

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – January 8, 2019**

The Re-Organization 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: Conry (*arrived at 6:43 p.m.*), Duchemin, Noone, Norris, Parichuk (*left meeting at 7:55 pm*), Valle, Higgins.

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.”

Nomination-Deputy Mayor

Motion made by Higgins and seconded by Valle to open the floor for Deputy Mayor nominations, all were in favor.

Nominations:

Councilwoman Noone and seconded by Duchemin motioned to nominated Ethel Conry.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins.
Ayes: 3, Nays: 3
Motion Fails

Councilwoman Valle and seconded by Parichuk motioned to nominated Keith Norris.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins.
Ayes: 3, Nays: 3
Motion Fails

Motion made by Noone and seconded by Valle to wait for Councilwoman Conry to arrive to take a vote again for Deputy Mayor upon the recommendation of Attorney Parikh.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 6, Nays: 0
Motion Carried

ORDINANCES

Motion made by Noone to approve on first reading Ordinance 2019-01, motion seconded by Valle. Public Hearing scheduled for February 5, 2019.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 6, Nays: 0
Motion Carried.

Discussion

Mayor Higgins read the ordinance in whole and presented both families Thompson and Alleger with honorary street signs reflecting the correct spelling of Alleger Street and to naming the road to the DPW facilities after Richard Thompson who passed away last year and was a Councilman.

ORDINANCE 2019-01

AN ORDINANCE OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY, CHANGING THE NAME OF VARIOUS STREETS AND ASSIGNING STREET NAMES IN ACCORDANCE WITH RECOMMENDATIONS OF THE 911 COORDINATOR AND OTHER VARIOUS REASONS

WHEREAS, pursuant to the provisions of **N.J.S.A. 40:67-1(k), et seq.**, the governing body of a municipality may make ordinances to provide for the changing of names of streets within the municipality and/or assign names to previously unnamed streets therein; and

WHEREAS, the Borough of Washington 911 Coordinator, Office of Emergency Management Coordinator, and Borough Manager have completed the 911 database

update project in conjunction with the Warren County 911 Coordinator and 911 Center;
and

WHEREAS, in the course of updating the database certain streets were identified as requiring name changes for the purposes of clarity and elimination of duplication of addresses for reasons of public safety; particularly response times; and

WHEREAS, the 911 Coordinator has made formal recommendation to the Borough of Washington that certain streets enumerated herein be renamed in a manner consistent with various public safety databases; and

WHEREAS, the Borough of Washington is desirous of honoring the life of the Honorable Richard W. Thompson, Jr.; who passed away on October 30, 2018 while serving as an active member of the Borough Council as well as an exempt member of the Washington Fire Department, concluding decades of service to the Borough of Washington; and

WHEREAS, the Borough of Washington is desirous of correcting a longstanding error with regard to the spelling of a street named for a local family which has played an integral role in the community of Washington since its very founding;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington to rename and/or assign street names as follows:

That easternmost portion of Pershing Avenue having an intersection with Fisher Avenue, extending westerly and further having two (2) lots (Block 84 Lots 27 and 28) fronting upon it shall heretofore be known as “East Pershing Avenue.”

That portion of roadway having an intersection with the southerly curbline of NJ Route 57/West Washington Avenue, crossing the Shabbecong Creek, extending southerly across Block 101 Lot 13.01 and thence providing access to Block 101 Lot 12 a/k/a Washington Gardens Apartments shall be heretofore known as “Washington Gardens Way.”

That roadway having an intersection with the westerly curbline of the roadway to be known as “Washington Gardens Way” and thence providing access across Block 101 Lot 13.01 in a westerly direction to Block 101 Lot 1 shall heretofore be known as “Richard W. Thompson Jr. Way.”

That roadway having an intersection with the easterly curbline of Broad Street, extending easterly and thence providing access to Block 94 Lot 57 a/k/a known as “Allegar Street” shall heretofore be known as “Alleger Street,” in accordance with the proper spelling of the surname “Alleger” which has been substantiated by the Alleger family, who provided

early maps of the Borough of Washington as evidence of the historical and correct spelling.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Washington to direct the Borough Manager to make all necessary notifications of applicable property owners of the foregoing, as well as notifications to various agencies, including but not limited to the Warren County Department of Public Safety, and the United States Post Office.

Motion made by Noone to approve on first reading Ordinance 2019-02, motion seconded by Valle. Public Hearing scheduled for February 5, 2019.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 6, Nays: 0
Motion Carried.

ORDINANCE 2019-02
AN ORDINANCE AMENDING CHAPTER 85 VEHICLES AND TRAFFIC OF
THE CODE OF THE BOROUGH OF WASHINGTON

WHEREAS, the Mayor and Council believe it necessary to amend certain portions of Chapter 85 of the Code of the Borough of Washington; and,

WHEREAS, there is a need to accommodate changes to various street parking designations;

BE IT RESOLVED, by the Council of the Borough of Washington that Chapter 85 Vehicles and Traffic be amended as follows,

Article VIII: Schedules

85-23 Schedule 1: No parking: Amend as follows:

Add:

West Church Street – No parking both sides beginning at the westerly curblineline of North Lincoln Avenue and extending to a point 100’ westerly therefrom.

Motion made by Noone to approve on first reading Ordinance 2019-03, motion seconded by Valle. Public Hearing scheduled for February 5, 2019.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 6, Nays: 0
Motion Carried.

ORDINANCE 2019-03
AN ORDINANCE FIXING THE SALARY AND WAGES OF CERTAIN MUNICIPAL OFFICIALS, APPOINTEES, EMPLOYEES, AND STIPENDS APPLICABLE THERETO AND REPEALING PORTIONS OF PRIOR INCONSISTENT SALARY AND WAGE ORDINANCES FOR THE YEARS BEGINNING JANUARY 1, 2019

Motion made by Norris to approve on first reading Ordinance 2019-04, motion seconded by Duchemin. Public Hearing scheduled for February 5, 2019.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 6, Nays: 0
Motion Carried.

ORDINANCE 2019-04
AN ORDINANCE OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF VARIOUS BOROUGH OWNED REAL ESTATE LOCATED IN WASHINGTON BOROUGH AND WASHINGTON TOWNSHIP PURSUANT TO N.J.S.A. 40A:12-13

WHEREAS, Lot 6 Block 36, more commonly known as “149 North Lincoln Avenue,” located in the Borough of Washington, was acquired through a tax foreclosure and is not needed for public purposes; and

WHEREAS, Lots 4 and 5 Block 50, more commonly known as “0 Prosper Way,” and “29 McKinley Avenue,” respectively, were acquired through a tax foreclosure and are not needed for public purposes; and

WHEREAS, Lot 51 Block 100, more commonly known as “0 Marble Street” was acquired through a tax foreclosure and is not needed for public purposes; and

WHEREAS, it is in the best interest of the Borough to sell such land to generate revenue, reduce taxes and reduce liabilities; and

WHEREAS, these lots shall be referred to herein collectively as “the properties”; and

WHEREAS, the Borough proposes to sell the properties by Open Public Sale to the highest bidder as authorized by **N.J.S.A. 40A:12-13(a)**.

NOW, THEREFORE, BE IT ORDAINED by Council of the Borough of Washington, County of Warren, State of New Jersey, as follows:

The Borough Clerk is authorized, subject to the conditions set forth herein, to offer for sale by public auction all of the Borough's right, title and interest in and to the following lot pursuant to the provisions of **N.J.S.A. 40A:12-13**:

1. The sale of said properties shall be pursuant to the provisions of subsection (a) of Section 13 of P.L. 1971, c. 199 (**N.J.S.A. 40A:12-13**), by open public sale at auction to the highest bidder after advertisement thereof in a newspaper circulating in the Borough of Washington, by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale. The Borough Council reserves the right to reject all bids where the highest bid is not accepted, and notice of such reservation shall be included in the advertisement of the sale, and public notice thereof shall given at the time of sale. No minimum bid or price shall be specified, and upon the completion of bidding, the highest bid may be accepted or all the bids may be rejected by the Borough of Washington
2. Pursuant to **N.J.S.A. 40A:12-13(a)**, each bidder shall be required to submit one bid under each Option A and Option B below.
 - i) **Option A** - shall be for the real property subject to the following restrictions on the use to be made of such property, which shall be conditions or restrictions imposed, or interest or state retained, which the Borough proposes to retain or impose:
 - a. The Property shall not be utilized for any purpose which is tax exempt from municipal property taxes unless the owner thereof shall pay an equivalent amount to the Borough which it would otherwise pay as municipal property taxes if the said use of the property was not tax exempt (municipal, school, county, fire district, etc. taxes). This payment in lieu of taxes shall be paid wholly to the Borough and shall be a condition upon the sale and a restriction as to the use of the property which shall run with the land.
 - b. Such other restrictions, easements, rules and regulations as are contained in the above, referred to in deeds, the information to bidders and related documentation in connection with this sale.

- c. All restrictions, requirements and easements imposed as conditions of the sale of the above property shall run with the land, and any subsequent sale or conveyance of the property by the buyers' successors in right, title, or interest, shall be subject to said restrictions, requirements and easements.
 - d. The Clerk shall make known the specific restrictions set forth in this section in the advertisement and invitation to bid and shall comply with the statute's direction to receive bids under "Option A and Option B" as provided in N.J.S.A. 40A:12- 13.
- ii) **Option B** – shall be for the real property to be sold free of all such restrictions, conditions, interests or estates on the part of the Borough. (Note: Option B is listed solely in compliance with **N.J.S.A. 40A: 12-13(a)(2)**. The Borough does not intend to accept any bids under Option B).
3. The Borough may accept or reject either or both options and the highest bid for each. Such acceptance or rejection shall be made not later than at the second regular meeting of the Borough following the sale, and, if the Borough of Washington shall not so accept such highest bid, or reject all bids, said bids shall be deemed to have been rejected. Any such sale may be adjourned at the time advertised for not more than one week without re-advertising.
 4. The Borough makes no warranty concerning the marketability or the insurability of title to the said parcel. In the event title of the said parcel, or portion thereof, is not marketable or insurable at regular rates by a reputable title insurance company licensed to do business in the State of New Jersey, a successful bidder's sole remedy shall be the right to demand the return of any deposit paid to the Borough of Washington.
 5. At least fifteen (15) days prior to the date of settlement, the successful bidder will provide the Borough Attorney with the following: a) Preliminary report of title with legal description; and b) Current survey.
 6. At least ten (10 %) percent of the minimum sales price shall accompany the bid which may be by personal check. The balance of the bid price or purchase price shall be cash, certified or official bank check, payable at the time of transfer of title, but in no event later than thirty (30) days after the date of the land sale,

except, in the event that the Borough Attorney certifies that questions of title exist, in which event payment shall be made within ninety (90) days after the date of land sale, unless further extended by resolution of the Borough Council.

7. In the event the successful bidder shall fail to pay the balance as herein provided, the payment made at the time of sale shall be retained by the Borough as liquidated damages for the non-performance of said bidder. The Borough shall be entitled to rescind the prior bid approval and terminate any and all rights of the designated bidder in said property.
8. All sales and conveyances shall be subject to all covenants, conditions, encumbrances, easements, and restrictions, whether of record or not, as well as subject to all presently existing municipal rules, regulations and ordinances and amendments thereto of the Borough of Washington. The sale of any parcel shall in no way bind the Borough to provide access or to improve presently existing accesses.

NOW, BE IT FURTHER RESOLVED that the Mayor, Clerk and Borough Attorney are authorized to sign all documents and do all things necessary to effectuate the sale and conveyance of the above described property in accordance with the terms of this resolution and other applicable requirements of law.

BE IT FURTHER RESOLVED that this ordinance shall take effect immediately.

RESOLUTIONS

Motion made by Valle and seconded by Parichuk to approve Resolution 2019-01.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0

Motion carried.

**RESOLUTION 2019-01
MEETING DATES
OFFICIAL NEWSPAPERS**

OPEN PUBLIC MEETINGS ACT

WHEREAS, pursuant to the Open Public Meetings Act, P.L. 1975, C.231, the Borough of Washington is required to file and post certain notices of public meetings of the Common Council of the Borough of Washington; and

WHEREAS, among the obligations imposed upon the Borough of Washington is the obligation to file the said notices with the newspaper of general circulation circulating in the Borough of Washington; and

WHEREAS, a schedule of regular meetings must be prepared, posted and filed within (7) seven days of the date of the annual reorganization meeting of the Common Council.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the Borough of Washington, County of Warren, State of New Jersey, that the **Star Gazette**, a newspaper published in Warren County, and circulating in the Borough of Washington and the **Express Times**, a newspaper published in the Town of Easton, be designated as the newspapers to which all notices of regular and special meetings of the Common Council shall be transmitted, pursuant to the provisions of the Open Public Meetings Act, P.L. 1975 C. 231.

BE IT FURTHER RESOLVED, by the Authority aforesaid that a copy of the attached **Schedule of 2019 Regular Meetings** be furnished to any member of the public requesting same, as required by the Open Public Meeting Act.

**SCHEDULE OF 2019 REGULAR MEETINGS
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY**

Council Chambers - 7:00 pm

REGULAR MEETINGS:

*January 8, 2019 (Reorganization Meeting)	**July 02, 2019
*January 22, 2019	(One meeting in July)
February 5, 2019	**August 6, 2019
February 19, 2019	(One meeting in August)
March 5, 2019	September 3, 2019
March 19, 2019	September 17, 2019
April 2, 2019	October 1, 2019
April 16, 2019	October 15, 2019
May 7, 2019	**November 19, 2019
May 21, 2019	December 3, 2019
**June 18, 2019	December 17, 2019
(One meeting in June)	December 30, 2019 (Bill Pay Only)

Official Action May Be Taken

* Month of January meetings will be held on the 2nd & 4th Tuesday

** One meeting

Any business that requires Council consideration and action at a particular meeting must be in the Borough Manager's or the Borough Clerk's office no later than the close of business on the Thursday preceding the meeting date. The Purchasing Agent is hereby authorized to contract with Atlantic Salt Company under the Morris County Co-Op to purchase salt for the Borough roads.

Motion made by Valle and seconded by Parichuk to approve Resolution 2019-02.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0

Motion carried.

RESOLUTION 2019-02
RESOLUTION ESTABLISHING A CASH
MANAGEMENT PLAN AND NAMING
OFFICIAL CASH DEPOSITORIES

WHEREAS, NJSA 40A: 5-14 mandates that a Governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

WHEREAS, NJSA 40A: 5-15.1 amended by Chapter 148, P.L. 1997 established new requirements for the investment of public funds and adoption of a cash management plan for counties, municipalities and authorities; and

WHEREAS, the Borough Council of the Borough of Washington, County of Warren wish to comply with the above statutes;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Washington, County of Warren adopts the following cash management plan, includes the official depositories for the Borough of Washington, County of Warren for the period January 1, 2019 through December 31, 2019.

**CASH MANAGEMENT PLAN OF THE
BOROUGH OF WASHINGTON,
COUNTY OF WARREN**

I. STATEMENT OF PURPOSE

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A. 40A: 5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain public funds of the Borough of Washington, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

**II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED
BY THE PLAN**

A. The plan is intended to cover all deposits and/or all investments of the funds of the Borough of Washington including but not limited to:

- Current Fund
- Payroll Trust Fund
- Agency Account
- Sewer Utility Revenue Account
- Developers’ Escrow Trust Funds
- Open Space Accounts
- General Capital Account
- Sewer Capital Account
- Regular Trust Accounts

**III. DESIGNATION OF OFFICIALS AUTHORIZED TO MAKE
DEPOSITS AND INVESTMENTS UNDER THE PLAN**

The Chief Financial Officer (the “Designated Official”) is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Borough of Washington are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgement kept on file with such officials.

The Chief Financial Officer is further authorized to make interfund transfers between the Borough Funds as may be necessary from time to time. The Chief Financial Officer is authorized to make such transfers and/or any and all payments by wire transfer as necessary.

IV. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

TD Bank
Sovereign Bank
Bank of America
PNC Bank
Wells Fargo
Investors Savings
The Depository Trust Company
Provident
Peapack Gladstone Bank
Money Market Investment Accounts and/or Certificates of Deposit
Unity Bank

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official(s) referred to in Section III above.

V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

- (1) The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the

Designated Official(s) of the Borough of Washington referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official (s) referred to in Section III above.

(2)

Bank of America
TD Bank
MBIA-Class Management Unit Trust
NJ ARM Program
NJ Cash Management Fund
PNC Bank
Valley National Bank
Millington Savings Bank
Provident
The Depository Trust Company
Investors Savings
Wells Fargo
Peapack Gladstone Bank
Unity Bank

(3)

(4)

(5)

(6) **VI.**

AUTHORIZED INVESTMENTS

(7)

(8) Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;

- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of the school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L.1977, ch. 281 (C.52: 18A-90.4); or
 - (9) (8) Agreements for the repurchase of fully collateralized securities if:
 - (a) The underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a:
 - (b) The custody of collateral is transferred to a third party;
 - (c) The maturity of the agreement is not more than 30 days;
 - (d) The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17: 19-41); and
 - (10) (e) A master repurchase agreement providing for the custody and security of collateral is executed.
- (11)
 - (12)
 - (13) For purposes of the above language, the terms “governmental money market mutual fund” and “local government investment pool” shall have the following definitions:
 - (14)
 - (15) Government Money Market Mutual Fund
 - (16)
 - (17) An investment company or investment trust:
 - (18)
 - (a) Which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 USC sec. 80a-1 et seq., and operated in accordance with 17 CFR sec. 270.2a-7.
 - (b) The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and

- (c) Which has:
 - (19) Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (20) Retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.
 - (21)
 - (22)
 - (23) Local Government Investment Pool
 - (24)
 - (25) An investment pool:
 - (26)
 - (a) Which is managed in accordance with 17 C.F.R. sec 270.2a-7;
 - (b) Which is rated in the highest category by a nationally recognized statistical rating organization;
 - (c) Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
 - (d) Which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (c.52: 14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investment;
 - (e) Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected at the time of interest rate adjustment, to have a market value that approximates their par value, or net asset value; and
 - (f) Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management fund, or through the use of a National or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C49: 3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in

the U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government Securities.

(27)

(28)

VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGEMENT OF RECEIPT OF PLAN.

(29) To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough of Washington, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough of Washington to assure that there is no unauthorized use of the funds or the Permitted Investments that involve Securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the Borough of Washington or by a third party custodian prior to or upon the release of the Borough of Washington’s funds.

(30)

To assure that all parties with whom the Borough of Washington deals either by way of Deposits or Permitted Investments are aware of the authority and the limits sets forth in the Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s)

REPORTING REQUIREMENTS

(31) At the public meeting of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of the Borough of Washington a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Borough of Washington as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.

- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Borough of Washington.

VIII. TERM OF THE PLAN

(32) This plan shall be effective January 1, 2019 through December 31, 2019. The Plan may be amended from time to time as necessary.

(33)

To the extent that any amendment is adopted by the Borough Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

Motion made by Duchemin and seconded by Valle to approve Resolution 2019-03.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0

Motion carried.

RESOLUTION 2019-03

**A RESOLUTION PROVIDING FOR TEMPORARY
CURRENT FUND APPROPRIATIONS**

WHEREAS, N.J.S.A. 40A: 4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2019 Budget, temporary appropriations should be made for the purpose and amount required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2019;
and

WHEREAS, the total temporary appropriations in the 2019 budget, exclusive of any appropriations made for interest, and debt redemption charges, grants and capital improvements, is the sum of \$1,542,123.75; and

WHEREAS, 26.25% of the total appropriations in the 2018 Budget, exclusive of any appropriation made for interest and debt redemption charges, grants and capital improvements in said 2018 Budget is the sum of \$1,781,334.73

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey do hereby make the following temporary appropriations per the attached:

TOTAL APPROPRIATIONS WITHIN 26.25% LIMITATION	\$1,542,123.75
TOTAL CAPITAL AND DEBT SERVICE	\$1,045,062.00
TOTAL ALL TEMPORARY APPROPRIATIONS:	\$2,587,185.75

Motion made by Valle and seconded by Duchemin to approve Resolution 2019-04.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0
Motion carried.

RESOLUTION 2019-04

A RESOLUTION PROVIDING FOR TEMPORARY SEWER UTILITY APPROPRIATIONS

WHEREAS, N.J.S.A. 40A: 4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2019 Budget, temporary appropriations should be made for the purpose and amount required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2019;
and

WHEREAS, the total temporary appropriations in the 2019 sewer utility budget, exclusive of any appropriations made for interest, and debt redemption charges, grants and capital improvements, is the sum of \$369,000; and

WHEREAS, 26.25% of the total appropriations in the 2018 Budget, exclusive of any

appropriation made for interest and debt redemption charges, grants and capital improvements in said 2018 Budget is the sum of \$521,325.00

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey do hereby make the following temporary appropriations per the attached:

TOTAL APPROPRIATIONS WITHIN 26.25% LIMITATION	\$369,000.00
DEBT SERVICE	\$103,570.00
TOTAL ALL TEMPORARY APPROPRIATIONS:	\$472,570.00

Motion made by Valle and seconded by Norris to approve Resolution 2019-05.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0
Motion carried.

RESOLUTION 2019-05

RESOLUTION APPOINTING MATTHEW C. HALL, MPA AS WASTEWATER CONTRACT ADMINISTRATOR IN ACCORDANCE WITH RESOLUTION 9-12-18 OF THE LOCAL FINANCE BOARD AND PURSUANT TO N.J.S.A. 58:27-19

WHEREAS, the New Jersey Wastewater Treatment Public-Private Contracting Act, **N.J.S.A. 58:27-19** et seq. authorizes municipalities to enter into long term contracts with private firms for the operation, maintenance and management of their wastewater treatment systems; and

WHEREAS, the New Jersey Wastewater Treatment Public-Private Contracting Act, **N.J.S.A. 58:27-19** et seq. provides that, prior to executing long term contracts pursuant to these provisions, municipalities must submit such contracts to the Local Finance Board in the Division of Local Government Services for review and approval; and

WHEREAS, the Borough of Washington has, in accordance with the requirements of the aforementioned statutes, submitted an application to the Local Finance Board for the purpose of obtaining the Board's approval of a proposed contract between the Borough of Washington and Veolia Water North America Operating Services, LLC for the operation and maintenance of the Borough of Washington's wastewater treatment system; and

WHEREAS, **Resolution 9-12-18** of the Local Finance Board attached hereto and made a part hereof granted conditional approval to the contract executed by the Borough of Washington with Veolia Water North America Operating Services, LLC for the operation and maintenance of the Borough of Washington's wastewater treatment system subject to the conditions that the Borough of Washington appoint a contract administrator with prior approval of the Director of the Division of Local Government Services to monitor compliance of the Operator, as well as, to ensure that

the oversight and administrative duties are performed as outlined in the Service Agreement; and preparation of a quarterly report, issued to the Borough and the Local Finance Board, during the term of the Agreement. This report would include, but is not limited to, a certification of Operator's compliance with the terms of the Agreement and a report of any disputes between the Borough and Veolia Water North America Operating Services, LLC; and

WHEREAS, Matthew C. Hall, MPA, has been approved by the Director of the Division of Local Government Services to serve as wastewater contract administrator on the basis of educational background, familiarity with and knowledge of the operation and maintenance of the Borough of Washington Wastewater Treatment Plant, Veolia Water North America, general wastewater issues, and the preceding agreement(s) between the Borough of Washington and Veolia Water North America.

NOW THEREFORE BE IT RESOLVED, that Matthew C. Hall, MPA shall be appointed as Wastewater Contract Administrator for the Borough of Washington retroactively to January 1, 2019, and in accordance with the foregoing shall submit quarterly reports to the Local Finance Board as well as any and all other requirements set forth by same. Mr. Hall shall serve as Wastewater Contract Administrator for the full length of the agreement or the full length of his term of office, whichever is less.

BE IT FURTHER RESOLVED, that if Matthew C. Hall, MPA's term of office should end for any reason prior to the end of the agreement, the Borough of Washington shall notify the Director of the Division of Local Government Services immediately. The Borough of Washington shall further submit to the Director a candidate for Wastewater Contract Administrator for approval.

Motion made by Norris and seconded by Noone to approve Resolution 2019-06.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0

Motion carried.

RESOLUTION 2019-06
RESOLUTION AFFIRMING THE APPOINTMENT OF JOSEPH FOX, SR. AND
MATTHEW C. HALL AS OFFICE OF EMERGENCY MANAGEMENT
COORDINATOR AND DEPUTY OFFICE OF EMERGENCY MANAGEMENT
COORDINATOR, RESPECTIVELY

WHEREAS, pursuant to **N.J.S.A. App. A:9-33** et seq. (Chapter 251 P.L. 1942, as amended by Chapter 438, P.L. 1953) the Mayor shall appoint a Municipal Emergency Management Coordinator, from among the residents of the municipality; and

WHEREAS, pursuant to **N.J.S.A. App. A:9-40-3** et seq. (Chapter 251 P.L. 1942, as amended by Chapter 438, P.L. 1953) and **Directive No. 102** issued by the State Office of Emergency Management each Emergency Management Coordinator shall appoint one and may appoint more than one Deputy Emergency Management Coordinators with the approval of the Mayor.

Wherever possible, such Deputies shall be appointed from among the salaried officers of the municipality; and

WHEREAS, Joseph Fox, Sr., a resident of the Borough of Washington, has been duly appointed as Office of Emergency Management Coordinator by the Mayor of the Borough of Washington in accordance with the foregoing and pursuant to the appointment letter made a part hereof and attached hereto; and

WHEREAS, Matthew C. Hall, a salaried officer of the municipality, has been duly appointed as Deputy Office of Emergency Management Coordinator by the Office of Emergency Management Coordinator with the advice and consent of the Mayor of the Borough of Washington in accordance with the foregoing and pursuant to the appointment letter made a part hereof and attached hereto; and

WHEREAS, Joseph Fox, Sr. and Matthew C. Hall have completed all required training in accordance with the requirements of the New Jersey State Police Office of Emergency Management, Warren County Office of Emergency Management, and the State of New Jersey;

NOW, THEREFORE, BE IT RESOLVED, that Joseph Fox, Sr. and Matthew C. Hall continue their appointments as Office of Emergency Management Coordinator and Deputy Office of Emergency Management Coordinator, respectively for terms ending December 31, 2021.

Motion made by Norris and seconded by Valle to approve Resolution 2019-07.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0

Motion carried.

RESOLUTION 2019-07
RESOLUTION OF THE BOROUGH OF WASHINGTON ESTABLISHING A
COUNCIL MEETING PROTOCOL POLICY

1 – Borough of Washington Municipal Code – Chapter 3; Article II explains the general organization of the Borough Council and provides some specific information about the order of business and the role of the Mayor, Council, Clerk, and Manager. This section of the code is attached to this policy for reference.

2 - Robert's Rules of Order: This resolution shall provide that Council meetings shall proceed according to Robert's Rules of Order. The following is intended to supplement these rules.

3 - Public Comment/Hearing Conduct: The Borough Council has directed that input from the public during public comment periods shall be set at three (3) minutes per

speaker in accordance with § 3-14 et. seq. If there are more than fifteen (15) speakers at a meeting the Mayor may limit public comment to two (2) minutes per speaker, provided there are no objections from the majority of the Borough Council.

- A. Addressing the Council:* The Council should be addressed as a collective body, and not individual members. Council members wishing to ask a question of a speaker (either a fellow member or public participant) can request to do so through the Mayor. Questions from the speaker (either a fellow member or public participant), if any, should be directed to the Mayor who will determine whether, or in what manner, an answer will be provided. Speakers are to come forward to the podium and address the Borough Council directly in accordance with § 3-14 et. seq.
- B. Council Interaction:* In order to respect the speaker's time, Council members will not engage in dialogue or debate with the speaker.
- C. Addressing the Manager:* The Manager shall offer input or comment on any given matter only following a direct request from the Mayor or a Council member. The Manager shall be permitted to dialogue with the Mayor, Council members, or members of the public in order to gather information about a topic or problem, but may elect to continue discussions outside of the meeting in the interest of equal time, and further may have time for dialogue limited by a majority vote of the Borough Council.

4. Appearances: Requests for appearances are made to the made to the Borough Manager. Presenters are expected to limit presentations to a ten (10) minute period unless otherwise authorized.

5. Borough Council Reports: The Mayor's report is limited to five (5) minutes and Borough Council reports are limited to three (3) minutes.

Motion made by Valle and seconded by Parichuk to approve Resolution 2019-08.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0
Motion carried.

**RESOLUTION 2019-08
RESOLUTION AUTHORIZING 2019 PROFESSIONAL SERVICES CONTRACT
WITH WINEGAR WILHELM, GLEYNN & ROEMERSMA FOR PUBLIC
DEFENDER SERVICES**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year or at the discretion of the Borough Council; and

WHEREAS, for budgetary purposes, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of the 2019 adopted budget amount, excluding any escrow related services and;

WHEREAS, Winegar Wilhelm Glynn & Roemersma has completed and submitted a Business Entity Disclosure Certification which certifies that Winegar Wilhelm, Glynn & Roemersma has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit Winegar Wilhelm Glynn & Roemersma from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by Winegar Wilhelm Glynn & Roemersma Law Offices

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Winegar Wilhelm Glynn & Roemersma Law Offices as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Winegar Wilhelm Glynn & Roemersma Law Offices.

Motion made by Valle and seconded by Noone to approve Resolution 2019-09.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0
Motion carried.

RESOLUTION 2019-09
RESOLUTION AUTHORIZING 2019 PROFESSIONAL SERVICES CONTRACT
WITH RICHARD CONLEY FOR TAX APPEAL ATTORNEY SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Tax Appeal Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year or at the discretion of the Borough Council; and

WHEREAS, for budgetary purposes, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of the 2017 adopted budget amount, excluding any escrow related services; and

WHEREAS, Richard M. Conley, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Richard M. Conley, LLC has not made any reportable contributions to a political or Page 23 of 29 candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit Richard M. Conley, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as needed basis at the time when the Borough needs the services provided by Richard M. Conley, LLC,

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Richard M. Conley, LLC as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Richard M. Conley, LLC.

Motion made by Valle and seconded by Norris to approve Resolution 2019-10.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0
Motion carried.

RESOLUTION 2019-10
A RESOLUTION AUTHORIZING THE BOROUGH OF WASHINGTON
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE
EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Educational Services Commission of New Jersey, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on January 8th, 2019 the governing body of the Borough of Washington County of Warren, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED, as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Washington

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Borough Manager is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law* (**N.J.S.A. 40A:11-1 et seq.**) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

Motion made by Valle and seconded by Duchemin to approve Resolution 2019-11.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0
Motion carried.

RESOLUTION 2019-11

RESOLUTION APPOINTING MATTHEW C. HALL AND SUSAN TURNER AS MUNICIPAL RECYCLING COORDINATOR/CLEAN COMMUNITIES COORDINATOR AND DEPUTY MUNICIPAL RECYCLING COORDINATOR/DEPUTY CLEAN COMMUNITIES COORDINATOR, RESPECTIVELY

WHEREAS, pursuant to **N.J.S.A. 13:1E** et. seq, all municipalities must designate a Municipal Recycling Coordinator as well as a Clean Communities Coordinator; and

WHEREAS, **N.J.S.A. 13:1E** also provides for a Deputy Municipal Recycling Coordinator, and Deputy Clean Communities Coordinator to be appointed; and

WHEREAS, the foregoing appointments shall be for one (1) calendar year, expiring on December 31 of each year; and

WHEREAS, the administration of these programs beautify the Borough, educate the public about proper recycling and solid waste disposal practices, and provide much needed revenue to the Borough via Clean Communities and Recycling Tonnage Grants; and

WHEREAS, Matthew C. Hall serves as the appointed Borough of Washington representative to the Warren County Solid Waste Advisory Council; and

WHEREAS, Susan Turner assists Matthew C. Hall in the administration of Clean Communities programs, Recycling Tonnage Grant reporting, and all other matters related to solid waste disposal and recycling, including, but not limited to, education, awareness, and reporting;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that Matthew C. Hall be appointed Clean Communities Coordinator and Municipal Recycling Coordinator through December 31, 2019, and retroactive to January 1, 2019;

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that Susan Turner be appointed Deputy Clean Communities Coordinator and Deputy Municipal Recycling Coordinator through December 31, 2019, and retroactive to January 1, 2019.

Motion made by Noone and seconded by Valle to approve Resolution 2019-12.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0

Motion carried.

RESOLUTION 2019-12

RESOLUTION APPOINTING ROBERT LAGONERA AS ANIMAL CONTROL OFFICER AND LEE GELLER AS ANIMAL LICENSING AND ANIMAL CONTROL ADMINISTRATOR

WHEREAS, N.J.S.A. 4:19-15.16b requires the governing body to appoint at least one certified Animal Control Officer who shall be responsible for animal control within the jurisdiction of the municipality and who shall enforce and abide by the provisions of **N.J.S.A. 4:19-15.16**; and

WHEREAS, Mr. Robert Lagonera, duly certified as an Animal Control Officer, has previously served the Borough in this capacity with distinction, and also serves as the Program Leader for the Warren County Animal Response Team (CART); and

WHEREAS, the position of Animal Control Officer is housed within the Borough of Washington Department of Public Safety; and

WHEREAS, Ms. Lee Geller, in her capacity as Clerk 1, performs support services to the Department of Public Safety and Animal Control/CART;

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Washington, County of Warren, that Robert Lagonera, be appointed to the position of Certified Animal Control Officer for the Borough of Washington;

BE IT FURTHER RESOLVED by the Council of the Borough of Washington, County of Warren, that Lee Geller be appointed to the position of Animal Licensing and Animal Control Administrator.

Motion made by Valle and seconded by Noone to approve Resolution 2019-13.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0

Motion carried.

**RESOLUTION 2019-13
RESOLUTION WAIVING LATE FEES FOR ANIMAL LICENSING
FOR LICENSING YEAR 2019**

WHEREAS, the licensing period for animals has been modified by Ordinance 2018-25; and

WHEREAS, licenses are now renewed from January 1st through the end of January each licensing year; and

WHEREAS, per Ordinance 2018-25 late fees are assessed beginning February of each year; and

WHEREAS, for the licensing year of 2019 only, late fees shall be waived from February through June 2019; and

WHEREAS, beginning July 1st of 2019 late fees will be assessed at \$5.00 per month per animal and could also include a summons for failure to license.

NOW THEREFORE BE IT RESOLVED, late fees for dogs and cats are hereby waived from January 1, 2019 through June 30, 2019 for the current license year only.

Motion made by Valle and seconded by Norris to approve Resolution 2019-14.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0
Motion carried.

RESOLUTION 2019-14

RESOLUTION AUTHORIZING 2019 PROFESSIONAL SERVICES CONTRACT WITH HAWKINS, DELAFIED & WOOD FOR MUNICIPAL BOND ATTORNEY SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year or at the discretion of the Borough Council; and

WHEREAS, for budgetary purposes, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of the 2019 adopted budget amount, excluding any escrow related services and;

WHEREAS, Hawkins, Delafied & Wood has completed and submitted a Business Entity Disclosure Certification which certifies that Hawkins, Delafied & Wood has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit Hawkins, Delafied & Wood from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by Hawkins, Delafied & Wood; and

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Hawkins, Delafied & Wood as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Hawkins, Delafied & Wood

Motion made by Norris and seconded by Valle to approve Resolution 2019-15.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0

Motion carried.

RESOLUTION 2019-15

RESOLUTION AUTHORIZING 2019 PROFESSIONAL SERVICES CONTRACT WITH FINELLI CONSULTING ENGINEERS FOR GENERAL MUNICIPAL ENGINEERING SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year or at the discretion of the Borough Council; and

WHEREAS, for budgetary purposes, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of the 2019 adopted budget amount, excluding any escrow related services and;

WHEREAS, Finelli Consulting Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that Finelli Consulting Engineers has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit Finelli Consulting Engineers from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by Finelli Consulting Engineers

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Finelli Consulting Engineers as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Finelli Consulting Engineers

Motion made by Noone and seconded by Duchemin to approve Resolution 2019-16.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0
Motion carried.

RESOLUTION 2019-16

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 19, 2018 to Light Properties, LLC, 17 W. Cliff St., Somerville, NJ 08876, in the amount of \$616.64 for taxes or other municipal liens assessed for the year 2017 in the name of Dawson, Ralph & Marilyn as supposed owners, and in said assessment and sale were described as 24 W Warren Street, Block 19.01 Lot 5, which sale was evidenced by certificate #18-00008 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-3-19 and before the right to redeem was cut off, as provided by law, Pemco Limited claiming to have an interest in said lands, did redeem said lands claimed by Light Properties, LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$3,137.80 which is the amount necessary to redeem Tax Sale Certificate #18-00008.

