
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

WASHINGTON BOROUGH COUNCIL MINUTES

DATE: November 21, 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
Borough Manager, Brian Bond

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.

WORKSHOP

6:00 PM

Ordinance discussion-Sidewalk Signage

Attorney Peterson discussed the ordinance, giving the past history and stated he made a few changes reading through it and added that these are the sidewalk signs not the signs that go on the buildings.

Infinito-inquired about a sign that is in front of jewelry store. Cox commented that it's a sign with a weight on bottom, its movable. Brown cautioned restricting language. Should be case by case. Brown asked the council what the point is, what is the vision you see for Washington. Conry stated she doesn't want it to look like Times Square, this is the suburbs. Discussions ensued regarding restrictions .Manager Bond stated this ordinance will allow the stores to have signs out all the time and not be restricted to four times a year for 30 days.

Feather (flag) signs were discussed as to why they are currently not allowed. Having flag signs is better for those driving. Having the signs being brought in while the store is closed for the day was discussed. Mayor Conry brought up the insurance liability on the businesses. Peterson will look into the insurance requirement for licensed businesses.

Discussions of limited businesses on second floor not being able to have signs allowed on the sidewalk, currently it is only allowed for first floor businesses. Attorney Peterson recapped what he will work on and come back with revisions for review.

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

7:00 PM Regular Meeting

PUBLIC COMMENT

Motion to open comment made by Cox and seconded by Musick, all were in favor.

Mel Thiel, Executive Director, BID, gave a report on the following:

Small Business Saturday is this Saturday, a lot is planned downtown, including a shopper's pass. Last year was the biggest shopping day with the shopper's pass. Santa and Mrs. Clause will be going around for pictures.

Dec 1st is Hometown Holiday which includes tree lighting, selfies with Santa and Victorian photo booth. There will also be make and take crafts, A DJ will be in the pocket park along with strolling characters. There will be horse and carriage rides also. Ms. Thiel thanked Manager Bond for his help. Thanked the fire dept for bringing Santa and Mrs. Clause and the police for help in directing traffic and providing crossing guards. Tree lighting is at 6pm.

Dec 2nd Operation Toy Train stops at Broad Street tracks by park. It will be stopped for 15-20 minutes and collect the toys gathered. A box is in borough hall for unwrapped new toys. Train will arrive at approximately 1:45 pm. Fire dept will be there to assist, there will be cookies and hot chocolate and coffee courtesy of Full Throttle.

Izzy Morsale (sp) Warren County Domestic Abuse -introduced herself and stated that she stepped into new role July 21st. They serve communities with survivors of domestic abuse violence. Hope to get to know each other. If there is anything she can do to please contact her.

Mel Thiel-added to her report that two new businesses are opening in town: Thalia Bakery behind Krauzers, and T3 Sports Academy. They are a soccer training facility. Grand opening will be on Sunday December 3rd.

Diane Melinga (sp) stated her deepest condolences from the community to Mayor Conry. Spoke about vacant properties and how she worked in Belvidere to start a program requiring vacant properties to register their buildings as vacant. Stated that it has come to her attention each council person received an email in reference to her with her personal business and cited that Dale Parichuk made public some hurtful things about her and not paying her taxes. This report was also sent to many people, including neighbors, her landlord, the executive director of the Veteran organization she is part of. He also sent it to a person who she has a restraining order against in which they now have her new address. She stated she will be pursuing legal recourse on this issue against Mr. Parichuk.

Sonia Ron, resident, discussed the bilingual program from DASACC. Stated that they have a new program that opened in Washington at Habitat building and the next meeting is December 13th. There is available free diapers and wipes. They collaborate with most agencies in the county.

Jason (no last name given) resident, stated that next to his house, the house was bought and is an assisted living home and asked if is this allowed. Stated that there are a lot of issues there recently with police coming there.

Anthony Diana, resident -asked about Roy's Lane and added that he would like it to put on the tax map. Mr. Diana stated that it's been plowed and maintained by borough for 25 years. It's essential when a snowstorm occurs and asked for it to be plowed and maintained.

Marco Matteo, Railroad Avenue-discussed the research about proclamations for someone associated with the former theatre. Inquired about an update for the scenic byways for Railroad Avenue and any update in general on the theatre.

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

MINUTES

Motion to approve the October 17, 2023, minutes made by Gorshkov and seconded by Cox , all were in favor.

REPORTS

Committee Reports

Ordinance

Gorshkov stated she is still looking into vague and inconsistent language in code book. The Attorney is also looking at chapter 64.

Cannabis

Brown- reported that Dank Poet had their state inspection and is finishing up with the CO and local inspections. They are looking at the second week of January to open.

VOUCHERS-Approval of Claims

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

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

Ayes: 7 Nays: 0

Motion passes.

NEW BUSINESS

1. Best Practices Report-Bond explained the questionnaire regarding everything such as how many employees, insurance and shut off notices . The borough received a passing grade.
2. Professionals-2024 Contracts Discussion-RFP (Fair and Open or Non-Fair) – Manager Bond discussed next year’s professionals and if council seeks to reappoint or go out with RFP’s A list of current professionals will be emailed to the governing body.
3. Discussion of Solid Waste Bid Specs-Manager Bond stated he is working on a RFP and asked if everyone is on board to proceed forward. Residential only not providing commercial or industrial or large apartment residential areas. Our costs will come down. Bulk items will be one day per year and yard waste to four times a year, grass clippings will not be accepted. All residents will receive a 96-gallon trash bin if single stream,. If dual stream we will pay less recycling every week. Cost will be cut in half. Bid out in January with a start in mid-May or June.

Discussions of going with outside company ensued and what will happen with the trucks that DPW has for garbage now, with an option of selling the trucks to counter the debt that was incurred when the utility was formed. Manager Bond proposed to hire six part time workers to do the solid waste right now. The DPW has a shortage and if it snows on a garbage day council will need to decide whether they pick up garbage or snowplow.

4. Tax Map proposal -Manager Bond-discussed the professional services contract for the tax maps. Spoke to Engineer it would be just paper maps not digitized , it would cost \$50,000 if you add digital.
5. Roy’s Lane-Manager Bond-referred council to photo he distributed. Explained that this is a paper street, there are many paper streets in the borough. Roy’s Lane was never accepted in the borough. In the past the borough did maintain and snowplow. And added that it is up to council on how to proceed. Discussions ensued regarding other streets maintained but not owned by borough. It was the consensus of council to add Roy’s Lane to list of unowned roads to be maintained.
6. Motion to advertise 2024 Re-Organization Meeting (Jan 2nd 7PM)
Motion made by Cox and seconded by Gorshkov to advertise the re-organization meeting.

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

1st Reading

Ordinance 2023-20 will have a public hearing/adoption on December 19, 2023

ORDINANCE 2023-20

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

Motion made by Cox and seconded by Gorshkov to approve on first reading Ordinance 2023-20

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

Ayes: 6 Nays: 1 Brown

Motion passes.

ORDINANCE 2023-20

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

WHEREAS, the Mayor and Borough Council seek to revise the regulations concerning retail sales on public sidewalks within the commercial zoning districts (B-1, B-2, and Downtown Redevelopment Area) in Washington Borough.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Washington, County of Warren, that the Code of the Borough of Washington be amended as follows:

Section 1. Chapter 75, Article II of the Code of the Borough of Washington, entitled “Sale of Goods in Streets,” is hereby deleted in its entirety and replaced with the following Article entitled, “Sidewalk Sales”:

§75-11 Purpose

The purpose of this section is to permit Sidewalk Retail Areas immediately adjacent to retail shops selling goods in order to increase the viability of retail establishments and to enhance the vitality of the Borough of Washington.

§75-12 Definitions

DOWNTOWN REDEVELOPMENT AREA

The area designated pursuant to the Borough of Washington’s Downtown Redevelopment Plan dated August 2022 and adopted pursuant to Ordinance 2022-10, as may be amended from time to time.

OUTDOOR RETAIL SALES EQUIPMENT

Any temporary racks, kiosks, tables and/or display cases that are commonly used in connection with the exhibition or sale of goods, services or produce outdoors.

RETAIL SALES ESTABLISHMENT

Establishments engaged in the selling or rental of goods or merchandise and in rendering services incidental to the sale of such goods.

SIDEWALK RETAIL AREA

A designated area of a public sidewalk immediately adjacent to the front façade of the retail establishment which extends no more than four (4) feet from the façade of the retail establishment and may extend the along the length of the retail establishment's façade. The location of the Sidewalk Retail Area on the public sidewalk shall be in conformance with all Federal, State and Local statutes, regulations and ordinances and subject to the issuance of a license under Chapter 75, Article II of the Borough Code and Section 75-13.2 herein.

§75-13.1 Applicability

- A. The provisions of this section apply only to retail sales areas on public property and/or within the public right-of-way.
- B. Sidewalk Retail Areas regulated by this section shall only be operated by a properly licensed and approved Retail Sales Establishment.

§75-13.2 Areas in which temporary use of sidewalk areas for retail sales are permitted.

Temporary use of the public sidewalk shall be permitted as a retail sales area pursuant to this Chapter only within the following zoning districts:

- A. Washington Borough Downtown Redevelopment Area;
- B. B-1 District; and
- C. B-2 District.

§ 75-13.3 License required.

No person or persons shall keep any Outdoor Retail Sales Equipment on any public sidewalk or in or on any of the right of ways, streets, avenues or public alleys in the Borough of Washington, for the sale of goods and chattels of any kind, without first having secured a license in writing from the Borough Zoning Officer.

- A. Applicants shall apply for license approval in accordance with the provisions of this Article. All such applications shall be approved by the Zoning Officer and shall be referred to the Chief of Police, Construction Code Official, Fire Code Official, and other such Borough Official(s) the Zoning Officer deems appropriate, who shall provide the Zoning Officer with written reports of their opinions and recommendations regarding the application.
- B. Applicants shall meet all general ordinance requirements and all other laws, rules, regulations and codes applicable to the proposed activity.
- C. Contents of Submission to Zoning Officer. Applicants proposing to establish an area for retail sales on a public sidewalk must provide all information set forth in Section 75-13.4 of the Borough Code.
- D. The Zoning Officer shall review each application to ensure that the proposed operation of the Retail Sales Area will not interfere with pedestrian or vehicular traffic. A minimum of unobstructed five (5) feet shall be maintained along the sidewalk for pedestrian traffic. All applicable Americans with Disabilities (ADA) requirement minimums shall be met.

- E. The Zoning Officer shall approve the hours of operation for each Sidewalk Retail Area. In approving the hours, the Zoning Officer shall take into consideration the nature of the Retail Sales Establishment at issue, the character of the neighborhood adjacent to the premises, and the character and nature of other uses in the vicinity of the premises at varying times of day. At no time will outdoor retail sales be permitted before 9:30 am or beyond 10:00 p.m.
- F. The area contained in the Sidewalk Retail Area shall not be counted in determining any parking space requirement for a retail sale establishment use.
- G. The retail sale area must be properly maintained at all times including complying with the litter control plan, complying with all applicable laws, rules, regulations and codes, properly securing and/or removing Outdoor Retail Sales Equipment and other items during times of inclement weather and high wind.
- H. All Retail Sales Equipment and merchandise for sale must be removed from the Sidewalk Retail Area whenever the Retail Sales Establishment is not open to the public.

§75-13.4 Application for License

An application, sworn to by the applicant, for a Sidewalk Retail Area shall be filed annually with the Borough Clerk on forms supplied by the Clerk. The forms shall require the following information and such additional information as deemed necessary:

- A. The name of the applicant and the address.
- B. The name and address of the Retail Sales Establishment where the Sidewalk Retail Area is to be maintained.
- C. Written consent of the owner of the premises, if other than the applicant.
- D. A certificate of insurance providing at least \$1,000,000 of comprehensive general liability extending premises coverage to all activities associated with sidewalk retail sales and listing the Borough of Washington as an additional insured with respect to such activities.
- E. A layout of the proposed retail sale area, which shall include, but not be limited to the following: the location and dimensions of the proposed sidewalk Retail Sale Area and the locations and dimensions of all Outdoor Retail Sales Equipment that will be utilized.
- F. Proposed hours of operation for the Sidewalk Retail Area.
- G. A check payable to the Borough of Washington in the amount of the license fee required by § 75-13.5.
- H. Execution and filing with the Borough Clerk of an indemnification agreement pursuant to which the licensee, in further consideration of the issuance of the license, shall agree to forever defend, protect, indemnify and save harmless the Borough, its officers, agents and employees, from and against any and all claims, causes of action, injuries, losses, damages, expenses, fees and costs arising out of or which may arise out of the licensee's operation of its Sidewalk Retail Area.
- I. Execution and filing with the Borough Clerk of a maintenance agreement pursuant to which the licensee, in further consideration of the issuance of the license, shall agree, at the Borough's option, either to repair at its sole cost and expense any damage caused to the sidewalk or any Borough-owned property by the operation of its Sidewalk Retail Area, or to reimburse the Borough in full for all costs and expenses incurred by it in making any such repairs.
- J. The Borough Clerk may require a bond to be filed by the licensee in an amount to be fixed by the Borough.

§75-13.5 Application Fees

- A. The fee for a sidewalk retail sales license application shall be:
Sidewalk Retail Area with a length up to ten feet (10') shall be \$25.
Sidewalk Retail Area with a length of ten feet one inch (10' 1") but no more than twenty feet (20') shall be \$50.
Sidewalk Retail Area with a length of twenty feet one inch (20' 1") or more shall be \$75.
- B. Application fees shall not be pro-rated nor any part thereof refunded for any reason.

§75-13.6 License terms and conditions

- A. A Sidewalk Retail Area shall be valid only through December 31 of a given year, and a new license must be obtained for each year.
- B. A Sidewalk Retail Area license may not be transferred.
- C. The license shall be displayed in a conspicuous place on the premises prior to the use of the premises for Sidewalk Retail Sales.

§75-13.7 Regulations

The conduct of Sidewalk Retail Area pursuant to a license issued under this article shall be subject to all of the following restrictions and requirements:

- A. Outdoor retail sales may be conducted in the Downtown Redevelopment Area, B-1 and B-2 zoning districts.
- B. The Sidewalk Retail Area must not inhibit pedestrian traffic on public sidewalks, and an area must be open and unobstructed for pedestrian traffic between the closest edge of the Outdoor Retail Sales Equipment and the curbline, which area shall have a minimum width of five (5) feet. The passage area must be barrier free and clear of any obstructions. All applicable Americans with Disabilities (ADA) requirement minimums shall be met.
- C. Outdoor Retail Sales Equipment shall not be placed in an alleyway or walkway or be placed in such a manner as to block any alleyways or walkways or any building entrance/egress. It shall be unlawful to obstruct or reduce in any manner the clear width of any exit discharge passageway, as determined by the clear width opening of the entrance/egress door(s). The passageway shall be as straight as possible leading directly to the street. Outdoor Retail Sales Equipment shall not be placed in such a manner as to block any municipal signs, receptacles for garbage, public benches or other public amenity, including fire hydrants.
- D. The Outdoor Retail Sales Equipment not permitted in the Sidewalk Retail Area are Tents and other temporary structures.
- E. Outdoor Retail Sales Equipment shall be in good condition and appropriate for the safe display of merchandise. All Outdoor Retail Sales Equipment must approved in advance by the Zoning Officer.
- F. Outdoor Retail Sales Equipment shall not be attached, drilled into, adhered to, chained to, or otherwise affixed to the sidewalk, tree, pole, or other fixture, or to any permanent structure or building.
- G. Sidewalk Retail Areas shall be kept clean during hours of operation. Litter shall not be permitted on adjoining sidewalks or property.
- H. Retail Sales Establishments are prohibited from using public utility hookups.
- I. The placement of Outdoor Retail Sales Equipment shall be limited to the area immediately adjacent to the façade of the licensed and approved Retail Sales Establishments and extending no more than four (4) feet from the façade and shall not exceed the length of the front façade of the retail establishment.

- J. Outdoor Retail Sales Equipment and retail merchandise must be removed from the Retail Sales Area every day and whenever the licensee is not open for business to the public.
- K. Sidewalk retail sales shall be permitted year-round except the Borough Manager may suspend Sidewalk Retail Sales when the Borough Manager determines, at the Borough Manager's sole discretion, the weather or the condition of the sidewalk would create a hazardous condition for pedestrians or impede emergency responders.
- L. Permissible hours of operation shall be from 9:30 am to 10:00 p.m.
- M. All Outdoor Retail Sales Equipment must be removed by 10:30p p.m. daily. Outdoor Retail Sales Equipment cannot be stored on the public sidewalk.
- N. The Borough retains the right to suspend a Sidewalk Retail Area to allow for construction activity, utility repairs, and special events or for other reason as deemed appropriate by the Borough Council, with reasonable advance notice to be given to affected licensees.
- O. All Sidewalk Retail Areas must be cleared of all furnishings in advance of any snowstorm or weather emergency declared by the Borough.
- P. The Borough may require removal of Outdoor Retail Sales Equipment during special events, parades, marches, repairs to the street or sidewalk, or any other reason. The Borough shall have the right to unilaterally remove unapproved exterior equipment from the Sidewalk Retail Area, and costs of removal shall be borne by the Retail Sales Establishment or the property owner.
- Q. The licensee shall comply with all other Borough ordinances.

§ 75-13.8 Non-applicability.

This article shall not apply to any person or persons who hawk or peddle fish, foreign or domestic fruits or goods and chattels from house to house.

§75-13.9 Notice of Violation; Suspension and revocation of license

- A. Upon receipt of a notice from the Zoning Officer that a Retail Sales Establishment has violated any provision of this Article, such violation shall be abated within 48 hours. Such notice shall be provided in writing to the address provided by the licensee on the application required under this Article.
- B. Sidewalk Retail Sales Licenses are interruptible and terminable licenses for use granted by the Borough. The issuance of a Sidewalk Retail Sales License shall not convey any property interest to the Retail Sales Establishment, property owner, or to any other person. Any license may be suspended or revoked for good cause by the Borough Council, including but not limited to a misrepresentation of the information supplied in the application, the conviction of a crime, a violation of any ordinance, statute or government regulation or a violation of this Article.
- C. The Zoning Officer shall revoke any Sidewalk Retail Sales License for violation of any of the restrictions or conditions of this Article after providing a written notice and opportunity to abate in compliance with subsection (A) hereunder.
- D. The Borough shall have the right and power, acting through the Zoning Officer, to revoke, prohibit, or limit operation and use of a Sidewalk Retail Sales License at any time by reason of anticipated, threatened, or actual problems or conflicts in the use for the sidewalk area. Such circumstances may arise from, but are not limited to, changing patterns of sidewalk use, scheduled festivals or similar events, parades or marches, repairs to the street or sidewalk, or for any other reason.

§75-13.10 Enforcement.

The Borough Clerk shall be responsible for licensing and the collection of fees. This chapter shall otherwise be enforced by the Zoning Officer and the Washington Police Department.

§75-13.11 Violations and penalties.

A. Failure to abide by an established litter control plan shall constitute a violation of this Chapter, and shall subject the applicant to a fine in an amount not less than \$100 per day, per violation.

B. Any other violations of the provisions of this article shall be punishable by a fine not to exceed \$500 as determined by the Municipal Court. Each day the violation shall continue after a notice and a reasonable opportunity to correct or remedy the violation shall constitute a separate violation.

§75-13.12 Appeals.

Any person aggrieved by any action of the Borough Clerk or Zoning Officer, in the denial or revocation of a Sidewalk Retail Sales License, shall have the right to appeal to the Mayor and Borough Council. The appeal shall be taken by filing with the Borough Clerk, within fourteen (14) days after the notice of the action complained of has been served personally upon the licensee, or mailed, postage prepaid, to the licensee at the address given by the licensee in making application under Section 75-13.4 herein, a written statement setting forth fully the grounds for appeal. The Borough Clerk shall set a time and place of hearing for the appeal, at which time the Borough Council shall conduct a hearing and affirm, modify or reverse the action appealed from.

§75-13.13 Severability.

Each section of this article is an independent section, and the holding of any section or part thereof to be unconstitutional or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof.

Section 2. The Downtown Redevelopment Plan is hereby amended as follows:

- Page 29, “Permitted Accessory Uses and Structures” in the Washington Avenue Core District is amended by adding subsection (9) as follows:
 - Sidewalk Retail Areas in compliance with Chapter 75, Article II of the Borough Code
- Page 31, “Permitted Accessory Uses and Structures” in the Route 31 Gateway District by adding subsection (9) as follows:
 - Sidewalk Retail Areas in compliance with Chapter 75, Article II of the Borough Code
- Page 32, “Permitted Accessory Uses and Structures” in the Theater District by adding subsection (8) as follows:
 - Sidewalk Retail Areas in compliance with Chapter 75, Article II of the Borough Code

Section 3. All ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.

Section 4. 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 5. This Ordinance shall take effect upon final passage and publication according to law.

2nd Reading:

ORDINANCE 2nd Reading

Motion made by Cox and seconded by Musick to open the public hearing for Ordinance 2023-19.
Roll call: Brown, Cox, France, Gorshkov, Infinito, Musick and Conry.
Ayes: 7 Nays: 0
Motion passes.

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

Motion made by Musick and seconded by Gorshkov to adopt Ordinance 2023-19.
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 Infinito to adopt Resolution 2023-130

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2023-130

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS NJSA 40A: 4-87

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$53,500 which is now available from the State of New Jersey, Highland Water Protection and Planning Council

BE IT FURTHER RESOLVED, that the like sum of \$53,500.00 is hereby appropriated under the caption of Other Expenses – Highland Grant.

Motion made by Cox and seconded by Gorshkov to adopt Resolution 2023-131

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2023-131

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS NJSA 40A: 4-87

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$40,000 which is now available from the State of New Jersey, Highland Water Protection and Planning Council

BE IT FURTHER RESOLVED, that the like sum of \$40,000.00 is hereby appropriated under the caption of Other Expenses – Highland Grant.

Motion made by Cox and seconded by Musick to adopt Resolution 2023-132

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

Ayes: 7 Nays: 0

Motion passes.

**BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION 2023-132**

**RESOLUTION AUTHORIZING THE BOROUGH OF WASHINGTON
TO ENTER INTO A SHARED SERVICES AGREEMENT WITH
THE TOWNSHIP OF WASHINGTON PROVIDING FOR
POLICE SERVICES**

WHEREAS, for the Township of Washington to provide police services for the Borough of Washington for the period from August 1, 2009 through July 31, 2016 (including all amendments thereafter); and

WHEREAS, the Borough of Washington and the Township of Washington negotiated a renewal of the Shared Services Agreement which shall commence on the first day of August 2016 at 00:00 hours, and shall continue for a term of seven years and five (5) months until December 31, 2023, unless terminated sooner pursuant to Section 7 of said document; and

WHEREAS, the Borough of Washington and the Township of Washington negotiated a renewal of the Shared Services Agreement which shall commence on the first day of January 2024 at 00:00 hours, and shall continue for a term of ten years until December 31, 2033, unless terminated sooner pursuant to Section 7 of said document; and

WHEREAS, *N.J.S.A 40A:65-1 et seq.* commonly known as “The Uniform Shared Services

and Consolidation Act”, has been provided so as to enable municipalities and other governmental entities to enter into contracts with each other for the sharing of services; and

WHEREAS, the Township is willing to provide police services to the Borough; and

WHEREAS, the sharing of police services will benefit both the Borough and the Township by increasing the efficiency and decreasing the costs of those services; and

WHEREAS, the parties have agreed that the Township will provide police services to the Borough in accordance with the Uniformed Shared Services and Consolidation Act, *N.J.S.A.* 40A:65-1 *et seq.* and terms and conditions of this agreement; and

WHEREAS, the Township has approved this Agreement pursuant to **RESOLUTION 2023-_____** and the Borough has approved this Agreement pursuant to **RESOLUTION 2023-132**

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals incorporated herein by reference and in consideration of the mutual covenants contained herein, the parties hereto, intending to be legally bound, hereby agree.

BE IT FURTHER RESOLVED by the Borough of Washington, County of Warren and State of New Jersey that the Agreement detailed herein is approved and that the Mayor is hereby authorized to execute, on behalf of the Borough of Washington the aforesaid Shared Services Agreement.

Motion made by Musick and seconded by Gorshkov to adopt Resolution 2023-133

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

Ayes: 7 Nays: 0

Motion passes.

**BOROUGH OF WASHINGTON
WARREN COUNTY, NEW JERSEY
RESOLUTION 2023-133**

**RESOLUTION AUTHORIZING THE BOROUGH OF WASHINGTON
TO ENTER INTO A SHARED SERVICES AGREEMENT WITH
THE TOWNSHIP OF WASHINGTON PROVIDING FOR
MUNICIPAL ENGINEERING SERVICES**

WHEREAS, in 2019 the Borough of Washington and the Township of Washington entered into a Shared Services Agreement (hereinafter “Agreement”) for the services of a Municipal Engineer; and

WHEREAS, the Borough is desirous to continue a Shared Services Agreement with the Township so as to provide for the services of a Municipal Engineer; and

WHEREAS, *N.J.S.A.* 40A:65-1 *et seq.* commonly known as “The Uniform Shared Services and Consolidation Act”, has been provided so as to enable municipalities and other governmental entities to

enter into contracts with each other for the sharing of services; and

WHEREAS, the Township is willing to provide municipal engineering services to the Borough;
and

WHEREAS, the sharing of engineering services will benefit both the Borough and the Township
by increasing the efficiency and decreasing the costs of those services; and

WHEREAS, the parties have agreed that the Township will provide municipal engineering
services to the Borough in accordance with the Uniformed Shared Services and Consolidation Act, *N.J.S.A.*,
40A:65-1 *et seq.* and terms and conditions of this agreement; and

WHEREAS, the Township has approved this Agreement pursuant to **RESOLUTION 2023-**
_____ and the Borough has approved this Agreement pursuant to **RESOLUTION 2023-133**.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals incorporated herein by
reference and in consideration of the mutual covenants contained herein, the parties hereto, intending to be
legally bound, hereby agree.

BE IT FURTHER RESOLVED by the Borough of Washington, County of Warren and State of
New Jersey that the Agreement detailed herein is approved and that the Mayor is hereby authorized to
execute, on behalf of the Borough of Washington the aforesaid Shared Services Agreement.

Motion made by Cox and seconded by Musick to adopt Resolution 2023-134

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

RESOLUTION 2023-134
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATIONS NJSA 40A: 4-87

WHEREAS, NJSA 40A: 4-87 provides that the Director of Division of Local Government
Services may approve the insertion of any special item of revenue in the budget of any county or
municipality when such item shall have been made available by law and the amount was not determined at
the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal
amount,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of
Washington in the County of Warren State of New Jersey, hereby requests the Director of the Division of
Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023
in the sum of \$400,000 which is now available from the State of New Jersey, Small Cities CDBG

BE IT FURTHER RESOLVED, that the like sum of \$400,000.00 is hereby appropriated under
the caption of Other Expenses – Small Cities CDBG.

Motion made by Cox and seconded by Musick to adopt Resolution 2023-135

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2023-140

RESOLUTION APPROVING THE 2023 MUNICIPAL BEST PRACTICES INVENTORY

WHEREAS, the Department of Community Affairs, Division of Local Government Services requires municipality to complete the Best Practice Inventory; and

WHEREAS, the Borough of Washington has complied with the request to complete the Best Practice Inventory Worksheet:

WHEREAS, the Chief Administrative Officer and the Chief Financial Officer of every municipality must both certify the inventory using the Online FAST platform; and

WHEREAS, the Municipal Clerk must certify that the Inventory and the results will be discussed at a public meeting; and

NOW, THEREFORE, BE IT RESOLVED that the Borough of Washington's Best Practice Inventory Worksheet has been reviewed by the Governing Body at a public meeting held on November 21, 2023; submitted to the Division by the required date; and the Chief Administrative Officer, Chief Financial Officer, and Municipal Clerk are hereby authorized to prepare the necessary certifications.

Motion made by Cox and seconded by Gorshkov to adopt Resolution 2023-136

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2023-136

Refund Performance Guarantee

WHEREAS, the Borough of Washington established a performance guarantee account for Maintenance; Guarantee as per Borough Ordinance, and

WHEREAS, in 2022 a performance guarantee account was established for 4 Heather Hill Road, and

WHEREAS, this project was completed and inspected, and

WHEREAS, Manor House Homes, LLC has requested that the balance of \$3,352.00 be refunded as the project was completed and inspected, and

WHEREAS, the Borough Engineer is recommending the release of the performance guarantee.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Washington that the amount of \$3,352.00 escrow be refunded to Manor House Homes, LLC as recommended by the Borough Engineer.

Motion made by Cox and seconded by Musick to adopt Resolution 2023-137

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2023-137

A RESOLUTION OF THE BOROUGH OF WASHINGTON AUTHORIZING THE WASHINGTON FIRE DEPARTMENT TO APPLY FOR AMERICAN RESCUE PLAN FIREFIGHTER GRANT FUNDS FOR FISCAL YEAR 2023

WHEREAS, the Washington Fire Department desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$61,044.00 to carry out a project in order to update and upgrade equipment; and

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Washington, County of Warren, State of New Jersey, does hereby authorize the application for such a grant, recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Washington and the New Jersey Department of Community Affairs;

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

(signature)

Brian Bond

(type or print name)

Borough Manager

(title)

Motion made by Cox and seconded by Musick to adopt Resolution 2023-138

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2023-138

AUTHORIZING BUDGET TRANSFERS

FOR FISCAL YEAR 2023 APPROPRIATIONS IN THE AMOUNT OF \$ 92,485.00 IN THE CURRENT FUND AND \$35,000.00 IN THE SOLID WASTE UTILITY FUND.

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriations transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in the excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Borough of Washington, County of Warren, State of New Jersey, the Chief Financial Officer Natasha S. Turchan, be and the same is hereby authorized to make transfers among the Fiscal Year 2023 Budget in the amount of \$92,485.00 in the Current Fund and \$35,000.00 in the Solid Waste Utility as follows:

Current Fund

Department	Category	FROM	TO
Municipal Clerk	Salaries and Wages		25,000.00
Municipal Clerk	Other Expenses		2,000.00
Tax Assessor	Salaries and Wages	5,000.00	
Tax Assessor	Other Expenses		4,500.00
Tax Collector	Salaries and Wages	15,000.00	
Finance	Other Expenses		3,500.00
Local Code Enforcement	Salaries and Wages	10,000.00	
Street Lights	Other Expenses		12,000.00
Electricity	Other Expenses		1,300.00

Telephone	Other Expenses		2,000.00
Natural Gas	Other Expenses		5,000.00
Fire Hydrants	Other Expenses		18,884.00
Group Health Insurance	Other Expenses		10,000.00
Animal Control-Shared Service	Other Expenses		2,000.00
Financial Adm Shared Service	Salaries and Wages		1.00
PERS	Other Expenses		1,300.00
DCRP	Other Expenses		5,000.00
Streets and Roads	Salaries and Wages	54,485.00	
Building and Grounds	Other Expenses	8,000.00	
		92,485.00	92,485.00

Solid Waste

Insurance	Other Insurance	35,000.00	
Solid Waste	Salaries and Wages		35,000.00

Motion made by Cox and seconded by Musick to adopt Resolution 2023-139

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2023-139

RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENT

WHEREAS, Natalie Colimon-Fitzgerald, the property owner of Block 42 Lot 1.06, made a duplicate payment; and

WHEREAS, the duplicate payment has resulted in an overpayment of \$275.15; and

WHEREAS, the property owner has requested a refund of the overpayment;

NOW THEREFORE BE IT RESOLVED, on this 21st day of November, 2023 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to Natalie Colimon-Fitzgerald, 2 Village Gate Road, Washington, NJ 07882 in the amount of \$275.15.

Motion made by Cox and seconded by Gorshkov to adopt Resolution 2023-140-141 142

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

RESOLUTION 2023-140

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 \$271.44 for taxes or other municipal liens assessed for the year 2021 in the name of MIMY, CHEY C as supposed owners, and in said assessment and sale were described as 34 BEETHOVEN AVE, Block 79 Lot 8.01, which sale was evidenced by Certificate #22-00040 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 10/17/2023 and before the right to redeem was cut off, as provided by law, PENNYMAC 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 \$2,348.23 which is the amount necessary to redeem Tax Sale Certificate #22-00040.

NOW THEREFORE BE IT RESOLVED, on this 21st day of November, 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 **\$4,248.23** (This consists of \$2,348.23 Certificate Amount redeemed + \$1,900.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 79 Lot 8.01 from the tax office records.

RESOLUTION 2023-141

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 \$178.70 for taxes or other municipal liens assessed for the year 2021 in the name of HANSEN, WILLIAM T ESTATE OF as supposed owners, and in said assessment and sale were described as 1 FLOWER AVE, Block 72 Lot 22, which sale was evidenced by Certificate #22-00037 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 11/14/2023 and before the right to redeem was cut off, as provided by law, SIMPLICITY TITLE 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 \$1,761.67 which is the amount necessary to redeem Tax Sale Certificate #22-00037.

NOW THEREFORE BE IT RESOLVED, on this 21st day of November, 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 **\$2,661.67** (This consists of \$1,761.67 Certificate Amount redeemed + \$900.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 72 Lot 22 from the tax office records.

RESOLUTION 2023-142

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 FNA VI, LLC, PO BOX 676927, DALLAS, TX 75267, in the amount of \$6,416.93 for taxes or other municipal liens assessed for the year 2020 in the name of OLSON, ROBERT ESTATE OF as supposed owners, and in said assessment and sale were described as 14 NEW ST, Block 18 Lot 2, which sale was evidenced by Certificate #21-00013 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 10/23/2023 and before the right to redeem was cut off, as provided by law, BRETT EMERY claiming to have an interest in said lands, did redeem said lands claimed by FNA VI, LLC by paying the

Collector of Taxes of said taxing district of Washington Borough the amount of \$27,059.66 which is the amount necessary to redeem Tax Sale Certificate #21-00013.

NOW THEREFORE BE IT RESOLVED, on this 21st day of November, 2023 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FNA VI, LLC, PO BOX 676927, DALLAS, TX 75267, in the amount of **\$58,259.66** (This consists of \$27,059.66 Certificate Amount redeemed + \$31,200.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 18 Lot 2 from the tax office records.

Motion made by Cox and seconded by Gorshkov to adopt Resolution 2023-143

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2023-143
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year (2022) has been filed by a Registered Municipal Accountant with the *Borough Clerk* pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the *Governing Body* of the *Washington Borough* hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Motion made by Cox and seconded by Musick to adopt Resolution 2023-144

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2023-144

ACCEPTANCE FO THE CORRECTIVE ACTION PLAN FOR THE FY 2022, BOROUGH OF WASHINGTON, WARRANT COUNTY

WHEREAS, the auditing firm completed 2022 audit for the Borough of Washington, and

WHEREAS, the audit recommendations were provided, and

WHEREAS, the CFO prepared the corrective action plan for the review of the Governing Body

NOW THEREFORE, the Governing Body accepts the corrective action plan and authorizes the CFO to file it with the DCA.

CORRECTIVE ACTION PLAN

Borough of Washington Audit Report for the Year Ended 12/31/2022.

Finding # 1

Comments: There were 876 tickets assigned but not issued as of December 31, 2022.

Recommendation: That tickets assigned but not issued at year end be recalled or reissued.

Corrective Action: The Borough has a shared service agreement with Mansfield Township. Numerous communications with the Township regarding this issue occurred in 2022 and 2023. The Court Administrator promised to investigate this issue and recall or reissue the outstanding tickets.

Implementation: on-going

Motion

Brown made a motion to get a habitat hearing for movie theatre and for 246 East Washington Avenue (Artic Foods). Motion seconded by Conry, motion rescinded. Attorney Peterson stated borough needs report from construction official.

Motion made by Brown and seconded by Cox to authorize Mr. Rossi to look at movie theater and 246 East Washington Avenue, all were in favor.

RECAP

Manager Bond recapped the following:

- Asked for pictures for website , looking for old and historic around town.
- Washington Township Historical Society wants to know if borough were interested in a shared services to go with them.
- Looking to get approval to advertise for three employees in DPW to replace the three full-time employees that left . Lengthy discussion ensued over whether to hire three full-time or six part-time employees. The consensus was to hire full time.
- Church on N Lincoln is inquiring about having two handicap sign spaces installed in front of church. Ordinance currently allows for residents. It was the consensus to have the signs installed.

Mayor Conry took this time to recognize the two Boy Scouts in audience here for their citizenship and community badge, Ben Feden(sp) and Eric Behar (sp).

To earn the badges, they are to attend a council meeting take notes on a borough dilemma and they chose the trash dilemma.

COUNCIL REMARKS

Councilman Brown gave the following remarks:

- Happy Thanksgiving and thanked everyone who showed up.
- Stated that council has a working relationship which is good.

Councilwoman Cox gave the following remarks:

- Thanked everyone for the efforts put in to try and make things better.
- Appreciate time and effort to do things.
- Thanked the Boy Scouts for being here. Told them to keep moving forward and keep being involved.
- Thanked everyone and wished everyone a Happy Thanksgiving

Councilman France gave the following remarks:

- Thanked all the work that the Attorney and Manager have done recently.
- Very happy to see about this habitability hearing. Something needs to be done.
- Happy to see some movement on the garbage one way or the other. Appreciate the knowledge and information and moving forward.
- Have a grateful Thanksgiving.

Councilman Infinito gave the following remarks:

- Reported on the League conference.
- Congratulated the two Boy Scouts as he is an Eagle Scout. Stressed to the Scouts to finish and go all the way.
- Wish everyone a happy Thanksgiving.

Councilwoman Gorshkov gave the following statements:

- Thanked everyone in chambers, police, council ,husband, family ,friends and constituents and adversaries who have made her stronger and wished everyone a happy Thanksgiving.

Councilwoman Musick gave the following remarks:

- Thanked everyone for coming out and the two Boy Scouts.
- Wished everyone a happy Thanksgiving.

Mayor Conry gave the following remarks:

- Thanked everyone for coming out_ thanked Boy Scouts for continuing their work.
- Wish everyone a safe and wonderful Thanksgiving.
- Thanked those that are here, along with the Attorney, Manager and all the workers along with the Police department.

ADJOURN

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

Laurie A. Courter, RMC
Borough Clerk