

---

**AGENDA**

---

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

**March 5, 2024 7:00 PM**

**STATEMENT OF ADEQUATE NOTICE**

The requirements of the Open Public Meetings Law, P.L. 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Express-Times and Star Ledger and posted on the Boroughs website stating the time, place and purpose of the meeting as required by law.

**FLAG SALUTE**

**ROLL CALL** Brown, Cox, France, Gorshkov, Infinito, Musick and Conry.

**AUDIENCE/COUNCIL APPEARANCE**

Remarks, petitions, statements and testimony from guests

**MINUTES**

February 20, 2024

**REPORTS**

Committee Reports

**VOUCHERS-Approval of Claims**

**OLD BUSINESS**

**Agenda-Continued**

---

**NEW BUSINESS**

David Butler-Shade Tree Re-Appointment- 5-year term Expiring 12/31/28  
Budget Workshops: March 20<sup>th</sup> March 21<sup>st</sup> and March 30<sup>th</sup>.

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

**ORDINANCE 2024-01** (*Tabled from February 20<sup>th</sup> meeting*)

An Ordinance of the Borough of Washington Amending Section 94-62 entitled, "Signs," and the Downtown Redevelopment Plan Regarding Freestanding Signs on Sidewalks in Certain Zones.

**ORDINANCE 2024-02**

CALENDAR YEAR 2024

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

**RESOLUTIONS**

**RESOLUTION 2024-56**

RESOLUTION OF THE BOROUGH OF WASHINGTON APPOINTING MEMBERS TO THE LOCAL EMERGENCY PLANNING COUNCIL (LEPC)

**RESOLUTION 2024-57**

RESOLUTION AUTHORIZING OUT OF PAY FOR OUT OF TITLE WORK

**R E S O L U T I O N 2024-58**

RESOLUTION AUTHORIZING CP ENGINEERS PROPOSAL FOR PROFESSIONAL SERVICES REQUIRED FOR TEIR A MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT

**RESOLUTION 2024-59**

RESOLUTION TO VOID AND STOP PAYMENT

**RECAP**

**COUNCIL REMARKS**

Remarks, Reports, Discussions

**EXECUTIVE SESSION-if needed**

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

ORDINANCE 2024-01

**An Ordinance of the Borough of Washington Amending Section 94-62 entitled, "Signs," and the Downtown Redevelopment Plan Regarding Freestanding Signs on Sidewalks in Certain Zones**

**WHEREAS**, the Mayor and Borough Council seek to revise the regulations concerning freestanding signs 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.** Section 94-62(C)(7) of the Code of the Borough of Washington is hereby amended as follows (additions noted in bold italic *thus* and deletions noted in strikethrough ~~thus~~):

In addition to the foregoing provisions, the following requirements shall apply to signs in the ***B-1 Highway Business District and B-2 Central Business District***. Where there is a conflict between the provisions of Subsection C(1) to (6) above and the provisions of this Subsection C(7), the provisions of this subsection shall apply.

**Section 2.** Section 94-62(C)(7)(d)(1) of the Borough Code regarding freestanding signs certain zones is hereby amended as follows (additions noted in bold italic *thus* and deletions noted in strikethrough ~~thus~~):

(1) ***Frees***standing signs. ~~*S*~~***Freestanding*** signs, that is, moveable "A-frame" or easel ~~*other signs designed for and*~~ generally placed along a sidewalk or other area intended for the view of pedestrians, shall be permitted, provided that any such sign, ***except for "feather signs"***, shall not exceed six square feet in total size per side. ***Feather signs may not exceed 12 feet in height and 2.5 feet in width.*** ~~The maximum width of such signs shall be 24 inches and the maximum height of such signs shall be 36 inches. The overall height of the sign, including a support frame, shall not exceed 42 inches.~~ The following ***additional*** limitations shall apply:

[a] Only A-frame, ~~*feather or easel frame*~~***and other signs which are designed for, and generally used on sidewalks,*** signs are permitted.

[b] No more than one ***freestanding*** sign shall be permitted for each business and only first-floor businesses may use such signs.

[c] ***S******Freestanding signs*** may be displayed only during the hours when the business is open.

[d] ***S******Freestanding signs shall be constructed of weather resistant materials*** ~~*(no paper, fiberboard, foamcore board, corrugated paper or unfinished wood materials shall be permitted).*~~ Signs may be constructed of painted wood, metal or plastic with professional quality painted messages, chalkboards, dry-erase boards or boards with changeable letters. No other construction materials are permitted. ***S******Freestanding signs shall be constructed and/or weighted so as to be impervious to the effects of strong winds. S******Freestanding signs shall be maintained at all times in good repair and shall not be permitted to weather, fade, peel, crack or otherwise deteriorate.***

DRAFT\_SUBJECT TO CHANGE

[e] ***Freestanding signs*** may be located only adjacent to the building within the side property lines as extended, in an entrance alcove.. ***The placement of freestanding signs must allow for at least a 5-foot wide unobstructed pathway.***

[f] No ***freestanding*** sign shall block pedestrian movement, access to benches, access to parking meters, ***fire hydrants***, or access to motor vehicles. The Building or Zoning Officer may direct that any ***freestanding*** sign which violates this chapter or creates a safety hazard be removed, modified or relocated.

[g] ***Only businesses registered with the Borough in accordance with Section 54 of the Borough Code may display a freestanding sign.***

[h] ***The business must provide the Borough with proof of insurance with a minimum liability coverage of one million dollars (\$1,000,000.00) and must specifically provide coverage for the sidewalk area the freestanding sign will be displayed and the Borough must be a named insured on the policy.***

[g] ***Notwithstanding anything contained in this ordinance to the contrary, the Zoning Officer, Fire Marshal, and/or Chief of Police shall have the right to prohibit or further restrict the location of any freestanding sign which, in their sole discretion, they deem by virtue of the freestanding sign's construction or location, to constitute a safety hazard to the public.***

**Section 3.** The Page 40, Signage” of the Downtown Redevelopment Plan is hereby amended to add the following:

Freestanding signs shall be permitted on the public sidewalks in compliance with Borough Code Section 94-62(C)(7)(d)(1)

**Section 4.** All ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.

**Section 5.** 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 6.** This Ordinance shall take effect upon final passage and publication according to law.

Introduce: January 16, 2024

Public Hearing/Adoption: March 5, 2024

**ORDINANCE 2024-02**  
**CALENDAR YEAR 2024**  
**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS**  
**AND TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40A: 4-45.14)**

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

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

**WHEREAS**, the Borough Council of the Borough of Washington in the County of Warren finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$31,180.64 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Washington, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Washington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$109,132.23, and that the CY 2024 municipal budget for the Borough of Washington be approved and adopted in accordance with this ordinance; and,

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

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

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

**RESOLUTION 2024-56**  
**RESOLUTION OF THE BOROUGH OF WASHINGTON APPOINTING MEMBERS TO**  
**THE LOCAL EMERGENCY PLANNING COUNCIL (LEPC)**

**WHEREAS**, pursuant to **N.J.S.A. App. A:9-33 et seq.** (Chapter 251 P.L. 1942, as amended by Chapter 438, P.L. 1953) each municipality shall appoint a Local Emergency Planning Council (LEPC); and

**WHEREAS**, the local Office of Emergency Management Coordinator shall serve as Chairman of the aforesaid Council; and

**BE IT RESOLVED** by the Borough Council of the Borough of Washington that the following individuals are hereby appointed to the Local Emergency Planning Council for the year 2024:

- Joe Fox, Sr., Borough of Washington Deputy OEM Coordinator (Chair)
- Chris Jones, Washington Township Chief of Police
- Jonathan James, Borough of Washington Department of Public Works Supervisor
- Kevin Shoudt, Borough of Washington Wastewater Treatment Plant Project Manager
- Ron Hartrum, Borough of Washington OEM Coordinator
- Ron Hartrum Borough of Washington Fire Chief
- Matthew Lopez, Borough of Washington Fire Official

**BE IT FURTHER RESOLVED** that the Local Emergency Planning Council meetings will coincide with regular quarterly staff meetings of the Borough of Washington.

**RESOLUTION 2024-57**

**RESOLUTION AUTHORIZING OUT OF PAY FOR OUT OF TITLE WORK**

**WHEREAS**, the Borough Recreation Secretary performed out of title work from January 8, 2024 through February 3, 2024; and.

**WHEREAS**, the recreation secretary performed the work of Accounting Clerk a total of 108 hours during this time; and

**WHEREAS**, there is a pay differential of \$5.42 per hour with said differential totaling \$585.36.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Washington Mayor and Council that the recreation secretary be paid \$585.40 for performing out of title work.

**RESOLUTION 2024-58**

**RESOLUTION AUTHORIZING CP ENGINEERS PROPOSAL FOR PROFESSIONAL SERVICES REQUIRED FOR TEIR A MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT.**

**WHEREAS**, the Borough of Washington requires Professional Engineering Services for its Municipal Separate Stormwater Sewer System (MS4) Permit and Compliance; and

**WHEREAS**, CP Engineers is the Borough Engineer for updating the Municipal Stormwater Management Plan (MSWMP) for permit compliance including outfall pipe mapping and Geographic Information System (GIS) database and Watershed Improvement Plan (Phase 1) for compliance with NJDEP Tier A MS4 current permit cycle in an amount not to exceed \$52,000.00; and

**WHEREAS**, the Borough of Washington will be required to extend services for the next permit cycle commencing on January 1, 2025 for compliance with new requirements that are to be adopted by NJDEP for Tier A MS4 Permit renewal; and

**WHEREAS**, sufficient funds exist for this work via grant funding; and

**WHEREAS**, the Borough Council concurs in the foregoing.

**WHEREAS**, the CFO has confirmed the certification of funds are available from the account 01-2024-20-130-2-11.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Washington that the Borough be and hereby authorized to enter into a Professional Services Contract with CP Engineers to provide professional services for updating the Municipal Stormwater Management Plan (MSWMP), outfall pipe mapping and Watershed Improvement Plan (Phase 1) for compliance with NJDEP Tier A MS4 current permit cycle for a fee not to exceed \$52,000.00 in accordance with their proposal dated October 13, 2023.



**RESOLUTION 2024-59**  
**A RESOLUTION TO VOID AND STOP PAYMENT**

**WHEREAS**, check # 15540 was written December 12, 2023 on the Washington Borough's Operating Account in the amount of \$115.00; and

**WHEREAS**, check was made payable to NJLM at the address of 222 West State Street, Trenton, NJ and

**WHEREAS**, the Treasurer's office has noticed an open balance on the accounts the check was to be applied to; and

**WHEREAS**, the above-mentioned check has not been cashed nor received; and

**WHEREAS**, stop payment for this check should be issued; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey hereby authorizes the Treasurer to void and stop payment on the aforementioned checks.