

WASHINGTON BOROUGH COUNCIL MINUTES

March 21, 2023

The regular meeting of the Borough Council of Washington, Warren County, New Jersey was held in councils chambers at 7:00 P.M.

Roll Call: Brown, Conry, Cox, France, Gorshkov, Infinito and Musick.

Also Present: Laurie A. Courter, Interim Manager/Borough Clerk

Absent:

Mayor Conry led everyone in the flag salute.

Mayor Conry read the following statement into record:

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 (Warren County Edition and Star Ledger) and posted on the Boroughs website stating the time, place and purpose of the meeting as required by law

PUBLIC COMMENT

Chris Allen -Hardwick Street, Belvidere-stated he witnessed the borough Mayor break the law in regards to tabling items. Citing borough Charter/ Rule of law-not a dictatorship. Urged Mayor to not continue down this path.

Michelle Norris, State Street-commented on an audio recording from last meeting stating we have a recording says your husband (Gorshkov) sitting in back -stating has spousal privileges. Mrs. Norris stated that the four members of council have an ethics violation against them and this was also reported to Warren County prosecutor for an illegal quorum.

Chris Bauknight-Lenape Trail-stated that he was one of the people in back who heard what Gorshkov's husband had to say. Stated that business happening outside of this room should not be happening. It is not looking good, and nothing is getting done. Added that they can get replaced earlier than you want to (Council).

Charles Body Elizabeth Ave-Washington Township-commented on the resolution to appoint an attorney-seems misplaced and stated he thought there were going to be having interviews. Commented on phones being used at dais and pointed out Councilwoman Gorshkov checking and texting on her phone and having multiple devices.

Councilwoman Gorshkov addressed the phones-of which only one is a phone; the other two devices are for medical citing that she is a diabetic.

Anne Marie McWilliams Grand Ave-stated that it's time for everyone on this council to do a job for us. Should be in our best interest not yours, what is best for the people of this borough. Implored council to step up and do job and stop the disrespect of madam mayor.

Marco Matteo-Railroad Ave. discussed the theatre and a door being open. He contacted the fire official. The Marquee has been leaking for four years and has notified the owner with nothing happening Asked if it would be possible to have street light in downtown on corner of Railroad Avenue near grassy null near tracks and tunnel.

Hearing no further public comment, motion made by Brown and seconded by Musick to close the public portion, all were in favor.

REPORTS

Committee Reports

Green Team- Musick-stated that the Green Team is going to ask for a budget. They meet once a month to go hiking. Looking for new people to hike with them. They have a website up for Farmers Market. One coincides with the townwide yard sale and requested to get the date released early for that.

Ordinance: Gorshkov stated that at a previous meeting a resident brought up an ordinance on the historical ordinances to keep in there and stated that there are some interesting ones such as animals and hitching posts. Fun one-75-8 speed limit for animals of a speed greater than 6 miles per hour. Possibly keep them in there have a marker that its historical.

Firearm ordinances: This needs an update with regards to airsoft and air rifles as firearms. Its not deadly ammo-should probably be removed put somewhere in as nuisance. Could be a felony and does not want to see a teenager to be charged with felony.

Senior Advisory: Cox-still working on putting together senior advisory committee. Nothing useful that former Councilman Heinrich gave her.

Cannabis: Brown stated that an applicant is still in permitting process.

Streets-Brown stated that he heard back from the Engineer, Kevin Smith asked about repaving of roads that the utility, Elizabethtown Gas did some construction. They are scheduling in late April to pave Broad, South Lincoln Willow and Wandling Avenue.

Sewer: Infinito-stated that there has been a delay in getting emails-been meaning to get Michael Heinrichs contact information for committee info.

VOUCHERS AND CLAIMS

Motion made by Brown seconded by Infinito to pay vouchers and claims.

Roll Call: Brown, Conry, Cox, France, Gorshkov, Infinito and Musick.

Ayes: 7 Nays: 0

Motion passes.

NEW BUSINESS

Discussion: Chicken Ordinance

Councilman Brown discussed the chicken ordinance and added that the current ordinance needs to be investigated in possibly making changes, adding that we have a right to feed ourselves without interference with government. Current ordinance not feasible.

ORDINANCE 2nd Reading Public Hearing:

Ordinances 2nd Reading

Motion made by Brown and seconded by Gorshkov to open the public hearing for Ordinance 2023-02.

Roll Call: Brown, Conry, Cox, France, Gorshkov, Infinito and Musick.

Ayes: 7 Nays: 0

Motion passes.

Public Comment-

Name inaudible, S Lincoln, we park in that parking lot-I believe a lot of things in ordinance not specific enough. Not sure where the ten spots are. Inquired about the language of ordinance and asked how permits will be issued.

Josephine Noone stated to be careful with designated just certain spaces .

Robin Klimko-W Marble St-gave history of the property from when she was on council. How can the borough issue parking spots and control them, we don't own the land this is owned by private entity.

Dave Higgins-Harding Drive gave the history from when he was on council and stated that the parking lot was contaminated, we would have had to remediate before paving over it. Mr. Higgins stated that the borough has the right to control those ten spots its part of the developer's agreement giving us authority,

Hearing no further public comment, motion made by Brown and seconded by Cox to close the public hearing.

Motion to reopen public hearing made by Brown and Gorshkov , all were in favor.

19 S. Lincoln Angela (last name inaudible), giving parking history-citing harassment about parking spots around in the area. Will there be signs only for us. What happens if customers park there.

Motion to close public hearing of Ordinance 2023-02, made by Cox and seconded by Brown all were in favor.

Motion made by Brown to adopt Ordinance 2023-02; motion seconded by Cox
Fails to be adopted.

Roll call: Brown, Conry, Cox, France, Gorshkov, Infinito and Musick
Ayes: 0 Nays: 5 Abstain: 2 (Conry, Infinito)
Ordinance Fails.

Motion made by Brown and seconded by Cox to open the public hearing for Ordinance 2023-07.

Roll Call: Brown, Conry, Cox, France, Gorshkov, Infinito and Musick.
Ayes: 7 Nays: 0
Motion passes.

Hearing no public comment, motion made by Musick and seconded by France to close the public hearing.

Motion made by Brown to adopt Ordinance 2023-07; motion seconded by Cox.

Roll call: Brown, Conry, Cox, France, Gorshkov, Infinito and Musick
Ayes: 5 Nays: 2 (Gorshkov, France)
Motion passes.

ORDINANCE 2023-07
CALENDAR YEAR 2023
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Washington in the County of Warren finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$29,502.28 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Washington, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Washington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 103,257.98, and that the CY 2023 municipal budget for the Borough of Washington be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

EXECUTIVE SESSION

Motion made by Brown and seconded by Gorshkov to enter executive session for personnel all were in favor.

RESOLUTION
AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act, P.L. 975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss Personnel-Interviews. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED, that the public be excluded from this meeting.

Motion made by Musick and seconded by Gorshkov to return to regular session all were in favor.

RESOLUTIONS

Motion made by Cox and seconded by Gorshkov to adopt Resolution 2023-59

Roll call: Brown, Conry, Cox, France, Gorshkov, Infinito and Musick

Ayes: 4 Nays: 2 Brown and Conry Abstain: Infinito

Motion passes.

RESOLUTION 2023-59

RESOLUTION AUTHORIZING 2023 PROFESSIONAL SERVICES CONTRACT WITH ERIK PETERSON OF THE LAW OFFICES OF ERIK C. PETERSON FOR MUNICIPAL ATTORNEY SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year or at the discretion of the Borough Council; and

WHEREAS, for budgetary purposes, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of \$50,000.00, excluding any escrow related services and;

WHEREAS, Erik C. Peterson has completed and submitted a Business Entity Disclosure Certification which certifies that Erik C. Peterson has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit Erik C. Peterson from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by Erik C. Peterson Law Offices.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Erik C. Peterson Law Offices, as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Erik C. Peterson.

Motion made by Brown and seconded by Cox to adopt Resolution 2023-61

Roll call: Brown, Conry, Cox, France, Gorshkov, Infinito and Musick
 Ayes: 7 Nays: 0
 Motion passes.

RESOLUTION 2023-61

A RESOLUTION AUTHORIZING CANCELLATION OF GENERAL CAPITAL ORDINANCES BALANCES

WHEREAS, there are open balances in old capital ordinance; and

WHEREAS, the projects authorized in those ordinances are completed; and

WHEREAS, it is a good practice to cancel old outstanding ordinances; and

WHEREAS, cancelled funded amounts will be deposited in the General Capital Fund Balance and Capital Improvement Fund; and

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

1. The governing body hereby authorizes cancellation of the outstanding balances in the capital ordinances listed below

Ordinance #	Description	Total	Funded	Unfunded	Deposited to:
2007-07	Various Improvements	7,718.30	7,718.30		Fund Balance
2013-04	Various Improvements	1,850.00	1,850.00		Fund Balance
2014-02	Various Improvements	1,917.62	1,917.62		CIF
2015-04	Zero Turn Lawn mower	225.00	225.00		CIF
2015-05	Various Improvements	1,362.91	1,362.91		CIF
2017-08	Various Improvements	30,700.45	30,700.45		CIF
2018-10	Road Improvement	137,855.23	137,855.23		Fund Balance
2018-11	New Fire Truck	14,769.04		14,769.04	
2018-14	Library Improvements	54.66	54.66		CIF
2019-14	Street Sweeper	11,315.31		11,315.31	
2019-16	Various Improvements	13,807.58	13,807.58		CIF
2020-05	Land Purchase	1,888.00		1,888.00	
2020-07	Road and Building Improvements	65,695	65,695.16		CIF

Motion made by Brown and seconded by Musick to adopt Resolution 2023-62

Roll call: Brown, Conry, Cox, France, Gorshkov, Infinito and Musick
Ayes: 7 Nays: 0
Motion passes.

RESOLUTION 2023-62
2023 Municipal Budget

of the **BOROUGH** of **WASHINGTON** County of

Revenue and Appropriations Summaries

Summary of Revenues	Anticipated	
	2023	2022
1. Surplus	620,000.00	600,000.00
2. Total Miscellaneous Revenues	2,651,332.80	2,412,912.88
3. Receipts from Delinquent Taxes	300,000.00	400,000.00
4. a) Local Tax for Municipal Purposes	5,165,224.40	5,104,839.84
b) Addition to Local School District Tax		
c) Minimum Library Tax	185,065.09	167,903.34
Tot Amt to be Rsd by Taxes for Sup of Muni Bnd	5,350,289.49	5,272,743.18
Total General Revenues	8,921,622.29	8,685,656.06

Summary of Appropriations	2023 Budget	Final 2022 Budget
1. Operating Expenses: Salaries & Wages	1,316,400.00	1,235,766.68
Other Expenses	5,244,939.28	5,020,573.38
2. Deferred Charges & Other Appropriations	980,731.00	334,074.00
3. Capital Improvements	115,000.00	180,000.00
4. Debt Service (Include for School Purposes)	452,000.00	1,115,242.00
5. Reserve for Uncollected Taxes	811,933.01	800,000.00
Total General Appropriations	8,921,003.29	8,685,656.06
Total Number of Employees	20 FT 15 PT	20 FT 15 PT

2023 Dedicated	Sewer	Utility Budget
Summary of Revenues		Anticipated
		2023
		2022
1. Surplus		702,500.00
2. Miscellaneous Revenues		2,100,000.00
3. Deficit (General Budget)		
Total Revenues		2,802,500.00
Summary of Appropriations		2023 Budget
		Final 2022 Budget
1. Operating Expenses: Salaries & Wages		200,000.00
Other Expenses		1,682,500.00
2. Capital Improvements		100,000.00
3. Debt Service		60,000.00
4. Deferred Charges & Other Appropriations		20,000.00
5. Surplus (General Budget)		800,000.00
Total Appropriations		2,802,500.00
Total Number of Employees		

2023 Dedicated	Solid Waste	Utility Budget
Summary of Revenues		Anticipated
		2023
		2022
1. Surplus		62,726.16
2. Miscellaneous Revenues		840,235.50
		765,000.00

3. Deficit (General Budget)			
Total Revenues		902,961.66	765,000.00
Summary of Appropriations		2023 Budget	Final 2022 Budget
1. Operating Expenses:	Salaries & Wages	170,000.00	220,000.00
	Other Expenses	383,500.00	313,794.56
2. Capital Improvements			
3. Debt Service		328,600.00	144,197.00
4. Deferred Charges & Other Appropriations		20,861.66	87,008.44
5. Surplus (General Budget)			
Total Appropriations		902,961.66	765,000.00
Total Number of Employees		4 FT	4 FT

Balance of Outstanding Debt			
	General	Sewer	Solid Waste
Interest	72,390.78		
Principal	1,269,684.78		
Outstanding Balance	1,342,075.56		

Notice is hereby given that the budget/ tax resolution was approved by the Mayor and Council of the Borough of Washington, County of Warren, on, March 21, 2023.

A hearing on the budget/ tax resolution will be held at the Borough Hall on May 2, 2023 at 7:00 o'clock p.m. at which time and place objections to the Budget and Tax Resolutions for the year 2023 may be presented by taxpayers or other interested persons.

COUNCIL REMARKS

Councilman Brown gave the following remarks:

- Point out that a paper with parliamentary proceedings and Roberts Rules of Order was put on dais not sure who put it there. Stated that we should follow all the rules.
- Stated that there is an atmosphere of collaboration.
- Silence from three other members with regards to emails. Not good for what’s good for Washington. Came to town 14 years ago love this town.
- Ten weeks into this so many things planned by certain members of this council. Hope it changes.

Councilwoman Cox gave the following remarks:

- No comment

Councilman France gave the following remarks:

- Respects the Mayor very much-encourage you to say what you believe in your heart but implore to allow other people to do same thing.
- Not easy to make all these decisions. Respect each other and carry on respecting each other's differences. Directed to Mayor Conry stating he has to call her out a little bit. Asked the Mayor to maybe be careful when accusing people of things.

Councilman Infinito gave the following remarks:

- This was his first full meeting. Very lucky and happy for the last two weeks since being appointed. Went by local businesses. Appreciative of opportunity and will continue to do his best. Reaching out to the council and Mayor and public helped. Focus on moving forward and what's best for the town.

Councilwoman Gorshkov gave the following statements:

- Thanked everyone for coming out to enjoy the show.

Councilwoman Musick gave the following remarks:

- Apologize to Councilman Brown for not responding to email. Do not check my email all the time. For everyone else thank all for coming out for getting input.

Mayor Conry gave the following remarks:

- Criticism we all need to accept constructive criticism and need to accept it. Transparency should always be amongst us but has not happened. Tries to work with everyone on council but being disrespected, expects to be respected.

ADJOURN

Hearing no further business to come before Council, motion made by Cox and seconded by Gorshkov to adjourn the meeting at 10:31 PM, all were in favor.

Laurie A. Courter, RMC
Borough Clerk