

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

PUBLIC PORTION/CONFERENCE MEETING

SEPTEMBER 23, 2013

The Township Council held a Public Portion/Conference Meeting in the Municipal Building, Pascack Road. The meeting was called to order at 7:30 p.m. by Council President Steve Cascio with the Clerk leading a salute to the flag. Members present: Joseph D'Urso, Fred Goetz, Richard Hrbek, Steven Cascio. Absent: None. Mr. Beckmeyer arrived at 7:34 p.m. Also present: Janet Sobkowicz, Mayor; Catherine Steinel, Administrator; Louis Lamatina, Attorney. Mayor Sobkowicz stated that Mr. Poller was away on vacation and Mr. Lamatina would be taking his place this evening. At this point, Mr. Goetz objected and stated that this is a Council meeting and the Council should have been informed before the meeting of this change in Counsel. Mr. Goetz said that he felt uncomfortable with someone not familiar with the council being the attorney and advising the Council. Mr. D'Urso said that he also was not comfortable but did not have any real objections. Dr. Cascio said that he was comfortable with the situation but would have liked to have known in advance about the change in Counsel.

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 Ridgewood News, 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 Mr. D'Urso, seconded by Mr. Hrbek to pass the July 15, 2013 Public and Conference minutes of the Township Council of the Township of Washington.

Ayes: Councilpersons Beckmeyer, D'Urso, Hrbek, Cascio

Nays: None

Abstain: Councilperson Goetz

A motion was made by Mr. D'Urso, seconded by Mr. Beckmeyer to pass the August 5, 2013 Public and Conference minutes of the Township Council of the Township of Washington.

Ayes: Councilpersons Beckmeyer, D'Urso, Hrbek, Cascio

Nays: None

Abstain: Councilperson Goetz

GENERAL PUBLIC DISCUSSION

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

Ayes: Councilpersons Beckmeyer, D'Urso, Hrbek, Cascio

Nays: None

Abstain: Councilperson Goetz

Rose D'Ambra, 423 Colonial Boulevard – Talked about the resolution on the agenda in reference to increase of fees for United Water and how she felt we should be against any increase. She was informed that the resolution was against the fee increase. She then went on to discuss the fact that there was a johnnie pump (fire hydrant) which was not working near the school path at 277 Woodfield. She wanted to know why it was disabled. Mr. Sears, who was in the audience, stated that it was fixed today.

Ray Bernroth, 838 Crest Place – Said that he saw that the Road Department was repainting the crosswalks. He then went on to say that when he went into Westwood, Hillsdale and Park Ridge there are signs on streets that state that you must stop for pedestrians in cross walks. There should be signs near all crosswalks. He said that there is even one sign in Park Ridge on Pascack Road. Feels that there should be one on Glen. He said that he assumed that children do cross at crosswalks. Again reiterated that there should be signs that say you must stop.

State law says that you must stop for pedestrians in crosswalks. Dr. Cascio agreed.

Anthony Conti, 490 Ridgewood Boulevard North – Stated that his property abuts swim club. He complained about some noise and parking of trucks. Said he talked to members of the swim club. He said he was told that the town wanted to take over this property for low income housing or move the Township trucks to the lower level. He said that he wanted to know if this is fact and Mayor Sobkowicz said absolutely not. Dr. Cascio said he has not heard this. Asked if this is mayor's intention and she said no. Mayor Sobkowicz said this he is the third person who told her that. I want to make sure what I am finding out what I heard is true or not.

Al Gillio, 746 Wayne Place – Asked about the ordinance for no parking on Jackson Avenue and Washington Avenue. Said that he saw people waiting and parking there. Mrs. Steinel said that there was an ordinance. Mr. D'Urso talked about the fact that there is an ordinance and that people should be parking past Robinwood Road and Hoover Avenue. Said that Washington Avenue is a county road where the bus stops and there are cars on both side of the road waiting for people to get off the bus. People are also crossing over to Spice Drive. Ms. Steinel asked when he saw the cars and Mr. Gillio told her in the evening.

James Jordan, 428 Colonial Boulevard – Asked how much asphalt has been laid down this year. He said that he knew that the Township did not do the paving on Jackson Avenue and that the water company paved that area and also Washington Avenue. He was told by Dr. Cascio that the Township has not done any of the roads for many years. He asked if the Township was looking at doing the roads soon. He was told that the Township was looking to do certain roads and the Mayor stated that she was working on it. He also stated that he was concerned about the DMF falling down. He said it needs fixing. He also talked about the salt shed and how it has needed to be replaced for years. He said that everyone was aware of it.

Michael Ullman, 2 Clark Avenue - Asked about the professionals in town and he said that the same ones are renewed every year. He asked if the Township had any plan to evaluate each professional. Dr. Cascio said that it was on the agenda, RFQ for professionals for the upcoming calendar year and he asked if this would include all professionals including the law professional. He also questioned about the evaluation of the planner. The Mayor said she is still looking into the matter. He also asked if there is a master plan for Memorial Field. He said that he thought the town was attempting to apply for funding for fencing around Memorial Field. Mr. Ullman was told that we applied for a grant for fencing. He also asked if the Township applied or received a grant for the pavilion and was told yes. He also asked about work on the field house and was told that there was no work to be done on the field house. Mr. Ullman then asked if the Township was still pursuing the two properties next to Memorial field and was told no the town was no longer looking into purchasing them. Mrs. Steinel stated that there was to be a pre-construction meeting on September 30 for the playground. Mr. Ullman asked if the basketball court was included in all the renovations and he was told no.

Mike Werfel, 880 Crest Place – Said that the DMF painted a stop line at his driveway. He wanted to know why at his driveway. He was asked if that was the same place the stop sign had been before and he said no. Mayor Sobkowicz said that she would look into the matter.

There being no further questions or comments, a motion was made by Mr. Hrbek, seconded by Mr. Beckmeyer to close the Public Discussion.

Ayes: Councilpersons Beckmeyer, D'Urso, Hrbek, Cascio

Nays: None

Abstain: Councilperson Goetz

ORDINANCES

The Clerk read Ordinance 13-20 entitled: BOND ORDINANCE APPROPRIATING \$235,400 AND AUTHORIZING THE ISSUANCE OF \$223,630 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY.

A motion was made by Mr. Beckmeyer, seconded by Mr. Hrbek to introduce and pass Ordinance 13-20 at second reading by title.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

Nays: None

The following resolution was presented and adopted on a motion by Mr. Beckmeyer, seconded by Mr. D'Urso.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

Nays: None

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance 13-20 entitled: BOND ORDINANCE APPROPRIATING \$235,400 AND AUTHORIZING THE ISSUANCE OF \$223,630 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY 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. Hrbek to open the public hearing.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

Nays: None.

Rose D'Ambra, 423 Colonial Boulevard – Said that the ordinance was to purchase police department rifles, guns, bullets, radar units, etc. As we know police departments are quasi-military units. We should be able to get this type of stuff under homeland security funding. Why are we paying? Dr. Cascio said that he disagreed with quasi and that the police are para-military units. He said that if there were grants available, he was sure the administrator would have gone after them. Mrs. Steinel said that no grants were available at this time. Mrs. D'Ambra said it was a shame but if you can't you can't.

