

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – June 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: McDonald, Higgins, Klimko, Heinrich, Thompson, Conry,
Noone (arrived 7:05 p.m.)

Also Present: Kristine Blanchard, RMC Borough Manager/Clerk

MINUTES:

Regular Meetings – May 19, 2015

Motion made by Conry, seconded by Heinrich to approve the Regular Meeting minutes of May 19, 2015

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

AUDIENCE:

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

Mr. John Montaverde – Washington Borough BID, Director

Mr. Montaverde passed out to Council a sample of the BID’s Car Show and Green Festival flyer. Mr. Montaverde stated that he introduced himself to the Washington

Township Police and provided the police with the list of BID events which require police coverage. Mr. Monteverde added that the Sci-Fi Fantasy Day scheduled for Saturday, July 11th is shaping up to be a big family event. Mr. Montaverde also stated that the Kiwanis has agreed to fund the initial maintenance and repair of the clock located in the Mid Block parking lot Downtown. Mr. Montaverde added that along with the Kiwanis Club the BID has donation cans throughout the downtown area to provide funding for Future maintenance of the clock. Mr. Montaverde reminded everyone that the first Farmer's Festival is this coming Saturday June 6th from 9am to 1pm.

Mr. Pasanello - Harmony Township, Co-chair for Washington Celebrates America

Mr. Pasanello stated that he was looking for a resolution from the Borough of Washington to continue with the Washington Celebrates America festivities of the 4th of July. Mayor McDonald replied that Resolution #96-2015 in support of Washington Celebrates America will be on the agenda this evening.

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

Ayes: 7, Nays: 0
Motion Carried

REPORTS:

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

1. Board of Health Report – May 2015
2. Washington Township Police Activity – April 2015

Ayes: 7, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Sewer Committee

Councilman Higgins stated that the Sewer Committee met yesterday and the engineer needs to meet with the contractor to go over some pricing issues in regards to the South Prospect Street sewer project. Councilman Higgins expects to be able to provide more information at the next Council Meeting. Councilman Higgins added that the next Sewer Committee Meeting is scheduled for June 16th at 6:30 pm.

Streets Committee

Councilman Higgins stated that the Streets Committee met and discussed at great length the Mid Block Crosswalk Mr. Dawson Bloom from Finelli Engineering is waiting on a response from the NJ State Department of Transportation as to what needs to be done in preparation for the State to pave the road next year. Mr. Bloom expects to have that information by the end of the month and will be discussed at the July 7th Council Meeting. Councilman Higgins added that Don Henry, Assistant Supervisor for the D.P.W. attended the meeting and in preparation for the Washington Celebrates America parade will make sure that all cracks and potholes on the parade route will be repaired. Councilman Higgins stated that also discussed at the meeting were storm drains being repaired and road signs need to be put up. Councilman Higgins added that the Borough needs to be put on Tilcon's work list to get North Lincoln Avenue paved. Tilcon wants the Borough to give them more roads to pave at the same time since it would not be cost effective for them to come to pave just one road. Mr. Dawson Bloom from Finelli Engineering provided Tilcon with a list of potential streets to be paved and Tilcon will come back with an estimate after they have measured the roads and then Council can decide which other roads in the Borough will be paved at the same time as North Lincoln Avenue. Councilman Higgins also added that there is a lot of work that needs to be done and recommended that possibly another D.P.W. worker could be added part time through the aid of the Clean Communities Grant. Manager Blanchard added that the D.P.W. has to mow eighteen to twenty Borough owned properties every summer and there are over ninety properties on the abandoned or foreclosure list so having an additional part time employee will help.

NEW BUSINESS:

Resolution #93-2015 Redemption of Tax Certificate

RESOLUTION #93-2015

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 \$1,406.21 for taxes or other municipal liens assessed for the year 2013 in the name of Jade Washington Group LLC as supposed owner, and in said assessment and sale were described as 27 W. Washington Ave., Block 95 Lot 4, which sale was evidenced by Certificate #14-00063; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5-27-15 and before the right to redeem was cut off, as provided by law, Ray Rice 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 \$11,381.47 which is the amount necessary to redeem Tax Sale Certificate #14-00063.

NOW THEREFORE BE IT RESOLVED, on this 3rd day of June, 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 **\$18,381.47** (This amount consists of \$11,381.47 Certificate Amount redeemed + \$7,000.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 95 Lot 4 from the tax office records.

Resolution #94-2015 Redemption of a Tax Certificate

RESOLUTION #94-2015

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 Patel, Pinakin & Netrini as supposed owners, and in said assessment and sale were described as 5 Ridgetop Terrace, Block 40.05 Lot 11, which sale was evidenced by Certificate #14-00029; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5-28-15 and before the right to redeem was cut off, as provided by law, Pinakin Patel 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 \$1,410.19 which is the amount necessary to redeem Tax Sale Certificate #14-00029.

NOW THEREFORE BE IT RESOLVED, on this 3rd day of June, 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 **\$2,610.19** (This amount consists of \$1,410.19 Certificate Amount redeemed + \$1,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 40.05 Lot 11 from the tax office records.

Resolutions #93-2015 and #94-2015 were moved on a motion made by Conry, seconded by Higgins and approved.

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

Resolution #95-2015 Municipal Alliance Grant Approval – Shared Service Borough of Washington, Township of Franklin, Township of Mansfield

RESOLUTION #95-2015

**MUNICIPAL ALLIANCE GRANT APPROVAL – SHARED SERVICE
BOROUGH OF WASHINGTON, TOWNSHIP OF FRANKLIN, TOWNSHIP OF
MANSFIELD**

Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2014-June 2019

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Borough of Washington Council of the Borough of Washington, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough of Washington Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough of Washington Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Warren.

NOW, THEREFORE, BE IT RESOVLED by the Borough of Washington, County of Warren, State of New Jersey hereby recognizes the following:

1. The Borough of Washington does hereby authorize submission of a Strategic plan for the Franklin/Mansfield/Washington Boro Municipal Alliance grant for fiscal year July 2015-June 2016 in the amount of:

DEDR	<u>\$18,077.00</u>
Cash Match	<u>\$ 1,949.00</u>
In-Kind	<u> </u>

2. The Township/Borough/City Council acknowledges the terms and Conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution #95-2015 was moved on a motion made by Conry, seconded by Higgins and approved.

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

Resolution #96-2015 Washington Celebrates America

RESOLUTION #96-2015

**RESOLUTION GRANTING PERMISSION FOR A
FIREWORKS DISPLAY IN THE
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY.**

BE IT RESOLVED, by the Mayor and Common Council of the Borough of Washington, Warren County, New Jersey that permission is hereby granted to Washington Celebrates America Inc. have a **Fireworks Display** in the Borough of Washington at 9:00 P.M., **Saturday, July 4, 2015** with a **Rain Date of Sunday, July 5, 2015**.

BE IT RESOLVED, that the Borough Council has agreed to name Washington Celebrates America Inc. as additional insured for the following events to be held in the Borough of Washington.

Orange Crate Derby – Qualification Races Saturday June 27, 2015

Location: Broad St. and Borough Park Entrance

Orange Crate Derby – Saturday July 4, 2015; Rain Date Sunday July 5, 2015

Location: Broad St. and Borough Park Entrance

Parade – Saturday July 4, 2015; Rain Date Sunday July 5, 2015

Location: Rt. 31 and Broad St. to Belvidere Ave. to Carlton Ave. to N. Prospect

Fireworks – Saturday July 4, 2015; Rain Date Sunday July 5, 2015

Location: Warren Hills Middle School Athletic Field

BE IT RESOLVED, that a true copy of this Resolution be forwarded to the New Jersey Department of Labor and Industry, Trenton, NJ, together with a copy of the required Certificate of Liability Insurance.

Resolution #96-2015 was moved on a motion made by Noone, seconded by Conry and approved.

Council Discussion:

Mr. Pasanello requested that in addition to the Borough repairing some of the hazardous conditions on the parade route, could the Borough also have those repairs done in time for the Orange Crate Derby Qualification Races. Manager Blanchard replied that she will make sure that all the road repair work on the route will be completed prior to the Qualification Races on Saturday June 27, 2015.

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

Ayes: 6, Nays: 0

Abstain (1): Higgins

Motion Carried

Resolution #98-2015 Authorizing Sale of Surplus Property Via Public Auction

RESOLUTION #98-2015

RESOLUTION AUTHORIZING SALE OF SURPLUS PROPERTY VIA PUBLIC AUCTION

WHEREAS, N.J.S.A. 40A:11-36 permits a municipality to sell personal property not needed for public use to via public auction; and

WHEREAS, the Borough owns one (1) 1993 F-700 Ford single axle dump truck with Cummings 5.9 L motor, with plow and (1) 1994 F-350 Ford single axle mason dump truck, 7.5 L motor, plow and auger provided, and (1) 2002 Chevy Impala which is no longer needed by the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that it hereby authorizes the auction of the 1993 F-700 Ford dump truck, 1994 F-350 Ford mason dump, and the 2002 Chevy Impala sold in “as is condition” in accordance with the Local Public Contracts Law.

Resolution #98-2015 was moved on a motion made by Conry, seconded by Heinrich and approved.

Ayes: 7, Nays: 0
Motion Carried

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$707,872.63

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

Council Discussion:

Councilman Thompson asked if the charges on page four for socket wrenches for the D.P.W. are for the new lawnmower or to replace broken ones. Manager Blanchard replied that any small purchases that are made are done so to operate the D.P.W. shop and she is not sure of the exact use of the tool. Councilman Thompson also asked about the charge for ten cubic yards of mulch on page six. Manager Blanchard replied the mulch was used for landscaping and also contributed to Recreation.

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

Ayes: 6, Nays: 0

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

Motion Carried

RECAP:

Manager Blanchard will make sure that the D.P.W. takes care of any pot holes and large cracks on Broad Street before the Orange Crate Derby qualification races associated with Washington Celebrates America and Manager Blanchard will forward the resolution to the Borough's insurance company. Manger Blanchard will also advertise for the public auction of the surplus property which is tentatively scheduled for ten days from this coming Friday.

COUNCIL REMARKS:

Councilman Thompson wished all the fathers a Happy Father's Day.

Councilwoman Klimko also wished everyone a Happy Father's Day.

Councilman Higgins asked if there was going to be an executive session this evening. Manager Blanchard replied there will be an executive session to discuss contract negotiations.

Councilman Heinrich stated that the electrician is coming tomorrow at 10:00 am at assess the ballasts and move forward with the lighting study.

Councilwoman Noone asked everyone to come out and support our local businesses and local farmers at the Farmer's Market which starts June 6th from 9:00 am until 1:00 pm.

Mayor McDonald stated that he along with Manager Blanchard and Councilman Heinrich met with the Washington Borough School Board in regards to the solar installation. There was another option that was brought up at the meeting involving a company that is building solar panels in Warren County. Mayor McDonald added that it was decided as a group to just continue with the path. Mayor McDonald also stated that he met with John Montaverde and Monika Hamburger with the Washington Borough Business Improvement District and discussed future plans for the Borough and the BID.

EXECUTIVE SESSION:

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

Ayes: 7 Nays: 0
Motion Carried

RESOLUTION # 99-2015
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 Higgins, seconded by Noone to adjourn the meeting at 8:00 p.m.

Ayes: 7, Nays: 0
Motion Carried

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk