

**BOROUGH OF WASHINGTON, WARREN COUNTY, NJ
COUNCIL AGENDA
July 3, 2012
7:00 PM**

STATEMENT OF ADEQUATE NOTICE:

ROLL CALL: Clerk will call the Roll

MINUTES: Regular Meeting June 6, 2012
Executive Session June 6, 2012

**2011 MUNICIPAL
AUDIT:**

Tom Ferry, RMA

- Resolution 112-2012 Governing Body Certification of Annual Audit
- Approval of Corrective Action Plan

BOND REFINANCE

Resolution 118-2012

COMBINING BONDS AGGREGATING THE PRINCIPAL SUM OF \$3,536,000 AUTHORIZED BY FIVE BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE PART OF THE COST OF VARIOUS GENERAL IMPROVEMENTS AND TO REFUND CERTAIN GENERAL OBLIGATIONS DEBT IN THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID CONSOLIDATED ISSUE.

AUDIENCE:

Remarks, petitions, statements and testimony from guests

ORDINANCES:

Ordinance 4-2012 An Providing Funding for Recreation Capital Purposes for the Borough of Washington and Appropriating \$12,500 for such Purpose. (Public Hearing/Adoption)

Ordinance 5-2012 An Ordinance Granting an Access Easement to Washington Community Solar LLC as the Successful Bidder for the Supply of Renewable Energy Based Electricity to the Borough's Wastewater Treatment Plant and the DPW Garage. (Public Hearing/Adoption)

REPORTS

Borough Manager Reports
Tax Collectors Report May 2012

COMMITTEE REPORTS

OLD BUSINESS:

NEW BUSINESS:

1. Resolution 107-2012 Assignment of Labor Lien
2. Resolution 108-2012 Assignment of Labor Lien
3. Resolution 109-2012 Assignment of Labor Lien
4. Resolution 110-2012 Cancel Small Tax Balances
5. Resolution 111-2012 Redemption Tax Certificate
6. Resolution 113-2012 Assignment of Labor Lien
7. Resolution 114-2012 Assignment of Labor Lien
8. Resolution 115-2012 Assignment of Labor Lien
9. Resolution 116-2012 Release of Escrow – P & P of Washington
10. Resolution 117-2012 Release of Escrow – Washington Cemetery Association

VOUCHERS:

VOUCHERS:

List Attached

RECAP

COUNCIL REMARKS:

Remarks, Reports, Discussions

EXECUTIVE SESSION:

Resolution 113-2012 Executive Session

ADJOURNMENT: _____ P.M.

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – June 6, 2012**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:00 P.M.

Roll Call: Gleba, McDonald, Torres, Jewell, Higgins

Also Present: Kristine Blanchard, Acting Manager/Borough Clerk
Richard Cushing, Esq. Municipal Attorney

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 May 1, 2012 Council Meeting.

Councilwoman Gleba noted several changes.

Motion made by Higgins, seconded by Gleba and approved.

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

CORRESPONDENCE

1. Musconetcong River Management Council Re: Shabbecong Mountain Preserve
2. Washington Township Re: Shared Services

Motion made by Higgins, seconded by Jewell to receive and file the correspondence.

Ayes: 5, Nays: 0
Motion Carried

Councilman Higgins wished to discuss the Washington Township Shared Services correspondence. Councilman Higgins asked what information the Borough would be paying for to receive, and if this was forwarded to the Borough's Attorney. Manager Blanchard explained that this correspondence was forwarded to the attorney, and that Washington Township did not provide any cost details associated with it. Councilman Higgins noted that the contract states Washington Borough is entitled to the information, and questioned whether the contract was now void due to Washington Township's refusal to provide information to Washington Borough. He asked what course of action the Boroughs Municipal Attorney suggested. Manager Blanchard explained that the Municipal Attorney suggested to OPRA the documents. Councilman Higgins stated that in the contract Washington Township was required to provide additional information, the Borough should not need to OPRA the documents. Manager Blanchard believes that the new CFO in Washington Township is still getting up to speed and does not have sufficient time to provide the information. Councilman Higgins stated he would like to make a comment for the record: Councilman Higgins stated that "I particularly don't care if that's too much work for them to provide to us. The contract stipulates this. I will make a motion that we forward this on to have the attorney review this again and find out if, to get a written opinion from the attorney, as to what course of action we have. My opinion is they are violating the contract." Manager Blanchard stated that Washington Township requested a meeting to discuss the issues relating to the contract. Manager Blanchard also explained that the CFO and herself prepared the Estimated Police Cost through 2012, which is an analysis of what the Police would have cost if they had stayed in Washington Borough.

At this time Councilman Higgins motioned to have the Municipal Attorney review the contract and provide the Council with a written opinion prior to the next council meeting as to the remedies/options that Council has. Torres seconded this motion.

Ayes: 5, Nays: 0
Motion Carried

COUNCIL APPEARANCE:

1. Cinelli Iron and Metal

Rick Gennarelli of Secaucus, NJ explained that Cinelli Iron and Metal are buyers of Ferrous and Non-Ferrous scrap that serve municipalities throughout the state. He explained that Cinelli Iron and Metal also serves six counties, and that they offer numerous ways of collecting scrap. Councilman Torres had several questions for Mr. Gennarelli. He asked Mr. Gennarelli if this service would be free to the Borough. Gennarelli explained that if the Borough were to bring the scrap to Cinelli Iron and Metal, they would pay the borough the rate on the American Metals market of that day. He explained that it would be \$200-\$300 a gross ton, a gross ton is 2,240

pounds. Councilman Torres also asked about the type of metals that Cinelli Iron and Metal accepts. Gennarelli explained that the company accepts ferrous and non-ferrous metals. Councilwoman Gleba inquired the cost if the Borough does not bring the scrap directly to Cinelli Iron and Metal. Gennarelli explained that the cost would be \$300 to have the container picked up and taken away, and that would be deducted from whatever money the metal was worth. Councilman Torres asked what the procedure was for items that were mixed with metal. Mr. Gennarelli explained that the company takes strictly metal. Councilwoman Gleba asked how often the Cinelli Iron and Metal collects the scrap. Mr. Gennarelli explained that they would come and collect the iron when the borough is ready for it to be collected. Mr. Gennarelli estimated that the Borough could potentially collect \$700-\$1,200 a month if they were to collect scrap metal twice a month. Mr. Gennarelli also stated that they take refrigerators, freezers, washers, dryers, dishwashers, humidifiers and air-conditioners. Mr. Gennarelli will bring a contract to Manager Blanchard, and they will bring it back to Council to vote.

AUDIENCE:

Rich Maguire West Washington Avenue

Mr. Maguire asked permission from the Council to obtain insurance from the Boroughs insurance policy for the event on the 4th of July and to name Washington Celebrates America as additional insured. Manager Blanchard explained that there is no insurance premium for \$2mil coverage per occurrence and that there is no deductible on the Boroughs general liability policy.

Motion made by Gleba, seconded by Torres to obtain the insurance for Washington Celebrates America.

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

Dave De Santo
Washington HOPE
Home Owners Protecting our Environment
66 Cemetery Hill Road

Mr. DeSanto read a letter to Council that discussed the Boroughs sponsorship of application for Warren County Open Space Funding and financing support for acquisition of 125 acres. In his letter, he stated that HOPE needed Councils decision tonight as their status regarding becoming an applicant for Warren County Open Space funds that were available. He also discussed the Boroughs participation in

funding a portion of the purchase price. Mr. DeSanto explained that through his preliminary research, he found that an open space tax at a rate of \$.02 per \$100 of assessed value would raise almost \$74K annually, and its impact on the average residential taxpayer would only be \$28.52 annually. Council had several questions. Councilwoman Gleba inquired about the New Jersey Conservation Foundation, Keep it Green or the Garden State Preservation Trust as a potential resources that may provide funding. Kathy Haake, the project manager from the Trust for Public Land explained that there are other funds available but the three main funding sources are state, county and local resources, but no one has committed funded at that moment. Ms. Haake believed the Boroughs best option was use the open space tax. Council discussed a referendum for an open space tax. Councilman Higgins stated that it would be difficult for the borough to justify spending the amount of money that would potentially be spent when the infrastructure in the Borough is in such disrepair. Mayor McDonald expressed support for this initiative, and that he believed the borough should support this proposal completely. He believed the voters should have an opportunity to vote on this matter in a referendum, rather than Council making the decision.

Mayor McDonald entertained a motion for the Borough of Washington to be the grant applicant to the county of Warren.

Motion made by Gleba, seconded by McDonald for the Borough to sponsor the application on behalf of Washington H.O.P.E to the Warren County Open Space funding program and note a 10% financial support for the acquisition of 125 acres, contingent upon voter approval.

Roll Call: Gleba, McDonald- Yes
Torres, Jewell, Higgins- No

Motion Failed

Mike Franks 43 Nunn Ave

Mr. Franks wished to thank Washington HOPE for all of their efforts. He discussed how the Shabbecong was a potential super fund, and supporting this application made financial sense. Mr. Franks noted that the current owners of the land are cutting down trees for no commercial value to keep their current tax assessment at a lower cost while the real estate value of the property is continually diminishing. Mr. Franks expressed disappointment that voters would not have the opportunity to vote on this issue.

Jennifer Lamberti 96 McDonald St

Mrs. Lamberti expressed her disappointment and stated it was disheartening that the residents of Washington Borough would not have an opportunity to vote on the issue as well. She explained that she believed the motion should be considered again.

Hearing no further comments from the audience a motion was made by Torres, seconded by Gleba, to close the audience portion.

ORDINANCES:

1. Ordinance 4-2012 An Ordinance Providing Funding for Recreation Capital Purposes for the Borough of Washington and Appropriating \$12,500 for such purposes. (Introduction)

Mayor McDonald entertained a motion to introduce Ordinance 4-2012 and have the clerk read by title only. Motion made by Higgins, seconded by Jewell.

Roll Call: Gleba, Torres, McDonald, Higgins, Jewell- Yes
Motion Carried.

The clerk read the ordinance by title: An Ordinance Providing Funding for Recreation Capital Purposes for the Borough of Washington and Appropriating \$12,500 for such purpose.

Mayor McDonald entertained a motion to approve on first reading.

Motion made by Higgins, seconded by Gleba, to approve Ordinance 4-2012 on first reading.

Roll Call: Gleba, Torres, McDonald, Higgins, Jewell- Yes
Motion Carried.

ORDINANCE NO. 4-2012

BOROUGH OF WASHINGTON

**AN ORDINANCE PROVIDING FUNDING FOR RECREATION
CAPITAL PURPOSES FOR THE BOROUGH OF WASHINGTON
AND APPROPRIATING \$12,500 FOR SUCH PURPOSE.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Washington, in the County of Warren, New Jersey, authorizes various recreation capital purposes to be undertaken, included but not limited to: improvements to snack shack area (fire suppression system, grill and hood), electrical improvements to grandstand motion lighting, equipment, pipeline (supply line for water from well pump to the pool) and pump hoses, for the Borough of Washington to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$12,500 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Capital Improvement Fund in the amount of \$12,500.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Washington may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

2. Ordinance 5-2012 An Ordinance Granting an Access Easement to Washington Community Solar LLC as the Successful Bidder for the Supply of Renewable Energy Based Electricity to the Borough's Wastewater Treatment Plant and Department of Public Works Garage (Introduction).

Mayor McDonald entertained a motion to introduce Ordinance 5-2012 and have the clerk read by title only. Motion made by Higgins, seconded by Jewell.

Roll Call: Gleba, Torres, McDonald, Higgins, Jewell- Yes
Motion Carried

The clerk read the ordinance by title only: An Ordinance Granting an Access Easement to Washington Community Solar LLC as the Successful Bidder for the Supply of Renewable Energy Based Electricity to the Borough's Wastewater Treatment Plant and Department of Public Works Garage.

Mayor McDonald entertained a motion to approve on first reading.

Motion made by Higgins, seconded by Jewell to approve Ordinance 5-2012 on first reading.

Roll Call: Gleba, Torres, McDonald, Higgins, Jewell- Yes
Motion Carried

ORDINANCE NO. 5-2012

AN ORDINANCE GRANTING AN ACCESS EASEMENT TO WASHINGTON COMMUNITY SOLAR, LLC AS THE SUCCESSFUL BIDDER FOR THE SUPPLY OF RENEWABLE-ENERGY-BASED ELECTRICITY TO THE BOROUGH'S WASTEWATER TREATMENT PLANT AND DEPARTMENT OF PUBLIC WORKS GARAGE

WHEREAS, the Borough solicited bids for the supply of renewable-energy-based electricity to the Borough's Wastewater Treatment Plant and Department of Public Works Garage through a Power Purchase Agreement; and

WHEREAS, as part of the bid, the Borough agreed to enter into an Access Easement if required by the successful bidder for the construction of facilities to provide renewable-energy-based electricity to the Borough; and

WHEREAS, a form of Access Easement was provided in the bid documents; and

WHEREAS, Washington Community Solar, LLC ("Washington Community Solar") was the successful bidder; and

WHEREAS, Washington Community Solar is constructing a facility for the production of solar energy on property in Washington Township adjacent to Borough property which facility will be used to supply the Borough's Wastewater Treatment Plant and Department of Public Works Garage with electricity; and

WHEREAS, in order to access its property in Washington Township, Washington Community Solar has requested that the Borough grant it an Access Easement as provided for in the bid documents; and

WHEREAS, granting the access easement will not interfere with any use by the Borough of the property subject to the easement; and

WHEREAS, the property subject to the easement cannot be developed by Washington Community Solar; and

WHEREAS, the Access Easement has no value to anyone other than Washington Community Solar as the successful bidder; and

WHEREAS, the Access Easement was granted as part of the public bidding process followed by the Borough in awarding the Power Purchase Agreement.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Washington, Warren County, as follows:

1. The Mayor and Council hereby grant an Access Easement in the form attached hereto to Washington Community Solar, LLC in connection with the Power Purchase Agreement entered into between the Borough of Washington and Washington Community Solar LLC. The Mayor is authorized to sign the easement on behalf of the Borough.
2. The consideration for the easement shall be one dollar (\$1.00).

This Ordinance shall take effect upon its adoption and final publication in accordance with law. In accordance with Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington, this Ordinance shall become effective 20 days after final passage unless the Council, by an affirmative vote of five (5) Council Members, shall adopt a resolution declaring the Ordinance to be an emergency upon which said Ordinance will take effect upon final passage.

REPORTS:

Motion was made by Gleba, seconded by Jewell to receive and file the following reports:

1. Borough Managers Report
2. Police Activity Report
3. Municipal Court Report

Councilman Jewell noted that the police activities were down in the Borough while they were rising in the Township.

Mayor McDonald noted that in cooperation with the Morris County Prosecutor's office with the Warren County Prosecutor's office, there was a large multi-county drug bust, in which over ten people from Washington Borough were arrested.

Ayes: 5, Nays: 0
Motion Carried

COMMITTEE REPORTS:

1. Sewer Subcommittee

Councilman Higgins stated there was a Sewer Subcommittee meeting and noted that the following was discussed during the meeting: the Pleasant Valley Dam Project demolition, acquiring more inserts for the man-hole covers, and the pumping station at the end of Gardner's Court. The committee is waiting for revised numbers for this project.

OLD BUSINESS

None

NEW BUSINESS

1. Resolution 92- 2012 Redemption of Tax Sale Certificate

Motion made by Higgins, seconded by Gleba to approve Resolution 92-2012.

Ayes: 5, Nays: 0
Motion Carried

RESOLUTION # 92-2012

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 16th St-Ste 1950, Philadelphia, PA 19102, in the amount of \$1,919.53 for taxes or other municipal liens assessed for the year 2008 in the name of H.V.Realty, LLC, as supposed owners, and in said assessment and sale were described as 44 W Warren St, Block 16.01 Lot 2, which sale was evidenced by Certificate #09-00007; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5-3-12 before the right to redeem was cut off, as provided by law, Attorney Meyner/H.V. Realty 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 \$20,366.72, which is the amount necessary to redeem Tax Sale Certificate #09-00007.

NOW THEREFORE BE IT RESOLVED, on this 6th day of June 2012 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 16th St-Ste 1950, Philadelphia, PA 19102, in the amount of **\$22,766.72** (this amount consists of \$20,366.72 amount to redeem the certificate + \$2,400 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 16.01 Lot 2 from the tax office records.

2. Resolution 93-2912 Approval of Item of Revenue – Clean Communities

Motion made by Higgins, Seconded by Gleba, to approve Resolution 93-2012.

Councilman Jewell questioned if the clean communities had provisions to buy cleaning materials and also hire a part-time employee. Manager Blanchard explained that it could be used to offset salary, but it has to be specifically for cleaning the community.

Roll Call: Gleba, Jewell, Torres, McDonald, Higgins- Yes
Motion Carried

RESOLUTION # 93-2012

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of 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 was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$11,367.48 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$11,367.48 is hereby appropriated under the caption of Other Expenses – Clean Communities.

3. Resolution 94-2012 Approval of Item of Revenue – Small Cities Grant (ARC pass through grant)

Motion made by Jewell, seconded by Gleba, to approve Resolution 94-2012.

Roll Call: Gleba, Jewell, Torres, McDonald, Higgins- Yes
Motion Carried

RESOLUTION # 94-2012

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS NJSA 40A: 4-87

WHEREAS, NJSA 40A: 4-87 provides that the Director of 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 was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$400,000.00 which is now available from the State of New Jersey, Department of Community Affairs

BE IT FURTHER RESOLVED, that the like sum of \$400,000.00 is hereby appropriated under the caption of Other Expenses – Small Cities ARC Pass Through Grant.

4. Approval of Warren County Housing Program Agreement – COAH Funds Commitment

Motion made by Jewell, seconded by Higgins to approve the Warren County Housing Program Agreement – COAH Funds.

Councilwoman Gleba noted that the Borough only had \$14,000.

Manager Blanchard explained that in this agreement, the borough has only given Warren County \$2,000 in administrative costs and \$8,000 for rehab. The Borough is only committing \$10,000.

Councilwoman Gleba questioned how the decision was made regarding which unit is a rehab unit. Manager Blanchard explained that Warren County makes the decision and citizens of Washington Borough can send applications to Warren County.

Roll Call: Gleba, Jewell, Torres, McDonald, Higgins- Yes
Motion Carried

5. Resolution 95-2012 Void and Replace Check

Motion made by Higgins and seconded by Torres to void and replace check.

Roll Call: Gleba, Jewell, Torres, McDonald, Higgins- Yes
Motion Carried

RESOLUTION #95-2012

**A RESOLUTION TO VOID AND REPLACE A CHECK ISSUED
FROM THE OPERATING ACCOUNT APPROVED
FOR PAYMENT ON MAY 1, 2012.**

WHEREAS, the Mayor and Council approved a payment from the Operating Account to “New Jersey Library Association” in the amount of \$20.00 and Check #5175 was subsequently issued in that amount;

WHEREAS, the company notified the Borough that their name was changed to “New Jersey Library Trustee Association,” requested that the check be voided and reissued in the proper vendor name;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey hereby approves the void of check number 5175 and the reissuance of the payment due to “New Jersey Library Trustee Association” in the amount of \$20.00.

6. Resolution 96-2012 – Washington Celebrates America

Motion made by Higgins, seconded by Torres to Approve the Fireworks Celebration – Washington Celebrates America

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

RESOLUTION #96-2012

**RESOLUTION GRANTING PERMISSION FOR A
FIREWORKS DISPLAY IN THE
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY.**

BE IT RESOLVED, by the Mayor and Common Council of the Borough of Washington, Warren County, New Jersey that permission is hereby granted to Washington Celebrates America Inc. have a **Fireworks Display** in the Borough of Washington at 9:00 P.M., **Wednesday, July 4, 2012** with a **Rain Date of Sunday, July 8, 2012.**

BE IT RESOLVED, that a true copy of this Resolution be forwarded to the New Jersey Department of Labor and Industry, Trenton, NJ, together with a copy of the required Certificate of Liability Insurance

VOUCHERS

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$508,574.68.

Motion made by Gleba, seconded by Torres.

Discussion: Councilman Higgins requested to remove the Schneider and Co. payment until he attends a meeting to answer additional questions. Councilwoman Gleba removed her motion to pay the vouchers, Councilman Torres removed his second.

Motion made by Higgins to remove the Schneider and Co invoice until Mr. Schneider or a representative from his firm attends a Council meeting to answer the questions submitted by the citizens, seconded by Torres.

After discussion this motion was removed from the floor.

Councilman Higgins motioned to pay the entire Voucher list, seconded by Gleba

Ayes: Gleba, Jewell, Torres, McDonald
Higgins – No

Abstain: Jewell (Fire EMS0
Higgins (Fire)

Motion Carried

RE-CAP

Manager Blanchard will reach out to Attorney for a written opinion on the correspondence from Washington Township. She will also look for a contract from Cinelli to review regarding pick-up of metal. Manager Blanchard will process the contract from Warren County.

COUNCIL REMARKS:

Councilwoman Gleba congratulated the High School students for winning a contest in which they won a drunk-driving simulator. She also questioned if the Borough had gotten a response from the attorney on whether there was any violation on the contract, based on the fact that Council felt they were missing revenue information. Manager Blanchard explained that the Attorney suggested that Council have their own auditor review the contract, and that he had reviewed the contract and that could be discussed in executive session. Councilwoman Gleba remarked that she still wants the Boroughs attorney to review the contract.

Councilman Jewell requested a list of the properties that the Borough is currently taking care of (lawns mowed by DPW etc.). He also thanked the Washington Celebrates America committee for keeping the tradition in town.

Councilman Higgins remarked that there is a couch that has been on the curb of E. Church Street for about a month. Manager Blanchard stated that they would have the couch removed. Councilman Higgins also asked about the leaks in the Community Pool. Manager Blanchard explained that they are currently repairing the leaks, and the leaks would be prepared by the pools opening day. He also had a question for Mr. De Santo about the Warren County Open Space Funding application going forward with a referendum about the open space tax and let the voters decide whether or not they would like to move forward with this, he questioned how this would affect their application. Mr. De Santo explained that he did not think it would harm the county application, and they would continue to move forward with the application.

Councilman Higgins motioned to put a referendum in the November ballot to ask residents to vote on an open space tax. Councilman Torres seconded.

Ayes- 3 Nays- 2
Motion Passed

Mayor McDonald congratulated the Warren Hills Girls Softball team for winning conference and sectional champions, and for a terrific season. He also noted that the end of this year is the end of the Union contract, and that Council should consider beginning to bargain with them. Manager Blanchard explained that the when the Union is ready to present to the Borough, they will contact the Manager, and she does not expect it to be later than July.

Councilman Torres motioned to enter into Executive Session after a ten minute brake, Councilman Higgins seconded.

EXECUTIVE SESSION

Hearing no further business motion made by Gleba, seconded by Jewell to adjourn the meeting at 9:45 p.m.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk

RESOLUTION # 112-2012

A RESOLUTION OF THE GOVERNING BODY CERTIFICATION
OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2011 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Borough Council of the Borough of Washington, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

The above Resolution was moved by ____ seconded by ____, voted and carried this day of July 2012.

Roll Call: Ayes:

Na ys:

Abstentions:

Kristine Blanchard, R.M.C.
Borough Clerk

CORRECTIVE ACTION PLAN

Borough of Washington
County of Warren
Audit Report Year 2011

Comment # 1

Reference to various balance sheets show interfund balances remaining at year end. Transactions invariably occur in one fund which requires a corresponding entry to be made in another fund, thus creating interfund balances. As a general rule, all interfund balances should be closed out as of the end of year.

Recommendation #1

That interfund balances be reviewed and liquidated on a periodic basis

Explanation and Corrective Action

All interfund balances reviewed on a monthly basis and all possible interfunds are eliminated at month-end. Several large interfunds could not be eliminated in one year and Borough is working to eliminate those interfunds over several budget cycles.

Implementation Date

In progress

Comment # 2

Contracts payable in the General Capital Fund listed on the General Ledger do not agree with the subsidiary ledgers.

Recommendation #2

That Contract Payable Subsidiary Ledgers agree with the General Ledger in the General Capital Fund.

Explanation and Corrective Action

Old contracts payable in General Capital will be eliminated as soon as final payments made on those contracts and General Ledger will agree with the subsidiary ledger.

Implementation Date

In progress

Comment # 3

Sewer Overpayments in the Sewer Utility Fund listed on the General Ledger do not agree with the subsidiary ledger.

Recommendation #3

That Sewer Overpayments in the Sewer Utility Fund agree with the General Ledger balance

CORRECTIVE ACTION PLAN

Borough of Washington
County of Warren
Audit Report Year 2011
Page 2 (Continued)

Explanation and Corrective Action

In 2011 efforts were made to ensure that Consumer Accounts receivable agree to subsidiary ledger after transitioning sewer to in-house billing. That comment is no longer in the audit report. After this phase was completed, the next phase is to clear up sewer overpayments. An analysis of sewer overpayments was completed and a resolution cancelling balances will be presented to the Governing Body.

Implementation Date

July 31, 2012

Comment # 4

There is a Deferred Charges to Future taxation-Unfunded over 5 years old

Recommendation #4

That Deferred Charges to Future Taxation Unfunded over five years old be cancelled of funded

Explanation and Corrective Action

The Borough has a plan in place to fund Deferred Charges Unfunded over several budget cycles. General Capital fund will be completed within 2012 budget cycle and Sewer Capital will be funds over the next several years.

Implementation Date

In progress

Comment # 5

There are tax overpayment on the balance sheet that need to be reviewed for possible cancellation

Recommendation #5

That tax overpayment be reviewed for possible cancellation.

Explanation and Corrective Action

Tax overpayments are constantly reviewed and possible overpayments are refunded or applied to current balances. Additional effort will be placed to resolve those overpayments.

Implementation Date

On going

CORRECTIVE ACTION PLAN

Borough of Washington
County of Warren
Audit Report Year 2011
Page 3 (Continued)

Comment # 6

In one instance, a Borough employee received both a W-2 and a 1099 form.

Recommendation #6

That an IRS form 1099 or a W-2 be issued.

Explanation and Corrective Action

Upon review it was noted that 1099 should not have been issued to this employee. In the future, no 1099 will be issued for reimbursements paid to any employee.

Implementation Date

Comment # 7

There were 143 tickets assigned but not issued over 181 days old.

Recommendation #7

That Municipal Court tickets over 181 days old be recalled and reassigned through the ATS System

Explanation and Corrective Action

In 2010 the Borough entered into an intelocal agreement with Mansfield Township for Municipal Court Services. In addition, police services in the Borough are provided by the Township of Washington. Both municipalities will be contacted and will work together with the Borough to resolve this issue.

Implementation Date

On going

Comment # 8

The Recreation Department charged fees for Family recreation rates for sports that were not included in the adopted Fee Ordinance.

Recommendation #7

Recreation Department should make every effort to only charge fees that are adopted in the Fee Ordinance.

Explanation and Corrective Action

Recreation department reviewed fee ordinance and implemented changes in 2012.

CORRECTIVE ACTION PLAN

Borough of Washington

County of Warren

Audit Report Year 2011

Page 4 (Continued)

Implementation Date

Completed

RESOLUTION 118-2012

COMBINING BONDS AGGREGATING THE PRINCIPAL SUM OF \$3,536,000 AUTHORIZED BY FIVE BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE PART OF THE COST OF VARIOUS GENERAL IMPROVEMENTS AND TO REFUND CERTAIN GENERAL OBLIGATIONS DEBT IN THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID CONSOLIDATED ISSUE.

July 3, 2012

WHEREAS, the Borough Council of the Borough of Washington, in the County of Warren, New Jersey (the "Borough"), has heretofore adopted five ordinances authorizing bonds to finance part of the cost of various general improvements in said Borough; and

WHEREAS, it is necessary to issue bonds pursuant to said ordinances in an aggregate principal amount of \$3,536,000 and it is deemed advisable and in the best interests of the Borough, for the purpose of the orderly marketing of said bonds and for other financial reasons, to combine the bonds authorized under said five ordinances into one consolidated issue in the aggregate principal amount of \$3,536,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey; NOW, THEREFORE,

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WASHINGTON IN THE COUNTY OF WARREN, NEW JERSEY that:

Section 1. There shall be issued bonds of the Borough in the following principal amounts pursuant to the following bond ordinances:

A. \$1,857,247.25 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 7-2007)

"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."

heretofore finally adopted. The average period of usefulness stated in said ordinance is 25.66 years.

B. \$95,911.18 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 2-2008)

“BOND ORDINANCE PROVIDING FOR EXPENSES RELATED TO CERTAIN REDEVELOPMENT PROJECTS IN AND BY THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY AND, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

heretofore finally adopted. The period of usefulness stated in said ordinance is 40 years.

C. \$303,293.57 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 5-2008)

“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.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 13.96 years.

D. \$449,548.00 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 11-2008)

“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 AND, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 10 years.

E. \$830,000.00 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 3-2012)

“REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL OBLIGATION BONDS OF THE BOROUGH OF WASHINGTON, NEW JERSEY, APPROPRIATING \$850,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$850,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF.”

heretofore finally adopted.

Section 2. The bonds referred to in Section 1 hereof are hereby combined into one consolidated issue of bonds in the aggregate principal amount of \$3,536,000 and are sometimes hereinafter collectively referred to as the “Bonds.” The bonds referred to in subsections A through D of Section 1 shall each be designated “General Improvement Bonds, Series 2012A” and shall be numbered with the prefix G from one consecutively upward (the “Series 2012A Bonds”). The bonds referred to in subsection E of Section 1 shall each be designated “General Obligation Refunding Bonds, Series 2012B” and shall be numbered with the prefix R from one consecutively upward (the “Series 2012B Bonds”). The bonds of said consolidated issue shall be dated the date of delivery and will be issued in fully registered form. When issued, the Bonds will be registered in the name of and held by Cede & Co., as the owner thereof and nominee for The Depository Trust Company, New York, New York (“DTC”), an automated depository for securities and clearinghouse for securities transactions.

Upon issuance, the Bonds will be delivered to DTC in single denominations for each maturity of the Series 2012A Bonds and the Series 2012B Bonds. Individual purchases of beneficial interests in the Bonds will be made in book-entry form (without certificates) in the denomination of \$1,000 each or any integral multiple thereof (with a minimum purchase of \$5,000).

Principal of the Series 2012A Bonds will be paid annually, subject to prior optional redemption, on the first day of April in the following years and in the following aggregate amounts:

Series 2012A Bonds

Year	Principal Amount	Year	Principal Amount
2013	\$125,000	2021	\$125,000
2014	185,000	2022	125,000
2015	190,000	2023	250,000
2016	190,000	2024	250,000
2017	195,000	2025	250,000
2018	125,000	2026	225,000
2019	125,000	2027	221,000
2020	125,000		

Principal of the Series 2012B Bonds will be paid annually, on the first day of April in the following years and in the following aggregate amounts:

Series 2012B Bonds

Year	Principal Amount*
2013	\$205,000
2014	215,000
2015	205,000
2016	205,000

* Preliminary, subject to change.

The Series 2012A Bonds maturing on or prior to April 1, 2022 shall not be subject to redemption prior to their respective maturity dates. The Series 2012A Bonds maturing on or after April 1, 2023 shall be subject to redemption prior to their respective maturity dates, on or after April 1, 2022 at the option of the Borough, either in whole or in part at any time in any order of maturity at one hundred percent (100%) of the principal amount of the Series 2012A Bonds being redeemed (the "Redemption Price"), plus in each case accrued interest thereon to the date fixed for redemption.

The Series 2012B Bonds are not subject to redemption prior to their stated maturities.

A Notice of Redemption shall be mailed by first class mail in a sealed envelope with postage prepaid to the registered owners of such Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Borough. However, so long as DTC (or any successor thereto) acts as Securities Depository for the Bonds, Notices of Redemption shall be sent to such depository and shall not be sent to the beneficial owners of the Bonds, nor shall the notice be published as provided herein and will be done in accordance with DTC procedures. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Borough determines to redeem a portion of the Bonds of a maturity, such Bonds shall be selected by the Borough by lot. If Notice of Redemption has been given as described herein, the Bonds, or the portion thereof called for redemption, shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Payment shall be made upon surrender of the Bonds redeemed.

Section 3. It is hereby found, determined and declared that the average period of usefulness of the improvements or purposes for which the said Series 2012A Bonds are to be issued, taking into consideration the amount of such Bonds to be issued for said improvements or purposes, is 22.25 years.

Section 4. The Series 2012A Bonds shall bear interest from their date based on their outstanding principal amount at a rate to be determined as hereinafter set forth in Section 6 of

this Resolution, shall be payable as to principal in lawful money of the United States of America at the administration office of the Borough in Washington, New Jersey, payable semi-annually on the first day of April and October in each year until maturity, commencing on April 1, 2013, by check or draft mailed on such interest payment date to the owners thereof registered as such as of each next preceding March 15 and September 15. Interest on the Series 2012A Bonds shall be calculated on the basis of a 360-day year of twelve 30-day calendar months.

The Series 2012B Bonds shall bear interest from their date based on their outstanding principal amount at a rate to be determined as hereinafter set forth in Section 6 of this Resolution, shall be payable as to principal in lawful money of the United States of America at the administration office of the Borough in Washington, New Jersey, payable semi-annually on the first day of April and October in each year until maturity, commencing on April 1, 2013, by check or draft mailed on such interest payment date to the owners thereof registered as such as of each next preceding March 15 and September 15. Interest on the Series 2012A Bonds shall be calculated on the basis of a 360-day year of twelve 30-day calendar months.

Notwithstanding any other provision herein to the contrary, so long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made directly to Cede & Co., as nominee of DTC in accordance with the provisions of the DTC Letter of Representations to be executed by the Borough and DTC. Disbursal of such payments to the DTC participants is the responsibility of DTC, and disbursal of such payments to the beneficial owners of the bonds is the responsibility of the DTC participants.

Section 5. The Bonds shall be signed by the Mayor and the Borough Chief Financial Officer, by their manual or facsimile signatures, and the corporate seal of the Borough shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Borough.

Section 6. The Borough Chief Financial Officer, with the advice of Phoenix Advisors, LLC, Bordentown, New Jersey (the "Financial Advisor") and Bond Counsel, is hereby authorized and directed to take all actions necessary to offer the Bonds for public sale upon the submission of electronic proposals in accordance with all applicable statutes and to determine in his/her discretion the date for receipt for such proposals, all in accordance with the terms set forth in the Notice of Sale. The Borough Chief Financial Officer is also authorized and delegated the authority to adjust the maturity schedule of the Series 2012B Bonds in accordance with all applicable statutes relating thereto. The Borough Chief Financial Officer is further hereby authorized and delegated the authority to sell and award the Bonds, with the advice of the Financial Advisor and Bond Counsel, in accordance with the terms of the Notice of Sale and directed to report in writing to the Borough Council at the next meeting succeeding the date when any sale or delivery of the Bonds pursuant to this resolution is made, such report to include the principal amount, description, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser. The "Notice of Sale" shall comply in all respects with the applicable statutes relating thereto and shall be substantially in the form attached hereto as Exhibit A, with such additions, modifications or deletions as determined by the Borough Chief

Financial Officer. The Notice of Sale shall be published in a newspaper published and circulated in the Borough as the Borough Chief Financial Officer may select and a summary of the Notice of Sale shall be published in The Bond Buyer at least once at least seven (7) days prior to the date of public sale. The Borough Chief Financial Officer is authorized and delegated the authority to postpone a public sale without readvertisement in accordance with all applicable statutes relating thereto.

Section 7. The Bonds and the registration provisions endorsed thereon shall be in substantially the following form:

ORDINANCE NO. 4-2012

BOROUGH OF WASHINGTON

AN ORDINANCE PROVIDING FUNDING FOR RECREATION CAPITAL PURPOSES FOR THE BOROUGH OF WASHINGTON AND APPROPRIATING \$12,500 FOR SUCH PURPOSE.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Washington, in the County of Warren, New Jersey, authorizes various recreation capital purposes to be undertaken, included but not limited to: improvements to snack shack area (fire suppression system, grill and hood), electrical improvements to grandstand motion lighting, equipment, pipeline (supply line for water from well pump to the pool) and pump hoses, for the Borough of Washington to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$12,500 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Capital Improvement Fund in the amount of \$12,500.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Washington may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

**BOROUGH OF WASHINGTON
COUNTY OF WARREN**

ORDINANCE NO. 5-2012

**AN ORDINANCE GRANTING AN ACCESS EASEMENT
TO WASHINGTON COMMUNITY SOLAR, LLC AS THE
SUCCESSFUL BIDDER FOR THE SUPPLY OF
RENEWABLE-ENERGY-BASED ELECTRICITY TO THE
BOROUGH'S WASTEWATER TREATMENT PLANT
AND DEPARTMENT OF PUBLIC WORKS GARAGE**

WHEREAS, the Borough solicited bids for the supply of renewable-energy-based electricity to the Borough's Wastewater Treatment Plant and Department of Public Works Garage through a Power Purchase Agreement; and

WHEREAS, as part of the bid, the Borough agreed to enter into an Access Easement if required by the successful bidder for the construction of facilities to provide renewable-energy-based electricity to the Borough; and

WHEREAS, a form of Access Easement was provided in the bid documents; and

WHEREAS, Washington Community Solar, LLC ("Washington Community Solar") was the successful bidder; and

WHEREAS, Washington Community Solar is constructing a facility for the production of solar energy on property in Washington Township adjacent to Borough property which facility will be used to supply the Borough's Wastewater Treatment Plant and Department of Public Works Garage with electricity; and

WHEREAS, in order to access its property in Washington Township, Washington Community Solar has requested that the Borough grant it an Access Easement as provided for in the bid documents; and

WHEREAS, granting the access easement will not interfere with any use by the Borough of the property subject to the easement; and

WHEREAS, the property subject to the easement cannot be developed by Washington Community Solar; and

WHEREAS, the Access Easement has no value to anyone other than Washington Community Solar as the successful bidder; and

WHEREAS, the Access Easement was granted as part of the public bidding process followed by the Borough in awarding the Power Purchase Agreement.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Washington, Warren County, as follows:

1. The Mayor and Council hereby grant an Access Easement in the form attached hereto to Washington Community Solar, LLC in connection with the Power Purchase Agreement entered into between the Borough of Washington and Washington Community Solar LLC. The Mayor is authorized to sign the easement on behalf of the Borough.
2. The consideration for the easement shall be one dollar (\$1.00).

This Ordinance shall take effect upon its adoption and final publication in accordance with law. In accordance with Chapter 3, Article II, Section 15, Subsection E of the Code of the Borough of Washington, this Ordinance shall become effective 20 days after final passage unless the Council, by an affirmative vote of five (5) Council Members, shall adopt a resolution declaring the Ordinance to be an emergency upon which said Ordinance will take effect upon final passage.



May 17, 2012

Gebhardt & Kiefer
1318 Route 31
P.O. Box 4001
Clinton, NJ 08809

Attn.: Lorraine C. Staples, Esq.

Re: Borough of Washington, County of Warren, State of New Jersey
Borough of Washington-Community Solar Access Easement *REVISED*
Block 101, Lot(s) 1, 1.01, 8 & 13.01
Our File No.: SCE-4819

Dear Ms. Staples;

We have reviewed the following in reference to the above-captioned application:

- 1) "Description of Proposed Access & Utility Easement Township of Washington, Warren County, New Jersey" dated Feb. 16, 2012 as prepared by Maser Consulting.
- 2) Plan titled "Sketch of Access and Utility Easement for Washington Solar Site", dated April 3, 2012 as prepared by Maser Consulting.

We find the plan and description to adequately illustrate and describe the easement as intended with one exception. The description title is to be corrected to reference the Borough of Washington, not the Township of Washington.

Please contact me directly if you have any questions or comments regarding the above.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Sabine Watson', is written over a faint, larger signature that is partially obscured.

Sabine Watson, P.E., CME, LEED AP
Project Manager
Suburban Consulting Engineers, Inc.

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Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

Perryville III Corporate Park
53 Frontage Road, Suite 120
Clinton, NJ 08809
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**DESCRIPTION OF PROPOSED
ACCESS & UTILITY EASEMENT
BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY**

**LOT 1, BLOCK 101
LOT 1.01, BLOCK 101
LOT 13.01, BLOCK 101
LOT 8, BLOCK 101
PROJECT NO. 11000273A
FEBRUARY 16, 2012
REVISED MAY 18, 2012**

Lot 1, Block 101

Beginning at a point in the common boundary line of Block 101, Lot 1 in the Borough of Washington and Block 67, Lot 1 in the Township of Washington, said point being located the following bearing and distance from a cross cut found marking the southwest corner of said Lot 1: N16°59'36"W, 221.14 feet along said common boundary, and running from said beginning point, thence:

1. N72°35'10"E, a distance of 21.17' through Lot 1 to a point of curvature, thence-
2. Along a curve to the left having a radius of 50.00' and an arc length of 39.72' still through Lot 1 to a point of tangency, thence-
3. N27°04'24"E, a distance of 45.07', thence-
4. N62°00'29"W, a distance of 37.07' still through Lot 1 to a point of curvature, thence-
5. Along a curve to the right having a radius of 50.00' and an arc length of 39.37' still through Lot 1 to a point of tangency, thence-
6. N16°53'52"W, a distance of 133.46' still through Lot 1 to a point of curvature, thence-
7. Along a curve to the right having a radius of 50.00' and an arc length of 38.88' still through Lot 1 to a point of tangency, thence-
8. N27°39'36"E, a distance of 115.74', thence-
9. S46°54'34"E, a distance of 151.91', thence-
10. N38°17'21"E, a distance of 51.24' still through Lot 1 to a point in the common boundary line of Lots 1 and 1.01 in Block 101, thence-
11. S28°26'30"E, a distance of 32.66' along the aforesaid common boundary line of Lots 1 and 1.01 to a point in the same, thence-
12. S38°17'21"W, a distance of 70.96' through Lot 1, thence-
13. N46°54'34"W, a distance of 145.13', thence-
14. S27°39'36"W, a distance of 76.34' still through Lot 1 to a point of curvature, thence-
15. Along a curve to the left with a radius of 20.00' and an arc length of 15.55' still through Lot 1 to a point of tangency, thence-



Joins Maser Consulting

Customer Loyalty through Client Satisfaction



DESCRIPTION OF PROPOSED
ACCESS & UTILITY EASEMENT
BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY

LOT 1, BLOCK 101
LOT 1.01, BLOCK 101
LOT 13.01, BLOCK 101
LOT 8, BLOCK 101
PROJECT NO. 11000273A
FEBRUARY 16, 2012
REVISED MAY 18, 2012
Page 2 of 4

16. S16°53'52"E, a distance of 133.46' still through Lot 1 to a point of curvature, thence-
17. Along a curve to the left with a radius of 20.00' and an arc length of 15.75' still through Lot 1 to a point of tangency, thence-
18. S62°00'29"E, a distance of 66.59', thence-
19. S27°04'24"W, a distance of 74.59' still through Lot 1 to a point of curvature, thence-
20. Along a curve to the right with a radius of 80.00' and an arc length of 63.55' still through Lot 1 to a point of tangency, thence-
21. S72°35'10"W, a distance of 21.39' to a point in the aforesaid common boundary line of Block 101, Lot 1, and Block 67, Lot 1, thence-
22. N16°59'36"W, a distance of 30.00' along the aforesaid common boundary line of Block 101, Lot 1, and Block 67, Lot 1 to the point and place of beginning.

Lot 1.01, Block 101

Beginning at a point in the common boundary line of Block 101, Lots 1.01 and 1; said point being the same as previously described as the terminus of course #10 of the utility and access easement across Lot 1, Block 101; thence:

1. N38°17'21"E, a distance of 203.77' through Lot 1.01 to an angle point, thence-
2. N04°31'42"E, a distance of 68.37' still through Lot 1.01 to a point of curvature, thence-
3. Along a curve to the right having a radius of 225.00' and an arc length of 211.80' still through Lot 1.01 to a point in the common boundary line of Block 101, Lots 1.01 and 8;
4. S21°54'01"E, a distance of 30.50' along the aforesaid common boundary line of Lots 1.01 and 8 to a point in the same, thence-
5. Along a curve to the left having a radius of 195.00' and an arc length of 178.45' through Lot 1.01 to a point of tangency, thence-
6. S04°31'42"W, a distance of 77.48' still through Lot 1.01 to an angle point, thence-
7. S38°17'21"W, a distance of 225.78' still through Lot 1.01 to a point in the aforesaid common boundary line of Lots 1.01 and 1, thence-



DESCRIPTION OF PROPOSED
ACCESS & UTILITY EASEMENT
BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY

LOT 1, BLOCK 101
LOT 1.01, BLOCK 101
LOT 13.01, BLOCK 101
LOT 8, BLOCK 101
PROJECT NO. 11000273A
FEBRUARY 16, 2012
REVISED MAY 18, 2012
Page 3 of 4

8. N28°26'30"W, a distance of 32.66' along the aforesaid common boundary line of Lots 1.01 and 1 to the point and place of beginning.

Lot 8, Block 101

Beginning at a point in the common boundary line of Block 101, Lot 8 and Block 101, Lot 1.01; said point being the same as previously described as the terminus of course #3 of the utility and access easement for Lot 1.01;

1. Along a curve to the right having a radius of 225.00' and an arc length of 27.13' through Lot 8 to a point of tangency, thence-
2. N65°22'31"E, a distance of 236.64' through Lot 8 to an angle point, thence-
3. N24°37'29"W, a distance of 67.27' still through Lot 8 to an angle point, thence-
4. N43°57'50"E, a distance of 32.22' still through Lot 8 to an angle point, thence-
5. S24°37'29"E, a distance of 79.03' still through Lot 8 to an angle point, thence-
6. N65°22'31"E, a distance of 218.45' to a point in the common boundary line of Lots 8 and 13.01, thence-
7. S29°24'33"E, a distance of 30.10' along the aforesaid common boundary line of Lots 8 and 13.01 to a point in the same, thence-
8. S65°22'31"W, a distance of 487.60' through Lot 8 to a point of curvature, thence-
9. Along a curve to the left having a radius of 195.00' and an arc length of 28.63' still through Lot 8 to a point in the aforesaid common boundary line of Lots 8 and 1.01, thence-
10. N21°54'01"W, a distance of 30.50' along the aforesaid common boundary line of Lots 8 and 1.01 to the point and place of beginning.

Lot 13.01, Block 101

Beginning at a point in the common boundary line of Block 101, Lots 13.01 and 8, said point being the same as previously described as the terminus of course #6 in the utility and access easement for Lot 8; thence:

1. N65°22'31"E, a distance of 38.51' through Lot 13.01, thence-
2. S29°24'33"E, a distance of 30.10' still through Lot 13.01, thence-



DESCRIPTION OF PROPOSED
ACCESS & UTILITY EASEMENT
BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY

LOT 1, BLOCK 101
LOT 1.01, BLOCK 101
LOT 13.01, BLOCK 101
LOT 8, BLOCK 101
PROJECT NO. 11000273A
FEBRUARY 16, 2012
REVISED MAY 18, 2012
Page 4 of 4

3. S65°22'31"W, a distance of 38.51' still through Lot 13.01 to a point in the aforesaid common boundary line of Lots 13.01 and 8, thence-
4. N29°24'33"W, a distance of 30.10' along the aforesaid common boundary line of Lots 13.01 and 8 to the point and place of beginning.

A handwritten signature in black ink, appearing to be 'Eric V. Wilde'.

5/18/12

ERIC V. WILDE, P.L.S.
NEW JERSEY PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER 43279

DATE SIGNED



ACTING MANAGERS WEEKLY REPORT
6/15/12

The 2011 Municipal Audit has been placed in your mailboxes. Due to an unforeseen conflict the municipal audit presentation with Tom Ferry will be at the July 3 Council meeting.

I received a phone call from Warren Schneider this morning regarding presenting at the June 19 council meeting. He wants to work with the Governing Body in answering the concerned citizen's questions. He will be answering the questions he received from me and will present at 7:00 pm on June 19. I placed the questions from the citizens in your box for reference.

The CFO will present the ACH tax and sewer payment recommendation to Council on June 19 as well as update Council on the refunding bond.

The Borough Pool opened this afternoon.

Susan Gruel has confirmed with me that COAH's records indicate the Borough's Development Fee Ordinance was approved by COAH on June 17, 2010.

As per Councilman Jewell's request the properties maintained by the Borough so far this year are: 99 North Lincoln, 32 Presidential, 76-78 East Church, 67 S Lincoln, 104 Prospect, 229 Belvidere Ave.

Judy Kopen will have her opinion letters prepared for Council on the Forensic Audit and Police Shared Service Agreement Monday afternoon. The Borough Engineer's report will be received Monday as well.



ACTING MANAGERS WEEKLY REPORT

6/22/12

Citi Net will present the ACH payment process for online tax and sewer payments at the July 17 Council meeting.

Frank Mangravitti has started his audit of the Wastewater Treatment Plant. I met with Frank for about an hour last week and provided him with the new contract extension information and the information regarding capital projects.

The Review (manager) template has been placed in your mailboxes.

The Cost Savings Analysis of (Police Shared Service Agreement) has been sent to Morris for posting on the website and inclusion in the email blast for subscribers.

I have requested a Council Appearance from the Code Enforcement Officer in August.

The Memorandum of Understanding for the VRO (Volunteer Review Operation) has been completed.

I spoke with the CFO regarding the \$25,000 grant from Comcast being used to offset the internet charges for the Borough. The charges will begin to be applied to the grant in 2012. Unfortunately there must have been a disconnect of communication in 2011.

I spoke with the Engineer regarding the new Quick Check in the Township connecting to our sewer service. The attorney for Quick Check was informed by the DEP that the Borough's Wastewater Management Plan would not be approved in time for Quick Check to begin construction. Quick Check wanted to start the project immediately so decided to install a septic system. However; I was informed by our Engineer that he received a letter from Quick Check requesting to install a sewer line in the event that Quick Check wants to connect in the future. The Engineer will address the specifics of this request in a letter to everyone this week.

The Verizon Library Internet bills are under review and I am waiting for more information from the Library Director.

The May YTD Expenditures have been sent to the web administrator.

Range: Block: First to Last Property Class Range: First to Last Include Zero Balances: Y
 Lot: Bill Year Range: 2012 to 2012 Include Prior Yr/Prd In Balance: Y
 Qual: Bill Period Range: 1 to 4 Direct Withdraw Accounts Only: N
 As Of Date: 05/31/12 Assessed Value/SPTX Code Year: 2012

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total
Original Billed	4,382,097.55	4,382,085.75	0.00	0.00	8,764,183.30
Added/Omitted	3,272.56	3,272.48	0.00	0.00	6,545.04
Other Billing	291,944.00-	9,382.21-	250.00-	0.00	301,576.21-
Balance Adjustments (Prin)	1,871.81	1,457.71-	1.27-	0.00	412.83
Payments (Prin)	3,870,732.63	3,893,823.31	2,161.78	0.00	7,766,717.72
Payments (Pnlt)	0.00	0.00	0.00	0.00	0.00
NSF (Prin)	0.00	0.00	0.00	0.00	0.00
NSF (Pnlt)	0.00	0.00	0.00	0.00	0.00
Tax Balance (Prin + Pnlt)	224,565.29	480,695.00	2,413.05-	0.00	702,847.24
Misc.Charge Adjustments (Prin)	0.00	0.00	0.00	0.00	0.00
Misc.Charge Payments (Prin)	0.00	0.00	0.00	0.00	0.00
Misc.Charge NSF (Prin)	0.00	0.00	0.00	0.00	0.00
Total Balance (Prin + Pnlt)	224,565.29	480,695.00	2,413.05-	0.00	702,847.24
Payments (Intr)	8,212.07	1,162.48	0.00	0.00	9,374.55
NSF (Intr)	0.00	0.00	0.00	0.00	0.00
Balance Adjustments (Intr)	0.00	0.00	0.00	0.00	0.00

Prior Yr/Prd Balance: 367,569.14
 Current Balance: 702,847.24
 Total Balance: 1,070,416.38

2012 DEDUCTIONS

Number of Accts:	2492	Senior Citizen	46
Land Value:	117,250,505	Disabled Person	2
Improvement Value:	287,355,235	Surviving Spouse	0
Limited Exemptions:	601,300	Veteran	116
Net Taxable Value:	403,100,524	widow of Veteran	36

NOTE: Zero balance accounts ARE included on the total pages.

6-26-12 Respectfully submitted for May 2012

by: Kay J. Stasphar, Tax Collector

TAX YEAR 2012/1 - 2012/4

TAX LEVY

Original (Original Billed + Deduction Amounts)	8,814,183.30	
Added	6,545.04	
Omitted	0.00	
Omitted/Added	0.00	
Rollback	0.00	
Prelim Adjustments		
070 CBJ-PRELIM	18,764.54-	
080 Adjust Prelim Tax	<u>0.00</u>	
TOTAL LEVY		8,801,963.80

2012 DEDUCTIONS

Senior Citizen (46) x 250.00	11,500.00	
Disabled Person (2) x 250.00	500.00	
Surviving Spouse (0) x 250.00	0.00	
Veteran (116) x 250.00	29,000.00	
Widow of Veteran (36) x 250.00	<u>9,000.00</u>	
TOTAL DEDUCTION AMOUNTS 2012/1 - 2012/4		(50,000.00)
TOTAL LEVY TO BE COLLECTED		8,751,963.80

COLLECTIONS

Prepaid from Prior Year (before 01/01/12)		
001 TAX	<u>35,955.77</u>	35,955.77
Total from Prior Year		
Current Year (01/01/12 - 12/31/12)		
001 TAX	7,645,748.46	
004 SUBSEQUENT PAYMENT	<u>85,013.49</u>	
Total Current Year		
		7,730,761.95
Subsequent Year (after 12/31/12)		
Total Subsequent Year		<u>0.00</u>
TOTAL COLLECTIONS		7,766,717.72

NSF REVERSALS

TOTAL NSF REVERSALS	<u>0.00</u>	0.00
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TOTAL COLLECTIONS less NSF REVERSALS (7,766,717.72)

COLLECTOR ADJUSTMENTS

	Debit	Credit	Net	Allow/Disallow
051 Src Allowed	0.00	250.00-	250.00-	1
052 Src Disallowed	0.00	0.00	0.00	0
053 Vet Allowed	0.00	0.00	0.00	0
054 Vet Disallowed	0.00	0.00	0.00	0
055 Dis Allowed	0.00	0.00	0.00	0
056 Dis Disallowed	0.00	0.00	0.00	0
057 Ssp Allowed Vet	0.00	0.00	0.00	0
058 Ssp Disallowed Vet	0.00	0.00	0.00	0
059 wid Allowed	0.00	0.00	0.00	0
060 wid Disallowed	0.00	0.00	0.00	0
061 Lien - Transfer Exst	0.00	0.00	0.00	
062 Forclosure	0.00	0.00	0.00	
063 Transfer Overpayment	1,202.89	1,798.78-	595.89-	
064 Refund Overpayment	1,008.72	0.00	1,008.72	
069 Cancelled - Resolutn	0.00	0.00	0.00	

071	Miscellaneous	0.00	0.00	0.00	
072	State Tax Appeal	0.00	0.00	0.00	
073	Lien - Establish New	0.00	0.00	0.00	
074	Lien - Transfer O.B.	0.00	0.00	0.00	
075	Arrears - Transfer	0.00	0.00	0.00	
076	6% Penalty	0.00	0.00	0.00	
077	Lien Estab New Pnlty	0.00	0.00	0.00	
078	Lien Trnf Exst Pnlty	0.00	0.00	0.00	
079	Arrears Trnsfr Pnlty	0.00	0.00	0.00	
081	BOUNCED CHECK FEE	0.00	0.00	0.00	
082	PRIOR YEAR TAXES	0.00	0.00	0.00	
083	Apply Int to Princ	0.00	0.00	0.00	
084	Lien Trans O/B yep	0.00	0.00	0.00	
085	LABOR LIEN	0.00	0.00	0.00	
087	CURR YR TAX APPEALS	0.00	0.00	0.00	
088	Lien Trans LaborLien	0.00	0.00	0.00	
089	Adjust YEP Balance	0.00	0.00	0.00	
090	Billing Adjustment	0.00	0.00	0.00	
152	Src Disallowed PD5	0.00	0.00	0.00	0
153	Src Di. State Audit	0.00	0.00	0.00	
156	Dis Disallowed PD5	0.00	0.00	0.00	0
158	Ssp Disallowed PD5	0.00	0.00	0.00	0
170	CBJ-CURRENT YEAR	0.00	0.00	0.00	
172	TCJ - PRIOR YEAR	0.00	0.00	0.00	
HR	HOMESTEAD REBATE	0.00	282,561.67-	282,561.67-	
ZZZ	CONVERSION BALANCES	0.00	0.00	0.00	
		<u>2,211.61</u>	<u>284,610.45-</u>	<u>282,398.84-</u>	<u>1</u>
	TOTAL ADJUSTMENTS			<u>282,398.84-</u>	
BALANCE	2012/1 - 2012/4				
	Credit Balances			9,495.39-	
	Debit Balances			<u>712,342.63</u>	
	TOTAL BALANCE 2012/1 - 2012/4			<u><u>702,847.24</u></u>	

June 26, 2012
09:44 AM

BOROUGH OF WASHINGTON
Tax Account Status Audit Totals

Page No: 4

	<u>Debit</u>	<u>Credit</u>	<u>Net</u>
COLLECTOR INTEREST ADJUSTMENTS	0.00	0.00	0.00
TOTAL INTEREST ADJUSTMENTS			<u>0.00</u>

RESOLUTION #107-2012

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON,
WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK 16 LOT 11**

WHEREAS, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

WHEREAS, Section 91-3 that the Borough can cause such nuisance to be abated; and

WHEREAS, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

WHEREAS, the Code Enforcement Officer of the Borough has certified, per the attached, that the owner of the property of the property at 99 North Lincoln Avenue, identified on the tax maps of the Borough as Block 16 Lot 11 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

WHEREAS, the DPW Supervisor has certified that the Borough incurred costs of \$472.00 to correct the violation.

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 under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$472.00 on the property at 99 North Lincoln Avenue, identified on the tax maps of the Borough as Block 16 Lot 11.

The above Resolution was moved by _____, seconded by

_____, voted and carried this 3rd day of July, 2012.

Roll Call: Ayes:

 Nays:

 Abstentions:

Kristine Blanchard, RMC
Borough Clerk

CC: Kay F. Stasyshan, Tax Collector
Block/Lot File

RESOLUTION #108-2012

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON,
WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK 16 LOT 11.01

WHEREAS, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

WHEREAS, Section 91-3 that the Borough can cause such nuisance to be abated; and

WHEREAS, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

WHEREAS, the Code Enforcement Officer of the Borough has certified, per the attached, that the owner of the property of the property at 97 North Lincoln Avenue, identified on the tax maps of the Borough as Block 16 Lot 11.01 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

WHEREAS, the DPW Supervisor has certified that the Borough incurred costs of \$472.00 to correct the violation.

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 under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$472.00 on the property at 97 North Lincoln Avenue, identified on the tax maps of the Borough as Block 16 Lot 11.01.

The above Resolution was moved by _____, seconded by _____, voted and carried this 3rd day of July, 2012.

Roll Call: Ayes:

Nays:

Abstentions:

Kristine Blanchard, RMC
Borough Clerk

CC: Kay F. Stasyshan, Tax Collector
Block/Lot File

RESOLUTION #109-2012

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON,
WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK 71 LOT 8

WHEREAS, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

WHEREAS, Section 91-3 that the Borough can cause such nuisance to be abated; and

WHEREAS, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

WHEREAS, the Code Enforcement Officer of the Borough has certified, per the attached, that the owner of the property of the property at 32 Presidential Drive, identified on the tax maps of the Borough as Block 71 Lot 8 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

WHEREAS, the DPW Supervisor has certified that the Borough incurred costs of \$944.00 to correct the violation.

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 under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$944.00 on the property at 32 Presidential Drive, identified on the tax maps of the Borough as Block 71 Lot 8.

The above Resolution was moved by _____, seconded by

_____, voted and carried this 3rd day of July, 2012.

Roll Call: Ayes:

 Nays:

 Abstentions:

Kristine Blanchard, RMC
Borough Clerk

CC: Kay F. Stasyshan, Tax Collector
Block/Lot File

RESOLUTION #110-2012

CANCEL SMALL BALANCES FOR MUNICIPAL TAXES
as per N.J.S.A. 40A:5-17.1

WHEREAS, the State of New Jersey allows a Municipal employee to process the cancellation of any municipal charges including overpayments or delinquencies of \$10.00 and less; and

WHEREAS, the Municipal employee allowed to process the cancellations shall be the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey hereby authorizes the Tax Collector of the Borough of Washington to process the cancellation of any municipal taxes of \$10.00 or less for prior years and 2012.

The above Resolution was moved by _____, seconded
by _____, voted and carried this 3rd day of July, 2012.

Roll Call: Ayes:

 Nays:

 Abstentions:

Kristine Blanchard, RMC
Borough Clerk

cc: Kay F. Stasyshan, Tax Collector
Auditors

RESOLUTION #111-2012

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 Royal Tax Lien Services LLC, 115 West Avenue, Suite 300, Jenkintown, PA 19046, in the amount of \$7,444.19 for taxes or other municipal liens assessed for the year 2008 in the name of Jacqmein, Estate of William L, as supposed owners, and in said assessment and sale were described as 127 Railroad Avenue, Block 76.01 Lot 3, which sale was evidenced by Certificate #09-00015; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-21-12 and before the right to redeem was cut off, as provided by law, HSBC claiming to have an interest in said lands, did redeem said lands claimed by Royal Tax Lien Services LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$39,554.66, which is the amount necessary to redeem Tax Sale Certificate #09-00015.

NOW THEREFORE BE IT RESOLVED, on this 3rd day of July, 2012 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Royal Tax Lien Services LLC, 115 West Avenue, Suite 300, Jenkintown, PA 19046 in the **amount of \$44,054.66 (\$39,554.66 principal and \$4,500.00 premium)**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 76.01 Lot 3 from the tax office records.

The above Resolution was moved by _____, seconded by

_____, voted and carried this 3rd day of July, 2012.

Roll Call: Ayes:

 Nays:

 Abstentions:

Kristine Blanchard, RMC
Borough Clerk

cc: Kay F. Stasyshan, Tax Collector
Paula Drake, Accounts Payable Clerk

RESOLUTION #113-2012

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON,
WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK 98 LOT 27**

WHEREAS, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

WHEREAS, Section 91-3 that the Borough can cause such nuisance to be abated; and

WHEREAS, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

WHEREAS, the Code Enforcement Officer of the Borough has certified, per the attached, that the owner of the property of the property at 67 South Lincoln Avenue, identified on the tax maps of the Borough as Block 98 Lot 27 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

WHEREAS, the DPW Supervisor has certified that the Borough incurred costs of \$472.00 to correct the violation.

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 under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$472.00 on the property at 67 South Lincoln Avenue, identified on the tax maps of the Borough as Block 98 Lot 27.

The above Resolution was moved by _____, seconded by

_____, voted and carried this 3rd day of July, 2012.

Roll Call: Ayes:

Nays:

Abstentions:

Kristine Blanchard, RMC
Borough Clerk

CC: Kay F. Stasyshan, Tax Collector
Block/Lot File

RESOLUTION #114-2012

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON,
WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK 8 LOT 9

WHEREAS, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

WHEREAS, Section 91-3 that the Borough can cause such nuisance to be abated; and

WHEREAS, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

WHEREAS, the Code Enforcement Officer of the Borough has certified, per the attached, that the owner of the property of the property at 104 North Prospect Street, identified on the tax maps of the Borough as Block 8 Lot 9 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

WHEREAS, the DPW Supervisor has certified that the Borough incurred costs of \$472.00 to correct the violation.

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 under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$472.00 on the property at 104 North Prospect Street, identified on the tax maps of the Borough as Block 8 Lot 9.

The above Resolution was moved by _____, seconded by _____, voted and carried this 3rd day of July, 2012.

Roll Call: Ayes:

 Nays:

 Abstentions:

Kristine Blanchard, RMC
Borough Clerk

CC: Kay F. Stasyshan, Tax Collector
Block/Lot File

RESOLUTION #115-2012

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON,
WARREN COUNTY, ASSIGNING A LABOR LIEN ON BLOCK 18.01 LOT 2

WHEREAS, Section 91-1 of the Code of the Borough of Washington (the Code) provides that weeds and vegetable growths in excess of one foot in height are a public nuisance; and

WHEREAS, Section 91-3 that the Borough can cause such nuisance to be abated; and

WHEREAS, Section 91-4 provides that the costs of the abatement done under Section 91-3 be charged to the property owner as a labor lien on the property.

WHEREAS, the Code Enforcement Officer of the Borough has certified, per the attached, that the owner of the property of the property at 229 Belvidere Avenue, identified on the tax maps of the Borough as Block 18.01 Lot 2 was in violation of Section 91-1 of the Code so that it was necessary for the Borough to take action to cut and bag the grass; and

WHEREAS, the DPW Supervisor has certified that the Borough incurred costs of \$472.00 to correct the violation.

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 under the provisions of Section 75-70 et seq the Tax Collector is hereby authorized and directed to place a lien in the amount of \$472.00 on the property at 229 Belvidere Avenue, identified on the tax maps of the Borough as Block 18.01 Lot 2.

The above Resolution was moved by _____, seconded by _____, voted and carried this 3rd day of July, 2012.

Roll Call: Ayes:

 Nays:

 Abstentions:

Kristine Blanchard, RMC
Borough Clerk

CC: Kay F. Stasyshan, Tax Collector
Block/Lot File

RESOLUTION #116-2012

A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS
FROM P & P OF WASHINGTON, LLC ESCROW ACCOUNT
HELD IN TRUST BY THE BOROUGH OF WASHINGTON

WHEREAS, Alan Y. Lowcher, Esquire, 19 Rymon Road, Washington, NJ 07882, has submitted a letter on behalf of P & P of Washington, LLC requesting the closure of the funds remaining in the developer's escrow account numbers #7760883186; and

WHEREAS, the engineers and attorneys representing the Borough of Washington have advised that they have been paid in full and there are no outstanding invoices and it has been determined that the escrow account monies can be released.

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 a check to P & P of Washington, LLC in the amount of the actual balances remaining in Acct. #7760883186.

The above resolution was moved by _____, seconded by _____, voted and carried this 3rd day of July, 2012.

Roll Call:

Ayes: Nays:

Kristine D. Blanchard, R.M.C.
Borough Clerk

cc: Barbara Van Why, Admin. Clerk

RESOLUTION #117-2012

A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS
FROM WASHINGTON CEMETERY ASSOCIATION, INC. ESCROW
ACCOUNT HELD IN TRUST BY THE BOROUGH OF WASHINGTON

WHEREAS, R. S. Gasiorowski, Esquire, 54 Broad Street, Red Bank, NJ 07701, has submitted a letter on behalf of Washington Cemetery Association, Inc. requesting the closure of the funds remaining in the developer's escrow account numbers #7760883327; and

WHEREAS, the engineers and attorneys representing the Borough of Washington have advised that they have been paid in full and there are no outstanding invoices and it has been determined that the escrow account monies can be released.

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 a check to Washington Cemetery Association, Inc. in the amount of the actual balances remaining in Acct. #7760883327.

The above resolution was moved by _____, seconded by _____, voted and carried this 3rd day of July, 2012.

Roll Call:

Ayes: Nays:

Kristine D. Blanchard, R.M.C.
Borough Clerk

cc: Barbara Van Why, Admin. Clerk

P.O. Type: All Print Alpha Capital/Trust, Alpha Grant, & Revenue Accts: N Open: N Void: N Paid: Y
 Format: Detail with Line Item Notes Held: N Aprv: Y Rcvd: Y
 Range: 2-05-55-000-000 to 2-05-55-999-999-999 Bid: Y State: Y Other: Y Exempt: Y
 Rcvd Batch Id Range: First to Last Received Date Range: 06/21/12 to 12/31/12 Include Non-Budgeted: Y
 Department Page Break: No

Budget Account	Description	Amount	Stat/Chk	Enc Date	First Rcvd	Chk/Void	PO Type
P.O. Id	Item Description				Date	Date	
Fund: SEWER OPERATING FUND							
2-05-55-501-000-011	SEWER OPERATING Full Time						
12-000677	1 WBPAY WASH. BOROUGH PAYROLL ACCOUNT SEWER S&W CHARGES-6/29/12 PAY	3,882.21	A	06/27/12	06/27/12		
	Tracking Id: 2560 Payroll (General) (Exempt)						
	Department Total:	3,882.21					
2-05-55-502-000-023	Telephone						
12-00156	7 VERIZON VERIZON, INC. 6/16-7/15/12 689-3913-CENTEX	28.27	A	02/01/12	06/22/12		B
	Tracking Id: 3320 Telecommunications (General) (Exempt)						
2-05-55-502-000-028	SEWER OPERATING Contractual SVCS						
12-00004	7 SUBCON SUBURBAN CONSULTING ENGINEERS 5/12-6/8/12 GENERAL SEWER	5,367.00	A	05/14/12	06/25/12	18808	C
	Tracking Id: 2790 Professional Services - Engineering (Non-Exempt)					Contract No: C2-00004	
2-05-55-502-000-071	SEWER OPERATING Utilities-Electricity						
12-00069	17 GPU JCP&L 5/12-6/12/12 RAMAPO WAY	9.18	A	01/10/12	06/26/12		B
	Tracking Id: 3611 Utilities - Electric (Exempt)						
12-00069	18 GPU JCP&L 4/21-5/22/12 KINNAMAN AVE	22.82	A	01/10/12	06/26/12		B
	Tracking Id: 3611 Utilities - Electric (Exempt)						
12-00069	19 GPU JCP&L 5/23-6/22/12 WOLFE ESTATE PUMP	277.58	A	01/10/12	06/28/12		B
	Tracking Id: 3611 Utilities - Electric (Exempt)						
12-00284	4 GPU JCP&L STATION 5/12-6/12/12 SEWER PLANT	8,254.13	A	02/29/12	06/25/12		B
	Tracking Id: 3611 Utilities - Electric (Exempt)						
		<u>8,563.71</u>					
2-05-55-502-000-078	SEWER OPERATING Utilities-Water						
12-00066	7 NJWATR NJ AMERICAN WATER CO.INC 5/16-6/15/12 WATER-SEWER/ALVIN	10.60	A	01/10/12	06/25/12		B
	Tracking Id: 3615 Utilities - water (Exempt)						
	SLOAN						

Budget Account P.O. Id Item Vendor	Description	Item Description	Amount	Stat/Chk	Enc Date	First Rcvd Date Date	Chk/Void Date Invoice	PO Type
2-05-55-502-000-079 12-00023 7 ELIZG	SEWER OPERATING Utilities-Natural Gas ELIZABETHTOWN GAS	5/8-6/7/12 NATURAL GAS-ALVIN	20.60	A	01/06/12	06/22/12		B
	Tracking Id: 3612	Utilities - Gas (Exempt)						
	SLOAN							
	Department Total:		13,990.18					
	CAFR Total:		17,872.39					
	Fund Total: SEWER OPERATING FUND		17,872.39					
	Year Total:		17,872.39					
Total P.O. Items:			9	Total List Amount:	17,872.39	Total Void Amount:	0.00	

Fund Description	Fund	Budget Total
SEWER OPERATING FUND	2-05	17,872.39
Total of All Funds:		<u>17,872.39</u>

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
ANSBAC HENRY ANSBAC WELDING REPAIRS	12-00098 01/17/12 VEHICLE REPAIRS	4 LOADER REPAIRS-REMOVE PANEL	520.00	B	2-01-26-290-000-025	B STREETS & ROADS Vehicle Maint	A	01/17/12 06/27/12		268895	N
	Tracking Id: 330	Auto Repair (Mechanical) (Non-Exempt)									
		REPAIR HYDRAULIC LEAK, REMOVE & REPLACE DRIVE SHAFT (FRONT)									
12-00572 06/01/12 PAVER REPAIRS	1 PAVER REPAIRS SPLIT BETWEEN	Tracking Id: 1210	2,000.00		2-01-26-290-000-026	B STREETS & ROADS Maint Other Equip	A	06/01/12 06/26/12		268892	N
		Equipment Maint & Repair (General) (Non-Exempt)									
		THREE TOWNS - FRANKLIN TOWNSHIP \$866.67									
		WASHINGTON TOWNSHIP \$866.67 AND WASHINGTON BOROUGH \$866.66									
	Vendor Total:		2,520.00								
HEYER HEYER, GRUEL & ASSOCIATES	12-00655 06/22/12 serv for Jade wash - May 2012	1 serv for Jade wash - May 2012	1,922.50		T-13-00-683-000-000	B JADE ACQUISITION LLC-SITE PLAN	A	06/22/12 06/27/12		31251	N
	Tracking Id: 2850	Professional Services - Planning (Non-Exempt)									
	Vendor Total:		1,922.50								
GPU JCP&L	12-00068 01/10/12 ELECTRICITY MISC. DEPTS	30 5/12-6/12/12 ELECTRICITY/DPW	408.68	B	2-01-31-430-000-299	B ELECTRICITY	A	01/10/12 06/26/12			N
	Tracking Id: 3611	Utilities - Electric (Exempt)									
	GARAGE										
31 5/18-6/18/12 YOUMANS AVE	Tracking Id: 3611	Utilities - Electric (Exempt)	88.00		2-01-31-430-000-299	B ELECTRICITY	A	01/10/12 06/26/12			N
	Utilities - Electric (Exempt)										
32 5/18-6/18/12 YOUMANS AVE-POOL	Tracking Id: 3611	Utilities - Electric (Exempt)	668.45		2-01-31-430-000-299	B ELECTRICITY	A	01/10/12 06/26/12			N
	Utilities - Electric (Exempt)										
33 5/18-6/18/12 YOUMANS AVE-BATH	Tracking Id: 3611	Utilities - Electric (Exempt)	118.27		2-01-31-430-000-299	B ELECTRICITY	A	01/10/12 06/27/12			N
	Utilities - Electric (Exempt)										
	HOUSE										
34 4/18-5/17/12 PARK PAVILLION	Tracking Id: 3611	Utilities - Electric (Exempt)	5.46		2-01-31-430-000-299	B ELECTRICITY	A	01/10/12 06/26/12			N

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type Charge Account	Acct Type Description	Stat/Chk Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
GPU JCP&L	12-00068 01/10/12	ELECTRICITY MISC. DEPTS LIGTS	Continued	Continued						
			<u>1,288.86</u>							
	12-00452 04/18/12	ELECTRICITY STREET LIGHTS		B						
	5 5/18-6/18/12	STREET LIGHTS/SV	4,515.25	2-01-31-435-000-075	B TRAFFIC LIGHTS Street Lighting	A	04/18/12	06/26/12		N
		Tracking Id: 3611			Utilities - Electric (Exempt)					
	6 5/18-6/18/12	STREET LIGHTS/MER	895.27	2-01-31-435-000-075	B TRAFFIC LIGHTS Street Lighting	A	04/18/12	06/26/12		N
		Tracking Id: 3611			Utilities - Electric (Exempt)					
		& INCAN								
	7 5/18-6/18/12	WOLFE ESTATE ST.	56.97	2-01-31-435-000-075	B TRAFFIC LIGHTS Street Lighting	A	04/18/12	06/26/12		N
		Tracking Id: 3611			Utilities - Electric (Exempt)					
		LIGTS	<u>5,467.49</u>							
		Vendor Total:	6,756.35							
JERSEYCA JERSEY CAPE DIAGNOSTIC CENTER	12-00505 05/10/12	POOL MEMBERSHIP BADGES								
	1	POOL MEMBERSHIP BADGES	241.50	T-16-00-858-000-826	B SWIMMING PROGRAM Materials & Supplies	A	05/10/12	06/26/12	18843	N
		Tracking Id: 2710			Pool Supplies (Non-Exempt)					
		SHAPE # 19 COLOR #925								
		QUANTITY 500								
		NUMBERING 1 THRU 500								
		Vendor Total:	241.50							
MEDIA MEDIA PACKAGING & SUPPLY	12-00596 06/12/12	CD VINYL CASES & ALBUMS								
	1	CD VINYL CASES & ALBUMS	177.50	2-01-29-390-000-033	B MUNICIPAL LIBRARY Books & Pubs	A	06/12/12	06/28/12	101338	N
		Tracking Id: 510			Books and Other Publications (Non-Exempt)					
	2	SHIPPING	19.93	2-01-29-390-000-033	B MUNICIPAL LIBRARY Books & Pubs	A	06/12/12	06/28/12	101338	N
		Tracking Id: 510			Books and Other Publications (Non-Exempt)					
			<u>197.43</u>							
		Vendor Total:	197.43							

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
WAONE WASHINGTON ONE STOP INC.	12-00007 01/06/12	PARK AND OR FIELD SUPPLIES		B								
	44	SCREWS, DRILL BITS, PIPE CAPS	14.50	T-16-00-858-000-814		B PARKS & PLAYGROUNDS Materials & Supplies A		01/06/12	06/26/12		041981	N
		Tracking Id: 2550 Park & Playground Supplies (Non-Exempt)										
		AND GREASE										
	45	SPEAKER WIRE, SNAPS, HOOKS, REEL CORD AND WHISTLE	66.05	T-16-00-858-000-814		B PARKS & PLAYGROUNDS Materials & Supplies A		01/06/12	06/26/12		042008	N
		Tracking Id: 2550 Park & Playground Supplies (Non-Exempt)										
	46	POLY TUBES AND CABLE	15.92	T-16-00-858-000-814		B PARKS & PLAYGROUNDS Materials & Supplies A		01/06/12	06/26/12		042022	N
		Tracking Id: 2550 Park & Playground Supplies (Non-Exempt)										
	47	CRIMPING TOOL & FASTENERS	11.35	T-16-00-858-000-814		B PARKS & PLAYGROUNDS Materials & Supplies A		01/06/12	06/26/12		042045	N
		Tracking Id: 2550 Park & Playground Supplies (Non-Exempt)										
	48	ADAPTER	0.87	T-16-00-858-000-814		B PARKS & PLAYGROUNDS Materials & Supplies A		01/06/12	06/26/12		042066	N
		Tracking Id: 2550 Park & Playground Supplies (Non-Exempt)	108.69									
12-00398 04/03/12	GENERAL SUPPLIES			B								
	4	ANT SPRAY & SPACKLE	12.89	2-01-26-290-000-030		B STREETS & ROADS Materials/Supplies A		04/03/12	06/25/12		042110	N
		Tracking Id: 590 Building Maint Equip & Supplies (Non-Exempt)										
	5	WHITE STRIPING PAINT & CLAMP	44.77	2-01-26-290-000-030		B STREETS & ROADS Materials/Supplies A		04/03/12	06/28/12		041964	N
		Tracking Id: 2950 Road Materials (Non-Asphalt) (Non-Exempt)	57.66									
		Vendor Total:	166.35									
WHITNE WHITNEY PLUMBING AND HEATING	12-00648 06/21/12	PLUMBING REPAIRS TO FIX LEAK										
	1	PLUMBING REPAIRS TO FIX LEAK	781.00	T-16-00-858-000-815		B PARKS & PLAYGROUNDS Maintenance & Repair A		06/21/12	06/25/12		003768	N
		Tracking Id: 2671 Plumbing Services (Exempt)										
		ADDITIONAL PO TO COVER COSTS ASSOCIATED WITH UNDERGROUND LEAK NEAR BABY POOL										
		Vendor Total:	781.00									
Total Purchase Orders: 63 Total P.O. Line Items: 123 Total List Amount: 728,601.49 Total Void Amount: 0.00												

Fund Description	Fund	Budget Total	Revenue Total
OPERATING FUND	1-01	7,290.00	0.00
OPERATING FUND	2-01	704,484.76	0.00
GENERAL CAPITAL FUND	C-04	181.87	0.00
FEDERAL & STATE GRANT FUND	G-02	360.00	0.00
DEVELOPER'S ESCROW FUND	T-13	5,536.27	0.00
TRUST OTHER FUND	T-14	2,449.14	0.00
RECREATION TRUST	T-16	8,299.45	0.00
	Year Total:	16,284.86	0.00
	Total of All Funds:	<u>728,601.49</u>	<u>0.00</u>

113-2012
RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act; *N.J.S.A.* 10:4-6 *et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A.* 40:4-12; and

WHEREAS, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A.* 40:4-12:

_____ A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon: _____);

_____ A matter where the release of information would impair a right to receive funds from the federal government;

_____ A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

_____ A collective bargaining agreement, or the terms and conditions thereof (Specify contract: _____);

_____ A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Real Estate Acquisitions

_____ Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____ Investigations of violations or possible violations of the law;

___x___ Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: ___Possible Discussion Topics: Forensic Audit Contract_____. The public disclosure of such information at this time would have a potentially negative impact on the

municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

_____Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

 x Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: Manager Review _____ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Date:

Kristine Blanchard, RMC