

TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY  
REGULAR MEETING MINUTES  
April 19, 2021~7:30 p.m.

**☞PLEASE NOTE THIS IS A VIRTUAL MEETING  
WITH REMOTE PUBLIC COMMENT☞**

CALL TO ORDER

Council President Feeney

STATEMENT

Welcome to the regularly scheduled Public Meeting of April 19, 2021 of the Township of Washington Township Council. Adequate notice of the meeting was given in accordance with the Open Public Meetings Act by the Township Clerk to at least two (2) newspapers in January and this meeting has been posted on the Township Bulletin Board, Electronic Message Board, WCTV and on the Township Web Site.

SALUTE TO THE FLAG

Council President Feeney

ROLL CALL

Via Virtual Platform

Councilmen Cascio, DeSena, Councilwoman Morgan, Councilman Sears, Council President Feeney.

Let the record reflect also participating are Mayor Peter Calamari; Township Administrator Tovo; Township Attorney Poller and Township Clerk Witkowski.

PUBLIC SERVICE ANNOUNCEMENT read by Council President Feeney.

NEW JERSEY DEPARTMENT OF HEALTH VACCINE CALL CENTER provides information on how to register for the COVID vaccine, as well as how to schedule vaccination appointments as people become eligible. The number is 1-855-568-0545, the lines are open from 8:00 a.m. – 8:00 p.m.

VACCINE LOCATIONS - for current Bergen County locations and please visit our website for links and further information.

2021 Dog License Renewals – Final Notices have gone out failure to respond to the letter/registering your pet by Friday, April 30<sup>th</sup>, will result in a summons being issued by our Animal Control Officer. If you feel you received the notice in error, or you no longer own your pet for whatever reason, please call the Clerk's office at 201-664-4425, they will remove your pet from their records to avoid any future mailings.

Hydrant Flushing - Beginning March 29<sup>th</sup>, running through April SUEZ Water will be conducting hydrant flushing in the Township. This necessary work may cause temporary discolored water. If you experience discoloration, just run the water until it is clear, there is no need to boil water. If you have any questions, please contact SUEZ directly at 1-800-422-5987.

FREE TREE SEEDLINGS will be available at the DPW building April 24<sup>th</sup> and any leftover seedlings on May 1<sup>st</sup> on a first come first serve basis. Please visit our website for further information.

FREE WOOD CHIPS AVAILABLE TO RESIDENTS - With the warmer weather approaching, the Township DPW will be do some trimming and chipping of tree limbs on Township properties/parks and would like to offer wood chips to Township residents. The wood chips will be piled at Sherry Field and available for residents to load themselves.

PUBLIC COMMENT – We ask that callers PLEASE turn off or mute their television to reduce any feedback.

TRAFFIC ALERT – Please be advised the County will begin milling and paving Ridgewood Road between Pascack Road and Lafayette Avenue up to the Westwood border on April 20<sup>th</sup> through April 26<sup>th</sup> from 8:00 a.m. to 5:00 p.m. daily, expect delays, please plan an alternate route.

APPROVAL OF MINUTES: None.

### COUNCIL APPOINTMENTS

Nomination(s) of Council representative to Planning Board Class III

A motion was made by Council President Feeney, seconded by Councilwoman Morgan, to nominate Tom Sears as Planning Board Class III Council Representative.

Ayes: Councilman Sears, Councilwoman Morgan, Council President Feeney.

Nays: Councilmen Cascio, DeSena.

### Resolution No. 21-190

Planning Board Class III Council Representative

BE AND IT RESOLVED, by the Township Council of the Township of Washington that Thomas Sears is hereby designated the Council Member as Planning Board Class III member to serve the un-expired term prescribed by law, effective April 19, 2021 through December 31, 2021.

### \*MAYOR APPOINTMENT (with advice and consent of Council)

Library Board of Trustees

Elena Skinner

Mayor Calamari – To the Council President and the Council of the Township of Washington, regarding the appointee to the Library Board of Trustees, please be advised that I am appointing Elena Skinner as a Trustee to the Library Board for a term ending December 31, 2025.

A motion was made by Councilwoman Morgan, seconded by Councilwoman Morgan, Library Board of Trustees, Elena Skinner.

Ayes: Councilmen Cascio, DeSena, Councilwoman Morgan, Councilman Sears, Council President Feeney.

Nays: None.

### MAYOR APPOINTMENT (no Council resolution required)

Planning Board Member, Class II

Vladimir Wojno-Oranski

Mayor Calamari – Please be advised that I am appointing Vladimir Wojno-Oranski as a Class II member to the Planning Board for a term ending December 31, 2021.

### GENERAL PUBLIC COMMENT (Limit to five (5) minutes)

**\*\*TO PARTICIPATE IN THE GENERAL PUBLIC COMMENT PORTION OF**

THE MEETING, PLEASE CLICK ON THE LINK BELOW TO JOIN THE WEBINAR. YOU WILL BE ASKED TO STATE YOUR NAME AND ADDRESS FOR THE RECORD, AND WE ASK THAT ONLY ONE PERSON SPEAK AT A TIME, THERE IS A FIVE-MINUTE LIMIT PER CALLER. PLEASE NOTE THAT THIS IS PUBLIC COMMENT AND COMMENTS BY THE COUNCIL, MAYOR OR ADMINISTRATOR WILL BE AT THE END OF THE PUBLIC COMMENT SECTION. AT THE END, NO MORE CALLS WILL BE ACCEPTED\*\*

A motion was made by Councilman Cascio, seconded by Councilman Sears, to open the public comment.

Ayes: Councilmen Cascio, DeSena, Councilwoman Morgan, Councilman Sears, Council President Feeney.

Nays: None.

Janet Sobkowicz, 849 Robinwood Road – Ms. Sobkowicz stated she read in the paper that the mayor wanted to purchase the swim club. She stated she did try to purchase the Bethany Church to move the Ambulance Corps there, she could not get the four votes, she only had three, she did put it out there a few times, she thought it was a good idea because the Ambulance Corps could move right into the building, the DPW could then have moved into the Ambulance Corps building, then work on the DPW building. She stated regarding Mr. Morris, many past administrations did try and negotiate to purchase the property, starting with Mayor Wenzel, Councilman Devine, she also negotiated with him. She stated there rumors here and there at that time also about different developers that did approach him, she has no proof of that. She stated she feels Mr. Morris never wanted to end the negotiations, they have been going on for over 15 years, she believes a lot of it had to do with inheritance issues with the heirs, she thinks he didn't want to leave the Township, she offered up to \$700,000, he was so glad, because she was applying for a grant, then Mr. Morris came in a few weeks later and said he needed another \$100,000, she believes he wanted to stay where he was, but she doesn't believe he wanted to end negotiations. She asked if the appraisal was received for 450 Pascack Road? She is interested to see if it came in lower because the egress/ingress is kind of tough, as well as the lot size constraints, apparently there is less value now. She asked about the deal for parking trucks at OLG Church, from 7:00 a.m. – 5:00 p.m. Monday – Saturday, what happens if there is an emergency if they need the trucks after 5:00 p.m., where are the trucks going on Sunday, who is responsible if there is an accident in one of the parking spaces, will the spaces be cordoned off.

Anthony Udina, 876 Ridgewood Boulevard East – Mr. Udina stated he would like to know if there an update on the appraisal of 450 Pascack Road.

William Ferara, 2556 Cleveland Avenue – Mr. Ferara stated last Wednesday afternoon his six-year-old grandson was riding his bike at George School, managed to get his fingers caught in the chain, a woman called 911 from her cell phone, the operator asked her what town was she in, apparently if you call 911 from your cell phone, it goes to the County, the County then relays the call to the town to respond, this should be publicized if you call 911, the call goes to the County. He stated the \$900,000 federal grant should not be used for Green Acres, he feels solar should be put on Town Hall, DPW, Library or Emergency Services Building. It was discussed of using clean energy for the firehouse, the \$850,000 resolution passed on April 5<sup>th</sup> and is the town required to pick up mortgages and pay them. He stated the April 5<sup>th</sup> meeting was handled poorly, there was no emergency about finding space for DPW equipment, no emergency about the swim club, it could have been put on the agenda tonight.

Michael Ullman, 2 Clark Avenue – Mr. Ullman stated at the March 11<sup>th</sup> meeting he had inquired on few expenses for the Fire Department, the Administration and Council were silent on the questions, he followed-up on March 14<sup>th</sup> to Council President, he is still awaiting a response, just wondering if there is an issue with the questions or are they too difficult to answer.

Joe D'Urso, 12 Viola Terrace – Mr. D'Urso stated for the record, in his opinion, the format for public sessions is wrong, there should be dialogue. Regarding the Church with the DPW, he doesn't feel the mayor, in his own opinion, had any other site in mind other than OLG, it seems odd that he went through the motions with Sherry Field and the property next to the bar. He asked is there a record of all of these other places that the mayor or Administrator contacted, he feels it is an ethical violation entering into a contract with OLG, conflict of interest. He stated these are his questions, he will be emailing them to Council at the end of the public session:

1. How did the attorney allow the mayor to select a person to the Council who was not voted on by the Council, it appears that the vote ended in a tie, he researched OPRA, requested the law, and the law says the mayor can choose if there was a tie, it did not say he could pick whomever he wanted, so the Township Attorney, in his opinion, did not advise the Council well, or should he have sent this back to the County Committee for three new names to be voted on.
2. Is the agreement with OLG or the Archdiocese of Newark? Where does the money get paid to, according to the Pascack Press, Monsignor Thomas McDade is with the Archdiocese, he is assuming the monies will go the Archdiocese.
3. Did the Mayor ever reach out to the DPW Chairperson of Hillsdale, Councilwoman Trochimiuk along with Mayor John Ruocco?
4. Did anyone reach out to Bethany Church to see if they would be interested in leasing the property sitting vacant in the back, for parking or leaving of equipment for a lease comparison?
5. Did anyone reach out to Charlie Browns, it is sitting vacant, he understands via public records they are \$35,000 behind in taxes, maybe the town can negotiate for the taxes to be offset, maybe have a lease comparison.
6. Did anyone reach out to Saint Mar Thoma Church, they seem to have plenty of room, maybe have a lease comparison.
7. Did anyone reach out to Season's to see if they would lease the TD Bank, or the shopping center, they both have signs up for lease.
8. Did anyone reach out to the new owner of the racquet club, that will be demolished soon, maybe they are willing to lease it for a year or six months.
9. Did anyone reach out to see if the Township could get a price comparison.
10. Two years ago, there were trucks parked at the far side of Sherry Field, why was it reported not to use Sherry Field when there were trucks parked there in the past.
10. Do you think there is a conflict of interest with the mayor being a member of the Church, and his father sitting on the Board of the Trustees?
11. Does this lease have to go to the Planning Board, it is Township property, it should be going before the Planning Board, if it does go to the Planning Board, the Chairman of the Planning Board is also a Trustee of the Church, is there a conflict of interest. Also, if any member of Council is a member of the Church, is that a conflict of interest?
12. Will insurance cost the Township more with the lease?
13. Why are we doing two-year lease when we may only need six-months to a year? Why don't we do a six-month lease and see where we stand in six months.

Farhad Mahouti, 649 Washington Avenue – Mr. Mahouti stated he moved into the Township two years ago, he lives directly across the street from the Fire Department. He stated for over a year now he has been working remotely from home, due to COVID, his concern is the siren that is being used at the firehouse. The sirens go off on a daily basis, numerous times a day, sometimes twice or three times per day, it is a very loud noise. He stated if the Fire Department in

this Township is so active, why aren't there other means of communication, instead of using the sirens. He stated many of the boroughs within the area have shut-off or temporarily dismissed the sirens due to COVID, given that many families are home, working from home, children are home. He stated in almost all of the cases, one member of the Fire Department shows up to the firehouse, opens the gate, pulls the truck out, two minutes later pulls the truck back in, closes the door, everyone hangs out for five minutes, then everyone goes home, if this is a true emergency, the trucks aren't going anywhere yet the sirens are going off, he would like a better understanding and he would like make Council aware of the activity that is going on with the Fire Department, and if there is any better resolution that can be made. He suggested shutting the sirens off for three months, on a trial basis, and use other means of communication and collect some data to see if a siren is still needed for the Fire Department, maybe some other system can be put in place and the siren can be a back-up system. He stated regarding the construction, cars and trucks are parked on grass/lawn and blocking the sidewalk on Washington Avenue, he has asked them to please not park the cars/trucks on the sidewalk, since it is a busy road, he asks the Council or the Police Department to address this matter.

A motion was made by Councilman DeSena, seconded by Council President Feeney, to close public comment.

Ayes: Councilmen Cascio, DeSena, Councilwoman Morgan, Councilman Sears, Council President Feeney.

Nays: None.

#### FOLLOW UP COMMENTS:

Attorney Poller stated regarding 450 Pascack, we do not have the appraisal, he understands it is being worked on. Council President Feeney asked Attorney Poller is there any information regarding 450 Pascack that can be released at this time? Attorney Poller stated the only thing he can release is that we do not have an appraisal. Council President Feeney stated just so everyone is aware, she would like to confirm there are negotiations going on, we cannot comment on them at this time, correct? Attorney Poller stated let me say this, there have not been negotiations, we are still waiting for the appraisal.

#### MAYOR/ADMINISTRATOR

Council President Feeney stated we have some questions about the grant for the Township. Administrator Tovo stated we are primarily working with the Grant Writer and the engineer for some proposed quotes for our Recreational Facilities, the Federal Grant does not allow the purchase of property for open space, it allows us to upgrade the existing facilities. Council President Feeney asked are those the guidelines? Administrator Tovo replied that is correct, the upgrades on the recreational side is pretty wide open as far as what we can apply, clean-up of various fields, we can get the most of our money for that, we are working towards that we should have something for Council.

Administrator Tovo stated to confirm, any 911 calls, especially via a cell phone, will ping to the nearest tower, 911 in New Jersey has not been updated/upgraded to handle cell phones. He stated regarding Fire Department expenditures, from what he recalls this is a uniform allowance, there were six entries in there for payroll, six employees of the Township are also volunteers, that is how they are set up in the system, therefore that is how they are paid for their uniform. He stated regarding exploring temporary locations for the DPW, every place mentioned by the caller was explored, one way or another. Councilwoman Morgan stated many of those were discussed at previous meetings as to why we would not be able to use them. Council President Feeney stated especially Bethany, Hillsdale, County DPW yards, Woodcliff Lake, Montvale, Westwood said a firm no to all of these items. Mr. D'Urso to respond to your questions, all were explored by the Mayor and Administrator, everyone on the Council, with the

exception of Councilman Sears, is aware that those options were presented to the Council, we were informed that Season's was not interested in leasing us the TD Bank, Bethany was also explored in multiple capacities and different avenues in conversation over the two years. Councilwoman Morgan stated it was Council, herself included, along with the other two councilmembers who did not want it at Bethany, definitely explored, look back at other previous Council meetings. Council President Feeney stated she believes the Mayor and the Administrator have explored the other religious properties in the Township, that was also discussed, they were not interested, also the shopping center was very much explored with the landlord. Councilman DeSena stated he wants to disagree, all those discussions happened during Closed Session. Council President Feeney replied Councilman DeSena is correct, but they did happen. Councilman DeSena stated you are telling the public to go back and look at meetings, but all of this occurred during Closed Session, so the public is not aware, according to Attorney Poller we should not be discussing anything that happened in Closed Session until the minutes are approved. Councilwoman Morgan stated Sherry Field was during the Public Session, we had many callers calling in. Councilman DeSena stated Attorney Poller has always told the Council not to discuss any locations until the Closed Session meeting minutes are approved, here we are talking about things that have been discussed in Closed Session, he could have used these and talk to the public and he did not, we cannot have two set of rules here, either Attorney Poller tell the Council what the correct thing to do is, or we don't do it or we do Council it, because we can't be telling the public about all of these locations, they have not been brought out, the minutes have not been released, we should not be discussing this, that is what he has always been told. Attorney Poller stated this just came out tonight, they started talking about these things it is correct, they should not be discussed at length, there is nothing wrong, if he mentions the thing, you can say it is considered, not why, how it came up, why things were done, Councilman DeSena is correct about that, he does want to say if someone from the public is bringing up five, six, eight things saying you didn't do this or that, when in fact we did do all that, or Council did do that, you can disclose that those things that were mentioned, Bethany, Season's, you can state they were considered, in addition, from what he gathers, there were public meetings or meetings between people and residents around Sherry Field, location of Hudson, that Councilmembers attended, it wasn't in Closed Session it was out in public, Councilman DeSena is correct, you have to be careful and not let things get out that occur during Closed Session. Councilman Morgan stated if you don't address it, Mr. D'Urso brought something up until false veil, if we are not rebutting the fact that we did have these conversations, it appears to everyone that is listening that Mr. D'Urso is correct, that we have not explored all of these things. Attorney Poller stated he agrees, for every one that Mr. D'Urso brought up, Council has an absolute duty to respond that it was considered, all he is saying is it is preferable not to get into the rationale, the nitty gritty, that kind of stuff, there is nothing wrong with saying it was considered. Council President Feeney stated she and Councilwoman Morgan have said that all of the options presented by Mr. D'Urso absolutely were considered and explored, they were in conversation to the Council. Attorney Poller stated they were explored, they were not ignored, and you can mention each one of them. Councilwoman Morgan stated she would like to add to Mr. D'Urso's comment about Sherry Field, she thinks it was a little bit insensitive to say that there had been trucks parked there before, why not now, there are residents who spoke out about their quality of life, that was very public, it was mentioned in the papers and multiple times at our Council meetings, what if Sherry Field was located by Viola Terrace, why say we have parked trucks there prior, so let's just continue to do that, you need to be neighborly, she felt that wasn't really a strong agreement to continue to park our trucks there. Council President Feeney stated the main thing as part of Council meetings is disseminating the truth, not allowing false information to be put out to the public, what is being stated is not fact. Councilman Cascio stated there are things that we speak about in Closed Session that absolutely cannot be spoken about. We are advised by our Township Attorney, he only gives advice, we do not

have to follow his advice, we do have to consider the fact of the matter is if stuff is said in Closed Session, details, you do not discuss it publicly, it cannot be brought out by any member in that Chamber, whether it is a Council person, a Clerk, Mayor or Administrator, you have to be careful what you speak about in Closed Session. You can talk in very general terms, but when you specific then there is an issue, he believes that some things were said, stated, that were in Closed Session, that were very specific that should have stayed there, that is all he is going to say. A lot of possibilities were discussed, going to different places, the point is when you talk about that stuff, as a Council there is a lot of stuff we can do, but it is up to the Mayor and Administration to carry out those conversations and report back to the Council, whether the Administration did or did not do that, he has no idea to verify or deny that it happened, he can only go by what he is told. When we talk about all of the negotiations that go on, he doesn't know if for a fact they happened, but again, things that are stated in Closed Session have to be kept, you can speak about the generalities out in public that was brought up by a member of the public, the reply has to be generalized, cannot go into detail. Council President Feeney stated we have to keep in mind that the Mayor and Administration keeps the Council informed of what they are doing, we hold the purse strings, if the Mayor and Administration do not get the votes from the Council, you cannot move forward with the plans, that needs to be kept in mind by the public too, it is a collaboration that needs to happen. Councilwoman Morgan stated we did keep it very general, unfortunately under the false veil later on it will be said again that we are not answering questions, or being vague about things, for the public watching it is 100%, as Councilman Cascio, that we cannot discuss in detail, we can be broad about it, yes, every suggestion that Mr. D'Urso made we explored very in depth. Council President Feeney stated if someone on the Council was concerned with the negotiations happening, they should have inquired to the Mayor and Administrator.

Councilman Sears stated regarding the firehouse, this has been an ongoing problem between the gentleman across the street (Mr. Mahouti). He stated we do not control the fire calls that come into the Fire Department, when we respond to a fire call, we get to the firehouse in the meantime the Police get there or a senior officer, they can tell us it was a false alarm, but when the call comes in over an automatic alarm we have to respond, that is how the call gets broadcast to us, we get there then we get called off, that is the nature of the Fire Department. He stated the sirens are required, there are still some old laws that require us to maintain a fire siren, we will relook at those laws again. He stated the siren should not go off until 7:00 a.m. – 7:00 p.m., we have a daytime fire crew and a nighttime fire crew, from 6:00 a.m. – 6:00 p.m., 6:00 p.m. – 6:00 a.m. we turn the sirens off from 24/7 down to 7:00 a.m. – 7:00 p.m. call. Regarding parking on the property across the street, there is no other property for us to park, nine times out of ten, we park on the lawn, the other alternative is to park along the fence line. He stated during the day we have very limited manpower, so when the sirens go off, we have many people in town that are landscapers, they may not here their pager go off, but they do hear the sirens go off, there is some limitations of what we can do. The Fire Department is doing the best job they can to stay off the main streets, if the Chief is listening, please reenforce no parking on the sidewalk, he will make sure the Chief gets that message.

Council President Feeney stated regarding Ms. Sobkowicz's comments, it is interesting to get the history on 450 Pascack. She stated the allegations against the Calamari was uncalled for, dredging of dirt on people is not warranted, negotiations were controlled by the Archdiocese of Newark.

Councilman DeSena thanked Ms. Sobkowicz for the history lesson, the Bethany purchase would have been a great if we could have gotten four Councilmembers to say yes, it would have been the gem of the Township, we could have used it for a multitude of things, Senior Center, place for our teens to go, beautiful pool,

unfortunately that didn't come to fruition. He stated he is getting a lot of calls on the swim club purchase, even if we purchase it residents will not automatically become members of the pool, you would have to join the pool, there will not be free access to residents, as with other towns, there would be a minimal charge to join. Councilman DeSena stated he was saddened when he watched the meeting of April 5<sup>th</sup>, we have canceled meetings with missing Councilmembers, with all of these important topics on the agenda, he thought it would have been great to have that meeting postponed, so he and Councilman Cascio could have been at the meeting to discuss the topics that were passed that night. He stated regarding the \$901,000 that the Township received as a Federal Grant, he stated that \$900,000 equals two years of garbage pick-up for every resident of this Township, we could put out a contract at this time based on the numbers that Mayor Calamari and Administrator Tovo have provided to us, we could pay for garbage pick-up for two years. The garbage situation is atrocious, he has garbage cans on his street every day of the week now, it is disgusting, talk about a quality-of-life issue, this Council should be pushing that we direct the Administration to spend that money to pay for garbage for the next two years and not raise taxes in doing so. He hopes Mr. Ullman gets his answers soon, Mr. D'Urso is correct, we did let PSE&G use Sherry Field for six-months to do the gas main relocation work throughout the Township and the Borough of Westwood, unfortunately Councilwoman Morgan our Township trucks are parked by Viola Court, the trucks are parked behind the Valley Bank, they are facing Viola Court, and unfortunately Mr. D'Urso is looking at trucks.

Council President Feeney stated she does ask prior to the meetings if anyone is not going to be at a meeting to please let her know ahead of time, however, several times she has received a message day or day before, outside of family emergencies, mind you, but people who did know they were going to be away.

Mayor Calamari stated he doesn't remember the Township considering buying where Bethany is now, he does remember the Township considering buying the old location, however they wanted over two-million-dollars, that was for two acres of property, the swim club is over six-acres of property, right now we have negotiated a price of \$850,000. He stated in his opinion, the old location needed a lot of retrofitting for municipal use, it was a Church and a Community Center, he doesn't see how it would convert with no work, it had no garage bays or anything of that nature. Mayor Calamari stated when we get to Ordinance No. 21-05 (DPW Parking off-site) he does have a prepared speech that he would like to read. He stated as far as himself, the Mayor of Hillsdale, and Bethany, he does speak to the Mayor of Hillsdale on a regular basis, he said they were looking at the Bethany Community Center, but were in a bind until they could do it, he stated "Oh, we have a great partnership with Bethany, you should take a look at it" that is the extent of what happened between himself and the Mayor of Hillsdale on that topic.

Council President Feeney requested Administrator Tovo email her the answers to Mr. Ullman's two questions that he has provided during the meeting.

Administrator Tovo stated regarding the parking at the firehouse, he is working Fire Director and DPW to see what can be done.

Attorney Poller stated the lease agreement for the DPW equipment/vehicles at OLG is with the Archdiocese of Newark, not OLG, even though OLG is on the lease. He stated he has been dealing with the Real Estate Project Manager, Office of Property Management at the Archdiocese of Newark and the attorney for the Archdiocese, we have used the Archdiocese formal document, so it really is an Archdiocese situation. The lease is for two-years, but it has a thirty-day cancellation clause in favor of the Township, so you can get out with 30-day notice, it is not locked in for the two years.

He did want to spend some time to talk about the vacancy, the fill of the vacancy, things of that nature, everyone thinks that these questions that come up are easy to answer, but they are not, they are very complicated, there are many laws, many cases and many interactions. He stated if everybody would have said what happened at that meeting, probably nobody would have said what happened actually happened, so it's not as straightforward as everyone thinks, so please bear with him, he will try and answer all of the questions. He stated Mr. D'Urso has asked several questions, made many statements about the vacancy caused by the resignation of Councilman Cumming, and the unfortunate event of his passing. He stated like many situations which occurred in the operation of government, as well as society in general we would prefer things to be black and white, however, that is not always the case. There are hundreds of thousands or should he say millions of cases throughout the Country where there are at least two, if not many more interpretation of what we call "The Law." We start out with the fact that you have the governing body, the Council, that Council is made up of people, some elected as candidates for a political party, some elected who are unaffiliated, when one of these elected people resigns or leaves office, there is a vacancy, and the New Jersey Legislature enacted a law called the Municipal Vacancy Law, it is 23 different sections of that law. In doing so the New Jersey Legislature recognized that the vacancy of an elected Councilperson from a political party should be handled differently than an elected Councilperson who is not from a political party, the main Statutory reference for that is N.J.S.A. 40A:16-11 Appointment to fill vacancy where incumbent was nominee of a political party; time to fill vacancy, states the following:

If the incumbent whose office has become vacant was elected to office as the nominee of a political party, the municipal committee of the political party of which the incumbent was the nominee shall, no later than 15 days after the occurrence of the vacancy, present to the governing body the names of three nominees for the selection of a successor to fill the vacancy. The governing body shall, within 30 days after the occurrence of the vacancy, appoint one of the nominees as the successor to fill the vacancy. If the governing body fails to appoint one of the nominees within the time prescribed herein, the municipal committee that named the three nominees shall, within the next 15 days, appoint one of the nominees as the successor to fill the vacancy, and such person shall be sworn in immediately.

He stated there is a different Statute, N.J.S.A.40A:16-12 that deals with appointments when the vacancy is from a person who is not affiliated, Appointment to fill vacancy where incumbent was not a nominee of a political party, time to fill vacancy, which does not apply. Councilman Cumming was a Councilman elected as a candidate of the Republican Party; the Statute provides that the Municipal Committee of the political party of which the incumbent was a nominee, Republican County Committee had to present three names to the Council to fill the vacancy. He says the County Committee, it is really the Municipal Committee, it is referred colloquially as the County Committee. The County Committee in the Township of Washington, submitted a letter to the Clerk with the names of Mr. Robert Stickel, Mr. Thomas Sears and Mr. Victor Fadini. The Municipal Committee is not part of the Township government, it is not a governmental agency. He understands Mr. D'Urso has made requests for voting procedures, voting records, however, the Township has nothing to do with that. He doesn't know if that stuff is available, but it certainly is not available to the Township, we don't have access to it, we don't get involved in the political process of any political party, whether Republican, Democratic, Independent or whatever, we have no control over that. There is nothing in the Municipal Vacancy Law that allows anyone to get into the operations of the County Committee, they are given the three names, they are the responsible organization to decide if the Council can't decide, it will go back to them. The role of the County Committee is spelled out in the Municipal Vacancy Law, first the County Committee selects three nominees for the filling of the vacancy, presents them to the Council on a list, that was done. The same section of the law says that if

the governing body does not appoint one of the nominees, the Municipal Committee that named the three nominees, shall within the next 15 days appoint one of the nominees as the successor to fill the vacancy and such person shall be sworn in immediately. Council President Feeney asked Attorney Poller to explain when it states the governing body will appoint? Attorney Poller replied appoint means select, in other words, when you making the appointment to that vacancy subject to its vote. He saw from the letter from the County Committee that was provided to the Council and himself by the Clerk that Mr. Stickel was listed first, then Mr. Sears, followed by Mr. Fadini, he wanted to make it fair so that no Councilperson could jump in and get a name thrown out first, possibly be selected before others, just by virtue of someone throwing in a nomination. He stated he discussed this with the Clerk, and he said he had a solution to this, he had the Clerk write the name of each person on a blank piece of paper he told her the day of the meeting, put the names, jumble them up, face down, she would pick a name. That would then be the first name voted on, giving everyone an equal chance of being first, second, the election was then held on Thursday, March 25<sup>th</sup>. He stated it should be noted since the names were selected and presented by the County Committee, each was available for a vote, so the nomination process might not even have been a requirement. Remember the action of the nominees was really done by the County Committee, they nominated those people, there could have been a just a vote without going through any procedures of nominations, seconds, things like that. The Council did have nominations, Mr. Stickel was picked first by the Clerk, Council Presidents Feeney nominated him, there was no second, then Mr. Sears name was picked, there was a nomination and a second, and a vote which resulted in a two-two tie, the same name then happened with the third name on the list, Mr. Fadini, another tie, there was no candidate that received three votes as required by the section of the Municipal Vacancy Law, N.J.S.A. 40A:16-7, because you needed to have three Council votes to have the vacancy filled by the Council, there having been no one with three Council votes, it would have gone back to the County Committee for them to select the person they wanted from the list of three. Normally it would go back to the County Committee, however, in the same vacancy law there is another section, which is entitled Authority of the Mayor to Vote in Filling a Vacancy, N.J.S.A. 40A In municipalities governed by the provisions of Article 3 or 16A of the "Optional Municipal Charter Law," P.L. 1950, c. 210 (C. 40:69A-31 et seq. and C. [40:69A-149.1] et seq.), or by the provisions of laws governing boroughs, R.S. 40:86-1 to R.S. 40:94-6 inclusive, a mayor shall be permitted to vote to fill a vacancy in the membership of a governing body only in the case of a tie vote. Attorney Poller stated Mr. D'Urso stated that is not the law, but clearly it is the law, there is history about it, it does give the mayor the authority to get involved even though the norm is that he doesn't have to get involved, he may, he is not required to vote. There has also been talk that this doesn't apply to the Faulkner government, but the Statute cited Optional Municipal Charter Law, is the Faulkner government. He stated Mr. D'Urso mentioned it doesn't apply to Faulkner Form E, the term Faulkner came from the Mayor of Montclair, Mayor Faulkner, he was the Chairman of the 1950 Commission of Municipal Government, the legislation is named after him, the Optional Municipal Charter Law is called the Faulkner Act. Under the Optional Municipal Charter Law there are 4 forms of government, Mayor-Council, Council-Manager, Mayor-Council-Administrator and Small Municipality, the Township of Washington became a Mayor-Council form of government under the Optional Municipal Charter Law in the 1960's or 1970's. In 1981, the Faulkner Act was significantly amended, Section E was repealed, some other options were given, there were changes in the form, but the bottom line is the Township is still Mayor-Council form of government and still under the Optional Municipal Charter Law and that provision of the Vacancy Law, which he cited does apply under the Faulkner Act. He understands Councilman Cascio had raised it, he remembers Councilman Cascio disagreed, understandably so, there is so much on it that says it applies to the Faulkner, even in the Faulkner government itself. The Statute is not even the Vacancy Law, there is a section in there that talks about the mayor not being able to vote, except if there is a vacancy arising from

a tie, under 40:69A-41(b) that was enacted in 1950. Since this section of the Municipal Vacancy Law applies to our form of government, the mayor was permitted, but not required to vote to fill the vacancy in the membership of the governing body, that is the wording that came into play, a vote to fill the vacancy, interpretation of the law came in at that point, that is where things can happen in terms of how people are looking at different sections, and the interactions of how you apply the version. He stated the law could be interpreted that the mayor could vote to fill the vacancy, regardless of how the Council voted as long as there was a tie, there is nothing that says he is breaking the tie, the law could be interpreted that he could vote for any nominee on the list put forth by the Municipal County Committee, not those that were just voted on by the Council, the law could be interpreted that he could vote along with Council members, that his vote would count the same as theirs, the law could be interpreted that the Mayor could break the tie, although there was no wording that says his vote only counts to break a tie. He stated that night, when it happened, when he looked at, it was in front of him, he viewed the wording that night that said that the mayor was permitted to vote to fill the vacancy in the membership of the governing body, he interpreted that or felt that meant that gave the mayor by his vote to fill the vacancy, the mayor indicated his preference was for Mr. Stickel, he voted for him. He stated when the Mayors Authority came up, there was a discussion that Mr. Stickel did not receive a second, however, as he mentioned before the Municipal County Committee submitted his name in the list as a nominee, which comported with the Municipal Vacancy Law, the County Committee had to present to the governing body the names of three nominees, so they were already nominees, there could have been just straight votes on everybody. He stated there was a real question about the whole nomination process itself, it also should be noted under Robert's Rules, which does have some application to the way Council operates, a second is not required for nomination, when the mayor voted for Mr. Stickel, he felt the mayor was entitled to vote for Mr. Stickel even though there was not a second, per se, per all of the reasons that he just laid out. He stated so what we have after the election process, was two votes for and against Mr. Sears, two votes for and against Mr. Fadini, and the mayor's vote for Mr. Stickel, which if you follow the interpretation of the mayor's vote to fill the vacancy, the membership of the governing body was authority for Mr. Stickel to be the successor of the vacancy, that would have ended the process. He stated after the meeting that night, continuing to the next day, he continued to think through all the permutations of the election process, it bothered him that no interpretation was 100% in his mind, he will readily admit that. He went back to all the statutes, read, reread all the cases that he had found about the Municipal Vacancy Law, there are not many, he wanted to get it right. After a lot of thought, he felt the interpretation most consistent, with all of the statutes and the cases, was the one where the Mayor's vote would count as another council vote, one vote, although there was no language to that affect, it would be cast in favor of one of the nominees who had received two votes, then that nominee would be the successor, the Mayor did want Mr. Stickel as opposed to the other two nominees, he believes he was authorized to cast his vote for Mr. Stickel as a nominee or not cast a vote at all, we were left with no nominee having received a majority of all the votes, and the Municipal Vacancy Law does speak about an appointment to fill a vacancy of a membership of the governing body shall be by a majority vote of the remaining members of the governing body. He stated on the following day, he advised the Clerk, in writing, asked her to certify to Council that due to the confusion of the proceedings the previous night, in light of the fact that no nominee received a majority of votes to be the successor, the matter should be referred back to the County Committee, for action under the main section of the Municipal Vacancy Law which states if the Governing Body fails to appointment one of the nominees, the Municipal Committee that named the three nominees shall within the next 15 days appoint one of the nominees as the successor to fill the vacancy and such person shall be sworn in immediately. Thereafter the Republican Municipal Committee appointed Mr. Sears from a list of nominees to fill the vacancy, and he was sworn in immediately. He stated Mr. D'Urso apparently felt that the list of three names

should have been given back to the Council for action, but that is not what the Municipal Vacancy Law provides, there is a case that does talk about this, that once the initial list is presented, that is the list to be used, there is no requirement for any further list, no necessity for any further list, that is the list that governs. He knows this is pretty involved, it is easy to latch on to one approach, one question or one facet of it, when you look at word, one section, one law in a host of laws, a few interpretative cases, in the end as number one nominee from the list submitted from the Municipal County Committee received a majority of the votes, the action of the Municipal County Committee was proper under the main section of the Municipal Vacancy Law, he hopes he answers all of the questions, we can argue about how anyone feels, that is basically how it came to be, the Municipal County Committee did select the final nominee from the list of nominees, that was Mr. Sears, who did get two votes from two council members. Council President Feeney stated she does have one question, no one, just to clarify, from the Council, Administration or Mayor nominated any of the three nominees? Attorney Poller replied only the County Committee, no one from the Council, Mayor, Administration or himself was involved, the only involvement we have is when we got the letter, and the Clerk was advised to tell the County Committee what had happened, asked them to proceed, the County Committee does their own thing, we are not involved in the County Committee, he doesn't believe they are subject to OPRA, they are not a governmental agency, you cannot OPRA their voting through the Township. Council President Feeney stated she did receive a few calls why we didn't nominate certain people. Councilman Cascio stated it is his understanding that after the County Committee submits the names, the Council has 15 days from that time to make a decision on the list of three is that correct? Attorney Poller replied yes. Councilman Cascio asked why did Attorney Poller think it was necessary to send it back to the County Committee the following day after the Council meeting? Attorney Poller replied the mayor did act, did cast his vote, the election was held. Councilman Cascio stated Attorney Poller indicated that was a non-issue. Attorney Poller stated the election was held, in his mind once the election was held the election was held. Councilman Cascio stated you can vote on multiple times, it was not a one and done, it could have come back, Councilwoman Morgan asked why could we not discuss this more or talk to these candidates, we probably couldn't do it anyway, but she did have that thought. In his mind the Council had 15 days past the actual presentation of the three names to act on, so it should not have gone back to the County Committee the following day, the Tuesday, which Attorney Poller sent back and doesn't follow the Statute, this is what he is having an issue with. Attorney Poller stated he understands, his view is the election took place, under Robert's Rules as well, once the election takes place, that is the election, this was the election, there was an election. Councilman Cascio stated it is not an election, it doesn't state an election in the Statute. Attorney Poller stated he felt that the action had taken place, particularly since the mayor took action to appoint someone, the appointment was made, Mr. Stickel was appointed. Councilman Cascio stated Attorney Poller interprets the appointment as an election, there is a finite date at that point. Attorney Poller stated it doesn't matter whether you say election or not election, the proceeding itself he felt was finished once the mayor cast his vote, in his opinion. Councilman DeSena asked Attorney Poller if it was finished, then Mr. Stickel would be on the dais right now. Attorney Poller replied yes, except that he resigned, he withdrew his name. Councilman DeSena stated that is not what we were told, according to Attorney Poller's dissertation you gave on what occurred, Mr. Stickel was the selected candidate by the mayor. Councilman Cascio asked Mr. Stickel resigned? Attorney Poller replied he withdrew his name. Councilman Cascio stated he didn't see a resignation letter, Mr. Stickel was selected by the mayor, if there is a resignation there should be a letter, once he is elected, it cannot be withdrawn, he didn't see a resignation letter. Councilman DeSena stated if Mr. Stickel resigned then Council should have received three more names, if Mr. Stickel resigned. Attorney Poller stated there is a case that speaks about no new list comes in, it is the same list. Councilman DeSena stated Attorney Poller just stated that as per Robert's Rules Mr. Stickel was appointed by the mayor, and

his appointment stood. Councilman DeSena stated Attorney Poller said it happened, once the mayor appointed Mr. Stickel, he was our new appointee, if Mr. Stickel resigned, then Council gets three more names from the Republican Committee. Council President Feeney asked was Mr. Stickel sworn in? Attorney Poller replied no, he was not sworn in. Councilman DeSena stated Council was told he resigned. Council President Feeney asked everyone to please let Attorney Poller finish. Attorney Poller stated what he saying is that night he felt that his interpretation was not the favorite interpretation, that he was not really the chosen person to fill the vacancy, he felt that on balance that the mayor's vote was one vote, there was no one that received three votes, he spent a fair amount of speaking about that. Councilman Cascio stated action was taken that night, correct? Attorney Poller stated yes. Councilman DeSena stated when Council left the meeting that night, we were told that Mr. Stickel would have been sworn in the next morning. Attorney Poller stated he did say that he felt, when the night was over, he was trying to interpret the law, all the laws, the next day he felt that it was not the best interpretation, that the better interpretation was that it go back to the County Committee. Councilman Cascio stated Attorney Poller is contradicting himself, it goes back, an election was held, correct, it was a one and done, why wouldn't it go back to the Council, take 15 days and vote on it, it cannot be played both sides. Attorney Poller stated he understands, he felt it should go back to the County Committee. Councilman Cascio stated there is a process, the process has to be followed as strictly as we can, he knows that there is very little case law on it, but the law does say, it is very specific, if it doesn't get resolved after 15 days with the Council, then it goes back to the County Committee, Attorney Poller reprimanded it back to the County Committee the following day. Council President Feeney asked how does Councilman Cascio know it was sent back the following day. Attorney Poller stated he sent an email to everyone, he felt that the proceedings of the Council was concluded, it would go back to the County Committee, because the Council had acted, there was a tie. Councilman DeSena stated there was not a tie, based Attorney Poller's recommendation the mayor selected Mr. Stickel, Council was told that night that Mr. Stickel would be sworn in the next morning, that Attorney Poller had a change of heart that night and changed that, but according to what Council was told that night, in front of the public, Mr. Stickel was nominated by the mayor, and would be appointed the next morning, if Mr. Stickel had to resign in order for Mr. Sears to take that spot, then there was a resignation, Council needs three new names. Council President Feeney stated at the end of the meeting Attorney Poller did state he was going to go look at the law, that was part of the conversation. Attorney Poller stated he made a ruling that night, no question, he felt that it was the correct ruling when he made it, but he felt that it was not the correct wording/ruling, that night after the meeting he reread all of the cases, Statutes, took to heart all of the interpretations, his interpretation might have been fine, Mr. Stickel's resignation had nothing to do with what he did, he found about that until after he had done what he did, Mr. Stickel's resignation had nothing to do with anything, he felt that his appointment was not a valid appointment, therefore, it should go back to the County Committee. Councilman DeSena stated years ago the same thing happened, when there was a vacancy on the Council, after the three names failed, the Council was given three other new names, how is that different. Attorney Poller stated he doesn't know what happened ten years ago, he doesn't remember everything from ten years ago or thirty years ago, he doesn't remember every single issue that happened, frankly he is not really that interested what happened before, he is more interested in getting it right of what the laws are today, he tries to look at the current laws, Mr. D'Urso was talking about Faulkner 4E, which was repealed, he is trying to go with the current law, current interpretations, amendments, and Statutes. Councilman Cascio stated to Councilwoman Morgan's point, it would be nice, when there are nominations, that we at least get an opportunity as Councilmembers to at least discuss them, maybe look at their background, where they come from, it is hard to pick someone if you are not familiar with them, he has known Mr. Fadini for a very long time, since he was a youngster, he has worked with Mr. Sears together numerous times, Mr. Stickel lives across

the block, he knows these people, when you don't know these people it is hard to get a feel of who they are, they are all fine individuals. Going forward in this situation, when it occurs again, Council is at least allotted the 15 days to make a decision, it doesn't have to be made right away, that is why the law gives 30 days to fill a vacancy, that is the law, 30 days to make a choice, in essence, it would be nice to have the 30 days, welcome Mr. Sears.

## ORDINANCES

### Adoption, 2<sup>nd</sup> Reading:

#### Ordinance No. 21-04

#### AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTIES NEEDED FOR PUBLIC USE IN CONNECTION WITH WASHINGTON AVENUE AND PASCACK ROAD INTERSECTION PROJECT

A motion was made by Council President Feeney, seconded by Councilman DeSena to approve Resolution No. 21-183 authorizing second reading and opening of Public Hearing for Ordinance No. 21-04.

Ayes: Councilmen Cascio, DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.

Nays: None.

#### Resolution No. 21-183

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 21-04 entitled: AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTIES NEEDED FOR PUBLIC USE IN CONNECTION WITH WASHINGTON AVENUE AND PASCACK ROAD INTERSECTION PROJECT be read on second reading and the public hearing be held thereon pursuant to law.

William Ferara, 2556 Cleveland Avenue –Mr. Ferara asked if this for all properties, or are there still negotiations going on? Attorney Poller replied it is not all the properties, six different lots, one owner.

A motion was made by Councilman Cascio, seconded by Councilman Sears, to close the Public Hearing on Ordinance No. 21-04.

Ayes: Councilmen Cascio, DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.

Nays: None.

A motion was made by Council President Feeney, seconded by Councilman DeSena, to adopt Ordinance No. 21-04.

Ayes: Councilmen Cascio, DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.

Nays: None.

#### Ordinance No. 21-04

#### AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTIES NEEDED FOR PUBLIC USE IN CONNECTION WITH WASHINGTON AVENUE AND PASCACK ROAD INTERSECTION PROJECT

WHEREAS, the Township of Washington (the "Township") and the County of Bergen (the "County") have entered into a shared services agreement in connection with a public use project; namely an improvement and signalization plan for the intersection of Washington Avenue and Pascack Road (the "Intersection Project"); and

WHEREAS, the shared services agreement delineates the specific areas of responsibility of performance and costs relative to the Intersection Project as between the County and the Township, and the Township is charged with the responsibility for acquisition of various easements required for the Intersection Project and the plans therefore (the “Plans”); and

WHEREAS, pursuant to *N.J.S.A. 40A:12-5(a)(1)*, the governing body of a municipality may provide for the acquisition of any real property, capital improvement, or personal property by purchase, gift, devise, lease, exchange, condemnation or installment purchase contract; and

WHEREAS, the Intersection Project is important to the good and welfare and best interests of the Township and its citizenry, and it is in the public interest of the Township to proceed with the Intersection Project and acquire the easements prescribed in the Plans for public use; and

WHEREAS, the Township is authorized by the New Jersey Eminent Domain Act, *N.J.S.A. 20:3-1 et seq.* (the “Eminent Domain Act”) to acquire such easements, and the Township has determined to proceed with the acquisition of such easements for public use;

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. Easements in connection with properties identified by the Plans are needed for the public purpose of completing the Intersection Project and are more particularly set forth below:

a. Lot 1 in Block 3103 on the Tax Map of the Township (680 McKinley Avenue) - a road widening easement consisting of approximately 1,679 square feet or 0.039 acres;

b. Lot 7 in Block 3103 on the Tax Map of the Township (689 Pascack Road) - a temporary construction easement consisting of approximately 432 square feet or 0.009 acres;

c. Lot 6 in Block 3104 on the Tax Map of the Township (667 McKinley Avenue) - a road widening easement consisting of approximately 694 square feet or 0.016 acres;

3. The Township is hereby authorized to acquire each of the aforesaid easements.

4. The acquisition of the easements set forth above may be achieved by purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement pursuant to *N.J.S.A. 40A:12-5(a)(1)* and in accordance with the Eminent Domain Act, or as may be authorized by any other applicable law.

5. The Mayor, Township Administrator, Township Attorney, Township Clerk, Chief Financial Officer, and/or any other Township employees deemed appropriate (collectively, the “Authorized Persons”) are hereby authorized and directed to take, or cause to be taken, any and all actions necessary to initiate and complete the acquisition of the aforesaid easements, including but not limited to obtaining any appraisals, title searches and title reports, surveys, studies, and inspections as reasonably necessary to determine the value, boundary, ownership, interests or condition of the easements to be acquired.

6. Any and all actions previously taken by the Authorized Persons in connection with the acquisition of the aforesaid easements are hereby ratified and confirmed.

7. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid such decision shall not affect the remaining portions of this Ordinance.

8. All Ordinances or any provisions of any ordinance inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies and not otherwise.

9. This Ordinance shall take effect upon final passage and publication and in accordance with the Charter, and subject to such emergency resolution as may be adopted pursuant to Section 17-32 thereof. [R.S. 40:69A-181 (b)].



Ordinance No. 21-05

AN ORDINANCE AUTHORIZING THE RENTING AND USE OF 35 PARKING SPACES BY THE TOWNSHIP OF WASHINGTON FROM OUR LADY OF GOOD COUNSEL

A motion was made by Council President Feeney, seconded by Councilman Cascio to approve Resolution No. 21-184 authorizing second reading and opening of Public Hearing for Ordinance No. 21-05.

Ayes: Councilmen Cascio, DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.

Nays: None.

Resolution No. 21-184

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 21-05 entitled: AN ORDINANCE AUTHORIZING THE RENTING AND USE OF 35 PARKING SPACES BY THE TOWNSHIP OF WASHINGTON FROM OUR LADY OF GOOD COUNSEL be read on second reading and the public hearing be held thereon pursuant to law.

Michael Ullman, 2 Clark Avenue – Mr. Ullman stated regarding Addendum #3, has the Zoning Official opined on the use of the parking at the facility, is that a permitted use, Addendum #5, Unforeseen Circumstances, if that could be reconciled between Addendum #5, the Description of the Leased Premises, on Number #1, Monday – Saturday, 7:00 – 5:00, all day in emergency situations, i.e., snowstorms, then the Unforeseen Circumstances and the Use of the Lease Premises by the Needs of the Landlord, does the landlord get to use these premises, the landlord being OLG, on those days that are described, Christmas, Catholic Holidays, Funerals, Weddings and Easter, if that is the case, what happens to the vehicles, it seems as if those vehicles would have to be moved. Regarding Addendum #9, what is contemplated by this section, what exclusions, is this basically a “Get out of Jail Free” that they can do whatever they want, the tenant is a New Jersey Municipality, if Attorney Poller could explain what is contemplated by that Addendum. He asked regarding Addendum #11, has the JIF signed off on this, Page 2, it is filled out that it commences April 1<sup>st</sup>, do we know what the commencement date is of the contract, do we have a commencement date of the destruction/demolition of the DMF building, and is it contemplated that these would run in concurrent terms. He stated page 5, the insurance, it seems odd that the landlord, OLG is being asked to be included

as an additional insured, why is the Township including OLGC as an additional insured on our policy. He stated on page 7, Real Estate Taxes, has the Tax Assessor opined on the applicability of charging tax, he understands if there is tax, that it will be a gross up of payment, if the payment is defined how are we going to gross that up, is there a dollar amount. Attorney Poller replied Addendum #9 is for the benefit of the Township, not the landlord, since we are a municipality we may not be required to go to Planning/Zoning Boards and doing certain thing we are exempt from many things because we are a Municipality, OLGC didn't want to be held harmless if we decided that we didn't have to do it, then it turned out we should have done it, or required that we did it, that would be something that he would give, because we control that, it was for recognizing our ability not doing everything that may be done if this was a straight commercial situation. He stated the Additional Insured is very common for a landlord to get from a tenant, let us assume for a moment that one of our trucks hits a person in the parking lot, everyone will be named as a party defendant, even though the Landlord has its own insurance as well, the landlord would require, and it is not unusual, to be named as an additional insured. Regarding Real Estate taxes, if the lease is signed, the lease does have to go through the JIF, if there was an approval there would be an approval subject to a commencement date, we don't have yet, we would determine the commencement date, he would then send it to JIF for their approval, as well as our Tax Assessor. Non-profits can be taxed to the extent that they are using some of the space for commercial ventures, things of that nature, that would be the assessor's job to see if it fell into that category, what the number would be. He stated the Township is not required to go before Zoning, they are using a parking lot for a parking lot, there is no zoning involved, it is not being used for some warehouse, some textile factory, something that is not a permitted, they are allowing parking. Mr. Ullman stated it is a commercial venture, it is not parking for parishioners so they can go in. Attorney Poller stated we will give it to the Construction Official and Zoning Officer to review, he personally doesn't think there will be a zoning issue. Mr. Ullman stated it is a commercial venture in a residential zone, we are paying for something. Attorney Poller stated we will see what they say. Mr. Ullman asked how about reconciling the days that they cannot operate, Addendum #5, Unforeseen Circumstances, when you reconcile it to the Use of the Leased Premises Subject to the Needs of the Landlord in Unforeseen Circumstances, basically, the landlord on those days has the ability to use the property, what happens to the trucks? Council President Feeney stated Mr. Ullman is beyond is five minutes, she will be removing Mr. Ullman's permission to speak to Attorney Poller. Attorney Poller replied he doesn't have an answer for what is going to happen with the trucks, he stated he doesn't know if Mr. Ullman has dealt with the Archdiocese, but they are not easy, they don't like to change things, very difficult, but we did try. Originally it was very general that they could do quite a bit of taking over the space, he did try to, at least limit their ability as much he possibly could, this was best we could get from the Archdiocese, what is going to happen with the trucks that is not for him to answer, that is up to the Administration. Councilman DeSena asked as per State Law, there is no time limit during Public Hearing, you do not have the right to cut someone off during a Public Hearing. Attorney Poller stated he doesn't think we have a five-minute limit, but you can oppose a reasonable limit. Council Presidents Feeney thanked Councilman DeSena and Mr. Ullman; Attorney Poller has now answered them.

Joe D'Urso, 12 Viola Terrace – Mr. D'Urso asked does the Administration know what will happen to the trucks on those days that Mr. Ullman referred to? He heard the questions answered about Planning and Zoning, he finds it absolutely wrong, it is not a municipality property, years ago with the cell phone tower, it is a municipal property, you don't have to go through Planning and Zoning, this is not municipal property, the Township is leasing it, the Township needs to follow the guidelines, this needs to go to the Planning Board, who will forward it to the Zoning Board since there are zoning issues, this is not zoned commercial, his question is why, the Township doesn't own this property. Mr. D'Urso stated

he would like Mr. Ullman's questions answered by the Mayor or Administration since it seems they orchestrated this lease. Attorney Poller stated he did speak with the Construction Official, he did not feel Zoning or Planning was involved at all, actually spoke to him before and again today, he will run it by the Zoning Officer who will make a determination. Mayor Calamari stated he would like to point out again, neither himself nor the Administrator had anything to do with this lease, it was all up to Attorney Poller and the Archdiocese, the extent of his involvement was he asked the Pastor of the parish if they might be interested in letting the Township use part of the parking lot, he said yes, that's when he turned it over to Attorney Poller to negotiate, that is the extent of his involvement, he doesn't know if Administrator Tovo really got involved in the lease at all, false information is being put out there.

William Ferrara, 2556 Cleveland Avenue – Mr. Ferrara stated he understood at one time Valley Bank, Dog House and Sherry Field were spoken about, now we are speaking about parking at OLGC and removing the vehicles on Sundays, Holidays, etc. He asked why not park the vehicles on the street over-night, someplace that is out of the way, he suggested looking at the swim club, since the Township is involved in securing a purchase, they are behind in their taxes, using the monies they receive to catch up on their tax bill. He stated he doesn't want to comment on the ethics of the Church, but they get free services from the Township, now they have their hand out because the Township is in need, they are saying for \$60,000 you can park all the equipment you need to; he feels that is bad ethics on their part.

Mayor Calamari stated we reached out to the swim club, they have an injunction that prevents them from allowing the rental of their parking lot for any vehicles or equipment, we are using the space at Valley National Bank, but it is not enough space to accommodate the entire need, that is why we are also looking into the Church parking lot. Councilman DeSena asked do we have a lease with Valley Bank? Mayor Calamari replied he believes we do, there is a zero-dollar lease, there is some type of agreement, he doesn't know that he would call it a lease, maybe Letter of Understanding. Councilman DeSena asked what about insurance, do you think it would be prudent on us, as a governing body, to have the same type of insurance in effect as we do with OLGC, in case something happens at the bank we are covered. Attorney Poller replied we are covered for our vehicles if they are there, what the Archdiocese wanted was coverage for them, not protecting us, we are protected, he doesn't believe Valley asked for it. Councilman DeSena doesn't Attorney Poller feel it would be prudent to have something in place, in his legal opinion, that someone doesn't say you are paying the Church \$60,000, you owe us \$60,000. Attorney Poller replied the liability we concern ourselves with is that we are covered in case there is a claim against the Township, we are not worried about if there is a claim against Valley Bank or anyone else, we would not be going out, unless we had, which we did with the Archdiocese, he doesn't believe that Valley was interested in getting any coverage, they have their own insurance, he doesn't believe they asked for it, he could be wrong, he doesn't recall it. Councilman DeSena asked should we have a legal document for a zero-dollar-lease just to be safe. Mayor Calamari stated yes, there is he remembers signing it. Township Clerk Witkowski stated yes there is a liability insurance on it. Councilman DeSena requested a copy. Township Clerk Witkowski stated it is an agreement. Councilwoman Morgan stated it is an agreement stating we are paying zero-dollars, next year they can request payment because we are paying the Church.

A motion was made by Councilman Sears, seconded by Councilman DeSena to close the Public Hearing for Ordinance No. 21-05.

Ayes: Councilmen Cascio, DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.

Nays: None.

Ordinance No. 21-05

AN ORDINANCE AUTHORIZING THE RENTING AND USE OF 35 PARKING SPACES BY THE TOWNSHIP OF WASHINGTON FROM OUR LADY OF GOOD COUNSEL

Council President Feeney stated we will have a motion for the Ordinance, then have the mayor read his statement, then discussion as a Council.

A motion was made by Council President Feeney, seconded by Councilman Sears, to adopt Ordinance No. 21-05.

Mayor Calamari stated regarding parking at OLGC during Holidays and Church, that parking has not been used in years by any Church function, people are not attending Church as much as they used, the Church doesn't anticipate taking it back, but it is something they wanted in the lease, just in case. This Ordinance is for the temporary placement of DPW equipment while the DPW is demolished, and the soil underneath is remediated. He would like to inform the Township residents to clear up some potential confusion as to how we got to this, decades ago the current DPW site was found to have contaminated soil beneath it from inground fuel tanks on the site. The DEP mandated a clean-up and remediation, placing a deadline for when it had to be completed. Previous Administrations were well aware of this problem and did nothing about it, when he became mayor, he immediately began investigating potential sites in the Township to house the DPW. Discussions took place with the Council at Council meetings regarding the topic and were also part of his monthly report. Also, upon becoming mayor he was confronted with a DPW that was woefully underequipped to do its job, that they not only did not have enough equipment, but what they had was obsolete, antiquated and in disrepair. He is happy to report that working with the Council, the DPW now has the equipment they need to do their job more efficiently and effectively than ever before, but the equipment does take up space and needs to be stored somewhere. We have explored many towns owned sites, again, none were found to be acceptable, we explored/requested help from our neighboring municipalities of Westwood, Hillsdale, Woodcliff Lake, any County facility in Paramus, he also made a request at a mayor's meeting for assistance from any town in the Pascack Valley, none had the space to assist us. We explored/inquired about leasing space from any private entity, such as the Bethany Church, the former TD Bank, the former Charlie Brown's, private lot in Hillsdale and numerous office building parking lots in Paramus, in all cases the property owners could not accommodate our needs, each deal we were met with meant starting all over again, until a decision was made to construct a temporary two-bay garage on the current Town Hall parking lot and store some of the vehicles and equipment off-site. In addition to Valley Bank, OLGC was the only facility that was willing to accommodate our requirements. The lease was negotiated by the Archdiocese and Township Attorney, he nor did any member of the Council were involved. A few residents have expressed issues with the Township renting from a Church, citing Church and State separation conflicts, he would like to point out that the Township has been renting space from the Bethany Church for the Summer Rec Program and the gymnasium for basketball, he thinks all would agree as a result there has been a significant increase in the quality of the programs, and greatly expanded the number of children we are able to accommodate. Additionally, the Westwood Regional School District, a tax dollar funded operation, rented classroom from OLGC years ago, without any objection. Churches are non-profit organizations and there is a long history of government working with non-profits for the benefit of the public. Some of the lease terms are as follows, the lease terms reference hours of operation because the Archdiocese has a standard lease, they use for leasing indoor or outdoor space, the hours listed there are the approximate hours of the DPW operation, not the hours the equipment will occupy the space, the equipment will be there 24/7. The Township is responsible to remove snow and ice only from the part of the property that the lease covers not the entire facility.

According to the DPW we are not out of time to remediate the DPW space, the potential fines levied to the Township could be far more than the rental space will cost. It is worth mentioning that the Township is borrowing the money for these projects at historically low interest rates, most of them are bonded over long periods to spread the financial impact to the taxpayers out over many years.

Councilman DeSena stated four years when he was elected on this dais, with the prior Council, he immediately brought up this toxic legacy that was left behind by prior Administrations, where the mayor has served as Council and Council President on, we decided to take on this task of remediating the property at the DMF site at the times, plans previously drawn, never built. We had issues, Attorney Poller took about a year to get on to a property to get reports closed, so we finally could get the paperwork needed to get the DEP to let us extend the permits, we have sat on it for another four years. He stated to date we do not have a remediation plan of what we are remediating from the soil, that this Council has seen, if the Administration has seen it, that is fine, but this Council has never been presented that plan or the plan for the new DPW building and layout of that building, cost estimates. He has no objection to leasing the property from the Church because the toxic legacy has to go away, we need to tear down this building and get the soil out of here that has polluted wells and gotten people sick, we need to get rid of it, it is our due diligence as the stewards of our Township to get it done, it should have been done many years ago. This process was started four years ago, he is saddened it took four years to get to this point. He stated he will vote yes, not because he is in favor of leasing the space from the Church, he doesn't like when people are talking about falsehoods, every resident deserves the right to speak and present what they feel is how they feel, if we don't like we shouldn't say that it is false, it is their interpretation of what they are reading in the papers and what they see on the meetings. When we say they are spreading false information, they are not spreading false information, they are spreading what they believe they are interpreting. He stated he will vote yes, but he would like to see the plans for the new building, the remediation contract, to date we have not seen either, he would like to get that going as soon as possible. We talked about buying the horse farm, moving the DPW which fell through, we have talked about a million other things, but to date nothing has happened, we need to get this toxic earth out of the ground, he would like to see the plan and cost estimates. The mayor pointed out that we are borrowing money, we are not, the prior Councils have allocated a million-dollars plus another \$400,000 that was from the sale of the Westwood school building, so this project is fully-funded by revenue that has been kept in surplus for years from the sale of the property of the Westwood School building, we are not borrowing money to build this building.

Councilman Cascio stated at this time he has no comment, it has been an exhaustive process, dealing with this for ten years now, it just seems to go nowhere. We are now under the gun to get this project done, we have no plan at this point, all we know is where we are going to put our trucks, we have not been privy to the information of when the remediation will start, if the Administration does have it, he would like to be informed of it. He stated he would like to get this done, it has been neglected by numerous Administrations and Councils.

Councilman Sears stated he is glad to see this go away, it has been a nightmare for years, he is glad we are moving ahead.

Councilwoman Morgan stated she is excited that she is going to be part of the solution, that she is on a Council that does get it done, she appreciated the mayor pushing it forward. She knows the mayor did meet resistance with many of the properties, she appreciates that everyone is going to vote yes, so we can finally get this done, it has been going on way too long, she is excited this is going to happen.

Council President Feeney stated she also is happy to be part of the solution for this, the Mayor and Administration have brought to the Council in Closed Session during her entire time on the Council, multiple options, sent them back with additional questions, not allowing for it to be presented in public, the public should be aware of that. False information means any written or verbal statement or representation of a fact that is not true and was made intentionally knowing or without having taken the reasonable steps to ascertain whether the information was true or not, she feels it is important that Council represents what actually has happened during Council meetings, whether they are Public or Closed and the information we are allowed to put out to the public, she also is very happy to have this move forward.

Attorney Poller stated there was a comment that it took him a year to get something done. Councilman DeSena stated it was not a derogatory comment, we could not get access to the site for a year. Attorney Poller stated we had to sue the people; we actually had a full trial. Councilman DeSena stated yes, that took time, it took a year-and-a-half to get onto the property. Attorney Poller stated there was a property owner who would not let us get on the property to get extracts from the monitoring wells, without that DEP would not process our paperwork, let us move forward with remediation. He actually had to sue them, go to Court, have a trial, bring in experts, actually go through the process of getting access, finally we did that, it takes a year, case, trial and the result of the trial.

Mayor Calamari stated he and Councilman DeSena would respectfully disagree on some things, however he does agree when he stated we have talked about a million things, it does take time to talk about these things and put them into action, especially when we have governing body meetings twice a month. He does agree, it has been an ongoing process, we have been moving along as fast as we can, there are no plans for a new DPW, as everyone on the Council knows we have also been looking for alternative sites, but it doesn't look as if any of them will come to fruition, but we went right to the very end of where we are right now to look for alternate locations, it doesn't look like there will be any, that is also why we have now gone out for an RFQ for an architect, so the architect will look at building a building in the existing footprint. Councilman DeSena requested a copy of the RFQ. Administrator Tovo replied that was provided to Council back in January, he will provide it again.

Ayes: Councilmen DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.  
Nays: Councilman Cascio.

#### Ordinance No. 21-05

#### AN ORDINANCE AUTHORIZING THE RENTING AND USE OF 35 PARKING SPACES BY THE TOWNSHIP OF WASHINGTON FROM OUR LADY OF GOOD COUNSEL

WHEREAS, the Township of Washington ("Township"), has the need for temporary additional parking for the Township's Department of Public Works in connection with the required NJDEP environmental remediation of the Department of Public Works site and the location and construction of a new Department of Public Works facility; and

WHEREAS, such temporary parking can be provided within the Township by Our Lady of Good Counsel Church at its property located at 668 Ridgewood Road, Township of Washington, New Jersey; and

WHEREAS, alternate sites and approaches for such parking needs have been explored including locating such temporary parking at Sherry Field and at a

Township parcel located off Hudson Avenue, and the Township Council has determined that the best approach to satisfy the need for such temporary parking is the renting of 35 parking spaces at 668 Ridgewood Road, Township of Washington, New Jersey; and

WHEREAS, Our Lady of Good Counsel Church has proposed a lease agreement together with an addendum thereto for the renting of 35 parking spaces to the Township, copies of which are on file with the Township Clerk, and the Township Council wishes to enter in said lease agreement and addendum;

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

1. The Township shall enter into the lease agreement and addendum for the renting and use of 35 parking spaces at 668 Ridgewood Road, Township of Washington, New Jersey, pursuant to the terms thereof which provides, among other things, for a term of two years subject to the right of termination on 30 days prior written notice, and a monthly rental of \$2,500. The commencement date thereof shall be \_\_\_\_\_, 2021.

2. The Township Council hereby approves all of the terms of the lease agreement and addendum as on file with the Township Clerk, and hereby authorizes the mayor to execute the lease agreement and addendum on behalf of the Township.

3. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid such decision shall not affect the remaining portions of this Ordinance.

4. All Ordinances or any provisions of any ordinance inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies and not otherwise.

5. This Ordinance shall take effect upon final passage and publication and in accordance with the Charter, and subject to such emergency resolution as may be adopted pursuant to Section 17-32 thereof. [R.S. 40:69A-181 (b)].

Resolution No. 21-185

Emergency resolution, Ordinance 21-05

A motion was made by Council President Feeney, seconded by Councilwoman Morgan, Resolution No. 21-185.

Ayes: Councilmen Cascio, DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.

Nays: None.

