

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES -March 6, 2018**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 6:00 P.M.

Roll Call: Heinrich, Higgins, Noone, Norris, Thompson, Valle.

Absent: Klimko

Also, Present: Matthew Hall, Manager  
Laurie A. Barton Borough Clerk  
Leslie Parikh, Attorney

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.”

**PROCLAMATION**

Mayor Higgins presented Carly Sopko, of Shoprite with a Proclamation promoting March as National Nutrition Month:

**PROCLAMATION  
NATIONAL NUTRITION MONTH® 2018**

**WHEREAS** food is the substance by which life is sustained; and

**WHEREAS** the type, quality, and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and

**WHEREAS** there is a need for continuing nutrition education and a wide-scale effort to enhance healthy eating practices;

**NOW, THEREFORE I**, David Higgins, Mayor of Washington Borough, Warren County, State of New Jersey

**DO HEREBY PROCLAIM** the month of March NATIONAL NUTRITION MONTH® in Washington Borough and I encourage all citizens to join the campaign and become concerned about their nutrition and the nutrition of others in the hope of achieving optimum health for both today and tomorrow.

**IN WITNESS WHEREOF** I have hereto set my hand and caused the Great Seal of the Borough of Washington to be affixed.

**MINUTES**

Motion made by Heinrich and seconded by Noone to approve the meeting minutes of Regular Meetings of February 6, 2018 & February 20, 2018. Executive Session minutes of December 19, 2017, January 2, 2018, January 16, 2018 January 23, 2018, February 6, 2018 and February 20, 2018. **(Proof for content only)**

ROLL CALL: Heinrich, Higgins, Noone, Norris, Thompson and Valle

Ayes: 6, Nays: 0

Abstain: 2 (*Valle from February 20<sup>th</sup> minutes and Thompson from February 6<sup>th</sup> minutes*)

Motion carried.

**CORRESPONDENCE**

Motion made by Heinrich to receive and file the following correspondences, motion seconded by Valle all were in favor:

1. Statewide- Loss Control Service Visit
2. American Water-Public Hearing
3. State of New Jersey-DOT-School Safety Funding Award Letter

Ayes: 6 Nays: 0

Motion Carried.

**AUDIENCE**

John Monteverde, BID, distributed flyers for the upcoming Sweets and Craft festival. Mr. Monteverde stated that Smith Tractor will have a tractor on display for this year's farmers market.

Neil Santorello, Washington Square HOA, discussed the meeting with the Surety Company holding the bond. Mr. Santorello asked if the Borough is considering being pulled from default with the bond. Attorney Parikh stated that action has not been taken but added that it is being considered.

Mr. Santoerello compelled the Council to have Mr. Rice sign the agreement for him to take of things that need to be fixed.

Rev. Baughknight, Library Board President, stated that she received new information tonight regarding the library budget and if anyone had any questions. Councilman Heinrich stated he has a lot of questions. Manager Hall stated that tonight's meeting is on a short schedule due to the impending storm and the Library will be added to the next agenda to discuss.

Dale Parichuk, Myrtle Ave., stated he is opposed to Ordinance 2018-01 and provided Council and the Manager with a report on his findings concerning gas hook ups within the Borough. Mr. Parichuk indicated he would like to sit with officials from the gas company and council to discuss before council moves on the ordinance to ensure that all residents have the opportunity to get natural gas.

Michele Beatty, Attorney for Elizabethtown Gas, stated she is here representing Elizabethtown Gas along with representatives.

Mark Kelly, Elizabethtown Gas representative, stated he has given a map of the borough detailing the coverage of Elizabethtown gas and explained what goes into extending lines to homeowners.

John Johnson, Elizabethtown Representative, explained how many requests they get to extend lines to residents and businesses each day. Mr. Johnson stated they are willing to work with the Borough and send out surveys and letters to all the residents to see the interest in having natural gas extended to residents who don't currently have it.

Lengthy discussions ensued regarding the requirement of Elizabethtown Gas and adhering to the State BPU's regulations. It was suggested to possibly having a town meeting regarding the issue.

Attorney Beatty stated she is authorized to negotiate a shorter-term limit.

Motion made by Heinrich and seconded by Noone to close the audience portion.

Ayes: 6 Nays: 0  
Motion Carried.

## **ORDINANCES**

Motion made by Noone to open the public hearing for Ordinance 2018-01, motion seconded by Heinrich.

Ayes: 6 Nays: 0  
Motion Carried.

Hearing no public comment, motion made by Heinrich to close the public hearing, motion seconded by Norris.

Ayes: 6 Nays: 0  
Motion Carried.

Motion made by Noone to adopt Ordinance 2018-01, motion seconded by Heinrich.

Discussion

Noone asked that to change the duration of the ordinance would that require to start over to adopt. Attorney Parikh stated yes as it would be considered a substantial change.

ROLL CALL: Heinrich, Higgins, Noone, Norris, Thompson and Valle  
Motion carried.  
Ayes: 0, Nays: 6  
Motion Failed.

**REPORTS:**

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

- Police Report
- DPW
- WC Board of Health
- Recreation
- Fire Dept.

Ayes: 6 Nays: 0  
Motion Carried.

**NEW BUSINESS**

Motion made by Heinrich and seconded by Noone to approve on first reading Ordinance 2018-04.

ROLL CALL: Heinrich, Higgins, Noone, Norris, Thompson and Valle  
Ayes: 6, Nays: 0  
Motion carried.

**ORDINANCE 2018-4**

**AN ORDINANCE AMENDING CHAPTER 64 OF THE CODE OF THE BOROUGH OF WASHINGTON- RECREATION PROGRAM FEES**

**BE IT ORDAINED** by the Borough Council of the Borough of Washington, in the County of Warren, and State of New Jersey as follows:

**SECTION 1.** The Borough of Washington Recreation Department (“Recreation Department) is authorized to recommend fees for participation in its programs/events in accordance with the following schedule.

**SECTION 2.** The Recreation Director, or his/her designee, will schedule dates, times and locations for the following programs/events. The fee for participation in the program/event for each registrant shall be within the following parameters:

Recreation Program/Event		Minimum	Maximum
<b>Fees Apply for all Boro Administered Programs up to and including the 2<sup>nd</sup> child (50% for 3<sup>rd</sup> child and no fee for 4<sup>th</sup> child and beyond)</b>			
<b>Girl's Softball: 2nd Grade thru 8th Grade</b>			
	ALL	\$35	\$100
<b>Karate/Self-Defense - Ages 5 thru 12</b>			
	ALL	\$35	\$100
<b>Easter Egg Hunt: Ages 3 to 6th Grade</b>	No Charge		
<b>Swim Team: Ages 5 to 18 Team Member</b>	ALL	\$50	\$100
<b>Swim Lessons: Ages 3 and Up</b>	ALL		
	Group Lessons	\$40	\$100
	Semi-Private Lessons	\$50	\$100
	Private Lessons	\$60	\$100
<b>*Pool Fees</b>			
<b>Seasonal Membership (All memberships half price after August 1<sup>st</sup>)</b>	Individual (Boro Resident)	\$75	\$125
	Individual (Non-Boro)	\$75	\$125
	Family (Boro Residents)	\$150	\$300
	Family(Non-Boro)	\$150	\$300
	Senior Citizens (ALL)	\$0	\$50
<b>Pool Membership Discounts</b>			
	Early Bird		
	Military (Active /Veteran)		
<b>Daily</b>			
	Adult	\$6	\$10
	Child (4 to 17 years old)	\$4	\$8
	Child (up to 3 years old)	\$0	\$0
	Senior	\$0	\$8
	Twilight (after 6pm)	All Adult & child 4-17 yrs old admisstion	\$3 \$6
<b>Teen Pool Party</b>		\$3	\$10
<b>Water Aerobics</b>	Member	\$5	\$40
	Non Member	\$5	\$40
<b>Soccer: Kindergarten to 8th Grade</b>			

	Age 5	\$35	\$50
	Ages 6 & 7	\$35	\$100
	Ages 8 and up	\$45	\$100
<b>Field Hockey: 2nd to 6th Grade</b>	ALL	\$35	\$100
<b>Men's Basketball</b>	Team Sponsor	\$200	\$600
Individual Participant	ALL	\$40	\$75
<b>Adult Baseball</b>	ALL	\$20	\$100
<b>Adult Softball</b>	ALL	\$20	\$100
<b>Movies in the Park</b>	No Charge		
<b>Youth Basketball: K thru 2nd Grade (Clinic)</b>	Clinic only	\$30	\$60
	3 <sup>rd</sup> Grade thru 8 <sup>th</sup> Grade	\$40	\$100
<b>Street Hockey: Kindergarten to 8th Grade</b>			
	ALL	\$35	\$100
<b>Usage Fee – Field/Game Day – 3<sup>rd</sup> Party (Field Fee Included in Registration Fee for all Boro Administered Programs)</b>	Daily Fee	\$45	\$500
Field Fee Based on Field Maint/Prep			
Lighting at Park	Per Hour	\$15/hr	\$55/hr
<b>Sport Clinic Programs</b>		\$35	\$100
<b>Party Rental (Pool Hours)</b>	Members		
	Non-Members		
<b>Party Rental (After Hours)</b>	50 People	200	300
	51-100 People	300	400
	Over 100 People	400	500
<b>Pavilion/Tent Rental</b>	Up to 4 hours	\$25	\$100
<b>Equipment Use Fee</b>		\$5	\$300
<b>Summer Recreation Programs</b>		\$0	\$1000
<b>Special Events</b>		\$5	\$1000
<b>5K Run/Walk</b>		\$5	\$60

**\*For any Daycare or Child Care Organization that takes the children to the pool for part of the day, the rates listed above will apply, however the chaperones (up to 4 adults) will be free.**

**SECTION 3.** By no later than March first of each year the Recreation Director shall evaluate the costs and expenses for operating each Program/Event and make a recommendation to the Mayor and Council and Manager as to the amount to be charged for participation in the Program/Events presented by the Recreation Department, which shall be within the range of fees established by this ordinance. The Borough Council shall review the Recreation Program/Event Fee recommendations made by the Recreation Director in order to establish the current year

Recreation Program Fee Schedule, which shall be adopted by the Mayor and Council via resolution annually.

**SECTION 4.** All ordinances and resolutions inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies.

**SECTION 5.** This ordinance shall take effect immediately after final passage, approval and publication of notice thereof as required by law.

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Borough Council of the Borough of Washington held on March 6, 2018 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a meeting of the Borough Council to be held on April 3, 2018, at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Washington Borough Municipal Building; 100 Belvidere Avenue; Washington, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Motion made by Heinrich and seconded by Noone to approve on first reading Ordinance 2018-05.

ROLL CALL: Heinrich, Higgins, Noone, Norris, Thompson and Valle  
Ayes: 6, Nays: 0  
Motion carried.

**ORDINANCE 2018-5**

**AN ORDINANCE AMENDING CHAPTER 47 OF THE CODE OF THE BOROUGH OF WASHINGTON – GARBAGE, RUBBISH, AND REFUSE AND ADDING § 47-9.2 “COLLECTION OF BULK HOUSEHOLD OR TYPE 13 WASTE”**

§ 47-9.2 Collection of Bulk Household or Type 13 Waste

A. The Borough shall, at its discretion through negotiation with the Borough’s duly authorized contractor, provide for the disposal of bulk household or type 13 waste as defined in N.J.A.C. 7:26-2.13(g), subject to the requirements set forth by the duly authorized contractor, the Warren County Pollution Control Financing Authority, and the New Jersey Department of Environmental Protection.

B. The Borough may, at its discretion, require stickers to be affixed to bulk household or type 13 waste for disposal. Stickers may be provided free of charge to each household in the Borough, but the Borough reserves the right to collect a fee for stickers. In the event that fees are charged, the Borough shall charge a fee of not less than \$25 and not more than \$35 per sticker and the exact fees shall be set by Resolution of the Mayor and Council not less than annually.

C. In the event that fees are charged, residents may redeem any unused stickers within 60 days of the date of the last bulk household waste collection day occurring in the calendar year. No refunds will be provided after the sixty-day period has expired.

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Borough Council of the Borough of Washington held on March 6, 2018 and ordered published in accordance with the law. Said Ordinance will be considered for

final reading and adoption at a meeting of the Borough Council to be held on April 3, 2018, at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Washington Borough Municipal Building; 100 Belvidere Avenue; Washington, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

**RESOLUTIONS**

Motion made by Noone and seconded by Valle to approve Resolution 2018-37.

ROLL CALL: Heinrich, Higgins, Noone, Norris, Thompson and Valle  
Ayes: 6, Nays: 0  
Motion carried.

**RESOLUTION 2018-37  
A RESOLUTION TO REFUND TAX MONIES PER TAX COURT APPEAL**

**WHEREAS**, the Tax Collector has received a Tax Court Judgement received in 2018 for the years 2013 and 2014 for the property listed below:

<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>NAME OF OWNER/ PROPERTY LOCATION</u></b>	<b><u>YEAR</u></b>	<b><u>AMOUNT</u></b>
24	31	Etienne Properties, LLC	2013	1,229.50
			2014	1,247.50
			Total	2,477.00

Refund payable to: Schneck Law Group, LLC, Trustee for 14 East Washington, LLC 301 South Livingston Avenue, Suite 105, Livingston, NJ 07039.

**WHEREAS**, due to Court Judgement Dockets #012264-2013 and #008106-2014 the assessed value for the improvement has been reduced from 178,600 to 128,600 which changes the amount of taxes due thus creating an overpayment; and

**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 to refund the above tax overpayment.

Motion made by Noone and seconded by Valle to approve Resolution 2018-38.

ROLL CALL: Heinrich, Higgins, Noone, Norris, Thompson and Valle  
Ayes: 6, Nays: 0  
Motion carried.



**RESOLUTION 2018-38**  
**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 13, 2017 to US Bank Cust Pro Capital 7, 50 S 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$499.97 for taxes or other municipal liens assessed for the year 2016 in the name of Sloan, Robert W. III & Katherine M. as supposed owners, and in said assessment and sale were described as 105 Sunrise Terrace, Block 44.01 Lot 15, which sale was evidenced by Certificate #17-00018; and

**WHEREAS,** the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2-21-18 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 US Bank Cust Pro Capital 7 by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,196.75 which is the amount necessary to redeem Tax Sale Certificate #17-00018.

**NOW THEREFORE BE IT RESOLVED,** on this 6th day of March 2018 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 Pro Capital 7, 50 S 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$2,196.75** (This amount consists of \$1,196.75 Certificate Amount redeemed + \$1,000.00 Premium).

**BE IT FURTHER RESOLVED,** that the Tax Collector is authorized to cancel this lien on Block 44.01 Lot 15 from the tax office records.

Motion made by Noone and seconded by Valle to approve Resolution 2018-39.

ROLL CALL: Heinrich, Higgins, Noone, Norris, Thompson and Valle  
Ayes: 5, Nays: 0  
Abstain: Higgins  
Motion carried.

**RESOLUTION 2018-39**  
**RESOLUTION APPOINTING CODY J. FRANCIS TO**  
**THE WASHINGTON FIRE DEPARTMENT**

**WHEREAS,** there is a vacancy in the Washington Borough Fire Department; and

**WHEREAS,** the Council of the Borough of Washington has been presented with the application of Cody J. Francis; and

**WHEREAS,** it has been determined that Cody J. Francis is qualified for the position.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Washington, County of Warren, State of New Jersey that Cody J. Francis is and is hereby appointed to the position of Firefighter in the Borough of Washington, effective March 6, 2018.

Motion made by Noone and seconded by Valle to approve Resolution 2018-40.

ROLL CALL: Heinrich, Higgins, Noone, Norris, Thompson and Valle  
Ayes: 4, Nays: 0  
Abstain: Thompson and Higgins  
Motion carried.

**RESOLUTION 2018-40**  
**RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY**  
**OF THE BOROUGH OF WASHINGTON**

**WHEREAS**, the Borough of Washington is the owner of certain surplus property which it no longer needs for public use: and

**WHEREAS**, the Borough of Washington is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

**NOW THEREFORE BE IT RESOLVED** by the Borough of Washington as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at <http://www.govdeals.com> and also available from the Borough of Washington.
- (2) The sale will be conducted online March 26, 2018 to April 2, 2018 and the address of the auction site is [www.govdeals.com](http://www.govdeals.com)
- (3) The sale is being conducted pursuant to Resolution 2018-40
- (4) A list of the surplus property to be sold is as follows:  
  
1986 Mack Fire Truck  
VIN # 1M2H133C2HM001058
- (5) The surplus property shall be sold in an “as is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough of Washington reserves the right to accept or reject any bid submitted.

Motion made by Noone and seconded by Valle to approve Resolution 2018-41.

ROLL CALL: Heinrich, Higgins, Noone, Norris, Thompson and Valle  
Ayes: 6, Nays: 0  
Motion carried.

**RESOLUTION 2018-41**  
**RESOLUTION AUTHORIZING SALE OF VARIOUS MUNICIPAL LIEN**  
**CERTIFICATES LISTED IN THE PUBLIC NOTICE**

**WHEREAS**, N.J.S.A. 54:5-114 authorizes assignment by a municipality of tax sale certificates for less than amount of the certificate, not including all subsequent municipal taxes and other municipal charges; and,

**WHEREAS**, the Governing Body of the Borough of Washington desires to sell specific municipal liens to the highest bidder at the public sale on March 23, 2018 at the Council chamber in the municipal building located at 100 Belvidere Avenue, Washington, NJ; and

**WHEREAS**, the listing of liens available for sale will be posted in 5 places with a description of parcel covered by the certificate of sale, amount due and owner is known

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Washington hereby authorizes the Tax Collector to conduct a public sale of specific municipal liens listed in the public advertisement.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Tax Collector.

Motion made by Noone and seconded by Heinrich to approve Resolution 2018-42.

ROLL CALL: Heinrich, Higgins, Noone, Norris, Thompson and Valle  
Ayes: 6, Nays: 0  
Motion carried.

**RESOLUTION 2018-42**  
**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 13, 2017 to US Bank Cust Pro Capital 7, 50 S 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$715.03 for taxes or other municipal liens assessed for the year 2016 in the name of Brogsdale, Darrin & Choice, Tamista as supposed owners, and in said assessment and sale were described as 258 E. Washington Ave. Block 70 Lot 5, which sale

was evidenced by Certificate #17-00022; and

**WHEREAS**, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-1-18 and before the right to redeem was cut off, as provided by law, Deutsche Bank claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust Pro Capital 7 by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$2,092.17 which is the amount necessary to redeem Tax Sale Certificate #17-00022.

**NOW THEREFORE BE IT RESOLVED**, on this 6th day of March 2018 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 Pro Capital 7, 50 S 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$2,892.17** (This amount consists of \$2,092.17 Certificate Amount redeemed + \$800.00 Premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 70 Lot 5 from the tax office records.

### **VOUCHERS AND CLAIMS**

Motion made by Heinrich seconded by Valle to pay the vouchers and claims in the amount of 930,520.13 from the current fund, \$ 108,440.84 from sewer and \$2048.85 from recreation.

ROLL CALL: Heinrich, Higgins, Noone, Norris, Thompson and Valle

Ayes: 6, Nays: 0

Abstention: Thompson abstains from any  
Fire and EMS bills.

Motion Carried.

### **RECAP**

M. Hall recapped the following:

- Library to be placed on next agenda regarding budget.
- Speak with Elizabethtown gas about current gas service.
- Get comments from land use board for introduction of ordinance at next meeting.

### **COUNCIL REMARKS**

Councilman Heinrich thanked all personnel involved with the storm on Friday.

Councilwoman Noone concurred with the statements of Councilman Heinrich and added having alerts helped.

Councilwoman Valle expressed same sentiments and stated she was happy about the new pedestrian crosswalk signs downtown.

Councilman Norris reiterated same for thanking all personnel with the storm clean up and wished everyone to be safe with the next storm coming.

Councilman Thompson thanked everyone for their efforts with the past storm and to be safe for the next one.

Mayor Higgins recapped the past weekend with regard to the State of Emergency declaration and storm damaged throughout the borough including his own home.

Jonathan James, DPW asked that everyone be patient with the storms and snow shoveling. Mr. James explained when his department plows the road the snow getting pushed back onto the sidewalks, in which this is out of their control.

Mayor Higgins announced Tara St. Angelo's birth of her baby girl (Mabel).

**ADJOURNMENT**

Hearing no further business, a motion was made by Heinrich seconded by Valle to adjourn the meeting at 8:10 pm.

Ayes: 6; Nays: 0  
Motion Carried.

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Mayor David Higgins

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Laurie A. Barton, Borough Clerk