

**MINUTES OF THE REORGANIZATIONAL MEETING HELD
JANUARY 3, 2012**

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

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

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

The Flag Salute was led by the Mayor.

The Mayor read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law’ P.L. 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 stating the time, place and purpose of the meeting as required by law.

SWEARING IN OF FIRE DEPARTMENT OFFICERS:

Chief	Kurt Klausfelder
Assistant Chief	Bob Cammarota
Sr. Captain	Rick Monus
Jr. Captain	Joe Fox Jr.
Sr. Lieutenant	Dirk Higgins
Jr. Lieutenant	Ryan Devine

Borough Clerk, Kristine Blanchard conducted the swearing in of the new Fire Department Officers.

Mayor’s Message

Mayor McDonald read his year end message.

2011 was a year of great loss, and new beginnings. We suffered the loss of our long time Tax Assessor Tom Esfstatiou. His sudden passing left a huge hole in the hearts of all who knew him. But, as with all losses, it gave us the opportunity for a new beginning. We welcomed Ryan Riccio as our new Tax Assessor, and he is doing admirable job in Toms’ stead.

We welcomed 2 new members of council, Robert Torres, and Justin Jewell. We continue to have David Higgins, and Jeanine Gleba on council as they won their bids for

reelection. We are fortunate to have a good combination of experience, and new ideas with this group.

As I review the goals from last years Mayors Message, I see we accomplished many, but not all of the goals. We used a grant to replace lighting in the Municipal Building, and Library, and replace Air Conditioning units at the library, thus saving on energy. We entered into a shared service with the Washington Borough Public Schools for a Library Director, increasing our shared services. We attempted to make the pool profitable, and were not successful this year, but we came close. I am confident that our Recreation staff and volunteers will make that happen this year. We were unable to reduce our costs for garbage collection. Our debt load has decreased, and there has been no new debt. We will be able to reduce our reliance on Tax Anticipation Notes by half this year.

A forensic audit investigation is under way, after being approved through a ballot question. There has been controversy involved with this investigation, but it is going forward with its' integrity intact. I expect to have the results in a few months.

The end of 2011 brings with it the end of the Memorandum of Understanding with the State of NJ. This means we do not need state approval for hiring's, new spending, etc. It means that the State of NJ is confident in our financial condition.

The Recreation Committee will be dissolved, and replaced with a Recreation Commission. This will give them more autonomy over their finances, and programs. This should be the last step toward eliminating recreations dependence on taxpayer dollars, and bring them to self reliance.

Our former DPW garage, and its' associated land has been sold to the owner of Gibson's Gym. The land will be developed into a public parking area, with appropriate landscaping, as per our Downtown Redevelopment Plan. This will be done at no cost to the taxpayers, and will increase our revenue stream.

We have extended our contract for sewer plant operations with Veolia Water for 5 years. This gives us continuity with our operations, as well as confidence that we have a very reliable service provider, as Veolia constructed and operated this facility for us. Veolia will also be taking on some extra operations with this agreement.

I believe our goals going forward should be almost the same as last year's goals. We will continue looking for ways to save energy, and share services. We will look to ease the burden of debt on our taxpayers. We should look to restore the publics' confidence in us. We are doing the proper things! We are positioning ourselves for the future, as well as the present.

I would like to take this opportunity to thank the entire staff of The Borough of Washington for all their efforts towards improving our community. Without your dedication, none of these improvements would be possible. We don't show our appreciation often enough, but I hope this lets' you know that you are appreciated.

RESOLUTIONS:

Resolution #1-2012 – Temporary Budget

Resolution #1-2012 was moved on a motion made by Valentine, seconded by Torres and adopted.

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

Ayes: 7 Nays: 0

Abstentions: 0

Motion Carried

RESOLUTION # 1-2012

**A RESOLUTION PROVIDING FOR TEMPORARY
CURRENT FUND APPROPRIATIONS**

WHEREAS, N.J.S.A. 40A: 4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2012 Budget, temporary appropriations should be made for the purpose and amount required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2012; and

WHEREAS, the total temporary appropriations in the 2012 budget, exclusive of any appropriations made for interest, and debt redemption charges, grants and capital improvements, is the sum of \$1,492,402.37; and

WHEREAS, 26.25% of the total appropriations in the 2011 Budget, exclusive of any appropriation made for interest and debt redemption charges, grants and capital improvements in said 2011 Budget is the sum of \$1,687,383.34

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey do hereby make the following temporary appropriations per the attached:

TOTAL APPROPRIATIONS WITHIN 26.25% LIMITATION	\$1,492,402.37
TOTAL CAPITAL AND DEBT SERVICE	\$807,540.89
TOTAL ALL TEMPORARY APPROPRIATIONS:	\$2,299,943.26

Account Description	Temporary Budget
CURRENT FUND	
GENERAL ADMIN SW	27,469.75

GENERAL ADMIN OE	7,414.75
MAYOR & COUNCIL	
Part Time	3,625.00
MAYOR & COUNCIL	
OE	1,766.25
CLERK SW	19,093.25
CLERK OE	3,412.50
FINANCIAL ADMIN SW	23,667.00
FINANCIAL ADMIN OE	3,801.25
AUDIT SERVICES	6,495.00
TAX COLLECTION SW	20,355.75
TAX COLLECTION OE	1,467.50
TAX ASSESSMENT	
SW	9,222.13
TAX ASSESSMENT OE	5,737.50
LEGAL OE	17,250.00
ENGINEERING	12,500.00
DOWNTOWN REDEV	
OE	-
PLANNING BOARD	931.90
PLANNING BOARD OE	2,534.33
BOARD OF	367.50
BOARD OF ADJ OE	1,390.84
LOCAL CODE ENF SW	6,030.00
LOCAL CODE ENF OE	468.75
P.E.O.S.H.A	-
LIABILITY INSURANCE	227,000.00
	-
GROUP HEALTH	
INSURANCE	63,750.00
UNEMPLOYMENT	
INSURANCE	6,225.00
POLICE DEPT OE	557,347.99

EMERGENCY MGMT SW	753.75
EMERGENCY MGMT OE	250.00
FIRE & SAFETY CODE ENF SW	4,930.38
FIRE & SAFETY CODE ENF OE	1,150.00
FIRE HYDRANTS	17,250.00
	-
STREETS & ROADS SW	94,208.25
STREETS & ROADS OE	32,249.50
SOLID WASTE COLLECTION	66,250.00
BUILDINGS & GROUNDS SW	3,020.81
BUILDINGS & GROUNDS OE	7,548.75
SHADE TREE COMMISSION SW	233.50
SHADE TREE COMMISSION OE	4,371.25
ANIMAL CONTROL	2,514.49
RECREATION SW -	10,334.50
MUNICIPAL LIBRARY OE	48,165.75
ELECTRICITY	14,750.00
TRAFFIC LIGHTS OE	20,375.00
TRAFFIC LIGHTS Street Lighting	500.00
TELEPHONE WATER	7,500.00

	3,750.00
NATURAL GAS	8,750.00
GASOLINE & DIESEL	3,250.00
SOLID WASTE DISPOSAL	43,350.00
CONTINGENT	-
SOCIAL SECURITY	22,130.01
Municipal Alliance - Local Share	1,958.00
MUNICIPAL COURT OE	42,034.50
PUBLIC DEFENDER -	1,500.00
BOND PRINCIPAL PAYMENT OF BAN & CAPITAL NOTES	320,000.00 82,270.00
TAX ANTICIPATION NOTES - INTEREST	39,888.89
INTEREST ON BONDS	276,100.00
INTEREST ON NOTES GREEN TRUST LOAN PRIN & INTEREST	49,482.00 39,800.00
Total	2,299,943.26

Resolution #2-2012 – Temporary Budget for Municipal Sewer Utility

Resolution #2-2012 was moved on a motion made by Valentine, seconded Torres

by and adopted.

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

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

RESOLUTION #2-2012

**A RESOLUTION PROVIDING FOR TEMPORARY SEWER UTILITY
APPROPRIATIONS**

WHEREAS, N.J.S.A. 40A: 4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2012 Budget, temporary appropriations should be made for the purpose and amount required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2012; and

WHEREAS, the total temporary appropriations in the 2012 sewer utility budget, exclusive of any appropriations made for interest, and debt redemption charges, grants and capital improvements, is the sum of \$232,295.00; and

WHEREAS, 26.25% of the total appropriations in the 2011 Budget, exclusive of any appropriation made for interest and debt redemption charges, grants and capital improvements in said 2011 Budget is the sum of \$252,612.93

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey do hereby make the following temporary appropriations per the attached:

TEMPORARY APPROPRIATIONS – 2012 SEWER UTILITY

Operations:

Salary and Wages	\$30,000.00
Other Expenses	\$200,000.00
Social Security	\$2,295.00

**TOTAL APPROPRIATIONS WITHIN
26.25% LIMITATION: \$232,295.00**

Capital and Debt Service

Bonds Principal	\$80,000.00
Bonds Interest	\$24,000.00
Environmental Trust / Fund Principal and Interest	\$992,000.00

TOTAL CAPITAL AND DEBT SERVICE: \$1,096,000.00

TOTAL ALL TEMPORARY APPROPRIATIONS: \$1,328,295.00

Resolution #3-2012 Establishing a Cash Management Plan and Naming Official Depositories

Resolution #3-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Roll Call:

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

**3-2012
RESOLUTION ESTABLISHING A CASH
MANAGEMENT PLAN AND NAMING
OFFICIAL CASH DEPOSITORIES**

WHEREAS, NJSA 40A: 5-14 mandates that a Governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

WHEREAS, NJSA 40A: 5-15.1 amended by Chapter 148, P.L. 1997 established new requirements for the investment of public funds and adoption of a cash management plan for counties, municipalities and authorities; and

WHEREAS, the Borough Council of the Borough of Washington, County of Warren wish to comply with the above statutes;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Washington, County of Warren adopts the following cash management plan, including the official depositories for the Borough of Washington, County of Warren for the period January 1, 2012 through December 31, 2012.

**CASH MANAGEMENT PLAN OF THE
BOROUGH OF WASHINGTON,
COUNTY OF WARREN**

I. STATEMENT OF PURPOSE

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A. 40A: 5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain public funds of the Borough of Washington, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

- A. The plan is intended to cover all deposits and/or all investments of the funds of the Borough of Washington including but not limited to:

Current Fund
Payroll Trust Fund
Agency Account
Sewer Utility Revenue Account
Developers’ Escrow Trust Funds
Open Space Accounts
Green Trust Accounts
Outside Employment Accounts
General Capital Account
Sewer Capital Account
Regular Trust Accounts

III. DESIGNATION OF OFFICIALS AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN

The Chief Financial Officer (the “Designated Official”) is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Borough of Washington are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgement kept on file with such officials.

The Chief Financial Officer is further authorized to make interfund transfers between the Borough Funds as may be necessary from time to time. The Chief Financial Officer is authorized to make such transfers and/or any and all payments by wire transfer as necessary.

IV. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

TD Bank
Sovereign Bank
Bank of America
PNC Bank
Wells Fargo
Investors Savings
The Depository Trust Company
First Hope Bank
Provident

Money Market Investment Accounts and/or Certificates of Deposit

Bank of America
TD Bank
MBIA-Class Management Unit Trust
NJ ARM Program
NJ Cash Management Fund
North Fork Bank
PNC Bank
Sovereign Bank
Valley National Bank
Millington Savings Bank
Provident
First Hope Bank
The Depository Trust Company
Investors Savings
Wachovia

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official(s) referred to in Section III above.

V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Borough of Washington referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official (s) referred to in Section III above.

Bank of America
TD Bank
MBIA-Class Management Unit Trust
NJ ARM Program
NJ Cash Management Fund
North Fork Bank
PNC Bank
Sovereign Bank
Valley National Bank
Millington Savings Bank
Provident
First Hope Bank
The Depository Trust Company
Investors Savings
Wachovia

VI. AUTHORIZED INVESTMENTS

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of the school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;

- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L.1977, ch. 281 (C.52: 18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
 - (a) The underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a:
 - (b) The custody of collateral is transferred to a third party;
 - (c) The maturity of the agreement is not more than 30 days;
 - (d) The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17: 19-41); and
 - (e) A master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms “governmental money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund

An investment company or investment trust:

- (a) Which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 USC sec. 80a-1 et seq., and operated in accordance with 17 CFR sec. 270.2a-7.
- (b) The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) Which has:
 - (1) Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (2) Retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool

An investment pool:

- (a) Which is managed in accordance with 17 C.F.R. sec 270.2a-7;
- (b) Which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) Which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (c.52: 14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investment;
- (e) Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected at the time of interest rate adjustment, to have a market value that approximates their par value, or net asset value; and
- (f) Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management fund, or through the use of a National or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C49: 3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in the U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government Securities.

SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGEMENT OF RECEIPT OF PLAN.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough of Washington, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough of Washington to assure that there is no unauthorized use of the funds or the Permitted Investments that involve Securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the Borough of Washington or by a third party custodian prior to or upon the release of the Borough of Washington’s funds.

To assure that all parties with whom the Borough of Washington deals either by way of Deposits or Permitted Investments are aware of the authority and the limits sets forth in the Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s)

REPORTING REQUIREMENTS

At the public meeting of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of the Borough of Washington a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Borough of Washington as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Borough of Washington.

TERM OF THE PLAN

This plan shall be effective January 1, 2012 through December 31, 2012. The Plan may be amended from time to time as necessary.

To the extent that any amendment is adopted by the Borough Council, the Designated Official is directed to supply copies of the amendments to all of the parties who

otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

Resolution #4-2012 – Tax Interest Rates

Resolution #4-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

RESOLUTION 4-2012

INTEREST RATES- TAXES

N.J.S.A. 54:4-67:39

WHEREAS, municipal charges; namely taxes are payable in quarterly installments on **February 1st, May 1st, August 1st and November 1st** in each year, and installments become delinquent if not paid on or before those dates.

BE IT THEREFORE RESOLVED, that Council does hereby authorize an interest charge not to exceed eight (8%) percent per annum on the first \$1,500.00 of the delinquency and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 upon all delinquent installments; and

BE IT ALSO RESOLVED, that Council does hereby authorize a penalty to be charged to a taxpayer with a delinquency in excess of \$ 10,000.00 who fails to pay that delinquency prior to the end of the calendar year. The penalty so fixed shall not exceed six (6) percent of the amount of the delinquency.

BE IT FURTHER RESOLVED, that any installments received after the expiration of the grace period, and such grace period shall be the period starting with the second day and ending on the ten (10th) day of the month in which taxes are due, shall bear interest at the applicable interest rate from the original due date.

BE IT FURTHER RESOLVED, that the Tax Collector of the Borough of Washington is hereby authorized to conduct the annual sale of delinquent municipal charges; namely taxes for the Calendar Year of 2011.

Resolution #5-2012 – Sewer Interest Rates

Resolution #5-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

RESOLUTION #5-2012

SEWER INTEREST RATES

WHEREAS, municipal charges, namely sewer are payable in monthly installments due on the 10th of the following month after billing, and the monthly installments becoming delinquent if not paid on or before those dates.

BE IT THEREFORE RESOLVED, that Council does hereby authorize an interest charge not to exceed eight (8%) percent per annum on the first \$1,500.00 of the delinquency and eighteen (18%) per annum on any amount in excess of \$1,500.00 upon all delinquent installments; and

BE IT ALSO RESOLVED, that Council does hereby authorize a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year. The penalty so fixed shall not exceed six (6%) percent of the amount of the delinquency.

