AGENDA

BOROUGH OF WASHINGTON, WARREN COUNTY, NJ

August 15, 2023 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

<u>ROLL CALL</u> Brown, Cox, France, Gorshkov, Infinito, Musick and Conry.

AUDIENCE/COUNCIL APPEARANCE

Remarks, petitions, statements and testimony from guests

REPORTS

Committee Reports

VOUCHERS-Approval of Claims

OLD BUSINESS

Agenda-Continued

NEW BUSINESS

CPR Training Preferred Website Discussions Council Meeting Video/Audio Discussion EPIC Letter of Intent Veolia WWTP Letter Pennoni Engineering CP Engineers MS4 proposal

ORDINANCE

<u>**1**st Reading:</u> *Public hearing and adoption will be on September 5th, 2023, for the following Ordinances*

ORDINANCE 2023-14 (Attorney Providing Copy w/changes)

An Ordinance of the Borough of Washington Amending Section 94-62 entitled, "Signs," and the Downtown Redevelopment Plan Regarding Freestanding Signs on Sidewalks in Certain Zones

ORDINANCE 2023-15 (Attorney Providing Copy w/changes)

An Ordinance of the Borough of Washington Amending Chapter 75, Article II, entitled "Sale of Goods in Streets," and the Downtown Redevelopment Plan Regarding Retail Sales on Public Sidewalks

ORDINANCE 2023-16

AN ORDINANCE AUTHORIZING AS A GENERAL IMPROVEMENT THE TAX MAPS FOR THE BOROUGH OF WASHINGTON AND APPROPRIATING \$20,000.00 THEREFOR FROM THE "CAPITAL FUND BALANCE" OF SAID BOROUGH

ORDINANCE 2nd Reading

ORDINANCE 2023-12

AN ORDINANCE FIXING THE SALARY AND WAGES OF CERTAIN MUNICIPAL OFFICIALS, APPOINTEES, EMPLOYEES, AND STIPENDS APPLICABLE THERETO AND REPEALING PORTIONS OF PRIOR INCONSISTENT SALARY AND WAGE ORDINANCES BEGINNING JANUARY 1, 2023 **Agenda-Continued**

RESOLUTIONS

RESOLUTION 2023-102

RESOLUTION TRANSFERRING A PERSON-TO-PERSON PLENARY RETAIL CONSUMPTION LICENSE NUMBER #2121-33-003-004 PPS LIQUORS LLC TO BROTHERS RESTAURANT & PIZZA LLC

RESOLUTION 2023-103

RESOLUTION IN SUPPORT OF THE LOCATION AND OPERATION OF A CANNABIS DISPENSARY BY WITHIN THE BOROUGH OF WASHINGTON

RESOLUTION 2023-104

RESOLUTION-APPOINTMENT OF INTERIM MUNICIPAL COURT ADMINSTRATOR ORCHID SANTANA APRIL 17, 2023-APRIL 17, 2024

RESOLUTION 2023-105 RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

RESOLUTION 2023-106

RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

RESOLUTION 2023-107

RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

RESOLUTION 2023-108

RESOLUTION TO VOID CHECK

RECAP

COUNCIL REMARKS

Remarks, Reports, Discussions

EXECUTIVE SESSION-if needed

ADJOURNMENT _____ P.M.

ATTACHMENTS:

ORDINANCE 2023-12

AN ORDINANCE FIXING THE SALARY AND WAGES OF CERTAIN MUNICIPAL OFFICIALS, APPOINTEES, EMPLOYEES, AND STIPENDS APPLICABLE THERETO AND REPEALING PORTIONS OF PRIOR INCONSISTENT SALARY AND WAGE ORDINANCES BEGINNING JANUARY 1, 2023

POSITION TITLE	SALARY OR WAGE RANGE			
Account Clerk	\$41,458	-	\$63,861	AN
Animal Control Officer	\$12,500	-	\$80,000	AN
Keyboarding Clerk 2	\$41,458	-	\$63,861	AN
Administrative Clerk	\$57,370	-	\$89,095	AN
Assistant Municipal Tax Collector	\$49,610	-	\$76,475	AN
Building Maintenance Worker	\$51,269	-	\$66,679	AN
Clerk 1 (NC)	\$24,099	-	\$36,129	AN
Code Enforcement Officer/Zoning Officer	\$56,947	-	\$78,849	AN
Equipment Operator	\$61,506	-	\$79,998	AN
Keyboarding Clerk 3	\$61,506	-	\$79,998	AN
Laborer 1 (NC)	\$46,478	-	\$61,923	AN
Library Assistant	\$36,595	-	\$55,694	AN
Keyboarding Clerk 1	\$36,595	-	\$55,694	AN
Library Director	\$58,462	-	\$78,382	AN
Road Repairer 3	\$68,627	-	\$87,609	AN
Road Repairer Supervisor	\$74,414	-	\$91,410	AN
Senior Account Clerk	\$59,759	-	\$81,009	AN
Supervising Library Assistant	\$44,240	-	\$66,409	AN
Truck Driver (NC)	\$55,168	-	\$73,941	AN
Housing and Zoning Inspector Trainee (NC)	\$32,832	-	\$50,499	AN
Housing and Zoning Inspector	\$21,621	-	\$57,904	AN
Code Enforcement Officer	\$21,621	-	\$57,904	AN
Zoning Officer	\$21,621	-	\$57,904	AN
Fire Official	\$21,621	-	\$57,904	AN
<u>SCHEDULE B – PART-TIME CLASSIFIED</u>				
POSITION TITLE	SALARY OR WAGE RANGE			
Account Clerk	\$13.00	-	\$35.00	Hr.
Animal Control Officer	\$8,000	-	\$80,000	AN
Assistant Animal Control Officer	\$2,000	-	\$5,000	AN
Building Service Worker	\$13.00	-	\$35.00	Hr.
Clerk 1 (NC)	\$13.00	-	\$35.00	Hr.
Code Enforcement Officer (Title Code #01285)	 \$13.00	-	\$35.00	Hr.

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Code Enforcement Officer/Zoning Officer (Title Code #05897)	\$13.00	-	\$50.00	Hr.	
Deputy Municipal Emergency Management Coordinator	\$2,000	-	\$10,000	AN AN	
Deputy Municipal Emergency Management Coordinator (Combined with Manager-Stipend)	\$6,500*				
Deputy Registrar of Vital Statistics	\$1,500	-	\$3,000	AN	
Engineering Aide	\$30.00	-	\$50.00	Hr.	
Fire Official	\$20.00	-	\$50.00	Hr.	
Fire Prevention Specialist	\$15.00	-	\$35.00	Hr.	
Keyboarding Clerk	\$13.00	-	\$35.00	Hr.	
Librarian 1 (Title Code #07569)	\$18.00	-	\$35.00	Hr.	
Library Director	\$36.00	-	\$65.00	Hr.	
Library Assistant (NC-Title Code #07467)	\$13.00	-	\$35.00	Hr.	
Senior Library Assistant (C-Title Code #03416)	\$13.00	-	\$35.00	Hr.	
Zoning Officer (Title Code #04338)	\$13.00	-	\$35.00	Hr.	
Housing and Zoning Inspector Trainee (NC)	\$13.00	-	\$35.00	Hr.	
Housing and Zoning Inspector	\$13.00	-	\$35.00	Hr.	
SCHEDULE C – UNCLASSIFIED SERVICE	<u> </u>				
POSITION TITLE	SALARY OR WAGE RANGE				
Chief Financial Officer	\$15,500	-	\$68,688	AN	
Council Member	\$2,500	-	\$4,500	AN	
Confidential Assistant (to C.F.O.)	\$51,471	-	\$80,945	AN	
Qualified Purchasing Agent	\$5,000	-	\$10,000	AN	
Deputy Municipal Clerk	\$30,000	-	\$60,000	AN	
Deputy Municipal Clerk Shared Service Stipend	\$14,250			AN	
Deputy Municipal Clerk Per Meeting	\$50.00/me	etings			
Mayor	\$3,000	-	\$5,500	AN	
Municipal Clerk	\$45,000	-	\$110,000	AN	
				AN	
Municipal Department Head	\$5,000	-	\$120,000	AN	
Municipal Emergency Management Coordinator	\$2,000	-	\$15,000	AN	
Municipal Manager	\$80,000	-	\$160,000	AN	
				AN	
Secretary, Board/ Commission (Salary)	\$500		\$5,500	AN	
Secretary, Board/ Commission (Hourly)	\$13.00		\$35.00	Hr.	
Tax Assessor	\$25,500	-	\$52,300	AN	
Tax Collector (F.T.)	\$51,471	-	\$80,945	AN	
Tax Collector (P.T.)	\$24,099	-	\$36,129	AN	
NJDCA Mandated Wastewater Contract Administrator Stipend	\$8,000	AN			
CPWM Combined with Road Supervisor Stipend	\$6,000	AN			
Machine, Equipment and Vehicle Maintenance and Repair Stipend	\$7,000	AN			

\$500	AN		
\$500	AN		
\$1,000	AN		
\$7,000	AN		
\$8,755*	AN		
\$15,000	AN		
\$1,000	AN		
SALARY OR WAGE RANGE			
\$13.00	-	\$85.00	Hr.
\$13.00	-	\$35.00	Hr.
\$13.00	-	\$35.00	Hr.
\$13.00	-	\$35.00	Hr.
\$13.00	-	\$35.00	Hr.
\$13.00	-	\$35.00	Hr.
\$30,000		\$48,000	AN
\$13.00	-	\$35.00	Hr.
\$13.00	-	\$35.00	Hr.
\$13.00	-	\$35.00	Hr.
\$17.00	-	\$85.00	Hr.
\$13.00	-	\$35.00	Hr.
\$13.00	-	\$35.00	Hr.
\$13.00	-	\$35.00	Hr.
\$13.00	-	\$35.00	Hr.
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SECTION 1. Salaries herein shall be payable at the rate fixed in equal installments twice a month. Wages shall be payable twice a month. Any annual salary may be re-calculated to an hourly wage for any positions unless restricted by collective bargaining agreement. Any and all fees received by officials and employees of the Borough of Washington shall be paid unto the municipality.

SECTION 2. Any salary and wage ordinance adopted prior to the adoption of this ordinance with provisions inconsistent with the provisions of Section 1 of this ordinance shall, to the extent of any inconsistency, and only to the extent of the inconsistency, be repealed.

SECTION 3. In the event the position becomes vacant or no figure is listed, then the figures noted in the column with the heading "salary or wage range" shall be utilized by the appointing authority and any salary or wage paid within this range shall be deemed appropriate and valid.

SECTION 4. *Dependent upon availability of Emergency Management Agency Assistance (EMAA) grant funds. In the event that EMAA funds are reduced and/or eliminated, stipend will be reduced in an amount commensurate with the reduction in grant funds.

ORDINANCE 2023-16

AN ORDINANCE AUTHORIZING AS A GENERAL IMPROVEMENT THE TAX MAPS FOR THE BOROUGH OF WASHINGTON AND APPROPRIATING \$20,000.00 THEREFORE FROM THE "CAPITAL FUND BALANCE" OF SAID BOROUGH

BE IT ORDAINED by the Borough Council of the Borough of Washington in Warren County,

New Jersey as follows:

<u>Section 1</u>. The Borough of Washington in Warren County (hereinafter referred to as "Municipality") is hereby authorized the following Capital Improvements for the Borough of Washington:

1. Updates to the Borough of Washington Tax Maps.

<u>Section 2</u>. The work and acquisitions, authorized by Section 1 of this Ordinance shall be undertaken as a general improvement, the entire cost of which shall be contributed and borne by the municipality as a general expense, and no part of said cost shall be specially assessed against any property. The estimated cost noted of such project shall not exceed \$20,000.00 unless this Ordinance is amended.

<u>Section 3</u>. It is hereby determined and stated that the undertaking of the aforesaid projects (hereinafter referred to as "purpose") is not a current expense of the municipality; and that the total estimated cost of said purpose is \$20,000.00, the estimated cost for the projects having been noted in Section 1 above.

Section 4. The sum of \$20,000.00 is hereby appropriated for said purpose from the "Capital

Fund Balance" of the municipality for said purpose as required by law and now available therefore under a budget or budgets of the municipality previously adopted.

<u>Section 5</u>. The Capital budget of the municipality is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith.

Section 6. This Ordinance shall take effect upon its passage and publication as provided by law.

RESOLUTION 2023-102 RESOLUTION TRANSFERRING A PERSON-TO-PERSON PLENARY RETAIL CONSUMPTION LICENSE NUMBER #2121-33-003-004 PPS LIQUORS LLC TO BROTHERS RESTAURANT & PIZZA LLC

WHEREAS, application has been made to the Borough Clerk, Laurie A. Courter, for the transfer of Liquor License #2121-33-003-006 in which license holder was held by PPS Liquors LLC; and

WHEREAS, PPS Liquors LLC, has submitted their consent to the transfer of Plenary Retail Consumption License ##2121-33-003-006 (*by proof of Bill of Sale*) to Brothers Restaurant Pizza & Bar LLC; and

WHEREAS, the necessary background investigations have been done by the Washington Township Police Department, and are in order to proceed with the transfer of this Retail Consumption License; and

WHEREAS, the application for transfer is in order and the required newspaper publications have been submitted as further proof of compliance with Local Alcoholic Beverages Laws; and

THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Washington, Warren County, New Jersey do hereby consent and approve of this transfer of liquor license for a Plenary Retail Consumption License #2121-33-003-006 which license holder was held by PPS Liquors LLC to Brothers Restaurant & Pizza LLC.

RESOLUTION 2023-103 BOROUGH OF WASHINGTON WARREN COUNTY, NEW JERSEY RESOLUTION IN SUPPORT OF THE LOCATION AND OPERATION OF A CANNABIS DISPENSARY BY WITHIN THE BOROUGH OF WASHINGTON

WHEREAS, in 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and April 19, 2022

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" ("CREAMMA")), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, The Garden of Eden Dispensary, LLC (the "Applicant") is registered to do business in the State of New Jersey, intends to apply to the Cannabis Regulatory Commission (CRC) for a Class 5 Retail License to operate an adult-use cannabis retail facility within the Borough of Washington (the "Borough"); and

WHEREAS, the Applicant has indicated a desire to open such cannabis retail location at property located at 275 W. Washington Avenue (Block 101, Lot 11) in the Borough (the "Property"); and

WHEREAS, pursuant to Ordinance 2021-07 adopted on August 9, 2021 (as amended by Ordinance 2022- 02 adopted on April 19, 2022) (collectively, the "Ordinance"), the Borough has authorized the operation of cannabis retailers in the B-1 and B-2 Zoning District subject to certain standards; and

WHEREAS, in accordance with the regulations established by the Act, N.J.A.C. 17:30-5.1, an applicant for an annual cannabis business license shall include proof of local support in their applications, which shall be submitted as a resolution adopted by the governing body; and

WHEREAS, Applicant appeared before the Borough Council at its regular meetings on June 20, 2023 and August 15, 2023 to request the required proof of "local support;" and

WHEREAS, the Property is owned by Jeff Hackett, who provided consent to Applicant to request the proof of local support; and

WHEREAS, at such meetings, Applicant provided information concerning the proposed cannabis retail operations and the Property's suitability for a cannabis retail in compliance with the Ordinance; and

WHEREAS, the proposed location is within the Borough's B-1 Zoning District; and

WHEREAS, pursuant to the Ordinance, cannabis retailers are permitted as conditional uses in the B-1 Zoning District; and

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

1. A representative of the Garden of Eden Dispensary made a presentation before the Mayor and Council regarding its proposed cannabis retail business, including its intended location at 275 W. Washington Avenue.

2. Ordinance 2021-07 (as amended by Ordinance 2022-02) permits the operation of a cannabis retailer as a conditional use in the B-1 Zoning District, subject to certain conditions, including site plan approval by the Borough Land Use Board.

3. This resolution may be used by the Garden of Eden Dispensary as proof of local support required by the Cannabis Regulatory Commission pursuant to applicable law and regulations. 4. This Resolution shall take effect immediately

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RESOLUTION 2023-104 RESOLUTION-APPOINTMENT OF INTERIM MUNICIPAL COURT ADMINSTRATOR ORCHID SANTANA APRIL 17, 2023-APRIL 17, 2024

WHEREAS, Orchid Santana was hired on April 17, 2023 as the Mansfield Interim Municipal Court Administrator as established in the shared services agreement with the Borough of Washington., and

WHEREAS, Orchid Santana is currently considered an interim Municipal Court Administrator pursuant to N.J.S.A.2B:12-11(e) since she was hired after May 25, 2011 and does not hold a municipal court administrator certificate, and;

WHEREAS, The statue allows the governing body to appoint a person as a Municipal Court Administrator that is not certified Municipal Court Administrator, on an interim basis, for a period not to exceed one year commencing on the date of the appointment April 17, 2023, and;

WHEREAS, the statute further states, "Any person so appointed may, in consultation with the judge of the municipal court, be reappointed as municipal court administrator, on an Interim basis, for two years subsequent one-year terms. The municipal court administrator appointed on a interim basis may be reappointed for a fourth, and if necessary, a fifth additional one-year term, provided the municipal court administrator is currently enrolled in the certification program and needs additional time to complete that program";

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Washington, in the County of Warren and State of New Jersey, that it hereby appoints Orchid Santana as Interim Municipal Court Administrator for one-year term commencing April 17, 2023 ending April 17, 2024.

RESOLUTION 2023-105 A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on December 7, 2022 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$734.25 for taxes or other municipal liens assessed for the year 2021 in the name of NUCUM, HERMES & MARIA as supposed owners, and in said assessment and sale were described as 31 ALVIN SLOAN AVE, Block 2.09 Lot 17, which sale was evidenced by Certificate #22-00003 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 8/8/2023 and before the right to redeem was cut off, as provided by law, MARIA NUCUM 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 \$1,492.89 which is the amount necessary to redeem Tax Sale Certificate #22-00003.

NOW THEREFORE BE IT RESOLVED, on this 15th day of August, 2023 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 **\$3,792.89** (This consists of \$1,492.89 Certificate Amount redeemed + \$2,300.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 2.09 Lot 17 from the tax office records.

RESOLUTION 2023-106 A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on December 7, 2022 to BALA PARTNERS LLC, P.O. Box 303, Pottersville, NJ 07979, in the amount of \$661.97 for taxes or other municipal liens assessed for the year 2021 in the name of SUDOL, KRISTIN M as supposed owners, and in said assessment and sale were described as 69 LENAPE TRAIL, Block 101 Lot 13.38, which sale was evidenced by Certificate #22-00058 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 8/8/2023 and before the right to redeem was cut off, as provided by law, CORELOGIC 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 \$1,141.38 which is the amount necessary to redeem Tax Sale Certificate #22-00058.

NOW THEREFORE BE IT RESOLVED, on this 15th day of August, 2023 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 **\$3,341.38** (This consists of \$1,141.38 Certificate Amount redeemed + \$2,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 101 Lot 13.38 from the tax office records. August 15, 2023-Draft -subject to changes

RESOLUTION 2023-107 A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on December 7, 2022 to FIG 20, LLC FBO SEC PTY, PO BOX 12225, NEWARK, NJ 07101, in the amount of \$1,620.56 for taxes or other municipal liens assessed for the year 2021 in the name of GIOVANNONE, PASQUALE & TIESHA as supposed owners, and in said assessment and sale were described as 98 YOUMANS AVE, Block 82 Lot 15, which sale was evidenced by Certificate #22-00046 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 7/18/2023 and before the right to redeem was cut off, as provided by law, CORELOGIC claiming to have an interest in said lands, did redeem said lands claimed by FIG 20, LLC FBO SEC PTY by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$3,919.34 which is the amount necessary to redeem Tax Sale Certificate #22-00046.

NOW THEREFORE BE IT RESOLVED, on this 15th day of August, 2023 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FIG 20, LLC FBO SEC PTY, PO BOX 12225, NEWARK, NJ 07101 in the amount of **\$6,919.34** (This consists of \$3,919.34 Certificate Amount redeemed + \$3,000.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 82 Lot 15 from the tax office records.

RESOLUTION 2023-108 A RESOLUTION TO VOID CHECK

WHEREAS, check #15138 was written July 19, 2023, on the Washington Borough's Operating Account in the amount of \$200.00; and

WHEREAS, check was made payable to International Institute of Municipal Clerks 8331 Utica Ave #200 Rancho Cucamonga, CA 91730; and

WHEREAS, the Treasurer's office was made aware that the above-mentioned check was issued for the wrong amount and that a replacement check should be in the amount of \$185.00; and

WHEREAS, the above-mentioned check be voided, and a replacement check should be issued; 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 hereby authorizes the Treasurer to void and replace the aforementioned check.