

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – October 16, 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, Higgins, Boyle, Jewell, Torres,
Valentine

Also Present: Kristine Blanchard, Manager/Borough Clerk

Mayor McDonald led everyone in the flag salute.

Mayor McDonald read the following Statement into the Record:

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

CORRESPONDENCE:

Suburban Consulting Engineering: Wastewater Management Plan

Andrew Holt will be making his appearance at the November 7th Council Meeting.

COUNCIL APPEARANCES:

Warren County Community College – Dr. William J. Austin, President

Dr. Austin introduced himself to Council and stated he was here to discuss the WCCC’s 2011 Annual Report, which they are required by law to publish. In 2011, WCCC set a new record for graduating students and they continue to be among the fastest growing community colleges not only in New Jersey, but throughout the country. In September, the College successfully opened a satellite location in Phillipsburg. There are also plans for another satellite location in Hackettstown which will help to better serve all of Warren County. Dr. Austin also discussed their enrollment and retention

highlights. They have well over 2,000 students and their graduate numbers are up to 293. Dr. Austin thanked the Governing Body for their time this evening.

Recreation - Chairman, Victor Cioni and Director, Melissa Hommes

Chairman Cioni and Director Hommes appeared before Council to present the state of recreation for 2012. Chairman Cioni listed the highlights of recreation's many accomplishments. In 2012 recreation has completely renovated the snack bar to sell a larger selection of food to pool patrons. Recreation was able to completely restore the children's play sets and swings area with much needed play mulch as well as a much needed power wash. This cleaning will be done in the spring and fall each year. Recreation has been successful in creating new clinic programs for the children. In the winter, they created a Lil' Hoopsters Basketball Clinic for kids in grades K-2 at Taylor Street School which had a very positive response. Recreation also started a tennis clinic in conjunction with Warren Hills Tennis. This program was a huge success and they are looking to expand it for next year as well as looking into other new programs. Recreation also just held their First Annual 5K which was a huge success. They also started the process of state and national background checks on all coaches and assistant coaches of all Borough sponsored programs. Chairman Cioni provided a sports comparison and pool revenue breakdown of 2011 vs. 2012.

Councilwoman Gleba asked if recreation could provide the number of pool memberships from 2011 vs. 2012. She also requested the overall numbers for recreation in 2012. Melissa Hommes will provide that information to council.

AUDIENCE:

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

Ayes: 7, Nays: 0
Motion Carried

REPORTS:

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

1. Borough Managers Report
2. DPW Report
3. Washington Township Monthly Police Report – August 2012

4. CFO Monthly Report – September 2012
5. Tax Collector Report – September 2012
6. Borough of Washington Municipal Court Report – September 2012

Ayes: 7, Nays: 0
Motion Carried

OLD BUSINESS:

Re: Discussion of Overnight Parking

Councilman Torres stated that it appears that the debate that we would lose revenue if the overnight parking ordinance was repealed. Councilman Torres also stated that possible we could offset some of that potential lost revenue with better enforcement of vehicles going over the allotted time in the municipal lots. Lt. Cicerelle stated there would not be a significant number of violations issued within those lots. Sandi Cerami inquired about the painting of the curbs and new signs for downtown. The Borough Manager will look into the matter with the town engineer.

Motion made by Torres, seconded by Gleba, to repeal the on-street portion of the overnight parking ordinance from 3am to 6am taking effect December 31, 2012. The ordinance would be drafted by the second meeting in November.

Ayes: 7, Nays: 0
Motion Carried

NEW BUSINESS:

1. Resolution 151-2012 Authorizing the Mayor and Clerk to Execute a Second Amendment to The Power Purchase Agreement with Washington Community Solar, LLC

Resolution 151-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 151-2012

**RESOLUTION AUTHORIZING THE MAYOR AND CLERK
TO EXECUTE A SECOND AMENDMENT TO THE POWER
PURCHASE AGREEMENT WITH WASHINGTON
COMMUNITY SOLAR, LLC**

WHEREAS, the Borough of Washington (“Borough”) and Washington Community Solar, LLC (“WCS”) entered into a Power Purchase Agreement (“PPA”) dated December 30, 2011, for the purpose of providing solar energy to certain Borough facilities through solar facilities to be constructed by WCS on property in Washington Township adjacent to property owned by the Borough; and

WHEREAS, by the terms of the PPA, WCS had six months from the Effective Date of the PPA to obtain all required State and local regulatory permits, consents and approvals to enable it to construct its solar facilities; and

WHEREAS, WCS requested and the Borough granted it an approximate three month extension of time so that it had until September 30, 2012 to obtain the required permits and consents; and

WHEREAS, by letter dated September 27, 2012 WCS provided the Mayor and Council with an update of the status of the project as well as a request for a six-month extension of the time period set forth in Section 2 of the PPA giving WCS until March 31, 2013 to obtain all required approvals; and

WHEREAS, WCS also requested a corresponding six-month extension of the time period set forth in Section 3.3(a) of the PPA giving WCS until June 30, 2013 to begin providing electricity to the Borough; and

WHEREAS, WCS has offered to pave an approximate 800 foot section of the road on Borough property leading to the solar facilities; and

WHEREAS, the Mayor and Council have reviewed the request of WCS for the two extensions and have determined to accept the offer to pave the access road and grant the request of WCS for extensions to enable WCS to move forward with the project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, as follows:

- A. The Mayor and Council consent to the amendment of Section 2 of the PPA to provide that Washington Community Solar, LLC shall have until March 31, 2013 to obtain all required State and local regulatory permits, consents and approvals, to design, permit, acquire, construct and install its solar facility.

- B. The Mayor and Council further consent to the amendment of Section 3.3(a) of the PPA to provide that WCS shall commence the delivery and sale of electricity to the Borough no later than June 30, 2013 which shall be the new Required Commencement Date under the PPA.
- C. The Mayor and Council accept the offer of WCS to pave an approximate 800 foot portion of the access road for the solar facility that is located on Borough property.
- D. The Mayor and Clerk are hereby authorized to sign an amendment to the PPA in a form acceptable to the Borough Attorney amending Sections 2 and 3.3(a) of the PPA and including a requirement for the paving of the access road all as set forth above.

2. Resolution 152-2012 Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Green Street Roadway and Pedestrian Walkway Improvement project.

RESOLUTION # 152-2012

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRASPOTATION FOR THE GREEN STREET ROADWAY AND PEDESTRIAN WALKWAY IMPROVEMENTS PROJECT.

NOW, THEREFORE, BE IT RESOLVED that Council of Washington Borough formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the (Mayor/Council) and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Washington Borough-00529 to the New Jersey Department of Transportation on behalf of Washington Borough.

BE IT FURTHER RESOLVED that (Mayor/Council) and Clerk are hereby authorized to sign the grant on behalf of Washington Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution 152-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Ayes: 7, Nays: 0
Motion Carried

3. Approval of new Fire Department Member – Marc Wilson

The motion to approve Marc Wilson as a new Fire Department Member was moved by Boyle, seconded by Valentine and adopted.

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

Ayes: 5, Nays: 0

Abstain: Jewell, Higgins

Motion Carried

4. Resolution 153-2012 – Board of Adjustment Appointment, Nathan Carroll; Resolution 154-2012 – Recreation Commission Appointment, Joe Pinto; Resolution 156-2012 – Recreation Commission Appointment, Dave Perricone; Resolution 158-2012 – Recreation Commission Appointment, Tim Shanahan Transfer from Commissioner to Alternate Commissioner.

RESOLUTION 153-2012

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 **December 31, 2016**.

Nathan Carroll

RESOLUTION 154-2012

RECREATION COMMISSION APPOINTMENT

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 Commission with the consent of the Borough Council; and

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed as Recreation Commissioner.

<u>Commissioner</u>	<u>Term Ending</u>
Joe Pinto	12/31/16

RESOLUTION 156-2012

RECREATION COMMISSION APPOINTMENT

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 Commission with the consent of the Borough Council; and

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed as Recreation Commissioner.

<u>Commissioner</u>	<u>Term Ending</u>
Dave Perricone	12/31/16

RESOLUTION 158-2012

RECREATION COMMISSION APPOINTMENT
TRANSFER FROM COMMISSIONER TO ALTERNATE COMMISSIONER

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 Commission with the consent of the Borough Council; and

WHEREAS, Tim Shanahan is currently serving as Recreation Commissioner;

WHEREAS, this appointee has also requested to be transferred to alternate recreation commissioner;

WHEREAS, The Council does approve of this transfer.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed as Alternate Recreation Commissioner.

<u>Commissioner</u>	<u>Term Ending</u>
Tim Shanahan	
Alt. Commissioner	12/31/16

Resolution 153-2012, 154-2012, 156-2012, and 158-2012 were moved on a motion made by Valentine, seconded by Torres and adopted.

Ayes: 7, Nays: 0
Motions Carried

5. Resolution 155-2012 – To adjust Sewer Billings in Accordance with Chapter 70; Section 28B of the Code of The Borough of Washington.

RESOLUTION # 155-2012
A RESOLUTION TO ADJUST SEWER BILLINGS IN ACCORDANCE
WITH CHAPTER 70, SECTION 28B OF THE CODE OF THE BOROUGH OF
WASHINGTON.

WHEREAS, the Borough of Washington commenced operations of a municipal sewer utility in January of 1999; and

WHEREAS, certain facts have come to the attention of the Borough to justify

modification of sewer service charges which have been reviewed by the Borough Manager; and

WHEREAS, notice has been provided to the owner(s) of the property or properties listed below of the action proposed to be taken with the date, time and place where the Mayor and Council will meet to consider change(s) in the E.D.U.'s assigned to the property or properties listed below; and

WHEREAS, all parties affected by this resolution will be notified of the action taken, in writing, and notified of an opportunity to appear, in person, at a formal hearing of the governing body, if dissatisfied with the decisions made herein.

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 following changes in the sewer service charge(s) are approved:

BLOCK/LOT	NAME/ADDRESS	REASON/ADJUSTMENT
23/14	1921 Belvidere Ave., LLC Tom & Gwenn Smith 21 Belvidere Ave. Washington, NJ 07882	Change in Use (3) to (2.5) E.D.U.s Effective: November 2012

BE IT FURTHER RESOLVED that the Borough Clerk be directed to send a certified copy of this resolution to all parties affected by this resolution and advise them of their right to protest the decision and request a formal hearing before the governing body, as provided in Chapter 70, Section 13. If no protest is filed, the decisions contained herein shall be considered final.

The motion to Adjust Sewer Billings in Accordance with Chapter 70; section 28B of the Code of The Borough of Washington was moved by Torres, seconded by Boyle and adopted.

Ayes: 7, Nays: 0
Motions Carried

6. Resolution 157-2012 – Authorizing the release of the remaining balances in the Developer’s Escrow Account for J.P. Van Cleef.

RESOLUTION #157-2012

A RESOLUTION AUTHORIZING THE RELEASE OF THE REMAINING BALANCE IN THE DEVELOPER’S ESCROW ACCOUNT FOR J. P. VAN CLEEF - MIDTOWN HELD IN TRUST BY THE BOROUGH OF WASHINGTON

WHEREAS, Jack Van Cleef, of J.P. VanCleef-Midtown, has requested the release of the balance remaining in escrow account #7200020900; and

WHEREAS, Andrew S. Holt, C.M.E., of Suburban Consulting Engineers recommends the release of the remaining balance of \$33.95, along with any additional accrued interest;

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 J.P. Van Cleef-Midtown, for the remaining balance in their account plus accrued interest to date of closure.

The motion to authorize the release of the remaining balances in the Developer’s Escrow Account for J.P. Van Cleef – Midtown held in trust by the Borough of Washington was moved by Gleba, seconded by Boyle and adopted.

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

Ayes: 7, Nays: 0

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$731,464.80

Motion made by Higgins, seconded by Jewell and approved.

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

Ayes: 7, Nays: 0

Abstain: Higgins – Fire Dept.
Jewell – Fire and EMS
Gleba – Finelli Consulting Engineers

RECAP:

The Borough Manager will reach out to the town engineer as to the status of the curb painting and the signs. She will also draft the ordinance to repeal the overnight on-street parking portion from the current ordinance.

COUNCIL REMARKS:

Councilman Torres expressed his sympathy at the loss of former library employee Ms. Cindy Trimmer. The wake will be held at the Devoe Funeral Home.

Councilwoman Gleba said there were great things happening in October. Kudos to the Recreation Commission on their work with the 5K and congrats to the BID for a successful festival. Councilwoman Gleba also asked if there was something Council could do for Ms. Trimmer. Manager Blanchard mentioned a proclamation and the Mayor said possibly naming the children's section in her honor. Councilwoman Gleba also asked when the changes to the ordinance from the code book committee are needed by. Manager Blanchard said by January or February at the latest. Council discussed the professional proposals received. Council does need to re-advertise.

Motion made by Higgins to advertise on the Borough Website and the League of Municipalities for the following professionals: Municipal Attorney, Municipal Engineer, and Borough & Wastewater Engineer, seconded by Boyle and approved.

Ayes: 7, Nays: 0
Motion Carried

Councilman Valentine stated that the BID had a great festival and the Recreation Commission's 5K was great, and nice to see people downtown. He asked about the police presence at such an event like the 5K and asked Manager Blanchard to follow up. Manager Blanchard will check with the Recreation Commission as to what was discussed about police presence. Councilman Valentine also added that he noticed that a lot of trees downtown need to be trimmed. Manager Blanchard will discuss trimming the trees with the Shade Tree Commission.

Councilman Boyle stated that it was nice to see the vision that the Recreation Commission and the BID both have to improve and get people downtown.

Councilman Jewell stated that the Fire Department will be holding their annual Halloween parade on October 28th at 2pm in front of the firehouse. He also said congratulations to Recreation on their 1st annual 5K and noted it is positive progress for the Borough. He also noted that the BID festival was great.

Councilman Higgins stated that he went to the DPW garage to see the 800 feet of blacktop. He also said that a gate should be considered at the bridge to prevent people from dropping off unacceptable items. Manager Blanchard already instructed John Burd to get estimates on gates. Councilman Higgins stated his displeasure in regards to the way the Jade Acquisition LLC. correspondence was presented at the last meeting. The in lieu of contribution should have been discussed with the entire Council. Councilman Higgins stated Mayor McDonald did not give Council that opportunity. Mayor McDonald disagreed, stating Council had plenty of time during the meeting to discuss this topic. Councilman Higgins also reminded everyone to be safe on Halloween.

Mayor McDonald expressed his sadness on the passing of Ms. Trimmer who worked for 19 years at the Borough Library. He also said he had a great time at the BID's festival and wished everyone a Happy Halloween.

Hearing no further business, motion made by Higgins, seconded by Boyle to adjourn the meeting at 8:45 p.m.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk