

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY**  
**WASHINGTON BOROUGH COUNCIL MINUTES -August 1, 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, Valle.

Absent: Laurie Barton, Borough Clerk

Also, Present: Pat Titus in for 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**

Susan Sloan, Grand Ave., inquired about putting white lines on Carlton Avenue to slow traffic.

Motion made by Klimko and seconded by Thompson to close the audience portion.

Ayes: 7 Nays: 0  
Motion Carried.

**REPORTS:**

Motion was made by Heinrich, seconded by Klimko to receive and file the following reports:

1. DPW-John Burd-Retirement
2. CFO-Corrective Action Plan (Audit)

Ayes: 7, Nays: 0  
Motion Carried

**ORDINANCE**

Motion made by Heinrich and seconded by Klimko to open the public hearing on Ordinance 2017-14.

Ayes: 7, Nays: 0  
Motion Carried.

Susan Sloan, inquired about the purpose of the generator regarding vaccines and drugs being able to be kept cool.

Motion made by Heinrich to close the public hearing portion and seconded by Thompson.

Ayes: 7, Nays: 0  
Motion Carried.

Motion made by Heinrich to adopt Ordinance 2017-13, motion seconded by Klimko.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle  
Ayes: 7, Nays: 0  
Motion carried.

**NEW BUSINESS**

Motion made by Noone and seconded by Klimko to approve Resolution 2017-167.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle  
Ayes: 7, Nays: 0  
Motion carried.

**RESOLUTION #2017-167**

**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 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$660.15 for taxes or other municipal liens assessed for the year 2015 in the name of Whitmore, Mark & Grace as supposed owners, and in said assessment and sale were described as 37 Broad Street, Block 95 Lot 16, which sale was evidenced by Certificate #16-00068; and

**WHEREAS**, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 7-20-17 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 US Bank Cust for Pro Capital 5 by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,523.36 which is the amount necessary to redeem Tax Sale Certificate #16-00068.

**NOW THEREFORE BE IT RESOLVED**, on this 1st day of August 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 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$2,323.36** (This amount consists of \$1,523.36 Certificate Amount redeemed + \$800.00 Premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 95 Lot 16 from the tax office records.

Motion made by Noone and seconded by Klimko to approve Resolution 2017-168.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle  
Ayes: 7, Nays: 0  
Motion carried.

**RESOLUTION 2017-168**  
**A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS FROM**  
**DOMESTIC ABUSE & SEXUAL ASSAULT CRISIS CENTER OF WARREN COUNTY**  
**ACCOUNT HELD IN TRUST BY THE BOROUGH OF WASHINGTON**

**WHEREAS**, Jill Zinckgraf, MPA, Executive Director, has requested the return of the funds remaining in the Domestic Abuse & Sexual Assault Crisis Center of Warren County in escrow account #7760883491; and

**WHEREAS**, it was verified that there are no outstanding invoices against this account and therefore, it can be closed.

**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 Domestic Abuse & Sexual Assault Crisis Center of Warren County in the amount of \$1.00 to close escrow account #7760883491.

Motion made by Noone and seconded by Klimko to approve Resolution 2017-169.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle  
Ayes: 7, Nays: 0  
Motion carried.

**RESOLUTION 2017-169**  
**APPOINTMENT OF QUALIFIED PURCHASING AGENT ROSE WITT AS PUBLIC**  
**AGENCY COMPLIANCE OFFICERS - 2017**

**WHEREAS**, N.J.A.C. 17:27-1.1 provides that no public works contracts can be awarded nor any monies paid until the prospective contractor has agreed to contract performance which complies with an approved affirmative action program; and

**WHEREAS**, N.J.A.C 17:27-3.5 provides that each public agency shall designate an officer or employee to serve as its public agency compliance officer.

**WHEREAS**, The Borough of Washington has appointed a Qualified Purchasing Agent and has the desire to change the Public Agency Compliance Officers to Rose Witt

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Washington, County of Warren State of New Jersey that the Qualified Purchasing Agent Rose Witt be appointed as the Public Agency Compliance Officer.

Motion made by Klimko and seconded by Heinrich to approve Resolution 2017-170.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle  
Ayes: 7, Nays: 0  
Motion carried.

**RESOLUTION 2017-170**  
**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 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$742.66 for taxes or other municipal liens assessed for the year 2015 in the name of Hirko, Christopher J. & Lori J. & as supposed owners, and in said assessment and sale were described as 57 Park Ave., Block 82 Lot 40.01, which sale was evidenced by Certificate #16-00061; and

**WHEREAS**, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 7-21-17 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 Pro Capital 5 by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,607.67 which is the amount necessary to redeem Tax Sale Certificate #16-00061.

**NOW THEREFORE BE IT RESOLVED**, on this 1st day of August 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 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$2,607.67** (This amount consists of \$1,607.67 Certificate Amount redeemed + \$1,000.00 Premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 82 Lot 40.01 from the tax office records.

Motion made by Heinrich and seconded by Thompson to approve Resolution 2017-171.

ROLL CALL: Heinrich, Higgins, Jones, Klimko, Noone, Thompson and Valle  
Ayes: 7, Nays: 0  
Motion carried.

**RESOLUTION 2017-171**  
**A RESOLUTION ESTABLISHING A SPECIAL**  
**PERIOD FOR THIRD QUARTER LOCAL PROPERTY**  
**TAXES IN THE BOROUGH OF WASHINGTON**

**WHEREAS**, the printing and mailing of tax bills has been delayed beyond the N.J.S.A.

54:4-64 date of June 14<sup>th</sup>; and

**WHEREAS**, according to State Statute, taxes are due and payable February 1, May 1, August 1, and November 1 and these dates cannot be changed; and

**WHEREAS**, N.J.S.A. 54:4-67 allows the Borough Council to establish a grace period of 25 days from the date that tax bills are mailed; and

**WHEREAS**, the Borough of Washington has historically given its taxpayers a grace period of 10 days for each tax period.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Washington that the third quarter installment of current year taxes shall not be subject to interest until after August 31, 2017, the additional interest-free period authorized pursuant to R.S. 54:4-67. Any payment received on September 1, 2017 will be subject to interest charged back to the statutory date of August 1, 2017.

### **VOUCHERS AND CLAIMS**

Motion made by Heinrich seconded by Noone to pay the vouchers and claims in the amount of \$615,955.15 from the current fund and \$ 660,978.26 from sewer.

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**

Mayor Higgins discussed the following:

Town wide yard sales for September, waiving the fees for the residents. It will be the third Saturday in September.

Mayor Higgins reminded everyone to let the Clerk know if you will be attending the League of Municipalities conference.

National Night Out-at Meadow Breeze Park tonight.

The Manager will be rice noticed for the next meeting.

### **EXECUTIVE SESSION**

A motion was made by Jones, seconded by Klimko, to approve a Resolution Authorizing Executive Session for the purpose of discussing a potential litigation matter, contract negotiations, and a personnel matter at 7:17 pm.

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.

A motion was made by Klimko seconded by Jones, to come out of Executive Session at 7:37 pm.

Ayes: 7; Nays: 0  
Motion Carried.

### **ADJOURNMENT**

Hearing no further business, a motion was made by Noone seconded by Jones, to adjourn the meeting at 7:49 pm.

Ayes: 7; Nays: 0  
Motion Carried.

\_\_\_\_\_  
Mayor David Higgins

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Laurie A. Barton, Borough Clerk