

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – January 17, 2012**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:00 P.M.

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

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

Mayor McDonald led everyone in the flag salute.

Mayor McDonald read the following Statement into the Record:

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

**CORRESPONDENCE:**

Washington Fire Department Annual Report

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

Ayes: 4, Nays: 0  
Abstain: 2 (Jewell, Higgins)  
Motion Carried

**MINUTES:**

Mayor McDonald entertained a motion to approve the minutes from December 6, 2011 Regular Meeting and December 6, 2011 Executive Session.

Motion made by Higgins, seconded by Torres and adopted.

Ayes: 3, Nays: 0  
Abstain: 3 (Jewell, Valentine, McDonald)  
Motion Carried

**AUDIENCE:**

Mayor McDonald opened up the audience portion of the meeting.

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

Ayes: 6, Nays: 0  
Motion Carried

**ORDINANCES:**

None

**REPORTS:**

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

1. Managers Report
2. Municipal Court Report
3. DPW Report
4. CFO Report
5. Tax Collector

Ayes: 6, Nays: 0  
Motion Carried

Councilwoman Gleba motioned to have the CFO include the revenue year to date numbers on her monthly report. Manager Phelan stated this is a report run through Edmunds – there is no year to date option on those reports; however the year to date numbers are available on our website. There was no second to the motion.

**COMMITTEE REPORTS:**

Codebook Committee

Councilwoman Gleba noted the new books should be ready by the end of January. She stated that the Municipal Clerk has included an editorial analysis in the 2012 budget and the committee will continue to review the book and will make recommendations to Council. The plan is to re-codify in 2013. She also reported that Councilman Torres is the new chair of the

committee. The committee would also like to request that either the manager or clerk attend one of their meetings per month.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**2012 Budget**

Manager Phelan explained that in September of 2011, budget worksheets were sent to all departments. Once this information was received, the CFO and I began formulating the “draft” Current Fund and Sewer Utility budgets based on many factors, which include, but were not limited to the following: departmental budget requests, State Aid amounts, actual revenue received in 2011 vs. projected revenue in 2012, actual and projected expenditures in 2012, tax collection rate, debt Service, police department costs (shared service agreement.)

Manager Phelan stated that he is pleased to say that we will be presenting a sound and responsible budget to the Council in 2012. At this time, the only item still outstanding that we are waiting on would be the final costs of the Shared Service Agreement for Police Services. He has provided Council with two possible budget scenarios.

Preliminary Budget “A”

Manager Phelan stated this budget reflects all departmental requests as presented, and represents a \$7,201,124.08 budget, which is \$74,792.41 more than the 2011 budget. In this budget, the amount to be raised by taxation would be \$5,696,640.08, which equates to a 3.4 cent increase. On the average assessed home (\$145K), this would be a \$49.30 municipal tax increase for the 2012. He noted this budget meets all state mandated budget cap’s.

Manager Phelan noted for Council this includes a 4% increase for the Police Budget, which is a high estimate. Once the final Police numbers are received, the budget will be adjusted accordingly.

Preliminary Budget “B”

Manager Phelan explained this scenario reflects an administrative-recommended budget, and represents a \$7,121,286.08 budget, which is \$5,108.59 less from the 2011 budget. In this budget, the amount to be raised by taxation would be \$5,616,802.08, which equates to a 1.2 cent increase. On the average assessed home (\$145K), this would be a \$17.40 municipal tax increase for the 2012. He stated this budget would meet all State-mandated budget cap’s.

Manager Phelan again noted this budget also includes a 4% increase for the Police Budget which will be adjusted accordingly once the final numbers are received.

Manager Phelan stated he is providing Council with summary sheets for both preliminary budgets. Once the Annual Financial Statement is completed, we will be preparing the actual budget document as provided by the State. This completed document, along with departmental worksheets will be provided to you at that time.

Councilwoman Gleba asked if the sewer budget information included the work on Gardner's Court. Manager Phelan stated no; that would be something we could consider bonding for. Councilwoman Gleba stated she will not approve any more bond ordinances.

### **Background Checks**

Councilwoman Gleba explained to Council she has provided them with a draft copy of a background check ordinance. She stated she has worked with the Borough Manager on the Ordinance and this has also been reviewed by the Municipal Attorney. She stated that if this is something the Governing Body would like to move forward with; she will provide a copy to the Recreation Commission and the Police Chief for their review. Councilman Torres requested a copy be given to the codebook committee.

A brief discussion ensued regarding some of the contents of the ordinance. Motion made by Gleba, seconded by Valentine to move forward by having the Ordinance forwarded to the Police Chief, Recreation Commission, and the Codebook Committee. Ayes – 6, Nays: 0. Motion Carried.

### **Resolution 29-2012 Void and Replace Check**

Resolution 29-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

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

Ayes: 6, Nays: 0

Motion Carried

### **RESOLUTION # 29 -2012**

#### **A RESOLUTION TO AUTHORIZE STOP PAYMENT AND REPLACE CHECK**

WHEREAS, check #37595 was issued August 31, 2011 on the Borough of Washington Payroll Account in the amount of \$247.85 and made payable to John D. Wiessler;

WHEREAS, the Finance Office received written notification advising that this check was lost and requesting the Borough to stop payment and reissue the check.

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 Treasurer is authorized to stop payment and replace check #37595.

**Resolution 30-2012 Release of Escrow – Humphrey**

Resolution 30-2012 was moved on a motion made by Gleba, seconded by Torres and adopted.

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

Ayes; 6, Nays: 0  
Motion Carried

**RESOLUTION #30 -2012**

**A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS FROM  
DEBRA HUMPHREY ESCROW ACCOUNT HELD IN TRUST  
BY THE BOROUGH OF WASHINGTON**

WHEREAS, Debra Humphrey, 71 Alvin Sloan Avenue, Washington, NJ 07882 has requested the return of the funds remaining in the escrow account #7760883277; and

WHEREAS, the Law Offices of Scholl, Whittlesley & Gruenberg, LLC has been paid in full, and there are no outstanding engineering invoices, it has been determined that the escrow account money can be released.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to issue a check to Debra Humphrey for the actual account balance in the Debra Humphrey escrow account.

**Resolution 31-2012 – Release of Escrow – Washington Community Solar**

Resolution 31-2012 was moved on a motion made by Gleba, seconded by Torres and adopted.

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

Ayes: 6, Nays: 0  
Motion Carried

**RESOLUTION #31-2012**

**A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS  
FROM WASHINGTON COMMUNITY SOLAR, LLC (BID) ESCROW  
ACCOUNT HELD IN TRUST BY THE BOROUGH OF WASHINGTON**

WHEREAS, Washington Community Solar, LLC of 17 Centerville Rd., Columbia, NJ 07832 has requested the return of the \$20,000.00 bid bond posted to secure execution and delivery of the Power Purchase Agreement; and

WHEREAS, Richard D. Phelan, Borough Manager, has determined that the bid bond can be released.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to issue a check to Washington Community Solar, LLC, for the actual balance in the Washington Community Solar, LLC (BID) escrow account.

**Resolution 32-2012 Redemption of Tax Sale Certificate**

Resolution 32-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

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

Ayes: 6, Nays: 0  
Motion Carried

**RESOLUTION #32-2012**

**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 Zhaoou Yu, 42 Huntington Rd, Basking Ridge, NJ 07920, in the amount of \$530.65 for taxes or other municipal liens assessed for the year 2010 in the name of Jacobs, Elizabeth M, as supposed owners, and in said assessment and sale were described as 147 West Washington Avenue, Block 100 Lot 34, which sale was evidenced by Certificate #11-00022; and

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-9-12 and before the right to redeem was cut off, as provided by law, Bank of America, claiming to have an interest in said lands, did redeem said lands claimed by Zhaoou Yu by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$549.75, which is the amount

necessary to redeem Tax Sale Certificate #11-00022.

**NOW THEREFORE BE IT RESOLVED**, on this 17th day of January, 2012 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Zhaou Yu, , NJ 08865 in the **amount of \$549.75**.

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 100 Lot 34 from the tax office records.

### **Resolution 33-2012 Redemption of Tax Sale Certificate**

Resolution 33-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

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

Ayes: 6, Nays: 0  
Motion Carried

### **RESOLUTION #33-2012**

#### **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 \$531.17 for taxes or other municipal liens assessed for the year 2010 in the name of Hackett, Robert G Theresa A Est, as supposed owners, and in said assessment and sale were described as 149 S Lincoln Avenue, Block 97.03 Lot 12, which sale was evidenced by Certificate #11-00021; and

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-9-12 and before the right to redeem was cut off, as provided by law, CoreLogic for JP Morgan Chase Bank, NA 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 \$550.29, which is the amount necessary to redeem Tax Sale Certificate #11-00021.

**NOW THEREFORE BE IT RESOLVED**, on this 17th day of January, 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 \$550.29**.

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 97.03 Lot 12 from the tax office records.

## **VOUCHERS**

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$ 1,467,987.10.

Motion made by Higgins, seconded by Gleba and approved.

Councilwoman Gleba asked about the CD's from the League of Municipalities convention. Councilman Torres stated he ordered a few he thought may interest all Council members.

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

Ayes: 6, Nays: 0

Abstain: 3 Higgins (Fire Department)

Jewell (EMS and Fire Department)

Gleba (Finelli Consulting)

## **RECAP**

Manager Phelan will make the change to the Codebook Chair on the website. He will provide the Background Check Ordinance to the Recreation Commission, Police Chief, and Codebook Committee.

## **COUNCIL REMARKS:**

Mayor McDonald stated the Land Preservation Committee is looking for a representative from Washington Borough; this is a two year term. Please let him know if you are interested. He also noted that our guests in the audience this evening are working on their Eagle Scout Merit Badge for Citizenship and Community.

Councilwoman Gleba asked if the tax sale information could be forwarded to her again. She also inquired about the interfund balances and year end balances. Manager Phelan stated this information is included in the Annual Financial Statement which is being worked on and is due on February 10. She also inquired about the status of the forensic audit. Manager Phelan stated that the auditors will present to Council when their findings are complete.

Councilman Jewell asked if snow removal in the downtown area could be placed on the next agenda.



Councilman Torres noted that in Governor Christie's speech he stated he will be working to reduce the size of government and government regulations and he hopes that the Borough will follow suit.

Councilman Higgins asked if the Council will be scheduling workshops for the 2012 budget. Manager Phelan noted that it will be best to wait until after the first meeting in February when Council has a complete copy of the budget and the departmental worksheets. He also asked if the Executive Session will be moved to the next meeting due to the absence of Councilman Boyle. Council agreed.

Councilman Valentine thanked the Boy Scout Troop for attending tonight's Council meeting.

Hearing no further business motion made by Torres, seconded by Higgins to adjourn the meeting at 7:55 p.m.

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Mayor Scott McDonald

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Kristine Blanchard, RMC Borough Clerk