

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – April 07, 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, Heinrich

Absent: Noone, Thompson

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

MINUTES:

Regular Meetings – March 10, 2015

Motion made by Higgins, seconded by Conry to approve the Regular Meeting minutes of March 10, 2015

Ayes: 5 Nays: 0
Motion Carried

AUDIENCE:

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

Mr. Michael Gessner – 440 State Route 57 West

Mr. Gessner stated that he has an additional complaint against a Borough employee, Rudy Bescherer. Mr. Gessner stated that right after the Rice Hearing two weeks ago, Code Enforcement Officer Bescherer said that he would make a deal if all the tenants

were out of the garage by May 1st. Mr. Gessner stated at that point he left the room and was not interested in what else he had to say. Mr. Gessner added that he is still paying legal costs for himself and the car club and this is a never ending nightmare.

Mr. Kevin Miele – 88 Park Avenue

Mr. Miele stated that he received a few summonses at his personal property from Code Enforcement Officer Bescherer which Mr. Miele believes was in retaliation for the Rice Notice against him. Code Enforcement Officer Bescherer took pictures of Mr. Miele's backyard while on his private driveway. Mr. Miele stated that he began to take a picture of Code Enforcement Officer Bescherer on his private driveway but he quickly moved into the street and continued taking pictures. Mr. Miele stated that he did have some garbage accumulated by his garage but Code Enforcement Officer Bescherer never gave him a warning telling Mr. Miele to clean it up, only the summons in the mail a few days later. Mr. Miele stated that he also received a summons for not having a permit for a car cover on his property but it is a temporary structure which the previous Code Enforcement Officer told him he did not need a permit for it since it is not a permanent structure. Mr. Miele showed proof through photos that there is plenty of other trash and other violations throughout town that do not have warning stickers or warnings from Code Enforcement Officer Bescherer. Mr. Miele feels that Code Enforcement Officer Bescherer is arrogant and a bully. Mayor McDonald added that before Council can comment on anything presented, they would need legal advice. Mr. Miele gave Council a formal written complaint against Code Enforcement Officer Bescherer.

Mr. Michael Best – 50 Carlton Avenue

Mr. Best stated that he is part of the car club and he also has a complaint against Code Enforcement Officer Bescherer. Mr. Best stated that with everything that has been going on with the car club and Code Enforcement Officer Bescherer he felt like the best place to keep his pickup truck which is registered and insured behind his house on his own property. Mr. Best added that with the winter conditions and the pickup truck being very old, the tires went flat. Mr. Best said that he received a summons in the mail stating that he was storing a disabled vehicle with no inspection sticker. Mr. Best provided photos that there are many vehicles in town that do not have any inspection stickers or an expired sticker. Mr. Best noted that a neighbor of his has a vehicle with a bad inspection sticker has been there for about two and half years and he did not receive a summons. Mr. Best added that one week after the Rice Notice he has a ticket for his truck and feels he is being targeted maliciously and it's not fair to him and his family who is now involved. Mr. Best also handed to Council a formal written complaint against Code Enforcement Officer Bescherer. Mayor McDonald replied that there are legal processes that need to be followed.

Ms. Deborah Franklin – 145 North Lincoln Avenue

Ms. Franklin asked for a status on the North Lincoln paving project and if there is a start date. Manager Blanchard replied that she spoke with the engineer, Mr. Dawson Bloom this afternoon and they are looking to start the curbing work for the ADA compliant ramps near the library next week. Manager Blanchard added that after the curbing work is started it's a matter of getting on the paving contractor's schedule. Manager Blanchard also added that there is a Streets Committee meeting on Monday morning at 9:00am. Manager Blanchard was not sure how long the curing portion of the project would take.

Reverend Terrilisa Bauknight – Mt. Pisgah Ame Church

Reverend Bauknight asked if the curbing on North Lincoln was just for the ramp near the library. Councilman Higgins replied that he believed the curbing work was being done near New Street as well. Manager Blanchard will verify the locations of the curbing work. Reverend Bauknight asked if the matter with the Warren Hills Middle School driveway has been resolved. Manager Blanchard replied that it has not been resolved and at the last Streets Committee meeting it was discussed how to go about resolving the issue. Manager Blanchard added that the Borough requested that the Warren Hills Board of Education provide the Borough with the plans for the entire paving project that was completed in 2012. Manager Blanchard stated that the plans were delivered today and are currently with the engineer for review which will be discussed at the Streets Committee meeting on Monday. Manager Blanchard added that Council also requested a joint meeting with the Warren Hills Board of Education and unfortunately their attorney wants to speak with the Borough's attorney before a meeting is to take place. Reverend Bauknight is concerned that the Borough will pave North Lincoln and then the school's driveway project will tear part of it up. Reverend Bauknight also asked about the issue with the mailboxes on Ramapo Way. Mayor McDonald replied he did speak with the Postmaster about the possibility of the mail being delivered to the resident's door and the response was absolutely not. Mayor McDonald added that now the Borough needs to determine who owns that area where the mailboxes are located and see if some improvements can be made.

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

Ayes: 5, Nays: 0
Motion Carried

ORDINANCES:

Ordinance #2-2015 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank N.J.S.A. 40A: 4-45.14 (Public Hearing / Adoption)

#2-2015

CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough of Washington in the County of Warren finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough of Washington hereby determines that a 2.0 % increase in the budget for said year, amounting to \$ 58,179.60 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough of Washington hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough of Washington, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Washington Borough shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 101,814.30, and that the CY 2015 municipal budget for the Washington Borough be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

^ **BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

Public Hearing:

Hearing no comments from the public, a motion was made by Higgins, seconded by Conry to close the public hearing of Ordinance #2-2015.

Ayes: 5, Nays: 0
Motion Carried

Hearing no further comments, a motion was made by Heinrich, seconded by Conry to adopt Ordinance #2-2015 on final passage.

Roll Call: Klimko, McDonald, Conry, Higgins, Heinrich
Ayes: 5, Nays: 0
Motion Carried

Ordinance 3-2015 An Ordinance Amending Established Recreation Department Program Fees (Public Hearing / Adoption)

3-2015

**AN ORDINANCE AMENDING ESTABLISHED RECREATION
DEPARTMENT PROGRAM FEES**

***amended**

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
Fees Apply for all Boro Administered Programs up to and including the 2nd child (50% for 3rd child and no fee for 4th child and beyond)			
Girl's Softball: * Kindergarten thru 8th Grade			
	ALL	\$35	\$100
Karate/Self-Defense - Ages 5 thru 12			
	ALL	\$35	\$100
Easter Egg Hunt: Ages 3 to 6th Grade	No Charge		
Swim Team: Ages 5 to 18 Team Member	Must also be member of the pool	\$50	\$100
Swim Lessons: Ages 3 and Up	Must be 42 inches in height		
	ALL	\$40	\$100
	Private Lessons	\$60	\$100
	*Semi-Private	\$50	\$100
Pool Fees			
Membership (All memberships half price after August 1 st)			
	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

Daily			
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
Teen Pool Party		\$3	\$10
Water Aerobics		\$5	\$40
Soccer: Kindergarten to 8th Grade	Age 5	\$35	\$50
	Ages 6 & 7	\$35	\$100
	Ages 8 and up	\$45	\$100
Field Hockey: 2nd to 6th Grade			
	ALL	\$35	\$100
Men's Basketball	Team Sponsor	\$200	\$600
Individual Participant	ALL	\$40	\$75
Movies in the Park	No Charge		
Youth Basketball: K thru 2nd Grade (Clinic)	Clinic only	\$30	\$60
3 rd Grade thru 8 th Grade	ALL	\$40	\$100
Street Hockey: Kindergarten to 8th Grade			
	ALL	\$35	\$100
Usage Fee – Field/Game Day (Field Fee Included in Registration Fee for all Boro Administered Programs)			
	Daily Fee	\$45	\$500
Field Fee Based on Field Maint/Prep			
Lighting at Park	Per Hour	\$15/hr	\$55/hr
Sport Clinic Programs		\$35	\$100
Party Rental (Pool Hours)	Members		
	Non-Members		
Party Rental (After Hours)	50 People	200	300
	51-100 People	300	400

	Over 100 People	400	500
Pavilion/Tent Rental		\$25	\$100
Summer Recreation Programs		\$50	\$1000
Special Events		\$5	\$1000
*Equipment Usage Fee		\$5	\$200
*Grandstand Snack Bar Usage – 3rd party		\$20	\$300
5K Run/Walk		\$5	\$60
Yoga		\$5	\$70
Zumba		\$5	\$70
Kids Zumba*		\$2	\$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 Higgins, seconded by Klimko to close the public hearing of Ordinance #3-2015.

Ayes: 5, Nays: 0
Motion Carried

Hearing no further comments, a motion was made by Higgins, seconded by Conry to adopt Ordinance #3-2015 on final passage.

Roll Call: Klimko, McDonald, Conry, Higgins, Heinrich
Ayes: 5, Nays: 0
Motion Carried

Mayor McDonald stated at this time that he had discussion with the Superintendent of the Washington Borough Schools, Lance Rozsa regarding a cost assessment for solar panels. The Washington Borough School District would like to include the Borough of Washington in their assessment. Superintendent Rozsa expressed to Mayor McDonald that it would cost the Borough no more than \$1500.

A motion made by Higgins, seconded by Conry to move forward with a solar evaluation not to exceed \$1,500 and approved.

Roll Call: Klimko, McDonald, Conry, Higgins, Heinrich
Ayes: 5, Nays: 0
Motion Carried

ADOPTION OF 2015 MUNICIPAL BUDGET (Public Hearing):

Hearing no comments from the public, a motion made by Higgins, seconded by Conry to close the public hearing on the adoption of the 2015 Municipal Budget.

Ayes: 5, Nays: 0
Motion Carried

ADOPTION OF 2015 MUNICIPAL BUDGET:

Council Discussion:

Councilman Higgins informed the audience that the 2015 Municipal budget remained flat which means there is no increase to the taxpayers.

A motion made by Higgins, seconded by Conry to adopt the 2015 Municipal Budget.

Roll Call: Klimko, McDonald, Conry, Higgins, Heinrich
Ayes: 5, Nays: 0
Motion Carried

REPORTS:

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

1. Municipal Court Report – February 2015
2. Code Enforcement/Zoning Report – March 2015

Ayes: 5, Nays: 0
Motion Carried

NEW BUSINESS:

Resolution #64-2015 To apply for a 2014 Recycling Tonnage Grant

RESOLUTION # 64-2015

**OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON,
WARREN COUNTY. TO APPLY FOR A 2014
RECYCLING TONNAGE GRANT**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2014 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

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 endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Kristine Blanchard, Borough Manager, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution #64-2015 was moved on a motion made by Heinrich, seconded by Conry and approved.

Ayes: 5, Nays: 0
Motion Carried

Resolution #65-2015 Redemption of a Tax Certificate

RESOLUTION #65-2015

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 \$527.31 for taxes or other municipal liens assessed for the year 2013 in the name of Morand, Antonio as supposed owner, and in said assessment and sale were described as 205 Rush Avenue, Block 6 Lot 56, which sale was evidenced by Certificate #14-00013; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington,

do certify that on 2-24-15 and before the right to redeem was cut off, as provided by law, Mortgage Services on behalf of Pinnacle Realty Associates 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 \$1,088.06 which is the amount necessary to redeem Tax Sale Certificate #14-00013.

NOW THEREFORE BE IT RESOLVED, on this 7th day of April, 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 **\$2,388.06** (This amount consists of \$1,088.06 Certificate Amount redeemed + \$1,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 6 Lot 56 from the tax office records.

Resolution #67-2015 Redemption of a Tax Certificate

RESOLUTION #67-2015

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 Guevara, Ruperto & Sharon as supposed owners, and in said assessment and sale were described as 27 Presidential Drive, Block 72 Lot 7, which sale was evidenced by Certificate #14-00042; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-24-15 and before the right to redeem was cut off, as provided by law, Midland Mortgage 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 \$1,431.18 which is the amount necessary to redeem Tax Sale Certificate #14-00042.

NOW THEREFORE BE IT RESOLVED, on this 7th day of April, 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 **\$2,731.18** (This amount consists of \$1,431.18 Certificate Amount redeemed +

\$1,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 72 Lot 7 from the tax office records.

Resolution #71-2015 Redemption of a Tax Certificate

RESOLUTION #71-2015

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, 2015 to US Bank Cust for Pro Capital 4, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$353.42 for taxes or other municipal liens assessed for the year 2013 in the name of Mitchell, John L. Jr. as supposed owners, and in said assessment and sale were described as 48 Flower Avenue, Block 70 Lot 17.01, which sale was evidenced by Certificate #14-00039; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-1-15 and before the right to redeem was cut off, as provided by law, EastWest Bank on behalf of Lereta 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 \$2,950.17 which is the amount necessary to redeem Tax Sale Certificate #14-00039.

NOW THEREFORE BE IT RESOLVED, on this 1st day of April, 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 16th Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$4,150.17** (This amount consists of \$2,950.17 Certificate Amount redeemed + \$1,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 70 Lot 17.01 from the tax office records.

Resolution #65-2015, #67-2015 and #71-2015 were moved on a motion made by Conry, seconded by Heinrich and approved.

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

Ayes: 5, Nays: 0
Motion Carried

Resolution #66-2015 Refund Tax Monies Per Tax Court Appeal

RESOLUTION #66-2015

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 years of 2010, 2011 and 2012 for the property listed below:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME OF OWNER/ PROPERTY LOCATION</u>	<u>YEAR</u>
6	11	Washington Gardens, LLC 324-332 North Prospect St.	
			2010 Taxes
32,133.30			
			2011 Taxes
33,409.80			
			2012 Taxes
32,940.60			
			TOTAL
98,483.70			

Refund payable to: Attorney Howard B. Goldberg, 33 Clinton Road, West Caldwell, NJ 07006
(on behalf of Washington Gardens, LLC)

WHEREAS, due to Tax Court Judgement Dockets #014091-2010, #006830-2011 and #007110-2012 the assessed value for the improvement has been reduced from 3,562,800 to 2,872,800, which changes the amount of taxes due thus creating these overpayments.

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 #66-2015 was moved on a motion made by Higgins, seconded by Conry and approved.

Roll Call: Klimko, McDonald, Conry, Higgins, Heinrich
Ayes: 5, Nays: 0
Motion Carried

Resolution #69-2015 Refund Overpayment on 2015 Real Estate Taxes

RESOLUTION #69-2015

A RESOLUTION TO REFUND OVERPAYMENT

ON 2015 REAL ESTATE TAXES

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$338.63 on 2015 2nd Quarter Regular Taxes on property located at 107 Wilson Terrace, also known as Block 71 Lot 11, and in the name of Mercado, Nelson & Jo Ann; and

WHEREAS, Mr. Mercado had been granted the Veteran's Tax Exempt Status in July 27, 2013 and was also entitled to the Homestead Rebate on the 2nd Quarter Regular Taxes in 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$338.63 payable to:

Nelson & Jo Ann Mercado
107 Wilson Terrace
Washington, NJ 07882

Resolution #70-2015 Refund Overpayment on 2015 Real Estate Taxes

RESOLUTION #70-2015

A RESOLUTION TO REFUND OVERPAYMENT

ON 2015 REAL ESTATE TAXES

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$656.95 on 2015 2nd Quarter Regular Taxes on property located at 122 Myrtle Avenue , also known as Block 44 Lot 18, and in the name of Orlando, Corey & Shelby; and

WHEREAS, Mr. Orlando had been granted the Veteran's Tax Exempt Status in August 2013 and was also entitled to the Homestead Rebate on the 2nd Quarter Regular Taxes in 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$656.95 payable to:

Resolutions # 69-2015 and #70-2015 were moved on a motion made by Conry, seconded by Klimko and approved.

Roll Call: Klimko, Conry, McDonald,
Heinrich, Higgins
Ayes: 5, Nays: 0
Motion Carried

RESOLUTION # 72-2015

**RESOLUTION APPOINTING A MEMBER TO THE
LIBRARY BOARD OF TRUSTEES**

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

WHEREAS, under this plan the Mayor of the Borough is to appoint the members of the Library Board of Trustees for Washington with the consent of the Borough Council; and

WHEREAS, the Mayor has designated the following person as his appointee; and

WHEREAS, the Council does approve of this appointment.

BE IT THEREFORE RESOLVED, that the following named person is appointed to the Library Board of Trustees, for a term ending January 1, 2019.

Terrilisa Durham Bauknight

Resolution #72-2015 was moved on a motion made by Conry, seconded by Heinrich and approved.

Ayes: 5, Nays: 0
Motion Carried

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$1,247,983.61

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

Council Discussion:

Councilman Higgins asked about a charge on page 6 in reference to the towing of Truck #47 to Merkin Spring Company. Manager Blanchard replied that was the only company that carried the type of springs for that truck. Councilman Higgins asked Manager Blanchard to find out what year that truck was purchased.

Roll Call: Conry, Klimko, McDonald, Heinrich, Higgins
Ayes: 5, Nays: 0
Motion Carried.

RECAP:

Manager Blanchard will verify that there will be a Streets Committee meeting on Monday, April 13th at 9:00am and verify that there will be new street curbing at the ADA

ramps on North Lincoln Avenue. Manager Blanchard will also try to find out who owns the property with the mailboxes on Ramapo Way. Manager Blanchard will also look into the charges from Merkin Spring Company for Truck #47. Manager Blanchard added that since she was sick the week prior there were some items that she didn't get to address in her Manager's Report. The engineer will also have the cost and any concept plans for the Route 57 Midblock Crosswalk at Monday's Streets Committee meeting. The culvert near Advanced Auto Parts that Councilwoman Noone had been questioning is not owned by the State of New Jersey, it is owned by the County of Warren and they have been notified to come out and take a look to see if it can be repaired. Manager Blanchard also added that the Borough's Treatment Works Approval is in technical review which is for the South Prospect Street project.

COUNCIL REMARKS:

Councilman Higgins reminded everyone that the Streets Committee meeting will be at 9:00 on Monday morning.

EXECUTIVE SESSION:

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

Ayes: 5 Nays: 0
Motion Carried

RESOLUTION # -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 Heinrich, to go out of Executive Session.

Ayes: 5, Nays: 0
Motion Carried

ADJOURNMENT:

Hearing no further business, a motion was made by Higgins, seconded by Conry to adjourn the meeting at 8:35 p.m.

Ayes: 5, Nays: 0
Motion Carried

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk