------|
| 1 st Quarter 2011 Sewer | Billed: | \$588,354.00 |
| | Collected: | \$512,211.96 |

Collection Percentage for Sewer is: 87.06%

Respectfully submitted,



Kay F Stasyshan, CTC
Tax/Sewer Collector

HIGHWAY DEPARTMENT
OVERVIEW FOR MARCH 2011

In the beginning of March several men were assigned to storm drain cleaning this was performed to help reduce any flooding issues that may occur. Two men were assigned to repair a storm drain located on Pershing Avenue. The front and side walls had caved in causing a large sink hole surrounding the basin it had taken two days to repair.

The following week another storm drain located in front of 33 Johnston Street had caved in as the pipe going into the basin had broken causing a large hole in the street. Two men were assigned to repair the basin and install a new piece of pipe; the repair had taken two days to perform. Some heavy rain and wind had caused quite a lot of storm damage so two men were assigned to chipping up the brush that accumulated around town. The end of the week had forecast heavy rains so two men were assigned to cleaning the tops of the storm drains to allow proper drainage in the roadways.

In the beginning of the week several men were assigned to relocating Christine's office furniture and supplies from the downstairs area to a new location up stairs. Two men were assigned to vehicle maintenance as the street sweeper needed a lot of maintenance and the spring season is already upon us. Two men were assigned to patching holes the streets. The streets that were repaired included Railroad Avenue, North Prospect, Warren Street, McDonald Street, Willow Street and South Lincoln Avenue.

Two small snow storms came in this week more annoying than anything else but none the less still time consuming. One truck went down during the snow storms so we had to replace the brake caliper that had frozen on truck #47. One man was sent up to clean the Borough Hall as the custodian was out due to medical leave.

Rounding out the month we spent time removing items from the old shop location and relocating the items to the new shop location. We performed vehicle maintenance on the loader as it had an electrical fuel pump problem.

Respectfully submitted,



John Burd
Supervisor Streets

MEMORIAL AND TAYLOR STREET SCHOOL
PLOWING AND SALTING REPORT FEBRUARY 2011

| <u>EMPLOYEE NAME</u> | <u>DATE</u> | <u>PURPOSE</u> | <u>HOURS</u> |
|-----------------------------|--------------------|-----------------------|---------------------|
| Darryl Wright | 2/02/11 | Spread Salt | 1.0 |
| Darryl Wright | 2/02/11 | Plow Snow | 2.0 |
| John Burd | 2/03/11 | Plow Snow | 2.0 |

Total Hrs. 5.0 Hrs

Respectfully Submitted,



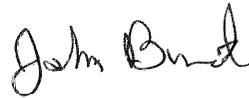
John Burd
Supervisor Streets.

MEMORIAL AND TAYLOR STREET SCHOOL
PLOWING AND SALTING REPORT MARCH 2011

| <u>EMPLOYEE NAME</u> | <u>DATE</u> | <u>PURPOSE</u> | <u>HOURS</u> |
|-----------------------------|--------------------|-----------------------|---------------------|
| Darryl Wright | 03/21/11 | spread salt | 2.0 |
| John Wolfe | 03/23/11 | spread salt | 2.0 |

Total Hrs. 4.0 Hrs.

Respectfully Submitted,



John Burd
Supervisor Streets.

Chief Financial Officer's Expenditure Report March 2011

| | Expenditure Subtotals | Expenditure Totals |
|--|-----------------------|---------------------|
| EXPENDITURES: | | |
| Voucher & Claims List 3/01/11 | | |
| Current Fund 01-Reserve Year Expenditures | 19,087.87 | |
| Current Fund 01-Current Year Expenditures | 1,043,029.80 | |
| Total Current Fund | | 1,062,117.67 |
| MSU Fund 05-Reserve Year Expenditures | 22,840.44 | |
| MSU Fund 05-Expenditures | 444.54 | |
| Total MSU-Fund 05 | | 23,284.98 |
| Animal Control Trust Fund 12-Expenditures | | 419.08 |
| Other Trust Fund 14-Expenditures | | 6,062.57 |
| Recreation Trust Fund 16-Expenditures | | 480.00 |
| Operating Fund Total | | 1,092,364.30 |
| Voucher & Claims List 3/15/11 | | |
| Current Fund 01-Reserve Year Expenditures | 4,256.98 | |
| Current Fund 01-Current Year Expenditures | 349,770.16 | |
| Total Current Fund | | 354,027.14 |
| Capital Fund 04-Expenditures | | 149.99 |
| MSU Fund 05-Expenditures | 169,659.02 | |
| Total MSU-Fund 05 | | 169,659.02 |
| Animal Control Trust Fund 12-Expenditures | | 238.80 |
| Other Trust Fund 14-Expenditures | | 4,999.65 |
| Recreation Trust Fund 16-Expenditures | | 1,408.00 |
| Operating Fund Total | | 530,482.60 |
| Adjustments: | | |
| <u>Payroll Entries for February:</u> | | |
| Chk#4039 & #4040 (2/24/11 Current Acct.) | | <57,551.34> |
| 2/28/11 Payroll on V&C List 3/01/11 | | |
| <u>Payroll Entries for March:</u> | | |
| Chk#4088 & #4089 (3/11/11 Current Acct.) | | 44,972.18 |
| 3/15/11 Payroll on V&C List 4/05/11 | | |
| Chk#4124 & #4125 (3/29/11 Current Acct.) | | 45,069.99 |
| 3/31/11 Payroll on V&C List 4/05/11 | | |
| <u>Wire Transfer:</u> | | |
| December Health Benefits (2/17/11 Current Acct.) | | <13,860.62> |
| V&C List 3/01/11 | | |
| January Health Benefits (3/17/11 Current Acct.) | | 15,551.62 |
| V&C List 4/05/11 | | |
| 2010 BAN Principal = 2,965,346.00 & Interest = 51,893.55 | | 3,017,239.55 |
| 2010 BAN Interest on V&C List 3/15/11 | | <51,893.55> |
| 2010 TAN Principal | | 2,000,000.00 |
| 2010 TAN Interest on V&C List 4/19/11 | | 34,999.99 |
| 2001 Gen Bonds Principal on V&C List 4/19/11 | | 195,000.00 |
| 2001 Gen Bonds Interest on V&C List 4/19/11 | | 27,461.25 |
| <u>Handwritten Check:</u> | | |
| Postmaster Chk #4038 (Dated 2/18/11 on V&C List 3/01/11) | | <891.39> |
| TOTAL OPERATING FUND EXPENDITURES | | 6,878,944.58 |
| GROUP FUND ESCROW-FUND 13 | | |
| Voucher & Claims List 3/01/11 | | 1,782.50 |
| Voucher & Claims List 3/15/11 | | 9,834.70 |
| Total Group Fund Escrow | | 11,617.20 |

**LAW OFFICES OF
DEBRA LYNN NICHOLSON**
One Main Street, Suite 6
Sparta, New Jersey 07871

Debra Lynn Nicholson
Amanda L. Mulvaney

(973) 729-3988
Fax (973) 726-0017
e-mail: debra@dnicholsonlaw.com
e-mail: amanda@dnicholsonlaw.com

April 8, 2011

Richard Phelan, Borough Manager
Borough of Washington
100 Belvidere Avenue
Washington, New Jersey 07882-1426
e-mail: rphelan@washingtonboro-nj.org

**Re: QuickChek
Town Counsel April 19, 2011 Agenda Request**

Dear Manager Phelan:

This letter will serve to request that QuickChek's request for a public sewer connection to the Borough Sewer System be placed on the Agenda. A meeting was conducted Wednesday with the Borough Sewer Committee, wherein we reviewed that QuickChek would require 2,750 gallons per day. This calculation is based on a building of 5,496 square feet and 12 filling positions, along with 20 dining seats (12 interior dining seats and 8 exterior dining seats). The gallonage utilized in this determination is 0.01 GPD per square foot for the building, 35 GPD per seat and 125 GPD per fueling position.

QuickChek has now received Site Plan Approval from both the Borough and the Township, and is actively pursuing all of the other permits and approvals, so that construction can immediately commence, for an anticipated store opening in the Fall of this year. We are aware that you are presently in the review process with NJDEP, with reference to your Wastewater Management Plan. If the request of QuickChek is granted by you, a revision Application would need to be filed on your Water Quality Management Plan, to allow this connection to be made. We believe that the Borough would be benefitted by having an additional user on their system, as well as receiving the hook-up fee, and either an upgrade to your pumping station, or a "in lieu of" contribution not to exceed \$50,000, as determined by the Council, the Sewer Committee and the Sewer Authority consulting engineers.

As you are aware, the QuickChek location is on property in both the Township and the Borough, with the Borough portion of the project to be developed at a later point in time, with a second commercial use. We are mindful of the Council's desire to not facilitate a competing business being established in the Township, to the detriment of Borough businesses, however,

now that all of the major Approvals are in place, it is clear that this project will be built, and there is no detriment that would impact the Borough's facilitation of community businesses that could be benefitted by the denial of this request. Therefore, on behalf of my client, QuickChek, I respectfully request that a sewer allocation of 2750 gallons per day be made available to QuickChek, subject to a Sewer Service Agreement being finalized between QuickChek and the Borough, that would include a provision requiring the metering of all flow, as well as the terms and conditions previously mentioned above.

Very truly yours,


DEBRA LYNN NICHOLSON

DLN/dmv

Cc: QuickChek Real Estate Team

Lawrence W. Keller, P.E., Whitestone Associates – lkeller@whitestoneassoc.com

**A SHARED SERVICES AGREEMENT FOR LIBRARY DIRECTOR
SERVICES BETWEEN THE BOROUGH OF WASHINGTON AND THE
WASHINGTON BOROUGH BOARD OF EDUCATION**

THIS AGREEMENT, made this April 19, 2011, between the **BOROUGH OF WASHINGTON**, a municipal corporation in the County of Warren, State of New Jersey, having its principal offices at 100 Belvidere Avenue, Washington, New Jersey, 07882 (hereinafter referred to as “the Borough”); and the **WASHINGTON BOROUGH BOARD OF EDUCATION** a Local Board of Education in the County of Warren, State of New Jersey having its principal offices at 300 West Stewart Street, Washington, New Jersey 07882 (hereinafter referred to as “the Local BOE”);

WITNESSETH

WHEREAS, the current Library Director for the Washington Borough Public Library (“the Library”) has retired; and

WHEREAS, the Borough wishes to provide adequate, supervisory oversight of the Library via a qualified Library Director; and

WHEREAS, the Local BOE has a person in their employ that is close by, qualified, and available to serve as a part-time Library Director; and

WHEREAS, the sharing of this employee between the Borough and Local BOE will benefit both entities by expanding services and decreasing the costs of those services; and

WHEREAS, this Agreement is authorized under *N.J.S.A. 40A:65-1 et seq.* (“the Shared Services Act”); and

NOW, THEREFORE, with the foregoing recitals incorporated herein by reference and in consideration of the mutual covenants contained herein, the parties hereto, intending to be legally bound, hereby agree as follows:

SERVICES TO BE PROVIDED

The Local BOE will furnish a qualified employee to serve as a part-time Library Director for the Washington Borough Public Library (“the Library Director”). At all times, the Library Director will be considered an employee of the Local BOE. Notwithstanding the foregoing, the Library Director will report to the Borough Manager and/or Library Board of Trustees as appropriate.

The day-to-day operations, active-record keeping, administrative and scheduling functions of the Library shall be the responsibility of the Library Director, subject to the approval of the Borough Manager and/or Library Board of Trustees as appropriate. Said duties include, but are not limited to staff supervision, departmental budget preparation and oversight, adherence to purchasing and financial policies and regulations, program and event planning (as needed), attendance at monthly Library Board of Trustees meetings, preparation of reports as required by the Library Board of Trustees, compliance with all applicable statutes governing the operation of a public library, and facility oversight.

The Library Director shall work 49.9% of the contracted hours at the Washington Borough Public Library. When the Library Director is working at the Washington Borough Public Library, they shall report to the Library Board of Trustees and/or the Borough Manager (as applicable), as well as abide by

all Borough policies and procedures. When the Library Director is working at the Board of Education, they shall report to the Superintendent of Local Schools, and will abide by all Board of Education policies and procedures.

The Local BOE will provide workers compensation, liability and motor vehicle insurance coverage for all claims related to services provided by its employee as Library Director, regardless of where the incident that caused the claim arises. The Local BOE shall provide appropriate proof of insurance coverage at the level of coverage of the Local BOE, naming the Borough as additional insured.

LOCATION OF AND DAYS OF OPERATION

The Washington Borough Public Library is located at 20 Carlton Ave., Washington, New Jersey, 07882. Days and hours of operation are set by the Library Board of Trustees in consultation with the Library Director and may be amended from time-to-time as needed.

If the Board of Education close local schools, have a delayed opening, or early dismissal due to inclement weather, the Library Director will still need to work the contractual obligated hours indicated above.

PAYMENT BY THE BOROUGH FOR SERVICES

The Borough shall be responsible for 49.9% of the total compensation cost of the employee serving as Library Director. For the initial term of this Agreement, the total compensation cost will be \$65,000 of which the Borough's share will be \$32,500. Payment will be made by the Borough in four (4) equal quarterly installments. Bills and vouchers will be submitted by the Local BOE to the Borough before the 15th day of March, June, September and December. The bills will be paid by the Borough before the last business day of the aforementioned months. Should this Agreement be extended for additional terms, the Local BOE shall certify the new total compensation cost to the Borough in writing no later than ninety (90) days prior to the end of the then current term.

The Local BOE shall ensure that the compensation of the employee serving as Library Director is fixed by a salary ordinance, professional services contract or collective bargaining agreement in accordance with all applicable Federal, State and Local laws, regulations or ordinances governing such matters, and may be adjusted on a yearly basis.

TERM OF AGREEMENT

This initial term of this Agreement shall run from May 1, 2011 - April 30, 2012. This Agreement may be extended for subsequent twelve (12) month periods by resolution of the Borough Council and Local BOE. In no instance can this agreement exceed a total of five (5) twelve (12) month terms.

EARLY TERMINATION

Either party may terminate their participation in the agreement prior to the end of the term with no financial penalty being imposed, provided that written notice of termination is given to the other party ninety (90) days in advance of the termination date.

IN WITNESS WHEREOF, the Borough of Washington and Borough of Washington Board of Education have caused these presents to be signed and attested to by their respective officers and their respective seals to be affixed hereto the day and year first above written.

ATTEST:

BOROUGH OF WASHINGTON

Kristine Blanchard, Clerk

Scott McDonald, Mayor

ATTEST:

**BOROUGH OF WASHINGTON
BOARD OF EDUCATION**

Linda Woolf, Board Secretary

Donna Golda, Board President

RESOLUTION #78-2011

A RESOLUTION TO CANCEL TAX LIEN CERTIFICATE #86-86

WHEREAS, the Tax Collector's records show a Tax Title Lien Certificate #86-86 was sold on 10-14-86 to the Borough of Washington in the amount of \$541.92 for taxes assessed for the year of 1985, property known as Block 84 Lot 35 and assessed in the name of Owner Unknown as supposed owner; and

WHEREAS, the Tax Collector has received a recommendation from the Borough Auditor to cancel this lien as the property was deeded over to the Borough in 2003. A Quit Claim deed between the Borough of Washington and Dolores Kerkendall was filed on 12-17-2003 giving the Borough a right of way on this property; and

WHEREAS, the Tax Collector is requesting to be authorized to cancel this certificate due to the fact that the property is now Borough property and is exempt.

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 #86-86 due to the change in ownership.

The above Resolution was moved by _____, seconded by _____, voted and carried this 19th day of April, 2011.

Roll Call: Ayes:

 Nays:

 Abstentions:

Kristine Blanchard, RMC
Borough Clerk

cc: Kay F. Stasyshan, CTC, Tax Collector

RESOLUTION NO. 81-2011

**RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A
DEVELOPER'S AGREEMENT WITH JADE ACQUISITION, LLC**

WHEREAS, Jade Acquisition, LLC ("Jade") is the current owner of the tract or parcel of land (the "Property") described on the Borough Tax Map as Block 73.01, Lots 1-59; block 73.02, Lots 1-42, and Block 73.03, Lot 1; and

WHEREAS, Jade is a party to a 2006 Developer's Agreement regarding the Property as the Assignee of Regency at Washington I, LLC under a 2010 Assignment of Developer's Agreement; and

WHEREAS, Regency at Washington I, LLC received final major site plan and final major subdivision approval by the Borough of Washington Planning Board (the "Planning Board") pursuant to a resolution memorialized on October 9, 2006 (the "2006 Approval") for the construction of a project know as "Regency at Washington" consisting of a residential age-restricted townhouse community, a community center with a pool and a tennis court and for private roadways and various utilities serving the project; and

WHEREAS, pursuant to the 2006 Approval and 2006 Developer's Agreement, certain improvements, including eight partially completed units were constructed; and

WHEREAS, in 2010 Jade applied for amended site plan approval under the Age Restricted Housing Conversion statute to convert the Regency at Washington project, now known as Washington Square, to non-age-restricted housing; and

WHEREAS, Jade received Preliminary and Final Site Plan Approval from the Planning Board on September 13, 2010 or construction of 72 market-rate units and 18 affordable housing units except that if the Council on Affordable Housing ("COAH") approves the Developer's contribution in lieu of construction of onsite affordable units then the Developer is entitled to construct 86 market-rate units; and

WHEREAS, the obligations of Jade with respect to this approved development have been set forth in a Developer's Agreement to be executed by the parties which replaces and supersedes the 2006 Developer's Agreement; and

WHEREAS, the Mayor and Council have reviewed the Developer's Agreement and find that it is in the best interests of the Town to enter into the Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the Mayor and Clerk are hereby

authorized to execute the Developer's Agreement between the Borough of Washington and Jade Acquisition, LLC in the form attached hereto after it is executed by Jade Acquisition, LLC.

ATTEST:

Dated:

S:\BOW 2011 General\Resolutions\Authorizing execution of Jade Developers Agreement.doc

WHEREAS, in 2010 the Developer applied for amended site plan approval under the Age Restricted Housing Conversion statute to convert the Regency at Washington project, now known as Washington Square, to non-age-restricted housing; and

WHEREAS, the Developer received Preliminary and Final Site Plan Approval from the Planning Board on September 13, 2010 (sometimes referred to below as the "2010 Approval") for construction of 72 market-rate units and 18 affordable housing units except that if the Council on Affordable Housing ("COAH") approves the Developer's contribution in lieu of construction of onsite affordable units then the Developer is entitled to construct 86 market-rate units; and

WHEREAS, the 2010 Approval was memorialized in a Resolution adopted October 18, 2010 (the "2010 Resolution")(attached as Exhibit A hereto) and said Approval was based on plans entitled "Development Conversion Plan, Washington Square, 98 Market Rate Units" prepared by Stewart Surveying & Engineering, LLC, consisting of twenty three (23) sheets dated August 25, 2010 as will be revised to depict the construction of 72 market rate units and 18 affordable housing units and as may be further revised if COAH approves a Developer contribution in lieu of construction, all subject to the Planning Board's professionals' approval (hereinafter "the Plans"); and

WHEREAS, the Developer has reserved the right to return to the Board for an amended approval for a maximum of 98 units onsite, either a mix of market units and COAH units or all market units in the event the Developer is permitted to provide a cash contribution in lieu of construction of COAH units, as may be approved by the Board if additional sewer gallage becomes available for the site; and

WHEREAS, if the Developer obtains an amended approval from the Board it will also need to enter into an amended developer's agreement with the Borough; and

WHEREAS, the 2010 Resolution and Plans are incorporated herein and made a part hereof as though set forth at length; and

WHEREAS, discussions between the Developer and the Board were held at the March 14, 2011 Planning Board meeting to clarify the 2010 approval granted by the Board; and

WHEREAS, the Developer and the Board reached agreement on certain issues as summarized in a March 15, 2011 letter from Steven P. Gruenberg, Esq. to Raymond Rice attached as Exhibit B; and

WHEREAS, the terms and conditions of the March 15, 2011 letter from Steven P. Gruenberg, Esq. to Raymond Rice are incorporate herein and made a part hereof as though set forth at length; and

WHEREAS, the Developer and Borough desire to enter into a new agreement setting forth the rights, duties and obligations of the parties in connection with the 2010 Resolution and approved Plans which Agreement replaces and supersedes the 2006 Developer's Agreement; and

WHEREAS, the Developer desires to proceed with the development of the Property and to install the improvements in accordance with the 2010 Resolution and approved Plans; and

WHEREAS, the Borough Development Regulations and/or Ordinances and the 2010 Approval require a performance guarantee which the Borough Engineer has calculated to be \$1,835,421.22, 10% of which is to be a cash deposit and the balance of which is to be a surety bond or letter of credit, and a deposit toward engineering inspection fees of \$76,475.88 all as set forth in the Borough Engineer's Performance Guarantee Cost Estimate dated March 15, 2011 and revised on April 13, 2011 and attached as Exhibit C; and

NOW, THEREFORE, in consideration of the foregoing, and the agreements and conditions of the 2010 Resolution and approved Plans and the March 15, 2011 letter from Steven P. Gruenberg, Esq. to Raymond Rice, it is mutually agreed by and between parties hereto, as follows:

1. This agreement replaces and supersedes the 2006 Developer's Agreement regarding the Property to which the Developer is a party as the Assignee of Regency at Washington I, LLC under a 2010 Assignment of Developer's Agreement.

2. The Developer herewith posts the foregoing cash deposit of \$183,542.12 and performance bond and/or letter of credit of \$1,651,879.09 ("Performance Guarantee"), and engineering inspection fees initial deposit of \$19,118.97 representing 25% of the inspection escrow deposit. The Developer agrees that it will make subsequent installment deposits for the inspection escrow as set forth in Exhibit C. The Borough agrees to place the cash deposit in a separate savings account, in escrow, in a banking institution or savings and loan association in this State insured by an agency of the federal government, in the name of the Borough, and to hold and dispose of the said account (including the interest earned thereon) as hereinafter provided.

3. The Developer and the Borough agree that there shall be no release of the Performance Bond until all improvements have been completed; provided, however, that the Developer shall have the right to apply for partial releases as improvements have been completed, in accordance with the Municipal Land Use Law.

4. The Developer will, at the Developer's own cost and expense, in a good and workmanlike manner, install and complete all of the improvements described in the attached Performance Guarantee Cost Estimate, prepared by the Borough Engineer. All of the work shall be done in accordance with the approved plans and specifications, and the applicable ordinances, rules and regulations of the Borough. The Borough Engineer shall inspect and approve the work as installed in accordance with the approved plans and final plat and the requirements of the Borough's ordinances, rules and regulations.

5. Signing of the approved Plans is specifically conditioned upon the Developer's compliance with the requirements contained in the 2010 Resolution as well as the various reports prepared by the Borough's professionals, including the Planning Board Engineer and the Borough Engineer, both prior to and after the date of approval, including, but not limited to, the report of the Planning Board Engineer dated September 13, 2010, and the report of the Planning

Board Planner dated September 13, 2010 except as such requirements may be modified by the 2010 Resolution. Proof of compliance shall be submitted to the Borough and the Borough Attorney.

6. All of the work and improvements set forth above under the terms of this Agreement shall be completed within two (2) years of the signing of the final subdivision map; provided that the Developer may request in writing a one (1) extension for completion of the work and improvements which shall not be unreasonably withheld. Should the Developer fail, refuse or neglect to complete, to the satisfaction of the Borough Engineer and in accordance with this Agreement, all of said work and improvements within the above time limit, then the Borough shall be free to take whatever legal steps the Borough desires, including (i) utilizing the cash deposit (and interest earned thereon), and (ii) an action on the bond or drawing funds under the letter of credit, in order to secure the satisfactory completion of the work and improvements called for herein. In so doing, the Borough may contract for the completion of said improvements or may do the same with its own labor and materials, and the cost and expenses for the completion shall be chargeable against the Developer and/or the Developer's cash deposit and performance bond or letter of credit. Should the cash deposit and performance bond or letter of credit prove to be insufficient, then the Developer shall be liable for the deficiencies. The Developer shall have the right to petition the Planning Board for extensions of the completion date in accordance with the provision of the Municipal Land Use Law.

7. The Developer shall and will comply fully with all applicable Borough ordinances, rules, regulations and all other requirements of governmental bodies having jurisdiction over any aspect of this development or the improvements or facilities thereof, including all applicable requirements, rules, regulations and statutes of the State of New Jersey, all conditions of the approving Board and all representations made to the approving Board. The Developer shall and will comply fully with all of the findings, conditions, and requirements of the 2010 Resolution which are incorporate in this Agreement.

8. The Developer shall replenish the inspection fees deposit as required by the applicable Borough ordinance and be responsible, in any event, for the payment of the Borough Engineer's inspection fees, as required by such ordinance, subject to the provisions of the Municipal Land Use Law.

9. The Developer, upon completion of all work called for by this Agreement, shall deliver to the Borough a twenty-four (24) month surety maintenance bond, or letter of credit, which shall be in a form satisfactory to the Borough, and the maximum sum permitted by statute.

10. The Developer shall provide proof of the recording of the Declaration of Covenants.

11. The Developer and the Declaration of Covenants will provide that the Homeowners' Association agree to permit all Borough motor vehicles and Board of Education vehicles to use all such streets within the development. The Developer shall maintain the roadways and promptly keep them free of snow, ice, and debris, until such time as the roadways are dedicated to the Homeowners' Association.

12. All stumps, dead trees or debris created in connection with the construction of the development will be removed from the development by the Developer unless otherwise authorized by the Borough Engineer.

13. Developer shall remove any silt deposited in the development and/or Borough's storm sewers, brooks, catch basins or other drainage areas resulting from erosion or siltation of soil or debris during the course of construction by this Developer. Any instruction given by the Borough Engineer, Construction Official or Soil Conservation District to prevent such erosion or siltation shall be performed by the Developer in a reasonably prompt manner.

14. After completing the construction of the improvements, the Developer shall furnish the Borough with "as built" plans. The Borough, by resolution, shall upon request of the Developer and recommendation of the Borough Engineer, in the manner provided in the Municipal Land Use Law, reduce the amount of this performance guarantee when portions of the improvements have been certified by the Borough Engineer to have been properly completed. The Developer shall be released from the obligations of the performance guarantee when all improvements covered by the guarantee have been certified to have been properly completed in accordance with this Agreement, provided that applications for this release shall be processed as provided in the Municipal Land Use Law. Upon such release any remaining amount of the cash deposit (including unused interest) shall be returned to the Developer.

15. The Developer shall ensure that all lots and other areas in said development shall be properly graded and properly drained in accordance with the approved Plans and at the direction of the Borough Engineer.

16. Although the Borough shall issue certain construction permits pursuant to its ordinances from time to time after the execution of this Agreement and proper application by Developer, no Certificates of Occupancy for any unit shall be issued until (1) all utilities, electric, storm sewer, curbing and streets (except the final course of payment), which effect the building for which the Certificate of Occupancy is sought, have been fully and properly installed; final pavement shall be installed as directed by the Borough Engineer; 2) the sidewalk along Route 57 is fully and properly installed. The Developer shall fully and properly install the required "tot lot" and other recreational areas upon the completion of construction of Units 17, 18, 19 and 20 on the inner ring. No further Certificates of Occupancy shall be issued thereafter until the "tot lot" and other recreational areas are installed.

17. The Planning Board reserves the right to revoke or withdraw any approval granted in the Resolution, upon notice to the Developer and a public hearing, in the event that there is any deviation from or alteration to the Plans approved by the Resolution, unless prior written approval for the deviation or alteration has been obtained by the Developer from the Planning Board. Minor deviations and field changes may be authorized in writing by the Borough Engineer.

18. In addition to the conditions contained in the 2010 Resolution, the approved Plans, the March 15, 2011 letter from Steven P. Gruenberg, Esq. to Raymond Rice, and in any reports of the Borough's various professionals, any Certificates of Occupancy are also

specifically conditioned upon the Developer's full compliance with all conditions, requirements or other terms of this Agreement.

19. The Developer shall obtain final, unconditional approval and/or permits from all agencies and entities having jurisdiction over any aspects of the proposed development, including, but not limited to,: A) Warren County Planning Board; B) Warren County Board of Health; C) Washington Borough Board of Health; and D) Washington Borough Engineer.

20. The Developer shall also obtain a written agreement from New Jersey American Water Company to provide water service and written approval of sewerage allocation from the Borough. The Developer represents that as of the date of this Agreement, it has obtained the required written agreement from New Jersey American Water Company and written approval of sewerage allocation from the Borough. Developer shall provide copies of the agreement and approval to the Borough upon request.

21. All documents required to be prepared by the developer by the terms or provision of this agreement or the 2010 Resolution shall be approved by the Board Attorney and Board Engineer prior to execution.

22. No further work shall occur on the project by the Developer until a preconstruction meeting has been held between the Developer and the Borough Engineer.

23. A. While the terms and conditions set forth in this Agreement are binding upon the Borough, the approving Board, and the Developer, nothing herein contained shall be construed as preventing the Borough, the approving Board or the Developer from exercising in any court of law or elsewhere any rights or duties which it may have by statute, ordinance or other law. This Agreement shall not operate to confer upon any such public body any powers, rights or duties it does not now possess, nor abridge the rights of the Developer vis-a-vis any such public body.

B. The covenants, undertakings, agreements and other obligations mentioned in this Agreement shall not be construed as a representation by the Borough, the approving Board, or by any Borough officer, board or employee to have or to assume any contractual or other liability to or with any persons, firms or corporations purchasing any land, buildings or improvements from the Developer or otherwise using or having an interest in the same, nor shall this Agreement be construed to create any liability on the Borough or the approving Board to third persons.

C. Nothing herein contained shall be construed to render the Borough or any of its officers, boards or employees liable for any charges, costs or debts for material, labor or other expenses incurred in the making of the improvements.

D. Developer shall be and remain liable for any and all damage or money loss occasioned by the Borough or its officers or agents by any neglect, wrongdoing, omission or commission of or by the Developer or by any person, firm or corporation acting for the Developer or Applicant hereunder arising from the making of the improvements or the performance of the terms hereof. The Developer and Applicant shall save, indemnify and hold harmless the Borough, its officers, agents, boards and employees from any and all liability and

reasonable costs incurred in defending, negotiating or settling any action which may arise from any such damage or loss, from the making of the improvements by Developer or Applicant or the performance of the terms hereof except for improvements not installed by Developer or Applicant unless the Borough or its agents shall have acted contrary to law or failed to perform acts required by law or by this Agreement.

E. Nothing contained in this Agreement shall be construed to give any person or legal entity, not a party to this Agreement, any claim against the Borough or any of its agencies with respect to the manner of the installation of improvements, or for any damages arising therefrom.

24. All notices sent pursuant to this Agreement shall be in writing and directed to the party at the address set forth at the beginning of this Agreement, unless prior to the notice being sent the party has delivered a substitute address to the other party by certified mail, return receipt requested, in which case the notice shall be sent to that address.

25. The Developer further agrees that this Agreement shall be binding upon the Developer and the Developer's heirs, personal representatives, successors or assigns (as the case may be), notwithstanding the fact that it may sell, transfer, encumber or otherwise dispose of the property or any portion thereof, and the performance guarantee called for herein shall remain in full force and effect in any such event. In the event of such transfer, the escrow accounts and any bonds posted by the Developer shall not be released in whole or in part, until the successor developer, assignee, person or entity has posted sufficient review and inspection escrows and bonds, as determined by the Borough Attorney and Chief financial Officer, and countersigns this Agreement, or executes a new developer's agreement with the Borough as directed by the Borough Attorney.

IN WITNESS WHEREOF, the said parties have hereunto caused this Agreement to be signed by their proper representatives (and, if a corporation, have caused their proper seal to be hereunto affixed) the day and year first above written.

ATTEST:

JADE ACQUISITIONS, LLC

_____ By: _____

ATTEST:

BOROUGH OF WASHINGTON

_____ By: _____

Borough Clerk

Mayor

LAW OFFICES OF
SCHOLL, WHITTLESEY & GRUENBERG, LLC
151 MAIN STREET
FLEMINGTON, NEW JERSEY 08822

DONALD F. SCHOLL, JR.
MEMBER OF NJ AND PA BAR

FRANKLIN G. WHITTLESEY

STEVEN P. GRUENBERG

TELEPHONE (908) 788-9000
TELEFAX (908) 788-1758

E-Mail: reedscholl@rcn.com
Website- www.scholllaw.net

March 15, 2011

Mr. Raymond Rice
Jade Acquisition, LLC
16 Wolfe Run Court
Long Valley, NJ 07853

Re: **Washington Square (Jade Acquisition)**

Dear Mr. Rice:

This will confirm the discussions held at the March 14, 2011 Washington Borough Planning Board meeting regarding the clarification to the approval granted by the Board. The following issues were discussed:

1. Issue of owner-occupied units;
2. Fire department issues;
3. Tot lot issues;
4. Sidewalk issues.

The applicant clarified for the record that the proposed affordable housing units will be owner-occupied only and shall be deed restricted accordingly. With respect to the market rate units, it is the intention of the applicant to sell those units. The individual market rate unit owners may thereafter lease those units in accordance with homeowners' association rules and regulations.

The applicant addressed the fire department review. With respect to the signage proposed by the fire department regarding the structures of the buildings, the Board indicated that there should be one sign at the beginning of the development and one on each building as opposed to the requested sign on every street sign.

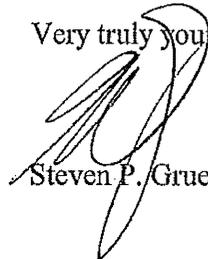
With respect to the "tot lot" area, the applicant requested clarification as to the timing of the construction. It is agreed that the recreation, including "tot lot" construction shall be performed upon the completion of construction of Units 17, 18, 19 and 20 on the inner ring. No further Certificates of Occupancy shall be issued thereafter until the "tot lot" is installed.

Mr. Raymond Rice
March 15, 2011
Page 2

As to the installation of the sidewalk along Route 57, the Board maintained its position as recommended by the Board's engineer that no Certificate of Occupancy should be issued until such time as the sidewalk is installed.

Thank you for your attention to this matter.

Very truly yours,



Steven P. Gruenberg

SPG/mlk

cc: Lawrence P. Cohen, Esq.
William Gleba, P.E.
Paul Gleitz, P.P.
Patricia Titus, Board Secretary



March 15, 2011
Revised April 13, 2011

Via Electronic Mail (rpheLAN@washingtonboro-nj.org) and Regular Mail

Borough of Washington
100 Belvidere Avenue
Washington, New Jersey 07882-1426

Attn.: Richard Phelan
Borough Manager

Re: Borough of Washington, County of Warren, State of New Jersey
**Washington Square – Age Restricted Conversion of Regency at Washington
Amended Major Subdivision and Major Site Plan (w/ COAH Units)**
Block 73.01, Lots 1-59; Block 73.02, Lots 1-42; Block 73.03, Lot 1
Performance Bond Recommendations – REVISED
Our Project No.: SCE-4822

Dear Mr. Phelan:

At the Applicant's express request, I have reviewed a revised construction cost estimate prepared and provided by Applicant's engineer, Alfred Stewart, PE of Stewart Surveying and Engineering LLC.

- "Washington Square – Cost Estimate," not signed, dated December 20, 2010, last revised March 7, 2011 – *however this is a later revision, as the Construction Cost Estimate last revised March 7, 2011, has already been reviewed by our office (see SCE letter dated March 15, 2011) and it is different than the e-mailed revised cost estimate – a signed and sealed hard copy with the correct revision date must be provided for our files.*

The revised cost estimate has been e-mailed to me on April 12, 2011, along with engineer's certification that certain prices have been obtained from 2011 Morris County Coop and from County Concrete. Considering the above information, I have revised my construction cost estimate.

Enclosed please find my revised Construction Cost Estimate for the Washington Square project - the revised items or unit prices are highlighted. I offer the following summary:

- Construction Cost Estimate: **\$1,529,517.68**
- Performance Guarantee: **\$1,835,421.22** (120% of the construction cost estimate)
 - 10% Cash: **\$183,542.12**
 - 90% in the form of a Surety Bond: **\$1,651,879.09**
- Inspection escrow deposit (5%): **\$76,475.88**



- Initial deposit (25%): **\$19,118.97**
- Installments (25%): **\$19,118.97** each
 - When deposit drops to **\$7,647.60** (10% of the inspection fees) because the amount deposited by the Developer has been reduced by the amount paid to the Municipal Engineer for inspections, the Developer shall make deposits of 25% of the inspection fees.

We have reviewed the draft Developer’s Agreement and defer the review and approval of the legal form to the Borough Attorney, with the following recommendations:

- The Performance Guarantee to be posted with the Borough shall be in the amount of \$1,835,421.22 with 10% cash (\$183,542.12) and 90% in the form of a Surety Bond (\$1,651,879.09) approved by the Borough Attorney.
- The construction milestones – timing for completion of off-site sidewalk, sidewalk within the development and construction of recreational facilities (“tot lot”) – should be addressed in the Developer’s Agreement.

As you are aware, Jade Acquisition, LLC has the following performance bond posted with the Borough for the site – for the **Regency at Washington project: \$1,448,603.29 Surety and \$160,955.92 Cash.**

As Washington Square project is a conversion of the previously approved Regency at Washington project, we recommend that the applicant, Jade Acquisition, LLC (Ray Rice – Managing Partner):

- Transfers the 10% cash performance bond from Regency at Washington project to Washington Square project and supplements the difference, and
- Releases the 90% Surety Bond from Regency at Washington project, and posts the surety bond for Washington Square project.

PERFORMANCE BOND RECOMMENDATION SUMMARY:

| | <i>Washington Square</i> Required | <i>ALREADY POSTED for</i> <i>REGENCY AT</i> <i>WASHINGTON</i> | <i>Washington Square</i> To Be Posted |
|------------------------|---|---|--|
| TOTAL Performance Bond | \$1,835,421.22 | | |
| 10% Cash | \$183,542.12 | \$160,955.92 to be transferred as cash for Washington Square | \$22,586.20 additionally to be posted as cash for Washington Square |
| 90% Surety | \$1,651,879.09 | <i>\$1,448,603.29</i> <i>To be released</i> | \$1,651,879.09 To be posted as surety for Washington Square |



The inspection escrow amount shall be \$76,475.88 (5% of Performance Bond). When the inspection escrow deposit drops to \$7,647.60 (10% of the inspection fees) because the amount deposited by the Developer has been reduced by the amount paid to the Municipal Engineer for inspections, the Developer shall make deposits of 25% of the inspection fees (\$19,118.97). Please verify that the initial inspection escrow installment in the amount of \$19,118.97 has been deposited with the Borough.

If you require additional information or have questions, please feel free to contact me.

Very truly yours,
Suburban Consulting Engineers, Inc.

A handwritten signature in black ink, appearing to read 'Andrew S. Holt', is written over a horizontal line.

Andrew S. Holt, P.E.
Borough Engineer

Enclosure

cc: Ms. Kristine Blanchard, R.M.C., Borough Clerk
Paula Drake, Accounting/ Finance
Richard Cushing, Esq.

SUBURBAN CONSULTING ENGINEERS, INC.
ENGINEER'S COST ESTIMATE
PROJECT: Washington Square
LOCATION: Washington Borough, Warren County, New Jersey

PREPARED BY: DF
DATE: 4/13/2011

SCE - 4822

| Item | Description of materials | Units | Total Project Quantity | Unit Price | Amount |
|------|---|-------|------------------------|--------------|--------------|
| 1 | Total Cut | CY | 8,697 | \$12.00 | \$104,364.00 |
| 2 | Import Soil | CY | 5,000 | \$12.00 | \$60,000.00 |
| 3 | Silt Fence Repair/ Replace | LF | 16,781 | \$3.00 | \$50,343.00 |
| 4 | 12" rcp | LF | 199 | \$25.00 | \$4,975.00 |
| 5 | 15 " rcp | LF | 136 | \$35.00 | \$4,760.00 |
| 6 | Roof Runoff System | ea | 6 | \$8,000.00 | \$48,000.00 |
| 7 | Type B inlet | EA | 1 | \$2,200.00 | \$2,200.00 |
| 8 | Type E inlet | EA | 2 | \$2,200.00 | \$4,400.00 |
| 9 | Type B Doghouse | EA | 2 | \$2,200.00 | \$4,400.00 |
| 10 | Remove pipe | LF | 160 | \$15.00 | \$2,400.00 |
| 11 | Inlet Protection Repair/ Replace | EA | 47 | \$200.00 | \$9,400.00 |
| 12 | Detention Basin | EA | 0.25 | \$80,000.00 | \$20,000.00 |
| 13 | Rip Rap Forebay | Ton | 44 | \$25.00 | \$1,100.00 |
| 14 | Gabion Structure | Ton | 28 | \$25.00 | \$700.00 |
| 15 | Relocate Fire Hydrant | ea | 1 | \$1,000.00 | \$1,000.00 |
| 16 | Granite Block Curb - Site | lf | 3,350 | \$15.00 | \$50,250.00 |
| 17 | Granite Block Curb - COAH Parking Lot | lf | 1,170 | \$15.00 | \$17,550.00 |
| 18 | Replace Full Face Granite Block Curb | lf | 375 | \$20.00 | \$7,500.00 |
| 19 | Replace Depressed Granite Block Curb | lf | 218 | \$20.00 | \$4,360.00 |
| 20 | Concrete Driveway Aprons 6" thick | sy | 1,340 | \$52.00 | \$69,680.00 |
| 21 | Concrete Sidewalk - Site | sy | 1,950 | \$45.00 | \$87,750.00 |
| 22 | Concrete Sidewalk - To Townhomes | sy | 336 | \$45.00 | \$15,120.00 |
| 23 | Fine Grade & Compact Subgrade | sy | 5,175 | \$1.50 | \$7,762.50 |
| 24 | DGA Stone Base Course 6" thick | sy | 5,175 | \$6.00 | \$31,050.00 |
| 25 | Bituminous Stabilized Base Course 4.5" thick | sy | 5,175 | \$15.22 | \$78,763.50 |
| 26 | Mix I-5 FABC surface course 2" thick | sy | 9,430 | \$7.20 | \$67,896.00 |
| 27 | Fine Grade & Compact Subgrade(COAH Parking-2,004 S) | sy | 2,004 | \$1.50 | \$3,006.00 |
| 28 | DGA Stone Base Course 6" thick | sy | 2,004 | \$6.00 | \$12,024.00 |
| 29 | Bituminous Stabilized Base Course 3.5" thick | sy | 2,004 | \$15.22 | \$30,500.88 |
| 30 | Mix I-5 FABC surface course 1 1/2" thick | sy | 2,004 | \$7.20 | \$14,428.80 |
| 31 | Pedestrian Pathways | Ton | 110 | \$40.00 | \$4,400.00 |
| 32 | Driveways | Ton | 1,060 | \$60.00 | \$63,600.00 |
| 33 | Top soil, fertilizer, seed, mulch | sy | 47,800 | \$6.00 | \$286,800.00 |
| 34 | Landscaping | ls | 1 | \$120,000.00 | \$120,000.00 |
| 35 | Tot Lot | ls | 1 | \$30,000.00 | \$30,000.00 |
| 36 | Street Lights | ea | 18 | \$3,000.00 | \$54,000.00 |
| 37 | Street Lights - to be relocated | ea | 2 | \$1,800.00 | \$3,600.00 |
| 38 | Bollard Lights (30+13) | ea | 43 | \$500.00 | \$21,500.00 |
| 39 | Street Signs | ea | 40 | \$250.00 | \$10,000.00 |
| 40 | Stabilized Construction Entrance/ Repair/Replace | Ton | 365 | \$35.00 | \$12,775.00 |
| 41 | Traffic Striping 4" yellow | lf | 5,475 | \$3.00 | \$16,425.00 |
| 42 | Traffic Striping 4" white | lf | 2,593 | \$3.00 | \$7,779.00 |
| 43 | White Road Paint | sf | 130 | \$5.00 | \$650.00 |
| 44 | Chain Link Fence | lf | 1,800 | \$15.50 | \$27,900.00 |
| 45 | Black Metal Fence | lf | 144 | \$20.00 | \$2,880.00 |
| 46 | Remove Sanitary Sewer Services and Cap @ Main | EA | 34 | \$500.00 | \$17,000.00 |
| 47 | Iron Castings for Services in Driveways | EA | 39 | \$75.00 | \$2,925.00 |
| 48 | Garbage Refuse Enclosure | EA | 2 | \$10,000.00 | \$20,000.00 |
| 49 | Interior Survey Monuments | EA | 22 | \$300.00 | \$6,600.00 |
| 50 | As-Built Drawings and Final Map | LS | 1 | \$5,000.00 | \$5,000.00 |

TOTAL CONSTRUCTION COST ESTIMATE

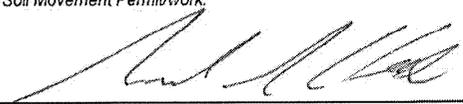
PERFORMANCE BOND
(120% OF CONSTRUCTION COST ESTIMATE)

10% CASH

90% SURETY

5% Inspection Fee

This construction cost estimate does not include the import sub-soil/export top soil (quantities and cost), noted in the 2010 soil movement permit application. Planning Board Engineer to determine if a separate performance bond is required for the 2010 Soil Movement Permit/work.


Andrew S. Holt, P.E.
Washington Borough Engineer
Date 4-13-11

Application #: 4-10
Approved: 9/13/2010

**BOROUGH OF WASHINGTON
PLANNING BOARD**

**FINDINGS OF FACT, CONCLUSIONS AND RESOLUTION
REGARDING THE APPLICATION OF
WASHINGTON SQUARE/JADE ACQUISITION
FOR APPROVAL FOR AGE RESTRICTED HOUSING CONVERSION FOR
BLOCK 73.01, LOT 1-59; BLOCK 73.02, LOTS 1-42, BLOCK 73.03, LOT 1**

The Planning Board of the Borough of Washington, in the County of Warren and State of New Jersey, upon motion of MacDonald, seconded by Aron, adopts the following findings of fact, conclusions and resolution:

Findings of Fact:

1. Applicant, **WASHINGTON SQUARE/JADE ACQUISITION**, brings this application under the Age Restricted Housing Conversion statute, N.J.S.A. 45:22A-46.3 seeking amended site plan approval for a project previously known as Washington Square.

2. The Age Restricted Housing Conversion statute modifies portions of the Municipal Land Use Law to permit the conversion of certain age-restricted housing developments to non-age restricted housing developments. The eligibility for conversion is limited to certain circumstances. In order for a project to be eligible for conversion, a developer must meet the following standards:

The developer must have received preliminary or final approval for construction of the age-restricted development prior to July 2, 2009;

The developer must not be holding a deposit for and must not have conveyed any

units within the age-restricted development.

The developer must agree to set aside 20 percent of the units as affordable housing.

The site must meet the Residential Site Improvement Standards parking requirement.

The recreation improvements and other amenities to be constructed on the site have been revised to meet the needs of a converted development.

Water supply and sanitary systems are adequate to meet the needs of the converted development. If additional water supply or sewer capacity is needed and the developer is unable to obtain it, the number of dwelling units is to be reduced accordingly.

If additional parking is needed, and the developer is unable to provide it, the number of dwelling units is to be reduced accordingly. If additional parking is needed and it increases the amount of impervious cover by more than one percent, the storm water system calculations and improvements are to be revised accordingly.

If the Board finds that all of the criteria have been met, the Board must also find that the conversion will not cause a substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

3. On May 10, 2010, the applicant appeared before the Board for purposes of completeness. The applicant was represented by Lawrence Cohen, Esq. of Courter, Kobert and Cohen. Various submission items and requirements were discussed. A motion to deem the application incomplete and to schedule completeness and possible hearing for the next meeting was moved by Aron and Seconded by Jewell. The motion was unanimously passed.

4. On June 14, 2010, the applicant again appeared before the Board for purposes of completeness. Mr. Cohen represented the applicant before the Board at this meeting. A motion was made to grant waivers for completeness purposes only as to the items set forth in Mr. Gleba's completeness review correspondence and to deem the application complete was moved by Aron and seconded by Truman. The motion was unanimously passed.

5. It was noted that the applicant had supplied adequate Proof of Service and Publication of Notice of Hearing and the Board was found to have jurisdiction to proceed. Testimony was received from the following witnesses: Ray Rice and George Ritter, P.P. The following exhibits were marked into evidence:

- Exhibit A-1 Previous Approved Site Plan
- Exhibit A-2 Proposed Plan
- Exhibit A-3 Photographs of current work completed.
- Exhibit A-4 Fiscal Impact Summary Municipal
- Exhibit A-5 Fiscal Impact Summary Schools
- Exhibit A-6 Fiscal Impact Summary Municipal and Schools
- Exhibit E-1 Rumpfield Exhibit
- Exhibit B-1 Finelli Consulting Initial Technical Review Report

6. Ray Rice is the principal of the entity that received preliminary approval in April 2006 and final approval in October 2006 of a 98 unit age restricted housing development. The property/project had been sold to Toll Brothers who planned to develop the property. Jade Acquisition has since acquired title of the property back from Toll Brothers. Eight of the units were partially completed, however no deposits or contracts were received by any developer for the project. The applicant is availing itself of the Age Restricted Housing Conversion legislation passed last year. There is presently a surplus of age restricted housing in the market place and the proposed development is represented to comply with the requirements of the Age Restricted Housing Conversion legislation. There is an abundance of age restricted housing in this area with 1,000 + units and the project as revised will be of a benefit to the Borough.

7. Concerns were raised by Board members regarding the segregation of the low and moderate income housing into condominium style buildings in lieu of the townhouse design.

8. The matter was opened up to the public to ask questions of Mr. Rice. Mr. Gremig of East Washington Avenue raised questions regarding the impact of the development on the

neighboring property owners and the potential widening of Route 57. There is no plan to widen Route 57 as part of this proposal.

9. Testimony was next received from George Ritter, P.P. who provided his qualifications and was accepted by the Board as an expert Planner.

10. Mr. Ritter described the history of the project and what had been involved in securing the prior approvals. In 2006, the project received final major site plan and subdivision approval to permit the construction of 98 age restricted townhouses. Of the 98 units, 12 units were proposed to be owner occupied affordable units in compliance with COAH regulations. A payment of \$140,000 in lieu of construction of 4 affordable units (\$35,000 per unit) was also part of the approval. A community center with a pool and tennis courts was also a component of the development. A portion of the road network and detention basin has been completed, as has two buildings of townhouses (4 townhouses in each building). The original proposal necessitated a re-zoning to permit the age restricted development. Mr. Ritter presented as exhibits photographs of the site as built to date as Exhibit A-3.

11. The new proposal as originally testified by Mr. Ritter is for 98 units. 20 units are proposed for affordable housing to be located in two buildings along the railroad tract area, the first building to be an 12 unit structure and the second building to be a 8 unit structure. The remaining 78 units will be in townhouse format. All of the new townhouse units will have two car garages and three bedrooms. The new plan will have a reduced impervious coverage. There will also be an additional 15 feet in rear yards and more open space. The affordable housing units will be serviced by two parking areas. Recreation in the form of a swimming pool, tennis courts, and community center is removed from the proposal. The remaining form of recreation is

in the form of a tot lot with informal recreation designed for children in two field areas. There will be walking paths as well.

12. Concerns were raised by Board members regarding the need for fencing along the two field areas and the tot lot. The applicant agreed to address the Board's concerns regarding fencing.

13. Mr. Ritter testified that the proposed parking complies with the Residential Site Improvement Standards. Townhomes and COAH units require 278 spaces. The applicant is proposing 329 spaces. The Board agreed that 20 foot long driveways were more appropriate than 18 foot driveways due to vehicles potentially overhanging sidewalks. Roadways and parking lots, as well as storm-water management and drainage systems will be owned and maintained by the Home Owners Association. Mr. Ritter testified that there is sufficient water capacity for this project. With respect to sewer, the applicant received correspondence from the Borough Manager that there would be sufficient sewer capacity if the Waste Water Management Plan was approved by the NJDEP. There has been a reduction in impervious coverage and accordingly, the existing designs for storm water management are sufficient and no changes are proposed.

14. Mr. Ritter presented testimony regarding the potential fiscal impact upon the municipality in connection with this proposal both as to municipal and educational services. Board members and the Board's planner raised questions as to the methodology employed by the applicant's professionals and the accuracy of the numbers presented. Two variables that were not taken into consideration were the number of bedrooms and the value of the units. The applicant agreed to provide supplemental testimony regarding this issue.

15. With respect to traffic issues, Mr. Ritter is not a traffic engineer but indicated that trip generation would increase under this proposal. Previously, the estimated trips per day was 248. Under the revised proposal, the trips per day would be 604. There would be 55 to 60 trips during the peak hour. Mr. Gleba recommended as a condition of any approval that the applicant secure a letter of no interest or non applicability for the New Jersey Department of Transportation.

16. Robert Rumpfield, President of Candle Artisans, the owner of Lot 5 and 6 raised questions and presented a plan which was marked as Exhibit E-1. Mr. Rumpfield voiced concerns regarding children coming onto the property and requested a larger buffer and fencing. The applicant agreed to meet with Mr. Rumpfield to try to address his concerns.

17. The hearing was adjourned to the July 12, 2010 meeting with no further notice of hearing being required.

18. On July 12, 2010, the hearing on the application was continued. Testimony was presented by the following witnesses on behalf of the applicant; Gary DosSantos, P.P., Alfred Stewart, P.E.; Hal Simoff, P.E., P.P.; Tim Richardson; and Joseph Stevens, Architect. The following exhibits were marked into evidence:

- Exhibit A-7 School location plan
- Exhibit A-8 Revised Plans
- Exhibit A-9 COAH Building Plan
- Exhibit A-10 Rendering of 8 unit building
- Exhibit A-11 Rendering of 12 unit building
- Exhibit A-12 Rendering of 8 unit building
- Exhibit A-13 Town home rendering

19. Mr. DosSantos was qualified before the Board as an expert in the field of Planning. He presented updates to the Fiscal Impact study. He reached out to school officials and learned that the capacity of schools was not an issue with either the local or regional schools.

Consideration was given to converting the Affordable Housing units to owner occupied as opposed to rental units as urged by the Board. The fiscal impact upon the Borough at full occupancy is a deficit of \$159,000.

20. Mr. DosSantos testified that the development is within walking distance of the Borough's schools. The distances are as follows:

| | | |
|---------------------|------------|-------------------|
| Taylor School | .8 miles | 16 to 22 min walk |
| Memorial School | 1.42 miles | 29 to 38 min walk |
| Warren Hills Middle | 1.36 miles | 28 to 36 min walk |

21. Mr. DosSantos addressed the negative criteria of the statute, namely that the approval can be granted without substantial detriment to the public good and won't substantially impair the intent and purpose of the zone plan and zoning ordinance. While Mr. DosSantos conceded that negative impacts include increased traffic and increase in school children and cost to the borough, he testified that these negatives do not rise to a "substantial detriment" to the public good. There will be no visual difference between the prior approval and the revised approach and there is no perceptual difference to the neighboring property owners, which are primarily industrial and commercial. Moreover, the purposes of the Age Restricted Housing Conversion statute and the Municipal Land Use Law are advanced by the project.

22. Testimony was next received from Alfred Stewart, P.E. Mr. Stewart's qualifications as an expert engineer were accepted by the Board. Mr. Stewart was the project engineer for the prior proposal as well as this proposed project. Mr. Stewart testified that the plans were revised in response to Mr. Gleba's June 11, 2010 report. The units were re-arranged and Marabelle Lane was eliminated. Driveways that were of concern were eliminated and the driveway improvements located on the JCP&L easement were relocated.

23. With respect to the two apartment/condominium buildings for COAH housing, they are separated by 45 feet. There is a proposed courtyard between the two buildings and a second entrance and exit was added for the parking area. The driveways were extended to a 20 foot minimum length and the tot lot area was relocated to the inner circle. Fencing along the railroad and the adjoining property was proposed to address the concerns of the board and public at the last meeting. The fencing along the railroad will be an approximate 4 foot chain link fence on top of the existing wall. The total height will be approximately seven to eight feet.

24. The project results in a reduction in impervious surface from the original proposal. Impervious coverage will be reduced from 47 percent under the prior proposal to 40.8 percent under the revised proposal. There is presently an "overdesign" of stormwater management which is not proposed to be amended.

25. The walking path will have bollard lighting along the pathway. A concrete pad will be added at Washington Avenue for a bus stop.

26. Mr. Stewart believed that the applicant had addressed all issues contained within Mr. Gleba and Ms. Gruel's correspondence. The Board's professionals indicated that they were reviewing the information that had recently been submitted. Issues such as water and sewer capacity and NJDOT approval of the sidewalk to Railroad Avenue were discussed. Mr. Gleba indicated his preference for emergency services review.

27. Testimony was next received from the applicant's traffic expert, Hal Simoff, P.E., P.P. Mr. Simoff's qualifications were reviewed by the Board and he was accepted as a traffic expert. Mr. Simoff testified that the applicant had secured an NJDOT Highway access permit in connection with the previous approval. The opening has been physically constructed. The previous permit was a minor access permit and is still valid. The previous approval generated

13 trips during peak morning hour and 19 trips during peak afternoon hour with a total 24 hour volume of 197 trips. The current proposal will result in higher traffic generation. Peak morning hour will generate 44 trips and peak afternoon hour will generate 52 trips with a revised 24 hour total of 586. While greater than 500 trips is generally considered a "major" permit, the applicant contended that they are permitted to add 100 trips to one hour without having to seeking an amended permit since the driveway is in place. Mr. Simoff contended that two directional traffic on Route 57 will not change. During the peak hour in the afternoon, traffic is generally 1,150 vehicles. The application will generate 50 additional vehicles. During the peak hour in the morning, traffic is generally 900 vehicles. The application will generate 44 additional vehicles. Mr. Simoff indicated that this is not a significant increase. Mr. Gleba recommended as a condition of any approval that a letter of no interest be obtained from the NJDOT.

28. Testimony was next received from the applicant's Architect, Joseph Stevens. Mr. Stevens' qualifications were reviewed and he was accepted by the Board as an expert Architect. Mr. Stevens presented exhibits as to the proposed Affordable Housing buildings. One building consists of 8 units and the second building consists of 12 units. The 12 unit building will be two floors. Each floor will have 3 two bedroom units, 2 one bedroom units and 1 three bedroom unit. The 8 unit building will also be two floors. Each floor will have 3 two bedroom units and 2 three bedroom units. All units will meet COAH requirements. The design of the buildings will be similar to the townhouses to be consistent throughout the development. They will consist of vinyl siding and manufactured stone at the base. The buildings include dormers for aesthetic purposes. Utilities are in each unit and will be forced air air-conditioning/heat with a water heater.

29. Testimony was next received from Tim Richardson a representative of Ryan Homes. Mr. Richardson testified that Ryan Homes would be constructing the market rate units and produced a rendering of the Town Home design. Exhibits of a typical elevation of a four unit building were presented. The units include dormers, gables, and different coloring with personalization to each home. The proposal is for vinyl siding, stone or brick accents, and asphalt roof shingles. There will be black top drives and concrete sidewalks. All units are energy efficient and Ryan Homes has partnered with the EPA and its Energy Start Program with inspections by a third party to ensure compliance. The applicant agreed that the façade will include stone with no option for brick to coordinate with existing town home design and the proposed COAH building units. The architectural features of the garage will be submitted as well as additional details for the privacy fencing which will be pvc. There will either be a deck or patio depending upon grading. The applicant agreed to a condominium restriction prohibiting bedrooms in the basement.

30. Discussions were next held with the applicant regarding the need for the actual construction of COAH units on site as part of the Age Restricted Housing Conversion statute and the possibility of a contribution to the Borough's Affordable Housing Trust Fund for rehabilitation of existing units within the Borough instead. It was noted by members of the Board that there is an excess of affordable housing units within the borough and the contribution to the rehabilitation program in lieu of actual construction of the units would be of greater benefit to the community. The applicant agreed that it was within the Board's discretion as part of the Age Restricted Housing Conversion statute and agreed to work with the Board's professionals to arrive at a possible revised plan to factor in contributions in lieu of construction. The matter was continued to the August meeting with no further notice of hearing being required.

31. On August 9, 2010, the hearing was continued. The applicant was represented by Michael Selvaggi, Esq. of Court, Kolbert and Cohen. Mr. Selvaggi referred to the July 31, 2010 correspondence from Mr. Cohen detailing the options for market rate units and COAH units. It was noted that the Age Restricted Housing Conversion statute requires that 20% of the units be set aside for Affordable Housing. The developer is now proposing a contribution to the Borough's rehabilitation program in lieu of setting aside the units as affordable housing.

32. Ms. Gruel indicated to the Board that the borough is in a unique situation due to a COAH surplus. The Borough is in Region 2. The current housing plan is being reviewed by COAH. It was noted by the Board's attorney and the applicant's attorney that any acceptance of a contribution in lieu of construction would need to be approved by COAH and would be the subject of a condition of any approval.

33. Questions were raised regarding possible phasing of the project depending upon satisfaction of the condition by COAH. Concerns were raised by members of the Board regarding the lack of recreation placed on site and the nature and extent of any phasing. The Board's professionals raised concerns regarding the mechanics of phasing of the project relative to COAH's approval. The applicant agreed to a \$1,000,000.00 contribution towards the Borough's Affordable Housing plan and Recreation program if all 98 units were permitted to be market rate units. The applicant agreed to a continuation of the hearing in order to supply revised plans addressing a full market build out with phasing and to address the outstanding review items. The hearing was continued to September 13, 2010 with no further notice being required.

34. The meeting continued on September 13, 2010. The applicant was represented by Lawrence Cohen, Esq. The following exhibits were marked into evidence:

Exhibit A-14 Analysis of Phasing for Jade Acquisition
Exhibit A-15 Affordable Housing Plan
Exhibit A-16 Market Rate Plan
Exhibit B-2 Board Planner Report Dated
Exhibit B-3 Board Engineer Report Dated

It was noted by Mr. Cohen that the applicant's proposal is currently constrained by two outside factors: 1) Present sewer capacity and 2) COAH approval of a payment in lieu of construction. Based upon the present sewer capacity, the applicant could construct 72 market rate units and 18 COAH units on site. The development would consist of 1) the existing four 3-bedroom units; 2) the existing four 2-bedroom units; (3) the proposed sixty-four 3-bedroom units, (4) four 1-bedroom COAH units, (5) ten 2-bedroom COAH units and (6) four 3-bedroom COAH units.

The applicant agreed to cooperate in a petition to COAH to permit a contribution in lieu of constructing the units so as to permit 86 market rate units which can be serviced by the 25,600 gpd presently allocated. Accordingly, the applicant sought preliminary and final approval for 72 market rate units and 18 COAH units (the first COAH building shall contain 12 units and the second COAH building shall contain 6 units) with a \$50,000.00 contribution to the Borough's Recreation Program or, in the alternative 86 market rate units with a \$900,000.00 contribution apportioned as follows: $18 \text{ units} \times \$50,000.00 = \$900,000.00$. The apportionment shall be \$630,000.00 towards the Borough's Affordable Housing Trust Fund for use in its rehabilitation program and \$270,000 towards the Borough's recreation program. The 86 market rate units would consist of 1) the existing four 3-bedroom units; 2) the existing four 2-bedroom units; and (3) the proposed seventy-eight 3-bedroom units. In the event additional sewer capacity is afforded to the project, the applicant would return to the board for amended approval of either 78 market units and 20 affordable units, or 98 market units with a revised total contribution of

\$1,000,000.00, apportioned as follows: \$700,000.00 towards the Borough's Affordable Housing Trust Fund for use in its rehabilitation program and \$300,000 towards the Borough's recreation program.

35. Testimony was received from Mr. Stewart regarding the revised plans in light of the acknowledgment of the available sewer capacity at the present time and the potential provision of market rate units in lieu of construction of the Affordable Housing apartment/condo buildings. The Board's Planner suggested omitting the extra parking due to the reduced number of Affordable Housing Units with respect to Exhibit A-15. The applicant agreed to comply with the Board Professionals review correspondence as a condition of approval and to submit revised plans in accordance with the revised proposal recently submitted.

36. The matter was opened to the public for questions, comment or testimony. No member of the public presented any evidence or concerns in connection with the proposal.

37. A motion was made and unanimously passed to close the public portion of the hearing.

38. A motion was made by Valentine and seconded by McDonald to grant the application under the Age Restricted Housing Conversion statute and for preliminary and final site plan approval subject to conditions.

ROLL CALL: Valentine, Post, Aron, McDonald,
Turner, Jewell, Blanchard, VanDeursen
Ayes: 6 Nays: 2(Post,Turner) Abstentions: 0

The Motion carried.

Conclusions:

1. The applicant has established its entitlement for relief under the Age Restricted Housing Conversion Statute to permit the conversion of its age-restricted housing development

to a non-age restricted housing development subject to conditions. The board finds under the very unique circumstances presented, and under the limited review available under the statute, that the applicant has met its burden of proof in light of the conditions proposed.

2. The applicant has established that it received preliminary and final approval for construction of the age-restricted development prior to July 2, 2009.

3. The applicant has established that neither Jade Acquisition nor Toll Brother are holding a deposit for and have not conveyed any units within the age-restricted development and there are presently no contracts for the sale of units.

4. The developer applicant has agreed to set aside 20 percent of the units as Affordable housing. Moreover, it was the applicant's preference, and the Board's preference that the applicant provide a contribution in lieu of construction of the units towards the Borough's Affordable Housing Trust Fund which would be of greater benefit to the Borough's Affordable Housing Plan subject to COAH approval.

5. The applicant has established that the project, as revised, meets the Residential Site Improvement Standards parking requirements.

6. The applicant has established that the recreation improvements and other amenities to be constructed on the site have been revised to meet the needs of a converted development. The applicant has appropriately placed a tot lot area on the site and relocated the tot lot away from the originally proposed area adjacent to the railroad tracks. Moreover, the applicant's contribution to the Borough's Recreation program established and maintains appropriate recreations facilities for the revised development and the public good at large.

7. The applicant has established that the current water supply is adequate to meet the needs of the converted development and will provide the necessary documentation from the

Water Company as a condition of approval. Pursuant to the existing wastewater management plan for the Borough of Washington, the applicant could construct 86 units onsite. An amended wastewater management plan is pending before the NJDEP and if and when it is approved the applicant reserves the right to return to the Board for an amended approval for a maximum of 98 units onsite, whether they are all market units or a mix of market and COAH units. The applicant is therefore proposing the initial plan to include 72 market units and 18 COAH units and if COAH approves the contribution in lieu of construction of onsite COAH units, the applicant shall be entitled construct 86 market units onsite. If the amended wastewater management plan is approved by the NJDEP or the Treatment Works application is amended granting additional sewer gallonage for the site, then the applicant may return to the Board for amended approval to construct up to a maximum of 98 units on the site, whether they are 78 market and 20 COAH units, or 98 market units in the event COAH has approved a cash contribution in lieu of construction.

8. The applicant has provided appropriate parking and revised the ingress and egress for the two Affordable Housing units should they become necessary to construct. Under any scenario, the impervious coverage has been reduced from the original proposed project and the existing storm water calculations and improvements are not required to be redesigned.

9. The Board likewise finds that the redesigned conversion will not cause a substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance. While members of the Board were concerned regarding the fiscal impact this converted project will have upon the community, and frustrated that the Age Restricted development that was specifically proposed, negotiated and provided for in the ordinance has been subjugated by the legislation, a majority of the Board agreed that the

applicant has met its burden that there would be no "substantial" impact and that the negative criteria was satisfied by the applicant's concessions regarding the style and design of the development. The public good would also be advanced by the applicant's monetary contribution to the Borough's Affordable Housing Plan and Recreation which will be of a significant benefit to the Borough in maintaining and improving the provision of affordable housing and recreation to the community.

Resolution:

RESOLVED, that the Applicant, **WASHINGTON SQUARE/JADE ACQUISITION** is granted approval under the Age Restricted Housing Conversion statute for preliminary and final site plan and subdivision approval of its revised project subject to the following conditions:

1. Applicant is granted preliminary and final approval for 72 market rate units and 18 Affordable Housing Units with a contribution of \$50,000.00 towards the Borough's Recreation Program. However, the applicant agrees to cooperate with the Borough to obtain approval from COAH to permit a contribution in lieu of construction of the units which would result in 86 market rate units and a contribution of \$900,000.00 to be apportioned as follows: \$670,000.00 to the Borough for its Affordable Housing rehabilitation plan and \$230,000.00 to the Borough for its Recreation Fund. In the event that there is approval by COAH of the contribution in lieu of the onsite construction of the COAH units, the conversion of the 18 onsite COAH units to market units is approved without an additional appearance or further approval from the Borough Planning Board. The onsite approval will be for 86 market rate units and the contribution of \$900,000. The applicant reserves the right to seek revised approval from the Board should additional sewer capacity become available to permit either 78 market units and 20 affordable units, or 98 market units with a revised total contribution of \$1,000,000.00,

apportioned as follows: \$700,000.00 towards the Borough's Affordable Housing Trust Fund for use in its rehabilitation program and \$300,000 towards the Borough's recreation program.

2. The applicant shall establish an escrow fund for the future payment of the contribution for payment in lieu of the onsite construction of COAH units and for the Recreation Fund. The applicant shall pay the sum of \$11,000 with the issuance of a Certificate of Occupancy for each unit. This amount will be held in escrow by the Borough until such time as there is a determination by COAH as to whether or not the Borough may accept a contribution in lieu of construction of the COAH units. If COAH approves the payment in lieu of construction of the units onsite, the Borough shall have the right to use the money as so designated. If COAH does not approve it, all of the escrow funds shall be returned to the developer, except for the retention of the \$50,000 for contribution towards the Recreation Fund. No interest shall be paid to the developer.

3. Applicant shall obtain any and all other necessary governmental approvals if applicable.

4. Applicant shall perform the work in accordance with the plans submitted in connection with the application and as to be revised subject to the Board's professionals' approval.

5. Applicant shall obtain input from the Borough's Fire and Rescue Departments and comply with any and all recommendations contained therein subject to the right of the developer to return to the Planning Board if it questions any recommendation by the Borough's Fire and Rescue Departments.

6. Applicant shall comply in all respects with the Board Planner's comments set forth in Exhibit B-2 as clarified during the testimony.

10/12/12

7. Applicant shall comply in all respects with the Board Engineer's comments set forth in Exhibit B-3 as clarified during the testimony.

8. ^{see p 5 12} Applicant shall obtain a letter from the Water Company confirming the availability of service as to the revised plan.

9. Applicant shall obtain a letter of "no interest" from the NJDOT.

10. Applicant shall revise the parking to reduce the number of spaces by three for the Affordable Housing buildings parking lot, if same becomes necessary.

11. Applicant shall provide Homeowners' Association documentation and deed restrictions including language prohibiting bedrooms in the basement to the satisfaction of the Board's professionals.

BOROUGH OF WASHINGTON
PLANNING BOARD
APPLICATION #

SECRETARY: Pat Titus

APPROVAL DATE: September 13, 2010

BLOCK 73.02, LOTS 1-42, BLOCK 73.03, LOT 1

VOTE: Aron, McDonald, Blanchard, Van Dursen

Ayes: 4

Nays: 0

I certify that this is a true copy of a resolution adopted by the Planning Board of the Borough of Washington, Warren County, on October 18, 2010, to memorialize the Board's action on September 13, 2010.


PAT TITUS, Secretary

| Vendor # Name | PO # | PO Date | Description | Contract | PO Type | Amount | Charge Account | Acct Type | Description | Stat/Chk | Enc Date | First Rcvd | Chk/Void | Invoice | 1099 | |
|---|----------|-----------------------------|---|---------------------|---------|---|----------------|-----------|-------------|----------|----------|------------|------------|---------|------|--|
| Item Description | | | | | | | | | | | | Date | Date | | Excl | |
| Tracking Id: 510 | | | Books and Other Publications (Non-Exempt) | | | | | | | | | | | | | |
| 3 2/BOOKS WITH BARCODES | | | 25.70 | 1-01-29-390-000-033 | B | MUNICIPAL LIBRARY BOOKS & Pubs | A | 04/11/11 | 04/12/11 | | | | 3017002009 | | N | |
| Tracking Id: 510 | | | Books and Other Publications (Non-Exempt) | | | | | | | | | | | | | |
| 4 5/BOOKS WITH BARCODES | | | 70.57 | 1-01-29-390-000-033 | B | MUNICIPAL LIBRARY BOOKS & Pubs | A | 04/11/11 | 04/12/11 | | | | 3016992809 | | N | |
| Tracking Id: 510 | | | Books and Other Publications (Non-Exempt) | | | | | | | | | | | | | |
| 5 65/RECORDS ON DISK | | | 13.00 | 1-01-29-390-000-033 | B | MUNICIPAL LIBRARY BOOKS & Pubs | A | 04/11/11 | 04/12/11 | | | | 3016992809 | | N | |
| Tracking Id: 510 | | | Books and Other Publications (Non-Exempt) | | | | | | | | | | | | | |
| 6 23/BOOKS WITH BARCODES | | | 370.11 | 1-01-29-390-000-033 | B | MUNICIPAL LIBRARY BOOKS & Pubs | A | 04/11/11 | 04/12/11 | | | | 3016978511 | | N | |
| Tracking Id: 510 | | | Books and Other Publications (Non-Exempt) | | | | | | | | | | | | | |
| ----- | | | | | | | | | | | | | | | | |
| Vendor Total: 1,241.85 | | | | | | | | | | | | | | | | |
| 806.49 | | | | | | | | | | | | | | | | |
| ----- | | | | | | | | | | | | | | | | |
| 11-00418 | 04/11/11 | Books | | B | | | | | | | | | | | | |
| 2 25/BOOKS WITH BARCODES | | | 362.65 | 1-01-29-390-000-033 | B | MUNICIPAL LIBRARY BOOKS & Pubs | A | 04/11/11 | 04/12/11 | | | | 3017004536 | | N | |
| Tracking Id: 510 | | | Books and Other Publications (Non-Exempt) | | | | | | | | | | | | | |
| Vendor Total: 1,241.85 | | | | | | | | | | | | | | | | |
| BLUE DIAMOND DISPOSAL, INC. | | | | | | | | | | | | | | | | |
| 11-00208 | 02/09/11 | 2011 SOLID WASTE COLLECTION | | C1-00003 | C | | | | | | | | | | | |
| 4 MARCH 2011 SOLID WASTE COLL. | | | 20,125.00 | 1-01-26-305-000-028 | B | SOLID WASTE COLLECTION Contractual Svcs | A | 02/09/11 | 04/11/11 | | | | 174058 | | N | |
| Tracking Id: 3651 | | | Waste Removal Services (Exempt) | | | | | | | | | | | | | |
| Vendor Total: 29,820.70 | | | | | | | | | | | | | | | | |
| 11-00222 02/10/11 2011 SOLID WASTE DISPOSAL | | | | | | | | | | | | | | | | |
| 4 138.51/TNS SOLID WASTE DISP. | | | 9,695.70 | 1-01-31-465-000-000 | B | SOLID WASTE DISPOSAL | A | 02/10/11 | 04/11/11 | | | | 174058 | | N | |
| Tracking Id: 3191 | | | Solid Waste Tipping Fees (Exempt) | | | | | | | | | | | | | |
| FOR MARCH 2011 | | | | | | | | | | | | | | | | |
| Vendor Total: 29,820.70 | | | | | | | | | | | | | | | | |
| CHRIS BRANDON CHRISAFIS | | | | | | | | | | | | | | | | |
| 11-00417 | 04/11/11 | REFEREE FEE | | | | | | | | | | | | | | |
| 1 REFEREE FEE | | | 15.00 | T-16-00-858-000-880 | B | STREET HOCKEY Referees/Umpires | A | 04/11/11 | 04/14/11 | | | | | | N | |
| Tracking Id: 3272 | | | Sports Referee/Umpire Services (Non-Exempt) | | | | | | | | | | | | | |
| 3/3/11 Street Hockey: Gry vs Blk | | | | | | | | | | | | | | | | |
| 2 REFEREE FEE | | | 15.00 | T-16-00-858-000-880 | B | STREET HOCKEY Referees/Umpires | A | 04/11/11 | 04/12/11 | | | | | | N | |
| Tracking Id: 3272 | | | Sports Referee/Umpire Services (Non-Exempt) | | | | | | | | | | | | | |
| 3/3/11 Street Hockey: Yel vs Blu | | | | | | | | | | | | | | | | |

| Vendor # Name | PO # PO Date Description | Item Description | Amount | Charge Account | Contract PO Type | Acct Type Description | Stat/Chk | Enc Date | First Rcvd Date | Chk/Void Date | Invoice | 1099 Excl |
|---------------|---|--------------------------------------|--------|---------------------|------------------|--------------------------------------|----------|----------|-----------------|---------------|---------|-----------|
| | 7 TAYLOR SCHOOL - BLACK | | 122.50 | T-16-00-858-000-878 | | B STREET HOCKEY Materials & supplies | A | 01/26/11 | 04/12/11 | | 427637 | N |
| | Tracking Id: 3270 | Sporting Goods Supplies (Non-Exempt) | | | | | | | | | | |
| | PLAYERS (W/NUMBERS ON SHIRTS) | | | | | | | | | | | |
| | YS - 2 | | | | | | | | | | | |
| | YM - 6 | | | | | | | | | | | |
| | YL - 4 | | | | | | | | | | | |
| | COACHES (W/COACH ON SHIRTS) | | | | | | | | | | | |
| | AXL - 1 | | | | | | | | | | | |
| | AXL - 1 | | | | | | | | | | | |
| | 8 TAYLOR SCHOOL - GRAY | | 113.75 | T-16-00-858-000-878 | | B STREET HOCKEY Materials & supplies | A | 01/26/11 | 04/12/11 | | 427637 | N |
| | Tracking Id: 3270 | Sporting Goods Supplies (Non-Exempt) | | | | | | | | | | |
| | PLAYERS (W/NUMBERS ON SHIRTS) | | | | | | | | | | | |
| | YS - 2 | | | | | | | | | | | |
| | YM - 8 | | | | | | | | | | | |
| | YL - 1 | | | | | | | | | | | |
| | COACHES (W/COACH ON SHIRTS) | | | | | | | | | | | |
| | AXL - 2 | | | | | | | | | | | |
| | 9 STREET HOCKEY REFERREE SHIRTS | | 35.00 | T-16-00-858-000-878 | | B STREET HOCKEY Materials & supplies | A | 01/26/11 | 04/12/11 | | 427637 | N |
| | Tracking Id: 3270 | Sporting Goods Supplies (Non-Exempt) | | | | | | | | | | |
| | TY-DYE (RED/ORANGE/YELLOW) | | | | | | | | | | | |
| | ALG - 2 | | | | | | | | | | | |
| | AS - 1 | | | | | | | | | | | |
| | AM - 1 | | | | | | | | | | | |
| | | | ----- | | | | | | | | | |
| | | | 988.75 | | | | | | | | | |
| | | Vendor Total: | 988.75 | | | | | | | | | |
| | ELIZABETH TOWN GAS | | | | | | | | | | | |
| | 11-00100 01/19/11 JAN-MAR NATURAL GAS-LIBRARY | | | | B | | | | | | | |
| | 4 2/8-3/9/11 NATURAL GAS-LIBRARY | | 541.17 | 1-01-29-390-000-079 | | B MUNICIPAL LIBRARY Natural Gas | A | 01/19/11 | 04/11/11 | | | N |
| | Tracking Id: 3612 | Utilities - Gas (Exempt) | | | | | | | | | | |
| | 11-00390 03/31/11 NATURAL GAS USAGE | | | | B | | | | | | | |

| Vendor # Name | PO # PO Date Description | Item Description | Amount | Contract PO Type Charge Account | Acct Type Description | Stat/chk | First Rcvd Enc Date Date | Chk/Void Date | Invoice | 1099 Excl |
|---------------|---|---|-----------|---------------------------------|----------------------------------|----------|--------------------------|---------------|---------|-----------|
| | 11-00411 04/05/11 JAN 2011 LEGAL SERV. RAY RICE | | | | | | | | | |
| | 1 JAN 2011 LEGAL SERV. RAY RICE | 1,119.77 Escrow (Exempt) | 1,119.77 | T-13-00-683-000-000 | B JADE ACQUISITION LLC-SITE PLAN | A | 04/05/11 04/11/11 | | 146489 | N |
| | Tracking Id: 1380 BLOCK 73 LOT 7 FORMERLY REGENCY AT WASHINGTON | | | | | | | | | |
| | 11-00412 04/05/11 FEB 2011 LEGAL SERV. RICE RAY | | | | | | | | | |
| | 1 FEB 2011 LEGAL SERV. RAY RICE | 97.37 | 97.37 | T-13-00-683-000-000 | B JADE ACQUISITION LLC-SITE PLAN | A | 04/05/11 04/11/11 | | 146631 | N |
| | 11-00427 04/11/11 2011 LEGAL SERVICES | | | | | | | | | |
| | 2 JAN-11 FIRST SURETY FINANCIAL | 2,269.53 Professional Services - Legal (Non-Exempt) | 2,269.53 | 1-01-20-155-000-027 | B LEGAL Legal Svcs | A | 04/11/11 04/14/11 | | 146488 | N |
| | 3 FEB-11 FIRST SURETY FINANCIAL | 519.40 Professional Services - Legal (Non-Exempt) | 519.40 | 1-01-20-155-000-027 | B LEGAL Legal Svcs | A | 04/11/11 04/14/11 | | 146630 | N |
| | Tracking Id: 2810 | | | | | | | | | |
| | ----- 2,788.93 | | | | | | | | | |
| | Vendor Total: | | 11,794.71 | | | | | | | |
| | GLONON GLOBAL ONLINE ELECTRONIC SERV. | | | | | | | | | |
| | 11-00332 03/24/11 Web Hosting Basic Monthly | | | | | | | | | |
| | 2 APRIL 2011 INTERNET/LIBRARY | 25.00 Telecommunications (General) (Non-Exempt) | 25.00 | 1-01-29-390-000-076 | B MUNICIPAL LIBRARY Telephone | A | 03/24/11 04/12/11 | | 12575 | N |
| | Tracking Id: 3330 | | | | | | | | | |
| | Vendor Total: | | 25.00 | | | | | | | |
| | MISSENHE HENRY MISSENHEIM JR | | | | | | | | | |
| | 11-00416 04/11/11 REFEREE FEE | | | | | | | | | |
| | 1 REFEREE FEE | 15.00 Sports Referee/Umpire Services (Non-Exempt) | 15.00 | T-16-00-858-000-880 | B STREET HOCKEY Referees/Umpires | A | 04/11/11 04/12/11 | | | N |
| | Tracking Id: 3272 2/15/11 Street Hockey:at Memorial Blu vs Gry | | | | | | | | | |
| | 2 REFEREE FEE | 15.00 Sports Referee/Umpire Services (Non-Exempt) | 15.00 | T-16-00-858-000-880 | B STREET HOCKEY Referees/Umpires | A | 04/11/11 04/12/11 | | | N |
| | Tracking Id: 3272 2/15/11 Street Hockey:at Memorial yel vs Blk | | | | | | | | | |
| | 3 REFEREE FEE | 15.00 Sports Referee/Umpire Services (Non-Exempt) | 15.00 | T-16-00-858-000-880 | B STREET HOCKEY Referees/Umpires | A | 04/11/11 04/12/11 | | | N |
| | Tracking Id: 3272 | | | | | | | | | |

| Vendor # Name | PO # PO Date Description | Amount | Contract PO Type Charge Account | Acct Type Description | Stat/Chk | First Rcvd Enc Date Date | Chk/Void Date | Invoice | 1099 Excl |
|-----------------------------------|---|--------|---------------------------------|--------------------------------------|----------|--------------------------|---------------|-----------|-----------|
| | | 180.00 | | | | | | | |
| | Vendor Total: | 180.00 | | | | | | | |
| HEYER HEYER, GRUEL & ASSOCIATES | 11-00446 04/14/11 Planning serv P&P of Wash | | | | | | | | |
| | 1 MARCH 2011 P&P OF WASHINGTON | 168.75 | T-13-00-687-000-000 | B P & P OF WASHINGTON LLC | A | 04/14/11 04/14/11 | | 30353 | N |
| | Tracking Id: 2840 Professional Services - Planning (Exempt) | | | | | | | | |
| | 66 ROUTE 31 NORTH BLOCK 56 LOT 1 | | | | | | | | |
| | VARIANCE RELIEF AND MINOR SITE PLAN | | | | | | | | |
| | Vendor Total: | 168.75 | | | | | | | |
| IMAGE IMAGE COPY SYSTEMS, INC | 11-00201 02/08/11 MAR-MAY 7255 COPY MACHINE RNTL | | B | | | | | | |
| | 2 MARCH 2011 7255 COPY MACHINE | 457.50 | 1-01-20-100-000-028 | B GENERAL ADMIN Contractual Services | A | 02/08/11 04/11/11 | | 174517003 | N |
| | RENTAL | | | | | | | | |
| | Vendor Total: | 457.50 | | | | | | | |
| LICON LICON LIGHTING & SUPPLY CO. | 11-00366 03/29/11 ELECTRICAL SUPPLIES | | B | | | | | | |
| | 2 LIGHT & BREAKER | 54.36 | 1-01-26-290-000-030 | B STREETS & ROADS Materials/Supplies | A | 03/29/11 04/11/11 | | | N |
| | Tracking Id: 1050 Electrical Equip & Supplies (Non-Exempt) | | | | | | | | |
| | Vendor Total: | 54.36 | | | | | | | |
| GOWISKI MICHAEL GOWISKI | 11-00442 04/14/11 REFUND OF ZONING APPLICATION | | | | | | | | |
| | 1 REFUND OF ZONING APPLICATION | 25.00 | 1-01-55-274-000-000 | B Refund of Revenue | A | 04/14/11 04/14/11 | | | N |
| | Tracking Id: 2912 Refunds (Misc.) (Exempt) | | | | | | | | |
| | Vendor Total: | 25.00 | | | | | | | |
| SCHWAR MICHAEL SCHWAR | 11-00421 04/11/11 REFEREE FEE | | | | | | | | |
| | 1 REFEREE FEE | 30.00 | T-16-00-858-000-867 | B YOUTH BASKETBALL Referees/Umpires | A | 04/11/11 04/12/11 | | | N |

| Vendor # Name | PO # PO Date Description | Contract PO Type | Amount | Charge Account | Acct Type Description | Stat/Chk | First Rcvd | Chk/Void | 1099 |
|---------------------------------------|---|------------------|----------|---------------------|------------------------------------|----------|---------------|----------|---------|
| | Item Description | | | | | | Enc Date Date | Date | Invoice |
| NJWATR NJ AMERICAN WATER CO. INC | | | | | | | | | |
| | 11-00186 02/08/11 JAN-MAR 2011 HYDRANT CHARGES | B | | | | | | | |
| | 4 MARCH 2011 HYDRANT CHARGES | | 5,612.10 | 1-01-25-265-001-073 | B FIRE HYDRANTS Fire Hydrant Chgs | A | 02/08/11 | 04/11/11 | N |
| | Tracking Id: 3615 Utilities - Water (Exempt) | | | | | | | | |
| | Vendor Total: | | 5,612.10 | | | | | | |
| NJHEALTH NJ DEPT HEALTH & SENIOR SERV | | | | | | | | | |
| | 11-00443 04/14/11 ANIMAL CONTROL FEES MARCH | | | | | | | | |
| | 1 ANIMAL CONTROL FEES MARCH | | 13.80 | T-12-00-851-000-000 | B Due to State | A | 04/14/11 | 04/14/11 | N |
| | Tracking Id: 211 Animal Control Services (Exempt) | | | | | | | | |
| | Vendor Total: | | 13.80 | | | | | | |
| NJPLOF NJ PLANNING OFFICIALS INC. | | | | | | | | | |
| | 11-00395 03/31/11 NJPO 2011 dues for PB & BOA | | | | | | | | |
| | 1 NJPO 2011 PLANNING BD DUES | | 180.00 | 1-01-21-180-000-044 | B PLANNING BOARD Professional Dues | A | 03/31/11 | 04/14/11 | N |
| | Tracking Id: 1011 Dues & Memberships (Exempt) | | | | | | | | |
| | 3 2011 BD OF ADJUSTMENT DUES | | 180.00 | 1-01-21-185-000-044 | B BOARD OF ADJ Professional Dues | A | 03/31/11 | 04/14/11 | N |
| | Tracking Id: 1011 Dues & Memberships (Exempt) | | | | | | | | |
| | Vendor Total: | | 360.00 | | | | | | |
| NJPAPR NJN PUBLISHING INC. | | | | | | | | | |
| | 11-00394 03/31/11 reorg resolution publishing | | | | | | | | |
| | 1 PUBLIC MEETING & AFFIDAVIT | | 59.69 | 1-01-21-180-000-021 | B PLANNING BOARD Legal Advertising | A | 03/31/11 | 04/11/11 | N |
| | Tracking Id: 2231 Legal Advertising (Exempt) | | | | | | | | |
| | 2 PROFESSIONAL SERV. & AFFIDAVIT | | 35.01 | 1-01-21-180-000-021 | B PLANNING BOARD Legal Advertising | A | 04/01/11 | 04/11/11 | N |
| | Tracking Id: 2231 Legal Advertising (Exempt) | | | | | | | | |
| | 3 PLANNING BD ATTORNEY&AFFIDAVIT | | 35.68 | 1-01-21-180-000-021 | B PLANNING BOARD Legal Advertising | A | 04/01/11 | 04/11/11 | N |
| | Tracking Id: 2231 Legal Advertising (Exempt) | | | | | | | | |
| | 4 PLANNING BD ENGINEER&AFFIDAVIT | | 35.01 | 1-01-21-180-000-021 | B PLANNING BOARD Legal Advertising | A | 04/01/11 | 04/11/11 | N |
| | Tracking Id: 2231 Legal Advertising (Exempt) | | | | | | | | |
| | 5 PLANNING BD MEETINGS&AFFIDAVIT | | 29.68 | 1-01-21-180-000-021 | B PLANNING BOARD Legal Advertising | A | 04/01/11 | 04/11/11 | N |
| | Tracking Id: 2231 Legal Advertising (Exempt) | | | | | | | | |
| | Vendor Total: | | 360.00 | | | | | | |

| Vendor # Name | PO # PO Date Description | Item Description | Amount | Contract PO Type | Charge Account | Acct Type Description | Stat/Chk | Enc Date | First Rcvd | Chk/Void | Invoice | 1099 |
|---|--------------------------|------------------|--------|------------------|----------------|-----------------------|----------|----------|------------|----------|---------|------|
| | | | | | | | | Date | Date | Date | | Excl |
| APRIL 1ST FROM NOON - 3PM | | | | | | | | | | | | |
| WASHINGTON TOWNSHIP MUNICIPAL BUILDING | | | | | | | | | | | | |
| 3 CEU'S | | | | | | | | | | | | |
| | | | 270.00 | | | | | | | | | |
| Vendor Total: | | | 270.00 | | | | | | | | | |
| VERIZON VERIZON COMMUNICATIONS | | | | | | | | | | | | |
| 11-00430 04/11/11 MAR-MAY INTERNET-LIBRARY B | | | | | | | | | | | | |
| 2 3/10-4/9/11 INTERNET-LIBRARY 91.99 1-01-29-390-000-076 | | | | | | | | | | | | |
| Tracking Id: 3320 Telecommunications (General) (Exempt) | | | | | | | | | | | | |
| | | | 91.99 | | | | | | | | | |
| Vendor Total: | | | 91.99 | | | | | | | | | |
| VITAL VITAL COMPUTER RESOURCES INC. | | | | | | | | | | | | |
| 11-00324 03/10/11 MOD IV MAINT FEB 2011 | | | | | | | | | | | | |
| 1 MOD IV MAINT FEB 2011 400.00 1-01-20-150-000-028 | | | | | | | | | | | | |
| Tracking Id: 840 Computer Software Maintenance (Exempt) | | | | | | | | | | | | |
| | | | 400.00 | | | | | | | | | |
| Vendor Total: | | | 400.00 | | | | | | | | | |
| WCGIRL WARREN COUNTY GIRL'S SOFTBALL | | | | | | | | | | | | |
| 11-00368 03/29/11 LEAGUE FEES | | | | | | | | | | | | |
| 1 LEAGUE FEES - GIRLS SOFTBALL 125.00 T-16-00-858-000-861 | | | | | | | | | | | | |
| Tracking Id: 2913 Recreation League Fees (Non-Exempt) | | | | | | | | | | | | |
| 1/2 7 & 8 GRADE TEAM | | | | | | | | | | | | |
| 2 LEAGUE FEES - GIRLS SOFTBALL 250.00 T-16-00-858-000-861 | | | | | | | | | | | | |
| Tracking Id: 2913 Recreation League Fees (Non-Exempt) | | | | | | | | | | | | |
| 1-5 & 6 GRADE TEAM | | | | | | | | | | | | |
| 3 LEAGUE FEES - GIRLS SOFTBALL 100.00 T-16-00-858-000-861 | | | | | | | | | | | | |
| Tracking Id: 2913 Recreation League Fees (Non-Exempt) | | | | | | | | | | | | |
| 2 - 3 & 4 GRADE TEAM | | | | | | | | | | | | |
| 4 LEAGUE FEES - GIRLS SOFTBALL 25.00 T-16-00-858-000-861 | | | | | | | | | | | | |
| Tracking Id: 2913 Recreation League Fees (Non-Exempt) | | | | | | | | | | | | |
| 1 - K & 2 GRADE TEAM | | | | | | | | | | | | |

| Vendor # Name | PO # | PO Date | Description | Amount | Charge Account | Contract PO Type | Acct Type Description | Stat/Chk | First Enc Date | Rcvd Date | Chk/Void Date | Invoice | 1099 Excl |
|------------------------------------|----------|----------|---|---------------|---------------------------------|------------------|---------------------------------------|----------|----------------|-----------|---------------|---------|-----------|
| | 11 | | PUB.BLDGS.-P.T. 4/15/11 PAYR. Tracking Id: 2560 | 501.43 | 1-01-26-310-000-012 (Exempt) | | B BUILDINGS & GROUNDS Part Time | P | 4169 04/12/11 | 04/12/11 | 04/12/11 | | N |
| | 12 | | SHADE TREE-P.T. 4/15/11 PAYR. Tracking Id: 2560 | 38.92 | 1-01-26-313-000-012 (Exempt) | | B SHADE TREE COMMISSION Part Time | P | 4169 04/12/11 | 04/12/11 | 04/12/11 | | N |
| | 13 | | LIBRARY-F.T. 4/15/11 PAYROLL Tracking Id: 2560 | 2,591.94 | 1-01-29-390-000-011 (Exempt) | | B MUNICIPAL LIBRARY Full Time | P | 4169 04/12/11 | 04/12/11 | 04/12/11 | | N |
| | 14 | | LIBRARY-P.T. 4/15/11 PAYROLL Tracking Id: 2560 | 115.00 | 1-01-29-390-000-012 (Exempt) | | B MUNICIPAL LIBRARY Part Time | P | 4169 04/12/11 | 04/12/11 | 04/12/11 | | N |
| | 15 | | FIRE & SAFETY-4/15/11 PAYROLL Tracking Id: 2560 | 1,854.16 | 1-01-25-265-000-012 (Exempt) | | B FIRE & SAFETY CODE ENF Part Time | P | 4169 04/12/11 | 04/12/11 | 04/12/11 | | N |
| | 16 | | CLERK-P.T. PAYROLL OF 4/15/11 Tracking Id: 2560 | 62.50 | 1-01-20-120-000-012 (Exempt) | | B CLERK Part Time | P | 4169 04/12/11 | 04/12/11 | 04/12/11 | | N |
| | 17 | | BD. OF ADJ.-P.T. 4/15/11 PAYR. Tracking Id: 2560 | 70.00 | 1-01-21-185-000-012 (Exempt) | | B BOARD OF ADJ Part Time | P | 4169 04/12/11 | 04/12/11 | 04/12/11 | | N |
| | 18 | | RDS.-O.T. 4/15/11 PAYROLL Tracking Id: 2560 | 484.00 | 1-01-26-290-000-013 (Exempt) | | B STREETS & ROADS Seasonal | P | 4169 04/12/11 | 04/12/11 | 04/12/11 | | N |
| | 19 | | RECR.-COMM.EXP.-PT 4/15/11 PAY Tracking Id: 2560 | 1,308.25 | 1-01-28-370-857-102 (Exempt) | | B RECREATION-COMMISSION EXP.-S&W-P.T. | P | 4169 04/12/11 | 04/12/11 | 04/12/11 | | N |
| | | | | 39,940.10 | | | | | | | | | |
| | 11-00436 | 04/12/11 | ANIMAL CONTROL-4/15/11 PAYROLL | 419.08 | T-12-00-850-000-103 (Exempt) | | B Salaries and wages | P | 3050 04/12/11 | 04/12/11 | 04/12/11 | | N |
| | 11-00437 | 04/12/11 | Recr.Trst.-Pk./Plygr.PT-4/15 | 225.50 | T-16-00-858-000-015 (Exempt) | | B PARKS & PLAYGROUNDS Part Time | P | 5580 04/12/11 | 04/12/11 | 04/12/11 | | N |
| | | | | Vendor Total: | 40,584.68 | | | | | | | | |
| WASBUS WASHINGTON BOROUGH BUSINESS | | | | | | | | | | | | | |
| | 11-00397 | 04/05/11 | APRIL 2011 S.I.D. PAYMENT | 16,666.67 | 1-01-55-210-000-000 (Exempt) | | B Special District Taxes | A | 04/05/11 | 04/11/11 | | | N |
| | | | | Vendor Total: | 16,666.67 | | | | | | | | |

| Vendor # Name | PO # PO Date Description | Item Description | Amount | Contract PO Type | Charge Account | Acct Type Description | Stat/Chk | First Rcvd | Enc Date Date | Chk/Void | Invoice | 1099 |
|---------------|---|---|------------------------|------------------|---------------------|--------------------------------------|----------|------------|---------------|----------|-------------|------|
| | | | | | | | | | | | | Excl |
| | FASTENERS & BLACKTOP PATCH | | | | | | | | | | | |
| | 5 30/FASTENERS | | 22.80 | | 1-01-26-290-000-030 | B STREETS & ROADS Materials/Supplies | A | 03/10/11 | 04/11/11 | | 036291 | N |
| | Tracking Id: 1210 | Equipment Maint & Repair (General) (Non-Exempt) | | | | | | | | | | |
| | | | 69.76 | | | | | | | | | |
| | 11-00348 03/24/11 GENERAL SUPPLIES | | | | | | | | | | | |
| | 2 FLOOR WAX, MOP SPONGE AND MOP | | 28.48 | | 1-01-26-290-000-030 | B STREETS & ROADS Materials/Supplies | A | 03/24/11 | 04/14/11 | | 036388 | N |
| | Tracking Id: 1250 | Equipment Maint & Repair (Other) (Non-Exempt) | | | | | | | | | | |
| | SPONGE REFILL | | | | | | | | | | | |
| | 3 CHAIN PASS, HARDWARE&SHELVING | | 75.06 | | 1-01-26-290-000-030 | B STREETS & ROADS Materials/Supplies | A | 03/24/11 | 04/11/11 | | 036301 | N |
| | Tracking Id: 1250 | Equipment Maint & Repair (Other) (Non-Exempt) | | | | | | | | | | |
| | | | 103.54 | | | | | | | | | |
| | Vendor Total: | | 173.30 | | | | | | | | | |
| | WITMER WITMER ASSOCIATES, INC. | | | | | | | | | | | |
| | 11-00257 02/24/11 NOMEX FIRE HOODS | | | | | | | | | | | |
| | 1 NOMEX FIRE HOODS | | 529.80 | | 1-01-25-255-000-056 | B FIRE DEPT Fire & Safety Equipment | A | 02/24/11 | 04/11/11 | | 1149125.001 | N |
| | Tracking Id: 1500 | Fire Protection Equipment (Exempt) | | | | | | | | | | |
| | 11-00258 02/24/11 FIREFIGHTING GLOVES | | | | | | | | | | | |
| | 1 FIREFIGHTING GLOVES | | 1,149.00 | | 1-01-25-255-000-056 | B FIRE DEPT Fire & Safety Equipment | A | 02/24/11 | 04/11/11 | | 1149125 | N |
| | Tracking Id: 1500 | Fire Protection Equipment (Exempt) | | | | | | | | | | |
| | 11-00259 02/24/11 RIT BAG W/ SKID PLATE | | | | | | | | | | | |
| | 1 RIT BAG W/ SKID PLATE | | 199.99 | | 1-01-25-255-000-056 | B FIRE DEPT Fire & Safety Equipment | A | 02/24/11 | 04/11/11 | | 1149125.001 | N |
| | Tracking Id: 1500 | Fire Protection Equipment (Exempt) | | | | | | | | | | |
| | Vendor Total: | | 1,878.79 | | | | | | | | | |
| | Total Purchase Orders: | 75 Total P.O. Line Items: | 153 Total List Amount: | 610,060.07 | Total Void Amount: | 0.00 | | | | | | |

| Fund Description | Fund | Budget Total | Revenue Total |
|----------------------------|---------------------|--------------|---------------|
| OPERATING FUND | 1-01 | 591,869.75 | 0.00 |
| FEDERAL & STATE GRANT FUND | G-02 | 7,000.00 | 0.00 |
| ANIMAL CONTROL FUND | T-12 | 957.88 | 0.00 |
| DEVELOPER'S ESCROW FUND | T-13 | 3,159.13 | 0.00 |
| RECREATION TRUST | T-16 | 2,239.25 | 0.00 |
| UNEMPLOYMENT TRUST FUND | T-18 | 4,834.06 | 0.00 |
| | Year Total: | 11,190.32 | 0.00 |
| | Total of All Funds: | 610,060.07 | 0.00 |

BILL LIST 4/19/11 - SEWER

P.O. Type: All
 Format: Detail with Line Item Notes
 Range: 1-05-55-502-000-000 to 1-05-55-502-999-999
 Rcvd Batch Id Range: First to Last
 Department Page Break: No

Print Alpha Capital/Trust, Alpha Grant, & Revenue Accts: N
 Open: N Rcvd: Y Paid: Y
 Held: N Aprv: Y Void: N
 Bid: Y State: Y Other: Y
 Received Date Range: 04/07/11 to 12/31/11
 Include Non-Budgeted: Y

| Budget Account | Description | Item Description | Amount | Stat/Chk | Enc Date | First Rcvd | Chk/Void | PO Type |
|----------------------------|---|--|-----------|----------|----------|------------|----------|----------|
| P.O. Id | Vendor | | | | Date | Date | Date | Invoice |
| Fund: SEWER OPERATING FUND | | | | | | | | |
| 1-05-55-502-000-028 | SEWER OPERATING Contractual Svcs | | | | | | | |
| 11-00278 | 6 USFILT VEOLIA WATER | MAR. 2011 SEWER OPER. & MAINT. | 59,653.19 | A | | 03/01/11 | 04/12/11 | 2307 |
| | Tracking Id: 3712 | water & wastewater operations (Non-Exempt) | | | | | | |
| 11-00278 | 7 USFILT VEOLIA WATER | MAR. 2011 MEADOWS DEVELOPMENT | 206.77 | A | | 03/01/11 | 04/12/11 | 2307 |
| | Tracking Id: 3712 | water & wastewater operations (Non-Exempt) | | | | | | |
| 11-00420 | 2 EDMUND EDMUNDS & ASSOCIATES, INC. | SWR 2011 SOFTWARE MAINT-CREDIT | 1,799.72 | A | | 04/11/11 | 04/12/11 | 11-00489 |
| | Tracking Id: 850 | Computer Software Maintenance (Non-Exempt) | | | | | | |
| | SEWER UTILITY SOFTWARE MAINT HAS A | | | | | | | |
| | CREDIT OF \$516.28 WHICH WAS SUBTRACTED | | | | | | | |
| | FROM THE AMOUNT TO PAY | | | | | | | |
| | \$248.00 CREDIT WAS TAKEN FR TAX COLL | | | | | | | |
| | | | 61,659.68 | | | | | |
| 1-05-55-502-000-079 | SEWER OPERATING Utilities-Natural Gas | | | | | | | |
| 11-00165 | 4 ELIZG ELIZABETHOWN GAS | 2/8-3/9/11 NATURAL GAS-SEWER | 58.31 | A | | 02/02/11 | 04/11/11 | B |
| | Tracking Id: 3612 | Utilities - Gas (Exempt) | | | | | | |
| | Department Total: | | 61,717.99 | | | | | |
| | CAFR Total: | | 61,717.99 | | | | | |
| | Fund Total: SEWER OPERATING FUND | | 61,717.99 | | | | | |
| | Year Total: | | 61,717.99 | | | | | |

Total P.O. Items: 4 Total List Amount: 61,717.99 Total Void Amount: 0.00

| Fund Description | Fund | Budget Total |
|------------------|------|--------------|
|------------------|------|--------------|

| | | |
|----------------------|------|-----------|
| SEWER OPERATING FUND | 1-05 | 61,717.99 |
|----------------------|------|-----------|

Total of All Funds:
===== 61,717.99