

## **MINUTES OF REGULAR MEETING HELD NOVEMBER 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: Glaser, Van Deursen, Woykowski, Housel, Oakley, Turner and Buoye (Arrived at approximately 8:05 PM) – 7 Present.

Absent: None

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:**

#### **Regular Meeting – October 18, 2005**

Prior to the meeting Councilwoman Woykowski noted two minor corrections on Pages 9 and 25 of which the Clerk so noted.

Mayor Van Deursen entertained any other additions or corrections to the minutes of the regular meeting held October 18, 2005.

Hearing no further corrections, it was moved by Housel, seconded by Turner that the minutes of the regular meeting held October 18, 2005 be approved as corrected.

\*\* Councilman Buoye was just entering the Council Chambers as the vote was taken.

Roll Call: Woykowski, Housel, Van Deursen and Turner – Ayes: 4,  
Nays: 0 – Abstained: Oakley, Glaser and Buoye.

Motion carried.

**COMMUNICATIONS:**

The following communications were entered into the Record:

- 1) NJLM Re: Coalition in Filing Order to Stop Unregulated Waste Facilities at Rail Yards;
- 2) NJLM Re: Ratepayer Advocate Rate Conference;
- 3) NJLM Re: National Incident Management System Implementation;
- 4) NJLM Re: Budget, Ethics and Contract News;
- 5) NJLM Re: Absentee Ballots Available to all New Voters;
- 6) Resolution – West Amwell Twsp. Increasing income limitations for the NJ Senior Property Tax Freeze Protection Act;
- 7) NJLM Re: Wastewater Management Planning;
- 8) Washington Watch RE: CDBG, Energy Bill & Eminent Domain;
- 9) Comcast Update;
- 10) Letter – Lisa Lounsbury Re: Choice of Cable TV providers;
- 11) Township of Washington Re: Support of Stating Funding for State Mandated Use of Alcotest 7110 MK 111-C'
- 12) Township of Washington Re: Increase in Court Fees;
- 13) NJ Highlands Council Meeting – November 3, 2005
- 14) Memo – 10-17-05 – Affordable Housing Sale Prices & Rents; and
- 15) NJLM Re: Proposal for Verizon System-Wide Video Franchise

Mayor Van Deursen entertained a motion to acknowledge, receive and file the communications.

It was moved by Glaser, seconded by Oakley that the communications numbered #1 thru #15 be acknowledged, received and filed.

Ayes: 7, Nays: 0.  
Motion carried.

**AUDIENCE:**

**Joe Fox, Fire Chief** was pleased to report to the Mayor and Council the receipt of a grant in the amount of \$ 87,136.00. The Fire Department's contribution will be \$ 4,586.00 which the Fire Department will be providing so there will be no additional expense to the taxpayers. The grant was prepared by Steve Alpaugh, past Chief and member of the Fire Department.

Chief Fox reported that the money will be utilized for thirty-eight sets of new turn-out gear, a new imaging camera, a portable deck gun, nine life safety harnesses and a defibrillator.

The Fire Department does need a new pumper next year.

**Grace Maginnis, 57 Grand Avenue** reported to Council that the curbing in front of her home is not right as a result of the construction on Grand Avenue. She measured the curb and it is 7-1/2” at the highest point and 2” at the lowest point. She has had the Manager out to review the site and she has been told that once the street is repaved it will be fine. She does not think it will be right.

Mrs. Maginnis also suggested that when considering Trick or Treat next year they reduce it to two hours, rather than three hours. On Grand Avenue she had approximately three hundred children.

**Julie Quelly, 4 Cleveland St.** relayed her concerns to the governing body regarding the construction of a new two family home on her street. The contractor gave her no notice and the street was completely blocked off creating an undue hardship for her.

Extensive discussion followed at which time the police would be advised to assist her in gaining access to her street while the construction is in the process.

Councilman Turner did feel that the neighbors affected by this construction should be notified if they are to be inconvenienced in any way. Another suggestion he made would be that some condition be noted on the street opening permit advising the contractor that sufficient notice be given to any neighbors in the area that may be affected by the opening of the street so that alternative arrangements can be made.

Hearing no further remarks from the audience, it was moved by Glaser, seconded by Oakley that the audience portion of the meeting be closed.

Ayes: 7, Nays: 0.  
Motion carried.

**ORDINANCES:**

**Ordinance #17-2005** – South Lincoln Avenue Resident Parking (Final Passage)

An Ordinance providing for Resident Off-Street Permit Parking was introduced by Councilwoman Glaser.

