

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – February 2, 2016**

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, Conry, McDonald, Higgins,  
Thompson

Also Present: Kristine Blanchard, RMC Borough Manager/Clerk

**MINUTES:**

**Regular Meeting Minutes December 15, 2015**

Motion made by Noone, seconded by Conry to approve the Regular Meeting minutes of December 15, 2015.

Ayes: 7, Nays: 0  
Motion Carried

**COUNCIL APPEARANCE:**

Ms. Ashley Shiwarski - National League of Cities, Utility Service Partners, Inc.

Ms. Shiwarski stated that Utility Service Partners service line program is the only program endorsed by the National League of Cities and has an A+ rating with the Better Business Bureau. The National League of Cities recognized the growing problem of aging infrastructure and the dire need to find a solution for the cities and the residents. Ms. Shiwarski added that Utility Service Partners and the National League of Cities created the NLC Service Line Warranty Program to help city residents save money, ease the frustration over utility line failures and introduce a new service offering to the community. Ms. Shiwarski stated that their program provides homeowners protection on

their external water lines, external sewer lines, as well as in-home plumbing lines. Utility Service Partners handles all aspects of the program such as marketing, billing, claims management, and customer service at no cost to the municipality for participating and would even receive an incremental revenue stream. Many homeowners believe the Borough is responsible for maintenance of the water and sewer lines on their property or that repairs are covered by their homeowner's policy which is not the case. For just a few dollars a month residents are able to transfer the risk of their lines on to the Utility Service Partners. The program features generous coverage amounts, and there is never a service fee or deductible. There are no annual or lifetime limits, just peace of mind for the homeowner. Ms. Shiwarski addressed many questions from Council concerning the benefits of the program. Councilman Higgins asked Ms. Shiwarski to forward the agreement to Municipal Attorney Parikh for her review before making a decision whether the governing body should move forward or not.

### **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 thanked Councilwoman Klimko, the Washington Borough Fire Department, the Department of Public Works and Sunshine Tree and Landscape Co. for their help with the Christmas tree lighting. Mr. Montaverde presented Council with the Washington BID's new schedule of events for 2016 which run from February through December. Mr. Montaverde highlighted that BID has now added "Sweets" to the Arts & Craft Beer Festival on Saturday, April 23<sup>rd</sup>. Mr. Montaverde also stated that the BID is adding trucks and any other motorized vehicle to the Car Show which is held on Saturday, June 18<sup>th</sup>. Mr. Montaverde added that the BID is having a big Valentine's Day push in the "Support Our Troops with Care Packages" effort. Care package items can be dropped off with participating local businesses. Mr. Montaverde also showed Council a sample of the Washington BID Business Directory sign that he is working on which will list each business in the Borough and will be located in the pocket park.

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

Ayes: 7, Nays: 0  
Motion Carried

### **REPORTS:**

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

1. Road Department Report – November
2. Road Department Report – December
3. Road Department Report – January

Ayes: 7, Nays: 0  
Motion Carried

### **COUNCIL COMMITTEE REPORTS:**

#### **Sewer Committee**

Councilman Higgins stated that the Sewer Committee discussed the South Prospect Street sewer project and that Manager Blanchard has forwarded the amendment to the Borough's contractor for their signature so they can move forward. Councilman Higgins added that there is an issue regarding hedges that have to be removed between the two driveways for the purpose of exploratory digging. The project will be completed in two stages. Councilman Higgins explained that the first stage is to replace the main sewer line that goes straight down Gardeners Court and the second stage is the pump station. The Sewer Committee also discussed the contract extension with Veolia Water which the Borough is in the second year of a five year contract. Councilman Higgins discussed the fact that a decision will have to be made that either the Borough takes back control of the sewer plant or go out to for proposals for someone else to continue the operations. Councilman Higgins added that Mr. Frank Mangravitti, who was a project manager when the sewer plant was built, knows the contract very well and may know how long before the contract expires would the equipment need to be inspected and how long does Veolia have to replace it. Councilman Heinrich added that the affluent numbers of the water being treated need to be looked at which identifies how the equipment is working.

#### **Streets Committee**

Councilman Higgins stated that he received an email from a resident who lives in the section of West Warren Street that has not been paved. Councilman Higgins drove through that section of West Warren Street and agrees that it is in need of repair and Municipal Engineer, Mr. Dawson Bloom said that it could be milled and paved. West Warren Street will be added to the list for the Streets Committee to review once the budget for street paving has been determined. Councilman Higgins also stated that the Streets Committee discussed the issues on O'Shea Street that are causing a resident's

garage to flood. Councilman Higgins also discussed the mid block crossing and that the estimate of the changes to that area is about \$65,000 and the plans are currently at the Department of Transportation for their review.

### **Codebook Committee**

Councilwoman Noone stated that she has met with former Councilwoman Jeanine Gleba and they have sent their draft of the nuisance ordinance to Manager Blanchard and Attorney Parikh for their review. Councilwoman Noone added that Mrs. Gleba will present the ordinance to Council once the ordinance is reviewed by Attorney Parikh.

### **Route 57 Scenic Byway Committee**

Councilwoman Noone stated that the Route 57 Scenic Byway Committee asked if the Borough would be willing to approve John Montaverde as an alternate representative for the Borough since the committee is having trouble getting enough members to the meetings for a quorum.

A motion made by Noone, seconded by Conry to approve John Montaverde as a representative from the Borough of Washington to the Route 57 Scenic Byway Committee. Councilman Higgins replied that the Borough may not be able to have other people besides Council Members voting on the Borough's behalf. Councilwoman Noone withdrew her motion to allow Attorney Parikh to look into the feasibility of allowing Mr. Montaverde to represent the Borough of Washington.

Councilwoman Noone also stated that she was given a citizen's request asking if grilling was permitted inside the community garden near the Washington Garden Apartments. Manager Blanchard would like to check with the Risk Manager before committing to an answer.

### **NEW BUSINESS:**

#### **Resolution #37-2016 Redemption of a Tax Certificate**

#### **RESOLUTION #37-2016**

#### **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 \$704.28 for taxes or other municipal liens assessed for the year 2013 in the name of Odeyemi, Olaniran Charles as supposed owner, and in said assessment and sale were described as 19 Washington Square Circle, Block 73.01 Lot 10, which sale was evidenced by certificate #14-00044; and

**WHEREAS**, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-21-16 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 \$3,796.36 which is the amount necessary to redeem Tax Sale Certificate #14-00044.

**NOW THEREFORE BE IT RESOLVED**, on this 2nd day of February, 2016 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 **\$5,096.36** (This consists of \$3,796.36 Certificate Amount redeemed + \$1,300.00 Premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 73.01 Lot 10 from the tax office records.

#### **Resolution #38-2016 Redemption of a Tax Certificate**

#### **RESOLUTION #38-2016**

#### **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 16, 2015 to US Bank Cust for BV001 Trust, 50 South 16<sup>th</sup> St. Suite 2050, Philadelphia, PA 19102-2513, in the amount of \$6,046.19 for taxes or other municipal liens assessed for the year 2014 in the name of Benedict, Christopher J. & Donna M. as supposed owners, and in said assessment and sale were described as 31 Prosper Way, Block 59 Lot 3, which sale was evidenced by Certificate #15-00030; and

**WHEREAS**, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-27-16 and before the right to redeem was cut off, as provided by law, Donna Benedict claiming to have an interest in said lands, did redeem said lands claimed by US Bank

Cust for BV001 Trust, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$17,263.43 which is the amount necessary to redeem Tax Sale Certificate #15-00030.

**NOW THEREFORE BE IT RESOLVED**, on this 2nd day of February, 2016 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 BV001Trust, 50 South 16<sup>th</sup> St. Suite 2050, Philadelphia, PA 19102-2513, in the amount of **\$44,863.43** (This amount consists of \$17,263.43 Certificate Amount redeemed + \$27,600.00 Premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 59 Lot 3 from the tax office records.

Resolutions #37-2016 and #38-2016 were moved on a motion made by Conry, seconded by Thompson and approved.

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

Ayes: 7, Nays: 0

Motion Carried

**Resolution #39A-2016 Resolution Supporting a Grant for Sustainable Jersey Grant Application**

**RESOLUTION #39A-2016**

**RESOLUTION OF SUPPORT FROM LOCAL GOVERNING BODY  
AUTHORIZING THE SUSTAINABLE JERSEY GRANT APPLICATION**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the Borough of Washington strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

**WHEREAS**, the Borough of Washington is participating in the Sustainable Jersey Program; and

**WHEREAS**, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

**THEREFORE**, the Borough of Washington Governing Body has determined that Borough of Washington should apply for the aforementioned Grant.

**THEREFORE, BE IT RESOLVED**, that Governing Body of the Borough of Washington in the State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

Resolution #39-2016 was moved on a motion made by Conry, seconded by Thompson and approved.

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

Ayes: 7, Nays: 0

Motion Carried

**Approval of Special ABC Permit for St. Joseph's Catholic Church – Irish Night  
March 19, 2016**

**Application for Raffle St. Joseph's Church Irish Night – March 19, 2016**

**Application for 50/50 Raffle St. Joseph's Church Irish Night – March 19, 2016**

Approval of the Special ABC Permit, Raffle Application, and 50/50 Raffle Application all for St. Joseph's Church Irish Night on March 19, 2016 were moved on a motion made by Heinrich, seconded by Noone and approved.

Ayes: 7, Nays: 0

Motion Carried

**VOUCHERS:**

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$1,424,129.83.

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

Council Discussion:

Councilman Higgins asked if the charges for capital improvements at the bottom of page nine were charged to last year's budget or this year's budget. Manager Blanchard replied that the charges were to last year's budget.

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

Ayes: 7, Nays: 0

Motion Carried

**RECAP:**

Manager Blanchard will reach out to Frank Hadley in regards to the fire hydrants per discussion with Councilman Higgins. Manager Blanchard will forward the agreement from Utility Service Partners, Inc. to Attorney Parikh for her review. Manager Blanchard that she will obtain updated reports from the Sewer Department and contact Frank Mangravitti to see if he would like to make a Council Appearance. Manager Blanchard will check with CFO Turchan in regards to the Sewer Plant's Self-Liquidating status. CFO Turchan will have a full foreclosed properties list to Manager Blanchard by Friday. Manager Blanchard added that 149 North Lincoln Avenue is foreclosed and the deed has been recorded at the county level. Manager Blanchard will obtain a quote for the demolition of 149 North Lincoln Avenue. Manager Blanchard will prepare a legislative letter to the Department of Transportation in regards to the down town cross walk. Manager Blanchard will also send out Chapter 94 in regards to the Route 57 Scenic Byway Committee to all of the professionals involved in reviewing it and Manager Blanchard will contact the Risk Manager about grilling on Borough property.

**COUNCIL REMARKS:**

Mayor McDonald read the following letter from Charles F. Wright into the record:

“Mayor and Council Members,

There are not enough words to express my sincere gratitude to the governing body of the Borough of Washington for presenting me with a proclamation recognizing my sixty years of service to the community and surrounding area. The naming of the street between the fire station and the emergency squad building was the best that anyone could have picked. It has been a very fantastic, exciting, learning, gratifying experience. We join the fire service to protect life and property. It has been said that the paid career firefighters are professionals but I say the volunteers are just as professional. The



training required in the State of New Jersey is the same for the paid or volunteer fire service. Again, thank you and I am very fortunate to be a member of Company #2 of the Washington Borough Fire Department, Borough of Washington, Warren County, New Jersey. It has been my pleasure to serve my community, my friends, my neighbors, and my family.

Sincerely,  
Charles F. Wright”

Councilman Higgins would like to hold a Shared Services Committee meeting and will get back to the committee with a date. The meeting had been previously canceled due to a holiday and needs to be rescheduled.

Councilman Heinrich asked Manager Blanchard to remove the Senior’s Sock Hop date from the information board in front of Borough Hall and replace it with the Sands trip in April. Councilman Heinrich asked about the LED lighting presentation. Manager Blanchard replied that they canceled and are now scheduled to appear before Council at the first meeting in March.

**EXECUTIVE SESSION:**

At this time, Mayor McDonald stated that an Executive Session is needed. A motion was made by Higgins, seconded by Conry to enter into Executive Session for contract and litigation after a ten minute recess.

Ayes: 7 Nays: 0  
Motion Carried

**RESOLUTION # 50-2016**

**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 Noone, 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 Heinrich, seconded by Noone to adjourn the meeting at 8:45 p.m.

Ayes: 7, Nays: 0  
Motion Carried

\_\_\_\_\_  
Mayor Scott McDonald

\_\_\_\_\_  
Kristine Blanchard, RMC Borough Clerk