
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

WASHINGTON BOROUGH COUNCIL MINUTES

DATE: February 6, 2024

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: Erik Peterson Attorney
Borough Manager, Brian Bond
Laurie A. Courter, Borough Clerk

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.

PUBLIC COMMENT

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

Presentation: Hill/Wallack LLP-representing Washington Station Venture L.P.

Thomas Carrol, Attorney on behalf of Washington Station Ventures along with David Waronker(sp)and Planner Terry Combs were present. Attorney Carrol discussed the current settlement agreement with his client's obligation to provide land to the town. Proposal consists of the residential piece going to the borough additionally with some being added to cemetery. Terry Combs, Planner briefly explained the three proposed plans. They are flexible in ideas shifting the open space to the lower spaces. This requires an amendment to Zoning. The cemetery parcel was set up as a separate zone and amended to the original agreement. Mr. Carrol asked if the proposal appeals to the council. Attorney Peterson stated that the borough will discuss it to see if there is any interest in amending the agreement at some point in time and added that the borough planner has some concerns with the proposal.

Mel Thiel-BID-Executive Director-gave the following report:

Dank Poet dispensary is open for business and doing well so far. Ribbon cutting will be Saturday, March 2nd. A new ice cream shop, The Chuckling Cow officially opened, and Hunterdon PC Repair is also open. The Business Recognition dinner is Thursday night.

Dominic Tarda(sp) borough resident-asked if council was aware of contents on the train over Route 57 that have been parked there. Citing chemicals being hazardous with a class 6 pesticide. Mr. Tarda cited the classes 3 and 6 and hazards that come with those classes. Citing health issues with regard to safety data sheets. Attorney Peterson asked if this is a new car on overpass? Mr. Tarda stated its been there a long time since October.

Marco Matteo-7 Railroad Avenue-stated he wants to revisit the Washington Theatre issues and asked to confirm the date of the Zoom meeting and the March 19th in person meeting. Stated that he hopes that one member of council will be there at the Zoom meeting. Discussion of non-compliance with the current violations ensued. Mr. Matteo wants to have everyone aware of the marquee being looked at for a hazard concern. Mr. Matteo also brought forth attention regarding the traction mats on the corner of Belvidere Avenue not taken out due to them being damaged and other ones at various locations.

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

MINUTES

Motion to approve the regular meeting minutes from January 16, 2024, made by Cox and seconded by Gorshkov.

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

Ayes: 6 Nays: 0 Abstain: 1 (Musick)

Motion passes.

REPORTS

Committee Reports

Recreation-Infinito reported that he was able to get a copy of the recreation by-laws and he will be setting up a meeting with the association. Infinito stated that he will work on having an ordinance drafted to fix inconsistencies.

Sewer- Infinito met with Manager Bond, Veolia ,NJ Futures and Epic. There are priorities and needs that are to be addressed concerning the sewer plant. They will move forward on that project and look into getting funding sources.

Cannabis- Brown reported that Dank Poet is doing well since opening.

Streets-Brown stated that there is nothing new to report but asked if the traffic light on Broad Street here on the corner can be converted it to 4-way stop intersection. Bond explained the options of the traffic light. Bond recommends a traffic study be conducted before anything is changed.

Ordinance-Gorshkov asked if anyone responded to the email they all received on Jan 11th from a resident asking about getting the yellow curbs repainted and a no parking sign for Jackson Avenue. Bond reported that at the time we didn't have the manpower but the DPW will soon be painting the yellow curbs and is also looking at getting our own sign shop so signs can be made and installed for less money.

VOUCHERS-Approval of Claims

Motion made by Cox and seconded by Gorshkov to approve the vouchers and claims.
Lengthy discussions ensued regarding certain bills listed on the bill list.

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

Ayes: 7 Nays: 0

Motion passes.

NEW BUSINESS

Zoning Official-Bond reported that the current zoning official resigned and that there's a resolution on agenda tonight to appoint him as acting zoning officer. Bond explained that he is waiting for civil service to announce the test. Cox asked if a timeline was established for an acting zoning officer. Bond explained the civil service procedure on the testing and determination of the highest score of those who apply.

Street Paving Lenape/Ramapo-Bond explaining the water company is presently out there taking out the old lead pipes and switching to copper for everyone's water service. There are some lead connections over there and they were mandated by the EPA and Federal Government to change any and all lead lines to copper. As a result, there will be holes in the pavement, and we will partner up with the water company for when they pave one half of the road, the borough will have the other side paved at same time to keep costs down. It will cost about \$120,000 dollars. The paving will be bid out. It was the consensus of council to have Manager Bond negotiate with water company to have this done.

1st Reading

Motion made by Brown and seconded by Musick to approve on first reading Ordinance 2024-02.

Discussions ensued for what the purpose of ordinance is, and the infrastructure state of the sewer plant currently is.

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

Ayes: 5 Nays: 2 (Gorshkov, France)

Motion passes.

**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.

Introduced: February 6, 2024

Public Hearing/Adoption: March 05, 2024

RESOLUTIONS

Motion made by Cox and seconded by Musick to adopt Resolution 2024-38

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

Ayes: 1 (Brown) Nays: 6

Motion fails.

Motion made by Cox and seconded by Musick to adopt Resolution 2024-39, 40, 41 & 42

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2024-39
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 \$980.50 for taxes or other municipal liens assessed for the year 2021 in the name of KORNMANN, CHRISTOPHER/DESTEFANO, BI as supposed owners, and in said assessment and sale were described as 9 RAMAPO WAY, Block 101 Lot 15.04, which sale was evidenced by Certificate #22-00059 and

WHEREAS, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 1/25/2024 and before the right to redeem was cut off, as provided by law, CHRISTOPHER KORNMANN 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 \$2,278.07 which is the amount necessary to redeem Tax Sale Certificate #22-00059.

NOW THEREFORE BE IT RESOLVED, on this 6th day of February, 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 20, LLC FBO SEC PTY, PO BOX 12225, NEWARK, NJ 07101 in the amount of **\$4,778.07** (This consists of \$2,278.07 Certificate Amount redeemed + \$2,500.00 Premium).

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 101 Lot 15.04 from the tax office records.

RESOLUTION 2024-40
A RESOLUTION TO REFUND OVERPAYMENT OF PROPERTY TAXES

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$246.32 on 2023 4th Quarter Taxes paid on property located at 181 E WASHINGTON AVE, also known as Block 80 Lot 8, and in the name of HUBER, JOSH & SHANNON; and

WHEREAS, the Tax Collector has received a written request from SHANNON HUBER that the overpayment be refunded to them.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$246.32 payable to:

HUBER, JOSH & SHANNON
181 E WASHINGTON AVE
WASHINGTON, NJ 07882

RESOLUTION 2024-41
A RESOLUTION TO REFUND OVERPAYMENT OF PROPERTY TAXES

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$74.52 on 2023 4th Quarter Taxes paid on property located at 73 LENAPE TRAIL, also known as Block 101 Lot 15.54, and in the name of SUMMERS, KEVIN & VAIL, SARINA; and

WHEREAS, the Tax Collector has received a written request from SARINA VAIL that the overpayment be refunded to them.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$74.52 payable to:

SUMMERS, KEVIN & VAIL, SARINA
73 LENAPE TRAIL
WASHINGTON, NJ 07882

RESOLUTION 202-42
A RESOLUTION TO REFUND OVERPAYMENT OF PROPERTY TAXES

WHEREAS, according to the Tax Collector's records, there is an overpayment of \$1,273.65 on 2023 4th Quarter Taxes paid on property located at 15 CHERRY ST, also known as Block 22.02 Lot 4, and in the name of GODREAU, DONALD A & EVELYN E; and

WHEREAS, the Tax Collector has received a written request from DONALD GODREAU that the overpayment be refunded to them.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey, to hereby authorize the Tax Collector and Treasurer to refund the amount of \$1,273.65 payable to:

GODREAU, DONALD A & EVELYN E
15 CHERRY ST
WASHINGTON, NJ 07882

Motion made by Cox and seconded by Musick to adopt Resolution 2024-43

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

Ayes: 7 Nays: 0

Motion passes.

**RESOLUTION 2024-43
RESOLUTION TO APPOINT
TIFFANY TAGARELLI, Esquire AS MUNICIPAL SUBSTITUTE PROSECUTOR FOR
THE BOROUGH OF WASHINGTON**

WHEREAS, there exists the need of a Substitute Municipal Prosecutor; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Washington, Warren County, New Jersey as follows:

That Tiffany Tagarelli Esquire, of King, Moench & Collins be appointed immediately as Substitute Municipal Prosecutor until December 31, 2024.

Motion made by Cox and seconded by Musick to adopt Resolution 2024-44

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

Ayes: 7 Nays: 0

Motion passes.

**RESOLUTION 2024-44
RESOLUTION TO APPOINT
MATTHEW MOENCH AS MUNICIPAL PROSECUTOR FOR THE BOROUGH OF
WASHINGTON**

WHEREAS, the position of Municipal Prosecutor is filled by a person providing a service; and

WHEREAS, the Borough of Washington in the County of Warren, State of New Jersey requires that a resolution authorizing the award of contract for Professional Services without bid, not to exceed \$17,500, be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Washington, Warren County, New Jersey as follows:

That Matthew Moench be appointed as Municipal Prosecutor beginning January 1, 2024 thru December 31, 2024.

Motion made by Cox and seconded by Musick to adopt Resolution 2024-45

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2024-45
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT
FOR PROFESSIONAL SERVICES WITHOUT PUBLIC BID
FOR A PUBLIC DEFENDER

WHEREAS, the Borough of Washington in the County of Warren, State of New Jersey requires that a resolution authorizing the award of contract for Professional Services without bid, not to exceed \$17,500, be publicly advertised.

NOW THEREFORE, BE IT RESOLVED, by the Borough Committee of the Borough of Washington as follows:

Donald Farino, 103 Pleasant View Road, Hackettstown, NJ 07840 is hereby appointed as Borough Public Defender within the Municipal Court of the Borough of Washington for 2023.

BE IT FURTHER RESOLVED that the Borough Council of the Borough of Washington is hereby authorized to execute this resolution and advertise the same according to law.

Motion made by Cox and seconded by Gorshkov to adopt Resolution 2024-46

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

Ayes: 5 Nays: 2 (Gorshkov, France)

Motion passes.

RESOLUTION 2024-46
RESOLUTION APPOINTING BRIAN S. BOND AS MUNICIPAL RECYCLING
COORDINATOR

WHEREAS, pursuant to N.J.S.A. 13:1E et. seq. all municipalities must designate a Municipal Recycling Coordinator as well as a Clean Communities Coordinator; and

WHEREAS, the foregoing appointments shall be for one (1) calendar year, expiring on December 31 of each year; and

WHEREAS, the administration of these programs beautify the Borough, educate the public about proper recycling and solid waste disposal practices, and provide much needed revenue to the Borough via Clean Communities and Recycling Tonnage Grants; and

WHEREAS, Brian S. Bond serves as the appointed Borough of Washington representative to the Warren County Solid Waste Advisory Council; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that Brian S. Bond be appointed Clean Communities Coordinator and Municipal Recycling Coordinator through December 31, 2024, and retroactive to January 1, 2024;

Motion made by Cox and seconded by Gorshkov to adopt Resolution 2024-47

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

Ayes: 5 Nays: 2 (Gorshkov, France)

Motion passes.

**RESOLUTION 2024-47
ACTING ZONING OFFICER**

WHEREAS, in accordance with the Borough of Washington Code Chapter 3, Administration of Government, Article XI; section 70; Zoning Officer; and

WHEREAS, under this ordinance the Borough Manager is directed to appoint the Zoning, The Borough Manager is deferring this appointment to the Borough Council to appoint the Zoning Officer.

NOW THEREFOR, BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren as follows:

1. Brian S. Bond is hereby appointed acting Zoning Officer of the Borough of Washington pursuant to the Borough of Washington Municipal Code Chapter 3, Administration of Government; Article XI; Section 3-70 Zoning Officer, effective February 1, 2024, to up to ten (10) hours per week to include the hours of Monday 4:30 p.m. to 6:30 p.m., Tuesday 2:00 p.m. to 4:00 p.m. and Wednesday 2:00p.m. to 4:00 p.m. and any additional hours as required; and the annual stipend as per the Salary Ordinance 2023-12 in the amount of \$15,000.

RECAP

Borough Manager Bond recapped the following:

Stated that this was a great meeting, a lot of budget items need to be covered and information will be coming out in the next week and half. Next meeting will start at 6pm for budget discussions.

COUNCIL REMARKS

Councilman Brown gave the following remarks:

- Thanked everyone for coming out tonight. Stated that he's been in construction for many years and stated that if you don't maintain property there's a big bill if it's not taken care of. Borough needs to make sure that a certain amount of the budget goes towards maintenance.

Councilwoman Cox gave the following remarks:

- Stated that she wanted to make a motion at the beginning of meeting that after we do our pledge allegiance we have a silent prayer for veterans and for all the people that live in our country and added that these are the most difficult times for so many people. It's something we should implement like a silent moment of prayer for whomever and for everyone. If we can't be here to help each other then we can't expect anyone else to help us to be held accountable. Appreciated those who came here and spoke up about something they seen, and they have concerns about. Stated her condolences to Manager Bond on the passing of his father. Asked that everyone keep him in your prayers. Thanked everyone for coming out and to be careful going home.

Councilman France gave the following remarks:

- Agreed with the Manager about sewer and added that he is looking forward to working on that. Thanked the person for alerting them with regards to the train and emphasized the county and fire department and the state should all be notified immediately and whoever owns it needs to tend to it. It's a hazard and something needs to be done immediately. Stated that he is looking forward to working on the budget and hearing from the CFO and he will be a stickler on spending. Stated that he is upset with prior council and their spending. Thanked everyone for coming out.

Councilman Infinito gave the following remarks:

- Stated that he is looking forward to budget discussions and agrees with the train issue. Looking forward to the next meeting. This Thursday is the BID dinner and excited for that and very excited for the new businesses and happy to have an ice cream on main street.

Councilwoman Gorshkov gave the following remarks:

- Thanked the resident for informing council of the train situation and will do her best to work on that. Thanked everyone else for coming out and listening to minutes.

Mayor Conry gave the following remarks:

- Thanked everyone for coming out tonight. We are asking for a prayer for Brian and his family, he lost his father and pray for everyone in this nation who lost a loved one as well. Sometimes we forget what others are going through. Be mindful of what we say. The fire chief's dinner was nice and it was a nice time. Will be attending the BID event on Thursday. Stated for everyone to get home safely and added that everyone to be mindful of who you talk to and how you talk to them.

EXECUTIVE SESSION

Motion made by Cox and seconded Musick by to pass a resolution to go into executive session at 8:34 pm, all were in favor.

RESOLUTION **AUTHORIZING EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act, P.L. 975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss contractual. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

Motion to return to regular session made by Cox and seconded by Gorshkov , all were in favor.

ADJOURN

Hearing no further business to come before Council, motion made by Cox and seconded by Gorshkov to adjourn the meeting at 9:05 PM, all were in favor.

Laurie A. Courter, RMC
Borough Clerk