

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES -May 02, 2017

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.

Roll Call: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle

Also Present: Matt Hall, Manager
Laurie Barton, Borough Clerk

Mayor Higgins led everyone in the flag salute.

Mayor Higgins 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.”

COUNCIL APPEARANCE:

Rabbi, Joe Kresefsky gave the Council Blessing.

Mayor Higgins observed a moment of silence for former Committee Woman, Eve Marks who passed away on Monday.

MINUTES: **Regular Meeting April 18, 2017**
 Executive Session Minutes April 18, 2017 (Proof for content only)

Motion made by Heinrich, seconded by Thompson to approve the regular and executive session minutes of April 18, 2017.

Ayes: 7; Nays: 0; Abstain: 0
Motion Carried.

AUDIENCE:

Grace Gleba and Victoria Burd, Warren Hills High School

Ms. Gleba and Ms. Burd, representing Warren Hills High School, requested permission to hang purple ribbons and balloons next week in honor of Relay for Life through the American Cancer Society. It will be held on the track at the high school on May 20th at 10:00 am.

Motion made by Heinrich, seconded by Valle, to allow the ribbons and balloons.

Ayes: 7, Nays: 0
Motion Carried.

John Monteverde – BID Executive Director

Mr. Monteverde gave a report on the food event that was held on Saturday April 28, 2017. The event went very well and streets were full of food vendors.

The winery had two booths set up, one for tasting and the other for purchase. People were here all day long up and down Main Street.

Rev. Terrilisa Bauknight – Vice President Library

Rev. Bauknight gave a report outlining updates concerning the library. The landscaping has been completed, shed is fixed and the audit is complete. The library is two seats shy of a full board.

The audit report revealed that \$16,000 in fines and fees have been uncollected for the past five to six years. A lot of library material was not returned, with some being recent. A process will begin soon on how to resolve it.

Ethel Conry – Youmans Ave.

Ms. Conry thanked the Mayor for contributing to the NAACP, and stated it was a nice event. Ms. Conry asked if there was any update on signs.

Mayor Higgins explained the possibility in the delay of the signs due to the new state gas tax.

Ms. Conry also inquired about Railroad Avenue and added that the garbage still sits and has high grass and bushes.

Herna Valverde -Cupcakery

Mr. Valverde expressed his concerns about on-street parking. Mr. Valverde inquired if there was consideration of allowing public parking on the property where Mr. Rice is redeveloping.

Motion made by Thompson seconded by Valle, to close the audience portion of the meeting.

Ayes: 7, Nays: 0
Motion Carried

REPORTS:

Motion was made by Heinrich, seconded by Thompson to receive with the addition of the Fire Prevention report and file the following reports:

1. Washington Township Police Department – Press Release of April 19, 2017
2. Washington Township Police Department – Press Release of April 24, 2017
3. Washington Township Police Department – Monthly Report for March
4. Code Enforcement / Zoning – Monthly Report for March

Ayes: 7, Nays: 0
Motion Carried

Councilwoman Klimko referring to the code enforcement/zoning report-noted to call the Real Estate company about the vacant houses having garbage put curbside and stated to have them take care of it.

COMMITTEE REPORTS:

Sewer-Heinrich stated that the last report two months ago still stands with two projects. They are waiting on permits and for JCP&L to run electric. The dam is moving forward and also waiting on permits.

Mayor Higgins asked M. Hall to call Stan Praytor with JCP&L to move on them with the electric installation.

ORDINANCE:

Ordinance 2017-09 – Refunding Bond Ordinance Authorizing the Issuance of \$3,600,000 Refunding Bonds of the Borough of Washington in the County of Warren, New Jersey (Introduction)

Mayor Higgins entertained a motion to introduce Ordinance #2017-09.

Ordinance 2017-09 was introduced by Councilman Heinrich, seconded by Councilman Thompson.

Roll Call: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.

Ayes: 7, Nays: 0
Motion Carried

Ordinance 2017-09 was moved by Councilman Heinrich, seconded by Councilwoman Klimko to be introduced on first reading.

Roll Call: Heinrich, Higgins, Ones, Klimko Noone, Thompson and Valle.

Ayes: 7, Nays: 0
Motion Carried

Ordinance 2017-10 – An Ordinance Providing Funding for South Prospect Sewage Pump Station for the Borough of Washington Sewer Utility and Appropriating \$229,000 for Such Purpose. (Introduction)

Mayor Higgins entertained a motion to introduce Ordinance #2017-10.

Ordinance 2017-10 was introduced by Councilman Heinrich, seconded by Councilman Thompson.

Roll Call: Heinrich, Higgins, Ones, Klimko Noone, Thompson and Valle.

Ayes: 7, Nays: 0
Motion Carried

Ordinance 2017-10 was moved by Councilman Heinrich, seconded by Councilwoman Klimko to be introduced on first reading.

Roll Call: Heinrich, Higgins, Ones, Klimko Noone, Thompson and Valle.

Ayes: 7, Nays: 0
Motion Carried

Ordinance 2017-11 – Ordinance Authorizing the Execution of an Agreement with the Washington Business Improvement District for the Acquisition of a Pocket Park and for the Operations, Occupancy and Revenues with Respect to the Pocket Park, and Amending a Portion of Chapter 3, Article VIIIA and Chapter 64, Article I of the Code of the Borough of Washington. (Introduction)

Mayor Higgins entertained a motion to introduce Ordinance #2017-11.

Ordinance 2017-11 was introduced by Councilwoman Valle, seconded by Councilman Thompson.

Roll Call: Heinrich, Higgins, Ones, Klimko Noone, Thompson and Valle.

Ayes: 7, Nays: 0
Motion Carried

NEW BUSINESS

Resolutions 2017-109 through 114 were moved on a motion made by Valle and seconded by Noone and adopted.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION #109-2017

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 21, 2016 to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$1,409.90 for taxes or other municipal liens assessed for the year 2015 in the name of Castner, Scott A. & Debra R. as supposed owners, and in said assessment and sale were described as 40 S. Lincoln Ave., Block 95 Lot 27, which sale was evidenced by certificate #16-00070; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-20-17 and before the right to redeem was cut off, as provided by law, Safeguard Properties 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 \$2,843.56 which is the amount necessary to redeem Tax Sale Certificate #16-00070.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of May, 2017 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 **\$4,643.56** (This consists of \$2,843.56 Certificate Amount redeemed + \$1,800.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 95 Lot 27 from the tax office records.

RESOLUTION #110-2017

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 21, 2016 to FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$669.06 for taxes or other municipal liens assessed for the year 2015 in the name of Hidalgo, Mariela M. & Gualdo as supposed owners, and in said assessment and sale were described as 8 Nunn Ave., Block 97.02 Lot 11, which sale was evidenced by certificate

#16-00071; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-20-17 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 FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,366.85 which is the amount necessary to redeem Tax Sale Certificate #16-00071.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of May, 2017 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 **\$2,666.85** (This consists of \$1,366.85 Certificate Amount redeemed + \$1,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 97.02 Lot 11 from the tax office records.

RESOLUTION #111-2017

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 16th St. Suite 2050, Philadelphia, PA 19102-2513, in the amount of \$4,151.92 for taxes or other municipal liens assessed for the year 2014 in the name of Steele, Jaimes & Marguerite B. as supposed owners, and in said assessment and sale were described as 49 E. Church Street, Block 24 Lot 10, which sale was evidenced by Certificate #15-00011; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-20-17 and before the right to redeem was cut off, as provided by law, Rushmore Loan Management Service on behalf of Corelogic Tax Service 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 \$4,151.92 which is the amount necessary to redeem Tax Sale Certificate #15-00011.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of May, 2017 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 BV001 Trust, 50 South 16th St. Suite 2050, Philadelphia, PA 19102-2513, in the amount of **\$6,451.92** (This amount consists of \$4,151.92 Certificate Amount redeemed + \$2,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 10 from the tax office records.

RESOLUTION #112-2017

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 21, 2016 to US Bank Cust for Pro Capital 5 Sterling National, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$683.33 for taxes or other municipal liens assessed for the year 2015 in the name of Borton, James Estate of as supposed owner, and in said assessment and sale were described as 135-137 West Washington Avenue, Block 99 Lot 3, which sale was evidenced by Certificate #16-00081; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-26-17 and before the right to redeem was cut off, as provided by law, Chronos Solutions, LLC claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust for Pro Capital 5 by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$3,963.43 which is the amount necessary to redeem Tax Sale Certificate #16-00081.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of May, 2017 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 5 Sterling National, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$4,763.43** (This amount consists of \$3,963.43 Certificate Amount redeemed + \$800.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 99 Lot 3 from the tax office records.

RESOLUTION #113-2017

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 21, 2016 to JU Solo 401K Trust, 42 Huntington Rd, Basking Ridge, NJ 07920, in the amount of \$654.20 for taxes or other municipal liens assessed for the year 2015 in the name of Allen, James N. & Debbie supposed owners, and in said assessment and sale were described as 1 Hillcrest Ave., Block 86 Lot 2, which sale was evidenced by Certificate #16-00063; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-26-17 and before the right to redeem was cut off, as provided by law, Comerica Bank claiming to have an interest in said lands, did redeem said lands claimed by JU Solo 401K Trust by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,414.16 which is the amount necessary to redeem Tax Sale Certificate #16-00063.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of May, 2017 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to JU Solo 401K Trust, 42 Huntington Rd, Basking Ridge, NJ 07920 in the **amount of \$1,414.16**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 86 Lot 2 from the tax office records.

RESOLUTION #114-2017

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 21, 2016 to US Bank Cust for Pro Capital 5 Sterling National, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$336.09 for taxes or other municipal liens assessed for the year 2015 in the name of Borton, James Estate of as supposed owner, and in said assessment and sale were described as 15 West Johnston Street, Block 21.02 Lot 1, which sale was evidenced by Certificate #16-00029; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4-26-17 and before the right to redeem was cut off, as provided by law, Coldwell Bank claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust for Pro Capital 5 by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,027.20 which is the amount necessary to redeem Tax Sale Certificate #16-00029.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of May, 2017 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 5 Sterling National, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$1,927.20** (This amount consists of \$1,027.20 Certificate Amount redeemed + \$900.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 21.02 Lot 1 from the tax office records.

Resolution 2017-115 was moved on a motion made by Thompson and seconded by Valle and adopted.

Roll Call: Heinrich, Higgins, Jones, Klimko, Noone Thompson and Valle

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION #2017-115
A RESOLUTION AUTHORIZING THE RELEASE OF S. E. WINTER GRADING BONDS
FOR RYAN HOMES HELD IN TRUST BY THE BOROUGH OF WASHINGTON

WHEREAS, Ryan Homes has requested the following cash bonds to be released:

Bl. 73.02, Lots 45, 46, 47 & 48: \$10,000.00 (\$2,500.00 per lot)
Bl. 73.02, Lots 53, 54, 55 & 56: \$10,000.00 (\$2,500.00 per lot)

Total Cash Surety: \$20,000.00

WHEREAS, Suburban Consulting Engineers recommends the cash deposits in the amount of \$20,000.00 be released at this time from the Ryan Homes S.E. Winter Grading Bond Account #7760883376.

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 Municipal Treasurer is hereby authorized to issue a check to Ryan Homes for the Cash Surety in the amount of \$20,000.00.

Approval of Washington Borough PTO 50/50 Raffle and Tricky Tray (Pending Approval by the State) to be held May 12, 2017, was moved by Heinrich and seconded by Klimko.

Ayes: 7, Nays: 0
Motion Carried

VOUCHERS AND CLAIMS

Motion made by Heinrich seconded by Valle to pay the vouchers and claims in the amount of \$2,686,588.13.

Roll Call: Heinrich, Higgins, Jones, Klimko, Noone Thompson and Valle

Ayes: 7, Nays: 0
Abstention: Thompson abstains from any Fire and EMS bills.
Motion Carried

COUNCIL REMARKS

Councilwoman Klimko discussed the training of the crossing guards and stated that this needs to be moved on.

Councilwoman Klimko discussed the parking ordinance. M. Hall responded that he will incorporate into the existing ordinance.

Councilman Thompson inquired about the CLAP program, to have them paint the curbs within the Borough. Manager Hall stated that he will check with the DPW for their availability.

Councilwoman Valle spoke of the festival held on Saturday and added that there were a lot of people downtown and a lot of people she never seen.

Councilwoman Valle stated how disturbed she was to see that some areas were not cleaned up before the festival. The pocket park and Main Street could have had mulch and plants added.

Councilwoman Noone stated that the Green Team had the Youth Corp help with cleaning up the

parks on April 22nd.

Councilwoman added that she thought festival went great and was glad to see new vendors and stated that the NAACP dinner had the largest attendance. Councilwoman Noone recognized the police presence at the festival and added they were nice and friendly and it was nice to see.

Mayor Higgins reiterated the funeral services for former Committeewoman Marks.

Mayor Higgins brought to attention the Borough's 150th Anniversary that will occur next year.

The library will also celebrate their 105th Anniversary next year.

Mayor Higgins appointed the following committee for the 150th Anniversary celebration:

Klimko (Chair), Thompson and Noone.

EXECUTIVE SESSION

At this time, Mayor Higgins entertained a motion to enter executive session to discuss potential litigation, and contracts.

Motion made by Noone, seconded by Valle and adopted.

Roll Call: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle.

Ayes: 7, Nays: 0

Motion Carried

RESOLUTION **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: _____ 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.

Council re-entered regular session at 9:13 p.m.

Motion made by Heinrich and seconded by Klimko to re-enter regular session at 9:13 p.m. All were in favor.

Hearing no further business motion made by Thompson, seconded by Klimko to adjourn the meeting at 9:13 p.m., all were in favor.

Mayor Dave Higgins

Laurie A. Barton, RMC, Borough Clerk