
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

WASHINGTON BOROUGH COUNCIL MINUTES

May 16, 2023

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

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

Also Present: Laurie A. Courter, Borough Clerk
Erik Peterson, Attorney

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

Motion made by Cox and seconded by Gorshkov to open the public portion, all were in favor.

Ray Rice, on behalf of OZE, Mr. Rice stated that the purpose of appearance tonight is similar to two previous appearances with respect to block 95 lot 1 and 31 also known as Taco Bell. Discussions ensued regarding the agreement made with the borough and parking in the lot that included overnight parking. Mr. Rice is asking that overnight parking not be allowed. Further discussions ensued.

Mel Thiel, BID, gave the following report:

- Thursday night 6-8 PM dance party at Pocket Park with DJ.
- Friday-co-hosting a job fair at Habitat for Humanity Center, 39 Belvidere Ave-sold out of space, 10am-3pm.
- Sunday, May 21st planting the flowers in the pots around town. Two at borough hall. Starting at 8am at Veterans Park, bring gardening hand tools and gloves-help will be needed. Have a landscaper that puts the pots out -they are big. The fire department fills them with water. Bag of potting soil at each pot. Flowers are placed by each pot, volunteers go and plant the flowers. Always done the Sunday after Mother's Day.
- Sustainable Green and Arts festival June 18th along with Juneteenth. 40 vendors sold already. Opening day of Farmers Market as well. 10 full season vendors, most we ever had in advance. Three farms with produce will be selling.

Musin Muheisen (sp), stated that he is here with a couple of other people, regarding window coverings on Rt 31 been up there for some time. Business has been open for 17 years, never had a problem with it. Blocks out the sun gets hot at bagel shop. Not sure what the issue is.

Jollys Smoke Shop (name inaudible), Discussed window and lighting for her business Stated that Matt Hall gave permission for her to install the LED lights, then denied. Spent over \$2500.

151 RR Ave-(name inaudible) Assistant Manager Krauzers, would like to have a copy what you are talking about. What I was originally told a few months ago, February, when Matt came in to speak to me on shift-we could have lights that had to be positioned a certain way-we took them all down. We have neon lights that are no longer allowed either, what lights are allowed.

Marco Matteo, Railroad Ave- inquired about the red traction mats at crosswalks, asked if anyone is working on that to repair them.

Sandy Watts, New Hampton, presented a painting before the council. Painting was in theatre and then theatre was closed, but was able to get the painting out. Hoping it will have an opportunity as a working theater.

Charles Body, Elizabeth Street -discussion at last meeting about emergency manager, stated that he felt it was inappropriate referred to by name.

Various comments about decorum, element of decorum is being respectful of people's time. After a number of months attending a meeting, it appears council members appear have not looked at their council packets and reason being said is that questions that are asked are things that could be resolved prior to a meeting. Where the budget was discussed. Those items should have been discussed prior to a meeting.

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

Minutes

Motion made by Cox and seconded by Gorshkov to approve the minutes:

Regular Meeting minutes: April 4, 2023

Regular Meeting minutes: April 18, 2023

Regular Meeting minutes: May 2, 2023

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

Ayes: 7 Nays: 0

Motion passes.

REPORTS

Committee Reports:

Councilman France gave the following committee reports:

Green Team- some things were emailed couldn't attend meeting June 3rd they will have a hike. June 24th 10-12 trail develop meet by Nunn Ave. Meetings are open and asking for volunteers for farmer market meet with Josephine and Melanie.

LUB had a meeting last week revolved around the theatre. The theatre has no approvals yet.

Recreation a walk through on Thursday night to look at facilities at pool. Discussing the date, we want to get pool open. Vibrant interest in recreation using the fields. Lights need to be put on, walked the site recently.

Councilman Brown gave the following committee reports:

Cannabis-met Sunday at construction site with new building. Try to make public awareness and socially accepted.

Streets- contacted Engineer and received a paving schedule. Engineer looking into grants for sidewalks and curbs.

Councilwoman Gorshkov gave the following committee report:

Ordinance-discussed residents complaining about smelling smoke in public buildings, Code 72.2 (citing ordinance). There are fines that can be issued for smoking in public buildings.

VOUCHERS AND CLAIMS

Motion made by Cox seconded by Musick to pay vouchers and claims.

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

Ayes: 7 Nays: 0

Motion passes.

NEW BUSINESS

Land Use Board Appointment:

Chris Vitalos as Alternate

Motion made by Brown to make appointment. Brown then withdrew the motion to appoint, and will bring forth to next meeting.

Discussion: Stigma Free Initiative-Councilman Infinito discussing stigma free town. Wanting to get an idea and feel out the rest of council if there is an interest. The county did a countywide stigma free packet and will forward it to council.

Former Councilwoman Ron explaining the Stigma Free Initiative. Member of the board for Stigma Free for Warren County. May is Mental Health Awareness Month. Ms. Ron added that stigma is a mark of disgrace which results in the judgment of others.

ORDINANCES 1st Reading

Ordinances 2023-10 and 2023-11 will have a public hearing scheduled for June 20, 2023, for final adoption.

Motion made by Brown and seconded by Cox to approve on first reading ORDINANCE 2023-10

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

Ayes: 7 Nays: 0

Motion passes.

ORDINANCE 2023-10

Ordinance Amending Section 85-27.1 of the Code of the Borough of Washington, entitled “Schedule VA: Resident Off-Street Permit Parking”

WHEREAS, the Borough of Washington Land Use Board (the “Board”) granted Preliminary and Final Site Plan Approval to permit the development of a fast-food restaurant on property designated as Block 95, Lots 1 and 31 on the Tax Maps of the Borough of Washington, Warren County, New Jersey (the “Property”) by Resolution for Application No.: 4-2019 dated November 18, 2019 (the “Resolution”); and

WHEREAS, the Resolution requires, as a condition of approval, that ten (10) parking spaces, as shown on the site plan, be reserved for Borough resident parking (24hrs/7days a week) pursuant to a permit to be issued by the Borough; and

WHEREAS, the Borough Council adopted Ordinance No. 2022-04 on June 14 2022 permitting public parking on the Property, but such ordinance did not require the issuance of a permit; and

WHEREAS, the Borough Council desires to amend its ordinances to require the issuance of resident parking permits for the Borough resident parking spaces in the parking lot located on the Property; and

WHEREAS, the Borough Council desires to further amend its ordinances to require the issuance of resident parking permits for the ten (10) Borough resident parking spaces for South Lincoln Avenue; and

Section 1. Section 85-27.1 of the Code of the Borough of Washington, entitled “Schedule VA: Resident Off-Street Permit Parking” shall be amended as follows (deletions noted with strikethrough ~~thus~~ and additions noted in bold italic *thus*):

Schedule VA: Resident Permit Parking.

- E. No vehicle, except as duly licensed pursuant to subsection ~~7-12A.2~~ *(E)* hereof, or exempt as hereafter set forth, shall be parked between the hours specified, on the days specified, upon any of the street or parts of streets described.

Name of Street	Side	Hours	Days	Location	<i>Restrictions</i>
South Lincoln Avenue	East	All	Monday through Sunday	From Monroe Street to Willow Avenue	<i>All permit holders must reside on South Lincoln Avenue</i>

- B. ~~Public overnight parking shall be permitted in the following private parking lots without the need for issuance of a permit. Vehicles shall not be parked for longer than 48 hours. No~~

~~commercial vehicles shall be permitted to park in the public parking spaces designated below. Whenever a snow emergency exists pursuant to Article IX of the Borough Code no vehicle shall be parked in the public parking spaces designated below. The above parking prohibition shall remain in effect until after the snow has ceased and the designated parking spaces have been plowed and/or treated sufficiently. The owner of the property on which the public parking spaces are located is permitted to remove or have removed all vehicles parked in violation of the restrictions set forth above in subsection (B) hereof, including removing any vehicle parked after snow has fallen and the accumulation is such that it covers the street.~~

Public parking shall be permitted in the following private parking lots by persons duly licensed pursuant to subsection (E) hereof.

Location of Lot	Location of Spaces within Lot	Restrictions
41 West Washington Avenue (corner of West Washington Avenue and South Lincoln Avenue)	Ten (10) spaces as delineated by signs and / or pavement markings.	<p><i>1. No commercial vehicles shall be permitted to park in the ten (10) spaced delineated for public parking.</i></p> <p><i>2. All permit holders must reside on South Lincoln Avenue (“Resident”)</i></p>

C. The following vehicles shall be exempt from the requirements of subsection (A) hereof: contractors', service and delivery vehicles bearing the name and address of a commercial business during the time they are rendering service to a residence on any of the restricted streets; public utility vehicles bearing the name and address of the utility during the time they are rendering service; and police, fire and medical emergency vehicles while parking in the line of duty.

D. In addition to all other fines and penalties ***authorized by the Borough Code or New Jersey Statute***, a vehicle parked in violation of this section shall be subject to towing, the cost of which to be paid for by the owner or operator of the vehicle before such vehicles shall be released.

E. ***Residents Only*** vehicles without available off-street public parking ***shall be given first priority for a parking permit. be eligible for parking permits. If every resident without available off-street public parking has been issued a parking permit then the remaining parking permits may be issued to any Resident.*** The definition of “available off-street public parking” shall include having reasonable access to a Borough-owned parking (***other than 41 West Washington Lot***) lot within 200 feet of a residence.

F. A permit providing for on-street parking pursuant to Subsections (A) ***and (B)*** may be obtained by application to the Borough Clerk ***Zoning Officer*** by any resident of ~~There shall be no fee for such permit.~~ ***The fee for such application shall be \$10 annually.*** Such application must be accompanied by ***the following***:

(1) Proof of residence. ***Such proof may be in the form of a current driver’s license; The Zoning Officer may accept an alternate document as proof of residency within his / her discretion.***

(2) ***Copies of applicant’s driver’s license and vehicle registration.***

(2) ***Proof of automobile insurance in compliance with statutory minimum required amounts of coverage***

(3) ***Executed release and hold harmless agreement in a form on file with the Borough Clerk's office.***

G. Permits issued pursuant to this Section shall be issued annually and shall ~~Property owner permits shall be issued for a period of no greater than three years, tenant permits shall be issued for a period of no greater than one year, and all permits shall expire on December 31 of the appropriate year or~~ ***shall automatically terminate upon permit holder no longer meeting the requirements pursuant to Subsections E and F herein.*** ~~termination of residence.~~

~~A permit is not required for off-street parking pursuant to Subsection (B).~~

~~G~~***H.*** Residents shall be entitled to receive one resident permit per household for a vehicle that is principally garaged or parked at the residence address, which fact shall be certified to by the resident at the time of application.

~~H~~***I.*** Resident permits shall be affixed to the vehicle to which they are issued, so as to be clearly visible and unobscured at the location hereafter set forth. Visitor permits shall be displayed in such location but need not be affixed to the visitor vehicle. On vehicles with a rear window, the permit shall be placed on the inside surface at the lower left corner of the rear window. On vehicles without a rear window, the permit shall be placed on the inside surface of the rearmost left-hand side window at the lower right-hand corner of same.

~~I~~***J.*** All persons parking pursuant to permit shall comply with all applicable parking and traffic rules and regulations.

~~J~~***K.*** It shall be a violation of this section to photocopy, otherwise reproduce, or in any way create a facsimile or counterfeit permit. It shall be a violation hereof to display or otherwise use a permit known to be counterfeit. It shall be a violation hereof to furnish false information or fraudulent documents in connection with an application for a permit. It shall be a violation to use or allow anyone to use a valid permit in violation of this section. Any person violating the provisions hereof shall be subject to a fine not to exceed \$300 and/or imprisonment for not more than 10 days.

L. Other Requirements and Restrictions of Permit Holders

(1) ***Only one permit per vehicle and one permit per household shall be issued.***

(2) ***The applicant / permit holder must be the registered owner of the vehicle.***

Parking permits are not transferable to other operators or vehicles.

(3) ***Parking permits must be affixed to the rear window of the vehicle and readily visible.***

(4) ***All vehicles for which a permit has been issued must be properly maintained, insured, and registered.***

(5) ***Repairs of any type to a vehicle are prohibited in the subject parking lot and affected street.***

(6) ***Parking permits are the property of the Borough of Washington. Permit holders that no longer require parking shall return their permit to the Borough.***

(7) *Parking spaces in the subject parking lots are properly marked. If a designated parking space is not available, the permit holder may not occupy another spot that is not properly designated.*

(8) *During snow emergencies, no vehicle may be parked on Borough streets until the snow has ceased and the streets have been plowed and/or treated sufficiently and to the extent that parking will not interfere with the normal flow of traffic. Permit holders parked in a parking lot shall be responsible for moving their vehicle appropriately following snow emergencies to allow for proper snow removal in the parking lot.*

M. Suspension or Revocation of Permit; Towing; Hearing

A. *Any parking license issued hereunder may be suspended or revoked by the Borough, acting through the Zoning Officer or Borough Police Officers, for any of the following reasons:*

(1) *The permit holder has knowingly made any false and materially incorrect statement in the application.*

(2) *The permit holder knowingly violates or knowingly permits or countenances the violation of any provision of this Section.*

(3) *The permit is being abused or manipulated by a permit holder or the permit holder is violating the policies of the assigned lot*

(4) *The permitted vehicle creates a hazardous condition (leaking fluid, etc.)*

B. *No suspension or revocation of any permit issued hereunder shall be made until a ten-day written notice of suspension or revocation has been given to the permit holder personally or by mailing the same by certified mail, return receipt requested, addressed to the permit holder at the address noted in the original application for the permit and a reasonable opportunity to be heard thereon afforded. The hearing shall be held before and conducted by the Borough Council. Such suspension or revocation shall apply to the permit holder and the residence noted in the application. Any revocation shall render the permit holder ineligible to receive any other permit under this Section for a period of one year from the effective date thereof and may, in the discretion of the Borough Council, render the licensed premises ineligible for any future license under said article.*

C. *Vehicles parked in violation of this Section will be subject to towing at the owner's expense. Any vehicle creating a hazardous condition (leaking fluid, etc.) will be towed at the owner's expense.*

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall take effect upon final passage and publication according to law.

Motion made by Brown and seconded by Musick to approve on first reading ORDINANCE 2023-11

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

ORDINANCE 2023-11
Ordinance Amending Chapter 35A of the Code of the Borough of Washington, entitled
“Agricultural Animals, Keeping of ”

WHEREAS, the Borough of Washington Chapter 35A of the Code permits the keeping of certain agricultural animals on a residential property;

WHEREAS, *Rutgers Cooperative Extension and the New Jersey Agricultural Experiment Station have developed recommended animal husbandry management practices agricultural animals on residential*

WHEREAS, all livestock in New Jersey must be raised in conditions to meet or exceed the standards set by N.J.A.C. 2:8 – Humane Treatment of Domestic Livestock.

WHEREAS, the criteria to be considered in keeping agricultural animals on residential properties are Aesthetics, Animal density, Animal health, Animal husbandry, Animal welfare, Environmental stress, Municipal administration, Safety, Shelter and confinement need Waste management.

WHEREAS, the Borough Council desires to amend its ordinances to expand the agricultural animals to be permitted on residential properties; and

WHEREAS, the Borough Council desires to further amend its ordinances to conform with the animal husbandry management practices developed by the Rutgers Cooperative Extension and the New Jersey Agricultural Experiment Station and in conformance with the requirements of N.J.A.C. 2-8 et seq.; and

Section 1. Chapter 35A of the Code of the Borough of Washington, entitled “Agricultural Animals, Keeping of” shall be amended as follows (deletions noted with strikethrough ~~thus~~ and additions noted in bold italic *thus*):

§ 35A-1. Definitions.

The words hereinafter defined shall have the meanings herein indicated for the purposes of this chapter, as follows:

AGRICULTURAL ANIMAL

Any animal other than a dog or cat as defined in this chapter whose ownership and keeping is not otherwise regulated by the State of New Jersey or the United States Government and that lives primarily outdoors and/or outside of a primary structure on any property located within the Borough.

ANIMAL UNIT

A unit of measure equaling 1,000 pounds of live animal weight.

BOROUGH

The Borough of Washington, in the County of Warren.

ANIMAL WASTE MANAGEMENT PLAN

Written procedures for the collection, use and disposal of animal waste that conforms with the standards established by New Jersey Department of Agriculture Division of Agricultural and Natural Resources and approved by the Borough's Animal Control Officer.

CHICKEN POULTRY

~~Any female or hen domesticated subspecies of the red junglefowl, also known as Gallus gallus domesticus, domestic fowl, such as chickens, turkeys, ducks, and geese, and specifically excluding males or roosters, and guinea fowl.~~

CHICKEN POULTRY ENCLOSURE

~~Any chicken house, chicken yard, chicken coop, chicken run, cage or other structure, or combination thereof, for the harboring and keeping of any **poultry that conforms with the requirements of N.J.A.C. 2-8** chickens.~~

§ 35A-2. Requirements for keeping of ~~chickens~~ **poultry**.

- A. ~~The keeping of chickens~~ **poultry, for personal use**, shall be restricted to one to four family residential properties. Nothing in this chapter shall be construed to permit the keeping of ~~chickens~~ **poultry** on multifamily residential properties or any commercial or public property.
- B. ~~Chickens~~ **Poultry** kept within the Borough shall be required to be housed in a ~~chicken~~ **poultry** enclosure providing adequate shelter and protection from wind, precipitation, sun, cold, and heat with not less than three square feet of interior space per chicken **and with not less than six square feet of interior space per bird for all other poultry**. ~~Chickens~~ **Poultry** shall be permitted to "free range" on residential property, provided the property is enclosed by a fence not less than four feet in height and free of any opening large enough to permit passage of a ~~chicken~~ **bird** of any size. ~~Chicken~~ **Poultry** enclosures located on unfenced properties shall be required to include a completely enclosed ~~chicken~~ run attached thereto which provides 10 square feet of space per ~~chicken~~ **bird** as well as protection from predators on the top, bottom, and sides constructed of wire cloth, woven wire, or like material. Verification of adequacy of fences and/or ~~chicken~~ **Poultry** enclosures and runs shall **conform with the Rutgers Cooperative Extension Or New Jersey Agricultural Experiment Station standards and shall** be subject to approval by the Zoning Officer with the advice and consent of the Animal Control Officer.
- C. ~~Chicken~~ **Poultry** enclosures on any lot shall be located not less than ~~75~~ **30** feet from any dwelling house located on any property other than the dwelling house occupied by the owner of the ~~chickens~~ **Poultry enclosure** enclosed therein and shall further be located in accordance with any and all regulations regarding the permitting, construction, and location of accessory structures provided for in Chapter **94**, Zoning and Land Development.
- D. ~~Chicken~~ **Poultry** enclosures shall be kept in a clean and sanitary condition which will prevent them from becoming a nuisance or annoyance or interfering with the general well-being of other residents of the Borough.
- E. The keeping of ~~chickens~~ **Poultry** within the Borough of Washington shall require a license issued by the Borough Clerk, **the filing of the Animal Waste Management Plan with the Borough Clerk**,

and zoning approval for a ~~chicken~~ **Poultry** enclosure must be obtained as a prerequisite before a chicken-keeping license can be issued.

F. For all lots of 2.99 acres in area or less, the keeping of not more than six ~~chickens~~ **Poultry** shall be permitted. No other type of agricultural animals may be kept on lots of 2.99 acres or less.

G. For all lots of 3.0 acres to 3.99 acres in area, the keeping of not more than four ~~chickens~~ **Poultry** per acre shall be permitted. No other type of agricultural animals may be kept on lots of 3.00 acres or less.

§ 35A-3. Requirements for keeping of agricultural animals of any kind.

A. The keeping of agricultural animals of any kind, as defined in this chapter, for any purpose, with the exception of ~~chickens~~ **Poultry**, as defined in this chapter and subject to certain regulations contained herein, shall be expressly prohibited on lots of less than 4.0 acres. On lots of 4.0 acres or more, the keeping of the equivalent of 0.25 animal unit per acre shall be permitted.

B. Animals permitted on lots of 4.0 acres or more.

(1) In accordance with foregoing Subsection **A** with regard to animal units per acre, only the following animals or variants of animals listed herein shall be permitted to be housed on lots of 4.0 acres or more:

(a) Horses, miniature horses, or ponies.

(b) Dairy or beef cattle.

(c) Sheep.

(d) Goats.

(2) Any animal or variant not specifically listed herein shall not be permitted to be housed on lots of 4.0 acres or more.

C. Animals listed in foregoing Subsection **B** must be provided with not less than one securely fenced acre, subject to zoning approval by the Zoning Officer in accordance with Chapter **94**, Zoning and Land Development, with the advice and consent of the Animal Control Officer.

D. The keeping of animals listed in foregoing Subsection **B** within the Borough of Washington shall require a license issued by the Borough Clerk, and zoning approval for an animal enclosure must be obtained as a prerequisite before an agricultural animal-keeping license can be issued.

E. The submission of a Animal Waste Management Plan.

§ 35A-4. Licensing fee.

A. Persons wishing to keep agricultural animals permitted by this chapter shall pay a licensing fee annually as follows:

(1) Agricultural animal license, lots of 3.99 acres or less: \$15.

(2) Agricultural animal license, lots of 4.0 acres or more: \$25.

§ 35A-5. Nonconforming lots or animals.

A. Any person owning, harboring, or keeping agricultural animals not specifically permitted by this chapter, or owning, harboring, or keeping agricultural animals in such a manner inconsistent with this chapter, shall be required upon passage of this chapter to dispose of, relinquish, or otherwise convey said animals in order to comply with this chapter.

B. *Any person may petition the Mayor and Council for relief from the lot size requirements set forth in this chapter by making an application to Borough Clerk.*

§ 35A-6. Slaughter of animals prohibited.

No person shall slaughter any agricultural animal regulated under this chapter for any purpose.

§ 35A-7. Violations and penalties.

Any person, firm or corporation who shall violate any of the provisions of this chapter shall, upon conviction, be punished by a fine not more than \$500 or by imprisonment in the county jail for a term not to exceed 90 days, or by both such fine and imprisonment, and each violation of any of the provisions of this chapter, and each day the same is violated, shall be deemed and taken to be a separate and distinct offense.

Section 2. All ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This Ordinance shall take effect upon final passage and publication according to law.

RESOLUTIONS

Motion made by Brown and seconded by Infinito open the public hearing for Resolution 2023-72 Budget Amendment.

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

Ayes: 7 Nays: 0

Motion passes.

Public Hearing;

CFO Turchan explaining the amendment and what was cut and what was discussed at last meeting.

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

RESOLUTION 2023-72

2023 BUDGET AMENDMENT

Motion to adopt the amendment, made by Cox, seconded by Musick.,

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

Ayes: 7 Nays: 0

Motion passes.

Budget Adoption:

Motion made by Brown and seconded by Cox to adopt 2023-62 Budget Resolution with amendment.

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTIONS

Motion made by Cox and seconded by Brown to adopt Resolution 2023-73

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2023-73

AWARD OF CONTRACT IN THE SUM OF TOTAL OF \$38,057.16 ANNUAL PROPRIETARY MAINTENANCE FOR INFORMATION TECHNOLOGY SERVICES AND VOIP (PHONE) SERVICE FOR 2023 FOR THE BOROUGH OF WASHINGTON

WHEREAS, the maintenance of the telecommunications and computer support is specialized and proprietary and solely available from ARAE: and

WHEREAS, this software maintenance may be awarded under N.J.A.C. 5:34-9.1 and N.J.S.A. 40A: 11-13 (d) as an exemption to public bidding, and

WHEREAS, the cost of the Telephone VOIP Service at \$8,929.96 and Computer IT support Antivirus, Cloud backup, Security backup, Security updates and support at \$ 29, 127.20 and,

WHEREAS, the it is recommend that the contract be awarded to ARAE LLC of Hillsborough New Jersey in the amount of \$ 38,057.16 and

WHEREAS, the Chief Finance Officer has certified the availability of funds for this purchase,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of the Washington that ARAE , 574 Auten Rd., 5H Hillsborough New Jersey be awarded the contract for the aforementioned purchase, in the sum of \$17,875.00 and

FURTHER RESOLVED, that the Qualified Purchasing Agent issue the appropriate purchase order to the vendor.

Motion made by Brown and seconded by Cox to adopt Resolutions 2023-75,76,77,78,79

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2023-75

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 \$253.25 for taxes or other municipal liens assessed for the year 2021 in the name of GRACE, JOSHUA S as supposed owners, and in said assessment and sale were described as 12 SUNRISE TERRACE, Block 44 Lot 46, which sale was evidenced by Certificate #22-00026 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5/3/2023 and before the right to redeem was cut off, as provided by law, TITLE ON DEMAND OF NJ, INC 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 \$1,273.94 which is the amount necessary to redeem Tax Sale Certificate #22-00026.

NOW THEREFORE BE IT RESOLVED, on this 16th day of May, 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 **\$3,173.94** (This consists of \$1,273.94 Certificate Amount redeemed + \$1,900.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 44 Lot 46 from the tax office records.

RESOLUTION 2023-76

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 669507, DALLAS, TX 75266-9507, in the amount of \$651.18 for taxes or other municipal liens assessed for the year 2020 in the name of HILLIKER, LUCAS as supposed owners, and in said assessment and sale were described as 20 VALLEY VIEW TERRACE, Block 43 Lot 14, which sale was evidenced by Certificate #21-00027 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5/3/2023 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 CUST FIGNJ19LLC & SEC PTY by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$2,542.57 which is the amount necessary to redeem Tax Sale Certificate #21-00027.

NOW THEREFORE BE IT RESOLVED, on this 16th day of May, 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 669507, DALLAS, TX 75266-9507 in the amount of **\$5,042.57** (This consists of \$2,542.57 Certificate Amount redeemed + \$2,500.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 43 Lot 14 from the tax office records.

RESOLUTION 2023-77

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 \$661.84 for taxes or other municipal liens assessed for the year 2021 in the name of 19 JOHNSTON LLC as supposed owners, and in said assessment and sale were described as 9 CHERRY ST, Block 22.04 Lot 8, which sale was evidenced by Certificate #22-00013 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5/10/2023 and before the right to redeem was cut off, as provided by law, LERETA 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 \$1,692.57 which is the amount necessary to redeem Tax Sale Certificate #22-00013.

NOW THEREFORE BE IT RESOLVED, on this 16th day of May, 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 **\$3,892.57** (This consists of \$1,692.57 Certificate Amount redeemed + \$2,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 22.04 Lot 8 from the tax office records.

RESOLUTION 2023-78

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 WSFS AS CUST LVTLOPS/FIRSTTRUST, LVTL OPERATIONS, LLC, PO BOX 815, FORT WASHINGTON, PA 19034, in the amount of \$493.00 for taxes or other municipal liens assessed for the year 2021 in the name of MRC NATIONAL REAL ESTATE LLC as supposed owners, and in said assessment and sale were described as 170 BOULEVARD, Block 67 Lot 3, which sale was evidenced by Certificate #22-00034 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5/9/2023 and before the right to redeem was cut off, as provided by law, WEICHERT TITLE AGENCY claiming to have an interest in said lands, did redeem said lands claimed by WSFS AS CUST LVTLOPS/FIRSTTRUST, LVTL OPERATIONS, LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$15,293.36 which is the amount necessary to redeem Tax Sale Certificate #22-00034.

NOW THEREFORE BE IT RESOLVED, on this 16th day of May, 2023 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to WSFS AS CUST LVTLOPS/FIRSTTRUST, LVTL OPERATIONS, LLC, PO BOX 815, FORT WASHINGTON, PA 19034 in the amount of **\$63,793.36** (This consists of \$15,293.36 Certificate Amount redeemed + \$48,500.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 67 Lot 3 from the tax office records.

RESOLUTION 2023-79

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 TRYSTONE CAPITAL ASSETS LLC, PO BOX 1030, BRICK, NJ 08723, in the amount of \$329.29 for taxes or other municipal liens assessed for the year 2021 in the name of BELCHER, DENNIS as supposed owners, and in said assessment and sale were described as 13 CORNISH ST, Block 98 Lot 8.01, which sale was evidenced by Certificate #22-00052 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 5/8/2023 and before the right to redeem was cut off, as provided by law, GREEN HILL TITLE, LLC claiming to have an interest in said lands, did redeem said lands claimed by TRYSTONE CAPITAL ASSETS LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$2,610.29 which is the amount necessary to redeem Tax Sale Certificate #22-00052.

NOW THEREFORE BE IT RESOLVED, on this 16th day of May, 2023 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to TRYSTONE CAPITAL ASSETS LLC, PO BOX 1030, BRICK, NJ 08723 in the amount of **\$4,410.29** (This consists of \$2,610.29 Certificate Amount redeemed + \$1,800.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 98 Lot 8.01 from the tax office records.

Motion made by Musick and seconded by Cox to adopt Resolution 2023-80
Roll call: Brown, Conry, Cox, France, Gorshkov, Infinito and Musick.
Ayes: 7 Nays: 0
Motion passes.

RESOLUTION 2023-80

RESOLUTION AUTHORIZING THE BOROUGH OF WASHINGTON TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, c.72

WHEREAS, the Warren County Board of Taxation has not adopted the Warren County Budget for 2023, and the Borough of Washington Tax Collector will be unable to mail the Borough's 2023 tax bills on a timely basis,

WHEREAS, the Borough of Washington Tax Collector/Chief Finance Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and has signed a certification showing the tax levies for the previous year, the tax range and the range of permitted estimated tax levies:

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, AND STATE OF NEW JERSEY ON THE 16TH OF MAY, 2023, AS FOLLOWS:

1. The Washington Borough Tax Collector is hereby authorized and directed to prepare and issue estimated bills for the Borough for the third installment of 2023 taxes. The Tax Collector shall proceed on May 17, 2023 and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire regular estimated tax levy for 2023 is hereby set at \$19,254,839.84.
3. In accordance with law the third installment of 2023 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

Motion made by Brown and seconded by Infinito to adopt Resolution 2023-81

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

Ayes: 7 Nays: 0

Motion passes.

**RESOLUTION 2023-81
BOROUGH OF WASHINGTON
COUNTY OF WARREN
RESOLUTION APPOINTING
BOROUGH MANAGER**

WHEREAS, NJSA:40:69A-81 et. seq. Council-Manager is the form of government for the Borough of Washington; and

WHEREAS, a vacancy for Borough Manager has occurred and that a Borough Manager shall be appointed by the governing body; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington that Brian Bond be appointed Borough Manager subject to:

1. Brian S. Bond is hereby appointed Borough Manager effective May 25, 2023;
2. Brian S. Bond shall be compensated at the annualized rate of \$118,000.00 for the first six (6) months of his employment;
3. Upon a favorable performance review by the Governing Body, after six (6) months of employment the annualized compensation rate shall increase to \$119,000.00;
4. Upon a favorable performance review by the Governing Body, after six (6) months of employment the annualized compensation rate shall increase to \$120,000.00;

5. The Borough Manager benefits shall be as provided by Borough Policy, Code and/or New Jersey State Statutes excepting that Brian S. Bond shall have 15 vacation days and 15 sick days and 3 personal days that shall be advanced not accrued;

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the CFO and personnel file.

COUNCIL REMARKS

Councilman Brown gave the following remarks:

- Last 15 years much worse, political opponents view as enemies, just a difference of opinion disgusted by it. This town 55% republican 40% democrat. We are council members to all people. We are having a lot of volunteers coming through here. Work on transparency. Have everything out in open on table. Good ideas don't require force. We are council members to all 7000 people in this town.

Councilwoman Cox gave the following remarks:

- Thanked Sonia for coming out.
- Moving forward with the budget if we had more time to discuss it and open discussions might alleviate a lot of questions and animosity.
- Before we close tonight , would like to have a moment of silence for one of our councilmember, whose brother died in a tragic accident.

Councilman France gave the following remarks:

- First time voting on budget moving forward with next term more access who exactly does what and what they make. We didn't have a grip on this. Everything should be on the table. More transparency moving forward. Disappointed in my role with manager. Had questions I wanted to ask the applicant and was not granted that. Moving forward it's a large responsibility. Looking forward to having someone do what needs to be done.

Councilman Infinito gave the following remarks:

- Thanked the audience.
- Our responsibility is to keep eye on budget and how its implemented. Next year start the process earlier.
- Thanked Sonia for coming to discuss Stigma free.

Councilwoman Gorshkov gave the following remarks:

- Since being on the Ordinance committee anyone have questions about an ordinance can email her any questions especially with businesses, will work with everyone. Enjoy nice weather.

Councilwoman Musick gave the following remarks:

- No remarks

Mayor Conry gave the following remarks:

- Read a statement regarding the Senior Advisory Committee she headed it citing funds, who was charged and past events.
- Thanked residents for coming out tonight.

ADJOURN

Hearing no further business to come before Council, motion made by Cox and seconded by Gorshkov to adjourn the meeting at 9:14 PM, all were in favor.

A moment of silence for Councilman Infinito's brother was observed.

Laurie A. Courter, RMC
Borough Clerk