

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – February 19, 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: Jewell, Torres, McDonald, Conry, Higgins, Thompson,
Gleba (Arrived 7:05pm)

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

MINUTES:

Regular Meeting Minutes – February 5, 2013.

Motion made by Higgins, seconded by Thompson to approve the minutes of February 5, 2013.

Ayes: 5, Nays: 0
Abstain: (1) Jewell
Motion Carried

COUNCIL APPEARANCE:

Mr. Gary Pohorely – 115 Wayne Street

Mr. Pohorely stated that at the last Council meeting, he presented an overview of a tree planting project which entails planting trees on public and private properties located in the Borough of Washington. Mr. Pohorely reached out to many groups in the community and they are very interested in the project. Mr. Pohorely provided an overview of Sustainable Jersey, which is a non-profit organization which encourages municipalities to

facilitate efforts for waste reduction, reduction of greenhouse emissions, and improving environmental equity.

At this time, Councilwoman Gleba arrived.

Manager Blanchard asked Mr. Pohorely if the Borough of Washington needs to adopt another resolution to be involved with Sustainable Jersey. Mr. Pohorely replied that it's only valid for three years so it is better to re-adopt a resolution at this time.

A motion was made by Torres, seconded by Jewell, to move forward with the resolution for Sustainable Jersey and to form a committee to oversee the project.

Ayes: 7, Nays: 0
Motion Carried

Recreation Commission – Recreation Director, Melissa Hommes and Recreation Chairman, Victor Cioni

Recreation Director Hommes and Recreation Chairman Cioni appeared before Council to discuss their 2013 capital projects and request financial assistance from Council. Recreation Director Hommes stated that the existing pool surface needs some repairs, cleaning and repainting. The pool was last painted four years ago. Recreation Director Hommes stated that Recreation would like to purchase ten new lounge chairs because pool patrons are always asking for chairs and the pool currently only has six that are functioning. Recreation Director Hommes also stated that the background checks for volunteer coaches are going well but Recreation would like some assistance in covering the costs.

Council Discussion:

Councilwoman Gleba asked if Council was going to discuss these requests along with all other department requests at the next budget meeting. Mayor McDonald replied yes, no decisions need to be made tonight. Councilwoman Gleba also asked if Recreation was still considering the grandstand fencing project. Recreation Director Hommes replied yes, but that she believes the fence replacement costs should not be a recreation funded project. She stated that recreation is responsible for funding their income generating programs not the property. Recreation Director Hommes stated that the safety inspector recommended the grandstand fencing be replaced and it should be planned for in a future budget. Councilman Torres stated that he believes the fence can be repaired not replaced. Councilman Jewell asked if it was the plan to replace everything. Recreation Chairman Cioni replied that all the posts would stay and they were looking to replace the fencing, wire and metal bands. Chairman Cioni also added that the backstop is kicked in and mangled. Recreation is looking to replace the fencing for the backstop at the same time

as the fencing for the grandstand. Councilman Torres asked Chairman Cioni if the backstop is a want or a need. Chairman Cioni replied that the backstop fencing is a want however the grandstand fencing is an absolute need. Chairman Cioni added that the assistance with the background checks is a want. Recreation does not want to raise their fees and the cost of the background checks puts a substantial dent into the recreation fees. Chairman Cioni added that the chairs are a need due to the pool patrons, especially the elderly are always asking for chairs. These items along with the other department requests will be discussed at the next budget meeting.

AUDIENCE:

Mrs. Susan Sloan – 89 Grand Avenue

Mrs. Sloan inquired if the Borough has hired a new Code Enforcement Official yet. Manager Blanchard replied that the Borough is still working on finding a replacement. Mrs. Sloan stated that there are a few Cadillacs piled up on the curb and rotting near the stream. There are broken down cars and car parts dumped near the stream and it is an environmental issue.

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

Ayes: 7, Nays: 0
Motion Carried

REPORTS:

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

1. Manager's Report
2. Municipal Court Report
3. Washington Township Police – January 2013

Ayes: 7, Nays: 0
Motion Carried

NEW BUSINESS:

Resolution #34-2013 – Redemption of Tax Certificate.

RESOLUTION # 34-2013
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 \$352.58 for taxes or other municipal liens assessed for the year 2011 in the name of Miele, Joseph T & Nancy J, as supposed owners, and in said assessment and sale were described as 8 Miller Avenue, Block 2 Lot 11, which sale was evidenced by Certificate #12-00001; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-17-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank 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 \$430.61, which is the amount necessary to redeem Tax Sale Certificate #12-00001.

NOW THEREFORE BE IT RESOLVED, on this 19th day of February, 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 **\$430.61.**

Resolution #35-2013 – Redemption of Tax Certificate.

RESOLUTION #35-2013
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 FWDSL & Associates LP, 5 Cold Hill Rd S Ste:11, Mendham, NJ 07945, in the amount of \$701.63 for taxes or other municipal liens assessed for the year 2011 in the name of Paran, Karan M, as supposed owners, and in said assessment and sale were described as 104 N Prospect St, Block 8 Lot 9, which sale was evidenced by Certificate #12-00010; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of

the Borough of Washington, do certify that on 1-17-13 and before the right to redeem was cut off, as provided by law, BAC/Deutsche Bank claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,421.46, which is the amount necessary to redeem Tax Sale Certificate #12-00010.

NOW THEREFORE BE IT RESOLVED, on this 19th day of February, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 5 Cold Hill Rd S Ste: 11, Mendham, NJ 07945 in the amount of **\$1,821.46** (this amount consists of \$1,421.46 Certificate Amount redeemed + \$400.00 Premium)

Resolution #36-2013 – Redemption of Tax Certificate.

RESOLUTION #36-2013
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 FWDSL & Associates LP, 5 Cold Hill Rd S Ste:11, Mendham, NJ 07945, in the amount of \$1,383.16 for taxes or other municipal liens assessed for the year 2011 in the name of Kriebel, Jack D & Karen L, as supposed owners, and in said assessment and sale were described as 19 W Johnston St, Block 21 Lot 7, which sale was evidenced by Certificate #12-00020; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-31-13 and before the right to redeem was cut off, as provided by law, IndyMac Mortgage claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$2,789.34, which is the amount necessary to redeem Tax Sale Certificate #12-00020.

NOW THEREFORE BE IT RESOLVED, on this 19th day of February, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 5 Cold Hill Rd S Ste: 11, Mendham, NJ 07945 in the amount of **\$3,589.34** (this amount consists of \$2,789.34 Certificate Amount redeemed + \$800.00 Premium)

Resolution #37-2013 – Redemption of Tax Certificate.

RESOLUTION #37-2013
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 FWDSL & Associates LP, 5 Cold Hill Rd S Ste:11, Mendham, NJ 07945, in the amount of \$1,397.83 for taxes or other municipal liens assessed for the year 2011 in the name of Rosillo, Paul & Karina, as supposed owners, and in said assessment and sale were described as 160-162 Belvidere Avenue, Block 33 Lot 1, which sale was evidenced by Certificate #12-00027; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-17-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$5,297.13, which is the amount necessary to redeem Tax Sale Certificate #12-00027.

NOW THEREFORE BE IT RESOLVED, on this 19th day of February, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 5 Cold Hill Rd S Ste: 11, Mendham, NJ 07945 in the amount of **\$5,997.13** (this amount consists of \$5,297.13 Certificate Amount redeemed + \$700.00 Premium)

Resolution #38-2013 – Redemption of Tax Certificate.

RESOLUTION #38-2013
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 FWDSL & Associates LP, 5 Cold Hill Rd S Ste:11, Mendham, NJ 07945, in the amount of \$693.94 for taxes or other municipal liens assessed for the year 2011 in the name of Vaughn, James S & Sara J, as supposed owners, and in said assessment and sale were described as 92 Myrtle Avenue, Block 44 Lot 33, which sale was evidenced by Certificate #12-00033; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-17-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,932.93, which is the amount necessary to redeem Tax Sale Certificate #12-00033.

NOW THEREFORE BE IT RESOLVED, on this 19th day of February, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 5 Cold Hill Rd S Ste: 11, Mendham, NJ 07945 in the amount of **1,932.93**.

Resolution #39-2013 – Redemption of Tax Certificate.

RESOLUTION # 39-2013
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 \$702.20 for taxes or other municipal liens assessed for the year 2011 in the name of Fox, Joseph J & Denise, as supposed owners, and in said assessment and sale were described as 96 Park Avenue, Block 79 Lot 3, which sale was evidenced by Certificate #12-00045; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-17-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank 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 \$808.27, which is the amount necessary to redeem Tax Sale Certificate #12-00045.

NOW THEREFORE BE IT RESOLVED, on this 19th day of February, 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 **\$808.27**.

Resolution #40-2013 – Redemption of Tax Certificate.

RESOLUTION #40-2013
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 FWDSL & Associates LP, 5 Cold Hill Rd S Ste:11, Mendham, NJ 07945, in the amount of \$2,446.76 for taxes or other municipal liens assessed for the year 2011 in the name of Hartrum, Mildred, as supposed owners, and in said assessment and sale were described as 179 E Washington Avenue, Block 80 Lot 7, which sale was evidenced by Certificate #12-00047; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-29-13 and before the right to redeem was cut off, as provided by law, Mildred Hartrum claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$6,840.16, which is the amount necessary to redeem Tax Sale Certificate #12-00047.

NOW THEREFORE BE IT RESOLVED, on this 19th day of February, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 5 Cold Hill Rd S Ste: 11, Mendham, NJ 07945 in the amount of **\$11,640.16** (this amount consists of \$6,840.16 Certificate Amount redeemed + \$4,800.00 Premium)

Council Discussion:

Councilwoman Gleba asked when is it appropriate to abstain from a redemption of tax certificate for example. Attorney Kopen replied that a Council Member should abstain when there is a particular financial interest in the property.

Resolutions #34-2013, #35-2013, #36-2013, #37-2013, #38-2013, #39-2013, and #40-2013 were moved on a motion made by Higgins, seconded by Torres and approved.

Roll Call: Gleba, Jewell, Torres, McDonald, Conry, Higgins,
Thompson
Ayes: 7, Nays: 0
Motion Carried

Resolution #41-2013 – Authorization to Apply 2012 Overpayment of Taxes to 2013.

RESOLUTION #41-2013
A RESOLUTION AUTHORIZING APPLYING 2012
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 3rd 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 N Lincoln Ave	2008 2R	1,113.58

WHEREAS, the Tax Collector is clearing up overpayment’s and sent a letter to the Franklin’s 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 #42-2013 – Authorization to Apply 2008 Overpayment of Taxes to 2013.

RESOLUTION #42-2013
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 payment being applied twice;

<u>BLOCK/LOT</u>	<u>NAME OF OWNER/ PROPERTY LOCATION</u>	<u>QUARTER</u>	<u>AMOUNT</u>
13.02/7	Marisca, Kathleen 79 W Stewart St	2008 2R	100.24

WHEREAS, the Tax Collector is clearing up overpayment's and sent a letter to Ms. Marisca 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 #43-2013 – Authorization to Apply 2008 Overpayment of Taxes to 2013.

RESOLUTION #43-2013
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 the Mortgage Company and Title Co/new homeowner paid the 3rd Quarter 2008 taxes;

<u>BLOCK/LOT</u>	<u>NAME OF OWNER/ PROPERTY LOCATION</u>	<u>QUARTER</u>	<u>AMOUNT</u>
54/1	Egnat, Happie & Kostu, Edward T 9 Adams Street	2008 3R	1,362.87

WHEREAS, the Tax Collector is clearing up overpayment's and sent a letter to the homeowner's 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 #45-2013 – Authorization to Apply 2012 Overpayment of Taxes to 2013.

RESOLUTION #45-2013
A RESOLUTION AUTHORIZING APPLYING 2012
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 the Mortgage Company and homeowner paid the 3rd Quarter 2012 taxes;

<u>BLOCK/LOT</u>	<u>NAME OF OWNER/ PROPERTY LOCATION</u>	<u>QUARTER</u>	<u>AMOUNT</u>
44/14	Balog, Jeffrey L & Grace A 78 Flower Avenue	2012 3R	1,949.03

WHEREAS, the Tax Collector is clearing up overpayment's and received a request from the homeowner's 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.

Resolutions #41-2013, #42-2013, #43-2013 and #45-2013 were moved on a motion made by Higgins, seconded by Jewell and approved.

Roll Call: Gleba, Jewell, Torres, McDonald, Conry, Higgins,
Thompson
Ayes: 7, Nays: 0
Motion Carried

Approval of New Fire Department Member – Adam Adams

The motion to approve a New Fire Department Member – Adam Adams was moved by Torres, seconded by Conry, and adopted.