BE IT FURTHER RESOLVED, that any installments received after the expiration of the grace period, and such grace period shall be the period starting with the second day and ending on the forty-fifth (45th) day after billing, shall bear interest at the applicable interest rate from the original due date.

BE IT FURTHER RESOLVED, that the Tax Collector of the Borough of Washington is hereby authorized to conduct the annual sale of delinquent municipal charges, namely sewer for the Calendar Year of 2011.

Resolution #6-2012 – Municipal Attorney

Resolution # 6-2012 was moved on a motion made by Valentine, seconded by Gleba and adopted.

Council concurred the Municipal Attorney will attend one meeting a month.

Ayes: 6 Nays: 0
Abstentions: 1 (Boyle)
Motion Carried

RESOLUTION 6-2012
AUTHORIZING 2012 PROFESSIONAL SERVICES CONTRACT WITH
GEBHARDT & KIEFER FOR MUNICIPAL ATTORNEY SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Gebhardt & Kiefer has submitted a proposal dated October 17, 2011 indicating they will provide the above-referenced services at the rates listed in their fee schedule for 2012; and

WHEREAS, Gebhardt & Kiefer has completed and submitted a Business Entity Disclosure Certification which certifies that Gebhardt & Kiefer has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit the Gebhardt & Kiefer from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

2-01-20-155-000-027

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Gebhardt & Kiefer as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Gebhardt & Kiefer.

Resolution #7-2012 Municipal Public Defender

Resolution #7-2012 was moved on a motion made by Gleba, seconded by Boyle and adopted.

Ayes: 6 Nays: 0
Abstentions: 1 (Higgins)
Motion Carried

RESOLUTION 7-2012
AUTHORIZING 2012 PROFESSIONAL SERVICES CONTRACT WITH WINEGAR,
WILHELM, GLYNN & ROEMERSMA FOR MUNICIPAL PUBLIC DEFENDER
SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Public Defender as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Winegar, Wilhelm, Glynn & Roemersma has submitted a proposal dated October 4, 2011 indicating they will provide the above-referenced services at the rates listed in their fee schedule for 2012; and

WHEREAS, Winegar, Wilhelm, Glynn & Roemersma has completed and submitted a Business Entity Disclosure Certification which certifies that Winegar, Wilhelm, Glynn & Roemersma has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit the Winegar, Wilhelm, Glynn & Roemersma from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

2-01-43-495-000-027

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Winegar, Wilhelm, Glynn & Roemersma as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Winegar, Wilhelm, Glynn & Roemersma.

Resolution #8-2012 – Municipal Auditor

Resolution #8-2012 was moved on a motion made by Higgins, seconded by Boyle and adopted.

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried.

RESOLUTION 8-2012
AUTHORIZING 2012 PROFESSIONAL SERVICES CONTRACT WITH
FERRAIOLI, WIELKOTZ, CERULLO & CUVA FOR MUNICIPAL AUDITING
SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Auditor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Ferraioli, Wielkotz, Cerullo & Cuva has submitted a proposal dated October 12, 2011 indicating they will provide the above-referenced services at the rates listed in their fee schedule for 2012; and

WHEREAS, Ferraioli, Wielkocz, Cerullo & Cuva has completed and submitted a Business Entity Disclosure Certification which certifies that Ferraioli, Wielkocz, Cerullo & Cuva has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit the Ferraioli, Wielkocz, Cerullo & Cuva from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

2-01-20-135-000-028

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Ferraioli, Wielkocz, Cerullo & Cuva as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Ferraioli, Wielkocz, Cerullo & Cuva.

Resolution 9-#2012 – Establishing Meetings for the Year of 2012

Resolution #9-2012 was moved on a motion made by Torres, seconded by Higgins and adopted.

Council meetings will begin at 7:00 p.m.

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

RESOLUTION 9-2011

OPEN PUBLIC MEETINGS ACT

WHEREAS, pursuant to the Open Public Meetings Act, P.L. 1975, C.231, the Borough of Washington is required to file and post certain notices of public meetings of the Common Council of the Borough of Washington; and

WHEREAS, among the obligations imposed upon the Borough of Washington is the obligation to file the said notices with the newspaper of general circulation circulating in the Borough of Washington; and

WHEREAS, a schedule of regular meetings must be prepared, posted and filed within (7) seven days of the date of the annual reorganization meeting of the Common Council.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the Borough of Washington, County of Warren, State of New Jersey, that the **Star Gazette**, a newspaper published in the Town of Hackettstown, and circulating in the Borough of Washington and the **Express Times**, a newspaper published in the Town of Easton, be designated as the newspapers to which all notices of regular and special meetings of the Common Council shall be transmitted, pursuant to the provisions of the Open Public Meetings Act, P.L. 1975 C. 231.

BE IT FURTHER RESOLVED, by the Authority aforesaid that a copy of the attached **Schedule of Regular Meetings** be furnished to any member of the public requesting same, upon the payment by such person of the sum of \$1.00 to the Borough of Washington, said charge to cover the cost of duplicating the same and the administrative expense of compliance with the request, all as required by the Open Public Meeting Act.

SCHEDULE OF 2012 REGULAR MEETINGS

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

Council Chambers 7:00 pm

REGULAR MEETINGS:

January 3, 2012	July 3, 2012
January 17, 2012	July 17, 2012
February 7, 2012	August 7, 2012
February 21, 2012	August 21, 2012
March 6, 2012	September 4, 2012
March 20, 2012	September 18, 2012
April 3, 2012	October 2, 2012
April 17, 2012	October 16, 2012

May 1, 2012

November 7, 2012 **

May 15, 2012

November 20, 2012

June 6, 2012 **

December 4, 2012

June 19, 2012

December 18, 2012

Official Action May be Taken

** Wednesday Meeting

ORGANIZATIONAL MEETING: January 2, 2013**

Any business that requires Council consideration and action at a particular meeting must be in the Borough Manager's or the Borough Clerk's office no later than the close of business on Thursday preceding the meeting date.

Resolution #10-2012– Planning Board – Class III Member (Council Member)

Resolution #10-2012 was moved on a motion made by Higgins, seconded by Boyle and adopted.

Ayes: 7 Nays: 0

Abstentions: 0

Motion Carried

RESOLUTION 10-2012

PLANNING BOARD – COUNCIL MEMBER

CLASS III MEMBER

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

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

BE IT RESOLVED, that a Council Representative, **Class III Member** hereby is appointed to serve.

John Valentine
Name

Term to expire on **January 1, 2013.**

The above Declaration was an appointment made by the Mayor with Council consent.

Appointment by Mayor #11-2012 – Planning Board – Class II Member (Employee Member)

Motion to nominate Mayor's appointment was made by Higgins, seconded by Boyle and adopted.

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

APPOINTMENT 11-2012

PLANNING BOARD – EMPLOYEE MEMBER

CLASS II MEMBER

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

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

BE IT RESOLVED, that a Borough Official, **Class II Member** hereby is appointed to serve.

Mike Stone

Term to expire on **January 1, 2013.**

The above Declaration was an appointment made by the Mayor.

Resolution #12-2012 – Business Improvement District – Council Board Member.

Resolution #12-2012 was moved on a motion made by Boyle, seconded by Valentine and adopted.

Ayes: 7, Nays: 0
Abstentions: 0
Motion Carried.

RESOLUTION 12-2012

**BUSINESS IMPROVEMENT DISTRICT
BOARD MEMBER - COUNCIL REPRESENTATIVE**

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

WHEREAS, under this plan the Mayor of the Borough is to appoint a Council member to the Business Improvement District Board with the consent of the Borough Council; and

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

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the BID BOARD for a term ending **1/01/2013**

Jeanine Gleba
Name

Resolution #13-2012 – Resolution to Join (Renew) Membership in the Statewide Insurance Fund and Designating the Borough Manager as the Statewide Insurance Fund Commissioner for the Year 2012 and the Borough Clerk as Alternate Insurance Fund Commissioner.

Resolution #13-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

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

13-2012

STATEWIDE INSURANCE FUND

RESOLUTION TO JOIN (RENEW) THE FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund ("FUND"), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, The Borough of Washington ("LOCAL UNIT") has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2012** terminating on **January 1, 2015** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) as marked "Yes":

	<u>YES</u>	<u>NO</u>
Workers' Compensation & Employer's Liability	x	
<i>Liability, Property, Crime-Faithful Performance and Fidelity,</i>	x	
<i>Inland Marine, Boiler and Machinery, Comprehensive General</i>	x	
<i>Liability, Auto Liability, Auto Physical Damages</i>	x	
<i>and Professional Liability</i>		
 <i>Pollution Liability</i>	 x	

BE IT FURTHER RESOLVED that Richard Phelan Borough Manager is hereby appointed as the LOCAL UNIT's Fund Commissioner and Kristine Blanchard Borough Clerk is hereby appointed alternate fund commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Resolution #14-2012 – Appointing Risk Manager Consultant for the Year 2012

Resolution #14-2012 was moved on a motion made by Higgins, seconded by Boyle and adopted.

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

RESOLUTION 14-2012

APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, the Borough of Washington (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Hunterdon and State of New Jersey, as follows:

1. The Borough of Washington hereby appoints Wayne Dietz of D & H Alternative Risk Solutions its local Risk Management Consultant.
2. The Borough Manager and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2012 in the form attached hereto.

Resolution #15-2012 Authorizing the Tax Assessor & Legal Counsel to prosecute tax appeals before the Warren County Board of Taxation

Resolution #15-2012 was moved by Valentine, seconded by Torres and adopted.

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

**RESOLUTION AUTHORIZING 2012 PROFESSIONAL SERVICES CONTRACT
WITH RICHARD CONLEY FOR TAX APPEAL ATTORNEY SERVICES**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Tax Appeal Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Richard M. Conley, LLC has submitted a proposal dated October 13, 2011 indicating they will provide the above-referenced services at the rates listed in their fee schedule for 2012; and

WHEREAS, Richard M. Conley, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Richard M. Conley, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit Richard M. Conley, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by Richard M. Conley, LLC.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Richard M. Conley, LLC as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Richard M. Conley, LLC.

Resolution #16-2012 -- Appointment of Municipal Bond Attorney

Resolution #16-2012 was moved on a motion made by Valentine, seconded by

Gleba and adopted.

