
AGENDA

BOROUGH OF WASHINGTON, WARREN COUNTY, NJ

April 16, 2024

6:00 PM (Earlier Start Time)

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.

Council Discussion:

ORDINANCE 2024-06

An Ordinance of the Borough of Washington Amending Chapter 75 entitled, “Streets and Sidewalks” to create Article XIII entitled “Sidewalk Dining Licenses”

AUDIENCE/COUNCIL APPEARANCE

Awards Presentation-Washington Township Police Department
CPR Save Awards.

Remarks, petitions, statements and testimony from guests

PROCLAMATION

Arbor Day

CORRESPONDENCE

- Attorney Kara Kaczynski,; RE: Vacation of the Portion of Jefferson Avenue 100 Boulevard – Block: 63 Lot: 3 (the “Property”)

MINUTES

March 30, 2024 (Budget)

April 2, 2024

Agenda-Continued

REPORTS

Committee Reports

VOUCHERS-Approval of Claims

OLD BUSINESS

NEW BUSINESS

- Affordable Housing Legislation challenge.

ORDINANCES

None

RESOLUTIONS

RESOLUTION NO. 2024-76

RESOLUTION SETTING THE RATE TO BE COLLECTED BY LEVYING A FEE FOR THE COLLECTION AND DISPOSAL OF ELIGIBLE SOLID WASTE, INCLUDING DESIGNATED RECYCLABLE MATERIALS, FOR THE TERM OF JANUARY 1, 2024 THROUGH DECEMBER 31, 2024.

RESOLUTION 2024-77

RESOLUTION TO ADJUST SEWER BILLINGS IN ACCORDANCE WITH CHAPTER 70, SECTION 28B OF THE CODE OF THE BOROUGH OF WASHINGTON.

RESOLUTION 2024-78

RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

RESOLUTION 2024-79

A RESOLUTION IN SUPPORT OF SENATE NO. 725 CONCERNING UNLAWFUL OCCUPANCY OF DWELLINGS AND SUPPLEMENTING TITLE 2C OF THE NEW JERSEY STATUTES

RECAP

COUNCIL REMARKS

Remarks, Reports, Discussions

EXECUTIVE SESSION-if needed

ADJOURNMENT _____ P.M.



OFFICIAL PROCLAMATION

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

WHEREAS Arbor Day is now observed throughout the nation and the world, *and*

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Ethel Conry, Mayor of the Borough of Washington Borough, do hereby proclaim Saturday April 27, 2024, as ARBOR DAY in the Borough of Washington, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED THIS 27th day of April, 2024,

ORDINANCE 2024-06 (Discussion)

An Ordinance of the Borough of Washington Amending Chapter 75 entitled, “Streets and Sidewalks” to create Article XIII entitled “Sidewalk Dining Licenses”

WHEREAS, the Mayor and Borough Council seek to permit and regulate sidewalk dining establishments within the commercial zoning districts (B-1, B-2, and Downtown Redevelopment Area) in Washington Borough; and

WHEREAS, restaurants located within these districts seek to use the sidewalks as outdoor dining areas; and

WHEREAS, the Mayor and the Borough Council seek to amend the Borough Code to establish regulations concerning the use of the sidewalks by restaurants within the Borough of Washington.

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. Article XIII entitled “Sidewalk Dining Areas” of Chapter 75, entitled “Streets and Sidewalks”, is hereby created as follows:

Chapter 75 Streets and Sidewalks

Article XIII Sidewalk Dining Licenses

§75-80 Purpose

The purpose of this section is to permit sidewalk dining areas adjacent to existing restaurants selling prepared food in order to encourage the viability of restaurants and food-service establishments and to enhance the vitality of the Borough of Washington.

§75-81 Definitions

Sidewalk Dining Area- A designated area of a public sidewalk where patrons may sit at tables or benches while consuming food and beverages ordered from and/or served by the establishment.

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.

RESTAURANT

A commercial establishment where food and drink are prepared, served and consumed. As used in this chapter, a restaurant shall not include a fast-food restaurant as defined herein.

FAST FOOD RESTAURANT

A commercial establishment where food and drink prepared for immediate consumption; are purchased at a counter; and eaten on the premises, in the purchaser’s automobile, or off the premises. Bakeries, delicatessens, ice cream parlors, and candy shops, are examples of fast food restaurants.

EATING / DRINKING ESTABLISHMENT

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An establishment in which alcoholic beverages and / or food are served for on-site consumption. As used in this Chapter, an eating / drinking establishment shall include bars, brewpubs, cideries, meaderies, craft distilleries, craft breweries, fast food restaurants, taverns, and winery sales rooms as defined in the Borough of Washington Downtown Redevelopment Plan.

§75-82 Applicability

- A. The provisions of this section apply only to sidewalk dining areas on public property and/or within the public right-of-way.
- B. Sidewalk dining areas regulated by this section shall only be operated by, and adjacent to, existing, approved restaurants and/or fast food restaurants that sell food or drink that is ready to be consumed.

§75-83. Areas in which temporary use of sidewalk areas for outdoor dining are permitted.

Temporary use of the public sidewalk shall be permitted as an outdoor dining 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.

§75-84 License Required

No restaurant, fast food restaurant, or eating/drinking establishment shall utilize the public sidewalk area unless a license has been obtained from the Borough of Washington.

- A. Applicants shall apply for license approval in accordance with the provisions of this chapter. 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 outdoor dining area on a public sidewalk must provide the following information to the Zoning Officer:
 - (1) A layout of the proposed dining areas, which shall include, but not be limited to the following: a dimensions of the proposed sidewalk dining area, depiction of all aisles and routes of ingress and egress; indication of clearances between tables and between the seating area and the curb; depiction of freestanding umbrellas in the open position; depiction of service areas; and locations of all other equipment and fixtures that will be utilized
 - (2) A landscape and screening plan, should planters or other screening mechanisms be employed;
 - (3) An illustration, rendering, and/or photograph of all furniture, planters, umbrellas, and/or signage proposed.
 - (4) A Litter Control Plan, which shall include, but not be limited to, a description of the number and location of trash receptacles for the areas and the frequency with which the

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- tables, surrounding area and adjacent public and private properties will be policed for litter.
- (5) Hours of operation for the sidewalk dining area.
 - (6) A statement of how furniture and other fixtures will be secured or stored when not in use.
- D. The Zoning Officer shall review each application to ensure that the proposed operation of the sidewalk dining 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 dining area. In approving the hours, the Zoning Officer shall take into consideration the nature of the restaurant eating / drinking establishment, or fast food restaurant 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 dining be permitted before 11:30 am or beyond 10:00 p.m.
- F. BYOB privileges for wine or malt alcoholic beverages are allowed in sidewalk dining areas and, subject to N.J.S.A. 2C:33-7. Any licensed premises must secure and provide copies to the Borough Clerk of all necessary permits from the New Jersey Division of Alcoholic Beverage Control to extend their licensed premises in accordance with applicable New Jersey law.
- G. The seating contained in a sidewalk dining area shall not be counted in determining any parking space requirement for a restaurant, food restaurant, or eating / drinking establishment use.
- H. The dining 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 tables, chairs and other items during times of inclement weather and high wind.
- I. A sidewalk dining area shall not be permitted if the subject premises can accommodate an outdoor dining area within the confines of the premises.

§75-85 Application for License

An application, sworn to by the applicant, for a sidewalk dining 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 restaurant, fast food restaurant, or eating / drinking establishment where the sidewalk dining area is to be maintained.
- C. Written consent of the owner of the premises, if other than the applicant.
- D. Any licensed premises must secure and provide copies to the Borough of all necessary permits from the New Jersey Division of Alcoholic Beverage Control to extend their licensed premises in accordance with applicable New Jersey law.
- E. A certificate of insurance providing at least \$1,000,000 of comprehensive general liability extending premises coverage to all activities associated with sidewalk dining and listing the Borough of Washington as an additional insured with respect to such activities.
- F. All information required by Section 75-84(C)
- G. A check payable to the Borough of Washington in the amount of the license fee required by § 75-86.
- 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,

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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 dining establishment.

- 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 dining operation, or to reimburse the Borough in full for all costs and expenses incurred by it in making any such repairs.
- J. Execution and filing with the Borough Clerk of an outdoor dining addendum permission for use of neighboring space if applicable.
- K. The Borough Clerk may require a bond to be filed by the licensee in an amount to be fixed by the Borough.

§75-86 Application Fees

- A. The fee for an initial sidewalk dining area license application shall be **\$100**. The fee for a renewal application for substantially similar arrangement shall be **\$30** each year thereafter. For an application to be considered a renewal application, it must include substantially the same information as was on the initial application.
- B. No fees shall be pro-rated nor any part thereof refunded for any reason.

§75-86 License terms and conditions

- A. A sidewalk dining area shall be valid only through December 31 of a given year, and a new license must be obtained for each year.
- B. An outdoor dining 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 dining.

§75-87 Regulations

The conduct of sidewalk dining area pursuant to a license issued under this article shall be subject to all of the following restrictions and requirements:

- A. Outdoor dining areas may be conducted in the Downtown Redevelopment Area, B-1 and B-2 zoning districts.
- B. The sidewalk dining 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 tables 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. Restaurateurs and eating/drinking establishments shall not place anything in an alleyway or walkway or set up tables 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.
- D. The only items permitted are tables, chairs, umbrellas and containers for the disposal of recyclable cans/bottles and garbage. Architectural barriers such as floral arrangements, planters, landscaping and/or decorative fencing designed to enclose the sidewalk dining area shall also be permitted within the discretion of the Zoning Officer.

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- E. Furniture and other items in the sidewalk dining area 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.
- F. Restaurateurs and eating/drinking establishments shall not place any table, sign, umbrella or other item in such a manner as to block any municipal signs, receptacles for garbage, public benches or other public amenity, including fire hydrants.
- G. Restaurateurs and eating/drinking establishments must provide for the disposal of recyclable cans/bottles and garbage. Public receptacles for garbage shall not be used. Sidewalk areas shall be kept clean during hours of operation. Litter shall not be permitted on adjoining sidewalks or property.
- H. Restaurateurs and eating/drinking establishments are prohibited from serving drivers or passengers of vehicles. All customers in the sidewalk dining area must be seated.
- I. Restaurateurs and eating/drinking establishments are prohibited from using public utility hookups.
- J. Use of amplified sound systems are prohibited after 9:00 p.m., and all noise regulations must followed when in use. The Zoning Officer may issue additional restrictions based on location.
- K. All food preparation shall be in the regular kitchen area of the restaurant, not outside.
- L. All outdoor food service is subject to the regulations contained in Chapter 12 of the New Jersey Sanitary Code.
- M. The placement of outdoor tables shall be limited to the area immediately in front of existing and/or properly approved restaurants or eating establishments. No portion of any sidewalk dining equipment, including chairs, tables and opened umbrellas, shall encroach upon the sidewalk area in a manner to block, impede or cover adjacent storefronts, doors or windows in front of other business establishments without the written permission of the property owner and adjoining business.
- N. Freestanding umbrella(s) and base(s) and/or devices to secure umbrella(s) shall be permitted within a sidewalk dining area subject to the following:
 - i. One umbrella shall be permitted for each table within the seating area.
 - ii. Umbrella shall be adequately secured by a center base, arm base and/or otherwise adequately secured by a wind resistant structure.
 - iii. The umbrella, when in an open position shall not overhang beyond the designated seating area; the minimum clearance height will be seven feet and the maximum height of the umbrella from base to finial shall not exceed nine feet.
 - iv. Umbrellas placed within the seating area shall be uniform as to color and design to create a pleasant aesthetic affect and shall at all times be properly maintained in good working orders and aesthetic condition including but not limited to being clean and without tears.
- O. Tents and other temporary structures shall be prohibited within the sidewalk dining area.
- P. Sidewalk dining furniture, equipment, and other amenities shall be constructed of metal, unless an alternative material is approved in advance by the Zoning Officer. Tables shall be designed to seat no more than 4 persons. Picnic-style tables are not permitted.
- Q. Sidewalk dining furniture, equipment, and other amenities must be removed from the public sidewalk dining area for extended periods of eating / drinking establishment closure or extended periods of non-use of the sidewalk dining area (two weeks or more).
- R. Sidewalk dining areas shall be permitted seasonally from March 1 through October 15.

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- S. Permissible hours of operation shall be from 11:30 am to 10:00 p.m.
- T. An applicant wishing to serve alcohol on the sidewalk dining area must execute a revocable agreement with the Borough to have conditional use of the sidewalk as a right-of-way. Any licensed premises must secure and provide copies to the Borough of all necessary permits from the New Jersey Division of Alcoholic Beverage Control to extend their licensed premises in accordance with applicable New Jersey law.
- U. All items in the sidewalk dining area must be neatly stacked against the associated building or removed and sidewalks shall be cleaned at the end of service daily. All such items must be secured against weather conditions, high winds, vagrancy and other mischief when not in use. Sidewalk dining furniture and accessories may be stored outside on the sidewalk between March 1 and October 15. All other times of year, the storage of sidewalk dining furniture and accessories cannot be stored on the public sidewalk.
- V. The Borough retains the right to suspend an outdoor dining 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.
- W. All sidewalk dining areas must be cleared of all furnishings in advance of any snowstorm or weather emergency declared by the Borough.
- X. The Borough may require removal 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 furniture and/or equipment from the sidewalk dining space, and costs of removal shall be borne by the eating / drinking establishment or the property owner.
- Y. Smoking shall be prohibited within outdoor dining areas. Smoking shall mean the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device. No-smoking signs or the international no-smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section) shall be clearly, sufficiently and conspicuously posted at such outdoor dining area.
- Z. The licensee shall comply with all other Borough ordinances.

§75-88 Notice of Violation; Suspension and revocation of license

- A. Upon receipt of a notice from the Zoning Officer that an eating / drinking 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 Dining Licenses are interruptible and terminable licenses for use granted by the Borough. The issuance of a Sidewalk Dining License shall not convey any property interest to the eating / drinking 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 Dining 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 Dining License at any time by reason of anticipated, threatened, or actual problems or conflicts in the use for the sidewalk area. Such circumstances

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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.

§75-89 Enforcement.

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

§75-90 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 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.

§75-100 Appeals.

Any person aggrieved by any action of the Borough Clerk or Zoning Officer, in the denial or revocation of an outdoor dining area, 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 §75-83 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.

§75-101 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. Section 22-10 of the Code of the Borough of Washington, entitled "Certain consumption prohibited," is amended as follows (deletions noted in strikethrough ~~thus~~ and additions noted in bold italic *thus*):

§ 22-10 Certain consumption prohibited.

A. No change.

B. No person shall have in their possession an open container of any type containing any malt or vinous beverage, spirits or alcohol. ***Unless such possession is within a licensed sidewalk dining area pursuant to Chapter 75, Article XIII of the Code of the Borough of Washington and in compliance with all restrictions set forth in Chapter 75, Article XIII of the Code of the Borough of Washington.*** No person may consume malt or vinous beverages, spirits or alcohol upon private property unless with the expressed prior permission of the owner.

C. No change.

Section 3. 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 (8) as follows:

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- Sidewalk Dining Areas in compliance with Chapter 75, Article XIII of the Borough Code
- Page 31, “Permitted Accessory Uses and Structures” in the Route 31 Gateway District by adding subsection (8) as follows:
 - Sidewalk Dining Areas in compliance with Chapter 75, Article XIII of the Borough Code
- Page 32, “Permitted Accessory Uses and Structures” in the Theater District by adding subsection (7) as follows:
 - Sidewalk Dining Areas in compliance with Chapter 75, Article XIII of the Borough Code

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.

RESOLUTION NO. 2024-76

RESOLUTION SETTING THE RATE TO BE COLLECTED BY LEVYING A FEE FOR THE COLLECTION AND DISPOSAL OF ELIGIBLE SOLID WASTE, INCLUDING DESIGNATED RECYCLABLE MATERIALS, FOR THE TERM OF JANUARY 1, 2024 THROUGH DECEMBER 31, 2024.

WHEREAS, on October 6, 2020, the Mayor and Council of the Borough of Washington adopted Ordinance No. 2020-13, an Ordinance creating a Solid Waste Utility to transact the collection and disposal of eligible solid waste, designated recyclable materials, vegetative yard waste and related support services; and

WHEREAS, the Solid Waste Utility is created as a self-liquidating utility and the Mayor and Council is authorized to annually adopt a dedicated budget for the Solid Waste Utility to cover any and all anticipated costs associated with the collection and disposal of eligible solid waste, recyclable materials and vegetative yard waste as provided in N.J.S.A. 40:34, 35 and 35; and

WHEREAS, said costs are to be collected by levying and collection of a solid waste service charge which shall be a fixed fee per dwelling unit based upon the costs deemed sufficient to provide for the payment of costs and collection and disposal of eligible solid waste, designated recyclable materials and vegetative yard waste (Solid Waste Service Charge); and

WHEREAS, the Chief Finance Officer and Director of Public Works have determined that the Solid Waste Service Charge per dwelling unit shall be based upon the projected annual budget for the calendar year January 1, 2024 through December 31, 2024.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington that the rate to be collected by levying a fee, designated as the Solid Waste Service Charge, per dwelling unit for the year January 1, 2024 through December 31, 2024, shall be \$450 annually, \$15 for each bulk item and \$25 for a replacement mobile refuse cart.

BE IT FURTHER RESOLVED that collection of the Solid Waste Service Charge shall be in accordance with Ordinance No. 2020-13 as may be amended.

RESOLUTION 2024-77
A RESOLUTION TO ADJUST SEWER BILLINGS IN ACCORDANCE WITH
CHAPTER 70, SECTION 28B OF THE CODE OF THE BOROUGH OF WASHINGTON.

WHEREAS, the Borough of Washington commenced operations of a municipal sewer utility in January Of 1999; and

WHEREAS, certain facts have come to the attention of the Borough to justify modification of sewer service charges which have been reviewed by the Borough Manager; and

WHEREAS, notice has been provided to the owner(s) of the property or properties listed below of the action proposed to be taken with the date, time and place where the Mayor and Council will meet to consider change(s) in the E.D.U.'s assigned to the property or properties listed below; and

WHEREAS, all parties affected by this resolution will be notified of the action taken, in writing, and notified of an opportunity to appear, in person, at a formal hearing of the governing body, if dissatisfied with the decisions made herein; and

WHEREAS, upon the reopening of any business at the property location they will be required to submit an estimated annual water usage based upon use to determine appropriate EDU's to be assigned to the property.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the following changes in the sewer service charge(s) are approved:

BLOCK/LOT	NAME/ADDRESS	REASON/ADJUSTMENT
87/1	RETSIS, GEORGE	Business Closed
	7 ELMER ST	6 E.D.U.s to 1 E.D.U.
	RARITAN, NJ 08869	Effective: Nov. 2023
	Property Location: 150 ROUTE 31 SOUTH	

BE IT FURTHER RESOLVED that the Borough Clerk be directed to send a certified copy of this resolution to all parties affected by this resolution and advise them of their right to protest the decision and request a formal hearing before the governing body, as provided in Chapter 70, Section 13. If no protest is filed, the decisions contained herein shall be considered final.

RESOLUTION 2024-78
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 October 7, 2021 to FIG CUST FIGNJ19LLC & SEC PTY, PO BOX 669507, DALLAS, TX 75266-9507, in the amount of \$667.22 for taxes or other municipal liens assessed for the year 2020 in the name of VAIL, III, GORDON T & MERRILL J as supposed owners, and in said assessment and sale were described as 67 MCDONALD ST, Block 2.03 Lot 7, which sale was evidenced by Certificate #21-00003 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 4/2/2024 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 \$3,525.29 which is the amount necessary to redeem Tax Sale Certificate #21-00003.

NOW THEREFORE BE IT RESOLVED, on this 16th day of April, 2024 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 **\$6,025.29** (This consists of \$3,525.29 Certificate Amount redeemed + \$2,500.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 2.03 Lot 7 from the tax office records.

RESOLUTION 2024-79
A RESOLUTION IN SUPPORT OF SENATE NO. 725
CONCERNING UNLAWFUL OCCUPANCY OF
DWELLINGS AND SUPPLEMENTING TITLE 2C
OF THE NEW JERSEY STATUTES
OF THE STATE OF NEW JERSEY

WHEREAS, the occupancy of a dwelling without the permission of the property owner, also known as "squatting" is an increasing occurrence throughout the State of New Jersey and the Country; and

WHEREAS, persons engaging in squatting often do so with the express intention of depriving the lawful property owners of the use and possession of their own property, with the express knowledge that squatting is not a criminal offense, thus requiring a property owner to undertake expensive, time-consuming civil litigation to recover their property, which said litigation can be subject to delay tactics including, but not limited to, bankruptcy applications, resulting in squatters successfully depriving lawful owners of the use and benefit of their own property for extended periods of time; and

WHEREAS, Senators Steinhardt, Testa, Stack, and Polistina have introduced and are sponsoring Senate No. 725, which would establish squatting in various contexts as criminal offenses and crimes of the fourth degree, thus permitting property owners to avail themselves of filing criminal complaints with local law enforcement that can be duly investigated, and, when appropriate, permit police officers to arrest and remove persons found to be engaged in said criminal squatting activities.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Washington adopt this Resolution to memorialize its support for Senate No. 725 and that certified copies of this Resolution shall be forwarded to the Office of the Governor and Lieutenant Governor, the Town's elected Representatives in the State Legislature.