
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

WASHINGTON BOROUGH COUNCIL MINUTES – August 13, 2019

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

Roll Call: Conry, Duchemin, Norris, Valle, Higgins.

Also, Present: Matthew Hall, Manager
Laurie A. Barton Borough Clerk
Leslie Parikh, Attorney

Absent: Musick and Noone

Mayor Higgins led everyone in the flag salute.

Mayor Higgins 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.”

COUNCIL APPEARANCE:

ARC of Warren County, Bonnie Hill, discussed the Small Cities Grant opportunity for the ARC to help with structural improvements at their location on Washington Avenue.

Motion

Motion made by Conry and seconded by Duchemin to have Washington Borough be the pass-through agency for the Small Cities Grant for the ARC.

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins.

Ayes: 5, Nays: 0
Motion Carried

Bob Camarratta (sp), Washington Ave. came before council to discuss a 30-foot tree that was taken down by the Shade Tree Commission on his property. Mr. Camarratta expressed that he wants a replacement tree and that it would need to be larger than an eight-foot tree. Further discussions ensued regarding the authority and responsibilities of the Shade Tree Commission.

Yvonne Plaquaterus(sp), Stewartsville,NJ, expressed her concerns and opinions to the revisions of the rental housing inspection program.

Mel Thiel, BID Executive Director, gave updates regarding the festival in the Borough for September 14th.

Hearing no further public comment, motion made by Norris and seconded by Valle to close the audience portion.

Ayes: 5 Nays: 0
Motion Carried.

VOUCHERS AND CLAIMS

Motion made by Valle seconded by Duchemin to pay vouchers and claims in the amount of \$2,756,152.67 from the current fund and \$ 289,842.54 from sewer.

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 5, Nays: 0
Motion carried.

REPORTS:

Motion was made by Valle seconded by Duchemin to receive and file the following reports:

- Court
- Status Update on the Rental Housing Inspection Program
- Shade Tree

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins.

Ayes: 5, Nays: 0
Motion Carried

NEW BUSINESS

ORDINANCES

Motion made by Conry to approve on first reading Ordinance 2019-18 motion seconded by Duchemin. Public Hearing scheduled for September 3, 2019.

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins.

Ayes: 5, Nays: 0
Motion Carried.

NOTICE OF PENDING BOND ORDINANCE 2019-18 AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Washington, in the County of Warren, New Jersey, on August 13, 2019. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building in said Borough on September 3, 2019 at 7:00 o'clock P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office in said Municipal Building for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title:	Bond ordinance providing for the improvement of various roads in and by the Borough of Washington, in the County of Warren, New Jersey, appropriating \$1,210,000 therefor and authorizing the issuance of \$1,031,000 bonds or notes of the Borough for financing such appropriation
Purpose(s):	Improvement of various roads and locations in and by the Borough, including, without limitation, Grand Avenue and North Prospect Street by the reconstruction, surfacing or resurfacing thereof.
Appropriation:	\$1,210,000
Bonds/Notes Authorized:	\$1,031,000
Grants (if any) Appropriated:	\$0
Section 20 Costs:	\$242,000
Useful Life:	10 years

Motion made by Conry to approve on first reading Ordinance 2019-19 motion seconded by Duchemin. Public Hearing scheduled for September 3, 2019.

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins.

Ayes: 5, Nays: 0
Motion Carried.

NOTICE OF PENDING BOND ORDINANCE 2019-19 AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Washington, in the County of Warren, New Jersey, on August 13, 2019. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building in said Borough on September 3, 2019 at 7:00 o'clock P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office in said Municipal Building for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title:	Bond ordinance providing for the acquisition of a new fire pumper truck by the Borough of Washington, in the County of Warren, New Jersey, appropriating \$500,000 therefor and authorizing the issuance of \$465,000 bonds or notes of the Borough for financing such appropriation
Purpose(s):	Acquisition, by purchase, of new and additional firefighting equipment for use by the Volunteer Fire Company of the Borough, including one (1) fire pumper truck, together with all equipment, apparatus and accessories necessary therefor or incidental thereto.
Appropriation:	\$500,000
Bonds/Notes Authorized:	\$465,000
Grants (if any) Appropriated:	\$0
Section 20 Costs:	\$25,000
Useful Life:	10 years

Motion made by Conry to approve on first reading Ordinance 2019-20 motion seconded by Duchemin. Public Hearing scheduled for September 3, 2019.

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins.

Ayes: 5, Nays: 0
Motion Carried.

NOTICE OF PENDING BOND ORDINANCE 2019-20 AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Washington, in the County of Warren, New Jersey, on August 13, 2019. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building in said Borough on September 3, 2019 at 7:00 o'clock P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office in said Municipal Building for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title:	Bond ordinance providing for the improvement of the sanitary sewerage system in and by the Borough of Washington, in the County of Warren, New Jersey, appropriating \$400,000 therefor and authorizing the issuance of \$400,000 bonds or notes of the Borough for financing such appropriation
Purpose(s):	Improvement of the sanitary sewerage system in and by the Borough including the rehabilitation and upgrade of pipes, laterals and structures in the area of the South Prospect pump station to alleviate the effects of inflow in infiltration, together with all equipment, work and materials necessary therefor or incidental thereto.
Appropriation:	\$400,000
Bonds/Notes Authorized:	\$400,000
Grants (if any) Appropriated:	\$0
Section 20 Costs:	\$50,000

Ordinances 2019-21 through 25 were pulled

Ordinances-2nd Reading

Motion made by Conry and seconded by Valle to open the public hearing for Ordinance 2019-17, all were in favor.

Hearing no public comment, motion made by Conry and seconded by Duchemin to close the public hearing, all were in favor.

Motion to adopt Ordinance 2019-17 made by Conry and seconded by Norris.

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins.

Ayes: 4, Nays: 1
Motion Carried.

**ORDINANCE 2019-17
AN ORDINANCE TO MANDATE DIRECT DEPOSIT FOR COMPENSATION
FOR MUNICIPAL EMPLOYEES OF THE BOROUGH OF WASHINGTON
EFFECTIVE SEPTEMBER 1, 2019 PURSUANT TO N.J.S.A. 52:14-15f**

WHEREAS, N.J.S.A. 52:14-15f authorizes local governments to mandate direct deposit for compensation for certain governmental employees effective July 1, 2014; and

WHEREAS, N.T.S.A. 52:14-15f permits governing bodies to grant exemptions to the direct deposit requirements on such terms and conditions as they deem necessary; and

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

SECTION 1.

- A. All full-time employees, part-time employees, and elected public officials who receive compensation from the Borough of Washington are mandated to have direct deposit of their compensation as of September 1, 2019 in accordance with N.J.S.A. 52:14-15f.
- B. Municipal employees may request an exemption from the direct deposit requirements of this Ordinance by written request to the Municipal Manager of the Borough of Washington. A decision on such request will be considered by the Borough Manager within seven (7) days of receipt. The Borough Manager may grant an exemption from the requirements of this Ordinance for good cause shown on such terms and conditions as the Borough Manager may deem necessary.

SECTION 2. If any Section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the Section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 3. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect upon adoption, passage and publication according to law. The Direct Deposit mandate shall be effective September 1, 2019.

RESOLUTIONS

Motion made by Conry and seconded by Duchemin to approve Resolution 2019-113

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 5, Nays: 0
Motion carried.

**RESOLUTION 2019-113
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS
NJSA 40A: 4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$3,000.00 which is now available from the State of New Jersey, Department of Environmental Protection

BE IT FURTHER RESOLVED, that the like sum of \$3,000.00 is hereby appropriated under the caption of Other Expenses – Green Communities Grant.

Motion made by Duchemin and seconded by Conry to approve Resolution 2019-114

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 5, Nays: 0
Motion carried.

