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*BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY*

*WASHINGTON BOROUGH COUNCIL MINUTES*

*DATE: April 16, 2024*

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The regular meeting of the Borough Council of Washington, Warren County, New Jersey was held in councils chambers at 6:00 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.

### **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.”

Council Discussion: Manager Bond started discussions and stated this was started in 2022, there were some changes and is now in the forefront to finally allow outdoor dining. Covid allowed outdoor dining but has since gone away. Discussions of hours relative to the businesses and areas near residential areas ensued. Consensus was to have a set time of 7am-9pm. The borough attorney and manager will discuss more and have another workshop and update the ordinance at the next meeting, which will include involving the borough’s planner.

## **PRESENTATION**

CPR Save Awards, Washington Township Police Department, Chief Jones:

Chief Jones presented officers with awards in recognition of CPR administered to residents within the borough. Chief Jones also thanked the governing body for this opportunity to present the awards to the officers at tonight's meeting.

## **PUBLIC COMMENT**

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

Mel Thiel-BID Executive Director gave the following report:

Mrs. Thiel stated that she had a grand opening this past Saturday and thanked Ethel and Chris for attending the opening of Bricks, Bots and Beakers. A science facility that is fun learning for students ages from six through high school. They host birthday parties and education, which they are a franchise.

Planters are going out the weekend after Mother's Day. There are 12 planters to be adopted or sponsored. They are \$35 each and the order form is on BID website.

Chris Caruso, Dank Poet, and Sonia Molick one of the owners and CFO of Dank Poet, stated that its been three months since opening and discussed their experience and commitment to the community. They presented the city cannabis tax in amount of \$12,663.00 to the borough. They are collaborating with local businesses to encourage their customers to enjoy borough offerings. They will also be donating a portion of revenue to music and watershed association.

Chris Caruso-CEO Dank Poet-stated his concern with the borough opening a second dispensary. Discussed rumors that another dispensary is poised to open on Boulevard Avenue across from where they are located.

Antonio Messina, owner of 100 Boulevard, discussed the letter that was sent in February regarding a request to vacate a portion of Jefferson Street. Discussion with Attorney Peterson ensued regarding the proper ownership in which he believes the borough does not own. Antonio clarified for the record regarding accusations of rumors of opening a cannabis dispensary and stated that the borough has to have two dispensaries, the borough cannot allow just one. Antonio added that they are local and have grown up here.

Hearing no further public comment, motion made by Cox and seconded by Musick 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 30, 2024 (Budget)

April 2, 2024

## **REPORTS**

### **Committee Reports**

Recreation-Infinito reported there were two different WBYA meetings that were held trying to start and revamp the soccer program. Scott Bartlett came and let us know that the township no longer is offering the soccer program. Infinito stated they discussed the feasibility of starting the program in which they will try and do it. Scott Bartlett was made the soccer director. They are having public meetings and announced they are looking for coaches and sign ups.

Pool-Infinito reported that the discussions to partner with BLUE to offer swim lessons this summer fell through. They will be looking at other options.

Ordinance Gorshkov stated that before the agenda came out she was looking into writing an ordinance for squatters and had asked Mr. Peterson if there is anything we can do. New York City has a huge problem of squatters. Attorney Peterson stated he will look into it. Gorshkov stated that its hard to kick them out in NYC. New Jersey might be changing but there are not any laws to protect homeowners currently.

Senior Committee-Cox reported that she went to the Brass Castle church on Thursday no one was able to help her or tell her where to go about taking care of the seniors. One person asked for a donation to an event they are having in May. Cox reported that she put a call into the Warren County Office of Aging. Cox stated that she will play it by ear and do something that will be put out to whoever wants to come in the future.

### **VOUCHERS-Approval of Claims**

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

Discussion-a question was asked regarding paying for shipping on an Amazon purchase.

Gorshkov discussed the 2024 spring conference for Holly Dominguez and inquired about money coming from the sewer account for this.

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

Ayes: 7 Nays: 0

Motion passes.

## **NEW BUSINESS**

- Affordable Housing Legislation challenge.  
Manager Bond explained that the Township of Madison is looking for others to join a class action lawsuit which would be free for the borough. They oppose the new affordable housing laws that were passed. We are not in favor of them either. Attorney Peterson stated that one of the arguments is that there is no funding for implementing this mandate. Attorney Peterson suggested that before the borough joins Madison, wait to see the complaint before signing it. We can tell them we are interested and see our options.
- Open Container  
Manager Bond brought up a request through the BID from Buttzville Brewing allowing open containers for the festival in the borough. Chief Jones discussed the open container being contingent of closing Belvidere Avenue and gave examples of how to enhance the safety of closing Belvidere Avenue to East Church Street. With no vehicle traffic this allows people to walk freely and walk amongst the stages. Spoke with fire company and they had no issue with that stretch of the block. Discussions are still in their infancy. Discussions ensued regarding concerns about open containers and allowing this option and with the youths being present. Chief Jones suggested that if the borough wants this it needs to be contingent on closing the road and getting approval with the DOT for Belvidere Avenue.

## **RESOLUTIONS**

Motion made by Brown and seconded by Infinito to adopt Resolution 2024-76

Roll call: Brown, Cox, France, Gorshkov, Infinito, Musick and Conry.  
Ayes: 3 Nays: 4  
Motion fails.

Motion made by Brown and seconded by Infinito to adopt Resolution 2024-77

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

### **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.

Motion made by Cox and seconded by Musick to adopt Resolution 2024-78

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

Ayes: 7 Nays: 0

Motion passes.

**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 16<sup>th</sup> 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.

Motion made by Cox and seconded by Gorshkov to adopt Resolution 2024-79

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

**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.

### **RECAP**

Manager Bond recapped the following:

This was a productive meeting , borough is moving in right direction. Glad everyone came out. Great to see the support of the officers and hope to move forward.

Attorney Peterson gave an update on Jade Partners; hoping it is moving forward, heard it's going to be June or July. Attorney Peterson has not heard back from their attorney about reappointing a new developer, he will find out what's holding them up. They are in litigation amongst themselves.

### **COUNCIL REMARKS**

Councilman Infinito gave the following remarks:

- Stated that he is happy about the discussions for the ordinance in having the workshop before the meetings. Stated that it is very important to have open dialog. Thanked the police for coming and giving out awards. Stated for Resolution 76, Solid Waste, he is incredibly confused considering we introduced a budget with assumptions the fees will be increased.

Deputy Mayor Cox gave the following remarks:

- Cox stated that the confusion of solid waste is that we are putting out bids, there was no this or that. Lengthy discussions ensued regarding the solid waste resolution that failed and what was discussed during the budget meeting.
- Thanked the police department for everything they do for always being here. Asked for a better department report from the DPW.
- Thanked everyone for coming out.

Councilman France gave the following remarks:

- The Shade Tree will be planting trees in celebration of Arbor Day.
- Mr. France stated that there is no manual as to how to be a councilman and on how to handle fees. You learn as you go. Reading about some ignorant things that have been done. Garbage was ignorant. Stated that in the past the town turned down M&M Mars they went to Hackettstown same with commuter train in which he stated he doesn't understand why. Stated his opposition of using sewer funds for budget. He has a two-family home, he pays double.

Councilman Brown gave the following remarks:

- Stated that with regards to the sewer resolution, we did cover this when talking about the budget. This was how we were going to do it.

Councilwoman Gorshkov gave the following remarks:

- Congratulated the police officers for earning their CPR Save Awards with the many lives they saved. Proud of them .

Mayor Conry gave the following remarks:

- Discussed the tax/sewer bill and what was included from in the past and stated she hopes it all gets resolved concerning the sewer bills.

## **ADJOURN**

Hearing no further business to come before Council, motion made by Cox and seconded by Gorshkov to adjourn the meeting at 8:48 PM, all were in favor.

Laurie A. Courter, RMC  
Borough Clerk