

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES -June 19, 2018

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, Klimko, Noone, Norris, Thompson, Valle.

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.”

COUNCIL APPEARANCE

Rich McGuire, Washington Celebrates America, discussed a recent issue with insuring an event that is part of the Fourth of July festivities. Having the borough sponsor the crate races was discussed and agreed upon due to insurance liability.

Cathy Halpen(sp), Shade Tree Committee, updated Mayor and Council on the grant that was applied for and received for trees in the borough. A walk around with state representative was conducted. Two tree replacements were rejected by state. Ms. Halpen(sp) inquired about an update on the sidewalk project for Carlton and Grand Avenues.

Rachel Smoche(sp), Carlton Ave., inquired about the tree that fell on her lines three months ago and stated that the tree that fell is not her, it came from next door to her and believed it was a shade tree.

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

Ayes: 7 Nays: 0
Motion Carried.

RESOLUTIONS

Motion made by Noone and seconded by Heinrich to approve Resolution 2018-86

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

RESOLUTION 2018-86 RESOLUTION AMENDING RESOLUTION 2018-69 GRANTING PERMISSION FOR A FIREWORKS DISPLAY IN THE BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY.

BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey that permission is hereby granted to Washington Celebrates America Inc. to have a fireworks display in the Borough of Washington at 9:00 p.m., Wednesday, July 4, 2018 with a Rain Date of Sunday, July 8, 2018.

BE IT RESOLVED, that the Borough Council has agreed to name Washington Celebrates America Inc. as additional insured for the following events to be held in the Borough of Washington.

PARADE:

Wednesday July 4, 2018. Rain Date Sunday July 8, 2018

Line up from 2:00 P.M. Step off is at 3:00 P.M.

Location: Route 31 and Broad St to Belvidere Ave to Carlton Ave to North Prospect St.

FIREWORKS:

Wednesday July 4, 2018. Rain Date Sunday July 8, 2018

Music by Doc South & DJ Dave Rupell from 6:00 - 9:30 PM

Fireworks BEGIN AT DARK

Location: Warren Hills Middle School, on the athletic field

BE IT RESOLVED, that a true copy of this Resolution be forwarded to the New Jersey Department of Labor and Industry, Trenton, NJ, together with a copy of the required certificate of liability insurance.

Motion made by Noone and seconded by Valle to approve Resolution 2018-87

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

RESOLUTION 2018-87
RESOLUTION AFFIRMING THE BOROUGH OF WASHINGTON'S OFFICIAL
SPONSORSHIP OF THE ORANGE CRATE DERBY

BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey that the Borough will hereby sponsor the Orange Crate Derby races in the Borough of Washington on Saturday, June 30, 2018 and Wednesday, July 4, 2018 with a Rain Date of Saturday, July 7, 2018 as follows:

ORANGE CRATE DERBY:

Qualification Races Saturday June 30, 2018

Competition will begin at 8:30 A.M.

Final Races Wednesday July 4, 2018. Rain Date Saturday July 7, 2018

Set up time is 7:30 A.M. Competition will begin at 8:30 A.M.

Location: Broad Street and Borough park entrance

BE IT RESOLVED, that a true copy of this Resolution be forwarded to the Statewide Insurance Fund.

Motion made by Noone and seconded by Heinrich to approve Resolution 2018-76 and 2018-77;

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

RESOLUTION 2018-76

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 MTAG/Cust for Empire VII NJ, P.O. Box 2096, Hicksville, NY 11802 in the amount of \$2,801.20 for taxes or other municipal liens assessed for the year 2014 in the name of RB Properties, LLC as supposed owners, and in said assessment and sale were described as 6 Heather Hill Road, Block 44 Lot 34.09, which sale was evidenced by Certificate #15-00025; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-7-18 and before the right to redeem was cut off, as provided by law, Clear to Close Title Agency, claiming to have an interest in said lands, did redeem said lands claimed by MTAG/Cust for Empire VII NJ, by paying the

Collector of Taxes of said taxing district of Washington Borough the amount of \$14,384.19 which is the amount necessary to redeem Tax Sale Certificate #15-00025.

NOW THEREFORE BE IT RESOLVED, on this 19th day of June 2018 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 VII NJ, P.O. Box 2096, Hicksville, NY 11802 in the amount of **\$18,384.19** (This consists of \$14,384.19 Certificate Amount redeemed + \$4,000.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 44 Lot 34.09 from the tax office records.

RESOLUTION 2018-77

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 16th Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$668.02 for taxes or other municipal liens assessed for the year 2016 in the name of Sanchez, Jamie Bernardo & Teresa D. as supposed owners, and in said assessment and sale were described as 25 S. Jackson Ave. Block 81 Lot 5, which sale was evidenced by Certificate #17-00028; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5-30-18 and before the right to redeem was cut off, as provided by law, Midland Mortgage 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 \$1,382.13 which is the amount necessary to redeem Tax Sale Certificate #17-00028.

NOW THEREFORE BE IT RESOLVED, on this 19th day of June 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 16th Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$2,182.13** (This amount consists of \$1,382.13 Certificate Amount redeemed + \$800.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 81 Lot 5 from the tax office records.

Motion made by Valle and seconded by Thompson to approve Resolution 2018-78

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

RESOLUTION #2018-78
A RESOLUTION TO ADJUST SEWER BILLINGS IN
ACCORDANCE WITH CHAPTER 70, SECTION 28B OF
THE CODE OF THE BOROUGH OF WASHINGTON.

WHEREAS, the Borough of Washington commenced operations of a municipal sewer utility in January of 1999; and

WHEREAS, certain facts have come to the attention of the Borough to justify modification of sewer service charges which have been reviewed by the Borough Manager; and

WHEREAS, notice has been provided to the owner(s) of the property or properties listed below of the action proposed to be taken with the date, time and place where the Mayor and Council will meet to consider change(s) in the E.D.U.'s assigned to the property or properties listed below; and

WHEREAS, all parties affected by this resolution will be notified of the action taken, in writing, and notified of an opportunity to appear, in person, at a formal hearing of the governing body, if dissatisfied with the decisions made herein.

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 following changes in the sewer service charge(s) are approved:

BLOCK/LOT	NAME/ADDRESS	REASON/ADJUSTMENT
30/6	Jonathan Florez 138 Belvidere Ave. Washington, NJ 07882	Change in Use (2) to (1) E.D.U. Effective: June 2017

BE IT FURTHER RESOLVED that the Borough Clerk be directed to send a certified copy of this resolution to all parties affected by this resolution and advise them of their right to protest the decision and request a formal hearing before the governing body, as provided in Chapter 70, Section 13. If no protest is filed, the decisions contained herein shall be considered final.

Certification:

I, Laurie A. Barton, Clerk of the Borough of Washington, County of Warren, State of New Jersey, do hereby certify that the foregoing Resolution adopted by the Borough Council of The Borough of Washington on June 19, 2018.

Laurie A. Barton, RMC
Borough Clerk

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this _____ day of _____, 2018

cc: Tax Collector
Block/ Lot File
Paula Drake, Accounts Payable Clerk

Motion made by Noone and seconded by Valle to approve Resolution 2018-79

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

RESOLUTION 2018-79
RESOLUTION SUPPORTING THE ESTABLISHMENT OF MID-BLOCK
CROSSWALK and ONE-WAY ENTRANCE/EXITS ALONG NJ ROUTE 57
(WASHINGTON AVENUE)

WHEREAS, the Borough of Washington (“Borough”) has established certain crosswalks and ingress to municipally owned or controlled parking lots and Route NJ-57 (“Washington Avenue”) from the New Jersey Department of Transportation (“NJDOT”), and requested an investigation and survey by the NJDOT Bureau of Traffic Engineering of same; and

WHEREAS, pursuant to N.J.S.A. 39:4-8-4(c), the Borough is required to adopt a resolution of support for promulgation of a *Traffic Regulation Order* (TRO) memorializing the aforementioned crosswalks and ingress locations; and

WHEREAS, pursuant to the letter provided to the Borough of Washington by the NJDOT Bureau of Traffic Engineering dated December 27, 2017 the aforementioned crosswalks and ingress locations have been recommended for approval;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the following changes be supported by resolution and forwarded to NJDOT for the purposes of promulgating a TRO:

IN THE BOROUGH OF WASHINGTON ALONG ROUTE NJ-57
MID-BLOCK CROSSWALK:

Beginning at a point 284 feet west of the westerly curb line of School Street and extending six (6) feet westerly therefrom (approximate milepost 10.82).

“ONE WAY” ENTRANCE/EXITS

The driveways described are designated as “One-Way” Entrance/Exit and traffic shall move as indicated:

<u>INTERSECTION/LOCATION</u>	<u>DESIGNATION</u>	<u>DIRECTION</u>
Route NJ-57 Westbound and the municipal driveway located approximately 260 feet west of the driveway. westerly curblines of School Street.	Entrance only	Northbound from Route NJ-57 into the municipal
Route NJ-57 Eastbound and the municipal driveway located approximately 210 feet west of the driveway. prolongation of the westerly curblines of School Street.	Entrance only	Southbound from Route NJ-57 into the municipal

REPEALER CLAUSE

All former traffic resolutions/ordinances or parts of resolutions/ordinances in conflict with or inconsistent with the provisions of this resolution are hereby repealed.

Motion made by Noone and seconded by Valle to approve Resolution 2018-80

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

**RESOLUTION 2018-80
A RESOLUTION TO REFUND DOG LICENSE FEE**

WHEREAS, Claire Patryn applied for and paid for a dog license with the Clerk’s Office in the amount of \$15.00 dollars; and

WHEREAS, the applicant unknowingly applied in the wrong 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 Treasurer to refund the amount of \$15.00 dollars payable to:

Claire Patryn
29 Falcon Way
Washington, NJ 07882

Motion made by Valle and seconded by Thompson to approve Resolution 2018-81

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

**RESOLUTION 2018-81
RETAIL DISTRIBUTION LICENSE
WASHINGTON DISCOUNT LIQUOR
LICENSE NUMBER #2121-44-008-008**

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Distribution 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 Distribution License** be issued by the Borough Clerk and granted to:

License # 2121-44-008-008
Washington Discount Liquors LLC
66 Route 31
Washington NJ 07882

From July 1, 2018 – June 30, 2019, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

Motion made by Valle and seconded by Heinrich to approve Resolution 2018-82

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

RESOLUTION 2018-82
RETAIL DISTRIBUTION LICENSE
LINSCO, INC (SCOTTYS STADIUM)
LICENSE NUMBER #2121-33-004-007

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Distribution 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 Distribution License** be issued by the Borough Clerk and granted to:

License # 2121-33-004-007
Linsco, Inc.
(Scottys Stadium)
15 Belvidere Ave.
Washington NJ 07882

From July 1, 2018 – June 30, 2019, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

Motion made by Klimko and seconded by Thompson to approve Resolution 2018-83

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

**RESOLUTION 2018-83
RETAIL DISTRIBUTION LICENSE
VMI OF WASHINGTON
(ENZO'S RESTAURANT)
LICENSE NUMBER #2121-33-001-005**

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Distribution 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 Distribution License** be issued by the Borough Clerk and granted to:

License # 2121-33-001-005
VMI of Washington, Inc.
(Enzo's Restaurant)
328 W. Washington Ave.
Washington NJ 07882

From July 1, 2018 – June 30, 2019, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

Motion made by Klimko and seconded by Valle to approve Resolution 2018-84

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

**RESOLUTION 2018-84
RETAIL DISTRIBUTION LICENSE
PHILBERTS PUB
LICENSE NUMBER #2121-33-005-006**

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Distribution 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 Distribution License** be issued by the Borough Clerk and granted to:

License # 2121-33-005-006

Philberts Pub

101 W. Washington Ave.

Washington NJ 07882

From July 1, 2018 – June 30, 2019, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

Motion made by Noone and seconded by Valle to approve Resolution 2018-85

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

Ayes: 7, Nays: 0

Motion carried

**RESOLUTION 2018-85
PLENARY RETAIL DISTRIBUTION
WILLIAMS IRISH TAVERN
LICENSE NUMBER #2121-33-007-004**

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Distribution 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 Distribution License** be issued by the Borough Clerk and granted to:

License # 2121-33-007-004

Williams Irish Tavern LLC

101 E. Washington Ave.

Washington NJ 07882

From July 1, 2018 – June 30, 2019, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

VOUCHERS AND CLAIMS

Motion made by Heinrich seconded by Noone to pay the vouchers and claims in the amount of \$236,732.63 from the current fund and \$ \$102,373.31 from sewer.

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

Ayes: 7, Nays: 0

Abstention: Thompson abstains from any
Fire and EMS bills.

Motion Carried.

COUNCIL REMARKS

Councilman Norris wished everyone a Happy 4th of July.

Councilwoman Klimko wished everyone a Happy 4th of July and to enjoy the parade and fireworks.

Councilwoman Klimko discussed about a motion that was brought forward from last meeting concerning Ray Rice. Attorney Parikh responded that everything is ready to go and hoping it will close within the next two weeks. Attorney Parikh recommended that Council vacate the resolution made at the last meeting regarding Councilwoman Klimko's motion concerning the parking lot.

Motion made by Klimko and seconded by Noon to vacate the resolution made back on June 7th to vacate the 30-day resolution of closing on the parking lot from the June 7th meeting.

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

Ayes: , Nays: 1 (Higgins)

Motion Carried.

Councilman Thompson wished everyone a Happy 4th of July.

Councilwoman Noone reiterate a Happy 4th of July.

Councilwoman Valle stated she is pleased with the borough looking into new trash cans and wished everyone a Happy 4th.

Mayor Higgins stated he would like for council to consider discussing at the next meeting a non-binding referendum for the November elections if the Borough should merge with the Township (Washington).

Mayor Higgins also wished everyone a Happy 4th of July and added he hoped all the fathers had a good Father's Day.

EXECUTIVE SESSION

A motion was made by Noone seconded by Valle to approve the following resolution for the purpose of discussing a potential litigation matter, contract negotiations, and a personnel matter at 7:50 P.M. with a five-minute break.

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.

Return To Regular Session

A motion was made by Klimko seconded by Valle to come out of Executive Session at 10:00 pm.

Ayes: 7; Nays: 0
Motion Carried.

Motion made by Klimko and seconded by Valle to give Ray Rice until July 9th to close on the borough parking lot with the exception if he fails to close by the 9th due to his own lack of due diligence the borough will maintain the parking lot.

Ayes: 4 (Klimko, Norris, Thompson and Valle);
Nays: 3(Heinrich, Higgins and Noone)
Motion Carried.

Motion made by Noone and seconded by Klimko to approve the settlement amount of \$8,000 in principle regarding GRC docket # 2016-29 and 30 subject to formal release agreeable to all parties which shall be approved at the next meeting in order for payment to be made to Mr. Wolosky's attorney within 30 days of today's date.

Ayes: 7; Nays: 0
Motion Carried.

Discussion-Planning Board-Taco Bell

Discussions ensued regarding the planning board's recommendation of approving a Taco Bell restaurant in the downtown area of the Borough. Considerations to the present zoning ordinance ensued. It was stated that the ordinance be amended for downtown establishing zoning to allow fast food restaurants.

Attorney Parikh added that Attorney St. Angelo will be working on the zoning amendment and getting the two boards to combine as one also.

Manager Hall briefly discussed issues with the pool and swim teams.

ADJOURNMENT

Hearing no further business, a motion was made by Noone seconded by Klimko to adjourn the meeting at 10:17 pm.

Ayes: 7; Nays: 0
Motion Carried.

Mayor David Higgins

Laurie A. Barton, Borough Clerk