

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – December 1, 2009**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:30 P.M.

Roll Call: Boyle, Cioni, McDonald, Gleba, Higgins, Valentine - Present
Housel – 8:20 p.m.

Also Present: Lorraine Staples, Esq. Municipal Attorney
Rich Phelan, Borough Manager
Kristine Blanchard, Borough Clerk

Mayor McDonald led everyone in the flag salute.

Mayor McDonald read the following Statement into the Record:

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

MINUTES

Motion made by Higgins, seconded by Valentine to approve the minutes from the November 16, 2009 regular meeting.

Ayes: 6, Nays: 0
Motion Carried

COUNCIL APPEARANCE

None

AUDIENCE:

None

ORDINANCES

None

REPORTS:

It was moved by Higgins, seconded by Gleba, to receive and file the following reports.

1. Issues and Details

Ayes: 6, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Redevelopment Committee: No Report

DPW Garage: No Report

Sewer Committee: No Report

Streets Committee: No Report

Finance Committee: No Report

Shared Services Committee: Councilman Boyle reported that the next scheduled meeting is December 29 at Mansfield Township. This committee is considering quarterly meetings to be held on Saturday mornings.

Senior Services: No Report

Website Committee: - Councilman Cioni reported that the home page is revised based on input from citizens and Borough staff. There is also a new video of the Borough on the website as well.

Concession Stand Committee – No Report

Recreation Report – No Report

Park Committee – Manager Phelan stated that the environmental reports on the hardware lot property were not adequate to meet the needs of the Borough or the BID. The BID will approach the property owners to see what they can do to make sure the property is clean prior to any sale taking place.

VOUCHERS AND CLAIMS

Mayor McDonald entertained questions or additions to the vouchers and claims for payments that were not previously addressed before the meeting. Motion made by

Higgins, seconded by Gleba to pay the vouchers and claims in the amount of \$ 528,920.89.

Councilman Boyle questioned the accounts that the Suburban Consulting invoices are being charged to. Manager Phelan stated that the accounts represent capital accounts from 2008 when the parking lot project was started. Councilman Boyle indicated that there is a different charge account referenced in the resolution. Manager Phelan will double check and make sure it is being charged properly. Councilman Boyle asked about the Hueyer and Gruel charge. He inquired if the invoice was for the Third Round COAH Housing Plan? Manager Phelan stated yes.

Councilwoman Gleba asked about the charge for special police escrow. Manager Phelan stated that certain projects (road construction, street openings) require an escrow to be established in order to pay the police as needed. This escrow is paid for by the contractor and returned to the contractor when no longer needed. Councilwoman Gleba also asked for an explanation on the redemption of tax sale certificate premium being paid. Manager Phelan explained that lien holders will sometimes bid a premium to acquire the lien on the property. Once the certificate is redeemed the premium must be returned to the lien holder.

Councilman Higgins questioned the temporary court assistance charge. Manager Phelan stated the court administrator is on leave and there is a temporary person assisting with court on scheduled court days. Councilman Higgins questioned the payment to the police. Manager Phelan explained this is a payment for outstanding vacation and comp time acquired and will be paid quarterly over the next 18 months.

Roll Call: Higgins, Gleba, Cioni, McDonald, Valentine, Boyle

Ayes: 6, Nays: 0

Motion Carried

OLD BUSINESS:

None

NEW BUSINESS

Resolution 222-2009 Redemption of Tax Sale Certificate

Resolution 222-2009 was moved on a motion made by Higgins, seconded by Boyle and adopted.

Roll Call: Higgins, Boyle, Gleba, Cioni, McDonald, Valentine

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION # 222-2009

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, was sold on December 27, 2006 to Tatar Rice, 39 Larsen Road, Ringoes, NJ 08551, in the amount of \$63.73 for taxes or other municipal liens assessed for the year 2005 in the name of Hamilton, H John II & Jeanine, as supposed owners, and in said assessment and sale were described as 115 Broad St, Block 95.01 Lot 4, which sale was evidenced by Certificate #06-00426; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 11-19-09 and before the right to redeem was cut off, as provided by law, H John Hamilton II claiming to have an interest in said lands, did redeem said lands claimed by Tatar Rice, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$14,008.87, which is the amount necessary to redeem Tax Sale Certificate #06-00426.

NOW THEREFORE BE IT RESOLVED, on this 1ST day of December 2009 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Tatar Rice, 39 Larsen Road, Ringoes, NJ 08551 in the amount of \$25,008.87.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 95.01 Lot 4 from the tax office records.

Resolution 224-2009 – 227-2009 Authorizing Agreements with Certain Property Owners for Existing Fence/Sheds

Motion made by Higgins, seconded by Valentine to approve Resolutions 224-2009 through 227-2009.

Roll Call: Higgins, Valentine, Boyle, Cioni, McDonald, Gleba

Ayes: 6, Nays: 0
Motion Carried

Donna Mosca – 68 Lenape Trail

Ms. Mosca stated that she has concerns regarding fences that were put up in her area. She stated that a fence that one of her neighbors has put up restricts access to the back of her property. She stated that she can not access her backyard and can not bring her lawn mower around to mow the front of her property. Her property is in the middle of six units on Lenape Trail. Manager Phelan stated that he has spoken with Ms. Mosca and

informed Council that if the fences are all removed it will increase the access. Mayor McDonald suggested a gate in the fence that is restricting her access. Councilman Cioni suggested that the manager and zoning officer visually inspect the area and report to Council. Council may want to take a look at the area as well.

Councilman Cioni made a motion to reconsider Resolutions 224-2009 through 227-2009 and to table them until further information is obtained.

Ayes: 6, Nays: 0
Motion Carried

Resolution 228-2009 Granting a Leave of Absence to Donald Henry

Resolution 228-2009 was moved on a motion made by Cioni, seconded by Valentine and adopted.

Roll Call: Cioni, Valentine, Gleba, McDonald, Higgins, Boyle

Ayes: 6, Nays: 0
Motion Carried

RESOLUTION #228-2009

**RESOLUTION GRANTING A LEAVE OF ABSENCE
TO DONALD R. HENRY**

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, Donald R. Henry requested a leave of absence without pay due to personal illness for the period beginning 11/09/2009 and ending on or about 12/31/2009 for pension accounting; and

WHEREAS, the employee is unable to perform his duties due to personal illness and has exhausted all sick leave benefits as of the close of business on October 9, 2009, and has requested a temporary Leave of Absence Without Pay beginning November 9, 2009.

NOW, THEREFORE BE IT RESOLVED, the Borough of Washington Common Council does hereby grant to Donald R. Henry a temporary leave of absence,

without pay, for the period beginning November 9, 2009, with a return to work date of January 4, 2010, from his full-time position as Assistant Supervisor Streets in the Public Works Department.

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 his non-contributory insurance benefits during the Leave of Absence Without Pay, should the earnings in the months of November and December, 2009, be inadequate to take the full monthly deductions for pension and contributory insurance.

Councilman Housel arrived at 8:20 p.m.

RECAP

Manager Phelan stated he will verify the charged accounts on the capital expenditure for Suburban Engineering. He will also obtain aerial photos for the fence/shed issues on Lenape Trail.

COUNCIL REMARKS

Councilwoman Gleba noted that Council should send a letter to the person who did the video for the Borough thanking him. She also inquired about the status of the I and I inspections. Manager Phelan stated that the final letters were reviewed and sent out. The cutoff is Monday for response. Councilwoman Gleba asked when the cable committee will be meeting. Manager Phelan stated the committee will more than likely meet after the public hearing on December 15.

Councilman Higgins inquired as to why the Managers Reports are confidential. Manager Phelan stated that they are for Council members only as they contain advisory and consultative information. Councilman Higgins inquired as to the letter from Supplee and Clooney. Manager Phelan stated that they would prefer not to provide such a letter. The Borough will be paying them out of 2009 reserves in January. Councilman Higgins also inquired about the CFO report. Manager Phelan stated that the budget module and general ledger module are reconciled up to October 31 of this year. There were items charged improperly at the beginning of the year. These are being corrected. Councilman Higgins asked about the closure of extra bank accounts. Manager Phelan explained that the Borough has many bank accounts. This is just a consolidation. Manager Phelan will find out for Councilman Higgins how many bank accounts the Borough has. Councilman Higgins asked about the status of the professionals and how Council will be handling this. Manager Phelan stated that he has received all of the current professional's fees for 2010. All of the other request for proposals are due by the end of the week. Manager Phelan stated he needs to know how Council would like to handle setting up interviews for the professionals. Council agreed to hold a special meeting on December 17, at 7:30 p.m. for the purpose of interviewing professionals. All of the information will be available to Council on Friday so that council can decide who they want to bring in.

Council asked if they can decide who to bring in for interviews via email. Attorney Staples stated she will need to look into that and get back to Council tomorrow. Council concurred they will wait for Attorney Staples response and make a decision no later than December 15 on who they will interview. Manager Phelan will reach out to the professionals and have them hold the date of December 17 open for interviews.

Councilman Cioni requested that the topic of bulky waste removal be placed on the 12/15 agenda. He is aware that the Borough has a 180 day out clause regarding the bulk items pick up and would like to discuss this at the next meeting. Motion made by Cioni, seconded by Housel to place this item on the next agenda. All council members in favor of discussing.

Councilman Boyle commented on the second paragraph of the 11/25 Managers Report. He stated that all information coming to Council has to be reader friendly. Councilman Boyle also inquired about the Borough's Housing plan; has the Borough met our COAH obligation? Manager Phelan stated yes the Borough is obligated to 103 units and we currently have 122 units.

Mayor McDonald asked Council if they were interested in holding the holiday decorating contests for businesses this year. Council agreed that they would. Mayor McDonald also stated that he attended seminars at the league this year regarding green energy. He noted that there are many grants available for items such as energy audits.

Hearing no further business to come before Council, it was moved by Higgins, seconded by Boyle that the meeting be adjourned at 8:25 p.m.

Ayes: 7, Nays: 0.
Motion carried.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk