

---

**AGENDA**

---

**BOROUGH OF WASHINGTON, WARREN COUNTY, NJ**

**June 14, 2022  
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 and Star Ledger and posted on the Boroughs website stating the time, place and purpose of the meeting as required by law.

**FLAG SALUTE**

**ROLL CALL** Conry, Cox, Heinrich, Noone, Norris and Ron

**AUDIENCE/COUNCIL APPEARANCE**

Remarks, petitions, statements and testimony from guests

**MINUTES**

Regular Meeting: May 3, 2022

**NEW BUSINESS**

Discussion: encouraging building owners to occupy vacant store fronts.

Discussion: Council authorizing 56 one day passes (one for each 6<sup>th</sup> grade graduating student).

---

**Agenda-Continued**

---

**OLD BUSINESS**

**ORDINANCES 1<sup>st</sup> Reading**

*Public Hearing/Adoption will be held on July 5, 2022:*

**ORDINANCE 2022-05**

ORDINANCE OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY TO CREATE \_\_\_\_\_ OF THE CODE OF THE BOROUGH OF WASHINGTON TO PROHIBIT SMOKING IN PUBLIC PLACES

**2<sup>nd</sup> Reading**

**ORDINANCE 2022-04**

Ordinance Amending Section 85-27.1 of the Code of the Borough of Washington, entitled “Schedule V(5)A: Resident Off-Street Permit Parking”

**ORDINANCE-2022-06**

ORDINANCE AUTHORIZING A TAX ABATEMENT AND PILOT AGREEMENT WITH JADE PARTNERS URBAN RENEWAL, LLC

**RESOLUTIONS**

**RESOLUTION 2022-66**

A RESOLUTION IN SUPPORT OF THE CONTINUED ENJOYMENT OF THE STATE’S WATERS FOR DRINKING WATER AND RECREATION WITHOUT HARM TO AGRICULTURE

**RESOLUTION 2022-67**

A RESOLUTION OF THE BOROUGH OF WASHINGTON FOR THE PURPOSES OF RE-APPOINTING CRAIG BROTONS AS TAX ASSESSOR

**RESOLUTION 2022-68**

RESOLUTION OF SUPPORT  
Former Washington Borough Theater

**RESOLUTION 2022-69**

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS

Draft-subject to change

**RESOLUTION 2022-70**

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS

---

**Agenda-Continued**

---

**RESOLUTION 2022-71**

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS

**RESOLUTION 2022-72**

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS

**RESOLUTION 2022-73**

RETAIL DISTRIBUTION LICENSE  
WARREN COUNTY DISCOUNT LIQUOR  
LICENSE NUMBER #2121-44-006-002

**RESOLUTION 2022-74**

RETAIL DISTRIBUTION LICENSE  
WASHINGTON DISCOUNT LIQUOR  
LICENSE NUMBER #2121-44-008-008

**RESOLUTION 2022-75**

RETAIL CONSUMPTION LICENSE  
PPS Liquors  
LICENSE NUMBER #2121-33-003-006

**RESOLUTION 2022-76**

PLENARY RETAIL CONSUMPTION  
WILLIAMS IRISH TAVERN  
LICENSE NUMBER #2121-33-007-004

**RESOLUTION 2022-77**

RETAIL CONSUMPTION LICENSE  
LINSKO, INC (SCOTTY'S STADIUM)  
LICENSE NUMBER #2121-33-004-007

**RESOLUTION 2022-78**

RETAIL CONSUMPTION LICENSE  
PHILBERTS PUB

**RESOLUTION 2022-79**

RESOLUTION GRANTING PERMISSION FOR A FIREWORKS DISPLAY IN  
THE BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

Draft-subject to change

**RESOLUTION 2022-80**

RESOLUTION AFFIRMING THE BOROUGH OF WASHINGTON'S OFFICIAL SPONSORSHIP OF THE ORANGE CRATE DERBY

---

**Agenda-Continued**

---

**RESOLUTION 2022-81**

RESOLUTION GRANTING PERMISSION TO LOCATE A CERTAIN STRUCTURE IN THE RIGHT-OF-WAY

**RESOLUTION 2022-82**

AUTHORIZING WASHINGTON BOROUGH CONTRACT WITH THE DWG, LLC FOR THE ADMINISTRATION OF THE ARC SMALL CITIES GRANT

**VOUCHERS**

**REPORTS**

Monthly Police Report

**RECAP**

**COUNCIL REMARKS**

Remarks, Reports, Discussions

**EXECUTIVE SESSION-if needed**

**ADJOURNMENT** \_\_\_\_\_ P.M.

**ORDINANCE 2022-04**

**Ordinance Amending Section 85-27.1 of the Code of the Borough of Washington, entitled “Schedule VA: Resident Off-Street Permit Parking”**

**WHEREAS**, the Borough of Washington Land Use Board (the “Board”) granted Preliminary and Final Site Plan Approval to permit the development of a fast-food restaurant on property designated as Block 95, Lots 1 and 31 on the Tax Maps of the Borough of Washington, Warren County, New Jersey (the “Property”) by Resolution dated November 18, 2019 (the “Resolution”); and

**WHEREAS**, the Resolution requires, as a condition of approval, that seven (7) parking spaces be reserved for overnight parking for Borough residents pursuant to a permit to be issued by the Borough; and

**WHEREAS**, Borough Council desires to amend its ordinances to allow for the issuance of overnight resident parking permits for the parking lot located on the Property; and

**Section 1.** Section 85-27.1 of the Code of the Borough of Washington, entitled “Schedule VA: Resident Off-Street Permit Parking” shall be amended as follows (deletions noted with strikethrough ~~thus~~ and additions noted in bold italic **thus**):

Schedule VA: Resident ~~Off-Street~~ Permit Parking.

A. No vehicle, except as duly licensed pursuant to subsection ~~7-12A.2~~ **(E)** hereof, or exempt as hereafter set forth, shall be parked between the hours specified, on the days specified, upon any of the street or parts of streets described.

Name of Street	Side	Hours	Days	Location
South Lincoln Avenue	East	All	Monday through Sunday	From Monroe Street to Willow Avenue

**B. Public overnight parking shall be permitted in the following private parking lots without the need for issuance of a permit. Vehicles shall not be parked for longer than 48 hours. No commercial vehicles shall be permitted to park in the public parking spaces designated below.**

<b>Location of Lot</b>	<b>Location of Spaces within Lot</b>	<b>Restrictions</b>
<b>41 West Washington Avenue (corner of West Washington</b>	<b>Ten (10) spaces as delineated by signs</b>	<b>No commercial vehicles shall be permitted to</b>

<b><i>Avenue and South Lincoln Avenue)</i></b>	<b><i>and / or pavement markings.</i></b>	<b><i>park in the ten (10) spaced delineated for public parking.</i></b>
--	---	--

**CB.** The following vehicles shall be exempt ***from the requirements of subsection (A) hereof:*** contractors', service and delivery vehicles bearing the name and address of a commercial business during the time they are rendering service to a residence on any of the restricted streets; public utility vehicles bearing the name and address of the utility during the time they are rendering service; and police, fire and medical emergency vehicles while parking in the line of duty.

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

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

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

***A permit is not required for off-street parking pursuant to Subsection (B).***

**GF.** Residents shall be entitled to receive one resident permit per household for a vehicle that is principally garaged or parked at the residence address, which fact shall be certified to by the resident at the time of application.

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

**IH.** All persons parking pursuant to permit shall comply with all applicable parking and traffic rules and regulations.

**JI.** It shall be a violation of this section to photocopy, otherwise reproduce, or in any way create a facsimile or counterfeit permit. It shall be a violation hereof to display or otherwise use a permit known to be counterfeit. It shall be a violation hereof to furnish false information or fraudulent documents in connection with an application for a permit.

Draft-subject to change

It shall be a violation to use or allow anyone to use a valid permit in violation of this section. Any person violating the provisions hereof shall be subject to a fine not to exceed \$300 and/or imprisonment for not more than 10 days.

**SECTION 2.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 4.** This Ordinance shall take effect upon final passage and publication according to law.

**ORDINANCE 2022-05**

**BOROUGH OF WASHINGTON  
COUNTY OF WARREN  
STATE OF NEW JERSEY**

**ORDINANCE OF THE BOROUGH OF WASHINGTON, COUNTY OF  
WARREN, STATE OF NEW JERSEY TO CREATE \_\_\_\_\_ OF THE CODE OF THE  
BOROUGH OF WASHINGTON TO PROHIBIT SMOKING IN PUBLIC PLACES**

**WHEREAS**, the dangers of smoking and the effects of second hand smoke are well documented health hazards; and

**WHEREAS**, the Borough of Washington, through adoption of Washington Borough Municipal Code Chapter \_\_\_\_\_, will prohibit smoking activities in public places within the Borough of Washington; and

**WHEREAS**, the Borough Committee of the Borough of Washington, County of Warren wishes to create Chapter \_\_\_\_\_ “Smoking,” to prohibit smoking in public places.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Committee of the Borough of Washington, County of Warren, State of New Jersey that Chapter \_\_\_\_\_, “Smoking” of the Code of the Borough of Washington shall be created as follows:

Section 1.

Chapter \_\_\_\_\_. Smoking

§ \_\_\_\_\_-1. **Definition.**

As used in this chapter, the following terms shall have the meanings indicated:

**PUBLIC BUILDINGS**

Any Borough-owned or leased building, including but not limited to all municipal buildings, library, senior center, recreation center, etc., in which the public is invited, or the public is permitted.

**SMOKING**

The burning or use of a lighted cigar, cigarette, pipe, e-cigarette, vape or any other matter or substance which emits a vapor or smoke.



Draft-subject to change

§ \_\_\_\_\_-2. **Smoking prohibited in public places; signs to be posted.**

- A. Smoking in public buildings and on Borough properties as herein defined within the Borough of Washington is prohibited. Borough employees are permitted to smoke in designated smoking areas.
- B. “No Smoking” signs or the international no smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross-section) shall be posted at each public building entrance and within said building, as well as at conspicuous locations on recreation properties , in a number and in a manner determined by the administrator in charge of each such building or recreation property to be sufficient to inform the public that there is no smoking allowed within the building or on any such recreation property. The signs may contain a warning that smoking within the building or on any such recreation property is subject to a fine. The failure to post any such sign shall not be a defense to a violation of this chapter.

§ \_\_\_\_\_-3. **Enforcement.**

The enforcement authority of this chapter shall be the Police Department of the Township of Washington.

§ \_\_\_\_\_-4 **Violations and penalties.**

- A. Any person who violated any provision of this chapter shall be subject to the following:
  - (1) A fine in the maximum amount of \$125 for the first violation.
  - (2) A fine in the maximum amount of \$200 for the second violation.
  - (3) A fine in the maximum amount of \$300 for each additional violation.

Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3.

Repealer.

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4. Effective Date.

This Ordinance shall take effect upon final passage and publication.

**ORDINANCE # 2022-06**  
**ORDINANCE AUTHORIZING A TAX ABATEMENT AND PILOT AGREEMENT WITH**  
**JADE PARTNERS URBAN RENEWAL, LLC**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “Redevelopment Law”) authorizes the Borough to arrange or contract with a redeveloper for the planning, construction or undertaking of any project or redevelopment work in an area designated as an area in need of redevelopment; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-7*, the Borough Council adopted Ordinance 2009-1 on April 7, 2009 approving and adopting a redevelopment plan for the Borough of Washington Downtown Redevelopment Area (“**Redevelopment Plan**”);

**WHEREAS**, Jade Partners Urban Renewal, LLC (the “Redeveloper”) is the owner of property designated as Block 95, Lot 4 on the Tax Maps of the Borough of Washington (the “Property”); and

**WHEREAS**, the Property is located in the Downtown Redevelopment Area; and

**WHEREAS**, by Resolution adopted on September 16, 2014, the Borough designated the Redeveloper as redeveloper of the Property in accordance with the Redevelopment Law, and authorized the execution of a redevelopment agreement (the “Redevelopment Agreement”) with the Redeveloper; and

**WHEREAS**, the Redevelopment Agreement was amended by agreements dated August 16, 2016 and June 22, 2017; and

**WHEREAS**, the proposed project to be undertaken by the Redeveloper on the Property is the demolition of the current structures on the Property and construction of a four-story mixed use building of approximately 15,344 square feet, including fifty (50) residential rental units (40 to be market rate and 10 to be affordable units) and associated supporting facilities, amenities and parking, consistent with the Redevelopment Plan (the “**Project**”); and

Draft-subject to change

**WHEREAS**, pursuant to and in accordance with the provisions of New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 *et seq.* as amended and supplemented (the “Exemption Law”), the Borough is authorized to provide for and accept, in lieu of real property taxes, an annual service charge paid by the Redeveloper to the Borough; and

**WHEREAS**, the Redeveloper submitted an application to the Borough Council, and in accordance with the Exemption Law; and

**WHEREAS**, pursuant to N.J.S.A. 40A:20-8, the Borough Council must adopt an ordinance authorizing the execution of a Financial Agreement with the Redeveloper setting forth the terms of the payments in lieu of taxes; and

**WHEREAS**, the Borough Council believes that it is in the best interests of the Borough to grant the requested tax abatement and enter into a PILOT agreement with the Redeveloper in order to provide it with a long-term tax exemption pursuant to N.J.S.A. 40A:20-1, *et seq.*, so as to develop and maintain the Project as very-low, low- and moderate-income housing; and

**WHEREAS**, pursuant to N.J.S.A. 40A:20-9 the PILOT agreement shall not take effect until approved by ordinance of the municipality;

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

1. The Borough Council hereby authorizes a tax abatement pursuant to the Long-Term Tax Exemption Law (N.J.S.A. 40A:20-1, *et seq.*) for the Project, which Project is more fully described in a certain Redeveloper’s Agreement between the Borough and Redeveloper dated September 16, 2014 (as amended by agreements dated August 16, 2016 and June 22, 2017).

2. The Borough Council hereby further authorizes an agreement between the Redeveloper and the Borough of Washington for a payment in lieu of taxes (PILOT) agreement pursuant to the Long-Term Tax Exemption Law (N.J.S.A. 40A:20-1, *et seq.*) in substantially the same form as attached hereto.

3. The Acting Mayor, Borough Attorney and the Borough Clerk shall be and are hereby authorized to execute the agreement and any and all documents necessary to enter into said agreement.

4. If any clause, sentence, paragraph, section or part of this ordinance or any other codes or ordinances incorporated herein shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.

5. This ordinance shall become effective twenty (20) days after its final passage and publication according to law.

Draft-subject to change

Introduced: June 14, 2022

Pub Hearing/Adoption: July 5, 2022

**RESOLUTION 2022-66**  
**A RESOLUTION IN SUPPORT OF THE CONTINUED ENJOYMENT OF THE STATE'S**  
**WATERS**  
**FOR DRINKING WATER AND RECREATION WITHOUT HARM TO AGRICULTURE**

WHEREAS, Washington Borough has approximately 7,300 residents, most of whom receive drinking water from underground aquifers; and

WHEREAS, Washington Borough contains more than 2 miles of streams and rivers, including the Shabbecong Creek, a headwater of Pohatcong Creek, and other waters which may be used for recreation, drinking water, agriculture, fish and wildlife habitat, and other purposes; and

WHEREAS, significant investments have been made for the acquisition of land for the public use and enjoyment, especially land with surface waters, through use of public funds by Washington Borough and governmental and non-governmental agencies; and

WHEREAS, clean water from streams, rivers, lakes, and other surface waters contribute to the municipality's scenic and aesthetic qualities, real estate and home values, and economic opportunities from recreation and tourism; and

WHEREAS, the loss of good water quality in streams, rivers, lakes, and other surface waters can result in a loss of the municipality's scenic and aesthetic qualities, real estate and home values, and economic opportunities from recreation and tourism; and

WHEREAS, recreational uses have not been incorporated by the N.J. Department of Environmental Protection into assessments for developing anti-degradation safeguards for discharges to surface waters; and

WHEREAS, the waters in streams and rivers are held in the public trust and recreation may occur on those waters, but the land underlying them may be owned privately or publicly, and trespass on private lands is prohibited; and

Draft-subject to change

WHEREAS, agriculture is an important activity, and no additional restriction or undue burden should be placed on agriculture with regard to water withdrawals, which are already regulated by the Water Supply Management Act, and

WHEREAS, residents rely on underground aquifers as their drinking water source; and

WHEREAS, underground aquifers can include porous rock formations, vulnerable to the mixing of contaminated surface and ground waters, such as carbonate bedrock; and

WHEREAS the presence of pollutants in a surface water or groundwater may inadvertently put drinking water aquifers at risk; and

WHEREAS, the additional costs associated with the treatment of degraded drinking water supplies can be a burden to homeowners, industry, and drinking water suppliers; and

NOW, BE IT RESOLVED, that Washington Borough encourages:

- 1) The Department of Environmental Protection to develop methods for identifying waters already utilized for recreational purposes to ensure water quality in these areas are not degraded by new discharges; and
- 2) The Department of Environmental Protection to promote the protection of drinking water aquifers, including waters in carbonate rock areas; and
- 3) The Department of Environmental Protection to establish anti-degradation standards for small public water supply systems and waters in the Highlands Region to protect drinking water quality; and
- 4) The Department of Environmental Protection to preserve and enhance water quality by protecting headwater streams from disturbances; and
- 5) That any actions the Department of Environmental Protection may take in response to this resolution, be done so in consultation with the stakeholders, including municipalities and counties; and
- 6) That the state should provide adequate resources to ensure the public's access to state lands and waters.

**RESOLUTION 2022-67**

**A RESOLUTION OF THE BOROUGH OF WASHINGTON FOR THE PURPOSES OF  
RE-APPOINTING CRAIG BROTONS AS TAX ASSESSOR**

**WHEREAS**, the Borough of Washington desires to re-appoint Craig Brotons to the position of Tax Assessor for the Borough of Washington in which the current term expires as of June 30, 2022.

**WHEREAS**, upon reappointment on 7/1/2022 Mr. Brotons will become eligible for tenure; and

**WHEREAS**, the Borough of Washington desires to memorialize this appointment in writing regarding the employment of a part-time Tax Assessor through the use of this Resolution; and

**WHEREAS**, by this appointment Craig Brotons is responsible for all of the statutory duties of the Tax Assessor including the settlement and filing of tax appeals; and

**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 Craig Brotons is hereby re-appointed with tenure as Tax Assessor for the Borough of Washington effective July 1, 2022, pursuant to **N.J.S.A. 40A:9-148**.

**RESOLUTION 2022-68**  
**RESOLUTION OF SUPPORT**  
Former Washington Borough Theater

**WHEREAS**, Nassian Development, LLC (the “Developer”) is the owner of property located at 165 E. Washington Ave, Washington, New Jersey and designated as Block 80, Lot 2 on the Tax Maps of the Borough of Washington, Warren County, New Jersey (the “Property”), which is the site of the former Washington Borough Theater; and

**WHEREAS**, the Property is designated as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 *et seq.*) and is located within the Route 31 Gateway District of the Borough’s Downtown Redevelopment Area as set forth in the Borough’s Downtown Redevelopment Plan adopted on April 7, 2009 (as amended); and

**WHEREAS**, the Developer has proposed to redevelop the property with a mixed-use building that will contain commercial space and twenty-four (24) rental affordable housing units, as set forth in the concept plan attached hereto as **Exhibit A** (the “Project”); and

**WHEREAS**, as shown on Exhibit A, the proposed building is four stories in height with a basement that will be used for parking; and

**WHEREAS**, currently, the Borough Planner is working on amendments to the redevelopment plan that would permit a four-story residential building at the intended location; and

Draft-subject to change

**WHEREAS**, the Developer desires to apply for and obtain funds from the New Jersey Department of Community Affairs, New Jersey Affordable Housing Trust Fund Program for an amount not to exceed the maximum amount allowed in accordance with N.J.A.C. 5:43-1.1 *et seq.* for the purpose of developing 24 affordable housing rental units in the Borough of Washington, Warren County, New Jersey; and

**WHEREAS**, the Borough is a municipality that meets the criteria of N.J.A.C. 5:43-1.3(a) because the Borough's affordable housing compliance plan was approved by the Superior Court pursuant to a Final Judgment of Compliance and Repose entered on November 16, 2021 in In the Matter of the Application of Borough of Washington, Docket No. WRN-L-230-15; and

**WHEREAS**, the Mayor and Council has determined that the housing project referenced above, will meet a portion of the Borough of Washington's very low, low, and moderate income housing obligation set forth in its Housing Element and Fair Share Plan.

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

1. The Mayor and Council does hereby support this application for such funds to the New Jersey Department of Community Affairs, New Jersey Affordable Housing Trust Fund Program and acknowledge that the Borough of Washington is an eligible municipality in accordance with N.J.A.C. 5:43-1.3(a).
2. The Borough requires that Developer, as permitted under N.J.A.C. 5:43-1.3 (a), contract only for this Project, directly with the Department of Community Affairs.
3. This Resolution shall not be construed as zoning, site plan, variance, or any other approval to construct the Project including outside agency approval such as New Jersey Department of Environmental Protection (NJDEP).
4. The Developer is required to apply for any and all necessary approvals and permits prior to beginning construction. All approvals, including but not limited to Site Plan, NJDEP, Department of Transportation (DOT), Warren County Soil Conservation District, shall be received by the Developer within 1 year to ensure that the proposed design is feasible.
5. The Developer shall further submit the completed application made to the New Jersey Department of Community Affairs, New Jersey Affordable Housing Trust Fund Program to the Borough as well as any approval or additional approval issued by the Department of Community Affairs.
6. This Resolution shall take effect immediately.



**RESOLUTION 2022-69**

**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 2022 in the sum of \$20,000.00 which is now available from the State of New Jersey, Resiliency Planning

**BE IT FURTHER RESOLVED**, that the like sum of \$20,000.00 is hereby appropriated under the caption of Other Expenses – Resiliency Planning

**RESOLUTION 2022-70**

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

Draft-subject to change

**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,

**WHEREAS**, the entire award from the New Jersey State Police \$10,000.00, and

**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 2022 in the sum of \$10,000.00 which is now available from the State of New Jersey, Department of State Police

**BE IT FURTHER RESOLVED**, that the like sum of \$10,000.00 is hereby appropriated under the caption of Other Expenses –EMAA

### **RESOLUTION 2022-71**

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

#### **CLEAN COMMUNITIES \$15,135.75**

**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 2022 in the sum of \$15,135.75 which is now available from the State of New Jersey

**BE IT FURTHER RESOLVED**, that the like sum of \$15,135.75 is hereby appropriated under the caption of Other Expenses – Clean Communities

Draft-subject to change

**RESOLUTION 2022-72  
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 2022 in the sum of \$6,654.00 which is now available from the State of New Jersey

**BE IT FURTHER RESOLVED**, that the like sum of \$6,654.00 is hereby appropriated under the caption of Other Expenses – Recycling Tonnage Grant

**RESOLUTION 2022-73  
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, 2022 – June 30, 2023, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

June 14, 2022

**RESOLUTION 2022-74  
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, 2022 – June 30, 2023, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

**RESOLUTION 2022-75  
RETAIL CONSUMPTION LICENSE  
PPS Liquors  
LICENSE NUMBER #2121-33-003-006**

**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 applicant due to circumstances beyond his control and after filing for relief from the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control was granted a 12:39 Special Ruling, granting relief dated August 10, 2021; and

**WHEREAS**, Licensee has received a special ruling from the Director of ABC pursuant to N.J.S.A 33:1-12.39 for 2022-2023 license term.

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

Draft-subject to change

**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 # 2121-33-003-006**

PPS Liquors

90 Alvin Sloan

Washington, NJ 07882

From July 1, 2022 – June 30, 2023, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

**RESOLUTION 2022-76  
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

Draft-subject to change

From July 1, 2022 – June 30, 2023, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

**RESOLUTION 2022-77**  
**RETAIL CONSUMPTION LICENSE**  
**LINSCO, INC (SCOTTY'S 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, 2022 – June 30, 2023, provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

**RESOLUTION 2022-78**  
**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

Draft-subject to change

From July 1, 2022 – June 30, 2023 provided proof of compliance with Public Law 1970, Chapter 77, has been submitted by the Division of Alcoholic Beverage Control.

**RESOLUTION 2022-79**  
**RESOLUTION GRANTING PERMISSION FOR A FIREWORKS DISPLAY IN**  
**THE BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey that permission is hereby granted to Washington Celebrates America to have a parade and fireworks display in the Borough of Washington on Monday, July 4, 2022.

**BE IT FURTHER RESOLVED**, that the Borough Council has agreed to name Washington Celebrates America Inc. as additional insured for the following events to be held in the Borough of Washington:

**PARADE:**

Monday, July 4, 2022

Line up from 2:00 P.M. Step off is at 3:00 P.M.

Location: Route 31 and Broad St to Belvidere Ave to Carlton Ave to North Prospect Street

**FIREWORKS:**

Monday July 4, 2022

No rain date.

Music from 6:00 - 9:30 P.M.

Fireworks BEGIN AT DARK

Location: Warren Hills Middle School, on the athletic field

**BE IT RESOLVED**, that a true copy of this Resolution be forwarded to the New Jersey Department of Labor and Industry, Trenton, NJ, together with a copy of the required certificate of liability insurance.

**RESOLUTION 2022-80**  
**RESOLUTION AFFIRMING THE BOROUGH OF WASHINGTON'S OFFICIAL**  
**SPONSORSHIP OF THE ORANGE CRATE DERBY**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, Warren County, New Jersey that the Borough will hereby sponsor the Orange Crate Derby races in the Borough of Washington on Monday July 4, 2022 with a rain date of Saturday July 9, 2022 as follows:

**ORANGE CRATE DERBY:**

Monday, July 4, 2022 with a rain date of Saturday July 9, 2022

Set up time is 7:30 A.M. Competition will begin at 8:30 A.M.

Location: Broad Street and Borough Park entrance

**BE IT RESOLVED**, that a true copy of this Resolution be forwarded to the Statewide Insurance Fund.

**RESOLUTION 2022-81**

**RESOLUTION GRANTING PERMISSION TO LOCATE A CERTAIN STRUCTURE IN THE RIGHT-OF-WAY**

**WHEREAS**, Francisco and Alexandra Sarceno (“Property Owner”) owns certain property located at 42 Youmans Ave., Washington, New Jersey, which is designated on the tax maps of the Borough of Washington as Block 93, Lot 8.01 (the “Property”); and

**WHEREAS**, a garage on the Property extends into the Borough’s right-of-way in Lower Park Drive at the southern end of the Property as depicted in the survey attached hereto as **Exhibit A**; and

**WHEREAS**, the Property Owner has requested permission from the Borough for the garage to remain in a portion of the right-of-way; and

**WHEREAS**, the Borough Council has the authority to grant permission to place structures in the right-of-way;

**WHEREAS**, the approval to locate the existing garage in the right-of-way shall be subject to the following conditions:

1. Property Owner recognizes that utility companies also operate in the right-of-way and that utility improvements may require demolition or removal of any structures in the right-of-way. Therefore, Property Owner shall agree to fully cooperate with utility companies and shall not seek damages from such utility companies related to the structure in the right-of-way.
2. Property Owner shall execute an agreement in a form approved by the Borough Attorney (in substantially the same form as attached hereto as **Exhibit B**) holding the Borough and its agents harmless for any damage caused to the structure within the right-of-way by Borough snow removal or road repair vehicles and personal vehicles traveling on within the unnamed alley.
3. This approval shall only grant permission to the Property Owner to have the existing garage remain within the right-of-way and shall not grant Property Owner an easement. Therefore, if the Borough requires use of the right-of-way for public roadway purposes, Property Owner shall remove the structure upon request of the Borough.
4. The existing garage shall not be enlarged, extended, reconstructed, or structurally altered except as follows:
  - a. Normal maintenance and repair of the garage is permitted, provided that it does not extend the area or volume of space occupied by the garage.
  - b. Such garage can be restored, reconstructed, or repaired if partially damaged by fire, casualty or act of God, provided that the area of the garage shall not exceed the area which existed prior to such damage. All such repairs shall



Draft-subject to change

be commenced within one year after damage occurs and shall be completed within two years of such date.

c. If the garage is totally destroyed by fire or other casualty or an act of God, the permission to locate a garage in the right-of-way shall terminate.

5. Approval shall be subject to review and approval by the Borough Road Supervisor and Borough Engineer that the placement of a portion of the garage in the right-of-way does not impede traffic or present a dangerous condition.

6. This resolution shall be recorded in the Warren County Clerk's Office.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, County of Warren, New Jersey, that Property Owner is granted permission for the existing garage to remain in the right-of-way, subject to the above conditions.

## **RESOLUTION 2022-82**

### **AUTHORIZING WASHINGTON BOROUGH CONTRACT WITH THE DWG, LLC FOR THE ADMINISTRATION OF THE ARC SMALL CITIES GRANT**

WHEREAS, the Borough of Washington received an ATC Small Cities grant, and;

WHEREAS, the ARC Small Cities grant is a pass-through grant and;

Draft-subject to change

WHEREAS, the DWJ, LLC is actually performing work as awarded in this grant

NOW THEREFORE, The Borough of Washington is authorized to enter into the contract with the DWJ, LLC to administer ARC Small Cities grant and reimburse DWJ for all expenses associated with the administration of this grant