

Borough of Washington, Warren County, New Jersey
Recreation Commission
Special Meeting Minutes
February 1, 2008

Call to Order

A special meeting of the Washington Borough Recreation Commission was called to order on Wednesday, February 1st, by Dawn Higgins, Chairperson, at 8:10 p.m. Also in attendance were Commissioners Candy DeFillippis, Rick Feldman, Angela Wallace and Adam Zimmer. Angela Frye arrived at 8:17. Councilman Higgins was also in attendance.

Commission Restructuring

Dawn provided the commissioners with a history of the events leading up to the decision made to abolish the Recreation Commission. Dawn stated the Commission's choices for the pool's lifeguard stands and starting blocks were given to T&M in December. Dawn, with Commission approval, directed them to place the order. T&M then gave instruction to CFM. Dawn recently found out this was a violation to the Open Public Contract Law. The status of these items are listed in T&M's status reports dated December 5, 2007 and January 2, 2008, the last stating that T&M has ordered both the blocks and stands. The Borough Manager is copied on all status reports. There are several dates from October 2007 thru January 2008 where the starting blocks were mentioned in e-mails and the Borough Manager was copied.

After the September 13, 2007 Pre-Construction Meeting, Dawn, Rick, T&M, CFM and the Borough Manager went to the pool to do a walk-around and found the lifeguard stands and blocks were not in the bid. Dawn asked Jeff if it can be replaced. Jeff replied that it could but a change order would be necessary. Jeff was to get the information to place the order. Dawn stated the Borough Manager was there during the conversation and at no time did he communicate that they were doing something wrong with the change order.

Dawn stated she had asked Rick to e-mail Jeff Bottger as to where the Commission is financially to plan. Jeff responded and copied Dawn and the Borough Manager. His e-mail stated that the stands and blocks were purchased. The Borough Manager then e-mailed Jeff saying that T&M had no authority to authorize a change order and that it needs to go through Council. Dawn asked the Borough Manager to explain the money available and change order comment but never received an answer. Dawn called the Borough Manager on January 24th and was told she was not authorized to place the order and he would check into this with the Borough Attorney. Dawn never heard back from him.

Candy asked if Jeff Bottger knew the process. Dawn replied that he did, but made a mistake by not explaining it to her. Dawn stated she acted on the advice of professionals and the Borough Manager was copied on all correspondence. The Borough Manager and Council are copied on all status reports from T&M Associates and Dawn was never told the Commission was in violation of anything.

Dawn and Rick planned on attending the budget workshop on Tuesday, January 29th, to see about the Commission's money. There was a meeting scheduled with the Finance Committee to discuss the Borough Treasurer being three months behind and therefore the Commission had no idea how much money is actually available. That meeting was cancelled. When Dawn arrived on January 29th, Rick and Councilman Higgins were outside of the meeting. Council was in executive session. Councilman Higgins stated he questioned why the attorney was present for a budget workshop and was told by the

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lawyer we are here to discuss the Recreation Commission. Councilman Higgins was told he could not take part in this discussion because of his closeness to the situation. After exiting executive session, the Borough Manager brought up the proposal to discuss the abolishment of the Commission. It would become a committee and the Park Director would answer to the Borough Manager and Council. Mr. Higgins was told this discussion has been on-going, but he has no recollection of this ever being discussed in his thirteen months on Council.

Based on the ordinance draft, the committee would consist of five members and one Council member. The duties of the committee are to give advice to the Park Director. The Park Director is the one to make the final decision, not the majority. Dawn stated the committee has no input towards the budget; they are only to give advice on the capital budget.

The commissioners discussed the February 6th meeting with Council to be held in executive session. All commissioners, with the exception of Candy, would like Dawn to e-mail the Boro Clerk and request the meeting be held in open session. Candy said either way was fine with her. She would like to hear the comparison as to why a committee would be better. Adam feels the way this was done was wrong and would like to hear what Council has to say. Dawn stated there has been no communication from Council to indicate any problems over the past year, but now issues they have on Commission actions are being used as a basis for their decision to abolish the Commission. Rick noted the Council liaison only came to a few Recreation Commission meetings over the past few years. Dawn feels that if Council wants to abolish the Recreation Commission which has been in place for 77 years, the Commission and the public deserve a reason and an explanation.

Rick is concerned monies for recreation will go into a general Borough fund and would like this addressed by Council. Councilman Higgins explained that public and private funds cannot be commingled. An escrow account would need to be set up.

Angela Frye left the meeting at this point.

Dawn stated she is concerned there is no mention of the Recreation Commission Secretary.

Rick reported there was \$13,875 left in the Commission's account as of December 31, 2007. This amount does not include transfers from 2006. Accurate information is not being given to the Commission. Rick questioned why bills were being approved and paid if the account was overdrawn. Rick stated that in regards to the Commission's overspending, less and less money has been received from Council over the last five to six years. The Commission never went over until this year. A large amount of money was spent on the pump house to get the filtration system going. Rick did not receive any answers when questioning the money available to the Commission. He had requested a meeting with the Borough Manager, Borough Treasurer and Council to compare books. Council cancelled the budget workshop and rescheduled it for Tuesday. Instead, they had an executive session to discuss the Recreation Commission.

Candy feels there should have been some kind of communication from the Borough Manager to the Commission. Dawn noted there has still been no information days later as to what is going on.

After discussing their options, the commissioners agreed Rick and Dawn should draft a letter to be sent to the public explaining the situation and ask the public for their support.

Commission Remarks

The Commissioners discussed the pool slide options and chose the G-Force. Rick feels the slide should be enclosed.

Dawn stated an estimate in the amount of \$688.00 was received from John Burd to repair the park truck. The truck needs to be repaired before the major problem can be identified. Dawn feels that because of the current situation, a decision regarding the repairs to the park truck be put on hold.

Dawn feels the town's philosophy to subsidize recreation has changed lately.

The commissioners discussed the Swim Team and whether to charge a fee to join the pool. Other towns do, but the Commission doesn't feel it would be accepted in the Borough. Many of the other teams are competitive, not a recreation program. Dawn reported Council was not happy the Commission did not take their advice and charge swim team members for a pool membership. The Commission did not want to raise fees with no new pool to show for it.

Candy feels Council is looking at this as a business, not a family community. Comments are being made without the proper information.

Adjournment

A motion to adjourn was made at 11:20 p.m. by Rick Feldman, seconded by Adam Zimmer.

Respectfully submitted by Ann Kilduff