

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – March 5, 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, McDonald, Conry, Higgins, Thompson,  
Torres (Arrived at 7:05pm)

Also Present: Kristine Blanchard, Manager/Borough Clerk

**MINUTES:**

**Regular Meeting Minutes – February 19, 2013.**

Motion made by Gleba, seconded by Jewell to approve the minutes of February 19, 2013.

Ayes: 6, Nays: 0  
Abstain: 0  
Motion Carried

**CORRESPONDENCE:**

Board of Chosen Freeholders – Freeholder Resolution Concerning Indebtedness.

Newport/Jarvis: Subway – Outside Dining

Motion made by Higgins, seconded by Gleba to receive and file the correspondence.

Ayes 6, Nays: 0  
Motion Carried

Council Discussion:

At this time, Councilman Torres arrived.

Councilman Higgins suggested that Council send the Board of Chosen Freeholders of Warren County a resolution in support of their resolution.

A motion was made by Higgins and seconded by Jewell to create a resolution in support of the Board of Chosen Freeholders resolution.

Ayes 7, Nays: 0  
Motion Carried

A motion was made by Higgins and seconded by Jewell to approve the request to allow outside dining at Subway.

Ayes 7, Nays: 0  
Motion Carried

**COUNCIL APPEARANCE:**

Ms. Karen Cassano – Executive Director, Big Brothers Big Sisters

Ms. Cassano appeared before Council to provide a quick update on some of their programs. Ms. Cassano stated that she is proud of the work the agency does to help children. In 2012, Big Brothers Big Sisters matched three hundred forty eight children throughout Hunterdon, Somerset, and Warren Counties. Probably close to 200 matches here in Warren County. Big Brothers Big Sisters has a program here in Washington Borough called High School Bigs. The High School Bigs go to Washington Borough's Memorial Elementary School once a week to the after school program and they are matched with children there. We match children from single parent families and give them an extra friend to provide friendship and support. There have been studies that show the positive impact of having Big Brothers Big Sisters in children's lives. Volunteers are always needed and are subject to background checks and interviews. The children and their families are interviewed as well in order to make a good match. We have community based and school based programs as well. Big Brothers Big Sisters has lost a significant part of their budget since 2010 and hoping to be able to continue in the future.

**AUDIENCE:**

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

Ayes: 7, Nays: 0  
Motion Carried

**ORDINANCES:**

**Ordinance 1-2013 Amending Recreation Department Program Fees Adding Adult Baseball and Adult Softball. (Public Hearing/Adoption)**

Motion made by Gleba and seconded by Jewell to introduce Ordinance #1-2013 on final passage and have the Clerk read by title.

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

The Clerk read Ordinance #1-2013 Amending Recreation Department Program Fees Adding Adult Baseball and Adult Softball.

Public Hearing

Hearing no comments from the public, a motion was made by Higgins, seconded by Jewell to close the public hearing of Ordinance #1-2013.

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

Council Discussion

Hearing no comments, a motion was made by Gleba, seconded by Conry to adopt Ordinance #1-2013 on final passage.

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

**1-2013**  
**AN ORDINANCE AMENDING RECREATION**  
**DEPARTMENT PROGRAM FEES**  
**ADDING ADULT BASEBALL AND ADULT SOFTBALL**

**BE IT ORDAINED** by the Borough Council of the Borough of Washington, in the County of Warren, and State of New Jersey as follows:

**SECTION 1.** The Borough of Washington Recreation Department (“Recreation Department) is authorized to recommend fees for participation in its programs/events in accordance with the following schedule.

**SECTION 2.** The Recreation Director, or his/her designee, will schedule dates, times and locations for the following programs/events. The fee for participation in the program/event for each registrant shall be within the following parameters:

| Recreation Program/Event |     | Minimum | Maximum |
|--------------------------|-----|---------|---------|
| <b>Adult Baseball</b>    | ALL | \$35    | \$900   |
| <b>Adult Softball</b>    | ALL | \$35    | \$900   |

**SECTION 3.** By no later than March first of each year the Recreation Director shall evaluate the costs and expenses for operating each Program/Event and make a recommendation to the Mayor and Council and Manager as to the amount to be charged for participation in the Program/Events presented by the Recreation Department, which shall be within the range of fees established by this ordinance. The Borough Council shall review the Recreation Program/Event Fee recommendations made by the Recreation Director in order to establish the current year Recreation Program Fee Schedule, which shall be adopted by the Mayor and Council via resolution annually.

**SECTION 4.** All ordinances and resolutions inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies.

**SECTION 5.** This ordinance shall take effect immediately after final passage, approval and publication of notice thereof as required by law.

Resolution #49-2013 – Waiving the Twenty Day Waiting Period for Adoption of Ordinance.

**RESOLUTION # 49-2013**

**A RESOLUTION WAIVING THE TWENTY DAY**

**WAITING PERIOD FOR ADOPTION OF AN  
ORDINANCE**

**WHEREAS**, Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington, states that Ordinances shall become effective 20 days after final passage unless the Council, by an affirmative vote of five (5) Council Members, adopts a resolution declaring the Ordinance to be an emergency upon which said Ordinance will take effect upon final passage; and

**WHEREAS**, the project enumerated within the above captioned Ordinance are necessary for the betterment of the residents of the Borough of Washington and;

**WHEREAS**, the 20 day waiting period is not in the best interest of the residents and employees of the Borough of Washington and;

**NOW, THEREFORE, BE IT RESOLVED** by the members of the Borough of Washington of the Borough of Washington, in the County of Warren, State of New Jersey that Ordinance #10-2012 in accordance with Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington and that this Ordinance shall take effect immediately.

Resolution #49-2013 was moved on a motion made by Gleba, seconded by Conry and approved.

Ayes: 7, Nays: 0  
Motion Carried

Resolution #50-2013 – Amending the Recreation Fees for 2013 (Addition of Adult Baseball and Adult Softball).

**RESOLUTION # 50-2013**  
**AMENDING THE ESTABLISHMENT OF RECREATION FEES FOR**  
**2013(ADDITION OF ADULT BASEBALL AND ADULT SOFTBALL)**

**WHEREAS**, the Recreation Director, in consultation from the Recreation Commission, have provided the Mayor and Council with a proposed fee schedule Recreation programs and activities; and

**WHEREAS**, in that fees were reviewed to determine whether they are fair to the public and fairly reflect the reasonable cost of public facilities, taking into account such municipal expenses as wages and benefits, insurance, utility costs, maintenance and repair costs and other unpredictable costs incurred by the Borough to operate the

Borough's recreational facilities; and

**WHEREAS**, the Mayor and Council have reviewed the attached fee schedule as proposed by the Recreation Director and Recreation Commission and wish to memorialize the approval of the 2013 fee schedule, a copy of which fee schedule is attached to this resolution and will be posted on the Borough website.

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

Resolution #50-2013 was moved on a motion made by Jewell, seconded by Torres and approved.

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

**Ordinance 2-2013 An Ordinance to Exceed the Municipal Budget Appropriation Limits and Establish a CAP Bank (Introduction)**

Motion made by Higgins seconded by Jewell to introduce Ordinance 2 – 2013 and have the Clerk read by title.

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

The Clerk read Ordinance 2-2013 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

Council Discussion:

Councilwoman Gleba asked if this has any effect on this year's Municipal Budget. Manager Blanchard stated that it will have no effect on the budget.

A motion was made by Torres, seconded by Conry to approve Ordinance 2-2013 on first reading.

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

Public Hearing of Ordinance 2-2013 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank will be on April 2, 2013 and advertisement of the Public Hearing will be in the Star Gazette on March 14, 2013.

A motion was made by Higgins, seconded by Gleba to approve advertisement of the Public Hearing of Ordinance 2-2013.

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

**2-2013**  
**CALENDAR YEAR 2013**  
**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION**  
**LIMITS AND TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough of Washington in the County of Warren finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough of Washington hereby determines that a 1.5 % increase in the budget for said year, amounting to \$ 43,180.15 in excess of the increase in final

appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Borough of Washington hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough of Washington, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Washington Borough shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.5 %, amounting to \$ 43,180.15, and that the CY 2013 municipal budget for the Washington Borough be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Adoption date – April 2, 2013  
Public Hearing – April 2, 2013  
7:00 pm Washington Borough Hall  
K. Blanchard, RMC

**INTRODUCTION OF 2013 MUNICIPAL BUDGET:**

Resolution #58-2013 Self Examination of the Budget.

**RESOLUTION #58-2013**  
**SELF-EXAMINATION OF BUDGET RESOLUTION**  
*[as required by DCA]*

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the



responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Washington has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2013 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the *Borough of Washington* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Resolution #58-2013 was moved on a motion made by Higgins, seconded by Conry and approved.

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

Resolution #59-2013 Approval of Introduction of the Municipal Budget for the Borough of Washington for 2013.

**RESOLUTION #59-2013**  
**APPROVAL OF INTRODUCTION OF THE MUNICIPAL BUDGET**  
**OF THE BOROUGH OF WASHINGTON,**  
**WARREN COUNTY, NEW JERSEY.**

**BE IT RESOLVED**, that the statements and revenues and appropriations shall constitute the Municipal Budget for the year 2013 in the amount of \$7,612,553.00 Current Fund and \$2,624,626.56 Sewer.

**BE IT RESOLVED**, that said Budget will be published in the Star Gazette in the Issue of March 14, 2013 and a Public Hearing will be held April 2, 2013. The governing body of the BOROUGH OF WASHINGTON does hereby introduce the Budget for the year 2013.

Resolution #59-2013 was moved on a motion made by Torres, seconded by Conry and approved.

Council Discussion:

Manager Blanchard stated that the budget originally had the incorrect amount for the minimum contribution to the library. The amount is less due to the fact that the assessed

values are lower. This budget now reflects the lower contribution to the library.

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

### **REPORTS:**

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

1. Manager's Report
2. DPW Report

Ayes: 7, Nays: 0  
Motion Carried

### **COUNCIL COMMITTEE REPORTS:**

Councilman Jewell stated that the Streets Committee met yesterday and have produced a preliminary list of roads within Washington Borough to be paved. That list includes: Belvidere Avenue (from Carlton Avenue to the Township Line), North Prospect (from Carlton Avenue to Kinnaman Avenue), North Lincoln (from Route 57 to Carlton Avenue), a small section of Church Street, Jackson Avenue and Allegar Street. Councilman Jewell stated that the Streets Committee is going to go through the Morris County Co-op to get estimates and go from there. Councilman Higgins added that there are grants through the State of New Jersey and FEMA that the Streets Committee is looking into.

### **NEW BUSINESS:**

Resolution #46-2013 – Refund of Minor Subdivision Application Fee for Washington Emergency Squad

### **RESOLUTION #46-2013**

**A RESOLUTION AUTHORIZING THE REFUND OF THE MINOR  
SUBDIVISION APPLICATION FEE FROM THE WASHINGTON EMERGENCY  
SQUAD DEPOSITED IN THE WASHINGTON BOROUGH CURRENT  
ACCOUNT**

**WHEREAS**, a check in the amount of \$250.00 was received from the Washington Emergency Squad for the filing of a minor subdivision application and was deposited into the Washington Borough Current Account on February 20, 2013; and

**WHEREAS**, Alan Y. Lowcher, Attorney and Counselor at Law, representing the Washington Emergency Squad, advised that it was brought to his attention that the Washington Borough Planning Board at their meeting of September 24, 2012, had waived the requirement for the payment of the minor subdivision application fee as the Emergency Squad is a non-profit organization; and

**WHEREAS**, Mr. Lowcher has submitted a letter requesting a refund of the minor subdivision application fee in the amount of \$250.00 and has also submitted a copy of the minutes of September 24, 2012, substantiating the Planning Board's waiving of the application fee;

**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 the Washington Emergency Squad in the amount of \$250.00 from the Washington Borough Current Account to refund the minor subdivision application fee.

Resolution #46-2013 was moved on a motion made by Higgins, seconded by Torres and approved.

Roll Call: Gleba, Jewell, Torres, McDonald, Conry, Higgins,  
Thompson  
Ayes: 5, Nays: 0  
Abstain: 2 (Jewell, Thompson)  
Motion Carried

Resolution #47-2013 – Redemption of Tax Certificate.

**RESOLUTION #47-2013**  
**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 December 15, 2011 to Zhaou Yu, 42 Huntington Rd, Basking Ridge, NJ 07920, in the amount of \$493.22 for taxes or other municipal liens assessed for the year

2010 in the name of Ordonez, Luisa & Inel Burak, as supposed owners, and in said assessment and sale were described as 61 Carlton Avenue, Block 81 Lot 6, which sale was evidenced by Certificate #11-00018; and

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2-8-13 and before the right to redeem was cut off, as provided by law, Comerica, 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 \$2,036.81, which is the amount necessary to redeem Tax Sale Certificate #11-00018.

**NOW THEREFORE BE IT RESOLVED**, on this 5th day of March, 2013 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, 42 Hunting Rd, Basking Ridge, NJ 08865 in the **amount of \$2,036.81**.

Resolution #47-2013 was 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 #51-2013 – Authorizing a Performance Bond Reduction for Jade Acquisition LLC

**RESOLUTION #51-2013**

**A RESOLUTION AUTHORIZING A PERFORMANCE BOND REDUCTION  
FOR JADE ACQUISITION, LLC AND RELEASING A PORTION OF THE  
CASH PERFORMANCE GUARANTEE HELD IN TRUST BY THE BOROUGH  
OF WASHINGTON**

**WHEREAS**, Andrew S. Holt, P.E., Washington Borough Engineer for the Washington Square Development in a letter dated February 22, 2013, has recommended a total performance bond reduction of \$851,887.42; and

**WHEREAS**, the aforementioned letter recommends a reduction of the cash portion of the performance bond of \$85,188.74, leaving a remaining cash performance guarantee of \$98,353.38 plus interest, held in trust by the Borough of Washington in the Jade Acquisition, LLC Performance Bond Account #7760883160;

**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 release to Jade Acquisition, LLC, a portion of the cash performance guarantee in the amount of \$85,188.74, held in trust by the Borough of Washington for the Washington Square Development.

Resolution #51-2013 was moved on a motion made by Torres, seconded by Jewell and approved.

Council Discussion:

Councilwoman Gleba asked if there was an error in the first paragraph of Resolution #51-2013 and if the correct amount is \$85,188.74. Manager Blanchard will look into the matter and report back.

Roll Call: Gleba, Jewell, Torres, McDonald, Conry, Higgins,  
Thompson  
Ayes: 6, Nays: 0  
Abstain: 1 (Gleba)  
Motion Carried

Resolution #52-2013 – Approval of Green Communities Grant Agreement

**RESOLUTION # 52-2013**

**A RESOLUTION FOR OBTAINING A GRANT FROM THE STATE OF NEW JERSEY FOR FUNDING THE 2013 GREEN COMMUNITIES GRANT**

**WHEREAS**, the governing body of the Borough of Washington desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000.00 to fund the following project the “ 2013 Green Communities Grant”; and

**WHEREAS**, this resolution is a Grant Agreement between the Borough of Washington and the State of New Jersey by and for the Department of Environmental Protection. The Grant Identifier # PF13-059; and

**WHEREAS**, the Mayor and Council of the Borough of Washington in the County of Warren and State of New Jersey resolves that Scott McDonald or the successor to the office of Mayor is hereby authorized to make application for such a grant, if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$3000.00 and not more than \$3,000.00 and any amendments thereto which do not increase the Grantee's obligations.

**NOW, THEREFORE**, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey agrees to match \$3,000.00 of the Total Project amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey agrees to comply with all applicable federal, State and municipal laws, rules and regulations in its performance pursuant to the agreement.

Resolution #52-2013 was moved on a motion made by Torres, seconded by Conry and approved.

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

Resolution #53-2013 – Supporting Participation in the Sustainable Jersey Municipal Certification Program

**RESOLUTION # 53-2013**  
**RESOLUTION SUPPORTING PARTICIPATION**  
**IN THE SUSTAINABLE JERSEY™ MUNICIPAL CERTIFICATION PROGRAM**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, The Borough of Washington strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

**WHEREAS**, The Borough of Washington hereby acknowledges that the residents of Washington Borough desire a stable, sustainable future for themselves and future generations; and

**WHEREAS**, The Borough of Washington wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

**WHEREAS**, by endorsing a sustainable path the Borough of Washington is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

**WHEREAS**, as elected representatives of Washington Borough, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community:

**NOW THEREFORE BE IT RESOLVED**, that to focus attention and effort within Washington Borough on matters of sustainability, the Governing Body wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the Borough of Washington that we do hereby authorize the Borough Manager to serve as The Borough of Washington's agent for the Sustainable Jersey Municipal Certification process and authorize him to complete the Municipal Registration on behalf Washington Borough

Resolution #53-2013 was moved on a motion made by Higgins, seconded by Jewell and approved.

Councilman Higgins asked if by approving this resolution required any further participation from the Borough. Mayor McDonald stated that there is no cost to participate.

Ayes: 7, Nays: 0  
Motion Carried

Resolution #54-2013 – Approving the Contract with the County of Warren for the Municipal Alliance Program – 2013

**RESOLUTION 54-2013**

**A RESOLUTION OF THE BOROUGH OF**



**WASHINGTON APPROVING A CONTRACT WITH  
THE COUNTY OF WARREN FOR MUNICIPAL  
ALLIANCE PROGRAMS FOR THE YEAR 2013**

WHEREAS, the County of Warren Board of Freeholders have notified the various communities within the county of available grants for Municipal Alliance purposes; and

WHEREAS, the Borough of Washington is desirous of partaking in the grant opportunities with the County of Warren; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, hereby approves the contract with the County of Warren for a Municipal Alliance grant in the amount of \$10,517.00 and that a like sum will be appropriated in the 2013 Municipal Budget and the Mayor and Borough Clerk are hereby authorized to execute the contract agreement.

That an executed copy of the contract between the parties be on file with the Office of the Clerk and be available for public inspection in accordance with the law.

Resolution #54-2013 was 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 #55-2013 – Appointing Library Board Member – John Valentine

**RESOLUTION # 55-2013**

**RESOLUTION APPOINTING A MEMBER TO THE  
LIBRARY BOARD OF TRUSTEES**

WHEREAS, the Borough of Washington, Warren County, New Jersey is now 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 Library Board of Trustees for Washington with the consent of the Borough Council; and

**WHEREAS**, the Mayor has designated the following person as his appointee; and

**WHEREAS**, the Council does approve of this appointment.

**BE IT THEREFORE RESOLVED**, that the following named person is appointed to the Library Board of Trustees, for a term ending 12/31/2017.

**John Valentine**

Resolution #55-2013 was moved on a motion made by Higgins, seconded by Conry and approved.

Ayes: 7, Nays: 0  
Motion Carried

**VOUCHERS:**

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$1,372,489.70

Motion made by Higgins, seconded by Gleba and approved.

Council Discussion:

Mayor McDonald stated that he will pull the bill on page two for the Municipal Clerk's mini conference in the amount of twenty five dollars.

Roll Call: Gleba, Jewell, Torres, McDonald, Conry, Higgins,  
Thompson  
Ayes: 7, Nays: 0  
Abstain: Higgins – Fire Dept.  
Thompson – Fire Dept. & EMS  
Jewell – Fire Dept. & EMS  
Gleba – Finelli Consulting Engineers

### **MEETING RE-CAP:**

Manager Blanchard will try to get the list of streets that DPW Supervisor John Burd recommended for repair a few years ago. Manager Blanchard informed Council of a memo that she received from the Borough's engineer. The Department of Transportation and Norfolk Southern has been taking a look at the railroad crossings on Lincoln Avenue and Broad Street. Norfolk Southern did a sight visit in February and they are proposing that the right of way that they own between Lincoln Avenue and Broad Street be closed permanently. Norfolk Southern will be making improvements to the Broad Street crossing such as putting arms and lights at that location. Norfolk Southern is also proposing to permanently close and barricade the Lincoln Avenue crossing due to the very limited sight distance. Manager Blanchard will have the Washington Township Police, Fire Department, and EMS take a look and determine what impact the closure will have on emergency services. Manager Blanchard suggested that once she hears from emergency services, Council should discuss this topic at the next meeting and decide how to respond to the DOT and Norfolk Southern. The DOT and Norfolk Southern are willing to make other improvements in the Borough if Council agrees to the closure. Councilman Jewell suggested that maybe there is something that can be done to improve sight visibility instead of closing the crossing. Manager Blanchard stated that is definitely something that Council can propose in their response to DOT and Norfolk Southern. Manager Blanchard also added that this is the very beginning and this could potentially take up to two years to be completed.

### **COUNCIL REMARKS:**

Councilman Higgins asked if there were any updates regarding the repair of the crosswalk. Manager Blanchard replied that she is meeting with a vendor to look at the crosswalk tomorrow afternoon.

Councilman Torres stated that the Code Book Committee will be doing a report on their first third of the code book at the next Council meeting. Also, Happy Saint Patrick's Day to everyone.

Councilwoman Gleba stated that Councilwoman Conry is going to join the Senior Services Advisory Committee.

Mayor McDonald recently spoke in front of the NAACP. At this event, Councilwoman Conry was honored as the first African American to serve on this Council. Councilwoman Conry is a pioneer in her own right and was elected as Vice President of the NAACP.

A motion was made by Higgins, seconded by Torres, to re-open the audience portion of the meeting.

Ayes: 7, Nays: 0  
Motion Carried

Ken Jarvis/Clifford Newport – New Owners, Washington Subway

Mr. Jarvis and Mr. Newport introduced themselves to Council. They stated that the Washington location is open and this is the second location that the pair own. Councilman Higgins informed them that their request for outside dining at the Washington location was approved.

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

Ayes: 7, Nays: 0  
Motion Carried

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

**EXECUTIVE SESSION:**

Resolution #57-2013 Executive Session Authorization

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

Ayes: 7, Nays: 0  
Motion Carried

**RESOLUTION # 57-2013**  
**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: \_\_\_\_\_ CWA Contract \_\_\_\_\_. 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 8:20p.m.

\_\_\_\_\_  
Mayor Scott McDonald

\_\_\_\_\_  
Kristine Blanchard, RMC Borough Clerk