

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – February 15, 2011**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:30 P.M.

Roll Call: McDonald, Gleba, Jewell, Higgins, Valentine, Boyle, Torres - Present

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

Mayor McDonald led everyone in the flag salute.

Mayor McDonald read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.

PROCLAMATION

The following proclamation was presented to Charles Wright for his fifty five years of dedicated service to the Washington Borough Fire Department.

**A PROCLAMATION OF THE BOROUGH OF WASHINGTON
EXPRESSING APPRECIATION TO CHARLES F. WRIGHT FOR HIS SERVICE
TO THE WASHINGTON BOROUGH FIRE DEPARTMENT**

WHEREAS, Charles F. Wright has honorably served the Borough of Washington in the capacity as a dedicated member of the Washington Borough Fire Department for the past fifty-five years; and

WHEREAS, Charles F. Wright, joined the Washington Borough Fire Department in January 1956; and

WHEREAS, Charles F. Wright served as Chief of the Department from January 1980 to December 1981; and

WHEREAS, Charles F. Wright has been active with fire training and as an instructor at the National, State, and County levels; and

WHEREAS, the Borough of Washington has benefited greatly from his guidance in all matters affecting the operations of the Washington Borough Fire Department during his long tenure; and

WHEREAS, Charles F. Wright has devoted himself to the betterment of the Borough of Washington and;

WHEREAS, as the elected representatives of the Borough of Washington, the Mayor and Council desire to formally express the heartfelt appreciation of the entire community to Charles F. Wright for his many years of outstanding and dedicated service to the Borough of Washington.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington in the County of Warren, State of New Jersey that the appreciation of the community is hereby expressed to Charles F. Wright for his fifty-five years of dedicated and honorable service to the citizens of the Borough of Washington and our sincerest best wishes are expressed to him and his family now and in the future.

BE IT FURTHER RESOLVED that the Borough Clerk be directed to have this proclamation duly embossed and framed for presentation by the Mayor of the Borough of Washington on February 15, 2011 and to have a certified copy of this proclamation recorded in the permanent record of the Borough of Washington in perpetuity.

2011 Budget – Natasha Turchan

Ms. Turchan stated that at the last meeting she had provided information to the Borough Manager so that he would be able to present the initial budget information to Council. Ms. Turchan stated unfortunately she had made a mistake reading the overall increase. The increase is actually eight cents; not the original one cent increase she stated to the Borough Manager earlier. The contents of the budget remain the same. Manager Phelan stated that this is still a substantial reduction over past years. The only variable in the budget that remains outstanding is the Washington Township Police budget.

PRESENTATION

Schneider and Co.

Mr. Schneider summarized his firms training and experience over the last several years. Mr. Schneider is a CPA and is certified in Financial Forensics. He also worked in public service for eleven years. Mr. Schneider started is own firm two years ago and most recently provided Vernon Township with a forensic audit.

Mr. Schneider stated he would use a three phase system. First phase consists of an initial review of procedures and reviewing all journal entries, vouchers, etc. He would then present his findings to Council. During phase two he would pursue in more detail any findings as directed by Council. Phase three would consist of litigation, if any.

Councilman Boyle voiced his concerns over a full forensic audit versus an audit that will only focus on major projects or purchases. Mr. Schneider stated it is his responsibility to provide the service for the most effective use of the Borough's money. It is also his responsibility to testify to Council that he has covered the major areas.

MINUTES:

Mayor McDonald entertained a motion to approve the minutes of the Regular meeting of February 2, 2011.

Motion made by Boyle, seconded by Valentine.

Roll Call: Higgins, Boyle, McDonald, Gleba, Valentine, Jewell, Torres

Several corrections were noted by Councilman Boyle, Councilman Higgins, and Councilwoman Gleba and noted by the Clerk.

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

EXECUTIVE SESSION MINUTES:

Mayor McDonald entertained a motion to approve the Executive Session minutes of February 2, 2011.

Motion made by Jewell, seconded by Higgins and approved.

Ayes: 7, Nays: 0
Motion Carried

CORRESPONDENCE

Mayor McDonald entertained a motion to receive and file the following correspondence:

Warren Hills Re: Project Graduation
Washington Township Re: Shared Service Agreement

Motion made by Higgins, seconded by Boyle and approved.

Ayes: 7, Nays: 0
Motion Carried

Discussion: Council discussed the Project Graduation donation request. Council regrettably can not donate this year. Manager Phelan will follow up with a letter.

Shared Service Agreement will be discussed in Executive Session.

AUDIENCE

Mayor McDonald opened the audience portion of the meeting.

Kathy Moore 220 W Washington Ave.

Ms. Moore requested permission to block off the ally (Church Street extension) for a party on March 5, 2011 from 4:30 to 7:30 p.m. Councilman Jewell motioned to approve, seconded by Councilwoman Gleba and subject to the approval and notification of the DPW, Washington Police Department, and emergency personnel.

Ayes: 6, Nays: 0
Abstain: 1 (Boyle)

Susan Sloan 89 Grand Ave.

Mrs. Sloan noted that she had seen what looked like a pile of old furniture on the side of the Fire Department Building. Audience member Keith Gonzales stated that the Fire Department is in the process of disposing of the items.

Motion made by Jewell, seconded by Gleba to close the audience portion of the meeting.

ORDINANCES

None

REPORTS:

Motion was made by Gleba, seconded by Valentine to receive and file the following reports:

1. Managers Reports (redacted version)
2. Tax Collectors Revenue Report
3. Tax Collectors Sewer Fund Revenue Report
4. CFO Report

5. Municipal Court
6. Issues/Details

Councilwoman Gleba stated in the Managers Report it was reported the Borough had won an award from the Insurance Fund. Manager Phelan state yes, the award was for reduction in workman’s comp claims. She also asked if the revenue in the Borough Clerks line item on the Tax Collectors Revenue report was the cable franchise fees. Manager Phelan stated yes. Councilwoman Gleba also requested if a collection rate for sewer collections could be determined. Manager Phelan stated he will look into this.

Councilman Boyle asked if all ordinance violations require a court appearance. Attorney Cushing stated that the reason they require an appearance is so the judge can set the fine. The fines are usually determined within a range. Councilman Boyle stated it would be much more convenient to be able to pay fines on line without having to make an appearance. Attorney Cushing stated this would need to be cleared by the judge. He also noted that people are able to plead guilty via affidavit and pay their fine. Councilman Boyle asked Manager Phelan to speak with the judge and see if he allows affidavits. Council concurred.

Councilman Higgins noted the Municipal Court report says Washington Township and the revenue collected does not match the Tax Collectors revenue report. Manager Phelan will reach out to the Court and get back to Council on the discrepancy.

Councilman Boyle asked if the Borough is responsible for clearing the sidewalks near the retention basin on Lambert Street. Manager Phelan will review and provide information to Council.

Ayes: 7, Nays: 0
Motion Carried

COMMITTEE REPORTS:

None

OLD BUSINESS

Recreation Commission Ordinance Discussion

Manager Phelan stated that if there are no other changes he will be able to combine the changes and present to Council a draft Ordinance. Councilman Torres stated that he would like to see Bylaws for the Recreation Commission approved by Council. He would like the Bylaws to be made part of the Ordinance. Attorney Cushing stated that the Commission is regulated by the Ordinance and is not sure there is a need for Bylaws.

Mayor McDonald suggested Council discuss Bylaws after the adoption of the Ordinance. Councilman Torres stated he would like the opportunity to present Bylaws as part of the Ordinance. Councilman Torres will provide the Manager with Bylaws from other Recreation Commissions for Council's consideration.

Councilman Boyle asked if Council should hold off on any further Recreation Committee appointments until the Ordinance is adopted. Mayor McDonald stated the Recreation Committee is beginning the start of their busy season. Most people who are serving on the Committee will be appointed to the Commission.

NEW BUSINESS

Approval of Social Affairs Permit for Washington Fire Department April 9, 2011.

Motion made by Gleba, seconded by Torres and approved.

Ayes: 5, Nays: 0
Abstain: Jewell, Higgins (2)
Motion Carried

Approval of Social Affairs Permit for St. Josephs Church – Irish Night March 12, 2011

Motion made by Higgins, seconded by Torres and adopted.

Ayes: 6, Nays: 0
Abstain: Boyle (1)
Motion Carried

Approval of Brian Olson – Membership Application Washington Fire Department

Motion made by Boyle, seconded by Gleba and approved.

Ayes: 5, Nays: 0
Abstain: Jewell, Higgins (2)
Motion Carried

Resolutions 43-2011 through 48-2011 Tax Sale Certificate Redemptions

Resolutions 43-2011 through 48-2011 were moved on a motion made by Valentine, seconded by Boyle and adopted.

Roll Call: Valentine, Boyle, Gleba, Jewell, Torres, McDonald, Higgins – yes
Higgins – Abstained from 48-2011

Ayes: 7, Nays: 0

Abstain: Higgins 48-2011 only (1)
Motion Carried

RESOLUTION #43-2011

**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 Pro Capital I LLC, TLGS; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102, in the amount of \$604.20 for taxes or other municipal liens assessed for the year 2009 in the name of Manalo, Ramone D & Pamela, as supposed owners, and in said assessment and sale were described as 10 Alvin Sloan Avenue, Block 2.10 Lot 1, which sale was evidenced by Certificate #10-00002; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-27-11 and before the right to redeem was cut off, as provided by law, Chase, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust Pro Capital LLC, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$668.28, which is the amount necessary to redeem Tax Sale Certificate #10-00002.

NOW THEREFORE BE IT RESOLVED, on this 15TH day of February, 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 Pro Capital LLC, TLGS; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102 in the amount of **\$768.28** (this amount consists of \$668.28 Certificate Amount redeemed + \$100.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 2.10 Lot 1 from the tax office records.

RESOLUTION #44-2011

**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 Pro Capital I LLC, TLGS; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102, in the amount of \$256.92

for taxes or other municipal liens assessed for the year 2009 in the name of Annese, Michael L, as supposed owners, and in said assessment and sale were described as 259 W Warren St, Block 3 Lot 6, which sale was evidenced by Certificate #10-00003; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-20-11 and before the right to redeem was cut off, as provided by law, Chase/FARETS, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust Pro Capital LLC, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$314.06, which is the amount necessary to redeem Tax Sale Certificate #10-00003.

NOW THEREFORE BE IT RESOLVED, on this 15TH day of February, 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 Pro Capital LLC, TLGS; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102 in the amount of **\$414.06** (this amount consists of \$314.06 Certificate Amount redeemed + \$100.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 3 Lot 6 from the tax office records.

RESOLUTION # 45-2011

**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/Sass Muni VI dtr, TLGS- 2 Liberty Place, 50 South 16th St-Ste 1950, Philadelphia, PA 19102, in the amount of \$1,000.27 for taxes or other municipal liens assessed for the year 2009 in the name of France, Edward S, as supposed owners, and in said assessment and sale were described as 11 Vannatta St, Block 81.01 Lot 4, which sale was evidenced by Certificate #10-00027; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-24-11 before the right to redeem was cut off, as provided by law, Corelogic claiming to have an interest in said lands, did redeem said lands claimed by U.S. Bank-Cust/Sass Muni VI dtr by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$2,043.60, which is the amount necessary to redeem Tax Sale Certificate #10-00027.

NOW THEREFORE BE IT RESOLVED, on this 15th day of February 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/Sass Muni VI dtr, TLGS- 2 Liberty Place, 50 South 16th St-Ste 1950, Philadelphia, PA 19102, in the amount of

\$2,543.60 (this amount consists of \$2,043.60 amount to redeem the certificate + \$500 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 81.01 Lot 4 from the tax office records.

RESOLUTION # 46-2011

**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 Stonefield Inv Fund I, LLC, 21 Robert Pitt Drive #202, Monsey, NY 10952, in the amount of \$556.51 for taxes or other municipal liens assessed for the year 2009 in the name of Comerro, Kyle P & Nikole, as supposed owners, and in said assessment and sale were described as 6 Myrtle Ave, Block 44 Lot 35, which sale was evidenced by Certificate #10-00020; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2-4-11 and before the right to redeem was cut off, as provided by law, BAC Tax Services claiming to have an interest in said lands, did redeem said lands claimed by Stonefield Inv Fund I, LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,098.39, which is the amount necessary to redeem Tax Sale Certificate #10-00020.

NOW THEREFORE BE IT RESOLVED, on this 15th day of February, 2011 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Stonefield Inv Fund I, LLC, 21 Robert Pitt Drive #202, Monsey, NY 10952 in the amount of **\$1,298.39** (this amount consists of \$1,098.39 Certificate Amount redeemed + \$200.00 Premium)

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 44 Lot 35 from the tax office records.

RESOLUTION # 47-2011

**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 Stonefield Inv Fund I, LLC, 21 Robert Pitt Drive #202, Monsey, NY 10952, in the amount of \$590.62 for taxes or other municipal liens

assessed for the year 2009 in the name of Ron, Sonia, as supposed owners, and in said assessment and sale were described as 107 Park Ave, Block 82 Lot 20.01, which sale was evidenced by Certificate #10-00028; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-20-11 and before the right to redeem was cut off, as provided by law, Corelogic Tax Services claiming to have an interest in said lands, did redeem said lands claimed by Stonefield Inv Fund I, LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,133.18, which is the amount necessary to redeem Tax Sale Certificate #10-00028.

NOW THEREFORE BE IT RESOLVED, on this 15th day of February, 2011 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Stonefield Inv Fund I, LLC, 21 Robert Pitt Drive #202, Monsey, NY 10952 in the amount of **\$1,433.18** (this amount consists of \$1,133.18 Certificate Amount redeemed + \$300.00 Premium)

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 82 Lot 20.01 from the tax office records.

RESOLUTION # 48-2011

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 Stonefield Inv Fund I, LLC, 21 Robert Pitt Drive #202, Monsey, NY 10952, in the amount of \$590.62 for taxes or other municipal liens assessed for the year 2009 in the name of Ingram, Nicholas, as supposed owners, and in said assessment and sale were described as 46 Lenape Trail, Block 101.01 Lot 14, which sale was evidenced by Certificate #10-00042; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-20-11 and before the right to redeem was cut off, as provided by law, Chase/FARETS claiming to have an interest in said lands, did redeem said lands claimed by Stonefield Inv Fund I, LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,133.18, which is the amount necessary to redeem Tax Sale Certificate #10-00042.

NOW THEREFORE BE IT RESOLVED, on this 15th day of February, 2011 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Stonefield Inv Fund I, LLC, 21 Robert Pitt

Drive #202, Monsey, NY 10952 in the amount of **\$1,433.18** (this amount consists of \$1,133.18 Certificate Amount redeemed + \$300.00 Premium)

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 101.01 Lot 14 from the tax office records.

Resolution 49-2011 Sewer EDU Reduction

Resolution 49-2011 was moved on a motion made by Jewell, seconded by Higgins and adopted.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 49-2011
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
22/5	Charles B. Roseberry 32 North Lincoln Ave. Washington, NJ 07882	Change in Use (2) to (1) E.D.U. Effective: March 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.

Resolution 50-2011 Redemption of Tax Certificate

Motion made by Jewell, seconded by Boyle and adopted.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION #50-2011

**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 Pro Capital I LLC, TLGS; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102, in the amount of \$596.30 for taxes or other municipal liens assessed for the year 2009 in the name of Nationstar Mortgage LLC, as supposed owners, and in said assessment and sale were described as 177 Belvidere Avenue, Block 20.03 Lot 3, which sale was evidenced by Certificate #10-00014; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2-8-11 and before the right to redeem was cut off, as provided by law, GMAC Mortgage, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust Pro Capital LLC, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$723.14, which is the amount necessary to redeem Tax Sale Certificate #10-00014.

NOW THEREFORE BE IT RESOLVED, on this 15TH day of February, 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 Pro Capital LLC, TLGS; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102 in the amount of **\$723.14**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 20.03 Lot 3 from the tax office records.

Resolution 52-2011 Adoption of National Incident Management System

Resolution 52-2011 was moved on a motion made by Gleba, seconded by Valentine and adopted.

Ayes: 5, Nays: 0
Abstain: Jewell, Higgins (2)

**Resolution authorizing the Borough of Washington, Warren County,
to adopt the National Incident Management System (NIMS) for
All Departments and Agencies of the Borough, including
Volunteer Organizations that provide
Government Services or Receive Financial or other Borough Support**

WHEREAS, the President of the United States has issued Homeland Security Presidential Directive #5, in which he directs the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), thus providing a unified, nationwide approach for responders from multiple jurisdictions and or disciplines to effectively work together to respond to natural disasters and emergency incidents; and

WHEREAS, the New Jersey Department of Homeland Securities has required all counties to adopt NIMS by ordinance or resolution as a condition of eligibility for numerous grant awards and to apply its mandate to all departments and agencies of County government, including volunteer organizations that provide County government services or received financial or other County support; and

WHEREAS, the Freeholders are asking that each municipality adopt a resolution mandating that the National Incident Management System (NTMS) be utilized for all incident management in each municipality ; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, County and Local Municipalities; and

WHEREAS, it is critical that Federal, State, County and Local emergency response organizations utilize unified standards for terminology and structuring, personnel qualifications, comprehensive resource management and for planning, training and exercising;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council, Borough of Washington, County of Warren, that the Borough mandates that the National Incident Management Systems (NIMS) be utilized for all incident management in the Borough of Washington; and

BE IT FURTHER RESOLVED, that all Municipalities within the County of Warren and the Freeholders be sent a copy of this Resolution.

Resolution 53-2011 Recreation Committee Appointment – April Tull

Resolution 53-2011 was moved on a motion made by Valentine, seconded by Gleba and adopted.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION 53-2011

RECREATION COMMITTEE

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

WHEREAS, under this plan the Mayor of the Borough is to appoint the members of the Recreation Committee with the consent of the Borough Council; and

WHEREAS, the Mayor has designated the following person his appointee;

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the Recreation Committee for a term ending **12/31/2015**

April Tull

Resolution 54-2011 Recreation Committee Appointment – Victor Cioni

Resolution 54-2011 was moved on a motion made by Valentine, seconded by Gleba and adopted.

Ayes: 5, Nays: 2 (Jewell, Higgins)

RESOLUTION 54-2011

RECREATION COMMITTEE

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

WHEREAS, under this plan the Mayor of the Borough is to appoint the members of the Recreation Committee with the consent of the Borough Council; and

WHEREAS, the Mayor has designated the following person his appointee;

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the Recreation Committee for a term ending **12/31/2015**

Victor Cioni

VOUCHERS

Mayor McDonald entertained a motion to approve the payments and vouchers in the amount of \$843,336.60

Motion made by Higgins, seconded by Torres.

Council Discussion: Councilwoman Gleba asked about the payment for the Municipal Attorney regarding the DPW garage. She asked if this money will be recouped. Manager Phelan stated yes. She also noted that on page 20 of the bill list sewer should be separated. Manager Phelan stated this is debt service and will show up on both bill lists. She asked about the payment to the engineer regarding the GIS System. Did the Borough receive anything from the work that was done? Manager Phelan stated no; Council cancelled the work prior to anything being completed. Councilman Jewell asked about the traffic light bill for Rt. 31 and Jefferson. Manager Phelan stated this bill is for street lamps not traffic lights.

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

Ayes: 7 Nays: 0

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

RECAP

Manager Phelan will send a letter to Project Graduation, he will work with the resident who wishes to close an alley on March 5th. Manager Phelan will look into who owns the sidewalk near the retention basin on Lambert Street for shoveling purposes, he will reach out to the judge to discuss affidavits for ease in paying fines, he will draft the Recreation Commission Ordinance. Councilman Torres will provide Bylaws to Manager Phelan by the next meeting for inclusion in the draft ordinance and/or Council discussion.

COUNCIL REMARKS

Councilwoman Gleba motioned to have the \$25,000 received from Comcast for franchise renewal used to offset the payment of Comcast bills at Borough Hall and the DPW Garage. Manager Phelan will reach out to the Library to see if they are interested in using Comcast as well; seconded by Jewell. All in favor.

Councilwoman Gleba also noted that the Sustainable Energy/Green Team should be added to the Subcommittee Committee survey on the website and also include a category "other" as well. Council agreed.

Councilman Boyle noted the Municipal Engineers letter regarding sewer usage was addressed to the wrong person for the Borough Schools.

Councilman Jewell congratulated Charles Wright for his many years of service to the Fire Department.

Councilman Higgins also congratulated Charles Wright. He also noted the Fire Department is hosting a comedy night on April 9th for those interested.

Councilman Valentine asked if the Borough of Washington was eligible to received aid from the State due to recent snowstorms. Manager Phelan stated no; Warren County was not one of the Counties listed.

Councilman Higgins also asked when the RFP's would be received for the forensic audit. Manager Phelan stated March 9; all the advertising has been completed.

At this time, motion made by Jewell, seconded by Higgins to enter Executive Session for personnel after a five minute recess.

Ayes: 7, Nays:
Motion Carried

Council entered Executive Session at 9:30 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;

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: Washington Township Police Agreement/Construction Shared Service Agreement _____ 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 Boyle, seconded by Higgins, to exit Executive Session at 9:50 p.m.

Ayes: 7, Nays: 0
Motion carried.

Hearing no further business, a motion was made by Boyle, seconded by Valentine, to adjourn the meeting at 9:50 pm.

Ayes: 7, Nays, 0
Motion Carried.

Mayor Scott McDonald

Kristine Blanchard, Borough Clerk