NOW THEREFORE BE IT RESOLVED, on this 22nd day of January 2019 by the Mayor and

Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Light Properties, LLC, 17 W. Cliff St., Somerville, NJ 08876 in the amount of **\$3,137.80** (This consists of \$3,137.80 Certificate Amount redeemed).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 19.01 Lot 5 from the tax office records.

Motion made by Noone and seconded by Valle to approve Resolution 2019-17.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0
Motion carried.

RESOLUTION 2019-17

RESOLUTION AUTHORIZING 2019 PROFESSIONAL SERVICES CONTRACT WITH GEBHARDT & KIEFER FOR MUNICIPAL ATTORNEY SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year or at the discretion of the Borough Council; and

WHEREAS, for budgetary purposes, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of the 2019 adopted budget amount, excluding any escrow related services and;

WHEREAS, Richard P. Cushing has completed and submitted a Business Entity Disclosure Certification which certifies that Gehardt & Kiefer has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit Gebhardt & Kiefer from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by Gebhardt & Kiefer Law Offices

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Gebhardt & Kiefer Law Offices as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Gebhardt & Kiefer Law Offices.

Motion made by Noone and seconded by Valle to approve Resolution 2019-18.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0

Motion carried.

RESOLUTION 2019-18

RESOLUTION AUTHORIZING 2019 PROFESSIONAL SERVICES CONTRACT WITH CP PROFESSIONAL SERVICE ENGINEERS FOR MUNICIPAL WASTEWATER ENGINEERING SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year or at the discretion of the Borough Council; and

WHEREAS, for budgetary purposes, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of the 2019 adopted budget amount, excluding any escrow related services and;

WHEREAS, CP Professional Service Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that CP Professional Service Engineers has

not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit CP Professional Service Engineers from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by CP Professional Service Engineers

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with PC Professional Service Engineers as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and CP Professional Service Engineers

Motion made by Noone and seconded by Valle to approve Resolution 2019-19.

ROLL CALL: Conry, Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 0 Abstain: 1

Motion carried.

RESOLUTION 2019-19

RESOLUTION OF THE BOROUGH OF WASHINGTON APPOINTING MEMBERS TO THE LOCAL EMERGENCY PLANNING COUNCIL (LEPC)

WHEREAS, pursuant to N.J.S.A. App. A:9-33 et seq. (Chapter 251 P.L. 1942, as amended by Chapter 438, P.L. 1953) each municipality shall appoint a Local Emergency Planning Council (LEPC); and

WHEREAS, the local Office of Emergency Management Coordinator shall serve as Chairman of the aforesaid Council; and

WHEREAS, the local Deputy Office of Emergency Management Coordinator shall serve as Vice Chairman of the aforesaid Council;

BE IT RESOLVED by the Borough Council of the Borough of Washington that the following individuals are hereby appointed to the Local Emergency Planning Council for the year 2019:

- Joseph Fox, Borough of Washington OEM Coordinator (Chair)
- Matthew C. Hall, Borough of Washington Deputy OEM Coordinator (Vice Chair)
- Thomas Cicerelle, Washington Township Chief of Police
- Jonathan James, Borough of Washington Department of Public Works Supervisor
- Kevin Shoudt, Borough of Washington Wastewater Treatment Plant Project Manager
- Dirk Higgins, Washington Fire Department Chief
- Matthew Lopez, Borough of Washington Fire Official

BE IT FURTHER RESOLVED that the Local Emergency Planning Council meetings will coincide with regular quarterly staff meetings of the Borough of Washington.

Motion made by Noone and seconded by Valle to approve Resolution 2019-20.

ROLL CALL: Conry, Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 6, Nays: 1
Motion carried.

RESOLUTION 2019-20

RESOLUTION OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE BOROUGH OF WASHINGTON TO ENTER INTO AN SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF WASHINGTON PROVIDING FOR MUNICIPAL ENGINEERING SERVICES

WHEREAS, the Borough is desirous to enter into a Shared Services Agreement (hereinafter “Agreement”) with the Township so as to provide for the services of a Municipal Engineer; and

WHEREAS, *N.J.S.A 40A:65-1 et seq.* commonly known as “The Uniform Shared Services and Consolidation Act”, has been provided so as to enable municipalities and other governmental entities to enter into contracts with each other for the sharing of services; and

WHEREAS, the Township is willing to provide municipal engineering services to the Borough; and

WHEREAS, the sharing of engineering services will benefit both the Borough and the Township by increasing the efficiency and decreasing the costs of those services; and

WHEREAS, the parties have agreed that the Township will provide municipal engineering services to the Borough in accordance with the Uniformed Shared Services and Consolidation Act, *N.J.S.A, 40A:65-1 et seq.* and terms and conditions of this agreement; and

WHEREAS, the Township has approved this Agreement pursuant to **RESOLUTION 2019-_____** and the Borough has approved this Agreement pursuant to **RESOLUTION 2019-20**

NOW THEREFORE BE IT RESOLVED, that the foregoing recitals incorporated herein by reference and in consideration of the mutual covenants contained herein, the parties hereto, intending to be legally bound, hereby agree.

BE IT FURTHER RESOLVED, by the Borough of Washington, County of Warren and State of New Jersey that the Agreement detailed herein is approved and that the Mayor is hereby authorized to execute, on behalf of the Borough of Washington the aforesaid Shared Services Agreement.

Adopted: January 8, 2019

Motion made by Noone and seconded by Valle to approve Resolution 2019-21.

ROLL CALL: Conry, Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 7, Nays: 0
Motion carried.

RESOLUTION 2019-21

RESOLUTION EXTENDING THE OPTION AGREEMENT FOR GRANT OF EASEMENT AND RIGHT-OF-WAY WITH NEW JERSEY AMERICAN WATER

WHEREAS, on November 7, 2014, the Borough of Washington and New Jersey American Water Company, Inc. entered into an Option Agreement for Grant of Easement and Right-of-Way to provide New Jersey American Water Company with the option to purchase an easement and right-of-way on a portion of Lot 78 in Block 48 in Washington Township and owned by the Borough with two (2) initial option periods from November 7, 2014 to November 6, 2015 and from November 7, 2015 to November 6, 2016; and

WHEREAS, the option agreement was subsequently extended through 2018; and

WHEREAS, New Jersey American Water Company wishes to further extend the option for an additional twelve (12) months through December 2019

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Washington that:

1. The Option Agreement with New Jersey-American Water Company is hereby extended for an additional twelve (12) months through December 2019.
2. The non-refundable option fee for the twelve (12) month extension period shall be \$14,000.00 payable on or before December 31, 2019.
3. All option payments shall be credited against the final easement purchase price of \$140,000.00.

Motion made by Noone and seconded by Valle to approve Resolution 2019-22.

ROLL CALL: Conry, Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 7, Nays: 0
Motion carried.

RESOLUTION 2019-22

RESOLUTION AUTHORIZING 2019 PROFESSIONAL SERVICES CONTRACT WITH (HGA) HEYER GRIEL & ASSOCIATES PROFESSIONAL SERVICE FOR GENERAL MUNICIPAL PLANNING CONSULTANTS

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year or at the discretion of the Borough Council; and

WHEREAS, for budgetary purposes, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of the 2019 adopted budget amount, excluding any escrow related services and;

WHEREAS, (HGA) Heyer Gruel & Associates has completed and submitted a Business Entity Disclosure Certification which certifies that has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit (HGA) Heyer Gruel & Associates from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by CP Professional Service Engineers

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with (HGA) Heyer Gruel & Associates as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and (HGA) Heyer Gruel & Associates.

Motion made by Valle and seconded by Norris to approve Resolution 2019-23.

ROLL CALL: Conry, Duchemin, Noone, Norris, Parichuk, Valle, Higgins

Ayes: 7, Nays: 0
Motion carried.

RESOLUTION 2019-23

**RESOLUTION AUTHORIZING 2019 PROFESSIONAL SERVICES CONTRACT
WITH FERRAIOLI, WIELKOTZ, CERULLO and CUVA
FOR MUNICIPAL AUDITING SERVICES**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Auditing Service as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year or at the discretion of the Borough Council; and

WHEREAS, for budgetary purposes, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of the 2019 adopted budget amount, excluding any escrow related services and;

WHEREAS, Ferraioli, Wielkocz, Cerullo & Cuva has completed and submitted a Business Entity Disclosure Certification which certifies that Ferraioli, Wielkocz, Cerullo & Cuva has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit Ferraioli, Wielkocz, Cerullo & Cuva from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by Ferraioli, Wielkocz, Cerullo & Cuva

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Ferraioli, Wielkocz, Cerullo & Cuva as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Ferraioli, Wielkocz, Cerullo & Cuva

Nomination-Deputy Mayor

Motion made by Norris and seconded by Noone to open the floor for Deputy Mayor nominations, all were in favor.

Nominations:

Councilwoman Noone and seconded by Conry motioned to nominated Ethel Conry.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 4, Nays: 3

Motion passes.

Councilwoman Valle and seconded by Parichuk motioned to nominated Keith Norris.

ROLL CALL: Duchemin, Noone, Norris, Parichuk, Valle, Higgins.

Ayes: 3, Nays: 4

Motion Fails

Councilwoman Conry is named Deputy Mayor.

RECAP

M. Hall recapped the following:

New street signs will be placed according to the ordinance once its officially adopted.

Manager Hall stated he would like to hold a retreat like meeting with Council and have the auditor and attorney present to speak to the governing body on their duties, go through budget and other areas of importance. Manager Hall stated this can be on a Saturday at the attorney's office.

COUNCIL APPEARANCE

John Monteverde, BID Executor Director, handed out invitations for their annual business dinner reception which will be held at the Draught House.

Mayor Higgins stated that upon hearing of Mr. Monteverde's retirement at the end of April, wished him well and thanked him for his service to the Borough.

Sherry Tomac(sp), Gardner Court, inquired about the noise coming from the sewer pump station. She approached former Councilwoman Klimko regarding the issue and wanted to know what can be done to eliminate the noise and smell.

Robin Klimko, made the Manager aware of a pile of salt that was dumped on the road within the borough and asked if it could be removed citing a safety issue with people walking in that area with their dogs.

Hearing no other public comment, motion made by Noone and seconded by Valle to close the audience portion.

Ayes: 7 Nays: 0
Motion Carried.

COUNCIL REMARKS

Mayor and Council wished everyone Happy New Year and welcomed the newly elected members.

Mayor Higgins made the following appointments:
Councilwoman Valle liaison to the Land Use Board.
Business Improvement District, Councilwoman Noone.
Senior Advisory defaulted to the Deputy Mayor who can then choose her own committee to assist.

Appointments to Recreation:
Adam Zimmer (reappointment)
Sean Farrington (remainder of his term)

Motion made by Noone and seconded by Valle to approve Mayor Higgins appointments. All were in favor,

Mayor Higgins asked that a priority list be made by each council member choosing five priorities and have them for the next meeting.

Mayor Higgins asked that council have the betterment of the borough in mind instead of voting the way of their party. Mayor Higgins stressed that everyone needs to work together and stated that if anyone has questions, to not hesitate to ask. Questions are welcomed and everyone needs to have respect for each other.

EXECUTIVE SESSION

A motion was made by Norris seconded by Conry to approve a resolution authorizing executive session for the purpose of discussing a potential litigation matter, contract negotiations, and a personnel matter at 7:28 pm 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.

A motion was made by Noone seconded by Norris to come out of Executive Session at 8:05 pm.

Ayes: 7; Nays: 0

Motion Carried.

Councilman Parichuk was excused to leave during Executive Session

Motion made by Noone and seconded by Conry to approve the CWA contract as presented.

ROLL CALL: Conry, Duchemin, Noone, Norris, Valle, Higgins.

Ayes: 6, Nays: 0

Motion passes.

ADJOURNMENT

Hearing no further business, a motion was made by Norris seconded by Valle to adjourn the meeting at 8:06 pm.

Ayes: 6; Nays: 0

Motion Carried.

Mayor David Higgins

Laurie A. Barton, Borough Clerk