
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

WASHINGTON BOROUGH COUNCIL MINUTES

October 3, 2023

The regular meeting of the Borough Council of Washington, Warren County, New Jersey was held in councils chambers at 6:00 P.M.

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

Also Present: Brian Bond, Manager and Deputy Clerk, Connie Dean.

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

WORKSHOP

Discussions continued regarding the Sidewalk Ordinance that is being considered for adoption.

Attorney Peterson explained the red-lined version with changes from the last meeting.

Input from the governing body ensued with considerations of displays, sidewalks, and enforcement concerns.

Charging a fee to the businesses was discussed in detail, in which the consensus was in favor of having a fee.

Motion

Motion to close workshop made by Cox and seconded by Musick, all were in favor.

7:00 PM Regular Meeting

AUDIENCE/COUNCIL APPEARANCE

Motion made by Cox and seconded by Musick to open the public comment portion of agenda, all were in favor.

Mel Thiel, BID Executive Director, gave the following update:

- Two new businesses opened this past Saturday.
- Kids R People 2 has closed this week.
- The next two events are the Day of the Dead on October 26th 5:30-8:30 pm in Veterans Park downtown. The other event is Hometown Halloween on the 31st from 4-6 pm with the businesses downtown.
- Thanked Josephine Noone for a hugely successful Farmers Market this year.

Josephine Noone Prosper Way , thanked Mel and Colleen from the BID that have put a huge amount of effort to making the Farmers Market more successful. In the Messenger paper a press release was submitted regarding the National Wildlife Community Habitat. Giving the people information on how residents can certify their backyards or businesses.

Rachel Smongi (sp) Carlton Ave., stated she listened to the audio from the last meeting and stated she has been on the Rescue Squad for 30 years and discussed parking downtown. She stated her concerns regarding the fire hydrant that is downtown that is being blocked by a table that is there.

Tom (last name inaudible), East Wash Ave., thanked the governing body for the workshop discussing the ordinance. Stated his issues with a fee being applied to the businesses regarding the sidewalk ordinance. Issues of trash and trees should be addressed and specifically addressed a fly problem from the way the trash is being put out downtown.

Candy DePhillips 115 Broad Street Jerry(last name inaudible) 105 Broad Street, Jerry stated since August five cars have been hit including his and Candy's on Broad Street. Both Candy and Jerry want the issue of speeding and cars being hit addressed and if anything could be done.

Marco Matteo, Railroad Ave., apologized for getting loud at the last meeting. Mr. Matteo thanked the DPW for keeping streets clean. Thanked the Manager for facilitating the Scenic By Way sign. Also thanked Tom who just spoke. Mr. Matteo would like the remaining traction mats removed due to them being torn up and have someone investigate that. Inquired about getting a proclamation in association with the theatre for George Miller. Mr. Matteo stated he left some paperwork for the council to look over and would like to talk about it more and have it on an agenda.

Charles Boddi Elizabeth Ave., cautioned council on developing a complex fee structure with more than two elements, which will increase the cost in implementing it with regards to Mr. Pantuso enforcing it. Fees should not deter anyone with a solid business plan opening here versus going to a town that did not have a fee.

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 following minutes; all were in favor.

Regular Session September 19, 2023

Executive Session: September 19, 2023

REPORTS

Recreation-Councilman France stated he had a meeting with Manager Bond, and they will have another meeting with someone affiliated with the recreation. Next year for the budget would like to emphasize the salaries for the people who work here and would like to know who works here. Been out soliciting people to join these committees. If the borough is going to have programs, we will have to charge fees. Looking forward to being productive.

Discussions on having remote cameras installed due to recent vandalism at the field, and possibly having a police car that isn't being used parked in places.

Cannabis, Councilman Brown stated that Dank Poet should be opened by Halloween.

Streets, Councilman Brown stated he discussed with the Engineer with regards to striping of the streets. Discussed having an area cleared to provide more parking.

Ordinance, Councilwoman Gorshkov reported she receive an anonymous letter from someone with regards to Get-A Grip with having a truck out front and cited an ordinance that she did tell Dan (Rossi) about. Looking further into the ordinances, Councilwoman Gorshkov stated that she found four violations. Manager Bond stated he met with Mr. Pantuso today and with Mr. Rossi and he will have the truck removed.

Land Use Board, Mayor Conry reported that everything went through. Regarding the County Land Preservation Board, five historical businesses in Phillipsburg and Alpha did receive grants they wanted. Mayor Conry asked Manager Bond about the borough using the grant it received regarding the Open Space grant.

VOUCHERS-Approval of Claims

Motion made by Cox and seconded by Gorshkov to approve the vouchers and claims.

Discussions:

Deputy Mayor Cox inquired about why we are still receiving bills from the former Borough Attorneys.

Inquired about improvement bills for the ARC.

Gorshkov inquired about repair bills to the garbage truck.

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

Ayes: 7 Nays: 0

Motion passes.

NEW BUSINESS

Explore additional parking at the Borough Park and Pool area:

Manager Bond explained the lower field behind the ball field is not being utilized and he is possibly looking at utilizing this area for additional parking for the park and pool. Also have additional parking for residents there with permits.

Appointment of a vacancy for a five-year term to Library Board:
Karen Castanhas

Motion made by Cox and seconded by Musick to approve the appointment of Karen Castanhas to the Library Board.

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

ORDINANCES 1st Reading

Motion made by Cox and seconded by Brown to approve on first reading with public hearing and adoption scheduled for November 21, 2023.

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

ORDNANCE 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 effect 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.

RESOLUTIONS

Motion made by Cox and seconded by Musick to approve Resolution 2023-124.

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

Ayes: 7 Nays: 0

Motion passes.

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 3rd 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.

RECAP

Manager Bond stated that tonight went great, a lot of stuff is getting done.

COUNCIL REMARKS

Councilman Infinito gave the following remarks:

- Asked Manager Bond to reach out to the first aide squad and the fire department regarding the fire hydrant in front of Lost Ladies, which is an issue that was brought up by a member of the public tonight.
- Seen the speeding issues on Broad Street firsthand that residents brought up tonight. Lack of striping and speeding needs a full sit down and discuss and research to keep the residents safe.
- Inquired about having more signs with Children at Play and speed limit signs.
- Congratulated Karen for being appointed to the Library Board.
- Thanked everyone for coming out and had a productive workshop and looking forward to a third one.

Councilman France gave the following remarks:

- Thanked Marco Matteo for his in-depth history and his report.
- Discussed the speeding issues in further detail and possibly having police cars parked in certain areas to deter speeders. Captain Kaufman stated that the Township does not engage in that practice.
- Asked how often does the library board report to the borough manager. Discussed the copier issue that is at the library.

Councilman Brown gave the following remarks:

- Discussed consistency that is important to him with all his views. Discussed vacant businesses with signs still up.
- Discussed the many fees associated with government.

Councilwoman Gorshkov gave the following statements:

- Stated that the town wide yard sale seemed to be pretty good.
- Thanked everyone, and also Officer Kaufman and Officer Pantuso for coming to the earlier meeting.

Councilwoman Cox gave the following remarks:

- The yard sale was nice. Asked if there is a specific reason why the yard sale is held when it is held this time of the year (last weekend of September) If the borough could consider a Spring yard sale.
- Stated if fines are harsher, it could eliminate vandalism.
- Workshops are helpful and everyone has their own opinion but to get to a happy medium and not appear to target one person should be the goal. The borough is not as strict as other places. Appreciate that the people come out and give us your side of it, can't speak for everybody.
- Thanked those to who came out that we've never seen and appreciate it.
- Thanked the Council and the Deputy Clerk for filling in.

Mayor Conry gave the following remarks:

- Thanked everyone for listening to one another, agree to disagree.
- Thanked everyone for coming out and Mel for the ribbon opening of the businesses.
- Thanked the professionals and the employees.

EXECUTIVE SESSION

Motion made by Cox and seconded by Gorshkov to enter executive session for contractual 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 contractual. 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 Brown and seconded by Gorshkov to return to regular session all were in favor.

ADJOURN

Hearing no further business to come before Council, motion made by Cox and seconded by Gorshkov to adjourn the meeting at 9:00 PM, all were in favor.

Laurie A. Courter, RMC
Borough Clerk