

TOWNSHIP OF WASHINGTON, WARREN COUNTY

Regular Meeting
August 21, 2024

The regular meeting of the Township Committee was held on this date at the Washington Township Municipal Building, 211 Route 31 North, Washington, N.J. The meeting was called to order at 6:30 p.m. by Mayor Robert Klingel.

SUNSHINE LAW COMPLIANCE – Mayor Klingel noted that this meeting was being held in compliance with the Open Public Meetings Law of 1975 in as much as a notice had been published in the Warren County, NJ Zoned Edition of the Express-Times and the Star Ledger, posted at the Municipal Building, and a copy is on file in the Clerk’s office. This agenda is subject to change by order of the Washington Township Committee before and/or during the scheduled meeting.

ROLL CALL

Fiore, present; Kovacs, present; Rossi, present; Willan, present; Klingel, present

STAFF PRESENT

Ann Kilduff, Township Clerk; Michael Lavery, Township Attorney; Peter deBoer, Township Administrator; Andrew Hart, DPW Supervisor; Eileen Parks, CFO; Kevin Smith, Township Engineer; Lt. Phil Smith, WTPD; Chief Jones, WTPD (7:25)

SALUTE TO THE FLAG

APPROVAL OF MINUTES

A motion was made by Willan, seconded by Kovacs, to approve the minutes of the regular meeting of July 17, 2024.

ROLL CALL: Willan, yes; Kovacs, yes; Fiore, yes; Rossi, yes; Klingel, yes

A motion was made by Rossi, seconded by Fiore, to approve the Executive Session minutes of the regular meeting of July 17, 2024.

ROLL CALL: Rossi, yes; Fiore, yes; Kovacs, yes; Willan, yes; Klingel, yes

PAYMENT OF BILLS

A motion was made by Willan, seconded by Kovacs, to approve the payment of the bills in the amount of \$3,867,985.69.

ROLL CALL: Willan, yes; Kovacs, yes; Fiore, yes; Rossi, yes; Klingel, yes

ORDINANCES

A motion was made by Kovacs, seconded by Rossi, to open to the public Ordinance 2024-13, Ordinance of the Township of Washington, County of Warren, State of New Jersey to Amend and Supplement Chapter 30, “Police Department” of the Code of the Township of Washington – 2nd Reading, Public Hearing and Adoption. All were in favor.

Seeing no one to address the Committee, a motion was made by Rossi, seconded by Fiore, to close the public portion of Ordinance 24-13. **All were in favor.**

A motion was made by Kovacs, seconded by Willan, to adopt Ordinance 24-13 on second reading.

ROLL CALL: Kovacs, yes; Willan, yes; Fiore, yes; Rossi, yes; Klingel, yes

A motion was made by Fiore, seconded by Rossi, to introduce to the public Ordinance 24-14, Ordinance of the Township of Washington, County of Warren, State of New Jersey Adopting Chapter 90A Entitled "Camping Prohibited on Public Property - Introduction (2nd Reading, Public Hearing and Adoption at the September 18, 2024 Meeting)

ROLL CALL: Fiore, yes; Rossi, yes; Kovacs, yes; Willan, yes; Klingel, yes

ORDINANCE NO. 2024-14

ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY ADOPTING CHAPTER 90A ENTITLED "CAMPING PROHIBITED ON PUBLIC PROPERTY"

WHEREAS, on June 28, 2024, the Supreme Court of the United States upheld an Oregon Ordinance which prohibited camping on public property; and

WHEREAS, the Township Committee of the Township of Washington, in the County of Warren, State of New Jersey (the "**Township**"), a public body corporate and politic of the State of New Jersey (the "**State**"), finds it to be in the best interest of the residents of the Township to prohibit camping on public property.

NOW, THEREFORE, BE IT ORDAINED by the Township of Washington, County of Warren, State of New Jersey that Chapter 90A, entitled "Camping Prohibited on Public Property" is hereby amended as follows:

Section 1.

Chapter 90A shall state as follows:

§90A-1 Title.

This chapter shall be known and cited as "Camping Prohibited on Public Property."

§90A-2 Purpose.

The purpose of this chapter is to permit the Township Committee to prohibit camping on public property throughout the Township as well as establish standards of removal of campsites on public property.

§90A-3 Definitions.

Unless the context requires otherwise, the following definitions apply to Chapter 90-7.1.

- A. "To Camp" means to set up or to remain in or at a campsite.
- B. "Campsite" means any place where bedding, sleeping bag, or other material used for bedding purposes, or any stove or fire is placed, established, or maintained for the purpose of maintaining a temporary place to live, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.

§90A-4 Sleeping on sidewalks, streets, alleys or within doorways prohibited.

- A. No person may sleep on public sidewalks, streets, or alleyways at any time as a matter of individual and public safety.
- B. No person may sleep in any pedestrian or vehicular entrance to public or private property abutting a public sidewalk.
- C. In addition to any other remedy provided by law, any person found in violation of this section may be immediately removed from the premises.

§90A-5 Camping prohibited.

No person may occupy a campsite in or upon any sidewalk, street, alley, lane, public right of way, park, bench, or any other publicly-owned property or under any bridge or viaduct, unless (i) otherwise specifically authorized by this Code, (ii) by a formal declaration of the Mayor in emergency circumstances, or (iii) upon Committee resolution, the Committee may exempt a special event from the prohibitions of this section, if the Committee finds such exemption to be in the public interest and consistent with Committee goals. Any conditions imposed will include a condition requiring that the applicant provide evidence of adequate insurance coverage and agree to indemnify the Township for any liability, damage or expense incurred by the Township as a result of activities of the applicant. Any findings by the Committee shall specify the exact dates and location covered by the exemption.

§90A-6 Camping in parks

- A. It is unlawful for any person to camp, as defined in §90-7.1 within the boundaries of the Township parks.
- B. Overnight parking of vehicles shall be unlawful. For the purposes of this section, anyone who parks or leaves a vehicle parked for two consecutive hours or who remains within one of the parks as herein defined for purposes of camping as defined in this section for two consecutive hours, without permission from the Township Committee, between the hours of midnight and 6:00 a.m. shall be considered in violation of this Chapter.

§90A-7 Removal of campsite and persons in public property

Upon discovery of a campsite on public property, removal of the campsite and any person occupying the campsite by the Police Department may occur under the following circumstances:

- A. Prior to removing the campsite, the Township shall post a notice 8-hours in advance.
- B. At the time an 8-hour notice is posted, the Township shall inform a local agency (delivering social services to homeless individuals) of the location of the campsite.
- C. After the 8-hour notice period has passed, the Police Department is authorized to remove the campsite, along with any person occupying the campsite, and all personal property related thereto.

§90A-8 Disposition and release of personal property

For purposes of this Chapter, “personal property” means any item reasonably recognizable as belonging to a person and having apparent utility or monetary value. Items having no apparent utility or monetary value and items in an unsanitary condition may be immediately discarded. Weapons, drug paraphernalia, items appearing to be stolen, and evidence of a crime may be retained as evidence by the Police Department until an alternate disposition is determined. All personal property removed from the campsite which is not retained, disposed of, or held as evidence (as provided above) shall be stored by the Police Department in accordance with New Jersey Attorney General Evidence and Property Guidelines, during which time it shall be reasonably available for and released to an individual confirming ownership.

Section 2. Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3. Repealer

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4. Effective Date.

This Ordinance shall take effect upon final passage and publication as provided by law.

A motion was made by Rossi, seconded by Fiore, to introduce to the public Ordinance 24-15, Ordinance of the Township of Washington, County of Warren, State of New Jersey, Amending and Supplementing Chapter 64 "Development Regulations" of the Code of the Township of Washington - Introduction (2nd Reading, Public Hearing and Adoption at the September 18, 2024 Meeting)

ROLL CALL: Rossi, yes; Fiore, yes; Kovacs, yes; Willan, yes; Klingel, yes

ORDINANCE NO. 2024-15

ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 64 “DEVELOPMENT REGULATIONS” OF THE CODE OF THE TOWNSHIP OF WASHINGTON

WHEREAS, the State of New Jersey, Department of Environmental Protection, effective as of December 01, 2022, had revised and readopted the “Tier A Municipal Stormwater General Permit, NJPDES: NJ0141852 (MS4 General Permit), in accordance with N.J.A.C. 7:14A and the Township of Washington, County of Warren has been designated as a Tier A municipality; and

WHEREAS, the MS4 General Permit makes necessary the adoption or amendment of various municipal ordinances to incorporate environmental protections related to stormwater quality and that the NJDEP has provided the mandatory language needed for said protections; and

WHEREAS, the following environmental protections are appropriately incorporated into Township Code Chapter 64, “Development Regulations” to address prohibited illicit connections to the municipal separate storm sewer system (MS4) and the required retrofitting of private storm drain inlets.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Washington, County of Warren that Chapter 64, “Development Regulations” is hereby amended as required by State of New Jersey, Department of Environmental Protection, Tier A Municipal Stormwater General Permit as follows:

CHAPTER 64 Development Regulations

Replace 64-31.13:

§ 64-31.13 Illicit connections prohibited

A. Purpose

Prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Township of Washington, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

B. Definitions

The following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

1. Domestic sewage - waste and wastewater from humans or household operations.
2. Illicit connection – any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Township of Washington, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
3. Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).
4. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Washington or other public body, and is designed and used for collecting and conveying stormwater.
5. NJPDES permit – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A
6. Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algacides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
7. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
8. Process wastewater - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product,

finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.

9. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities or is conveyed by snow removal equipment.

C. Prohibited Conduct

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township of Washington any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

D. Enforcement

This prohibition against illicit connections, as provided herein, shall be enforced by the Construction Official or Municipal Engineer of the Township of Washington.

E. Penalties

Penalties shall be in accordance with **§64-31.12**.

Replace 64-31.14 as follows:

§ 64-31.14 Private Storm Drain Inlet Retrofitting

A. Purpose

Retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township of Washington so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

B. Definitions

The following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

1. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Washington or other public body, and is designed and used for collecting and conveying stormwater.
2. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
3. Storm drain inlet - an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
4. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Washington or other public body, and is designed and used for collecting and conveying stormwater.
5. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

C. Prohibited Conduct

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on

that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or
2. Is retrofitted or replaced to meet the standard in Section D below prior to the completion of the project.

D. Design Standards

Storm drain inlets identified in Section C above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard, see Section D.3 below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches or is no greater than 0.5 inches across the smallest dimension.
Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.
2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches or be no greater than two (2.0) inches across the smallest dimension.
3. This standard does not apply:
 - a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - ii. A bar screen having a bar spacing of 0.5 inches.
 - c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1”) spacing between the bars; or
 - d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

E. Enforcement

This prohibition against illicit connections, as provided herein, shall be enforced by the Municipal Engineer or other Municipal Officials of the Township of Washington.

F. Penalties

Penalties shall be in accordance with **§64-31.12**.

SEVERABILITY.

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

EFFECTIVE DATE.

This ordinance shall take effect immediately upon final publication as provided by law.

A motion was made by Kovacs, seconded by Rossi, to introduce to the public Ordinance 24-16, Ordinance of the Township of Washington, County of Warren, State of New Jersey Amending and Supplementing Chapter 83 "Littering" of the Code of the Township of Washington - Introduction (2nd Reading, Public Hearing and Adoption at the September 18, 2024 Meeting)

ROLL CALL: Kovacs, yes; Rossi, yes; Fiore, yes; Willan, yes; Klingel, yes

ORDINANCE NO. 2024-16
ORDINANCE OF THE TOWNSHIP OF WASHINGTON,
COUNTY OF WARREN, STATE OF NEW JERSEY
AMENDING AND SUPPLEMENTING CHAPTER 83 "LITTERING"
OF THE CODE OF THE TOWNSHIP OF WASHINGTON

WHEREAS, the State of New Jersey, Department of Environmental Protection, effective as of December 01, 2022, had revised and readopted the "Tier A Municipal Stormwater General Permit, NJPDES: NJ0141852 (MS4 General Permit), in accordance with N.J.A.C. 7:14A and the Township of Washington, County of Warren has been designated as a Tier A municipality; and

WHEREAS, the MS4 General Permit makes necessary the adoption or amendment of various municipal ordinances to incorporate environmental protections related to stormwater quality and that the NJDEP has provided the mandatory language needed for said protections; and

WHEREAS, the following environmental protections are appropriately incorporated into Township Code Chapter 83, "Littering" to address Litter Control, Containerized Yard Waste, Improper Disposal of Waste, and Pet Waste.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Washington, County of Warren that Chapter 83, "Littering" is hereby amended as required by State of New Jersey, Department of Environmental Protection, Tier A Municipal Stormwater General Permit as follows:

CHAPTER 83 Littering

Rename § 83-1:

§ 83-1. Purpose, Definitions and Word Usage

Replace § 83-1A:

A. Purpose of ordinance to:

- (1) Establish requirements to control littering in the Township of Washington, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.
- (2) Establish requirements for the proper handling of yard waste in the Township of Washington, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.
- (3) Prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Township of Washington, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.
- (4) Establish requirements for the proper disposal of pet solid waste in the Township of Washington, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

Amend first paragraph of § 83-1B:

- B. For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Amend § 83-1B Definition of Litter:

Litter

Any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

Add § 83-1B Definition of Litter Receptacle:

Litter Receptacle

A container suitable for the depositing of litter.

Add § 83-2C:

- C. Prohibited acts and regulated activities.
- (1) It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
 - (2) Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

Amend § 83-7A:

- A. No person shall throw, deposit or store litter on any private property within the Township, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private litter receptacles for collection and removal of same.

SEVERABILITY.

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

EFFECTIVE DATE.

This ordinance shall take effect immediately upon final publication as provided by law.

A motion was made by Willan, seconded by Kovacs, to introduce to the public Ordinance 24-17, Ordinance of the Township of Washington, County of Warren, State of New Jersey Amending and Supplementing Chapter 90 "Nuisances" of the Code of the Township of Washington - Introduction (2nd Reading, Public Hearing and Adoption at the September 18, 2024 Meeting)

ROLL CALL: Willan, yes; Kovacs, yes; Fiore, yes; Rossi, yes; Klingel, yes

ORDINANCE NO. 2024-17
ORDINANCE OF THE TOWNSHIP OF WASHINGTON,
COUNTY OF WARREN, STATE OF NEW JERSEY
AMENDING AND SUPPLEMENTING CHAPTER 90 "NUISANCES"
OF THE CODE OF THE TOWNSHIP OF WASHINGTON

WHEREAS, the State of New Jersey, Department of Environmental Protection, effective as of December 01, 2022, had revised and readopted the "Tier A Municipal Stormwater General Permit, NJPDES: NJ0141852 (MS4 General Permit), in accordance with N.J.A.C. 7:14A and the Township of Washington, County of Warren has been designated as a Tier A municipality; and

WHEREAS, the MS4 General Permit makes necessary the adoption or amendment of various municipal ordinances to incorporate environmental protections related to stormwater quality and that the NJDEP has provided the mandatory language needed for said protections; and

WHEREAS, the following environmental protections are appropriately incorporated into Township Code Chapter 90, "Nuisances" to address the prohibition of Wildlife Feeding on publicly owned property.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Washington, County of Warren that Chapter 90, "Nuisances" is hereby amended as required by State of New Jersey, Department of Environmental Protection, Tier A Municipal Stormwater General Permit as follows:

CHAPTER 90 Nuisances

Add the following definitions to § 93-2:

FEED

To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

WILDLIFE

All animals that are neither human nor domesticated.

Amend § 93-3 as follows:

It shall be unlawful for any person or persons to commit or allow nuisances as hereinafter defined in § 93-4.

Add the following paragraph to § 93-4:

- H. No person shall feed, in any public park or on any other property owned or operated by the Township of Washington, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program). Any person(s) found to be in violation of this prohibited act shall be ordered to cease the feeding immediately.

SEVERABILITY.

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

EFFECTIVE DATE.

This ordinance shall take effect immediately upon final publication as provided by law.

A motion was made by Kovacs, seconded by Rossi, to introduce to the public Ordinance 24-18, Ordinance of the Township of Washington, County of Warren, State of New Jersey Establishing Chapter 96 "Privately Owned Salt Storage" of the Code of the Township of Washington - Introduction (2nd Reading, Public Hearing and Adoption at the September 18, 2024 Meeting)

ROLL CALL: Kovacs, yes; Rossi, yes; Fiore, yes; Willan, yes; Klingel, yes

ORDINANCE NO. 2024-18

ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF WARREN, STATE OF NEW JERSEY ESTABLISHING CHAPTER 96 “PRIVATELY OWNED SALT STORAGE” OF THE CODE OF THE TOWNSHIP OF WASHINGTON

WHEREAS, the State of New Jersey, Department of Environmental Protection, effective as of December 01, 2022, had revised and readopted the “Tier A Municipal Stormwater General Permit, NJPDES: NJ0141852 (MS4 General Permit), in accordance with N.J.A.C. 7:14A and the Township of Washington, County of Warren has been designated as a Tier A municipality; and

WHEREAS, the MS4 General Permit makes necessary the adoption or amendment of various municipal ordinances to incorporate environmental protections related to stormwater quality and that the NJDEP has provided the mandatory language needed for said protections; and

WHEREAS, the following environmental protections are appropriately incorporated into a new Township Code Chapter 96, “PRIVATELY OWNED SALE STORAGE” to establish the required regulation for Privately Owned Salt Storage.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Washington, County of Warren that Chapter 96, “Privately Owned Salt Storage” is hereby established as required by State of New Jersey, Department of Environmental Protection, Tier A Municipal Stormwater General Permit as follows:

CHAPTER 96 Privately Owned Salt Storage

§ 96-1 Purpose:

The purpose of this chapter is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

§ 96-2 Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

“De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

“Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

“Storm drain inlet” means the point of entry into the storm sewer system.

“Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall). A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
3. The structure shall be erected on an impermeable slab;
4. The structure cannot be open sided; and
5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

“Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

“Resident” means a person who resides on a residential property where de-icing material is stored.

§ 96-3 Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 5. Containers must be sealed when not in use; and
 6. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.
- C. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

§ 96-4 Exemptions:

- A. Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.
- B. If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in § 96-4 above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.
- C. This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

§ 96-5 Enforcement:

This ordinance shall be enforced by the Zoning Officer, Public Works Supervisor, or Police Department of the Township of Washington during the course of ordinary enforcement duties.

§ 96-5 Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows: Upon conviction thereof, be subject to a fine of not more than \$500.00, or may be imprisoned in the county jail for a term not to exceed 90 days, or both. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

SEVERABILITY.

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

EFFECTIVE DATE.

This ordinance shall take effect immediately upon final publication as provided by law.

A motion was made by Fiore, seconded by Rossi, to introduce to the public Ordinance 24-19, Ordinance of Township of Washington, County of Warren, State of New Jersey Establishing Chapter 126 "Tree Removal - Replacement" of the Code of the Township of Washington - Introduction (2nd Reading, Public Hearing and Adoption at the September 18, 2024 Meeting)

ROLL CALL: Fiore, yes; Rossi, yes; Kovacs, yes; Willan, yes; Klingel, yes

ORDINANCE NO. 2024-19
ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF WARREN, STATE
OF NEW JERSEY ESTABLISHING CHAPTER 126
“TREE REMOVAL - REPLACEMENT” OF THE CODE OF THE
TOWNSHIP OF WASHINGTON

WHEREAS, the State of New Jersey, Department of Environmental Protection, effective as of December 01, 2022, had revised and readopted the “Tier A Municipal Stormwater General Permit, NJPDES: NJ0141852 (MS4 General Permit), in accordance with N.J.A.C. 7:14A and the Township of Washington, County of Warren has been designated as a Tier A municipality; and

WHEREAS, the MS4 General Permit makes necessary the adoption or amendment of various municipal ordinances to incorporate environmental protections related to stormwater quality and that the NJDEP has provided the mandatory language needed for said protections; and

WHEREAS, the following environmental protections are appropriately incorporated into a new Township Code Chapter 126, “TREE REMOVAL - REPLACEMENT” to establish the required standards for removal and replacement trees on public and private lands in the Township of Washington.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Washington, County of Warren that Chapter 126, “TREE REMOVAL - REPLACEMENT” is hereby established as required by State of New Jersey, Department of Environmental Protection, Tier A Municipal Stormwater General Permit as follows:

CHAPTER 126 Tree Removal

§ 126-1. Purpose:

An ordinance to establish requirements for tree removal and replacement in Washington Township to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

§ 126-2. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “Applicant” means any “person”, as defined below, who applies for approval to remove trees regulated under this ordinance.
- B. “Critical Root Radius (CRR)” – means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6” DBH would have a CRR = 6”x1.5’ = 9’.
- C. “Diameter at Breast Height (DBH)” means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.
- D. “Hazard Tree” means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.
 1. Has an infectious disease or insect infestation;
 2. Is dead or dying;
 3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
 5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).
- E. “Person” means any individual, resident, corporation, utility, company, partnership, firm, or association.
- F. “Planting strip” means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.
- G. “Resident” means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.
- H. “Street Tree” means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.
- I. “Tree” means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.
- J. “Tree Caliper” means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.
- K. “Tree removal” means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

§ 126-3. Regulated Activities; Permit Required; Fees.

- A. Any person planning to remove a street tree, as defined as Tree removal, with DBH of 2.5” or more or any non-street tree with DBH of 6” or more on their property shall submit a Tree Removal Application to the Township Zoning Officer, including removals where an exemption is claimed. No tree shall be removed until municipal officials have reviewed and approved the removal.
- B. Where regulated tree removals are proposed as part of a development application filed with the Washington Township Land Use Board, a separate application process as part of this Chapter shall not be required.
- C. Application Fees for tree removal categories 1 through 4 in the Tree Replacement Requirements Table below shall be set by Township Resolution.

§ 126-4. Tree Replacement Requirements

- A. Any person who removes one or more street tree(s) with a DBH of 2.5” or more, unless exempt under § 126-5, shall be subject to the requirements of the Tree Replacement Requirements Table below.
- B. Any person, who removes one or more tree(s), as defined as Tree removal, with a DBH of 6” or more per acre, unless exempt § 126-5, shall be subject to the requirements of the Tree Replacement Requirements Table.
- C. The species type and diversity of replacement trees shall be in accordance with the recommended native tree species set forth in the Township’s list on file in the Township Clerk’s office pursuant to § 64-31.16G.
- D. Replacement trees shall:
 - 1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed **or** meet the Tree Replacement Criteria in the table below.
 - 2. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the municipality.
 - 3. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months.
 - 4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Tree Replacement Criteria (See Appendix A)
1	DBH of 2.5” (for street trees) or 6” (for non-street trees) to 12.99”	Replant 1 tree with a minimum tree caliper of 1.5” for each tree removed
2	DBH of 13” to 22.99”	Replant 2 trees with minimum tree calipers of 1.5” for each tree removed
3	DBH of 23” to 32.99”	Replant 3 trees with minimum tree calipers of 1.5” for each tree removed
4	DBH of 33” or greater	Replant 4 trees with minimum tree calipers of 1.5” for each tree removed

Application Fees to be set by Township Resolution

- A. Replacement Alternatives:
 - 1. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:

- a. Plant replacement trees in a separate area(s) approved by the municipality.
2. Pay a fee of (amount to be set by Township Resolution) per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

§ 126-5. Exemptions.

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption, which justification may be in the form of photos, statements or opinions from NJ licensed tree experts (pursuant to N.J.S.A 45:15C-11) or arborists, as deemed necessary by the reviewing Township official based on the exemption claimed.

- A. Residents who remove less than four (4) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. [The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the 'count' resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.]
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- G. Hazard trees may be removed with no fee or replacement requirement.
- H. Removal of invasive, nonnative species of trees, such as, without limitation, Tree of Heaven, Bradford Pear, and Norway Maple.
- I. Removal of trees by or on behalf of the Township of Washington.

§ 126-6. Enforcement.

This article shall be enforced by the Zoning Officer, Municipal Police Department and/or other Municipal Officials of the Township of Washington during the course of ordinary enforcement duties.

§ 126-7. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine equal to the cost for the replacement of the tree, but shall not be less than the amount of the required replacement tree(s) and cost of planting.

SEVERABILITY.

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared

EFFECTIVE DATE.

This ordinance shall take effect immediately upon final publication as provided by law.

RESOLUTIONS

A motion was made by Willan, seconded by Rossi, to approve Resolutions 24-180 through 24-197, excluding 24-196. Resolution 24-198 was tabled until the September 18, 2024 meeting.

ROLL CALL: Willan, yes; Rossi, yes; Kovacs, yes; Fiore, yes; Klingel, yes

**RESOLUTION #2024-180
RESOLUTION TO AUTHORIZE AND APPROVE
SALARIES AND WAGES FOR CERTAIN EMPLOYEES**

WHEREAS, the current annual Salary Ordinance establishes the salaries/wages and compensation for the employees of the Township of Washington, County of Warren.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Washington, County of Warren that the following named employee be compensated on an annual basis effective September 1, 2024 in the amount designated below.

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
Kyle Hayes	Sergeant	\$130,753.48

**RESOLUTION #2024-181
RESOLUTION TO AUTHORIZE AND APPROVE
SALARIES AND WAGES FOR CERTAIN EMPLOYEES**

WHEREAS, the current annual Salary Ordinance establishes the salaries, wages and compensation for the employees of the Township of Washington, County of Warren; and

WHEREAS, The Chief of Police, in accordance with Resolution #2024-24, has hired Crossing Guards for the 2024-2025 school year.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Washington, County of Warren that the following named employees be compensated effective August 8, 2024 in the amount designated below:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
Robert Asman	Crossing Guard	\$19.61 per hour
Mara Ferreira	Crossing Guard	\$19.61 per hour

**RESOLUTION #2024-182
RESOLUTION TO AMEND RESOLUTIONS #2024-170 AND #2024-171
CHANGING THE DATE OF HIRE FOR SCHOOL RESOURCE OFFICERS
ROBERT A. STOBER AND PETER E. KOLLN, JR.**

WHEREAS, on July 17, 2024, the Township Committee of the Township of Washington, County of Warren adopted Resolution #2024-170 authorizing the salaries and wages for Robert A. Stober, School Resource Officer - Class III, with an hourly salary of \$32.05; and

WHEREAS, on July 17, 2024, the Township Committee of the Township of Washington, County of Warren adopted Resolution #2024-171 authorizing the salaries and wages for Peter E. Kolln, Jr., School Resource Officer - Class III, with an hourly salary of \$32.05; and

WHEREAS, Resolutions #2024-170 and #2024-171 listed both Officer Stober's and Officer Kolln's date of hire as September 1, 2024; and

WHEREAS, Officer Stober will be used as a substitute School Resource Officer or as departmental needs determine; and

WHEREAS, Officer Kolln will be School Resource Officers in the Franklin Township Elementary School which is a new position for the Washington Township Police Department; and

WHEREAS, being a new position, it is important the Officers build a rapport with the teachers and staff who are required to be at the school beginning August 26, 2024; and

WHEREAS, Franklin Township Elementary School students begin classes on August 28, 2024.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Washington, County of Warren approve amending Officer Robert A. Stober's and Officer Peter E. Kolln, Jr.'s date of hire as August 26, 2024.

RESOLUTION 2024-183
RESOLUTION AMENDING RESOLUTION #2023-79 AUTHORIZING
THE INTERLOCAL SHARED SERVICES AGREEMENT BETWEEN THE
WARREN HILLS REGIONAL SCHOOL DISTRICT AND THE TOWNSHIP
OF WASHINGTON FOR TWO SCHOOL RESOURCE OFFICERS

WHEREAS, on March 15, 2023, the Township Committee of the Township of Washington, County of Warren adopted Resolution #2023-79 authorizing an Interlocal Shared Services Agreement between the Warren Hills Regional School District ("District") and the Township of Washington ("Township") for two School Resource Officers; and

WHEREAS, the Agreement included an error in the Payment Schedule which was discovered during the first year true-up and the Payment Schedule has been amended to be in agreement with the Total Yearly Consideration and is attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Washington, County of Warren hereby authorizes the Mayor sign the attached Addendum to the Interlocal Shared Services Agreement between the Warren Hills Regional School District and the Township of Washington for two School Resource Officers for the period of the first day of School (September 2023) through the last day of school (June 2028).

BE IT FURTHER RESOLVED that the remainder of the Interlocal Services Agreement remains in effect as authorized and adopted on March 15, 2023.

