

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES -July 5, 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 (*arrived at 7:46 p.m.*), Klimko, Noone, Valle.

Absent: Thompson

Also, Present: Matt Hall, Manager
Laurie Barton, Borough Clerk
Attorney, Leslie Parikh

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.”

Mayor Higgins requested to deviate from the agenda to address the Jackson Valley Block party request. Motion made by Heinrich and second by Noone to deviate from agenda.

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle
Ayes: 5, Nays: 0
Absent: 2 (Jones and Thompson)

Motion made by Heinrich and seconded by Noone to approve the request for the Jackson Valley Block party.

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle
Ayes: 5, Nays: 0
Absent: 2 (Jones and Thompson)

CORRESPONDENCES

West Warren Street Block Party-Update

Manager Hall stated that they are now only doing one single block and that everyone on street has been notified. Motion made by Klimko and seconded by Heinrich to approve the West Warren Street Block Party request.

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle
Ayes: 5, Nays: 0
Absent: 2 (Jones and Thompson)

MINUTES

Motion made by Heinrich and seconded by Klimko to approve the meeting minutes of April 4, 2017. Executive Session minutes of April 4, 2017 (proof for content only).

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle
Ayes: 5, Nays: 0
Absent: 2 (Jones and Thompson)

COUNCIL APPEARANCE

John Verrlli, Attorney for PPS Liquors stated he is here tonight with regard to the liquor license transfer on tonight's agenda.

Motion made by Klimko and seconded by Valle to temporarily close the audience portion and reopen when the Attorney arrives.

Ayes: 5 Nays: 0
Absent: 2(Jones and Thompson)
Motion Carried.

COMMITTEE REPORTS

Sewer: Heinrich stated the tree company came in and removed trees to facilitate the hole for electric to be installed regarding the South Prospect Street project. Work should be completed by next week.

Senior Advisory: Heinrich gave details in the next trip that is set for December 2nd, going to Longwood Gardens. Price is \$25.00 per person 55 years of age and older. A light snack and refreshments will be provided. The trip is staying a little longer at the gardens to see the fountains lit up and should be back by 9:00 p.m. A flyer will be going out with details of the trip with the next quarterly tax bills.

Streets: Mayor Higgins stated that for the Grand Avenue project, the width will remain the same size. The Shade Tree Commission will also be involved with the project.

Manager Hall was asked to speak about the situation that occurred on Belvidere Avenue after a significant amount of rain fell. M. Hall described the condition of Belvidere Avenue after runoff from a driveway at a resident's house occurred upheaving the asphalt. The DPW closed off a portion of the road that did not affect the parade on the Fourth of July. M. Hall stated he met with the property owner to discuss a remedy for the runoff.

M. Hall stated a great response was from the Police and members of the DPW (Assistant Supervisor and Operator) as they responded immediately. M. Hall added that the DPW at this time is short staffed due to vacations and medical leave.

RESOLUTIONS

Motion made by Heinrich and seconded by Valle to approve Resolution 2017-159.

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle
Ayes: 5, Nays: 0
Absent: 2 (Jones and Thompson)

RESOLUTION 2017-159
RESOLUTION TRANSFERRING RETAIL CONSUMPTION LICENSE
NUMBER #2121-33-003-004 GRAMA INC. TO PPS LIQUORS LLC – A PERSON TO
PERSON TRANSFER

WHEREAS, application has been made to the Borough Clerk, Laurie A. Barton, for the transfer of Liquor License #2121-33-003-004, in which license holder was held by Grama Inc (*Seized by Division of Taxation*); and

WHEREAS, Division of Taxation, has submitted their consent to the transfer of Retail Consumption License #2121-33-003-004 (*by proof of Bill of Sale*) to PPS Liquors LLC; and

WHEREAS, the necessary background investigations have been done by the Washington Township Police Department, both state and federal, have been received and are in order to proceed with the transfer of this Retail Consumption License; and

WHEREAS, the application for transfer is in order and the required newspaper publications have been submitted as further proof of compliance with Local Alcoholic Beverages Laws; and

THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Washington, Warren County, New Jersey do hereby consent and approve of this transfer of liquor license for a **Retail Consumption License #2121-33-003-004** which license holder was held by Grama Inc. (*Seized by Division of Taxation*) to PPS Liquors LLC effective *nunc pro tunc* June 29, 2017.

Motion made by Noone and seconded by Heinrich to approve Resolution 2017-160.

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle
Ayes: 5, Nays: 0
Absent: 2 (Jones and Thompson)

RESOLUTION 2017-160
RETAIL CONSUMPTION LICENSE RENEWAL

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Consumption License** and in accord with an Act of Legislature Concerning Alcoholic Beverages and the Amendments and Supplements thereto; and

WHEREAS, the following applicant has paid a fee of **\$ 720.00**:

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Washington, County of Warren, and State of New Jersey that a **Plenary Retail Consumption License** be issued by the Borough Clerk and granted to:

PPS Liquors LLC
3 Winchester Avenue
Hackettstown, NJ 07840

From July 1, 2017 – June 30, 2018, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

BE IT FURTHER RESOLVED, that the following conditions be imposed on the licensee:

- A. Licensee will report all incidences of fighting and brawling in the licensed premises immediately to the Borough of Washington Police Department for assistance.
- B. Licensee agrees to keep the doors to the premises closed at all times, regardless of the weather), so as to control patrons on premises and to discourage patrons from disturbing or accosting persons on the adjoining streets and sidewalks. The licensee shall have had an automatic door closing device installed on the main entrance door to the establishments and the same shall be kept operational at all times.

Motion made by Noone and seconded by Heinrich to approve Resolution 2017-160.

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle

Ayes: 5, Nays: 0

Absent: 2 (Jones and Thompson)

COUNCIL APPEARANCE

Motion made by Heinrich to re-open the audience portion of the agenda, motion seconded by Noone.

Ayes: 5 Nays: 0

Absent: 2(Jones and Thompson)

Motion Carried.

Neil Santorello (sp) President of the Homeowners Association for Washington Square, expressed his concerns over the developer for two and half years now, not coming through on fixing items that are required according to contract. Mr. Santorello pleaded with Council to have this rectified, because he does not want to be forced to put a claim against the bond, in which the Borough is the obligee.

Mayor Higgins indicated that the Borough Attorney will get back to Mr. Santorello once this is discussed in executive session.

Motion made by Klimko and seconded by Noone to close the audience portion of the meeting.

Ayes: 5 Nays: 0
Absent: 2(Jones and Thompson)
Motion Carried.

OLD BUSINESS

Street Opening Permit-65 School Street. M. Hall gave brief history to the issues the current homeowners are facing to get gas service installed. There was an exterior tank that was removed in which can no longer be reinstalled outside; it would need to be installed in a basement which there is no room, therefore they would need to apply for a variance to have it back outside. This is proving a hardship for the homeowners. They are seeking a relief form the moratorium of opening the street up to have gas service lines installed.

Motion was made by Noone and seconded by Klimko to approve the street opening permit conditionally.

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle
Ayes: 5, Nays: 0
Absent: 2 (Jones and Thompson)

NEW BUSINESS

Motion made by Heinrich and seconded by Noone to approve Resolution 2017-154

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle
Ayes: 5, Nays: 0
Absent: 2 (Jones and Thompson)

RESOLUTION 2017-154

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 MTAG/Cust for

Empire VIII NJ Portfolio LLC, P.O. Box 2208, Hicksville, NY 11802 in the amount of \$19,924.82 for taxes or other municipal liens assessed for the year 2015 in the name of Kasper, Horst M. as supposed owner, and in said assessment and sale were described as 70 Route 31 North, Block 54 Lot 5, which sale was evidenced by Certificate #16-00046; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-26-17 and before the right to redeem was cut off, as provided by law, Horst Kasper, claiming to have an interest in said lands, did redeem said lands claimed by MTAG/Cust for Empire VIII NJ Portfolio LLC, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$19,924.82 which is the amount necessary to redeem Tax Sale Certificate #16-00046

NOW THEREFORE BE IT RESOLVED, on this 5th day of July 5, 2017 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to MTAG/Cust for Empire VIII NJ Portfolio LLC, P.O. Box 2208, Hicksville, NY 11802 in the amount of **\$40,924.82** (This amount consists of \$19,924.82 Certificate Amount redeemed + \$21,000.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 54 Lot 5 from the tax office records.

Motion made by Noone and seconded by Valle to approve Resolution 2017-155

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle
Ayes: 5, Nays: 0
Absent: 2 (Jones and Thompson)

RESOLUTION #2017-155

**A RESOLUTION TO REFUND A MISAPPLIED PAYMENT
ON 2017 REAL ESTATE TAXES**

WHEREAS, according to the Tax Collector's records, there is a misapplied payment of \$2,286.72 on 2017 1st Quarter Regular Taxes paid on property located at 91 Railroad Avenue, also known as Block 78 Lot 1, and in the name of Strunk, Richard Jeffrey; and

WHEREAS, Dovenmuehle Mortgage sent a 1st Quarter 2017 tax payment for a property in the wrong municipality but same block and lot number. The check was submitted through the Corelogic Tax Service multiple payment tax file. Corelogic payments are downloaded through an email and distributed to multiple properties; and

WHEREAS, the Tax Collector has been resolving the matter of misapplied tax payments and has received a written request from Corelogic Tax Service that the payment error be refunded to them so it can be redirected to the appropriate municipality.

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 \$2,286.72 payable to:

Corelogic
P.O. Box 9202
Coppell, TX 75019-9238
Attn: Refund Department

Motion made by Klimko and seconded by Noon to approve Resolution 2017-156

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle
Ayes: 5, Nays: 0
Absent: 2 (Jones and Thompson)

RESOLUTION # 2017-156

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 FWDSL & Associates LP, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$2,801.20 for taxes or other municipal liens assessed for the year 2014 in the name of Barbieri Builders Corporation as supposed owners, and in said assessment and sale were described as 3 Heather Hill Road, Block 44 Lot 34.02, which sale was evidenced by certificate #15-00022; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-28-17 and before the right to redeem was cut off, as provided by law, Attorney Robert Mattia 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 \$10,287.83 which is the amount necessary to redeem Tax Sale Certificate #15-00022.

NOW THEREFORE BE IT RESOLVED, on this 5th day of July, 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 **\$24,287.83** (This consists of \$10,287.83 Certificate Amount redeemed + \$14,000.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 44 Lot 34.02 from the tax office records.

Motion made by Klimko and seconded by Noon to approve Resolution 2017-157

Discussion

Qualifications and the benefits of hiring a QPA were discussed.

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle
Ayes: 5, Nays: 0
Absent: 2 (Jones and Thompson)

RESOLUTION 2017-157

**A RESOLUTION APPOINTING A QUALIFIED PURCHASING AGENT AND
TO INCREASE THE BID THRESHOLD
FOR THE BOROUGH OF WASHINGTON, WARREN COUNTY,
NEW JERSEY**

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. permits local contracting units to increase their bid threshold up to \$40,000.00; and

WHEREAS, N.J.S.A. 40A:11-3a permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5, et seq., established the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Rose Witt possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5, et seq.; and

WHEREAS, the Borough of Washington wishes to increase the bid threshold and to appoint Rose Witt as Qualified Purchasing Agent.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Washington, County of Warren, New Jersey that the Borough of Washington increases its bid threshold to \$40,000.00.

BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Washington hereby appoints Rose Witt as the Qualified Purchasing Agent authorized to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit; and

BE IT FURTHER RESOLVED that the Borough Manager, or his designee, is hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

Motion made by Klimko and seconded by Valle to approve Resolution 2017-158

Discussion

Councilwoman Noone pointed out some corrections to the policy that are repeating the same information.

Motion made by Noone and seconded by Klimko with revisions to the policy to approve resolution 2017-158.

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle

Ayes: 5, Nays: 0

Absent: 2 (Jones and Thompson)

RESOLUTION 2017-158
A RESOLUTION ADOPTING A PERSONNEL POLICY AND PROCEDURES
MANUAL FOR THE BOROUGH OF WASHINGTON, WARREN COUNTY, NEW
JERSEY

WHEREAS, it is the policy of the Borough of Washington to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations, including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Civil Service Act, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Meetings Act; and

WHEREAS, the Borough of Washington has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, HEREBY, BE IT RESOLVED by the Borough of Washington that the change to the Personnel Policies and Procedures manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these Personnel Policies and Procedures shall apply to all Borough of Washington officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract, or Federal or State Law, the terms and conditions of that contract or law shall prevail. In all other cases these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by the Borough of Washington employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Borough of Washington by resolution of the governing body.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough of Washington shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that Gebhardt & Kiefer, P.C. as Employment Attorney/Advisor advise the Borough of Washington in personnel matters.

BE IT FURTHER RESOLVED that the Borough Manager and all managerial/supervisory personnel are responsible for these employment practices. The Labor Attorney shall assist the Borough Manager in the implementation of the policies and procedures in this manual.

Motion made by Klimko and seconded by Noone to approve resolution 2017-161.

ROLL CALL: Heinrich, Higgins, Klimko, Noone, Valle
Ayes: 5, Nays: 0
Absent: 2 (Jones and Thompson)

Motion carried.

RESOLUTION 2017-161
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 \$4,872.43 for taxes or other municipal liens assessed for the year 2014 in the name of Richter, Wiltraud as supposed owner, and in said assessment and sale were described as 155 Sunrise Terrace, Block 66.01 Lot 7, which sale was evidenced by Certificate #15-00031; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-29-17 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 US Bank Cust for BV001 Trust, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$30,104.29 which is the amount necessary to redeem Tax Sale Certificate #15-00031.

NOW THEREFORE BE IT RESOLVED, on this 5th day of July 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 **\$55,604.29** (This amount consists of \$30,104.29 Certificate Amount redeemed + \$25,500.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 66.01 Lot 7 from the tax office records.

Request for chairs and tables on sidewalk: Hometown Chicken

Seeing no representative from Hometown Chicken, Mayor Higgins asked that this matter be tabbed until next meeting. Motion made by Klimko and seconded by Noone to table the request until the July 18th meeting. Motion carried.

Councilman Jones entered meeting

Street Opening Permit: 210 W. Stewart Street

Motion made by Noone and seconded by Jones to approve the street opening permit conditionally and with the opening being repaired properly.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone and Valle.

Ayes: 6, Nays: 0

Absent: 1 (Thompson)

Motion carried.

ORDINANCE 2nd READING

Motion made by Heinrich and seconded by Noone to open the public portion for Ordinance 2017-12.

Ayes: 6, Nays: 0
Absent: 1 (Thompson)
Motion Carried

Discussion

Rev. Bauknight asked what the ordinance consisted of.

Motion made by Noone seconded by Klimko, to close the public portion of Ordinance 2017-12.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone and Valle
Ayes: 6; Nays: 0
Absent: 1 (Thompson)
Motion Carried

Motion made by Heinrich seconded by Noone to adopt Ordinance 2017-12.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone and Valle
Ayes: 6; Nays: 0
Absent: 1 (Thompson)
Motion Carried

**Borough of Washington
Ordinance 2017-12**

**AN ORDINANCE ESTABLISHING A GREEN TEAM PURSUANT TO SUSTAINABLE
NEW JERSEY**

WHEREAS, the Mayor and Common Council of the Borough of Washington strive to save tax dollars, assure clean air and water, improve working and living environments, and build a community that is sustainable economically, environmentally, and socially; and

WHEREAS, the Mayor and Common Council of the Borough of Washington wish to build a model of government which benefits its residents with green community initiatives which are environmentally and economically sound, easy to replicate, and affordable to implement;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. Establishment.

A group of citizens dedicated to the sustainability of the community and known as the Green Team, appointed by the Mayor and Common Council of the Borough of Washington is hereby established.

SECTION 2. Purpose

- a. To facilitate the successful completion of the requirements for certification of Sustainable Jersey;
- b. To educate and encourage all Borough employees, residents, and businesses to participate in green initiatives;
- c. To collaborate with public and private committees and organizations to ensure the replication of best practices and to ensure a coordinated effort within the Borough of Washington and with neighboring communities.

SECTION 3. Membership

- a. The Green Team will consist of no less than 5 or more than 9 members and will include the Mayor, the Borough Manager, the Executive Director of the Business Improvement District, and at least 1 Borough Council member, at least 1 member of the Shade Tree Commission, and at least 1 Planning Board member.
- b. The Green Team shall be persons who reside or are employed in the Borough of Washington and are to be appointed to terms of 3 years commencing June 1, 2017.