**RESOLUTION 2019-114
A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
As per N.J.S.A.54:5**

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on October 21, 2016 to US Bank Cust for Pro Capital 5 Sterling National, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$645.96 for taxes or other municipal liens assessed for the year 2015 in the name of Haas, Michael & Denise as supposed owners, and in said assessment and sale were described as 175 E. Washington Avenue, Block 80 Lot 5, which sale was evidenced by Certificate #16-00054; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-28-19 and before the right to redeem was cut off, as provided by law, City National Bank on behalf of Corelogic Tax Service claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust for Pro Capital 5 by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$3,347.55 which is the amount necessary to redeem Tax Sale Certificate #16-00054.

NOW THEREFORE BE IT RESOLVED, on this 6th day of August 2019 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust for Pro Capital 5 Sterling National, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$3,347.55** (This amount consists of \$3,347.55 Certificate Amount redeemed).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 80 Lot 5 from the tax office records.

Motion made by Valle and seconded by Conry to approve Resolution 2019-115

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 5, Nays: 0
Motion carried.

RESOLUTION 2019-115

A RESOLUTION TO REFUND OVERPAYMENT ON 2018 REAL ESTATE TAXES

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$2,263.17 on 2018 1st Quarter Regular Taxes paid on property located at 32-36 Youmans Avenue, also known as Block 93 Lot 7, and in the name of Garrison, David Mark & Marsha J.; and

WHEREAS, Seterus and Corelogic Tax Service had both paid the 1st Quarter 2018 property taxes, resulting in the overpayment; and

WHEREAS, the Tax Collector has been resolving the matter of tax overpayments and has received a written request from Corelogic Tax Service that the overpayment be refunded to them.

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 hereby authorize the Tax Collector and Treasurer to refund the amount of \$2,263.17 payable to:

Corelogic
Centralized Refunds
P.O. Box 9202
Coppell, TX 75019-9760

Motion made by Conry and seconded by Duchemin to approve Resolution 2019-116

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 5, Nays: 0
Motion carried.

RESOLUTION 2019-116

**A RESOLUTION ACCEPTING A GRANT FROM THE HAZARDOUS
DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM
THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL
PROTECTION**

WHEREAS, Borough of Washington has applied for and has been awarded a grant in the amount of up to \$171,376 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority for Site Investigation of the Former Vikon Tile Property;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Washington that the above referenced grant is hereby accepted and the Borough Manager is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Borough of Washington;

BE IT FURTHER RESOLVED that a comprehensive plan exists specifically for the development or redevelopment of contaminated or potentially contaminated real property in the host municipality or that a realistic opportunity exists that the Project Site will be developed or redeveloped within a three-year period from the completion of the remediation.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

Motion made by Conry and seconded by Duchemin to approve Resolution 2019-117

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 5, Nays: 0
Motion carried.

**RESOLUTION 2019-117
SELF-EXAMINATION OF BUDGET RESOLUTION
[as required by DCA]**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Borough of Washington* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2019 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Borough of Washington* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will

permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Motion made by Conry and seconded by Duchemin to approve Resolution 2019-118

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 5, Nays: 0
Motion carried.

RESOLUTION 2019-118
A RESOLUTION ESTABLISHING A SPECIAL
PERIOD FOR THIRD QUARTER LOCAL PROPERTY
TAXES IN THE BOROUGH OF WASHINGTON

WHEREAS, the printing and mailing of tax bills has been delayed beyond the N.J.S.A. 54:4-64 date of June 14th; and

WHEREAS, according to State Statute, taxes are due and payable February 1, May 1, August 1, and November 1 and these dates can not be changed; and

WHEREAS, N.J.S.A. 54:4-67 allows the Borough Council to establish a grace period of 25 days from the date that tax bills are mailed; and

WHEREAS, the Borough of Washington has historically given its taxpayers a grace period of 10 days for each tax period.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington that the third quarter installment of current year taxes shall not be subject to interest until after September 3, 2019, the additional interest-free period authorized pursuant to R.S. 54:4-67. Any payment received on September 4, 2019 will be subject to interest charged back to the statutory date of August 1, 2019.

Resolutions 2019-119 through 121 pulled from agenda

Motion made by Conry and seconded by Duchemin to approve Resolution 2019-122

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 5, Nays: 0
Motion carried

RESOLUTION 2019-122

**AUTHORIZING AN AWARD OF CONTRACT FOR PROFESSIONAL SERVICE TO TRC OF
NEW PROVIDENCE NEW JERSEY NON-FAIR AND OPEN AWARD OF CONTRACT FOR
ENVIRONMENTAL CONSULTING SERVICE**

WHEREAS, TRC will remediation on Vikon Tile Corporation Site Block 35 Lot 15; and

WHEREAS, such award of the contract shall be made as a non- fair and open contract pursuant to the provisions of N.J.S.A 19:44-20.5; and

WHEREAS, this project will be funded through NJEDA Grand Fund; and

WHEREAS, the Borough of Washington will enter into a contract with TRC not to exceed \$171,375.65; and

WHEREAS. TRC has completed and submitted to the Borough the necessary documents in accordance with the New Jersey Local Unit “Pay to Play “ Laws (N.J.S.A. 19:44A-20.4 et.seq); and

WHEREAS, the Borough Manager, Mathew Hall recommend the award of this contract pursuant to the provision as N.J.S.A 40A:11-6.1 et seq; and

WHEREAS, the availability of funds has been certified by Natasha Turchan that the sufficient funds are available 02-2019-41-785-2-0; and

NOW, THEREFORE BE RESOLVED, by the Borough of Washington of Warren County enter into the contract with TRC of New Providence New Jersey in the amount of \$171,375.65

Motion made by Conry and seconded by Duchemin to approve Resolution 2019-123

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 5, Nays: 0
Motion carried

**WASHINGTON BOROUGH
RESOLUTION 2019-123**

Approval to submit a Grant application and execute a grant agreement with the New Jersey Department of Transportation for the Broad Street Resurfacing project.

WHEREAS, Washington Borough, Warren County, New Jersey has given Washington Borough Engineer the approval to submit this grant on the behalf of the Borough of Washington,

NOW, THEREFORE, BE IT RESOLVED that Committee of the Borough of Washington formally approves the grant application for the above stated project,

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2020-Broad Street Resurfacing-00671** to the New Jersey Department of Transportation on behalf of the Borough of Washington.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Washington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Motion made by Conry and seconded by Duchemin to approve Resolution 2019-124

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 5, Nays: 0
Motion carried

**WASHINGTON BOROUGH
RESOLUTION 2019-124**

Approval to submit a Grant application and execute a grant agreement with the New Jersey Department of Transportation for the South Lincoln Ave Section 2 Resurfacing project.

WHEREAS, Washington Borough, Warren County, New Jersey has given Washington Borough Engineer the approval to submit this grant on the behalf of the Borough of Washington,

NOW, THEREFORE, BE IT RESOLVED that Committee of the Borough of Washington formally approves the grant application for the above stated project,

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2020-South Lincoln Avenue Sec.2-Resurfac-00714** to the New Jersey Department of Transportation on behalf of the Borough of Washington.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Washington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Motion made by Conry and seconded by Duchemin to approve Resolution 2019-125

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 4, Nays: 0
Abstain: 1
Motion carried

RESOLUTION 2019-125

APPROVAL TO SUBMIT APPLICATION FOR SMALL CITIES GRANT FOR AN INNOVATIVE DEVELOPMENT FUND PROJECT TO REHABILITATE THE ARC OF WARREN COUNTY CHAPTER, INC. SUPPORTIVE HOUSING (SUPERVISED APARTMENTS) FOR DEVELOPMENTALLY DISABLED ADULTS OF LOW INCOMES

WHEREAS, the Borough Council of the Borough Washington (Council) has been notified of the State Fiscal Year 2020 Community Development Block Grant (CDBG) Small Cities Program Request for Proposals which includes \$1,200,000 of funding toward an Innovative Development Fund category and the ARC of Warren County Chapter, Inc.'s desire to apply for \$400,000 in funding to make necessary repairs to supervised apartments that provide supportive housing for developmentally disabled adults of low incomes in Washington Borough; and

WHEREAS, the Council has successfully applied for Small Cities CDBG funding in the past as a cooperative partner with the ARC of Warren County Chapter, Inc. to provide improvements to the ARC of Warren County Chapter, Inc.'s facilities; and

WHEREAS, the Council desires to apply for a grant for \$400,000; and

WHEREAS, the Council recognizes and accepts that the Small Cities Program may offer a lesser amount of grant funding and therefore, upon receipt of the Grant Agreement from the State Department of Community Affairs, and any amendments thereto, does further authorize the execution of any such Grant Agreement; and also, upon receipt of the fully executed Agreement from the Small Cities Program, does further authorize the expenditure of funds pursuant to the terms of the Agreement between the County of Sussex and the New Jersey Department of Community Affairs; and

WHEREAS, in order to make application and undertake all other required elements of submission, a Resolution must be adopted by the Council authorizing the application and any amendments thereto and the authority to carry out all construction as previously described and all other aspects of the grant administration; and

WHEREAS, the rehabilitation of the ARC of Warren County Chapter, Inc.'s supervised apartments will continue to provide needed supportive housing services to low and moderate income persons with developmental disabilities in Washington Borough and therefore this project is deemed in the best interest of the Borough and its residents with developmental disabilities;

NOW THEREFORE BE IT RESOLVED that the Mayor and Clerk of the Council are authorized to sign all required elements of the proposed application to rehabilitate the ARC of Warren County Chapter, Inc.'s supervised apartments and apply for a grant in the amount \$400,000 to execute the same; and

BE IT FURTHER RESOLVED that the attached application is submitted to the New Jersey Department of Community Affairs' Small Cities Program in accordance with the regulations promulgated by the US Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED that copies of this Resolution and the attached application shall be provided to the ARC of Warren County Chapter, Inc., c/o J. Caldwell & Associates, LLC, 145 Spring Street Suite E, Newton, NJ 07860; and Terence Schrider, Administrator, Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ, 08625-0811; and the Sussex County Division of Planning.

Motion made by Conry and seconded by Norris to approve Resolution 2019-126

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 4, Nays: 0

Abstain: 1

Motion carried

RESOLUTION 2019-126
ARC
FAIR HOUSING - STATEMENT OF ACTIONS

WHEREAS, the Borough of Washington has made an application for a Grant #226002375-99 with the New Jersey Department of Community Affairs (hereafter NJDCA) for the rehabilitation of the ARC of Warren County, Inc. supervised apartments to provide supportive housing for low income individuals with developmental disabilities; and

WHEREAS, the Borough of Washington must make efforts to affirmatively further fair housing; and

WHEREAS, the Borough of Washington has reviewed various actions that would be acceptable to the NJDCA and the U.S. Department of Housing and Urban Development (hereafter USHUD) and

WHEREAS, the Borough of Washington has made assurances that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
- (4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that, Matthew C. Hall, Borough Manager shall be designated as the Fair Housing Officer for the County of Warren; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Borough of Washington; and

BE IT FURTHER RESOLVED that the Borough of Washington will publish in the local newspaper of record and post at the municipal hall a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

Motion made by Conry and seconded by Duchemin to approve Resolution 2019-127

ROLL CALL Conry, Duchemin, Norris, Valle, Higgins

Ayes: 4, Nays: 0

Abstain: 1

Motion carried

RESOLUTION 2019-127

APPROVAL OF GRANT MANAGEMENT PLAN FOR SMALL CITIES GRANT FOR AN INNOVATED DEVELOPMENT FUND PROJECT TO REHABILITATE SUPPORTIVE HOUSING UNITS FOR LOW INCOME CLIENTS OF THE ARC OF WARREN COUNTY, INC. IN WASHINGTON BOROUGH, WARREN COUNTY, NEW JERSEY

WHEREAS, the Borough Council of the Borough of Washington (Council) has been notified of the State Fiscal Year 2020 Community Development Block Grant (CDBG) Small Cities Program Request for Proposals which includes \$1,200,000 of funding toward an Innovative Development Fund category and the ARC of Warren County's desire to apply for \$400,000 in funding to rehabilitate substandard housing units to occupy for use as supportive housing (supervised apartments) by developmentally disabled adults of low and moderate incomes; and

WHEREAS, the Council has successfully applied for Small Cities CDBG funding in the past as a cooperative partner with the ARC of Warren County to provide improvements to the ARC of Warren County's facilities; and

WHEREAS, the Council desires to apply for a grant for \$400,000; and

WHEREAS, the Council recognizes that a Grant Management Plan must be adopted in order to properly identify the responsible parties for overseeing and implementing the grant; and

WHEREAS, the Council has reviewed the Grant Management Plan submitted for the ARC of Warren County, Inc. Supportive Housing Rehabilitation Project;

NOW THEREFORE BE IT RESOLVED that the Mayor, Council approve of the above-referenced Grant Management Plan; and

BE IT FURTHER RESOLVED that copies of this Resolution and the attached application shall be provided to the ARC of Warren County, Inc., c/o J. Caldwell & Associates, LLC, 145 Spring Street Suite E, Newton, NJ 07860; Terence Schrider, Administrator, Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ, 08625-0811; and the Sussex County Division of Planning.

Motion made by Conry and seconded by Duchemin to approve Resolution 2019-128

ROLL CALL: Conry, Duchemin, Norris, Valle, Higgins

Ayes: 4, Nays: 0

Abstain: 1

Motion carried

**RESOLUTION 2019-128
SMALL CITIES CITIZEN PARTICIPATION PLAN**

WHEREAS, the Borough of Washington is applying for a grant with the New Jersey Department of Community Affairs; and

WHEREAS, that Grant Agreement requires the Borough of Washington to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the Borough of Washington has reviewed the Citizen Participation Plan prepared for Small Cities CDBG grantees;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Washington, Warren County, State of New Jersey, that the Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Borough of Washington; and

BE IT FURTHER RESOLVED that the Borough of Washington will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be provided to New Jersey Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ 08625-0811.

RECAP

M. Hall recapped the following:

- Mr. Hall will speak with Kathy Halpern regarding tree issues/complaints.
- Mr. Hall distributed a memo for Council and Mayor to read regarding points of interest in the Borough doing its own garbage collection.

COUNCIL REMARKS

Councilman Norris reported on the parade and fireworks. Councilman Norris also asked about having more police presence in the borough.

Councilwoman Valle stated she is happy to see Route 57 paved.

Councilwoman Duchemin stated Route 57 is looking great and hopes that everyone is having a great summer. The senior advisory meetings will be posted on the calendar on the borough's website.

Deputy Mayor Conry reiterated what Councilwoman Duchemin expressed. Mrs. Conry inquired about the pictures and boxes being put back on the walls in borough hall by DPW.

Mayor Higgins stated maybe its time the Borough get a TV screen for council chambers for presentations.

Mayor Higgins stated that the Washington Celebrates America group that is run entirely by volunteers are looking for more volunteers as the present members are taking a step back from the organization.

Mayor Higgins reported on the softball game between the police and firefighters. Score was 15-9 with the Fire Department winning.

Mr. Hall thanked everyone for the flower arrangement with regards to the passing of his grandmother.

EXECUTIVE SESSION

A motion was made by Conry seconded by Duchemin to approve a Resolution Authorizing Executive Session for the purpose of discussing contract negotiations, for five minutes at 8:26 p.m.

Ayes: 5 Nays: 0
Motion Carried.

RESOLUTION **AUTHORIZING EXECUTIVE SESSION**

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

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

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

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

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

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

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

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

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

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

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

_____Investigations of violations or possible violations of the law;

_____Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is:

_____ The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

_____Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____

_____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

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

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

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the

Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.

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

A motion was made by Conry seconded by Duchemin to come out of Executive Session at 8:31 pm.

Ayes: 6; Nays: 0

Motion Carried.

ADJOURNMENT

Hearing no further business, a motion was made by Conry seconded by Duchemin to adjourn the meeting at 8:34 pm.

Ayes: 5; Nays: 0

Motion Carried.

Mayor David Higgins

Laurie A. Barton, Borough Clerk