

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – August 05, 2015**

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: McDonald, Higgins, Klimko, Thompson, Conry, Noone,  
Heinrich

Also Present: Ann Kilduff, Acting Borough Clerk

**MINUTES:**

**Regular Meeting – July 07, 2015**

Motion made by Conry, seconded by Thompson to approve the Regular Meeting minutes of July 07, 2015

Ayes: 6 Nays: 0  
Abstain: (1) Heinrich  
Motion Carried

**Special Meeting – July 16, 2015**

Motion made by Conry, seconded by Thompson to approve the Special Meeting minutes of July 16, 2015

Ayes: 6 Nays: 0  
Abstain: (1) Klimko  
Motion Carried

**CORRESPONDENCE:**

A motion was made by Higgins, seconded by Thompson to receive and file the correspondence.

Ayes: 7, Nays: 0  
Motion Carried

Turn the Town Teal – Jane B. MacNeil, President

A motion was made by Higgins, seconded by Thompson to approve the request from Turn the Town Teal.

Ayes: 7, Nays: 0  
Motion Carried

**AUDIENCE:**

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

Gary Maguire – 102 Harding Drive

Mr. Maguire stated his concern over the number of potholes that are approximately five inches deep and the curbing that is pulling away from the sewer drain. Mr. Maguire feels that the D.P.W. pushed all the snow on to his property while plowing and chipped the curbing along his property. Mr. Maguire also stated that there is a problem with motorists speeding along Harding Drive and would like to have speed bumps put into the road to slow motorists down. Councilman Higgins replied that by New Jersey State law the Borough is not allowed to install speed bumps. Mr. Maguire suggested possibly some signs to alert motorists of the speed limit and to the fact that there are children playing in the area.

Kevin Miele

Mr. Miele stated that he appeared to address the decision that was made by the governing body in regards to his complaint against Code Enforcement Officer Bescherer and Manager Blanchard. Mr. Miele provided a copy of his complaint to each Council Member and is asking for disciplinary action or he will take it to a higher level. Mayor McDonald replied that there was a hearing held for the complaint that was filed and the decision that was made was on the advice of the Borough's attorney.

Michael Gessner – 440 State Route 57 West

Mr. Gessner stated that he also received a letter from the Borough in regards to his complaint and was curious as to why it took so long and proceeded to hand out copies of the letter to each Council Member. Mr. Gessner stated that he believed a complaint needed to be addressed and a response sent within so many days. Mayor McDonald replied that he is not aware of any amount of time restriction that a response needed to be sent within.

Kevin Miele, Sr. – 88 Park Avenue

Mr. Miele filed another formal complaint with Council against Code Enforcement Officer Bescherer in which he feels he was issued summonses in retaliation due to the fact that his son filed a complaint against Code Enforcement Officer Bescherer. Mr. Miele stated that Code Enforcement Officer Bescherer has driven past his garage that is on a dead end street numerous times and placing calls to his landlord which he feels is harassment.

Shirley Coleman – 166 North Lincoln Avenue

Ms. Coleman asked about that status of her neighbor who continues to park a vehicle on the lawn of his property and was supposed to appear in court in regards to that violation. Code Enforcement Officer Bescherer replied that the neighbor did not appear in court as scheduled and the judge gave him one more chance to appear before the judge issues a failure to appear.

Hernand Valverde – Allie's Cupcakery, Broad Street

Mr. Valverde commented about the parking situation on Broad Street. Mr. Valverde added that it is hard sometimes for customers to come in for lunch because the street parking is full as well as the parking lot. Mr. Valverde noted that there cars parked all day in the area that is designated for two hour parking and is not being enforced by police. Mr. Valverde asked what type of parking will be available with the proposed project for the downtown area. Mayor McDonald replied that it will be open parking on a first come first serve basis with some designated spaces for the residents of the proposed downtown project. Mr. Valverde also noted that during the winter months the sidewalk was broken during the snow removal process. Mayor McDonald asked Mr. Valverde to call the municipal building during office hours to have someone take a look at it.

Peter Michel – 28 South Lincoln Avenue

Mr. Michel noted that Sal's Pizza located on the corner of Broad Street and Route 57 stacks up their garbage on the corner of the sidewalk where pedestrians have to walk.

Mayor McDonald replied that there was a similar complaint at the last meeting and will have Manager Blanchard get in touch with the owners.

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

Ayes: 7, Nays: 0  
Motion Carried

### **REPORTS:**

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

1. Code Enforcement / Zoning Report – July 2015

Ayes: 7, Nays: 0  
Motion Carried

### **ORDINANCES:**

**Ordinance 6-2015 An Ordinance Amending and Supplementing Chapter 85 Vehicles and Traffic of the Borough of Washington, County of Warren, State of New Jersey in Order to Establish a New Section Prohibiting the Practice Known as “Engine Braking” and Providing for Penalties Therefore (Introduction)**

Motion made by Heinrich, seconded by Conry to introduce Ordinance 6 – 2015 and have the Clerk read by title.

Roll Call: Noone, Klimko, McDonald, Conry, Higgins, Heinrich,  
Thompson  
Ayes: 7, Nays: 0  
Motion Carried

The Clerk read Ordinance 6-2015 An Ordinance Amending and Supplementing Chapter 85 Vehicles and Traffic of the Borough of Washington, County of Warren, State of New

Jersey in Order to Establish a New Section Prohibiting the Practice Known as “Engine Braking” and Providing for Penalties Therefore

**ORDINANCE #6-2015**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 85  
VEHICLES AND TRAFFIC OF THE BOROUGH OF WASHINGTON, COUNTY  
OF WARREN, NEW JERSEY IN ORDER TO ESTABLISH A NEW SECTION  
PROHIBITING THE PRACTICE KNOWN AS “ENGINE BRAKING” AND  
PROVIDING FOR PENALTIES THEREFORE**

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

1. That Chapter 85, entitled “Vehicles and Traffic” of the Ordinances of the Borough of Washington, New Jersey is hereby amended and supplemented in order to establish a Section thereof to be entitled “Prohibition of Engine Braking”, as follows.

Section IX. PROHIBITION OF “ENGINE BREAKING”

1. Definitions.
  - a. “Engine-braking” shall mean the use or operation of any mechanical exhaust device designed to aid in the braking, decompression or deceleration of any motoe vehicle which results in the excessive, loud, unusual or explosive noise from such vehicle.
2. Prohibition.
  - a. It shall be unlawful for the driver of any motor vehicle to use or operate or cause to be used or operated, at any time and on any road within the Borough of Washington, any mechanical exhaust or decompression device which results in the practice known as “engine-braking”.
3. Exceptions
  - a. The provisions of this Chapter shall not apply to engine braking where necessary for the protection of persons and/or property which cannot be avoided by application of an alternative braking system. Noise caused by the application of engine compression brakes otherwise known as “engine-braking”, which is effectively muffled or if the application is necessary for the health, safety and welfare of the community is exempt from the

provisions of this Chapter. Sounds created by emergency equipment purposes are also exempt.

4. Posting of Signs.

- a. The Borough of Washington is hereby authorized to post at reasonable locations within the Borough of Washington signs indicating the prohibition of “engine-braking”.

5. Violations and Penalties

- a. Unless another penalty is expressly provided by New Jersey Statute, any person convicted of a violation of this Ordinance shall be punished for a first conviction thereof by a fine of not more than one-hundred dollars (\$100.00) or by imprisonment for a period not to exceed ten (10) days, or by both such fine and imprisonment; for a second such conviction, such person shall be punished by a fine of not more than two-hundred dollars (\$200.00) or by imprisonment for a period not to exceed twenty (20) days, or by both such fine and imprisonment; and upon the third or any subsequent conviction, such person shall be punished by a fine of not more than five-hundred dollars (\$500.00) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment.

6. Severability

- a. Should any section, subsection, paragraph, sentence, clause or phrase of this Chapter, or its application to a specific person or set of circumstances, be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this Chapter, or its application to any other person or set of circumstances.

7. Effective Date

- a. This Ordinance shall take effect upon final passage and publication in accordance with the law, but not before approval has been received from the Commissioner, Department of Transportation.
  - 1. That all other Ordinances or part of Ordinances inconsistent herewith are hereby repealed.
  - 2. This Ordinance shall take effect upon adoption and publication according to law.

Motion made by Noone, seconded by Conry to approve Ordinance 6 – 2015 on first reading.

Roll Call: Noone, Klimko, McDonald, Conry, Higgins, Heinrich,  
Thompson  
Ayes: 7, Nays: 0  
Motion Carried

Public Hearing of Ordinance 6-2015 An Ordinance Amending and Supplementing Chapter 85 Vehicles and Traffic of the Borough of Washington, County of Warren, State of New Jersey in Order to Establish a New Section Prohibiting the Practice Known as “Engine Braking” and Providing for Penalties Therefore will be on September 01, 2015 and advertisement of the Public Hearing will be in the Star Gazette on August 14, 2015.

A motion was made by Higgins, seconded by Conry to approve advertisement of the Public Hearing of Ordinance 6-2015.

Roll Call: Noone, Klimko, McDonald, Conry, Higgins, Heinrich,  
Thompson  
Ayes: 7, Nays: 0  
Motion Carried

**Ordinance 7-2015 An Ordinance Fixing the Salary and Wages of Certain Municipal Officials and Repealing Portions of Prior Inconsistent Salary and Wage Ordinances for the Year Beginning August 31, 2015 (Introduction)**

Motion made by Conry, seconded by Heinrich to introduce Ordinance 7 – 2015 and have the Clerk read by title.

Council Discussion:

Councilman Higgins asked if there were new titles on the salary and wages ordinance. Mayor McDonald replied that there are not any new titles however the Borough is in the process of hiring a new part time Library Director and that is the only change in order to accommodate a part time position. Councilman Higgins requested a copy of last year’s ordinance for comparison.

Roll Call: Noone, Klimko, McDonald, Conry, Heinrich,  
Ayes: 5, Nays: 2 (Thompson, Higgins)  
Motion Carried

The Clerk read Ordinance 7-2015 An Ordinance Fixing the Salary and Wages of Certain Municipal Officials and Repealing Portions of Prior Inconsistent Salary and Wage Ordinances for the Year Beginning August 31, 2015

**ORDINANCE #7-2015**

**AN ORDINANCE FIXING THE SALARY AND WAGES  
OF CERTAIN MUNICIPAL OFFICIALS AND REPEALING  
PORTIONS OF PRIOR INCONSISTENT SALARY AND WAGE ORDINANCES FOR  
THE YEARS BEGINNING AUGUST 31, 2015**

SECTION 1. The annual salaries, wages and salary and wage ranges for the municipal officials and employees of the Borough of Washington hereinafter named shall be as follows:

**SCHEDULE A - FULL-TIME CLASSIFIED**

<u>POSITION TITLE</u>	<u>SALARY OR WAGE RANGE</u>
Account Clerk, Deputy Municipal Court Administrator, Sr. Clerk-Typist	\$30,012 - \$47,964 AN
Administrative Clerk, Municipal Court Administrator	\$41,532 - \$66,918 AN
Assistant Municipal Tax Collector	\$35,914 - \$57,439 AN
Assistant Supervisor, Streets	\$49,681 - \$65,801 AN
Building Maintenance Worker	\$37,394 - \$50,082 AN
Clerk	\$13,615- \$27,967 AN
Code Enforcement Officer/Zoning Officer	\$41,225 - \$59,222 AN
Equipment Operator, Principal Clerk-Typist	\$44,526 - \$60,085 AN
Laborer	\$33,647 - \$46,509 AN
Library Assistant, Clerk-Typist	\$26,492 - \$41,831 AN
Library Director	\$50,000 - \$79,322 AN
Police Chief	\$72,500 - \$98,794 AN
Supervising Library Assistant	\$32,026 - \$49,879 AN
Supervisor Streets	\$53,870 - \$68,657 AN
Truck Driver	\$39,937 - \$55,536 AN

**SCHEDULE B - PART-TIME CLASSIFIED**

Account Clerk	\$7.25 - \$25.00 Hr.
Animal Control Officer	\$2,750 - \$6,281 AN
Building Service Worker	\$7.25 - \$25.00 Hr.
Clerk	\$7.25 - \$25.00 Hr.
Clerk-Typist	\$7.25 - \$25.00 Hr.



Deputy Municipal Emergency Management Coordinator	\$2,000 - \$3,000 AN
Deputy Registrar of Vital Statistics	\$1,500 - \$1,700 AN
Fire Official	\$20.00 - \$30.00 Hr.
Fire Prevention Specialist	\$15.00 - \$25.00 Hr.
*Library Director	\$36.00 - \$56.00 Hr.
Library Assistant	\$7.25 - \$25.00 Hr.
Senior Library Assistant	\$7.25 - \$25.00 Hr.

#### SCHEDULE C - UNCLASSIFIED SERVICE

Chief Financial Officer	\$15,500 - \$60,000 AN
Council Members	\$2,000 AN
Deputy Municipal Clerk	\$7.25 - \$25.00 Hr.
Judge of the Municipal Court	\$20,000 - \$33,765 AN
Mayor	\$2,500 AN
Municipal Clerk	\$48,833 - \$74,373 AN
Municipal Department Head	\$15,000 - \$75,000 AN or \$8.25 - \$41.00 Hr.
Municipal Emergency Management Coordinator	\$ 2,000 - \$ 6,000 AN
Municipal Manager	\$80,000 - \$120,000 AN
Tax Assessor	\$25,500 - \$45,679 AN
Tax Collector	\$41,532 - \$66,918 AN

#### SCHEDULE D - UNCLASSIFIED SERVICE

##### (TEMPORARY OR SEASONAL)

Acting or Interim Department Head or Executive Management	\$10.00 - \$50.00 Hr
Assistant Recreation Supervisor(s) (Swim Team)	\$970 - \$2,132/Season
Attendant Baths & Pools	\$7.25 - \$25.00 Hr.
Equipment Operator	\$7.25 - \$25.00 Hr.
Food Service Manager	\$7.25 - \$25.00 Hr.
Food Service Worker	\$7.25 - \$25.00 Hr.
Laborer	\$7.25 - \$25.00 Hr.
Life Guard	\$7.25 - \$25.00 Hr.
Recreation & Park Maintenance Worker	\$7.25 - \$25.00 Hr.
Recreation Supervisor (Director)	\$17.00 - \$25.00 Hr.
Recreation Supervisor Arts & Crafts	\$7.25 - \$25.00 Hr.
Recreation Supervisor Playground	\$7.25 - \$25.00 Hr.
Recreation Supervisor Swimming (Swim Team)	\$2,500 - \$3,500/Season
Recreation Supervisor Swimming (Swim Lessons)	\$7.25 - \$25.00 Hr.
Secretary, Board/Commission (Board of Adjustment, Shade Tree, Planning Board, Recreation Department)	\$ 500 - \$4,000 AN or \$7.25 - \$25.00 Hr.)
Sports Official Basketball	\$ 900 - \$2,035/Season
Supervisor Baths & Pools	\$7.25 - \$25.00 Hr.

Truck Driver

\$7.25 - \$25.00 Hr.

SECTION 2. Salaries herein shall be payable at the rate fixed in equal installments twice a month. Wages shall be payable twice a month. Any annual salary may be re-calculated to an hourly wage for any position unless restricted by collective bargaining agreement. Any and all fees received by officials and employees of the Borough of Washington shall be paid unto the municipality.

SECTION 3. Any salary and wage ordinance adopted prior to the adoption of this ordinance with provisions inconsistent with the provisions of Section 1 of this ordinance shall, to the extent of any inconsistency and only to the extent of the inconsistency, be repealed.

SECTION 4. In the event the position becomes vacant or no figure is listed, then the figures noted in the column with the heading "salary or wage range" shall be utilized by the appointing authority and any salary or wage paid within this range shall be deemed appropriate and valid.

SECTION 5. The Supervisor of Streets in possession of a valid Certificate as Certified Public Works Manager shall have added to their base pay \$6,000.00 per year to be paid twice per month.

SECTION 6. A public works employee who works eight hours in one day out of title in a job classification with a higher salary or wage range shall be entitled to additional compensation for that day at the rate of his or her current rate of pay plus ten (10%) percent.

SECTION 7. The rates contained herein shall become effective August 31, 2015.

## **NOTICE**

NOTICE IS HEREBY GIVEN that the aforesaid Ordinance was introduced at a meeting of the Borough Council of the Borough of Washington, County of Warren, and State of New Jersey held on Wednesday, August 5, 2015 and that a meeting of the same will be held on Tuesday, August 18, 2015 at 7:00 P.M. in the Borough Council Chambers on the second floor of the Borough hall, 100 Belvidere Avenue, Washington, New Jersey for the purposes of holding a public hearing and to consider the final passage of said Ordinance.

Motion made by Conry, seconded by Heinrich to approve Ordinance 7 – 2015 on first reading.

Roll Call: Noone, Klimko, McDonald, Conry, Heinrich,  
Ayes: 5, Nays: 2 (Thompson, Higgins)  
Motion Carried

Public Hearing of Ordinance 7-2015 An Ordinance Fixing the Salary and Wages of Certain Municipal Officials and Repealing Portions of Prior Inconsistent Salary and Wage Ordinances for the Year Beginning August 31, 2015 will be on August 18, 2015 and advertisement of the Public Hearing will be in the Star Gazette on August 07, 2015.

A motion was made by Conry, seconded by Noone to approve advertisement of the Public Hearing of Ordinance 7-2015.

Roll Call: Noone, Klimko, McDonald, Conry, Heinrich,  
Ayes: 5, Nays: 2 (Thompson, Higgins)  
Motion Carried

**NEW BUSINESS:**

**Approval of Special ABC License to the Washington Fire Department for Festival in the Borough – September 25, 2015 and September 26, 2015**

Approval of Special ABC License to the Washington Fire Department for Festival in the Borough was moved on a motion made by Conry, seconded by Noone and approved.

Ayes: 6, Nays: 0  
Abstain: 1 (Thompson)  
Motion Carried

**Resolution #130-2015 Redemption of Tax Certificate**

**RESOLUTION #130-2015**

**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 \$695.02 for taxes or other municipal liens assessed for the year 2013 in the name of Stopka, Alexander & Forrest, Laura as supposed owners, and in said assessment and sale were described as 98 Flower Avenue, Block 44 Lot 4, which sale was evidenced by Certificate #14-00032; and

**WHEREAS**, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 7-15-15 and before the right to redeem was cut off, as provided by law, Comerica Bank on behalf of Corelogic Tax Service 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 \$1,592.04 which is the amount necessary to redeem Tax Sale Certificate #14-00032.

**NOW THEREFORE BE IT RESOLVED**, on this 5th day of August, 2015 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 **\$2,892.04** (This amount consists of \$1,592.04 Certificate Amount redeemed + \$1,300.00 Premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 44 Lot 4 from the tax office records.

#### **Resolution #131-2015 Redemption of Tax Certificate**

#### **RESOLUTION #131-2015**

#### **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 \$681.93 for taxes or other municipal liens assessed for the year 2013 in the name of Hartrum, Susan as supposed owner, and in said assessment and sale were described as 8 Vannatta Street, Block 94 Lot 19, which sale was evidenced by Certificate #14-00057; and

**WHEREAS**, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 7-15-15 and before the right to redeem was cut off, as provided by law, Comerica Bank on behalf of Corelogic Tax Service 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 \$1,578.69 which is the amount necessary to redeem Tax Sale Certificate #14-00057.

**NOW THEREFORE BE IT RESOLVED**, on this 5th day of August, 2015 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 **\$2,878.69** (This amount consists of \$1,578.69 Certificate Amount redeemed + \$1,300.00 Premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 94 Lot 19 from the tax office records.

**Resolution #132-2015 Redemption of Tax Certificate**

**RESOLUTION #132-2015**

**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 \$704.32 for taxes or other municipal liens assessed for the year 2013 in the name of Thiemann, Rachel as supposed owner, and in said assessment and sale were described as 45 Cornish Street, Block 98 Lot 3, which sale was evidenced by Certificate #14-00067; and

**WHEREAS**, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 7-14-15 and before the right to redeem was cut off, as provided by law, Comerica Bank on behalf of Corelogic Tax Service 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 \$1,601.54 which is the amount necessary to redeem Tax Sale Certificate #14-00067.

**NOW THEREFORE BE IT RESOLVED**, on this 5th day of August, 2015 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 **\$2,901.54** (This amount consists of \$1,601.54 Certificate Amount redeemed + \$1,300.00 Premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 98 Lot 3 from the tax office records.

**Resolution #133-2015 Redemption of Tax Certificate**

**RESOLUTION #133-2015**

**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 US Bank Cust for Pro Capital 4, 50 S 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$693.98 for taxes or other municipal liens assessed for the year 2013 in the name of Okoronkwo, Ikenna & Weber, Jessie R. of as supposed owners, and in said assessment and sale were described as 64 Alvin Sloan Avenue, Block 2.12 Lot 19 , which sale was evidenced by Certificate #14-00010; and

**WHEREAS,** the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 7-23-15 and before the right to redeem was cut off, as provided by law, Comerica Bank on behalf of Corelogic Tax Service claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust for Pro Capital 4 by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,590.91 which is the amount necessary to redeem Tax Sale Certificate #14-00010.

**NOW THEREFORE BE IT RESOLVED,** on this 5th day of August, 2015 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 for Pro Capital 4, 50 S 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$2,790.91** (This amount consists of \$1,590.91 Certificate Amount redeemed + \$1,200.00 Premium).

**BE IT FURTHER RESOLVED,** that the Tax Collector is authorized to cancel this lien on Block 2.12 Lot 19 from the tax office records.

#### **Resolution #134-2015 Redemption of Tax Certificate**

#### **RESOLUTION #134-2015**

#### **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 JU Solo 401K Trust, 42 Huntington Rd, Basking Ridge, NJ 07920, in the amount of \$1,962.58 for taxes or other municipal liens assessed for the year 2013 in the name of Kinsella, Deborah as supposed owner, and in said assessment and sale were described as 51-55 West Church Street, Block 11.02 Lot 1, which sale was evidenced by Certificate #14-00016; and

**WHEREAS,** the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 7-28-15 and before the right to redeem was cut off, as provided by law, Deborah Kinsella-Nestman, claiming to have an interest in said lands, did redeem said lands

claimed by JU Solo 401K Trust by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$4,688.08 which is the amount necessary to redeem Tax Sale Certificate #14-00016.

**NOW THEREFORE BE IT RESOLVED**, on this 5th day of August, 2015 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to JU Solo 401K Trust, 42 Huntington Rd, Basking Ridge, NJ 07920 in the **amount of \$6,488.08** (This amount consists of \$4,688.08 Certificate Amount redeemed + \$1,800.00 Premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 11.02 Lot 1 from the tax office records.

Resolutions #130-2015, #131-2015, #132-2015, #133-2015, and #134-2015 were moved on a motion made by Higgins, seconded by Conry and approved.

Roll Call: Klimko, McDonald, Conry, Higgins, Thompson,  
Noone, Heinrich

Ayes: 7, Nays: 0

Abstain: (1) Thompson - #131-2015 only

Motion Carried

**Resolution #135-2015 Refund Tax Monies per Tax Appeal Court**

**RESOLUTION #135-2015**

**A RESOLUTION TO REFUND TAX MONIES PER TAX COURT APPEAL**

**WHEREAS**, the Tax Collector has received a Tax Court Judgement received in 2015 for the year 2012 for the property listed below:

<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>NAME OF OWNER/</u></b>	<b><u>YEAR</u></b>	
<b><u>AMOUNT</u></b>		<b><u>PROPERTY LOCATION</u></b>		
22.04	5	Keane, Vincent J.	2012	1,313.53

Refund payable to: Vincent J. Keane, 105 Belvidere Avenue, Washington, NJ 07882

**WHEREAS**, due to Court Judgement Docket #012519-2012 the assessed value for the improvement has been reduced from 226,900 to 200,000 which changes the amount of taxes due thus creating an overpayment; and

**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 to refund the above tax overpayment.

Resolution #135-2015 was moved on a motion made by Conry, seconded by Higgins and approved.

Roll Call: Klimko, McDonald, Conry, Higgins, Thompson,  
Noone, Heinrich  
Ayes: 7, Nays: 0  
Motion Carried

**Resolution #136-2015 Refund Overpayment on 2015 Real Estate Taxes**

**RESOLUTION #136-2015**

**A RESOLUTION TO REFUND OVERPAYMENT ON 2015 REAL ESTATE TAXES**

**WHEREAS**, according to the Tax Collector's records, there is an overpayment of \$1,743.39 on 2015 1st Quarter Regular Taxes paid on property located at 45 State Street also known as Block 10.02 Lot 5, and in the name of Alpaugh, Thomas & Farley, Elaine; and

**WHEREAS**, PLS Title and Lereta Tax Service had both paid the 2015 1<sup>st</sup> Quarter Regular Taxes when the property changed ownership, resulting in the overpayment; and

**WHEREAS**, the Tax Collector has been resolving the matter of tax overpayments and has received a written request from Lereta Tax Service 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 \$1,743.99 payable to:

Lereta  
1123 Park View Drive  
Covina, CA 91724  
Attn: Central Refunds

Resolution #136-2015 was moved on a motion made by Higgins, seconded by Conry and approved.

Roll Call: Klimko, McDonald, Conry, Higgins, Thompson,  
Noone, Heinrich  
Ayes: 7 Nays: 0  
Motion Carried

**Resolution #137-2015 Adjust Sewer Billings in Accordance with Chapter 70, Section 28B of the Code of the Borough of Washington**

**RESOLUTION # 137-2015**

**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>		
24/17	Richard B. Fischer 76 E. Washington Ave. Washington, NJ 07882	Change in Use (1.5) to (.5) E.D.U.'s Effective: August

2015

**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 #137-2015 was moved on a motion made by Conry, seconded by Thompson and approved.

Council Discussion:

Councilman Heinrich asked what this property is being used for. Code Enforcement Officer Bescherer replied that it is a corner property with two commercial units operating as Guy's Gifts and Misty's Dog Groomer.

Ayes: 7, Nays:0  
Motion Carried

**Resolution #138-2015 In Support of NJ Senate No. 650 and NJ Assembly No. 2408, Designating State Route 173 Between Clinton and Phillipsburg as "173<sup>rd</sup> Airborne Brigade Highway"**

**RESOLUTION #138-2015**

**RESOLUTION IN SUPPORT OF NJ SENATE NO. 650 AND NJ ASSEMBLY NO. 2408, DESIGNATING STATE ROUTE 173 BETWEEN CLINTON AND PHILLIPSBURG AS "173<sup>RD</sup> AIRBORNE BRIGADE HIGHWAY"**

**WHEREAS**, The 173rd Brigade was first constituted in 1915 as the 173rd Infantry Brigade and deployed to France during World War I; and

**WHEREAS,** The 173rd Infantry Brigade was then designated as the 87th Reconnaissance Troop in 1942 and entered combat in 1944 during World War II in the central Europe, Rhineland, and Ardennes-Alsace operations; and

**WHEREAS,** In the early 1960s, as part of the Reorganization Objective Army Division plan, the 173rd Brigade was reconstituted as a separate brigade and a special airborne task force, the 173rd Airborne Brigade; and

**WHEREAS,** In 1963, the 173rd Airborne Brigade was activated in Okinawa and it was for the thousands of parachute jumps the brigade made that they were given the moniker “Sky Soldiers”; and

**WHEREAS,** The 173rd Airborne Brigade was the first Army unit sent into the republic of South Vietnam in May 1965; and

**WHEREAS,** During their nearly six years of continuous service during the Vietnam War, the Sky Soldiers were the first to go into War Zone D, fought bravely in the battles of the Iron Triangle, conducted the only major combat parachute jump in the Tay Ninh Area, and blocked the North Vietnamese Army’s incursions during the bloodiest fighting of the war at Dak To, culminating in the capture of Hill 875 in the fall of 1967; and

**WHEREAS,** For the brave service of its members during the Vietnam War, as a whole, the brigade earned four unit citations, 13 Medals of Honor, and over 130 distinguished service crosses; and

**WHEREAS,** In 2003, nearly 1,000 members of the 173rd Airborne Brigade participated in the initial invasion of Iraq during Operation Iraqi Freedom, and between 2005 and 2010 the 173rd Airborne Brigade served three tours in Afghanistan in support of Operation Enduring Freedom; and

**WHEREAS,** Today’s Sky Soldiers are based in Vicenza, Italy where they continue the tradition of heroic service and proudly represent the 173rd Airborne Brigade’s fighting spirit, ready to deploy at a moment’s notice to protect the United States and her allies; and

**WHEREAS,** To honor the 173rd Airborne Brigade’s many years of heroism and sacrifice in defense of our country’s freedom, it is fitting and proper for the Legislature of this State to designate State Highway Route No. 173 between Clinton in Hunterdon County and Phillipsburg in Warren County as the “173rd Airborne Brigade Highway”; now, therefore,

**NOW, THEREFORE, BE IT RESOVLED** that the Borough of Washington, County of Warren, State of New Jersey does hereby recognize the continued brave and heroic services and sacrifices of the 173rd Airborne Brigade; and

**BE IT FUTHER RESOLVED** that the Borough of Washington Council does hereby support NJ Senate No. 650 and NJ Assembly No. 2408, and urges passage of this bill.

Resolution #138-2015 was moved on a motion made by Higgins, seconded by Noone and approved.

Ayes: 7, Nays:0  
Motion Carried

Councilman Higgins made a motion to forward Resolution #138-2015 to all municipalities in Warren and Hunterdon Counties in support of the Borough's resolution to the Chairman of the Transportation Department for the Assembly along with the Governor of New Jersey, seconded by Conry.

Ayes: 7, Nays:0  
Motion Carried

**VOUCHERS:**

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$2,160,586.47

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

Roll Call: Conry, Klimko, McDonald, Higgins, Thompson,  
Noone, Heinrich

Ayes: 7, Nays: 0  
Abstain: (1) Thompson (Fire & EMS only)  
Motion Carried

**RECAP:**

Acting Clerk Kilduff will have Manager Blanchard contact the Washington Township Police Department in regards to the speeding on Harding Drive and ask if they can place the speed detector on the corner of Flower Avenue going into Harding Drive. Manager Blanchard will speak to the owner's of Sal's Pizza about the garbage being piled up on the corner. Manager Blanchard will also forward a copy of last year's salary and wages ordinance in Councilman Higgins' mailbox. Manager Blanchard will forward Resolution

#138-2015 to all of the municipalities in Warren and Hunterdon Counties. Councilman Higgins also requested a copy be sent to Senator Doherty's office as well as to Assemblymen Peterson and DiMaio.

**COUNCIL REMARKS:**

Councilman Thompson requested that the Borough send a letter to the owner of Quick Check to clearly mark out their entrance and exit. Councilwoman Klimko replied that there used to be arrows painted on the blacktop alerting motorists which way to enter and exit the parking lot. Mayor McDonald added that Manager Blanchard can write them a letter asking them to repaint the arrows.

Councilman Higgins noted that school starts in one month and requested that the no parking signs are installed before then. Councilman Higgins added that the crosswalks have been painted but the curbs need to be done as well. Councilman Thompson added that the handicapped signs for spaces that are not being used need to be removed as well. Councilwoman Klimko added that there are also a few residents that have been waiting for their handicapped signs to be installed. Councilwoman Conry would still like to have a one way sign exiting the Family Dollar. Councilman Higgins added that it is the Shade Tree Commission's responsibility to maintain the trees downtown and witnessed a business owner pruning the tree in front of his shop. Mayor McDonald replied that the Shade Tree Commission is out to bid for the pruning of the trees downtown and should have bids in time for their next meeting.

Councilman Heinrich commented that Councilman Higgins did a nice job on getting Resolution #138-2015 approved.

Councilwoman Noone noted that there was an article in the Messenger recognizing Diana Dove and the Karen Nash Memorial Butterfly Garden receiving a first place award in the National Garden Club President's Project and the Karen Nash Memorial Junior Gardeners received the 2015 Junior Garden Club of the Year Award from the Garden Club of New Jersey. Councilman Higgins added that a motion was made at a previous meeting to provide the group with a resolution for their hard work and dedication. Councilwoman Noone added that the article in the Messenger could provide more information for Manager Blanchard to draft the resolution. Councilwoman Noone also mentioned that Councilwoman Klimko and Councilman Heinrich picked up information from the New Jersey Department of Health and Senior Services about how seniors can apply for Farmers Market Nutrition Program so they can obtain vouchers which can be used at the Farmers Market. Councilwoman Noone will provide copies so they can be found at the Farmers Market. Councilman Heinrich added that the Senior Advisory Committee received a new bulletin board and will be ordering another one since additional space is needed for informational purposes.

Councilwoman Conry stated that she sent an email to Norfolk Southern in regards to the overgrown bushes that are on Railroad Avenue but has not heard a response yet. Councilwoman Conry plans to send a second request to them along with photos.

Mayor McDonald stated that last night was National Night Out. Mayor McDonald along with Councilwoman Noone and Councilman Thompson did quite a bit of advertising for the Pedestrian Safety Program. The Washington Township Police Department will be enforcing jaywalking and educating both pedestrians and motorists. Mayor McDonald also stated that BASF will continue to be in Washington Borough in 2016. Mayor McDonald added that the Library Board has hired a new Library Director who will be starting August 31, 2015. The new Library Director, Usha Thampi-Lukose has extensive library experience and will be working 29.5 hours per week which means the Shared Service for a Library Director with the Washington Borough Schools will be ending. Mayor McDonald thanked Mrs. Gail Scovell and the Washington Borough Schools for working with the Borough which helped the Borough through a very difficult time.

**EXECUTIVE SESSION:**

At this time, Mayor McDonald stated that an Executive Session is needed for the purpose of personnel matters. A motion was made by Higgins, seconded by Thompson to enter into Executive Session after a ten minute recess.

Ayes: 7 Nays: 0  
Motion Carried

**RESOLUTION # 144-2015**  
**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 Conry, seconded by Higgins, to go out of Executive Session.

Ayes: 7, Nays: 0  
Motion Carried

**ADJOURNMENT:**

Hearing no further business, a motion was made by Thompson, seconded by Higgins to adjourn the meeting at 8:11 p.m.

Ayes: 7, Nays: 0  
Motion Carried

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

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