Roll Call: Gleba, Jewell, Torres, McDonald, Conry, Higgins,
Thompson
Ayes: 4 Nays: 0
Abstain: (3) Higgins, Jewell, Thompson
Motion carried.

COUNCIL COMMITTEE REPORTS:

Councilman Higgins stated that Councilman Thompson would like to be added to the Sewer Committee and the Streets Committee.

Motion was made by Higgins, seconded by Conry to add Councilman Thompson to both the Sewer Committee and the Streets Committee.

Ayes: 7, Nays: 0
Motion Carried

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$1,303,502.37

Motion made by Higgins, seconded by Gleba and approved.

Council Discussion:

Councilwoman Gleba asked for an explanation on what the premium redemption payments were on page ten. Manager Blanchard stated that when the Borough holds a tax sale, outside lien holders can come in and bid on a property. The bidding starts at eighteen percent and works down to zero. If there is competitive bidding going on, they can offer a premium. If the property is redeemed within five years, the premium amount goes back to the lien holder. Councilwoman Gleba also asked if the payments on the last page were made out of a trust account. Manager Blanchard stated that the payments were indeed out of a trust account. Councilwoman Gleba stated that some sort of key would be helpful for identifying the prefixes of various accounts. Councilwoman Gleba also stated that it took years to get the sewer fund separated from the current fund and now with the new system it is lumped back together. Manager Blanchard stated that it is a programming issue and she needs to go back and keep trying to separate sewer.

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

Ayes: 7, Nays: 0

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

MEETING RE-CAP:

Manager Blanchard will prepare a resolution for Sustainable Jersey to move forward with Mr. Pohorely's tree planting project. Also, Manager Blanchard will look into the

abandoned car situation on Vannatta Street. Manager Blanchard will address the concerns from the voucher list and provide a key identifying the accounts and work on separating the sewer from the current fund. Also, Manager Blanchard will work on Councilwoman Gleba's other changes including adding the encumbered date. There will also be a library appointment for the next meeting.

COUNCIL REMARKS:

Councilwoman Gleba stated the Route 57 will be closed for the NJDOT to reconstruct three Route 57 bridges in Mansfield. She would like Manager Blanchard to find out more information as to when the project starts and for how long and send an email blast out to the citizens of Washington Borough. Councilwoman Gleba also stated that the Annual Financial Statement was completed and presented to Council in the Manager's Report. Councilwoman Gleba added that the great news should be shared with the public. The Borough has a healthy current fund balance and is making a lot of progress in regard to the Borough's financials.

Councilman Torres stated that he would like for Council to consider setting up a committee to look into new tenants for the BASF property. Mayor McDonald added that the BID and Chamber of Commerce would be a good place to start. Manager Blanchard suggested Council involve BASF to find out what their plans are first.

Councilman Higgins asked when the solid waste contract is up. Manager Blanchard stated she believes it is up at the end of 2013 and the Borough should start seeking Request for Proposals in the spring. Councilman Higgins asked if the dumpster located at the DPW garage is full. Manager Blanchard stated that the dumpster is about three quarters full and she expects activity to pick up in the spring and summer. Manager Blanchard stated the schedule will stay as it is for now, and next year the collection will not take place on Saturdays during the winter. Councilman Higgins asked Manager Blanchard if she has received any information on the Solar Power Purchase Agreement. Manager Blanchard stated that she has not heard anything as of yet. The deadline is approaching and should hear something by mid March. Councilman Higgins asked if the Borough received any numbers from the Washington Township Police Department yet. Manager Blanchard stated that she has not received anything yet.

Councilman Jewell also stated that he is pleased with the good news of the Annual Financial Statement. It will be great to possibly achieve some capital projects. Councilman Jewell stated that he did not attend the last meeting but wanted to thank the Mayor, Manager Blanchard, Fire Official Rick Monus and everyone else who helped out at Borough Hall during the recent Albea situation. Councilman Jewell also stated that he is pleased with the way that the Washington Township Police Department is releasing information to the citizens such as emails, facebook posts, and press releases.

At this time, Mayor McDonald stated that Council will enter into Executive Session after a ten minute break.

EXECUTIVE SESSION:

Resolution #44-2013 Executive Session Authorization

A motion was made by Higgins, seconded by Conry, to go into Executive Session.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 44-2013
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;

 x 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: _____ DPW Garage _____. 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.

Hearing no further business, a motion made by Higgins, seconded by Torres to adjourn the meeting at 8:35p.m.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk