

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – May 15, 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: Gleba, McDonald, Torres, Valentine, Jewell, Boyle

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

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**

Recreation Volunteer Days

Motion made by Valentine, seconded by Boyle to receive and file the correspondence with approval to allow recreation to send an email blast regarding volunteer days.

Ayes: 6, Nays: 0  
Motion Carried

**COUNCIL APPEARANCE:**

Mark Van Deursen Captain Washington Emergency Squad

Mr. Van Deursen thanked Council for their continued support of the Washington Emergency Squad. He stated the squad has 40 active members and 4 paid employees on duty from 6:00 a.m. to 6:00 p.m. To date they have responded to 636 calls; which includes 430 emergencies and 73 vehicle accidents. He wanted to inform Council that the Squad Building, built in 1978, needs extensive structural repairs. The Squad is in the progress of researching other buildings and properties to purchase in order to better accommodate the emergency squad. The Emergency Squad is looking in both the Borough and the Township for properties with a close proximity to Rt. 57 and Rt.

31. He noted the money for this purchase comes from donations and money saved throughout the years.

Councilman Boyle thanked the Washington Emergency Squad for the outstanding job they do for the community.

**AUDIENCE:**

Rich Maguire West Washington Avenue

Mr. Maguire discussed with Council the issue he is continually having at the Rt. 57 Culvert that was re-done by the DOT in 2007. He noted this has been an ongoing issue and the State of NJ has done nothing to try and resolve the problem of flooding on the culvert. Manager Blanchard will find out who the contact person is for the DOT for this project and try and find out information for Mr. Maguire. Council also recommended that the Manager write letters to our State Legislators for possible assistance with this problem.

Mike Franks 43 Nunn Ave

Mr. Franks stated he was curious if Council had the opportunity to consider the purchase of the land owned by Washington Venture. He noted that this would be the most responsible use of the land. He also asked if Council had time to consider the possibility of an open space tax. Mayor McDonald stated that Council had not deliberated the open space tax yet.

Edna Detlaf - Fisher Ave

Ms. Detlaf noted that the Borough's defibrillator was not in working order. Ms. Blanchard stated she was aware of the problem and made contacts regarding donations in order to purchase a new one.

Ruddy Bescherer 191 Broad Street

Mr. Bescherer stated that he had a few questions for council regarding the last meetings events. He asked Councilman Valentine what his feelings and thinking was on the last meeting, regarding the audit. Councilman Valentine replied that he thought the audit showed that the Borough was on the right track to cleaning up the bad business practices from the past. He believes that the audit was complete and within the scope of services that Council and the committee engaged the auditor for. Mr. Bescherer questioned how a forensic audit was complete when they did not look at revenues. Mr. Bescherer states that there is a question of where the money is. Mr. Bescherer asked Councilman Valentine how he felt about the residents involvement with the audit. Councilman Valentine replied that residents were allowed to submit questions to the Borough Clerk/ Manager and CFO. Mr. Bescherer noted that these

were two people that had nothing to do with the forensic audit, and asked how these two people were expected to answer questions about the audit when they were not involved with it. Councilman Valentine explained that they would not answer questions directly; instead they would give the questions to the auditor. Mr. Bescherer asked Councilman Valentine if he believed he was representing the residents of the Borough of Washington. Councilman Valentine replied yes. Mr. Bescherer explained that many former employees and residents had contacted the auditor to meet, and had never gotten a response. Mr. Bescherer discussed the confusion with the term forensic audit and investigation; he noted that residents voted for a forensic audit and not an investigative audit. Council explained that they had not deviated from what the voters voted for, but instead it was the auditor's choice of words that may be causing confusion.

Mike Franks 43 Nunn Ave

Mr. Franks expressed that he was disappointed with the waste of Council's time on the issue of the forensic audit. He stated that he believed it was good that the citizens got their audit, and that there was not a hint of wrong doing. Mr. Franks explained that he himself is an auditor, and he regrets that council has to waste their time on this issue.

Edna Detlaf 27 Fisher Ave

Expressed concerns that the contract uses the terminology 'forensic audit' while the auditor continually used the phrase 'forensic investigation'. She explained that it was confusing, because the auditor only looked into certain accounts, and not all of the accounts. Council explained that the auditor did look at all accounts, but there are many accounts, so they highlighted the accounts that had over \$100,000.

Penny Shaw

Expressed concerns with the audit, and the terminology of what a forensic audit is and what it entails. She noted that the majority of residents wanted all areas reviewed in the audit, and questioned council if anyone had contacted the auditor to ask if he would address a specific area in his audit. Councilman Torres and Councilwoman Gleba replied that they did not have contact with the auditor. Attorney Cushing explained that there are three phases within the audit, and that Council had received and paid for phase one. He explained that the auditor could go on to phase two, which would be more in depth but he would need additional compensation. Ms. Shaw expressed concerns that many citizens did not get a chance to speak to the auditor.

Councilman Valentine noted that Mr. Del Elba and former Councilwoman Woykowski met with the auditor. Councilman Valentine asked Mr. Del Elba about the outcome of his meeting with the auditor. Mr. Del Elba explained that the auditor had asked if he could meet with him, and not the concerned citizens group so that he could gain insight. Mr. Del Elba suggested he meet with current and past council

members, as they would have more insight as to previous events. He noted that the auditor only wanted to meet with him and one other person. Mr. Del Elba brought Ms. Woykowski to the meeting and explained that during his meeting with the auditor, the auditor asked about expenditures and other concerns they may have.

Hearing no further comments from the audience a motion was made by Boyle, seconded by Jewell, to close the audience portion.

**ORDINANCES:**

None

**REPORTS:**

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

1. Borough Managers Report
2. DPW Report
3. CFO Report
4. Tax Collector Report

Ayes: 5, Nays: 0  
Motion Carried

Councilman Boyle discussed the Borough Managers Report concerning an update on the overnight stickers. Ms. Blanchard replied that Warren County Communications would be willing to work with the Borough while they come up with an alternative solution. She explained that Warren County offered a web-based system where citizens could log on and input their information. Council noted that many people in the Borough do not have web access. Councilman Torres suggested amending the ordinance to allow overnight parking. Ms. Blanchard noted that 250 overnight parking stickers are sold each year, and the 911 call center receives about 40 calls per night regarding overnight parking. Council discussed two options, to enforce the no overnight parking rule or to amend the ordinance. Ms. Blanchard recommended that every car must get an overnight sticker if they wish to park overnight. Ms. Blanchard explained that Warren County granted an extension to July 1<sup>st</sup>. Council recommended the street committee review.

**COMMITTEE REPORTS:**

1. Codebook Committee

The Codebook Committee specified that they were looking at the background check ordinance. Councilwoman Gleba explained that she proposed the background check ordinance. Councilwoman Gleba and Councilman Torres explained that the Codebook Committee is at a standstill due to differing opinions. The Codebook Committee polled Council, and Councilman Jewell chose in favor of background checks with the Recreation Commission administering it, and new employees should be subject to a background check. Councilman Boyle chose in favor of background checks such as the State VRO method, including fingerprinting. He chose against background checks for employees due to the reason that the Borough utilizes a pre-employment screening on all employees so that may be redundant, and that the cost of the background checks should be handled by the Recreation Commission. Councilman Valentine chose in favor of background checks including fingerprinting. Councilman Torres was in favor of background checks with an outside company. Councilwoman Gleba was in favor of the State VRO Method including fingerprinting, background checks for all new employees, and the recreation commission paying for background checks for volunteers and coaches. All were in favor of a background check. Councilwoman Gleba suggested contacting Councilman Higgins to find out his opinions.

**OLD BUISNESS**

None

**NEW BUISNESS**

1. OPRA- Request for Executive Session Minutes

Motion made by Valentine, seconded by Jewell for release to the public.

Ayes: 6, Nays: 0  
Motion Carried

2. Clean Communities- Graffiti Abatement

Motion made by Gleba, seconded by Boyle to authorize the DPW to purchase Graffiti Abatement supplies at the cost of \$2,013.86.

Ayes: 5, Nays: 1 (Torres)  
Motion Carried

3. Resolution 87-2012 Redemption Tax Sale Certificate

Motion made by Jewell, seconded by Boyle to approve Resolution 87-2012.

Ayes: 6, Nays: 0  
Motion Carried

**RESOLUTION # 87-2012**

**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 September 16, 2010 to Stonefield Inv Fund I, LLC, 21 Robert Pitt Drive #202, Monsey, NY 10952, in the amount of \$6,475.60 for taxes or other municipal liens assessed for the year 2009 in the name of Washington BBQ Churrasqueira, LLC, as supposed owners, and in said assessment and sale were described as 7 Broad Street, Block 95 Lot 8, which sale was evidenced by Certificate #10-00033; and

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-26-12 and before the right to redeem was cut off, as provided by law, Wells Fargo/Romano claiming to have an interest in said lands, did redeem said lands claimed by Stonefield Inv Fund I, LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$26,727.24, which is the amount necessary to redeem Tax Sale Certificate #10-00033.

**NOW THEREFORE BE IT RESOLVED**, on this 15th 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 Stonefield Inv Fund I, LLC, 21 Robert Pitt Drive #202, Monsey, NY 10952 in the amount of **\$30,727.24** (this amount consists of \$26,727.24 Certificate Amount redeemed + \$4,000.00 Premium)

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 95 Lot 8 from the tax office records.

4. Resolution 88-2012 Labor Lien Block 27.09 Lot 9

Motion made by Jewell, seconded by Boyle, to approve Resolution 88-2012.

Ayes: 6, Nays: 0  
Motion Carried

**RESOLUTION #88-2012**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF  
WASHINGTON, WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK  
27.02 LOT 9**

**WHEREAS**, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

**WHEREAS**, Section 91-3 that the Borough can cause such nuisance to be abated; and

**WHEREAS**, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

**WHEREAS**, the Code Enforcement Officer of the Borough has certified, per the attached, that the owner of the property of the property at 76-78 East Church Street, identified on the tax maps of the Borough as Block 27.02 Lot 9 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

**WHEREAS**, the DPW Supervisor has certified that the Borough incurred costs of \$472.00 to correct the violation.

**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 under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$472.00 on the property at 76-78 East Church Street, identified on the tax maps of the Borough as Block 27.02 Lot 9.

5. Resolution 89-2012 Refund of Overpayment 2011 Taxes

Motion made by Jewell, seconded by Boyle to approve Resolution 89-2012.

Ayes: 6, Nays: 0  
Motion Carried

**RESOLUTION # 89-2012**

**A RESOLUTION TO REFUND OVERPAYMENT ON 2011 PRIOR YEAR REAL ESTATE TAXES**

**WHEREAS**, according to the Tax Collector's records, there is an overpayment of \$1,761.28 on 2011 3th Quarter Regular Taxes paid on property located at 224 Belvidere Avenue, also known as Block 35 Lot 39, and in the name of Pietraszewski, Kenneth; and

**WHEREAS**, Wells Fargo Real Estate Tax Service, LLC paid for the former homeowner, Grdovic and the attorney paid the taxes for the new homeowner; and

**WHEREAS**, the Tax Collector has been resolving the matter of tax overpayments and has received a request from Wells Fargo requesting the overpayment be refunded to them.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$1,761.28 payable to:

Wells Fargo Real Estate Tax Service, LLC  
1 Home Campus  
MAC #X2302-04D  
Attn: Refunds/Financial Support  
Des Moines, IA 50328

6. Resolution 90-2012 Refund of Tax Payments – Court Appeal

Motion made by Valentine, seconded by Boyle to approve Resolution 90-2012.

Ayes: 6, Nays: 0  
Motion Carried

**RESOLUTION # 90-2012**

**A RESOLUTION TO REFUND TAX MONIES PER TAX COURT APPEAL**

**WHEREAS**, the Tax Collector has received a Tax Court Judgment received in 2011 for the years of 2008, 2009 and 2010 for the property listed below:

39	1	Fletcher, Thomas & Toni 31 North Pickle Ave	2008 Taxes 2009 Taxes	289.94 452.63
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2010 Taxes	153.83
TOTAL	896.40

Refund payable to: Wells Fargo, Real Estate Tax Services, LLC, 1 Home Campus, MAC #X2302-04D, Attn: Refunds/Financial Support, Des Moines, IA 50328

**WHEREAS**, due to Tax Court Judgment Docket #012596-2010, the assessed value for the land has been reduced from 59,800 to 52,600 which changes the amount of taxes due thus creating these overpayments.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the above tax overpayment.

At this time, Mayor McDonald deviated from the agenda. The Governing Body will discuss the Vouchers at the end of the meeting.

**RE-CAP**

Borough Manager Blanchard will reach out to the DOT for a contact name and number for the flooding issues on Rt. 57. She will also find out the status on the construction project on Rt. 31 from DOT. She will review the Boroughs website FAQ section for the forensic audit. She will check Ordinance 7-2006 for the recreation bond ordinance. She will forward that information on Overnight Parking to the streets committee.

**COUNCIL REMARKS:**

Councilman Jewell stated good job to Manager Blanchard for doing a very diligent job. He also would like to look into getting the AED fixed for it is a very important tool. He also discussed the idea of community service for the cleaning of graffiti around the Borough.

Councilman Torres wanted to make everyone aware that there is an event and fundraiser on June 2<sup>nd</sup> 2012 for Dwight Errickson, a dentist that had been in the borough for a long time who had been diagnosed with cancer.

Councilwoman Gleba requested that Manager Blanced continue with a weekly recap status table on her weekly report. She requested the status of the online tax/sewer payment information from the CFO. She also requested the status on the Pleasant Valley Dam. She also wanted to thank the New Jersey American Water Company for their \$500 donation to the Teen Pool Party. She encouraged everyone to volunteer if they could. Councilwoman Gleba would also like to remind Council that items discussed in Executive Session are confidential.

Councilman Valentine discussed the flooding on Rt. 57, and discussed the notion of doing something to be more proactive with the situation. Council discussed this and decided to send letters to Senator Doherty, Assemblyman DiMaio and Assemblyman Peterson.

### **EXECUTIVE SESSION**

At this time, Mayor McDonald entertained a motion, seconded by Jewell, to enter Executive Session after a five minute recess.

Ayes: 6, Nays: 0  
Motion Carried

At this time, Council re-entered regular session at 10:45 P.M. Mayor McDonald left the meeting at this time.

### **VOUCHERS:**

Motion made by Gleba, seconded by Torres, to approve the payments and claims in the amount of \$1,367,737.51, and to remove the invoice from Schneider & Co.

Ayes: 5, Nays: 0  
Abstain: 2 (Gleba- Finelli Consulting Engineers, Jewell- EMS, Fire dept.)  
Motion Carried

Motion made by Jewell, seconded by Gleba, to approve the following Resolution read by the Municipal Attorney.

Whereas, the Borough of Washington engaged Schneider & Company as the auditor to come in and do forensic auditing, for the Borough; and

Whereas there was a contract entered into in May 2011, in connection with that; and

Whereas, Schneider and Company has submitted a forensic accounting investigation in response to the contract; and

Whereas, members of the public have expressed a desire to present questions with respect to that report that was done by Schneider and Company; and

Whereas, the Mayor and Council have now had an opportunity to review that report, and the public has also had an opportunity to review that report, and also wish to follow up with respect to additional questions; and

Whereas, the Mayor and Council believe that it is important to make sure that any questions from the public are answered as best the auditor can; and

Whereas, the Mayor and Council will also want to make sure that they get any questions from the public pertaining to the auditor in advance so these can be presented in an organized fashion; and

Furthermore, Mayor and Council wish to have the Borough auditor review both the auditors contract and the report that was submitted, to determine whether there was a response, or that the forensic investigation accounting report was in fact responsive to the agreement that was entered into with Schneider and Company;

Now, therefore, be it resolved by the Mayor and Council as follows: The Mayor and Council request the Concerned Citizens group to solicit its members and any other members of the public that may have questions in respect to the audit, to find out specifically what those questions are, and it is requested that the Concerned Citizens group accumulate all the questions into a format, and submit them to the Borough Manager, Kristine Blanchard, for presentation to Schneider and Company so that the company will be aware in advance as to what those questions are, and can properly respond to those questions,

It is further resolved that Schneider and Company will be requested to come and make a public presentation with respect to its report and the findings it has made, and to answer questions raised by the public and the governing body; and

Furthermore, the Manager is directed to request the Municipal Auditor, to do a comparison of the agreement entered into by the Borough and Schneider and Company, with respect to providing the forensic auditing services and also to compare the accounting investigation report submitted by Schneider and Company to determine whether that particular accounting report is consistent with the agreement entered into with the Borough.

Questions must be submitted by June 1, 2012.

Hearing no further business motion made by Torres, seconded by Valentine to adjourn the meeting at 10:55 p.m.

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Mayor Scott McDonald

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Kristine Blanchard, RMC Borough Clerk