It was further moved by Glaser, seconded by Oakley that the Clerk read Ordinance #17-2005 by title only.

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

Ayes: 7, Nays: 0.  
Motion carried.

The Clerk read Ordinance #17-2005 by title only and stated that this ordinance was published in the Star Gazette as required by law, a copy was posted on the bulletin board, and copies available upon request in the Clerk's office. A copy of the ordinance was forwarded those residents affected by the adoption of this ordinance.

Mayor Van Deursen opened up the public hearing portion of the ordinance to the public for their questions or comments.

**Peggy Kinney, 65 S. Lincoln Avenue** was opposed to the adoption of the ordinance. She has three cars on her property and one resident parking permit is not enough. There has never been a problem with parking on their street. She requested Council leave everything alone. The problem stems from the tractor trailers that utilize this street as a short cut from Rt. 31 to Rt. 57. She wanted to know why Council was picking on the residents of S. Lincoln Avenue?

Councilman Buoye explained the purpose of the ordinance and noted that the "no parking" provisions have been on the books for several years but has never been enforced. Through increased traffic and concerns from some of the residents a committee was organized. The committee studied this issue for several months before coming up with a compromise.

Councilman Housel also addressed the issue as he was a member of the committee. Access for emergency vehicles was also a very important issue. They had to weigh the needs of the fire department and the needs of the citizens. The compromise does include allowing one resident parking pass and one visitors pass for residents on a street that already has an ordinance in place to allow "no parking" on the street.

Mrs. Kinney still felt that after living there for 42 years there has not been a problem to her knowledge.

**Patty Beers, Monroe & S. Lincoln Ave.** commented about the parking. She also reported that some of the trucks that utilize S. Lincoln Avenue you can feel the bridge actually flexing as they go over it. The trucks may be exceeding the weight limit of the bridge.

**Ed Little, 86 S. Lincoln Avenue** stated that the adoption of this ordinance affects his volunteer work in scouting. He questioned the number of visitors passes and noted that a lot of people come to visit his home as a result of his volunteer work. He may have to move as a result of the adoption of this ordinance.

Mr. Little asked if anything had been considered with respect to the safety of the street with regard to the speeding, the cut-off of the Railroad Crossing and the investigation of instituting speed bumps?

Councilman Turner asked how the stop signs came to be installed at the railroad crossing?

Mr. Little suggested that perhaps a letter could be sent to the railroad company regarding this cutoff to alleviate some of the traffic flow using this as a short cut to get to Rt. 57.

Councilman Turner was also concerned with the bridge and the weight limitations for trucks using this access to Rt. 57. This should be looked into.

**Dave Higgins, 113 Harding Drive** explained that the reason parking is being prohibited on this street is because of its width. The engineering guidelines require that no parking be instituted. Mr. Little noted that there are engineering standards but it is not mandatory.

Dave Higgins noted that the stop signs and paving of the railroad property was done by the municipality. Manager Sheola questioned whether there was ever any permission granted from the railroad company?

Councilwoman Glaser noted that if Council repeals this ordinance the engineer could not certify this action with the D.O.T.

**Julia Quelly, 4 Cleveland Street** questioned how the permit for one car and the visitor's pass was going to be enforced?

Councilman Housel noted that the visitor's pass would be held by the person owning the property.

Hearing no further comments or testimony from the audience, it was moved by Glaser, seconded by Oakley that the public hearing portion of the ordinance be closed.

Ayes: 7, Nays: 0.

Motion carried.

#### Council Discussion:

Councilman Turner did not feel one permit is enough. Did Council poll how many cars are registered at each household? Two permits would be a better compromise. This is a necessity.

Councilman Buoye noted that if we allow too many cars to have parking stickers we would not effectively minimize parking on the street which fails to address the access concerns of our emergency services personnel.

It was therefore moved by Glaser, seconded by Housel that Ordinance #17-2005 be adopted on final passage and that final publication be made as prescribed by law.

Roll Call: Woykowski, Housel, Buoye, Van Deursen, Glaser and Oakley.  
Ayes: 6, Nays: Turner. Motion carried.

**ORDINANCE #17-2005**

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE CODE OF THE BOROUGH OF WASHINGTON, CHAPTER 85 “VEHICLES AND TRAFFIC” TO ADD A NEW SECTION, SECTION 85-27A, CREATING A NEW DISTRICT ENTITLED, “RESIDENT OFF-STREET PERMIT PARKING” AND TO ADD RELATED DEFINITIONS.**

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that Chapter 85-27A of the Code of the Borough of Washington, Warren County, is hereby created to read as follows:

85-27A-a. No vehicles, except as duly licensed pursuant to subsection 7-12A.2 hereof or exempt as hereafter set forth, shall be parked between the hours specified on the days specified, upon any of the street or parts of streets described.

<b><u>Name of Street</u></b>	<b><u>Side</u></b>	<b><u>Hours</u></b>	<b><u>Days</u></b>	<b><u>Location</u></b>
S. Lincoln Ave.	East Side	All.	Monday thru Sunday	Monroe St. to Willow Street

85-27A-b. The following vehicles shall be exempt: contractors, service and delivery vehicles bearing the name and address of a commercial business during the time they are rendering service to a residence on any of the restricted streets; public utility vehicles bearing the name and address of the utility during the time they are rendering service; and police, fire and medical emergency vehicles while parking in the line of duty.

85-27A-c. In addition to all other fines and penalties, a vehicle parked in violation of this section shall be subject to towing, the cost of which to be paid for by the owner or operator of the vehicle before such vehicles shall be released.

85-27A-d. Only vehicles without available off-street public parking shall be eligible for parking permits. Available off-street public parking is defined as having **reasonable** access to a Borough owned parking lot within 200 feet of a residence.

85-27A-e. A permit providing for on-street resident parking as required by subsection 85-27A-3 may be obtained by application to the Borough Clerk by a resident of the streets restricted thereby. There shall be no fee for such vehicle. Such application must be accompanied by proof of residence. Property owner permits shall be issued for a period of no greater than three (3) years, tenant permits shall be issued for a period no greater than one (1) year, and all permits shall expire on December 31 of the appropriate year of upon termination of residence.

85-27A-f. Residents shall be entitled to receive one (1) resident permit per household for a vehicle that is principally garaged or parked at the residence address, which fact shall be certified to by the resident at the time of application.

85-27A-g. Resident permits shall be affixed to the vehicle to which they are issued so as to be clearly visible and un-obscured, at the location hereafter set forth. Visitor permits shall be displayed in such location, but need not be affixed to the visitor vehicle. On vehicles with a rear window, the permit shall be placed on the inside surface at the lower left corner of the rear window. On vehicles without a rear window, the permit shall be placed on the inside surface of the rearmost left hand side window at the lower right hand corner of same.

85-27A-i. It shall be a violation of this section to photocopy, otherwise reproduce, or in any way create a facsimile or counterfeit permit. It shall be a violation hereof to display or otherwise use a permit known to be counterfeit. It shall be a violation hereof to furnish false information or fraudulent documents in connection with an application for a permit. It shall be a violation to use or allow anyone to use a valid permit in violation of this section. Any person violating the provisions hereof shall be subject to a fine not to exceed three hundred (\$300.00) dollars and/or imprisonment for not more than ten (10) days.

This Ordinance shall take effect upon its adoption and final publication in accordance with law.

**Ordinance 18-2005** – Amending Chapter 85 – Vehicles and Traffic – Parking on the Boulevard (First Reading)

An ordinance amending parking on the Boulevard was introduced by Councilman Housel.

It was further moved by Housel, seconded by Glaser that the Clerk read Ordinance #18-2005 by title only.

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

Ayes: 7, Nays: 0.  
Motion carried.

The Clerk read Ordinance #18-2005 entitled, “AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE CODE OF THE BOROUGH OF WASHINGTON, CHAPTER 85 “VEHICLES AND TRAFFIC”.

Council Discussion: None.

It was therefore moved by Glaser, seconded by Turner that Ordinance #18-2005 be approved on first reading.

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

Ayes: 7, Nays: 0.  
Motion carried.

It was further moved by Housel, seconded by Glaser that Ordinance #18-200 be published in the Star Gazette on November 10, 2005 and that the public hearing be scheduled for November 22, 2005.

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

Ayes: 7, Nays: 0.  
Motion carried.

**Ordinance #19-2005** – Amending Chapter 75, Article III Re: Snow Removal  
(First Reading)

An ordinance amending the Snow Removal section of the Borough Code was introduced by Councilman Housel.

It was moved by Housel, seconded by Glaser that the Clerk read Ordinance #19-2005 by title only.

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

Ayes: 7, Nays: 0. – Motion carried.

The Clerk read Ordinance #19-2005 entitled, “AN ORDINANCE MODIFYING CHAPTER 85, ARTICLE IX, SNOW EMERGENCIES, OF THE CODE OF THE BOROUGH OF WASHINGTON”.

Council Discussion:

Councilman Buoye suggested that during the snow emergency that provisions be created in the ordinance to perhaps do one side of the street at a time.

Manager Sheola explained that the purpose of the ordinance is to have the cars removed from the street. Alternative measures would have to be made.

Councilwoman Oakley questioned handicapped residents? Manager Sheola noted that they should be removed from the street also.

Councilman Housel noted that if we were going to implement this snow emergency policy notification of this change should go out in the sewer utility bills.

Councilwoman Woykowski noted that this proposed change is the result of the committee meetings. This is just one area that they researched. There are other areas that require additional research. The parking permit for on-street parking seem to have no rhyme or reason.

Manager Sheola noted that he has seen ordinances that prohibit parking certain times of the year.

Councilman Buoye stated that the Council has to provide more instructions as to where they would put their cars during this snow emergency.

Manager Sheola explained that the specifics of these instructions would be outlined in the policy and not the ordinance.

Councilwoman Oakley questioned how and when would a snow emergency be called?

Keith Gonzales, Emergency Management Coordinator, explained he would have to review the ordinance and come up with some guidelines. It would depend on the type of storm. The state guidelines would apply and that would be seven (7”) inches of snow.

Hearing no further discussion, it was moved by Glaser, seconded by Oakley that Ordinance #19-2005 be approved on first reading.

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

Ayes: 7, Nays: 0. – Motion carried.

It was moved by Glaser, seconded by Housel that Ordinance #19-2005 be published in the Star Gazette on November 10, 2005 and that the public hearing be scheduled for November 22, 2005.

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

Ayes: 7, Nays: 0. – Motion carried.

**REPORTS:**

It was moved by Glaser, seconded by Buoye that the Zoning/Code Enforcement, Police O.T. (2) and Borough Manager's reports be accepted as presented and filed.

Ayes: 7, Nays: 0.  
Motion carried.

**VOUCHERS:**

Mayor Van Deursen entertained questions or additions to the vouchers and claims for payment.

Hearing none, it was moved by Glaser, seconded by Housel that the vouchers and claims be paid in the amount of \$ 859,066.62 as reflected in the debit/credit memorandum on file in the Collector/Treasurer's office.

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

Ayes: 7, Nays: 0.  
Motion carried.

Mayor Van Deursen requested that Council deviate from the order of business to discuss Resolution #185-2005 to authorize a Sewer Extension/Connection to 141 Railroad Avenue – Washington Township. The homeowners were present in the audience and have their children with them. Council concurred.

**NEW BUSINESS:**

**Item #9 - Township Sewer Connection Request – 141 Railroad Avenue**

Mr. and Mrs. Loveatz appeared before the Mayor and Council requesting permission to tie into the Borough's sanitary sewer system. The Borough's sewer system is approximately 200' away from their property. They purchased their home from a relative and thought they had a working septic system which turns out to be a cesspool. The walls where their cesspool is located on the property is beginning to collapse. To replace their system with a new septic system is going to be very costly for them and they would like the Borough to grant them permission to tie into the Borough's system

Councilwoman Woykowski noted that the Borough's sewer system is for Borough residents. She was not aware that the Borough was servicing some township properties. She wanted to see statistics on our sewer capacity for present and future development.

Manager Sheola noted that Maser Consulting, the Borough's sanitary sewer consultant, did such a study of our present and future needs, taking into accounting all of the planned development in the Borough and there is capacity available for a single family home.

Attorney Cushing gave the Council and Manager an overview of the negotiations that went on for an extended period of time with the Township on whether a joint plant would be designed to handle both the Borough's needs as well as the Township. A lot of work engineering work was done. The Township did not want to proceed and provide sewer capacity to certain areas in the Township to service their residents. Attorney Cushing was not sure how this request impacts on the Borough's Wastewater Management Plan. If it is in the Wastewater Management Plan negotiations could proceed to tie them in. He cautioned the Council and indicated that there are some very important policy issues that have to be resolved here.

Mayor Dave Dempski was present from the Township and Attorney Cushing explained the Wastewater Management Plan issue. Both plans must match.

It was suggested that a meeting be scheduled to discuss this issue further. Review of both Wastewater Management Plans would have to be looked at. If the plans do not include this general area the plans would have to be amended through the State DEP and this could take an extended period of time.

Councilman Housel also noted that the Borough would bear no expense for this project.

It was agreed that a joint meeting to discuss this issue with the engineers would be in order.

