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## AGENDA

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

**October 3, 2023**

**6:00 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, Cox, France, Gorshkov, Infinito, Musick and Conry.

#### **WORKSHOP 6PM**

Sidewalk Ordinances-continued discussions

#### **7:00 PM-Regular Meeting:**

#### **AUDIENCE/COUNCIL APPEARANCE**

Remarks, petitions, statements and testimony from guests

#### **MINUTES**

Regular Session September 19, 2023

Executive Session: September 19, 2023

#### **REPORTS**

Committee Reports

#### **VOUCHERS-Approval of Claims**

#### **OLD BUSINESS**

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## **Agenda-Continued**

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### **NEW BUSINESS**

1. Explore additional parking at the Borough Park and Pool area.
2. Appointment of a vacancy for a five-year term to Library Board:  
Karen Castanhas

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

*Public Hearing/Adoption will be scheduled for November 21, 2023*

#### **ORDINANCE 2023-19**

Ordinance of the Borough of Washington County of Warren, State of New Jersey approving application for Tax Exemption and authorizing execution of the financial agreement in connection therewith for Block 95 Lots 7 and 10 in the Borough of Washinton.

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

### **RESOLUTIONS**

#### **RESOLUTION 2023-124**

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

### **RECAP**

### **COUNCIL REMARKS**

Remarks, Reports, Discussions

### **EXECUTIVE SESSION-if needed**

Contractual-Shared Service-Police and Engineer

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

## **ORDNANCE NO. 2023-19**

### **ORDINANCE OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY APPROVING APPLICATION FOR TAX EXEMPTION AND AUTHORIZING EXECUTION OF FINANCIAL AGREEMENT IN CONNECTION THEREWITH FOR BLOCK 95, LOTS 7 AND 10, IN THE BOROUGH OF WASHINGTON.**

**WHEREAS**, the Borough, by Resolution No. 62-2007 dated February 6, 2007, duly designated an area consisting 63 Lots including Block 95, Lots 7 and 10 (collectively the “Property”), as an Area in Need of Redevelopment in accordance with the provisions of the Local Redevelopment and Housing Law, codified at N.J.S.A. 40A:12A- 1 et seq. (the "Redevelopment Law"), and specifically N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Borough, on April 7, 2009, adopted Ordinance No. 1-2009 approving a redevelopment plan (the “Redevelopment Plan”) for the Washington Borough Downtown Redevelopment Area that included provisions permitting construction on the Property of residential, mixed use and commercial structures and other improvements. The Redevelopment Plan was amended September 20, 2022 by the adoption of Ordinance No. 2022-10; and

**WHEREAS**, in order to implement the development, financing, construction, operation and management of the Project, the Borough entered into a redevelopment agreement with the Redeveloper dated January 17, 2023, (along with any amendments thereto, the “Redevelopment Agreement”), which Redevelopment Agreement specifies the rights and responsibilities of the Borough and Redeveloper with respect to certain aspects of the Project; and

**WHEREAS**, on January 17, 2023, the Borough, by Resolution No. 23-28, designated 1 W. Washington Ave. Urban Renewal, LLC as Redeveloper for the Property (the “Redeveloper”) and Redeveloper has agreed to implement the Redevelopment Plan and develop, design, finance and construct a project consisting of interior and exterior improvements to an existing building creating four (4) commercial units on the first floor and a total of approximately twenty (20) dwelling units on the second and third floors, along with the construction of eighteen (18) parking space and other improvements as required by the Redevelopment Plan (the “Project”) and in connection therewith, the Redeveloper has agreed to devote substantial cash assets and borrowed funds to the completion of the Project; and

**WHEREAS**, the extraordinary expenses associated with the redevelopment of the Project and necessary infrastructure improvements, the proposed redevelopment Project is not feasible without the tax exemption and will influence the residents and commercial tenants to locate in the Borough; and

**WHEREAS**, in order to enhance the economic viability of and opportunity for a successful project, the Borough will enter into a Financial Agreement pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “Financial Agreement” or “Agreement”) with the Entity, governing payments made to the Borough in lieu of real estate taxes on the Project pursuant to the Long Term Tax Exemption Law; and

**WHEREAS**, the provisions of the Long Term Tax Exemption Law authorize the Borough to accept, in lieu of real property taxes, an annual service charge paid by Entity to the Borough based on the enumerated formulas set forth in such laws; and

**WHEREAS**, the Entity has agreed to make payment of the annual service charge to the Borough to be used by the Borough for any lawful purpose in the exercise of the Borough's sole discretion; and

**WHEREAS**, the Borough Council has determined that the Project represents an undertaking permitted by the Long Term Exemption Law.

**WHEREAS**, the Entity may convey portions of the Project to other urban renewal entities, which entities will undertake the construction of portions of the Project.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Washington, County of Warren and State of New Jersey, that the Application and Financial Agreement are hereby approved.

**BE IT FURTHER ORDAINED** that the Mayor is here by authorized to execute the Financial Agreement in substantially the same form as that attached as an exhibit to the Application.

**BE IT FURTHER ORDAINED** that The Borough Clerk is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and affix the corporate seal of the Borough upon such document.

**BE IT FURTHER ORDAINED** if any part(s) of this Ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective immediately upon final passage and publication as required by law.

**RESOLUTION 2023-124**  
**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 FLOWING BUILD LLC, 484 COOK RD, JACKSON, NJ 08527, in the amount of \$219.76 for taxes or other municipal liens assessed for the year 2021 in the name of WASHINGTON VENTURE INVEST %CBD REAL as supposed owners, and in said assessment and sale were described as NUNN AVENUE, Block 97 Lot 1.04 QFARM, which sale was evidenced by Certificate #22-00049 and

**WHEREAS,** the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 9/22/2023 and before the right to redeem was cut off, as provided by law, WASHINGTON VENTURE claiming to have an interest in said lands, did redeem said lands claimed by FLOWING BUILD LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$601.36 which is the amount necessary to redeem Tax Sale Certificate #22-00049.

**NOW THEREFORE BE IT RESOLVED,** on this 3<sup>rd</sup> day of October, 2023 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FLOWING BUILD LLC, 484 COOK RD, JACKSON, NJ 08527 in the amount of **\$701.36** (This consists of \$601.36 Certificate Amount redeemed + \$100.00 Premium).

**BE IT FURTHER RESOLVED,** that the Tax Collector is authorized to cancel this lien on Block 97 Lot 1.04 QFARM from the tax office records.