

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – February 03, 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: Conry, McDonald, Higgins, Klimko, Noone, Heinrich,  
Thompson

Also Present: Ann Kilduff, Deputy Borough Clerk  
Leslie Parikh, Municipal Attorney

**MINUTES:**

**Regular Meeting – January 20, 2015**

Motion made by Conry, seconded by Noone to approve the Regular Meeting minutes of January 20, 2015.

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

**AUDIENCE:**

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

Susan Sloan – 89 Grand Avenue

Mrs. Sloan stated that she is glad that the Borough has put the no parking on the streets during a snow storm into effect and added that it seems to be working well.

## Reverend Bauknight – Mt. Pisgah Ame Church

Reverend Bauknight asked Council for an update on the North Lincoln paving project. Councilman Higgins replied that the Safer Routes to Schools grant has not been applied for and the reason is that a package has to be put together encompassing everything that Council would want to do throughout the entire town. Councilman Higgins added that he spoke with the engineer and Council would need to come up with a plan and invited Reverend Bauknight to be a part of that plan. Councilman Higgins also stated that the Borough has received a bid for the handicapped accessible ramps required for the North Lincoln Avenue paving project but it has to go through the process and be approved by Council which can probably happen at the next meeting. Councilman Higgins added that the engineer looked at the drainage problems in the church parking lot on North Lincoln Avenue and suggested placing a swale in the left corner of the parking lot which would allow the runoff to drain into the grass. Lastly, Reverend Bauknight asked who governs taxis in Washington. Reverend Bauknight added that there is one who charges thirty dollars between Washington and Hackettstown and another who charges fifteen dollars between Washington and Hackettstown. Reverend Bauknight would like to know who regulates the taxi services. Mayor McDonald replied that he was not sure. Councilman Higgins added that Council would try to provide an answer for the next meeting.

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

Ayes: 7, Nays: 0  
Motion Carried

## **COUNCIL APPEARANCE:**

### **Green Energy – Washington Community Solar**

Mr. William DePhillips stated that Washington Township has fully approved a resolution for the solar power plant so as soon as the ground thaws construction will begin. Mr. DePhillips added that they had a problem with JCP&L in the way that they view the D.P.W. garage and the sewer treatment plant as two separate parcels, therefore JCP&L would not allow Green Energy to build the array in one location and feed both parcels. Mr. Phillips stated that the only solution is to build a separate system on the garage which requires a separate interconnection which would be an additional cost to Green Energy. As a result, Green Energy is offering \$0.11/kWh on the D.P.W. garage and \$0.09/kWh on the sewer treatment plant to the Borough whose current rate is \$0.1672/kWh for an estimated savings of \$86,000 over the twenty year life of the system. Mr. DePhillips added that they would like to construct both systems at the same time in April. Mayor

McDonald commented that he would like Attorney Parikh and Mr. Dawson Bloom to review the agreement before making a decision.

## **COMMITTEE REPORTS:**

### **Streets Committee**

Councilman Higgins stated that the Streets Committee met and discussed the ordinance involving on street parking for trailers. A possible solution discussed was the idea of a special permit at no cost, just that the owners of the trailers would explain why they are needed. Councilman Higgins would like to get together with Code Enforcement Bescherer and Mr. Don Eller and find a solution that takes care of the problem. Councilman Higgins added that both he and Councilman Heinrich have received complaints regarding issues with the snow removal. Councilman Heinrich added that all of the streets adjacent to Taylor Street School looked like they were half plowed to the point that the crossing guard called the D.P.W. to come spread salt. Councilman Heinrich also noted that the school had a delayed opening so there was two additional hours to address the issue but the salt was being put down as the children were walking into school. Councilman Heinrich added that his road, Flower Avenue was cleared perfectly. He would like to make the streets adjacent to the schools a little higher priority since it is a walking district. Councilman Higgins added that the Streets Committee also discussed possible restricting parking or allowing one side of the street parking in the area from Washington Avenue up Belvidere Avenue including Church Street while snow is present because when cars are parked on both sides of the street it is dangerous and only one lane of traffic can pass at a time. Also discussed at the meeting was the Warren Hills Middle School paving project. Councilman Higgins stated that the Borough may need to put a weight restriction on that area in question. Attorney Parikh noted that it should be discussed in Executive Session. Mr. Bloom stated that the Midtown Crosswalk has been deteriorating and will continue to deteriorate with the winter weather. Mr. Bloom added that the State of New Jersey is now entering a resurfacing project for Route 57 and the State is aware of the crosswalk issues and the problems need to be addressed. Mr. Bloom suggests fixing the crosswalk in two phases. Mr. Bloom stated that the original concrete roadway is still below the brick pavement except for a few small areas and the center. The rest of the crosswalk is concrete and not in good condition underneath so therefore Mr. Bloom recommends that all the concrete comes out and coordinate the surfacing effort with the State's resurfacing project of Route 57 which would save the Borough the cost of doing the top course.

### **Sewer Committee**

Councilman Higgins stated that the plans for the South Prospect Street project should be ready for approval at the next meeting. Councilman Higgins added that Mr. Bloom had a concern with the pump station and if there are issues with the pump station then there will not be any plans to approve at the next Council meeting. Mr. Bloom wants to make sure

that the sewer main line can handle the bypass they are constructing and doesn't force the problem to another location. Councilman Higgins added that as part of the South Prospect Street project the siphon chamber will be raised about three feet which will be more efficient. The Sewer Committee also discussed the dam and the two year cycle inspection which is due in October and the physical decommissioning of the dam probably won't take place until 2016.

**ORDINANCES:**

**Ordinance 1-2015 An Ordinance Establishing Recreation Department Program Fees (Public Hearing / Adoption)**

Motion made by Conry seconded by Noone to approve Ordinance #1-2015 and have the Clerk read by title.

Ayes: 7, Nays: 0  
Motion Carried

The Clerk read Ordinance #1-2015 An Ordinance Establishing Recreation Department Program Fees.

**#1-2015**

**AN ORDINANCE ESTABLISHING RECREATION DEPARTMENT PROGRAM FEES**

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

**SECTION 1.** The Borough of Washington Recreation Commission ("Recreation Commission) is authorized to recommend fees for participation in its programs/events in accordance with the following schedule.

**SECTION 2.** The Recreation Director, or his/her designee, will schedule dates, times and locations for the following programs/events. The fee for participation in the program/event for each registrant shall be within the following parameters:

Recreation Program/Event		Minimum	Maximum
<b>Fees Apply for all Boro Administered Programs up to and including the 2<sup>nd</sup> child (50% for 3<sup>rd</sup> child and no fee for 4<sup>th</sup> child and beyond)</b>			
<b>Girl's Softball: 2nd Grade thru 8th Grade</b>			

	ALL	\$35	\$100
<b>Karate/Self-Defense - Ages 5 thru 12</b>			
	ALL	\$35	\$100
<b>Easter Egg Hunt: Ages 3 to 6th Grade</b>	No Charge		
<b>Swim Team: Ages 5 to 18 Team Member</b>	<b>Must also be member of the pool</b>	\$50	\$100
<b>Swim Lessons: Ages 3 and Up</b>	<b>Must be 42 inches in height</b>		
	ALL	\$40	\$100
	Private Lessons	\$60	\$100
<b>Pool Fees</b>			
<b>Membership</b> (All memberships half price after August 1 <sup>st</sup> )			
	Individual (Boro Resident)	\$75	\$125
	Individual (Non-Boro)	\$75	\$125
	Family (Boro Residents)	\$150	\$300
	Family(Non-Boro)	\$150	\$300
	Senior Citizens (ALL)	\$0	\$50
Trial Membership – 4 Days (for up to family)	Expires 7/1 each year	\$0	\$40
Trial fee may be applied to membership			
<b>Daily</b>			
Adult		\$6	\$10
Child (4 to 17 years old)		\$4	\$8
Child (up to 3 years old)		\$0	\$0
Senior		\$0	\$8
Twilight (after 6pm)	All Twilight	\$3	\$6
<b>Teen Pool Party</b>		\$3	\$10
<b>Water Aerobics</b>		\$10	\$40
<b>Soccer: Kindergarten to 8th Grade</b>	Age 5	\$35	\$50
	Ages 6 & 7	\$35	\$100
	Ages 8 and up	\$45	\$100
<b>Field Hockey: 2nd to 6th Grade</b>			
	ALL	\$35	\$100

<b>Men's Basketball</b>	Team Sponsor	\$200	\$600
Individual Participant	ALL	\$40	\$75
<b>Movies in the Park</b>	No Charge		
<b>Youth Basketball: K thru 2nd Grade (Clinic)</b>	<b>Clinic only</b>	\$30	\$60
3 <sup>rd</sup> Grade thru 8 <sup>th</sup> Grade	ALL	\$40	\$100
<b>Street Hockey: Kindergarten to 8th Grade</b>			
	ALL	\$35	\$100
<b>Usage Fee – Field/Game Day (Field Fee Included in Registration Fee for all Boro Administered Programs)</b>	Daily Fee	\$45	\$500
Field Fee Based on Field Maint/Prep			
Lighting at Park	Per Hour	\$15/hr	\$55/hr
<b>Sport Clinic Programs</b>		\$35	\$100
<b>Party Rental (Pool Hours)</b>	Members		
	Non-Members		
<b>Party Rental (After Hours)</b>	50 People	200	300
	51-100 People	300	400
	Over 100 People	400	500
<b>Pavilion/Tent Rental</b>		\$25	\$100
<b>Summer Recreation Programs</b>		\$50	\$1000
<b>Special Events</b>		\$5	\$1000
<b>5K Run/Walk</b>		\$5	\$60
<b>Yoga</b>		\$5	\$70
<b>Zumba</b>		\$5	\$70

**SECTION 3.** By no later than March first of each year the Recreation Director shall evaluate the costs and expenses for operating each Program/Event and make a recommendation to the Mayor and Council and Manager as to the amount to be charged for participation in the Program/Events presented by the Recreation Commission, which shall be within the range of fees established by this ordinance. The Borough Council shall review the Recreation Program/Event Fee recommendations made by the Recreation Director in order to establish the current year Recreation Program Fee Schedule, which shall be adopted by the Mayor and Council via resolution annually.

**SECTION 4.** All ordinances and resolutions inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies.

**SECTION 5.** This ordinance shall take effect immediately after final passage, approval and publication of notice thereof 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 Conry, seconded by Noone to close the public hearing of Ordinance #1-2015.

Ayes: 7, Nays: 0  
Motion Carried

Hearing no further comments, a motion was made by Higgins, seconded by Conry to adopt Ordinance #1-2015 on final passage.

Council Discussion:

Councilman Higgins noted that Resolution #33-2015 added Zumba and Yoga to the Fees Schedule.

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

**NEW BUSINESS:**

**Resolution #30-2015 Authorizing Reduction of a Surety Bond and Release a Portion of the Cash Performance Bond to Jade Acquisition**

**RESOLUTION #30-2015**

**A RESOLUTION AUTHORIZING THE REDUCTION OF THE SURETY BOND  
AND TO RELEASE OF A PORTION OF THE CASH PERFORMANCE BOND  
TO JADE ACQUISITION, LLC  
HELD IN ESCROW BY THE BOROUGH OF WASHINGTON**

**WHEREAS**, Andrew S. Holt, P.E. Planning Board Special Engineer for Washington Square Development addressed a letter to the Borough of Washington dated January 21, 2015, indicating a Performance Guarantee is currently posted by Jade Acquisition, LLC in the amount of \$663,840.60, of which \$66,384.06 is Cash and the Surety amount is \$597,456.54;

**WHEREAS**, a Bond Reduction was recommended to reduce the Cash by \$11,321.42 and the Surety by \$101,892.81 (remaining Surety to be \$495,563.73) and the Borough of Washington is to retain a cash performance bond amount of \$55,062.64 in the Jade Acquisition, LLC – Performance Bond account #7760883160, leaving a cash balance of \$11,321.42 recommended to be released;

**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 release a portion of the cash performance bond in the amount of \$11,321.42 from the Jade Acquisition, LLC – Performance Bond Account #7760883160 to Jade Acquisition, LLC and further, to authorize the Surety Bond reduction to \$495,563.73.

Resolution #30-2015 was moved on a motion made by Higgins, seconded by Conry and approved.

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

**Resolution #31-2015 Appointment of Municipal Judge for Mansfield Township  
Shared Court Service**

**RESOLUTION #31-2015**  
**MUNICIPAL JUDGE**



**WHEREAS**, the Borough of Washington, Warren County, New Jersey is now governed by Plan “E” of Municipal Charter Law; and

**WHEREAS**, under this plan the Council of the Borough is directed and authorized to appoint the **Municipal Judge** for a term of three (3) years for the Borough of Washington, Warren County, New Jersey; and

**NOW, THEREFORE, BE IT RESOLVED**, the J. Edward Palmer

is hereby appointed for a three (3) year term beginning retroactively on, January 1, 2015 to expire on December 31, 2017.

Resolution #31-2015 was moved on a motion made by Conry, seconded by Klimko and approved.

Mayor McDonald noted that this is the same judge that has been used for many years, J. Edward Palmer.

Ayes: 7, Nays: 0  
Motion Carried

**Resolution #32-2015 Support of No Passing Zone NJ Route 57 as Recommended by the D.O.T.**

**RESOLUTION #32-2015**

**SUPPORT OF NO PASSING ZONE NJ ROUTE 57**

**WHEREAS**, the Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 57 in Washington Borough, Warren County; and

**WHEREAS, NJ DOT** investigation revealed the current centerline pavement marking on Route 57 meet and conform to current design standards; and

**WHEREAS, NJ DOT** will update existing records to reflect current No Passing Zone conditions along (US) (NJ) Route 57;

**NOW, THEREFORE, BE IT RESOVLED** by the Washington Borough of Warren County Council of the WASHINGTON BOROUGH of, County of Warren, in the State of New Jersey, that it supports the use of a “No Passing Zone” on Route 57 in Washington Borough Warren County as recommended by NJDOT.

**BE IT FURTHER RESOVLED** that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

Resolution #32-2015 was moved on a motion made by Conry, seconded by Higgins and approved.

Ayes: 7, Nays: 0  
Motion Carried

**Resolution #33-2015 Resolution Amending Recreation Fees**

**RESOLUTION #33-2015**

**RESOLUTION ADDING ZUMBA AND YOGA  
TO RECREATION FEES FOR 2015**

**WHEREAS**, the Recreation Director, in consultation from the Recreation Commission, have provided the Mayor and Council with a proposed fee schedule Recreation programs and activities; and

**WHEREAS**, in that fees were reviewed to determine whether they are fair to the public and fairly reflect the reasonable cost of public facilities, taking into account such municipal expenses as wages and benefits, insurance, utility costs, maintenance and repair costs and other unpredictable costs incurred by the Borough to operate the Borough's recreational facilities; and

**WHEREAS**, the Mayor and Council have reviewed the attached fee schedule as proposed by the Recreation Director and Recreation Commission and wish to memorialize the approval of the 2015 fee schedule, a copy of which fee schedule is attached to this resolution and will be posted on the Borough website.

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

The 2015 Recreation Fee Schedule, in the form attached to this resolution, is hereby approved.

Resolution #33-2015 was moved on a motion made by Noone, seconded by Conry and approved.

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

**Resolution #34-2015 Resolution in Support of the Washington Theatre**

**RESOLUTION #34-2015**

**IN SUPPORT OF THE WASHINGTON THEATRE TO OBTAIN FUNDING  
FROM THE MUNICIPAL AND CHARITABLE CONSERVANCY GRANT  
FUNDS**

**WHEREAS**, The property that is being proposed for purchase, the historic Washington Theater, is located at the corner of Routes 57 & 31, and has been an integral part of the our community for over 88 years. When completed in 1927, it seated 800 people and focused on both silent movies and vaudeville, and was proclaimed "The Showplace of Northwestern New Jersey"; and

**WHEREAS**, the historic Washington Theatre is currently being considered for demolition; and

**WHEREAS**, in the 1970's the theatre was twinned, which caused much of its ornate style to be covered over or destroyed. Over the years the Washington Theatre slowly began to fall into a state of disrepair. But, through the enthusiastic eyes of Marco Matteo this keystone of Washington Borough can be restored to its full glory. Marco's strong desire to preserve this landmark shows how truly dedicated he is to his field and the community at large, to which he should be commended and;

**THEREFORE BE IT RESOLVED**, the Borough of Washington supports the Washington Theatre and we will assist the Washington Theater in any way possible to raise additional money via fundraisers in order to achieve their goals. We look forward to Marco's success in this venture as the Theater serves as an excellent compliment to the overall downtown redevelopment plans that the Borough foresees in the future.

Resolution #34-2015 was moved on a motion made by Higgins, seconded by Conry and approved.

Ayes: 7, Nays: 0  
Motion Carried

**Resolution #35-2015 Redemption of a Tax Certificate**

**RESOLUTION #35-2015**

**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 \$2,610.78 for taxes or other municipal liens assessed for the year 2013 in the name of Rowlands, Kristin H. & William G. as supposed owners, and in said assessment and sale were described as 76 South Lincoln Avenue, Block 98 Lot 28.01, which sale was evidenced by Certificate #12-00060; and

**WHEREAS,** the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-29-15 and before the right to redeem was cut off, as provided by law, Kristin Rowlands 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 \$20,773.20 which is the amount necessary to redeem Tax Sale Certificate #12-00060.

**NOW THEREFORE BE IT RESOLVED,** on this 3rd day of February, 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 **\$27,273.20** (This amount consists of \$20,773.20 Certificate Amount redeemed + \$6,500.00 Premium).

**BE IT FURTHER RESOLVED,** that the Tax Collector is authorized to cancel this lien on Block 98 Lot 28.01 from the tax office records.

Resolution #35-2015 was moved on a motion made by Conry, seconded by Heinrich and approved.

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

Ayes: 7, Nays: 0

Motion Carried

**Resolution #37-2015 Resolution Establishing Sewer Rate for the Year 2015**

**RESOLUTION #37-2015**

**RESOLUTION ESTABLISHING SEWER RATE PER EQUIVALENT  
DWELLING UNIT FOR THE BOROUGH OF WASHINGTON, COUNTY OF  
WARREN, STATE OF NEW JERSEY FOR THE YEAR 2015.**

**WHEREAS**, the Borough of Washington owns and operates a Sewer Utility known as the Borough of Washington Municipal Sewer Utility (BOWMSU); and

**WHEREAS**, the Mayor and Council, under the Borough of Washington Code, Chapter 70, Article II, §5(G), have the ability to fix and collect rates, fees, rents and other charges in accordance with the law; and

**WHEREAS**, under Chapter 70, Article VI, §28(A)(1), the Mayor and Council have the authority to review and revise the rates for services and to establish an annual sewer charge, which shall be uniform and equitable for the same types and classes of use and services; and

**WHEREAS**, the Mayor and Council have not changed the Equivalent Dwelling Unit (EDU) rate since 2010 and upon consideration have determined the EDU rate for 2015 must be amended.

**NOW, THEREFORE, BE IT RESOLVED**, the EDU rate for 2015 shall be \$594.00 per year, billable quarterly at the rate of \$49.50 per EDU; and

**BE IT FURTHER RESOLVED**, the revised rate shall take effect for all bills generated after February, 2015.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Tax Collector, Chief Financial Officer and Veolia Water.

Resolution #37-2015 was moved on a motion made by Conry, seconded by Klimko and approved.

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

**VOUCHERS:**

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$1,565,232.42

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

Council Discussion:

Councilman Higgins noted that on pages two and six there are charges for title search professional dues and wants Manager Blanchard to make sure these are not duplicate charges. Councilman Higgins also asked if the charge on page nine for the security monitoring system is under the wrong account. Deputy Clerk Kilduff will ask Manager Blanchard will look into the charge.

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

Ayes: 7, Nays: 0

Abstain: (1) Thompson (Fire & EMS only)

Motion Carried.

**RECAP:**

Attorney Parikh will look into who governs the taxis in the Borough. Deputy Clerk Kilduff will have Manager Blanchard look into the title search and security monitoring system questions on the bill list and also email the taxi information to Reverend Bauknight.

**EXECUTIVE SESSION:**

At this time, Mayor McDonald stated that an Executive Session is needed for the purpose of litigation, contracts and for discussion of attorney privilege. A motion was made by Noone, seconded by Conry to enter into Executive Session after a ten minute recess.

Ayes: 7 Nays: 0

Motion Carried

**RESOLUTION # 42-2015**  
**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 Higgins, seconded by Conry, to go out of Executive Session.

Ayes: 7, Nays: 0  
Motion Carried

**COUNCIL REMARKS:**

Councilman Higgins stated that he was contacted by the Recreation Director in regards to the cannon located at Borough Park. Recreation would like to hold a service at the park on Memorial Day and asked if Council would be in favor of taking the plaque that is in Borough Hall which lists residents who were in World War I and World War II and placing it on the concrete monument next to the cannon in the park. Councilman Higgins added that more people would see the plaque at the park than inside Borough Hall. Mayor McDonald expressed that he would be concerned that the plaque could be vandalized in some way if it is not protected. Councilman Higgins asked if that is



something that Council would be in favor of and then the Recreation Commission and the Historical Society can work out a way to protect the plaque from vandalism.

Councilwoman Klimko asked about the status of the time clocks that had been previously discussed. Mayor McDonald replied that knows that Borough needs a system that will interact with the software they currently have but he did not have an update at this time. Councilwoman Klimko asked about enforcement of the ordinance that states there is no parking on the streets when they are snow covered. Mayor McDonald replied that it is up to the Washington Township Police Department to enforce the ordinance as they see fit. Councilman Thompson added that Code Enforcement Officer Bescherer has the authorization to ticket and tow vehicles that are parked on the streets when snow covered.

Councilman Heinrich noted that he will email Manager Blanchard with the snow removal issues that he brought up earlier in regards to the streets and sidewalks near the schools. Councilwoman Klimko added that the crosswalk area near Routes 31 and 57 that the crossing guard uses was not cleared as well. Councilman Heinrich also stated that the Senior Services Committee have a lot of great ideas including a bus trip to the Sands in Bethlehem. Tickets would cost \$25 but the Borough's seniors would receive that money back in tokens and meal vouchers. Any proceeds earned from the bus trip, the committee would like to use towards future events such as a 1950's Summer Sock Hop. The Senior Services Committee will speak to Manager Blanchard and CFO Turchan on how to handle collecting money for the bus trip tickets and how to handle a profit situation.

Councilwoman Noone commented that the bridge over the Shabecong has an ice puddle over the whole bridge and it is dangerous. Mayor McDonald replied that the bridge is the responsibility of the D.O.T. and the Borough can send them a letter but it has been an issue for years.

**ADJOURNMENT:**

Hearing no further business, a motion was made by Higgins, seconded by Thompson to adjourn the meeting at 9:28 p.m.

Ayes: 7, Nays: 0  
Motion Carried

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Mayor Scott McDonald

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Kristine Blanchard, RMC Borough Clerk