

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – February 16, 2010**

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, Higgins, Valentine - Present  
Housel – 8:20 p.m.  
Gleba - Absent

Also Present: Richard Cushing, Esq. Municipal Attorney  
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 Boyle to approve the minutes from the regular meeting of February 2, 2010.

Mayor McDonald noted several corrections.

Ayes: 5, Nays: 0  
Motion Carried

**AUDIENCE**

Mayor McDonald entertained comments and questions from the audience members for items not listed on the agenda

Joe Tool 104 Wilson Terrace

Mr. Tool stated the road department did a great job during the last snow storm. He also stated he does not want any more cuts made to the road department; he wants the services that the Borough offers to remain the same.

Mary Cardinas 49 Youmans Avenue

Ms. Cardinas stated she has a parking issue on Youmans Avenue. She is unable to park near her home and she has three children. Neighbors on her street will save parking spots for other people. She inquired as to whether or not Council would consider assigning parking spaces or painting lines on Youmans Avenue. Attorney Cushing stated that Council has previously considered assigning parking spaces but had determined it was not feasible. Mayor McDonald stated that it may be possible for the Borough Manager to consult with the police department on this matter.

David Hockenbury 24 Flower Avenue

Mr. Hockenbury stated that he does not want to see the road department moved to Washington Township. This Council told the citizens that after the police merger there would be no change in services; he stated he does not see a police presence in the Borough any more. Mayor McDonald explained that Council has no intention on eliminating the road department. The Borough did receive a communication from Washington Township regarding merging the road departments. Mayor McDonald stated this is in its infancy; and his understanding is that any consideration of merging departments would have the Washington Township Road Department join the Borough Road Department and would be housed here in the Borough.

Joe Kresser 92 Carlton Avenue

Mr. Kresser stated that at the last Council meeting he was told that there were no reserves in the sewer utility. He explained he obtained sheet 36 of the dedicated sewer utility budget for 2009 and the reserve was \$58,000.00 as of December 31, 2008. He asked council where the \$58,000.00 in reserve went to. He stated that a forensic audit is a necessity. He is concerned and wants to come up with ideas to help. Attorney Cushing suggested that the Council may want to consider bringing the auditor in during a meeting; he may be able to answer some questions and educate people. A public discussion would be worthwhile and may help the Borough Manager explain the finances.

Mark Gunther 155 South Lincoln

Mr. Gunther stated he has reviewed the proposals that the Borough received for Municipal Attorney. Mr. Cushing's firm came in at \$20,000 higher than the low bidder. The day after the professional interviews Mr. Cushing lowered his retainer to \$50,000; which is still \$14,000 higher than low bidder. Mayor McDonald explained that during the interview process with Mr. Lavery it was discovered that the proposal did not include costs for having an attorney attend Council meetings. Due to the fact that Mr. Lavery's firm represents several municipalities in Warren County, including Washington Township, that firm would need to step down during any inter-local or shared services discussions as it would be a conflict of interest for them to represent both towns. This

could have been costly to the Borough. Attorney Cushing explained the way our proposal was structured is that all the work is included in the retainer.

Bob Dell Elba 86 West Stewart Street

Mr. Dell Elba asked Council if there is a committee overseeing discussions on the road department consolidation and was the rest of the Council aware of this. Mayor McDonald stated that the only item that Council is aware of is a communication received from the Township stating that they would like to explore this opportunity. Mr. Dell Elba stated that his concern is that Council did not know this was going on. When citizens ask questions, no one on Council is able to answer. The Borough Manager serves at the pleasure of the Council and the Council serves at the pleasure of the citizens. The citizens are not getting answers.

Councilman Housel arrived at 8: 20 p.m.

Daniel Koselnik 107 North Prospect St.

Mr. Koselnik asked Attorney Cushing what prompted him to lower his retainer. Attorney Cushing stated it was competition. Mr. Koselnik asked Council what the Comptrollers Office would think of that purchasing practice.

Joe Kresser 92 Carlton Avenue

Mr. Kresser pointed out to Council that the number of tickets written by the Police Department has decreased. The revenue from the police has dropped significantly in the last year. He noted that our Borough Manager should be working with Washington Township's Administrator if there are issues.

John Burd DPW Supervisor Washington Borough

Mr. Burd stated that his department did a great job during the last snow storm. They worked forty straight hours. The DPW Department is down to five men; if we lose another one we will not be able to provide the services the Borough is accustomed to.

Susan Sloan 89 Grand Avenue

Mrs. Sloan stated that she has attended a few meeting now and would like to state that the Borough has a very weak manager. The Borough's problems will not go away if Council has to do his job for him. He should be the one soliciting bids for a forensic audit. He also does not sit on the Planning Board which should be a requirement for his position. She stated it was a mistake to give him a contract. Mrs. Sloan stated that when the Council Manager form of government works like it should; these questions that everyone is asking would go away.

She stated that the previous three managers have not been residents; why has the Council gone against the Faulkner Act? Councilman Housel noted that we may have had to pay his relocation fees. Mrs. Sloan asked if there were other candidates willing to make the move. Councilman Cioni explained to the audience the process that the Governing Body underwent in recruiting a new Borough Manager. He explained that the hiring process was done by committee; saving the Borough \$12,000. He noted that no one who lived in the Borough submitted resumes. The Borough Manager has a vested interest in the community because he is employed here.

Mrs. Sloan stated that the residents of the Borough believe that residency is a requirement for being the Borough Manager. Councilman Housel stated that this Borough Manager inherited a mess from previous Managers. He is doing what he has to do to fix the problems in the Borough.

Mrs. Sloan also stated that she is not questioning the recruiting process. She stated that the Borough will not go forward until we have a manager who will lead us. She stated that he does not show up at various meetings and does not want to be on the Planning Board; that is not showing leadership.

Rudy Bescherer 191 Broad Street

Mr. Bescherer stated that the Borough does not have the money to do many important projects in this town; such as sidewalks. The Borough Manager receives a raise in November against the wishes of the residents. The next month he proposes to the union employees to give up one day of pay and to forego receiving their annual raise. How does Council think this makes the employees feel?

Hearing no further comments from the audience a motion was made by Housel, seconded by Higgins to close the audience portion of the meeting.

Ayes: 6, Nays: 0  
Motion Carried

### **COMMUNICATIONS**

None

## **ORDINANCES**

Ordinance 1-2010 AN ORDINANCE TO AMEND CHAPTER 85-81 OF THE CODE OF THE BOROUGH OF WASHINGTON, "ON STREET PARKING FOR HANDICAPPED" Public Hearing/ Adoption

Mayor McDonald entertained a motion to introduce Ordinance #1-2010.

The Clerk read Ordinance #1-2010 by title only and stated that this ordinance had been published in the Star Gazette as required by law; a copy was posted on the bulletin board and copies available upon request from the Clerk's office.

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

Ayes: 6, Nays: 0.  
Motion carried.

Mayor McDonald entertained a motion to adopt Ordinance 1-2010 on final adoption.

Motion made by Housel, seconded by Cioni to adopt Ordinance 1-2010 on final adoption.

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

Ayes: 6, Nays:

### **ORDINANCE # 1-2010 BOROUGH OF WASHINGTON WARREN COUNTY, NEW JERSEY**

#### **AN ORDINANCE TO AMEND CHAPTER 85-81 OF THE CODE OF THE BOROUGH OF WASHINGTON, "ON-STREET PARKING FOR HANDICAPPED"**

**WHEREAS,** a resident has requested that a handicapped parking space be designated in front of their residence, at 49 State Street, with the request supported by a recommendation from the resident's medical doctor; and

**WHEREAS,** the Mayor and Council have determined that there is sufficient justification to designate the handicapped parking space as requested and that it is in the best interest of the Borough to do so.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Washington, County of Warren, that Borough Ordinance Article XVI – On Street Parking for Handicapped – Chapter 85-81 – Designation of spaces include the designation of restricted parking in front of 49 State Street. The following paragraph shall be added as follows:

1. The following paragraphs are to be added: “State Street – south side beginning at a point of 262 feet west of the westerly curb line of North Washington Avenue and extending 22 feet westerly therefrom.”

### **REPORTS:**

It was moved by Housel, seconded by Boyle, to receive and file the following reports.

1. Issues and Details
2. CFO Report January 2010

Ayes: 6, Nays: 0  
Motion Carried

### **COMMITTEE REPORTS:**

**Redevelopment Committee:** No Report

**DPW Garage:** No Report

**Sewer Committee:** No Report

**Streets Committee:** Councilman Boyle stated that this group will start meeting shortly and plan on advertising the meetings on the website. He will be in touch with the Municipal Clerk to schedule Council Chambers.

**Finance Committee:** No Report

**Shared Services Committee:** Council discussed the letter from the Washington Township regarding the discussion and the application of a feasibility grant for a consolidation of the DPW departments. Councilman Higgins motioned to have the shared service committee meet with the shared service committee of Washington Township to

discuss; however the Borough is not interested in applying for a feasibility study at this time, seconded by Boyle.

Ayes: 6, Nays: 0

**Senior Services:** No Report

**Website Committee:** - Councilman Cioni reported that the garden community project will be developing a website which will have a link to it on our website.

**Concession Stand Committee** – No Report

**Recreation Report** – No Report

**Park Committee** – Councilman Cioni reported that a draft agreement has been sent to Joe Baumann's office. If there are no major changes he anticipates the Ordinance being introduced at the March 2 meeting. Councilman Housel asked if there will be a new maintenance agreement. Councilman Cioni stated the original maintenance agreement will remain in place.

### **OLD BUSINESS:**

### **NEW BUSINESS**

At this time Mayor McDonald deviated from the agenda to entertain a motion for Resolution 55-2010.

#### **Resolution 55-2010 Resolution Authorizing the Issuance of Not Exceeding \$2,000,000 Tax Anticipation Notes of 2010**

Resolution 55-2010 was moved on a motion made Housel, seconded by Cioni and adopted.

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

Ayes: 6, Nays: 0

Motion Carried

**RESOLUTION AUTHORIZING THE ISSUANCE OF  
NOT EXCEEDING \$2,000,000 TAX ANTICIPATION  
NOTES OF 2010 OF THE BOROUGH OF  
WASHINGTON, IN THE COUNTY OF WARREN,  
NEW JERSEY.**

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE  
BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY,  
AS FOLLOWS:

In anticipation of the collection of taxes for the year 2009 levied or to be levied in such  
year or in anticipation of other revenue for such year, and for the purposes provided for in  
the budget or for which taxes are levied or to be levied for such year, Tax Anticipation  
Notes of 2010 of the Borough of Washington, in the County of Warren, are hereby  
authorized to be issued in the principal amount of \$2,000,000 pursuant to the Local  
Budget Law of the State of New Jersey.

The following matters in connection with said notes are hereby determined:

TITLE: \$2,000,000 Tax Anticipation Notes of 2010

DATE, NUMBER,  
DENOMINATION AND PLACE OF  
PAYMENT: As may be determined by the Chief Financial  
Officer.

MATURITY: As may be determined by the Chief Financial  
Officer.

INTEREST RATE: As may be determined by the Chief Financial  
Officer.

FORM: As may be determined by the Chief Financial  
Officer.

The borrowing power of the Borough on Tax Anticipation Notes for the year 2010 is  
\$5,353,213.36 as determined by a certificate of the Chief Financial Officer or chief  
financial officer (the "Chief Financial Officer") filed in the office of the Borough Clerk,  
such certificate being as follows:

"CERTIFICATE

I, NATASHA TURCHAN, Chief Financial Officer of the Borough of Washington, in the  
County of Warren, New Jersey, HEREBY CERTIFY as follows:



The gross borrowing power in respect to Tax Anticipation Notes of 2010, being 30% of the tax levy of the next preceding fiscal year for all purposes, plus 30% of the amount of miscellaneous revenues realized in cash during the next preceding fiscal year, is \$5,353,213.36.

The amount of notes outstanding in anticipation of the collection of the taxes of the 2009 fiscal year, except such notes as will be renewed by or paid from other proceeds of the notes to be issued is \$0.

The net borrowing power, being the excess of the first over the second of the two above amounts, is \$5,353,213.36.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of February, 2010.

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Natasha Turchan  
Chief Financial Officer"

The Chief Financial Officer signing such notes is hereby authorized and directed to determine all matters in connection therewith not determined by this or a subsequent resolution and the signature of the Chief Financial Officer upon said notes shall be conclusive evidence that all such matters have been so determined in manner and effect consistent with the form and substance of such notes. The Chief Financial Officer is hereby authorized to sell said Tax Anticipation Notes of 2010 at public or private sale at not less than par and to deliver the same to the purchasers thereof upon receipt of the purchase price plus accrued interest from the date of the notes to the date of delivery thereof and payment therefor.

Said notes shall be general obligations of the Borough and the full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on said obligations, and, unless otherwise paid or payment provided for, taxes shall be levied in an amount sufficient to pay the principal of and interest on said obligations as the same shall become due and payable.

The Chief Financial Officer is authorized and directed to report in writing to this Mayor and Common Council at the meeting next succeeding the date when the sale of any of said notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full in the minutes of such meeting.

The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things

necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

This resolution shall take effect immediately.

**Resolution 56-2010 Authorizing the Issuance of Not Exceeding \$2,963,356 Bond Anticipation Notes of the Borough of Washington, County of Warren, State of New Jersey.**

Resolution 56-2010 was moved on a motion made by Housel, seconded by Cioni and adopted.

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

Ayes 6, Nays: 0

Motion Carried

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,965,346 BOND ANTICIPATION NOTES OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY.

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY, AS FOLLOWS:

Pursuant to a bond ordinance of the Borough of Washington, in the County of Warren (herein called the "local unit") entitled: "Bond ordinance appropriating \$2,145,950, and authorizing the issuance of \$2,038,652 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey", finally adopted on July 17, 2007 (#7-2007), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,997,046 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for expenses related to certain redevelopment projects in and by the Borough of Washington, in the County of Warren, New Jersey appropriating \$100,000 therefor, and authorizing the issuance of \$100,000 bonds or notes of the Borough to finance part of the cost thereof", finally adopted on April 15, 2008 (#2-2008), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$100,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$414,000, and authorizing the issuance of \$393,300 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of

Washington, in the County of Warren, New Jersey”, finally adopted on July 1, 2008 (#5-2008), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$393,300 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the acquisition of new and additional fire fighting apparatus by the Borough of Washington, in the County of Warren, New Jersey appropriating \$1,000,000 therefor, and authorizing the issuance of \$475,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on November 17, 2008 (#11-2008), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$475,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 to 4 inclusive, described, shall be combined into a single and combined issue of bonds in the principal amount of \$2,965,346.

The following matters in connection with said Bond Anticipation Notes are hereby determined:

All notes issued hereunder shall mature at such times as may be determined by the chief financial officer or the Chief Financial Officer of the local unit (the “chief financial officer”), provided that no note issued pursuant to Sections 1 to 4, inclusive, hereof shall mature later than (i) one year from the date of the first note issued pursuant to the respective ordinances referred to in said Section, and (ii) three years from the date of the first note issued pursuant to each such respective ordinance unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;

All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and

The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the signature of the chief financial officer upon said notes shall be conclusive as to such determinations.

The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

This resolution shall take effect immediately.

At this time Mayor McDonald excused himself from the remainder of the meeting. Deputy Mayor Housel presided over the remainder of the meeting.

**Discussion on Resolution Soliciting Help From Governor Christie to Reduce Costs of the Public School in N.J.**

Deputy Mayor Housel stated he would like to discuss this resolution with the Borough Manager to make some changes and will be tabled until a later meeting.

Ayes: 5, Nays: 0

## **Resolution 45-2010 through 50-2010 Redemption of Tax Sale Certificates**

Resolutions 45-2010 through 50-2010 were moved on a motion made by Higgins, seconded by Valentine and adopted.

Roll Call: Higgins, Valentine, Cioni, Housel, Boyle

Ayes: 5, Nays: 0  
Motion Carried

### **RESOLUTION #45-2010**

#### **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 November 17, 2009 to US Bank Cust Pro Capital I LLC, TLGS; 2 Liberty Place, 50 South 16<sup>th</sup> Street Ste 1950, Philadelphia, PA 19102, in the amount of \$306.95 for taxes or other municipal liens assessed for the year 2008 in the name of Manalo, Ramone D and Pamela, as supposed owners, and in said assessment and sale were described as 10 Alvin Sloan Ave, Block 2.10 Lot 1, which sale was evidenced by Certificate #09-00004; and

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-29-10 and before the right to redeem was cut off, as provided by law, Wells Fargo/FARETS., claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust Pro Capital LLC, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$365.09, which is the amount necessary to redeem Tax Sale Certificate #09-00004.

**NOW THEREFORE BE IT RESOLVED**, on this 16th day of February, 2010 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust Pro Capital LLC, TLGS; 2 Liberty Place, 50 South 16<sup>th</sup> Street Ste 1950, Philadelphia, PA 19102 in the amount of \$365.09.

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 2.10 Lot 1 from the tax office records.

**RESOLUTION # 46-2010**

**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 December 27, 2006 to Park Finance LLC, PO Box 109, Cedar Knolls, NJ 07927, in the amount of \$4,609.15 for taxes or other municipal liens assessed for the year 2005 in the name of Bengivenga, Joseph J and Kelly L, as supposed owners, and in said assessment and sale were described as 84-86 N Lincoln Avenue, Block 20 Lot 1, which sale was evidenced by Certificate #06-00409; and

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2-2-2010 and before the right to redeem was cut off, as provided by law, CitiFinancial claiming to have an interest in said lands, did redeem said lands claimed by Park Finance, LLC, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$47,689.00, which is the amount necessary to redeem Tax Sale Certificate #06-00409.

**NOW THEREFORE BE IT RESOLVED**, on this 16<sup>th</sup> day of February, 2010 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Park Finance, LLC, PO Box 109, Cedar Knolls, NJ 07927 in the amount of \$47,689.00.

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 20 Lot 1 from the tax office records.

**RESOLUTION # 47-2010**

**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 November 17, 2009 to US Bank-Cust/Sass Muni V dtr, TLSG; 2 Liberty Place, 50 South 16<sup>th</sup> Street Ste 1950, Philadelphia, PA 19102, in the amount of \$5,660.09 for taxes or other municipal liens assessed for the year 2008 in the name of Kippycash Property Management, LLC, as supposed owners, and in said assessment and sale were described as 210 E Washington Avenue, Block 67 Lot 1, which sale was evidenced by Certificate #09-00013; and

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2-05-10 and before the right to redeem was cut off, as provided by law, Attorney Jeffrey R Pocaro claiming to have an interest in said lands, did redeem said lands claimed by US Bank-Cust/Sass Muni V dtr, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$5,886.49, which is the amount necessary to redeem Tax Sale Certificate #09-00013.

**NOW THEREFORE BE IT RESOLVED**, on this 16th day of February 2010 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank-Cust/Sass Muni V dtr, TLSG; 2 Liberty Place, 50 South 16<sup>th</sup> Street Ste 1950, Philadelphia, PA 19102, in the amount of **\$7,486.49** (this amount consists of \$5,886.49 Amount to Redeem + \$1,600.00 Premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 67 Lot 1 from the tax office records.

**RESOLUTION # 48-2010**

**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 December 4, 2008 to US Bank-Cust/Sass Muni V dtr, TLSG; 2 Liberty Place, 50 South 16<sup>th</sup> Street Ste 1950, Philadelphia, PA 19102, in the amount of \$3,296.73 for taxes or other municipal liens assessed for the year 2007 in the name of Kippycash Property Management LLC, as supposed owners, and in said assessment and sale were described as 200 E Washington Avenue, Block 67 Lot 2, which sale was evidenced by Certificate #08-00451; and

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2-5-2010 before the right to redeem was cut off, as provided by law, Attorney Jeffrey R Pocaro claiming to have an interest in said lands, did redeem said lands claimed by U.S. Bank-Cust/Sass Muni V dtr by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$6,583.15, which is the amount necessary to redeem Tax Sale Certificate #08-00451.

**NOW THEREFORE BE IT RESOLVED**, on this 16th day of February 2010 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank-Cust/Sass Muni V dtr, TLSG; 2 Liberty Place, 50 South 16<sup>th</sup> Street Ste 1950, Philadelphia, PA 19102, in the amount of **\$6,583.15**.

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 67 Lot 2 from the tax office records.

**RESOLUTION #49-2010**

**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 November 17, 2009 to Robert Northfield, 10 Roosevelt Road, Maplewood, NJ 07040 in the amount of \$342.53 for taxes or other municipal liens assessed for the year 2008 in the name of Ron, Sonia, as supposed owners, and in said assessment and sale were described as 107 Park Avenue, Block 82 Lot 20.01, which sale was evidenced by Certificate #09-00018; and

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 2-2-10 and before the right to redeem was cut off, as provided by law, FARETS/Saxon,, claiming to have an interest in said lands, did redeem said lands claimed by Robert Northfield, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$361.38, which is the amount necessary to redeem Tax Sale Certificate #09-00018.

**NOW THEREFORE BE IT RESOLVED**, on this 16th day of February, 2010 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Robert Northfield, 10 Roosevelt Road, Maplewood, NJ 07040 in the amount of **\$461.38** (\$361.38 Amount to Redeem plus \$100.00 premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 82 Lot 20.01 from the tax office records.

**RESOLUTION #50-2010**

**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 November 17, 2009 to Robert Northfield, 10 Roosevelt Road, Maplewood, NJ 07040 in the amount of \$614.64 for taxes or other municipal liens assessed for the year 2008 in the name of Ingram, Nicholas, as supposed owners, and in said assessment and sale were described as 46 Lenape Trail, Block 101.01 Lot 14, which sale was evidenced by Certificate #09-00024; and

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1-29-10 and before the right to redeem was cut off, as provided by law, Wells Fargo/FARETS, claiming to have an interest in said lands, did redeem said lands claimed by Robert Northfield, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$638.93, which is the amount necessary to redeem Tax Sale Certificate #09-00024.



**NOW THEREFORE BE IT RESOLVED**, on this 16th day of February, 2010 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Robert Northfield, 10 Roosevelt Road, Maplewood, NJ 07040 in the amount of **\$663.93** (\$638.93 Amount to Redeem plus \$25.00 premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 101.01 Lot 14 from the tax office records.

**Resolution 51-2010 Senior Citizen Deduction Allowed**

Resolution 51-2010 was moved on a motion made by Cioni, seconded by Boyle and adopted.

Roll Call: Cioni, Boyle, Higgins, Housel, Valentine

Ayes: 5, Nays: 0

Motion Carried

**RESOLUTION #51-2010**

**RESOLUTION TO APPLY 2009 SENIOR CITIZEN DEDUCTION ALLOWED**

**As per N.J.S.A. 54:4-8.40 Et seq**

**WHEREAS**, the Tax Collector has allowed the following Senior Citizen deduction and wishes to apply the overpayment to 2<sup>nd</sup> Quarter 2010 taxes; and

<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>NAME OF OWNER/ PROPERTY LOCATION</u></b>	<b><u>EXPLANATION</u></b>	<b><u>AMOUNT</u></b>
3	2	Conway, Regina M 267 W Warren Street	Received in 2009 Senior Citizen's Deduction	250.00
			TOTAL	250.00

**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 Tax Collector be authorized to apply overpayment to the 2<sup>nd</sup> Quarter 2010 taxes.

**Resolution 52-2010 Authorizing 2009 Overpayment to be Applied to 2010 Taxes**

Resolution 52-2010 was moved on a motion made by Valentine, seconded by Boyle and adopted.

Roll Call: Valentine, Boyle, Cioni, Housel, Higgins

Ayes: 5, Nays: 0  
Motion Carried

**RESOLUTION #52-2010**

A RESOLUTION AUTHORIZING APPLYING 2009  
OVERPAYMENT TO 2010 TAXES

**WHEREAS**, according to the Tax Collector's records, an overpayment exists from a previous year's quarter on the following property due to homeowner overpaying the taxes that were due;

<b><u>BLOCK/LOT</u></b>	<b><u>NAME OF OWNER/ PROPERTY LOCATION</u></b>	<b><u>QUARTER</u></b>	<b><u>AMOUNT</u></b>
95/21	Ortiz, Ralph 13 Monroe Street	2009 4R	252.45

**WHEREAS**, the Tax Collector's office has received a request from Mr. Ortiz concerning this overpayment and that the overage be applied to the 2010 taxes.

**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 to apply the overpayment to the 2010 taxes.

**Resolution 54-2010 Requesting the Warren County Freeholders to Place a Freeze on the Collection of Open Space Tax for 2010.**

Resolution 54-2010 was moved on a motion made by Cioni, seconded by Valentine and adopted.

Roll Call: Cioni, Valentine, Housel, Higgins, Boyle

Ayes: 5, Nays: 0

Motion Carried

**Resolution 54-2010**

**RESOLUTION OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN AND STATE OF NEW JERSEY REQUESTING THE WARREN COUNTY FREEHOLDERS PLACE A FREEZE ON THE COLLECTION OF OPEN SPACE TAX FOR THE YEAR 2010**

WHEREAS, in the November election in 1993 the voters of the County of Warren approved by a non-binding referendum to raise property taxes by a rate of \$.02 per \$100 of equalized real property valuation to provide dedicated revenue for land acquisition. Again in 1999 a similar referendum was asked of the citizens of Warren County to increase the tax by an additional \$.02 allowing the Freeholders to collect \$.04 per \$100 of assessed property value. In 2002 another \$.02 was approved by the voters allowing the Freeholders to collect \$.06 per \$100 of assessed property value; and

WHEREAS, the Borough of Washington has since 2003 paid the County of Warren an open space tax that has totaled to date approximately \$1,785,166.00; and

WHEREAS, in addition to the Borough of Washington, Warren Counties 21 other municipalities have also paid Open Space Tax; and

WHEREAS, the County of Warren has established The Agriculture Development Board, The Board of Recreation Commissioners and The Municipal and Charitable Conservancy Trust Fund Committee all of whom have a primary purpose of funding projects in accordance with N.J.S.A. 40:12-15.1 et seq.; and

WHEREAS, over the years these boards have provided funding for eligible projects such as acquisition of open space, recreation, farmland and historic preservation; and

WHEREAS, although the Borough of Washington supports the conservation of open space, the protection of our natural resources and the necessity of preserving our historic sites, it is the state of the economy compounded by the State of New Jersey's budget deficit that every municipal government will be faced with a difficult budget process due to uncertain municipal aid, decreasing revenues and increasing mandates.

NOW, THEREFORE, BE IT RESOLVED, by copy of the Resolution to each Warren County Municipality the Borough of Washington requests the Warren County Freeholders to provide relief to each municipality by placing a freeze on the collection of the Open Space Tax for the year 2010.

**Resolution 57-2010 Authorizing the Release of Funds from the Police Outside Services Escrow Accounts and Closing Bank Account with TD Bank**

Resolution 57-2010 was moved on a motion made by Cioni, seconded by Higgins and adopted.

Roll Call: Cioni, Higgins, Housel, Boyle, Valentine  
Ayes: 5, Nays: 0  
Motion Carried

**RESOLUTION # 57-2010**

**A RESOLUTION AUTHORIZING THE RELEASE OF  
FUNDS FROM THE POLICE OUTSIDE SERVICES  
ESCROW ACCOUNTS AND CLOSING BANK ACCOUNT  
WITH TD BANK**

**WHEREAS**, Borough of Washington no longer provides Police Outside services to outside vendors

**WHEREAS**, funds were posted in escrow to cover the cost of these services prior to this date by various vendors;

**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 Municipal Treasurer is hereby authorized to issue checks to various vendors listed in this resolution for police outside services for the actual account balances in the respective escrow accounts.

NJ American Water	\$2,615.40
Warren Hills Reg. Bd of Ed	\$1,463.87
Berto Construction	\$ 100.09
Toll Bros Inc	\$ 821.95
H.W. Alward Inc	\$1,088.10
Skoda Contracting Co	\$ 53.02
Robert Vanderbilt	\$ 294.00
Eichelbergers	\$ 249.00

NUI Elizabeth	\$ 394.38
Ernest Renda Contracting Inc.	\$ 1.00
St. Joseph Church	\$ 390.40

**Resolution 58-2010 Adjust Sewer EDU**

Resolution 58-2010 was moved on a motion made by Cioni, seconded by Valentine and adopted.

Roll Call: Cioni, Valentine, Housel, Higgins – Yes  
Boyle – Abstain

Ayes: 4, Nays: 0  
Abstain: 1 (Boyle)  
Motion Carried

**RESOLUTION # 58-2010**

**A RESOLUTION TO ADJUST SEWER BILLINGS IN  
ACCORDANCE WITH CHAPTER 70, SECTION 28B OF  
THE CODE OF THE BOROUGH OF WASHINGTON.**

**WHEREAS**, the Borough of Washington commenced operations of a municipal sewer utility in January of 1999; and

**WHEREAS**, certain facts have come to the attention of the Borough to justify modification of sewer service charges which have been reviewed by the Borough Manager; and

**WHEREAS**, notice has been provided to the owner(s) of the property or properties listed below of the action proposed to be taken with the date, time and place where the Mayor and Council will meet to consider change(s) in the E.D.U.'s assigned to the property or properties listed below; and

**WHEREAS**, all parties affected by this resolution will be notified of the action taken, in writing, and notified of an opportunity to appear, in person, at a formal hearing of the governing body, if dissatisfied with the decisions made herein.

**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 following changes in the sewer service charge(s) are approved:

<b>BLOCK/LOT</b>	<b>NAME/ADDRESS</b>	<b>REASON/ADJUSTMENT</b>
94/10	Felix & Julia Slean 101 E. Washington Ave.	Change in Use (4) to (2.5) E.D.U.s

**BE IT FURTHER RESOLVED** that the Borough Clerk be directed to send a certified copy of this resolution to all parties affected by this resolution and advise them of their right to protest the decision and request a formal hearing before the governing body, as provided in Chapter 70, Section 13. If no protest is filed, the decisions contained herein shall be considered final.

**VOUCHERS:**

Motion made by Valentine, seconded by Cioni to pay the vouchers and claims in the amount of \$743,408.75.

Roll Call: Valentine, Cioni, Housel, Higgins, Boyle

Ayes: 5, Nays: 0

Motion Carried

**RECAP**

**COUNCIL REMARKS**

Councilman Boyle stated that the overnight parking regulations need to be enforced.

Councilman Valentine stated he was glad to see people attending the Borough Council meetings.

Deputy Mayor Housel stated he would like to make sure that the engineering costs associated with the pocket park downtown would be charged to the BID.

Councilman Higgins extended his best wishes to the Borough Manager from Council on the birth of his son.

Hearing no further business to come before Council, it was moved by Higgins, seconded by Boyle that the meeting be adjourned at 11:00 p.m.

Ayes: 5, Nays: 0.

Motion carried.

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Mayor Scott McDonald

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Kristine Blanchard, RMC Borough Clerk

