

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – December 15, 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: Klimko, Noone, Heinrich, Thompson, Conry, McDonald,
Higgins

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

PROCLAMATION:

*PROCLAMATION
OF THE
BOROUGH OF WASHINGTON*

WHEREAS, Donald Henry began employment with the Borough of Washington as Equipment Operator in 1985 with the Department of Public Works, and was promoted to Assistant Supervisor of Public Works in 1999; and

WHEREAS, Donald Henry has served the Borough of Washington with skill, dedication and commitment above and beyond the expectations of the community; and

WHEREAS, Donald Henry has retired after 30 years of service to the Borough of Washington on December 31, 2015; and

WHEREAS, Donald Henry will always be remembered by his fellow workers for his dedication, willingness to help others and for his drive and focus during his 30 years of service; and

WHEREAS, the Mayor, on behalf of the entire Council of the Borough of Washington, desires to express the appreciation of the entire community to Donald Henry for his many years of service to the Department of Public Works of the Borough of Washington

NOW, THEREFORE, BE IT PROCLAIMED by Scott McDonald, the Mayor of the Borough of Washington, in the County of Warren, State of New Jersey that the heartfelt appreciation of the Mayor and Council of the Borough of Washington and all its inhabitants are hereby expressed to Donald Henry for the years of public service to the Borough of Washington.

BE IT FURTHER PROCLAIMED that this Proclamation be duly embossed, signed by the Mayor, publicly presented to Donald Henry on December 15, 2015, and forever recorded in the official records of the Borough of Washington as an everlasting tribute to Donald Henry by an appreciative and thankful community.

COUNCIL APPEARANCE:

Washington Borough Recreation – Presented by Victor Cioni, Recreation Chairman

Chairman Cioni presented Council with a state of Recreation affairs for the past twelve months. Chairman Cioni highlighted that the new children’s Splash Pad was a huge success and was very well received by the community. Chairman Cioni thanked Veolia Water for taking care of the water pipe replacement which saved time and money for Recreation. Chairman Cioni added that the online ACH payments for recreation sports and activities continue to be a huge efficiency for Recreation as well as active parents. Chairman Cioni stated that new wireless cameras are to be installed at Borough Park that will secure the park and be linked to the Washington Township Police Department and their smart phones. Chairman Cioni also stated that the Borough 5k race did not have as many runners as they would have liked considering the weather was favorable. However, the event was profitable and Recreation donated half of their proceeds to the Evan Murray scholarship fund. Chairman Cioni added that most of the Recreation programs are consistently gaining in popularity every year. Another recent accomplishment was the purchase and installation of a custom pool cover which will enable Recreation to have a much easier and faster spring cleanup of the pool. Chairman Cioni added that new posts and netting were installed at Borough Park which could potentially promote existing programs as well as recruit new programs such as baseball now that the nets are in place. Chairman Cioni expressed concern relating to the pool and snack bar increase in salaries to attract and retain quality workers. Pool memberships and daily rates have

remained flat even when salaries, food costs and other items have consistently gone up each year. Recreation may need to think about raising pool memberships and daily rates in the next couple of years to remain self sustaining. Chairman Cioni highlighted the success of many of Recreation's programs such as aqua Zumba, the summer tennis clinic, and the Little Hoopsters basketball clinic. Chairman Cioni listed a few unexpected expenditures that were mainly plumbing and electrical repairs. Chairman Cioni added that the Recreation Commission would like to potentially work on adding new programs for 2016 such as Music in the Park or a Micro Brew Festival in the Park. Chairman Cioni thanked all of the donors, volunteers, Washington BID, Kathy Halpin from the Shade Tree Commission, Washington Borough Rotary, Kevin Shoudt from Veolia Water, ACF Landscaping, and the Washington Animal Hospital. Chairman Cioni addressed questions from Council including why the 5k was moved to Meadow Breeze Park. Chairman Cioni replied that he did not have access to enough volunteers to make it work safely in the Borough. Volunteers would need to notify all the effected residents of the road closures, hang no parking signs along the entire route, and to secure the barricades needed at each side street and alley way. Mayor McDonald thanked Chairman Cioni and added that he has done a wonderful job as Chairman for the Recreation Commission.

Washington Borough Business Improvement District – Presented by John Montaverde, BID Director

Mr. Montaverde provided Council with an updated events calendar for 2016. Mr. Montaverde stated that for 2015 the BID held many successful events including BID Goodnight the first Tuesday of every month which has turned out to be a fabulous networking event which averages about fifteen to twenty people. Other events include the Lunch N' Learn which is a topic driven event held the second Thursday of the month and a Halloween fundraising event called Night of the Living BID held at the Mediterranean Bistro. Mr. Montaverde added that there is a public relations & marketing section which lists who the BID advertised their events with such as newspapers and other print publications, multiple radio venues, cable TV and internet via social networking, online posting opportunities, and outlets such as NJ.com, Hunterdon Chamber Radio (podcasts), Inside Warren.com commercials, and the use of Google Words. Mr. Montaverde also stated that there some new businesses in town including a granite fabrication company called Take it for Granite and Colibri, owned by a fabric dying artist from Manhattan. Get a Grip on Main Street expanded their operation with a unique antique store in back and The Washington Theatre is in the process of possible changes to transform it into a cultural and arts center for the region. Mr. Montaverde added that the BID's total income and zero-based operating budget is \$236,080 for 2016. Mr. Montaverde is hopeful that the BID can replace the two sets of banners for the downtown area which are destroyed as well as looking into ways to obtain new planters for downtown as well.

Presentation of Codebook – Mrs. Jeanine Gleba

Mrs. Gleba stated that she wanted to provide a brief history of the codebook for the new Council Members. Mrs. Gleba added that the Codebook Committee began the massive project of going through every ordinance in 2010. In 2010, Mrs. Gleba had sent letters to all of the committees and department heads for their recommendations and it has been a work in progress since then. Mrs. Gleba added that one of the major revisions of the codebook falls under the nuisance ordinance. Mrs. Gleba stated that one of the reasons that the codebook has not been updated since 1974 is that it is very costly; therefore a one-time revision of the codebook is recommended which is more cost effective. This allows the Council to make all desired changes to the codebook at once. Mrs. Gleba added that the funds for this project have already been encumbered. Mrs. Gleba stated that these recommendations are actually part three of the Codification of the Codebook, over the years she along with former Councilman Torres discussed two other presentations with Council that were approved by the governing body. Mrs. Gleba provided Council with an overview of the recommended changes to each ordinance and title that are to be considered. These recommendations have been prepared on the basis of a critique of the Borough's existing legislation, including a comparison with statutory provisions in order to bring consistency and order to the general body of the Borough's laws. Mrs. Gleba would like to appear before Council again in January once the governing body and the municipal attorney have had time to review the proposed changes. Mrs. Gleba also asked for someone from Council to come on to the Codebook Committee to assist with the final revisions that need to be done. Councilwoman Noone volunteered to assist Mrs. Gleba and join the committee.

AUDIENCE:

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

Mrs. Edna Detlaf – Fisher Avenue

Mrs. Detlaf asked if the Borough of Washington is going to have any money returned in regards to the problem with the D.P.W. garage. Mayor McDonald replied that all of the depositions and hearings are completed. Mayor McDonald added that the Borough is waiting on the judge and is hopeful to hear the outcome sometime in 2016.

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

Ayes: 7, Nays: 0
Motion Carried

REPORTS:

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

1. Code Enforcement Report - November
2. Municipal Court Report – November

Ayes: 7, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Sewer Committee

Manager Blanchard stated that she has received an update from Municipal Engineer Dawson Bloom regarding the Gardener’s Court sewer replacement and the force main. Manager Blanchard added that Mr. Bloom has submitted all of the T.W.A. paperwork with the E.P.A. for the force main and is now under review. The Borough has received three quotes for the work to be done on Gardener’s Court and South Prospect. Manager Blanchard stated that the agreement has been forwarded to herself, Mr. Bloom as well as Attorney Leslie Parikh for review and hopes to have it on the agenda for the first meeting in January if not sooner.

NEW BUSINESS:

Amendment to the Shared Services Agreement for the Library

A motion made by Noone, seconded by Heinrich to approve the amendment to the Shared Services Agreement for the Library.

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

Resolution #200-2015 Redemption of a Tax Sale Certificate

RESOLUTION #200-2015

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, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$704.32 for taxes or other municipal liens assessed for the year 2013 in the name of Deemer, Virgil Jr. & Melanie as supposed owners, and in said assessment and sale were described as 65 School St., Block 28 Lot 5, which sale was evidenced by Certificate #14-00023; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 12-2-15 and before the right to redeem was cut off, as provided by law, Corelogic Tax Service claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$13,580.01 which is the amount necessary to redeem Tax Sale Certificate #14-00023.

NOW THEREFORE BE IT RESOLVED, on this 15th day of December, 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, 17 W. Cliff St., Somerville, NJ 08876 in the amount of **\$27,880.01** (This consists of \$13,580.01 Certificate Amount redeemed + \$14,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 28 Lot 5 from the tax office records.

Resolution #201-2015 Redemption of a Tax Sale Certificate

RESOLUTION #201-2015

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, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$6,347.10 for taxes or other municipal liens assessed for the year 2013 in the name of TLR-V, LLC as supposed owners, and in said assessment and sale were described as 24 W. Stewart St., Block 21.01 Lot 4.02, which sale was evidenced by Certificate #14-00021; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 12-4-15 and before the right to redeem was cut off, as provided by law, Attorney Robert Stiles 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 \$23,335.99 which is the amount necessary to redeem Tax Sale Certificate #14-00021.

NOW THEREFORE BE IT RESOLVED, on this 15th day of December, 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, 17 W. Cliff St., Somerville, NJ 08876 in the amount of **\$38,335.99** (This consists of \$23,335.99 Certificate Amount redeemed + \$15,000.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 21.01 Lot 4.02 from the tax office records.

Resolution #202-2015 Refund Overpayment on 2015 Real Estate Taxes

RESOLUTION #202-2015

RESOLUTION TO REFUND OVERPAYMENT ON 2015 REAL ESTATE TAXES

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$1,333.40 on 2015 3rd Quarter Regular Taxes on property located at 83 Washington Square Circle, also known as Block 73.01 Lot 24, and in the name of Blake Jr., Dewey L.; and

WHEREAS, Mr. Blake had been granted the Veteran's Tax Exempt Status in September 2015 and the 3rd Quarter Regular Taxes in 2015 were previously paid; and

WHEREAS, the Tax Collector has been resolving the matter of tax overpayments and has received a written request from Mr. Blake 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 \$1,333.40 payable to:

Dewey L. Blake Jr.
83 Washington Square Circle
Washington, NJ 07882

Resolutions #200-2015, #201-2015, and #202-2015 were moved on a motion made by Conry, seconded by Higgins and approved.

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

Ayes: 7, Nays: 0

Motion Carried

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$354,914.94

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

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

Ayes: 7, Nays: 0

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

Motion Carried

RECAP:

Manager Blanchard will review the Gardeners Court agreement with the attorney and the engineer. Manager Blanchard will also send out all previous presentations from the Codebook Committee and bring Councilwoman Noone up to speed.

COUNCIL REMARKS:

Councilman Heinrich wished everyone a Merry Christmas and a Happy New Year.

Councilwoman Noone thanked Mrs. Gleba for her hard work on the Codebook and she is looking forward to working with her.

Councilwoman Conry wished everyone a Merry Christmas, Happy Hanukkah and a Happy New Year.

Councilman Higgins wished everyone a Merry Christmas. Councilman Higgins stated that there are at least nine street lights out downtown. Manager Blanchard stated that JCP&L is working to repair the lights.

Councilwoman Klimko asked if there has been an update on getting the Krauszer's property cleaned up. Manager Blanchard replied that the person who owns the building has failed to show up to court several times. Manager Blanchard will speak to the owner personally to get the property cleaned up. Councilman Higgins added that there has been a car parked in front of Krauszer's with a for sale sign that hasn't moved in days or even weeks. Manager Blanchard will reach out to Deputy Chief Cicerelle and make him aware of the vehicle. Councilwoman Klimko wished everyone a Merry Christmas and a Happy New Year.

Councilman Thompson wished everyone a Merry Christmas and a Happy New Year.

Mayor McDonald stated that the Christmas tree lighting was very well attended and thanked Councilwomen Noone and Klimko for attending. Mayor McDonald added that the Washington Township Police Department was there and their presence was well known and a good time was had by all who attended.

EXECUTIVE SESSION:

At this time, Mayor McDonald stated that an Executive Session is needed. A motion was made by Higgins, seconded by Klimko to enter into Executive Session for contract and attorney privilege discussions.

Ayes: 7 Nays: 0
Motion Carried

RESOLUTION # 205-2015

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 Noone, to go out of Executive Session.

Ayes: 7, Nays: 0
Motion Carried

ADJOURNMENT:

Hearing no further business, a motion was made by Noone, seconded by Higgins to adjourn the meeting at 8:30 p.m.

Ayes: 5, Nays: 0
Motion Carried

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk