

TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY  
PUBLIC PORTION/PUBLIC SESSION

September 28, 2015

The Township Council held a Public Portion/Public Session in the Municipal Building, 350 Pascack Road. The meeting was called to order at 7:37 p.m. by Council President Peter Calamari with the Clerk leading a salute to the flag. Members present: Glenn Beckmeyer, Steve Cascio, Dave Frank, Thomas Sears and Peter Calamari. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney; Matthew Cavallo, Business Administrator; Gary Vinci, RMA, Lerch, Vinci & Higgins.

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.

APPROVAL OF MINUTES

A motion was made by Dr. Cascio, seconded by Mr. Beckmeyer, to approve the September 14, 2015 Public & Conference Session Minutes.

(All Vote)

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

GENERAL PUBLIC DISCUSSION

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

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

David Snyder, 91 Windsor Circle – Mr. Snyder spoke of past campaign promises. He also spoke at length with regard to curb appeal, traffic at the intersections and the selling of properties within the Township. He stated that there was no sufficient planning with regard to a timeline of paving the roads. He also spoke at length with regard to the televising of meetings. He stated in televising the meetings it would stop all of the misinterpretations. He also spoke of new signs and beautification in the Township.

Rosa D'Ambra, 423 Colonial Boulevard – Mrs. D'Ambra spoke of past campaign promises made by Mayor Sobkowicz with regard to broadcasting the meetings and holding Saturday sessions. She would like to know why the Mayor changed her mind with regard to broadcasting meetings. Mayor Sobkowicz stated with regard to Saturday meetings, only one person showed up and with regard to broadcasting council meetings, things have changed since that time. Mrs. D'Ambra spoke at length with regard to the drainage of the field. She asked why are drains being put for the turf and but they were not put for the grass. Mr. Calamari stated that drains would have been necessary no matter what path was taken, being turf or grass. A discussion followed with regard to the stipends for council and the pension system. Administrator Cavallo stated elected officials are no longer in the pension system. There was also a discussion with regard to Mr. Poller not being at the last council meeting.

Gerald T. Brown, 559 Jackson Avenue – Mr. Brown spoke at length with regard to residents attending meetings and what he feels are the council's and Mayor's reactions. He asked who by a show of hands is running for council against the independents. (Mr. Beckmeyer and Mr. Frank raised their hands.) A discussion followed with regard to this becoming political. There was also a discussion with regard to how questions are to be posed to council members, which would be through the council president. Mr. Brown asked Mr. Calamari if he supports televising meetings. Mr. Calamari replied no, he does not. Mayor

Sobkowicz also replied no. A discussion followed with regard to what was done by the previous council with regard to televising meetings. Mr. Brown also spoke of council not being able to answer questions at council meetings.

Julie Lipnick, 184 Finnerty Place – Ms. Lipnick spoke of curb appeal and expansion of the shopping center over the years in the Township. She spoke at length with regard to an incident of a Van Lines truck being parked at the shopping center one night and the shopping center becoming a rest stop area for truckers. She also spoke homes sales within the Township and what she has heard from buyers and realtors. She spoke of the Building Department and residents and contractors not being able to get permits in a timely fashion. She stated the woman in the Building Department needs help, she cannot do it all by herself on a part time schedule.

Elizabeth Reeves, 266 Wilson Avenue – Ms. Reeves spoke of her past interaction with the Building Department with regard to obtaining a permit for a bathroom renovation. She stated she spoke to the administrator and did receive her permit, but lost her electrical contractor. She stated this is not fair to the residents.

Robert Bruno, 697 Hillcrest Road – Mr. Bruno asked Mr. Calamari if he feels he has a fiduciary responsibility to the residents of the Township and what dollar amount does he feel council can vote on without putting it up for a referendum. Mr. Calamari stated that he feels there is no restriction, when he was elected and took the oath, what one would consider reasonable for a for a town our size that we do have the authority and the obligation to vote on it without putting it to a referendum. Mr. Bruno asked what about a turf field that is at 3.5 million dollars. Mr. Calamari replied he cannot answer that question since it is a hypothetical situation. Mr. Bruno asked what the total debt that the Township has is. Mr. Vinci spoke at length with regard to the total debt. A discussion followed with regard to the line item for WCTV and the increase of the line item due to a switch that needs to be purchased. Mr. Calamari asked if anyone from council has any questions for the auditor. Mr. Beckmeyer asked Mr. Vinci what our bonding capacity is and compared to other towns in the area. Mr. Vinci spoke at length of the bonding capacity. Mr. Vinci stated the maximum allowed at the end of 2014 was 60 million, and in comparison to other towns the Township is at the lower end since the Township has double AA plus rating. Mr. Beckmeyer asked Mr. Vinci to explain what an “Adverse Opinion” is. Mr. Vinci spoke at length with regard to the New Jersey accounting requirements and “Adverse Opinion”. Mr. Vinci stated the “Adverse Opinion” lets the reader know that you are not following the GAAP; all of the towns have that language. Mayor Sobkowicz stated when the budget is done we cannot overestimate our revenue; we can only estimate what was received in the past.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment asked if we are in such great shape, why is our town in such bad shape. She spoke at length with regard to the various places in the Township that need to be fixed and she also spoke of bonding which was done in the past. She stated that the corner is not a new subject matter; it has been discussed in the past. She spoke at length with regard to what transpired in the past with regard to the corner. She stated this is not the first council to come up with this subject matter. She stated if Mr. Frank and Mr. Calamari had attended previous meetings they would have known. Mr. Calamari replied he did attend meetings for two years before he was elected. Mr. Ozment stated Mr. Calamari is wrong, she was at every meeting and he was not in the audience. She stated the only time Mr. Calamari attended meetings was when the subject matter involved the police. Mayor Sobkowicz spoke of the 2010 plan by the County for the intersection, which was to accommodate the CVS. She spoke at length what that plan involved. She stated she it was a very big project, being a 56 foot wide intersection, and we had no idea what the cost would be. Mr. Calamari stated Mrs. Ozment is categorically wrong; he attended 90% of the meetings for two years before he ran for council. Mr. Calamari stated the burden is on Mrs. Ozment to prove he is wrong.

Cynthia Cannon, 804 Manhattan Avenue – Ms. Cannon asked that when a person is going to be present at a meeting, as has been done in the past, that they be put on the agenda. She stated we didn't know the auditor was going to be here, and had he been put on the agenda, people would have been able to ask the appropriate questions and get the answers. Mr. Calamari agrees, but he did not know for sure if Mr. Vinci was going to be here tonight. Mr. Calamari stated Mr. Vinci is available at budget time and that is when the bulk of the questions are asked and answered.

William Ferara, 2556 Cleveland Avenue – Mr. Ferara asked when will the road program for Cleveland begin. Mayor Sobkowicz stated he will be receiving a letter. Mr. Ferara asked why Washington Avenue in the Township was not paved but in the area of Westwood it was paved. Administrator Cavallo stated that the area of Westwood which was paved was done by PSE&G due to the road openings for the new gas mains. A lengthy discussion followed with regard to Clark Field and the warning lights and alarms going off all hours of the night. Administrator Cavallo stated they should not go off after 10:00 at night, they may need to be checked for a malfunction. Mr. Ferara asked if the lighting for the field is permanent towers. Mr. Beckmeyer replied yes, they are permanent towers. A discussion followed with regard to the lighting being on independent generators which can be moved. Mr. Ferara asked why the football field is only going to be 80 yards. Mr. Beckmeyer stated most of the recreation programs below high school do not play on full size football fields. Mr. Beckmeyer explained at length with regard to the fields that are going to be placed at Memorial Field. Mr. Ferara stated based on letters in the paper, they state that the Township sub ledgers did not reconcile to the general ledger; he would like to know if that is true, and has the situation been corrected. Mayor Sobkowicz stated she believes that some of them were not at the time of the writing, but they have since been corrected.

John Hannon, 564 Jackson Avenue – Mr. Hannon spoke at length with regard to the amount that is capital budget for the next 3 years. He stated that no one up on the dais has any idea of what is in the financial statements. He stated that the "Adverse Opinion" is in the footnotes and council should have known that. Mr. Calamari replied that we do all know, but sometimes it helps the public to hear it from an auditor. Mr. Hannon spoke at length with regard to prioritizing. He also stated he does not understand how the CFO can do the job in 4 hours per week. He spoke of the year-end financial statements that are submitted to Trenton. He spoke of the general ledgers not agreeing with the sub ledgers. He stated the Township has financial issues that need to be addressed.

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

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

## ORDINANCES

### 2<sup>ND</sup> Reading Ordinance No. 15-16

The Clerk read Ordinance No. 15-16 entitled: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF MEMORIAL FIELD IN AND BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,333,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION.

A motion was made by Mr. Sears seconded by Mr. Beckmeyer, to introduce and pass Ordinance No. 15-16 at second reading by title.

Ayes: Councilmen Beckmeyer, Frank, Sears, Calamari.

Nays: Councilman Cascio.

The following resolution, Resolution No. 15-272 was presented and adopted on a motion by Dr. Cascio, seconded by Mr. Beckmeyer.

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 15-16 entitled: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF MEMORIAL FIELD IN AND BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,333,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Dr. Cascio, seconded by Mr. Beckmeyer, to open the Public Hearing.

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

Rosa D'Ambra, 423 Colonial Boulevard – Mrs. D'Ambra read at length from a document prepared by O'Dell Engineering, 1165 Scenic Drive, Suite 1, Modesto, California, with regard to turf maintenance, savings, turf temperature, material and sanitation. Mr. Calamari asked for the date of the document. Mrs. D'Ambra replied the document is not dated. She stated she is totally against it and feels there are other pressing issues that should be done. She does not think council made a good decision at this time.

Toni Plantamura, 808 Robinwood Road – Ms. Plantamura stated that Mrs. D'Ambra does have some valid points that have been brought to council in the past year which were not considered by council since council already had their mind made up due to special interest groups. She spoke of injuries and liability issues. She spoke at length of the health of the children not being considered. She spoke of a high school football player being killed due to a tackle and players burning their hands on the surface of a turf field. She stated council will do what they have to do, we will do what we have to do and everyone will speak on Election Day.

Dave Stokes, 1973 East Glenn Avenue – Mr. Stokes stated he is the Vice-President of the Dragons Soccer Club and he is not part of any special interest group. He stated the Dragons Soccer Club supports both Westwood and Washington Township, over 700 kids in the recreation and travel program to date. He stated over the last 7 years they have not practiced or played in the Township of Washington, all practices and games have been on Westwood fields. He stated the field that is being proposed is needed not only for football but also the Dragon Soccer club recreation and travel program. He stated he doesn't know anyone here, first time here as an organization and he feels it needs to be done. He spoke of the liability on the current field and the damage to the grass when playing on a grass field. He stated they do pay at the high school to play there. He stated the answer is a turf field.

Beth Ritter, 699 Jacquelyn Road – Ms. Ritter spoke of the first home football game this past Saturday night and the watering of the field that occurred throughout the day which was done by football coaches and volunteers. She stated she wishes everyone heard the comments from River Vale, which were embarrassing. She stated we will now be known as the "Dust Bowl." She stated we need to move on with this project for our children. She stated her son will not take advantage of this field, but we need to pay it forward for the other children.

Dino DiVirgilio, 478 Jackson Avenue – Mr. DiVirgilio stated he applauds the field being proposed. He spoke of his past history on playing on turf fields in high school and college, which were different than they are today. He stated to those that are against the field to do correct research and look at the benefits, instead of the negatives. He invited everyone to come down to the field on a Saturday to see the children roll around in dirt. He stated curb appeal is in the amenities that the town produces and the facilities that a town has, not two dead bushes where a crossing guard stands.

Scott, Spezial, 785 Washington Avenue – Mr. Spezial stated he is an advocate of the turf field for many reasons. He stated that grass has been tried 6 or 7 times over the past 15 years and has not worked. He stated the playing conditions are dangerous and embarrassing. He spoke of the various problems that would be corrected by an artificial turf field such as better playing conditions, complete drainage system, resolve limited use issues, savings of water, no chemicals/fertilizers of any kind, no geese feces droppings, better lighting, no outsourcing, no DMF laborers and a playable surface. He stated please raise my taxes and do this project for the good of everyone.

Dean Tetro, 820 Van Emburgh Avenue – Mr. Tetro stated he has been playing football and sports on Memorial field for a long time. He stated his cleat goes down a ½ inch and it is rock and hard dirt. He stated it hurts to make a tackle on Memorial Field, but he has no problem making a tackle on the high school field. He stated that when you make a tackle on Memorial Field, it is like landing on a bed of rocks. He asks would you rather land on a bed of rocks or a mattress; it is as simple as that. He stated other people from other teams tell him that they feel sorry for him that he has to play on this field. He stated there is so much dust on the field that you cannot see past the 50 yard line, and you are coughing within 10 minutes after the game. He stated that just should not be.

Steven Riedel, 2600 Cleveland Avenue – Mr. Riedel stated this field is an embarrassment. He stated played on it for six years, he has been out of the program for one year. He stated he has fallen due to the holes and become severely injured. He spoke of the resodding that has been done over the years and has not worked, it turns back to the same crap of a field it is now. He asked all of those that are not supportive of this field to come and see all the dust and the holes kids are falling into when they are trying to play. He stated turf is the correct answer.

Mr. Calamari - Stated just as a quick comment he is very happy to see our young people getting involved in town government and expressing their opinions.

Rich Skinner, 303 Mountain Avenue – Mr. Skinner stated Ms. Plantamura mentioned that there was a New Jersey high school football that died as a result of injury this weekend. He stated it is true, and as a parent and football coach, it is tragic, and however, the death was not caused artificial turf. The Morris County Medical Examiner, Ron Suarez, MD stated the cause of death was due to a lacerated spleen, which was a pre-existing condition. He then read from the medical report of Dr. Ronald Suarez, the Morris County Medical Examiner. He then extended an invitation to Ms. Plantamura to come to the field and give the coaches a hand by spending 3 to 4 hours preparing the field by removing rocks and painting the lines.

Robert Bruno, 697 Hillcrest Avenue – Mr. Bruno asked how is Town Day going to be held at the field if the field is so deplorable. Mayor Sobkowicz stated it will be held there assuming it does not rain.

Vic Fadini, 698 Kennedy Drive – Mr. Fadini stated he really appreciates the patience and understanding of this council on this subject. He spoke at length with regard what the savings would be to the taxpayer and what the average household increase would be per month. He also spoke of the savings that would be incurred by putting turf.

Ted Podest, 4 Katharina Place – Mr. Podest thanked council for their time and effort; it is a thankless job with people coming up and throwing arrows all the time. He spoke of the liability and injuries on the field. He stated on Town Day you are walking around with your kids, not running or diving for a ball. He stated he has four children, each of them have been injured on that field due to the condition of the field.

Eamonn Twomey, 187 Devon Road – Mr. Twomey stated it has been a long 12 years and we are still talking about the same thing. He stated he is speaking for the kids; the voices of the children come through the adults. He spoke of his experience in coaching for the past 8 to 9 years. He stated this will be Memorial Park, and it will be something we can be proud of. He spoke

of the various improvements that will be done. He spoke of CoolPlay which is the alternative to the rubber tires. He stated the time is now and he is so happy to finally be moving forward with this.

Cynthia Cannon, 804 Manhattan Avenue – Ms. Cannon states she has bags of information that she looked up on the internet with regard to artificial turf. She spoke at length with regard to abrasions that are caused by the artificial turf. A discussion followed with regard to CoolPlay. She spoke of the dust on her front lawn at this time. She stated she believes the way to fix the field is to first fix the drainage issue. She also spoke of putting this to a referendum.

John Sklavounos, 667 Colonial Boulevard – Mr. Sklavounos spoke of attending the football game this weekend and the condition of the field being pretty bad. He feels the kids should play somewhere else for the remaining home games. He spoke of the amount of dirt and dust the kids breathe during a two hour game. He stated his children will benefit with this field being upgraded to turf.

Dr. Cascio – Dr. Cascio asked before the public session is closed, he is going to ask one more time for the council members to take into consideration to put this out for a binding referendum, and he would hope someone on the council second the motion so we can have a clear understanding of where people stand. He would like to make a motion to go out for binding referendum on Ordinance No. 15-16 for the public to vote on.

Mr. Calamari – Mr. Calamari asked if anyone cares to second.

(Motion did not carry).

Dr. Cascio – Thank you.

A motion was made by Dr. Cascio, seconded by Mr. Beckmeyer to close the Public Hearing.

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

A motion was made Mr. Sears, seconded by Mr. Beckmeyer, to pass Ordinance No. 15-16 on a second and final reading, submit the same to the Mayor for her approval and thereafter be published according to law.

Ayes: Councilmen Beckmeyer, Frank, Sears, Calamari.

Nays: Councilman Cascio.

