

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

SINE DIE MEETING

January 4, 2016

The Sine Die meeting of the Township Council was held this date in the Municipal Building, Pascack Road. The meeting was called to order at 7:24 p.m. by Council President Peter Calamari with a salute to the flag. Members present: Steve Cascio, Tom Sears, Peter Calamari. Also present: Janet Sobkowicz, Mayor; Kenneth Poller, Attorney.

Pursuant to the provisions of the Open Public Meetings Act, this meeting was noticed with the Ridgewood News, posted on Municipal Bulletin Board and filed with the Municipal Clerk.

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 Mr. Sears, seconded by Mr. Calamari to approve the December 22, 2015 Public, Conference & Closed Session Minutes.

Ayes: Councilmen Calamari, Sears.
Abstain: Councilman Cascio.
Nays: None.

Mr. Calamari – Mr. Calamari stated that concludes the Sine Die portion of the meeting. We do have to wait until 7:30 to go into the public portion so we will take a break.

Time Noted: 7:27 p.m.


Elaine Erlewein
Township Clerk


Peter Calamari
Council President

Approved: February 1, 2016

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

REORGANIZATION MEETING

January 4, 2016

The Annual Reorganization meeting of the Township Council was held this date in the Municipal Building, 350 Pascack Road. The meeting was called to order at 7:39 p.m. by Council President Peter Calamari with the Clerk leading the salute to the flag. Members present: Steve Cascio, Thomas Sears, and Peter Calamari. Also present: Janet Sobkowicz, Mayor; Kenneth Poller, Attorney.

Pursuant to the provisions of the Open Public Meetings Act, this meeting was noticed with The Bergen Record, posted on Municipal Bulletin Board and filed with the Municipal Clerk.

OATHS OF OFFICE

Dr. Steve Cascio was sworn in by Municipal Judge Peter J. Geiger as Councilman.

Mr. Robert Bruno was sworn in by Municipal Judge Peter J. Geiger as a Councilman.

Mr. Michael Ullman was sworn in by Municipal Judge Peter J. Geiger as a Councilman.

ROLL CALL OF COUNCIL

Present: Councilman Bruno, Councilman Calamari, Councilman Dr. Cascio, Councilman Sears, Councilman Ullman.

OATHS OF OFFICE COUNCIL PRESIDENT AND VICE PRESIDENT

A motion was made by Mr. Cascio, seconded by Mr. Bruno to nominate Mr. Michael Ullman as Council President.

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

Nays: None.

Councilman Michael Ullman was sworn in as Council President by Municipal Judge Peter J. Geiger.

A motion was made by Dr. Cascio, seconded by Mr. Sears to nominate Robert Bruno as Council Vice President.

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

Nays: None.

Councilman Robert Bruno was sworn in as Council Vice President by Municipal Judge Peter J. Geiger.

REPORT OF MAYOR

Mayor Sobkowicz welcomed everyone to the Reorganization Meeting of 2016. She stated 2015 was a very good year and we accomplished much. She would like to say "Thank You" to all of the people who contribute in making our community better, including our employees, directors, volunteers, emergency services, residents, vendors and various groups, they all have a part in working to make the Township a great place to live. Stated the shopping center is under new management, Silbert Management who will work to continue to filling the stores. Thanked Council President Peter Calamari for his leadership this year, he was always willing to help such as doing interviews or various topics that

needed attention. Thanked all of the councilmembers this past year for their work, it is very time consuming, whether you agree or not, Mr. Beckmeyer served as Director of Engineering before he was on the council in the former administration, Mr. Sears is always available when you need him, Mr. Frank was only a member for a short time, but in the past few years he had been Director of Engineering also, and Dr. Steve Cascio who is newly re-elected and has been serving the community for many years. Congratulated the newly elected members, Mr. Michael Ullman and Mr. Robert Bruno, she knows that they will continue to work to make the town better. Stated the Mayor and Council Members will be addressing challenges and looking for opportunities to make things better. She encouraged everyone to check the e-sign at Town Hall, the website, the WCTV bulletin board and also asked everyone to listen to the messages that are forwarded through Swiftreach. Thanked everyone again for helping to make the community better and wished everyone a happy, healthy and safe new year.

REPORT OF COUNCIL

Dr. Cascio – Dr. Cascio thanked everyone for coming out tonight. Stated the council he has worked with in the past, Mr. Beckmeyer, Mr. Frank, Mr. Sears and Mr. Calamari have done a fantastic job progressing and making this town better than it has been in the past. Thanked his wife Donna, his two children Samantha and Michelle for their inspiration. Thanked the people that helped him get elected again, his CCC Club, he really appreciated it. He also thanked Mr. Bruno and Mr. Ullman, he was fortunate to have a good team. He stated 2016 is going to be a great year in moving this town forward with the help of everyone in town as well as surrounding towns. Wished everyone a great 2016 and thanked everyone for their support.

Mr. Sears – Mr. Sears welcomed Mr. Ullman and Mr. Bruno to the council. Stated he is looking forward to working with both of them to make this town a better place.

Mr. Calamari – Mr. Calamari welcomed Mr. Ullman and Mr. Bruno to the council. Stated he looks forward to getting a lot done in 2016 and to pick up the momentum that was started in 2015.

Mr. Bruno – Mr. Bruno wished everyone a happy and healthy new year, thanked everyone for their support and trust. Thanked his wife Sandy who stood behind him. Stated he looks forward to working with the councilmembers. Stated he has been on that side for a while and he is happy to be here representing this town. Stated his goal is to work in collaboration with Madam Mayor, the business administrator, the administration of the Township along with various departments of the Township. Stated he knows many people have reached out to offer support and the intention is to take them up on their offers. He urged residents to participate in the town. Stated his email and phone number will be listed on the website and as he has stated for several years he is here to help. Thanked everyone for coming.

Mr. Ullman – Mr. Ullman thanked his wife Debra for her support. Stated she really inspires him to be a better person and he hopes that comes across with his dealings in the town. Although Mr. Beckmeyer and Mr. Frank are not present, he wanted to thank them for their efforts and their service to the Township. As the Mayor indicated they are long serving volunteers and council members and the town is a better place because of their efforts. Stated he looks forward to working with his fellow councilmen, the administration as well as all the employees in the Township. Stated he also looks forward to working collaboratively with the volunteer organizations that support the residents as well as the emergency service groups who volunteer their time and put their lives on the line for us. Stated he looks forward to both serving the citizens of Washington Township and a good 2016. He thanked Ms. Erlewein for preparing the Reorganization Agenda. Stated he does have a few changes to the agenda. Firstly, under the appointments by Mayor, he would respectfully request that she not appoint the Municipal Prosecutor, the Alternate Municipal Prosecutor, as well as the Risk Management Consultant, he would like those appointments

done with the consent of council. Stated he would like to move the Public Comment Session prior to the Consent Agenda, and would like to add a Conference Session to discuss the appointment of the Township Clerk, the appointment of the Deputy Clerk, and the recently passed Zoning Board Appointments.

Mr. Poller – Mr. Poller spoke at length with regard to going through the codification process with Administrator Cavallo as regard to appointments as per Township Code. He then read from Section 569 of the Township Code. He spoke of the form of government and what the Mayor has supervision or control over. He stated with regard to the Municipal Prosecutor and Prosecutor, it is an approval of the Mayor, there is not requirement for the council to vote on that. He also spoke of statute 2B-25-4, the Faulkner Act and the Lynch Amendment under the Faulkner Act. He stated after research it was concluded that with respect to the Municipal Prosecutor and the Alternate Prosecutor that the consent of the council was not required, that it was a Mayoral Appointment. He stated Public Defender is different since there is nothing in the Municipal Code, there is a case on that so it was left with the council voting on that.

Mr. Ullman – Mr. Ullman stated this discussion is being had at this time while appointments are being made and he doesn't know if this is the forum to start changing. Stated he would ask the Mayor that the Municipal Prosecutor and the Alternate Municipal Prosecutor be approved with the consent of council. He stated he views the Risk Management Consultant as a professional contract.

Mr. Poller – Mr. Poller stated that is also a Mayoral appointment under the Faulkner Act. Stated he did check with JIF with regard to their authority.

Mr. Ullman – Mr. Ullman spoke of function of insurance in the Township and that function having a committee. Stated we have one Risk Manager and he is appointed and that goes back to reorganization meetings of 2011, 2012, 2013, 2014 and 2015 in which that function has been done with the consent of council. Stated the Risk Manager Consultant would be viewed as a contractor of the town.