Ayes: 7 Nays: 0

Abstentions: 0

Motion Carried

RESOLUTION 16-2012
AUTHORIZING 2012 PROFESSIONAL SERVICES CONTRACT WITH GIBBONS,
P.C. FOR MUNICIPAL BOND ATTORNEY SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Bond Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Gibbons, P.C. has submitted a proposal dated October 7, 2011 indicating they will provide the above-referenced services at the rates listed in their fee schedule for 2012; and

WHEREAS, Gibbons, P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Gibbons, P.C. has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit the Gibbons, P.C. from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by Gibbons, P.C.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Gibbons, P.C. as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Gibbons, P.C.

Resolution #17-2012 – Resolution Authorizing a Petty Cash Fund

Resolution #17-2012 was moved by Higgins, seconded by Torres and adopted.

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

RESOLUTION #17-2012

**RESOLUTION AUTHORIZING THE BOROUGH OF WASHINGTON
TO MAINTAIN A PETTY CASH FUND IN THE AMOUNT OF \$ 300.00.**

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for the Borough of Washington; and

WHEREAS, it is the desire of the Mayor and Council that said fund be continued under the direction of the Municipal Clerk;

NOW, THEREFORE, BE IT RESOLVED, on this 3rd day of January, 2012, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that the following Petty Cash Fund be established:

Municipal Clerk, Kristine Blanchard \$300.00

The Municipal Clerk, having custody of the Fund, must maintain said Fund in accordance with the laws and regulations governing its operation.

Resolution #18-2012 – Appointment of Municipal Engineer

Resolution #18-2012 was moved on a motion made by Valentine, seconded by Torres and adopted.

Councilwoman Gleba noted that this is a managerial appointment and he is starting his second year of a three year term.

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

RESOLUTION 18-2012
AUTHORIZING 2012 PROFESSIONAL SERVICES CONTRACT WITH
SUBURBAN CONSULTING ENGINEERS FOR MUNICIPAL ENGINEERING
SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Suburban Consulting Engineers has submitted a proposal dated August 30, 2011 indicating they will provide the above-referenced services at the rates listed in their fee schedule for 2012; and

WHEREAS, Suburban Consulting Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that Suburban Consulting Engineers has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit the Suburban Consulting Engineers from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

2-01-20-165-000-028

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Suburban Consulting Engineers as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Suburban Consulting Engineers.

Resolution #19-2012 – Appointment of Municipal Wastewater Engineer

Resolution #19-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

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

RESOLUTION 19-2012
AUTHORIZING 2012 PROFESSIONAL SERVICES CONTRACT WITH
SUBURBAN CONSULTING ENGINEERS FOR MUNICIPAL WASTE WATER
ENGINEERING SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Waste Water Engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Suburban Consulting Engineers has submitted a proposal dated August 30, 2011 indicating they will provide the above-referenced services at the rates listed in their fee schedule for 2012; and

WHEREAS, Suburban Consulting Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that Suburban Consulting Engineers has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit the Suburban Consulting Engineers from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

2-05-55-502-000-028

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Suburban Consulting Engineers as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Suburban Consulting Engineers

Resolution #20-2012 – Re-Appointment of the Planning Board Class IV Member – Andrew Turner

Resolution #20-2012 was moved on a motion made by Valentine, seconded by Higgins and adopted.

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

RESOLUTION 20-2012

RE-APPOINTMENT PLANNING BOARD – CITIZEN MEMBER

CLASS IV MEMBER

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

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

I do hereby appoint the following named person as a **Class IV Member** to the **Planning Board**, term to expire December 31, 2015

Andrew Turner
Name

Resolution #21-2012 – Re-Appointment of the Planning Board Class IV Member – Marianne Van Deursen

Resolution #21-2012 was moved on a motion made by Valentine, seconded by Higgins and adopted.

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

RESOLUTION 21-2012

RE-APPOINTMENT PLANNING BOARD – CITIZEN MEMBER

CLASS IV MEMBER

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

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

I do hereby appoint the following named person as a **Class IV Member** to the **Planning Board**, term to expire December 31, 2015

Marianne Van Deursen
Name

Resolution #22-2012 – Re-Appointment to the Board of Adjustment – Lawrence Durfee

Resolution #22-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

RESOLUTION 22-2012

BOARD OF ADJUSTMENT

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

WHEREAS, under this plan the Borough Council is directed and authorized to appoint members of the Board of Adjustment.

WHEREAS, the Borough Council has designated the following person his appointee;

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the Board of Adjustment for a term ending **12/31/2015**.

Lawrence Durfee

Resolution #23-2012 – Re-Appointment to the Board of Adjustment – Don Eller

Resolution #23-2012 was moved on a motion made by Boyle, seconded by Jewell and adopted.

Ayes: 7 Nays: 0

Abstentions: 0

Motion Carried

RESOLUTION 23-2012

BOARD OF ADJUSTMENT

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

WHEREAS, under this plan the Borough Council is directed and authorized to appoint members of the Board of Adjustment.

WHEREAS, the Borough Council has designated the following person his appointee;

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the Board of Adjustment for a term ending **12/31/2015**.

Don Eller

Resolution #24-2012 – Re-Appointment Municipal Alliance Coordinator – Dorothy Repsher

Resolution #24-2012 was moved on a motion made by Higgins, seconded by Boyle and adopted.

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

RESOLUTION 24-2012

RE-APPOINTMENT OF MUNICIPAL ALLIANCE COORDINATOR

BE IT RESOLVED, by the Mayor and Council of the Borough of Washington that Dorothy Repsher be and hereby is appointed the Municipal Alliance Coordinator for a term of five years ending December 31, 2016.

Resolution #25-2012 – Recreation Commission Appointments –

1. Jessica Olmos
2. Jess Haines
3. Adam Zimmer
4. Tim Shanahan
5. Michael Nauchbaur
6. Victor Cioni
7. Melissa Homes

Resolution #25-2012 was moved on a motion made by Higgins, seconded by Valentine and adopted.

Ayes: 7 Nays: 0
Abstentions: 1 (Higgins for Tim Shanahan)
Motion Carried

RESOLUTION 25-2012

RECREATION COMMISSION APPOINTMENTS

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

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

WHEREAS, the Mayor has designated the following person (s) his appointees;

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named people are appointed to the Recreation Commission for the following staggered terms:

<u>Commissioners</u>	<u>Term Ending</u>
Jessica Olmos	12/31/2012
Jeff Haines	12/31/2012
Adam Zimmer	12/31/2013
Tim Shanahan	12/31/2013
Michael Nachbaur	12/31/2014
Victor Cioni	12/31/2015
Melissa Homes	12/31/2016

Resolution #26-2012 – Re-Appointment of Library Board of Trustee – Charlene Jones

Resolution #26-2012 was moved on a motion made by Jewell, seconded by Valentine and adopted.

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

RESOLUTION # 26-2012

**RESOLUTION APPOINTING A MEMBER TO THE
LIBRARY BOARD OF TRUSTEES**

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

WHEREAS, under this plan the Mayor of the Borough is to appoint the members of the Library Board of Trustees for Washington with the consent of the Borough Council; and

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

WHEREAS, the Council does approve of this appointment.

BE IT THEREFORE RESOLVED, that the following named person is appointed to the Library Board of Trustees, for a term ending 12/31/2016.

Charlene Jones

Resolution #27-2012 – Supporting a Fair School Funding Mechanism in the State of NJ

Resolution #27-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Ayes: 7 Nays: 0
Abstentions: 0
Motion Carried

RESOLUTION 27-2012

Supporting a Fair School Funding Mechanism in the State of NJ

WHEREAS, the Council of the Borough of Washington believes that every child should have equal resources of state aid distributed by the legislature for an education in the State of New Jersey by utilizing a fair school funding mechanism; and

WHEREAS, the current distribution of state aid for education to the schools has not been distributed in a fair and equitable manner to provide property tax relief to all the citizens of the State of New Jersey; and

WHEREAS, Article III., Paragraph 1, of the New Jersey State Constitution states, “The powers of government shall be divided among three distinct branches, the legislative, executive, and judicial. No person or persons belonging to or constituting one branch shall exercise any of the powers properly belonging to either of the others, except as expressly provided in this Constitution; and

WHEREAS, Article VIII, Section IV, Paragraph 1, of the New Jersey State Constitution states, “the Legislature shall provide for the maintenance and support of a through and efficient system of free public schools for the instruction of all children in the State between the ages of five and eighteen years;” and

WHEREAS, Article VIII, Section IV, Paragraph 2, of the New Jersey State Constitution states, “the fund for the support of free public schools... shall be annually appropriated to the support of free public schools, and for the equal benefit of all the people of this State; and

WHEREAS, Article VIII, Section I, Paragraph 7.a., of the New Jersey State Constitution states, “the income tax is to be “annually appropriated...exclusively for the

purpose of reducing or offsetting property taxes;” and

WHEREAS, this body can no longer bear the burden of the continued diversion of its fair share of state school aid for the students between the ages of five and eighteen years of age who reside within this jurisdiction.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Washington do hereby call upon the Legislature of the State of New Jersey to fulfill its constitutionally assigned duty to distribute the state aid for education to the school districts in this state in a fair manner that is for the equal benefit of all people of the state and not by means that are prejudiced by the actions of special interests that may have been presented before the Court or other venue.

BE IT FURTHER RESOLVED, that the Clerk of this entity is hereby directed to forward a copy of this resolution to Governor Chris Christie, Senate President Stephen Sweeney, Senate Minority Leader Thomas Kean Jr., Assembly Speaker Sheila Oliver and Assembly Minority Leader Alex DeCroce.

Resolution 28-2012 Appointment to Planning Board – Daniel Frascella

Resolution 28-2012 was moved on a motion made by Boyle, seconded by Higgins and adopted.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION 28-2012

Planning Board

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

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

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

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the Planning Board for a term ending **December 21 2015**.

Daniel Frascella

Reappointments for Council Subcommittees

1. Appointment of Recreation Commission Liaison (s) – Scott McDonald
2. Senior Services (Deputy Mayor) – Patrick Boyle
3. Website/Technology Committee – McDonald, Torres
4. Streets Committee – Boyle, Jewell
5. Codebook Review Committee – Torres, Gleba, Valentine
6. Sewer Committee – Higgins, Boyle, McDonald
7. Policy/Goals Committee – Valentine, Torres

AUDIENCE:

Mayor McDonald opened the audience portion of the meeting.

Hearing no comments from the audience, motion made by Higgins, seconded by Jewell to close the audience portion of the meeting.

ORDINANCES:

1. Ordinance 1-2012 AN ORDINANCE ESTABLISHING RECREATION PROGRAM FEES (Introduction)

Motion made by Valentine, seconded by Boyle to introduce Ordinance 1-2012 and have the Clerk read by title.

Ayes: 7, Nays: 0
Motion Carried

The clerk read, “Ordinance 1-2012 Establishing Recreation Department Fees.”

Discussion: Councilman Torres stated there has been an interest from community members to offer a monthly pool membership. Mayor McDonald stated this is setting the ranges and not the fees directly. Mayor McDonald stated he can bring this up at the Recreation meeting tomorrow evening.

Mayor McDonald entertained a motion to approve Ordinance 1-2012 on first reading.

Motion made by Valentine, seconded by Gleba and approved.

Ayes: 7, Nays: 0
Motion Carried.

Public Hearing of Ordinance 1-2012 will be scheduled for February 7, 2012.

Motion made by Higgins, seconded Jewell to approve public hearing and advertising of Ordinance 1-2012.

Ayes: 7, Nays: 0
Motion Carried

**AN ORDINANCE ESTABLISHING RECREATION
DEPARTMENT PROGRAM FEES**

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

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

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

Recreation Program/Event		Minimum	Maximum
Fees Apply for all Boro Administered Programs up to and including the 2nd child (50% for 3rd child and no fee for 4th child and beyond)			
Girl's Softball: 2nd Grade thru 8th Grade			
	ALL	\$35	\$100
Karate/Self-Defense - Ages 5 thru 12			
	ALL	\$35	\$100
Easter Egg Hunt: Ages 3 to 6th Grade	No Charge		
Swim Team: Ages 5 to 18 Team Member	Must also be member of the pool	\$50	\$100
Swim Lessons: Ages 3 and Up	Must be 42 inches in height		
	ALL	\$40	\$100
	Private Lessons	\$60	\$100

Pool Fees			
Membership (All memberships half price after August 1 st)	Individual (Boro Resident)	\$75	\$125
	Individual (Non-Boro)	\$75	\$125
	Family (Boro Residents)	\$150	\$300
	Family(Non-Boro)	\$150	\$300
	Senior Citizens (ALL)	\$0	\$50
Trial Membership – 4 Days (for up to family)	Expires 7/1 each year	\$0	\$40
Trial fee may be applied to membership			
Daily			
Adult		\$6	\$10
Child (4 to 17 years old)		\$4	\$8
Child (up to 3 years old)		\$0	\$0
Senior		\$0	\$8
Twilight (after 6pm)	All Twilight	\$3	\$6
Teen Pool Party		\$3	\$10
Water Aerobics		\$10	\$40
Soccer: Kindergarten to 8th Grade	Age 5	\$35	\$50
	Ages 6 & 7	\$35	\$100
	Ages 8 and up	\$45	\$100
Field Hockey: 2nd to 6th Grade	ALL	\$35	\$100
Men's Basketball	Team Sponsor	\$200	\$600
Individual Participant	ALL	\$40	\$75
Movies in the Park	No Charge		
Youth Basketball: K thru 2nd Grade (Clinic)	Clinic only	\$30	\$60
3 rd Grade thru 8 th Grade	ALL	\$40	\$100
Street Hockey: Kindergarten to 8th Grade	ALL	\$35	\$100
Usage Fee – Field/Game Day (Field Fee Included in Registration Fee for all Boro Administered Programs)	Daily Fee	\$45	\$500

Field Fee Based on Field Maint/Prep			
Lighting at Park	Per Hour	\$15/hr	\$55/hr
Sport Clinic Programs		\$35	\$100
Party Rental (Pool Hours)	Members		
	Non-Members		
Party Rental (After Hours)	50 People	200	300
	51-100 People	300	400
	Over 100 People	400	500
Pavilion/Tent Rental		\$25	\$100
Summer Recreation Programs		\$50	\$1000
Special Events		\$5	\$1000
5K Run/Walk		\$5	\$60

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

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

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

VOUCHERS:

Mayor McDonald entertained a motion to approve the claims and vouchers in the amount of \$ 47,177.34.

Motion made by Higgins, seconded by Jewell.

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

Ayes: 7, Nays: 0

Abstain: Jewell – Fire, EMS, Higgins - Fire

COUNCIL REMARKS:

Councilman Jewell – Wished everyone a Happy New Year

Councilman Torres – Wished everyone a Happy New Year

Councilwoman Gleba – Thanked all of the employees for their hard work during the year.

Councilman Boyle – Thanked the employees and the DPW Department for their hard work after the October storm with the brush and branch pickup.

Councilman Higgins – Thanked all of the employees as well.

Councilman Valentine – Wished everyone a Happy New Year and is looking forward to working with everyone.

Mayor McDonald – Wished everyone a Happy New Year.

ADJOURNMENT:

Hearing no further business to come before Council, it was moved by Boyle, seconded by Higgins that the meeting be adjourned at 8:05 p.m.

Ayes: 7 Nays: 0

Abstentions: 0

Motion carried.

Scott McDonald, Mayor

Kristine Blanchard, RMC Borough Clerk