

## **MINUTES OF REGULAR MEETING HELD MARCH 1, 2005**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 8:00 P.M.

Roll Call: Housel, Oakley, Van Deursen, Turner, Buoye and Woykowski.  
6 Present.

Absent: Glaser – 1 Absent.  
Robert Miller, C.M.E., Borough Engineer

Also Present: Richard J. Sheola, Borough Manager  
Richard P. Cushing, Esq., Municipal Attorney  
Linda L. Hendershot, RMC/CMC, Borough Clerk

Mayor Van Deursen led everyone in the flag salute.

Mayor Van Deursen 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:**

#### **Special Meeting – February 7, 2005**

Mayor Van Deursen entertained additions or corrections to the minutes of the special meeting held February 7, 2005. One correction was noted in the last sentence. The word “at” should read “to”. The Clerk so noted.

It was therefore moved by Oakley, seconded by Turner that the minutes of the special meeting held February 7, 2005 be accepted as corrected.

Roll Call: Oakley, Turner, Van Deursen, Buoye and Woykowski – Ayes: 5,  
Nays: 0. Abstained: Housel.

Motion carried.

#### **Regular Meeting – February 15, 2005**

Mayor Van Deursen entertained additions or corrections to the minutes of the regular meeting held February 15, 2005.

The following corrections were noted as follows:

Page 2, first paragraph, the word has should read as;

Page 2, second paragraph, the word relief should read relieve;

Page 2, the word until should be changed to and;

Page 5, the word ties should read times;

Page 6, Thomas should read Turner;

Page 7, the word agreement was spelled incorrectly;

Page 8, the word lie should read lieu;

Page 9, West Johnston Street was reflected twice and should read Flower Avenue;

Page 9, the word is should be changed to are and the word could changed to has;  
and

Page 11, Resolution #36-2005, first paragraph the word “MEN” was deleted

It was moved by Housel, seconded by Buoye that minutes of the regular meeting be approved with the corrections so noted by the Clerk.

Roll Call: Housel, Woykowski, Buoye, Van Deursen, Oakley and Turner.

Ayes: 6, Nays: 0.  
Motion carried.

**COMMUNICATIONS:**

The following communications were entered into the Record:

- 1) Warren County Planning Board – County Strategic Plan;
- 2) NJ League RE: A-193 Cancer Presumption;
- 3) NJ League RE: Fundamental Reform; Land Use, Regulatory & Fiscal Reform;
- 4) NJ League RE: Fuel Excise Tax Coalition;
- 5) NJ League RE: S-1990/A-2432 Additional Fines for Overcrowding; and
- 6) NJ State League RE: Federal Transportation Reauthorization

It was moved by Turner, seconded by Housel that the communications numbered #1 thru #6 be acknowledged, received and filed.

Discussion: Councilman Turner noted that communication #3 should have been received by the Council earlier.

Mayor Van Deursen wanted to discuss the bills the legislature is considering to increase fines for overcrowding for dwellings containing four or fewer unit. She suggested that the Manager prepare a resolution for consideration for the next Council meeting. Councilman Turner was concerned with the word “alleged” in this communication. This word is a very tricky word and he did not want to see our Police Department waste their time if the Borough were to adopt such an ordinance.

Mayor Van Deursen noted that this issue has been of some concern in the past here in the community where the fire code official has observed overcrowding of apartments. A resolution will be prepared by the Manager for consideration at the next meeting.

Communication number 6 was also discussed with regard to Federal Transportation Reauthorization. Discussion by Council ensued and Councilwoman Oakley felt that the sample resolution attached to this communication could be tailored to the Borough’s needs. Inasmuch as the Borough does not have any County roads where we receive funding this program may provide another source of funding. The Manager will look into this issue prior to preparing a resolution.

Manager Sheola advised the governing body that a copy of the County Strategic Plan is available in his office if anyone would like to review it.

Manager Sheola also addressed the communication involving the legislation issue of cancer presumption. There is no factual evidence or medical presumption whatsoever that would link cancer to our firefighters jobs with the municipality. He suggested that a letter from Council go to the League opposing this legislation. A letter will be prepared for the Mayor’s signature opposing this bill.

Ayes: 6, Nays: 0.  
Motion carried.

**AUDIENCE:**

Mayor Van Deursen entertained remarks, petitions, statements or testimony from guests on items that were not part of the meeting agenda.

