
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

WASHINGTON BOROUGH COUNCIL MINUTES

June 1, 2021

The regular meeting of the Borough Council of Washington, Warren County, New Jersey was held via ZOOM live stream at 7:00 P.M.

Roll Call: Conry, Cox, Heinrich, Noone, Norris, and Higgins.

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

Absent: Chelsea Duchemin

Mayor Higgins led everyone in the flag salute.

Mayor Higgins read the following statement into 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 Express Times Warren County Edition and posted on the borough website and Facebook stating the time, place and purpose of the meeting as required by law.”

PUBLIC COMMENT

Mel Thiel, BID Executive Director, gave a brief update on the Green Festival, Farmers Market and the Arts, Crafts and Music festival. Juneteenth will be celebrated at Kids R People To. Grand openings will be held at Hair Maizing for their 10th year anniversary. Pool will open on June 12th.

Robin Klimko, Marble St. discussed the area near her house that has been visited by people cutting down the grass and brush and making a trail and expressed her concerns with this opening it up to those will drink and do drugs there now.

Chris Vitalos, thanked the borough council for consideration of the deforesting bill resolution and urged council to adopt it.

Nicholas Settle, E Washington Ave., discussed his email he sent about pride month and conversations with Councilwoman Noone regarding using the pocket park for a Pride event. A communication breakdown occurred and hopes that the borough can have something next year.

Sandra Conklin, E. Church Street., brought up an issue of being a garbage bill that went unpaid and now has a lien on her house because of this.

Chris Caruso, asked what the progression is on the opt out and opt in ordinance and if any progress was done.

Josh Lafargue, Church St., explained more in detail the issue with pocket park and the LGBTQ community wanting to do something during the Farmers Market and discussions he had with Mel Thiel.

Hearing no further public comment, motion made by Norris and seconded by Conry to close the public portion, all were in favor.

NEW BUSINESS

Manager Hall discussing Covid-19 restrictions and added that he will be reopening the municipal building starting Monday, to the public, and anyone entering to wear masks inside the building.

ORDINANCES 1st reading

Motion made by Conry and seconded by Norris to approve on first reading Ordinance 2021-05. Public hearing set for July 6, 2021.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.

Ayes: 4 Nays: 2 (Heinrich & Norris)

Motion passes.

BOROUGH OF WASHINGTON

ORDINANCE 2021-05

AN ORDINANCE OF THE BOROUGH OF WASHINGTON AMENDING THE BOROUGH'S LAND USE REGULATIONS TO PROHIBIT ALL CLASSES OF CANNABIS BUSINESSES WITHIN THE BOROUGH TO ALLOW THE BOROUGH MORE TIME AND FLEXIBILITY IN DETERMING POTENTIAL PERMITTED USES

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least twenty-one years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults

twenty-one years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1: Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2: Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3: Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4: Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5: Cannabis Retailer license, for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6: Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer; and

WHEREAS, section 31a of the Act authorizes municipalities, by ordinance, to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location, manner, and times of operation of such establishments, distributors, or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities, by ordinance, to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling, and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; an

WHEREAS, the Cannabis Regulatory Commission (Commission), established pursuant to section 31 of P.L.2019, c.153 (C.24:6I-24), is charged with, among other things, the responsibility to adopt rules and regulations prepared by the Commission necessary or proper to enable it to carry out its duties, functions, and powers with respect to overseeing the development, regulation, and enforcement of activities associated with the personal use of cannabis pursuant to P.L.2021, c.16 (C.24:6I-31 et al.). within 180 days after the effective date of P.L.2021, c.16; and

WHEREAS, the timing of the Commission's promulgation of those aforementioned rules is not likely to leave municipalities sufficient time to review and consider the implications for

developing local regulations regarding cannabis establishments, cannabis distributors or cannabis delivery services; and

WHEREAS, the Mayor and Borough Council of the Borough of Washington has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Borough of Washington in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety, and welfare of the Borough's residents and members of the public to amend the Borough's zoning regulations to prohibit all manners of marijuana-related land use and development within the Borough; and

WHEREAS, the Mayor and Council of the Borough of Washington has determined that, a resolution to prohibit all manner of marijuana-related land use and development within the Borough prior to August 22, 2021, would not preclude the Borough from taking later action, at a time of the Borough's choosing and as permitted by P.L.2021, c.16, to allow marijuana-related land use; and

WHEREAS, officials from the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis land development and uses, would

be to prohibit all such uses within the Act’s 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

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

SECTION 1. Preamble incorporated. The preamble to this ordinance is hereby incorporated as if fully restated herein.

SECTION 2. Cannabis businesses prohibited. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (*P.L.* 2021, *c.* 16) (the “Act”), all cannabis establishments, cannabis distributors or cannabis delivery services as said terms are defined in section 3 of the Act and in Chapter 94 Section 5 of the “Code of the Borough of Washington” are hereby prohibited from operating anywhere in the Borough of Washington, except for the delivery of cannabis items and related supplies within the Borough by a delivery service located outside of the Borough.

SECTION 3. Chapter 94 Section 5 of the Borough Code amended. “Definitions” in Chapter 94 Section 5 (94-5) “ Zoning and Land Development” of the “Code of the Borough of Washington” (“Code” or “Borough Code”) is hereby amended by adding thereto the following new definitions:

CANNABIS CULTIVATOR

Any person or entity holding a Class 1 Cannabis Cultivator license issued by the State of New Jersey that grows, cultivates, or produces cannabis in the State of New Jersey, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

CANNABIS DELIVERY

The transportation of cannabis items and related supplies to a consumer. “Cannabis delivery” also includes the use by a licensed cannabis retailer of

any third party technology platform to receive, process, and fulfill orders by consumers, which third party shall not be required to be a licensed cannabis establishment, distributor, or delivery service, provided that any physical acts in connection with fulfilling the order and delivery shall be accomplished by a certified cannabis handler performing work for or on behalf of the licensed cannabis retailer, which includes a certified cannabis handler employed or otherwise working on behalf of a cannabis delivery service making off-premises deliveries of consumer purchases fulfilled by that cannabis retailer.

CANNABIS DELIVERY SERVICE

Any person or entity holding a Class 6 Cannabis Delivery license issued by the State of New Jersey that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer.

CANNABIS DISTRIBUTOR

Any person or entity holding a Class 4 Cannabis Distributor license issued by the State of New Jersey that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports 40 cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities.

CANNABIS ESTABLISHMENT

A cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.

CANNABIS MANUFACTURER

Any person or entity holding a Class 2 Cannabis Manufacturer license issued by the State of New Jersey, that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

CANNABIS RETAILER

Any person or entity holding a Class 5 Cannabis license issued by the State of New Jersey that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and

may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer.

CANNABIS WHOLESALER

Any person or entity holding a Class 3 Cannabis Wholesaler license issued by the State of New Jersey that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers.

SECTION 4. Chapter 94 Section 73 of the Borough Code amended. Section 73, “Prohibited Uses” in Chapter 94, “Zoning Land Development” of the Borough Code is hereby amended to read as follows (new text is underlined thus; deleted text is in brackets [thus]):

§ Z-104 Prohibited Uses.

D. The following uses are also expressly prohibited in all Zone Districts:

(1) The operation of any and all classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in this chapter and in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies within the Borough by a cannabis delivery service located outside the Borough.

5. Referral to Planning Board. Following introduction and prior to adoption, the Clerk shall cause a copy of this ordinance to be referred to the Borough of Washington Land Use Board for review pursuant to *N.J.S.A. 40:55D-26*.

6. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

7. Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be valid and enforceable.

8. Effective Date. This ordinance shall take effect twenty days from the date of its adoption and upon filing with the Warren County Planning Board, as required pursuant to N.J.S.A. 40:69A-181 and N.J.S.A. 40:55D-16.

RESOLUTIONS

Motion made by Conry and seconded by Noone to adopt Resolution 2021-74.
Discussion: Mayor Higgins explaining a mandate that will be unfunded from the State

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.
Ayes: 6 Nays: 0
Motion passes.

RESOLUTION 2021-74

RESOLUTION OPPOSING NEW JERSEY STATE ASSEMBLY AND SENATE FOREST MANAGEMENT BILLS A-4843/S-3549, A-4844/S-3550 AND A-4845/S-3548

WHEREAS, Forest Stewardship Plans (FSPs) approved pursuant to Section 3 of P.L. 2009, c. 256 (C.13:1L-31), are exempt from all regulations of the Highlands Regional Master Plan including logging and water body rules; and

WHEREAS, the New Jersey State Senate and Assembly have introduced bill A-4843/S-3549, which would require local governments to develop FSPs for all public forest land of 25 acres or more owned by Washington Borough that had been acquired for conservation and recreation under the Green Acres Program; and

WHEREAS, Washington Borough has recently secured the purchase of a tract of undeveloped land whose acreage exceeds 25 acres, located in the proximity of Nunn Avenue, Lenape Trail, Mechanic Street and Cemetery Hill Road, and intends to use this land for recreational purposes; and

WHEREAS, bill A-4843/S-3549 will require Washington Borough to implement FSP on this parcel of land; and

WHEREAS, the FSP would need to be researched, developed and submitted by a trained Forester and Washington Borough, at Washington Borough's cost; and

WHEREAS, bill A-4843/S-3549 does not provide any funds for compliance and, therefore, amounts to an unfunded mandate; and

WHEREAS, the financial pressure caused by this unfunded mandate would force Washington Borough to consider and institute one or more actions, each of which would have one or more negative impacts on the fiscal, environmental and social health of the community. Among those potential actions are, increasing taxes, reducing services, reducing Borough employees and engaging heavily in the logging of our public land which would also expose our forest ecosystems to invasive plant and insect species, while risking degradation of our soil and water quality, which would force Washington Borough to incur additional costs to remediate resulting environmental issues; and

WHEREAS, non-profit land trusts that also manage land in the County of Warren for public enjoyment, that struggle to secure adequate funding for land stewardship would be at a loss to pay for the preparation and implementation of required FSPs which could result in bankruptcy and/or loss of their land; and

WHEREAS, the FSPs required under A-4843/S-3549 are not the appropriate approach for protecting public forests and lands, nor enhancing the ecosystem services; clean water, clean air, flood mitigation, carbon sequestration they afford us. When written and reviewed by foresters these stewardship plans typically emphasize logging and the extraction of wood products, which is a drastic measure and is not appropriate management for most if not all public forests; and

WHEREAS, logging will reduce New Jersey's ability to sequester carbon and make it more difficult to achieve the greenhouse gas emissions reductions target in the NJ Global Warming Response Act; and

WHEREAS, logging will result in more stormwater runoff and more silt and pollution in our waterways while also causing environmental damage to wetlands, waterways, and forest habitats. Logging will limit access to public forested land; and

WHEREAS, logging would diminish the recreational experiences of Washington Borough residents; and

WHEREAS, should the State of New Jersey or any other public or private entity provide funds for FSPs and eliminate the unfunded mandate issue, Washington Borough still opposes A-4843/S-3549 for all the other reasons stated herein; and

WHEREAS, the New Jersey State Senate and Assembly have introduced bill A-4844/S-3550, which provides that county approval is not required for FSPs. The bill would also prohibit a local government unit, such as Washington Borough, from enacting any ordinance, rule, or resolution that requires local government approval of an FSP or that conflicts with, prevents, or impedes the implementation of an FSP approved by the DEP. The bill would also provide that the DEP's rules would supersede any county ordinance adopted prior to the effective date of this bill; and

WHEREAS, Current law (Section 6 of P.L.2009, c.256 (C13:1L-34) states: No local government unit may enact, on or after the date of enactment of P.L.2009, c.256 (C. 13:1L-29 et al.), any ordinance, rule, or resolution, as appropriate, that conflicts with, prevents, or

impedes the implementation of a forest stewardship plan approved pursuant to section 3 of P.L.2009, c.256 (C13:1L-31). A-4844/S-3550 extends these restrictions to any ordinance, rule, or resolution that requires local government approval of a forest stewardship plan. Therefore, this bill ensures that all forest stewardship plans required under companion bill A-4843/S-3549 are included in this set of already highly restrictive limits on municipalities and prevents them from having any control over NJDEP FSPs; and

WHEREAS, current law already restricts municipal oversight of NJDEP approved FSPs but has not impacted many municipalities as FSPs are not required and municipalities manage open space land through local ordinances. The enactment of A-4843/S-3549 will replace many ordinances with FSPs and many municipalities will lose total control over their forested lands and be unable to stop them from being logged; and

WHEREAS, there are no penalties associated with damages caused by FSPs. Replacing ordinances with FSPs would take away the authority of local governments to ensure private companies or individuals are not impacting environmentally sensitive areas or threatened or endangered species or creating disturbances close to stream corridors; and

WHEREAS, bill A-4844/S-3550 is a violation of home rule principles and the principles behind municipal land use laws throughout New Jersey's legislative and judicial history; and

WHEREAS, bill A-4845/S-3548 sets a Statewide goal of conducting prescribed burns on a minimum of 50,000 acres in the Pinelands area, and an additional 10,000 acres elsewhere in the State, every year; and

WHEREAS, bill A-4845/S-3548- requires burning about 6% of New Jersey's entire public forested land every year (In 17 years an area equivalent to all of New Jersey's public forests will have been burned); and

WHEREAS, there is no supporting scientific justification offered for burns of the magnitude required by bill A-4845/S-3548. Requiring a burn of 10,000 acres anywhere in the state outside the Pinelands is irresponsible, dangerous, costly, and wholly without merit; and

WHEREAS, decisions to conduct controlled forest burns of specific sizes should be based on scientific analysis of specific situations in specific areas each year and not predetermined for all time by law; and

WHEREAS, burning forests increases greenhouse gas emissions and air pollution, both of which are already significant problems throughout New Jersey; and

WHEREAS, the Prescribed Burns Act does not properly address air pollution and it limits liability if these fires get out of control; and

WHEREAS, controlled burns are expensive to execute and bill A-4845/S-3548 also

causes additional expenditures by requiring all relevant State agencies involved in environmental planning and land use management to incorporate the yearly minimum burns into all plans, programs, and surveys.

NOW, THEREFORE, BE IT RESOLVED that the Washington Borough Council, in the interest of protecting its residents and businesses, and controlling its public open spaces to optimize its value as a source of recreation and public enjoyment, strongly opposes New Jersey State Assembly and Senate Forest Management Bills A-4843/S-3549, A-4844/S-3550 and A-4845/S-3548.

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to the Governor of the State of New Jersey Phil Murphy, Commissioner of the NJ Department of Environmental Protection, State Senator Bob Smith, State Assembly Speaker Craig Coughlin, State Senator Steven V. Oroho, Senator Michael J. Doherty, State Assemblyman Parker Space, Harold J. Wirths and John DiMaio, Warren County Commissioners Lori Ciesla, Jason Sarnoski, James Kern III, New Jersey Forest Watch (newjerseyforestwatch@gmail.com), Warren County Municipalities, League of New Jersey Municipalities, and NJ Advance Media.

Motion made by Conry and seconded by Noone to adopt Resolution 2021-75.

Discussion: Councilwoman Cox asked what is Juneteenth and stated that she read it but doesn't know what this is and why is this. Further comments were made by Councilwoman Cox regarding the resolution and slavery and the Juneteenth recognition and stated that there are so many other things to be discussed.

Mayor Higgins read Resolution 2021-75 in its entirety into the record.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.

Ayes: 6 Nays: 0

Motion passes.

RESOLUTION 2021-75

RESOLUTION TO RECOGNIZE AND CELEBRATE JUNETEENTH ON JUNE 19TH IN THE BOROUGH OF WASHINGTON

WHEREAS, Juneteenth is the oldest recognized celebration observing the freedom of African Americans from slavery in the United States. Juneteenth is a historic milestone reminding Americans of the triumph of the human spirit over the harshness of slavery and the basic civil right of freedom and equality for all; and

WHEREAS, the Emancipation Proclamation was issued on September 22, 1862, with an effective date of January 1, 1863, but it had minimal immediate effect on the majority of enslaved people who remained in captivity and were oppressed by slave owners; and

WHEREAS, on June 19, 1865, Union General Gordon Granger and 2,000 federal troops arrived in Confederate-controlled Texas to take possession of the state and to enforce the emancipation of enslaved people throughout the state; and

WHEREAS, two years, five months and eighteen days after President Abraham Lincoln signed the Emancipation Proclamation, the last of those enslaved within the borders of the United States were freed; and

WHEREAS, the word “Juneteenth” became the name for the joyous celebration of freedom from slavery as a result of the words “June Nineteenth” combined together in speech; and

WHEREAS, Juneteenth is celebrated in many American towns and cities and is officially recognized by 47 states including New Jersey, which recognized it with the passage of NJ S 19 in 2020;

NOW THEREFORE, BE IT RESOLVED that the Borough of Washington hereby recognizes and celebrates Juneteenth on June 19th.

Motion made by Heinrich and seconded by Conry to adopt Resolution 2021-76.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.
Ayes: 6 Nays: 0
Motion passes.

**RESOLUTION 2021-76
RETAIL DISTRIBUTION LICENSE
WARREN COUNTY DISCOUNT LIQUOR
LICENSE NUMBER #2121-44-006-002**

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Distribution License** and in accord with an Act of Legislature concerning Alcoholic Beverages and the Amendments and Supplements thereto; and

WHEREAS, the following applicant has paid a fee of **\$720.00**.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Washington, County of Warren, and State of New Jersey that a **Plenary Retail Distribution License** be issued by the Borough Clerk and granted to:

License # 2121-44-006-002
Warren County Discount Liquor Grocery Inc
260 Washington Ave.
Washington NJ 07882

From July 1, 2021 – June 30, 2022, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

Motion made by Heinrich and seconded by Noone to adopt Resolution 2021-77.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.
Ayes: 6 Nays: 0
Motion passes.

**RESOLUTION 2021-77
RETAIL DISTRIBUTION LICENSE
WASHINGTON DISCOUNT LIQUOR
LICENSE NUMBER #2121-44-008-008**

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Distribution License** and in accord with an Act of Legislature concerning Alcoholic Beverages and the Amendments and Supplements thereto; and

WHEREAS, the following applicant has paid a fee of **\$720.00**.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Washington, County of Warren, and State of New Jersey that a **Plenary Retail Distribution License** be issued by the Borough Clerk and granted to:

License # 2121-44-008-008
Washington Discount Liquors LLC
66 Route 31
Washington NJ 07882

From July 1, 2021 – June 30, 2022, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

Motion made by Conry and seconded by Cox to adopt Resolution 2021-78.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.
Ayes: 6 Nays: 0
Motion passes.

**RESOLUTION 2021-78
RETAIL CONSUMPTION LICENSE
VMI OF WASHINGTON
(ENZO'S RESTAURANT)
LICENSE NUMBER #2121-33-001-005**

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Consumption License** and in accord with an Act of Legislature concerning Alcoholic Beverages and the Amendments and Supplements thereto; and

WHEREAS, the following applicant has paid a fee of **\$720.00**.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Washington, County of Warren, and State of New Jersey that a **Plenary Retail Consumption License** be issued by the Borough Clerk and granted to:

License # 2121-33-001-005

VMI of Washington, Inc.
(Enzo's Restaurant)
328 W. Washington Ave.
Washington NJ 07882

From July 1, 2021 – June 30, 2022, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

Motion made by Cox and seconded by Conry to adopt Resolution 2021-79.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.

Ayes: 6 Nays: 0

Motion passes.

**RESOLUTION 2021-79
RETAIL CONSUMPTION LICENSE
LINSKO, INC (SCOTTYS STADIUM)
LICENSE NUMBER #2121-33-004-007**

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Consumption License** and in accord with an Act of Legislature concerning Alcoholic Beverages and the Amendments and Supplements thereto; and

WHEREAS, the following applicant has paid a fee of **\$720.00**.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Washington, County of Warren, and State of New Jersey that a **Plenary Retail Consumption License** be issued by the Borough Clerk and granted to:

License # 2121-33-004-007

Linsco, Inc.
(Scottys Stadium)
15 Belvidere Ave.
Washington NJ 07882

From July 1, 2021 – June 30, 2022, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

Motion made by Cox and seconded by Conry to adopt Resolution 2021-80.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.
Ayes: 6 Nays: 0
Motion passes.

**RESOLUTION 2021-80
PLENARY RETAIL CONSUMPTION
WILLIAMS IRISH TAVERN
LICENSE NUMBER #2121-33-007-004**

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Consumption License** and in accord with an Act of Legislature concerning Alcoholic Beverages and the Amendments and Supplements thereto; and

WHEREAS, the following applicant has paid a fee of **\$720.00**.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Washington, County of Warren, and State of New Jersey that a **Plenary Retail Consumption License** be issued by the Borough Clerk and granted to:

License # 2121-33-007-004
Williams Irish Tavern LLC
101 E. Washington Ave.
Washington NJ 07882

From July 1, 2021 – June 30, 2022, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

Motion made by Cox and seconded by Norris to adopt Resolution 2021-81.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.
Ayes: 6 Nays: 0
Motion passes.

**RESOLUTION 2021-81
RETAIL CONSUMPTION LICENSE
PHILBERTS PUB
LICENSE NUMBER #2121-33-005-006**

WHEREAS, an application has been made in apparent conformity with the requirements and conditions relative to the issuance of a **Plenary Retail Consumption License** and in accord with an Act of Legislature concerning Alcoholic Beverages and the Amendments and Supplements thereto; and

WHEREAS, the following applicant has paid a fee of **\$720.00**.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Washington, County of Warren, and State of New Jersey that a **Plenary Retail Consumption License** be issued by the Borough Clerk and granted to:

License # 2121-33-005-006

Philberts Pub
101 W. Washington Ave.
Washington NJ 07882

From July 1, 2021 – June 30, 2022 provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

Motion made by Conry and seconded by Heinrich to adopt Resolution 2021-82.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.

Ayes: 6 Nays: 0

Motion passes.

RESOLUTION 2021-82

**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 2021 in the sum of \$173,333.33 which is now available from the Department of Homeland Security

BE IT FURTHER RESOLVED, that the like sum of \$173,333.33 is hereby appropriated under the caption of Other Expenses – Firefighter Grant

Motion made by Conry and seconded by Heinrich to adopt Resolution 2021-83.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.

Ayes: 6 Nays: 0

Motion passes.

RESOLUTION 2021-83

**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 2021 in the sum of \$115,000.00 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$115,000.00 is hereby appropriated under the caption of Other Expenses – Municipal Aid

Motion made by Conry and seconded by Heinrich to adopt Resolution 2021-84.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.

Ayes: 6 Nays: 0

Motion passes.

RESOLUTION 2021-84

**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 2021 in the sum of \$4,434.00 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$4,434.00 is hereby appropriated under the caption of Other Expenses – Municipal Alliance

Motion made by Conry and seconded by Heinrich to adopt Resolution 2021-85.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.

Ayes: 6 Nays: 0

Motion passes.

RESOLUTION 2021-85

**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 2021 in the sum of \$66,611.00 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$66,611.00 is hereby appropriated under the caption of Other Expenses – NJ Cares

Motion made by Conry and seconded by Heinrich to adopt Resolution 2021-86.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.

Ayes: 6 Nays: 0

Motion passes.

RESOLUTION 2021-86

**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 2021 in the sum of \$4,585.06 which is now available from the State of New Jersey

BE IT FURTHER RESOLVED, that the like sum of \$4,585.06 is hereby appropriated under the caption of Other Expenses – Recycling Tonnage Grant

Motion made by Conry and seconded by Heinrich to adopt Resolution 2021-87.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.

Ayes: 6 Nays: 0

Motion passes.

RESOLUTION 2021-87

**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 2021 in the sum of \$2,537.00 which is now available from the Statewide Insurance Fund

BE IT FURTHER RESOLVED, that the like sum of \$2,537.00 is hereby appropriated under the caption of Other Expenses – Safety Grant

Motion made by Heinrich and seconded by Conry to adopt Resolution 2021-88.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.

Ayes: 6 Nays: 0

Motion passes.

RESOLUTION 2021-88

**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 2021 in the sum of \$250.00 which is now available from the Statewide Insurance Fund

BE IT FURTHER RESOLVED, that the like sum of \$250.00 is hereby appropriated under the caption of Other Expenses – Safety Grant

VOUCHERS AND CLAIMS

Motion made by Conry and seconded by Heinrich to pay vouchers and claims.

Roll Call: Conry, Cox, Heinrich, Noone, Norris and Higgins.

Ayes: 6 Nays: 0

Motion passes.

RECAP

Manager Hall recapped the following:

- Work on re-opening plan and will present to everyone at work.
- Work with Attorney Parikh with the Land Use Board for zoning ordinance (lighting)
- Work with the billing clerk(Fleming) to sort out the monies owed (Conklin)

COUNCIL REMARKS

Councilwoman Noone gave the following remarks:

- Invited everyone to come to the Farmers Market and festival. Hopes to see a lot of people there.
- Celebrating Juneteenth.

Councilwoman Cox gave the following remarks:

- Her comments were not meant to upset or antagonize anyone. So many oddities at this meeting. It wasn't meant to upset anyone or anyway shape or form, it was very bizarre.
- Doesn't want anyone to suffer at any hands and apologizes.
- Would like to get more information on diversity meetings.
- Councilwoman Noone and Mel Thiel doing a great job.

Councilman Norris gave the following remarks:

- Offered to help with the festival.

Councilman Heinrich gave the following remarks:

- Thanked Councilwoman Noone for all her hard work on the Farmers Market.

Deputy Mayor Conry gave the following remarks:

- Explained her reaction from a text received earlier in meeting regarding the death of her cousin.
- Upset about comments made by Councilwoman Cox regarding Juneteenth. She has relatives who are still living that were related to slaves. Has an uncle who is 101 years old.
- Discussed the rescheduled meeting of the Diversity committee. Getting faith-based community involved as well as LGBTQ community.
- Thanked Councilwoman Noone for help with the Juneteenth resolution.
- Thanked Mel Thiel for explaining what happened with the pocket park to Mr. Settle.

Mayor Higgins gave the following remarks:

- Reminded everyone to sign the EEOC form the Clerk has put in the mail room.
- Discussed feral cat feedings.
- Asked about action on the cemetery, after receiving letter from the Cemetery Board concerning issues.
- Next meeting is July 6th.

Adjourn

Motion made by Conry and seconded by Norris to adjourn at 9:00 p.m. All in favor,

Ayes: 6: Nays: 0

Motion Carried.

Mayor David Higgins

Laurie A. Barton, Borough Clerk