

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

June 6, 2012

7:00 PM

STATEMENT OF ADEQUATE NOTICE:

ROLL CALL: Clerk will call the Roll

MINUTES: May 1, 2012 – Regular Session

CORRESPONDENCE:

- Musconetcong River Management Council Re: Shabbecong Mountain Preserve
- Washington Township Re: Police Shared Services
- CFO – Update on Electronic (ACH) Tax and Sewer Payments (available Monday)

COUNCIL APPEARANCE:

Cinelli Iron and Metal

AUDIENCE:

Remarks, petitions, statements and testimony from guests

ORDINANCES:

Ordinance 4-2012 An Ordinance Providing Funding for Recreation Capital Purposes for the Borough of Washington and Appropriating \$12,500 for such purpose. (Introduction)

Ordinance 5-2012 An Ordinance Granting an Access Easement to Washington Community Solar LLC as the Successful Bidder for the Supply of Renewable Energy Based Electricity to the

Borough's Wastewater Treatment Plant and Department of Public Works Garage. (Introduction)

REPORTS

Borough Manager Reports
Police Activity Report
Municipal Court Report

COMMITTEE REPORTS

Sewer Subcommittee

OLD BUSINESS:

None

NEW BUSINESS:

1. Resolution 92-2012 Redemption of Tax Sale Certificate
2. Resolution 93-2012 Approval of Item of Revenue – Clean Communities
3. Resolution 94-2012 Approval of Item of Revenue – Small Cities Grant (ARC pass through grant)
4. Approval of Warren County Housing Program Agreement – COAH Funds Commitment
5. Resolution 95-2012 Void and Replace Check

VOUCHERS:

List Attached

RECAP

COUNCIL REMARKS:

Remarks, Reports, Discussions

EXECUTIVE SESSION: (if necessary)

Resolution 91-2012 Executive Session

ADJOURNMENT: _____ P.M.

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – May 1, 2012**

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, Torres, Valentine, Higgins

Also Present: Kristine Blanchard, Acting Manager/Borough Clerk

Mayor McDonald led everyone in the flag salute.

Mayor McDonald read the following Statement into the Record:

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

EXECUTIVE SESSION:

Motion made by Torres seconded by Gleba to enter Executive Session for the purpose of contract negotiations – Trust for Public Land.

84-2012

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: Trust for Public Land . 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.

Council entered Regular Session at 7:00 p.m.

PROCLAMATION:

Mayor McDonald read the following proclamation in honor of Older Americans Month.

PROCLAMATION
Borough of Washington

WHEREAS, it has become a tradition that the Month of May is designed as Older Americans Month; and

WHEREAS, the growing population of older adults in our county and our municipality continues to make innumerable positive contributions through their efforts as volunteers and citizens; and

WHEREAS, the Borough of Washington wishes to honor our older adults for their past and present contributions and encourages our older residents to remain in the mainstream of life as they continue to play a vital role in our society, and particularly our local community;

NOW, THEREFORE, BE IT RESOLVED, that I, Mayor Scott McDonald of the Borough of Washington, hereby proclaim May 2012 as OLDER AMERICANS MONTH in Washington Borough.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of
May, 2012 .

COORESPONDENCE:

Motion made by Torres, seconded by Higgins to receive and file the following
correspondence.

- State of NJ Re: Green Street
- Assemblyman Erik Peterson

Ayes: 5, Nays: 0
Motion Carried

MINUTES:

Motion made by Higgins, seconded by Valentine to approve the minutes of April
3, 2012 and April 17, 2012 and the Executive Session minutes of April 3, 2012 and April
17, 2012.

Ayes: 5, Nays: 0
Motion Carried

COUNCIL APPEARANCE:

Schneider and Co. Forensic Auditor

Warren Schneider presented the forensic account investigation he conducted to
years 2006, 2007, 2008, 2009, and 2010 to the Governing Body.

Mr. Schneider began by giving some background information on the project. He
stated that the firm analyzed certain accounting records of the Borough. They obtained all
of the semi monthly bill lists for the period of January 1, 2006 through December 31,
2010. Mr. Schneider noted that in May of 2008 the Borough changed financial software
vendors. He stated they were told only account balances were brought over into the new
system and that no electronic back up of the detailed financial data was maintained. Even
if it were kept the Borough has no working copy of the old financial software. He noted
that in addition only sporadic hard copies of certain ledger prior to May 2008 were kept.

Mr. Schneider stated that in order for his firm to accomplish the investigation they had to manually input the bill lists from January 2006 through May of 2008. They were then able to reconcile the total amount of disbursements.

Mr. Schneider also pointed out that the Borough changed its chart of accounts in May 2008; it is possible that the certain transactions would have been summarized in different accounts.

Mr. Schneider stated that his firm has summarized \$150,226.71 of disbursements by account code and then listed them by descending dollar value.

At this time, Mr. Schneider explained his observations and findings. He noted the first item as the DPW – Garage. The amounts allocated to the project totaled \$2,970,000 from 2000 through 2007. He noted that in 2007 the bid specs called for \$75,000 in additional design fees after \$1,300,000 were expended from Ordinances in 2000 and 2005 in soft costs and design fees. He stated that it is not clear whether the 1.3 million expended in those ordinances had any value. The total amount spent on the garage over the course of seven years was \$2,970,000 of which only \$1,570,935 were actual hard costs associated with the garage.

Downtown Streetscape

Mr. Schneider noted that a total of \$2,273,265 were allocated to the downtown streetscape project. He noted that in the late stages of the project \$403,750 had to be funded by long term debt and it appears that the project might have been better planned and budgeted so that all of the late stage costs could have been absorbed in the Federal and State grants the Borough was receiving to fund the project.

Interfund Transfers

Mr. Schneider noted the practice of interfund transfers to maintain cash liquidity between certain operating and capital funds is not within good fiscal policy and shows the Borough may not have had an adequate understanding of the timing of its cash needs in certain operating and capital funds.

Borough Park Pool Improvements

Mr. Schneider noted the Recreation Commission and the Borough bonded \$713,200 for Borough park and pool improvements. Mr. Schneider noted a change order was approved by Council in February 6, 2008 to include lifeguard stands and starter blocks. He noted it appears that the contractor may have begun work on the stands and starter blocks on January 24, 2008. It is Mr. Schneider's opinion that the contractor took a risk of non payment by beginning work prior to a formal approval.

Fire Truck Purchases.

Mr. Schneider stated the Borough appropriated \$400,000 to purchase a pumper truck in 2006. Three bids were received with the lowest being Rosenbauer. The Borough then determined the lowest bidder had numerous issues of non compliance with the bid procedure. The Borough awarded the bid to Pierce Manufacturing. Rosenbauer then communicated to the Borough that the specifications published by the Borough Fire Chief were proprietary to Pierce Manufacturing.

The Borough also purchased a new Aerial truck in late 2008. When bids were received the Borough's \$875,000 appropriation was insufficient to accept the \$891,000 bid from Pierce Manufacturing. The Borough adopted a resolution on December 31, 2008 to supplement the shortfall. Mr. Schneider noted that a reasonable person could argue; 1. only one bid was received, bidders were given only 12 days for bid responses, and the time pressure to execute a contract was only 8 days including Christmas.

Mr. Schneider noted he would like to thank the Borough employees for their cooperation.

Mayor McDonald asked Mr. Schneider if he suspected any criminal activity. Mr. Schneider stated there is no mention of criminal activity in his report.

Councilman Torres stated this report does not contain any mention of the items on the revenue side. There is no mention of revenue compared to expenditures. He asked if there was a physical inventory of equipment. Mr. Schneider stated that he asked for a physical inventory and he was told there was none. He asked if prior managers were consulted during the audit. Mr. Schneider noted that Mr. Phelan was the only manager he consulted with. Mr. Torres asked if there was a reconciliation of bank accounts. It is quite possible there is money sitting in an old account. Mr. Schneider stated that some of those things were his call. Mr. Torres asked how many people in interviewed. Mr. Schneider stated that his report speaks for itself.

Councilman Higgins noted that the Borough expended 150 million over five years. According to the municipal audit the Borough only spent roughly 20 million per year. The Borough could have only spent 1 million over five years. Mr. Schneider noted that some disbursements could have been counted more than once. For example; the Borough paid Recreation then Recreation Commission paid vendors. The Borough funded other funds. Mr. Higgins asked if the sewer accounts were included in the interfund reconciliation. Mr. Schneider stated yes he did. Mr. Higgins asked if there was anything illegal about the Borough's bidding practices. Mr. Schneider stated he is not a lawyer. Mr. Higgins asked why there is no value in the original 1.3 million allocated for the garage. Mr. Schneider noted that the Borough started over with design plans. Therefore there was no value; there was inadequate design by the previous engineer as noted in the report as a quote from Suburban Engineering. Mr. Higgins asked other than staff how many individuals were interviewed and was any current sitting council member interviewed. Mr. Schneider stated no.

Councilwoman Gleba asked if the Borough was over or under the 2.9 million expended on the garage. Mr. Schneider stated that at the end of the day it is our feeling that the 1.3 million dollars had no value; only 53% of the total amount was spent on hard costs of the building project. Mrs. Gleba asked for explanation of exhibits 17 and 20. Mr. Schneider explained that you need to add those two exhibits take the five columns on 17 and two on 20. Mrs. Gleba will look at those numbers. Mrs. Gleba asked if we canceled the rest of the money that was appropriated for the aerial truck. Mr. Schneider stated that he does not know if it was canceled. It would have had to have been expended for them to pick this up. Mrs. Gleba asked for any recommendations for the Borough? Mr. Schneider stated that this was his report. Mr. Schneider noted that they looked at every single area and this is what rose to the top. Mrs. Gleba asked if we will get copies of the data that was compiled. Mr. Schneider stated it is not in a readable data form. Mayor McDonald noted that questions could be forwarded to the CFO and Manager and they will do their best to investigate.

Mayor McDonald thanked Mr. Schneider for his report and noted that Mr. Schneider will not take questions from the public right now.

Motion made by Higgins, seconded by Torres to take a five minutes recess.

Ayes: 5, Nays: 0
Motion Carried

Council reconvened with everyone present.

Mayor McDonald opened the audience portion of the meeting.

Rudy Bescherer Broad Street

Mr. Bescherer asked why the people, the residents, permitted to ask questions. He stated the contract states that he will interview employees, vendors, and volunteers. He was contacted by a number of volunteers and citizens and he did not get back to anyone. Mr. Bescherer asked if the auditor met with the DPW Supervisor regarding the DPW dump truck or the Fire Chief regarding the two fire trucks. Mr. Bescherer noted that he did not look at revenue. He only looked at disbursements. That is of no value. He asked if he had been paid his full amount. Borough Manager Blanchard stated no. Mr. Bescherer requested the Council not pay this auditor until the residents get answers.

Elaine Geschardt 105 Harding Drive

Ms. Geschardt stated that this is a disgrace and she hoped the Mayor does not get re-elected.

Penny Shaw 22 School Street

Ms. Shaw asked if the Mayor's vote is equal to the rest of Council. Mr. Higgins stated yes. Ms. Shaw asked how the Mayor could justify letting the auditor leave without asking questions. She asked how Council could stand for this. Ms. Shaw stated the Mayor told Mr. Schneider that he did not have to answer questions. Mayor McDonald stated that Mr. Schneider earlier that he was not comfortable answering questions. The Mayor stated that as the facilitator of the meeting he did not feel allow the public to ask questions.

Mrs. Sloan Grand Avenue

Mrs. Sloan stated that she was pleased with the audit. He categorically did not find fraud. The man spent countless hours proving that our town is not fraudulent. He did say that we were improving. She stated it's in the report line by line and we as citizens should look through the report.

Rudy Bescherer Broad Street

Mr. Bescherer stated that he requests the audit report be available to the public and that Mr. Schneider be asked to attend a Council meeting in June. He also requested that Mr. Schneider not receive payment until he attend an upcoming Council meeting.

ORDINANCES:

3-2012 Refunding Bond Ordinance Providing for the Refunding of Certain General Obligation Bonds of the Borough of Washington, Appropriating \$850,000 and Authorizing the Issuance of \$850,000 Bonds of Notes of the Borough for Financing the Cost Thereof (Public Hearing/Adoption)

Mayor McDonald entertained a motion to introduce Ordinance #3-2012 on final adoption and have the clerk read by title.

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

Ayes: 5, Nays: 0
Motion Carried

The Clerk read Ordinance #3-2012 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:

A brief explanation of the Ordinance was given explaining that by adopting this ordinance it allows the Borough to refinance debt saving money and interest on debt payments.

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

Ayes: 5, Nays: 0
Motion Carried

Motion made by Valentine, seconded by Torres to adopt Ordinance 3-2012 on final passage.

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

Ayes: 5, Nays: 0
Motion Carried

REPORTS:

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

1. Borough Managers Report
2. Municipal Court Report
3. Police Activity Report January, February, March 2012

Ayes: 5, Nays: 0
Motion Carried

COMMITTEE REPORTS:

None

OLD BUSINESS:

None

PUBLIC HEARING ESTABLISHING SEWER CONNECTION FEES

The new sewer connection fee for 2012 has been advertised as required by Borough of Washington Ordinance.

Hearing no public comments motion made by Gleba, seconded by Torres to close the public hearing.

Ayes: 5, Nays: 0
Motion Carried

RESOLUTION 83-2012 Approval of Sewer Connection Fee 2012

Motion made by Torres, seconded by Gleba to approve Resolution 83-2012.

Ayes: 5, Nays: 0
Motion Carried

RESOLUTION # 83-2012
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF WASHINGTON, WARREN
COUNTY, NJ ESTABLISHING SEWER
CONNECTION FEES

WHEREAS, Stephanie Lewis, Municipal Capital Management has completed the analysis of the Sewer Utility debts structure and has recommended that the Sewer Connection Fee be adjusted to \$4,881.00; and

WHEREAS, a public hearing was advertised for May 1, 2012; and

WHEREAS, said public hearing was held in Council Chambers on May 1, 2012 at 7:00 p.m.

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 sewer connection fee be increased to \$4,881.00.

BE IT FURTHER RESOLVED THAT this change will be effective immediately upon passage of this resolution.

NEW BUSINESS:

Resolution 81-2012 To Designate Plan Coordinator for ICMA- Retirement Corporation 457 Deferred Compo Plan for the Borough of Washington.

Motion made by Higgins, seconded by Gleba to approve Resolution 81-2012.

Ayes: 5, Nays: 0
Motion Carried

RESOLUTION #81-2012

**A RESOLUTION TO DESIGNATE PLAN COORDINATOR FOR
ICMA-RETIREMENT CORPORATION 457 DEFERRED COMPENSATION
PLAN #303949 FOR LOCATION #020720-BOROUGH OF WASHINGTON**

WHEREAS, ICMA Retirement Corporation requires a resolution of the Mayor and Council to designate the Plan Coordinator and the Disbursement/Loan authority, prior to processing the Plan Level Change Form;

WHEREAS, the Mayor and Council desires to update the title of the person designated as Plan Coordinator to be the person in the position with the title of “Acting Borough Manager;”

WHEREAS, the Mayor and Council also desire the Acting Borough Manager to be responsible for signing disbursement and loan withdrawal forms;

WHEREAS, Kristine Blanchard was appointed as Acting Borough Manager by Resolution #55-2012 effective March 5, 2012;

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 approves Kristine Blanchard, Acting Borough Manager, as the Plan Coordinator and Disbursement/Loan authority for the ICMA-RC 457 Deferred Compensation Plan #303949 for the Borough of Washington, effective March 5, 2012.

Resolution 82-2012 Redemption of Tax Sale Certificate

Resolution 82-2012 was moved on a motion made by Torres, seconded by Valentine and adopted.

Ayes: 5, Nays: 0
Motion Carried

RESOLUTION #82-2012

**A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5**

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on December 15, 2011 to Arthur Frustaci, 1178 Fifth Avenue, Alpha, NJ 08865, in the amount of \$756.11 for taxes or other municipal liens assessed for the year 2010 in the name of Elmalhy, Amr & Genevieve, as supposed owners, and in said assessment and sale were described as 83 Lenape Trail, Block 101 Lot 15.49, which sale was evidenced by Certificate #11-00024; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-18-12 and before the right to redeem was cut off, as provided by law, Amr Elmalhy claiming to have an interest in said lands, did redeem said lands claimed by Arthur Frustaci by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$7,482.78, which is the amount necessary to redeem Tax Sale Certificate #11-00024.

NOW THEREFORE BE IT RESOLVED, on this 1st day of May, 2012 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Arthur Frustaci, 1178 Fifth Avenue, Alpha, NJ 08865 in the **amount of \$7,482.78.**

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 101 Lot 15.49 from the tax office records.

Approval of Shared Service Agreement for Library Director Between the Borough of Washington and the Washington Borough Board of Education.

Motion made by Valentine, seconded by Gleba and adopted.

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

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

THIS AGREEMENT, made this May 1 2012, 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 defined as salary and health benefits of the employee serving as Library Director. For the term of this Agreement, the total compensation cost will be \$67,000 of which the Borough's share will be \$33,433. 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, 2012 - June 30, 2013. This Agreement may be extended for subsequent fiscal year periods by approval of the Borough Council and Local BOE. In no instance can this agreement exceed a total of five (5) fiscal year 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.

Resolution 85-2012 Authorizing the Contract for Audit of the Wastewater System Contract Operator

Resolution 85-2012 was moved on a motion made by Torres, seconded by Valentine and adopted.

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

**RESOLUTION # 85-2012
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
WASHINGTON, WARREN COUNTY, NJ**

WHEREAS, the Borough of Washington has a need to contract for an audit of the Wastewater System Contract Operator; and

WHEREAS, Public Works Management LLC (PWM) can supply the Borough with the required services for a cost not to exceed \$12,000; and

WHEREAS, Public Works Management has completed and submitted a Scope of Services (attached) and:

WHEREAS, the aggregate fee of this professional service contract shall not exceed \$12,000.00; and

WHEREAS, the Chief Finance Officer has certified to the Borough Clerk that the funds have been budgeted for and are available in the following budget account:

2-05-55-502-000-020

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Washington, that a contract for the Audit of the Wastewater System Contract Operator is hereby authorized with Public Works Management in an amount not to exceed \$12,000.00.

BE IT FURTHER RESOLVED that the notice of this contract will be published as required by law within ten (10) days of the passage of this resolution.

Resolution 86-2012 Appointing Clean Communities Coordinator

Resolution 86-2012 was moved on a motion made by Higgins, seconded by Valentine and adopted.

Ayes: 5, Nays: 0
Motion Carried

RESOLUTION 86-2012

RESOLUTION TO APPOINT KRISTINE BLANCHARD AS CLEAN COMMUNITIES COORDINATOR

WHEREAS, it is a requirement of the Clean Communities entitlement Program that a Clean Communities Coordinator be designated by the Municipality and notification of the designee be provided to the NJ Clean Communities Council; and

WHEREAS, the Clean Communities Coordinator will be responsible for reporting the use of Grant Funds to the NJ Clean Communities Council and will make requests to the Borough Council for the use of Grant Funds.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Washington Council that Kristine Blanchard is hereby designated The Clean Communities Coordinator for the Borough of Washington.

Request for Clean Communities Grant Funding – Recreation Commission Recycling/Garbage Containers

Motion made by Higgins, seconded by Gleba to approve the Recreation Commissions request for Clean Communities funding in the amount of \$9,698.40 for the purchase of recycling and garbage containers for Borough parks.

Ayes: 4, Nays: 1 (Torres)
Motion Carried

VOUCHERS

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$1, 452,448 with the exception of the Washington Township tax bill

Motion made by Valentine, seconded by Gleba and approved.

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

Ayes: 5, Nays: 0

Abstain: Higgins – Fire Dept. Gleba - Finelli

RECAP

Council requested several items during the recap session of the meeting. The Manager will request that all departments make purchases off the co-ops that the Borough belongs to. She will look in to the laws surrounding the payment of taxes to other municipalities. She will make copies of the audit investigation for the public and place a digital copy on the website. She will discuss with the Municipal Attorney the contract with the forensic auditor and the possibility of a violation of the contract.

COUNCIL REMARKS:

Councilman Higgins noted that Mr. Schneider made a comment that the 1.3 million dollars spent on the garage initially had no value and he is upset by that comment. He would like to know if there was any value at all in the 1.3 million. Councilman Higgins also noted that Mr. Schneider commented there was a lot of friction with the Recreation and the fire trucks. He would like to know who he talked to. Councilman Higgins also stated he was disappointed with the fact the Mayor made a decision to not have Mr. Schneider speak with the public.

Councilwoman Gleba stated the JCP&L representative was able to secure a \$500 sponsorship for the car show sponsored by the BID. She asked the Mayor if he would ask the Recreation Commission to hold an event for the senior citizens of the Borough to celebrate older Americans months. She noted she was happy that there was no fraudulent activities reported in the forensic investigation. She asked what Council will do with the information. Mayor McDonald suggested everyone read the audit and bring recommendations to the next meeting. She also stated that she would like to see some of the clean communities money be used for graffiti abatement. The Borough Manager will reach out to the DPW Department for a cost estimate of graffiti abatement materials.

Councilman Torres stated he agrees with Councilman Higgins and Councilwoman Gleba's comments regarding the audit. He feels it is incomplete and is missing the revenue side.

Mayor McDonald stated some Warren Hills Students have a graduated drivers license program and are entering a contest to win a driving simulator. He encouraged everyone to like Warren Hills on Face Book to so they receive points in the contest.

