

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – November 04, 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, Klimko, Conry, Noone, Heinrich, Higgins,
Thompson

Also Present: Kristine Blanchard, RMC Borough Manager/Clerk

COUNCIL APPEARANCE:

Introduction of Kim Spangenberg – Municipal Alliance

Mayor McDonald introduced Kim Spangenberg as the Borough’s new Municipal Alliance Coordinator provided Council agrees.

Ms. Spangenberg stated that she is currently employed by the Family Guidance Center in the Prevention Connections Office. Ms. Spangenberg added that she is interested in drug and alcohol prevention as a professional and as a mother.

Resolution #179-2015 Appointment of Municipal Alliance Coordinator

RESOLUTION #179-2015

APPOINTMENT OF MUNICIPAL ALLIANCE COORDINATOR

BE IT RESOLVED, by the Mayor and Council of the Borough of Washington that Kim Spangenberg be and hereby is appointed the Municipal Alliance Coordinator for the un-expired term of Hope Ranalli ending December 31, 2016.

Resolution #179-2015 was moved on a motion made by Conry, seconded by Noone and approved.

Ayes: 7 Nays: 0
Motion Carried

AUDIENCE:

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

Justin Flynn – 117 Railroad Avenue

Mr. Flynn stated that he has had flooding issues in his garage due to the grading of the road on Oshea Street which connects Fisher Avenue and Railroad Avenue. Mr. Flynn added that the street has been capped several times which has brought the grade of the street up to or above the grade of his garage floor and causes excessive water damming on his property. In the colder months, the water turns to ice and is hazardous which Mr. Flynn feels opens him up to a lawsuit if anyone was to get seriously hurt. Mr. Flynn stated that he was informed by the Borough's engineer that the excessive water damming was due to the grade and the pitch of his driveway. Mr. Flynn brought photos to show that the excessive damming is not due to the pitch of his driveway. Mr. Flynn commented that the ice that forms during the winter months has already caused his driveway to lift and after having someone trip and fall on the raised asphalt decided to tear it up and currently has millings in the driveway which is more absorbent as directed per the Borough engineer. Mr. Flynn added that there are other properties in the area that are adversely affected by the grade of Oshea Street not just his. It would take an exorbitant amount of money to fix the problem on his property which would still leave the problem for the other property owners. Mr. Flynn stated that if the Borough was to dig and mill the road out about six inches it would alleviate the flooding and icing issues. Councilman Higgins replied that he will speak with the Borough's engineer regarding this issue.

Mr. Flynn also stated that he has been maintaining the property located at 115 Railroad Avenue which belongs to Joann Lee. Mr. Flynn purchased his home at 117 Railroad

Avenue from Mrs. Lee's son Cory Lee. At that point, the property was an overgrown apple orchard and the taxes have not been paid on the property since 1998. Mr. Flynn had an agreement with the Lee's that as long as he maintained the property they were fine with him utilizing it as long as it was available. Mr. Flynn expressed interest in purchasing that property so he can maintain it and keep the home values up in the neighborhood once the tax liens were settled. Mr. Flynn feels the property is worthless due to the fact that is zoned residential non-developable due to the water tanks in the ground.

Richard Maguire – 23 Green Street

Mr. Maguire asked Council for an update on the repair of the sidewalk and curb in front of his home. Manager Blanchard replied that she contacted Mr. Dawson Bloom from Finelli Engineering yesterday for an update and the contractor should be there in one to two weeks. Mr. Maguire is anxious for the repairs to be done before winter when the weather is too cold to pour concrete. Councilman Higgins replied that he will speak with Mr. Bloom in regards to the sidewalk repairs.

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

ORDINANCES:

Ordinance 8-2015 - Fixing the Salary and Wages of Certain Municipal Officials and Repealing Portions of Prior Inconsistent Salary and Wage Ordinances for the Years Beginning January 1, 2016 (Introduction)

Motion made by Higgins, seconded by Conry to introduce Ordinance 8 – 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 8-2015 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 January 1, 2016

ORDINANCE #8-2015

**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 JANUARY 1, 2016**

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, Keyboarding Clerk2	\$34,624 - \$52,902 AN
Administrative Clerk	\$47,913 - \$73,808 AN
Assistant Municipal Tax Collector	\$41,914 - \$63,353 AN
Building Maintenance Worker	\$42,819 - \$55,239 AN
Clerk1 (NC)	\$20,127 - \$29,930 AN
Code Enforcement Officer/Zoning Officer	\$47,560 - \$65,319 AN
Equipment Operator, Keyboarding Clerk3	\$51,368 - \$66,271 AN
Laborer1 (NC)	\$38,817 - \$51,298 AN
Library Assistant, Keyboarding Clerk1	\$30,563 - \$46,139 AN
Library Director	\$50,000 - \$84,081 AN
Road Repairer3	\$57,315 - \$72,576 AN
Road Repairer Supervisor	\$62,148 - \$75,726 AN
Senior Account Clerk	\$49,908 - \$67,109 AN
Supervising Library Assistant	\$36,947 - \$55,015 AN
Truck Driver (NC)	\$46,074 - \$61,254 AN

SCHEDULE B - PART-TIME CLASSIFIED

Account Clerk	\$8.38 - \$26.50 Hr.
Animal Control Officer	\$2,750 - \$13,316 AN
Building Service Worker	\$8.38 - \$26.50 Hr.
Clerk1 (NC)	\$8.38 - \$26.50 Hr.
Code Enforcement Officer (Title Code #01285)	\$8.38 - \$31.80 Hr.
Code Enforcement Officer/Zoning Officer (Title Code #05897)	\$8.38 - \$31.80 Hr.
Deputy Municipal Emergency Management Coordinator	\$2,000 - \$3,180 AN
Deputy Registrar of Vital Statistics	\$1,500 - \$1,802 AN
Fire Official	\$20.00 - \$31.80 Hr.
Fire Prevention Specialist	\$15.00 - \$26.50 Hr.

Keyboarding Clerk1	\$8.38 - \$26.50 Hr.
Librarian1 (Title Code #07569)	\$18.00 - \$31.80 Hr.
Library Director	\$36.00 - \$59.36 Hr.
Library Assistant (NC-Title Code #07467)	\$8.38 - \$26.50 Hr.
Municipal Recycling Coordinator	\$1,000 - \$3,180 AN
Senior Library Assistant (C-Title Code #03416)	\$8.38 - \$26.50 Hr.
Zoning Officer (Title Code #04338)	\$8.38 - \$31.80 Hr.

SCHEDULE C - UNCLASSIFIED SERVICE

Chief Financial Officer	\$15,500 - \$63,600 AN
Council Members	\$2,000 - \$3,000 AN
Deputy Municipal Clerk	\$8.38 - \$26.50 Hr. or \$50./meeting stipend
Mayor	\$2,500 - \$3,500 AN
Municipal Clerk	\$48,833 - \$82,031 AN
Municipal Department Head	\$15,000 - \$79,500 AN or \$8.38 - \$43.50 Hr.
Municipal Emergency Management Coordinator	\$ 2,000 - \$ 6,360 AN
Municipal Manager (when not combined with Mun. Clerk)	\$80,000 - \$120,000 AN
Municipal Manager (when combined with Mun. Clerk)	\$20,000 - \$31,800 AN
Tax Assessor	\$25,500 - \$48,420 AN
Tax Collector (F.T.)	\$46,623 - \$73,808 AN
Tax Collector (P.T.)	\$14,500 - \$31,800 AN

SCHEDULE D - UNCLASSIFIED SERVICE
(TEMPORARY OR SEASONAL)

Acting or Interim Department Head or Executive Management	\$10.00 - \$53.00 Hr
Assistant Recreation Supervisor(s) (Swim Team)	\$8.38 - \$26.50 Hr.
Cashier	\$8.38 - \$26.50 Hr.
Equipment Operator	\$8.38 - \$26.50 Hr.
Food Service Manager	\$8.38 - \$26.50 Hr.
Food Service Worker	\$8.38 - \$26.50 Hr.
Laborer1 (NC)	\$8.38 - \$26.50 Hr.
Life Guard	\$8.38 - \$26.50 Hr.
Maintenance Worker 1, Grounds	\$8.38 - \$26.50 Hr.
Municipal Department Head	\$17.00 - \$31.80 Hr.
Recreation Supervisor Swimming (Swim Lessons)	\$8.38 - \$26.50 Hr.
Recreation Supervisor Swimming (Swim Team)	\$8.38 - \$26.50 Hr.
Secretary, Board/Commission (Board of Adjustment, Shade Tree, Planning Board, Recreation Department, General Admin.)	\$ 500 - \$4,240 AN or \$8.38 - \$26.50 Hr.)
Supervisor Baths & Pools	\$8.38 - \$26.50 Hr.
Truck Driver (NC)	\$8.38 - \$26.50 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. An employee who has medical coverage under a spouse's health benefit plan (not including the NJ SHEBP) and waives participation in the Borough of Washington health benefits program shall be compensated at the rate of \$2,000 per annum prorated to compensate the employee for only those pay periods when the Borough is no longer obligated to make health benefit payments.

SECTION 8. The rates contained herein shall become effective January 1, 2016.

Motion made by Conry, seconded by Higgins to approve Ordinance 8 – 2015 on first reading.

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

Public Hearing of Ordinance 8-2015 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 January 1, 2016 will be on December 01, 2015 and advertisement of the Public Hearing will be in the Star Gazette on November 13, 2015.

A motion was made by Higgins, seconded by Conry to approve advertisement of the Public Hearing of Ordinance 8-2015.

Ayes: 7, Nays: 0
Motion Carried

Ordinance 9-2015 – An Ordinance Providing Funding for Sewer Project on South Prospect Street for the Borough of Washington and Appropriating \$200,000 for Such Purpose (Introduction)

Motion made by Higgins, seconded by Conry to introduce Ordinance 9 – 2015 and have the Clerk read by title.

Roll Call: Noone, McDonald, Conry, Higgins, Heinrich,
Thompson
Ayes: 6, Nays: 0
Abstain: (1) Klimko
Motion Carried

The Clerk read Ordinance 9-2015 An Ordinance Providing Funding for Sewer Project on South Prospect Street for the Borough of Washington and Appropriating \$200,000 for Such Purpose

ORDINANCE #9-2015

**AN ORDINANCE PROVIDING FUNDING FOR SEWER
PROJECT ON SOUTH PROSPECT STREET FOR THE
BOROUGH OF WASHINGTON AND APPROPRIATING \$200,000
FOR SUCH PURPOSE.**

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, in the County of Warren, New Jersey, authorizes for a sewer project to be undertaken on South Prospect Street, including all work and materials necessary therefore and incidental thereto for the Borough of Washington, to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$200,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Reserve for Sewer Capital Projects in the amount of \$200,000.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Washington may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

Motion made by Conry, seconded by Higgins to approve Ordinance 9 – 2015 on first reading.

Roll Call: Noone, McDonald, Conry, Higgins, Heinrich,
Thompson
Ayes: 6, Nays: 0
Abstain: (1) Klimko
Motion Carried

Public Hearing of Ordinance 9-2015 An Ordinance Providing Funding for Sewer Project on South Prospect Street for the Borough of Washington and Appropriating \$200,000 for Such Purpose will be on December 01, 2015 and advertisement of the Public Hearing will be in the Star Gazette on November 13, 2015.

A motion was made by Higgins, seconded by Conry to approve advertisement of the Public Hearing of Ordinance 9-2015.

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

NEW BUSINESS:

EMEX – Reverse Auction for Electricity and Gas

Councilman Heinrich stated that he has received information via email from Mr. John Smith who specializes in residential electricity aggregation for Energy Market Exchange. Councilman Heinrich asked Council to consider having Mr. Smith appear at the December 1st Council Meeting to discuss the process of the EMEX Reverse Auction platform and how it can benefit the municipality to get true market prices for electricity and natural gas.

A motion made by Heinrich, seconded by Higgins to have Mr. Smith from EMEX appear at the December 1st Council Meeting and approved.

Mayor McDonald added that there are other organizations that perform the same functions which have presented at the League of Municipalities conventions in Atlantic City and the Borough is not limited to EMEX.

Ayes: 7 Nays: 0
Motion Carried

Washington Borough School District / Washington Borough Power Purchase Agreement

Mayor McDonald stated that he and Councilman Heinrich met to discuss the Power Purchase Agreement (PPA). Councilman Heinrich added that there is a Solar Photovoltaic System study for the Taylor Street School, Memorial School, Municipal Building/Fire House, Library and Municipal Garage which lists each building and the amount of kWdc's that building can handle and also evaluates the path of the sun throughout the year and indicates that will interfere with the collection of solar energy. Councilman Heinrich noted that his biggest concern is who is responsible for insuring the solar panels in the event they are destroyed in a storm which is something to look closely at along with the cost factors. Mayor McDonald added that the next step is to meet with the school board along with their engineer and move forward from there.

Resolution #172-2015 Dedication by Rider Resolution – Senior Activities

RESOLUTION #172-2015

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR SENIOR ACTIVITIES PURPOSES

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A.:4-39 states in the budget of any local unit, dedicated revenues anticipate during the fiscal year from any dog tax, dog license, solid fuel license, sinking fund for term bonds, bequests, federal grant, motor vehicle fine dedicated

to road repairs, relocation costs deposited into a revolving relocation assistance fund established pursuant to section 2 of P.L. 1987, c98 (C. 20:4-4.1a) and, subject to the prior written consent of the director, other items of like character when the revenue is not subject to reasonably accurate estimate in advance, may be included in said budget by annexing to said budget a statement in substantially the following form:

WHEREAS, “The dedicated revenues anticipated during the year 2015 from Senior Servicing are hereby anticipated as revenue and are hereby appropriated for the purposes to which said revenue is dedicated by statute or other legal requirements.”

WHEREAS, N.J.S.A.40A:5-29 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the Borough of Washington, County of Warren, New Jersey as follows:

1. The Borough Council does hereby request permission of the Director or the Division of Local Government Services to pay expenditures under the provision of N.J.S.A.40A:5-29, for the exclusive purpose of senior’s recreation programs.
2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Resolution #172-2015 was moved on a motion made by Conry, seconded by Thompson and approved.

Council Discussion:

Councilwoman Noone asked for further explanation. Manager Blanchard replied that a Dedication by Rider or Chapter 159 is what the State of New Jersey uses for municipalities to establish a trust fund in order to allow the Senior Services Committee to have a trust fund to hold the money to utilize for their programs.

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

Ayes: 7 Nays: 0

Motion Carried

Resolution #173-2015 Redemption of a Tax Sale Certificate

RESOLUTION #173-2015

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 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 Shemenski, Chad & Denise as supposed owners, and in said assessment and sale were described as 353 North Prospect Street, Block 2 Lot 7, which sale was evidenced by Certificate #14-00001; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 10-20-15 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 \$1,413.03 which is the amount necessary to redeem Tax Sale Certificate #14-00001.

NOW THEREFORE BE IT RESOLVED, on this 4 day of November, 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 **\$2,613.03** (This amount consists of \$1,413.03 Certificate Amount redeemed + \$1,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 2 Lot 7 from the tax office records.

Resolution #174-2015 Redemption of a Tax Sale Certificate

RESOLUTION #174-2015

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 Stuart Lasher, PO Box 83, Milltown, NJ 08850, in the amount of \$704.32 for taxes or other municipal liens assessed for the year 2013 in the name of Said, Zahra & Nyamweya, Joshua as supposed owners, and in said assessment and sale were described as 32

Presidential Drive Block 71 Lot 8, which sale was evidenced by Certificate #14-00041; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 10-26-15 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 Stuart Lasher by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$2,377.81 which is the amount necessary to redeem Tax Sale Certificate #14-00041.

NOW THEREFORE BE IT RESOLVED, on this 4 day of November, 2015 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Stuart Lasher, PO Box 83, Milltown, NJ 08850 in the amount of **\$3,677.81** (This amount consists of \$2,377.81 Certificate Amount redeemed + \$1,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 71 Lot 8 from the tax office records.

Resolution #175-2015 Redemption of a Tax Sale Certificate

RESOLUTION #175-2015

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 \$694.86 for taxes or other municipal liens assessed for the year 2013 in the name of Fletcher, Thomas & Toni as supposed owners, and in said assessment and sale were described as 31 North Pickel Avenue, Block 39 Lot 1, which sale was evidenced by Certificate #14-00028; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 10-26-15 and before the right to redeem was cut off, as provided by law, Wells Fargo 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 \$1,764.00 which is the amount necessary to redeem Tax Sale Certificate #14-00028.

NOW THEREFORE BE IT RESOLVED, on this 4th day of November, 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 **\$2,864.00** (This amount consists of \$1,764.00 Certificate Amount redeemed + \$1,100.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 39 Lot 1 from the tax office records.

Resolution #176-2015 Redemption of a Tax Sale Certificate

RESOLUTION #176-2015

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 October 25, 2012 to FWDSL & Associates LP, 5 Cold Hill Rd S Ste:11, Mendham, NJ 07945, in the amount of \$3,265.09 for taxes or other municipal liens assessed for the year 2011 in the name of Washington Venture Inv. as supposed owners, and in said assessment and sale were described as ELRR - South, Block 97 Lot 1, which sale was evidenced by Certificate #12-00054; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 10-28-15 and before the right to redeem was cut off, as provided by law, Surety Title Company 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 \$31,393.49 which is the amount necessary to redeem Tax Sale Certificate #12-00054.

NOW THEREFORE BE IT RESOLVED, on this 4th day of November, 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 **\$31,393.49**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 97 Lot 1 from the tax office records.

Resolution #173-2015, #174-2015, #175-2015 and #176-2015 were moved on a motion made by Conry, seconded by Higgins and approved.

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

Ayes: 7 Nays: 0
Motion Carried

Resolution #177-2015 Resolution Authorizing an Assignment of Tax Sale Certificate

RESOLUTION #177-2015

RESOLUTION AUTHORIZING ASSIGNMENT

WHEREAS, N.J.S.A. 54:5-113 authorizes assignment by a municipality of tax sale certificates for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and,

WHEREAS, Old Republic National Title Insurance Company has presented an offer to purchase, by assignment, Certificate of # 85-00071 which was issued to the Municipality of Washington Borough at a tax sale held October 04, 1985, on Block 46, Lot 14.01, known as Myrtle Avenue, Washington Borough, NJ, and assessed to Owner Unknown, in the amount of \$11,920.26, being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington hereby authorizes the Mayor and Municipal Clerk to execute the necessary assignment document to effect assignment of the above-referenced Certificate of Sale.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector.

Resolution #177-2015 was moved on a motion made by Noone, seconded by Conry and approved.

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

Ayes: 7 Nays: 0
Motion Carried

Resolution #178-2015 Cancel 2015 Taxes due to Veteran Exempt Status

RESOLUTION #178-2015

A RESOLUTION TO CANCEL 2015 TAXES DUE TO VETERAN EXEMPT STATUS

WHEREAS, the Tax Collector has received an approved application for a 100% Permanent and Total Disabled Veteran from the Tax Assessor for Block 73.01 Lot 24; located at 83 Washington Squire Circle and in the name of Dewey Blake Jr; and

WHEREAS, the Tax Assessor has advised the Tax Collector that the application for the exemption was received and approved with an effective date of August 1, 2015; and

WHEREAS, the tax exemption does not show in the 2015 Tax Duplicate but the tax exemption is in effect per the Tax Assessor.

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 Tax Collector is authorized to cancel the 2015 prorated Real Estate Property Taxes due to the exempt status in the amount of \$3,324.91.

Resolution #178-2015 was moved on a motion made by Conry, seconded by Heinrich and approved.

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

Ayes: 7 Nays: 0
Motion Carried

Resolution #180-2015 Cancel Receivables Balances and Corresponding Reserve Balances for Various Grant Receivables and Appropriated Reserves

RESOLUTION #180-2015

TO CANCEL RECEIVABLE BALANCES AND CORRESPONDING RESERVE BALANCES FOR VARIOUS GRANT RECEIVABLES AND APPROPRIATED RESERVES

WHEREAS, various receivable balances and appropriated reserves from the State of New Jersey which remains on the Grant Fund balance sheet have expired, and

WHEREAS, it is necessary to formally cancel the receivable balance and appropriated reserve balance, and

WHEREAS, this action is recommended by the township auditor;

NOW, THEREFORE, BE IT RESOLVED that the following grant receivable and appropriation reserve balances be cancelled:

	Appropriations	Receivable
Municipal Alliance	11,728.46	15,244.89
Total	11,728.46	15,244.89

Resolution #180-2015 was moved on a motion made by Conry, seconded by Thompson and approved.

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

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$842,805.24

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

Roll Call: Noone, Heinrich, Higgins, McDonald, Thompson,
Klimko, Conry
Ayes: 7, Nays: 0
Abstain: (1) Thompson (Fire & EMS only)
Motion Carried.

RECAP:

Manager Blanchard will schedule a Shared Services Committee meeting with Washington Township for November 9th at 4:00 p.m. and schedule EMEX for a Council Appearance at the December 1st meeting.

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 Conry, seconded by Heinrich to enter into Executive Session.

Ayes: 7 Nays: 0
Motion Carried

RESOLUTION # 196-2015

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 Thompson, to go out of Executive Session.

Ayes: 7, Nays: 0
Motion Carried

COUNCIL REMARKS:

Councilman Higgins noted that the Borough had a good and safe Halloween with the trick or treater's and reminded everyone that Wednesday, November 11th is Veteran's Day.

Councilman Thompson noted that a few cars on Carlton Avenue were vandalized with spray paint. Councilman Thompson requested that when the contractor's are paving the roads, can they place signs alerting residents and motorists that the road is being milled. Councilman Higgins replied that he will address that issue with Mr. Dawson Bloom tomorrow. Councilman Higgins added that if any residents complain about their curbs being damaged in the paving process to refer them to Manager Blanchard so she can determine if they were damaged by the Borough's contracted paving or the New Jersey American Water's contracted paving. Manager Blanchard replied that she will contact Kevin Smith at Finelli Engineering with any complaints.

Mayor McDonald commented that the Borough received two complaints about the duration of the Halloween hours being too long and too many trick or treater's. Council agreed that the Halloween hours should be three hours from 4:00 p.m. to 7:00 p.m.

ADJOURNMENT:

Hearing no further business, a motion was made by Higgins, seconded by Heinrich to adjourn the meeting at 7:50 p.m.

Ayes: 7, Nays: 0
Motion Carried

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk