
BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY

WASHINGTON BOROUGH COUNCIL MINUTES

DATE: March 19, 2024

The regular meeting of the Borough Council of Washington, Warren County, New Jersey was held in councils 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

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 hearing, all were in favor.

Mel Thiel, BID Executive Director, reported on the upcoming job fair on April 19th from 10am to 4pm at the Habitat Community Center.

The annual adopt a planter is again being done this year with 37 planters available and over half have already been adopted. If anyone is interested in adopting a planter they are \$35.00 each.

Mrs. Thiel inquired about the properties with X's on them and asked if the borough can get the landlords to do something with those buildings so there are no X's on the buildings.

Rachel Somanchie (sp), borough resident, spoke of an incident in her home involving a raccoon and the ACO officer coming out and advising her of a fee to take care of the raccoon. Ms. Somanchie asked if the ACO charges what he wants. Manager Bond responded that there are different charges if he has to go inside the house. Ms. Somanchie continued on and inquired about borrowing a trap from the ACO and issues with squirrels being a problem on power lines.

Rubin Morena, Washington Township resident, gave a brief explanation and a handout on a traffic study he paid for regarding the potential of having another cannabis dispensary within the borough. Stated that Dank Poet is doing great. The traffic report done by an engineering group concluded that the traffic impact is 550 average daily weekday visitors and 700 daily weekend visitors. This would be amazing for businesses advocating for downtown with a dispensary that also offers delivery . Mr. Morena went on to ask for the redevelopment plan to be amended to allow this type of business and asked for a letter of support.

Scott Bartlett, borough resident, inquired about the soccer program, and stated that last year it was shut down and cancelled. He is trying to get someone from the recreation committee but is getting no response. He needs to figure out what's going on because the Township cannot absorb them, and this will be a concern with the kids. Manager Bond explained that it's a 5013c not affiliated with the borough. Attorney Peterson advised that he can always start a new one and end the old one (committee). Attorney Peterson stated he will look into it more along with the Manager.

Robin Klimko, borough resident, discussed the problem at 19 Gardner's Court, and the Verizon owned parking lot that is causing flooding to residents' property. Ms. Klimko stated that the property was deeded to the borough, which maintains the road. This was known when the last manager was here. No one is doing anything. Basins are full of water that runs down the parking lot going downhill over a stone wall that runs like Niagara Falls. Every time it rains the fire department is out helping. Problem is with Verizon and asked the council to have them fix this problem.

Dale Winkler, Gardner's Court explained the issue on Gardner's Court at his house dating back to speaking with the former borough manager, Alan Fisher, in which they were supposed to come here to sign the deed. Mr. Winkler stated he has copy of letter. Mr. Winkler explained the situation regarding the water that has been up to four feet in his basement with no help from the borough at all. Mr. Winkler stated he has been to every manager with no help, since 2002.

Jenny Winkler, borough resident, showed borough council video of how much water Mr. Winkler gets.

RJ Sherman, borough resident stated he wanted to clarify some things regarding the road back where everyone is talking about regarding maintaining it and who would be responsible. Mr. Sherman says he has a letter from the borough that he will look for stating this. Mr. Sherman explained about the roof drains from the garage going into the ground. A french drain was installed behind the pole barn because rain was coming through their garage. The french drain moves the water around the pole barn. Mr. Sherman added that it's not only Verizon its other land back there with run off as well. Mr. Sherman briefly discussed the sewer back up that occurred into his washer a few years ago,

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

MINUTES

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

March 5, 2024

REPORTS

Committee Reports:

Recreation-Councilman Infinito reported that he, Brian, and Kat, met with the DPW to go over what work needs to be done to get the pool ready for the summer. They discussed some maintenance issues, and they will be having a second meeting with BLUE to discuss pool programming for swim lessons. They are also looking into starting a swim team back up again.

Shade Tree, Councilman France reported on the Shade Tree Committee meeting held last night. There is quite a bit going on with replacing trees. They are looking for an additional \$3,100 to put in their budget this year to replace trees.

Streets-Councilman Brown inquired about Rute 57 and the water company closing off sections of the road and reported that businesses were not notified of this construction. Brown asked about getting notice. Manger Bond stated he only received notice this past Friday after everyone started complaining. Mr. Bond went onto explain that being this is a state road, it's hard for us to enforce notice.

Ordinance -Councilwoman Gorshkov stated that she went over fee schedules with Brian. They looked over the code book for fees. Gave a fun fact that street littering was adopted in 1884. Gorshkov reported that she noticed in alley ways there are things obstructing the alleys like concrete flowerpots and cited the code regarding blocking alleyways. 44-12A and wanted to have a reminder to businesses they shouldn't be blocking fire hydrants and alleyways.

VOUCHERS-Approval of Claims

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

Clerk, Laurie Courter stated that PO 20240322, is being pulled from the bill list. Discussions regarding an automatic renewal charge ensued.

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

Ayes: 7 Nays: 0

Motion passes.

PROCLAMATION

Mayor Conry read the following proclamation into record:

PROCLAMATION
CASA Child Advocate Month

WHEREAS, the Borough, in Warren County, New Jersey recognizes the problem of child abuse and neglect and is committed to helping it's victims; and

WHEREAS, Court Appointed Special Advocates (CASA) of Somerset, Hunterdon and Warren Counties recruits, screens trains, supports and supervises community volunteers as advocates for children who have been removed for their homes due to neglect and abuse; and

WHEREAS, adverse childhood experiences and trauma, such as those caused by child abuse or neglect, can have long-lasting effects on a child's health, wellbeing and success; and

WHEREAS, survivors of child abuse need people in their lives that will consider their best interests; and

WHEREAS, the Court Appointed Special Advocate programs have a record of public service, helping protect the safety and wellbeing of (town) abused and neglected children; and

WHEREAS, Court Appointed Special Advocates (CASAs) are assigned by family court judges to champion the needs of child abuse victims; and

WHEREAS, CASAs are everyday people, with diverse backgrounds and professions, that go through very specialized training to be a volunteer voice for children in the child welfare system; and

WHEREAS, CASAs volunteers serve as the court's eyes and ears in a child's life, helping to improve the quality of information presented to the court and child welfare systems; and

WHEREAS, April 2023 is National Child Abuse Prevention and Awareness Month, an observance that reflects the purpose of CASA programs;

NOW, THEREFORE BE IT PROCLAIMED, Mayor Ethel Conry, Deputy Mayor Louann Cox, Mr. Brown, Ms. Gorshkov, Mr. France, Ms. Musick and Mr. Infinito of Washington Borough on this 19th day of March do hereby proclaim:

APRIL 2024
AS
CASA CHILD ADVOCATE MONTH

ORDINANCE-1st Reading

Motion made by Brown and seconded by Infinito to approve Ordinance 2024-04 on first reading.

Discussions-Brown asked what the increase for residents is. Manager stated it will be about \$37 dollar increase and it will raise \$500,000. Manger Bond went on to explain the purpose of the ordinance. Discussions ensued regarding emergency issues and help from other entities and having the CAP for these emergencies.

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

Ayes: 3 Nays: 4 (Cox, France, Gorshkov, Musick)

Motion fails.

2nd Reading:

Motion made by Brown and seconded by Gorshkov to open the public hearing for Ordinance 2024-03.

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

Ayes: 7 Nays: 0

Motion passes.

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

Motion made by Musick and seconded by Gorshkov to adopt Ordinance 2024-03.

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

Ayes: 7 Nays: 0

Motion passes.

ORDINANCE 2024-03

An Ordinance of the Borough of Washington Amending Chapter 64 Parks, Borough Article 1, Section 64-1 entitled, “Control of Parks”, of the Ordinances of The Borough of Washington

WHEREAS, on September 1, 2020, the Mayor and Borough Council of the Borough of Washington, County Warren adopted Ordinance 2020-12 amending Article VIIIA §3-55.1 to §3-55.9 of the Borough Code eliminating and dissolving the Board of Recreation Commissioners and establishing the Borough of Washington Recreation Committee in its place: and

WHEREAS, upon review of the Borough Code it was discovered that Chapter 64, Article I, Section 64-1 had not been amended to reflect the elimination and dissolution of the Board of Recreation Commissioners;

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 64-1 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~~):

The ~~Board of Recreation Commissioners~~ *Mayor and Council* shall have full control over all lands, playgrounds and recreation places acquired or leased in the name of the Borough of Washington, ~~except the Borough pocket park located on Block 24, Lot 24, of the Borough,~~ and may adopt rules, regulations and bylaws for the use thereof and the conduct of all persons while on or using the same, ~~subject to the review and approval of the Mayor and Council.~~

Section 2. All ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.

Section 3. 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 4. This Ordinance shall take effect upon final passage and publication according to law.

RESOLUTIONS

Motion made by Musick and seconded by Gorshkov to adopt Resolution 2024-60

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2024-60

Governor's Council on Alcoholism and Drug Abuse

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Washington, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Warren,

NOW, THEREFORE, BE IT RESOLVED by the Borough of Washington, County of Warren, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Franklin/Mansfield/Washington Municipal Alliance grant for fiscal year 2025 in the amount of:

GCADA Grant	\$2,476.00
Cash Match	\$619.00
In-Kind	\$1,857.00

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Motion made by Cox and seconded by Musick to adopt Resolution 2024-61

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

Ayes: 7 Nays: 0

Motion passes.

**RESOLUTION 2024-61
BOROUGH OF WASHINGTON
COUNTY OF WARREN**

**RESOLUTION
FOR PLANNING SERVICES**

WHEREAS, the Highlands Water Protection and Planning Act (“Highlands Act”), N.J.S.A. 13:20-1 *et seq.*, finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State’s drinking water supplies and other significant natural resources; and

WHEREAS, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (“Highlands Council”) to prepare and adopt a Regional Master Plan for the Highlands Region; and

WHEREAS, Section 13:20-15.a, of the Highlands Act states that for any municipality located wholly in the Planning Area or for the portion of a municipality lying within the Planning Area, the municipality may, by ordinance, petition the Highlands Council of its intention to revise its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, to conform them with the goals, requirements and provisions of the Regional Master Plan (“Plan Conformance”), and

WHEREAS, Washington Borough (the “Borough”) is located in the Highlands Region with lands lying within the Planning Area, as defined by Section 7 of the Highlands Act; and

WHEREAS, the Highlands Council prepared and distributed to the Borough and other municipalities within the Highlands Region guidelines outlining the process and procedures for petitioning the Highlands Council for Plan Conformance which includes a comprehensive package of planning and implementation documents that meet the requirements of the Highlands Act, the Regional Master Plan, and the Highlands Plan Conformance Guidelines; and

WHEREAS, Plan Conformance by municipalities is strictly voluntary for lands in the Planning Area, and the Borough may at any time voluntarily revise its master plan, development regulations, and other regulations, as applicable to the development and use of land in the Planning Area, to conform them to the Regional Master Plan; and

WHEREAS, at any time during the Plan Conformance process, the Borough may withdraw from the Plan Conformance process and any approvals, rejections, or conditions of revised municipal master planning documents or development regulations recommended by the Highlands Council during the Plan Conformance process, will not be binding on the Borough; and the Borough may choose not to obtain conformance with the Regional Master Plan for the lands lying within the Planning Area; and

WHEREAS, the Borough petitioned the Highlands Council of its intention to revise its master plan, development regulations, and other regulations, as applicable to the development and use of land in the Planning Area, to conform them with the goals, requirements and provisions of the Regional Master Plan and Plan Conformance Guidelines, the Borough enacted ordinance 2021-06, as required by the Highlands Act; and

WHEREAS, upon application of the Borough, the Highlands Council has made, or will make, grant funding and other financial and technical assistance available to the Borough for the reasonable costs associated with the revision of the master plan, development regulations or other regulations, as applicable to the development and use of land in the Planning Area, which are designed to bring those plans and regulations into conformance with the Regional Master Plan and the Highlands Council shall provide grant funds for all mandatory aspects of Plan Conformance in accordance with the Plan Conformance Grant Program, and may also provide grant funds for the discretionary aspects of Plan Conformance as determined by the Highlands Council; and

WHEREAS, should the Borough formally withdraw from the Plan Conformance process, grant funding awarded to the Borough up to the date of withdrawal that has been appropriately utilized in accordance with the Plan Conformance Grant Program and applicable grant agreement shall not be reimbursable to the Highlands Council;

WHEREAS, the Borough has received proposals from Heyer, Gruel and Associates to prepare an Updated Land Use Master Plan Element, a Comprehensive Design Standards for the Downtown Corridor and a Comprehensive Revision of the Borough’s Zoning and Land Development Ordinance.

WHEREAS, the Updated Land Use Master plan element shall not exceed \$27,000; the Comprehensive Design Standard for the Downtown Corridor shall not exceed \$15,000 and the Comprehensive Revision of the Borough’s Zoning and Land Development shall not exceed \$45,000.

NOW, THEREFORE BE IT RESOLVED, that the Washington Borough Council hereby approves the proposals submitted by Heyer, Gruel and Associates contingent upon the New Jersey Highlands Council providing Grant funding to cover the costs..

Motion made by Cox and seconded by Musick to adopt Resolution 2024-62

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

Ayes: 7 Nays: 0

Motion passes.

**RESOLUTION 2024-62
A RESOLUTION TO VOID AND STOP PAYMENT**

WHEREAS, check # 3425 was written on February 7 , 2024 on the Washington Borough's Operating Account in the amount of \$463.20; and

WHEREAS, check was made payable to NJ Department of Health and Senior Services at the address of P.O. Box 369, Trenton, NJ 08625.

WHEREAS, the Department of Health and Senior Services notified the borough that the check was not received for the January Dog License Report; 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 check.

Motion made by Cox and seconded by Gorshkov to adopt Resolution 2024-63

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

Ayes: 7 Nays: 0

Motion passes.

RESOLUTION 2024-63

**RESOLUTION RE-APPOINTING CONSTANCE DEAN AS DEPUTY MUNICIPAL
CLERK AND DEPUTY REGISTRAR FOR THE BOROUGH OF WASHINGTON,
WARREN COUNTY, STATE OF NEW JERSEY**

WHEREAS, N.J.S.A 40A:9-135 permits a municipality to have a Deputy Municipal Clerk; and

WHEREAS, the Borough Code Chapter 3-31 Section B creates the position of Deputy Municipal Clerk;, and

WHEREAS, Constance Dean has been in the position of Deputy Clerk and Deputy Registrar since March 27th, 2023.

NOW, THEREFORE BE IT RESOLVED, by the Borough of Washington Governing Body on the recommendation and authority of the Municipal Clerk to re-appoint Constance Dean as Deputy Clerk and Deputy Registrar for a term of one year, from today's date and subject to reappointment each year thereafter by the Municipal Clerk.

RECAP

Manager Bond reminded everyone of the budget meeting on the 30th . Bond requested that for questions regarding the budget to get them to him in advance so that he will have a definitive answer at the meeting. Manager Bond reported that he met with the fire chief and director of the public works regarding fire call outs. They have a good solid plan to propose . They want to ensure council is dedicated and supportive of the DPW workers' ability to respond to calls and that it won't ever be held against them. Fire Chief Hartrum added the following regarding the proposal: Looked into turn out gear. It would take four sets of turn out gear to staff the DPW crew which cost \$5100 per piece. The fire department can afford to buy two sets of gear and proposed the town buy the other two. He talked to the DPW guys one of their concerns is the backlash from council on every move they make. They are willing to do what we discussed as long as there is no back lash. It was the consensus of the town to buy the other two sets of gear. Cox recommended that the borough should pick up all four turn out gear because they are four of our guys. Cox stated to let the fire department keep their money in case they need it for something in the future.

Motion made by Infinito and seconded by Brown to support this plan with paying for the four turn out gear and have no negative feedback towards DPW workers and having this plan with the DPW and the fire company for coverage.

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

Ayes: 7 Nays: 0

Motion passes.

Fire Chief Hartrum gave the following report for OEM:

Went to his first meeting last Wednesday. He received a thumb drive with supposed Borough OEM plans on it. Higgins gave him the password, but he can't get into thumb drive. The County was able to print out a report they had on file. Chief Hartrum stated he is going through and making updates on it. He has until May to turn it in. Copies will be distributed to the Manager.

COUNCIL REMARKS

Councilman Infinito gave the following remarks:

- Thanked everyone for coming out.

Councilwoman Musick gave the following remarks:

- Thanked everyone for coming out. Stated that she was sorry she missed the BID meeting due to being sick but will be at the next one.

Councilman France gave the following remarks:

- Thankful for everyone coming out and is happy about the motion with the DPW and the Fire department. Upsets him that the DPW would think there would be negative thoughts of them doing the plan with the fire company.
- Expressed his concern with residents getting flooded. Asked those in attendance to try to work closely with Brian, he will work with you best he can.

Councilwoman Gorshkov gave the following remarks:

- Thanked everyone and wished everyone a good night.

Deputy Mayor Cox gave the following remarks:

- Stated that she was glad to help the Fire department and the DPW and stated that you can't measure what it costs to dress someone when it comes to someone's life or home. Stated that she hopes to help those with the flooding issues.
- Addressed a topic she brought up before regarding a moment of silence at every meeting and added that we really need to take a moment to reflect what's in our hearts and ask for guidance.
- Expressed her opinion on the CAP ordinance hoping it would've been held and not done tonight. Asked that Manager Bond responds to issues that are brought to him in a timelier manner. Thanked everyone for coming out.

Mayor Conry gave the following remarks:

- Thanked everyone for coming out. Stated that certain words coming out of mouths doesn't fit the forum here and asked the council to watch how they speak to the residents. Hopes to see this size crowd again at next meeting.

EXECUTIVE SESSION

Motion made by Cox and seconded by Gorshkov to enter into executive session, all were in favor.

RESOLUTION

AUTHORIZING EXECUTIVE SESSION

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

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

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

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

Motion made by Cox and seconded by Gorshkov to come out of executive session at 9:13 pm, all were in favor.

ADJOURN

Hearing no further business to come before Council, motion made by Musick and seconded by Gorshkov to adjourn the meeting at 9:13 PM, all were in favor.

Laurie A. Courter, RMC
Borough Clerk