

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

PUBLIC PORTION/PUBLIC SESSION

August 15, 2016

The Township Council held a Public Portion/Public Session in the Municipal Building, 350 Pascack Road. The meeting was called to order at 7:32 p.m. by Council President Michael Ullman, with the Clerk leading a salute to the flag. Members present: Robert Bruno, Peter Calamari, Steve Cascio, Tom Sears, Michael Ullman. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney; Mary Anne Groh, Business Administrator.

Pursuant to the provisions of the Open Public Meetings Act this meeting was listed in the Township Council Annual Meeting List which was published in The Bergen Record, forwarded to the local newspapers, posted on the Municipal Bulletin Board and filed with the Municipal Clerk.

A motion was made by Dr. Cascio, seconded by Mr. Sears to approve Resolution No. 16 – 240.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman
Nays: None.

Resolution No. 16 – 240

Deputy Township Clerk

WHEREAS, the Township Clerk is not available for the August 15, 2016 regularly scheduled meeting of the Township Council; and

WHEREAS, it is the desire of the Township Council to designate Cornelia Lisa as Deputy Township Clerk to perform the duties of the Township Clerk for the Council meeting of August 15, 2016;

NOW, BE IT RESOLVED, that Cornelia Lisa is hereby designated as Deputy Township Clerk for the Council meeting of August 15, 2016, and she is authorized to perform the duties of the Township Clerk for said Council meeting.

Roll Call

All present: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

PRESENTATION OF PLAQUE – Kay Coppola

Mayor Sobkowicz – Mayor Sobkowicz stated she has a special presentation to make to Kay Coppola, President of the Golden Seniors for the past 12 years. She spoke at length of what Mrs. Coppola has done for the Township, such as her involvement in gathering volunteers for Town Day, Memorial Day and the Seniors to help stuff the tax bills. She stated Mrs. Coppola has already gotten people to replace her and gave them each a task book to follow. She spoke at length of the Veteran's Wall project that Mrs. Coppola has done in the Senior Room, which is preserving the history of our Veteran's in our Township. She stated Mrs. Coppola also helped raise money for two \$1000 scholarships at the high school. She stated Mrs. Coppola is a great person with a great sense of humor and she was fortunate to enjoy her company. She has built a home in Vero Beach and her family is present with her today, her daughter Debbie, her granddaughter Kelly and her grandson Joe. She stated she is honored that they have come here for this event and she will miss her.

Mrs. Coppola – Mrs. Coppola stated she will miss everyone, but especially her Seniors, they were a wonderful bunch. They are still

volunteering, she is very proud of them and everyone worked well together. She stated she hopes the Senior Center hopes to continue to thrive and the membership increases. She stated she has lived here for 55 years, has sold her home and is going to Vero Beach. She thanked her daughter and will continue to give to support the Veteran's.

The Clerk read the total of various bills paid, a copy of which is attached and made part of these minutes.

APPROVAL OF MINUTES

A motion was made by Dr. Cascio, seconded by Mr. Sears, to approve the June 27, 2016, July 28, 2016 Public & Conference.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

REPORT OF MAYOR

Mayor Sobkowicz stated the Department of Municipal Facilities they have been working on household and garden debris, catch basins, and vehicle maintenance and repair, members of the Road Department made quite a few improvements in July including removal of dead trees in various areas, lining of the fields for playoff games, repair of parking areas at Sherry and Memorial, new system for filling potholes, and proposing ideas for new Open Space grant applications for 2016, where we are applying for a new basketball court at Garden Field. Bill Lawlor was able to arrange for the Board of Ed crew to aerate Memorial Field for us with their new aerator in preparation for the seeding and fertilizing task, which was completed this past Friday. Paramus has also started to sweep our streets today, if the weather holds out it should be completed within a few days. Several personnel changes have occurred: Dan Kiely, acting Superintendent left for a new position, Bill Lawlor is in charge and was promoted to foreman, Daryl Esoldi was promoted to Crew Chief, and former Superintendent Tom Clossey will be the acting superintendent on a one or two day a week basis. With regard to the Bergen County Division of Community Development we received the two grants we applied for \$50,000 for Handicapped Accessible Ramp at Memorial Park and \$3,530 for Senior Citizen Activities. With regard to our Senior Bus, as you are aware, we have an Interlocal agreement with Oradell for our Senior Bus. Administrator Groh recently became familiar with the Agreement in regard to the sharing of insurance premiums and that we were entitled to \$1,700.00 from Oradell. Thank you, Mrs. Groh. In addition, Mrs. Groh has had a lot on her plate with quotes for the firehouse wall and siding, the BAN sale, ads and interviews for personnel, planning and zoning work, repairs to the plumbing and air conditioning, field issues, a new salt shed, and contracts with other agencies such as Paramus and Bergen County for vehicle repairs. The Road Program, due to the Shutdown of DOT projects, the contractor D & L was available to start on July 25 instead of August 17 and completed the program by August 5. However, they will be back for one day to pave Walnut Street where water mains were replaced; Suez Water has agreed to pay for this and the resolution is on the agenda this evening for Council approval. In addition, we are including Cross Street and then the vendor will be here for one full day. The next shredding and e-recycling event will be on Saturday, October 15, from 9 a.m. to Noon. Also, for the month of July, the Township recycled 7 tons more than July last year. We had two meetings recently in regard to the intersection; one is our town committee including several citizens and Councilmen Calamari and Sears. Many ideas and strategies were discussed. She asked Toni Plantamura to prepare a list of proposed developments to the north, west, and east of us to give us a picture of traffic changes that could be occurring. It is a long report and she will be making copies for all the councilmen. Council President Ullman, Councilman Calamari, and I also met with representatives from Hillsdale and Park Ridge in

reference to the intersection. One point was the importance of a traffic study to determine and/or verify directions of the travelers using Garden State Parkway Exit 168 and the intersection with all of the new development occurring. Captain Hackbarth has already contacted the County to do this new study. She stated he has given her a copy of one from 2006 so we will have something to compare it with when we have the new traffic study. A lot of you probably remember the garbage trucks from Waste Management that rambled through our town years ago with noise, smells, leaking garbage, unsafe conditions from the Transfer Station in Hillsdale to Pascack Road to Linwood Avenue and out to Rt. 17. She stated at the time Chief Cicchetti and herself had testified at the DEP hearing and also the Township Attorney and herself had testified at BCUA. Tomorrow there will be an online petition on our website and a letter will be coming with more detail. Waste Management has not been operating for the last 2 ½ years and they want to renew it, they were shut down, now they are asking to renew their permit. They could haul up to 900 tons a day, at that time she believes they were hauling somewhere 300-600 tons per day. If they were get this renewal, it does not mean they will start up immediately but renewal of the permit will give them the opportunity to do that at any time. She stated she did meet with Mayor Frank several times and to put together a strategy. Hillsdale used to get some remuneration from them, but they no longer do. We are working together with them, but we need your help in assuring that this situation does not return to the Township. Please go to our website, town hall, or the library to sign the petition to protect Hillsdale and the Township of Washington. She stated the FAA proposed changes in flight path to Teterboro Airport from east of 17 to west of 17 is stalled at this point. With regard to PSE&G in 2009, the gas supply rate was \$1.19 per therm, this year the rate will be 34 cents per therm, which is a 20% reduction in the last 2 years along. She thanks the council for approving the bond anticipation notes. The successful bidder was Jefferies LLC with a .8% interest rate and we also got a premium. From January 1 to July 31, the ambulance corps was dispatched 276 times, that is just within our Township, not with the Mutual Aid. The members of the Corps are always working hard to get new members to provide more service to the residents. From January 1 to July 31, the Fire Department was dispatched 103 times not including mutual aid calls from other towns. Today, August 15, was the last day for paying taxes. However, if not paid, interest reverts to August 1. Remember that the 2016 Drive Sober or Get Pulled Over Labor Day Crackdown will go from August 19 to September 5, 2016. All officers attended a 4 hour class at the Academy on the new Bail Reform Act which is now in preliminary format and will go into effect in January 2017. The police dept. answered 4,862 calls from January to July. The football program has started with approximately 80 children registered including 8 players from Westwood due to a small enrollment on their senior team. The North Jersey Junior Football League approved this as a 1 year occurrence. The Falcons Cheerleading program has more than 50 girls participating, which is an increase over last year. Fall basketball will start the third week of September until the first week of November and includes grades 5-8 for boys and girls. The 911 Ceremony will be held on Sunday, September 11, at 8:45 a.m in the Senior Center. As you probably know, Elaine Erlewein, our clerk and tax collector is leaving for a position in the City of Clifton. She has done an outstanding job for the Township starting as the tax collector and then getting certified to be the clerk. After doing the tax work for a while, she realized that it was not a full-time job and asked to take RMC courses, which she did and passed her test. Elaine was dependable, reliable, and creative. No matter how bad the weather, she would be at work. Elaine changed our tax bill system not only to save money, but to get the tax bills done in a more efficient manner. We wish her good luck in her new position, but she will be sorely missed. Our Seventh Annual Fall Festival will be on September 17 from 11-4 p.m. New to the event will be a "Kids Entrepreneur Corner," where children ages 8-18 can be entrepreneurs by making products to sell at the fair. They have to complete an application to be approved by the committee. Also new will be the Petting Zoo and Pony Rides. Visit our website for information about

the day, donating, volunteering, etc. On that evening we will also have a band concert, details to follow. Exxon Station is having their Grand Opening on Saturday, August 20, at 2 p.m. All are invited. The Township library is hosting a San Gennaro Feast on September 25 as well as many new adult, tweens/teens, and kids programs.

REPORT OF COUNCIL

Dr. Cascio – Dr. Cascio stated he is very proud of our athletes representing the United States in the Olympics. He stated he hopes everyone is having a great summer and also would like to compliment the council members. He stated they are all working hard behind the scenes and appreciates all the work they are doing.

Mr. Sears – Mr. Sears stated he hopes that more than a petition will be done since they line up on Colonial Avenue, run their engines and then drive through town. He stated Bergen County has a mosquito commission, which he has called and they will come and spray your property for free the number is 201-634-2881.

Mr. Calamari – Mr. Calamari stated with regard to the Waste Management permit the petition was on the website late this afternoon and he did sign up for it. It takes one to two minutes to complete and urges everyone to do so since it would be very bad for the Township if they resume operation.

Mr. Bruno – Mr. Bruno stated he is happy to hear the intersection is being discussed, people are becoming involved as well as other town Mayors. He stated his best goes out to Elaine.

Mr. Ullman – Mr. Ullman stated he did come to rely on Elaine quite a bit and will miss her since she was quite helpful to him in his duties as council president.

GENERAL PUBLIC DISCUSSION

A motion was made by Dr. Cascio, seconded by Mr. Sears, to open the general public discussion.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

Rosa D'Ambra, 423 Colonial Boulevard – Mrs. D'Ambra asked why is there such a turnover of employees within the Township. She read at length of a report from the New Jersey State Comptroller's Office which is looking into towns in Bergen County that are overpaying attorneys. She stated she hopes when new employees are hired that best practices are followed and they are paid a decent salary. Mayor Sobkowitz stated in the past employees stayed for quite a long time, but it is different now. She stated the Superintendent of the Road Department left and did get a job that offered quite more money, and the same thing for the Clerk, who will now be a tax collector in Clifton with a staff under her.

Jim Hanson, 11 Lindenwood Court – Mr. Hanson spoke of the lateness of the last council meeting (July 18th) which ended at 11:15 p.m. He stated it was a terrible meeting, painful and disrespectful to the public. He stated he looks forward to the meetings being on youtube so the public can see what is really going on. He spoke of a Letter to the Editor in the Pascack Press and apparently the council doesn't even speak to each other. He also spoke of a video that he took of Memorial Field from a drone, sent to council and only received one reply from a councilman, who didn't view the video but indicated he should to check out the intersection. He spoke of looking at the Pascack Press and seeing a photo taken from the roadside showing crabgrass and stating the field is fine. He spoke of the condition of the field, which is not fine but full of ruts and crabgrass. He stated the referendum is for 2.45 million not 3 million as some councilmen have indicated, which he feels is deceitful. A conversation followed between Mr. Ullman and Mr. Hanson regarding the cost versus the value of the Memorial Field project. Mr. Sears stated he takes offense to the statement of the council not speaking to each other, he stated we

do disagree and talk about the issues. Mr. Ullman replied it is good dialogue. He spoke of the referendum amount of 2.45 million and there being an additional amount of \$150,000 for engineering, of which \$30,000 was spent. He stated we continually focus on the 2.45 million, when it may really be 2.6 million.

Cindy Cannon, 804 Manhattan Avenue – Ms. Cannon stated she is happy to see there is dialogue and things are getting done. She would like to know where Mr. Hanson came up with the \$130,000 price that is being spent on Memorial Field on a yearly basis for natural grass for the past ten years. Mr. Sears replied part of the number or the whole number was given by DPW to maintain the field, hours, seeding, we do have a copy of it. She stated she feels those numbers are scued. She spoke of the extreme high temperatures last week and with those high temperatures children would not be able to use the field since artificial turf fields can go as high as 199 degrees. She stated she agrees something needs to be done, but she feels it doesn't need to be artificial turf and she believes the constituents also feel the same way or else the referendum would not have gotten out there. Mayor Sobkowicz stated she believes people are referring to a spreadsheet completed by Mr. Cavallo last year, it did hover around \$100,000 a little less, but other figures did come forward the beginning of this year and were not part of the original spreadsheet. When the entire field is sodded, it is over well over \$100,000. She stated the figures of the spreadsheet were true figures. Mr. Bruno stated the spreadsheet circulated was around \$106,000. When he inquired he did receive a stack of bills, but they do not differentiate which field each bill relates to. He stated he also received a subsequent figure from the DMF which jumped from \$12,000 to \$28,000, in which he is still waiting for details on.

Julie Lipnick, 184 Finnerty Place – Ms. Lipnick asked if the fire truck repairs have been approved. Mr. Sears replied yes. She spoke at length of the mesh system that was performed on Memorial Field, which did not work out and someone was hired to pull the mesh up. She also spoke of the silt fence that has been done incorrectly. She stated if these small jobs are not watched, how does this compare to a 2.45 million project for the renovation of the field. Mr. Ullman stated the administrator identified the issue of the silt fence and hopefully we are getting better in being on top of things. Administrator Groh spoke of watching contractors perform their work so they do not cut corners. Mayor Sobkowicz stated we are not paying for the silt fence. Mr. Calamari stated on project the size of Memorial Field, he believes the engineer in charge of the project would be there on a regular basis.

William Ferara, 2556 Cleveland Avenue – Mr. Ferara commented on the engineer going out to look at Cleveland Avenue and D&L Paving. Administrator Groh explained Resolution 16-256, Change Order for D&L paving which Mr. Ferara inquired about. Mr. Ferara commented on the project that was done on Cleveland Avenue, which he feels was not scraped curb to curb. He spoke at length of scraping process, which excluded the middle portion of the road and he believes that the area needs to be redone. He spoke of the dead trees at Clark Field, which were taken down and he has noticed another dead tree. He stated something has been going on with the trees at Clark Field since the project to fix the drainage was completed. He stated before more trees are taken down, he feels an expert should come out to test the soil and the remaining trees. He asked what is the status of the closed Y with regard to taxes? He thanked Mr. Sears for the mosquito control number. He stated the numbers of what was spent on Memorial Field is on the Township website and the inference that artificial turf would remove the cost he believes that is not so since you do need to perform maintenance on the artificial turf as per the supplier. Mr. Ullman stated he also is having some issues with statement type trees on his personal property and would like an arborist to come out for Clark Field. Mr. Calamari stated regarding maintenance of Memorial Field, the cost would be significantly lower since there will be no fertilization, no seeding of the field. Mr. Poller stated he did speak with the assessor regarding the Y and a tax bill will be generated.

Toni Plantamura, 808 Robinwood Road – Ms. Plantamura commented on Mr. Hanson's public comments. She spoke of the enrollment in the football program, appointees to the rec board by the Mayor and her feeling that the 2.45 million dollar number will be closer to 4 million. She spoke of what was done to her in the past and feels that these select few that want the field are adult bully's, as she feels is the risk manager. She spoke of the football coaches been paid, and what she incurred when she went out to gather signatures. She spoke of being told that the coaches that are on the field are cursing at the children and would like to know if these coaches can get certified. She spoke of there not being a trail when it comes to the bills that were presented for Memorial Field. She stated she has lived here since 1953 and has never seen mud running into the Pascack Brook.

Diane Grimaldi, 441 Van Emburgh Avenue – Ms. Grimaldi disagrees with the Mayor regarding the turnover of employees. She stated she works for a municipality and if employees are treated fairly, with respect and paid a fair amount of money they will not leave. She spoke of the Planning and Zoning Board secretary position. She commented on the replacement of the salt shed and the study that was completed for the DMF building. She stated she finds it ridiculous that there are going to be pony rides on Memorial Field. Administrator Groh stated Mr. Kiely did not agree with the DMF study and felt it was very preliminary.

Beatrice Napier, 324 Hudson Avenue – Mrs. Napier asked if after the 2.45 million dollar bond, will additional monies be spent. Mr. Ullman explained the 2.45 million referendum and spoke of the conceptual drawing. A conversation also followed if it would be possible to tap into surplus for Memorial Field and what would happen if the referendum does pass or does not pass. Mr. Calamari spoke at length with regard if vendors came in over the 2.45 million and if vendors came in under the 2.45 million.

Joe D'Urso, 12 Viola Terrace – Mr. D'Urso spoke of his disagreement of having one meeting per month during July and August. He also stated that council should have a plan if the referendum does not pass. He spoke of the other options, such as the swim club and reaching out to baseball which uses Sherry, Clark and Gardner Fields. He spoke of the timeline of what was done to Memorial Field in the past. He also spoke of merging or sharing programs with Westwood since we are a regional school system. He spoke of the staff situation at the municipal building. Administrator Groh stated that Mrs. Erelwein left due to job security, she didn't have tenor and was lead to believe her job was not secure.

Eamonn Twomey, 187 Devon Road – Mr. Twomey spoke of other options, such as the swim club and the Knights of Columbus and why those options would not be feasible. He spoke of Sherry Field and baseball not agreeing to incorporate \$320,000 for the field, but instead put it towards Memorial Field. Dr. Cascio stated he doesn't see how a private organization can tell a town what they can or cannot do with regard to the field. Mr. Twomey spoke of the MKW Study, and the conditions of Sherry Field once it rains. He asked if there is a plan if this referendum doesn't go through. He stated 2.1 million can be spent for grass, which would still have to be maintained, or 2.3 or 2.45 can be spent for turf which requires no maintenance and no cutting, therefore the DMF staff can focus on other areas of the Township, instead of spending 8 hours lining the field. Mr. Sears stated tonight it was brought to council's attention that coaches are using foul language around the children and he would like Mr. Twomey to address that with the coaches. Mr. Twomey stated he would but he would also like to know where it came from.

A motion was made by Dr. Cascio, seconded by Mr. Sears, to open the general public discussion.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

Mr. Bruno – Mr. Bruno responded to Mr. Hanson's comments with regard to the total cost of the project. He stated the current cost is 2.610, which includes the engineering cost, but ancillary costs have not been included

and there are also no contingencies included. His estimation and in his experience talking to people that have done these fields, the total cost is 3 million dollars. With regard to the photo, it was not deceitful, he stepped out of his vehicle, stood on the sidewalk, took the photo and posted it.

Mr. Ullman – Mr. Ullman stated he had asked the Administrator to invite representatives from Buldo and Waste Management and they are present. He would like to temporarily suspend the rules and the agenda for our invited guests.

Mr. Calamari – Mr. Calamari stated he had asked that this be postponed until September, since we are only having one meeting during the summer months and it is not urgent. He stated we are going in a different direction and he doesn't agree.

A motion was made by Mr. Sears, seconded by Dr. Cascio, to suspend the rules and move on to Solid Waste.

Ayes: Councilmen Bruno, Cascio, Sears, Ullman.

Nays: Councilmen Calamari.

Solid Waste/Garbage

Tom Blesing – Waste Management

Rob Allen - Waste Management Public Sector Manager State of NJ

Mike Buldo – Buldo Sanitation, President

Mike Buldo, Jr. – Buldo Sanitation, Sales, Part-Owner

Mr. Ullman – Mr. Ullman stated when he was campaigning, the one thing he consistently heard was a lack of support of the purple and blue bags, it is not popular with a large portion of the town, but some may differ. He asked are these bags required as part of the service to the Township.

Mr. Allen – He stated it is not that common, every program has their issues, there are lots of ways to get trash picked up, bags don't have to be one of them.

Mr. Buldo – He stated the bag system was implemented back in the mid 90's bags you throw away system. Once we came into town, continued using the system, if a family of five uses three barrels or three bags, they are paying for those three bags versus a senior who utilizes a small bag, they are not paying for a standard subscription rate. It is not necessary to use it.

It was agreed that neither firm mandated the bag system, it was mandated by the Township to use this system via Township ordinance. A conversation followed of residents tying colored bags around garbage pails but filling the pail with white bags which are being picked up and the residents do have concerns/resentments that some people are following the rules and some are not. Mr. Allen stated he has never seen Waste Management volunteer that colored bags need to be used. Mr. Bruno stated the majority of the people in town do not want to buy bags, but the ordinance states it must be in bags. He stated at the end of the day, we would like residents to be able to use white plastic bags in a can or on the street, residents don't want to purchase colored bags, and we would like the residents to have the best price they can. Mr. Buldo stated the bag purchase is to pay for disposal fee and there is a service charge of \$16.00 per month. A length conversation followed if residents can have an ala carte menu, meaning residents can choose the frequency of the service and if they want the colored bags. Comments were also made of the current ordinance and rewording the ordinance so residents can chose their price point along with the frequency of garbage pick-up. Mr. Allen commented on the ala carte menu and offering services that are designed to meet the needs of the Township residents. Both agreed they could contact each resident directly if the ordinance was revised, but right now they are both following the Township ordinance. Mr. Buldo spoke of the services Buldo offers in Teaneck and River Vale without the colored bag system and what the payment options

are. A conversation followed with regard to recycling, which the colored bags help since residents do not want to purchase colored bags, therefore they recycle more and the inconvenience of colored bags. Mr. Ullman asked if both Buldo and Waste Management remind residents to use the colored bags, not to tie a colored bag onto a trash can and fill the can with white bags, so it can be fair to all the residents. Both Waste Management agreed to support a two option approach, that being a resident can choose an ala carte option or the colored bags. Mr. Buldo stated he believes if Township residents are educated as to why they are paying for the bags, more residents would choose to stay with the bag system. Mayor Sobkowicz spoke of going out to bid in the past to include garbage pick-up in the taxes. Mr. Allen spoke of getting away from the colored bag system and spoke of a tag/sticker system.

Mr. Calamari – Mr. Calamari asked that in the future if representatives are invited to attend meetings that it be reflected on the agenda so the residents can be informed.

Introduction Ordinance No. 16-07

The Clerk read Ordinance No. 16-07 entitled: AN ORDINANCE PROVIDING FOR AN APPROPRIATION OF \$53,000 FROM THE GENERAL CAPITAL FUND, CAPITAL FUND BALANCE ACCOUNT TO FINANCE THE COST OF VARIOUS CAPITAL PROJECTS IN AND BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AS DESCRIBED HEREIN.

A motion was made by Mr. Sears, seconded by Dr. Cascio, to introduce and pass Ordinance No. 16-07 at first reading by title.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

The following resolution, Resolution No. 16-241 was presented and adopted on a motion by Mr. Calamari, seconded by Mr. Sears.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

WHEREAS, Ordinance No. 16-07 entitled: AN ORDINANCE PROVIDING FOR AN APPROPRIATION OF \$53,000 FROM THE GENERAL CAPITAL FUND, CAPITAL FUND BALANCE ACCOUNT TO FINANCE THE COST OF VARIOUS CAPITAL PROJECTS IN AND BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AS DESCRIBED HEREIN was introduced and passed at first reading at a meeting of the Township of Washington on the 16TH day of May, 2016.

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on 12th day of September, 2016, at 7:30 o'clock in the evening, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Building, 350 Pascack Road, Township of Washington at which time and place all persons who may be interested will be given an opportunity to be heard concerning said ordinance;

BE IT FURTHER RESOLVED, that the Township Clerk is authorized to advertise in The Bergen Record, a newspaper circulated in this Township, the introduction and notice of further consideration.

CONSENT AGENDA

Administrator Groh – Administrator Groh asked that Resolution No. 16-256 be pulled. She also explained the contracts for Resolution No. 16-248 and 16-255. Mr. Sears requested a copy of those contracts. Resolutions No. 16-249 and 16-257 were also discussed. Administrator Groh spoke of the locations for the ADA compliant curbs and stated it is a full reimbursement.

The following resolutions, No. 16-242 – 16-255, 16-257, 16-258 were part of the Consent Agenda and were made available to the Governing Body and the Public prior to the meeting.

The Consent Agenda was presented and adopted on a motion by Dr. Cascio, seconded by Mr. Calamari.

Ayes: Councilmen Bruno, Cascio, Calamari, Sears, Ullman.

Nays: None.

Resolution No. 16-242

Engineering Escrow

WHEREAS, Christina Gardeski and Paul Mores posted engineering escrow money for tree removal on premises known as Block 4203, Lots 5-8, 523 Cross Street; and

WHEREAS, there are no outstanding invoices due the Planning Board Attorney; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his correspondence dated May 6, 2016; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$153.10 to the above.

Resolution No. 16-243

Recreation Refund

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that the Township Treasurer is hereby authorized to refund the following recreation fees:

Amy Katigbak
c/o Lin, Wei-Min & Hsing-Fang
7 Katharina Place
Township of Washington, NJ 07676

Refund for Summer Camp 2016	\$245.00
Administrative Fee Non-Refundable	<u>-\$25.00</u>
Refund for Summer Recreation	\$220.00

Refund Amount: \$220.00

Resolution No. 16-244

Recreation Refund

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that the Township Treasurer is hereby authorized to refund the following recreation fees:

Zara Arsala
286 Hoover Avenue
Township of Washington, NJ 07676

Refund for Summer Camp 2016	\$255.00
Administrative Fee Non-Refundable	<u>-\$25.00</u>
For Ryon Arsala	\$230.00

Refund for Summer Camp 2016	\$245.00
Administrative Fee Non-Refundable	<u>\$25.00</u>
For Jacob Arsala	\$220.00

Refund for Summer Recreation
Refund Amount: \$450.00

Resolution No. 16-245

Recreation Refund

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that the Township Treasurer is hereby authorized to refund the following recreation fees:

William Cordo
358 Colonial Blvd.
Township of Washington, NJ 07676

Refund for Summer Camp 2016	\$255.00
Administrative Fee Non-Refundable	<u>-\$25.00</u>
Refund for Summer Recreation	\$230.00

Refund Amount: \$230.00

Resolution No. 16-246

Recreation Refund

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that the Township Treasurer is hereby authorized to refund the following recreation fees:

Daniela Pineda
330 Pascack Road
Township of Washington, NJ 07676

Refund for Summer Camp 2016	\$255.00
Administrative Fee Non-Refundable	<u>-\$25.00</u>
Refund for Summer Recreation	\$230.00

Refund Amount: \$230.00

Resolution No. 16-247

Authorizing Bids for ADA Compliant Curbs

WHEREAS, the Township of Washington has received a non-matching federal grant in the amount of \$40,000 through the Bergen County, Division of Community Development for the construction of handicapped accessible ramps; and

WHEREAS, the Township Council wishes to adopt a resolution to authorize the advertisement of bids in furtherance of said contract;

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the Business Administrator is authorized to advertise for bids for said project.

Resolution No. 16-248

Shared Services for Vehicle Maintenance

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) promotes the broad use of shared services as a technique to reduce local expenses funded by property tax payers; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) allows for any local unit to enter into an agreement with any other local unit or units to provide or receive any services that each local participating in the Agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Township of Washington (the "Township") has a need for maintenance and repair services with respect to its vehicles and the Borough of Paramus ("Paramus") has the personnel and equipment necessary to provide such vehicle maintenance and repair services for the Township; and

WHEREAS, Paramus and the Township seek to enter into a Shared Services Agreement for vehicle maintenance whereby Paramus would provide to the Township such vehicle maintenance and repair services;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township approves of the proposed shared services agreement as referenced herein between the Township and Paramus, a copy of which is on file with the Township;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the subject shared services agreement with Paramus for the above stated purpose.

Resolution No. 16-249

Shared Services for Snow Plowing

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) promotes the broad use of shared services as a technique to reduce local expenses funded by property tax payers; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) allows for any local unit to enter into an agreement with any other local unit or units to provide or receive any services that each local participating in the Agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the County of Bergen, acting through the Director of Public Works (the "County") has the need for snow plowing services to be rendered by the Township of Washington (the "Township") with respect to County owned or County controlled roads located within the Township; and

WHEREAS, the Township can render such services and wishes to enter into a shared services agreement with the County to provide such services;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township approves of the proposed shared services agreement as herein referenced between the Township and the County, a copy of which is on file with the Township;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the subject shared services agreement with the County for the above stated purpose.

Resolution No. 16-250

Drive Sober or Get Pulled Over 2016 Statewide Crackdown

WHEREAS, the Township of Washington Police Department has applied for the Driving While Intoxicated enforcement "Drive Sober Or Get Pulled Over 2016 Statewide Labor Day Crackdown" Highway Safety Grant from the New Jersey Division of Highway Traffic Safety; and

WHEREAS, the State has awarded a grant to the Township of Washington in the amount of \$5,000.00; and

WHEREAS, the grant (\$5,000.00) will pay for Police Officers to work overtime to enforce laws effecting the safety and welfare of the residents and streets of the Township of Washington and to educate and encourage the public to refrain from driving while intoxicated;

WHEREAS, approximately one-third of all traffic fatal crashes in the United States a drunk driver; and

WHEREAS, impaired driving crashes cost the United States almost 50 Billion a year; and

WHEREAS, 27% of motor vehicle fatalities in New Jersey in 2013 (the last year for which complete data is available) were alcohol related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the summer season and Labor Day holiday, in particular are traditionally times of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Drive Sober or Get Pulled Over 2016 Statewide Labor Day Crackdown; and

WHEREAS, the project will involve increased impaired driving enforcement from August 19 through September 5, 2016; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Washington accept the grant from the State of New Jersey, Division of Highway Traffic Safety and declares its support for the Drive Sober Or Get Pulled Over 2016 Statewide Labor Day Crackdown from August 19 through September 5, 2016 and pledges to increase awareness of the dangers of drinking and driving.

Resolution No. 16-251

Engineering Escrow

WHEREAS, Patrick & Donna Mirabella, posted engineering escrow money on premises known as Block 4203, Lot 13, 567 Beech Street; and

WHEREAS, the project falls within the guideline where neither a Certificate of Occupancy nor a Certificate of Acceptance is needed; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated July 25, 2016; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$608.00 to the above.

Resolution No. 16-252

Engineering Escrow

WHEREAS, Nicolino & Janel Nese posted engineering escrow money on premises known as Block 2107.01, Lot 11, 43 Gabriel Way; and

WHEREAS, the Construction Code Official has issued approval dated June 29, 2016, C.O. No.15-377; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated June 17, 2016; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$265.00.00 to the above.

Resolution No. 16-253

Engineering Escrow

WHEREAS, Patrick & Chiara Preciose posted engineering escrow money on premises known as Block 3101, Lot 4, 668 Leigh Terrace; and

WHEREAS, the Construction Code Official has issued approval dated December 30, 2014, C.O. No. 14-348; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated July 6, 2016; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$265.00 to the above.

Resolution No. 16-254

Engineering Escrow

WHEREAS, Ronald & Cynthia Cenicola posted engineering escrow money on premises known as Block 2308, Lot 18, 983 Garibaldi Place; and

WHEREAS, the Construction Code Official has issued approval dated August 9, 2016, C.O. No. 14-164; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated December 17, 2015; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$517.00 to the above.

Resolution No. 16-255

Shared Services Vehicle Maintenance – Paramus

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) promotes the broad use of shared services as a technique to reduce local expenses funded by property tax payers; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) allows for any local unit to enter into an agreement with any other local unit or units to provide or receive any services that each local participating in the Agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Township of Washington (the "Township") has a need for maintenance and repair services with respect to its vehicles and the County of Bergen (the "County") has the personnel and equipment necessary to provide such vehicle maintenance and repair services for the Township; and

WHEREAS, the County and the Township seek to enter into a Shared Services Agreement for vehicle maintenance whereby the County would provide to the Township such vehicle maintenance and repair services;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township approves of the proposed shared services agreement as referenced herein between the Township and the County, a copy of which is on file with the Township;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the subject shared services agreement with the County for the above stated purpose.

Resolution No. 16-257

Cranford Co-op Purchase Agreement

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, the Township of Washington, County of Bergen, State of New Jersey has duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED that, pursuant to the provisions of N. J.S.A. 40A:11-11(5), the Mayor is hereby authorized to sign a Cooperative Pricing Agreement with the Lead Agency, who shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

Resolution No. 16-258

Recreation Refund

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that the Township Treasurer is hereby authorized to refund the following recreation fees:

Lubna Tumeh
437 Howard Street
Township of Washington, NJ 07676

Summer Camp 2016	\$ 255.00
Multiple Registrant Discount	<u>\$ - 10.00</u>
Refund for Summer Recreation	\$ 245.00

Refund for Summer Camp	\$ 245.00
Administrative Fee Non-Refundable	<u>\$ -25.00</u>
Refund for Summer Recreation	\$ 220.00

Refund Amount: \$220.00

Administrator Groh – Administrator Groh spoke of the changes she would like to make to Resolution No. 16-256. She stated she will draft a resolution with the changes during the break.

A conversation followed regarding if there are monies left over from the past road program and if so can those monies be used to fund more roads or cancel the difference. Administrator Groh stated she will obtain some lists from Mr. Statile regarding what roads are next on the list.

A motion was made by Dr. Cascio, seconded by Mr. Calamari to approve Resolution No. 16-256 based on the changes as per Administrator Groh.
Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.
Nays: None.

Resolution No. 16-256

D&L Paving Change Order

WHEREAS by Resolution dated June 13, 2016, the Township Council accepted the base bid of D&L Paving Contractors, Inc. (hereafter “D&L”) and authorized the Mayor to execute a contract for the 2016 Road Improvement Program; and

WHEREAS the Township Council desires to undertake certain work beyond the base bid and, more specifically, the paving of Cross Street; the paving of a portion of Walnut Street and the repair of sidewalk over the Musquapsink Brook; and

WHEREAS D&L has submitted a proposed Change Order to the Contract for said work based on the unit prices in the base bid for a total amount of \$93,786.14; and

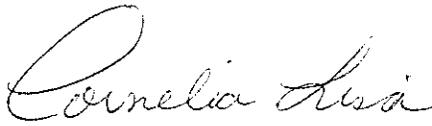
WHEREAS, the Chief Financial Officer has certified that funds are available in the Capital Account in an amount not to exceed \$93,786.14.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Washington that the attached Change Order is hereby approved upon receipt of an agreement executed by Suez North America (“Suez”) for reimbursement to the Township for all the costs for the paving of the portion of

Walnut Street, including all actual charges by D&L (estimated to be \$27,444.08), engineering fees and police fees for traffic control; and

IT IS FURTHER RESOLVED that the Mayor and Town Engineer are hereby authorized to execute the attached Change Order on behalf of the Township of Washington upon said agreement from Suez.

Time noted: 10:00 p.m.



Cornelia Lisa
Deputy Township Clerk



Michael Ullman
Council President

Approved: September 12, 2016

BERGEN COUNTY, NEW JERSEY

CONFERENCE PORTION/PUBLIC SESSION

August 15, 2016

Members present: Robert Bruno, Steve Cascio, Peter Calamari, Tom Sears, Michael Ullman. Also present: Janet Sobkowicz, Mayor; Mary Anne Groh, Administrator; Ken Poller, Attorney.

Time Noted: 10:09 p.m.

CURRENT BUSINESS

Township Auditor – Mr. Ullman stated both the Lerch, Vinci & Higgins firm and the Louis C. Mai firm gave presentations and were asked questions at the last meeting. He stated there is a blank resolution before us this evening and would like to know if anyone has any statements they would like to make before the resolution is voted on. Mr. Calamari stated his two issues, were the pricing issue that he questioned Mr. Mai about and if another set of eyes look at the Township stuff, in which Mr. Vinci stated there is a rotation. Dr. Cascio stated his concern is that the Township is not keeping with the State's Best Practices, since Lerch, Vinci has been the auditor for over 20 years and State Best Practices state the firm should change every ten years and the person every 3 years. Mr. Sears stated he agrees with some of the issues Mr. Calamari brought up, he is also concerned about the Mai firm contracting someone out since they are not as big as Lerch, Vinci and the price difference is also a concern. Mr. Bruno stated he agrees with Dr. Cascio and it is not a concern to him who they would bring in. Mr. Ullman spoke of the size of each firm, which he feels are two extremes. He also spoke of OPRA's information and the information provided by Lerch, Vinci being mislabeled. Mr. Calamari spoke of his concerns with regard to the small size of the Mai firm, which he feels can only hurt the Township.

A motion was made Dr. Cascio, seconded by Mr. Bruno, to have Louis C. Mai of Louis C. Mai CPA & Associates the Township Auditor for the calendar year 2016.

Ayes: Councilmen Bruno, Cascio, Ullman.

Nays: Councilmen Calamari, Sears.

Resolution No. 16-260

Township Auditor

WHEREAS, the Township of Washington, Bergen County has the need for auditing services which are to be rendered to the Township by a registered municipal accountant of New Jersey selected by the Township Council; and

WHEREAS, the Township Council has determined to appoint Louis C. Mai, CPA & Associates as the Township Auditor in accordance with the terms of the Township's ordinances; and

WHEREAS, the contract for such services is not being awarded under what is termed the fair and open contract provisions as defined in N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional auditing services will be in excess of \$17,500; and

WHEREAS, Louis C. Mai, CPA & Associates has submitted a proposal with respect to the rates for said services to be rendered to the Township for the year 2016 which is the anticipated term of this contract; and

WHEREAS, Louis C. Mai, CPA & Associates have completed and submitted a Business Entity Disclosure Certification which certifies it has not made any reportable contributions to a political or candidate committee in the Township of Washington in the previous one year, or made any contribution

not in accordance with the terms of the applicable Township ordinance, and has agreed that the terms of appointment will prohibit Louis C. Mai, CPA & Associates from making any reportable contributions during the term of the contract or making any contribution not in conformity with the terms of the applicable Township ordinance; and

WHEREAS, the availability of funds for such services shall be determined in the Township's annual budget;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Washington, County of Bergen, State of New Jersey hereby appoint Louis C. Mai, CPA & Associates as the Township Auditor and authorizes the Mayor to enter into a contract with Louis C. Mai, CPA & Associates the Township Auditor as described herein;

BE IT FURTHER RESOLVED that the position set forth herein was not filled through the "fair and open process" as defined under N.J.S.A. 19:44A-20.5 et seq. As such, it has been attested that Louis C. Mai, CPA & Associates and any subsidiaries, assigns or principals controlling in excess of 10% of said company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the appointment that would, pursuant to P.L. 2004, c.19, affect the eligibility to perform under the appointment, nor will it make a reportable contribution during the term of the contract to any political party committee in the Township of Washington, County of Bergen, or make any contribution which is not in conformity with Township ordinance, when the contract is awarded, or to any candidate committee of any person servicing in an elective public office of said municipality when the contract is awarded;

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification be placed on file with this resolution, and that a notice of the award of said contract shall be published in accordance with law.

CFO Status - Administrator Groh gave an update on the status of the interviews. A conversation followed if those interviewed would be available on site for the position. Administrator Groh stated both individuals that were interviewed agreed it was a part time position, being four to five hours a week. She spoke at length of the hours that Ms. Mirabella currently works on a weekly basis. A length conversation followed of the importance of having someone on site and maybe entering into a shared service agreement. The position was advertised in the League of Municipalities for a month, in which 4 resumes were received and three applicants were interviewed. It was agreed that council would like someone that comes to Town Hall on a regular basis, interacts with the staff and completes their job no matter how many hours are required. A conversation followed if the CFO would be required to attend council meeting as well as budget sessions. Administrator Groh spoke of people having tenure and they may be willing to pick up extra work on the side. She doesn't believe you would need someone full time. She also spoke of the Tax Collector position which also needs to be filled. Mr. Calamari spoke of taking the lead and hiring a full time CFO and see if other municipalities would like to share with the Township.

Clerk Status - The position has been posted in the League of Municipalities and the New Jersey Clerk's Association. Mr. Ullman stated 12 responses have been received so far and hard copies have been forwarded to council. A conversation followed with regard to the interview process. It was agreed that a short list of candidates be forwarded to Mr. Ullman by Friday, August 19th.

Sale of Dogs & Cats - Mr. Sears stated he has received calls to join the rest of the community with regard to blocking puppy mills coming to town. Mr. Calamari, Mr. Ullman and Mr. Bruno stated they do not have a problem with such an ordinance. Dr. Cascio expressed his concern of banning a legitimate pet store. A conversation followed of the surrounding municipalities that have such ordinance. Mr. Poller will send something to council to look at before the next meeting.

Memorial Field Update – Memorial Field was aerated last Monday and was seeded and fertilized on Friday. A conversation followed on how the sprinkler system is being managed. Mr. Ullman asked that recreation leverage the playing field. Mr. Calamari stated his concern of not being able to give the public a rough guide on what is being spent on the fields and that reflecting bad on the council. He would like to be able to give the public some percentages as to what it costs to maintain each field. Administrator Groh stated she will put something together. A discussion followed with regard to grants, drainage and lighting of the field. Mr. Calamari stated he would like to give the public numbers on the maintenance and what is expected to be saved with improvements. Mr. Ullman spoke of proper maintenance not being done on the field in the past and with a little bit that has been done there is actually grass there. Mr. Calamari spoke of the drainage issue and a video on youtube that actually shows what occurs during a heavy rain. Mr. Bruno stated in what has been done in the short amount of time the field looks much better than it did last year. Clark Field was discussed, which is maintained by baseball during baseball season and then maintained by the DMF. A conversation followed with regard to the 2.45 referendum.

Pacack Road and Washington Avenue – Mayor Sobkowicz stated the 2006 study will be circulated. Captain Hackbarth has contacted the County to do a traffic study for the Township. A conversation followed on the number of vehicles that use Exits 165, 168 and 171. A conversation followed regarding getting the value of a sliver of land needed for the intersection.

Resolution No. 16-259

Closed Session, August 15, 2016

WHEREAS, the public is invited to attend all Meetings (whether denoted public or conference sessions) of the Township Council in accordance with its general practice and the Open Public Meetings Act; and

WHEREAS, the Legislature of the State of New Jersey declared that the public has a right to attend all meetings of the public bodies at which any business affecting the public is discussed or acted upon in any way except as set forth in the Open Public Meetings Act (N.J.S.A. 10:4-12), which provides for the exclusion of the public from the portion of a meeting at which certain enumerated matters are to be discussed; and

WHEREAS, the Township Council has determined that, because of the nature of the subject matter to be discussed, the public should not be present at that portion of the meeting of the Township Council at which certain specific matters encompassed by N.J.S.A. 10:4-12 are to be discussed;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that, pursuant to the express provisions of the Open Public Meetings Act, the public be excluded from the meeting or portion of the meeting (denoted as an “executive” or “closed” session) in which the following matters are to be discussed:

1. Any matter which, by express provision of federal law or State statute or rule of court shall be rendered confidential or excluded from the provision of subsection a. of this section.

2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendation, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance, and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual’s personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a

minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

4. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

5. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

6. Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.

7. Any pending or anticipated litigation or contract negotiation other than in subsection b. (4) herein in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer. **PENDING LITIGATION COAH**

8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

9. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.

BE IT FURTHER RESOLVED, that it is not possible as yet to fix the time when or the circumstances under which the discussion conducted in Closed Session can be disclosed to the public. It is anticipated that the subject matter under discussion will be made public when finalized.

BE IT FURTHER RESOLVED, that notice is hereby given that the Township Council may find it necessary to take action at the conclusion of the executive/closed session; that such action if taken, will occur in open session; that you are invited to stay in the Municipal Building during the executive/closed session; that the doors to the Council chambers will be opened and an announcement will be made if the Township Council will be going into open session; and you may be present during such open session.

 The Township Council anticipates that an open session will be necessary.

 x The Township Council anticipates that an open session will not be necessary.

Motion		Seconded		Ayes	Nays	Abst.	Absent
Bruno		Bruno		x			
Calamari	x	Calamari		x			
Cascio		Cascio	x	x			
Sears		Sears		x			
Ullman		Ullman		x			

Time noted: 11:13 p.m.



Cornelia Lisa
Deputy Township Clerk



Michael Ullman
Council President

Approved: September 12, 2016