### **OLD BUSINESS:**

#### **Continued Discussion – Public Nuisance Ordinance**

This topic was brought up by Councilman Turner. Councilman Turner felt that there should be some limitations on when a contractor can begin work and when he can quit in the neighborhood, particularly when they are working on the exterior of the house utilizing noisy equipment. He also brought up mowing grass in a residential neighborhood.

Attorney Cushing noted that there is a definite distinction between commercial and residences. The Noise Ordinance may come into play in some of these areas?

Councilman Turner questioned whether a Noise Ordinance could include contractor's activity?

It was agreed that the Attorney and Manager would research Councilman Turner's questions further.

Council took a short recess at 9:40 PM on a motion made by Glaser, seconded by Oakley. Council resumed with everyone present at 9:45 PM.

Ayes: 7, Nays: 0. – Motion carried.

### **NEW BUSINESS:**

#### **EPA Brownfield Presentation**

Manager Sheola brought Council up to speed on the Brownfield Presentation. The summary of the meeting will be shared with Council. The meeting indicated that there will be more opportunity on a federal level to get outright grants.

#### **Proposed Change in Policy for Brush Chipping**

Manager Sheola suggested Council consider a change in the brush chipping policy. The Borough presently picks up brush on a weekly basis covering the entire Borough. This is a time consuming process and takes considerable time to cover all the Borough streets with limited manpower. He suggested that the chipping policy be reduced to perhaps twice a year such as spring or fall, not every week.

Councilman Turner questioned whether residents could bring it down to the new garage site? Manager Sheola noted that there would be no room to provide such a service. Councilman Turner suggested as an alternative that this might be an area we could explore with the Township.

Councilwoman Glaser suggested four times a year beginning in April through November 30<sup>th</sup>.

Councilwoman Oakley was concerned with this from an enforcement standpoint. If the residents stockpile their brush on their own property would they be subject to a citation from the Code Enforcement Officer? As long as it would be in the backyard of their residence and not in front of the house there should be no problem.

Storm damage would still be considered as additional pick-ups.

Council discussion followed and the general consensus was that our present policy is excessive. Council agreed to have the policy amended to four times a year beginning April 1<sup>st</sup> and ending on November 30<sup>th</sup>. This comes out to be every other month.

**Resolutions #180-2005 & #181-2005**

The following Resolutions were moved on a motion made by Oakley, seconded by Housel and adopted:

**RESOLUTION #180-2005**

**A RESOLUTION TO VOID AND REPLACE A CHECK**

**WHEREAS**, Check #047967 was written 10-19-05 on Washington Borough's Operating Fund #81023602300 in the amount of \$ 48,857.48 and made payable to TRC Omni, 321 Wall Street, Princeton, NJ 08540; and

**WHEREAS**, the Treasurer's office was made aware that this check should have been issued for a lesser amount due to previous payments. The replacement check should be made payable to the same vendor in the amount of \$ 23,076.46; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington that the Treasurer be authorized to void and replace Check #04967.

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

Ayes: 7, Nays: 0.  
Motion carried.

**RESOLUTION #181-2005**

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

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the following changes in the sewer service charge(s) are approved:

<b><u>BLOCK/LOT</u></b>	<b><u>NAME/ADDRESS</u></b>	<b><u>REASON/ADJUSTMENT</u></b>
100/23	Richard J. Strunk 116 Brass Castle Rd. Washington, NJ 078823	Change in Use 1 E.D.U. to 2 E.D.U.'s Effective: Nov. 2005

Property Location: 185 W. Washington Ave.

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

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #182-2005 – To Authorize Treasurer & Manager to proceed with the Sale of \$ 9,001,828. in Bond Anticipation Notes**

Prior to entertaining a motion to adopt this Resolution Manager Sheola summarized the purpose of this resolution. This resolution is combining the Borough existing bond anticipation notes and including the new projects that were funded this year for the issuance of bond anticipation notes. Long term financing of up to twelve to twenty years for permanent bonds is anticipated for next year. The following Resolution was moved by Turner, seconded by Glaser and adopted:

**RESOLUTION #182-2005**

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$9,001,828 BOND ANTICIPATION NOTES OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY.**

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

Section 1. Pursuant to a bond ordinance to the Borough of Washington, in the County of Warren (herein called “local unit”) entitled: “Bond ordinance making a further supplemental appropriation of \$ 13,300,000 for improvement of the wastewater treatment plant in and by the Borough heretofore authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey, and authorizing the issuance of \$ 13,300,000 bonds or notes of the Borough for financing such supplemental appropriation”, finally adopted on June 17, 1997 (#6-97), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$ 710,806 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 2. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance making a further supplemental appropriation of \$ 4,400,000 for improvement of the wastewater treatment plant and sanitary sewerage collection system in and by the Borough heretofore authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey, and authorizing the issuance of \$ 4,400,000 bonds or notes of the Borough for financing such supplemental appropriation”, finally adopted on October 21, 1997 (#12-97), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$ 2,831,244 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 3. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$ 218,000, and authorizing the issuance of \$ 207,100 bonds or notes of the Borough for various improvements or purposes authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey”, finally adopted on July 17, 2001 (#6-2001), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$ 182,283 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 4. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$ 295,000, and authorizing the issuance of \$ 280,800 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey”, finally adopted on June 4, 2002 (#10-2002), Bond Anticipation Notes of the local unit in a principal

amount not exceeding \$ 265,800 shall be issued for the purpose of temporarily financing the improvement of purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 5. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance making a further supplemental appropriation of \$ 150,000 for the construction of sidewalks along North Prospect Street in and by the Borough heretofore authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey and authorizing the issuance of \$ 100,000 bonds or notes of the Borough for financing such supplemental appropriation”, finally adopted on June 4, 2002 (\$#11-2002), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$ 80,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 6. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance making a further supplemental appropriation of \$ 95,000 for improvement of Myrtle Avenue in and by the Borough heretofore authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey, and authorizing the issuance of \$ 90,400 bonds or notes of the Borough for financing such supplemental appropriation”, finally adopted on June 4, 2002 (#12-2002), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$ 70,400 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 7. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance making a further supplemental appropriation of \$ 60,000 for improvement of Myrtle Avenue in and by the Borough heretofore authorized To be undertaken by the Borough of Washington, in the County of Warren, New Jersey, and authorizing the issuance of \$ 57,000 bonds or notes of the Borough, for financing such supplemental appropriation”, finally adopted on September 3, 2002 (#23-2002), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$ 52,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 8. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$ 331,600, and authorizing the issuance of \$ 284,495 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey”, finally adopted on November 3, 2003 (#14-2003), Bond Anticipation Notes of the local unit in a

principal amount not exceeding \$ 284,495 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 9. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$ 151,245, and authorizing the issuance of \$ 134,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey”, finally adopted on July 6, 2004 (#11-04), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$ 134,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 10. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for improvement of the sanitary sewerage system in and by the Borough of Washington, in the County of Warren, New Jersey appropriating \$ 40,000 therefore, and authorizing the issuance of \$ 40,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on July 6, 2004 (#10-04), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$ 40,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 11. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for improvement of the municipal swimming pool in and by the Borough of Washington, in the County of Warren, New Jersey appropriating \$ 283,200 therefore, and authorizing the issuance of \$ 283,200 bonds or notes of the Borough for financing such appropriation”, finally adopted on September 21, 2004 (#15-04), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$ 283,200 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 12. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the improvement of Washington Avenue in and by the Borough of Washington, in the County of Warren, New Jersey appropriating \$ 1,350,000 therefore, and authorizing the issuance of \$ 1,333,100 bonds or notes of the Borough for financing such appropriation”, finally adopted on February 15, 2005 (#1-2005), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$ 1,33,100 shall be issued for the purpose of temporarily financing the improvement or purpose described

in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 13. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$ 2,871,250, and authorizing the issuance of \$ 2,734,500 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Washington, in the County of Warren, New Jersey”, finally adopted on June 7, 2005 (#8-2005), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$ 2,734,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 14. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinance of the local unit hereinabove in Section 1 through 13 described, shall be combined into a single and combined issue of bonds in the principal amount of \$ 9,001,828.

Section 15. The following matters in connection with said Bond Anticipation Notes are hereby determined:

- (a) All notes issued hereunder shall mature at such times as may be determined by the chief financial officer or the collector-treasurer of the local unit (the “chief financial officer”), provided that no note issued pursuant to Sections 1 through 13 hereof shall mature later than (i) year from the date of the first notes issued pursuant to the respective ordinances referred to in said Sections, and (ii) three years from the date of the first note issued pursuant to each such respective ordinance unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:1-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;
- (b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and
- (c) The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

Section 16. The chief financial officer or the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the signature of the chief financial officer upon said notes shall be conclusive as to such determinations.

Section 17. The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefore.

Section 18. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 19. The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desire to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 20. This resolution shall take effect immediately.

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

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #183-2005 – To Authorize the Manager to Execute Highlands COAH Grant Agreement**

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

**RESOLUTION #183-2005**

**RESOLUTION AUTHORIZING MANAGER TO SIGN  
HIGHLANDS COAH GRANT.**

**WHEREAS**, the Borough of Washington has been notified of the acceptance and award of a grant from the New Jersey Highlands Council; and

**WHEREAS**, the grant requires the signature of the Chief Executive Officer; and

**WHEREAS**, the Borough is desirous of receiving the grant funds and completing the requirements of the grant by the deadline of December 15, 2005.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that the Borough Manager is authorized to sign and complete the requirements for the New Jersey Highlands COAH Grant in an expeditious manner.

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

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #184-2005 – To Authorize the Manager to send Broker of Record Letters regarding Risk Manager**

This resolution was removed from the agenda at the request of the Borough Manager.

**Resolution #185-2005 – To Authorize a Sewer Extension/Connection to 141 Railroad Avenue/Washington Township**

This resolution is tabled as per discussion earlier in the meeting minutes this evening.

**Resolutions #186-2005 & #187-2005 – Adjust EDU’s for Sewer Calculations**

The following Resolutions were moved by Turner, seconded by Glaser and adopted:

**RESOLUTION #186-2005**

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

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the following changes in sewer service charge(s) are approved:

<b>BLOCK</b>	<b>LOT</b>	<b>NAME/ADDRESS</b>	<b>REASON/ADJUSTMENT</b>
2.05	5	Sparkling Waters Laundry Services, LLC c/o Keith Orlofski PO Box 433 Washington, NJ 07882	Change in Water Use 28 E.D.U. to 22 E.D.U.

Property Location: 328 W. Washington Ave.

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

Roll Call: Van Deursen, Woykowski, Housel, Buoye, Oakley, Glaser and Turner. Ayes: 7, Nays: 0. – Motion carried.

**RESOLUTION #187-2005**

**A RESOLUTION TO ADJUST SEWER BILLINGS IN ACCORDANCE WITH CHAPTER 7, SECTION 28B OF THE CODE OF THE BOROUGH OF WASHINGTON.**

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the following changes in the sewer service charge(s) are approved:

<b>BLOCK/LOT</b>	<b>NAME/ADDRESS</b>	<b>REASON/ADJUSTMENT</b>
35 47	Richard & Steven Fischer P.O. Box 28 Washington, NJ 078823	Change in Use 2 E.D.U.'s to 3 E.D.U.'s

Property Location: 286 Belvidere Ave.

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

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #188-2005 – To Cancel 2005 Taxes Due to Veterans Exempt Status**

Prior to adoption of this ordinance Councilman Buoye questioned why transfers were necessary in the Mayor and Council expense line item. The Manager explained some of the expenses were as a result of the creation of the web-site.

It was therefore moved by Glaser, seconded by Turner that the following Resolution be adopted:

**RESOLUTION #188-2005**

**A RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS**

**WHEREAS**, N.J.S.A. 40A:4-58 provides for the transfer of excess appropriations by not less than 2/3 vote of the full membership of the governing body during the last two months of the fiscal year; and

**WHEREAS**, the Borough Manager and the Chief Financial Officer have determined that excess appropriations do exist in some accounts and there is a need for supplemental appropriations in other accounts.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey, that the following appropriation transfers are hereby approved:

<b><u>Transfer From:</u></b>	<b><u>Transfer To:</u></b>	<b><u>Amount:</u></b>
PUBLIC EVENTS Other Expenses	MAYOR & COUNCIL Other Expenses	\$ 3,000.00
POLICE DEPARTMENT Salary & Wages	MAYOR & COUNCIL Other Expenses	1,000.00
UNIFORM FIRE SAFETY ACT Other Expenses	MAYOR & COUNCIL Other Expenses	500.00
PUBLIC BUILD. & GROUNDS Other Expenses	MAYOR & COUNCIL Other Expenses	1,000.00

POLICE DEPARTMENT Salary & Wages	FIRE HYDRANTS Other Expenses	\$ 2,420.00
PLANNING BOARD Other Expenses	WATER Other Expenses	500.00
PUBLIC BUILD. & GROUNDS Other Expenses	WATER Other Expenses	1,000.00
POLICE DEPARTMENT Salary & Wages	HEATING OIL Other Expenses	1,000.00
TOTALS OF ALL TRANSFERS		\$ 10,420.00

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

Ayes: 7, Nays: 0.  
Motion carried.

**Resolution #189-2005 – To Cancel 2005 Taxes Due to Veterans Exempt Status**

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

**RESOLUTION #189-2005**

**A RESOLUTION TO CANCEL 2005 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 022, Lot 005; located at 30-32 N. Lincoln Avenue and in the name of Roseberry, Charles B and Milford, Kay; and

**WHEREAS**, the Tax Assessor has advised the Tax Collector that the application for the exemption was received and approved as of July 28, 2005 for the effective date of July 28, 2005.

**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 2005 Real Estate Property Taxes as of July 28, 2005 in the amount of \$ 2,676.12 due to the exempt status.

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

Ayes: 6, Nays: 0.  
Motion carried.

**Resolution #190-2005 – Authorizing the Manager to sign Highlands Municipal Partnership Planning Pilot (MP3) GRANT**

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

**RESOLUTION #190-2005**

**RESOLUTION AUTHORIZING MANAGER TO SIGN HIGHLANDS MUNICIPAL PARTNERSHIP PLANNING PILOT (MP3) GRANT.**

**WHEREAS**, the Borough of Washington has been notified of the acceptance and award of a grant from the New Jersey Highlands Council; and

**WHEREAS**, the grant requires the signature of the Chief Executive Officer; and

**WHEREAS**, the Borough is desirous of receiving the grant funds and completing the requirements of the grant by the deadline of December 15, 2005.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey, that the Borough Manager is authorized to sign and complete the requirements for the New Jersey Highlands Municipal Partnership Planning Pilot (MP3) Grant in an expeditious manner.

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

Ayes: 7, Nays: 0.  
Motion carried.

**Shared Court Services – Washington Borough/Washington Township**

Mayor David Dempski, Washington Township appeared before the Mayor and Council to update the Council on the plan to bring together the Borough and Township through the negotiation of an Interlocal Service Agreement for shared court services. Mayor Dempski commended the Manager for his due diligence and research that he has done to date.

Mayor Van Deursen was pleased that this shared court services has been proposed. It has been a long time in coming. This issue will be discussed in executive session this evening and the Council hopes to have something to bring back to Council for their consideration at the next Council. She hoped that this is the start to many more mutual projects the Borough and Township can work together on.

**COUNCIL COMMENTS:**

Mayor Van Deursen polled Council for their remarks.

Mayor Van Deursen reminded everyone that she needed the Performance Evaluations on the Manager no later than November 4<sup>th</sup>. She suggested dropping them off to Linda Hendershot, Clerk so she could gather them up for tabulation.

Councilman Buoye had no remarks.

Councilwoman Woykowski had no remarks.

Councilman Housel had no remarks.

Councilwoman Oakley commented on Halloween Trick or Treat and suggested that perhaps a weekend be considered for next year.

Councilwoman Oakley also commented on the lights at the Borough Park which are still on. They are set for soccer season presently but will be adjusted after the games are over to turn off.

Councilwoman Glaser thanked the Mayor and Council and staff for their many acts of kindness and sympathy in the death of her son's grandmother.

Councilman Turner had no remarks.

Mayor Van Deursen reported that research has been completed on the Park Director's position. This position will be changed from a part-time position to a full time position. The Recreation Commission will be meeting on December 7<sup>th</sup> to finalize details. Mayor Van Deursen invited Council to attend.

Dawn Higgs, 113 Harding Drive wanted some press coverage on letting the public know that the Recreation Commission sponsors a House Decorating Contest for the Christmas holidays. She also noted that the businesses should also be advised that there is a contest also for the downtown for the Best Yuletide Decorations. This will be discussed at the next B.I.D. meeting.

**Executive Session – Personnel, Litigation and Contract Negotiations**

It was moved by Turner, seconded by Oakley that the Council go into Executive Session after a short five minute recess at 10 PM to discuss, personnel, litigation and contract negotiations.

Ayes: 7, Nays: 0.  
Motion carried.

Council resumed at 10:10 PM with everyone present and went into **Executive Session.**

It was moved by Glaser, seconded by Oakley that the Council go out of Executive Session and back into open session and 11 PM.

Ayes: 7, Nays: 0.  
Motion carried.

Hearing no further business to come before the governing body, it was moved by Glaser, seconded by Oakley that the meeting be adjourned at 11 PM.

Ayes: 7, Nays: 0.  
Motion carried.

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Marianne Van Deursen, Mayor

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Linda L. Hendershot, RMC/CMC  
Borough Clerk