

## **MINUTES OF REGULAR COUNCIL MEETING HELD DECEMBER 21, 2004**

A Regular Meeting of the Borough of Washington, Warren County, New Jersey was held in the second floor Council Chambers of the Borough Municipal Building at 8:00 P.M. on Tuesday, December 21, 2004.

Roll Call: Glaser, Giaimis, McDonald, Van Deursen, Buoye, Housel (Arrived At 8:15 PM) and Bertoline (Arrived at 8:45 PM) – 7 Present.

Absent: None.

Also Present: Richard J. Sheola, Borough Manager  
Richard P. Cushing, Esq., Municipal Attorney  
Robert Miller, C.M.E., Borough Engineer  
Linda L. Hendershot, RMC/CMC, Borough Clerk

Mayor Van Deursen read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1972, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the official newspaper of the Borough of Washington and posted on the Bulletin Board of the Borough Hall stating the time, place and purpose of the meeting ad required by law.”

### **HOUSE DECORATING CONTEST**

Mayor Van Deursen announced that the House Decorating Contest was deferred to the Recreation Commission’s meeting the following evening at 7:30 PM. She will not be able to attend but urged Council to attend.

### **COUNCIL APPEARANCE:**

#### **Joseph Fox, Fire Chief – Washington Borough Fire Department**

Chief Fox’s presentation was deferred until later during the meeting. The Department is presently out on a fire call.

### **MINUTES:**

#### **Regular Meeting – December 7, 2004**

Mayor Van Deursen entertained additions or corrections to the minutes of the regularly scheduled meeting held December 7, 2004.

Councilman Buoye noted corrections on Page 5 of Ordinance #20-2004. Councilwoman Bertoline did not vote in favor on this ordinance. The vote does not reflect her vote. Also, on Page 7 there was some grammatical errors regarding the letter from Mr. & Mrs. S. Diaconu.

Councilman McDonald pointed out a two spelling errors on Page 6 that the Clerk noted.

Hearing no further corrections, it was moved by McDonald, seconded by Glaser that the minutes of the regular meeting held December 7, 2004 be approved as corrected.

Roll Call: McDonald, Buoye, Van Deursen, Glaser and Giamis.

Ayes: 5, Nays: 0.  
Motion carried.

### **COMMUNICATIONS:**

The following communications were entered into the Record:

- 1) Comcast Updates (2);

- 2) JCP & Light Company – Revised Tariff;
- 3) Verizon – Revised Rates;
- 4) Suplee, Clooney & Company;
- 5) NJ State League RE: Congressional City Conference 2005
- 6) NJ State League RE: NJDOT for Municipal Aid Grants;
- 7) NJ State League RE: 2005 League Policy/Training Seminar Offerings;
- 8) NJ State League RE: A-2360 Pension Enhancement for PFRS;
- 9) NJ State League Re: Expanded Condo Services;
- 10) NJ State League RE: Brownfields Redevelopment & Local Control of Traffic Signage; and
- 11) Washington Update RE: Homeland Security Funding

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

Discussion: None.

Ayes: 5, Nays: 0.  
Motion carried.

**AUDIENCE:**

Mayor Van Deursen entertained remarks from the audience on items that were not part of the meeting agenda.

Hearing none, it was moved by McDonald, seconded by Glaser that the audience portion of the meeting be closed.

Ayes: 5, Nays: 0.  
Motion carried.

**REPORTS:**

It was moved by McDonald, seconded by Glaser that the Recreation Commission, Cross Acceptance Report, A & E O.T., Borough Manager's (2) A.F., Road Department O.T., Police, Collector-Treasurer, Trail Balance and Borough Manager's A.F. reports be accepted as presented and filed.

Roll Call: McDonald Buoye, Van Deursen, Glaser and Giaimis.

Ayes: 5, Nays: 0.  
Motion carried.

**VOUCHERS:**

Mayor Van Deursen entertained questions or additions of the vouchers and claims for payment.

Councilman McDonald had a question in regard to a seminar the former Manager, Alan Fisher attended. Also, a question on Page 5 regarding a police department expense, a voucher to Uncle Mike's which Andrew Turner noted was an company that dealt in fire alarm accessories. Another question on a kid alert crossing device and the Celica vehicle which is owned by the Borough.

Councilman Housel took his seat at 8:15 PM during the discussion on the vouchers and claims.

Councilwoman Glaser noted that one of the Borough's police cars is no longer marked? It was noted that the new vehicle was purchased for the police department and is not marked yet. Another question was raised for car parts that were purchased that is on the handwritten bill list; P.O. #16807. Councilwoman questioned why this was on the handwritten list. This will be checked into by the Manager.

Hearing no further questions, it was moved by McDonald, seconded by Glaser that the vouchers and claims be paid in the amount of \$ 483,329.98 and the handwritten vouchers for the month of November in the amount of \$ 180,082.99 as reflected in the debit/credit memorandum on file in the Collector-Treasurer's office.

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

Motion carried.

**OLD BUSINESS:**

**South Lincoln Avenue Parking – Engineer's report**

Engineer, Robert Miller submitted a report regarding South Lincoln Avenue to the Manager December 7<sup>th</sup> at which time a memo was sent with this draft report to the Police Chief, Fire Chief and Emergency Squad for their review of this proposal. To date no recommendations or the review of this proposal has been received from the emergency departments.

The engineer noted that he did not recommend parking on either side of this street. At its widest point the street is only 24' wide.

The Manager was directed to follow up on this with the emergency departments.

To expedite things, the Mayor suggested forming a sub-committee to set a meeting to discuss this issue further. Councilman Alex Buoye and Councilman Terry Housel will serve on this committee with the Engineer and Manager.

**NEW BUSINESS:**

**Resolutions #226-2004 thru #228-2004**

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

**A RESOLUTION TO REFUND OVERPAYMENT  
ON 2004 REAL ESTATE TAXES**

**WHEREAS**, according to the Tax Collector's records, there is an overpayment of \$ 194.44 on 2004 Regular Taxes paid on property located at 10 Flower Avenue Rear, also known as Block 070, Lot 005.02, and in the name of Leonardis, Alfonse V; and

**WHEREAS**, Mr. Blumner as McKinley Land Corp., a partner and Mr. Leonardis, a partner have both paid the 1<sup>st</sup> quarter 2004 Regular Taxes causing an overpayment; and

**WHEREAS**, the Tax Collector has received a request from McKinley Land Corp., Mr. Jack Blumner to refund the tax overpayment to McKinley Land Corp.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$ 194.44 payable to:

McKinley Land Corp.  
Attn.: Jack Blumner  
61-43 186<sup>th</sup> Street  
Fresh Meadows, NY 11365

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

Ayes: 6, Nays: 0.  
Motion carried.

**RESOLUTION #227-2004**

**A RESOLUTION TO REFUND OVERPAYMENT ON  
2004 REAL ESTATE TAXES**

**WHEREAS**, according to the Tax Collector's records, there is an overpayment of \$ 770.50 on Regular Taxes paid on property located at 208 W. Washington Avenue, also known as Block 009.01, Lot 001, and in the name of Porras, Disfredo & Nieto-Zavalqa, V; and

**WHEREAS**, Clear Advantage Title Agency and First American/Chase both paying the 4<sup>th</sup> quarter 2004 Regular Taxes for Disfredo Porras.

**WHEREAS**, the Tax Collector has received a request from First American Real Estate requesting that the money be refunded to Porras, Disfredo and Nieto-Zavala, V.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$ 770.50, payable to:

Disfredo Porras, and V. Nieto-Zavala  
208 W. Washington Avenue  
Washington, NJ 07882

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

Ayes: 6, Nays: 0.  
Motion carried.

**RESOLUTION #228-2004**

**A RESOLUTION TO VOID AND REPLACE A CHECK**

**WHEREAS**, Check #045927 was written 10/20/04 on Washington Borough's Operating Fund #8102360230 in the amount of \$ 171.30 and made payable to Positive Promotions at 15 Gilpin Avenue, Hauppauge, NY 11788; and

**WHEREAS**, the Treasurer's office was made aware that this check amount was for the wrong invoice. The vendor's invoice for \$171.30 was previously paid. The amount to cover the current invoice should be \$ 68.10; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington that the Treasurer be authorized to void and replace Check #045927 for the lesser amount.

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

Ayes: 6, Nays: 0.  
Motion carried.

**Resolution #229-2004 – Increasing the Bid Threshold & Appointing a Qualified Purchasing Agent**

Prior to introducing a motion to adopt, Manager Sheola explained the purpose and intent of this resolution. This resolution allows Council to increase the bid threshold to \$ 25,000.00 if a Qualified Purchasing Agent is appointed. Manager Sheola has been certified by the Division of Local Government Services through the Department of Community Affairs as a Qualified Purchase Agent.

It was therefore moved by Housel, seconded by McDonald that the following Resolution be adopted:

**RESOLUTION #229-2004**

**RESOLUTION INCREASING THE BID THRESHOLD AND APPOINTING A QUALIFIED PURCHASING AGENT, PURSUANT TO N.J.S.A. 40a:11-3A AND N.J.A.C. 5:34-5 ET. SEQ.**

**WHEREAS**, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$ 25,000.00; and

**WHEREAS**, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

**WHEREAS**, N.J.A.C. 5:43-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

**WHEREAS**, Richard J. Sheola possesses the designation of **Qualified Purchasing Agent** as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

**WHEREAS**, the Borough of Washington desires to take advantage of the increased bid threshold.

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Borough of Washington, in the County of Warren, in the State of New Jersey hereby increases its bid threshold to \$ 25,000.00; and

**BE IT FURTHER RESOLVED**, that the governing body hereby appoints **Richard J. Sheola** as **Qualified Purchasing Agent** to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity and contracting unit; and

**BE IT FURTHER RESOLVED**, that in accordance with N.J.S.A. 5:34-5.2 the Borough Clerk is hereby authorized and directed to forward a certified copy of this Resolution and a copy of **Richard J. Sheola's** certification to the Director of the Division of Local Government Services.

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

Ayes: 6, Nays: 0.  
Motion carried.

**Establishing a Year End Meeting**

A motion was made by McDonaold, seconded by Housel that the Council authorize the Clerk to advertise for a Special Council meeting to be scheduled for Wednesday, December 29, 2004 at 4 PM to conduct any year end business that may be required.

Ayes: 6, Nays: 0.  
Motion carried.

**Letter or Resignation as a Council Member – Marianne Van Deursen**

A letter of resignation from the Mayor's Council seat was received by the governing body. This resignation is the result of the November election wherein our present Mayor, who was appointed Mayor by the governing body for a two year term which will expire December 31, 2004, ran on the ballot and was successfully elected as Mayor for a four (4) year term beginning January, 2005. There is still two (2) full years left of Mayor Van Deursen's term which shall expire December, 2006.

The letter was acknowledged and received by the governing body and the Clerk was directed to notify the Chairman of both the local Republican Committee and the County Committee, as well as the County Clerk and County Election Board.

**COUNCIL REMARKS:**

Mayor Van Deursen reminded Council members of the Holiday Lighting Contest. She requested that Council let her know their choice as soon as possible so that the plaque can be ordered by Fliegauks.

She wanted to thank Councilman Giaimis, Councilman McDonald and Councilwoman Bertoline for their contribution serving on the governing body and commended them for the fine job they did. She wished them all the best in their future endeavors and stated that it had been a pleasure working with them through the good and the bad.

Mayor Van Deursen requested that an agenda item be placed on the next agenda to appoint a Committee or Volunteer Board to work on the plan to provide senior services to the senior citizens of our community.

Mayor Van Deursen recognized Chief Joseph Fox in the audience. Chief Fox had been on a fire call and was now available to give his yearly report to the governing body.

A copy of his report was distributed to the Council for their information. He brought them up-to-date with their membership which they currently have 47 active members and 8 junior members. He briefed the Council on their training this past year. To date they have answered 167 calls for a total of 1631 man hours.

He outlined the condition of their fire apparatus which is beginning to show signs of age and the problems they are experiencing. They are requesting that Council start looking into replacing the 1978 Mack pumper and the 1975 Aerialscope due to the amount of mechanical issues and age of the apparatus he touched upon in his report.

They also planning some new fire training classes and will concentrate on continuing to develop their Junior Firefighter program.

Mayor Van Deursen thanked the Chief for his very comprehensive report and on behalf of the governing body thanked him and his department for the fine job they do for the community.

Mayor Van Deursen also requested that discussion of goals for 2005 be placed on the Council agenda.