

Zoom Info:

ID# 850 3742 0349
877 853 5247 (Toll
Free) or 888 788
0099 (Toll Free

AGENDA

BOROUGH OF WASHINGTON, WARREN COUNTY, NJ

**April 6, 2021
7:00 PM**

STATEMENT OF ADEQUATE NOTICE

The requirements of the Open Public Meetings Law, P.L. 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Express-Times (Warren County Edition) and posted on the Boroughs website stating the time, place and purpose of the meeting as required by law.

ROLL CALL Conry, Cox, Duchemin, Heinrich, Noone, Norris, Higgins.

AUDIENCE/COUNCIL APPEARANCE

Remarks, petitions, statements and testimony from guests

MINUTES

March 16, 2021

NEW BUSINESS

Agenda-Continued

OLD BUSINESS

ORDINANCES 1st Reading-Public hearing scheduled for May 4th

- **ORDINANCE 2021-03**-ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

- **ORDINANCE 2021-04**-AN ORDINANCE AMENDING CHAPTER 76 OF THE CODE OF THE BOROUGH OF WASHINGTON ENTITLED “SHADE TREE COMMISSION”

RESOLUTIONS

- **RESOLUTION 2021-57**-RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE
- **RESOLUTION 2021-58**-GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S
- **RESOLUTION 2021-59**-RESOLUTION TO ANTICIPATE MISCELLANEOUS REVENUES IN THE 2021 BUDGET USING THE THREE-YEAR AVERAGE OF REALIZED REVENUES FROM THE PRIOR THREE YEARS

- **RESOLUTION 2021-60** Budget Intro Resolution-Public hearing scheduled for May 18th.

- **RESOLUTION 2021-61**-RESOLUTION TO ADJUST SEWER BILLINGS IN ACCORDANCE WITH CHAPTER 70, SECTION 28B OF THE CODE OF THE BOROUGH OF WASHINGTON.

- **RESOLUTION 2021-62**- RESOLUTION TO ADJUST SEWER BILLINGS IN ACCORDANCE WITH CHAPTER 70, SECTION 28B OF THE CODE OF THE BOROUGH OF WASHINGTON.

- **RESOLUTION 2021-63**- RESOLUTION TO ADJUST SEWER BILLINGS IN ACCORDANCE WITH CHAPTER 70, SECTION 28B OF THE CODE OF THE BOROUGH OF WASHINGTON.

VOUCHERS

REPORTS

RECAP

COUNCIL REMARKS

Remarks, Reports, Discussions

EXECUTIVE SESSION-Personnel

ADJOURNMENT _____ P.M.

**CALENDAR YEAR 2021
ORDINANCE 2021-03
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Borough of Washington in the County of Warren finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough of Washington hereby determines that a 2.5 % increase in the budget for said year, amounting to \$ 71,690.58 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of Washington, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Washington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to

\$ 100,366.81, and that the CY 2021 municipal budget for the Borough of Washington be approved and adopted in accordance with this ordinance; and,

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

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

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

ORDINANCE 2021-04

AN ORDINANCE AMENDING CHAPTER 76 OF THE CODE OF THE BOROUGH OF WASHINGTON ENTITLED "SHADE TREE COMMISSION"

WHEREAS, The Borough Council of the Borough of Washington has determined upon consultation with the Shade Tree Commission that it would be advantageous to increase the number of Commissioners from five (5) to seven (7) pursuant to N.J.S.A. 40:64-1;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Washington, County of Warren, State of New Jersey that **§ 76-3** of the Borough Code be amended in its entirety as follows:

There shall be a Commission consisting of seven (7) residents of this municipality, which Commission shall be known as the "Shade Tree Commission of Washington Borough, New Jersey." The seven (7) persons shall be appointed by the Mayor and shall serve without compensation. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term. The terms of office of said Commission shall be in accordance with N.J.S.A. 40:64-2.

RESOLUTION 2021-57

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

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

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on December 6, 2019 to US Bank Cust Pro Cap 8, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$1,028.01 for taxes or other municipal liens assessed for the year 2018 in the name of Abreu, Jr., Nelson & Meghan-Amiee as supposed owners, and in said assessment and sale were described as 35 West Stewart St. Block 22 Lot 2, which sale was

evidenced by Certificate #19-00012; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 3-15-21 and before the right to redeem was cut off, as provided by law, Nelson Abreu, claiming to have an interest in said lands, did redeem said lands claimed by US Bank Cust Pro Cap 8 by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$20,272.13 which is the amount necessary to redeem Tax Sale Certificate #19-00012.

NOW THEREFORE BE IT RESOLVED, on this 6th day of April 2021 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust Pro Cap 8, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102 in the amount of **\$20,372.13** (This amount consists of \$20,272.13 Certificate Amount redeemed + \$100.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 22 Lot 2 from the tax office records.

RESOLUTION 2021-58
GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
“Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964”

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before

submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the *Borough Council* of the *Borough of Washington*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF
COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION'S**

**"Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF *WARREN*

We, members of the governing body of the *Borough of Washington* being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the *Borough Council* of the *Borough of Washington* in the county of *Warren*;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)	(L.S.)
(L.S.)	(L.S.)
(L.S.)	(L.S.)

RESOLUTION 2021-59

**RESOLUTION TO ANTICIPATE MISCELLANEOUS REVENUES IN THE 2021 BUDGET
USING THE THREE-YEAR AVERAGE OF REALIZED REVENUES FROM THE PRIOR
THREE YEARS**

WHEREAS, the COVID 19 pandemic had an adverse effect on the anticipated municipal revenues in the 2020 municipal current and utility fund budgets; and

WHEREAS, Section 1 of P.L. 2020, c.74 amended N.J.S.A 40A:4-26 authorized the Director of the Division of Local Government Services (“Division”) to promulgate new standards for the anticipation of COVID-19 affected revenues in the FY2021 budget, and, if necessary, in future years and

WHEREAS, for FY 2021, the Director authorizes the use of a three-year average for the calculation of affected revenues; and

WHEREAS, the Chief Financial Officer of the Borough of Washington, certifies that the following revenues were affected in 2020 by the COVID 19 pandemic and that the 3 year average of the amounts realized in 2018-2020 be anticipated in the introduced budget for 2021;

<u>Revenue Category</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>Average</u>
Fees and Permits	149,000.00	197,192.02	80,983.00	142,391.67

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Washington in the County of Warren, State of New Jersey that the above referenced revenues be anticipated using the 3 year average as permitted by the amendments to 40A: 4-26, adopted by the P.L. 2020, c. 74

**RESOLUTION 2021-61
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:

BLOCK/LOT	NAME/ADDRESS	REASON/ADJUSTMENT
89/4	Bridget Maguire 210 Broad Street Washington, NJ 07882	New Billing (2) E.D.U.'s Effective: April 2021

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Borough Treasurer is authorized to adjust sewer balance on the above property location.

**RESOLUTION 2021-62
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:

BLOCK/LOT	NAME/ADDRESS	REASON/ADJUSTMENT
94/3	Crestwood Holdings, LLC 55-59 East Washington Ave. Washington, NJ 07882	Change in Use (4) to (1) E.D.U. Effective: April 2021

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Borough Treasurer is authorized to adjust sewer balance on the above property location.

RESOLUTION 2021-63
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:

BLOCK/LOT	NAME/ADDRESS	REASON/ADJUSTMENT
94/1	Crestwood Holdings, LLC 41-47 East Washington Ave. Washington, NJ 07882	Change in Use (3.5) to (2) E.D.U.s Effective: April 2021

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Borough Treasurer is authorized to adjust sewer balance on the above property location.