

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – December 16, 2014**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 6:00 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: Thompson, Conry, McDonald, Higgins,
Torres, Jones (arrived at 7:00pm), Gleba (arrived at
7:00pm)

Also Present: Kristine Blanchard, Borough Manager / Municipal Clerk
Leslie Parikh, Municipal Attorney

At this time, Mayor McDonald stated that an Executive Session is needed for the purpose of interviewing and possibly appointing. A motion made by Torres, seconded by Higgins to enter into Executive Session.

Ayes: 5 Nays: 0
Motion Carried

RESOLUTION # 152-2014
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

MINUTES:

Regular Meeting – November 17, 2014

Motion made by Conry, seconded by Higgins to approve the Regular Meeting minutes of November 17, 2014.

Ayes: 7 Nays: 0
Motion Carried

AUDIENCE:

Mayor McDonald opened up the audience portion for remarks, petitions, statements,

and testimony from guests.

Mrs. Susan Sloan – 89 Grand Avenue

Mrs. Sloan thanked everyone on Council for doing a good job. Mrs. Sloan also commented that the picture of George Washington on the Borough's web page is facing the wrong way and he is looking away from the town. Mrs. Sloan would like the image of George Washington to face the town.

Mr. Rob Shaul – 22 School Street

Mr. Shaul asked for an update on the status of the Washington Theatre. Mayor McDonald replied that the theatre manager is in the audience and is here to provide an update.

Mr. Marco Mateo – 13 Pleasant View Avenue

Mr. Mateo provided Council with an update on the Washington Theatre. Mr. Mateo added that a few months ago he was given an ultimatum by the owners to either purchase the theatre or it would be demolished. Mr. Mateo is trying to acquire the building through his non-profit organization, the Washington Theatre Preservation Society. The agreed purchase price for the theatre was \$250,000 with a \$50,000 deposit required. Mr. Mateo has raised over \$1,100 so far and looking to raise a lot more. Mr. Mateo is looking into grant opportunities such as the Historic Building Acquisition grant through the Warren County Municipal and Charitable Conservancy Trust Fund Committee which matches fifty percent. For the future of the theatre, Mr. Mateo would like to renovate and restore the theatre back to the way it was when it opened in 1927. Mr. Mateo would like the theatre to be the cultural arts center that it deserves to be. Mayor McDonald replied that Council would be happy to pass a resolution in support of the Warren County Municipal and Charitable Conservancy Trust Fund Committee and added that it would be a good idea to get resolutions from other neighboring communities as well. Councilwoman Gleba suggested Mr. Mateo reach out to the Warren County Chamber of Commerce and the Warren County Cultural and Heritage Commission as well along with multiple newspapers.

Mrs. Danielle Sherman – 15 Gardeners Court

Mrs. Sherman asked for an update on the South Prospect Street sewer project. Councilman Higgins replied that the Borough is working on proceeding with the project but can not specify a start date because of issues discussed during Executive Session.

Reverend Bauknight – Mt. Pisgah Ame Church

Reverend Bauknight stated that she along with members of the Mt. Pisgah Ame Church along with the residents of North Lincoln Avenue are disappointed that North Lincoln is

still not paved. Reverend Bauknight added that petitions to have North Lincoln paved go as far back as the year 2000 which asked for paving, curbs and sidewalks. Reverend Bauknight added that a study of the Borough's roads was done in 2005 and the Borough asked for funds that would pave the entire length of Lincoln Avenue in three phases. The North Lincoln Avenue portion was pushed at that time but was said to be a priority and it is still not paved nine years later. Reverend Bauknight stated that the road has already been paved to the library twice before, why are the A.D.A. handicapped ramps an issue now and not in the past? Manager Blanchard replied that the D.O.T. has made the handicapped ramps a requirement and that is what has to take place for the project to move forward. Reverend Bauknight added that she was given dates of when the paving project was supposed to start that never happened. Manager Blanchard replied that those dates were only estimates that were provided by the engineer. Councilman Higgins added that the issue here is with the D.O.T. approving the plans. The Borough received a letter approving them for the grant however, the plans must be approved before the funds are received and the project can move forward. Reverend Bauknight also noted that she is having issues with the school buses traveling at a high rate of speed and turning around on North Lincoln. Council directed her to contact the Board of Education or the Transportation Coordinator in charge of the buses.

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

A motion made by Higgins to direct Manager Blanchard to contact the Department of Transportation to find out the status of the approval of the Borough's plans to pave North Lincoln Avenue, seconded by Jones.

Ayes: 7, Nays: 0
Motion Carried

ORDINANCES:

Councilwoman Gleba did some research for the Codebook Committee looking for ways to amend the portion of the Ordinance regarding trailers. Majority of the town in New Jersey that Councilwoman Gleba researched all restrict trailers on the road either all together or during certain hours. Councilwoman Gleba suggests Council mirror those restrictions during certain hours similar to those in other Warren County towns. Councilwoman Gleba added that a few other issues came to light since the last Council meeting such as trailers sitting for long periods of time in vacant lots and the Code Enforcement Officer recommends only three commercially registered vehicles on the property at any given time. Also, Councilwoman Gleba stated that a lot of the ordinances she researched stated that if a trailer is going to be on the streets, it should be attached to

a vehicle capable of towing that trailer. Councilwoman Gleba concluded that these are the Codebook Committee's recommendations but it will be up to the new governing body to put the changes in effect. Councilman Higgins replied that the Streets Committee will look at the recommendations in January after the new committees have been formed.

REPORTS:

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

1. Office of Emergency Management – November 2014
2. Code Enforcement Report – November 2014

Ayes: 7, Nays: 0
Motion Carried

NEW BUSINESS:

Resolution #151-2014 Redemption of Tax Sale Certificate

RESOLUTION #151-2014

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 November 7, 2014 to FWDSL & Associates LP, 5 Cold Hill Rd S Ste:11, Mendham, NJ 07945, in the amount of \$527.61 for taxes or other municipal liens assessed for the year 2013 in the name of Lauer, David & Marites as supposed owners, and in said assessment and sale were described as 5 Alvin Sloan Avenue, Block 2.09 Lot 30, which sale was evidenced by Certificate #14-00006; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 12-09-14 and before the right to redeem was cut off, as provided by law, Marites Lauer claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington

Borough the amount of \$1,078.53 which is the amount necessary to redeem Tax Sale Certificate #14-00006.

NOW THEREFORE BE IT RESOLVED, on this 16th day of December, 2014 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 5 Cold Hill Rd S Ste: 11, Mendham, NJ 07945 in the amount of **\$2,378.53** (This amount consists of \$1,078.53 Certificate Amount redeemed + \$1,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 2.09 Lot 30 from the tax office records.

Resolution #151-2014 was moved on a motion made by Higgins, seconded by Thompson and approved.

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

Resolution #153A-2014 Resolution to Void and Replace Check for Ryan Homes

RESOLUTION #153A-2014

**A RESOLUTION TO VOID AND REPLACE A CHECK ISSUED
FROM THE RYAN HOMES DRIVEWAY PAVING BOND ESCROW
ACCOUNT ON NOVEMBER 21,2014.**

WHEREAS, the Mayor and Council approved a payment from the Ryan Homes Driveway Paving Bond Account to “Ryan Homes” in the amount of \$22,400.00, pursuant to authorization by Resolutions #148-2014 and #149-2014 and Check #2327 was subsequently issued in that amount;

WHEREAS, when a review of the account revealed that the escrow deposits for these Block and Lots was \$6,000.00 less than the amount authorized to be refunded to Ryan Homes the Borough requested that the check be returned to be check be voided and reissued in the proper amount;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the

Borough of Washington, in the County of Warren, State of New Jersey hereby approves the void of check number 2327 and the reissuance of the payment due to “Ryan Homes” in the amount of \$16,400.00. The check represents authorization for the return of monies as deposited:

Bl. 73.01, Lots 34-37: \$1,500.00 each = \$ 6,000.00
Bl. 73.01, Lots 38-41: \$2,600.00 each = \$10,400.00

Resolution #153A-2014 was moved on a motion made by Jones, seconded by Conry and approved.

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

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$1,050,457.65

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

Council Discussion:

Councilman Thompson asked about the water charges at Vara Field on page nine. Manager Blanchard replied that she was told that was the meter charge for the connection to the water cannon for Vara Field. Councilman Higgins asked about the two months worth of charges for water at the park from New Jersey American Water. Manager Blanchard will look into those charges. Councilman Torres added that there are electrical charges for the bath house at the park on page seven. Manager Blanchard replied that those charges are for October and the bathrooms were still being utilized by soccer.

Roll Call: Torres, Conry, Jones, Thompson, McDonald, Gleba,
Higgins
Ayes: 7, Nays: 0
Abstain: (1) Thompson – Fire & EMS
Motion Carried.

RECAP:

Manager Blanchard will try to turn around George Washington around on the Borough's website. Manager Blanchard will also contact the D.O.T. along with the Borough's engineer to find out the status of the approval of the A.D.A. handicapped ramps on North Lincoln Avenue.

COUNCIL REMARKS:

Councilwoman Conry asked Manager Blanchard if she looked into the grant opportunities for sidewalks. Manager Blanchard replied that Mr. Dawson Bloom from Finelli Engineering is looking into preparing that application.

Councilman Torres stated that along with the recommendations Councilwoman Gleba mentioned earlier regarding the trailers, the Nuisance Ordinance was not completed and the Codebook Committee has recommendations that need to be voted on. Councilman Torres added that he hopes the new Council will take all of their recommendations into account.

Councilwoman Gleba wished everyone a Merry Christmas and Happy New Year. Councilwoman Gleba stated that the Codebook Committee spent years and countless hours working on the Editorial Analysis and reviewing the Codebook. Councilwoman Gleba added that she would be willing to come back to future meetings to address any questions that Council might have even though herself and Councilman Torres would not have a vote. Lastly, Councilwoman Gleba commented that her years on Council has been a very challenging, interesting and rewarding experience and she wished the best for the Borough.

Councilman Thompson thanked the Council members who are leaving and welcomed the new Council elect that are coming in. He also wished everyone a safe and Happy New Year.

Councilman Jones wished everyone a happy and safe holiday.

Councilman Higgins asked Manager Blanchard to get in touch with Cindy Randazzo from the D.E.P. to find out why the Shabecong was reclassified as a C1 stream and if they are possibly going to change it back. Councilman Higgins thanked Councilwoman Gleba, Councilman Torres and Councilman Jones for the work that they have done for the Borough of Washington and for the hours that they have put in. Councilman Higgins also welcomed the newly elected Council members.

Mayor McDonald added that there is one more meeting at the end of the year to take care of a few things. Mayor McDonald wished everyone a Merry Christmas, Happy Hanukkah, and a Happy New Year. 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 Thompson, seconded by Conry to enter into Executive Session after a ten minute recess.

Ayes: 7 Nays: 0
Motion Carried

RESOLUTION # 152-2014
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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

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_____Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

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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 Jones, seconded by Conry to adjourn the meeting at 8:45 p.m.

Ayes: 7, Nays: 0
Motion Carried

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk