

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – April 02, 2013**

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.

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.”

Mayor McDonald led everyone in the flag salute.

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

Also Present: Kristine Blanchard, Manager/Borough Clerk, Natasha
Turchan, CFO

MINUTES:

Regular Meeting – March 19, 2013.

Motion made by Gleba, seconded by Jewell to approve the minutes of March 19, 2013.

Council Discussion:

Councilwoman Gleba asked that the time she arrived at the meeting be added to the Roll Call.

Ayes: 6, Nays: 0
Abstain: 1 (Gleba)
Motion Carried

CORRESPONDENCE:

Michael J. Doherty – N.J. Senate

Mayor McDonald read the following into the record:

Dear Ms. Blanchard,

I would like to take this opportunity to congratulate Washington Borough for being recognized by the Statewide Insurance Fund as a community committed to safety throughout the 2012 fiscal year. By participating in the Statewide Safety and Risk Management Program, your municipality reduced the number of claims submitted and in turn resulted in a financial savings for Washington Borough taxpayers. I commend you for your efforts to lessen the tax burden on the community. Please contact me in the future if I can be of assistance.

Sincerely,
Michael J. Doherty – Member of State Senate

A motion was made by Gleba, seconded by Jewell to receive and file the correspondence.

Ayes: 7, Nays: 0
Motion Carried

AUDIENCE:

Lucy Finnegan – President, Washington Community Garden

Ms. Finnegan gave a brief update on the status of the garden. So far the Washington Community Garden has had three successful growing seasons and looking forward to starting their fourth season this coming spring and summer. Last year the Washington Community Garden donated over a thousand pounds of fresh produce to the local food pantry and hope to donate even more this year. The Washington Community Garden expanded from seventy plots to ninety two plots due to popular demand. Overall the garden has had terrific success and hope to build on it. This prosperity could not be possible without Council support. Ms. Finnegan thanked Council on behalf of all the gardeners for their continued backing of the garden as they attempt to bring the Washington Community Garden closer together through the joy of gardening.

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

Ayes: 7, Nays: 0
Motion Carried

ORDINANCES:

Ordinance 2-2013 To Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank. (Public Hearing/Adoption)

Motion made by Gleba and seconded by Jewell to introduce Ordinance #2-2013 on final passage and have the Clerk read by title.

Roll Call: Gleba, Jewell, Torres, McDonald, Conry, Higgins,
Thompson
Ayes: 7, Nays: 0
Motion Carried

The Clerk read Ordinance #2-2013 To Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank.

Public Hearing

Hearing no comments from the public, a motion was made by Higgins, seconded by Jewell to close the public hearing of Ordinance #2-2013.

Roll Call: Gleba, Jewell, Torres, McDonald, Conry, Higgins,
Thompson
Ayes: 7, Nays: 0
Motion Carried

Council Discussion

Hearing no comments, a motion was made by Higgins, seconded by Jewell to adopt Ordinance #2-2013 on final passage.

Roll Call: Gleba, Jewell, Torres, McDonald, Conry, Higgins,
Thompson
Ayes: 7, Nays: 0
Motion Carried

2-2013
CALENDAR YEAR 2013
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final

appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough of Washington in the County of Warren finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough of Washington hereby determines that a 1.5 % increase in the budget for said year, amounting to \$ 43,180.15 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough of Washington hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough of Washington, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Washington Borough shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.5 %, amounting to \$ 43,180.15, and that the CY 2013 municipal budget for the Washington Borough be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

2013 MUNICIPAL BUDGET PUBLIC HEARING:

Mayor McDonald opened the public hearing portion of the 2013 Municipal Budget

Tom Ferry – Municipal Auditor

Mr. Ferry provided a brief overview of the 2013 Municipal Budget. The 2012 Net Valuation Taxable was approximately three hundred seventy one million dollars, it went down in 2013 to three hundred seventy million dollars for a decrease of eight hundred fifty nine thousand which follows the trend across the state. The Municipal Budget for 2012 was \$7,614,163 and the Municipal Budget for 2013 as of today is \$7,612,553 for a decrease of \$1,610 or .02%. Mr. Ferry stated that one tax point equals \$37,090.93 which is the magic number. That means a \$10 decrease on a \$100,000 house. Right now with the introduced Municipal Budget including the library, the Borough is at a two point decrease. Mr. Ferry stated that the amount of state aid stayed the same and the overall budget is down, while the amount budgeted for capital improvements is up. Mr. Ferry stated that the Borough's goal is to pay off the existing debt while keeping taxes low and building up the Borough's Fund Balance, which is at an all-time high. Mayor McDonald asked what an ideal Fund Balance would be. Mr. Ferry replied that the Borough currently has an ideal Fund Balance and recommends the balance remain between \$700,000 and \$900,000.

Councilwoman Gleba expressed concern that the reserve for Uncollected Taxes is a substantial part of the Borough's budget. Councilwoman Gleba would like Council to work towards improving the Borough's tax collection rate. Councilwoman Gleba also stated that the Warren Hills Regional School's budget numbers have been finalized and the Borough will see a decrease.

Councilman Higgins stated that in regards to the Shared Services contract with Washington Township, the Borough has been going back and forth trying to get budget to actual numbers. Councilman Higgins stated that for 2012, Washington Township reduced the Borough's cost by \$91,000. Councilman stated that the problem is that Washington Township allegedly wants to keep approximately half of that amount. If Council were to go ahead with that, the Borough would be amending the existing contract. Councilman Higgins stated that the half that Washington Township is looking to keep is to cover additional administration charges. Councilman Higgins suggests that Council either wait on approving the budget or approve the budget with that amount removed. Manager Blanchard stated that she suggests the Borough subtract out the 2013 additional administrative expense numbers that are not in the contract and negotiate to receive the full amount of the 2012 funds as municipal funds not anticipated. Manager Blanchard recommends that Council adopt the budget without those expenses in question.

Mr. Rick Feldman – Prosper Way

Mr. Feldman expressed his concern about the dollar amount being spent on the Recreation Department from the Municipal Budget. Mr. Feldman stated that in the 2013 Municipal Budget there is \$40,000 for salaries and an additional estimated \$15,000 in DPW support, for a total of \$55,000 for 2013. Mr. Feldman also mentioned that in 2012 an additional \$12,500 was provided from Council as capital improvements to the concession stand not to mention other various expenditures. Councilman Higgins stated that four or five years ago, Council gave Recreation approximately \$82,000 and now

Council is only giving approximately \$55,000 so Recreation is moving in the direction of being self-sustaining. Mr. Feldman stated that he has seen the participation rates and revenues decrease over the past two years. Mr. Feldman questions why Council is throwing good money after bad money. Manager Blanchard replied that the ordinance does state that the Recreation Department is to provide the governing body with monthly expenditure and revenue reports which she has asked Recreation to start providing this month. Manager Blanchard will be looking at those reports and comparing to the Borough's new finance system. These reports will be provided to Council on a monthly basis and hopefully that will clarify things in the near future.

A motion was made by Torres, seconded by Jewell to close the public hearing portion of the 2013 Municipal Budget.

Ayes: 7, Nays: 0
Motion Carried

A motion was made by Torres, seconded by Jewell to remove the additional direct expenses that were added on to the Shared Services Agreement.

Roll Call: Gleba, Jewell, Torres, McDonald, Conry, Higgins,
Thompson
Ayes: 7, Nays: 0
Motion Carried

REPORTS:

A motion was made by Higgins, seconded by Torres to receive and file the following reports:

1. Manager's Report
2. Highway Department – February 2013

Ayes: 7, Nays: 0
Motion Carried

COUNCIL COMMITTEE REPORTS:

Code Book Review Committee:

Councilman Torres made a brief presentation stating that the committee is looking for ways to simplify the Code Book and make it more public friendly. Councilman Torres asked the rest of Council to take a look at the Code Book and advise if there are any

questions. Council was only provided with the first of three sections for review since the Code Book is quite large.

Manager Blanchard stated that if Council reads the handouts thoroughly it can be compared easily to what already exists. The last time the Borough went through the recodification process of the Code Book it was 1974. Recodifying the Code Book will go through ordinance and the new changes will become law and be implemented in the Borough. Councilwoman Gleba added that Attorney Kopen is currently reviewing the nuisance ordinance which also addresses Jake Braking ordinances as well.

Streets & Roads Committee:

Councilman Jewell stated the next Streets and Road Committee meeting is next Wednesday April 10th at 4:45 p.m. Councilwoman Gleba asked Manager Blanchard to share the list of recommended roads for repair/paving from John Burd with the Streets and Roads Committee. Councilman Jewell stated that he will report back to Council what the committee's findings are.

NEW BUSINESS:

Approval of Fire Department – State Firemen's Association Members

The motion to approve two new State Firemen's Association Members – Todd Henderson and Carlos Cardines was moved by Torres, seconded by Conry, and adopted.

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

Ayes: 4 Nays: 0

Abstain: (3) Higgins, Jewell, Thompson

Motion carried.

Resolution #70-2013 – Of the Mayor and Council of the Borough of Washington, Warren County to Apply for a 2012 Recycling Tonnage Grant

RESOLUTION # 70-2013 **OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WASHINGTON,** **WARREN COUNTY. TO APPLY FOR A 2012** **RECYCLING TONNAGE GRANT**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2012 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

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 endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Kristine Blanchard, Borough Manager, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution #70-2013 was moved on a motion made by Higgins, seconded by Jewell and approved.

Roll Call: Gleba, Jewell, Torres, McDonald, Thompson, Conry,
Higgins
Ayes: 7, Nays: 0
Motion Carried

Resolution #71-2013 – Redemption of Tax Certificate

RESOLUTION #71-2013
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 October 25, 2012 to Arthur Frustaci, 1178 Fifth Avenue, Alpha, NJ 08865, in the amount of \$590.13 for taxes or other municipal liens assessed for the year 2011 in the name of Wojdyla, Kazimierz & Teresa, as supposed owners, and in said assessment and sale were described as 108 N Prospect St, Block 8 Lot 7, which sale was evidenced by Certificate #12-00009; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-19-13 and before the right to redeem was cut off, as provided by law, Wells Fargo claiming to have an interest in said lands, did redeem said lands claimed by Arthur Frustaci by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$971.54, which is the amount necessary to redeem Tax Sale Certificate #12-00009.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Arthur Frustaci, 1178 Fifth Avenue, Alpha, NJ 08865 in the **amount of \$971.54.**

Resolution #72-2013 – Redemption of Tax Certificate

RESOLUTION # 72-2013
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 October 25, 2012 to US Bank/Cust ATR-NJ & CAPONE, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102-2513, in the amount of \$352.21 for taxes or other municipal liens assessed for the year 2011 in the name of Burd, Guy & Melissa J, as supposed owners, and in said assessment and sale were described as 46 State Street, Block 13 Lot 6, which sale was evidenced by Certificate #12-00012; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of

Washington, do certify that on 3-18-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank claiming to have an interest in said lands, did redeem said lands claimed by US Bank/Cust ATR-NJ & CAPONE by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,086.59, which is the amount necessary to redeem Tax Sale Certificate #12-00012.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 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 ATR-NJ & CAPONE in the amount of **\$1,086.59**.

Resolution #73-2013 – Redemption of Tax Certificate

RESOLUTION #73-2013
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on December 15, 2011 to Zhaoou Yu, 42 Huntington Rd, Basking Ridge, NJ 07920, in the amount of \$1,548.04 for taxes or other municipal liens assessed for the year 2010 in the name of Deemer, Virgil Jr & Melanie, as supposed owners, and in said assessment and sale were described as 65 School Street, Block 28 Lot 5, which sale was evidenced by Certificate #11-00009; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-18-13 and before the right to redeem was cut off, as provided by law, Corelogic, claiming to have an interest in said lands, did redeem said lands claimed by Zhaoou Yu by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$16,948.84, which is the amount necessary to redeem Tax Sale Certificate #11-00009.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Zhaoou Yu, 42 Hunting Rd, Basking Ridge, NJ 08865 in the **amount of \$16,948.84**.

Resolution #74-2013 – Redemption of Tax Certificate

RESOLUTION # 74-2013
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 September 16, 2010 to US Bank-Cust/Sass Muni VI dtr, TLSG-2 Liberty Place, 50 South 16th St-Ste 1950, Philadelphia, PA 19102, in the amount of \$3,430.66 for taxes or other municipal liens assessed for the year 2009 in the name of Mason, Robert J & Amy K, as supposed owners, and in said assessment and sale were described as 114 Harding Drive, Block 66.01 Lot 22, which sale was evidenced by Certificate #10-00023; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-20-13 before the right to redeem was cut off, as provided by law, HSBC/Mason claiming to have an interest in said lands, did redeem said lands claimed by US Bank-Cust/Sass Muni VI dtr by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$32,533.75, which is the amount necessary to redeem Tax Sale Certificate #10-00023.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April 2013 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 VI dtr, TLSG- 2 Liberty Place, 50 South 16th St-Ste 1950, Philadelphia, PA 19102, in the amount of **\$43,533.75** (this amount consists of \$32,533.75 amount to redeem the certificate + \$11,000.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 66.01 Lot 22 from the tax office records.

Resolution #75-2013 – Redemption of Tax Certificate

RESOLUTION # 75-2013
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 October 25, 2012 to US Bank Cust Pro Capital I LLC, TLSG, 50 S 16th Street Suite 1950, Philadelphia, PA 19102, in the amount of \$701.62 for taxes or other municipal liens assessed for the year 2011 in the name of Thiemann, Rachel, as supposed owners, and in said assessment and sale were described as 45 Cornish Street, Block 98 Lot 3, which sale was evidenced by Certificate #12-00057; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of

Washington, do certify that on 3-18-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust Pro Capital I LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,482.65, which is the amount necessary to redeem Tax Sale Certificate #12-00057.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust Pro Capital I LLC in the amount of **\$1,482.65**.

Resolution #76-2013 – Redemption of Tax Certificate

RESOLUTION # 76-2013
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 October 25, 2012 to US Bank Cust Pro Capital I LLC, TLSG, 50 S 16th Street Suite 1950, Philadelphia, PA 19102, in the amount of \$701.58 for taxes or other municipal liens assessed for the year 2011 in the name of Ayres, Raymond & Clara, as supposed owners, and in said assessment and sale were described as 15 Ramapo Way, Block 101 Lot 15.07, which sale was evidenced by Certificate #12-00062; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-18-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust Pro Capital I LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,482.60, which is the amount necessary to redeem Tax Sale Certificate #12-00062.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust Pro Capital I LLC in the amount of **\$1,482.60**.

Resolution #77-2013 – Redemption of Tax Certificate

RESOLUTION #77-2013
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 October 25, 2012 to Arthur Frustaci, 1178 Fifth Avenue, Alpha, NJ 08865, in the amount of \$190.33 for taxes or other municipal liens assessed for the year 2011 in the name of Metcalf, Agnes, as supposed owners, and in said assessment and sale were described as 112 Lenape Trail, Block 101 Lot 15.34, which sale was evidenced by Certificate #12-00064; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-18-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank claiming to have an interest in said lands, did redeem said lands claimed by Arthur Frustaci by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$917.17, which is the amount necessary to redeem Tax Sale Certificate #12-00064.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Arthur Frustaci, 1178 Fifth Avenue, Alpha, NJ 08865 in the **amount of \$917.17**.

Resolution #78-2013 – Redemption of Tax Certificate

RESOLUTION #78-2013
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 October 25, 2012 to US Bank Cust, ATR-NJ & CAPONE, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102-2513, in the amount of \$353.30 for taxes or other municipal liens assessed for the year 2011 in the name of Bottini, Gilbert & Esteves, Alfred, as supposed owners, and in said assessment and sale were described as 5 McKinley Avenue, Block 47 Lot 1, which sale was evidenced by Certificate #12-00036; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-18-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust ATR-NJ & CAPONE by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,100.08, which is the amount necessary to redeem Tax Sale Certificate #12-00036.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 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 ATR-NJ & CAPONE, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102-2513 in the amount of **\$1,100.08**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 47 Lot 1 from the tax office records.

Resolution #79-2013 – Redemption of Tax Certificate

RESOLUTION #79-2013
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 October 25, 2012 to Singh Real Estate, 555 Lincoln Drive West, Suite 100, Marlton, NJ 08053, in the amount of \$692.03 for taxes or other municipal liens assessed for the year 2011 in the name of Bridygham, Jamie & Frye, Angela, as supposed owners, and in said assessment and sale were described as 239 Belvidere Avenue, Block 18.01 Lot 5, which sale was evidenced by Certificate #12-00017; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-18-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank, claiming to have an interest in said lands, did redeem said lands claimed by Singh Real Estate by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,471.94, which is the amount necessary to redeem Tax Sale Certificate #12-00017.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Singh Real Estate, 555 Lincoln Drive West, Suite 100, Marlton, NJ 08053 in the amount of **\$1,471.94**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 18.01 Lot 5 from the tax office records.

Resolution #80-2013 – Redemption of Tax Certificate

RESOLUTION #80-2013
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 October 25, 2012 to US Bank Cust Pro Capital I LLC, TLSG, 50 S 16TH Street, Suite 1950, Philadelphia, PA 19102 in the amount of \$352.58 for taxes or other municipal liens assessed for the year 2011 in the name of Antognoli, Robert, as supposed owner, and in said assessment and sale were described as 16 West Warren Street, Block 19.01 Lot 7, which sale was evidenced by Certificate #12-00018; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-18-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust Pro Capital I LLC, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,099.23, which is the amount necessary to redeem Tax Sale Certificate #12-00018.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust Pro Capital I LLC, TLSG, 50 S 16th Street, Suite 1950, Philadelphia, PA 19102 in the amount of **\$1,099.23**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 19.01 Lot 7 from the tax office records.

Resolution #81-2013 – Redemption of Tax Certificate

RESOLUTION #81-2013
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 October 25, 2012 to US Bank Cust Pro Capital I LLC, TLSG, 50 S 16TH Street, Suite 1950, Philadelphia, PA 19102 in the amount of \$693.09 for taxes or other municipal liens assessed for the year 2011 in the name of Anderson, Michael & Samantha, as supposed owners, and in said assessment and sale were described as 5 Sunrise Terrace, Block 43 Lot 4, which sale was evidenced by Certificate #12-00030; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-18-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust Pro Capital I LLC, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,446.07, which is the amount necessary to redeem Tax Sale Certificate #12-00030.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust Pro Capital I LLC, TLSG, 50 S 16th Street, Suite 1950, Philadelphia, PA 19102 in the amount of **\$1,446.07**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 43 Lot 4 from the tax office records.

Resolution #82-2013 – Redemption of Tax Certificate

RESOLUTION #82-2013
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 October 25, 2012 to FWDSL & Associates LP, 5 Cold Hill Road S., Suite 11, Mendham, NJ 07945 in the amount of \$531.01 for taxes or other municipal liens assessed for the year 2011 in the name of Frank, Matthew & Amy as supposed owners, and in said assessment and sale were described as 9 Taylor Street, Block 29 Lot 8, which sale was evidenced by Certificate #12-00025; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-18-13 and before the right to redeem was cut off, as provided by law, Deutsche Bank, claiming to have an interest in said lands, did redeem said lands claimed by FWDSL & Associates by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,276.77, which is the amount necessary to redeem Tax Sale Certificate #12-00025.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 5 Cold Hill Road S., Suite 11, Mendham, NJ 07945 in the amount of **\$1,276.77**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 29 Lot 8 from the tax office records.

Resolution #83-2013 – Redemption of Tax Certificate

RESOLUTION #83-2013
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 October 25, 2012 to US Bank Cust, ATR-NJ & CAPONE, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102-2513, in the amount of \$693.28 for taxes or other municipal liens assessed for the year 2011 in the name of Leinbach, Deborah, as supposed owner, and in said assessment and sale were described as 114 Myrtle Avenue, Block 44 Lot 21, which sale was evidenced by Certificate #12-00031; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-14-13 and before the right to redeem was cut off, as provided by law, Comerica Bank, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust ATR-NJ & CAPONE by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,473.55, which is the amount necessary to redeem Tax Sale Certificate #12-00031.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 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 ATR-NJ & CAPONE, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102-2513 in the amount of **\$1,473.55**

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 44 Lot 21 from the tax office records.

Resolution #84-2013 – Redemption of Tax Certificate

RESOLUTION #84-2013
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 October 25, 2012 to FWDSL & Associates LP, 5 Cold Hill Rd S Ste:11, Mendham, NJ 07945, in the amount of \$683.08 for taxes or other municipal liens assessed for the year 2011 in the name of Morand, Antonio, as supposed owners, and in said assessment and sale were described as 205 Rush Avenue, Block 6 Lot 56, which sale was evidenced by Certificate #12-00006; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-21-13 and before the right to redeem was cut off, as provided by law, Wells Fargo/Mortgage Svc claiming to have an interest in said lands, did

redeem said lands claimed by FWDSL & Associates LP by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,565.80, which is the amount necessary to redeem Tax Sale Certificate #12-00006.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FWDSL & Associates LP, 5 Cold Hill Rd S Ste: 11, Mendham, NJ 07945 in the amount of **\$1,965.80** (this amount consists of \$1,565.80 Certificate Amount redeemed + \$400.00 Premium)

Resolution #85-2013 – Redemption of Tax Certificate

RESOLUTION #85-2013
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 October 25, 2012 to US Bank Cust, ATR-NJ & CAPONE, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102-2513, in the amount of \$247.59 for taxes or other municipal liens assessed for the year 2011 in the name of Ramos, Jessica & Cabrera, Angela, as supposed owners, and in said assessment and sale were described as 100 Park Avenue, Block 79 Lot 5, which sale was evidenced by Certificate #12-00046; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-26-13 and before the right to redeem was cut off, as provided by law, Comerica Bank, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust ATR-NJ & CAPONE by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$983.96, which is the amount necessary to redeem Tax Sale Certificate #12-00046.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of April, 2013 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 ATR-NJ & CAPONE, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102-2513 in the amount of **\$983.96**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 79 Lot 5 from the tax office records.

Resolutions #71-2013, #72-2013, #73-2013, #74-2013, #75-2013, #76-2013, #77-2013, #78-2013, #79-2013, #80-2013, #81-2013, #82-2013, #83-2013, #84-2013, and #85-2013 were moved on a motion made by Higgins, seconded by Gleba and approved.

Roll Call: Gleba, Jewell, Torres, McDonald, Thompson, Conry,
Higgins
Ayes: 7, Nays: 0
Abstain: Thompson - Resolutions #72-2013 and #79-2013
Motion Carried

Resolution #86-2013 – Cancel 2013 Taxes due to Exempt Status

RESOLUTION # 86-2013
A RESOLUTION TO CANCEL 2013 TAXES
DUE TO VETERAN EXEMPT STATUS

WHEREAS, the Tax Collector has received an approved application for a 100% Permanent and Total Disabled Veteran from the Tax Assessor for Block 4 Lot 12; located at 254 W Warren Street and in the name of Polachak, Thomas N; and

WHEREAS, the Tax Assessor has advised the Tax Collector that the application for the exemption was received and approved with an effective date of July 1, 2011; and

WHEREAS, the tax exemption does not show in the 2013 Tax Duplicate and will be in effect in the 2014 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Tax Collector is authorized to cancel the 2013 Real Estate Property Taxes from January 1, 2013 to December 31, 2013 due to the exempt status.

Resolution #86-2013 was moved on a motion made by Torres, seconded by Higgins and approved.

Roll Call: Gleba, Jewell, Torres, McDonald, Thompson, Conry,
Higgins
Ayes: 7, Nays: 0
Motion Carried

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$585,069.06

Motion made by Higgins, seconded by Gleba and approved.

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

Ayes: 7, Nays: 0

Abstain: Thompson – Fire Dept. & EMS
Jewell – Fire Dept. & EMS
Higgins - Fire

MEETING RE-CAP:

Manager Blanchard will make the necessary budget changes in time for the next meeting. Manager Blanchard will provide the list of streets that need repair provided by DPW to the Streets and Roads Committee for their meeting next week. Councilman Higgins asked that Manager Blanchard inform Washington Township of the Borough's decision to remove the indirect expenses from this year's Shared Services budget and also that the Borough wants the full refund amount that is owed.

COUNCIL REMARKS:

Councilman Torres stated that he spoke briefly with Manager Blanchard about the crosswalk and it is getting fixed tomorrow. Councilman Torres noted that there are still more episodes of vandalism involving spray paint. Councilman Torres suggested that Council should try to stop it. Councilman Torres also noticed a break in to an abandoned home. Councilman Jewell suggested asking the police to increase patrol into these areas.

Councilwoman Gleba asked if there was any update regarding the removal of trees after Hurricane Sandy. Manager Blanchard stated that the tree removal company are booked solid and are probably about six to eight months behind.

Councilman Thompson asked if Manager Blanchard heard from New Jersey American Water regarding pending issues. Manager Blanchard said that NJAW agreed to the \$125,000 proposal, however NJAW were not able to provide a reduction in the hydrant fees because they are regulated by the Board of Public Utility. Manager Blanchard will be having a meeting with the Washington Township Assessor to determine how the improvements, specifically the tower, added to that property will be assessed. NJAW will be responsible to pay the taxes.

Councilman Higgins asked Manager Blanchard how many of the work liens that were put on tax sale homes in the Borough last year were paid. Manager Blanchard replied that she believed that none of them were redeemed because all the homes were either abandoned or foreclosed and not selling. The liens must be redeemed before the houses can be sold. Councilman Higgins also asked Manager Blanchard to put out an email blast stating the start date for vegetative waste to be picked up. Councilman Higgins also

inquired about the progress on South Prospect with the Sewer Engineer. Manager Blanchard received a report from the Sewer Engineer. Once Manager Blanchard reads through the report, a meeting will be scheduled. Lastly, Councilman Higgins asked for an update on the Veolia Water projects. Manager Blanchard followed up with Kevin Shoudt and Veolia is still working on obtaining prices for the scope of work. Also, Veolia is working on the headworks project and they are looking at completion of the project in September.

EXECUTIVE SESSION:

Resolution #96-2013 Executive Session Authorization

A motion was made by Jewell, seconded by Torres, to go into Executive Session after a ten minute break.

Ayes: 7, Nays: 0
Motion Carried

RESOLUTION # 96-2013
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: ___personnel_____. 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.);

_____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: _____ 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.

Resolution #87-2013 Appointing Natasha Turchan as Temporary Tax Collector effective April 1, 2013

RESOLUTION #87-2013
RESOLUTION BY THE MAYOR AND COUNCIL OF THE BOROUGH OF
WASHINGTON TO APPOINT NATASHA TURCHAN AS TEMPORARY TAX
COLLECTOR EFFECTIVE APRIL 1, 2013

WHEREAS, the Borough of Washington has a need for a temporary Certified Tax Collector to fill the vacancy left by the current retiring Tax Collector effective April 1, 2013; and

WHEREAS, State Law requires every municipality in the State of New Jersey to have a licensed Tax Collector, and

WHEREAS, the Municipal Manager has recommended to the Mayor and Council the temporary appointment of Natasha Turchan as Certified Tax Collector;

WHEREAS, during the temporary appointment the Municipal Manager and the CFO will continue the search for a permanent part time tax collector to fill the un-expired term of the retiring Tax Collector; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, appoint Natasha Turchan to the position of Temporary Certified Municipal Tax Collector effective April 1, 2013.

Resolution #87-2013 was moved on a motion made by Torres, seconded by Gleba and approved.

Roll Call: Gleba, Jewell, Torres, McDonald, Thompson, Conry,
Higgins
Ayes: 7, Nays: 0
Motion Carried

Hearing no further business, a motion made by Jewell, seconded by Torres to adjourn the meeting at 8:40p.m.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk