

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – December 02, 2014**

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: Jones, McDonald, Higgins, Conry, Thompson, Torres,  
Gleba (arrived at 7:10 p.m.)

Also Present: Kristine Blanchard, Borough Manager/Municipal Clerk

At this time, Mayor McDonald stated that an Executive Session is needed for the purpose of contract negotiation. A motion made by Higgins, seconded by Conry to enter into Executive Session for no longer than fifteen minutes.

Ayes: 6 Nays: 0  
Motion Carried

**RESOLUTION # 147-2014**  
**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: \_\_\_/Personnel\_\_\_ 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 Conry, to go out of Executive Session.

Ayes: 7, Nays: 0  
Motion Carried

**COUNCIL APPEARANCE:**

**Stanley Shrek – Van Cleef Engineering**

Mr. Shrek stated that there is a project that Mr. Chris Jepson from Van Cleef Engineering has been working on and they had a preconstruction meeting with Veolia and the contractor that they chose in the beginning of November. Two things became apparent at the meeting. The first there is back pitched pipe on Gardeners Court which seems to have been pitched the wrong way during construction years ago which needs to be addressed. Second, the plans show a new sewer line going through block 100 lot 9 but there's no easement presently available which also needs to be resolved. Mr. Shrek suggested that the quickest solution may be to lower the manhole at the end of Gardener's Court by six inches and still maintain complete capacity but it may require the manhole be reconstructed. Mr. Shrek added that he would like for Council to consider this option. Mayor McDonald commented that this project has been going on way too long and since this option is just being presented for the first time, Council would like a chance to review this option.

## **Victor Cioni – Splash Pad Award**

Chairman Cioni introduced the newest Recreation Director, Jeff Greene who was recently hired by the Recreation Commission. Chairman Cioni highlighted that the Recreation department scraped and re-caulked the entire pool and did some partial repainting. Men's softball made a comeback in 2014 with four teams and a lot of interest from others. The park pavilion was sanded and re-stained with an anti-graffiti coating. There was some substantial damage to the pavilion structurally and electrically that Recreation Director Greene is working on getting estimates on repairing. A new mandated handicapped lift and environment friendly air dryers were installed at the pool. Also implemented by the Borough was the new online payment system for sports and activities which has been a huge success. Chairman Cioni added that the third annual 5k race was successful despite the terrible weather which resulted in a monetary loss. The Recreation Commission introduced a team name and design to bring an identity and build tradition in Washington Borough. The Commission decided to go with the Borough Bears for all sports teams except the swim team which will remain the Washington Sharks. The Commission also implemented new uniforms with the Borough Bears logo; it had been many years since uniforms were purchased. Chairman Cioni added that most of the sports have been profitable and the number of participants has been trending upwards. Chairman Cioni noted that some unexpected expenditures included a lot of leak repairs, CPO courses for the Recreation Directors, lighting service calls and the installation of the handicapped lift. A big capital maintenance item for 2015 is to award the contract for the splash pad. Chairman Cioni added that once Council votes and awards the contract, hopefully a lot of the work can be completed this winter. Chairman Cioni stated that along with Veolia Water and D.P.W. the Recreation Commission is looking to conduct a water pipe replacement project at the pool which should eliminate the numerous water leaks at Borough Park every year. Chairman Cioni added that Recreation will be looking to add some new events and or programs for 2015. Recreation is especially looking to add new programs for the adults or seniors of the Borough along with a vending machine near the basketball court to supplement when the pool and snack bar are closed.

## **Resolution #150-2014 Awarding a BID for the Washington Municipal Pool Splash Pad**

### **RESOLUTION # 150-2014**

### **A RESOLUTION TO AWARD A BID FOR THE WASHINGTON MUNICIPAL POOL SPLASH PAD**

**WHEREAS**, bids were advertised and accepted by the Municipal Clerk/Borough Manager for the Washington Borough Municipal Pool Splash Pad complete installation project on Thursday, November 20, 2014 at 11:00 a.m. and;

**WHEREAS**, 7 bids were submitted and reviewed by Suburban Consulting Engineers and Gebhardt and Kiefer; and

**WHEREAS**, the lowest responsible bidder for the Washington Borough Municipal Pool Splash Pad is Ray Palmer Associates Inc. 95 King Street Dover, NJ with a total bid price of \$97,850.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey along with the recommendation of the Recreation Commission; that the Washington Borough Municipal Pool Splash Pad project be awarded to Ray Palmer Associates Inc.

**BE IT FURTHER RESOLVED** that Mayor, Borough Clerk are hereby authorized to execute all necessary contracts and documents to award said contract.

Resolution #150-2014 was moved on a motion made by Gleba, seconded by Conry with a not to exceed added to the resolution and approved.

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

**AUDIENCE:**

Mayor McDonald opened up the audience portion for remarks, petitions, statements, and testimony from guests.

Richard J. Sherman, Jr – 15 Gardeners Court

Mr. Sherman stated that the South Prospect Street sewer project hasn't even started yet, except for a busted water pipe. Mr. Sherman added that he had sewage blown into his basement yesterday and has sewage all over personal belongings that were in the basement. Mr. Sherman needs to know when the project is going to be completed. Mr. Sherman stated that he hired a plumber who ran seventy five feet (which is fifty feet of the Borough's) of a roter out of his pipe coming out with roots and loads of wipes which the Sherman's do not use. Mr. Sherman asked what the problem is and why the project is not moving forward. Mayor McDonald replied that part of the problem is that the last Sewer Engineer did not perform as expected. Mr. Sherman stated that he has been

dealing with Council on this issue for eleven years and it needs to be corrected. Mayor McDonald replied that unfortunately he can not provide a date of completion at this time. Councilman Torres added that the entire project is being reexamined again. Mr. Sherman added that he has been told over and over again that it will be fixed and it has not. Councilman Higgins replied that there is more progress right now than in years prior. Unfortunately, Council was told in the beginning of the 2014 by the new Sewer Engineer would be completed in March and that did not happen. Then Council was told that the project would be completed before September which also did not happen. Councilman Higgins added that Council approved a set of plans and the project was supposed to start in November and it didn't get done. The Sewer Engineering firm was at tonight's meeting to explain that. Councilman Higgins expressed that Council wants to make sure it gets done but also that it is done right.

On a separate note, Mr. Sherman asked what entity owns the fire trucks in the Borough. Manager Blanchard replied that the Borough owns the fire trucks. Mr. Sherman stated that it is not a good idea to put kids on top of a fire truck and drive them around open roads as the Washington Redskins did last week in celebration of an undefeated season. Mr. Sherman added that these kids work hard and deserve a parade which may be a safer option and expressed concern over the insurance risk to the Borough. Mayor McDonald replied that the Borough will discuss the issue with their risk manager.

Michael Gessner – 440 Route 57 West

Mr. Gessner stated that he had a complaint against a Washington Borough employee. Manager Blanchard replied that a formal complaint had already been filed with her office and the Borough of Washington's policy in regards to that complaint will be followed. Manager Blanchard added that discussion in regards to the employee can not be held in open session without a Rice Notice given to the employee.

Don Eller – 44 West Church Street

Mr. Eller stated that he was interested in the ordinance in regards to trailer parking. Mayor McDonald replied that the public hearing on that ordinance would be later on in tonight's agenda.

Reverend Bauknight – Mt. Pisgah Ame Church

Reverend Bauknight asked if North Lincoln Avenue is or is not getting paved. Manager Blanchard replied that the Borough submitted their plans to the Department of Transportation and were denied. The D.O.T. wants to see two more handicapped accessible curbs in the roadway near the library. The plans needed to be redesigned and resubmitted. Councilman Jones added that the State of New Jersey has said if the additional handicapped curbing is not done; the job will not be paid for by the grant. Manager Blanchard stated that the Borough just has to get approval from the State of New Jersey before they can proceed. Councilman Higgins suggested applying for a Safe Routes to School Grant to provide curbing on North Lincoln Avenue and will have the

Streets Committee look into it.

A motion made by Higgins, seconded by Jones to apply for a Safe Routes to School Grant for the curbing of North Lincoln Avenue.

Ayes: 7, Nays: 0  
Motion Carried

Reverend Bauknight asked if there was a limit on how much a business can put on display on the downtown sidewalks. Mayor McDonald replied that there is a certain amount of space that needs to be left open for pedestrians to pass. Manager Blanchard replied that she believes it is forty eight inches that needs to be left open.

Mr. Eller added at this time that he is disappointed the way the trees are maintained downtown. Mr. Eller added that most of the trees in town are great, but the section of trees located at the north end of town are not trimmed up at all. The trees inhibit people from getting out of their cars and anyone who is close to six feet tall has to duck when passing by the trees. Manager Blanchard will make sure that those trees are included in the Shade Trees list of items to complete.

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

Ayes: 7, Nays: 0  
Motion Carried

**ORDINANCES:**

**Ordinance #3-2014 An Ordinance of the Borough of Washington County of Warren State of New Jersey Creating a Chapter of the Borough Code of the Borough of Washington Entitled Registration of Properties Pending Foreclosure (Public Hearing / Adoption).**

Motion made by Higgins seconded by Jones to approve Ordinance #3-2014 and have the Clerk read by title.

Ayes: 7, Nays: 0  
Motion Carried

The Clerk read Ordinance #3-2014 An Ordinance of the Borough of Washington County of Warren State of New Jersey Creating a Chapter of the Borough Code of the Borough of Washington Entitled Registration of Properties Pending Foreclosure.

**ORDINANCE #3-2014**

**AN ORDINANCE OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY, CREATING A CHAPTER OF THE BOROUGH CODE OF THE BOROUGH OF WASHINGTON, ENTITLED REGISTRATION OF PROPERTIES PENDING FORECLOSURE.**

**WHEREAS**, the Borough of Washington contains certain structures that are vacant and or abandoned: and

**WHEREAS**, in many cases, the structures are pending foreclosure and the parties responsible to maintain the structures are not maintaining or securing them to an adequate standard: and

**WHEREAS**, it has been established that vacant and abandoned structures cause severe harm to the health, safety, and general welfare of the community, including diminution of neighboring property values, increased risk of fire and other public health risks: and

**WHEREAS**, the Borough incurs disproportionate costs in order to deal with the problem, including but not limited to, identifying the responsible parties, excessive police calls and property inspections and maintenance: and

**WHEREAS**, it is in the public interest for the Borough to establish minimum standards of accountability on the creditors or other responsible parties of vacant and abandoned structures pending or in foreclosure for the safety and general welfare of the residents of the Borough: and

**WHEREAS**, it is in the public interest for the Borough to impose a fee in conjunction with registration of vacant and abandoned structures and to require creditors to be responsible for the maintenance of abandoned residential structures under certain circumstances in light of the disproportionate costs imposed upon the Borough by the presence of these structures

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

**SECTION 1.** The Borough Code of the Borough of Washington is hereby amended and Supplemented so as to add Chapter \_\_\_\_\_, entitled “Registration of Property Pending Foreclosures,” which shall read as follows:

\* \_\_\_\_\_ **-1. Purpose.**

In conformity with N.J.S.A.46:10B-51, the intent of this ordinance is to provide for the enforcement of Borough Property Maintenance Standards and State Housing Code against vacant properties pending foreclosure.



**\* \_\_\_\_\_-2. Service of Notice, contents.**

- A. A creditor serving a summons and complaint in an action to foreclose on a mortgage on residential property located within the Borough of Washington shall serve the Municipal Clerk with a notice indicating that a summons and complaint in an action to foreclose on a mortgage has been filed against the subject property. The Notice may contain information about more than one property and shall be provided by mail or electronic communication at the discretion of the municipal clerk.
- B. The Notice shall be served within 10 days of service of a summons and complaint in an action to foreclose on a mortgage against the subject property
- C. Within 60 days of the adoption of this ordinance, any creditor that has initiated a foreclosure proceeding on any residential property which is pending in Superior Court shall provide to the municipal clerk a notice as described below for all residential properties in the Borough for which the creditor has pending foreclosure actions.
- D. Pursuant to N.J.S.A.46:10B-51(a)(1), the notice shall contain:
  - a. The name and contact information for the representative of the creditor who is responsible for receiving complaints of property maintenance and code violations;
  - b. Whether the property being foreclosed on is an affordable unit pursuant to the “Fair Housing Act;”
  - c. The street address, lot and block number of the property; and
  - d. The full name and contact information of an individual located within the state authorized to accept service on behalf of the creditor.

**\* \_\_\_\_\_-3 Violation of State or Local Law at Property on List: responsibility of creditor.**

- A. If the owner of a residential property vacates or abandons any property on which a foreclosure proceeding has been initiated or if a property is otherwise vacated subsequent to the filing of the summons and the complaint, but prior to the vesting of title in any third party; and
- B. If the property is found to be nuisance or in violation of any applicable state or local code, the local public officer shall notify the creditor.

- C. The creditor shall have the responsibility to abate the nuisance or correct the violation in the same manner and to the same extent as the title owner of the property, to such standard or specification as may be required by State Law or municipal ordinance.

**\* \_\_\_\_\_-4 Notification of Violation.**

In the event of a violation of state or local ordinance, the municipality shall serve the creditor with a notice the shall include a description of the condition(s) that gave rise to the violation with the notice and shall provide a period of not less then 30 days from the creditor's receipt of the notice for the creditor to remedy the violation or within the(10) days of receipt of the notice if the violation presents an imminent threat to public health and safety.

**\* \_\_\_\_\_-5 Repair by Borough.**

If the Borough expands public funds in order to abate a nuisance or correct a violation on a residential property in which the creditor was given notice pursuant to the provisions of subsection \_\_\_\_\_-4 but failed to abate the nuisance or correct the violation as directed, the municipality shall have the same recourse against the creditor as it would have had against the title owner of the property including but not limited to the recourse provided at N.J.S.A. 55:19-100.

**\* \_\_\_\_\_-6 Violations and Penalties.**

Any person, firm or corporation who or which violates \_\_\_\_\_-2 of this Chapter shall be subject to a fine not to exceed \$2,500.00.

Any person, firm or corporation who or which violates \_\_\_\_\_-3 and fails to remedy said violation once notified by the Borough pursuant to \_\_\_\_\_-4 of this Chapter shall be subject to a fine not exceeding \$1,500.00 per day per violation.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holdings shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

This Ordinance shall take effect immediately upon final adoption and publication according to law.

Public Hearing:

Hearing no comments from the public, a motion was made by Higgins, seconded by Conry to close the public hearing of Ordinance #3-2014.

Ayes: 7, Nays: 0  
Motion Carried

Hearing no further comments, a motion was made by Torres, seconded by Conry to adopt Ordinance #3-2014 on final passage.

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

**Ordinance #4-2014 An Ordinance Amending Chapter 85 Vehicles and Traffic of the Code of the Borough of Washington (Public Hearing / Adoption).**

Motion made by Gleba, seconded by Torres to approve Ordinance #4-2014 and have the Clerk read by title.

Ayes: 7, Nays: 0  
Motion Carried

The Clerk read Ordinance #4-2014 An Ordinance Amending Chapter 85 Vehicles and Traffic of the Code of the Borough of Washington.

**ORDINANCE #4-2014**

**AN ORDINANCE AMENDING CHAPTER 85 VEHICLES AND TRAFFIC OF  
THE CODE OF THE BOROUGH OF WASHINGTON**

**WHEREAS;** the Mayor and Council believe it necessary to amend certain portions of Chapter 85 of the Code of the Borough of Washington; and,

**WHEREAS,** there is found to be a need to add and remove certain handicap parking spaces; and,

**WHEREAS,** there is a need to accommodate changes to various street parking designations; and,

**WHEREAS,** there are other needed changes to the rules for parking trailers and heavy trucks on Borough Streets; and,

**BE IT RESOLVED,** by the Council of the Borough of Washington that Chapter 85 Vehicles and Traffic be amended as follows,

Article 1: 85-2 – Definitions

Recreational Vehicle – A vehicle which is designed primarily to transport persons for recreational purposes instead of transportation purposes, or a vehicle that serves as a temporary dwelling. This may include a vehicle that is self-propelled towed or carried by another vehicle but shall not include camper caps that fit over and atop pickup trucks. This term shall include watercraft motor homes travel trailers all terrain vehicles and snowmobiles.

Transportation trailer – non self-propelled utility trailer used primarily for transportation purposes instead of recreational purposes. This may include landscaping trailers, boat trailers, or any other trailer requiring a NJ Motor Vehicle Commission registration plate, whether such plates are considered private or commercial.

Construction Vehicle Trailer – a vehicle which is primarily used for commercial or residential construction, which is utilized for transportation of building materials and tools of the trade; and bearing the Business Name and address of the commercial business displayed on the vehicle.

Article II: 85-11: Truck and Trailer Prohibitions and Exclusions: Amend to read as follows:

No person shall park a truck of 12,500 or trailer in any of the off street municipal parking areas without obtaining a permit for the overnight lot parking.

Article III – 85-12: Truck Exclusions Amend title as follows:

1. No Trucks over 12,500 lbs. gross weight shall park on any public street within the Borough of Washington for longer than 2 hours.

2. Trucks over four tons gross weight are hereby excluded from all streets within the Borough of Washington except for the pickup and delivery of materials on such streets; except on so designated Truck Routs in Schedule VI of this chapter.
3. No recreation Vehicles shall park on any public street within the Borough of Washington for more than 2 hours.
4. No trailers shall park on any public street within the Borough of Washington for more than 2 hours.
5. Construction vehicle trailers are hereby exempted from no parking on any street prohibition provided a permit for overnight parking is obtained. At no time shall such a permit be issued for longer than one week.
6. Tractor Trailers are prohibited from parking in municipal lots unless permit is obtained from the Borough Clerk's Office.

Article VIII: Schedules

85-23 Schedule 1: No parking: Amend as follows:

Change – Allegar Street both sides from Broad Street to Gibson's Gym Free Parking Lot.

Change – Cornish Street from South Wandling both sides no parking to South Lincoln Ave.

Add: Fillmore Street South Side from McKinley to Prosper Way.

Change: Flower Avenue to both sides from Rt. 57 to a point 210 feet northerly therefrom.

Add: No Parking South Prospect either side From Rt. 57 to Gardners Court.

Add: Hann Street Both sides entire length.

Change Jackson Avenue east side street parking.

Add: North Jackson Avenue Ave East Side.

Add: Jefferson Both sides entire length

Change Lower Park Drive South side only from Park Entrance Road to Route 31.

Add: Pohatcong Avenue both sides entire length.

Add: Vanatta Street both sides entire length – W. Washington to Youmans Avenue

Parking Allowed:

Add: The addition of 3 parking spaces East Side of North Prospect Street between the Washington Arms Apartments and the Emergency Exit at the Warren Hills Middle School

Article VIII: 85-26, Schedule IV: Time Limit parking Certain Hours – Amend as follows;

Change: East Church Street from 10 to 60 minutes.

Add: North Prospect No Parking Vehicle weighing more than 10,000 lbs. vehicles.

In accordance with the provisions of Chapter 85, Article II, Subsection II, no person shall park a vehicle for longer than two hours in any off street and Municipal Parking lots unless an overnight parking permit has been obtained from the Municipal Clerk's Office.

In addition to all other fines and penalties, a vehicle parked in violation of this section shall be subject to towing cost of which shall be paid for by the owner or the operator of the vehicle before such vehicle shall be released.

All persons parking pursuant to parking permit shall comply with all applicable parking and traffic rules and regulations.

It shall be in violation of this section to photocopy otherwise reproduce or in any way create a facsimile or counterfeit permit. It shall be a violation hereof to display or otherwise use a permit known to be counterfeit. It shall be a violation hereof to furnish false information or fraudulent documents in connection with an application for a permit.

Any person violating the provisions hereof shall be subject to a fine not to exceed \$500 and or imprisonment for not more than 10 days.

Article VIII 85-29 Schedule VII One Way Streets

Amend as follows:

Delete – North Jackson Ave

Delete unnamed alley off North Lincoln Avenue South of Warren Hills Middle School

Article IX. Snow Emergencies

85-40 Parking restrictions during snow removal periods.

Amend as follows:

Whenever snow has fallen and the accumulation is such that it covers the street or highway where the Road Department has to plow, a snow emergency can be called by the Borough Manager, Chief of Police, or the Emergency Management Coordinator. In the event a snow emergency is called or even if the accumulation is such that it covers the street or highway, no parking will be allowed on any street, road, alley, or thoroughfare within the Borough of Washington until such time as said street, road, or alley or thoroughfare has been cleared and snow has stopped falling.

#### 84-41 Removal and Impoundment of Vehicles.

Amend as follows:

The Police Department serving the Borough of Washington and the Code Enforcement Officer (replaces the Borough of Washington Police Department)

#### Article X Speed Limits 85-43

Add Lenape Trail Speed Limit 15mph (entire length)

#### Article XIV 85-59 Municipal Parking Lots

C other lots (1) (a): Delete

(c). Delete

(d). Change from East Church Plaza to Star Plaza

(f) Change from North Central Plaza to Pocket Park Plaza

D. Change from Theater Plaza to Theater/Methodist Church Plaza

Add: Church parking on Sunday between 7am and 2pm

#### Article XIV: 85- 68 Enforcing Agency:

Change to Police Department serving the Borough of Washington

Add: and by the Code Enforcement Officer

#### Article XVI: On Street Parking for Handicapped

85-81 Amend as follows:

Add: Allegar Street: South side beginning at a point 95 feet from the corner of Broad Street and extending 22 feet easterly.

Delete Belvidere Avenue West side in front of #187 (?)

Delete Belvidere Avenue West side in front of #189

Delete: Belvidere Avenue West side in front of #120 (?)  
Delete: Belvidere Avenue West side in front of Church (need number of church)  
Delete: Belvidere Avenue (Across from Squad Building)  
Delete: Vanatta Street  
Delete: Railroad Avenue  
Delete: 40 Carlton Avenue  
Delete: 62 East Church Street  
Delete: 21 East Johnston Street  
Delete: 12 Youman's Avenue  
Delete: Washington Avenue – in front of Day Care (need building number)  
Delete: North side East Church Street  
Add: South side East Church Street

Delete: Entire Article XVII: 85- 90-101 (Repealed)

#### Council Discussion:

Councilwoman Conry noted that on the last page there was a handicapped space deleted in front of Warren County Pharmacy that was not supposed to be deleted. Manager Blanchard will make that correction. Councilman Thompson commented that on page two, Church Street was not mentioned in regards to the no parking signs. Councilman Higgins replied that it was not added because it was already in the Code Book. Councilwoman Gleba added that she has had residents come to her with concerns over the construction vehicles and or trailers. Councilman Torres replied that the idea behind this portion of the ordinance was to get trailers that are not in use off the streets.

#### Public Hearing:

Mr. Don Eller – 44 West Church Street

Mr. Eller who is the owner of Sunrise Companies and the owner of many trailers, spoke in regards to Council's proposed ordinance to set a fee for trailers to be parked on the street. Mr. Eller does not recommend this portion of the ordinance and added that there is no fee for parking on the street in any other municipality within Warren and Hunterdon



Counties. Mr. Eller added that if the trailer is a registered vehicle and is insured it should be allowed on the streets as long as other motor vehicles are allowed to park on the street as well. Councilman Higgins replied that the issue the Borough has with the trailers is that most of the trailers throughout town are very wide and haven't been moved on a regular basis. These trailers cause a sight problem for drivers trying to make turns and are potentially hazardous.

Ms. Robin Klimko – 35 West Marble Street

Mrs. Klimko stated that she agreed with Mr. Eller in respect that the ordinance the way it's written is not in favor of the owners of the trailers that are actually used for work every day. Mrs. Klimko agrees that there is an issue in town with the trailers that are just parked on the streets and never move. Mrs. Klimko suggested changing the wording of the ordinance so it only affects the trailers that do not ever move and have the Washington Township Police Department tow the trailers that are not registered with the State of New Jersey.

Hearing no further comments from the public, a motion was made by Higgins, seconded by Conry to close the public hearing of Ordinance #4-2014.

Ayes: 7, Nays: 0  
Motion Carried

Council Discussion:

Mayor McDonald stated that Council would like to reconsider this ordinance. Manager Blanchard added that if the ordinance was sent back to the committee for discussion and changes, the ordinance would have to be introduced again in January and then adopted. Councilwoman Gleba expressed concern over the snow emergency part of the ordinance which would not be in effect for another month. Mayor McDonald suggested approving the ordinance and then rescinding the trailer portion.

Hearing no further comments, a motion was made by Gleba, seconded by Torres to adopt Ordinance #4-2014 on final passage.

Roll Call: Gleba, Torres, McDonald, Conry  
Ayes: 4, Nays: 3 (Higgins, Thompson, Jones)  
Motion Carried

### **OLD BUSINESS:**

Condemned / Abandoned Properties

Manager Blanchard stated that she has reviewed the information provided to Council by Attorney Parikh. Manager Blanchard pointed out that if Council goes with the first option, Attorney Parikh can prepare the resolution and the ordinance can be introduced in January. Manager Blanchard added that the second part of the memo deals with the abandoned properties ordinance which the Borough used to have and was repealed. Councilwoman Gleba added that Attorney Parikh was going to come back to Council with more information. Mayor McDonald suggested putting this item back on the agenda for discussion at the next meeting.

BID 2015 Budget Approval

A motion made by Gleba, seconded by Conry to approve the Business Improvement District's 2015 Annual Budget.

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

**NEW BUSINESS:**

**Resolution #145-2014 Authorizing Budget Transfers for Fiscal Year 2014**

**RESOLUTION #145-2014**

**AUTHORIZING BUDGET TRANSFERS**

**FOR FISCAL YEAR 2014 APPROPRIATIONS IN THE AMOUNT OF \$9,000.00  
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 2014 Budget in the amount of \$9,000.00 in the Current Fund as follows:

	<b>TO</b>		<b>FROM</b>
Unclassified		Insurance	
Fire Hydrants		Group Insurance	
Other Expenses	\$100	Other Expenses	\$9,000.00
Social Security			
Other Expenses	\$5,000.00		
Water Utilities			
Other Expenses	\$2,500.00		
Liabilities Insurance			
Statewide			
Other Expenses	\$1,000.00		
Shade Tree			
Other Expenses	\$400.00		
<b>TOTAL</b>	<b>\$9,000.00</b>	<b>TOTAL</b>	<b>\$9,000.00</b>

Resolution #145-2014 was moved on a motion made by Higgins, seconded by Conry and approved.

Roll Call: Torres, Jones, Conry, McDonald, Higgins, Gleba,  
Higgins

Ayes: 7, Nays: 0

Motion Carried

**Resolution #146-2014 Adjust Sewer Billings – Change in Use**

**RESOLUTION # 146-2014**  
**A RESOLUTION TO ADJUST SEWER BILLINGS IN ACCORDANCE WITH**  
**CHAPTER 70, SECTION 28B OF THE CODE OF THE BOROUGH OF**  
**WASHINGTON.**

**WHEREAS**, the Borough of Washington commenced operations of a municipal sewer utility in January of 1999; and

**WHEREAS**, certain facts have come to the attention of the Borough to justify modification of sewer service charges which have been reviewed by the Borough Manager; and

**WHEREAS**, notice has been provided to the owner(s) of the property or properties listed below of the action proposed to be taken with the date, time and place where the Mayor and Council will meet to consider change(s) in the E.D.U.'s assigned to the property or properties listed below; and

**WHEREAS**, all parties affected by this resolution will be notified of the action taken, in writing, and notified of an opportunity to appear, in person, at a formal hearing of the governing body, if dissatisfied with the decisions made herein.

**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 following changes in the sewer service charge(s) are approved:

<b>BLOCK/LOT</b>	<b>NAME/ADDRESS</b>	
<b>REASON/ADJUSTMENT</b>		
100/64	JCP&L 115 South Lincoln Ave. Washington, NJ 07882	Change in Use (.5) to (0) E.D.U.'s Effective: November 2014

**BE IT FURTHER RESOLVED** that the Borough Clerk be directed to send a certified copy of this resolution to all parties affected by this resolution and advise them of their right to protest the decision and request a formal hearing before the governing body, as provided in Chapter 70, Section 13. If no protest is filed, the decisions contained herein shall be considered final.

Resolution #146-2014 was moved on a motion made by Conry, seconded by Thompson and approved.

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

**Resolution #148-2014 Release of Escrow – Ryan Homes**

**RESOLUTION #148-2014**

**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. 73.01, Lots 38, 39, 40 & 41: \$ 16,400.00

Bl. 73.01, Lots 34, 35, 36 & 37: \$ 6,000.00

Total Cash Surety: \$22,400.00

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 \$22,400.00, be released at this time.

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 of \$22,400.00.

**Resolution #149-2014 Release of Escrow – Ryan Homes**

**RESOLUTION 149-2014**

**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. 73.01, Lots 42, 43: \$ 8,200.00

Bl. 73.01, Lots 27, 28, 29: \$ 12,300.00

Bl. 73.01, Lots 30, 31, 32, 33 \$ 6,000.00

Total Cash Surety: \$26,500.00

**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 \$26,500.00, be released at this time.

**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 of \$26,500.00.

Resolutions #148-2014 and #149-2014 were moved on a motion made by Conry, seconded by Thompson and approved.

Roll Call: Torres, Jones, Conry, McDonald, Higgins, Gleba,  
Higgins

Ayes: 7, Nays: 0

Motion Carried

**VOUCHERS:**

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$488,058.49

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

Council Discussion:

Councilman Thompson asked about the charge paid to RJR Engineering Co, Inc on page four. Manager Blanchard replied that she helped recreation and the funds came out of buildings and grounds. Councilman Higgins asked about the consulting fees paid to EMC2, LLC on page four. Manager Blanchard replied that those fees were for a computer consultant for issues that were beyond her level of expertise. Also, Councilman Higgins asked about the charge from Black Smoke Industries for truck #47 which was leaking oil. Manager Blanchard explained that the engine needed to be pulled in order to get to the oil pan and replaced which is a big job. Councilman Torres asked if there was a possibility of purchasing any new vehicles next year. Manager Blanchard replied that it is a possibility and would need to be discussed by the governing body at budget time in January.

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

Ayes: 7, Nays: 0

Abstain: (1) Fire & EMS only

Motion Carried.

**RECAP:**

Manager Blanchard will amend the Splash Pad Award resolution with a not to exceed. Manager Blanchard will contact the Risk Manager regarding children riding on top of the fire trucks. Manager Blanchard along with the engineer will apply for a Safe Routes to School Grant for North Lincoln Avenue including sidewalk and curbing and she will also contact the Shade Tree Commission in regards to trimming the trees on Washington Avenue

**COUNCIL REMARKS:**

Councilman Higgins will contact Kevin Shoudt from Veolia in regards to the sewer issues on South Prospect Street and Gardeners Court.

Councilman Jones asked about the status of the Mill Pond Dam. Manager Blanchard replied that the dam is a budgetary item for next year's governing body. Manager Blanchard added that his Council decided to move forward with the decommissioning of the dam and it can come out of the sewer budget. Councilman Jones asked about the status of the Midtown Crosswalk. Manager Blanchard stated that the D.O.T. will not help in fixing the crosswalk while they are paving. Councilman Jones asked if there has been any feedback from the Clap Program. Manager Blanchard has not heard anything from the Clap Program. Lastly, Councilman Jones asked about the time clock issue. Manager Blanchard replied that she spoke with Attorney Parikh on the topic of the union contracts and any further discussion should be in Executive Session.

Councilman Thompson stated that in 2018 the Borough will be 150 years old and asked Council if they could consider a celebration for the event.

Councilwoman Gleba hopes everyone comes out on Saturday, December 6<sup>th</sup> for the Hometown Holiday starting at 4:00 p.m. The Senior Advisory Committee is working with HomeInstead and local merchants to provide the seniors in need with Christmas presents. Volunteers are also needed to assist in the wrapping of all the presents that are donated. Councilwoman Gleba added that the sewer fees were not reduced this year like she thought they were supposed to be. Manager Blanchard replied that unfortunately she checked the minutes. Councilwoman Gleba added that she checked as well and there was no motion or vote at that time. Councilwoman Gleba added that she brought the topic up in the budget meeting and the conversation ceased there as well and the bills were never reduced.

Councilman Torres stated that he attended the League of Municipalities Convention and found a company that deals with time clocks which he will discuss during Executive Session.

Councilwoman Elect Klimko asked about the funds that were budgeted last year in regards to the sewer project. Councilman Higgins replied that the funds for the sewer project have been specifically set aside for the project. Manager Blanchard added that the Borough adds to the funds every year as well.

At this time, Mayor McDonald stated that an Executive Session is needed for the purpose of contract negotiation and for discussion of the professional evaluations. A motion was made by Jones, seconded by Thompson to enter into Executive Session after a ten minute recess.

Ayes: 7 Nays: 0  
Motion Carried

**RESOLUTION # 147-2014**  
**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 purchase, 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: \_\_\_/Personnel\_\_\_ 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 Higgins, seconded by Jones, to go out of Executive Session.

Ayes: 7, Nays: 0  
Motion Carried

**ADJOURNMENT:**

Hearing no further business, a motion was made by Conry, seconded by Torres to adjourn the meeting at 10:10 p.m.

Ayes: 7, Nays: 0  
Motion Carried

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

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