

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – January 15, 2013**

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.

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.”

Mayor McDonald led everyone in the flag salute.

Roll Call: Gleba, Jewell, Torres, McDonald, Thompson

Absent: Conry, Higgins

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

MAYOR’S YEAR END MESSAGE:

Mayor McDonald read the following message in regards to 2012.

2012 was another good year for the Borough of Washington. Many of the practices that were put in place in previous years started to pay off in 2012. Our finances are much stronger now than they have been in a long time, as evidenced by Standard & Poor’s upgrade of our credit rating! Our level of debt is dwindling, and our fund balance is getting stronger. Best of all, there was no increase in municipal taxes!

We had to begin a search for a new manager, when Richard Phelan resigned early in the year, to pursue another opportunity. It was Mr. Phelan’s responsibility to help guide us out of our financial crisis, and he did so admirably. But his leaving led us to our new Manager/Clerk, Kristine Blanchard. This combined position will help achieve more cost savings, and maintain the same level of service.

The forensic investigation was completed. It did not discover any fraud or fraudulent practices, which is excellent news. It also helped confirm that our financial path is correct.

A scrap metal recycling program has begun. There is a container for collection at our new DPW garage. Please see our website for details.

Our sewer operations were audited to ensure that we are getting the value that the contract states. Although there were some things that could be done better at the sewer

plant, it was an overall good report. We also extended the contract with Veolia for another five years for operating our sewer plant.

We were able to sell the old DPW garage and associated property to the owners of Gibson's Gym. They have converted that area in to another beautiful parking area for our downtown customers. Their dedication to helping our community is very welcome, and appreciated indeed.

Some of our other accomplishments include a re-establishment of Clean Communities Programs. Background checks are now being done by the Recreation Committee. Overnight on street parking restrictions have been lifted.

We said goodbye to Deputy Mayor Patrick Boyle, and Councilman John Valentine. Their insistence on getting the best for our town was unparalleled. But as with any ending, there is a new beginning. We welcome to council Mr. Richard Thompson, and Ms. Ethel Conry. They have big shoes to fill, and I am confident that they will live up to the challenge.

For 2013, we will continue on our fiscally prudent path, demanding accountability and transparency. We will begin looking at infrastructure improvements, like road paving and replacement of failing equipment. We will continue our partnership with the Business Improvement District to bring new business to town. Most importantly, we will continue to serve the best interests of Washington Borough.

MINUTES:

Regular Meeting Minutes – December 18, 2012.

Motion made by Gleba, seconded by Jewell to approve the minutes of December 18, 2012.

Ayes: 4, Nays: 0
Abstain: (1) Thompson
Motion Carried

Re-Organization Meeting Minutes – January 2, 2013.

Motion made by Gleba, seconded by Jewell to approve the minutes of January 2, 2013.

Councilwoman Gleba requested that a letter from Gebhardt & Kiefer reflecting the new numbers for 2013 be included with the January 2, 2013 minutes.

Ayes: 5, Nays: 0
Motion Carried

COUNCIL APPEARANCE:

Mr. Mark VanDeursen – Washington Emergency Squad

Mr. VanDeursen thanked Council for having him appear and stated that when he was here back in May he discussed the possibility of moving. Mr. VanDeursen has returned to update Council on their progress and provide some highlights from 2012. The Washington Emergency Squad has a roster of almost forty volunteers in addition to a few employees to cover the daytime hours. In 2012, the Washington Emergency Squad had a total of sixteen hundred emergency responses for the year.

During Hurricane Sandy the Washington Emergency Squad provided a lot of help to the people in town who have medical issues or just needed assistance. In addition, they sent a crew to Ocean County for a period of twenty four hours to assist those areas devastated by the storm. When they returned, the Washington Emergency Squad sent another crew to the Highlands for a twelve hour shift and they were able to provide 911 coverage for that area. Back in December, the Junior Members of the Washington Emergency Squad competed in a competition in Clinton. They were put into different scenarios and competed against other junior squads to see who could do the best job at identifying the problems and treating their patients accordingly. They won the competition, despite being up against many, much larger organizations.

The Washington Emergency Squad was able to find a lot on Kinnaman Avenue across from Fletcher Wright Drive that would best suit their needs. They purchased the five acre lot for a very reasonable price. They are now in the planning phase, working with their engineers and architects on how to put the most appropriate station on that lot. Mr. Van Deursen stated that they need to initiate a capital campaign to finance the remainder of the project. He will keep Council updated in the future on the ongoing progress of this project.

AUDIENCE:

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

Ayes: 5, Nays: 0
Motion Carried

REPORTS:

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

1. Manager's Report

2. CFO Revenue and Budget Status Report December
3. Tax Collector Reports Third and Fourth Quarter
4. Tax Collector Monthly Report November, December
5. Washington Township Police Department December, Annual
6. Municipal Court Report December

Council Discussion:

Councilwoman Gleba questioned why the number provided on the Totals Only Tax Account Status Report didn't coincide with the number on another report. Manager Blanchard responded that the numbers could have changed and the difference could be the added/omitted column and stated that she will check with the Tax Collector and report back.

Ayes: 5, Nays: 0
Motion Carried

NEW BUSINESS:

Resolution #25-2013 – Authorizing Applying 2008 Overpayment to 2013 Taxes

RESOLUTION #25-2013
A RESOLUTION AUTHORIZING APPLYING 2008
OVERPAYMENT TO 2013 TAXES

WHEREAS, according to the Tax Collector's records, an overpayment exists from a previous year's quarter on the following property due to both the Mortgage Company and Refinance/homeowner paid the 2nd Quarter 2008 taxes;

<u>BLOCK/LOT</u>	<u>NAME OF OWNER/ PROPERTY LOCATION</u>	<u>QUARTER</u>	<u>AMOUNT</u>
6/34	Franklin, Willie and Debra 145 North Lincoln Avenue	2008 2R	1,113.58

WHEREAS, the Tax Collector is clearing up overpayment's and sent a letter to the Franklins concerning this overpayment and that the overage be applied to the 2013 taxes.

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 to apply the overpayment to the 2013 taxes.

Resolution #26-2013 – Refund Overpayment of 2012 Real Estate Taxes Due to Exempt Status

RESOLUTION #26-2013
A RESOLUTION TO REFUND OVERPAYMENT OF 2012
REAL ESTATE TAXES DUE TO EXEMPT STATUS

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$436.94 on 1st Quarter 2012 Taxes due to a Homestead Credit being applied on property located at 54 W Stewart Street, also known as Block 14 Lot 12 and assessed in the name of Zimmer, Larry J; and

WHEREAS, the property owner has qualified for Exempt Veteran Status in the year 2011 as of April 12, 2011, which has created the overpayment.

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 to refund the amount of \$436.94 payable to: Larry J Zimmer, 54 W Stewart Street, Washington, NJ 07882.

Resolution #27-2013 – Refund Overpayment of 2012 Prior Year Real Estate Taxes

RESOLUTION #27-2013
A RESOLUTION TO REFUND OVERPAYMENT
ON 2012 PRIOR YEAR REAL ESTATE TAXES

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$1,475.65 on 2012 3rd Quarter Regular Taxes paid on property located at 42 Nunn Avenue, also known as Block 97.02 Lot 1.02, and in the name of Martinez, David & Lisa; and

WHEREAS, Attorney for the Martinez's refinance and Corelogic both paid the taxes; and

WHEREAS, the Tax Collector has been resolving the matter of tax overpayments and has received a request from Corelogic 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 \$1,475.65 payable to:

CoreLogic
Attn: Tax Refunds
1 CoreLogic Drive
Mail Code: DFW 1-3
West Lake, TX 76262

Resolution #28-2013 – Redemption of Tax Certificate

RESOLUTION # 28-2013
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 October 25, 2012 to US Bank Cust Pro Capital I LLC, TLSG, 50 S 16th Street Suite 1950, Philadelphia, PA 19102, in the amount of \$695.36 for taxes or other municipal liens assessed for the year 2011 in the name of Butterwick, Raymond S & Jennifer M as supposed owners, and in said assessment and sale were described as 88 Grand Avenue, Block 16.01 Lot 17, which sale was evidenced by Certificate #12-00015; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-4-13 and before the right to redeem was cut off, as provided by law, Raymond Butterwick claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust Pro Capital I LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$785.99, which is the amount necessary to redeem Tax Sale Certificate #12-00015.

NOW THEREFORE BE IT RESOLVED, on this 15^h day of January, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust Pro Capital I LLC in the amount of **\$785.99.**

Resolutions #25-2013, #26-2013, #27-2013, and #28-2013 were moved on a motion made by Jewell, seconded by Gleba and approved.

Roll Call: Gleba, Jewell, Torres, McDonald, Thompson
Ayes: 5, Nays: 0
Motion Carried

Resolution #30-2013 – Authorizing Applying 2008 Overpayment to 2013 Taxes

RESOLUTION #30-2013
A RESOLUTION AUTHORIZING APPLYING 2008
OVERPAYMENT TO 2013 TAXES

WHEREAS, according to the Tax Collector's records, an overpayment exists from a previous year's quarter on the following property due to both the Mortgage Company and homeowner paid the 4th Quarter 2008 taxes;

<u>BLOCK/LOT</u>	<u>NAME OF OWNER/ PROPERTY LOCATION</u>	<u>QUARTER</u>	<u>AMOUNT</u>
19/5	Torres, Sandra M 15 Carlton Ave	2008 4R	1,425.45

WHEREAS, the Tax Collector is clearing up overpayment's and sent a letter to Ms. Torres concerning this overpayment and that the overage be applied to the 2013 taxes.

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 to apply the overpayment to the 2013 taxes.

Resolution #30-2013 was moved on a motion made by Gleba, seconded by Jewell and approved.

Roll Call: Gleba, Jewell, McDonald, Thompson
Ayes: 4, Nays: 0
Abstain: (1) Torres
Motion Carried

Approval of Raffle Licenses for St. Joseph's Church and the Washington Women's Club

A motion was made by Gleba, seconded by Torres to approve raffle licenses for both St. Joseph's Church and the Washington Women's Club.

Ayes: 5, Nays: 0
Motion Carried

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$1,323,229.90

Motion made by Gleba, seconded by Jewell and approved.

Roll Call: Gleba, Jewell, Torres, McDonald, Thompson
Ayes: 3, Nays: 0
Abstain: (2) Gleba, Jewell

MEETING RE-CAP:

Manager Blanchard will follow up on Councilwoman Gleba's question regarding the Tax Collector's report. Also, Manager Blanchard stated that once everyone has had a chance to take a closer look at the new bill list, she would like to discuss it further. There is definitely some tweaking that needs to be done.

COUNCIL REMARKS:

Councilwoman Gleba asked about the October Municipal Court Report. Manager Blanchard stated that we are still waiting to receive it from the court. Councilwoman Gleba also asked if Washington Borough will be receiving any more money to assist with storm clean up. Manager Blanchard stated that FEMA was here and in the process of working out an agreement with AshBritt, which is a special environmental services contractor. Councilwoman Gleba requested that Manager Blanchard check the feasibility of having a Christmas tree bonfire with the Fire Marshall. A few other towns in the area do it and it would save the DPW from having to pick up the trees after Christmas while gathering the community together at the same time. Lastly, Councilwoman Gleba would like to see the website updated and cleaned up. She also asked if the Borough could create a directory which hasn't been updated in years. This directory would be helpful if added to the website as well. Councilwoman Gleba also requested that Council receive the minutes from Executive Session.

Councilman Torres suggested that perhaps it would be a good idea to hang portraits of the Council Members and the Mayor downstairs in Borough Hall.

Councilman Thompson brought up how difficult it is to find parking in the municipal lot at Borough Hall especially around the times of drop off and pick up at Taylor Street School. Manager Blanchard stated that she has asked Borough Employees to try to leave the five parking spaces in front of the building open for tax payers. She also stated that there are three handicapped parking spaces on the other side of the ramp. Manager Blanchard would like to ask the engineer if we can move one handicapped space over to provide four spots plus a handicapped space to the left of the ramp. She suggested the Borough leave one handicapped space to the right of the ramp which would open up the rest of that space for more parking. Manager Blanchard would be looking for permission from Council to have the engineer take a look to see if the Borough can move one of the handicapped spaces and purchase two signs that say "Visitor Parking" for the spaces closest to the entrance.

EXECUTIVE SESSION:

Resolution #29-2013 Executive Session Authorization

A motion was made by Gleba, seconded by Jewell to go into Executive Session for the purpose of contract negotiations and personnel matters.

Ayes: 5, Nays: 0
Motion Carried

RESOLUTION # 29-2013
RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

WHEREAS, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

_____ A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon: _____);

_____ A matter where the release of information would impair a right to receive funds from the federal government;

_____ A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

_____ A collective bargaining agreement, or the terms and conditions thereof (Specify contract: _____);

_____ A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Real Estate Acquisitions

_____ Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____ Investigations of violations or possible violations of the law;

Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: _____ Professional Service Contracts _____. The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

_____ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____

_____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

_____ Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining

of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: _____ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

At this time, Councilwoman Gleba left the meeting.

Resolution #31-2013 – Authorizing 2013 Professional Services Contract with Suburban Consulting Engineers

RESOLUTION #31-2013
AUTHORIZING 2013 PROFESSIONAL SERVICES CONTRACT WITH
SUBURBAN CONSULTING ENGINEERS FOR MUNICIPAL ENGINEERING
SERVICES FOR THE WASHINGTON SQUARE DEVELOPMENT

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Engineer specifically for the Washington Square Development 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 term of this contract is 1 year; and

WHEREAS, Suburban Consulting Engineers has submitted a proposal dated October 30, 2012 indicating they will provide the above-referenced services at the rates listed in their fee schedule for 2013; 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 services for Municipal Engineering for the Washington Square Development are strictly paid for out of escrow funds deposited by Ryan Homes and Jade Acquisition, LLC; and

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington 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 #31-2013 was moved on a motion made by Torres, seconded by Thompson and approved.

Roll Call: Torres, Thompson, Jewell, McDonald
Ayes: 4, Nays: 0
Motion Carried

**2013 RATES AND CHARGES
FOR MUNICIPAL ENGINEER
TO BOROUGH OF WASHINGTON
COUNTY OF WARREN**

- Principal/Project Officer \$130/hr.
- Project Manager \$125/hr.
- Senior Engineer \$115/hr.
- Engineer \$110/hr.
- Senior Environmentalist \$105/hr.
- Environmentalist \$100/hr.
- Planner \$115/hr.
- Landscape Architect \$120/hr.
- Land Surveyor \$100/hr.
- Senior Designer \$105/hr.
- Designer \$95/hr.
- Technician \$80/hr.
- Senior Inspector \$85/hr.
- Inspector \$75/hr.
- Secretarial/Clerical \$45/hr.
- Survey Equipment Unit Cost
 - Robotic/GPS \$50/hr.
- Any actual disbursements or unusual expenses which we incur on your behalf, such as filing fees, delivery charges, travel, parking and toll charges will be included as expense charges in your invoices. (Minimum reproduction charge of \$20 per event).
 - Large format black and white document reproduction \$0.50/square foot
 - Large format color document reproduction \$3.00/square foot
 - Large volume black and white photocopies \$0.15/copy
 - Large volume color photocopies \$0.30/copy
 - Mileage will be billed at \$0.50 per mile.
 - Approved subcontracted services will be billed at actual cost plus 15 percent.



BOROUGH MANAGER

MEMORANDUM

TO: Mayor and Council
FROM: K. Blanchard
DATE: January 15, 2013
SUBJECT: Determination of Value (Municipal Engineer for Washington Square – 2013)

It has been determined that the value of the above referenced purchase will cause us to spend more than \$17,500 in aggregate with this vendor during the previous twelve (12) months.

Suburban Consulting Engineers
100 Valley Road, Suite 202
Mount Arlington NJ 07856

Hearing no further business, a motion made by Torres, seconded by Thompson to adjourn the meeting at 7:40 p.m.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk