

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – November 25, 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.”

SWEARING IN OF NEWLY ELECTED OFFICIAL:

Paul Jones – Councilman

Borough Clerk Blanchard swore in new Councilman Elect Paul Jones.

Mayor McDonald led everyone in the flag salute.

Mayor McDonald stated that Manager Blanchard will not be present for the entire meeting so he will need a motion to appoint Ann Kilduff as Acting Borough Clerk.

A motion was made by Higgins, seconded by Conry to appoint Ann Kilduff as Acting Borough Clerk.

Ayes: 6 Nays: 0
Motion Carried

Roll Call: Jones, Torres, McDonald, Conry, Higgins, Gleba (Arrived at 7:25)

Absent: Thompson

Also Present: Ann Kilduff, Acting Borough Clerk, Kristine Blanchard, Borough Manager/Clerk

EXECUTIVE SESSION:

At this time, Mayor McDonald stated that an Executive Session is needed for the purpose of litigation.

Resolution #208-2013- Executive Session Authorization

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

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION # 208-2013

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: _____ litigation and contracts is Washington Township Mediation Agreement/NJ American Water Easement Purchase. 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.

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

Ayes: 6, Nays: 0
Motion Carried

COUNCIL APPEARANCE:

Family Guidance Center of Washington – Mary Jo Harris

Mrs. Harris began by introducing herself to Council as a prevention Educator with the Family Guidance Center of Washington and also the Coordinator for the Regional Coalition for Healthy and Safe Communities. Mrs. Harris thanked Council for allowing her the time to address a serious issue in Warren County and beyond. Mrs. Harris added that there are drug and alcohol addiction issues right here in Warren County. During Coalition meetings, local law enforcement provide the Coalition with current drug trends in their respective towns. In April, Deputy Chief Cicerelle and Detective Pantuso provided the Coalition with the trends that are going on in Washington Borough and Washington Township. Mrs. Harris added that heroin is the number one drug in Warren County and many times people start small with alcohol and prescription drugs before moving on to heroin.

Deputy Chief Cicerelle from the Washington Township Police stated that the arrests that the County Narcotics Task Force made so far this year are nineteen individuals for distribution of heroin and four individuals for possession. Deputy Chief Cicerelle added that does not include the approximate thirty arrests that were made for other various drug offenses. These numbers are indicative across Warren County.

Mrs. Harris asked Council to consider to consider funding or at a minimum support the fundraising efforts for surveillance cameras to assist law enforcement to decrease drug activity. Mayor McDonald stated that Council would not be able to provide a number as to how the Borough can fund the project until the budget has been discussed.

Higgins made a motion to support the efforts without funding at this time, seconded by Torres.

Ayes: 6, Nays: 0
Motion Carried

Councilman Higgins asked Mrs. Harris to provide Manager Blanchard with the names of the two vendors and their proposals.

MINUTES:

Regular Meeting – October 1, 2013

Motion made by Higgins, seconded by Conry to approve the Regular Meeting minutes of October 1, 2013.

Ayes: 5 Nays: 0
Abstain: 1 (Jones)
Motion Carried

AUDIENCE:

Mike Franks – 43 Nunn Avenue

Mr. Franks stated that he lost his mother and a cousin in an accident with a driver under the influence. Mr. Franks also stated that he has an addict in his family. Mr. Franks added that in July of 2012 he lost a neighbor to prescription drug and alcohol overdose. Mr. Franks commented that the problem is here and it's the biggest killer today. Mr. Franks added that he is here to support and encourage Council and the community to do whatever we can do to save lives. Enforcement and education are critical in addressing the problem.

Sandi Cerami – Washington BID Director

Ms. Cerami stated that she strongly agrees that it is important to have a safe community and supports any effort to free the community of drugs. Ms. Cerami provided the BID's cash flow analysis to Council showing that the only deficit was due to the capital improvements to the park. Ms. Cerami added that Council will receive the audited version of the BID's financial reports in February. Councilman Higgins asked Ms. Cerami to provide Council with the cash surplus numbers at year end for both 2011 and 2012.