RESOLUTION #2024-184
RESOLUTION AWARDED CONTRACT TO ENTERPRISE FLEET MANAGEMENT FOR THE
PROCUREMENT OF AN OPEN-ENDED VEHICLE LEASE FOR POLICE DEPARTMENT
VEHICLES

WHEREAS, the Township Committee of the Township of Washington, County of Warren approved in Resolution #2020-67 authorizing leasing of certain vehicles through Sourcewell National Cooperative #060618-EFM through Enterprise Fleet Management Services, Inc., and this is an extension of that resolution; and

WHEREAS, in accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 and N.J.S.A.52:34-6.2 the regulations promulgated thereunder in Local Finance Notice LFN 2012-10, the following purchase, without competitive bids from vendor with a National Cooperative Contract, is hereby approved for municipalities; and

WHEREAS, the Township of Washington has the need to procure certain vehicles through lease program for Township services in accord with the Local Publics Contract Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Township of Washington has previously acted in accord with New Jersey public procurement statutes and regulations as promulgated by formally joining a recognized and compliant national cooperative, being the Sourcewell National Cooperative and have complied with the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with; and

WHEREAS, the equipment and corresponding Sourcewell National Cooperative contract is #060618-EFM for Enterprise Fleet Management Services Inc. with the quoted cost under the Sourcewell National contract and in accordance with the previous Fleet Proposal Analysis; and

WHEREAS, the 2024 budget allows the Township Committee for the procuring of one (1) new 2024 Ford Police Interceptor Utility Vehicles and pursuant to NJAC 5:30-5.5(b) (the certification of available funds), states that the Chief Finance Officer shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Washington, County of Warren that the Township Administrator and Chief Financial Officer are hereby authorized to execute documents necessary for the fulfilment of this contract with Enterprise pursuant to the

terms of its nationally recognized and accepted cooperative purchasing agreement with the Sourcewell to contract for the purchase of one (1) new 2024 Ford Police Interceptor Utility Vehicle and is hereby awarded to Enterprise, as per the attached Quotes # 7700887 without public bidding as permitted by law.

RESOLUTION #2024-185
RESOLUTION AUTHORIZING THE RELOCATION OF THE WASHINGTON
TOWNSHIP POLICE DEPARTMENT'S K9 TRAINING EQUIPMENT

WHEREAS, on or about June of 2019, the Washington Township Police Department received a generous donation to the Washington Township Police Department's K9 program; and

WHEREAS, the donation was used for the purchase of K9 training equipment and fencing; and

WHEREAS, the equipment and fencing were placed on municipal building property located at 211 Route 31 North, Washington, NJ 07882; and

WHEREAS, Chief Christopher Jones, after consultation with Washington Township Police K9 Handlers, has determined the K9 training equipment will be better suited at a training facility in a centralized location with classrooms and variable training areas; and

WHEREAS, Chief Christopher Jones made arrangements with Warren County Administrator Alex Lazorisak and Warren County Public Safety Director Dennis Riley to locate a suitable area at the Warren County Public Safety Complex located at 1024 Route 57, Washington, NJ 07882; and

WHEREAS, a Memorandum of Understanding between the Warren County Chiefs of Police Association and the Warren County Commissioners has been arranged; and

WHEREAS, the Warren County Chiefs of Police Association has agreed to maintain the training area and the Washington Township Police Department will retain ownership of all K9 equipment relocated to the Warren County Public Safety Complex.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Washington, County of Warren authorizes the relocation of any and all Washington Township Police Department K9 training equipment and fencing from the municipal building property to the Warren County Public Safety Complex.

RESOLUTION #2024-186
RESOLUTION AUTHORIZING THE PURCHASE OF PAVING MATERIALS
THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL
CONTRACT # 21: OIL AND STONE TREATMENT TO ASPHALT PAVING SYSTEMS

WHEREAS, the Township of Washington is a member of the Morris County Cooperative Pricing Council and the Township of Washington, pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7.3 et seq. may, by Resolution and without advertising for bids, purchase any goods or services through the Morris County Cooperative Pricing Council "MCCPC", which has been approved by the Director of the Division of Local Government Services; and

WHEREAS the Township of Washington desires to improve various roadways within the Township through the Morris County Cooperative Pricing Council; and

WHEREAS Asphalt Paving Systems, has been awarded the Contract # 21: Oil and Stone Treatment for the contract period January 1, 2024 – December 31, 2024; and

WHEREAS the Superintendent of Public Works recommends the utilization of this contract on the grounds that utilizing MCCPC is the best means available for improving streets within the Township of Washington; and

WHEREAS, the Chief Financial Officer has certified that funds are available in that amount in Account #10686002.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Washington, County of Warren and State of New Jersey as follows:

1. The Township of Washington hereby authorizes the Oil and Stone Treatment for roads and/or portions of roads of Bowerstown Road and Rymon Road for the price of \$43,617.40 by Asphalt Paving Systems P.O. Box 530, Hammonton, NJ 08037 through MCCPC Contract #21 as per the attached.
2. The Chief Financial Officer and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to distribute the funds accordingly and implement this Resolution.

RESOLUTION #2024-187

**RESOLUTION AUTHORIZING THE CLEANING OF THE HVAC
AIR DUCT SYSTEM AT THE ADMINISTRATION / POLICE BUILDING**

WHEREAS, Account #10518226 provides funds for various improvements to be made or acquired of municipally owned buildings and locations in and by the Township of Washington; and

WHEREAS, the HVAC system at the Administration/Police Building has been found to be in need of cleaning; and

WHEREAS, the Township Administrator has solicited several quotes and recommends contracting with Air Duct Cleaning Solutions for the HVAC air duct cleaning per their attached quote; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract and that the line items have been appropriated for this purpose in Account #10518226.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Washington does hereby authorize the Chief Financial Officer to execute any and all documents necessary for the HVAC air duct cleaning at the Washington Township Administration/Police Building, as described in accordance with the attached quote details, from Air Duct Cleaning Solutions, 1545 Route 37 W, Unit 7, Toms River, NJ 08755 in the amount of \$10,240.00.

RESOLUTION #2024-188

**RESOLUTION IN OPPOSITION TO PROPOSED LEGISLATION
BYPASSING LOCAL ZONING FOR HOME-BASED BUSINESSES**

WHEREAS, A-2623, the "Home Based Jobs Creation Act," would permit a family home business to exist in a residential zone as an accessory use and not require a use variance pursuant to N.J.S.A. 40:55D-70; and

WHEREAS, this bill creates a loophole that allows certain home-based businesses, currently illegal under a municipality's zoning laws, to become legal and protected without municipal approvals; and

WHEREAS, New Jersey's Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-1, et seq., gives municipalities the power to zone, and establishes the governmental and legal structure for municipal planning through a Municipal Planning Board and/or a Municipal Zoning Board a public notice hearing procedure, an application process, and different types of variances for consideration; and

WHEREAS, municipalities give thoughtful consideration to planning and zoning to ensure mobility, safety, accessibility, order, and public good for the land in the community; and

WHEREAS, A-2623 would override any inconsistent local ordinance, but then permits a municipality to adopt a later ordinance that could be the same as the original local ordinance that was overridden; and

WHEREAS, if a municipality presently prohibits, by ordinance, certain home occupations and such use is permitted by the legislation, upon readoption of the same ordinance, such use would be protected as a preexisting nonconforming use; and

WHEREAS, in municipalities with no specific provision regarding home-based businesses or occupations, there is typically a provision in their ordinances which provides that no uses are permitted unless they are specifically permitted. In these cases, A-2623 would work to permit all home-based businesses or occupations, allowing the municipality to adopt a subsequent ordinance to restrict or prohibit those uses; and

WHEREAS, like the situation above, businesses currently illegal under the existing zoning law but legal according to A-2623 would benefit from preexisting nonconforming use status in the interim. In this situation, a home-based business currently illegal under a municipality's zoning law would, as a result of the loophole created by this bill, become legal, and no subsequent ordinance could change that; and

WHEREAS, Section 4 of A-2623 imposes upon residential use restrictions on the number of invitees or guests that apply to home-based businesses or occupations. The effect of such a provision would be to restrict social gatherings; Scout meetings; birthday parties; and all sorts of events which presently occur in residential homes if the municipality attempted to limit the number of business invitees or guests which could frequent the business in the residential zone. These normal residential activities should not be bound by the same regulations as business interests. We recommend delaying the implementation date so municipalities can enact ordinances for infrequent gatherings; and

WHEREAS, A-2623 was favorably reported out of the Assembly State and Local Government Committee and the Assembly in June 2024 and would undermine home rule in municipalities across New Jersey.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Washington, County of Warren opposes this bill being advanced in the Senate as it undermines the careful local planning and zoning municipalities engage in.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Assembly Speaker Craig Coughlin, Senate President Nicholas Scutari, Governor Phil Murphy, Senator Douglas Steinhardt, Assemblyman John DiMaio, Assemblyman Erik Peterson, and New Jersey State League of Municipalities.

RESOLUTION #2024-189
RESOLUTION TO CANCEL 2024 TAXES
VETERAN EXEMPTION
BLOCK 38, LOT 18.33

WHEREAS, the owner of this property located at 3 St. Andrews Drive made application to the Tax Assessor for a tax exemption due to a 100% wartime injury. The Assessor approved the application effective January 29, 2024. The property became tax exempt at that time. There was tax billing on the property from July 2023 for the February 2024 and May 2024 payments with the new 2024/2025 bill being determined in July of 2024. Once the 2024 tax rate was set, it was possible to calculate the 2024 year's taxes and determine what amount needs to be cancelled. The 2024 amount will not be collected and will reduce the 2024 rate of collection. The amount of 2024 taxes to be cancelled is \$11,762.15. The property will be tax exempt in the 2025 tax duplicate. A refund resolution will be prepared next month once the August payments from the mortgage companies are processed.

NOW, THEREFORE, BE IT RESOLVED on this 21st day of August by the Mayor and Township Committee of the Township of Washington that the Tax Collector's request to cancel 2024 taxes in the amount of \$11,762.15 due to a veteran's exemption is hereby approved.

RESOLUTION #2024-190
RESOLUTION TO CANCEL 2024 TAXES
VETERAN EXEMPTION
BLOCK 48, LOT 76.44

WHEREAS, the owner of this property located at 3 Rosewood Lane made an application to the Tax Assessor for a tax exemption due to a 100% wartime injury. The Assessor approved the application effective May 28, 2024. The property became tax exempt at that time. There was tax billing on the property from July 2023 for the February 2024 and May 2024 payments with the new 2024/2025 bill being determined in July of 2024. Once the 2024 tax rate was set it was possible to calculate the 2024 year's taxes and determine what amount needs to be cancelled. The 2024 amount will not be collected and will reduce the 2024 rate of collection. The amount of 2024 taxes to be cancelled is \$7,807.30. The property will be tax exempt in the 2025 tax duplicate. A refund resolution will be prepared next month once the August payments from the mortgage companies are processed.

NOW, THEREFORE, BE IT RESOLVED on this 21st day of August by the Mayor and Township Committee of the Township of Washington that the Tax Collector's request to cancel 2024 taxes in the amount of \$7,807.30 due to a veteran's exemption is hereby approved.

**RESOLUTION #2024-191
RESOLUTION TO CANCEL 2024 TAXES
VETERAN EXEMPTION
BLOCK 65, LOT 19**

WHEREAS, the owner of this property located at 3 Falcon Way made an application to the Tax Assessor for a tax exemption due to a 100% wartime injury. The Assessor approved the application effective August 13, 2024. The property became tax exempt at that time. There was tax billing on the property from July 2023 for the February 2024 and May 2024 payments with the new 2024/2025 bill being determined in July of 2024. Once the 2024 tax rate was set it was possible to calculate the 2024 year's taxes and determine what amount needs to be cancelled. The 2024 amount will not be collected and will reduce the 2024 rate of collection. The amount of 2024 taxes to be cancelled is \$6,472.04. The property will be tax exempt in the 2025 tax duplicate. A refund resolution will be prepared next month once the August payments from the mortgage companies are processed.

NOW, THEREFORE, BE IT RESOLVED on this 21st day of August by the Mayor and Township Committee of the Township of Washington that the Tax Collector's request to cancel 2024 taxes in the amount of \$6,472.04 due to a veteran's exemption is hereby approved.

**RESOLUTION #2024-192
RESOLUTION TO REFUND DUPLICATE PILOT PAYMENT
BLOCK 65.09, LOT 5**

WHEREAS, this property located at 135 Clubhouse Drive is included in the PILOT program. The homeowner paid the June payment of \$3,177.79. Her mortgage company also paid the same amount which created a duplicate payment. The mortgage company will not allow the homeowner to pay the PILOT bill so the homeowner has requested her payment be refunded to her so she may send it to her mortgage company so they may make PILOT payments.

NOW, THEREFORE, BE IT RESOLVED on this 21st day of August by the Mayor and Township Committee of the Township of Washington that the homeowner's request to refund the duplicate June PILOT payment is approved. The Chief Financial Officer is hereby authorized and directed to prepare a check made payable to Catherine Kettenring in the amount of \$3,177.79. The check is to be returned to the Tax Collector who will mail it once the refund is approved and the PILOT system is updated.

**RESOLUTION #2024-193
REDEMPTION RESOLUTION
BLOCK 44, LOT 6.04**

WHEREAS, this property located at 669 Route 57 East was included in the tax sale held on December 11, 2023. Tax Sale Certificate 2023-009 was sold to Christiana T C/F CE1/Firstrust. The Tax Collector was paid \$52,526.83 which is the amount necessary for the redemption of certificate 2023-009. The redemption is being made by the owner of the property.

NOW, THEREFORE, BE IT RESOLVED on this 21st day of August by the Mayor and Township Committee of the Township of Washington that since Christiana T C/F CE1/Firstrust's identification number is already on file, it will not be necessary to make provision for back up withholding, therefore, the Chief Financial Officer is hereby authorized and directed to prepare a check made payable to Christiana T C/F CE1/Firstrust in the amount of \$69,126.83 (redemption amount of \$52,526.83 + \$16,600 premium held by the Township in trust since the sale). The check (account 101530 for Outside Liens and account 105525 Reserve for Tax Sale Premiums) is to be returned to the Tax Collector who will mail it once the certificate endorsed for cancellation is received.

BE IT FURTHER RESOLVED that the Tax Collector is authorized to cancel this lien on Block 44, Lot 6.04 from the tax office records.

**RESOLUTION #2024-194
REDEMPTION RESOLUTION
BLOCK 44, LOT 6.05 Q**

WHEREAS, this property located at 667 Route 57 East was included in the Tax Sale held on December 11, 2023. Tax Sale Certificate 2023-010 was sold to Tax Lien Fund LP. The Tax Collector was paid \$195.05 which is the amount necessary for the redemption of Certificate 2023-010. The redemption is being made by the owner of the property.

NOW, THEREFORE, BE IT RESOLVED on this 21st day of August by the Mayor and Township Committee of the Township of Washington that since Tax Lien Fund LP's identification number is already on file, it will not be necessary to make provision for back up withholding, therefore, the Chief Financial Officer is hereby authorized and directed to prepare a check made payable to Tax Lien Fund LP in the amount of \$195.05. The check (account 101530) for Outside Liens is to be returned to the Tax Collector who will mail it once the certificate endorsed for cancellation is received.

BE IT FURTHER RESOLVED that the Tax Collector is authorized to cancel this lien on Block 44, Lot 6.05 Q from the tax office records.

**RESOLUTION #2024-195
RESOLUTION AUTHORIZING THE MEADOW BREEZE PARK POINT
TO POINT ROUTER SYSTEM OUT OF THE OPEN SPACE TRUST FUND**

WHEREAS, the Township Committee has determined that the current point to point router system at Meadow Breeze Park is in need of upgrades; and

WHEREAS, the Township has a Professional Services Agreement with The JDM Group who has submitted a quote to upgrade the current point to point router system in Meadow Breeze Park and such is considered a significant safety improvement of Meadow Breeze Park; and

WHEREAS, the Township Committee has determined that this expenditure is in accordance with the provisions of Chapter 26 Section §26-4 Determination of Expenditure of the Code Book of the Township of Washington; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract and that the line items have been appropriated for this purpose in Open Space Trust Fund Line Item #311112.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Washington, County of Warren, upon availability of funds, does hereby authorize the Chief Financial Officer to take the necessary administrative actions to appropriate, reserve, and/or encumber \$9,352.80 to complete the scope of work as per the attached proposals dated April 25, 2024 from The JDM Group, 304 Harmony Brass Castle Road, Phillipsburg, NJ 08865.

**RESOLUTION #2024-197
RESOLUTION OF THE TOWNSHIP OF WASHINGTON, COUNTY OF WARREN, STATE
OF NEW JERSEY DESIGNATING ROUTE 31 SOUTH PARTNERS, LLC AS THE
REDEVELOPER OF THE WASHINGTON SOUTH REDEVELOPMENT AREA**

WHEREAS, the Township has designated certain real property located on Block 75, Lots 1, 1.04 & 1.05 and also Block 76, Lots 1, 1.01, 1.02, 1.03 & 4 as identified on the tax maps of the Township, State Highway Route 31 South, as an Area In Need of Redevelopment (the "Property") in accordance with the Local Housing and Redevelopment Law of the State of New Jersey; and

WHEREAS, on or about July 17, 2024, Township adopted the Redevelopment Plan (the "Redevelopment Plan"); for the Area In Need of Redevelopment referred to as the Washington South Redevelopment Area; and

WHEREAS, Route 31 South Partners, LLC is a limited liability company licensed and authorized to conduct business in the State of New Jersey; and

WHEREAS, a principal of Route 31 South Partners, LLC, Richard Cotton, is also a principal of Asbury Farms, LLC, the redeveloper of the Hawk Pointe redevelopment area and has a demonstrated track record of successful and responsible redevelopment within the Township; and

WHEREAS, Route 31 South Partners, LLC has site control over the Washington South Redevelopment Area and wishes to be designated as the redeveloper of same, subject to the negotiation and execution of certain redevelopment documents, including a Redevelopment Agreement and a Financial Agreement; and

WHEREAS, the Township recognizes the importance of redeveloping the Property in a responsible manner and in accordance with the Redevelopment Plan and wishes to designate Route 31 South Partners, LLC as the Redeveloper of the Property, subject to the negotiation and execution of the afore-mentioned agreements.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Washington, County of Warren that Route 31 South Partners, LLC is hereby designated as the Redeveloper of the Washington South Redevelopment Area, subject to the negotiation and execution of a Redevelopers Agreement and other related redevelopment documents.

A motion was made by Kovacs, seconded by Fiore, to approve Resolution 24-196.

ROLL CALL: Kovacs, yes; Fiore, yes; Rossi, abstain; Willan, abstain; Klingel, yes

RESOLUTION #2024-196
RESOLUTION APPROVING AND AUTHORIZING THE AMENDMENT AND
ENDORSEMENT OF A DEVELOPERS AGREEMENT AND PERFORMANCE
GUARANTEE AMOUNT FOR AREA 2, PHASE 1 TO INCLUDE PHASE 2 OF THE
HAWK POINTE VILLAGE REDEVELOPMENT AREA

WHEREAS, Asbury Farms Urban Renewal, LLC (Redeveloper) is granted Conditional Approval for Hawk Pointe Area 2 (Asbury Farms Urban Renewal) for Preliminary And Final Major Subdivision With Variance Relief, as set forth in Washington Township Land Use Board (WTLUB) Resolutions #2020-03 dated June 9, 2021 and #2021-06 dated November 10, 2021; and

WHEREAS, as a condition of the Board's approval, the Redeveloper supplied a Developers Agreement, performance guarantee and escrow to the satisfaction of the Board Professionals and Township Attorney; and

WHEREAS, by Township Committee Resolution #2022-77, the Developers Agreement was approved and endorsed on March 15, 2022 for Area 2, Phase 1; and

WHEREAS, the Township Engineer has prepared a memorandum dated August 15, 2024, included herein as Exhibit A, informing the Township Committee that the necessary NJDEP permits and Washington Township Land Use Board site plan approvals have been secured, such that Area 2, Phase 2 can be perfected and recorded, and the amended amounts for the project guarantees and inspection escrows have been determined by the Township Engineer in accordance with the Township Code, and said amounts are included in the amended Developers Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Washington, County of Warren approves the amendment to the Developers Agreement and the performance guarantee amount, and that the Mayor is authorized to endorse the amended Developers Agreement, where required, on behalf of the Township.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forward to the Redeveloper.

PUBLIC QUESTIONS AND CONCERNS

Mayor Klingel opened the meeting to the public.

Laura Heydt, 9 Coopers Hawk Court, thanked the Committee for involving Ryan Homes and Asbury Farms as it pertains to past complaints. She spoke to the Committee as President of the Hawk Pointe Homeowners Coalition regarding the PILOT program.

Cathy Marcus, 140 Clubhouse Drive, asked about gutter runoff onto carbonite rock. Mr. Smith advised Ms. Marcus to meet with him in his office during office hours. She continued to comment about sinkholes and foundation cracks and asked for a letter from the Township taking responsibility. Attorney Lavery advised that the Township cannot write such a letter. Mayor Klingel reiterated that she should meet with Mr. Smith.

Michael Heon, 157 Clubhouse Drive, spoke about TCOs being issued by the UCC Department. He also inquired about rainwater runoff onto carbonite rock and asked about building plans pertaining to such. Mr. Smith responded to his comments.

Seeing no one else to address the Committee, Mayor Klingel closed the public portion of the meeting.

STAFF REPORTS

Lt. Smith updated the Committee on the recent National Night Out event in spite of the weather. The leftover food was donated to a local food bank. He also mentioned the status of the latest recruit, the start of the school year and SROs, and commented on the current OEM plan. There were no questions for Lt. Smith.

Mr. Hart informed the Committee that the oiling and chipping, as well as the convenience center wall, had been completed. He also updated the Committee on park maintenance. Mr. Willan asked when the new truck would be arriving. Mr. Hart responded.

Megan Fox, Washington Emergency Squad, reported that they responded to 178 calls in the month of July and described the nature of the calls. The volume of calls has been higher than usual across the entire county.

Mr. Smith stated that he had sent out RFPs for siding of the log cabin. One proposal was received from Hunterdon Siding and Window Company in the amount of \$11,200.00. He also informed the Committee about a call from Nature's Conservatory, a group who decommissions dams.

Mrs. Parks spoke about affordable housing and the Highlands Council grant. She asked for the Committee's approval to direct Heyer, Gruel & Associates to work on the master plan amendment, spending plan, and other necessary compliance documents. Mrs. Parks also spoke about sending a quote to the Highlands Council for consideration of another grant to cover the cost of the ERI for the Environmental Commission. Lastly, she commented about State required affordable housing progress reports

After some discussion, a motion was made by Willan, seconded by Fiore, to approve Heyer, Gruel & Associates to proceed with the preparation of the housing element and fair share plan of the master plan.

ROLL CALL: Willan, yes; Fiore, yes; Kovacs, yes; Rossi, yes; Klingel, yes

A motion was made by Willan, seconded by Kovacs, to authorize the CFO to apply to the Highlands Council for a grant in the amount of \$6,500.00 for Heyer, Gruel & Associates to prepare the ERI for the Environmental Commission.

ROLL CALL: Willan, yes; Kovacs, yes; Fiore, yes; Rossi, yes; Klingel, yes

Mr. deBoer stated that the painting donated by Mrs. Darleen Schott had been delivered. They briefly discussed ways to protect it from damage.

Chief Jones briefly responded to a question from Mayor Klingel regarding the timeline of the relocation of the K9 training equipment as stated in Resolution 2024-185.

UNFINISHED BUSINESS

There was nothing to discuss at this meeting.

NEW BUSINESS

A motion was made by Kovacs, seconded by Rossi, to accept a resignation from Crossing Guard Ethel Walker.

ROLL CALL: Kovacs, yes; Rossi, yes; Fiore, yes; Willan, yes; Klingel, yes

Following some discussion, a motion was made by Rossi, seconded by Fiore, to approve a request from Stephen Whiteman of Angry Dad Draught House, to land a helicopter at the restaurant for an event in December.

ROLL CALL: Rossi, yes, Fiore, yes; Kovacs, yes; Willan, yes; Klingel, yes

ECONOMIC DEVELOPMENT

There was nothing to discuss at this meeting.

REPORTS FROM OFFICIALS

Mr. Fiore commented that he met with the Municipal & Charitable Conservancy Trust Fund Committee regarding the grant work to be done at the autogiro building. He also spoke about a report from Recreation Committee Chairman Lloyd Tiger. Mayor Klingel asked about the bricks around the flagpole. Mr. Fiore reported that Mr. Hart was involved in the matter. Lastly, Mr. Fiore and Attorney Lavery mentioned that the REM foreclosure letter responses were due the next day.

Deputy Mayor Rossi shared that he had attended a presentation at Abilities of Northwest New Jersey with Congressman Kean who acquired a \$120,000 grant for the organization. Mr. Rossi spoke about his tour of the facility.

EXECUTIVE SESSION

A motion was made by Kovacs, seconded by Willan, to approve Resolution 24-199, Resolution Authorizing Executive Session for a Meeting Not Open to the Public in Accordance with the Provisions of the NJ Open Public Meeting Act, N.J.S.A. 10:4-12 at 8:05 p.m. Attorney Lavery stated that the Committee would be discussing (1) personnel matter dealing with the Electrical Inspector position; (2) attorney/client privilege matters dealing with a letter from resident T. Gordon and a letter regarding 30 McCullough Road; and (1) potential litigation matter dealing with an affordable housing mandate. **All were in favor.**

RESOLUTION 2024-199

RESOLUTION AUTHORIZING EXECUTIVE SESSION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WASHINGTON FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

WHEREAS, the Governing Body of the Township of Washington, County of Warren, will be going in Executive Session; and

WHEREAS, the meeting is not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Washington will give a brief summary of the meeting upon coming out of Executive Session.

A motion was made by Willan, seconded by Kovacs, to come out of Executive Session at 9:00 p.m. **All were in favor.** Attorney Lavery stated that the Committee discussed (1) personnel matter dealing with the Electrical Inspector position; (2) attorney/client privilege matters dealing with a letter from resident T. Gordon and a letter regarding 30 McCullough Road; and (1) potential litigation matter dealing with an affordable housing mandate.

No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no harm to the public interest.

A motion was made by Willan, seconded by Kovacs, to approve Resolution 24-200.

ROLL CALL: Willan, yes; Kovacs, yes; Fiore, yes; Rossi, yes; Klingel, yes

RESOLUTION #2024-200
RESOLUTION TO AUTHORIZE AND APPROVE
SALARIES AND WAGES FOR CERTAIN EMPLOYEES

WHEREAS, the current annual Salary Ordinance establishes the salaries/wages and compensation for the Uniform Code and Construction Department (Section 12) in the Township of Washington, County of Warren; and

WHEREAS, upon the recommendation of the Construction Official, there is a need to increase the hours of the Electrical Sub-Code Official to 35 hours per week; and

WHEREAS, this increase in hours shall be evaluated on an annual basis.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Washington, County of Warren that the following named employee be compensated effective August 22 through December 31, 2024, in the amount as designated below:

<u>Name</u>	<u>Position</u>	<u>Salary</u>
Timothy Frendak	Electrical Sub-Code Official	\$43.09 per hour

A motion was made by Kovacs, seconded by Rossi, to authorize Attorney Lavery to send a letter to resident T. Gordon as discussed in Executive Session.

ROLL CALL: Kovacs, yes; Rossi, yes; Fiore, yes; Willan, yes; Klingel, yes

A motion was made by Fiore, seconded by Rossi, to approve the escrow agreement for the 30 McCullough Road project.

ROLL CALL: Fiore, yes; Rossi, yes; Kovacs, yes; Willan, yes; Klingel, yes

A motion was made by Rossi, seconded by Kovacs, to approve Hunterdon Siding and Window Company for replacement of the siding on the log cabin in an amount not to exceed \$11, 200.

ROLL CALL: Rossi, yes; Kovacs, yes; Fiore, yes; Willan, yes; Klingel, yes

ADJOURNMENT

Hearing no further business to come before the Committee, a motion was made by Kovacs, seconded by Willan, to adjourn the meeting at 9:05 p.m. **All were in favor.**

Respectfully submitted,

Ann Kilduff, RMC
Township Clerk