Mr. Poller – Mr. Poller stated he is not a contractor of the town; he is paid by the JIF so he is not a direct contractor of the town. He spoke at length with regard to the introduction of the 2016 salary ordinance and the idea of the insurance committee.

Mr. Ullman – Mr. Ullman stated administrative indifference has been shown. Stated he personally believes it should not be changed now, and is again asking the Mayor to please refrain from appointing both the Municipal Prosecutor, the alternate and the Risk Management Consultant and to have it done with the consent of council. He stated if we would like to address those appointments at next year's reorganization that it is done in manner of complete transparency for both the council and administration.

Dr. Cascio – Dr. Cascio stated in looking back at other reorganization meetings those three were on the Consent Agenda. Stated to be consistent those would have to be moved and it is the prerogative of the Council President to set the agenda, to move those or table them.

Mr. Bruno – Mr. Bruno stated we are trying to be consistent. He spoke of setting a precedent. He agrees with Mr. Ullman, pull it off for now and if we want to have a further discussion that is fine.

Mr. Poller – Mr. Poller stated these are appointments by the Mayor, whether she makes them now or doesn't make them now. He stated even if she made the appointments at the next meeting it can be an item input of the council and it can be done at the next meeting. He spoke of what could happen if these appointments are not made.

Mr. Ullman – Mr. Ullman stated if it is moved to the consent of council and if council consents then clearly they are appointed. He stated he would assume there is a holdover/carry over for these positions. Stated he does feel this is something that should be addressed with the consent of council.

Mayor Sobkowicz – Mayor Sobkowicz stated these need to be appointed today, she needs them for court and for the Annual Reorganization Meeting of

the JIF. She stated she will move forward with appointing them and not put the end of the term.

Mr. Bruno – Mr. Bruno asked as a consultant is there a contract.

Mr. Poller – No, there is no contract. He is a Risk Manager under the by-laws of the JIF.

Mr. Ullman – Mr. Ullman stated if the appointment is not filled this evening those individuals roll over and will continue to function in those roles.

Mr. Poller – Mr. Poller stated that being said could be we get the appointment made and not stating a term, just an appointment to carry over.

Mr. Ullman – Mr. Ullman stated he would like to see a term ending. He would like to see it until the end of February so they can operate in their current capacity.

Mr. Bruno – Mr. Bruno asked that it be a term of 30 days.

Mayor Sobkowicz – Mayor Sobkowicz asked if there is a problem with the alternate prosecutor or the municipal prosecutor.

Mr. Bruno – Mr. Bruno stated we are trying to be consistent and also would like to take a look of who is in the department. Stated he would like to be consistent as it was done in prior years.

Mayor Sobkowicz – Mayor Sobkowicz stated the prosecutor has been here for quite a few years and according to the Police Department does a good job. Stated she would like those people to continue.

Mr. Bruno – Mr. Bruno stated then have the term for 30 days.

Mr. Calamari – Mr. Calamari asked what is going to change in the next 30 days or what is the anticipation if it is not done tonight?

Mr. Ullman – Mr. Ullman replied if it is not done this evening he would anticipate the current holder of the position continue in their function. Stated it has historically had the consent of council, if we chose to review the individual and not appoint them and see if there is an alternate individual to fill that role. Stated it is a matter of looking at individuals who are holding positions as the Mayor indicated this person has held the position for quite some time, is there someone else out there who can do the job better, do it more efficiently or at less cost.

Mr. Calamari – Mr. Calamari replied respectfully he doesn't believe that is the correct thing to say since we are not familiar with the individuals yet. Stated Mr. Ullman and Mr. Bruno have been council elect for a few months now and could have done their due diligence before tonight. Stated just because he has a different view point than those in the audience comments should not be made. He stated comments could be done during the public portion.

Mr. Ullman – Mr. Ullman stated at the end of last year, coming to the council sessions, there was a mob mentality. He stated everyone up here, including the Mayor and Mr. Poller, have the right to offer their opinion. Stated if everyone could keep their comments to themselves, there will be a public session and everyone is welcome to address the council at this time

Mr. Calamari – Mr. Calamari stated there are changes that get made from time to time. Stated he would defer to Mr. Poller to determine that since he is the Township attorney. Stated he believes it unfair to bring this up at this point and not have alternate names to suggest for these positions.

Mr. Bruno – Mr. Bruno stated it is in the minutes of last year, these three individuals were approved with the advice and consent of council. Stated he received his package Thursday, besides the surprise it is not with the consent of council, how could he do due diligence in three days. Stated we should move on and the term should be for 30 days.

Mayor Sobkowicz – Mayor Sobkowicz stated the courts require continuity and they would like to have these individuals back there.

Mr. Sears – Mr. Sears stated he would suggest that the Mayor continue with getting the prosecutor and alternate prosecutor nominated tonight. Stated the 30 days will not work for us. Stated he would like to have a better discussion on this and he would like the Mayor to move forward with her appointments.

Mr. Ullman – Mr. Ullman stated as the president of the council he is going to pull the Municipal Prosecutor, the Alternate Municipal Prosecutor and the Risk Manager Consultant from the agenda. Stated at this point Madam Mayor can move forward with her announcements and appointments.

Mr. Calamari – Mr. Calamari stated at this time the Township attorney is stating the approval of the council is not needed. Asked if these items are pulled is the Mayor free to make these appointments outside of a council meeting.

Mayor Sobkowicz – Mayor Sobkowicz replied yes.

Mr. Ullman – Mr. Ullman stated she certainly may be.

NEW BUSINESS

The Mayor read the following appointments:

Please be advised that I am appointing the following citizens to the offices and positions listed below:

PLANNING BOARD

Eugene Dumaresq 4 year term, expiring December 31, 2019
Thomas Pinnick 4 year term, expiring December 31, 2019

RECYCLING COORDINATOR

Elaine Erlewein 1 year term, expiring December 31, 2016

RECREATION ADVISORY BOARD

Tim Ritter 4 year term, expiring December 31, 2019
Christopher Santise 4 year term, expiring December 31, 2019

ADVISORY BOARD OF HEALTH

Eugene Greco 4 year term, expiring December 31, 2019

Mayor's Alternate to the Library Board of Trustees

Katie L. Fisher 1 year term, expiring December 31, 2016

FIRE DEPARTMENT OFFICERS FOR THE YEAR 2016

Chief: Adam Ehrenfels
Deputy Chief: Peter Insetta
Battalion Chief: David Hayes
Captain: Kevin Zitko
1st Lieutenant: Jason Gugger
2nd Lieutenant: Robert Schroeder

POLICE DEPARTMENT

Police Special Officer
David Rosenbaum

School Crossing Guards

Frank Abate
Eileen P. Farrell
Ralph Kwasniewski
Paul Onorato
Jack Walsh
Anoush Yenoukian

Library Board Trustees

Jaclyn Hrbek Term expiring December 31, 2020

MUNICIPAL COURT

Margaret Koesel,
Municipal Court Administrator

Term expiring December 17, 2017

GENERAL PUBLIC DISCUSSION

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

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

Nays: None.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment congratulated the new council members and the old council members. She stated hopes everyone can work together.

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

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

Nays: None.

CONSENT AGENDA

The following resolutions were part of the Consent Agenda and were made available to the Governing Body and the Public prior to the meeting.

Dr. Cascio – Dr. Cascio stated he would like 16-101, 16-102, 16-103, 16-104, 16-105 and 16-106 pulled off. Stated he would like to RFQ for those positions.

Mr. Sears – Mr. Sears stated he would like to have a discussion on 16-111 and 16-113.

Mayor Sobkowicz – Mayor Sobkowicz stated she would like 16-109 pulled.

A discussion followed with regard to Resolution No. 16-109.

Mr. Ullman – Mr. Ullman Asked that 16-109 be voted on separately, and also 16-101 through 16-106, 16-111, 16-113.

Mr. Bruno – Mr. Bruno asked that 16-108 be pulled. Stated he believes it is a “Municipal Court Clerk” and a “Deputy Clerk” versus an “Administrator”. Stated he believes this needs to be discussed. Stated he agrees that 16-111 be held for a separate conversation, along with 16-112. Stated 16-113 talks about some representation letters from the CFO, which we do not have, so that would need to be pulled. Stated 16-115, the Renewal of Petty Cash amount has a typo, and it also talks about a treasurer, he would like to pull that for discussion. Stated also 16-121 refers to a CFO, which we do not have so that would need to be pulled and discussed.

