

MINUTES OF REGULAR MEETING HELD MAY 18, 2004

The Regular Meeting of the Borough of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 8:00 P.M.

Roll Call: Doty, McDonald, Housel, Bertoline, Van Deursen, Giaimis and Glaser – Present 7.

Also Present: Alan M. Fisher, Borough Manager
Richard P. Cushing, Esq., Municipal Attorney
Linda L. Hendershot, RMC/CMC, Borough Clerk

The Flag Salute was led by the Mayor.

The following Statement was entered into the Record:

“The requirements of the ‘Open Public Meetings Law’ P.L. 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.

COUNCIL APPEARANCE:

Police Chief – George Cortellesi

Chief Cortellesi gave the Council an excellent statistical and summary of the Police Department activities. Washington Borough ranks the third highest in calls generated from the 911 Center, with 14,503 police related calls. Phillipsburg ranks the highest and Hackettstown second. Two new patrolman will be graduating in 2004 and Patrolman Beers has taken over the duties of the K-9 unit. A program was generated in October where they went into the schools and fingerprinted all the school children. This information is now stored in a data based in the computer. The police cars will be installed with video cameras thanks to a fund raiser undertaken by the Rotary Club and the Kiwanis Club. Roger Doll went into the Memorial School and participated in the a Reading Program with the children.

The Police Department received a \$ 5,000.00 grant for a seat belt enforcement through a program called “Click it or Ticket.

Roger Doll will be launching a program in the downtown business district educating cars to yield to pedestrians at the Square.

They assisted with a Narcotics Task Force in October patrolling the alleys in the community which resulted in 21 motor vehicle violations and 23 arrests.

The new K-9 dog, Tego is trained not only in drug detection but also in search training. He is a very valuable asset to the Department.

Chief Cortellesi entertained questions from Council, There being no questions the Mayor, on behalf of the Council thanked the Chief and his Officers for the excellent job they are doing in the community.

MINUTES:

Regular Meeting – May 4, 2004

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting held May 4, 2004.

Councilwoman Bertoline pointed out two minor corrections on the vote which should be 7 instead of 6 on pages 12 and 18.

Hearing no further corrections, it was moved by Giaimis, seconded by McDonald that the minutes of the regular meeting be approved as corrected.

Roll Call: Giaimis, Housel, Glaser, Van Deursen, Doty, McDonald and Bertoline.

Ayes: 7, Nays: 0. – Motion carried.

COMMUNICATIONS:

The following communications were entered into the Record:

- 1) NJ League Re: New Property Tax Relief/Reform Plan Offered;
- 2) NJ League Re: “Building a Better New Jersey”;
- 3) NJ League Re: Direct State Hometown Security Funding Proposed;
- 4) Borough of Glen Gardner Re: Commending the Road Department;
- 5) State of NJ – DEP Re: Water Resources;
- 6) Washington Update Re: Transportation Funding and Internet Taxation
- 7) Coalition to Stop the Train – Inman Railroad Committee;
- 8) NJ State League RE: Domestic Partnership Act – Pension & Health Benefits Implications; and
- 9) Legislative Alert Re: Elimination of Treasurer of School Monies (2)

Mayor Van Deursen entertained a motion to acknowledge, receive and file the communications.

It was moved by McDonald, seconded by Housel that the communications numbered #1 thru 9 be acknowledged, received and filed.

Discussion: None.

Motion carried.

AUDIENCE:

Mayor Van Deursen entertained remarks from the audience that are not part of the meeting agenda.

Gary Pohorely, 115 Wayne Street on behalf of the Pohatcong Creek Watershed Association wanted to personally thank the Borough and Borough Manager, Alan M. Fisher for their assistance in stream clean-up done on Saturday, April 24th. The area Boy Scouts also participated. The stream was cleaned from the Millpond up to the driveway of the Washington Garden Apartments. It was so successful that they plan on having another clean-up in the Fall utilizing the High School students.

Dave Higgins, 113 Harding Drive appeared before the governing body and spoke to the Forum and editorials in the newspaper directing his remarks to the Mayor.. He addressed the events back in 1999 dealing with the auditor and the recall petitions and the reasons for it. Mr. Higgins noted that the auditor was not brought in illegally. He did not want to be used as a political pawn on either side in this election. No Borough employee should be the focus of the election. Mr. Higgins did give Mr. Fisher an apology.

Mr. Higgins questioned Councilman Giaimis on the Code Enforcement/Zoning Officer's position? Was it improperly done? Councilman Giaimis noted that it was an incomplete list. The second time when the position went from provisional to full-time he did vote against it.

Dale Parichuk, 116 Myrtle Avenue also addressed his remarks to the Mayor with regard to the auditor. The decision with respect to the auditor at that time was not unethical. This Council has appointed the same auditor for the past five years.

Mayor Van Deursen noted that she had no reason to question the auditor.

Michael Schlenk, 28 Lambert Street erected a fence without applying for a zoning permit. Mr. Schlenk did provide Council with a letter of permission from Jersey Central Power & Light permitting him to install this four (4') foot wooden fence location within their electrical easement with conditions for access for equipment or any work that they would want to do in this area in the future.

Mr. Schlenk noted that he was not aware that he was required to apply for a permit for the fence. There is also a drainage easement on his property in conjunction with the contractor. Attorney Cushing suggested that the engineer should take a look at this situation and report back to the governing body. Manager Fisher noted that there are several properties within this drainage easement and he agreed that the engineer should look into this matter.

Councilman Housel suggested that no enforcement action be taken against Mr. Schlenk until the Council has a full report from the engineer. Time frame was discussed and Council would like a report as soon as possible.

Hearing no further remarks from Council, it was moved by McDonald, seconded by Housel that the audience portion of the meeting be closed.

Ayes: 7, Nays: 0.
Motion carried.

REPORTS:

It was moved by McDonald, seconded by Glaser that the A & E O.T., Recreation Commission, Borough's Manager's, Police, Collector-Treasurer, WWTP, Building Permits (2) and Trial Balance reports be accepted as received and filed.

Ayes: 7, Nays: 0.
Motion carried.

VOUCHERS:

Mayor Van Deursen entertained questions or additions to the vouchers and claims.

Councilwoman Bertoline questioned a bill on Page 12 with respect to the Recreation Commission. An outside contractor was brought in to remove the leaves. Manager Fisher noted that the Recreation Commission chose to contract this work out to get the entire park cleaned.

Councilwoman Bertoline referred to Page 2 and went on record as opposing paying the Manager's dues for Kiwanis. In light of the Special Improvement District being formed she did not feel this was appropriate for the governing body to pay. Manager Fisher noted that this was part of the salary negotiation and compensation package given to him by prior Council's. This was discussed during budget workshops and the majority of Council did not vote to remove this from the budget.

Hearing no further questions, it was moved by Giaimis, seconded by McDonald that the vouchers and claims be paid in the amount of \$438,056.08 and the handwritten bills for the month of April in the amount of \$ 344,698.28 as reflected in the debit/credit memorandum on file in the Collector-Treasurer's office.

Roll call: Giaimis, Housel, Glaser, Van Deursen, Doty and McDonald.
Ayes: 6, Nays: Bertoline. Motion carried.

Mayor Van Deursen deviated from the order of business in view of the fact that there were many citizens in the room who expressed an interest to address Council with their questions and concerns with respect to **Resolution #98-2004** which authorized an agreement between the Borough of Washington and Alan M. Fisher, Borough Manager.

Resolution #98-2004 – Authorizing an Agreement between the Borough of Washington and Alan M. Fisher

A motion was made by Giaimis, seconded by McDonald that the following Resolution be adopted:

RESOLUTION #98-2004

**RESOLUTION AUTHORIZING MAYOR AND CLERK TO
EXECUTE AGREEMENT BETWEEN THE BOROUGH OF WASHINGTON
AND ALAN M. FISHER.**

WHEREAS, an Agreement has been negotiated between the Borough of Washington and Alan M. Fisher regarding his termination of employment with the Borough in the form attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that the Mayor and Clerk are hereby authorized and directed to execute the Agreement between the Borough of Washington and Alan Fisher, a copy of which is attached hereto.

Prior to the vote the Mayor opened it up for questions and comments from the citizens in the audience. Prior to opening it up for public comments two letters were read by the Mayor supporting Alan Fisher as Manager of the Borough. The first letter was from Jerome Baucom, Esq. highlighting his reasons for retaining Mr. Fisher. He stated that given Mr. Fisher's tenure with the Borough of 22 years the Manager-Council form of government has worked very well since he was appointed. He has been very professional in performing his duties under this form of government.

Another letter from received from Arthur L. Alexander, Esq. The Mayor read his letter. His letter stated that he has known Mr. Fisher since his arrival in the community and he has always based his decisions on professionalism—not favoritism. He is completely honest in his decision making and he is a credit to the Borough. If he is not retained, it will be a great loss to our town.

Mayor Van Deursen opened it up to the audience for their comments.

Barbara Van Why, Adm. Clerk read a letter signed by thirty (30) employees of the Borough, others of which wanted to sign, but were unavailable at the time, since such short notice was given that this matter was to be placed on the agenda.

The letter was very lengthy and spelled out countless reasons why the Council should not consider this action in requesting the voluntary termination of the services of the Borough Manager. Mr. Fisher has always had an excellent working relationship with his employees and staff. He is a man of great integrity who holds himself to the highest moral standards. The employees are questioning the appropriateness of this resolution at this time. She outlined the make-up of the Council and given the possibility that there could be four (4) new Council members as of January 1, 2005, without knowing the will of the voters, a new Council will have to deal with Mr. Fisher's absence, to pick up the pieces and deal with the chaos their actions will cause. Without a smooth transition, any successor would be prone to failure. The letter also cited that the Manager's performance evaluations have been satisfactory. The employees would like to know specifically what precipitated this action to approve a voluntary termination agreement with the Mayor. The letter ended with respectfully requesting that Council reconsider their action and request that Mr. Fisher be retained in the capacity as Manager and work with him in the spirit of cooperation and in keeping with the best interests of the community and its residents, putting aside any personality conflicts and personal or political agendas in order to provide the best government in the Borough of Washington. If anything, table this resolution, and if necessary, revisit the issue in January of 2005, when a fully elected Council will be in session.

Mr. Alvin Sloan, 89 Grand Avenue Mr. Sloan addressed the governing body and stated that approximately thirty-six (36) hours ago a decision was reached that affects 6500 citizens of this community. He questioned the effort to keep this issue from the public and did not think something as important as this should be done in secret?

The newspaper was kind enough to inform the citizens. He stated for the record that this secrecy business is no good.

Stephanie Lewis, Princeton, NJ – Mrs. Lewis spoke very favorably of her working relationship with Mr. Fisher. Mrs. Lewis has been the Borough's Financial Advisor for the past seven (7) years and been in public finance for twenty-two (22) years. She was speaking as an outsider and could only attest that her working relationship with Mr. Fisher has been competent, professional and he has performed with due diligence in assisting her with information. She stated that, "I know of no one that is able to do a better job than he has for the community".

Barbara Theis, Welfare Director Mrs. Theis read a letter supporting Mr. Fisher. She has had one hundred (100%) percent backing from Mr. Fisher. He has encouraged me and inspired me to continue to fight for the community's best interest with respect to public assistance. She had a most recent case where she was on the verge of leaving and Mr. Fisher assisted her. She has dealt with a lot of municipal officials and he is one of the best.

Andrew Turner, 300 Belvidere Avenue, 300 Belvidere Avenue stated that he is not the only man to do this job. It's ludicrous to think that the town will fall apart.

Kathy Halpin, 86 Carlton Ave. was disappointed in the way Council is treating a person that has served the Borough well for twenty-two (22) years. She urged them to reconsider with positive thinking and postpone any decision until December 31st. This would be acting in the Borough's best interest. It is the worst case scenario to be taking this action now.

Matt Van Deursen, 32 Lambert St. Matt Van Deursen related an incident at the Borough Park where they had a catastrophe and Mr. Fisher did manual labor and pitched right in to help the staff. He is a great representative of the town. After twenty-two (22) years he still cares about our town.

Joyce Pyle, 88 W. Stewart St. stated that she could not imagine what you, the people, on Council are doing to this town. The Manager has created a great atmosphere to live in this community. She was ashamed of those on this Council that are considering the action they are taking this evening.

Rudy Bescherer, 191 Broad St. Mr. Bescherer directed a question to Councilman Giannis as to why he was considering such an action? Councilman Giannis cited the fact that he has lost confidence in the Manager's ability to administer to the community, he does not work harmoniously with others, particularly the Council. There was also some projects, particularly the Railroad Avenue property that could have been handled more efficiently.

Mr. Bescherer also questioned Councilwoman Bertoline's action. She cited the lack of budget cuts. Mr. Bescherer stated that this was not an acceptable and valid reason to terminate the Manager's position. He stated for the record that something stinks here and it's not the garbage he goes through.

Candy DeFilippis, 116 Broad St. stated for the record that she has become a volunteer for the community over the past several years and it's only because Mr. Fisher encouraged her to become active in her community. He serves us because he cares and has done a lot for this community because of that caring. She was embarrassed by this Council's action and did not know where they were coming from. She urged them to think long and hard about what they were doing. Mr. Fisher deserves their respect. He is watching out for the community. She stated that she is backing Mr. Fisher 100% because he has done a good job for the Borough.

Bill Haller past Mayor and former resident of the Borough on McKinley Avenue for thirty-eight years addressed Council. He also noted that he served as President of the League of Municipalities. He spoke of the excellent working relationship he shared with Mr. Fisher and his dedication to the community. He cautioned the action they were taken and noted that sometimes “youth lacks wisdom”. Mr. Haller stated that he would hate to see the Manager go.

Vince Smith, 62 W. Johnston St. - Mr. Smith noted that he was a long time resident of the Borough for seventy-one (71) years. He served on the Fire Department and the Emergency Squad for twenty-eight (28) years. He stated that you couldn't find a better man to work with and for the community.

Christine Woykowski, 24 S. Prospect St. - Mrs. Woykowski noted that she has not heard any reference or opinion on the Manager's job performance? Council should put more insight into the decision they are considering. The article on the decision you are about to make is embarrassing to the citizens because we put you where you are. She could not see where the Council had any real reasons to take the action they were considering. She asked Councilman McDonald his reasons? He stated that he was not allowed to discuss personnel matters outside of Executive Session.

Mrs. Woykowski noted that it was her observation that Council has more problems getting along with each other. She also cited that Councilman Doty was too new to making a decision of this magnitude. She questioned why Councilwoman Bertoline was not actively pursuing the Web Site. Councilwoman Bertoline stated that she was only one of the members. She stated that she was not on the committee to prepare the specifications for the Web-Site.

Mrs. Woykowski stated that the meetings should be about the community not focused on a person. She questioned how much money Council was going to be appropriating for replacement of the Manager. This would be an expensive proposition? There is no clear job description, what are their recruitment plans, what salary are we going to offer. Just how much money is going to be spent? No responses were given to Mrs. Woykowski.

Tracy Newlander stated that she was not embarrassed by the new Council. I hope you continue.

Council Discussion:

The Borough Manager thanked the audience for their kind comments and their show of support. He stated for the record that he had advised Council of a different procedure to use. He recommended that they wait until after the Primary Election. The Manager's performance is being used as an election issue. They did not take his recommendation. Given the situation he has no other choice but to sign the Agreement. It is the lesser of the two evils.

Mayor Van Deursen spoke and indicated that it is very well known that she supports the Borough Manager and has a great deal of respect for his ability as Manager. She has personally worked with this man. He had done an outstanding job and is an asset to our community. He has more knowledge than my entire family. Council is making a grave mistake if they proceed with this action. The community will be taking one (100) steps back. He has saved the taxpayers a lot of money and she will not support this resolution.

Borough Clerk, Linda L. Hendershot asked permission from the Mayor to speak as a private citizen and employee of the Borough. Mrs. Hendershot spoke very highly of the Manager and her working relationship with him. Some of the Council who are making this decision have only served the Borough for a short period of time and should not be making such an important decision for the community. Mrs. Hendershot stated that if the Manager left the Borough's employ it was very likely that she would be retiring and walking out the door behind him.

Mrs. Hendershot noted that she has been in the Borough's employ for almost thirty-six (36) years and has worked for all the Manager's since the inception of this form of government and Mr. Fisher, by far, is the best Manager this community has had the pleasure of working with.

Councilwoman Bertoline responded that there were not enough cuts in the proposed budget. The money is coming out of taxpayers pockets.

Councilman Housel noted that the budget has already passed by the majority of Council.

Councilman Giaimis noted that this decision is in the best interest of the community.

Councilman Housel noted that this decision should not be made until after the election.

Mayor Van Deursen directed the Clerk to call Roll Call:

Roll Call: Giaimis, McDonald, Bertoline and Doty – Ayes: 4,
Housel, Glaser and Van Deursen – Nays: 3.

Motion carried.

Council took a short recess at 9:40 PM on a motion made by Van Deursen, seconded by Glaser.

Ayes: 7, Nays: 0.

Motion carried.

Council reconvened at 9:50 PM with everyone present.

OLD BUSINESS:

Lawrence P. Cohen, Esq. – Discussion Re: Adult Housing

Lawrence Cohen, Esq., was present representing Mr. Raymond Rice who is under contract to purchase property on Rt. 57 to develop this property for adult housing with a community center. One occupant would have to be at least 55 years of age. This type of project would give the community a positive fiscal cash flow. In addition, 100,000 Sq. Ft. of Retail/Office Space. They are proposing a change in the zoning, rather than appearing before the Zoning Board. They are looking for the governing body to recommend a zoning change to the Planning Board for a Conditional Use Zone.

Mr. George Ritter outlined his plans for the 16.4 acres of ground that is located in the B-1 Business District & B-1-OB Zone. He is proposed 101 sq. Ft. of retail/office space with 101 apartments n the second floor. Sixty-five (65%) percent of the property would be paved for approximately 800 cars on the site. There would be 98 Town Homes with private roads and a community building. They would have garages and would be 1800 to 2,000 Sq. Ft.

Design standards were described.

Councilman Glaser was concerned with the increase in Emergency Services given the type of housing it is. The average age would be 61-62 years of age. The cost of the units would be \$ 190,000.00 to \$ 200,000.00 average cost. No Mt. Laurel Housing was being proposed.

Councilwoman Bertoline questioned why a zone change rather than appearing before the Board of Adjustment?

Mr. Cohen explained that when they come into a community they want to know that they want them. We don't want to go into a situation with the Board of Adjustment having to show special reasons. A Use Variance is difficult to find those special reasons.

The question of a Homeowners Association was brought up and whether they were allowed in the Borough in the past? Mr. Cohen indicated that the roads and the site would be privately owned and a Homeowners Association would be required.

They did offer to bring some statistical information regarding the increase in Emergency Service if there would be any impact.

Councilman McDonald questioned whether there were wetlands on the site? They testified that there was none. Councilman McDonald was also concerned with whether a lot of the trees would be preserved on the site?

Councilman Doty noted that the Stormwater Regulations would have to go through the Planning Board process.

Mr. Raymond Rice testified that he recently purchased the Welsh Farm Dairy site in Long Valley and is building the same type of development there. There is definitely the need for this type of housing presently.

Attorney Cushing noted that they are giving Council their conceptual plan and are looking for a zoning change. He recommended that the Council get input from the Planning Board and their planner. Then, it would come back to Council for their consideration.

Manager Fisher noted that there was no cost analysis done for this project, only the anticipated revenue that would be generated. Age restricted project – could they be marketable in the future?

Mr. Cohen noted that right now they are very marketable and they also bring other businesses into the area as tax ratables.

Councilwoman Glaser asked if they were going to be subsidized housing? They indicated they would not be.

Density was discussed. The Manager asked how come not 10-12 units per acre instead of the six (6) proposed. Mr. Cohen noted that given the green belt, this is what they are proposing for density.

Barbara Van Why asked to be recognized by the Mayor. She informed Council that when she took minutes for the Planning Board several years back this land did have some wetland identified. Do wetlands go away or disappear?

It was moved by McDonald, seconded by Giaimis that the Council recommend that they appear before the Planning Board with a conceptual plan of their project.

Roll Call: Giaimis, Housel, Glaser, Van Derusen, Doty, Bertoline and McDonald.

Ayes: 7, Nays: 0.
Motion carried.

To consider closing off N. Prospect St. for St. Joseph's Carnival

A request was received from St. Joseph's to close the street between Carlton Avenue and Miller Avenue for St. Joseph's Carnival beginning Thursday, July 1st through the 4th of July except for local traffic. St. Joseph's will be holding their carnival at the Warren Hills Middle School, with the 4th of July Celebration joining them at the school grounds on the 4th. At St. Joseph's they will be having bingo, a Hole in One Golf Raffle, Beer Tent and Pony rides. The parade will be going down Carlton Avenue and being re-routed out onto Rt. 57 at the end of the parade.

It was moved by Glaser, seconded by Housel that the Mayor and Council approve the closing of the street for St. Joseph's Carnival event beginning Thursday, July 1st thru up through July 4th from Carlton Avenue to Miller Avenue with the exception of local traffic which will be allowed to have access to their properties.

Roll Call: McDonald, Doty, Glaser, Giaimis and Housel – Ayes: 5,
Nays: 0. – Abstained: Van Deursen and Bertoline.

Motion carried.

Applications for Raffles – St. Joseph's Church

Applications for raffle(s) (5) in conjunction with the Carnival were submitted to the Council for approval. The applications were in order and fees paid.

It was moved by Glaser, seconded by Housel that the Clerk be authorized to issue these raffle licenses to St. Joseph's.

Roll Call: Housel, Giaimis, Glaser, Doty and McDonald – Ayes: 5,
Nays: 0. – Abstained: Van Deursen and Bertoline.

Applications for Special ABC Permits

Two applications for Special ABC Permits for the carnival and power-ball sweepstakes were submitted for approval. These permits are approved by the State.

It was moved by Housel, seconded by Giaimis that these two special ABC Permits be approved for submission to the State ABC Commission for issuance.

Roll Call: McDonald, Giaimis, Glaser, Doty and Housel – Ayes: 5,
Nays: 0. Abstained: Bertoline and Van Deursen.

Discussion to Eliminate the Position of Code Enforcement Officer – Requested by Councilwoman Bertoline

Councilwoman Bertoline brought up the subject of eliminating the Code Enforcement position strictly for budgetary reasons only. The Borough cannot afford to have this position at this point in time.

A motion was made by Bertoline, seconded by Doty that the Code Enforcement Officer's position be eliminated.

Discussion:

Barbara Van Why, Adm. Clerk asked to be recognized by the Mayor. Barbara explained the need for this position and the amount of calls that come in daily. Mr. Bescherer sometimes receives as many of 30 calls a day. He also investigates each call and educates the citizen on compliance of the local codes we have in the Borough. The town's appearance is beginning to look a lot better.

Chief Cortellesi addressed this position and asked if they wanted to revert back to the way Code Enforcement was done in the past. The Police do not have the time to educate the public; they strictly issued summonses if violations were found. The Criminal Justice Report that the Borough paid for clearly indicated there was the need for this position. The report actually calls for as many as 16 and as high as 19 officers. His department does not have the manpower to assume these duties on a full-time basis.

It was also pointed out that the revenue generated from this position is going to be substantial. The Clerk pointed out that the garbage sticker sales have doubled since Mr. Bescherer was hired.

Manager Fisher pointed out that with stricter enforcement of the garbage and refuse ordinance and bulky waste our tonnage costs have also been lessened considerably.
The work he is doing is phenomenal.

Candy DeFilippis does a lot of walking throughout town and has seen a big improvement particularly in the garbage problem on the streets. Mr. Bescherer should be doing the job Council hired him to do. The town is starting to look nice.

Councilman McDonald was not in favor of eliminating the position. It shouldn't be measured by the value of the dollar. He is cleaning the community up.

Mayor Van Deursen noted that we are fulfilling the needs of the community. It is not the right place to cut the budget. We are committed to cleaning up the downtown.

The Manager noted that the vote was unanimous to create the position and the salary. The Manager felt that the position was needed and he was concerned whether there was some other motivations other than economic?

Councilwoman Bertoline noted that she does not have a problem with Rudy; she just felt it was an area where costs could be cut.

Roll Call: Ayes: Bertoline and Doty – Nays: Glaser, Giaimis, Housel,
Van Deursen and McDonald - 5.

Motion Defeated.

To consider a request to tie into Washington Borough's Sewer System – Township property – Fisher Avenue

This request to tie into the Washington Borough Sewer System was approved by the Township and is a health problem.

It was moved by McDonald, seconded by Bertoline that this Township sewer connection for Fisher Avenue be approved.

Discussion: Councilman Housel noted that he was not in favor of this request because he did not want to be piece-mealing connections from the Township into the Borough's system.

Roll Call: Glaser, Giaimis, Van Deursen, Doty, Bertoline and McDonald.
Ayes: 6, Nays: Housel.

Motion carried.

Resolutions #93 thru 96 and #99-2004

The following Resolutions were moved by McDonald, seconded by Giaimis and adopted:

Resolution #93-2004 – Authorizing the Refunding of an Overpayment of the Borough's Sewer Service Charge

RESOLUTION #93-2004

**RESOLUTION AUTHORIZING THE REFUNDING OF
AN OVERPAYMENT OF THE BOROUGH'S
SEWER SERVICE CHARGE**

WHEREAS, according to the Treasurer's records, there is an overpayment showing on the following property; and

<u>BLOCK/LOT</u>	<u>PROPERT OWNER/ PROPERTY LOCATION</u>	<u>AMOUNT TO BE REFUNDED</u>
16/2	Brunner, Michele & Edward 61 Carlton Ave.	\$ 41.94

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$ 41.94 should be mailed to:

Michele & Edward Brunner
3428 Harborside Court
Kissimmee, FL 34746

WHEREAS, the Borough Treasurer's office has received a written request that the above amount be refunded.

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 Borough Treasurer is authorized to refund the above overpayment amount.

Roll Call: Housel, Doty, Bertoline, McDonald, Glaser, Van Deursen and Giaimis.

Ayes: 7, Nays: 0.
Motion carried.

Resolution 394-2004 – To Accept the Award of a Highway Safety Grant

RESOLUTION #94-2004

**A RESOLUTION TO ACCEPT THE AWARD OF A HIGHWAY
SAFETY GRANT FROM THE NEW JERSEY DIVISION
OF HIGHWAY TRAFFIC SAFETY**

WHEREAS, there are monies available through a Highway Safety Grant with the New Jersey Division of Highway Traffic Safety for a "Click It or Ticket" Seat Belt Safety Program; and

WHEREAS, it would be in the best interest of the Borough of Washington to participate in such a program and to apply for said monies.

NOIW, 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 Mayor and Clerk are hereby authorized to execute and sign all documents in order to effectuate the receipt of grant monies between the Borough of Washington and the New Jersey Division of Highway Traffic Safety for the "Click It or Ticket" Grant Program in the amount of \$ 5,000.00.

Roll Call: Giaimis, Housel, Glaser, Van Deursen, Doty, Bertoline and McDonald.

Ayes: 7, Nays: 0.
Motion carried.

Resolution #95-2004 – Authorizing the Refunding of an Overpayment of the Borough's Sewer Service Charge

RESOLUTON #95-2004

A RESOLUTION AUTHORIZING THE REFUNDING OF AN OVERPAYMENT OF THE BOROUGH'S SEWER SERVICE CHARGE

WHEREAS, according to the Treasurer's records there is an overpayment showing on the following property; and

<u>BLOCK/LOT</u>	<u>PROPERTY OWNER/ PROPERTY LOCATION</u>	<u>AMOUNT TO BE REFUNDED</u>
101.01/32	Fenner, David & Jessica 10 Lenape trail	\$ 43.00

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$ 43.00 should be mailed to:

David & Jessica Fenner
6 Fairview Avenue
Washington, NJ 07882

WHEREAS, the Borough Treasurer's office has received a written request that tHe above amount be refunded.

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 Borough Treasurer is authorized to refund the above overpayment amount.

Roll Call: McDonald, Doty, Bertoline, Van Deursen, Glaser, Housel and Giaimis.

Ayes: 7, Nays: 0.
Motion carried.

Resolution #96-2004 – Requesting Approval of a Special Item of Revenue

RESOLUTION #96-2004

A RESOLUTION OF THE BOROUGH OF WASHINGTON REQUESTING APPROVAL OF AN ITEM OF REENUE AND APPROPRIATION UNDER N.J.S.A. 40:4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the 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 thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, hereby request the Director of Local Government Services with the Department of Community Affairs to approve the insertion of an item of revenue in the budget of the year 2004 in the sum of \$ 5,000.00 which item is now available as revenue from the State of New Jersey, Department of Law and Public Safety, Division of Highway Traffic Safety for the Click It Or Ticket 2004 grant program.

BE IT FURTHER RESOLVED, that the like sum of \$ 5,000.00 is hereby appropriated under the caption “Click It Or Ticket” Salary & Wages outside the CAP.

Roll Call: Giaimis, Glaser, Housel, Bertoline, Doty, McDonald and
 Van Deursen.

Ayes: 7, Nays: 0.
Motion carried.

Resolution #99-2004 – Granting a Leave of Absence to Catherine A. Papp

**RESOLUTION GRANTING A LEAVE OF ABSENCE
TO CATHERINE A. PAPP**

WHEREAS, the governing body of a municipality may grant temporary leave of absence, without pay, to any employee provided such leave shall not exceed six (6) months at any one time; and

WHEREAS, the governing body desires to maintain complete and accurate records of employee benefits in accordance with New Jersey State Law; and

WHEREAS, Catherine A. Papp has requested a leave of absence without pay due to personal illness for the period beginning 5/24/2004 and ending no later than 07/16/2004; and

WHEREAS, the employee is not able to perform her duties due to personal illness and has no remaining sick leave benefits and has requested a temporary Leave of Absence Without Pay beginning May 24, 2004.

NOW, THEREFORE, BE IT RESOLVED, the Borough of Washington Common Council does hereby grant to Catherine A. Papp a temporary leave of absence, without pay, for the period beginning May 24, 2004, and ending no later than July 16, 2004, to her full-time position as Account Clerk in the Tax Collector’s office.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Division of Pensions and Benefits in order to allow the employee to retain her non-contributory insurance benefits during the Leave of Absence Without Pay.

Roll Call: Van Deursen, Glaser, Housel, Bertoline, McDonald, Giaimis and
 Doty.

Ayes: 7, Nays: 0.
Motion carried.

Resolution #97-2004 – Appointing a Member to the Library Board of Trustees replacing the resignation of Sandra Oatley

Mayor Van Deursen proposed the name of **Rita Milson** to replace Sandra Oatley on the Library Board of Trustees.

It was therefore moved by Giaimis, seconded by Housel that the following resolution be adopted with the name of Rita Milson:

RESOLUTION #97-2004

**RESOLUTION APPOINTING A MEMBER OF THE
LIBRARY BOARD OF TRUSTEES REPLACING
THE RESIGNATION OF SANDRA OATLEY.**

WHEREAS, the Borough of Washington, Warren County, New Jersey is now governed by Plan “E” of Municipal Charter Law; and

WHEREAS, under this plan the Mayor of the Borough is to appoint the members of the Library Board of Trustees for Washington with the consent of the Borough Council; and

WHEREAS, there is a vacancy left by the resignation of Sandra Oatley; and

WHEREAS, the Mayor has designated the following person as her appointee;
and

WHEREAS, the Council does approve of this appointment.

BE IT THEREFORE RESOLVED, that the following named person is appointed to the Library Board of Trustees, for the un-expired term of January 1, 2005 left by the resignation of Sandra Oatley.

Rita Milson

Name

Roll Call: Housel, Glaser, Van Deursen, Giaimis, Doty, Bertoline and
McDonald.

Ayes: 7, Nays: 0.

Motion carried.

COUNCIL REMARKS:

Mayor Van Deursen polled Council for their remarks.

Mayor Van Deursen commented that this was a very tense meeting. We should all try as Council to do what the community expects us to do and that is to work in the best interest of the community.

Councilman Doty had no remarks.

Councilwoman Bertoline inquired as to the status of the telephone system. The Manager noted that we must adopt the necessary bonding ordinance first. We should receive it from Bond Council within the next couple of meetings.

Councilman McDonald had no remarks.

Councilman Housel suggested that when the qualifications of the Manager are discussed for soliciting resumes, they should be required to have a Masters Degree in Public Administration. Someone with a Masters Degree will already have proven their expertise in this field. It was agreed to put the Manager’s qualifications on the next meeting agenda for discussion.

Councilwoman Glaser also suggested that we discuss how we are going to pursue this job search process.

Executive Session to Discuss Union Contract Negotiations

It was moved by Giaimis, seconded by Glaser that Council go into Executive Session to discuss Union Contract Negotiations.

Ayes: 7, Nays: 0
Motion carried.

Linda L. Hendershot, Clerk was excused from the executive session.

It was moved by Giaimis, seconded by McDonald that Council go out of Executive Session back into open session at 11:26 PM.

Ayes: 7, Nays: 0.
Motion carried.

Council requested a Special Meeting be advertised for Tuesday, May 25, 2004 at 8:00 PM for an Executive Session to discuss the status of Union Contract Negotiations.

Hearing no further business, it was moved by Giaimis, seconded by Housel that the meeting be adjourned at 11:29 PM.

Ayes: 7, Nays: 0.
Motion carried.

Marianne Van Deursen, Mayor

Linda L. Hendershot, RMC/CMC
Borough Clerk