Hearing no further business motion made by Torres, seconded by Valentine to adjourn the meeting at 9:45 p.m.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk



May 14, 2012

The Honorable Scott McDonald
Borough of Washington
100 Belvidere Avenue
Washington, NJ 07882-1426

Re: Shabbecong Mountain Preserve

Dear Mayor McDonald,

The Musconetcong River Management Council supports efforts by the Borough of Washington to acquire Lots 1, 2, 3 and 4 of Block 97 and Lot 1 of Block 97.01 for the purposes of establishing Shabbecong Mountain Preserve as a protected open space area. These parcels, totaling approximately 125 acres, contain steep slopes inappropriate for development in addition to forest, wetland and water resources that promote biodiversity and enhance the quality of the Shabbecong and Pohatcong Creeks, both Category One waterways. As a result, the Musconetcong River Management Council encourages the Borough of Washington to pursue grant funding in collaboration with state and county agencies and conservation organizations to purchase these lands for the proposed Shabbecong Mountain Preserve.

Sincerely,

A handwritten signature in black ink that reads "Karen S. Williamson". The signature is fluid and cursive, with a long horizontal flourish at the end.

Karen S. Williamson
Chair

cc: Musconetcong River Management Council Members
Kimberly Testa, NJDEP Green Acres Program, Mail Code 501-01, P.O. Box 420, Trenton, NJ, 08625-0420
Kathy Haake, Project Manager, Trust for Public Land, 20 Community Place, Suite 7, Morristown, NJ, 07960
Corey Tierney, Director, Warren County Land Preservation Department, 500 Mt. Pisgah Ave., PO Box 179, Oxford, NJ 07863
Dave DeSanto, Washington Hope, via e-mail at washingtonhope4@gmail.com
Peter H. deBoer, Jr., Township Administrator, Washington Township, 211 Route 31 North, Washington, NJ, 07882

ORDINANCE NO. 4-2012

BOROUGH OF WASHINGTON

AN ORDINANCE PROVIDING FUNDING FOR RECREATION CAPITAL PURPOSES FOR THE BOROUGH OF WASHINGTON AND APPROPRIATING \$12,500 FOR SUCH PURPOSE.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Washington, in the County of Warren, New Jersey, authorizes various recreation capital purposes to be undertaken, included but not limited to: improvements to snack shack area (fire suppression system, grill and hood), electrical improvements to grandstand motion lighting, equipment, pipeline (supply line for water from well pump to the pool) and pump hoses, for the Borough of Washington to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$12,500 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Capital Improvement Fund in the amount of \$12,500.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Washington may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

**BOROUGH OF WASHINGTON
COUNTY OF WARREN**

ORDINANCE NO. 5-2012

**AN ORDINANCE GRANTING AN ACCESS EASEMENT
TO WASHINGTON COMMUNITY SOLAR, LLC AS THE
SUCCESSFUL BIDDER FOR THE SUPPLY OF
RENEWABLE-ENERGY-BASED ELECTRICITY TO THE
BOROUGH'S WASTEWATER TREATMENT PLANT
AND DEPARTMENT OF PUBLIC WORKS GARAGE**

WHEREAS, the Borough solicited bids for the supply of renewable-energy-based electricity to the Borough's Wastewater Treatment Plant and Department of Public Works Garage through a Power Purchase Agreement; and

WHEREAS, as part of the bid, the Borough agreed to enter into an Access Easement if required by the successful bidder for the construction of facilities to provide renewable-energy-based electricity to the Borough; and

WHEREAS, a form of Access Easement was provided in the bid documents; and

WHEREAS, Washington Community Solar, LLC ("Washington Community Solar") was the successful bidder; and

WHEREAS, Washington Community Solar is constructing a facility for the production of solar energy on property in Washington Township adjacent to Borough property which facility will be used to supply the Borough's Wastewater Treatment Plant and Department of Public Works Garage with electricity; and

WHEREAS, in order to access its property in Washington Township, Washington Community Solar has requested that the Borough grant it an Access Easement as provided for in the bid documents; and

WHEREAS, granting the access easement will not interfere with any use by the Borough of the property subject to the easement; and

WHEREAS, the property subject to the easement cannot be developed by Washington Community Solar; and

WHEREAS, the Access Easement has no value to anyone other than Washington Community Solar as the successful bidder; and

WHEREAS, the Access Easement was granted as part of the public bidding process followed by the Borough in awarding the Power Purchase Agreement.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Washington, Warren County, as follows:

1. The Mayor and Council hereby grant an Access Easement in the form attached hereto to Washington Community Solar, LLC in connection with the Power Purchase Agreement entered into between the Borough of Washington and Washington Community Solar LLC. The Mayor is authorized to sign the easement on behalf of the Borough.
2. The consideration for the easement shall be one dollar (\$1.00).

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



May 17, 2012

Gebhardt & Kiefer
1318 Route 31
P.O. Box 4001
Clinton, NJ 08809

Attn.: Lorraine C. Staples, Esq.

Re: Borough of Washington, County of Warren, State of New Jersey
Borough of Washington-Community Solar Access Easement *REVISED*
Block 101, Lot(s) 1, 1.01, 8 & 13.01
Our File No.: SCE-4819

Dear Ms. Staples;

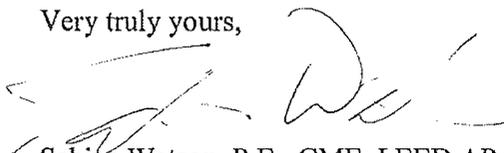
We have reviewed the following in reference to the above-captioned application:

- 1) "Description of Proposed Access & Utility Easement Township of Washington, Warren County, New Jersey" dated Feb. 16, 2012 as prepared by Maser Consulting.
- 2) Plan titled "Sketch of Access and Utility Easement for Washington Solar Site", dated April 3, 2012 as prepared by Maser Consulting.

We find the plan and description to adequately illustrate and describe the easement as intended with one exception. The description title is to be corrected to reference the Borough of Washington, not the Township of Washington.

Please contact me directly if you have any questions or comments regarding the above.

Very truly yours,



Sabine Watson, P.E., CME, LEED AP
Project Manager
Suburban Consulting Engineers, Inc.

S:\Washington Borough - Warren Cty\4819 Access 03-02-2012\4819SMW Ltr Staples 5-17-2012 .doc



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

Perryville III Corporate Park
53 Frontage Road, Suite 120
Clinton, NJ 08809
T: 908.238.0900
F: 908.238.0901
www.maserconsulting.com

**DESCRIPTION OF PROPOSED
ACCESS & UTILITY EASEMENT
BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY**

**LOT 1, BLOCK 101
LOT 1.01, BLOCK 101
LOT 13.01, BLOCK 101
LOT 8, BLOCK 101
PROJECT NO. 11000273A
FEBRUARY 16, 2012
REVISED MAY 18, 2012**

Lot 1, Block 101

Beginning at a point in the common boundary line of Block 101, Lot 1 in the Borough of Washington and Block 67, Lot 1 in the Township of Washington, said point being located the following bearing and distance from a cross cut found marking the southwest corner of said Lot 1: N16°59'36"W, 221.14 feet along said common boundary, and running from said beginning point, thence:

1. N72°35'10"E, a distance of 21.17' through Lot 1 to a point of curvature, thence-
2. Along a curve to the left having a radius of 50.00' and an arc length of 39.72' still through Lot 1 to a point of tangency, thence-
3. N27°04'24"E, a distance of 45.07', thence-
4. N62°00'29"W, a distance of 37.07' still through Lot 1 to a point of curvature, thence-
5. Along a curve to the right having a radius of 50.00' and an arc length of 39.37' still through Lot 1 to a point of tangency, thence-
6. N16°53'52"W, a distance of 133.46' still through Lot 1 to a point of curvature, thence-
7. Along a curve to the right having a radius of 50.00' and an arc length of 38.88' still through Lot 1 to a point of tangency, thence-
8. N27°39'36"E, a distance of 115.74', thence-
9. S46°54'34"E, a distance of 151.91', thence-
10. N38°17'21"E, a distance of 51.24' still through Lot 1 to a point in the common boundary line of Lots 1 and 1.01 in Block 101, thence-
11. S28°26'30"E, a distance of 32.66' along the aforesaid common boundary line of Lots 1 and 1.01 to a point in the same, thence-
12. S38°17'21"W, a distance of 70.96' through Lot 1, thence-
13. N46°54'34"W, a distance of 145.13', thence-
14. S27°39'36"W, a distance of 76.34' still through Lot 1 to a point of curvature, thence-
15. Along a curve to the left with a radius of 20.00' and an arc length of 15.55' still through Lot 1 to a point of tangency, thence-



Joins Maser Consulting

Customer Loyalty through Client Satisfaction



DESCRIPTION OF PROPOSED
ACCESS & UTILITY EASEMENT
BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY

LOT 1, BLOCK 101
LOT 1.01, BLOCK 101
LOT 13.01, BLOCK 101
LOT 8, BLOCK 101
PROJECT NO. 11000273A
FEBRUARY 16, 2012
REVISED MAY 18, 2012
Page 2 of 4

16. S16°53'52"E, a distance of 133.46' still through Lot 1 to a point of curvature, thence-
17. Along a curve to the left with a radius of 20.00' and an arc length of 15.75' still through Lot 1 to a point of tangency, thence-
18. S62°00'29"E, a distance of 66.59', thence-
19. S27°04'24"W, a distance of 74.59' still through Lot 1 to a point of curvature, thence-
20. Along a curve to the right with a radius of 80.00' and an arc length of 63.55' still through Lot 1 to a point of tangency, thence-
21. S72°35'10"W, a distance of 21.39' to a point in the aforesaid common boundary line of Block 101, Lot 1, and Block 67, Lot 1, thence-
22. N16°59'36"W, a distance of 30.00' along the aforesaid common boundary line of Block 101, Lot 1, and Block 67, Lot 1 to the point and place of beginning.

Lot 1.01, Block 101

Beginning at a point in the common boundary line of Block 101, Lots 1.01 and 1; said point being the same as previously described as the terminus of course #10 of the utility and access easement across Lot 1, Block 101; thence:

1. N38°17'21"E, a distance of 203.77' through Lot 1.01 to an angle point, thence-
2. N04°31'42"E, a distance of 68.37' still through Lot 1.01 to a point of curvature, thence-
3. Along a curve to the right having a radius of 225.00' and an arc length of 211.80' still through Lot 1.01 to a point in the common boundary line of Block 101, Lots 1.01 and 8;
4. S21°54'01"E, a distance of 30.50' along the aforesaid common boundary line of Lots 1.01 and 8 to a point in the same, thence-
5. Along a curve to the left having a radius of 195.00' and an arc length of 178.45' through Lot 1.01 to a point of tangency, thence-
6. S04°31'42"W, a distance of 77.48' still through Lot 1.01 to an angle point, thence-
7. S38°17'21"W, a distance of 225.78' still through Lot 1.01 to a point in the aforesaid common boundary line of Lots 1.01 and 1, thence-



DESCRIPTION OF PROPOSED
ACCESS & UTILITY EASEMENT
BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY

LOT 1, BLOCK 101
LOT 1.01, BLOCK 101
LOT 13.01, BLOCK 101
LOT 8, BLOCK 101
PROJECT NO. 11000273A
FEBRUARY 16, 2012
REVISED MAY 18, 2012
Page 3 of 4

8. N28°26'30"W, a distance of 32.66' along the aforesaid common boundary line of Lots 1.01 and 1 to the point and place of beginning.