Mike Ullman, 2 Clark Avenue - Asked to summarize what the ordinance was for. Clerk summarized what items were being purchased. Total of the projects is \$235,400. Landscape trailer, leaf vacuum and wood chipper, 6 carbine rifles and 3 radar units with all attachments cost \$172,800. Utility vehicle for Fire Department with all attachments costs \$48,000 and cost for studies regarding fire house is \$13,200. Mr. Ullman asked about the wood chipper and he said he thought the town had one and then sold it. Dr. Cascio said that the town did have one but sold it because of an unfortunate accident. The DMF now wanted the new wood chipper. Mr. Ullman said that since we will have our own wood chipper will it remove the need to go outside and hire others to do work such as during the last few storms. Catherine explained that we had to go out and hire because of the size of the storm. Mayor Sobkowitz said it depends on size of storm and what type of storm it is. Mr. Hrbek agreed that it depends on the storm and the severity of the storm. Mayor Sobkowitz said the chipper was not needed as much during Hurricane Sandy as it would have been used for the October snow/sleet storm 2 years ago. Utility vehicle is the Chief's car. The assistant chief's car retires and he will have the chief's car. In reference to the feasibility study asked what that was for and was told that the fire house needs renovations. There are structural problems. Asked if the money allocated can be moved from project to project. Catherine said it can only be used for what the ordinance stated. By putting like items together will we be paying some items for a long period of time and has CFO opinioned on this. Mr. Ullman asked if it is responsible to be

bonding a vehicle for 10 years. Dr. Cascio stated that he didn't think the CFO has seen this ordinance. To pay BAN's and then do permanent bonding for a car for 10 years does not seem right as we will have a vehicle which has a limited useful life. Do we want to pay for a car for 10 plus years. He said he was questioning this. Would it be possible to ask CFO her opinion. Mr. D'Urso said that the Council was cautious at budget time. What Mr. Ullman said is true. We cut where we could in the budget. When you sit at budget meeting it is tough. Mr. Hrbek said it was tough at budget time but we did move police cars into operating budget.

Mr. Werfel, 880 Crest Place – Asked if we had a wood chipper would we have used it during Sandy. We could have used a chipper during sandy and asked about the DMF using it. He asked what happening this time around that the DMF would want a chipper. He asked how much the wood chipper would be and was told \$80,000. Dr. Cascio that the wood chipper is needed because of the different types of storms we have been having. Mrs. Steinel talked about the BANS to support the bond ordinance and how in a few years we will go out for permanent bonding. Mr. Werfel said that he was a financial advisor and stated that the Municipality should go out for permanent bonds as soon as possible because of the market we are in.

Ray Bernroth, 838 Crest Place – Said that he kept hearing after Sandy that we didn't need to have a wood chipper. Asked if we had a wood chipper would it have helped residents. It was explained that we had to hire quite a few people with chippers to get rid of all the debris. He said he felt that it would have helped some of the people who had wood lying on their front lawns for a long period of time.

James Jordan, 428 Colonial Boulevard – Asked if there was any money that the town could apply for from the prosecutor's office forfeitures. A lot of what the prosecutor had was used with the court house for funding some of these items from the bond ordinance. He was told that there was no more funding available at this time. He also asked if the township owned the fire station and was told yes.

A motion was made by Dr. Cascio seconded by Mr. Hrbek to close the public hearing.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

Nays: None

A motion was made by Mr. Hrbek, seconded by Mr. Beckmeyer to pass Ordinance 13-20 on second and final reading, submit the same to the Mayor for her approval and thereafter be published according to law.

Ayes: Councilpersons Beckmeyer, Goetz, Hrbek, Cascio.

Nays: None

Abstain: Councilperson D'Urso

The Clerk read Ordinance 13-20 entitled: BOND ORDINANCE APPROPRIATING \$235,400 AND AUTHORIZING THE ISSUANCE OF \$223,630 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY.

A motion was made by Mr. Beckmeyer, seconded by Mr. Hrbek to introduce and pass Ordinance 13-20 at second reading by title.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

Nays: None

The following resolution was presented and adopted on a motion by Mr. Beckmeyer, seconded by Mr. D'Urso.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

Nays: None

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance 13-20 entitled: BOND

ORDINANCE APPROPRIATING \$235,400 AND AUTHORIZING THE ISSUANCE OF \$223,630 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY 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. Hrbek to open the public hearing.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

Nays: None

Rose D'Ambra, 423 Colonial Boulevard – Asked what type of trucks the Mayor wanted to buy. She was told one roll off and a garbage truck.

James Jordan, 528 Colonial Boulevard – Liked the idea of good equipment but we are taking brand new equipment and keeping it outside 365 days a year. Should take into consideration where it is being stored.

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

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio

Nays: None

Mr. D'Urso questioned the need for the 2 trucks in question and had asked for a study of municipal facilities since he agreed that vehicles need to be stored under cover instead of outside. The feasibility study was discussed during budget meetings and suggestions were made where else some of the road department equipment could be stored. Mayor Sobkowitz said that the first bond ordinance that went out was for \$1,895,000 and that she then broke up the bond ordinance into 2 bond ordinances.

A motion was made by Mr. Hrbek, seconded by Mr. Beckmeyer to pass Ordinance 13-21 on second and final reading, submit the same to the Mayor for her approval and thereafter be published according to law.

Ayes: Councilpersons Beckmeyer, D'Urso, Hrbek.

Nays: Councilpersons Goetz, Cascio

Bond Ordinance did not pass.

CONSENT AGENDA

At this point, Mrs. Steinel had heard of a problem at 621 Beech Street and asked that the return of performance bond resolution be removed from the Consent Agenda so that she could check out the situation. This was agreed upon by Council.

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

#2 was removed from the Consent Agenda.

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

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio

Nays: None.

WHEREAS, 378 Norwood, LLC ("Norwood") posted a performance bond in the amount of \$30,000.00 (the "Performance bond") with regard to the subdivision and site work relating to the property located at 617 Beech Street (the "Project") in the Township of Washington (the "Township"); and

WHEREAS, Norwood has notified the Township Engineer of the completion of the Project and the desire to have the Performance Bond posted by Norwood released; and

WHEREAS, the Township Engineer has inspected all work performed by Norwood and has determined that all such work has been satisfactorily completed, and has made a recommendation to John Scialla, the Building Inspector, for the issuance of a Certificate of Occupancy and for the release of the Performance Bond by letter dated June 13, 2013, a copy of which is annexed hereto (the "Township Engineer's Report and Recommendation"); and

WHEREAS, the Township Council has considered the Township Engineer's Report and Recommendation, and is of the opinion that action should be taken in accordance with such Report and Recommendation;

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

1. The Township Engineer's Report and Recommendation is hereby approved and adopted subject to the conditions set forth hereafter.
2. The Department of Finance shall confirm that there are sufficient funds on deposit with the Township from Norwood to pay all outstanding vouchers related to inspections, the Project and release of the Performance Bond, and upon verification of same by the Department of Finance, the Performance Bond shall be released and a letter from the Department of Finance may be issued to Norwood confirming same.
3. A copy of this Resolution, with a copy of the Township Engineer's Report and Recommendation annexed shall be forwarded to Norwood.

WHEREAS, on Tuesday, August 27, 2013 the Township of Washington accepted bids for Recycling-Curbside Collection of aluminum, glass, plastic, tin, newspapers, magazines, junk mail and corrugated cardboard (Bid #13-40: and

Whereas, Gaeta Recycling Co., Inc. was the sole bidder on the above date and is a responsible bidder complying with specifications as publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that Gaeta Recycling Co., 278 West Railway Avenue, Paterson, NJ 07503 is hereby authorized the base bids for the three following years:

1st year -September 1, 2013 to August 31, 2014 at a cost of \$134,604.08
2nd year -September 1, 2014 to August 31, 2015 at a cost of \$140,455.12
3rd year -September 1, 2015 to August 31, 2016 at a cost of \$146,306.16

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are authorized to enter into a contract for same.

BE IT RESOLVED, that the Mayor and Council of the Township of Washington wishes to enter in a grant agreement with the County of Bergen for the purpose of using \$3,274.00 in 2013-2014 Community Development Block Grant funds for Senior Citizen Activities at the Jack Woods Senior Center, 350 Hudson Avenue, Township of Washington, NJ 07676; and

BE IT FURTHER RESOLVED, that the Council hereby authorizes Administrator Catherine Navarro-Steinel, to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Catherine Navarro-Steinel 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 23, 2013.

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 \$13,770.00 in 2013-2014 Community Development Block Grant funds for Handicapped Accessible Door Opener Court Chambers/Senior Center, 350 Hudson Avenue, Township of Washington, NJ 07676; and

BE IT FURTHER RESOLVED, that the Council hereby authorizes Administrator Catherine Navarro-Steinel to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Catherine Navarro-Steinel 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.

The resolution was adopted by the Mayor and Council of the Township of Washington at a meeting on September 23, 2013.

WHEREAS, the items of personal property on the annexed list are not needed for public use; and

WHEREAS, the Township Council of the Township of Washington has determined to sell the said items pursuant to the attached list which is hereto a part of this Resolution at public sale pursuant to NJSA 40A:11-36 and by this Resolution authorizes the business Administrator to conduct a sale in accordance with and subject to the terms of this Resolution, and pursuant to law.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The items of personal property appearing on the annexed list not needed for public use shall be sold at public sale to the highest bidder.
2. Notice of a date, time and place of the public sale together with description of the items to be sold and the condition of sale shall be published in a newspaper circulating in the Township of Washington. Such sale shall be held not less than seven no more than fourteen days after the latest publication of the date thereof.
3. Bidding shall be authorized with respect to each item of personal property as well as bidding in blocks of items and in bulk for all items.
4. The sale of any and all items shall be made for cash or check. Any item sold shall be removed from Township property within seven days of the date of sale. Any items not removed within such period of time shall be deemed abandoned by the successful bidder and the township of Washington all be free to dispose of any such items as if no sale had taken place, in which event the Township of Washington shall be entitled to retain any payment made by the successful bidder free and clear of any claim.
5. The Township of Washington is authorized to withdraw any or all items from the sale. Further, the Township of Washington reserves the right to reject any and all bids.
6. The business Administrator is hereby authorized to advertise and conduct the public sale in accordance with this Resolution and pursuant to the provisions of NJUSA 40A:11-36.
7. No commission shall be paid in connection with the sale of any items.

WHEREAS, the Township of Washington and other municipalities each received a NOTICE OF FILING OF PETITION OF UNITED WATER NEW JERSEY FOR APPROVAL OF AN INCREASE IN RATES FOR WATER SERVICE AND OTHER TARIFF CHANGES from United Water by fax and dated August 5, 2013; and

WHEREAS, the notice further states that, "On March 3, 2013 United Water, New Jersey Inc. (UWNJ) (The company) pursuant to N.J.S.A. 48:2-21 and other relevant statutes and regulations filed a petition with the Board of Public Utilities (the "Board") and the State of New Jersey for an increase in their charges for Water services, and

WHEREAS, the Company is requesting an increase in base revenues of \$29,994,809 or approximately 14.69% above the annual level of revenues for the post-test year period ending November 30, 2013; and

WHEREAS, General metered services charge changes for Fixed monthly rates are proposed to be increased by 29.25%, Consumption rates are to be increased by 16%; and

WHEREAS, the notice further states "If this proposal were to be adopted without further modification an average residential customer using 7480 gallons of water per month will see his/her bill increase from \$46.42 to \$54.75 an increase of \$8.33 per month or approximately 17.94%; and

WHEREAS, the Company proposes rate change in the Distribution System Improvement Charge (DSIC) – "The maximum amount of DSIC revenues permitted to be recovered between this rate case and the next UWNJ base rate case is \$10,252,716; and

WHEREAS, these rates, if approved would be an exorbitant increase and burden on our municipal budget and our local taxpayers far exceeding the 2% mandated Cap of municipal government and would be particularly onerous on the residential and business community in this most difficult economic environment; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Township of Washington request that the BPU consider the economic hardship and impact on all government agencies, businesses and residents and the impact granting this increase will have on each budget, and remind the BPU of the 2% mandate under which all NJ governments are required to meet; and

BE IT FURTHER RESOLVED, that the Township of Washington strongly opposes the increases requested in the Notice of Filing; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Governor Christie, our State legislators all Bergen county municipalities and the board of Public Utilities.

Mary Ann Ozment, Township Clerk

Steve Cascio, Council President