Hearing none, it was moved by Housel, seconded by Woykowski that the audience portion of the meeting be closed.

Ayes: 6, Nays: 0.  
Motion carried.

**PRESENTATION:**

**Richard Cotton**

Mr. Cotton was due to arrive at approximately 8:30 PM. Mayor Van Deursen suggested that Council go on to Ordinances until Mr. Cotton's arrival.

**ORDINANCES:**

**Ordinance #3-2005** – Establishing a Senior Citizen Advisory Committee (First Reading)

An ordinance creating a Senior Citizen Advisory Committee was introduced by Councilman Housel.

It was moved by Housel, seconded by Oakley that the Clerk read Ordinance #3-2005 by title only.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Turner and Oakley.

Ayes: 6, Nays: 0.  
Motion carried.

The Clerk read Ordinance #3-2005 entitled, "AN ORDINANCE AMENDING CHAPTER XIV OF THE CODE OF THE BOROUGH OF WASHINGTON TO ESTABLISH A SENIOR CITIZEN ADVISORY COMMITTEE.

Council Discussion:

For the benefit of the audience the Mayor read off names of the Committee. Susan Wagner-Glaser, Deputy Mayor, Christina Woykowski, Dawn Higgins, Patricia Post, Al Zabriskie and a representative from the Fire Department and the Emergency Squad.

It was pointed out by Councilman Turner that the Fire Department representative should be a resident of the Borough. The Emergency Squad member must be a resident and he felt the Fire Department should be as well. This will be corrected.

It was therefore moved by Oakley, seconded by Turner that Ordinance #3-2004 be approved on first reading.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Turner and Oakley.

Ayes: 6, Nays: 0.  
Motion carried.

It was further moved by Housel, seconded by Woykowski that Ordinance #3-2005 be published in the Star Gazette on March 10, 2005 and that the public hearing be scheduled for April 5, 2005.

Roll Call: Oakley, Turner, Van Deursen, Woykowski, Housel and Buoye.

Ayes: 6, Nays: 0.  
Motion carried.

Mayor Van Deursen advised that the Salary Ordinances, Ordinance #4-2005 and #5-2005 would be considered after Council comes out of Executive Session and back into open session at the end of the meeting.

**REPORTS:**

It was moved by Housel, seconded by Oakley that the Zoning/Code Enforcement, Road Department O.T., Recreation Commission, Detention Facility, Borough Manager's and Railroad Avenue Park reports be accepted as presented and filed.

Discussion: Councilman Turner had a question in regard to the Road Department's report with respect to snow storm call-out that he wanted to discuss in executive session. Attorney Cushing noted that unless it deals with personnel and discussing a particular person his questions would have to be aired in open session. Mr. Turner was concerned with the Road Department being on call after perhaps working an entire shift for the day and then having to remain for a snow emergency. He did not feel that this type of situation was safe.

The bid results were discussed. There were no bids received for the Garage site work and only one bid for the sidewalk project that was substantially over the engineer's estimate. Manager Sheola indicated that both projects would be placed out to bid again as soon as possible.

The Railroad Avenue Park report was discussed also. The Skate Park will not be included in the existing plan at the new facility but may be considered at the existing park. Mr. Feldman, who is a member of the Recreation Commission, indicated that the Commission has decided it would be more accessible to the children if it was in town.

Ayes: 6, Nays: 0.  
Motion carried.

**Richard Cotton's Presentation – Washington Borough Redevelopment Plan**

Mr. Richard Cotton gave the Council and audience a presentation of his conceptual plan for Phase I of Washington Borough's Redevelopment Plan. Mr. Cotton's plan covers the redevelopment of the area which begins at Felix's Tavern up to Vannatta Street including the lot across from the Methodist Church, down Vannatta Street to the Shabbecong and over to Alleger Street encompassing the area where the old garage will be abandoned by the Borough when the new one is relocated off Rt. 57 by the Sewage Treatment Plant.

The plan called for a mix of residential condominiums and a commercial mix. Access to all of the areas would be behind the buildings to lessen the traffic on the Rt. 57.

He would like to request consideration from the Mayor and Council to be the lead Re-Developer of this project. All of the properties encompassed in Phase I would have to be purchased or condemnation proceedings would have to be done and this would involve the governing body.

Councilwoman Woykowski commended Mr. Cotton for his excellent presentation. However, she was not in favor of the units proposed. The density was too great and she was not in favor of units that would favor the formulation of a Condominium Association. They have too much power and control.

Councilman Housel noted for the record that he was not in favor of condemnation of any of our properties.

Councilman Buoye noted that the acquisition of properties is the key issue in this project in order for it to move forward. He did not feel that the municipality should become involved with any of the acquisition. In general, the concept was good.

Mayor Van Deursen noted that there are areas in Mr. Cotton's conceptual plan that he has modified that differ from the Re-development Plan done by the Planning Board. Mr. Cotton has a lot of interest in the Borough as he is originally from Washington Borough. The Mayor's real concern was that the people affected by this re-development plan are treated with respect and dealt with properly. The Borough does need ratables and this plan would improve the economic outlook for the community.

Councilman Turner was pleased that Mr. Cotton was interested in the Borough. His main concern with three and four story buildings was the impact on our emergency services; the Fire Department and Emergency Squad. The number of people that the density would create is of concern. Mr. Cotton explained that if planned right volunteerism in the community could increase. Mr. Turner also noted that the NJ American Water Company is located in this block of properties that would be impacted.

Attorney Cushing addressed the Re-development process. There is a particular statute which covers this process and there is a lot of policy that the governing body must set forth and the public is very much involved as well. The Planning Board also takes part in the process. An ordinance would have to be adopted, a developer named, the properties would have to be identified and then would have to be acquired. It is a very lengthy and time consuming process.

The municipality doesn't have the funding in place to do this.

The Mayor recognized some residents in the audience who wished to speak.

**Gina Appleby, 28 Willow Street** noted that Mr. Cotton is the first re-developer to appear before the governing body. She asked Mr. Cotton why they should choose him?

Mr. Cotton explained that he has been involved with other communities and their re-development plans and would be happy to give these references to Mrs. Appleby. He has been involved with re-development projects in Bound Brook, Ocean Township, Hawk Point and Waretown. There certainly are other re-developers that could come forward and present a proposal such as he did.

Mrs. Appleby questioned what would happen to buildings in stable condition or if they have been upgraded and stand in the way of this re-development? What about some of our elderly residents who might not want to move? Would they be displaced?

Jim Sheldon noted that there would be COAH Units available that some of these residents would be eligible for?

**Rick Feldman, 19 Prosper Way** posed the question as to whether the Council would entertain additional re-developers? Mayor Van Deursen noted that the Borough has been advertising and is on the look-out. Mr. Cotton is the only developer who has presently come forth. Mr. Cotton indicated that there are a lot of opportunities in the Borough of Washington. Washington's re-development is a four-step plan. The process could take several years to accomplish.

The impact on the assessment process and loss of tax revenue was touched upon. The Manager discussed the process and noted that the values could go down for a period of time but would level off.

Mr. Feldman also had a concern that the developer might buy up all of these Borough properties and then perhaps run out of money and leave the buildings standing? Attorney Cushing noted that there would certainly have to be performance guarantees or a Letter or Credit given to the Borough.

Councilman Housel stated that he was opposed to the governing body condemning property for someone else's personal gain.

Mayor Van Deursen polled Council as to whether they wanted to pursue this venture with Mr. Cotton. Council agreed and it was decided that a Sub-Committee would be formed at the next meeting to work with Mr. Cotton.

**VOUCHERS:**

Mayor Van Deursen entertained additions or questions in regard to payment of the vouchers and claims.

Councilman Turner had several questions in regard to the vouchers beginning on Page 2. A voucher to Burdge's Auto for the Police Department for \$ 1,700.00. The bill seems extensive for the work done. He asked that the Manager check it out prior to being paid. Another question on Page 2 was for a Voice Amplifier Kit for the Fire Department.

On Page 3 – Jersey Fire Equipment – more Amplifier Kits for the Fire Department ranging from \$ 100.00 to \$ 500.00 in price.

Another on Page 3 for the Road Department – Sand Blaster repair?

Page 6 – Planning Board – Typewriter repair?

Page 9 – Flashlight batteries - Mr. Turner questioned the cost versus Re-Chargeable Batteries?

Page 8 -Aerosol and electrical items – Venmark Sales, Inc.

There being no further questions from any of the Council, it was moved by Housel, seconded by Woykowski that the vouchers and claims be approved, pending an explanation of the vouchers questioned by Councilman Turner, in the amount of \$545,510.03 as reflected in the debit/credit memorandum on file in the Collector-Treasurer's office.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Turner and Oakley.

Ayes: 6, Nays: 0.  
Motion carried.

**OLD BUSINESS:**

**Resolution #22-2005 – Local Assistance Board**

Mayor Van Deursen recommended **Patricia Post** to serve on the **Local Assistance Board**.

It was moved by Housel, seconded by Turner that Patricia Post be appointed to the Local Assistance Board as follows:

**RESOLUTION #22-2005**

**LOCAL ASSISTANCE BOARD – CITIZEN MEMBER**  
**REPLACING THE VACANCY LEFT BY THE**  
**RESIGNATION OF ALAN M. FISHER.**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is now governed by Plan "E" of Municipal Charter Law; and

**WHEREAS**, under this plan the Mayor of the Borough is to appoint (1) citizen member to serve on the **Local Assistance Board**; and

**WHEREAS**, there is a vacancy created by the resignation of Alan M. Fisher, whose term expires, January 1, 2006; and

**WHEREAS**, the Council does approve of this appointment.

**BE IT THEREFORE RESOLVED**, that the following named person be appointed to fill the vacancy of Alan M. Fisher, said term to expire **January 1, 2006.**

**Patricia Post**  
**Name**

Roll Call: Housel, Woykowski, Buoye, Van Deursen, Oakley and Turner.

Ayes: 6, Nays: 0.  
Motion carried.

**NEW BUSINESS:**

**Up-Date – Borough Web-site**

Mayor Van Deursen reported that the first phase of the web-site is completed; it has been designed and launched. The Borough wants to continue to provide up-dated information on the web-site and should now look to some mid-term and long-term goals. She appointed Councilwoman Christina Woykowski to the committee replacing former Councilman Scott McDonald. She commended City Connections for the wonderful job they have done for the Borough. Their company has been very accommodating and professional and any items transmitted to them are posted in less than twenty-four (24) hours.

**Taylor Street School Request**

Based on a memorandum from the Chief of Police regarding the Taylor Street Closing it was his recommendation that Taylor Street be opened at 12:00 P.M. for the drop off and pick-up of students for a period of one month on a trial basis to see if any problems do arise before a final determination is made by the governing body.

Council concurred. It was therefore moved by Oakley, seconded by Housel that the Council accept the Chief's recommendation and that Taylor Street be opened up for pick-up and drop-off at 12:00 P.M. on a trial basis for one month before a final determination is made by the governing body.

Ayes: 6, Nays: 0.  
Motion carried.

**Resolution #42-2005 – Contract for Professional Services**

The following Resolution was moved by Housel, seconded by Woykowski and adopted:

**RESOLUTION #42-2005**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER  
INTO A CONTRACT FOR PROFESSIONAL SERVICES  
WITHOUT SEEKING COMPETITIVE BIDS.**

**WHEREAS**, there exists a need for professional engineering services in the area of wastewater collection and treatment; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

**WHEREAS**, the firm of Maser Consulting, P.A. of Matawan, New Jersey has agreed to perform professional engineering services, as outlined in the proposed Agreement for Professional Engineering Services attached hereto; and

**WHEREAS**, the services to be provided by Maser Consulting, P.A. of Matawan, New Jersey constitutes professional services that need not be bid pursuant to the Public Contract Law (N.J.S.A. 40A:11-1 et. seq.)

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey as follows:

1. The Mayor and Clerk are hereby authorized and directed to enter into the attached Agreement with Maser Consulting, P.A. of Matawan, New Jersey;
2. The contract is awarded without competitive bidding as professional services in accordance with N.J.S.A. 40A:11-5; and
3. The necessary funds are available in the 2005 Municipal Budget and 2005 Sewer Utility Budget;
4. Notification of the contract shall be printed in the Star Gazette; and
5. That an executed copy of the contract between the parties be on file with the Office of the Clerk and be available for public inspection in accordance with the law.

Roll Call: Woykowski, Buoye, Housel, Turner, Oakley and Van Deursen.

Ayes: 6, Nays: 0.  
Motion carried.

**Resolutions #43-2005 thru #50-2005**

The following Resolutions were moved by Housel, seconded by Buoye and adopted:

**RESOLUTION #43-2005**

**A RESOLUTION AUTHORIZING THE REFUNDING OF  
AN OVERPAYMENT OF THE BOROUGH'S  
SEWER SERVICE CHARGE**

**WHEREAS**, according to the Treasurer's records, there is an overpayment showing on the following property; and

<b><u>BLOCK/LOT</u></b>	<b><u>PROPERTY OWNER/ PROPERTY LOCATION</u></b>	<b><u>AMOUNT TO BE REFUNDED</u></b>
84/34	Giordano, Philip 21 Fisher Avenue	\$ 43.00

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$ 43.00 should be mailed to:

Philip Giordano  
27 Deer Path  
Hillsborough, NJ 08844

**WHEREAS**, the Borough Treasurer's office has received a written request that the above amount be refunded.

**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 Borough Treasurer is authorized to refund the above overpayment amount.

Roll Call: Woykowski, Van Deursen, Oakley, Turner, Buoye and Housel.

Ayes: 6, Nays: 0.  
Motion carried.

**RESOLUTION #44-2005**

**A RESOLUTION AUTHORIZING THE REFUNDING OF  
AN OVERPAYMENT OF THE BOROUGH'S  
SEWER SERVICE CHARGE.**

**WHEREAS**, according to the Treasurer's records, there is an overpayment showing on the following property; and

<b><u>BLOCK/LOT</u></b>	<b><u>PROPERTY OWNER/ PROPERTY LOCATION</u></b>	<b><u>AMOUNT TO BE REFUNDED</u></b>
88/8	Evans, Marjorie 200 Broad Street	\$ 172.00

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$ 172.00 should be mailed to:

Marjorie Evans  
2040 Lehigh Stret – Apt. #705  
Easton, PA 18042

**WHEREAS**, the Borough Treasurer's office has received a written request that the above amount be refunded.

**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 Borough Treasurer is authorized to refund the above overpayment amount.

Roll Call: Oakley, Turner, Van Deursen, Housel, Buoye and Woykowski.

Ayes: 6, Nays: 0.  
Motion carried.

**RESOLUTION #45-2005**

**A RESOLUTION AUTHORIZING THE REFUNDING OF  
AN OVERPAYMENT OF THE BOROUGH'S  
SEWER SERVICE CHARGE**

**WHEREAS**, according to the Treasurer's records, there is an overpayment showing on the following property; and

<b><u>BLOCK/LOT</u></b>	<b><u>PROPERTY OWNER/ PROPERTY LOCATION</u></b>	<b><u>AMOUNT TO BE REFUNDED</u></b>
13.01/1	Lanzara, Thomas T. 36 Grand Avenue	\$ 43.00

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$ 43.00 should be mailed to:

Thomas T. Lanzara  
59 Hillside Road  
Chester, NJ 07930

**WHEREAS**, the Borough Treasurers office has received a written request that the above amount be refunded.

**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 Borough Treasurer is authorized to refund the above overpayment amount.

Roll Call: Woykowski, Housel, Van Deursen, Oakley, Turner and Buoye.

Ayes: 6, Nays: 0.  
Motion carried.

**RESOLUTION #46-2005**

**A RESOLUTION AUTHORIZING THE REFUNDING OF  
AN OVERPAYMENT OF THE BOROUGH'S  
SEWER SERVICE CHARGE**

**WHEREAS**, according to the Treasurer's records, there is an overpayment showing on the following property; and

<b><u>BLOCK/LOT</u></b>	<b><u>PROPERTY OWNER/ PROPERTY LOCATION</u></b>	<b><u>AMOUNT TO BE REFUNDED</u></b>
16/2	Levesque, Margaret & Douglas 61 Carlton Ave.	\$ 43.00

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$ 43.00 should be mailed to:

Margaret & Douglas Levesque  
470 Fairway Drive  
Union, NJ 07083

**WHEREAS**, the Borough Treasurer's office has received a written request that the above amount be refunded.

**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 Borough Treasurer is authorized to refund the above overpayment amount.

Roll Call: Housel, Oakley, Van Deursen, Turner, Woykowski and Buoye.

Ayes: 6, Nays: 0.  
Motion carried.

**RESOLUTION #47-2005**

**A RESOLUTION AUTHORIZING THE REFUNDING OF  
AN OVERPAYMENT OF THE BOROUGH'S  
SEWER SERVICE CHARGE.**

**WHEREAS**, according to the Treasurer's records, there is an overpayment showing on the following property; and

<u>BLOCK/LOT</u>	<u>PROPERTY OWNER/ PROPERTY LOCATION</u>	<u>AMOUNT TO BE REFUNDED</u>
67/1	West Washington Realty, Inc. 210 E. Washington Avenue and	\$ 43.00
67/2	200 E. Washington Ave.	\$ 21.50

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$ 64.50 should be mailed to:

West Washington Realty  
2285 Route 22 West  
Union, NJ 07083

**WHEREAS**, the Borough Treasurer's office has received a written request that the above amount be refunded.

**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 Borough Treasurer is authorized to refund the above overpayment amount.

Roll Call: Oakley, Turner, Van Deursen, Buoye, Housel and Woykowski.

Ayes: 6, Nays: 0.  
Motion carried.

**RESOLUTION #48-2005**

**A RESOLUTION AUTHORIZING THE REFUNDING OF  
AN OVERPAYMENT OF THE BOROUGH'S  
SEWER SERVICE CHARGE.**

**WHEREAS**, according to the Treasurer's records, there is an overpayment showing on the following property; and

<u>BLOCK/LOT</u>	<u>PROPERTY OWNER/ PROPERTY LOCATION</u>	<u>AMOUNT TO BE REFUNDED</u>
94/49	Hale, John C. 36 Broad St.	\$ 43.00

The former owner made an overpayment during the closing procedures on the above property location. A refund of \$ 43.00 should be mailed to:

John C. Hale  
124 Stanton Rd.  
Flemington, NJ 08822

**WHEREAS**, the Borough Treasurer's office has received a written request that the above amount be refunded.

**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 Borough Treasurer is authorized to refund the above overpayment amount.

Roll Call: Housel, Oakley, Turner, Woykowski, Buoye and Van Deursen.

Ayes: 6, Nays: 0.  
Motion carried.

**RESOLUTION #49-2005**

**A RESOLUTION AUTHORIZING A REFUND  
OF 2005 DUPLICATE TAX PAYMENT**

**WHEREAS**, according to the Tax Collector's records, there has been a duplicate payment in the amount of \$ 1,157.60 for 1<sup>st</sup> quarter 2005 taxes for Block 019, Lot 003; the result of Fremont Investment and Loan, through Land America Tax & Flood Services, making a payment on February 4, 2005 on behalf of Kristen Romankow. This duplicated a payment made on January 26, 2005, by Kristen Romankow, on her own behalf.

**WHEREAS**, the Tax Collector has received written authorization from Land/America Tax & Flood Services directing the duplicate payment be returned to:

Land America Tax & Flood Services  
200 North Warner Road – Suite 110  
King of Prussia, PA 19406

Attn.: Jennifer Judice (Loan #7000812574)  
(Contract #36400423)

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council for the Borough of Washington, in the County of Warren, State of New Jersey, that the Borough Treasurer is authorized to refund the duplicate payment in the amount of \$ 1,157.60 to Land America Real Estate Tax Services as directed.

Roll Call: Buoye, Van Deursen, Woykowski, Turner, Housel and Oakley.

Ayes: 6, Nays: 0.  
Motion carried.

**RESOLUTION #50-2005**

**RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE  
AS PER N.J.S.A. 54:5**

**KNOW ALL MEN BY THESE PRESENCE, THAT, WHEREAS**, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey were sold on December 1, 2004 to Data Ventures Investment Co, 3 Grove Farm Road, Pittstown, NJ 08867 in the amount of \$ 731.60 for taxes or other municipal liens assessed for the year of 2003 and in the name of Hartrum, Susan as supposed owners, and in said assessment and sale were described as 8 Vannatta Street, Block 094, Lot 019, which sale was evidenced by Certificate #392-04, dated and recorded in the office of the County Clerk.

**WHEREAS**, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 02/17/2004 and before the right to redeem was cut off, as provided by law, Charles Jones Inc/Express Financial Services, Inc., claiming to have an interest in said lands, did redeem said lands claimed by Data Ventures Investment Company, and last above mentioned, by paying to the Collector of Taxes of said taxing district of Washington Borough the amount of \$ 3,285.10, which is the amount necessary to redeem Tax Sale Certificate #392-04.

**NOW, THEREFORE**, on this 1<sup>st</sup> day of March, 2005 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Data Ventures Investment Co., 3 Grove Farm Road, Pittstown, NJ 08867 in the amount of \$ 3,285.10.

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 094, Lot 019 from the tax office records.

Roll Call: Oakley, Turner, Van Deursen, Woykowski, Housel and Buoye.

Ayes: 6, Nays: 0.  
Motion carried.

**Resolution #51-2005 – Rejecting Bid for the Sidewalk Improvement Project**

**WHEREAS**, the Borough of Washington advertised in the Star Gazette on February 3, 2005 for qualified bidders for the above project; and

**WHEREAS**, the Borough received only one (1) bid from a qualified contractor at the Bid Opening on February 23, 2005; and

**WHEREAS**, the bid received of \$ 163,917.50 was substantially higher than the Borough Engineer's estimate of \$ 131,436.50; and

**WHEREAS**, the Mayor and Council of the Borough of Washington wish to reject the bid for this work as it is in the best interest of the Borough of Washington.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey to reject the bid for this work as it is in the best interest of the Borough of Washington.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey to reject the bid for sidewalk reconstruction as received and authorize the Borough Manager and Engineer to re-bid the project as soon as possible.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to Robert Miller, C.M.E., Borough Engineer.

Roll Call: Oakley, Woykowski, Housel, Turner, Buoye and Van Deursen.

Ayes: 6, Nays: 0.  
Motion carried.

**Resolution #52-2005 – Declaring a “No Bid” for the Site Work for the Proposed Public Works Garage**

The following Resolution was moved by Housel, seconded by Oakley and adopted as follows:

**RESOLUTION #52-2005**

**A RESOLUTION DECLARING A “NO BID” for the SITE WORK FOR THE PROPOSED PUBLIC WORKS GARAGE.**

**WHEREAS**, the Borough of Washington advertised in the Star Gazette on February 3 2005 for qualified bidders for the above project; and

**WHEREAS**, the Borough received no bids from qualified contractors at the Bid Opening on February 23, 2005; and

**WHEREAS**, the Mayor and Council of the Borough of Washington wish to declare a “No Bid” for this project as it is in the best interest of the Borough of Washington.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey to declare a “No Bid” for the Site Work for the proposed DPW garage and authorize the Borough Manager and Engineer to re-bid the project as soon as possible.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to Robert Miller, CME, Borough Engineer.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Turner and Oakley.

Ayes: 6, Nays: 0.  
Motion carried.

**COUNCIL REMARKS:**

Mayor Van Deursen polled Council for their remarks.

Councilman Turner remarked that he was happy with everyone working together on Council and that everything was moving along as scheduled. He was pleased with Mr. Cotton’s presentation.

Councilman Buoye was also impressed with Mr. Cotton’s presentation. He was looking forward to seeing something come out of this vision but suggested that the Council proceed with caution and that the re-development process be handled legally and in an appropriate manner that was in the best interest of the community.

Councilman Housel also commended Mr. Cotton on his presentation. It was very well done. However, he was concerned with only one developer coming in. He would like to see other developers plans come in.

Mayor Van Deursen explained that the plan outlined was one that the Planning Board and Special Improvement District Committee has designed for the Borough’s needs in the Downtown Business District. To date, other than Mr. Cotton, no other developers have come forth.

Councilman Housel noted that he has a list of street lights, with pole #'s that he has reported to the power company in December and no work has been done to date on them.

Councilman Housel reported that the Pot-Luck Dinner for the employees is scheduled for April 1<sup>st</sup> and this is no April Fools Joke! Time was not decided upon. Council was to let the Manager know. It was suggested that it be relatively early so the employees could just leave from work to attend.

Councilwoman Woykowski had no remarks.

The Railroad Avenue plans were available in the Manager’s office and would be reviewed by the Recreation Commission the following evening on Wednesday.

Budget workshops were discussed and the following dates were arrived at:

Saturday, March 12<sup>th</sup> – 9 AM – 3 PM  
Sunday, March 13<sup>th</sup> – 1 PM – 3:30 PM  
Saturday, March 19<sup>th</sup> – 9 – 3 PM

The Clerk was directed to advertise the meetings dates.

Mayor Van Deursen summarized the budget process for review of the budget. A memorandum will be sent to all departments inviting them to attend the workshop hearings by the Manager.

Mayor Van Deursen invited everyone to attend the Irish Night sponsored by St. Joseph's Church on March 12<sup>th</sup>. If anyone is interested in attending, please let her know.

**Executive Session – Contract Negotiations**

It was moved by Housel, seconded by Oakley that the Council take a short recess at 10:30 PM and come back into Executive Session for the purpose of discussing CWA and PBA contract negotiations.

Ayes: 6, Nays: 0.  
Motion carried.

Council re-convened with everyone present at 10:50 PM. Council went into Executive Session.

It was moved by Housel, seconded by Oakley that the Council go back into open session at 10:55 PM.

Ayes: 6, Nays: 0.  
Motion carried.

**To consider the Execution of the PBA #280 Contract**

It was moved by Housel, seconded by Oakley that the Mayor, Clerk and Borough Manager be authorized to execute the PBA #280 Contract.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Turner and Oakley.

Ayes: 6, Nays: 0.  
Motion carried.

**Ordinance #4-2005 – Salary Ordinance – P.B.A. #280** (First Reading)

An ordinance providing the salary ranges for P.B.A. #280 was introduced by Councilman Housel.

It was moved by Housel, seconded by Oakley that the Clerk read Ordinance #4-2005 by title only.

The Clerk read Ordinance #4-2005 entitled, "AN ORDINANCE FIXING THE SALARY AND WAGES OF CERTAIN MUNICIPAL OFFICIALS AND REPEALING PORTIONS OF PRIOR INCONSISTENT SALARY AND WAGE ORDINANCES."

Council Discussion: None.

It was therefore moved by Housel, seconded by Turner that Ordinance #4-2005 be approved on first reading.

Roll Call: Woykowski, Turner, Oakley, Van Deursen, Housel and Buoye.

Ayes: 6, Nays: 0.  
Motion carried.

It was further moved by Housel, seconded by Turner that Ordinance #4-2005 be published in the Star Gazette on March 10, 2005 and that the public hearing be scheduled for April 5, 2005.

Roll Call: Buoye, Housel, Van Deursen, Oakley, Turner and Woykowski.

Ayes: 6, Nays: 0.  
Motion carried.

**Executive Session – Contract Negotiations (Resumed)**

It was moved by Oakley, seconded by Turner to go back into Executive Session at 11:03 PM to continue discussion of contract negotiations.

Ayes: 6, Nays: 0.  
Motion carried.

It was moved by Woykowski, seconded by Oakley that the Council go back into open session at 11:12 PM.

Ayes: 6, Nays: 0.  
Motion carried.

**To consider the Execution of the CWA Contract**

It was moved by Oakley, seconded by Woykowski that the Mayor, Clerk and Manager be authorized to execute the CWA Contract.

Roll Call: Oakley, Turner, Woykowski, Van Duersen and Buoye – Ayes: 5,  
Nays: 0. Abstained: Housel.

Motion carried.

**Ordinance #5-2005 – Salary Ordinance – Municipal Employees -CWA** (First Reading)

An ordinance providing the salary ranges for the municipal employees under the CWA contract was introduced by Councilman Buoye.

It was further moved by Buoye, seconded by Oakley that the Clerk read Ordinance #5-2005 by title only.

Roll Call: Oakley, Turner, Van Deursen, Buoye, Woykowski and Housel.

Ayes: 6, Nays: 0.  
Motion carried.

Council Discussion: None.

It was moved by Buoye, seconded by Oakley that Ordinance #5-2005 be approved on first reading.

Roll Call: Woykowski, Buoye, Van Deursen, Turner and Oakley – Ayes: 5,  
Nays: 0. Abstained: Housel.

Motion carried.

It was further moved by Oakley, seconded by Buoye that Ordinance #5-2005 be published in the Star Gazette on March 10, 2005 and that the public hearing be scheduled for April 5, 2005.

Roll Call: Oakley, Turner, Van Deursen, Buoye, Woykowski and Housel.

Ayes: 6, Nays: 0.  
Motion carried.

Hearing no further business to come before Council, it was moved by Woykowski, seconded by Oakley that the meeting be adjourned at 11:13 PM.

Ayes: 6, Nays: 0.  
Motion carried.

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Marianne Van Deursen Mayor

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Linda L. Hendershot, RMC/CMC  
Borough Clerk