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**AGENDA**

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

**November 01, 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** Brown, Conry, Heinrich, Noone, Norris, Ron and Cox.

**AUDIENCE/COUNCIL APPEARANCE**

- Bonnie Hill & Jessica Caldwell-Small Cities Grant on behalf of the ARC of Warren County.

Remarks, petitions, statements and testimony from guests

**NEW BUSINESS**

Best Practice Inventory  
2021 Audit Corrective Action Plan

**Appointments**

Lauren Sheldon-Recreation Committee

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**Agenda-Continued**

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**OLD BUSINESS**

**RESOLUTIONS**

**RESOLUTION 2022-124**

APPOINTING RISK MANAGEMENT CONSULTANT-2023 Fund Year

**RESOLUTION 2022-125**

APPOINTING FUND COMMISSIONER STATEWIDE INSURANCE FUND

**RESOLUTION 2022-126**

SHARED SERVICES AGREEMENT FOR  
FIRE PREVENTION SERVICES BETWEEN  
THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY  
AND THE BOROUGH OF WASHINGTON, WARREN COUNTY

**RESOLUTION 2022-127**

RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

**RESOLUTION 2022-128**

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

**RESOLUTION 2022-129**

APPROVAL OF GRANT MANAGEMENT PLAN FOR SMALL CITIES GRANT FOR AN  
INNOVATED DEVELOPMENT FUND PROJECT TO REHABILITATE SUPPORTIVE HOUSING  
UNITS FOR LOW INCOME RESIDENTS OF WARREN HOUSING OPPORTUNITIES, INC. UNITS  
IN WASHINGTON BOROUGH, WARREN COUNTY, NEW JERSEY

**RESOLUTION 2022 -130**

FAIR HOUSING - STATEMENT OF ACTIONS

**RESOLUTION 2022-131**

SMALL CITIES CITIZEN PARTICIPATION PLAN

**RESOLUTION 2022-132**

APPROVAL TO SUBMIT APPLICATION FOR SMALL CITIES GRANT FOR AN INNOVATIVE  
DEVELOPMENT FUND PROJECT TO REHABILITATE WARREN HOUSING OPPORTUNITIES,  
INC. SUPPORTIVE HOUSING (SUPERVISED APARTMENTS) FOR DEVELOPMENTALLY  
DISABLED ADULTS OF LOW INCOMES

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**VOUCHERS**

**REPORTS**

**RECAP**

**COUNCIL REMARKS**

Remarks, Reports, Discussions

**EXECUTIVE SESSION-if needed**

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

**RESOLUTION 2022-124**  
**APPOINTING RISK MANAGEMENT CONSULTANT**  
**2023 Fund Year**

**WHEREAS**, Washington Borough (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

**WHEREAS**, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

**WHEREAS**, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

**WHEREAS**, the “Fund” has requested its members to appoint individuals or entities to that position; and

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

1. Washington Borough (Local Unit) hereby appoints Skylands Risk Management, Inc. its Risk Management Consultant.
2. The Borough (Interim)Manager (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year **2023** in the form attached hereto.



**RESOLUTION 2022-126**

**SHARED SERVICES AGREEMENT FOR  
FIRE PREVENTION SERVICES BETWEEN  
THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY  
AND THE  
BOROUGH OF WASHINGTON, WARREN COUNTY**

**THIS AGREEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_ 2022 by and between:

**THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY**,  
a municipal corporation of the State of New Jersey, with  
offices at the Municipal Building, 43 Schooley's Mountain  
Road, Long Valley, New Jersey 07853

(Hereinafter, "Washington Township")

and:

**THE BOROUGH OF WASHINGTON, WARREN COUNTY**,  
a municipal corporation of the State of New Jersey, with  
offices at the Municipal Building, 100 Belvidere Ave,  
Washington, New Jersey 07840,

(Hereinafter, "Washington Borough")

**WITNESSETH:**

**WHEREAS**, Washington Borough desires to contract with Washington Township for the  
furnishing of fire prevention services as required by the Uniform Fire Code, N.J.A.C. 5:70-1.1 et  
seq., and as hereafter set forth.

**NOW, THEREFORE, IN CONSIDERATION OF** the mutual promises, covenants and  
representations herein contained, the parties hereto, for themselves, their heirs, successors and  
assigns, hereby agree as follows:

## **I. SCOPE OF SERVICES**

1. Washington Township shall provide the services of a licensed, qualified Fire Official and/or Fire Inspector for fire prevention services to Washington Borough, under the terms and conditions as hereinafter set forth.

2. The Washington Township Fire Prevention Office shall be responsible for inspections for Washington Borough required pursuant to the Uniform Fire Code as set forth in this Agreement.

3. The Fire Official and Fire Inspector shall remain the sole employees of Washington Township and Washington Township shall be responsible for the administration and payment of their salaries and benefits and for the supervision of the Fire Official and Fire Inspector.

4. The Washington Township Fire Prevention Office shall provide all the hours required to provide the following services to Washington Borough: smoke detector/carbon monoxide detector inspections, non-life hazard use and life hazard use inspections as required by the Uniform Fire Code. The fee schedule attached hereto and made a part hereof shall be the inspection fees for all non-life hazard use businesses.

5. All records produced by the Washington Township Fire Prevention Office regarding the fire prevention services of Washington Borough shall be retained in the Washington Township Municipal Building and will be provided to Washington Borough at the expiration of the agreement if it is not renewed.

## **II. TERM OF AGREEMENT**

7. Washington Township shall provide the services of the Washington Township Fire Prevention Office to Washington Borough during the term of this Agreement which shall commence on January 1, 2023 and terminate on December 31, 2027. Either party may terminate this Agreement prior to the end of each calendar year of the agreement upon 90 days' advance

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written notice to the other party, or in the case that the Fire Official retires, resigns, becomes disabled or otherwise is rendered incapable of performing the duties required pursuant to this Agreement, upon a minimum 60 days' advance written notice to the other party to be effective at the beginning of the following quarter.

### **III. PAYMENT FOR SERVICES**

8. Any and all non-life hazard use inspection fees as required by ordinance, state rebates and smoke detector/carbon monoxide fees will be remitted to Washington Township; an amount equal to two (2) percent of the prior year's smoke detector/carbon monoxide fees, life hazard and non-life hazard fees, excluding the state shares, shall be budgeted in a line item for Washington Borough Fire Department fire prevention activities from which expenses shall be paid within thirty days of submission of a voucher and in accordance with Washington Township payment procedures.

### **IV. AMENDMENT**

9. Any amendments to this Agreement must be in writing, must specify the effective date of the amendment and must be executed by the Mayor of each municipality, or his/her designated representative.

### **V. INDEMNIFICATION AND DEFENSE OF PERSONNEL**

10. A. Washington Borough shall not be liable for any negligent, reckless or intentional acts or omissions of Washington Township or the employees of the Washington Township Fire Prevention Office and Washington Township shall indemnify, defend and hold Washington Borough harmless from all losses, injuries or damages caused by the negligent, reckless or intentional acts or omissions of Washington Township or any of its employees rendering the services set forth in this agreement. Such indemnification shall include payment of reasonable attorney's fees and costs in the defense of any claim made by a third person incident to such negligent, reckless or intentional act or omission.



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B. It is recognized and understood that Washington Township and Washington Borough participates in joint insurance funds (JIF). Washington Township and Washington Borough shall name each other as an additional insured on its general liability insurance policy. Washington Township will provide proof of automobile liability and workers compensation policies.

**IN WITNESS WHEREOF**, the parties hereto have caused these presents to be signed by their corporate officers and their proper corporate seals to be affixed hereto the day and year as indicated in the acknowledgments attached hereto and made a part hereof.

**RESOLUTION 2022-127**

**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/PC8 FIRSTRUST BK, GLOBAL CORP TRST SVS TLSG, 50 SO. 16TH ST SUITE 2050, PHILADELPHIA, PA 19102, in the amount of \$327.13 for taxes or other municipal liens assessed for the year 2019 in the name of UNITED STATE OF AMERICA as supposed owners, and in said assessment and sale were described as 29 KINNAMAN AVE, Block 6 Lot 1.01, which sale was evidenced by Certificate #20-00001, and

**WHEREAS**, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 10/26/22 and before the right to redeem was cut off, as provided by law, SUMMIT TITLE SERVICES, LLC claiming to have an interest in said lands, did redeem said lands claimed by US BANK CUST/PC8 FIRSTRUST BK by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$17,804.88 which is the amount necessary to redeem Tax Sale Certificate #20-00001.

**NOW THEREFORE BE IT RESOLVED**, on this 1<sup>st</sup> day of November, 2022 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/PC8 FIRSTRUST BK, GLOBAL CORP TRST SVS TLSG, 50 SO. 16TH ST SUITE 2050, PHILADELPHIA, PA 19102 in the amount of **\$18,904.88** (This consists of \$17,804.88 Certificate Amount redeemed + \$1,100.00 Premium).

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to cancel this lien on Block 6 Lot 1.01 from the tax office records.

**RESOLUTION 2022-128**

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## GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the *Governing Body* of the *Borough of Washington*, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON

**RESOLUTION 2022-129**

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**APPROVAL OF GRANT MANAGEMENT PLAN FOR SMALL CITIES GRANT FOR AN INNOVATED DEVELOPMENT FUND PROJECT TO REHABILITATE SUPPORTIVE HOUSING UNITS FOR LOW INCOME RESIDENTS OF WARREN HOUSING OPPORTUNITIES, INC. UNITS IN WASHINGTON BOROUGH, WARREN COUNTY, NEW JERSEY**

**WHEREAS**, the Borough Council of the Borough of Washington (Council) has been notified of the State Fiscal Year 2023 Community Development Block Grant (CDBG) Small Cities Program Request for Proposals which includes funding toward an Innovative Development Fund category and the Warren Housing Opportunities, Inc. desire to apply for \$400,000 in funding to rehabilitate substandard housing units to occupy for use as supportive housing (supervised apartments) by developmentally disabled adults of low and moderate incomes; and

**WHEREAS**, the Council has successfully applied for Small Cities CDBG funding in the past as a cooperative partner with the Warren Housing Opportunities, Inc. to provide improvements to the Warren Housing Opportunities, Inc. facilities; and

**WHEREAS**, the Council desires to apply for a grant for \$400,000; and

**WHEREAS**, the Council recognizes that a Grant Management Plan must be adopted in order to properly identify the responsible parties for overseeing and implementing the grant; and

**WHEREAS**, the Council has reviewed the Grant Management Plan submitted for Warren Housing Opportunities, Inc., Supportive Housing Rehabilitation Project;

**NOW THEREFORE BE IT RESOLVED** that the Mayor, Council approve of the above-referenced Grant Management Plan; and

**BE IT FURTHER RESOLVED** that copies of this Resolution and the attached application shall be provided to Warren Housing Opportunities, Inc., c/o J. Caldwell & Associates, LLC, 145 Spring Street Suite E, Newton, NJ 07860; Bradley Harrington, Administrator, Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ, 08625-0811; and the Warren County Division of Planning.

**RESOLUTION 2022 –130  
FAIR HOUSING - STATEMENT OF ACTIONS**

**WHEREAS**, the Borough of Washington has made an application for a Small Cities Innovative Fund Development Grant with the New Jersey Department of Community Affairs (hereafter NJDCA) for the rehabilitation of the Warren Housing Opportunities, Inc. supervised apartments to provide supportive housing for low-income individuals with developmental disabilities; and

**WHEREAS**, the Borough of Washington must make efforts to affirmatively further fair housing; and

**WHEREAS**, the Borough of Washington has reviewed various actions that would be acceptable to the NJDCA and the U.S. Department of Housing and Urban Development (hereafter USHUD) and

**WHEREAS**, the Borough of Washington has made assurances that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
- (4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

**NOW, THEREFORE, BE IT RESOLVED** that, Laurie Courter, Interim Borough Manager shall be designated as the Fair Housing Officer for the County of Sussex; and

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Borough of Washington; and

**BE IT FURTHER RESOLVED** that the Borough of Washington will publish in the local newspaper of record and post at the municipal hall a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

**RESOLUTION 2022-131**

**SMALL CITIES CITIZEN PARTICIPATION PLAN**

**WHEREAS**, the Borough of Washington is applying for a grant with the New Jersey Department of Community Affairs; and

**WHEREAS**, that Grant Agreement requires the Borough of Washington to comply with all federal regulations with respect to citizen participation; and

**WHEREAS**, the Borough of Washington has reviewed the Citizen Participation Plan prepared for Small Cities CDBG grantees;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Washington, Warren County, State of New Jersey, that the Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Borough of Washington; and

**BE IT FURTHER RESOLVED** that the Borough of Washington will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above; and

**BE IT FURTHER RESOLVED** that copies of this Resolution and the attached application shall be provided to the WHO, c/o J. Caldwell & Associates, LLC, 145 Spring Street Suite E, Newton, NJ 07860; and Bradley Harrington, Administrator, Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ, 08625-0811; and the Washington Borough Administrative Offices.

**SMALL CITIES PROGRAM**  
**CITIZEN PARTICIPATION PLAN**

**I. Purpose**

The federal Housing and Community Development Act of 1974, as amended, requires that all recipients of Small Cities funds certify that they are following a detailed Citizen Participation Plan (CPP). By choosing to participate in this program, the State of New Jersey has certified that it will comply with the law by preparing a CPP that identifies those tasks that units of local government receiving Small Cities funds must perform.

It is the State's responsibility to assist participating units of local government in complying with the law and in documenting such compliance. It is the responsibility of all grantees to certify to the State that they will manage their Small Cities program in accordance with the State's CPP. Grantees will provide documentation demonstrating such compliance.

In the following sections, basic requirements of the law will be presented and methods of satisfying these requirements discussed. Please read this material carefully and thoroughly. If you have any questions, contact your Small Cities Program Representative. It is essential that each grantee complies with these requirements, since no Small Cities funds will be disbursed until compliance is certified by the grantee and approved by the Department.

**II. Statutory Requirements**

Each recipient of Small Cities Community Development Block Grant (CDBG) funds must certify that it is following a detailed Citizen Participation Plan that --

- (A) encourages citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of areas in which CDBG Funds are proposed to be used, and in the case of a grantee described in Section 106(a) of the Act, provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;
- (B) provides citizens with reasonable and timely access to local meetings, information, and records relating the grantee's proposed and actual use of funds under this program;
- (C) provides for technical assistance to groups representative of persons of low and moderate income who request assistance in developing proposals with the level and type of assistance to be determined by the grantee;
- (D) provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program including at least the development of needs, the review of proposed activities, and review of program performance. Hearings shall be held after adequate notice at times and locations convenient to potential or actual beneficiaries and with accommodation for the handicapped;
- (E) provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and
- (F) identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

The provision and implementation of a CPP may not be construed to restrict the responsibility or authority of the grantee for the development and execution of its community development program.

All grantees must adopt the CPP and provide documentation of compliance throughout the term of the grant agreement. The components of the Plan and the kind of information necessary to document compliance are discussed in the following section.

**RESOLUTION RE: SMALL CITIES CITIZEN PARTICIPATION PLAN**

**Summary:** This resolution declares that the Borough of Washington has reviewed the Citizen Participation Plan prepared for its Small Cities CBDG grant application and will comply with all federal regulations with respect to citizen participation as required.

**RESOLUTION 2022-132**

**APPROVAL TO SUBMIT APPLICATION FOR SMALL CITIES GRANT FOR AN INNOVATIVE DEVELOPMENT FUND PROJECT TO REHABILITATE WARREN HOUSING OPPORTUNITIES, INC. SUPPORTIVE HOUSING (SUPERVISED APARTMENTS) FOR DEVELOPMENTALLY DISABLED ADULTS OF LOW INCOMES**

**WHEREAS**, the Borough Council of the Borough of Washington (Council) has been notified of the State Fiscal Year 2023 Community Development Block Grant (CDBG) Small Cities Program Request for Proposals which includes funding toward an Innovative Development Fund category and the Warren Housing Opportunities, Inc.'s (WHO) desire to apply for \$400,000 in funding to make necessary repairs to supervised apartments that provide supportive housing for developmentally disabled adults of low incomes in Washington Borough; and

**WHEREAS**, the Council has successfully applied for Small Cities CDBG funding in the past as a cooperative partner with WHO to provide improvements to WHO facilities; and

**WHEREAS**, the Council desires to apply for a grant for \$400,000; and

**WHEREAS**, the Council recognizes and accepts that the Small Cities Program may offer a lesser amount of grant funding and therefore, upon receipt of the Grant Agreement from the State Department of Community Affairs, and any amendments thereto, does further authorize the execution of any such Grant Agreement; and also, upon receipt of the fully executed Agreement from the Small Cities Program, does further authorize the expenditure of funds pursuant to the terms of the Agreement between Washington Borough and the New Jersey Department of Community Affairs; and

**WHEREAS**, in order to make application and undertake all other required elements of submission, a Resolution must be adopted by the Council authorizing the application and any amendments thereto and the authority to carry out the improvements as previously described and all other aspects of the grant administration; and

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**WHEREAS**, the rehabilitation of the WHO's supervised apartments will continue to provide needed supportive housing services to low- and moderate-income persons with developmental disabilities in Washington Borough and therefore this project is deemed in the best interest of the Borough and its residents with developmental disabilities;

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Municipal Clerk of the Borough of Washington, Warren County are authorized to sign all required elements of the proposed application to rehabilitate WHO's supervised apartments and apply for a grant in the amount \$400,000 to execute the same; and

**BE IT FURTHER RESOLVED** that the attached application is submitted to the New Jersey Department of Community Affairs' Small Cities Program in accordance with the regulations promulgated by the US Department of Housing and Urban Development; and

**BE IT FURTHER RESOLVED** that copies of this Resolution and the attached application shall be provided to the WHO, c/o J. Caldwell & Associates, LLC, 145 Spring Street Suite E, Newton, NJ 07860; and Bradley Harrington, Administrator, Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ, 08625-0811; and the Washington Borough Administrative Offices.

**Certification:** I, Laurie A. Courter, Clerk of the Borough of Washington, County of Warren, State of New Jersey, do hereby certify that the foregoing Resolution is a true and exact copy of a Resolution adopted by the Borough Council of The Borough of Washington on November 1, 2022.

Laurie Courter, RMC, Clerk  
Borough Council  
Borough of Washington