
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

WASHINGTON BOROUGH COUNCIL MINUTES

July 6, 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, Duchemin, Heinrich, Noone and Higgins.

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

Absent: Norris

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

David Desanto, Cemetery Hill Rd., discussed the preservation of the Shabbecong Creek and what the volunteers have been doing to clear trails on the property and looking into matching funds with Green Acres.

Robin Klimko, W. Marble St., inquired about what was going on with the property near her on Ramapo Rd.

Chris Caruso, W. Washington Ave., asked what the current status is on the opting in ordinance for cannabis. Mr. Caruso asked council to consider having a special meeting to opt in before August.

Shelley Coleman, N. Lincoln Ave., commented on how the parking issue on her street is horrible and would like to see one way parking if possible.

Jay Harrington, E. Washington Ave., followed up with Ms. Colemans concerns on the dangerous parking issues.

Lt. Kaufman, Washington Township Police, introduced Chris Jones as the Deputy Chief who will take over as the new Chief of Police. Mr. Jones spoke about growing up in the Borough and thanked everyone.

Sonya Ron, Park Ave., gave a statement of being Hispanic and part of the LGBQ community here in the Borough and asked for the resignation of Councilwoman Louann Cox from Council for statements she made at the June 1, 2021 meeting.

Joshua Lafargue, gave a prepared statement highlighting the LGBQ community and the comments and lack of an apology given by Councilwoman Luann Cox. Mr. Lafargue asked for Ms. Cox to step down and for Council to pass a no confidence and censure of Ms. Cox.

Chris Bauknight, 95 Lenape Trail, stated that Luann is not fit to represent Council. Stated that her words are unhinged, inappropriate and very insensitive and that she is unfit to be on Council and asked that she be removed.

Tristain Lafferrier(sp), stated he moved back to the Borough and that he grew up here. Discussed the inappropriate racist remarks and behavior given by Ms. Cox at the last meeting. He is also a member of the LGBQ community and asked that Councilwoman Cox resign.

Tia Wilson, spoke about the community coming together. Ms. Wilson stated that she is black, Latin and a female and she isn't going anywhere. Ms. Wilson expressed the audacity of some members of council and demanded better.

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

NEW BUSINESS

Turn the Town Teal-Approval

Motion made by Noone and seconded by Conry to approve the ribbons around town request, all were in favor.

Cross River Fiber

Motion made by Conry and seconded by Duchemin to send a letter to Cross River Fiber to request that they pay for an Attorney and Engineer review, all were in favor.

Shabbecong Creek Nature Preserve

Gary Poherly and Jerimiah Apgar both gave an update on the recent improvements being made to the area, trails are now being cut for hiking. Mr. Poherly stated they have no budget and are looking for any scrap wood anyone may have so they can upcycle and use for foot bridges along the trails where wet spots are. They will take a break for a month during the summer and are looking for volunteers to help with the project.

Robin Klimko addressed her concerns in regards to the trails being made on the preserve. She spoke to her neighbors who are mad about the trails. There is a lot of wildlife and don't feel the need for the trails. She asked to consider people's privacy and that there are drug problems in

that area. Juveniles go back there and things get dumped back there. Mrs. Klimko stated she is a victim of a robbery at her house recently since the trails were put there. Mrs. Klimko stated she has a letter that most of her neighbors signed that are against this.

Councilman Heinrich stated that the trails will preserve the land and garbage will be picked up.

Lengthy discussions ensued regarding the preserve and the trails and its impact.

Motion

Motion made by Duchemin and seconded by Conry to continue the support of the trail development of the Shabbecong and to consider moving the trail outwards from the homes subject to DEP restrictions, all were in favor with the exception of Councilwoman Cox and Mayor Higgins voting no.

Motion

Manager Hall explained the opportunity given to him by Enterprise Fleet, regarding the DPW vehicles and terminating their leases early which will save the borough money.

Motion made by Heinrich and seconded by Noone to proceed with the Enterprise proposal.

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

Ayes: 5, Nays: 0 Abstain: 1(Cox)

Motion passes

Manager Hall recommended that the borough waive the 2021 Housing Inspection fees with the State having a moratorium still in place for utilities.

Motion made by Conry and seconded by Noone to waive the fees until 2022.

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

Ayes: 6, Nays: 0 Abstain: 1(Heinrich)

Motion passes

MINUTES

Motion made by Noone and seconded Conry by to approve the following minutes.

May 18, 2021

June 1, 2021

June 15, 2021

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

Ayes: 6 Nays: 0 Abstain (Heinrich abstains from June 15th and Duchemin abstains from June 1st)

Motion passes.

Lt. Kaufman, Washington Township Police, gave a report on Code Enforcement activities that have been done by Officer Merrill from January until present. The department will be getting a new record management system to streamline the process.

ORDINANCES 2nd reading

Motion made by Conry and seconded by Noon to open the public hearing for Ordinance 2020-05 all were in favor.

Chris Caruso, W. Washington Ave asked for a special meeting to consider an opt in ordinance before adopting Ordinance 2021-05.

Attorney Parikh recommended to table Ordinance 2021-05 and have a special meeting on July 20th to consider an opt in ordinance to be introduced.

Motion made by Heinrich and seconded by Noone to table Ordinance 2021-05 to August 3rd meeting. All were in favor with the exception of Mayor Higgins voting no.

Motion made by Noone and seconded by Conry to have a special meeting, Zoom only, on July 20th at 6PM, all were in favor.

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

ORDINANCES-1st Reading

Motion made by Noone and seconded by Conry to approve on first reading Ordinance 2021-06.

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

Ayes: 6 Nays: 0

Motion passes.

**ORDINANCE 2021-06
BOROUGH OF WASHINGTON
ORDINANCE TO PETITION THE HIGHLANDS COUNCIL FOR PLAN
CONFORMANCE FOR THE PLANNING AREA**

Section 1 Purpose

The Borough of Washington is located fully within that portion of the New Jersey Highlands Region defined by the Highlands Act, as the “Planning Area” (see definitions, below). This Ordinance is enacted pursuant to Section 15.a. of the Highlands Water Protection and Planning Act (Highlands Act, N.J.S.A. 13:20-1 et seq.), which provides that a municipality may choose to conform its master plan, development regulations, and other regulations to the provisions of the Highlands Regional Master Plan, with respect to lands located within the Planning Area, and by Ordinance, petition the New Jersey Highlands Water Protection and Planning Council (Highlands Council) for Plan Conformance approval of such planning and regulatory documents.

By adoption of this Ordinance, the Governing Body of the Borough of Washington establishes that the municipality shall conform its master plan, development regulations, and all other regulations applicable to the use and development of land within the Planning Area of the municipality, to achieve consistency with the goals, requirements, and provisions of the Highlands Regional Master Plan. Said conformance shall be in accordance with the provisions of Highlands Council approval of the municipality's Petition for Plan Conformance, which was previously submitted to the Highlands Council by Resolution 2019-44 adopted by the Governing Body on February 5, 2019, and which the Highlands Council approved with certain conditions by Highlands Council Resolution No. 2021-07, adopted on February 18, 2021. Further, this Ordinance specifically reserves the rights of the municipality as specified by the Highlands Act, with respect to the voluntary nature of Plan Conformance for the Planning Area.

Section 2 Basis and Background

The Highlands Act finds and declares that protection of the Highlands Region is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other significant natural resources. The Highlands Act creates a coordinated land use planning system requiring the Highlands Council to prepare and adopt a Regional Master Plan that serves to protect, restore and enhance the significant resources the Highlands Region. The Highlands Act sets forth a bifurcated system for municipal conformance with the goals, requirements and provisions of the Regional Master Plan. Pursuant to Section 14.a. of the Highlands Act, a municipality located wholly or partially in the Preservation Area was required to submit by December 8, 2009 a revised municipal master plan, development regulations and other regulations, as applicable to the development and use of land in the Preservation Area, to conform them with the Regional Master Plan.

Pursuant to Section 15.a. of the Highlands Act, for a municipality located wholly in the Planning Area or for any portion of a municipality lying within the Planning Area, the municipality may submit at any time a revised master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, that conforms with the Regional Master Plan. Plan Conformance by a municipality is strictly voluntary for lands in the Planning Area.

Consequently, Borough of Washington, having lands in the Planning Area of the Highlands Region, did submit as part of a Petition for Plan Conformance to the Highlands Council on October 26, 2020, proposed revisions to the master plan, development regulations and other regulations that relate to the development and use of land in the Planning Area. On February 21, 2021, the Highlands Council adopted Resolution No. 2021-07 approving Washington Borough's Petition for Plan Conformance. The approval was conditioned upon the Borough of Washington's adoption of an ordinance pursuant to Section 15a of the Highlands Act, formally petitioning the Highlands Council for Plan Conformance for lands within the Planning Area.

Section 3 Applicability

This Ordinance applies to the development and use of land located in the Planning Area of Washington Borough, as defined by Section 7 of the Highlands Act.

Section 4 Definitions

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

Highlands Council – means the New Jersey Highlands Water Protection and Planning Council.

Highlands Act – means the Highlands Water Protection and Planning Act, P.L. 2004, c.120, as amended, codified in part at N.J.S.A. 13:20-1 *et seq.*

Highlands Region means all that area within the boundaries of the municipalities listed in subsection a. of section 7 of the Highlands Act.

Planning Area - means lands within the Highlands Region not within the Preservation Area (N.J.S.A. 13:20-7).

Plan Conformance – means the process by which a municipality revises the master plan, development regulations and other regulations related to the development and use of land to conform them with the goals, requirements, and provisions of the Regional Master Plan in accordance with the Highlands Plan Conformance Guidelines.

Preservation Area – means that portion of the Highlands Region so designated by subsection b. of section 7 of the Highlands Act.

Regional Master Plan– means the Highlands regional master plan or any revision thereof adopted by the Highlands Council pursuant to N.J.S.A. 13:20-8.

Section 5 Petition for Plan Conformance

The Borough of Washington hereby formalizes its Petition for Plan Conformance to the Highlands Council, declaring it fully effective for lands in the Planning Area of the municipality, said Petition having been approved by the Highlands Council subject to the conditions as set forth in Highlands Council Resolution No. 2021-07, adopted on February 18, 2021.

Section 6 Reserved Right of Withdrawal for Planning Area

At any time, the Borough of Washington may withdraw its Petition for Plan Conformance for the Planning Area. In such event, any approvals, rejections or conditions of the revised municipal master plan, development regulations or other regulations that pertain to the Planning Area, as set forth by the Highlands Council in approving Resolution No. 2021-07, will not be binding upon the Borough of Washington. Any such withdrawal, should it occur, shall require repeal of this Ordinance, and shall be followed by formal notification to the Highlands Council, sent within ten (10) days of adoption by certified mail and including a certified copy of such repealing ordinance.

Section 7 Planning Grants and Technical Assistance

Upon application of Washington Borough, the Highlands Council has made, or will make, grant funding and other financial and technical assistance available to Washington Borough for the reasonable costs associated with the revision of the master plan, development regulations or other

regulations, which revisions are designed to bring those plans and regulations into conformance with the Regional Master Plan. The Highlands Council shall provide grant funds for all mandatory aspects of Plan Conformance in accordance with the Plan Conformance Grant Program, and may also provide grant funds for the discretionary aspects of Plan Conformance as determined by the Highlands Council. As Plan Conformance for lands in the Planning Area is strictly voluntary, Washington Borough retains the right to withdraw the Petition relating to lands lying in the Planning Area from the Plan Conformance process at any time.

Section 8 Effective Date

This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

RESOLUTIONS

Motion made by Heinrich and seconded by Duchemin to move Resolution 2021-94 to top of the Resolution list for consideration, all in favor,

Motion made by Heinrich and seconded by Duchemin to approve Resolution 2021-94.

Roll Call: Conry, Heinrich, Duchemin, Noone and Higgins.

Ayes: 5 Nays: 0 Abstain: 1(Cox)

Motion passes.

RESOLUTION 2021-94

WHEREAS, Juneteenth is the oldest recognized celebration observing the freedom of African Americans from slavery in the United States; and

WHEREAS, the Emancipation Proclamation was issued on September 22, 1862, with an effective date of January 1, 1863; and

WHEREAS, on June 19, 1865, General Gordon Granger arrived in the former Confederate state of Texas to enforce the emancipation of enslaved people throughout the state; 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 towns and cities across America and is officially recognized by 47 states including New Jersey, which recognized it with the passage of Senate Bill 19 in 2020; and

WHEREAS, Councilwoman Louann Cox as Borough Councilwoman made disrespectful, biased and racially insensitive statements during a council session that disparaged Juneteenth and diminished its historical importance.

THEREFORE, LET IT BE KNOWN, that the Washington Borough Council hereby censures Councilwoman Louann Cox and that these remarks do not represent the values or views of the Washington Borough Council.

Mayor Higgins read the resolution in full

Discussion: Deputy Mayor Conry gave remarks and statements on what occurred and ultimately resulting in the adoption of Resolution 2021-94.

Discussions and remarks from the Governing Body ensued, showing support of Resolution 2021-94. Mayor Higgins asked for the resignation of Councilwoman Cox, to which she stated no.

Motion made by Heinrich and seconded by Duchemin on a vote of no confidence of Councilwoman Cox due to what had occurred at the June 1st council meeting. All were in favor with the exception of Councilwoman Cox abstaining.

Motion made by Noone and seconded by Heinrich to approve Resolution 2021-89

Roll Call: Conry, Heinrich, Duchemin, Noone and Higgins.

Ayes: 6 Nays: 0

Motion passes.

RESOLUTION 2021-89

Resolution Authorizing the reimbursement of Property taxes from 2-9-21 to 5-10-21 for a Qualified -100% disable veteran

WHEREAS, the Borough of Washington by Resolution adopted pursuant to NJSA 54:4-3.32 authorized a tax exemption from local property taxes for veterans who have suffered a 100% permanent disability resulting from war time service in the United States military; and

WHEREAS, the Borough of Washington authorized the date for qualification for municipal portion of the property tax exemption to be the date on which the United States Veterans' Administration determined the 100% service-connected disability; and

WHEREAS, the Tax Collector has received proof of such information from the Tax Assessor the following property effective February 9, 2021:

Crider, April Lynn	Block 101 lot 15.05	\$3070.80
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NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Washington, County of Warren, State of NJ, that in recognition of the serious and debilitating nature of 100% permanent service-connected disabilities suffered by our veterans while serving

in war time and fairness to those disabled veterans, the Chief Finance Office is authorized, pursuant to NJSA 54:4-3.32, to reimburse property taxes from 2-9-21 through 5-10-21 to the above referenced property owner.

Motion made by Noone and seconded by Conry to approve Resolution 2021-92

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

RESOLUTION 2021-92
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 22, 2020 to US Bank Cust Pro Cap 8, 50 S 16th Street, Suite 2050, Philadelphia, PA 19102, in the amount of \$336.15 for taxes or other municipal liens assessed for the year 2019 in the name of Conklin, Sandra J, James V & Tommy as supposed owners, and in said assessment and sale were described as 36-36.5 E Church St. Block 24 Lot 7, which sale was evidenced by Certificate #20-00005; and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-3-21 and before the right to redeem was cut off, as provided by law, Sandra Conklin, 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 \$1,828.34 which is the amount necessary to redeem Tax Sale Certificate #20-00005.

NOW THEREFORE BE IT RESOLVED, on this 6th day of July 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 **\$3,028.34** (This amount consists of \$1,828.34 Certificate Amount redeemed + \$1,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 24 Lot 7 from the tax office records.

Motion made by Heinrich and seconded by Conry to approve Resolution 2021-95

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

RESOLUTION 2021-95
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 22, 2020 to FIG CUST

FIGNJ19 LLC, P.O. Box 54226, New Orleans, LA 70154, in the amount of \$6,987.38 for taxes or other municipal liens assessed for the year 2019 in the name of Olsen, Gary & Lisabeth H Olsen as supposed owners, and in said assessment and sale were described as 74 S Lincoln Ave, Block 95.01 Lot 5, which sale was evidenced by Certificate #20-00037 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-22-21 and before the right to redeem was cut off, as provided by law, Green Hill Title, LLC claiming to have an interest in said lands, did redeem said lands claimed by FIG CUST FIGNJ19 LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$15,819.57 which is the amount necessary to redeem Tax Sale Certificate #20-00037.

NOW THEREFORE BE IT RESOLVED, on this 6th day of July, 2021 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FIG CUST FIGNJ19 LLC, P.O. Box 54226, New Orleans, LA 70154 in the amount of **\$40,419.57** (This consists of \$15,819.57 Certificate Amount redeemed + \$24,600.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 95.01 Lot 5 from the tax office records.

Motion made by Noone and seconded by Duchemin to approve Resolution 2021-96

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

RESOLUTION 2021-96

REQUESTING THE SUSPENSION OF ENFORCEMENT ACTION AGAINST RETAIL FOOD ESTABLISHMENTS ALLOWING DOGS TO BE PRESENT IN DINING AREAS UNDER CERTAIN CIRCUMSTANCES

WHEREAS, there is increased desire by residents and visitors of the Borough of Washington to bring their dogs with them when dining in some retail food establishments; and

WHEREAS, the Americans with Disabilities Act already requires retail food establishments to allow service animals in dining areas; and

WHEREAS, nine states currently allow dogs to be present in outdoor dining areas in some circumstances; and

WHEREAS, research has suggested that the presence of dogs in the dining areas of retail food establishments does not present a significant risk of foodborne illness;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council recommends and requests that the Warren County Health Officer suspend enforcement action against retail food establishments that allow dogs to be present in their dining areas when the following circumstances and conditions are met:

WARREN COUNTY HEALTH DEPARTMENT DOG FRIENDLY DINING GUIDANCE

Subject to the requirements set forth below (A-I) dogs may be permitted in outside dining areas of Risk 2 Food Establishments and both inside and outside dining areas of Risk 1 Food Establishments:

- A. No food may be prepared, including mixing drinks and serving ice, in the dog friendly area, except that a beverage glass may be filled from a pitcher or other container that has been filled or otherwise prepared inside the food establishment.
- B. No food may be displayed or stored in or within ten (10) feet of the dog friendly area, except that sealed beverage containers may be stored behind a bar or counter.
- C. Patio or floor must be continuously maintained free of visible dog hair, dog dander and other dog-related waste and debris. The patio or floor shall be hosed down or mopped with animal-friendly chemicals at the beginning of each shift during which food or beverages are served (breakfast, lunch, dinner, or late-hours).

If a food establishment has continuous food or beverage service without designated shifts, then the patio or floor shall be hosed down or mopped with animal-friendly chemicals every six hours that the food establishment is open for business, except that such cleaning is not required if no dog has been present on the floor or patio since the last cleaning. Waste created from a dog's bodily functions must be immediately cleaned up with animal-friendly chemicals.

All dog waste shall be placed in a fly-tight container and disposed of outside of the food establishment in an appropriately covered waste receptacle. Equipment used to clean the floor or patio must be kept outside of the food preparation area and storage areas for food, utensils or food contact equipment.

- D. All patio or floor surfaces shall be constructed of materials that are smooth, easily cleanable and durable.
- E. Employees shall not touch, pet or otherwise handle any dog while serving food or beverages or handling tableware.
- F. All dogs shall be kept on a short leash (no more than 4 feet in length) and remain in the control of the customer at all times while in the dog friendly dining area. All dogs shall wear a collar or harness and have a current license.
- G. Dogs shall not be allowed on any seat, chair, a patron's lap, table, countertop, or similar surface in the dog friendly dining area.

- H. Dogs shall not be allowed to have any contact with reusable food service dishes or utensils. A dog may only have contact with disposable single service containers that provide food or water to the dog.
- I. A sign with at least half inch letters shall be posted at the front entrance of the food establishment so that it is easily visible to the public. The sign shall state: “Dog Friendly Dining Area”.

Motion made by Heinrich and seconded by Conry to approve Resolution 2021-97

Roll Call: Conry, Heinrich, Duchemin, Noone and Higgins.

Ayes: 6 Nays: 0

Motion passes.

RESOLUTION 2021-97

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 Arthur Frustaci, 712 Rugby Road, Phillipsburg, NJ 08865, in the amount of \$175.55 for taxes or other municipal liens assessed for the year 2018 in the name of Burd, Guy & Melissa J as supposed owners, and in said assessment and sale were described as 46 State Street, Block 13 Lot 6, which sale was evidenced by Certificate #19-00008; and

WHEREAS, I, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 6-30-21 and before the right to redeem was cut off, as provided by law, Comerica Bank on half of Corelogic Tax Service claiming to have an interest in said lands, did redeem said lands claimed by Arthur Frustaci by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,618.96, which is the amount necessary to redeem Tax Sale Certificate #19-00008.

NOW THEREFORE BE IT RESOLVED, on this 6th day of July, 2021 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Arthur Frustaci, 712 Rugby Road, Phillipsburg, NJ 08865 in the **amount of \$1,618.96** (This amount consists of \$1,618.96 Certificate Amount redeemed).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 13 Lot 6 from the tax office records.

Motion made by Noone and seconded by Conry to approve Resolution 2021-98

Roll Call: Conry, Heinrich, Duchemin, Noone and Higgins.

Ayes: 5 Nays: 1 (Cox)

Motion passes.

RESOLUTION 2021-98

RESOLUTION AUTHORIZING

ASSIGNMENT OF A DEVELOPER'S AGREEMENT AND ALL MODIFICATIONS THERE TO

WHEREAS, Midtown Ltd. / Inc. and the Borough of Washington executed the following documents with regard to a mixed-use commercial and residential development located at 62-69 E. Washington Ave in the Borough of Washington, Warren County and identified as Block 24, Lots 19, 20, 21, and 22 on the Tax Maps of the Borough of Washington (the "Property"): Developer's Agreement dated June 4, 2007; Assignment Agreement dated June 4, 2007; Modification Agreement dated February 4, 2016 (collectively, the "Agreements"); and

WHEREAS, Midtown Apartments, LLC recently purchased the Property and desires to assume all rights and responsibilities under the Agreements; and

WHEREAS, the Borough is agreeable to the assignment.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington that the Borough Council authorizes the execution of the Assignment Agreement in substantially the same form as attached hereto.

VOUCHERS AND CLAIMS

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

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

Ayes: 6 Nays: 0

Motion passes.

RECAP

Manager Hall recapped the following:

- Special meeting-will email everyone the Zoom information
- Will have representatives at next meeting regarding the Fiber Optics agreement.
- Will speak with the DEP regarding the trails at Shabbecong Creek.
- Discuss parking and enforcement issues with the police.

Mayors Appointment

Mayor Higgins appointed Mark Christy and Gerry Brown to the Shade Tree Commission

Motion made by Conry and seconded by Noone to approve the mayor's appointments to the Shade Tree Commission, all were in favor with the exception of Councilwoman Cox voting no.

COUNCIL REMARKS

Councilwoman Cox gave the following remarks:

- Stated to Deputy Mayor Conry her apologies once again.
- Stated she has no problem with any creed or color.

Deputy Mayor Conry gave the following remarks

- Criticized the apology from Councilwoman Cox stating that she didn't even look up from her phone during discussions and that she wasn't prepared for tonight's meeting, stating that she doesn't have her laptop or agenda in front of her.

Mayor Higgins gave the following remarks:

- This Friday four firefighters will be honored by Congressman Josh Gottheimer for work they did on a fire call where a life unfortunately was lost.
- Stated how appalled he is with the recent comments. Apologized directly to Deputy Mayor Conry. Mayor Higgins stated that the council has done what can do so far and again asked for Councilwoman Cox's resignation to which she stated no.

ADJOURN

Seeing no further business to come before Council, motion made by Noone and seconded by Heinrich to adjourn the meeting at 9:20 PM, all were in favor.

Laurie A. Barton, RMC
Borough Clerk