Mr. Ullman – Mr. Ullman stated in summary we will pull for further discussion the following resolutions: 16-101, 16-102, 16-103, 16-104, 16-105, 16-106, 16-108, 16-109, 16-111, 16-112, 16-113, 16-115, and 16-121.

As per the Consent Agenda, the following resolutions will be approved: 16-107, 16-110, 16-114, 16-116, 16-117, 16-118, 16-119, 16-120, 16-122, 16-123, 16-124, 16-125, 16-126 and 16-127.

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

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

Nays: None.

Resolution No. 16-107

Consent to Appointment of Library Trustee

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that the following citizen is hereby appointed as Library Trustee for a term ending December 31, 2020:

Jaclyn Hrbek

Resolution No. 16-110

State Contract Vendors

AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS, SOMERSET COUNTY COOPERATIVE PRICING SYSTEM CONTRACT VENDORS AND MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM VENDORS

WHEREAS, the Township of Washington, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may, by this resolution and a properly executed purchase order and without advertising for bids, purchase any goods or services from certain approved contract vendors, under the State of New Jersey Cooperative Purchasing Program, for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Washington, pursuant to N.J.S.A. 40A:11-11(6), may, by this resolution and a properly executed purchase order and without advertising for bids, purchase any goods or services from certain approved contract vendors, under the Somerset County Cooperative Pricing System and Middlesex Regional Educational Services Commission Cooperative Pricing System; and

WHEREAS, the Township of Washington has the need on a timely basis to purchase goods or services utilizing State Contracts, Somerset County Cooperative Pricing System contracts and Middlesex Regional Educational Services Commission Cooperative Pricing System contracts; and

WHEREAS, the Township of Washington intends to enter into contracts with the attached Referenced State Contract Vendors, Somerset County Cooperative Pricing System vendors and Middlesex Regional Educational Services Commission Cooperative Pricing System vendors, through this resolution and properly executed purchase orders, which shall be subject to all the conditions applicable to the current State Contracts, Somerset County Cooperative Pricing System contracts and Middlesex Regional Educational Services Commission Cooperative Pricing System contracts.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Washington, County of Bergen, New Jersey authorizes the Business Administrator to purchase certain goods or services from those approved New Jersey State Contract vendors, Somerset County Cooperative Pricing System vendors and Middlesex Regional Educational Services Commission Cooperative Pricing System vendors on the attached list, pursuant to all conditions of the individual contracts; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, 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 Financial Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Township of Washington and the Referenced State Contract Vendors, Somerset County Cooperative Pricing System vendors and Middlesex Regional Educational Services Commission Cooperative Pricing System vendors shall be from January 1, 2016 to December 31, 2016.

Resolution No. 16-114

Establishing Change Funds

WHEREAS, the Municipal Court, Municipal Clerk and the Tax Collector's Office of the Township of Washington have requested the establishment of change funds to be used by the cashiers located at the respective payment windows; and

WHEREAS, the Township Administrator has reviewed this request and recommends the establishment of a change fund for the Municipal Court in an amount not to exceed \$200, Municipal Clerk in an amount not to exceed \$25 and a change fund for the Tax Collector's Office in an amount not to exceed \$100.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the township of Washington that a change fund be established in the amount of \$200 to be used by the Municipal Court, change fund in the Municipal Clerk's Office in an amount not to exceed \$25 and a change fund be established in the amount of \$100 to be used by the Tax Collector's Office.

Resolution No. 16-116

Fixing the Rate of Interest for Delinquent Taxes

WHEREAS, N.J.S. A. 54:A4-67 permits the governing body to fix the rate of interest to be charged for the non-payment of taxes, assessments and municipal charges and to prescribe penalties for delinquencies;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Washington as follows:

1. All prior resolutions concerning the rate of interest to be charged for the non-payment of taxes, assessments, or municipal charges are hereby rescinded.
2. The rate of interest to be charged for the non-payment of taxes, assessments or municipal charges is hereby fixed, pursuant to statute, as follows: eight [8%] percent per annum on the first \$1,500 of the delinquency, and eighteen [18%] percent per annum on any amount in excess of \$1,500 to be calculated from the date the tax or assessment was payable until the date of actual payment.
3. With respect to tax certificates held by the municipality the following additional penalties shall be charged: two [2%] percent on the amount due over \$200 up to \$5,000; four [4%] percent of the amount due over \$5,000 up to \$10,000; and six [6%] percent on the amount in excess of \$10,000.

Dollars to be calculated from the date of the tax was payable until the date of actual payment, provided that no interest shall be charged if payment of any installment is made on or before the tenth calendar day following the date upon which the same became payable.

Resolution No. 16-117

BCUA Shared Services Agreement

WHEREAS, the New Jersey Local Public Contracts (N.J.S.A. 40A:11-1 et seq.) authorizes and permits contracting units, such as the Bergen County Utilities Authority (the "BCUA") and the Township of Washington (the "Township") to enter into service agreements for the services contemplated below without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5 (2); and

WHEREAS, the BCUA seeks to enter into a shared services agreement with the Township whereby the BCUA will provide a Certified Recycling Professional for signing of the annual recycling tonnage report which is required by the New Jersey Recycling Enhancement Act ("REA") P.L. 2008, CHAPTER 6, for submission to the New Jersey Department of Environmental Protection ("NJDEP"); and

WHEREAS, the township wishes to enter into such a shared services agreement with the BCUA;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that the Township approves of the proposed shared services agreement between the Township and the BCUA, 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 BCUA for the above stated purpose.

Resolution No. 16-118

Designation Official Newspapers 2016

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that The Ridgewood News, The Record and The Star Ledger are hereby designated as the official newspapers of the Township of Washington for the year 2016.

Resolution No. 16-119

Shared Services Northwest Bergen Regional Health Commission

WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes and permits contracting units, such as the Township of Washington (the "Township") to enter into service agreements for the services contemplated below without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5(1)(a)(1); and

WHEREAS, pursuant to the New Jersey Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.), the Township seeks to renew a shared services agreement with the Northwest Bergen Regional Health Commission (the "Commission") whereby the Commission will provide health services of a professional and technical nature to the Township as provided for in the Local Health Services Law (N.J.S.A. 26:3A2-1 et seq.); and

WHEREAS, the Commission has agreed to provide Environmental Health Services including a Registered Environmental Health Specialist for the period of January 1, 2016 to April 30, 2016 for 20 hours per month at \$46.00 per hour.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Washington, in the County of Bergen, New Jersey approves the agreement proposed by the Northwest Bergen Regional Health Commission, which is on file with the Township, and hereby authorizes the Mayor to execute said agreement for the above stated purpose.

Resolution No. 16-120

Tonnage Grant Application

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs, and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act: and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2015 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of Township of Washington, Bergen County to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Washington, Bergen County hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Elaine Erlewein to ensure that the application is property filed: and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposed of recycling.

Resolution No. 16-122

Engineering Escrow

WHEREAS, Effy Barmoshe (644 Mountain, LLC) posted engineering escrow money on premises known as Block 4213, Lot 4, 644 Mountain Ave; and

WHEREAS, the applicant has abandoned the project at this time and has requested that their escrow be refunded; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per confirmation on 12/29/15; 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 \$853.00 to the above.

Resolution No. 16-123

Engineering Escrow

WHEREAS, John & Patty Cherruault posted engineering escrow money on premises known as Block 2202.01 Lot 6, 727 Amherst Drive; and

WHEREAS, the applicant has abandoned the project at this time and has requested that their escrow be refunded; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per confirmation on 12/29/15; 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 \$559.00 to the above.

Resolution No. 16-124

Engineering Escrow

WHEREAS, Michael Pomerantz posted engineering escrow money on premises known as Block 4321 Lot 2, 435 Mountain Avenue; and

WHEREAS, the Construction Code Official has issued approval dated November 23, 2015, C.O. No. 13-323; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated September 29, 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 \$608.00 to the above.

Resolution No. 16-125

Engineering Escrow

WHEREAS, Joseph & Kristin Terzano posted engineering escrow money on premises known as Block 4206 Lot 5-8, 579 Fern Street; and

WHEREAS, the Construction Code Official has issued approval dated December 14, 2015, C.O. No. 11-211; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated August 21, 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 \$135.00 to the above.

Resolution No. 16-126

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:

Kevin Jackson
117 Pascack Road
Township of Washington, NJ 07676

| | |
|-----------------------------------|-----------------|
| Basketball Refund | \$155.00 |
| Administrative Fee Non-Refundable | -\$ 25.00 |
| | <u>\$130.00</u> |

Basketball Refund
Refund Amount: \$130.00

Resolution No. 16-127

Tax Refund

WHEREAS, an overpayment was received for Block 25010 Lot 3.05, 36 Julia Court, homeowners Joseph and Regina Grundy. Said property was awarded a tax reduction due to a successful tax appeal.

WHEREAS, under the N.J.S.A. 54:3-27.2, in the event a taxpayer is successful in an appeal from a reduced assessment, the taxing district shall refund any excess taxes paid within 60 days of judgment, and:

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey that the Tax Collector, Elaine Erlewein, be authorized to issue a refund to:

Jacobus & Associates
301 South Livingston Ave., Suite 105
Livingston, NJ 07039

| | |
|------------------------|-----------------|
| Original Assessment: | \$ 1,051,500.00 |
| Reduced Assessment: | 965,000.00 |
| Amount to be refunded: | \$ 1,963.55 |

A discussion followed with regard to RFP/RFQs certain positions and if the individuals who currently hold these positions would continue in said positions for a period of time. A discussion followed also with regard to the position of Director of Law and resolution No. 16-102. Mr. Poller spoke at length with regard to the Faulkner Act with regard to the Department of Law.

Dr. Cascio – Dr. Cascio stated these are all professionals that are hired and he also spoke of the practice of going out for RFQ's every three years. Stated in keeping with best practices those positions should be RFQ'd. He spoke at length with regard to conducting an RFQ for those positions.

Mr. Sears – Mr. Sears stated with regard to 16-101, he feels Mr. Statile has been a great consultant for us and to remove him would not be a best practice at all.

Mayor Sobkowicz – Mayor Sobkowicz stated Mr. Statile also went to Trenton with them. Stated he has been very proactive with grants, the road program and an issue that arose with Roberts Court. Stated Mr. Statile is very much pro the Township and has been very helpful.

Mr. Ullman – Mr. Ullman stated he has asked in the past if the Township would be going out for an RFP/RFQ's on professional services. Stated he also feels it is a best practice. Stated with regard to these appointments, it is his understanding if these are pulled and a request is made for a proposal or quote, the individuals who currently hold these positions would continue in those positions until a resolution is reached, whether a replacement or a further consent is reached. Stated he would ask Mr. Poller if these individuals would continue in their role.

Mr. Poller – Mr. Poller replied they would continue. Stated there are certain positions that statutorily it does indicate that. Stated he will have to look into it. He spoke of having a case in court with COAH and not having a planner, which may not be in the best interest of the Township. Stated they may be continuing, but he cannot say if there is authority for each one of them.

Mr. Ullman – Mr. Ullman stated at this point we will hold 16-101 through 16-106.

Mr. Calamari – Mr. Calamari stated back on January 6, 2014 the township attorney was appointed a Director of Law for a 4 year term, expiring December 31, 2017. He read from the Code of the Township of Washington. Stated his opinion is since Mr. Poller was appointed Director through 2017 he feels this resolution is a moot point since the Township Code states the Director shall also be the Township Attorney. Stated he would like to vote on it.

Mr. Ullman – Mr. Ullman stated if it is a moot point, it should be struck and there is nothing to vote on, if it is not a moot point Mr. Poller can continue.

Mr. Poller – Mr. Poller stated going back to the Faulkner Act and the Faulkner way of government, it is correct that the Department of Law in the Township of Washington is the Township Attorney and the appointment is a 4 year term, so in effect the attorney stays on for the term of the Mayor. Stated the Faulkner Act supersedes the non-Faulkner Act of government in which the term is a one year term. Stated the resolution is here for him to refile his papers to reconfirm Pay to Play. Stated if you look at the resolution is it an acknowledgment.

Mr. Bruno – Mr. Bruno asked if the Director of Law is a salary basis.

Mr. Poller – Mr. Poller stated what the resolution reads. Stated the compensation is a different issue, but it is not the same issue as the appointment. Stated the appointment was made for a four year term.

Mr. Ullman – Mr. Ullman stated there are two attorney hats in which Mr. Poller wears, one as an employee who receives a salary that is paid and is set by the salary ordinance, in addition there is work done by on behalf of the town that is not covered by Mr. Poller's employee function.

Mr. Poller – Mr. Poller replied that is not correct.

Mr. Ullman – Mr. Ullman stated we are going out for a bonding attorney, acting in a consultative or per diem. Stated Mr. Poller possesses a function

whereby his name on the borough of attorney, Township of Washington, and certain things are not under that in which a blue voucher or invoice issued for payment of an hourly rate. Asked if that is a correct statement.

Mr. Poller – Mr. Poller stated there are other positions in the Township that are in the salary ordinance who are employees who receive an hourly rate as well. Stated nothing is contractual in terms of a separate contract, even though the work that is performed is performed on an hourly basis because all that is there is a certain set salary that was set for a certain amount of work/type of work that would be included. Stated there is a list and items are covered by Section A, the continual salary. Stated if there is litigation that is also paid as additional salary for that particular charge, taxes are taken out, it is not a 1009, not a contractual payment, it goes into the salary for that pay period and the taxes are taken out. Stated even though the type of work is different, even though there is a different amount that is covered for each, it is not a separate contract. Stated in a lot of places it is, but Washington Township doesn't have that. Stated in the Salary Ordinance it states the salary is x and the additional work is billed at the rate of \$135.00 per hour. Stated this situation was not uncommon in New Jersey and there are cases on it as well.

Mr. Ullman – Mr. Ullman stated his question is if Mr. Poller's function is A and Mr. Poller's function is B, in Mr. Poller's opinion, is considered one role, just Mr. Poller receives payment in two separate manners.

Mr. Poller – Mr. Poller replied that is exactly correct. Stated it is the Township Attorney performing two separate types of work.

Mr. Bruno – Mr. Bruno asked if there \$5000.00 for A, and \$5000.00 for B, how would someone know what is the different function, is an invoice sent.

Mr. Poller – Mr. Poller replied there is a blue voucher that is completed that sets for the additional work. Stated it if he is doing work on COAH, that is identifiable, anything to do with COAH, working with a planner, going to court, and a voucher is prepared.

Mr. Bruno – Mr. Bruno asked by identifiable, is there something that indicates salary A or salary B.

Mr. Poller – Mr. Poller replied look at the Salary Ordinance.

Mr. Ullman – Mr. Ullman asked if Mr. Calamari feels that this resolution does not need voting since this individual in the position.

Mr. Calamari – Mr. Calamari replied he is going based on what the code states and he doesn't want to have issues going against our own code.

Mr. Ullman – Mr. Ullman stated that Resolutions No. 16-101 through 16-106 were requested to be pulled by Dr. Cascio that these allow for bids or quotes.

Mr. Poller – Mr. Poller stated each resolution should be voted on separately since they were pulled.

Mr. Ullman – Mr. Ullman stated these resolutions have been pulled, so the motion would be whether to either approve or offer our consent or to not approve them. Stated the solution is what was proposed by Dr. Cascio to ask the administration to go out for quote.

Mr. Poller – Mr. Poller stated it should be a yes or a no. Stated each resolution is being individually considered, if someone votes yes, that person would be in favor of passing the resolution, if you vote no you are not in favor of passing the resolution at this time.

Mr. Ullman – Mr. Ullman asked Ms. Erlewein to please take a vote one each resolution.

Resolution No. 16-101: Township Engineer.

Ayes: Councilmen Calamari, Sears.

Nays: Councilmen Bruno, Cascio, Ullman.

Resolution No. 16-102: Township Attorney.

Ayes: Councilmen Calamari, Sears.

Nays: Councilmen Bruno, Cascio, Ullman.

Resolution No. 16-103: Bonding Attorney.
Ayes: Councilmen Calamari, Sears.
Nays: Councilmen Bruno, Cascio, Ullman.

Resolution No. 16-104: Planner.
Ayes: Councilmen Calamari, Sears.
Nays: Councilmen Bruno, Cascio, Ullman.

Resolution No. 16-105: Township Auditor.
Ayes: Councilmen Calamari, Sears.
Nays: Councilmen Bruno, Cascio, Ullman.

Resolution No. 16-106: Public Defender.
Ayes: Councilmen Calamari, Sears.
Nays: Councilmen Bruno, Cascio, Ullman.

A discussion followed with regard to Resolution No. 16-108 with reference to the wording of "Administrator" which is per the State Statute or "Clerk" which is the wording in the Township Code. Mayor Sobkowicz explained the duties and function are the same. Mayor Sobkowicz stated the new administrator starts January 11th and Mr. Cavallo is our interim administrator at this time. A discussion followed with regard to the appointment of Ms. Koesel and the wording on the resolution.

Resolution No. 16-108: Consent to Appointment of Municipal Court Clerk
Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman
Nays: None.

Resolution No. 16-108

Consent to Appointment of Municipal Court Administrator

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Margaret Koesel, 125 Pascack Road, Township of Washington, is hereby appointed Court Administrator and Violation Administrator for a 2-year term which begins on January 1, 2016 and expires on December 31, 2017.

Mr. Ullman – Mr. Ullman stated he would like to review 16-112, 16-113, 16-115 and 16-121. Stated these resolutions speak specifically to persons, officers or capacities that are not currently being filled in the Township. Stated that each of the resolutions indicate Chief Financial Officer, which the Township doesn't currently have.

Mr. Sears – Mr. Sears stated with regard to resolution 16-113, Section E the quarterly reports, are they only for the administration or does council receive a copy.

Mayor Sobkowicz – Mayor Sobkowicz replied that is the administration.

Mr. Sears – Mr. Sears asked how we can manage the money of the Township if we do not know what is actually being spent or being vested. Stated it should be that the council receive a quarterly report of the finances of the Township.

Mr. Ullman – Mr. Ullman stated he doesn't understand why regular reports are not given to the council on the financial well-being of the Township. Stated he hopes the council can work with the administration to obtain various documents. Stated the individuals or functions that are named do not exist.

Mayor Sobkowicz – Mayor Sobkowicz stated the CFO left as of November 30th and we are in the process of getting another one, these are how the resolutions are written.

Mr. Ullman – Mr. Ullman asked who is performing these functions in the Finance Department.

Mayor Sobkowicz – Mayor Sobkowicz stated all of this information would go to the administrator and deputy treasurer until we get a new CFO.

Mr. Bruno – Mr. Bruno stated the issue is the second sentence, which states now therefore be it resolved by the Township Council, and following information. Stated we do not have the right financial person in place to present the information.

Mayor Sobkowicz – Mayor Sobkowicz stated as Mr. Bruno once stated the CFO probably left because Mr. Bruno said so many things about her.

Mr. Bruno – Mr. Bruno replied no, he asked why she was not here to discuss the finances, and also was told she would call him to discuss information and she never did. Stated he is not here to discuss why she left, based on the audit report that we received it is good that she left. Stated we should get someone who is qualified and council feels we should be getting monthly information. Stated documents cannot be signed which talk about the CFO submitting and verifying depository agencies when we do not have one.

Mr. Calamari – Mr. Calamari stated he believes that is why a title is referenced and not a person, just because the title is not currently filled it will be that persons job to do these things. Stated he believes we could approve this, the title is not currently filled but he hopes it will be filled shortly. Stated one of the responsibilities of that person would be to conform to these resolutions.

A discussion followed with regard to the current status of hiring a CFO, the auditor and what the interim administrator has prepared.

Mr. Ullman – Mr. Ullman asked when are the debt payments due.

Mayor Sobkowicz – Mayor Sobkowicz replied she doesn't know the exact date.

Mr. Ullman – Mr. Ullman stated he is asked to attest to this, and he is not comfortable doing so. Asked that a vote be taken on Resolution No. 16-112 Debt Service Appropriation.

Resolution No. 16-112: Debt Service Appropriation.

Ayes: Councilmen Calamari, Sears.

Nays: Councilmen Bruno, Cascio, Ullman.

Resolution No. 16-113: Cash Management Plan.

Ayes: Councilman Calamari.

Nays: Councilmen Bruno, Cascio, Sears, Ullman.

Resolution No. 16-115: Renewal of Petty Cash Account.

Mr. Ullman – Asked that the valuation be correct on that, a period versus a comma.

Ayes: Councilmen Bruno, Cascio, Calamari, Sears.

Nays: Councilman Ullman.

Resolution No. 16-115

Renewal of Petty Cash

WHEREAS, N.J.S.A. 40A:5-21 allows for a municipality to establish a petty cash fund every year;

THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Washington that it approves continuing the Petty Cash Fund pursuant to the provisions of N.J.S.A. 40A:5-21, not to exceed \$500.00 and that the Assistant to the Administrator be authorized as the Fund Custodian; and

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$500.00.

Mr. Ullman – Mr. Ullman stated with regard to Resolution No. 16-121, the second paragraph states Chief Financial Officer.

Mr. Bruno – Mr. Bruno asked who is the person who verifying it.

Mayor Sobkowicz – Mayor Sobkowicz stated the funds are available, the administrator can verify that if you would like.

Mr. Ullman – Mr. Ullman asked if the funds are available assuming the Temporary Budget is passed.

Mayor Sobkowicz – Mayor Sobkowicz replied yes.

Mr. Ullman – Mr. Ullman asked if the Temporary Budget is not passed, are the funds available?

Mayor Sobkowicz – Mayor Sobkowicz replied then there will be no funds in the town at all.

Mr. Ullman – Mr. Ullman asked that a vote be taken with regard to Resolution No. 16-121.

Resolution No. 16-121: Waste Water Collection.

Ayes: Councilmen Calamari, Sears.

Nays: Councilmen Bruno, Cascio, Ullman.

Mr. Ullman – Mr. Ullman stated these are all of the items with the exception of 16-111, Temporary Budget Appropriation.

Mr. Sears – Mr. Sears stated with the Department of Public Works, there are 25 open PO's that still are not signed for a total of \$23,862. Stated some of these are going back to August, September, and November. Asked why these weren't signed.

Mayor Sobkowicz – Mayor Sobkowicz replied if there is a requisition attached money has been encumbered. Stated that there are probably various reasons they were not signed or some of them did not have approval to begin with. Stated they will be signed when they are deemed to be appropriate purchases.

Mr. Sears – Mr. Sears stated Truck 25 doesn't have four wheel drives, Truck 28, Truck 9, Truck 36, and Truck 1 all need to be repaired.

Mayor Sobkowicz – Mayor Sobkowicz stated all of those have been repaired. Stated she doesn't know why the ones Mr. Sears has have not been signed.

Mr. Sears – Mr. Sears replied these are the ones he OPRA'd.

Mayor Sobkowicz – Mayor Sobkowicz stated the purchasing procedures have not been followed correctly. Stated all requisitions have to come through the administrator and the Mayor, and if it not okayed by the Mayor it will not be signed at this time. Stated there have been purchases made without purchase order numbers. Stated one of the responsibilities of the new administrator is to make sure all purchasing is followed. Stated she checks every purchase order, most of them have been signed but there were a few that were found from July and August.

Mr. Sears – Mr. Sears stated as of today none of these have been signed. Stated this is the second OPRA request and they are still the same. Asked if \$23,862 will be rolled over into the new budget.

Mayor Sobkowicz – Mayor Sobkowicz replied no you can't. Stated if they have appropriate requisitions the money has been encumbered and it will be there, ones that are determined to be correct will be signed and paid, if not they will not be.

Mr. Sears – Mr. Sears stated he doesn't think they need to be paid; they need the parts in order to fix the trucks.

Mayor Sobkowicz – Mayor Sobkowicz replied we will see.

Mr. Bruno – Mr. Bruno asked if they have been encumbered will they be seen under the reserve column.

Mayor Sobkowicz – Mayor Sobkowicz stated it is encumbered under the account. Stated up until March 31, 2016 you can still encumber monies from 2015.

A lengthy discussion followed with regard to encumbered monies, the process of the requisition, surplus and checks and balances. A discussion also followed with regard to when the auditor comes in.

A lengthy discussion followed with regard to Resolution No. 16-111, Establishing 2016 Temporary Budget Appropriation, the preparation of the document and supporting documentation. Comments were also made with regard to passing only certain line items to keep the Township functioning. Dr. Cascio spoke at length with regard to council getting vouchers, not a bill list which is different, which is per the Township Charter and the Township bills being paid in a timely fashion. Mr. Bruno commented on obtaining disbursement journals.

A motion was made by Mr. Sears, seconded by Mr. Calamari, to approve Resolution No. 16-111, Establishing 2016 Temporary Budget Appropriation.

Mr. Bruno asked that the type be corrected to 2015, and Mr. Cavallo provide papers that he generated via email.

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

Nays: None.

Resolution No. 16-111

Establishing 2016 Temporary Budget Appropriations

WHEREAS, N.J.S.A. 40A:4-19 provides that where contracts, commitments of payment are to be made prior to final adoption of the 2016 Budget, Temporary Appropriations should be made for the purposes and amount required in the manner and time therein provided; and

WHEREAS, the date of resolution is within the first thirty days of January 2016; and

WHEREAS, said total temporary appropriations are limited to 26.25% of the total appropriations in the 2015 Budget exclusive of any appropriations made for debt service and Capital Improvement Fund in said 2015 budget;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington that the attached Temporary Appropriations be made and that a certified copy of this resolution be transmitted to the Treasurer for her records. The total Temporary Budget for 2016 exclusive of Debt Service is \$2,953,925.50.

| <u>DESCRIPTION</u> | <u>BUDGET</u> <u>AMOUNT</u> |
|---|--------------------------------|
| GENERAL GOVERNMENT FUNCTIONS | |
| GENERAL ADMINISTRATION | |
| Salaries & Wages | \$ 70,000.00 |
| Other Expenses | \$ 14,375.00 |
| Maintenance & Support of Office Equipment | \$ 12,208.00 |
| Computer Network & Support System | \$ 6,100.00 |
| MAYOR & COUNCIL | |
| Salaries & Wages (Mayor) | \$ 4,375.00 |
| Other Expenses (Mayor) | \$ 2,625.00 |
| Salaries & Wages (Council) | \$ 9,000.00 |
| Other Expenses (Council) | \$ 2,790.00 |
| MUNICIPAL CLERK | |
| Salaries & Wages | \$ 20,000.00 |
| Other Expenses | \$ 7,125.00 |
| ELECTIONS | |
| Salaries & Wages | \$ 400.00 |
| FINANCE ADMINISTRATION | |
| Salaries & Wages | \$ 40,500.00 |
| Other Expenses | \$ 7,000.00 |
| REVENUE ADMINISTRATION | |

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|------------------------------------|----|------------|
| Salaries & Wages | \$ | 25,000.00 |
| Other Expenses | \$ | 6,100.00 |
| TAX ASSESSMENT ADMINISTRATION | | |
| Salaries & Wages | \$ | 16,000.00 |
| Other Expenses | \$ | 3,100.00 |
| LEGAL SERVICES | | |
| Other Expenses | \$ | 70,000.00 |
| ENGINEERING SERVICES | | |
| Salaries & Wages | \$ | 312.50 |
| Other Expenses | \$ | 26,100.00 |
| DEPT. OF PUBLIC AFFAIRS & INFO | | |
| Salaries & Wages | \$ | 312.50 |
| Other Expenses | \$ | 8,200.00 |
| LAND USE ADMINISTRATION | | |
| PLANNING BOARD | | |
| Salaries & Wages | \$ | 4,937.00 |
| Other Expenses | \$ | 3,000.00 |
| BOARD OF ADJUSTMENT | | |
| Salaries & Wages | \$ | 7,875.00 |
| Other Expenses | \$ | 4,000.00 |
| INSURANCE | | |
| Liability Insurance | \$ | 70,000.00 |
| Worker's Compensation Insurance | \$ | 75,000.00 |
| Group Insurance Plan | \$ | 362,500.00 |
| PUBLIC SAFETY FUNCTIONS | | |
| POLICE DEPARTMENT | | |
| Salaries & Wages | \$ | 600,000.00 |
| Other Expenses | \$ | 20,508.00 |
| Vehicle Leasing | \$ | 3,662.00 |
| Community Policing | \$ | 500.00 |
| Telephone Support System | \$ | 2,442.00 |
| Pistol Range | \$ | 2,446.00 |
| Police Car Cameras | \$ | 3,500.00 |
| Reverse 911 System | \$ | 3,500.00 |
| POLICE DISPATCHERS | | |
| Salaries & Wages | \$ | 30,000.00 |
| Maintenance of Desk Record System | \$ | 8,594.00 |
| OFFICE OF EMERGENCY MANAGEMENT | | |
| Salaries & Wages | \$ | 575.00 |
| Other Expenses | \$ | 470.00 |
| AID TO VOLUNTEER AMBULANCE COMPANY | | |
| Memorial Day Parade | \$ | 2,400.00 |
| FIRE DEPARTMENT | | |
| Salaries & Wages | \$ | 312.50 |
| Other Expenses | \$ | 16,500.00 |
| Physicals | \$ | 500.00 |
| Maintenance Program | \$ | 8,000.00 |
| Equipment Compliance | \$ | 1,875.00 |
| UNIFORM FIRE SAFETY ACT | | |
| Other Expenses | \$ | 4,200.00 |

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| FIRE HYDRANT SERVICE | \$ | 60,000.00 |
| MUNICIPAL PROSECUTOR | | |
| Salaries & Wages | \$ | 2,600.00 |
| PUBLIC WORKS FUNCTIONS | | |
| DEPT. OF MUNICIPAL FACILITIES | | |
| Salaries & Wages | \$ | 125,000.00 |
| Other Expenses | \$ | 29,100.00 |
| RECYCLING | | |
| Salaries & Wages | \$ | 1,000.00 |
| Other Expenses | \$ | 95,000.00 |
| VEHICLE MAINTENANCE | | |
| Other Expenses | \$ | 54,500.00 |
| COMMUNITY SERVICE ACT (CONDO'S) | \$ | 23,194.00 |
| HEALTH & HUMAN SERVICES FUNCTIONS | | |
| Public Health Services | | |
| Salaries & Wages (Board of Health) | | |
| Other Expenses (Board of Health) | \$ | |
| OCCUP SAFETY & HEALTH ACT BLOOD PATHOGEN | \$ | 3,000.00 |
| ANIMAL CONTROL OFFICER | | |
| Other Expenses | \$ | 6,500.00 |
| PARKS & RECREATION FUNCTIONS | | |
| DEPT. OF RECREATION | | |
| Salaries & Wages | \$ | 32,625.00 |
| Other Expenses | \$ | 55,000.00 |
| Golden Seniors Committee | \$ | 5,000.00 |
| Senior Activities | \$ | 1,500.00 |
| Salaries & Wages (Community Programs) | \$ | 970.00 |
| Other Expenses (Community Programs) | \$ | 790.00 |
| MAINTENANCE OF PARKS | | |
| Other Expenses | \$ | 52,733.00 |
| MUNICIPAL COURT | | |
| Salaries & Wages | \$ | 21,000.00 |
| Other Expenses | \$ | 3,300.00 |
| Public Defender | \$ | 700.00 |
| CODE ENFORCEMENT & ADMINISTRATION | | |
| Salaries & Wages | \$ | 35,000.00 |
| Other Expenses | \$ | 3,000.00 |
| UTILITY EXPENSES | | |
| Electricity | \$ | 45,100.00 |
| Street Lighting | \$ | 50,000.00 |
| Telephone | \$ | 24,000.00 |
| Water | \$ | 5,518.00 |
| Natural Gas | \$ | 12,500.00 |
| Gasoline | \$ | 50,000.00 |
| SANITARY LANDFILL & DUMPING FEES | \$ | 50,000.00 |
| MAINTENANCE FREE LIBRARY | \$ | 143,000.00 |
| DMF OTHER EXPENSE MAINT. OF BLGS. | \$ | 9,766.00 |
| DEPARTMENT OF HEALTH | | |
| Health Salaries & Wages | \$ | 30,000.00 |
| Department of Health Other Expense | \$ | 11,200.00 |
| SANITATION OTHER MUN CAP EX | \$ | 55,718.00 |

| | | |
|--|--------|------------------|
| BERGEN COUNTY UTILITIES CONT CAP EXC | \$ | 150,000.00 |
| STAT EXPENDITURES SOCIAL SECURITY | \$ | 88,125.00 |
| DCRP PENSION | \$ | 2,600.00 |
| CABLE TELEVISION EXPENSE | \$ | 3,438.00 |
| JOINT HELATH SERVICES TO CON MUN | | |
| Jt. Health Service/Con Comm Salaries & Wages | \$ | 4,610.00 |
| Jt. Health Service/Other Expense | \$ | 2,000.00 |
| TOTAL TEMPORARY BUDGET FOR 2015 | \$ | 2,953,929.50 |

Mr. Ullman – Mr. Ullman stated with regard Community Development Representative, would anyone like to volunteer.

Dr. Cascio – Dr. Cascio replied he would.

Mr. Ullman – Mr. Ullman asked if anyone else interested in the Community Development Representative. Stated we also need an alternate, would anyone be interested in being an alternate.

Mr. Calamari – Mr. Calamari replied he would.

A motion was made by Mr. Sears, seconded by Mr. Ullman, for Dr. Cascio to be the Community Development Representative, and Mr. Calamari as the alternate.

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

Nays: None.

Mr. Ullman – Mr. Ullman stated next is the Planning Board Representative, is there anyone that is interested in sitting on the Planning Board.

Mr. Sears – Mr. Sears replied he would.

Mr. Bruno – Mr. Bruno stated he would throw his name in the hat.

Mr. Ullman – Mr. Ullman asked if Mr. Sears is currently the representative.

Mr. Sears – Mr. Sears replied yes.

Mr. Ullman – Mr. Ullman asked if there is anything currently in front of the Planning Board.

Mr. Sears – Mr. Sears replied not that he aware of. Stated there is going to be a Reorganization Meeting on Wednesday.

Mr. Ullman – Mr. Ullman stated both Mr. Sears and Mr. Bruno have expressed interest. Stated in discussing the reorganization that Mr. Bruno expressed an interest on the Planning Board as a new representative of council, not only due to his interest in the Planning Board but to share the work load that the council has to undertake. Stated he appreciates that Mr. Sears is volunteering to sit again, but he would make a motion unless there is further discussion to nominate Mr. Bruno, unless Dr. Cascio or Mr. Calamari have any further comments.

Dr. Cascio – Dr. Cascio replied no.

Mr. Calamari – Mr. Calamari stated with Mr. Sear's fire background, he is a big help to the Planning Board in those areas.

Mr. Ullman – Mr. Ullman stated Mr. Sear's involvement with the Fire Department is acknowledged and appreciated. Stated when he sat on the Zoning Board, even though we didn't have anyone on the Fire Department, we were able to call on the Fire Department for their expertise.

Mr. Ullman – Mr. Ullman sated he makes a motion to nominate Mr. Bruno.

Mr. Calamari – Mr. Calamari stated he makes a motion to nominate Mr. Sears.

A motion was made by Mr. Ullman, seconded by Dr. Casio to nominate Mr. Bruno as a representative of the Planning Board.

Ayes: Councilmen Bruno, Cascio, Sears, Ullman.

Nays: Councilman Calamari.

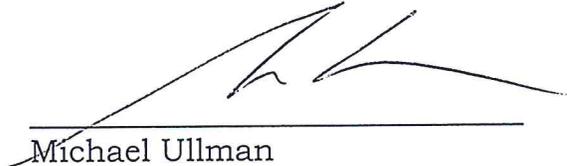
Mr. Ullman – Mr. Ullman stated at this we will take a break and then proceed to the Conference Session.

Mr. Calamari – Mr. Calamari stated since there is going to be a Conference Session he would like to add Exit 171 as a topic for discussion.

Time noted: 10:00 p.m.



Elaine Erlewein
Township Clerk



Michael Ullman
Council President

Approved: February 1, 2016

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

CONFERENCE PORTION/PUBLIC SESSION

January 4, 2016

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

Time Noted: 10:09 p.m.

Township Clerk – Mr. Ullman stated his understanding is both the Clerk and the Deputy Clerk are appointments of the council. Mr. Ullman asked if council needs to handle these appointments at today's reorganization meeting and if they need to be memorialized. Mr. Poller replied no, the clerk is not a yearly term. Mr. Poller asked Ms. Erlewein what is the term of her appointment. Ms. Erlewein replied as prescribed by law. Mr. Poller stated the Clerk appointment is a 3 year term, he is not sure of the Deputy Clerk. Mayor Sobkowicz stated it is Township Clerk Special Secretary, not Deputy Clerk. A discussion followed with regard to having a Deputy Clerk and if the Township should have a full time Deputy Clerk. Mr. Ullman asked Ms. Erlewein to ask to think about having a Deputy Clerk understanding what a Deputy Clerk might assist her with. Mr. Ullman asked what is Ms. Erlewein's term is. Ms. Erlewein stated she was appointed in June for a term of 3 years, expiring June of 2018.

Zoning Board Appointments – Mr. Ullman spoke of an ordinance which talks about appointments by the governing body. Mr. Ullman stated as far he knows no one resigned from the Zoning Board, they were asked not to be reappointed. A discussion followed with regard to a resignation and if the alternate took over. Mr. Poller stated that is what occurred in the past, sliding alternates for terms which messed up the appointment process the term process. Mr. Poller explained the terms for members and alternates, the responsibilities of the alternate and the staggering of terms. A lengthy discussion followed with regard to the resignation of a member and the term that the alternate would complete. A discussion followed with regard to the council's authority, the function of the alternate and their terms. Mr. Ullman asked if appointments need to be made in the year that the person would start serving. Mr. Poller stated he does not know. Mr. Poller asked if Mr. Ullman would like to appoint or reappoint members to the board and forget about those members that were appointed in 2015. Mr. Ullman replied yes. Mr. Poller replied he will look into it. There was a discussion of the upcoming Zoning Board meeting and postponing of the meeting. Mr. Ullman would like to communicate to the Zoning Board the potential concern regarding the recent appointments at year end that the reorganization meeting be postponed to see if in fact the appointments were legitimate. There was a discussion with regard to a straw poll. Mr. Ullman stated Mr. Poller will review the concern he has raised with regard to the appointments and if the findings of his review show the appointments were made appropriately there is no action, if Mr. Poller determines there was improper appointments, that would need to be communicated to the Zoning Board and council.

Exit 171 – Mr. Calamari asked Dr. Cascio why he chose the path of attending the Woodcliff Lake meeting that he and Councilman Sears were invited to without consulting Mr. Sears and himself. Dr. Cascio replied he was going to be away and didn't think the invitation was open solely for Mr. Calamari and Mr. Sears. Dr. Cascio stated he didn't feel it necessary to let any of the other council members know and he decided after the council meeting to attend the meeting. Mr. Calamari spoke of the comments Dr. Cascio made at the Woodcliff Lake meeting, such as leaving Exit 171 the way it is and the intersection being the problem of the Township. Mr. Calamari also spoke of the

petition. Mr. Calamari would like to know what objection Dr. Cascio has in opening Exit 171. Dr. Cascio stated he has no objection to Woodcliff Lake doing anything that they wish to do, but it is not our right as a municipality to tell another municipality what to do, we are sovereign entities. A discussion followed with regard to what was proposed in the past by the County with regard to the intersection. Mr. Calamari stated we are not going up there and demanding that Woodcliff Lake move the restriction, we just wanted to approach it with an open mind and he feels Dr. Cascio sabotaged that effort by showing we are not a council that is willing to work together on that issue. Mr. Ullman spoke of the applications that went before him during his time on the Zoning Board, the traffic studies that were conducted with regard to that intersection and the improvement of the intersection from an F to a C+ or C-. Mr. Ullman spoke of data/study that should be done with regard to Exit 171 for the benefit and support of the Township. Mr. Calamari stated part of the reason for attending the meeting in Woodcliff Lake was to ask for a trial period of 30 or 60 days of lifting the right hand turn restriction and seeing what the study would show. Mr. Sears stated we also wanted to talk to the Mayor of Park Ridge and figure out how to fix this. Mr. Sears spoke of what the county required the Township to do, such as moving the poles. Mr. Sears stated up to today he still hasn't received a call from the county with regard to what it would cost the Township. Mr. Sears stated it is not a Township problem, it is a county problem. Dr. Cascio spoke of what was offered in the past with regard to the intersection. Mr. Sears spoke of the awning at the gas station. Mr. Sears stated that the intersection is not a Township problem, but a Pascack Valley problem. Mr. Sears stated our goal is to have the Mayors of surrounding towns work with us. Mr. Sears stated we cannot afford three million dollars to fix this intersection. Mayor Sobkowicz spoke at length with regard to the three different proposals offered by the county in 2010. Mayor Sobkowicz stated the county offered a 90 day trial pilot program and estimated 50% less traffic if vehicles would be able to turn right on exit 171. Mayor Sobkowicz stated she did attend the Woodcliff Lake meeting and she spoke at length with regard to comments made at that meeting. Mayor Sobkowicz stated that Mayor Rendo promised to contact council in January to pursue a traffic study. Mr. Sears spoke of the development that is coming to Woodcliff Lake which will then increase traffic even more. A conversation followed with regard to developments that will occur in Woodcliff Lake. Mr. Calamari spoke of the signatures on the petition, and asked Dr. Cascio can he think of one reason why a Township resident would not be interested in having that right hand turn lifted. Dr. Cascio replied he cannot. Mr. Calamari stated he is confused why Dr. Cascio went up there and made the statements he did. Dr. Cascio stated he apologizes for Mr. Calamari's confusion. Mr. Calamari replied but Dr. Cascio doesn't apologize for going up there and making those statements. Mr. Calamari stated Ms. Erlewein, for the record he would like to show that Dr. Cascio answered no. Dr. Cascio replied no. Mr. Ullman stated clearly there is some dissertation or disagreement among council. Mr. Ullman spoke at length with regard to what he feels is an attack Mr. Calamari made with regard to election violations in their advertisements. Mr. Calamari replied he raised a question. Mr. Ullman feels the question Mr. Calamari raised was an attack, the tone and manner and the fact that Mr. Calamari signed it as Council President which he feels represented the council. Mr. Ullman stated he hopes we can move forward. Mr. Ullman stated we cannot wait for developments to be made and feels that Mr. Calamari and Mr. Sears have made some positive steps with the county and the state. Mr. Ullman stated at the next meeting we should come up with a plan of attack and try to force the issue. Mr. Ullman stated with regard to the intersection, the county should be paying for this and if we go in with a unified and consistent message it can only help us. Mr. Calamari stated he agrees, he sees it as two separate things, which is why he asked for Exit 171 to be put on the agenda, not the intersection. Mr. Ullman stated in terms of Exit 171, we need to discuss what the attack would be there. Mr. Calamari stated everyone was given a forum, and he did send a letter to all

the councilmen asking for their input, received some back, he didn't get any from Councilman Cascio and then he chose to attend the meeting in Woodcliff Lake and apologize for a letter. Mr. Calamari stated that was done post-election. Mr. Calamari stated he remembers the meeting after the election, everyone said the election is over, it is time to heal, to work together and if that is how Councilman Cascio takes that statement it is going to be tough to get anything done the next few years. Mr. Bruno stated if you are talking about Exit 171 you also have to discuss Exit 168. Mr. Calamari stated he disagrees, if 300 cars can make a right hand turn at Exit 171, why not take those 300 cars out of our town and let them go up there. Mr. Bruno stated he agrees, but it has to be the right attack. Mr. Sears stated we wanted to go up there for a discussion. Mr. Sears stated he would like to propose moving forward we work as team, Exit 171 is an issue, Exit 168 has an issue at the intersection. Mr. Sears spoke at length with regard to making a positive change for the benefit of the Township. Mr. Ullman stated we need to push the agenda and our plan. Mr. Sears stated we want to start a conversation. Mr. Bruno stated it needs to be set up properly. Mayor Sobkowicz stated that Councilman Rendo stated it is a regional issue. A conversation followed with regard to Regional Mayor and Administrator Meetings. Mr. Calamari stated after the election we listened to the public and we agreed to work together, that lasted about two weeks, three weeks. Mr. Calamari stated now we say it again, we want to work together, what happens if tomorrow someone else goes off in their pants do we set another deadline in working together. Mr. Calamari stated he thinks it will go a long way if Councilman Cascio would apologize for going up there on his own, representing the Township without talking to anyone on the council before he did that. Mr. Sears replied he agrees with Mr. Calamari. Mr. Sears stated we have to heal and work for the benefit of the town. Mr. Sears stated he knows in Dr. Cascio's heart he is working for the town, but Mr. Sears feels he Dr. Cascio pulled out the carpet of what they were trying to do. Mr. Sears stated we need to work together, if not it is going to be a 3/2 vote for the next two years. Mr. Calamari feels he was stabbed in the back within two weeks. Mr. Bruno stated we all want the same thing, he doesn't see a 3/2 vote on this issue here. Mr. Bruno stated he lives on Hillcrest, it is horrible and he is all for it. Dr. Cascio stated he will not apologize for attending another council meeting to speak his mind as a resident or as a councilperson. Dr. Cascio stated it is his Constitutional right to go to a council meeting and speak, just as it everyone else's. Mr. Calamari stated he sees that Councilman Cascio doesn't want to work together as a team. Dr. Cascio stated that is not what he said, but he going to apologize. Dr. Cascio stated he will work with the council, it is not going to be a 3/2 vote on everything, that is dissentious, it didn't happen tonight and it will not happen in the future. Dr. Cascio stated if he believes in something he will tell everyone and vote his conscience. Dr. Cascio stated he will not apologize for any statements he has made, those are his statements. Mr. Calamari stated with regard to Exit 171, is council all together on what we want to accomplish or is Councilman Cascio of the opinion that they should not open that intersection. Councilman Cascio stated his opinion is he would like to see things opened up, but his personal opinion is he does not believe in forcing another entity to do something. Mr. Sears stated the goal is not to force anyone, it is to go up there and have a logical conversation on the issue. Mr. Ullman stated that Mr. Calamari asked the questions he wanted to ask and Councilman Cascio responded the way he wanted to respond. Mr. Ullman stated that 171 is an issue, 168 is an issue and the intersection is an issue. Mr. Ullman stated that he believes a firm plan needs to be in place and at the next meeting council should sit down and lay out what the action items are so we can drive the agenda forward. Mr. Sears stated the intersection is not our problem, it is a Valley problem. Mr. Ullman spoke of him driving home and observing Exit 168. Mr. Ullman stated Washington Township residents feel the intersection is an issue, he believes it is our problem to try to resolve and if council can get other people on board that is great. Mr. Bruno asked why there is no police presence at that intersection. Mr. Sears stated there was a

discussion with regard to coning it. Mayor Sobkowicz spoke of special detailing by the Police Department for vehicles crossing the double yellow line at the intersection. Mr. Bruno replied we need police presence. Mr. Calamari stated going forward, not to step on anyone Constitutional right, but if someone is going somewhere that involves Township business, why not ask your fellow councilman, we would like to be a team. Mr. Calamari further stated if someone does go up with their own opinion, at least say they spoke to the council about it we are not necessity in agreement but that is their opinion. Mr. Calamari further stated if someone sends an email with a letter attached and you have an issue with it let that person know, don't be silent. Dr. Cascio replied he doesn't sit around waiting for emails. Mr. Ullman stated he feels this discussion at this point is not advancing the town.

Habitat for Humanity – Mr. Poller stated Habitat has reviewed the agreement and are ready to sign it. Mr. Poller stated the process will the move into the Court. Mr. Poller stated what was approved was a senior development for four units, with a preference for two units for Veteran's. Mr. Poller stated the question raised was two Veterans of any kind or Veterans who were seniors. Mr. Poller stated it is affordable housing, the only question does the Veteran have to be 55 or older. Mr. Calamari stated the way Mr. Poller is phrasing it he would say yes. Mr. Sears that was discussed 55 and older. Mr. Bruno stated if it is for the Veteran's he is all for it. Mr. Ullman stated his view is if someone is a Veteran, it should be opened up to disabled Veterans. Mr. Poller replied that is whole other qualification. Mr. Poller stated this whole thing was set up to be affordable housing, and to have some Veterans in there as well. Mr. Poller stated he doesn't know if the agency Habitat uses is going to be able to put another qualifier on top of all to the other qualifiers. Mr. Ullman asked if council has influence over the type of construction. Mr. Poller replied no, just ADA compliant. Mr. Ullman asked can we propose a higher level of requirements. Mr. Poller stated we deed the property to Habitat and is their show. Mr. Poller spoke at length with what he proposed. Mr. Poller stated once the development occurs they have to go to the Planning Board, but can council impose things on top of that, he doesn't think so. Mr. Ullman stated it would be two units 55 and over, two units a priority of Veterans 55 and over, if that requirement is not met, then it would be just 55 and over. Mr. Poller stated that other part is COAH which will be in closed session. Mr. Poller stated the last vote was giving him and the planner the authority to make adjustments. A discussion followed with regard to going into Closed Session.

Resolution No. 16-128

Closed Session, January 4, 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 of 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. **COAH LITIGATION/STRATEGIES**

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.

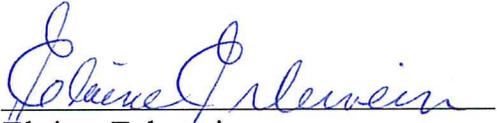
9. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding 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 _____. The Township Council anticipates that an open session will not be necessary X .

| Motion | | Seconded | | Council | Ayes | Nays | Abst. | Absent |
|----------|---|----------|---|----------|------|------|-------|--------|
| Bruno | X | Bruno | | Bruno | X | | | |
| Calamari | | Calamari | | Calamari | X | | | |
| Cascio | | Cascio | | Cascio | X | | | |
| Sears | | Sears | X | Sears | X | | | |
| Ullman | | Ullman | | Ullman | X | | | |

Time noted: 11: 20 p.m.


 Elaine Erlewein
 Township Clerk


 Michael Ullman
 Council President

Approved: February 1, 2016