

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES -June 07, 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: Higgins, Klimko, Noone, Norris, Thompson, Valle.

Absent: Heinrich

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.”

MINUTES

Motion made by Valle and seconded by Noone to approve the meeting minutes of regular meetings; May 1, 2018, May 15, 2018 and Special Meeting May 15, 2018.

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

Ayes: 4, Nays: 0, Abstain: 2 (Thompson and Klimko for May 1st)
Motion carried.

CORRESPONDENCE

Motion made by Thompson to receive and file the following correspondences, motion seconded by Valle.

Ayes: 6 Nays: 0
Motion Carried.

1. State of New Jersey-DOT-Set-Aside Program
2. Municipal Public Information Contest-Rutgers
3. NJ American Water
4. Warren/Sussex NAACP
5. Library Board of Trustees

Discussion

Manager Hall explained the contest given by Rutgers referring to the Public Information Contest.

Councilwoman Noone expressed interest in the DOT-Set-Aside Program.

Motion made by Noone and seconded by Klimko to apply for the State of New Jersey-DOT-Set-Aside Program.

Ayes: 6 Nays: 0
Motion Carried.

COUNCIL APPEARANCE

Edward France, Vanatta Street, stated his concerns with the way he feels when he comes to borough hall. Mr. France also discussed his recent violations he received regarding his property.

It was explained to Mr. France by Mayor Higgins the process in which he can take to make a complaint regarding a borough employee.

Mr. France asked in the future to consider giving warnings instead of a violation ticket.

Attorney Parikh confirmed Mayor Higgins advice on issues with an employee and stated to Mr. France that he is free to address council, but they are instructed not to respond to employee matters.

Dale Parichuk, Myrtle Ave., addressed council on the hiring of the current zoning and fire sub-code official and stated that the disabled veteran who had applied should have been given the preference and been offered the job. Mr. Parichuk went on to state he is filing a declaratory judgment.

Lieutenant James Teter, Washington Township Police, stated he stands as a tax payer and on behalf of the police department and stated he agreed that the ordinance should be discretionary and with the repetitive code enforcement, it has made a huge increase of quality of life.

Lt. Teter added that the police department 100% agrees with Mr. Lopez, making people responsible for their properties. Lt. Teter also pointed to Mr. Parichuk that when a snow emergency is announced, is when it becomes in affect. It is not up to the residents to decide its clear, it's when the emergency is lifted. Lt. Teter added that on behalf of the whole police department, Matt Lopez is doing a great job.

Dave Desanto, Cemetery Hill, inquired about any updates regarding the 120 acres of undeveloped property in the borough.

Ethel Conry, Youmans Ave., commented on the good job Matt Lopez has been doing for the borough. Ms. Conry also thanked the police, mayor and everyone on council for doing a good job.

Ms. Conry inquired about the bushes along Rail Road Ave and asked if they will be cut. Ms. Conry also thanked Mayor David Higgins on his contribution to the NAACP scholarship fund.

Jerry Cucci (sp), Washington Square, discussed his property he owns at 33 East Washington Ave and stated he is asking for an extension on his permit he has with the State DOT, for work that is being done to the property.

(Name inaudible) East Washington Ave. asked about help with a sewer bill being adjusted due to their laundry mat business being shut down and not in use.

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

Ayes: 6 Nays: 0
Motion Carried.

REPORTS:

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

- 1. Recreation-Revenue and Directors Report
- 2. Washington Township Police-Monthly Report
- 3. Warren County Board of Health-May
- 4. Court-Monthly Reports
- 5. Managers Report on Library Incident
- 6. Fire/Code Official-April

Ayes: 6 Nays: 0
Motion Carried.

NEW BUSINESS

ORDINANCES

Motion made by Thompson to approve on first reading Ordinance 2018-13 motion seconded by Klimko. Public Hearing scheduled for July 10, 2018.

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

**ORDINANCE 2018-13
AN ORDINANCE AMENDING CHAPTER 47 OF THE CODE OF THE BOROUGH OF
WASHINGTON – GARBAGE, RUBBISH, AND REFUSE AND AMENDING § 47-10
“COLLECTION OF BULK HOUSEHOLD OR TYPE 13 WASTE”**

§ 47-10 Placement of containers for collection.

Add:

Bulk household or Type 13 waste shall be placed no earlier than 6:00 a.m. the morning before the day(s) designated as bulk household or Type 13 waste pickup days and posted in the Borough of Washington garbage and recycling calendar. The owner or occupier of the premises is responsible to make sure that any required stickers are affixed to the materials and that the materials are fit for collection and do not include hazardous and/or other prohibited items pursuant to this ordinance and/or the regulations of the Pollution Control Financing Authority of Warren County or the State of New Jersey.

Resolution

Motion made by Noone and seconded by Valle to approve Resolution 2018-74.

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

**RESOLUTION 2018-74
CANCELLATION OF CAPITAL BOND ORDINANCES
IN THE AMOUNT OF \$11,459.98**

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorization may be cancelled;

NOW THEREFORE, BE IT RESOLVED, by the council of the Borough of Washington, that the following unexpended and dedicated balances of General Capital Appropriations be cancelled:



	Description	Total	Funded	Unfunded
17-08	Various Improvement	11,459.98	11,459.98	0.00

\$			
11,459.98	\$11,459.98	\$ 0.00	

Motion made by Noone to approve on first reading Ordinance 2018-14 motion seconded by Klimko. Public Hearing scheduled for July 10, 2018.

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

**ORDINANCE 2018-14
 BOROUGH OF WASHINGTON
 AN ORDINANCE PROVIDING FUNDING FOR PURCHASE OF
 FURNITURE AND COMPUTER EQUIPMENT FOR THE BOROUGH OF
 WASHINGTON LIBRARY AND APPROPRIATING \$11,459.98 FOR SUCH
 PURPOSE.**

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, in the County of Warren, New Jersey, authorizes purchase of furniture and computer equipment for the library capital improvement to be undertaken, to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$11,459.98 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the General Capital Improvement Fund in the amount of \$11,459.98.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current

Expense and is an improvement which the Borough of Washington may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. The capital budget of the Borough is hereby amended to conform 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 Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 6. This Ordinance shall take effect immediately upon due passage and publication according to law.

Approval of Block Party Request: Ateena Smith-June 23, 2018

Discussions ensued regarding the approval of Ms. Smith's request for a block party for June 23rd.

Manager Hall explained concerns the Police Chief had with barrier placement and his concerns with overtime incurred by DPW. Manager Hall encouraged a permit with a fee be proposed to offset some of the costs being incurred for the block parties.

Motion made by Noon and seconded by Klimko to approve the Block Part request.

Ayes: 4, Nays: 0 Abstain: 2, Higgins and Thompson
Motion Carried.

Approval of Firemen's Application: Armand Jockel

Motion made by Norris and seconded by Klimko to approve the fireman's application of Armand Jockel.

Ayes: 6 Nays: 0
Motion Carried.

RESOLUTIONS

Motion made by Noone and seconded by Valle to approve Resolution 2018-65.

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

RESOLUTION 2018-65
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$16,200.00 which is now available from the State of New Jersey, Community Stewardship Incentive Program

BE IT FURTHER RESOLVED, that the like sum of \$16,200.00 is hereby appropriated under the caption of Other Expenses – Community Stewardship Incentive Program.

Motion made by Valle and seconded by Noone to approve Resolution 2018-66.

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

RESOLUTION 2018-66
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$2,589.13 which is now available from the Statewide Insurance Fund, Risk Control Grant

BE IT FURTHER RESOLVED, that the like sum of \$2,589.13 is hereby appropriated under the caption of Other Expenses – Risk Control Grant.

Motion made by Noone and seconded by Thompson to approve Resolution 2018-67.

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

Ayes: 6, Nays: 0

Motion carried.

RESOLUTION 2018-67

RESOLUTION OPPOSING NJDOT ROUTE 80 ROCK MITIGATION PROJECT THROUGH THE DELAWARE WATER GAP IN HARDWICK AND KNOWLTON TOWNSHIPS

WHEREAS, the New Jersey Department of Transportation (NJDOT) intends to build a series of high industrial fences and a 60-foot-high concrete pyramid called a “rockfall berm” along Route 80 through the Delaware Water Gap; and

WHEREAS, the proposed Route 80 Rockfall Migration will be built on lands located in Hardwick and Knowlton Townships and the Delaware National Water Gap Park; and

WHEREAS, stakeholders Hardwick Township and Knowlton Township have formally opposed the project, and have not given their permission for this project within their boundaries; and

WHEREAS, construction of the Route 80 fence is slated to begin in 2020 and is expected to last two years, and

WHEREAS, in 2012 this project’s cost was estimated at \$6 million but has now ballooned to \$59.1 million according to the current Capital Transportation Plan on the NJDOT website; and

WHEREAS, the \$59.1 million price tag is substantially more than comparable NJDOT rock mitigation projects in Andover Township, Denville, and Bethlehem Township New Jersey, which are listed on the NJDOT website as costing \$4.65 million, \$3.25 million, and \$8 million; and

WHEREAS, the NJDOT’s Concept Development Report acknowledges that “NJDOT” provided limited rockfall event data, and the actual frequency of rock activity is unknown for this project; and

WHEREAS, there are no documented rockfall events nor any recollections of significant rockfall events over the last ten years within Area “D” portion of the project where the concrete pyramid is to be placed; and

WHEREAS, there are 70 to 80 motor vehicle accidents on Route 80 in this section of Route 80 annually due to speed and poor road conditions yet this project involves no road improvements; and

WHEREAS, two years of construction on Route 80 will have significant negative impact on residents for New Jersey and Pennsylvania and on emergency personnel’s ability to get to nearby hospitals; and

WHEREAS, the Delaware Water Gap is a nationally prominent scenic wonder and a gateway to the one of the most widely used National parks in the nation; and

WHEREAS, the proposed project will impact the viewshed of Point of Gap Overlook, near the Appalachian Trail, which has an entrance at the Delaware Water Gap Park; and

WHEREAS, the income generated by tourism to the Delaware Water Gap and the scenic value of Northwest New Jersey will likely be negatively impacted by the proposed fence; and

WHEREAS, the American Society of Civil Engineers gave the state of New Jersey a grade of D-plus in 2017 for the poor state of its roads and bridges; and

WHEREAS, the \$59.1 millions of dollars appropriated for this non-essential rock mitigation project would be better directed to repairing the roads and bridges in Northwest New Jersey.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of June 2018, that the Borough of Washington opposes the current NJDOT Route 80 Rockfall Mitigation Project and requests the assistance of the following elected Representatives in halting the current NJDOT project:

1. U.S. Congressman Josh Gottheimer
2. U.S. Senator Cory Booker
3. U.S. Senator Robert Menedez
4. State Senator Steven Oroho
5. State Assemblyman Parker Space
6. State Assemblyman Harold Wirths
7. Warren County Freeholders Edward Smith, Jason Sarnoski and Richard Gardner

Motion made by Noone and seconded by Valle to approve Resolution 2018-68.

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

RESOLUTION 2018-68
**A RESOLUTION OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN,
STATE OF NEW JERSEY AUTHORIZING A “CHANGE FUND” FOR USE BY THE
BOROUGH CLERK**

WHEREAS, the Chief Financial Officer has advised that a “Change Fund” is necessary for the purpose of making change for cash payments for certain Borough offices and departments; and

WHEREAS, the said Change Fund will be used for the sole purpose of making change and not for the purpose of paying bills.

NOW, THEREFORE IT BE RESOLVED by the Borough Council of the Borough of Washington, County of Warren, State of New Jersey, that a Change Fund is hereby established in the following amounts and for the following departments:

Department	Amount
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Clerk/Animal Trust

\$ 100.00

The said Change Fund is to be used for the sole purpose of making change and not for the purpose of paying any bills and said Change Fund is to have a constant balance in the amount in which it is established.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Chief Financial Officer shall make the appropriate adjustments and notations on her records for the purpose of establishing such Change Funds for the foregoing offices and departments.

Motion made by Klimko and seconded by Thompson to approve Resolution 2018-69.

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

RESOLUTION 2018-69
RESOLUTION 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., Tuesday, July 4, 2017 with a Rain Date of Sunday, July 9, 2017.

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.

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

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 2018-70.

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

Ayes: 6, Nays: 0

Motion carried.

RESOLUTION 2018-70

**RESOLUTION OF THE BOROUGH OF WASHINGTON GOVERNING BODY
OPPOSING A-3103, CONCERNING ATHLETIC TRAINERS AT YOUTH EVENTS**

WHEREAS, the New Jersey Assembly has introduced Bill No. A-3103, which, if adopted, would require all schools and municipal and county recreation departments to ensure that a licensed athletic trainer is present during any event or practice that is sponsored, organized or otherwise affiliated with such schools and municipal and county recreation departments; and

WHEREAS, Bill No. A-3103 does not provide funding to enable municipalities, counties, or schools to meet the requirement imposed by the bill; and

WHEREAS, the Mayor and Borough Council are concerned that if A-3103 is signed into law, this will impose a serious financial burden on taxpayers, and will potentially limit the ability of the Borough and schools to provide adequate recreation programs, either because a trainer is not available, or because the cost of same is prohibitive.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Washington, Warren County, New Jersey that the Mayor and Borough Council hereby urge the New Jersey Legislature to oppose A-3103; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to State Senator Steven V. Oroho. State Assemblyman Parker Space and Harold Wirths, the New Jersey State League of Municipalities and the Office of the Governor.

Motion made by Klimko and seconded by Noone to approve Resolution 2018-71.

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

Ayes: 6, Nays: 0

Motion carried.

RESOLUTION 2018-71
A RESOLUTION DESIGNATING SEPTEMBER 15th AND 16th AS TOWN-WIDE YARD
SALE DATES AND WAIVING YARD SALE FEES APPLICABLE THERETO

WHEREAS, the Borough of Washington, County of Warren, State of New Jersey will be holding the annual town wide yard sale for all Borough residents; and

WHEREAS, residents of the Borough of Washington will be exempt from any yard sale fees for the town wide yard sale to be held on September 15th and 16th, 2018;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey supports this exemption for all residents participating in the town wide yard sale in the Borough of Washington of Warren County.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey have stated that all residents of the Borough of Washington will be exempt from all yard sale in connection with participation in the town wide yard sale September 15th and 16th, 2018.

Motion made by Klimko and seconded by Noone to approve Resolution 2018-72.

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

Ayes: 4, Nays: 0 Abstain: 2, Higgins and Thompson.

Motion carried.

RESOLUTION 2018-72
RESOLUTION AUTHORIZING AWARD OF CONTRACT TO PIERCE
MANUFACTURING COMPANY FOR THE PURCHASE OF A CUSTOM PUMPER
TRUCK

WHEREAS, the Borough of Washington wishes to purchase one Custom Pumper through the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program; and

WHEREAS, participation in such a cooperative purchasing program is specifically authorized pursuant to **N.J.S.A. 52: 34-6.2 et seq.** and the Local Public Contracts Law **N.J.S.A. 40A11-1**; and

WHEREAS, the Borough of Washington by resolution has elected to participate in the HGAC Cooperative Purchasing Program pursuant to **Resolution 2018-53**; and

WHEREAS, Pierce Manufacturing has been awarded the Houston Galveston Cooperative Contract Number FS-12-17; and

WHEREAS, Pierce Manufacturing will offer a Trade-in allowance for one 1999 HME Central State Pumper and one 1986 Mack Rescue Truck of \$25,000.00; and

WHEREAS, the cost for the Customer Pumper is \$474,571.42; and

WHEREAS, the Chief Financial Officer has provided the Certificate of Availability of Funds for the purchase of the Custom Pumper Truck; 04-2018-1811-0-4-0

NOW THEREFORE, BE RESOLVED by the Governing Body of the Borough of Washington, Warren County, that the contract to Pierce Manufacturing be awarded in the amount of \$474,571.42.

Motion made by Klimko and seconded by Noone to approve Resolution 2018-73.

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

**RESOLUTION 2018-73
RETAIL DISTRIBUTION LICENSE
WARREN COUNTY DISCOUNT LIQUOR
LICENSE NUMBER #2121-44-006-002**

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 # 2121-44-006-002
Warren County Discount Liquor Grocery Inc
260 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 Noone to approve Resolution 2018-75.

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

**RESOLUTION 2018-75
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
24/30	Qin Associates LLC 18-22 E. Washington Ave. Washington, NJ 07882	Change in Use (22) to (1) E.D.U. Effective: July 2018

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.

VOUCHERS AND CLAIMS

Motion made by Thompson seconded by Noone to pay the vouchers and claims in the amount of \$686,677.47 from the current fund and \$ 85,046.08 from sewer.

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

Ayes: 5, Nays: 0

Motion carried.

Abstention: Thompson abstains from any Fire and EMS bills.

Motion Carried.

RECAP

M. Hall recapped the following:

- Meet with Mr. France tomorrow
- Prepare sewing billing
- Inform applicant of approval of Block Party
- Let residents know town wide yard sales coincide with bulk pick up
- Apply for Trail Grant

COUNCIL REMARKS

Manager Hall briefly explained his complaint letter regarding the condition of the cemetery. Motion made by Noone and seconded by Klimko to support and have letter of complaint sent regarding the cemetery.

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

Ayes: 6, Nays: 0

Motion carried.

Councilwoman Klimko thanked the manager for the letter regarding cemetery and wished all the fathers a Happy Father's Day.

Councilman Thompson thanked the Veterans for their service stating that yesterday was D-Day.

Councilwoman Noone thanked members of the Green Team, the BID Manager and the Polcie with the Farmers Market.

Mayor Higgins stated that Washington Borough is a great place to live and he is tired of the attacks Washington Borough is suffering with the attack on Council and employees.

EXECUTIVE SESSION

A motion was made by Noone seconded by Thompson to approve a Resolution Authorizing Executive Session for the purpose of discussing a potential litigation matter, contract negotiations, and a personnel matter at 8:20 PM with a five-minute break.

Ayes: 6 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 Noone seconded by Valle to come out of Executive Session at 9:35 pm.

Ayes: 6; Nays: 0
Motion Carried.

Motion made by Klimko and seconded by Valle that upon approval on our June 19th meeting of releasing funds to Jade Acquisition, that he is then given 30-day's notice to close on the parking lot.

Ayes: 4; Nays:2
Motion Carried.

Motion made by Noone and seconded by Klimko to approve the settlement agreement prepared by Gebhardt and Keifer for the declaratory judgement action with understanding that provisions of off tract improvements on Nunn Avenue will be clarified as to ensure any off-tract improvements will not be the responsibility of the Borough of Washington.

Ayes: 6; Nays: 0
Motion Carried.

ADJOURNMENT

Hearing no further business, a motion was made by Thompson seconded by Klimko to adjourn the meeting at 10:00 pm.

Ayes: 6; Nays: 0
Motion Carried.

Mayor David Higgins

Laurie A. Barton, Borough Clerk