Lot 8, Block 101

Beginning at a point in the common boundary line of Block 101, Lot 8 and Block 101, Lot 1.01; said point being the same as previously described as the terminus of course #3 of the utility and access easement for Lot 1.01;

1. Along a curve to the right having a radius of 225.00' and an arc length of 27.13' through Lot 8 to a point of tangency, thence-
2. N65°22'31"E, a distance of 236.64' through Lot 8 to an angle point, thence-
3. N24°37'29"W, a distance of 67.27' still through Lot 8 to an angle point, thence-
4. N43°57'50"E, a distance of 32.22' still through Lot 8 to an angle point, thence-
5. S24°37'29"E, a distance of 79.03' still through Lot 8 to an angle point, thence-
6. N65°22'31"E, a distance of 218.45' to a point in the common boundary line of Lots 8 and 13.01, thence-
7. S29°24'33"E, a distance of 30.10' along the aforesaid common boundary line of Lots 8 and 13.01 to a point in the same, thence-
8. S65°22'31"W, a distance of 487.60' through Lot 8 to a point of curvature, thence-
9. Along a curve to the left having a radius of 195.00' and an arc length of 28.63' still through Lot 8 to a point in the aforesaid common boundary line of Lots 8 and 1.01, thence-
10. N21°54'01"W, a distance of 30.50' along the aforesaid common boundary line of Lots 8 and 1.01 to the point and place of beginning.

Lot 13.01, Block 101

Beginning at a point in the common boundary line of Block 101, Lots 13.01 and 8, said point being the same as previously described as the terminus of course #6 in the utility and access easement for Lot 8; thence:

1. N65°22'31"E, a distance of 38.51' through Lot 13.01, thence-
2. S29°24'33"E, a distance of 30.10' still through Lot 13.01, thence-



DESCRIPTION OF PROPOSED
ACCESS & UTILITY EASEMENT
BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY

LOT 1, BLOCK 101
LOT 1.01, BLOCK 101
LOT 13.01, BLOCK 101
LOT 8, BLOCK 101
PROJECT NO. 11000273A
FEBRUARY 16, 2012
REVISED MAY 18, 2012
Page 4 of 4

3. S65°22'31"W, a distance of 38.51' still through Lot 13.01 to a point in the aforesaid common boundary line of Lots 13.01 and 8, thence-
4. N29°24'33"W, a distance of 30.10' along the aforesaid common boundary line of Lots 13.01 and 8 to the point and place of beginning.

A handwritten signature in black ink, appearing to be 'Eric V. Wilde', written over a horizontal line.

5/18/12

ERIC V. WILDE, P.L.S.
NEW JERSEY PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER 43279

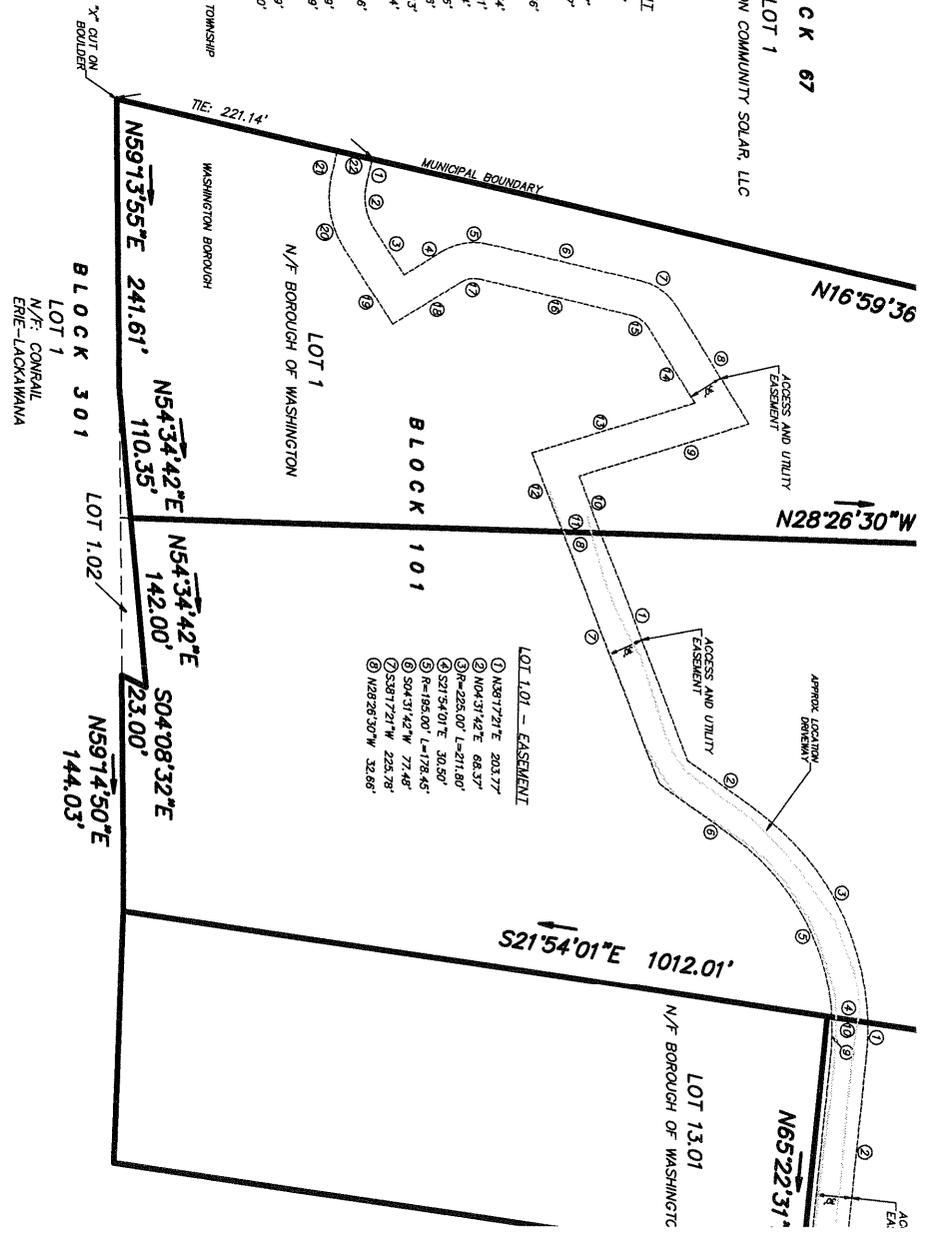
DATE SIGNED

BLOCK 67

LOT 1

N/F WASHINGTON COMMUNITY SOLAR, LLC

- LOT 1 - EASEMENT**
- ① N22°35'10"E 211.7'
 - ② R=50.00' L=38.72'
 - ③ N27°04'44"E 45.07'
 - ④ N62°00'29"W 37.07'
 - ⑤ R=50.00' L=38.37'
 - ⑥ N18°33'32"W 133.46'
 - ⑦ R=50.00' L=38.89'
 - ⑧ N27°39'36"E 115.74'
 - ⑨ S46°54'34"E 151.91'
 - ⑩ N38°17'21"E 51.24'
 - ⑪ S28°26'30"E 32.66'
 - ⑫ S38°17'21"W 70.96'
 - ⑬ N46°54'34"W 145.13'
 - ⑭ S27°39'36"W 78.34'
 - ⑮ R=20.00' L=15.53'
 - ⑯ S16°53'20"E 113.46'
 - ⑰ R=20.00' L=16.37'
 - ⑱ S62°00'29"E 68.50'
 - ⑲ S27°04'24"W 74.89'
 - ⑳ R=80.00' L=63.55'
 - ㉑ S72°35'10"W 21.39'
 - ㉒ N16°59'36"W 30.00'



- LOT 1.01 - EASEMENT**
- ① N38°17'21"E 203.77'
 - ② N04°31'42"E 68.37'
 - ③ R=225.00' L=211.80'
 - ④ S21°54'01"E 103.50'
 - ⑤ R=195.00' L=178.45'
 - ⑥ S04°31'42"W 77.46'
 - ⑦ S38°17'21"W 223.78'
 - ⑧ N28°26'30"W 32.86'

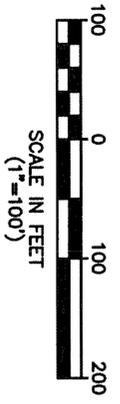
INFORMATION OF FACT

1. THIS PLAN IS BASED UPON THE FOLLOWING DATA AND/OR EXCEPTIONS:
- | | YES | NO | ITEM |
|------------------------|-----|----|--|
| a) DEED OF RECORD | — | X | — |
| b) FILED MAP | — | X | — |
| c) TITLE SEARCH/BINDER | — | X | — |
| d) TAX MAP | X | — | BOROUGH OF WASHINGTON TAX MAP SHEET NO. 11 |
| e) OTHER (SEE REF) | X | — | SEE NOTE 2 |

2. **SURVEY REFERENCE:** A MAP ENTITLED "PROPERTY SURVEY FOR BOROUGH OF WASHINGTON SEWAGE DISPOSAL PLANT IN WASHINGTON BOROUGH, WARREN COUNTY, NEW JERSEY", PREPARED BY STUDDER AND MCLEODOWNEY, P.A., DATED MAY 14, 1998.

3. NORTH REFERENCED TO SURVEY AS IN NOTE #2.

4. BOUNDARIES BASED ON SURVEY AS IN NOTE #2.



REV.	DATE	DRAWN BY
1	5-18-12	EWV

ERIC V. WILDE
 NEW JERSEY PROFESSIONAL
 LAND SURVEYOR LIC. NO. 453



ACTING MANAGERS WEEKLY REPORT
5/11/12

Reminder – the next Council meeting is Wednesday June 6th due to the Primary Election on Tuesday June 5th.

I have contacted the bank who is paying the property taxes on 16 West Warren St. I don't believe they even knew what kind of condition the home was in. They have scheduled a contractor to come out, assess the building, clean the property of trash/debris, and determine what needs to be done structurally to the home.

Veolia Water donated lunch from Enzo's on this past Thursday, and this Friday and Saturday for Volunteer Days at the Pool and Park.

I have reached out to Warren Schneider (forensic auditor) via email, certified mail, and regular mail. He has not responded as of today.

I searched the Borough website for an FAQ section on the forensic audit. I do not see one on the website. If there was one there at one point. It has been removed.

I spoke with a representative at Civil Service and the hiring authority is allowed to conduct background checks on civil service positions.

Regarding the Recreation Commission bonding discussed in the forensic audit report (brought up at this past Council meeting); bond ordinances do show that the Borough did bond for \$713,200 for Recreation purposes. The Ordinances from years 2001, 2004, and 2006 referred to in the forensic audit report are on file in my office.

The CFO has been in touch with three on-line tax payment companies. She is obtaining a formal proposal from all three and will have the information for the June 6 Council meeting.

COAH – as a follow up to my previous reports; we have been notified by COAH of the need to commit or be in the process of committing the funds that were in our Affordable Housing Trust Fund as of July 2008. The amount that was (is) in our trust as of July '08 is \$14,372.00. The State of NJ will take the \$14,372 if we don't have a commitment to spend this money by July of 2012. Unfortunately, this was not communicated to me when I took over in March. I contacted the Warren County Housing Program after reading the article in the Express Times about Hackettstown committing to work with Warren County Housing. Warren County would very much want to work with the Borough as well. The \$14,372 would be used to rehab homes in the Borough. The County actually has two applications currently from Borough residents for rehab work in their homes. I will need to obtain a contract from Warren County Housing to commit to spend the funds with them. I also am in the process of determining if the Borough has a COAH spending plan ordinance. If there is no Ordinance, an ordinance will need to be adopted as well. As soon as I have this information I will pass it on to Council.

WASHINGTON TOWNSHIP POLICE
DEPARTMENT

MONTHLY REPORT
2012

ACTIVITY	APRIL
POLICE DISPATCHED INCIDENTS	2,482
TOTAL CRIMINAL INVESTIGATIONS	TOWNSHIP = 49
	BOROUGH = 59
	OXFORD = 13
TOTAL CRIMINAL ARREST	TOWNSHIP = 24
	BOROUGH = 19
	OXFORD = 2
TOTAL MOTOR VEHICLE CRASHES	TOWNSHIP = 13
	BOROUGH = 13
	OXFORD = 1
MOTOR VEHICLE STOPS/COMPLAINTS	401
MOTOR VEHICLE SUMMONS	TOWNSHIP = 91
	BOROUGH = 61
	OXFORD = 19
CRIMES TO ANOTHER'S PROPERTY	57
CDS /ALCOHOL INCIDENTS	42
DOMESTIC/FAMILY ISSUES	67
ALARMS	51
EMS/FIRE CALL	112
OTHER TYPES	1,725
PATROL MILE (APPROX.)	20,037

Borough Washington Municipal Court
Monthly Financial Report

Washington Borough		Current Month	Year to Date
Check #	1098 Tres, Warren County	\$ 1,595.00	\$ 6,802.25
Check #	1099 Tres, Borough of Washington Title 39	\$ 6,428.84	\$ 24,739.74
Check #	1101 Tres, Borough of Washington POAA	\$ 20.00	\$ 64.00
Check #	Tres, State of NJ Judiciary		
Check #	1102 Tres, County W & M	\$ 950.00	\$ 1,295.00
Check #	Various Restitution		
Check #	Tres, State of NJ ACH	\$ 3,105.14	\$ 14,409.99
Check #	Over Payments		
Check #	NJ Dept. of Environmental Protection		
Check #	1100 Tres, Borough of Washington PD	\$ 50.00	\$ 70.00
Check #	Tres, State of NJ W & M		
Check #	Tres, Borough of Washington, non-cashed checks		

Month: April 2012
Respectfully Submitted: Jerilyn Harris C.M.C.A.

Borough of Washington Municipal Court
Monthly Meeting

Category	Year to Date
<u>Added:</u>	
DWI	0
Moving	59
Parking	2
Indictable	7
Disorderly Person	9
All Other	23
<u>Disposed:</u>	
DWI	2
Moving	68
Parking	27
Indictable	8
Disorderly Person	9
All Other	29
	9
	334
	147
	40
	49
	118

Month: April 2012
Respectfully Submitted: Jerilyn Harris C.M.C.A.

RESOLUTION # 92-2012

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 US Bank-Cust/Sass Muni V dtr, TLSG; 2 Liberty Place, 50 South 16th St-Ste 1950, Philadelphia, PA 19102, in the amount of \$1,919.53 for taxes or other municipal liens assessed for the year 2008 in the name of H.V.Realty, LLC, as supposed owners, and in said assessment and sale were described as 44 W Warren St, Block 16.01 Lot 2, which sale was evidenced by Certificate #09-00007; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5-3-12 before the right to redeem was cut off, as provided by law, Attorney Meyner/H.V. Realty claiming to have an interest in said lands, did redeem said lands claimed by U.S. Bank-Cust/Sass Muni V dtr by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$20,366.72, which is the amount necessary to redeem Tax Sale Certificate #09-00007.

NOW THEREFORE BE IT RESOLVED, on this 6th day of June 2012 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank-Cust/Sass Muni V dtr, TLSG- 2 Liberty Place, 50 South 16th St-Ste 1950, Philadelphia, PA 19102, in the amount of **\$22,766.72** (this amount consists of \$20,366.72 amount to redeem the certificate + \$2,400 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 16.01 Lot 2 from the tax office records.

The above Resolution was moved by _____, seconded by

_____, voted and carried this 6th day of June, 2012.

Roll Call: Ayes:

Nays:

Abstentions:

Kristine Blanchard, RMC
Borough Clerk

cc: Kay F. Stasyshan, Tax Collector
Paula Drake, Accounts Payable Clerk

RESOLUTION # 93-2012

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$11,367.48 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$11,367.48 is hereby appropriated under the caption of Other Expenses – Clean Communities.

Certification

I, Kristine Blanchard, Clerk of the Borough of Washington, County of Warren, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on

Kristine Blanchard, RMC - Borough Clerk

Witness my hand and seal of the
_____ of _____
this _____ day of _____,
2012.

RESOLUTION # 94-2012

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$400,000.00 which is now available from the State of New Jersey, Department of Community Affairs

BE IT FURTHER RESOLVED, that the like sum of \$400,000.00 is hereby appropriated under the caption of Other Expenses – Small Cities.

Certification

I, Kristine Blanchard, Clerk of the Borough of Washington, County of Warren, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on

Kristine Blanchard, RMC - Borough Clerk

Witness my hand and seal of the
_____ of _____
this _____ day of _____,
2012.

WARREN COUNTY HOUSING PROGRAM AGREEMENT

THIS AGREEMENT, entered into this ____ day of _____, by and between the Borough of Washington, New Jersey (hereinafter referred to as the "Municipality" and the Warren County Board of Chosen Freeholders, Wayne Dumont, Jr. Administration Building, Belvidere, New Jersey 07823.

WHEREAS, the Warren County Housing Program was initiated by the Warren County Board of Chosen Freeholders; and,

WHEREAS, the Warren County Housing Program was established in response to the recognized need for an increase in affordable housing opportunities in the county and as an organization to coordinate, promote and develop affordable housing on a county-wide basis; and,

WHEREAS, the Warren County Housing Program has developed a housing rehabilitation program to assist municipalities, on a voluntary basis, to bring substandard housing units which are occupied by low and moderate-income persons up to housing code standards, in accordance with the rules of the NJ Council on Affordable Housing (COAH); and,

WHEREAS, the Municipality desires the services of the Warren County Housing Program for the purpose of addressing the municipal housing rehabilitation needs;

NOW, THEREFORE, in consideration of the mutual promises and other conditions, covenants and obligations made and agreed to by and between the parties, it is hereby agreed as follows:

1. SCOPE OF SERVICES

The Warren County Housing Program will be responsible for the administration of a housing rehabilitation program, and will utilize municipal and other funds as may be available to undertake the rehabilitation service as described in Section 1 of Attachment A. Funds available under this Agreement will be applied toward the specific activities enumerated in the Warren County Housing Rehabilitation Program Policy and Procedural Manual dated 2011.

2. TIME OF PERFORMANCE

The services of the Warren County Housing Program shall commence upon execution of a signed Agreement for program participation, and shall terminate upon completion of all rehabilitation construction. The project execution schedule shall be as set forth in Section 2 of Attachment A.

3. COMPENSATION

It is expressly agreed and understood that the total compensation to be paid by the Municipality under this Agreement for the above described project services shall include an administrative fee of \$2,000 for each rehabilitation project undertaken within the Municipality. This fee is the minimum required by COAH for municipalities to set aside for administration, however, the actual costs of operating local rehabilitation programs typically exceed \$2,000 per unit. The Warren County Housing Program will pay any administrative cost above this limit so that all program participating municipalities will have access to the program on an equal and predictable basis.

The Municipality will also pay the cost of the actual rehabilitation work up to the local budgeted amount of \$8,000 for each rehabilitation project undertaken. To the extent that

rehabilitation costs exceed the \$8,000 fund, the Warren County Housing Program will contribute funding for the rehabilitation for each project, thus reducing the municipal expense for construction costs.

The project budget shall be as set forth in Section 2 of Attachment A.

4. METHOD OF PAYMENT

The Municipality agrees to pay the Warren County Housing Program the amount set forth in Article 3 upon submission of a bonafide municipal voucher, together with the necessary information to document the bill submitted for payment. The voucher will be submitted after the low bid for the project is reviewed by the Housing Program and after execution of the Program Policy and Procedural Manual Rehabilitation Contract with a property owner. The Municipality shall pay to the Housing Program the \$2,000 administrative fee, plus the full estimated cost of construction upon execution of the rehabilitation contract with the owner.

Progress payments may be made as appropriate, upon submission of a proper voucher and supporting documentation. Progress payments are individual case payments for which the Borough will be invoiced on a case-by-case basis. The Municipality will provide the Warren County Housing Program with the procedures applicable to progress payments.

5. AMENDMENTS

The Municipality and/or the Warren County Housing Program may, from time to time, require changes in the Scope of Services or other terms to be performed hereunder. Such changes, including any modifications in the amount of the Warren County Housing Program's compensation, which are mutually agreed upon by and between the Municipality and the Warren County Housing Program, shall be incorporated in written amendments to this Agreement.

6. TERMINATIONS

This Agreement may be terminated by either party subject, however, to compliance with the termination provisions as set forth in Attachment B.

7. PROGRAM CANCELLATION

It is understood that this Agreement is financed by municipal and Warren County Housing Program funds, and in the event the NJ Council on Affordable Housing no longer requires the implementation of a housing rehabilitation program, the Municipality reserves the right to cancel this Agreement, and in such event, the Municipality shall only be obligated for the payment under this Agreement for services rendered, or work performed prior to the effective date of cancellation. Funds expended on behalf of the homeowner will not be returned to the Municipality until the property is sold or transferred by the property owner. Funds for which no proceed order has been issued and no work has been initiated will be returned to the Municipality upon cancellation.

8. OBLIGATIONS OF WARREN COUNTY HOUSING PROGRAM WITH RESPECT TO CERTAIN THIRD PARTY RELATIONSHIPS

The Warren County Housing Program shall remain fully obligated under the provisions of this Agreement notwithstanding its designation of any third party or parties for the undertaking of all, or any part of the program, with respect to which assistance is being provided to the Warren County Housing Program pursuant to this Agreement. Any party

which is not the Warren County Housing Program shall comply with all lawful requirements of the Warren County Housing Program necessary to insure that the program for which assistance is being provided under this Agreement is carried out in accordance with the Warren County Housing Program's assurances and certifications to the Municipality. The Borough of Greenwich will be given written notice in the event that any third party or parties other than the Warren County Housing Program staff, are designated for the undertaking of all or any part of the program with respect to which assistance is being provided to the Warren County Housing Program.