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

Ayes: 6, Nays: 0
Motion Carried

REPORTS:

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

1. Municipal Court - October
2. Washington Police Department – October
3. Health Department
4. Tax Collector Report
5. Revenue Report

Ayes: 6, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Senior Citizen Advisory Committee

Councilwoman Gleba stated that the committee has been working with the Warren Hills High School and the Key Club sub group called Senior Blue Streaks. This group has been working with senior citizens at the Washington Community Center. They held a kickoff event for Halloween and are planning their next event for December 9th. This event is open to seniors who may need help addressing Christmas card envelopes or wrapping presents.

OLD BUSINESS:

Nuisance Ordinance Discussion

Councilman Torres briefly discussed long term vacant properties and the possibility of enforcing a registration fee for long term vacant buildings. Councilman Torres added that the State has acknowledged this is a problem especially in larger cities. Councilman Torres stated that he will make copies of his research and provide to Council before the next meeting.

NEW BUSINESS:

Resolution #195-2013 – Transfer Resolution

RESOLUTION #195-2013

AUTHORIZING BUDGET TRANSFERS

FOR FISCAL YEAR 2013 APPROPRIATIONS IN THE AMOUNT OF \$47,000.00

IN THE CURRENT FUND

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriations transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend

for any of the purposes specified in the budget an amount in the excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Borough of Washington, County of Warren, State of New Jersey, the Chief Financial Officer Natasha S. Turchan, be and the same is hereby authorized to make transfers among the Fiscal Year 2013 Budget in the amount of \$47,000.00 in the Current Fund as follows:

	TO		FROM
General Administration		General Administration	
Tax Collector		Municipal Clerk	
Other Expenses	\$4,000.00	Other Expenses	\$5,000.00
Legal		Tax Assessor	
Other Expenses	\$15,000.00	Other Expenses	\$2,000.00
Engineering		Liability Insurance	
Other Expenses	\$20,000.00	Other Expenses	\$1,388.00
Public Works		Health Insurance	
Building and Grounds		Other Expenses	\$30,000.00
Other Expenses	\$8,000.00		
		Land Use	
		Planning Department	
		Other Expenses	\$2,000.00
		PEOSHA	
		Other Expenses	\$500.00
		Public Works	
		Streets and Roads	
		Other Expenses	\$6,112.00
TOTAL	\$47,000.00	TOTAL	\$47,000.00

Resolution #195-2013 was moved on a motion made by Higgins, seconded by Conry and approved.

Roll Call: Gleba, Torres, Jones, Conry, McDonald, Higgins
 Ayes: 6, Nays: 0

Motion Carried

Resolution #196-2013 – Redemption of Tax Sale Certificate

RESOLUTION #196-2013

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, Empire V TLSG, 50 S 16th Street, Suite 1950, Philadelphia, PA 19102, in the amount of \$1,249.03 for taxes or other municipal liens assessed for the year 2011 in the name of DTW Realty, LLC, as supposed owner, and in said assessment and sale were described as 200-202 Belvidere Avenue, Block 35 Lot 35, which sale was evidenced by Certificate #12-00028; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 11-06-13 and before the right to redeem was cut off, as provided by law, David Schneider claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust/Empire V by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$27,286.90 which is the amount necessary to redeem Tax Sale Certificate #12-00028.

NOW THEREFORE BE IT RESOLVED, on this 26th day of November, 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/Empire V, TLSG, 50 S 16th Street, Suite 1950, Philadelphia, PA 19102 in the amount of **\$46,786.90** (this consists of \$27,286.90 Certificate Amount redeemed + \$19,500.00 Premium).

Resolution #196-2013 was moved on a motion made by Higgins, seconded by Torres and approved with the date being changed to November 26, 2013.

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

Resolution #197-2013 – Authorizing the Execution of 2nd Amendment for Police Services between the Township of Washington and Borough of Washington in Warren County

RESOLUTION #197-2013

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
SECOND AMENDMENT TO THE SHARED SERVICE
AGREEMENT FOR POLICE SERVICES BETWEEN THE
TOWNSHIP OF WASHINGTON AND THE BOROUGH OF
WASHINGTON (WARREN COUNTY)**

WHEREAS, on June 3, 2009 the Township of Washington (Township) and the Borough of Washington (Borough) entered into a Shared Services Agreement for Police Services, via Resolutions 09-72 and 114-2009 respectively, for the purpose of ensuring the safety and welfare of its residents by providing police protection in a professional, comprehensive and affordable manner; and

WHEREAS, in May of 2010, both the Township and Borough amended the terms and conditions of the previously approved agreement in order to maintain the positive relationship between both municipalities while providing equal or greater level of service to both communities; and .

WHEREAS, both the Township and Borough desire to enter into a second amendment of the terms and conditions of the previously approved agreement in order to resolve certain ongoing issues in connection with the Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Washington that the Mayor and Clerk are authorized to execute the Second Amendment to the June 3, 2009 Shared Service Agreement for Police Services between the Township of Washington and the Borough of Washington (Warren County) in substantially the form attached hereto.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forward to the Borough's Chief Financial Officer, the Township Committee of the Township of Washington, and the Township's Chief Financial Officer.

Resolution #197-2013 was moved on a motion made by Higgins, seconded by Conry and approved.

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

Resolution #198-2013 – Authorizing the Sale of Surplus Land

RESOLUTION # 198-2013

RESOLUTION AUTHORIZING SALE OF SURPLUS LAND

WHEREAS, the Borough of Washington (“Borough”) is the owner of a parcel of real property Block 95, Lot 31 on the tax map of the Borough of Washington and also known by the street address of 12 South Lincoln Avenue, Borough of Washington as set forth by Block and Lot and street address on Exhibit A attached hereto and made a part hereof (“Property”).

WHEREAS, the Property is no longer needed or required by the Borough for public use; and

WHEREAS, the Borough is engaged in an active Redevelopment Plan aimed at revitalizing its downtown pursuant to the provisions of N.J.S.A. §40A:12A-1 to -49 (also known as The Local Redevelopment and Housing Law) (hereinafter referred to as the “LRHL”), which authorizes a municipal governing body to exercise redevelopment and rehabilitation functions; and;

WHEREAS, NJSA 40A:12A-8(g) of the LRHL provides in pertinent part that: “Upon adoption of a redevelopment plan...the municipality may lease or convey property or improvements to any other party, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary; and

WHEREAS, a presentation was made to the Borough at its public meetings of May 7, 2013 and May 21, 2013 by Ray Rice of Jade Partners Washington, LLC, which owns or is in under contract with parcels adjoining the Property in the Borough, proposing that Jade Partners Washington, LLC purchase the Property to improve the same for parking and other retail purposes in conjunction with the Borough’s redevelopment plan; and

WHEREAS, the Borough passed Ordinance # 5-2013, which authorized the sale of the property to Jade Partners Washington, LLC, (hereafter, the “Buyer”) and provided that specific terms of the sale would be set forth in a resolution authorizing the sale; and

WHEREAS, the Borough wishes to dispose of the Property pursuant to N.J.S.A. 40A:12-13.

NOW THEREFORE, it is hereby resolved as follows:

1. The Borough Council hereby authorizes the sale of the Property to Jade Partners Washington, LLC, for \$95,000.00 , with a deposit of \$9,500.00, pursuant to the terms of the Contract attached hereto and made a part hereof.

2. The sale of the Property shall be subject to a written contract to be executed by the Buyer. The form of contract to be executed is attached to this Resolution. The form of contract is not negotiable. The three (3) day attorney review period does not apply to this transaction.

3. The Property shall be sold for use in accordance with the zoning regulations for the zoning district in which it is located.

4. Jade Partners Washington, LLC shall be required to execute the contract of sale with the Borough within seven (7) days passage of this Resolution, which contract shall include among other conditions:

a. The Borough shall convey by Bargain and Sale deed with covenants against Grantor's Acts.

b. Title will close within sixty (60) days from the date of the execution of the contract. If title does not close on such date due to any default of the purchaser, the Borough shall have the option to cancel the Contract unilaterally by writing to the purchaser and retaining the deposit monies as liquidated damages, in addition to any rights the Borough shall have at law and in equity against the purchaser.

c. The conveyance shall be subject to public and private rights in any roadways or water courses which may abut or traverse the Property, restrictions and easements of record, if any, such facts as an accurate and current survey may reveal, and zoning ordinances of the municipality.

5. The sale of the Property is "as is" and without contingency, warranty or representation including, by way of example, as to condition of land, suitability for construction of structures thereon, compliance with zoning regulations, subdivision approval, issuance of building permit, environmental factors affecting the Property, and any financing requirements of purchaser. No financing contingencies shall be allowed.

6. The sale is final and the Buyer's deposit will not be returned for any reason except as otherwise provided in the Ordinance, Notice of Sale, this Resolution and proposed Contract of Sale.

7. It will not be a reason to return the Buyer's deposit that the Property cannot be used for the purpose intended by the successful bidder or that the successful bidder cannot obtain the funds necessary to complete the purchase of the Property by the assigned closing date.

8. The Mayor, the Clerk of the Borough, the Chief Financial Officer, and any other proper official of the Borough, be and each of them is hereby authorized to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary and proper for carrying out the transactions contemplated by this resolution.

9. As a condition of the sale, Buyer agrees to reserve 6 parking spaces, 24 hours per day, for the exclusive use of Borough residents that do not have off-street parking on their property.

Resolution #198-2013 was moved on a motion made by Torres, seconded by Jones and approved.

Roll Call: Gleba, Torres, Jones, Conry, McDonald, Higgins
Ayes: 4, Nays: (1) Higgins
Abstain: (1) Gleba
Motion Carried

Resolution #199-2013 – Authorizing the Extension of Shared Service for Paving Equipment between the Borough of Washington, Township of Washington, and Township of Franklin.

Resolution #199-2013 was moved on a motion made by Torres, seconded by Conry.

Council Discussion:

Councilwoman Gleba asked Mayor McDonald what occurred at the Shared Service for Paving meeting. Mayor McDonald commented that John Burd from the DPW was there and provided a run down on the condition of the equipment. Mayor McDonald added that it was agreed by all municipalities to continue with the agreement for another five years because the equipment was in repairable condition. Each community will put \$2,000 into a line item in their budget for maintenance of the equipment. Mayor McDonald stated that the Borough of Washington will remain the lead agency and will store the equipment at our DPW garage. Councilman Higgins asked Mayor McDonald who paid for the repairs that were already done. Mayor McDonald replied that he is not sure but believes the Borough of Washington paid. Councilwoman Gleba added that per the original agreement, the cost of repairs were supposed to be split evenly between the three municipalities. Mayor McDonald added that Manager Blanchard could answer these questions more effectively. Councilman Higgins asked to table this discussion until the next meeting.

Councilman Torres withdrew his motion to approve Resolution #199-2013

A motion was made by Higgins, seconded by Gleba to table the resolution until the next meeting.

Ayes: 6, Nays: 0
Motion Carried

Resolution #200-2013 Refund of Tax Overpayment

RESOLUTION #200-2013

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

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$1,940.22 on 2013 3rd Quarter Regular Taxes paid on property located at 44 State Street, also known as Block 13 Lot 5, and in the name of Sarullo, Stephen.; and

WHEREAS, Foundation Title and Corelogic Tax Service had both paid the 3rd Quarter property taxes, resulting in the overpayment; and

WHEREAS, the Tax Collector has been resolving the matter of tax overpayments and has received a written request from Stephen Sarullo that the overpayment be refunded to him.

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 \$1,940.22 payable to:

Stephen Sarullo
1011 Colby Avenue
Raritan, NJ 08869

Resolution #201-2013 Refund of Tax Overpayment

RESOLUTION #201-2013

**A RESOLUTION TO REFUND OVERPAYMENT
ON 2012 REAL ESTATE TAXES**

WHEREAS, according to the Tax Collector's records, there is an overpayment of

\$1,550.44 on 2012 2nd Quarter Regular Taxes paid on property located at 10 Willow Street, also known as Block 98 Lot 30, and in the name of Allison, Donna; and

WHEREAS, Hudson Abstract and Corelogic Tax Service had both paid the 2nd Quarter 2012 property taxes, resulting in the overpayment; and

WHEREAS, the Tax Collector has been resolving the matter of tax overpayments and has received a written request from Donna Allison that the overpayment be refunded to her.

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 \$1,550.44 payable to:

Donna Allison
10 Willow Street
Washington, NJ 07882

Resolution #202-2013 Refund of Tax Overpayment

RESOLUTION #202-2013

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

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$1,457.05 on 2013 2nd Quarter Regular Taxes paid on property located at 48 Lenape Trail, also known as Block 101.01 Lot 13, and in the name of Morton, Robert & Nazly; and

WHEREAS, Title Source and Lereta Tax Service had both paid the 2nd Quarter 2013 property taxes, resulting in the overpayment; and

WHEREAS, the Tax Collector has been resolving the matter of tax overpayments and has received a written request from Robert & Nazly Morton 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 \$1,457.05 payable to:

Robert & Nazly Morton
48 Lenape Trail
Washington, NJ 07882

Resolution #203-2013 Refund of Tax Overpayment

RESOLUTION #203-2013

**A RESOLUTION TO REFUND OVERPAYMENT
ON 2011 PRIOR YEAR REAL ESTATE TAXES**

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$2,911.20 on 2011 4th Quarter Regular Taxes paid on property located at 96 Alvin Sloan Avenue, also known as Block 2.12 Lot 3, and in the name of Mathew, Dofin & Manju; and

WHEREAS, Valley National Bank and Corelogic Tax Service had both paid the 4th Quarter 2011 property taxes, resulting in the overpayment; and

WHEREAS, the Tax Collector has been resolving the matter of tax overpayments and has received a request from Dofin & Manju Mathew 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 \$2,911.20 payable to:

Dofin & Manju Mathew
96 Alvin Sloan Avenue
Washington, NJ 07882

Resolution #204-2013 Refund of Tax Overpayment

RESOLUTION #204-2013

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

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$1,243.15 on 2013 1st Quarter Regular Taxes paid on property located at 82 Park Avenue,

also known as Block 83 Lot 3, and in the name of Atwell, William & Elizabeth; and

WHEREAS, Title Source and Corelogic Tax Service had both paid the 1st Quarter 2013 property taxes, resulting in the overpayment; and

WHEREAS, the Tax Collector has been resolving the matter of tax overpayments and has received a written request from William & Elizabeth Atwell 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 \$1,243.15 payable to:

William & Elizabeth Atwell
82 Park Avenue
Washington, NJ 07882

Resolutions #200-2013, #201-2013, #202-2013, #203-2013, and #204-2013 were moved on a motion made by Higgins, seconded by Conry and approved.

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

Resolution #205-2013 Recreation Commission – Danni-Lyn Steiner

RESOLUTION #205-2013

**RESOLUTION APPOINTING A MEMBER TO THE
BOARD OF RECREATION COMMISSIONERS**

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 Board of Recreation with the consent of Borough Council; and

NOW, BE IT THEREFORE RESOLVED, that the following named person is appointed to the Board of Recreation for a term expiring December 31, 2018.

Danni-Lyn Steiner

Name

WHEREAS, the Council does approve of this appointment.

Resolution #205-2013 was moved on a motion made by Higgins, seconded by Torres and approved.

Ayes: 6, Nays: 0
Motion Carried

Resolution #206-2013 Authorization of Back Wage Compliance and Payment Agreement

RESOLUTION # 206-2013

RESOLUTION AUTHORIZING MAYOR AND COUNCIL TO EXECUTE BACK WAGE COMPLIANCE AND PAYMENT AGREEMENT

WHEREAS, the Borough of Washington (Borough) cooperated with an investigation conducted by the Wage and Hour Division of the United States Department of Labor regarding the Borough's operations pursuant to the Fair Labor Standards Act (FLSA) during the time period of August 27, 2011 through August 24, 2013; and

WHEREAS, the investigation concluded that five (5) employees were due back wages, either directly reimbursed or reimbursed through the issuance of comp time; and

WHEREAS, the Borough believes that it is in the best interests of the Borough to resolve the matter by way of the documentation set forth below.

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 are hereby authorized to execute the Summary of Unpaid Wages, Form WH-56 (Attachment A)
2. The Mayor and Council are hereby authorized to execute the Back Wage Compliance and Payment Agreement (Attachment B), and to act in accordance with that Agreement.

Resolution #206-2013 was moved on a motion made by Gleba, seconded by Conry and approved.

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

Resolution #207-2013 Reappointing Natasha Turchan as CFO for the Borough

RESOLUTION #207-2013

**RESOLUTION AUTHORIZING THE RE-APPOINTMENT OF NATASHA
TURCHAN AS CERTIFIED FINANCE OFFICER.**

WHEREAS, it is recommended by the Borough Manager to re-appoint Natasha Turchan as the Certified Finance Officer (CFO) for the Borough of Washington effective November 25, 2013 and;

WHEREAS, Ms. Turchan's initial appointment date of October 1, 2009 was for a four year term; and

WHEREAS, it is in the best interest of the parties to formalize the re-appointment through a written Resolution; and

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

1. The Mayor and Council hereby re-appoint Natasha Turchan as tenured CFO with the Borough of Washington.

Resolution #207-2013 was moved on a motion made by Torres, seconded by Higgins and approved.

Ayes: 6, Nays: 0
Motion Carried

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$337,394.10

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

Council Discussion:

Councilwoman Gleba asked about the charge on page ten for water usage at the park, she will call and speak to Manager Blanchard regarding this issue. Councilwoman Gleba also questioned the charge on page thirteen for the Highlands water use program. Again, she will contact Manager Blanchard. Councilman Higgins asked what departments fall under Public Safety, specifically in regards to charges on page four for copier and toner.

Mayor McDonald replied the category of Public Safety is probably Fire Prevention and Code Enforcement.

Roll Call: Torres, McDonald, Conry, Jones, Gleba, Higgins
Ayes: 6, Nays: 0
Abstain: (1) Jones – Flemington Department Store

RECAP:

Acting Borough Clerk Kilduff stated that the BID will get the amortization schedule to Manager Blanchard tomorrow and the BID will also provide surplus numbers from 2011 and 2012 to Councilman Higgins. Councilman Torres will provide copies of the Nuisance Ordinance information packets to Council before the next meeting. Acting Borough Clerk Kilduff stated that since Councilwoman Gleba was not aware of a Shared Service for Paving, she will make sure Manager Blanchard includes it in the Best Practices listing. Acting Borough Clerk Kilduff will also ask Manager Blanchard to clarify who pays or has paid for repairs to the existing paving equipment. Also, Acting Borough Clerk Kilduff will make sure Manager Blanchard removes personal information off the website for any new appointee's to recreation.

At this time, Torres motioned to appoint Mr. Joe Trinity as Special Counsel, seconded by Conry.

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

COUNCIL REMARKS:

Councilman Torres expressed a Happy Thanksgiving to everyone. If there's no meeting before Christmas, Councilman Torres also extended a Merry Christmas to all. Councilman Torres also stated that the League of Municipalities had their meeting last week and introduced a lot of interesting concepts that will benefit the Borough that are worth discussing at future meetings.

Councilman Gleba also wished everyone a Happy Thanksgiving and encouraged everyone to come join in the Hometown Holiday this Saturday November 30, 2013 from 4:00pm to 8:00pm.

Gleba motioned to cancel the December 3, 2013 Council Meeting, seconded by Higgins.

Ayes: 6, Nays: 0
Motion Carried

Councilman Higgins wished everyone a safe and Happy Thanksgiving and also a Merry Christmas. Councilman Higgins welcomed Councilman Jones.

Councilman Jones said thank you for having me on Council.

Mayor McDonald also welcomed Councilman Jones to Council and wished Happy Thanksgiving and Merry Christmas to all. Mayor McDonald added that he had a letter from the Morris Canal Working Group and they will be discussing the twenty five year action plan for the Morris Canal Greenway on December 7, 2013 at 7:00pm at the Washington Borough Municipal Building.

ADJOURNMENT:

Hearing no further business, a motion made by Higgins, seconded by Jones to adjourn the meeting at 8:46p.m.

Ayes: 6, Nays: 0
Motion Carried

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk