
AGENDA

BOROUGH OF WASHINGTON, WARREN COUNTY, NJ

**August 16, 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

Appearances before Council:

Rosemarie Rosati, President and Heidi Kaiven, Director
Washington Borough Public Library

Warren County/Washington Borough Republican Committee

Presentation:

Stover Building owners to request a change to the redevelopment plan to permit private parking lots in the redevelopment area of the Borough

Downtown Redevelopment Plan-Introduction

MINUTES

Regular Meeting Minutes: 6-14-22

Agenda-Continued

NEW BUSINESS

Discussion: Upgrading Municipal Building

Approval-Memorandum of Understanding-RAVE-Warren County

Town-Wide Yard Sale-Setting Date

Sewer Fees-Discussion

OLD BUSINESS

ORDINANCES

1st Reading:

ORDINANCE 2022-09-CANNABIS

Second reading/adoption will be held September 6, 2022

2nd Reading

ORDINANCE 2022-07

APPROPRIATING \$35,000 FROM THE CAPITAL IMPROVEMENT FUND TO FUND VARIOUS CAPITAL IMPROVEMENTS BY THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY

ORDINANCE NO. 2022-08

AMENDING CHAPTER 65 OF THE CODE OF THE BOROUGH OF WASHINGTON ENTITLED "PROPERTY MAINTENANCE" REGARDING THE REGISTRATION OF VACANT AND FORECLOSED PROPERTIES TO BE CONSISTENT WITH P.L. 2021, C. 444

RESOLUTIONS

RESOLUTION 2022-78 (Tabled from June 14th meeting)

RETAIL CONSUMPTION LICENSE

PHILBERTS PUB

LICENSE NUMBER #2121-33-005-006

RESOLUTION 2022-94

RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

RESOLUTION 2022-95

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

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RESOLUTIONS-Cont'd

RESOLUTION 2022-96

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

RESOLUTION 2022-97

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

RESOLUTION 2022-98

LOOP TRAIL RECOGNITION-SHABBECONG MOUNTAIN PRESERVE

RESOLUTION 2022-99

RESOLUTION IN OPPOSITION OF NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL'S SPECIAL CONDITIONS ON LIMITED BREWERY LICENSEES

RESOLUTION 2022-100

RESOLUTION AUTHORIZING A BALLOT QUESTION CONCERNING REPEAL OF CHAPTER 41 OF THE BOROUGH CODE, "RUBBISH AND RECYCLING COLLECTION" TO BE PLACED ON THE NOVEMBER 2022 GENERAL ELECTION BALLOT

RESOLUTION 2022-101

RESOLUTION TO ADJUST SEWER BILLINGS

RESOLUTION 2022-102

REFUND ABC FEES

RESOLUTION 2022-103

AMENDING RESOLUTION 2022-62 DIRECTING THE CHIEF FINANCIAL OFFICER TO TAKE ADMINISTRATIVE ACTIONS TO APPROPRIATE AMERICAN RESCUE PLAN FUNDS TO PURCHASE COMPUTER HARDWARE AND SOFTWARE

VOUCHERS

REPORTS

Personnel Report

Police Report

RECAP

COUNCIL REMARKS

Remarks, Reports, Discussions

EXECUTIVE SESSION-if needed

ADJOURNMENT _____ P.M.

ORDINANCE 2022-07

APPROPRIATING \$35,000 FROM THE CAPITAL
IMPROVEMENT FUND TO FUND VARIOUS CAPITAL
IMPROVEMENTS BY THE BOROUGH OF WASHINGTON,
IN THE COUNTY OF WARREN, NEW JERSEY

NOW THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE
BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY AS
FOLLOWS:

Section 1. \$35,000.00 is hereby appropriated from the Capital Improvement Fund of the Borough of Washington, in the County of Warren, New Jersey (the "Borough") to fund various capital municipal projects including purchase and installation of the Flag Poles, improvements to the municipal building including electronic sign and other improvements.

Section 2. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

**Borough of Washington
Warren County, New Jersey**

ORDINANCE NO. 2022-08

**AMENDING CHAPTER 65 OF THE CODE OF THE BOROUGH OF WASHINGTON
ENTITLED “PROPERTY MAINTENANCE” REGARDING THE REGISTRATION
OF VACANT AND FORECLOSED PROPERTIES TO BE CONSISTENT WITH P.L.
2021, C. 444**

WHEREAS, the Borough of Washington is challenged to identify and locate responsible parties of foreclosing parties who can maintain the properties that are in the foreclosure process or that have been foreclosed; and

WHEREAS, the Borough of Washington finds that the presence of vacant and abandoned properties can lead to a decline in property value, create attractive nuisances and lead to a general decrease in neighborhood and community aesthetic; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Municipality by law; and

WHEREAS, pursuant to P.L. 2021, c. 444, the governing body of a municipality is authorized to adopt or amend ordinances creating a property registration program for the purpose of identifying and monitoring properties within the municipality for which a summons and compliant in an action to foreclosure on a mortgage has been filed, regulate the care, maintenance, security and upkeep of such properties, and impose a registration fee on the mortgagee of such properties; and

WHEREAS, the Borough of Washington has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

WHEREAS, the Borough of Washington adopted Ordinance 2017-07 regulating the registration and maintenance of abandoned and vacant properties; and

WHEREAS, amendments to Ordinance 2017-07, codified as Chapter 65, Article II of the Borough Code, are necessary to comply with P.L. 2021, c. 444 and such ordinance must be adopted no later than August 1, 2022; and

WHEREAS, the Borough of Washington has a vested interest in protecting neighborhoods against decay caused by vacant and abandoned properties and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration and certification requirements on abandoned, vacant, and foreclosure properties located within the Borough; and

NOW, THEREFORE, BE IT ORDAINED, by the Acting Mayor and Council of the Borough of Washington, in the County of Warren and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. Chapter 65, entitled, “Property Maintenance,” is renamed “Abandoned and Foreclosed Property Registration and Maintenance.”

SECTION 2. Chapter 65, Article II of the Borough Code is hereby deleted in its entirety and replaced with the following:

§ 65-7. Definitions

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.

VACANT AND ABANDONED REAL PROPERTY – As defined in accordance with N.J.S.A. 40:48-2.12s3(b)(8), shall mean property that is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, because of the presence or finding of at least two of the following:

- (a) overgrown or neglected vegetation;
- (b) the accumulation of newspapers, circulars, flyers, or mail on the property;
- (c) disconnected gas, electric, or water utility services to the property;
- (d) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- (e) the accumulation of junk, litter, trash, or debris on the property;
- (f) the absence of window treatments such as blinds, curtains, or shutters;
- (g) the absence of furnishings and personal items;
- (h) statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
- (i) windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
- (j) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- (k) a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
- (l) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- (m) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;

(n) a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or

(o) any other reasonable indicia of abandonment.

APPLICABLE CODES - means to include, but not be limited to, the Borough of Washington Code of Ordinances (“Borough Code”), and the New Jersey Building Code.

CREDITOR – As defined in accordance with N.J.S.A. 40:48-2.12s2(d), means state-chartered bank, savings bank, savings and loan association or credit union, any person required to be licensed under the provisions of the “New Jersey Residential Mortgage Lending Act,” sections 1 through 39 of P.L.2009, c.53 (N.J.S.A.17:11C-51 through 17:11C-89), and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers. For purposes of this section, a “creditor” shall not include the State, a political subdivision of the State, or a State, county, or local government entity, or their agent or assignee, such as the servicer.

ENFORCEMENT OFFICER - means any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector, or other person authorized by the Borough of Washington to enforce the applicable code(s).

FORECLOSURE – means the legal process by which a mortgagee terminates a mortgagor's interest in real property either to obtain legal and equitable title to the real property pledged as security for a debt or to force a sale of said property to satisfy a debt. For purposes of this article, this process begins upon the service of a summons and complaint on the mortgagor or any interested party. For purposes of this article, the process is not concluded until the property is sold to a bona fide purchaser not related to the mortgagee in an arm's length transaction whether by Sheriff's sale, private sale following a Sheriff's sale, or private sale following the vesting of title in the mortgagee pursuant to a judgment.

MORTGAGEE - means the creditor, including but not limited to, lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests, or obligations under the mortgage agreement, excluding governmental entities as assignee or owner.

PROPERTY MANAGEMENT COMPANY - means a local property manager, property Maintenance Company or similar entity responsible for the maintenance of abandoned real property.

VACANT - means any building or structure that is not legally occupied.

§ 65-8. Applicability:

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the Borough of Washington above and beyond any other state, county or local provisions for same.

§ 65-9. Establishment of a Registry.

Pursuant to the provisions of Section 65-10, the Borough of Washington or its designee shall establish a vacant and abandoned property registry containing the information required by this Article.

§ 65-10. Registration of Property.

- a) Any creditor who holds a mortgage or equity lien on real property located within the Borough shall perform an inspection of the property to determine vacancy or occupancy, upon the commencement of foreclosure as evidenced by a foreclosure filing. The creditor shall, within ten (10) days of the inspection, register the property with the Borough Code Enforcement Official, or its designee, on forms or website access provided by the Borough, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.
- b) If the property is occupied but remains in foreclosure, it shall be inspected by the creditor or his designee monthly until (1) the mortgagor or other party remedies the foreclosure, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the Borough.
- c) Registration pursuant to this Section shall contain the name of the creditor and the servicing entity, if any, the direct mailing address of the mortgagee and the servicing entity, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the folio or tax number, and the name and twenty-four (24) hour contact telephone number of the property management company responsible for the security and maintenance of the property.
- d) A non-refundable annual registration fee in the amount of \$500.00 per property, shall accompany the registration form or website registration. On each anniversary date of the initial registration, the creditor shall submit a renewal registration and fee as follows: 1) \$500 per property annually for any property that is required to be registered because a summons and complaint in an action to foreclose was filed by the creditor; and (2) an additional \$2,000 per property annually if the property is vacant or abandoned pursuant to the definition in the ordinance when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned pursuant to the definition in the ordinance at any time thereafter while the property is in foreclosure.
- e) If the property is not registered, or the registration fee is not paid within thirty (30) days of when the registration or renewal is required pursuant to this section, a late fee equivalent to ten percent (10%) of the annual registration fee shall be charged for every thirty-day period (30), or portion thereof, that the property is not registered and shall be due and payable with the registration.

- f) All registration fees must be paid directly from the creditor, Mortgagee, Servicer, or Trustee. Third Party Registration fees are not allowed without the consent of the Borough and/or its authorized designee.
- g) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- h) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain in foreclosure.
- i) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.
- j) Failure of the creditor to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this Chapter is a violation of the Chapter and shall be subject to enforcement.
- k) Pursuant to any administrative or judicial finding and determination that any property is in violation of this Chapter, the Borough may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.
- l) Registration of foreclosure property does not alleviate the creditor from obtaining all required licenses, permits and inspections required by applicable code or State Statutes.
- m) If the mortgage and/or servicing on a property is sold or transferred, the new creditor is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new creditor shall register the property or update the existing registration. The previous Mortgagee(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that creditor's involvement with the Registrable Property.
- n) If the creditor sells or transfers the Registrable Property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the transferee shall register the property or update the existing registration. Any and all previous unpaid fees, fines, and penalties, regardless of who the Mortgagee was at the time registration was required, including but not limited to unregistered periods during the Foreclosure process, are the responsibility of the transferee and are due and payable with the updated registration. The previous creditor will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that creditor's involvement with the Registrable Property.

§65-11. Maintenance Requirements:

- a) Properties subject to this Article shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers,

circulars, flyers, notices, except those required by federal, state or local law discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.

- b) Properties subject to this Article shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- c) Front, side, and rear yards, including landscaping, shall be maintained in accordance with the applicable code(s) at the time registration was required.
- d) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.
- e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- f) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).
- g) Failure of the mortgagee and/or owner to properly maintain the property may result in a violation of the applicable Code(s) and issuance of a citation or Notice of Violation in accordance with this Chapter, Chapter 59 (“Nuisances, Public Health”), Chapter 75 (“Streets and Sidewalks”), and Chapter 91 (“Weeds and Obnoxious Growths”) of the Borough Code. Pursuant to a finding and determination by the Borough's Code Enforcement Officer or a Court of competent jurisdiction, the Borough may take the necessary action to ensure compliance with this section. .
- h) In addition to the above, the property is required to be maintained in accordance with the applicable Code(s).

§ 65-12. Security Requirements:

- a) Properties subject to this Chapter shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- b) A “secure manner” shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings

of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window.

- c) If a mortgage on a property is in default, and the property has become vacant or abandoned, a property manager shall be designated by the mortgagee to perform the work necessary to bring the property into compliance with the applicable code(s), and the property manager must perform regular inspections to verify compliance with the requirements of this Chapter, and any other applicable laws.

§65-13. Public Nuisance:

All vacant and abandoned real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the Borough.

§65-14. Violations and Penalties:

Any person who shall violate the provisions of this Chapter shall be cited and fined by one or more of the following: imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners, for any term not exceeding 90 days; or by a fine not less than \$500.00 or exceeding \$1,250.00; or by a period of community service not exceeding 90 days.

Any person who is convicted of violating this Chapter within one year of the date of a previous violation of the same Section, and who was fined for the previous violation, shall be sentenced by a Court to an additional fine as a repeat offender. The additional fine imposed by the Court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of this Chapter, but shall be calculated separately from the fine imposed for the violation of this Chapter.

§65-15. Inspections for Violations:

Adherence to this Chapter does not relieve any person, legal entity or agent from any other obligations set forth in any applicable Code(s), which may apply to the property. Upon sale or transfer of title to the property, the owner shall be responsible for all violations of the applicable Code(s).

§65-16. Additional Authority:

- a) If the Enforcement Officer has reason to believe that a property subject to the provisions of this Chapter is posing a serious threat to the public health safety and welfare, the Code Enforcement Officer may temporarily secure the property at the expense of the mortgagee and/or owner, and may bring the violations before a Court of competent jurisdiction as soon as possible to address the conditions of the property.
- b) The Code Enforcement Officer shall have the authority to require the mortgagee and/or owner of record of any property affected by this section, to implement additional

maintenance and/or security measure including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.

- c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety and welfare, then the Code Enforcement Officer may direct the Municipality to abate the violations and charge the mortgagee with the cost of the abatement.
- d) If the mortgagee does not reimburse the Borough for the cost of temporarily securing the property, or of any abatement directed by the code enforcement board or special magistrate, within thirty (30) days of the Borough sending the mortgagee the invoice, then the Borough may lien the property with such cost, along with an administrative fee of \$500.00 to recover the administrative personnel services.

§65-17. Opposing, Obstructing Enforcement Officer; Penalty:

Whoever opposes, obstructs or resists any enforcement officer or any person authorized by the Code Enforcement Office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable Code(s) or a Court of competent jurisdiction.

§65-18. Immunity of Enforcement Officer:

Any enforcement officer or any person authorized by the Borough to enforce the Sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this Chapter.

SECTION 3. Severability. Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. Repealer. All prior Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 5. When Effective. This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

**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

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 2022-94

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 7, 2021 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$221.35 for taxes or other municipal liens assessed for the year 2020 in the name of ROMANO, ANDREA as supposed owners, and in said assessment and sale were described as 87 PARK AVE, Block 82 Lot 28, which sale was evidenced by Certificate #21-00040 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 7/8/2022 and before the right to redeem was cut off, as provided by law, Andrea Romano claiming to have an interest in said lands, did redeem said lands claimed by BALA PARTNERS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$3,832.29 which is the amount necessary to redeem Tax Sale Certificate #21-00040.

NOW THEREFORE BE IT RESOLVED, on this 16th day of August, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979 in the amount of **\$5,032.29** (This consists of \$3,832.29 Certificate Amount redeemed + \$1,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 82 Lot 28 from the tax office records.

RESOLUTION 2022-95

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 7, 2021 to FIG CUST FIGNJ19LLC & SEC PTY, PO BOX 54226, NEW ORLEANS, LA 70154, in the amount of \$667.22 for taxes or other municipal liens assessed for the year 2020 in the name of ROBINSON, DARLENE R as supposed owners, and in said assessment and sale were described as 79 WASHINGTON SQUARE CIR, Block 73.01 Lot 22, which sale was evidenced by Certificate #21-00037 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 8/8/2022 and before the right to redeem was cut off, as provided by law, DARLENE ROBINSON claiming to have an interest in said lands, did redeem said lands claimed by FIG CUST FIGNJ19LLC & SEC PTY by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$1,380.06 which is the amount necessary to redeem Tax Sale Certificate #21-00037.

NOW THEREFORE BE IT RESOLVED, on this 16th day of August, 2022 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 FIGNJ19LLC & SEC PTY, PO BOX 54226, NEW ORLEANS, LA 70154 in the amount of **\$3,880.06** (This consists of \$1,380.06 Certificate Amount redeemed + \$2,500.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 73.01 Lot 22 from the tax office records.

RESOLUTION 2022-96

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 7, 2021 to FIG CUST FIGNJ19LLC & SEC PTY, PO BOX 54226, NEW ORLEANS, LA 70154, in the amount of \$1,302.44 for taxes or other municipal liens assessed for the year 2020 in the name of RICKMON, DENNIS R as supposed owners, and in said assessment and sale were described as 45-47 N JACKSON AVE, Block 27.02 Lot 13, which sale was evidenced by Certificate #21-00022 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 8/2/2022 and before the right to redeem was cut off, as provided by law, Comerica Bank claiming to have an interest in said lands, did redeem said lands claimed by FIG CUST FIGNJ19LLC & SEC PTY by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$3,400.40 which is the amount necessary to redeem Tax Sale Certificate #21-00022.

NOW THEREFORE BE IT RESOLVED, on this 16th day of August, 2022 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 FIGNJ19LLC & SEC PTY, PO BOX 54226, NEW ORLEANS, LA 70154 in the amount of **\$5,900.40** (This consists of \$3,400.40 Certificate Amount redeemed + \$2,500.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 27.02 Lot 13 from the tax office records.

RESOLUTION 2022-97

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 October 7, 2021 to FNA VI, LLC, PO BOX 676927, DALLAS, TX 75267, in the amount of \$10,759.12 for taxes or other municipal liens assessed for the year 2020 in the name of MASENIOR, JOSH as supposed owners, and in said assessment and sale were described as 284 E WASHINGTON AVE, Block 72 Lot 24.03, which sale was evidenced by Certificate #21-00036 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 7/29/2022 and before the right to redeem was cut off, as provided by law, MASENIOR, JOSH claiming to have an interest in said lands, did redeem said lands claimed by FNA VI, LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$27,474.81 which is the amount necessary to redeem Tax Sale Certificate #21-00036.

NOW THEREFORE BE IT RESOLVED, on this 16th day of August, 2022 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FNA VI, LLC, PO BOX 676927, DALLAS, TX 75267 in the amount of **\$83,674.81** (This consists of \$27,474.81 Certificate Amount redeemed + \$56,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 72 Lot 24.03 from the tax office records.

RESOLUTION 2022-98

LOOP TRAIL RECOGNITION-SHABBECONG MOUNTAIN PRESERVE

WHEREAS the Washington Borough Council established the Green Team to raise environmental awareness for the Borough community;

WHEREAS the Washington Borough Council approved the Green Team to create a public trail network within the Shabbecong Mountain Preserve;

WHEREAS the Preserve trail entrance is located at the end of Nunn Avenue;

WHEREAS the Green Team has been actively clearing and maintaining a two-mile loop trail with the Preserve;

NOW THEREFORE BE IT RESOLVED that the Washington Borough Council officially recognizes the initial two-mile loop trail through Shabbecong Mountain Preserve and encourages the public to utilize this recreational opportunity

RESOLUTION 2022-99

RESOLUTION IN OPPOSITION OF NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL'S SPECIAL CONDITIONS ON LIMITED BREWERY LICENSEES

WHEREAS, the New Jersey Division of Alcoholic Beverage Control (NJABC) issued new special conditions on each limited brewery licensee in the state beginning Friday, July 1, 2022; and

WHEREAS, under the license conditions, craft breweries are limited to hold 25 on-site activities open to the general public annually, as well as 52 private parties. Breweries can also attend 12 off-premises events, such as town, charitable and holiday celebrations; and

WHEREAS, under these license conditions, craft breweries have restrictions on the types of television programming they can air in their tasting rooms, restricts what types of live or record music they can play or host, limits what food options they can make available to customers, bans the sale of coffee, and prohibits the sale of soft drinks and other non-alcoholic beverages not made onsite at the brewery; and

WHEREAS, according to the national Brewers Association, the one-hundred and forty-one craft breweries operating in New Jersey in calendar year 2021 contributed almost \$2 billion to the state's economy, creating over 11,000 jobs at an annually income of more than \$55,000 per employee; and

WHEREAS, Warren County is home to four microbreweries: Czig Meister Brewing Company and Man Skirt Brewing in Hackettstown, Buttzville Brewing Company in Washington Borough and Invertase Brewing Company in Phillipsburg; and

WHEREAS, this past spring, these breweries created the "Skylands Ale Trail," which has brought thousands of visitors to Warren County to experience these breweries and visit other neighboring local businesses; and

WHEREAS, these new conditions will force these local, homegrown small businesses to rethink business models and closely consider which events they should participate in or host, which will reduce their profits and their opportunities to engage in their communities; and

WHEREAS, visiting these microbreweries is about each of their unique experiences, and these proprietors have found exciting ways to engage other local businesses, vendors and artists in their communities; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Washington of the County of Warren strongly opposes the New Jersey Division of Alcoholic Beverage Control's Special Conditions on Limited Brewery Licensees; and

BE IT FURTHER RESOLVED that copies of this resolution shall be forwarded to all municipalities in Warren County and the counties of New Jersey, the leaders of the New Jersey Legislature and Governor Phil Murphy.

**BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION 2022-100**

**RESOLUTION AUTHORIZING A BALLOT QUESTION CONCERNING REPEAL OF
CHAPTER 41 OF THE BOROUGH CODE, "RUBBISH AND RECYCLING
COLLECTION" TO BE PLACED ON THE NOVEMBER 2022 GENERAL ELECTION
BALLOT**

WHEREAS, an initiative petition concerning solid waste collection in the Borough of Washington has been certified by the Borough Clerk pursuant to N.J.S.A. 40:69A-184, *et seq.*;

WHEREAS, said petition is attached hereto as Exhibit A.; and

WHEREAS, the Mayor and Council of the Borough of Washington considered the subject ordinance, entitled, "AN ORDINANCE AMENDING CHAPTER 41 OF THE CODE OF THE BOROUGH OF WASHINGTON ENTITLED GARBAGE, RUBBISH AND RECYCLING

COLLECTION” at a public hearing on November 9, 2021 and said Ordinance is attached hereto as Exhibit B; and

WHEREAS, the Borough Council unanimously voted not to adopt said ordinance; and

WHEREAS, pursuant to N.J.S.A. 40:69A-191, if at least 4 of the petitioners submit a signed request to withdraw the petition, the petition ceases to have any force or effect and the ordinance does not need to be put to a public vote at an upcoming election;

WHEREAS, the following petitioners were advised of such by letter dated November 10, 2021:

Dale E. Parichuk (dparichuk@hotmail.com)
116 Myrtle Ave.
Washington, NJ 07882

John Musick (Jmusick1@icloud.com)
108 Myrtle Ave.
Washington, NJ 07882

Louann Cox (Louanncox1@gmail.com)
33 McKinley Ave.
Washington, NJ 07882

Edward France (edwardsfrance@aol.com)
11 Vanatta Street
Washington, NJ 07882

John Jones
110 Myrtle Ave.
Washington, NJ 07882

WHEREAS, none of the above-referenced Petitioners advised the Borough of their intent to withdraw the Petition;

WHEREAS, pursuant to N.J.S.A. 40:69A-191 the above-referenced ordinance must be placed on the November 2022 ballot for consideration by the voters.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington as follows:

1. Pursuant to N.J.S.A. 40:69A-185, the following question is hereby submitted to the Warren County Clerk for inclusion on the November 1, 2022, general election ballot:

Shall the ordinance submitted by initiative petition repealing Chapter 47 of the Code of the Borough of Washington, which established the Borough of Washington’s garbage utility, be adopted?

2. The following interpretive statement is hereby submitted to the Warren County Clerk to accompany the foregoing referendum question on the November 1, 2022, general election ballot:

If approved, the ordinance submitted by the petitioners will abolish the Borough of Washington's garbage utility and effectively require the Borough of Washington to solicit bids for Borough-wide private garbage service and enter into a contract with a private vendor for garbage service. The quarterly garbage utility payment by residents would be eliminated and the cost of garbage service would be included in the Borough's annual budget to be funded by the payment of property taxes. (i.e. the cost of garbage service would be included in Borough property taxes). The cost of garbage service will continue to include the required tipping and disposal fees. The Borough will remain responsible for payment of any debt incurred for the purchase of equipment for the garbage utility.

3. The Borough Clerk is hereby directed to take all necessary measures to timely submit the foregoing ballot question and interpretive statement to the Warren County Clerk for inclusion on the November 1, 2022, general election ballot.
4. The Borough Clerk is hereby directed to publish this ordinance in at least two print newspapers circulated in the Borough not more than 20 and not less than 5 days before the November 1, 2022, general election, as required by N.J.S.A. 40:69A-194.

RESOLUTION 2022-101
A RESOLUTION TO ADJUST SEWER BILLINGS IN
ACCORDANCE WITH CHAPTER 70, SECTION 28B OF
THE CODE OF THE BOROUGH OF WASHINGTON.

WHEREAS, the Borough of Washington commenced operations of a municipal sewer utility in January of 1999; and

WHEREAS, certain facts have come to the attention of the Borough to justify modification of sewer service charges which have been reviewed by the Borough Manager; and

WHEREAS, notice has been provided to the owner(s) of the property or properties listed below of the action proposed to be taken with the date, time and place where the Mayor and Council will meet to consider change(s) in the E.D.U.'s assigned to the property or properties listed below; and

WHEREAS, all parties affected by this resolution will be notified of the action taken, in writing, and notified of an opportunity to appear, in person, at a formal hearing of the governing body, if dissatisfied with the decisions made herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the following changes in the sewer service charge(s) are approved:

BLOCK/LOT	NAME/ADDRESS	REASON/ADJUSTMENT
88/1	Bray 176 Broad Street Washington, NJ 07882 Property Location: Same	Fire Damage/Uninhabitable 1.0 E.D.U. to 0 E.D.U. Effective: January 2022

BE IT FURTHER RESOLVED that the Borough Clerk be directed to send a certified

copy of this resolution to all parties affected by this resolution and advise them of their right to protest the decision and request a formal hearing before the governing body, as provided in Chapter 70, Section 13. If no protest is filed, the decisions contained herein shall be considered final.

RESOLUTION 2022-102

RESOLUTION TO REIMBURSE CERTAIN NJABC LICENSING FEES

WHEREAS, due to a clerical error retail consumption license #2121-33-001-005, held by **VMI OF WASHINGTON d/b/a ENZO'S RESTAURANT** was not approved in a timely fashion in accordance with NJABC deadlines; and

WHEREAS, an application had been made in 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 by **VMI OF WASHINGTON d/b/a ENZO'S RESTAURANT** in a timely manner and in accordance with NJABC deadlines; and

WHEREAS, as a result of the error **VMI OF WASHINGTON d/b/a ENZO'S RESTAURANT** was forced to incur an interim licensing fee of **ONE HUNDRED DOLLARS (\$100.00)**;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Washington, County of Warren, and State of New Jersey that a reimbursement of the interim licensing fee incurred be issued to the license holder named below:

License # 2121-33-001-005
VMI of Washington, Inc.
(Enzo's Restaurant)
328 W. Washington Ave.
Washington NJ 07882

BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION #2022-103

**RESOLUTION AMENDING RESOLUTION #2022-62 DIRECTING THE CHIEF
FINANCIAL OFFICER TO TAKE ADMINISTRATIVE ACTIONS TO APPROPRIATE
AMERICAN RESCUE PLAN FUNDS TO PURCHASE COMPUTER HARDWARE AND
SOFTWARE**

WHEREAS, the federal American Rescue Plan Act of 2021, signed into law on March 11, 2021, was enacted to provide funding for COVID-19 pandemic response and recovery; and

WHEREAS, among the key elements of the Act is the Coronavirus Local Fiscal Recovery Fund (LFRF) in which all municipalities and counties will receive LFRF funds in two tranches; and

WHEREAS, the Township of Washington has received a total of \$664,959.32 from the federal American Rescue Plan Act with half of those funds being received in 2021 and the remaining half being received in 2022; and

WHEREAS, due to the economic damage caused by the Covid-19 pandemic the Township Committee has determined to utilize the funding to reduce certain capital projects and other expenditures in the coming years; and

WHEREAS, the Township Committee recognized that the current police computer hardware and software system is antiquated, and the replacement cannot be deferred and as such is considered a high priority expenditure; and

WHEREAS, at the budget meeting on February 26, 2022, the Township Committee approved to encumber \$23,125.11 of the funds towards the purchase of a new police computer system by way of Resolution 2022-62; and

WHEREAS, in accordance with the Police Inter-Local Shared Services Agreements with the Township of Oxford and the Borough of Washington, pertaining to capital purchases, the amount of funds need to be amended; and

WHEREAS, the Borough of Washington hereby adopts this corresponding resolution committing the equal amount of funds encumbered by the Township of \$26,012.50 for half of the total amount of \$52,025.00 as per the quote from Sirius Computer Systems, LLC;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Washington, County of Warren that the Chief Financial Officer is directed to take the necessary administrative actions to appropriate, reserve and/or encumber a total amount of \$26,012.50 of the American Rescue Plan Act funds towards the purchase of a new police computer system from Sirius Computer Systems, LLC. as per the attached quote.