

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – October 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: Torres, McDonald, Thompson, Conry, Gleba, Higgins

Also Present: Kristine Blanchard, Borough Manager/Clerk

MINUTES:

Executive Session – September 3, 2013 & Regular Meeting – September 3, 2013

Motion made by Gleba, seconded by Conry to approve the Executive Session minutes of September 3, 2013 and the Regular Meeting minutes of September 3, 2013.

Ayes: 4 Nays: 0
Abstain: 2 (Gleba, Higgins)
Motion Carried

COUNCIL APPEARANCE:

Michael Iannitelli – Parade Masonic Lodge

Mr. Iannitelli stated that the Masonic Lodge would like to hold a 200th anniversary celebration next year on May 31st. The Lodge is planning a parade and calling it the Two Mile Journey over Two Hundred Years. The parade route will start where the Washington House once stood, and continue to the present building. This is all pending raising enough funds and approvals from Washington Borough, Washington Township, and the State of New Jersey. Mr. Iannitelli stated that he is trying to minimize the amount of interference with Route’s 57 and 31. Mr. Iannitelli is here tonight for

permission to conduct part of the parade in Washington Borough and permission to utilize some of the municipal parking lots for staging and set up of the parade.

Council Discussion:

Councilwoman Gleba asked Mr. Iannitelli if he contacted the Washington Township Police. Mr. Iannitelli replied that he was in contact with the Washington Township Police and the feedback he received is that they need to know the parade route and that's about it. Mayor McDonald asked how large the parade would be. Mr. Iannitelli replied that he would like it to be as large as possible but he would be pleased if he had half the participation that is involved in the Washington Celebrate's America parade held on July 4th.

A motion was made by Higgins, seconded by Gleba to grant permission for the parade route to go through Washington Borough and permission to utilize the municipal parking lots conditional on the approvals from Washington Township and the State of New Jersey.

Councilman Higgins also asked Mr. Iannitelli to come back and provide Council with an update a few months prior to the parade once everything is in place.

Ayes: 6, Nays: 0
Motion Carried

AUDIENCE:

Ms. Kathy Bryant – Mt. Pisgah Ame Church

Ms. Bryant stated that her purpose tonight was to get an update on the D.O.T. grant that Council submitted for the North Lincoln Avenue resurfacing project which will provide funding for the paving. Manager Blanchard replied that she spoke with the Borough's engineers and their feedback was that we could have an answer any time during the first six months of 2014.

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

Ayes: 6, Nays: 0
Motion Carried

ORDINANCES:

Ordinance 6-2013 Repealing Chapter 42 of the Code of the Borough of Washington and Replacing it with a New Chapter 42, "Fire Prevention Code."

Mayor McDonald stated that Council will not be discussing Ordinance 6-2013 at this time since there are still some questions and work that needs to be done.

REPORTS:

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

1. Code Enforcement Report - September
2. Police Activity Report - September

Ayes: 6, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Sewer Committee:

Councilman Higgins provided an update to Council in regards to sending a survey crew to Gardeners Court. Councilman Higgins stated that unfortunately, there is not enough elevation to put in the pipes they thought they could. Councilman Higgins added that Manager Blanchard received some information from the sewer engineer today that now the engineer is looking into a vacuum system for that area since there is a problem with the elevation. Councilman Higgins stated that information should be provided to the Sewer Committee within the next week or two.

NEW BUSINESS:

Best Practices – 2013

Council Discussion:

Manager Blanchard stated that she is required to present the Best Practices Worksheets to Council and answer any questions. Manager Blanchard pointed out that there's a few things such as a Finance Committee that Council may want to think about for the future. Manager Blanchard also noted that the question regarding mandatory classes for elected officials continues to come up. Manager Blanchard stated that the classes have to be Division of Local Government sponsored classes which the cost would need to be added to the budget. Council is not interested in making classes for elected officials mandatory at this time.

Resolution #180-2013 – Refund Overpayment Real Estate Taxes

RESOLUTION #180-2013

**A RESOLUTION TO REFUND OVERPAYMENT
ON 2013 REAL ESTATE TAXES**

WHEREAS, according to the Tax Collector’s records, there is an overpayment of \$1,483.53 on 2013 3rd Quarter Regular Taxes paid on property located at 122 Myrtle Avenue, also known as Block 44 Lot 18, and in the name of Orlando, Corey & Shelby; and

WHEREAS, Mr. Orlando had been granted the Veteran’s Tax Exempt Status in October 2012 and Corelogic continued to pay the taxes on the 3rd quarter in 2013; and

WHEREAS, the Tax Collector has been resolving the matter of tax overpayments and has received a written request from Corelogic that 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 \$1,483.53 payable to:

CoreLogic Real Estate Tax Service
Attn: Tax Refunds
1 CoreLogic Way
Mail Code: DFW 1-3
West Lake, TX 76262

Resolution #180-2013 was moved on a motion made by Higgins, seconded by Gleba and approved.

Roll Call: Gleba, Torres, Thompson, Conry, McDonald, Higgins
Ayes: 6, Nays: 0
Motion Carried

Resolution #181-2013 – Redemption of Tax Sale Certificate

RESOLUTION #181-2013

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 Singh Real Estate, 555 Lincoln Drive West, Suite 100, Marlton, NJ 08053, in the amount of \$6,186.97 for taxes or other municipal liens assessed for the year 2011 in the name of Subbe, Frederick A., as supposed owner, and in said assessment and sale were described as 9 Hill Street, Block 25.01 Lot 9, which sale was evidenced by Certificate #12-00024; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 9-27-13 and before the right to redeem was cut off, as provided by law, Frederick A. Subbe, claiming to have an interest in said lands, did redeem said lands claimed by Singh Real Estate by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$9,069.50, which is the amount necessary to redeem Tax Sale Certificate #12-00024.

NOW THEREFORE BE IT RESOLVED, on this 15th day of October, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Singh Real Estate, 555 Lincoln Drive West, Suite 100, Marlton, NJ 08053 in the amount of **\$18,069.50** (this amount consists of \$9,069.50 Certificate Amount redeemed + \$9,000.00 Premium
Resolution #181-2013 was moved on a motion made by Higgins, seconded by Thompson and approved.

Roll Call: Gleba, Torres, Thompson, Conry, McDonald, Higgins
Ayes: 6, Nays: 0
Motion Carried

Resolution #182-2013 – Cancel 2012 Taxes Due to 501C3 Status

RESOLUTION #182-2013

**A RESOLUTION TO CANCEL 2012 TAXES
DUE TO 501 C3 STATUS**

WHEREAS, the Tax Collector has received notice that property located at Block 24 lot 24, 44 East Washington Avenue was acquired by Washington Business Improvement District a 501 C3 tax exempt entity; and

WHEREAS, prior owner paid taxes up to the date of sale; and

WHEREAS, the Tax Assessor cannot modify amount of taxes billed for 2012; and

WHEREAS, the property still has an ousting balance for 2012 taxes and tax exemption is not shown.

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 Tax Collector is authorized to cancel the 2012 Real Estate Property Taxes in the amount of \$541.80 and all corresponding interest and remove this property from the tax sale.

Resolution #182-2013 was moved on a motion made by Higgins, seconded by Conry and approved.

Roll Call: Gleba, Torres, Thompson, Conry, McDonald, Higgins
Ayes: 6, Nays: 0
Motion Carried

Resolution #183-2013 – Cancellation of General Capital Ordinances Balances

RESOLUTION # 183-2013

A RESOLUTION AUTHORIZING CANCELLATION OF GENRAL CAPITAL ORDINANCES BALANCES

WHEREAS, there are open balances in old capital ordinance; and

WHEREAS, the projects authorized in those ordinances are completed; and

WHEREAS, it is a good practice to cancel old outstanding ordinances; and

WHEREAS, cancelled funded amounts will be deposited in the General Capital Fund Balance

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Washington, in the County of Warren, State of New Jersey as follows:

1. The governing body hereby authorizes cancellation of the outstanding balances in the capital ordinances listed below:

07-2007	\$120.16	(FUNDED)
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08-2005	\$282.00	(FUNDED)
02-2007	\$5,621.41	(FUNDED)
12-2005	\$7,584.47	(FUNDED)
02-2008	\$17.59	(FUNDED)
05-2008	\$14,704.65	(FUNDED)
11-2008	\$523.82	(FUNDED)

Resolution #184-2013 – Cancellation of Sewer Capital Ordinances Balances

RESOLUTION # 184-2013

A RESOLUTION AUTHORIZING CANCELLATION OF SEWER CAPITAL ORDINANCES BALANCES

WHEREAS, there are open balances in old capital ordinance; and

WHEREAS, the projects authorized in those ordinances are completed; and

WHEREAS, it is a good practice to cancel old outstanding ordinances; and

WHEREAS, cancelled funded amounts will be deposited in the Sewer Capital Fund Balance

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Washington, in the County of Warren, State of New Jersey as follows:

2. The governing body hereby authorizes cancellation of the outstanding balances in the capital ordinances listed below:

10-04	\$8,274.79	(FUNDED)
13-05	\$31,139.22	(FUNDED)
11-07	\$83,146.00	(FUNDED)

Council Discussion:

Councilwoman Gleba asked if these funds go back into the respective accounts. Manager Blanchard replied that the money will go back into the accounts. Manager Blanchard pointed out that the \$83,146 being canceled from the Sewer Capital Ordinances Balance

is from 2007 and was never touched. The amount will end up back in the fund balance and Council can re-appropriate this money next year for projects such as South Lincoln and Gardeners Court.

Resolution #183-2013 and Resolution #184-2013 were moved on a motion made by Torres, seconded by Higgins and approved.

Roll Call: Torres, McDonald, Thompson, Conry, Gleba, Higgins
Ayes: 6, Nays: 0
Motion Carried

Resolution #186-2013 Power Purchase Agreement Extension

RESOLUTION #186-2013

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

WHEREAS, the Borough of Washington (“Borough”) and Washington Community Solar, LLC (“WCS”) entered into a Power Purchase Agreement (“PPA”) dated January 17, 2012, for the purpose of providing solar energy to certain Borough facilities through solar facilities to be constructed by WCS on property in Washington Township adjacent to property owned by the Borough; and

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

WHEREAS, pursuant to the request of WCS the Borough earlier granted, by way of Resolution 69-2013, an approximate three month extension of time, until September 30, 2013, for WCS to obtain the required permits and consents and until December 31, 2013 to begin providing electricity to the Borough as required by the PPA; and

WHEREAS, WCS has advised that the approval process has taken longer than anticipated and has, therefore, requested an additional 7 month extension of the time to obtain approvals, until April 30, 2014, and a corresponding extension to the electrical generation deadline from December 31, 2013 until July 31, 2014; and

WHEREAS, the Mayor and Council have reviewed the request of WCS for an extension of time to obtain its approvals and provide electrical generation and have determined that the request should be granted;

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

1. The Mayor and Council consent to the amendment of Section 2 of the PPA to provide that Washington Community Solar, LLC shall have until April 30, 2014 to obtain all required State and local regulatory permits, consents and approvals, to design, permit, acquire, construct and install its solar facility.
2. The Mayor and Council also consent to the amendment of Section 3.3A of the PPA to provide that Washington Community Solar, LLC shall be allowed an extension until July 31, 2014, that Washington Community Solar shall commence the delivery and sale of the electricity to the Borough.
3. The Mayor and Clerk are hereby authorized to sign a letter agreement to be prepared by the Borough Attorney amending Section 2 and Section 3.3A of the PPA as set forth above.

Resolution #186-2013 was moved on a motion made by Higgins, seconded by Conry and approved.

Ayes: 6, Nays: 0
Motion Carried

Resolution #187-2013 Release of Driveway Paving Bonds for Ryan Homes

RESOLUTION #187-2013

A RESOLUTION AUTHORIZING THE RELEASE OF DRIVEWAY PAVING BONDS FOR RYAN HOMES HELD IN TRUST BY THE BOROUGH OF WASHINGTON

WHEREAS, Ryan Homes has requested the following cash bonds to be released:

Bl. 73.02, Lots 25, 26, 27, & 28: \$ 8,400.00
Bl. 73.01, Lots 12, 13, & 14: \$ 6,300.00
Bl. 73.01, Lots 17, 18, 19 & 20: \$ 8,400.00

Total Cash Surety: \$23,100.00

WHEREAS, Andrew S. Holt, PE, PP, CME, Borough Engineer submitted letters noting that inspections of the driveway final paving (top layer) for the

above-referenced lots have been performed and found the work to be satisfactory;

WHEREAS, Suburban Consulting Engineers recommends the cash deposit in the amount of \$23,100.00 be released at this time (\$2,100.00 per lot.)

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 Ryan Homes for the Cash Surety in the amount of \$23,100.00.

Resolution #187-2013 was moved on a motion made by Higgins, seconded by Torres and approved.

Roll Call: Torres, McDonald, Thompson, Conry, Gleba, Higgins
Ayes: 6, Nays: 0
Motion Carried

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$785,680.01

Motion made by Higgins, seconded by Torres to approve the vouchers.

Roll Call: Torres, McDonald, Conry, Thompson, Gleba, Higgins
Ayes: 6, Nays: 0
Abstain: (1) Thompson – Fire & EMS

COUNCIL REMARKS:

Councilman Higgins stated that there is a new donut shop in town and encouraged everyone to try it. Councilman Higgins added that everything is handmade and amazing.

Councilman Thompson urged everyone that since Halloween is right around the corner, be safe and watch out for children trick or treating.

Councilman Torres noticed that the Borough does not have any containers down town for recycling next to the garbage cans. Councilman Torres would like to purchase some recycling containers using the Clean Communities Grant. Manager Blanchard will look into some pricing options. Councilman Torres also asked for an update on the flag that is supposed to be located outside the library. Manager Blanchard spoke to the Library Director and there was supposed to be a flag donated to the library and possibly a

ceremony including the Girls Scouts. Manager Blanchard will follow up with the Library Director.

Councilwoman Gleba asked for a revenue report to be added to the next Council packet. Councilman Thompson asked for a revenue report for each department. Councilwoman Gleba replied that the latest year to date report was just posted to the website. Manager Blanchard will provide Councilman Thompson with a hard copy.

Councilman Higgins added that the flag is supposed to be at half mast by order of the Governor of New Jersey. Councilman Higgins stated that the oldest living Medal of Honor recipient died on October 4, 2013 and was a resident of New Jersey. Manager Blanchard will look into signing up for an email alert as to when the flag should be at half mast.

ADJOURNMENT:

Hearing no further business, a motion made by Higgins, seconded by Torres to adjourn the meeting at 7:30p.m.

Ayes: 6, Nays: 0
Motion Carried

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk