

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – July 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: Valentine, Jewell, Torres, McDonald, Higgins, Boyle
Absent - Gleba

Also Present: Kristine Blanchard, Acting Manager/Borough Clerk
Judy Kopen

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:

1. Borough Engineer RE: Pleasant Mill Pond Dam – Grant
2. Borough Engineer RE: Quick Check Washington Township – Sewer Line Request

COUNCIL APPEARANCE:

1. Citi Net – ACH Payments System

A representative from Citi Net presented to the Governing Body and audience members the benefits of using the ACH payment system provided by his company to pay taxes and sewer payments. He also reviewed how the system would look to the end user and reviewed the steps to make online payments.

MINUTES:

Regular Meeting June 17, 2012

Motion made by Torres, seconded by Higgins to approve the minutes of June 6, 2012.

Ayes: 6, Nays: 0
Motion Carried

AUDIENCE:

Maureen Hannons and Brian Hannons
218 Belvedere Avenue

Ms. Hannon expressed concern that there was no fewer than 3 crosswalks in front of her property and there is the number of near-misses concerning students, pedestrians and cars going to the Middle School in the mornings.

Counsel discussed placing a crossing guard at the intersection. Council also discussed placing a sign in the cross walk. Council also discussed writing a letter to the Board of Warren Hills about their concern regarding the cross walk.

Lt. Ciseral suggested placing the speed trailer at the cross walk, which has a computer program that documents speeds of cars. He noted that he could bring the information they find from this device back to the next meeting.

Motion made by Boyles, seconded by Higgins to direct the Borough Manager to write a letter to the Warren Hills board.

Ayes: 6, Nays: 0
Motion Carried

Edna Detlaf

Ms. Detlaf discussed the use of Safety Patrols at crosswalks.

Councilman Higgins noted that he would like a sign for the cross walk ordered and permanently attached to the cross walk, he also would like council to talk to the Road Department Supervisor about placing rumble strips along Belvedere Ave.

Council discussed placing a temporary sign at the crosswalk before school and taken down after school.

Motion made by Higgins, seconded by Jewell to place a temporary sign at the cross walk.

Ayes: 6, Nays: 0
Motion Carried

Motion made by Boyle, seconded by Jewell, to close the Audience Portion.

Ayes: 6, Nays: 0
Motion Carried

ORDINANCES: None

REPORTS:

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

1. Borough Managers Report
2. CFP Report June 2012

Ayes: 6, Nays: 0
Motion Carried

COMMITTEE REPORTS: None

OLD BUSINESS:

1. Open Space Referendum – Discussion

Kathy Haake from the Trust for Public Land spoke in support for the Open Space Referendum that the Borough is considering. She expressed hope that this would help acquire the Washington Station property also known as the Shabecong site. She noted it was a non-binding referendum in which Council will have the opportunity to hear from voters, and then decide if they want to access the tax. Ms. Haake explained that this tax

was a common tax and over half the municipalities in the state have this tax. If the referendum passes at 1.5, it will raise about \$56,000 a year which will cover a \$500,000 bond, a 5% bond for 30 years, with about \$10,000 annually left over to use towards maintenance or development for new or existent parks. It is about \$21 per average household per year. Funds will provide matching funds for the county grant, and it will enable the Borough to establish an Open Space Plan and submit a planning incentive grant to Green Acres. The Borough would then be able to receive up to 50% of all acquisitions costs for Open Space projects, as well as park development projects.

Attorney Kopen explained that should the Borough impose the tax, the money could be used for three purposes: acquisition of land, recreation and conservation, maintenance of land for recreation and conservation and payment of debt service on those. The statute also authorizes additional purposes should Council be interested in pursuing development of any lands acquired, as well as preservation of historic properties. She noted that if in the future Council wanted to consider any of these additional purposes, they would have to put it out for referendum again. She explained that the Borough can only use the money for the specific purposes that are outlined in the referendum.

Councilman Boyle asked what a no vote would permit on the referendum. Council discussed including in the referendum that a no vote would be voting no for an Open Space Tax.

Attorney Kopen explained that for the next meeting she would have a resolution that would include the language for the ballot question, the interpretive statement and a resolution that sets forth the specific purposes that Council decides to put out there.

Councilman Higgins asked if the Borough could use the money to maintain the park that is down town.

Attorney Kopen explained that it could be, as long as it was included in the referendum.

Mayor McDonald entertained a motion to prepare the referendum as directed which includes language to maintain and develop Borough parks for recreation, and to include a no vote will impose a no open space tax. Motion made by Valentine, seconded by Higgins to prepare the referendum as directed.

Councilman Torres stated that he was not in favor of any new taxes whatsoever.

Councilman Jewell stated that he agreed with open space funding, but did not agree with a tax for Borough residents.

Councilman Higgins rescinded his second. Mayor McDonald seconded the motion to prepare the referendum as directed.

Roll Call: Valentine, McDonald (Aye)
Torres, Boyle, Jewell, Higgins (Nay)

Ayes: 2, Nays: 4
Motion Failed

Councilman Torres motioned to remove from consideration the referendum, there was no second.

NEW BUSINESS:

1. Resolution 120-2012, 121-2012, 122-2012 Redemption of Tax Sale Certificate

Motion made by Higgins, seconded by Jewll to approve Resolution 120-2012, 121-2012, 122-2012.

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

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION #120-2012

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 WBB Holdings LLC, 17 Broad Street, Washington, NJ 07882, in the amount of \$441.59 for taxes or other municipal liens assessed for the year 2010 in the name of Pluto, Michael Estate of, as supposed owners, and in said assessment and sale were described as 78 McKinley Avenue, Block 69 Lot 8, which sale was evidenced by Certificate #11-00015; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-25-12 and before the right to redeem was cut off, as provided by law, Comerica/STARS, claiming to have an interest in said lands, did redeem said lands claimed by WBB Holdings LLC by paying the Collector of Taxes of said taxing district of

Washington Borough the amount of \$1,385.01, which is the amount necessary to redeem Tax Sale Certificate #11-00015.

NOW THEREFORE BE IT RESOLVED, on this 17th day of July, 2012 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to WBB Holdings LLC, 17 Broad Street, Washington, NJ 07882 in the **amount of \$1,385.01**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 69 Lot 8 from the tax office records.

RESOLUTION #121-2012

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 Zhaou Yu, 42 Huntington Rd, Basking Ridge, NJ 07920, in the amount of \$413.90 for taxes or other municipal liens assessed for the year 2010 in the name of Wolfe, Michael D II and Kristin A, as supposed owners, and in said assessment and sale were described as 61 Carlton Avenue, Block 16 Lot 2, which sale was evidenced by Certificate #11-00003; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-25-12 and before the right to redeem was cut off, as provided by law, Comerica/STARS, claiming to have an interest in said lands, did redeem said lands claimed by Zhaou Yu by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,312.37, which is the amount necessary to redeem Tax Sale Certificate #11-00003.

NOW THEREFORE BE IT RESOLVED, on this 17th day of July, 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 \$1,312.37**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 16 Lot 2 from the tax office records.

RESOLUTION #122-2012

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 4, 2008 to Mooring Tax Asset Group, LLC, 8614 Westwood Center Dr #500, Vienna, VA 22182, in the amount of \$7,940.26 for taxes or other municipal liens assessed for the year 2007 in the name of Strobro, LLC, as supposed owners, and in said assessment and sale were described as 33-39 Willow Street, Block 100 Lot 57, which sale was evidenced by Certificate #08-00459; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 7-9-12 and before the right to redeem was cut off, as provided by law, NEPCO Fund LLC, claiming to have an interest in said lands, did redeem said lands claimed by Mooring Tax Asset Group, LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$60,807.54, which is the amount necessary to redeem Tax Sale Certificate #08-00459.

NOW THEREFORE BE IT RESOLVED, on this 17th day of July, 2012 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Mooring Tax Asset Group, LLC, 8614 Westwood Center Dr #500, Vienna, VA 22182 in the **amount of \$60,807.54**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 100 Lot 57 from the tax office records.

2. Resolution 123-2012 Granting Leave of Absence – Cindy Trimmer

Motion made by Higgins, seconded by Jewell to approve Resolution 123-2012.

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION #123-2012

**RESOLUTION GRANTING A LEAVE OF ABSENCE
TO CINDY L. TRIMMER**

WHEREAS, the governing body of a municipality may grant temporary leave of absence, without pay, to any employee provided such leave shall not exceed six (6) months at any one time; and

WHEREAS, the governing body desires to maintain complete and accurate records of employee benefits in accordance with New Jersey State Law; and

WHEREAS, Cindy L. Trimmer requested a leave of absence without pay due to personal illness for the period beginning 08/16/2012 and ending on or about 02/16/2013 for pension accounting; and

WHEREAS, the employee is not able to perform her duties due to personal illness and will have exhausted all sick leave benefits as of the close of business on August 15, 2012, and has requested a temporary Leave of Absence Without Pay beginning August 16, 2012.

NOW, THEREFORE BE IT RESOLVED, the Borough of Washington Common Council does hereby grant to Cindy L. Trimmer a temporary leave of absence, without pay, for the period beginning August 16, 2012, with a return to work date of February 16, 2013, from her full-time position as Account Clerk with the Washington Public Library.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Division of Pensions and Benefits in order to allow the employee to retain her non-contributory insurance benefits during the Leave of Absence Without Pay without the contribution from the employee during the leave of absence.

3. Resolution 124-2012 Planning Board Appointment – Rick Monus

Motion made by Boyle, seconded by Jewell to approve Resolution 124-2012.

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

RESOLUTION 124-2012

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 31, 2012**.

Rick Monus

Employee Representative

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$ 2,214,816.82.

Motion made by Valentine, seconded by Jewell and approved.

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

Ayes: 6, Nays: 0

Abstain: Jewell – Fire, EMS, Higgins - Fire

RECAP:

Manager Blanchard asked Council if they would like to move forward with CitiNet.

Motion made by Torres, seconded by Boyle, to move forward with preparing the agreement with Citi Net.

Ayes: 6, Nays: 0

Motion Carried

Manager Blanchard will write a letter to the Warren Hills Board of Education regarding the crosswalk on Belvedere and Carlton Avenue. She will also buy a temporary sign for that crosswalk and look into the rumble strips for Belvedere Ave. She will send a copy of the letter to the residents that spoke about their concern. Manager Blanchard will also make the bill list double sided.

COUNCIL REMARKS:

Councilman Boyle remarked that he reached out to the Borough of Hampton's Mayor Peter Winter. The Borough on Hampton would be interested in opening up discussions again about the garbage/solid waste collection. The Mayor of Hampton will bring this discussion to his council to get feedback from them. Councilman Boyle also commented that the Street Committee met July 13th, Councilman Jewell, Manager Blanchard and Lt. Ciseral were present. The meeting was about the overnight parking ordinance. Councilman Boyle read notes from the meeting. He stated that they asked the Lt. if there was any safety issues with overnight parking and there were none. During the meeting, the Manager stated if they were going to repeal the ordinance, to keep in mind there were some revenues generated per year approx. \$1500 in permits. There were a substantial amount of tickets written for overnight parking, \$9000 in fines. Correspondence from the County was also discussed at the meeting.

Councilman Jewell proposed a yearly parking permit for \$15-\$20 for overnight parking, with the exception of when it snows on emergency routes.

Manager Blanchard noted that anything the Council considers doing; they should not impose until January 1, 2013 because the Borough has already sold stickers for the 2012 year. She explained that she would like to go back to the county and ask for an extension until January 2013 to resolve the issue.

Councilman Jewell explained that his goal was to make this affordable to all.

Councilman Higgins encouraged everyone to visit Beethoven Ave, the project is finished.

Councilman Valentine expressed his disappointment with the results of the discussion of the referendum. He stated that Council is denying the right to voters in town to decide if they want the open space tax.

Councilman Torres stated that he was happy that the vote for the Open Space tax referendum did not go through, he believes that taxes are high enough. He also commented in regards to the overnight parking ordinance, that revenues could be gained the public parking lots in the downtown area.

Councilman Higgins asked if the cost for the ballot question was included in the retainer, or if it was a separate cost. Attorney Kopen replied that it was included in the retainer. Councilman Higgins noted that he was not in favor of any tax, but that the voters do have a right to determine if they would like to pay the extra tax. He explained that the question including the recreation is misleading towards the public.

Mayor McDonald wanted to congratulate Washington Celebrates America for a wonderful 4th of July celebration. He stated that Washington Borough has received a notice from the Warren County Mosquito Commission saying that they did find a deceased bird that tested positive for the West Nile virus in the Borough of Washington. The Warren County Mosquito Commission will do more testing, and if they feel it is necessary they will begin spraying.

Councilman Higgins motioned to allow the referendum question of specifically purchasing the 125 acres of land originally proposed by Washington HOPE, seconded by Valentine.

Roll Call: Higgins, Valentine, McDonald (Aye)
Torres, Boyle, Jewell, (Nay)

Ayes: 3, Nays: 3
Motion Failed

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

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk