

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY  
WASHINGTON BOROUGH COUNCIL MINUTES – August 3, 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: Cioni, Gleba, McDonald, Higgins, Valentine - Present  
Housel, Boyle - Absent

Also Present: Lorraine Staples, Esq. Municipal Attorney  
Richard 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:**

Mayor McDonald entertained a motion to approve the minutes of the Regular meeting of July 20, 2010.

Motion made by Higgins, seconded by Gleba to approve the minutes of July 20, 2010.

One correction was noted by Councilman Cioni.

Ayes: 5, Nays: 0  
Motion Carried

**CORRESPONDENCE:**

Jane MacNeil Re: Turn the Town Teal  
BID Re: Approval of Town Wide Yard Sale – September 11, 2010.

Motion made by Higgins, seconded by Valentine to receive and file the communications.

Borough Clerk, Kristine Blanchard noted an addition to Council communications. She stated that today she had received an initiative petition from a committee of petitioners regarding the forensic audit. State statute dictates that once a petition is received in the Municipal Clerk's office, the clerk has twenty days to determine that the petition has the proper statement of the circulator, and that the petition has the proper number of signatures from qualified voters. Ms. Blanchard stated that once a determination is made, the petition will be presented to Council and may have to be presented at a special meeting the week of August 9<sup>th</sup>.

Hearing no further comments, Mayor McDonald entertained a motion to approve the Turn the Town Teal Campaign.

Motion made by Higgins, seconded by Gleba and approved.

Ayes: 5, Nays: 0  
Motion Carried

Mayor McDonald entertained a motion to approve the Town Wide Yard Sale date of September 11th with a rain date of September 18 and to waive the fees.

Motion made by Higgins, seconded by Valentine and approved.

Ayes: 5, Nays: 0  
Motion Carried

## **AUDIENCE**

Evelyn Morrison 20 Madison

Ms. Morrison commented on the petition filed with the Municipal Clerk. She stated that a public hearing needs to be scheduled by the Governing Body as well. She noted that in Faulkner Act municipalities the people have the power of initiative. The committee of petitioners was excited to take this challenge on and interact with the community. She stated that many households feel like they haven't been heard and they are looking for a diplomatic solution.

Bob Del Elba 86 West Stewart

Mr. Del Elba stated that the Concerned Citizens Committee had gotten the idea of placing the forensic audit question on the ballot after Council decided to place the privatization of garbage collection on the ballot. The committee took your lead. This will be a great way to give the citizens a vote. Mr. Del Elba also stated that he wanted to apologize to Councilman Housel, Councilman Cioni, and Councilman Valentine for the way he spoke to them a few meetings ago.

Susan Sloan 90 Grand Avenue

Mrs. Sloan presented Council with a picture of garbage that was piling up at a residence in town. She noted that she could only imagine what it would be like if the town decided to privatize garbage collection. Manager Phelan stated that he would look into this.

## **ORDINANCES**

None

## **REPORTS:**

Motion made by Cioni, seconded by Valentine to receive and file the following communications.

1. Issues and Details
2. Managers Report

Ayes: 5, Nays: 0  
Motion Carried

## **COMMITTEE REPORTS:**

**DPW:** No Report

**Streets Committee:** No Report

**Finance Committee:** No Report

**Shared Services Committee:** No Report

**Senior Services:** No Report

**Website Committee:** Councilman Cioni reported that he has not received an update from the Shade Tree Committee about the updates to their webpage as of yet. He also noted that he needs an updated sports program liaison list from the Recreation Committee. Manager Phelan stated he received a list a few weeks ago however; recreation needed to make some updates and will do so at their next meeting. Councilman Cioni also reported that the website committee has decided to create a page on refuse

collection answering all of the questions that may be going around. Council wants to make sure all citizens have the facts and can make an educated vote.

**Sewer:** No Report

**Park Committee:** No Report

**Grant Committee:** Councilwoman Gleba reported that the Grant Committee has given their approval for the BID to proceed with the grant application for the pocket park. She also has a meeting scheduled with the Borough Manager to review a grant for the recreation committee to fix the well pump at the pool. The Grant Committee would also like to move forward with the DOT grant for Beethoven Avenue. The project estimate is \$127,000. It will help our chances of receiving the grant if the Borough is willing to pay \$27,000 and apply for a grant of \$100,000. The \$27,000 will come out of the Capital account. Councilwoman Gleba made a motion to move forward with this DOT grant application, seconded by Councilman Valentine.

Ayes: 4, Nays: 1 (Higgins)

Motion Carried

Councilman Higgins noted that he had spoken with the auditor regarding the audit. The auditor mentioned that he would like to discuss some things with the capital cash fund. Councilman Higgins would like to schedule a meeting with the Finance Committee to meet with the auditor either in the evening or on a Saturday. Council agreed that the Borough Manager would reach out to the auditor to coordinate a meeting with the Finance Committee. Councilwoman Gleba noted that if someone on the Finance Committee could not attend; she would attend the meeting in their place.

Audience member Mr. Del Elba asked how much money is in the capital account. Manager Phelan stated it is approximately \$107,000. Councilman Cioni noted that the Borough Engineer included a 20% contingency in his estimate of Beethoven Avenue.

### **OLD BUSINESS:**

None

### **NEW BUSINESS**

#### **Discussion on Voting Procedures (DH)**

Councilman Higgins stated that currently Council can adopt an item with an affirmative vote of Council present. Councilman Higgins would like to suggest that the language be changed to “an affirmative vote of four members of the Council shall be required for the passage of any ordinance, resolution or motion.” Councilman Cioni asked if this means

we need four votes in the affirmative or negative. Councilman Higgins stated yes. Councilman Cioni noted that the probability of getting four votes on any item is small. He noted there are many times when we do not have all 7 members present. He stated that he does not want to hinder the process any more, especially on time-sensitive issues. Councilman Higgins stated that this is a Council of 7 members; when it comes to voting on a motion, 3 members is not a majority. Mayor McDonald suggested Councilman Higgins check with other communities to see how the process works in their municipalities.

**Resolution 150-2010 Adjustment of Sewer Billing**

Resolution 150-2010 was moved on a motion made by Cioni, seconded by Higgins and adopted.

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

Ayes: 5, Nays: 0

Motion Carried

**RESOLUTION # 150-2010  
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:

BLOCK/LOT	NAME/ADDRESS	REASON/ADJUSTMENT
29/14	Skoog, Victoria	Change in Use

128 Belvidere Avenue  
Washington, NJ 07882

(2) to (1.5) E.D.U.'s  
Effective: August  
2010

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.

**Resolution 151-2010 Release of Funds from J. H. Van Cleef Canal Run Project Escrow Account**

Council tabled this Resolution to the next meeting pending further information.

**Resolution 153-2010 Resolution Approving the Warren County MCCTFC Acquisition Project Application**

Resolution 153-2010 was moved on a motion made by Cioni, seconded by Gleba.

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

Ayes: 5 Nays: 0  
Motion Carried

**RESOLUTION # 153-2010**

**RESOLUTION APPROVING THE WARREN COUNTY MCCTFC ACQUISITION  
PROJECT APPLICATION**

Whereas the Property located at 44 E.Washington Ave. has been designated a mid-block public park/plaza in the Redevelopment Plan adopted on April 7, 2009 and is a strategic part of the Marketing Action Plan of the Washington Business Improvement District (thereafter referred to as the WBID) to revitalize the Downtown and,

Whereas the WBID and the Borough Council have successfully worked in a public/private partnership with the WBID as the redevelopment agent for Washington Borough for multiple projects including the adjoining parking lot and,

Whereas the Warren County Municipal and Charitable Conservancy Trust Fund provides Grant Funding for the acquisition of public open space and 44 E.Washington Avenue fulfills the prerequisites of the Grant.

Therefore let it be resolved that Washington Borough apply for the Warren County Municipal and Charitable Conservancy Trust Fund Grant for the purpose of the Washington Business Improvement District's acquisition of 44 East Washington Avenue, Block 24 Lot 24. The Borough will act as the pass through entity and provide these Grant Funds to the Washington Business Improvement District for the Washington Business Improvement District Corporation to purchase the property.

The Washington Business Improvement District will be named as the sole responsible party in the Warren County Municipal and Charitable Conservancy Trust Fund Grant Agreement.

## **VOUCHERS**

Mayor McDonald entertained a motion to pay the claims and vouchers in the amount of \$ 1,394,821.91.

Motion made by Cioni, seconded by Higgins to approve the bills list.

Councilman Higgins asked about the hockey fees from February/March being paid on this list. Manager Phelan stated the invoices were just received. Councilwoman Gleba questioned the bill from the library regarding the 2008 audit. Manager Phelan stated that the 2008 audit for the library was just completed. She also asked if this year the library audit was included in the municipal budgeted amount of \$25,000 for the audit. Manager Phelan stated yes.

Roll Call: McDonald, Valentine, Cioni, Gleba (abstained from Finelli Consulting vouchers only), Higgins (abstained from Fire Department vouchers only)

Ayes: 5, Nays: 0

Abstain: 2 (Higgins – Fire Dept. only) (Gleba – Finelli Consulting only)

Motion Carried

## **RECAP**

Manager Phelan will follow up with the Shade Tree Commission and the Recreation Committee regarding the updates to their web pages. He will meet with Councilwoman Gleba regarding the grant for the well pump and the DOT grant for Beethoven Avenue. Manager Phelan will contact the auditor regarding the meeting with the Finance Committee and will provide documentation to Council on Resolution 151-2010 that was tabled this evening.

## **COUNCIL REMARKS**

Councilman Higgins asked the Manager about the Judge's contract. Manager Phelan stated that he had spoken with the Judge and he has no problem being reappointed by the Borough in January. He will provide that in writing. Councilman Higgins also asked Mayor McDonald when he contacted the Recreation Chairperson about rescheduling one meeting a month to 6:30 p.m. on a Council meeting night. Mayor McDonald stated he had done that today. It was the first opportunity he had to reach out to the Chairperson.

Councilwoman Gleba requested a break out of the Recreation finances including expenses, revenues, and the trust account. Councilwoman Gleba asked who is following up on the issues assigned to the Zoning Office on the issues report. Manager Phelan stated that Kristine Blanchard is Zoning Officer and will be doing the follow up as it relates to Zoning. Councilwoman Gleba commended the coordinators of the Swim-athon. This benefit will help raise funds to benefit the pool. She encouraged citizens to sponsor the swimmers participating in the swim-athon. She stated that it is great that the children are trying to help raise funds by swimming.

Councilman Cioni stated he has been taking his children to the evening swim lessons. The evening lessons are well attended and received.

Audience member Mr. Del Elba asked the Borough Manager if the Borough was in the process of interviewing and hiring for the Code Enforcement position. Manager Phelan stated that lists were received from Civil Service. The two persons interested in Zoning withdrew their names. The first three interviewed for Code Enforcement withdrew their names and he is scheduling interviews with the remaining two candidates.

Audience member Edna Detlefs asked how much money would be saved by merging the Municipal Court with Mansfield Twp. Mayor McDonald clarified that the Borough would save \$10,000 to \$15,000 this year and approximately \$55,000 next year.

Hearing no further business to come before Council, it was moved by Cioni, seconded by Valentine that the meeting be adjourned at 8:30 p.m.

Ayes: 5, Nays: 0.  
Motion carried.

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Mayor Scott McDonald

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Kristine Blanchard, RMC Borough Clerk