SECTION 4. If any sentence, section, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

SECTION 5. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 6. This ordinance shall take effect upon passage and publication as required by law.

ORDINANCE 1st Reading

Heinrich made a motion and seconded by Klimko to introduce Ordinance 2017-14 with the public hearing for August 1, 2017.

Ayes: 6, Nays: 0
Absent: 1 (Thompson)
Motion carried.

ORDINANCE 2017-14

**ORDINANCE PROVIDING FOR THE ACQUISITION AND INSTALLATION OF A
NEW STAND-BY GENERATOR IN AND BY THE BOROUGH OF WASHINGTON, IN
THE COUNTY OF WARREN, NEW JERSEY, AND APPROPRIATING \$155,500
THEREFORE FROM THE PROCEEDS OF A GRANT FROM THE AGENCY HAZARD
MITIGATION GRANT PROGRAM AND MONEYS IN THE CAPITAL ACCOUNT OF
THE BOROUGH**

BE IT ORDAINED, by the Mayor and Common Council of the Borough of Washington, in the county of Warren, New jersey as follows:

Section 1. The improvement described in Section 2 of this ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Washington, in the County of Warren, New Jersey, and there is hereby appropriated therefore the sum of \$155,500, to the extent of \$120,000 from the proceeds of a grant received or expected to be received by the Borough from the Federal emergency Management Agency Hazard Mitigation Grant Program and, to the extent of \$35,500 from moneys available in the Capital Account of the Borough.

Section 2. The improvement hereby authorized and the purpose for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the acquisition and installation at the Municipal Building of a new stand-by generator in and by the Borough, together with all transfer switches equipment, site work, work and materials necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specifications therefore on file or to be filed in the office of the Borough Clerk and hereby approved.

Section 3. the capital budget or temporary capital budget of the Borough id hereby amended to confirm with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of

Local Governments Services, are on file with the Borough Clerk and are available for public inspection.

Section 4. This ordinance shall take effect after publication after final passage as provided by law.

VOUCHERS AND CLAIMS

Motion made by Heinrich seconded by Noone to pay the vouchers and claims in the amount of \$601,060.47 from the current fund and \$79,391.10 from sewer.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone and Valle.

Ayes: 6; Nays: 0

Absent: 1 (Thompson)

Motion Carried.

RECAP

M. Hall recapped on the following:

- Reach out to Washington Square Homeowners Association.
- Reach out to Hometown Chicken regarding tables.
- Work on changes to personnel policy.
- Presenting background check policy at next meeting.

COUNCIL REMARKS

Councilman Heinrich inquired about the vehicles and traffic ordinance. M. Hall explained that it is for review with the proposed changes and bring to the next meeting.

Councilwoman Noone discussed the railroad underpass and thanked the DPW for patching large potholes on the bridge.

Councilwoman Klimko inquired about a status update on the Mid-Block Crossing project.

Mayor Higgins praised the fireworks and parade for the 4th of July celebrations.

Mayor Higgins stated that a meeting is scheduled tomorrow at the firehouse with the 150th anniversary celebration committee.

Mayor Higgins reported on the quick response from the Police and DPW regarding the flooding situation that occurred on Belvidere Ave.

M. Hall reported that with the flooding that occurred on Belvidere Avenue, some equipment issues came to light. An inventory of all equipment will be taken and seeing what needs to be fixed will be addressed.

Mayor Higgins reported on a 13-year old child who had a choking incident from a piece of candy, the child is fine, and Mayor Higgins reported that two firemen jumped into action and commended them for their quick actions.

EXECUTIVE SESSION

A motion was made by Jones, seconded by Noone, to approve a Resolution Authorizing Executive Session for the purpose of discussing a potential litigation matter, contract negotiations, and a personnel matter at 8:04 pm.

Ayes: 6 Nays: 0
Motion Carried.

RESOLUTION # 2017-81
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.

A motion was made by Klimko seconded by Jones, to come out of Executive Session at 8:56 pm.

Ayes: 6; Nays: 0
Motion Carried.

ADJOURNMENT

Hearing no further business, a motion was made by Heinrich, seconded by Noone, to adjourn the meeting at 8:56 pm.

Ayes: 6; Nays: 0
Motion Carried.

Mayor David Higgins

Laurie A. Barton, Borough Clerk