9. OBLIGATIONS OF MUNICIPALITY

The Municipality agrees to provide the required inspection, permitting and related building department services as may be required to identify and address substandard dwelling unit conditions pursuant to COAH, local and State regulations.

10. GENERAL TERMS AND CONDITIONS

This Agreement is subject to and incorporated all of the terms and conditions outlined in Attachment B, and the Warren County Housing Program agrees to comply with all such terms and conditions.

11. RECORDS TO BE MAINTAINED

The Warren County Housing Program agrees to establish and maintain sufficient records in a format acceptable to the Municipality in order to enable the Municipality to determine whether the Warren County Housing Program has met the regulations of the NJ Council on Affordable Housing. The records to be maintained are detailed in Attachment C.

12. MONITORING

The Municipality shall provide written notice of monitoring site visits to permit the Warren County Housing Program to prepare such information and materials as may be desired on such visits.

IN WITNESS WHEREOF, the Municipality and the Warren County Housing Program have executed this Agreement as of the date first wirtten above.

ATTEST:

BOROUGH OF WASHINGTON, NEW JERSEY

By: _____

ATTEST:

WARREN COUNTY BOARD OF CHOSEN
FREEHOLDERS

By: _____

ATTACHMENT A

Section 1: Project Description

Summary of Project:

The project will provide funding assistance for housing rehabilitation structures owned and/or occupied by low and moderate-income residents.

Anticipated accomplishments will provide for units to be upgraded and/or treated relative to code standards and New Jersey Council on Affordable Housing requirements.

Warren County Housing Program rehabilitation policy and procedures as described in the Program Policy and Procedural Manual are hereby accepted by the Municipality.

Municipal Contact:

Name: _____

Address: _____

Telephone: _____

Area Served or Location: _____

Project location may be described as available on a community-wide basis.

Section 2: Project Schedule and Budget *

<u>Year</u>	<u>Number of Units</u>	<u>Administration</u>	<u>Construction</u>
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

* The Municipal budget must provide a minimum of \$2,000 per housing unit for administration and \$8,000 per housing unit for rehabilitation construction.

ATTACHMENT B

General Terms and Conditions

1. Extent of Agreement – This Agreement represents the entire and integrated Agreement between the Municipality and the Warren County Housing Program and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both the Municipality and the Warren County Housing Program.
2. Termination of Contract for Cause – If, through any cause, the Warren County Housing Program shall fail to fulfill in timely and proper manner obligations under this Agreement, or if the Warren County Housing Program shall violate any of the covenants agreements or stipulations of the Agreement, the municipality shall thereupon have the right to terminate this Agreement by giving written notice to the Warren County Housing Program of such termination and by specifying the effective date of such termination. In such event, all finished or unfinished documents, data, studies and reports prepared by the Warren County Housing Program under this Agreement shall, at the option of the municipality become its property and the Warren County Housing Program shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents.

The Municipality may terminate the contract upon at least thirty (30) days written notice to the Warren County Housing Program at any time. In the event of notice of cancellation, the Municipality will fulfill any program which has been accepted and approved prior to the cancellation date.

3. Limited Warranty of the Warren County Housing Program – The Warren County Housing Program shall render services under this Agreement in accordance with generally accepted professional practices. The Warren County Housing Program shall not, however, be responsible for delays caused by employees and/or agents of Municipality, nor shall the Warren County Housing Program be responsible for acts of omissions of the Municipality employees and/or agents, provided that the Warren County Housing Program gives timely notice to the Municipality of any such events.
4. Warren County Housing Program Insurance – The Warren County Housing Program shall acquire and maintain statutory workmen's compensation insurance coverage and comprehensive general liability insurance coverage.
5. Damages – Neither party shall hold the other responsible for damages or delay in performance caused by acts of god, strikes, lockouts, accidents, or other events beyond the control of the other or the other's employees and agents.
6. Ownership of Material – ownership of all data, material, manuals, and documents originated and prepared for the Municipality pursuant to this Agreement shall belong exclusively to the Municipality
7. Records, Access and Retention – the Municipality, or any of the duly authorized representatives shall have access to any books, documents, papers, and records of the Warren County Housing Program which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions. All such records shall be retained by the Warren County Housing Program as required in accordance with New Jersey Council on Affordable Housing Substantive rules.

8. Audit – the Municipality, or any of their duly authorized representatives shall have access to any books, documents, papers, and records of the Warren County Housing Program which are directly pertinent to a specific program for the purpose of making audit, examination, excerpts, and transcriptions.
9. Equal Employment Opportunity – In compliance with Federal Executive Orders 11246 and 11375, applicable Federal regulations and applicable state laws, in carrying out this Agreement the Warren County Housing program shall not discriminate against any employee or applicant for employment because of race, creed, color national origin, nationality, ancestry, age, gender, marital status, atypical cellular or blood trait, liability for military service, ornamental or physical disability, subject only to conditions and limitations applicable to insure that applicants for employment are employed, and that employees are treated during employment without regard to race, creed, color,, national origin, nationality, ancestry, age, gender, marital status, atypical cellular or blood trait liability for military service, or mental or physical disability subject only to conditions and limitations applicable alike to all persons. Such action shall include, but not be limited to employment, upgrading, demotion or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; selection for training, including apprenticeship; and setting of working conditions.
10. Compliance with Local Laws – The Warren County Housing Program shall comply with all applicable laws, ordinances, and codes of the state and local governments.
11. Remedies – Unless otherwise provided in this Agreement, all claims, counterclaims, disputes and other matters in question between the Municipality and the Warren County Housing Program arising out of or relating to this Agreement or the breach of it will be decided by arbitration if the parties mutually agree, or in a court of competent jurisdiction.

ATTACHMENT C

Records to be Maintained

The Warren County Housing Program shall establish and maintain sufficient records to enable the Municipality to determine whether the Warren County Housing Program has met all requirements of the New Jersey Council on Affordable Housing. At a minimum, the following documentation is needed and will be maintained as part of each client record:

1. The name of each applicant;
2. If the applicant is not approved, the reasons for the disapproval; and,
3. If the applicant is approved:
 - a. Proof of income eligibility (federal tax return);
 - b. The initial inspection by the building inspector;
 - c. Bids by contractors;
 - d. The final contract to do the work;
 - e. Progress reports,
 - f. A copy of the final inspection; and
 - g. The lien on the property.

Retention of Records

Financial records, supporting documents, statistical records, and all other records pertinent to this agreement shall be retained by the Warren County Housing Program.

Municipality Name	County Name	Funds Collected Through 07/17/08	Funds Expended Through 07/17/08	07/17/08 Balance	Spei 07 07
GREENWICH TWP	WARREN	\$2,276,345	\$199,700	\$2,076,645	\$
HACKETTSTOWN TOWN	WARREN	\$275,289	\$0	\$275,289	
HARDWICK TWP	WARREN	\$55,557	\$0	\$55,557	
HARMONY TWP	WARREN	\$0	\$0	\$0	
HOPE TWP	WARREN	\$0	\$0	\$0	
INDEPENDENCE TWP	WARREN	\$0	\$0	\$0	
KNOWLTON TWP	WARREN	\$195,469	\$111,843	\$83,626	
LIBERTY TWP	WARREN	\$0	\$0	\$0	
LOPATCONG TWP	WARREN	\$722,902	\$248,308	\$474,594	
MANSFIELD TWP	WARREN	\$523,932	\$200,000	\$323,932	
OXFORD TWP	WARREN	\$8,499	\$0	\$8,499	
PHILLIPSBURG TOWN	WARREN	\$0	\$0	\$0	
POHATCONG TWP	WARREN	\$288,388	\$0	\$288,388	
WASHINGTON BORO	WARREN	\$14,372	\$0	\$14,372	
WASHINGTON TWP	WARREN	\$163,937	\$0	\$163,937	
WHITE TWP	WARREN	\$0	\$0	\$0	
Totals:		\$488,632,092	\$230,711,826	\$257,920,266	\$9

MEMORANDUM

TO: Administrators, Clerks, Planning Board Secretaries,
Affordable Housing Liaisons and Municipal Attorneys

FROM: Elizabeth C. McKenzie, AICP, PP

DATE: February 8, 2012

SUBJECT: Spending Plans and Expenditure of Affordable Housing Trust
Funds

I apologize for the general dissemination format of this memorandum. My purpose in sending it this way is to keep costs down.

The purpose of the memorandum is to alert those of you who are involved in the administration of affordable housing and affordable housing trust funds of the need to make sure your Spending Plan (included in your last Fair Share Plan) has been approved by the NJDCA, Division of Local Planning Services, and that you have committed or will commit to spend any funds that were in your Affordable Housing Trust Fund as of July of 2008 before July of 2012. If this is not the case, and you have money in your Trust Fund that was there prior to July of 2008, you stand to forfeit that money.

I am sending this memo to all of the municipalities in which I serve or have served as a planning or affordable housing consultant. I am also sending it out to those municipalities in which I have been serving as the Court-appointed Master in an affordable housing lawsuit, but only for informational purposes and to urge you to talk to your own planners about this as soon as possible.

The Fair Housing Act (N.J.S.A. 52:27D329.2(d) and N.J.S.A. 52:27D-329.3(b), effective July 17, 2008, requires that all development fees, in lieu contributions, and other funds in the **Affordable Housing Trust Fund shall be committed for expenditure**

within four years from the date of collection. Any remaining unspent balance in the Affordable Housing Trust Fund after the end of the four year period is subject to forfeiture if the municipality has failed to **commit to expend** such funds.

Here are the steps that I am recommending be taken immediately to ensure that your Affordable Housing Trust Fund remains out of reach of the State of New Jersey:

1. Confirm the balance in the Trust Fund, and determine what the balance was as of July 17, 2008 (that information is actually included in the last Spending Plan I prepared for the towns where I serve as the consultant).
2. Extract the Spending Plan I previously prepared for you as part of the Housing Element and Fair Share Plan you submitted to COAH and, unless COAH approved it while COAH was still in existence, submit it now to the NJDCA Division of Local Planning Services with a cover letter (signed by the Mayor) requesting immediate approval. In all likelihood, you will be asked to update the Spending Plan to include any additional funds collected (and expended, if any) and any changes in anticipated revenues or expenditures since the Spending Plan was last prepared. You should start assembling that information right away so that your Spending Plan can be revised and resubmitted as soon as you are asked for that additional information by LPS.
3. If you have in your Trust Fund moneys that are (or will be, by July of 2012) more than four years old, you will need to come up with some ideas of how you can get those funds spent quickly. Suggestions include a rehabilitation program or any previously established program that is already operational (such as accessory apartments, market to affordable or special needs housing subsidies), as long as

the program is ready to use the funds or can commit to using the funds within the next few months. Your Spending Plan will have to be amended to reflect any proposed expenditures or increases in proposed expenditures that were not anticipated when your Spending Plan was last prepared.

Even if your current Housing Element and Fair Share Plan and the Spending Plan included within it had earmarked your Trust Fund dollars for other purposes, the Spending Plan can be amended now, you can get it approved, and you can spend the dollars. You will be given up to two years to amend the rest of your Housing Element and Fair Share Plan to be consistent with the Spending Plan.

4. If you are a municipality in which I actually prepared your last Spending Plan (as compared to a municipality in which I have served as the Court-appointed Master), and you need me to send you your last Spending Plan again, let me know. However, you should have received a CD Rom with your Housing Element and Fair Share Plan on it, and, if so, you will find it there.

If you are a municipality in which I have served or am serving as the Court-appointed Master, I would urge you to get in touch with your own planner to prepare or update your Spending Plan so we can get the Judge to refer it to NJDCA, Division of Local Planning Services, for approval right away.

If you are receiving this and you do not have a Development Fee Ordinance or zoning provisions that provide for in lieu contributions and you have no Affordable Housing Trust Fund, then you can toss this, as it doesn't apply to you.

RESOLUTION #95-2012

A RESOLUTION TO VOID AND REPLACE A CHECK ISSUED
FROM THE OPERATING ACCOUNT APPROVED
FOR PAYMENT ON MAY 1, 2012.

WHEREAS, the Mayor and Council approved a payment from the Operating Account to “New Jersey Library Association” in the amount of \$20.00 and Check #5175 was subsequently issued in that amount;

WHEREAS, the company notified the Borough that their name was changed to “New Jersey Library Trustee Association,” requested that the check be voided and reissued in the proper vendor name;

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 approves the void of check number 5175 and the reissuance of the payment due to “New Jersey Library Trustee Association” in the amount of \$20.00.

The above resolution was moved by _____, seconded by _____, voted and carried this 5th day of June, 2012.

Roll Call:

Ayes: Nays:

Kristine D. Blanchard, R.M.C.
Borough Clerk

cc: Paula Drake, Account Clerk

P.O. Type: All
 Format: Detail with Line Item Notes
 Range: 2-05-55-000-000 to 2-05-55-999-999-999
 Rcvd Batch Id Range: First to Last
 Department Page Break: No
 Print Alpha Capital/Trust, Alpha Grant, & Revenue Accts: N
 Open: N Void: N Paid: Y
 Held: N Aprv: Y Rcvd: Y
 Bid: Y State: Y Other: Y Exempt: Y
 Received Date Range: 05/17/12 to 12/31/12
 Include Non-Budgeted: Y

Budget Account	Description	Item Description	Amount	Stat/Chk	Enc Date	First Rcvd	Chk/Void	PO Type
P.O. Id	Item Vendor					Date	Date	Invoice
Fund:	SEWER OPERATING FUND							
2-05-55-501-000-011	SEWER OPERATING Full Time							
12-00562	1 WBPAY WASH. BOROUGH PAYROLL ACCOUNT	SEWER S&W CHARGES-5/31/12 PAY	3,882.21	A		05/30/12	06/01/12	
	Tracking Id: 2560	Payroll (General) (Exempt)						
	Department Total:		3,882.21					
2-05-55-502-000-023	Telephone							
12-00156	6 VERIZON VERIZON, INC.	5/16-6/15/12 689-3913-CENTEX	28.27	A		02/01/12	05/21/12	B
	Tracking Id: 3320	Telecommunications (General) (Exempt)						
2-05-55-502-000-028	SEWER OPERATING Contractual Svcs							
12-00004	6 SUBCON SUBURBAN CONSULTING ENGINEERS	4/1-5/11/12 GENERAL SEWER	5,355.00	A		03/20/12	05/21/12	C
	Tracking Id: 2790	Professional Services - Engineering (Non-Exempt)					Contract No: C2-00004	18589
2-05-55-502-000-030	Material and Supplies							
12-00534	2 MGLFO MGL PRINTING SOLUTIONS	#10 WINDOW ENVELOPES/S&H-SEWER	87.17	A		05/16/12	05/30/12	105523
	Tracking Id: 1190	Envelopes (Non-Exempt)						
2-05-55-502-000-071	SEWER OPERATING Utilities-Electricity							
12-00069	13 GPU JCP&L	4/11-5/11/12 RAMAPO WAY	14.03	A		01/10/12	06/01/12	B
	Tracking Id: 3611	Utilities - Electric (Exempt)						
12-00069	14 GPU JCP&L	3/21-4/20/12 KINNAMAN AVE	23.00	A		01/10/12	06/01/12	B
	Tracking Id: 3611	Utilities - Electric (Exempt)						
12-00069	15 GPU JCP&L	4/21-5/22/12 WOLFE ESTATE PUMP	293.61	A		01/10/12	06/01/12	B
	Tracking Id: 3611	Utilities - Electric (Exempt)						
	STATION							
12-00284	3 GPU JCP&L	4/11-5/11/12 SEWER PLANT	7,770.82	A		02/29/12	05/18/12	B
	Tracking Id: 3611	Utilities - Electric (Exempt)						
	ELECTRICITY							
			<u>8,101.46</u>					

Budget Account P.O. Id Item Vendor	Description	Item Description	Amount	Stat/Chk Enc	First Rcvd Date Date	Chk/Void Date Invoice	PO Type
2-05-55-502-000-078 12-00066 6 NJWATR	SEWER OPERATING Utilities-Water NJ AMERICAN WATER CO.INC	3/17-5/16/12 WATER-SEWER/ALVIN Utilities - Water (Exempt)	10.33	A	01/10/12 05/24/12		B
	Tracking Id: 3615 SLOAN						
2-05-55-502-000-079 12-00023 6 ELIZG	SEWER OPERATING Utilities-Natural Gas ELIZABETHTOWN GAS	4/9-5/8/12 NATURAL GAS-ALVIN Utilities - Gas (Exempt)	18.42	A	01/06/12 05/24/12		B
	Tracking Id: 3612 SLOAN						
Department Total:			13,600.65				
CAFR Total:			17,482.86				
Fund Total: SEWER OPERATING FUND			17,482.86				
Year Total:			17,482.86				
Total P.O. Items:	10	Total List Amount:	17,482.86	Total Void Amount:	0.00		

Fund Description	Fund	Budget Total
SEWER OPERATING FUND	2-05	17,482.86
Total of All Funds:		<u>17,482.86</u>

Purchase Order Listing By Vendor Name

BILL LIST 6/06/12 -- WIRE

P.O. Type: All
 Range: First to Last
 Format: Detail with Line Item Notes
 Received Date Range: 05/15/12 to 05/15/12
 Include Non-Budgeted: Y
 Open: N Paid: Y Void: N
 Rcvd: N Held: N Aprv: N
 Bid: Y State: Y Other: Y Exempt: Y

Vendor # Name	PO #	PO Date Description	Amount	Charge Account	Contract PO Type	Acct Type Description	Stat/Chk	Enc Date	First Rcvd	Chk/Void	Date	Invoice	1099
HEALTH STATE OF NEW JERSEY PENSIONS A	12-00479	04/30/12 MARCH 2012 HEALTH BENEFITS											
	1	MARCH 2012 HEALTH BENEFITS	15,564.40	2-01-23-220-000-000	B	GROUP HEALTH INSURANCE	P	51512	04/30/12	05/15/12	05/15/12		N
		Tracking Id: 2040 Insurance & Insurance Services (Exempt)											
		Vendor Total:	15,564.40										

Total Purchase Orders: 1 Total P.O. Line Items: 1 Total List Amount: 15,564.40 Total Void Amount: 0.00

Fund Description	Fund	Budget Total	Revenue Total
OPERATING FUND	2-01	15,564.40	0.00
Total of All Funds:		<u>15,564.40</u>	<u>0.00</u>

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	Invoice	Excl
GPU JCP&L									
12-00067	01/10/12 ELECTRICITY TRAFFIC LIGHTS	B							
20	4/18-5/17 W WASHINGTON TRAFFIC Tracking Id: 3611 Utilities - Electric	2-01-31-435-000-100 (Exempt)	51.26		B TRAFFIC LIGHTS Traffic Lights	A	01/10/12 06/01/12		N
21	4/3-5/4/12 RT31 & JEFFERSON Tracking Id: 3611 Utilities - Electric	2-01-31-435-000-100 (Exempt)	16.32		B TRAFFIC LIGHTS Traffic Lights	A	01/10/12 06/01/12	2	N
22	4/3-5/3/12 CATELLE COURT Tracking Id: 3611 Utilities - Electric	2-01-31-435-000-100 (Exempt)	3.25		B TRAFFIC LIGHTS Traffic Lights	A	01/10/12 06/01/12		N
23	4/5-5/4/12 BELVIDERE & CHURCH Tracking Id: 3611 Utilities - Electric	2-01-31-435-000-100 (Exempt)	27.12		B TRAFFIC LIGHTS Traffic Lights	A	01/10/12 06/01/12		N
24	4/25-5/24/12 BROAD STREET Tracking Id: 3611 Utilities - Electric	2-01-31-435-000-100 (Exempt)	35.60		B TRAFFIC LIGHTS Traffic Lights	A	01/10/12 06/01/12		N
			133.55						
12-00068	01/10/12 ELECTRICITY MISC. DEPTS	B							
23	4/11-5/11/12 ELECTRICITY/DPW Tracking Id: 3611 Utilities - Electric	2-01-31-430-000-299 (Exempt)	461.17		B ELECTRICITY	A	01/10/12 06/01/12		N
24	4/18-5/17/12 PARK PAVILLION Tracking Id: 3611 Utilities - Electric	2-01-31-430-000-299 (Exempt)	4.90		B ELECTRICITY	A	01/10/12 06/01/12		N
25	4/18-5/17 RT31 BALLFIELD LIGHT Tracking Id: 3611 Utilities - Electric	2-01-31-430-000-299 (Exempt)	302.82		B ELECTRICITY	A	01/10/12 06/01/12		N
26	4/5-5/4 MUNICIPAL BLDG Tracking Id: 3611 Utilities - Electric	2-01-31-430-000-299 (Exempt)	1,061.44		B ELECTRICITY	A	01/10/12 06/01/12		N
			1,830.33						
12-00452	04/18/12 ELECTRICITY STREET LIGHTS	B							
2	4/18-5/17/12 STREET LIGHTS/SV Tracking Id: 3611 Utilities - Electric	2-01-31-435-000-075 (Exempt)	4,609.39		B TRAFFIC LIGHTS Street Lighting	A	04/18/12 06/01/12		N
3	4/18-5/17/12 STREET LIGHTS/MER Tracking Id: 3611 Utilities - Electric	2-01-31-435-000-075 (Exempt)	922.64		B TRAFFIC LIGHTS Street Lighting	A	04/18/12 06/01/12		N
4	4/18-5/17/12 WOLFE ESTATE ST. Tracking Id: 3611 Utilities - Electric	2-01-31-435-000-075 (Exempt)	57.91		B TRAFFIC LIGHTS Street Lighting	A	04/18/12 06/01/12		N

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type Charge Account	Acct Type Description	Stat/Chk Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Exc
RICCAR RICCARDI INC.	12-00487 05/03/12 GRANDSTAND AND SNACK BAR FLOOR	Continued								
	3 GRANDSTAND AND SNACK BAR FLOOR	58.89 T-16-00-858-000-814	58.89	T-16-00-858-000-814	B PARKS & PLAYGROUNDS Materials & Supplies A	05/03/12	05/22/12	109338	109338	N
	Tracking Id: 2480	Painting & Coatings Materials (Exempt)								
	DEVTHANE 378 WHITE TINT B									
	DC 1046 DESERT SAND									
	4 GRANDSTAND AND SNACK BAR FLOOR	46.54 T-16-00-858-000-814	46.54	T-16-00-858-000-814	B PARKS & PLAYGROUNDS Materials & Supplies A	05/03/12	05/22/12	109338	109338	N
	Tracking Id: 2480	Painting & Coatings Materials (Exempt)								
	DEVTHANE 378 CONVERTER		274.51							
	Vendor Total:		274.51							
SCHNEID SCHNEIDER AND CO.	11-00610 06/07/11 FORENSIC AUDIT			CI-00007 C						
	9 FORENSIC AUDIT	7,292.00 1-01-20-135-000-029	7,292.00	1-01-20-135-000-029	B Forensic Audit	05/17/11	06/01/12			N
	Tracking Id: 2860	Professional Services -Auditing (Exempt)								
	Vendor Total:		7,292.00							
SCHOLL SCHOLL, WHITTLESEY & GRUENBERG	12-00540 05/18/12 legal serv Jade Acqu Apr 2012									
	1 legal serv Jade Acqu Apr 2012	336.00 T-13-00-683-000-000	336.00	T-13-00-683-000-000	B JADE ACQUISITION LLC-SITE PLAN	05/18/12	05/18/12	42377	42377	N
	Tracking Id: 2800	Professional Services - Legal (Exempt)								
	Vendor Total:		336.00							
SHERWI SHERWIN WILLIAMS CO.	12-00546 05/21/12 PAINT FOR PARK									
	1 PAINT FOR PARK	118.65 2-01-28-370-857-201	118.65	2-01-28-370-857-201	B RECREATION-MATERIALS & SUPPLIES	05/21/12	06/01/12	9035-4	9035-4	N
	Vendor Total:		118.65							

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
SMIMOT SMITH MOTOR COMPANY, INC	12-00248 02/23/12 VEHICLE PARTS & MAINTENANCE			B							
	3 TRUCK #47 OIL COOLANT LINES	59.18	2-01-26-290-000-025	B	STREETS & ROADS Vehicle Maint	A	02/23/12 05/22/12		212864		N
	Tracking Id: 310	Auto Parts & Accessories (Non-Exempt)									
	Vendor Total:	59.18									
SMITRA SMITH TRACTOR & EQUIP CO	12-00518 05/11/12 BACKHOE MAINTENANCE			B							
	2 RETORQUE BACKHOE HEAD BOLTS &	228.75	2-01-26-290-000-026	B	STREETS & ROADS Maint Other Equip	A	05/11/12 05/22/12		W07726		N
	Tracking Id: 1250	Equipment Maint & Repair (Other) (Non-Exempt)									
	MAINTENANCE										
	Vendor Total:	228.75									
STAPLB STAPLES BUSINESS ADVANTAGE INC	12-00144 01/30/12 Office supplies			B							
	2 C-FOLD PAPER TOWELS & 3 HOLE	49.99	2-01-29-390-000-036	B	MUNICIPAL LIBRARY Office Supplies	A	01/30/12 05/24/12		3173636333		N
	Tracking Id: 2430	Office supplies (General) (Non-Exempt)									
	PUNCH										
	Vendor Total:	49.99									
SUBCON SUBURBAN CONSULTING ENGINEERS	12-00005 01/06/12 2012 MUNICIPAL ENGINEERING SER C2-00005			C							
	14 2012 GENERAL ENGINEERING SERV.	5,459.25	2-01-20-165-000-028	B	ENGINEERING Contractua] Svcs	A	03/20/12 05/21/12		18588		N
	Tracking Id: 2790	Professional Services - Engineering (Non-Exempt)									
	4/1/12-5/11/12										
	15 4/1-5/11/12 TAX MAPS	971.30	2-01-20-165-000-028	B	ENGINEERING Contractua] Svcs	A	05/14/12 05/21/12		18584		N
	Tracking Id: 2790	Professional Services - Engineering (Non-Exempt)									
	16 4/1-5/11/12 BEEHOVEN AVE DOT	1,225.00	2-01-20-165-000-028	B	ENGINEERING Contractua] Svcs	A	05/14/12 05/21/12		18578		N
	Tracking Id: 2790	Professional Services - Engineering (Non-Exempt)									
	7,655.55										
12-00085 01/12/12 2012 STREET OPENINGS				B							
	7 4/11-5/11/12 STREET OPENINGS	525.00	T-13-00-601-000-000	B	Street Opening Deposits	A	01/12/12 05/21/12		18627		N
	Tracking Id: 1380	Escrow (Exempt)									
	AMERICAN WATER CO.										

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	1099
								Date	Date	Date	Excl
SUBCON	SUBURBAN CONSULTING ENGINEERS Continued										
12-00085	01/12/12	2012 STREET OPENINGS		Continued							
8	4/1-5/11/12	STREET OPENINGS	275.00	T-13-00-601-000-000	B Street Opening Deposits	A	01/12/12	05/21/12		18624	N
	Tracking Id: 1380										
	10-2012 YOUMANS AVE										
			800.00								
12-00555	05/30/12	HEATHER HILL BL 44 LOT 34.04									
1	4/1-5/11/12	HEATHER HILL/PLOT	525.00	T-13-00-657-000-000	B Barbieri Builders	A	05/30/12	06/01/12		18641	N
	Tracking Id: 2780										
	PLAN SANITARY SEWER CONNECTION										
	BLOCK 44 LOT 34.04 PERMIT #1-2012										
12-00556	05/30/12	subdivision insp-Heather Hill									
1	4/1-5/11/12	HEATHER HILL	275.00	T-13-00-657-000-000	B Barbieri Builders	A	05/30/12	05/30/12		18581	N
	Tracking Id: 2780										
	SUBDIVISION INSPECTION										
12-00557	05/30/12	eng serv P&P 4/1-5/11/12									
1	4/1-5/11/12	P&P OF WASHINGTON	150.00	T-13-00-687-000-000	B P & P OF WASHINGTON LLC	A	05/30/12	05/30/12		18634	N
	Tracking Id: 2780										
	Professional Services - Engineering (Exempt)										
	ENGINEERING SERVICES										
12-00558	05/30/12	eng serv Jade Acq, 4/1-5/11/12									
1	4/1-5/11/12	JADE ACQUISITION	1,285.45	T-13-00-683-000-000	B JADE ACQUISITION LLC-SITE PLAN	A	05/30/12	05/30/12		18625	N
	Tracking Id: 2780										
	Professional Services - Engineering (Exempt)										
	ENGINEERING SERVICES										
12-00559	05/30/12	ebg serv Ryan Homes 4/1-5/11/1									
1	4/1-5/11/12	RYAN HOMES	4,528.00	T-13-00-689-000-000	B RYAN HOMES	A	05/30/12	05/30/12		18626	N
	Tracking Id: 2780										
	Professional Services - Engineering (Exempt)										
	ENGINEERING SERVICES										
		Vendor Total:	15,219.00								
USPOST	UNITED STATES POSTAL SERVICE										
12-00548	05/23/12	POSTAGE FOR TAXES AND LL REG.									
1		POSTAGE FOR TAXES AND LL REG.	1,200.00	2-01-20-100-000-022	B GENERAL ADMIN postage	A	05/23/12	05/23/12			N

Vendor # Name	PO # PO Date Description	Item Description	Contract PO Type	Amount	Charge Account	Acct Type Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
WAONE WASHINGTON ONE STOP INC.												
			Continued									
	12-00398 04/03/12 GENERAL SUPPLIES		B									
	2 GRASS SEED			9.49	2-01-26-290-000-030	B STREETS & ROADS Materials/Supplies	A	04/03/12	05/23/12		041464	N
	Tracking Id: 590	Building Maint Equip & Supplies (Non-Exempt)										
	Vendor Total:			37.16								
LUKOIL WRIGHT EXPRESS FSC												
	12-00064 01/10/12 GASOLINE & DIESEL		B									
	12 9.043/GALS GAS/CODE ENFORMT	Fuel (Gasoline & Diesel) (Non-Exempt)		32.21	2-01-31-460-000-000	B GASOLINE & DIESEL	A	01/10/12	05/18/12		29405548	N
	Tracking Id: 1810											
	13 19.318/GALS GAS/PARK	Fuel (Gasoline & Diesel) (Non-Exempt)		69.37	2-01-31-460-000-000	B GASOLINE & DIESEL	A	01/10/12	05/18/12		29405548	N
	Tracking Id: 1810											
	14 9.787/GALS GAS/FIRE PREVENTION	Fuel (Gasoline & Diesel) (Non-Exempt)		35.44	2-01-31-460-000-000	B GASOLINE & DIESEL	A	01/10/12	05/18/12		29405548	N
	Tracking Id: 1810											
	Vendor Total:			137.02								
12-00448 04/18/12 GASOLINE & DIESEL			B									
	3 284.261/GALS GAS&DIESEL-DPW	Fuel (Gasoline & Diesel) (Non-Exempt)		1,038.57	2-01-31-460-000-000	B GASOLINE & DIESEL	A	04/18/12	05/18/12		29405548	N
	Tracking Id: 1810											
	4 87.251/GALS GAS&DIESEL-FIRE	Fuel (Gasoline & Diesel) (Non-Exempt)		317.11	2-01-31-460-000-000	B GASOLINE & DIESEL	A	04/18/12	05/18/12		29405548	N
	Tracking Id: 1810											
	Vendor Total:			1,355.68								
	Vendor Total:			1,492.70								

Total Purchase Orders:	79	Total P.O. Line Items:	140	Total List Amount:	475,527.42	Total Void Amount:	0.00
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Fund Description	Fund	Budget Total	Revenue Total
OPERATING FUND	1-01	7,339.71	0.00
OPERATING FUND	2-01	451,660.68	0.00
FEDERAL & STATE GRANT FUND	G-02	3,266.00	0.00
ANIMAL CONTROL FUND	T-12	2.40	0.00
DEVELOPER'S ESCROW FUND	T-13	8,629.73	0.00
RECREATION TRUST	T-16	4,628.90	0.00
	Year Total:	13,261.03	0.00
	Total of All Funds:	475,527.42	0.00

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;

_____ 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: _____). 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.

Date:

Kristine Blanchard, RMC