## 2<sup>ND</sup> Reading Ordinance No. 15-17

The Clerk read Ordinance No. 15-17 entitled: AN ORDINANCE AMENDING THE FIRE HOUSE COMMUTER PARKING LOT PERMIT FEE.

A motion was made by Dr. Cascio, seconded by Mr. Sears, to introduce and pass Ordinance No. 15-17 at second reading by title.

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

The following resolution, Resolution No. 15-273 was presented and adopted on a motion by Dr. Cascio, seconded by Mr. Beckmeyer.

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 15-17 entitled: AN ORDINANCE AMENDING THE FIRE HOUSE COMMUTER PARKING LOT PERMIT FEE be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Mr. Sears, seconded by Dr. Cascio, to open the Public Hearing.

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

Rosa D'Ambra, 423 Colonial Boulevard – Mrs. D'Ambra asked why are the taxpayers being charged when we already pay taxes on this parking lot.

She asked what is done with this money, where does this money go. Mr. Calamari explained why it is done. Mrs. D'Ambra asked why someone has to pay a fee to park, ever year the fee goes up. Mr. Calamari stated it is general revenue to the town. She stated this money should go directly to the Fire Department. She is against this.

A motion was made by Dr. Cascio, seconded by Mr. Beckmeyer to close the Public Hearing.

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

A motion was made Mr. Sears, seconded by Dr. Cascio, to pass Ordinance No. 15-17 on a second and final reading, submit the same to the Mayor for her approval and thereafter be published according to law.

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

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.

Mr. Beckmeyer spoke of the grant money from the State of New Jersey for the roads.

Administrator Cavallo, as per Dr. Cascio's request, explained Resolution No. 15-277.

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

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

#### Resolution No. 15-274

##### Engineering Escrow

WHEREAS, Christopher & Meghan Dowd posted engineering escrow money on premises known as Block 2209, Lot 3, 728 Eastview Terrace; 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 email dated September 16, 2015, or due the Planning Board Attorney as per his verbal confirmation on September 16, 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 \$150.00 to the above.

#### Resolution No. 15-275

##### Engineering Escrow

WHEREAS, Matthew & Ellen Dogali posted engineering escrow money on premises known as Block 2208, Lot 5, 749 Wayne Place; 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 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 \$559.00 to the above.

Resolution No. 15-276

Grant Agreement for Senior Activities

BE IT RESOLVED, that the Mayor and Council of the Township of Washington wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$3,274.00 in 2015 – 2016 Community Development Block Grant funds for Senior Citizen Activities at the Jack Woods Senior Center, 350 Hudson Ave., Township of Washington, NJ 07676; and

BE IT FURTHER RESOLVED, that the Council hereby authorizes Administrator Matthew A. Cavallo, to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Matthew A. Cavallo to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Township of Washington is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

This resolution was adopted by the Mayor and Council of the Township of Washington at a meeting on September 28, 2015.

Resolution No. 15-277

Grant Agreement for Handicap Accessible Curb Ramps

BE IT RESOLVED, that the Mayor and Council of the Township of Washington wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$40,000 in 2015 – 2016 Community Development Block Grant funds for Handicapped Accessible Curb Ramps; and

BE IT FURTHER RESOLVED, that the Council hereby authorizes Administrator Matthew A. Cavallo, to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Matthew A. Cavallo to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Township of Washington is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

This resolution was adopted by the Mayor and Council of the Township of Washington at a meeting on September 28, 2015.

Resolution No. 15-278

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:

Due to person’s injury, the Township Council has also authorized the Township Treasurer to refund the administrative fee for summer recreation.

Krista and Kevin Dempsey  
425 Chestnut Street  
Township of Washington, NJ 07676

Summer Recreation Camp 2015	\$255.00
Administrative Fee	<u>      - \$0</u>
For Camryn Dempsey	\$255.00

Summer Recreation Camp 2015	\$245.00
Administrative Fee	<u>      - \$0</u>

For Kendall Dempsey

\$245.00

Refund for Summer Recreation  
Refund Amount: \$500.00

Resolution No. 15-279

Grant Application Colonial Boulevard

WHEREAS, the Township of Washington desires to receive \$205,700.00 in funds from the New Jersey Department of Transportation Highway Trust Fund for the purpose of resurfacing, making safety improvements and traffic calming measures along Colonial Boulevard; and

WHEREAS, the Township Engineer has developed a plan of action and cost estimate to improve Colonial Boulevard and key intersections through the addition of pavement markings and other physical complementary safety improvements; and

WHEREAS, the project will also improve safety to the local schools and commuter lines, thus leveraging the requested funds;

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Washington, County of Bergen, New Jersey, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application MA-2016-Washington Township-00137 to the New Jersey Department of Transportation on behalf of the Township of Washington.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Washington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution No. 15-280

Grant Application Mountain Avenue

WHEREAS, the Township of Washington desires to receive \$327,750.00 in funds from the New Jersey Department of Transportation Highway Trust Fund for the purpose of resurfacing, making safety improvements and traffic calming measures along Mountain Avenue; and

WHEREAS, the Township Engineer has developed a plan of action and cost estimate to improve Mountain Avenue and key intersections through the addition of pavement markings and other physical complementary safety improvements; and

WHEREAS, the project will also improve safety to the local schools and commuter lines, thus leveraging the requested funds;

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Washington, County of Bergen, New Jersey, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application MA-2016-Washington Township-00138 to the New Jersey Department of Transportation on behalf of the Township of Washington.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Washington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Time Noted: 9:23 p.m. (End of Open Session)

Time Noted: 10:22 p.m. (Motion to go back into Open Session after Closed Session)

A motion was made by Mr. Beckmeyer, seconded by Mr. Calamari, to close the Closed Session and go back into Open Session.

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

A motion was made by Dr. Cascio, seconded by Mr. Calamari on Resolution No. 15-283.

Ayes: Councilmen Beckmeyer, Cascio, Frank, Sears, Calamari.

Nays: None.

#### Resolution No. 15-283

##### MSSDA/Econsult Solutions/COAH

WHEREAS, the Township of Washington entered into the Municipal Shared Services Defense Agreement (“MSSDA”) for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action (“Litigation”) that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Decision”); and

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained; and

WHEREAS, Dr. Burchell became ill and has been unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University has exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA requires modification to allow the members to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA (“Amendment”) has been prepared to effectuate the modification; and

WHEREAS, the Township recognizes that the Litigation requires immediate action and may require further expedited actions by its counsel determined to be necessary and appropriate; and

WHEREAS, the Township has determined that it is in the best interests of the citizens of the Township of Washington to approve the Amendment, and/or to affirm and ratify the Amendment, and to authorize their designated counsel to take actions on behalf of the municipality with regard to the multiplicity of issues raised and associated with the continued implementation of the MSSDA;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, County of Bergen, New Jersey, as follows:

1. The terms and conditions of the Amendment to MSSDA attached hereto are hereby approved, and/or ratified and confirmed.
2. The Mayor is hereby authorized to execute the aforesaid Amendment.
3. The Township of Washington hereby authorizes Jeffrey R. Surenian, Esq., to execute an agreement on behalf of the Township of Washington with Econsult Solutions, Inc.

The Township of Washington hereby authorizes Jeffrey R. Surenian, Esq., to execute on behalf of the Township of Washington, with the approval of the Township’s designated counsel such other agreement(s) as are advisable to effectuate the purposes of the MSSDA as amended.

4. The Township of Washington further authorizes its designated counsel to approve such other changes to the MSSDA as may be necessary to effectuate its purposes, and to take action on behalf of the municipality with regard to the multiplicity of issues raised and associated with the implementation of the MSSDA provided that the action will not require the municipality to appropriate and commit any additional funding for the MSSDA.

In the event such changes and actions require the municipality to appropriate and commit any additional funding for the MSSDA, the Township of Washington shall only be responsible for such funding if it authorizes same.

5. If additional monies are needed to effectuate the intent and purpose of the MSSDA, no such services shall be authorized by designated counsel without further action from the Township of Washington.
6. This Resolution shall take effect immediately.

Time Noted: 10:23 p.m.

  
\_\_\_\_\_  
Elaine Erlewein  
Township Clerk

  
\_\_\_\_\_  
Peter Calamari  
Council President

Approved: October 19, 2015

TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY

CONFERENCE PORTION/PUBLIC SESSION

September 28, 2015

Members present: Glenn Beckmeyer, Steve Cascio, Dave Frank, Thomas Sears, Peter Calamari. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney. Absent: Matthew Cavallo, Administrator.

Time Noted: 9:38 p.m.

CURRENT BUSINESS

Roads Program – Mayor Sobkowicz stated the stabilizing of Julia Court is almost done. She stated Julia Court will not be paved yet since a new home is being built and one more utility needs to go in, so they are going back to Woodfield to finish. She stated the remaining roads will be milled this week and then paving will occur shortly thereafter. She stated every household receives a letter and an update. The road program will be complete by the end of October. A conversation followed with regard to the roads being done in sections.

Department of Municipal Buildings Facility – Mayor Sobkowicz will touch base with Administrator Cavallo to see if he has received the report.

Intersection of Pascack and Washington – Mayor Sobkowicz spoke of the meeting and the plan the Township wants. A lengthy discussion followed with regard to Option B, which the previous council approved. Mr. Beckmeyer asked a letter be sent to the County that the Township is ready to proceed with Option B. All of the data, such as safety, accidents and traffic study have been gathered. A discussion followed with regard to a Pascack Valley wide petition which will be posted on the Township website, which can be e-signed and then forwarded to the appropriate representatives. The Highway Authority will back the Township in getting the no right-hand turn restriction lifted, but they will not go to court. A discussion followed with regard to opening Exit 171 with the right hand turn. Woodcliff Lake stated via letter that they do not want the right-hand turn at Exit 171. Mr. Calamari requested that letter be also posted on the website for informational purposes.

2015 Capital Budget – Administrator Cavallo will give council an update at a later time.

Codification Services – A discussion was had with regard to putting all of the fees in one section. Mr. Poller spoke of the Health Services and Salaries and Compensation Chapters. A lengthy discussion followed with regard to ordinance references and shared services agreements. Council agreed to retain Salaries & Compensation as a reference and omit Health Services. General Code will generate a manuscript for the entire code and make their recommendations. Mr. Poller stated the land use sections are not ideal, we will not be changing the substance but it will more organize. This is a long range project and council will be receiving periodic updates.

Sale of Washington Grand Parking Spaces – Mr. Poller spoke of the four parking spaces that have been foreclosed and now the Township owns them. He stated they are separate lots, taxed separately and was not included in the rent or sale of the condo. He stated we will approach Washington Grand and advertise to see if someone would like an extra spot. A discussion followed with regard to the location of the spaces, which are underneath the building and delineated. Mr. Poller stated the proper caveats will be put in place on these spaces.

In Rem Foreclosure – Mr. Poller spoke of the foreclosure procedure. Since council approved the foreclosure of the Regula lot, it would save Township funds if this were to be done at the same time of filing.

Resolution No. 15-281

In Rem Foreclosure

WHEREAS, land in the taxing district of the Township of Washington, County of Bergen, New Jersey, State of New Jersey described as Block 2303, Lot 6 is assessed on the Tax Duplicate of the Township of Washington to Joseph and Dorothy Medvesky (hereafter referred to as the "Taxpayer"); and

WHEREAS, the Taxpayer was delinquent on property taxes for 2011 and on November 4, 2012 went to Tax Sale. There were no bidders at the Tax Sale and this parcel was struck off to the municipality; and

WHEREAS,

1. The Township of Washington has the authority to institute foreclosure procedures on said property under N.J.S.A. 54:5-104.34.
2. I, Elaine Erlewein, Tax Collector, certify that six months have passed since the date of the tax sale and that some part of the general land taxes are at least twenty-one months old.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, Bergen County, New Jersey, the governing body of the Township of Washington, that the Tax Sale Certificate shown below now held by the Township of Washington be foreclosed by summary proceedings IN REM, and as described by N.J.S.A.54:5104.29 to 545-104.75, and pursuant to the Rules of Civil Practice of the Superior Court of New Jersey.

Certificate 11-0001

Recorded in Bergen County Clerk's office in Book 01318, Page 0753-0754 all costs listed on the In Rem Foreclosure List, plus all fees/taxes due up to time of foreclosure.

Resolution No. 15-282

Closed Session

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**

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.

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

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

Motion		Seconded		Ayes	Nays	Abst.	Absent
Beckmeyer	X	Beckmeyer		X			
Cascio		Cascio	X	X			
Frank		Frank		X			
Sears		Sears		X			
Calamari		Calamari		X			

Time Noted: 10: 03 p.m.

  
 Elaine Erlewein  
 Township Clerk

  
 Peter Calamari  
 Council President

Approved: October 19, 2015