Resolution No. 21-185

Emergency resolution, Ordinance 21-05

ORDINANCE AUTHORIZING THE RENTING AND USE OF 35 PARKING SPACES BY THE TOWNSHIP OF WASHINGTON FROM OUR LADY OF GOOD COUNSEL CHURCH

WHEREAS, N.J.S.A. 40:69A-181(b) provides that an ordinance may take effect less than 20 days after final passage and approval if the Township Council shall adopt a resolution declaring an emergency, and at least two-thirds of all the members of the Township Council vote in favor of such resolution; and

WHEREAS, the Township Council of the Township of Washington has determined that an emergent situation exists arising from the need for temporary additional parking for the Township's Department of Public Works in connection with the required NJDEP environmental remediation of the Department of Public Works site and the location and construction of a new Department of Public Works facility, and that such emergency under *N.J.S.A. 40:69A-181(b)* is justified by having Ordinance No. 21-05 take effect less than 20 days after final passage and approval;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington that Ordinance No. 21-05 shall take effect immediately pursuant to law upon the adoption of this Resolution by at least two-thirds of all the members of the Township Council.

Introduction, 1<sup>st</sup> Reading:

Ordinance No. 21-06

ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT FOR USE BY THE POLICE DEPARTMENT OF THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AND APPROPRIATING \$115,000 THEREFOR FROM MONEYS IN THE CAPITAL IMPROVEMENT FUND OF THE Township

A motion was made by Councilman DeSena, seconded by Councilman Cascio, to introduce and pass Ordinance No. 21-06 at first reading by title.

Councilman DeSena asked Administrator Tovo if we are going to use the two remaining balances to fund this? Administrator Tovo replied we are not, it was discovered by our auditor that there is still some liability for accumulated leave stemming from the DPW, although at this point it is not a lot, they recommended we use the money. Councilman DeSena stated he thought there was two places we were getting funding from, one had \$78,000 the other had the remaining balance. Administrator Tovo stated we never identified where the balance would come from, because we were wise to leave that money there or accumulated leave, as per the recommendation of LVH and the bond counsel is to do a separate bond, get this project funded, the deadline is June 1, 2021. Councilman DeSena asked how many years is this bond? Administrator Tovo replied seven-year bond, equipment is consistent with the life of the bond. Councilman Sears stated there is a \$58 million general fund for the purchase of these. Administrator Tovo stated this is recommended, we do get the money refunded to the Township. Councilman Sears stated the effective date is January 1, 2022, according the Legislative Docket 4907, it is the General Fund to the Department of Law and Safety, hopefully we will get a portion of that money. Council President Feeney stated this was mentioned by the Chief. Administrator Tovo stated this is for the body worn cameras, the taser is included in this amount, the fund is strictly for body cameras, vendors have been spoken to, this needs to be fully funding before spending. Councilman DeSena asked if the CFO can check if this could be funded somehow. Administrator Tovo replied that has been checked already, there is enough money in our Capital Surplus at this time, we have to wait 10 days, do a second reading, then pass it. Councilman Sears stated June 1<sup>st</sup> is coming fast, we need protection for our Police and safety for our community, he requests this be expedited. Administrator Tovo stated again, we have money in the Capital Surplus to fully fund this. Councilman DeSena asked can we get a balance of what the surplus would be if we do that, so Council can make an informed decision, the mayor is anticipating using 1.8 million of the surpluses of this budget, we would be using 1.91 million from the surplus, not 1.8 million, it does have financial implications, but agrees to get it done as

soon as possible. Council President Feeney requested Administrator Tovo get that out to the Council.

Ayes: Councilmen Cascio, DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.

Nays: None.

A motion was made by Council President Feeney, seconded by Councilman Sears, to approve Resolution No. 21-186.

Ayes: Councilmen Cascio, DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.

Nays: None.

#### Resolution No. 21- 186

WHEREAS, Ordinance No. 21-06 entitled: ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT FOR USE BY THE POLICE DEPARTMENT OF THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AND APPROPRIATING \$115,000 THEREFOR FROM MONEYS IN THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 19<sup>TH</sup> day of April, 2021; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 3<sup>RD</sup> day of May, 2021 at 7:30pm, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Complex, 350 Hudson Avenue, Township of Washington at which time and place all persons who may be interested will be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED, that the office of the Township Clerk is authorized to advertise in The Bergen Record, a newspaper circulated in this Township, the introduction and notice of further consideration for final passage and public hearing of this ordinance as required by law.

#### Ordinance No. 21-06

ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW AND ADDITIONAL EQUIPMENT FOR USE BY THE POLICE DEPARTMENT OF THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AND APPROPRIATING \$115,000 THEREFOR FROM MONEYS IN THE CAPITAL IMPROVEMENT FUND OF THE Township

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AS FOLLOWS:

The improvement or purpose described in Section 2 of this ordinance is hereby authorized a general improvement to be made or acquired by The Township of Washington, in the County of Bergen, New Jersey, and there is hereby appropriated therefor the sum of \$115,000 from moneys available in the Capital Improvement Fund of the Township.

The improvement hereby authorized and the purpose for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the acquisition of new and additional equipment for use by the Police Department of the Township, including body cameras, in-car camera systems and tasers, together with all accessories, apparatus and appurtenances necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

This ordinance shall take effect after publication after final passage as provided by law.



Ordinance No. 21-07

CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14)

A motion was made by Council President Feeney seconded by Councilman Sears, to introduce and pass Ordinance No. 21-07 at first reading by title.

Councilman DeSena asked Mayor Calamari why is he recommending 3.5%, we haven't a CAP bank in years, in a COVID world to exceed the 1% by another 2.5% is very excessive, it is another quarter of a million dollars, that we can save putting it into the CAP Bank, we are supposed to be spending less. Administrator Tovo stated in the last couple of years, we had passed a resolution just in case the need did arise, we were above the CAP bank, it is not the intention of the Mayor or this Administration to do so. Councilman DeSena asked when was the last time the CAP bank was used? Administrator Tovo replied not during his tenor. Councilman DeSena stated he has gone back over 7 years, he has not been able to find any other information, he has never seen a CAP bank used, he would like to see this left at 1%, do some fiscal restraint on the Council's end to keep this at 1%. Mayor Calamari stated just because it is being banked doesn't mean it is going to be used, it is a maximum. Councilman DeSena stated but it gives us the right to spend another quarter of a million dollars in taxes that is not being funded, we need to be fiscally responsible as a Council, he would like to see us this year avoid passing the CAP bank ordinance, leaving it at 1%. Mayor Calamari stated he wouldn't think the Council needs a CAP bank to keep the spending under control, but it is just to take to the max, we don't know where the budget will end up at this time.

Ayes: Councilmen Cascio, Councilman Sears, Councilwoman Morgan,  
Council President Feeney.

Nays: Councilman DeSena.

A motion was made by Council President Feeney, seconded by Councilman

Cascio, to approve Resolution No. 21-187.

Ayes: Councilmen Cascio, DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.

Nays: None.

Resolution No. 21- 187

WHEREAS, Ordinance No. 21-07 entitled: CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14 was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 19<sup>TH</sup> day of April, 2021; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 3<sup>rd</sup> day of May, 2021 at 7:30pm, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Complex, 350 Hudson Avenue, Township of Washington at which time and place all persons who may be interested will be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED, that the office of the Township Clerk is authorized to advertise in The Bergen Record, a newspaper circulated in this Township, the introduction and notice of further consideration for final passage and public hearing of this ordinance as required by law.

RESOLUTIONS/CONSENT AGENDA

The following items have been determined to have the unanimous consent of Council and will be enacted in one motion. Should any item require independent consideration, any Council Member may have such item removed from the Consent Agenda.

Council President Feeney asks, does anyone have any resolution(s) to be removed from consent agenda for discussion?

Councilman DeSena requested Resolution No. 21-188 be removed for discussion.

A motion was made by Councilman Cascio, seconded by Councilwoman Morgan, Resolution No. 21-189.

Discussion:

Councilman DeSena a few meetings ago he asked why two engineers were reviewing these engineering escrows and billing our residents twice, the practice is still going on, we were told it was going to stop. He stated the applications are coming into the Building Department, they are being reviewed by the Building Engineer for a large escrow amount, then being reviewed by the Planning and Zoning Board for another large escrow amount. He stated yesterday he had someone show him their escrow receipts, they had to post an additional \$1,500 to go in front of the Planning Board after they were charged \$1,000 by the Building Department, this is a very unheard of system, that two engineers are reviewing, he asks the Administration to immediately cease and desist this practice, it is costing our residents a lot of undue burden, it is a financial hardship for a lot of residents to come up with another \$1,500 when they don't even know they have a yes or no on their plan, the Zoning Officer is responsible to make the initial determination, not the Building Department engineer for \$1,000 in escrow, that is the Zoning Officers responsibility, Attorney Poller is he correct in his assessment of this? Councilwoman Morgan asked how long has

this been going on? Councilman DeSena replied for months, it has been brought up, we were told it was going to stop, as of January 1<sup>st</sup> but it has been occurring. Mayor Calamari stated there was some confusion in the very beginning, he thought it was taken care of, he requests Councilman DeSena to forward the paperwork he has. Councilman DeSena replied the resident wishes to remain nameless they don't want to be punished by the Planning or Zoning Boards, he is speaking on their behalf, he does get weekly calls about it, they are paying \$2,500 to two different engineers to get their plans approved by the Planning or the Zoning Board, it is an undue hardship that we should not be imposing on our residents. Mayor Calamari stated there was some confusion back in January, he and the Administrator will look into this tomorrow and get back to Council. Council President Feeney stated she did reach out to the Building Department, there is a change to the process because of the new administrative people that are there, all applications are being reviewed to make sure they go to the right engineer, making sure there are no additional fees to the residents, the additional charges that happened last year, they were having it reviewed to see which engineer it goes to. Councilman DeSena stated the Zoning Officer makes that determination, he is a salaried employee, he doesn't charge the residents. Council President Feeney stated if a resident is paying an extra cost, they should reach out to the Administration. Mayor Calamari stated please reach out to Administrative Tovo, but we will review them all, they may be due a refund. Administrator Tovo requested that Councilman DeSena have the resident contact him directly, confidentially, we will look at that. Councilman DeSena stated they indicated they will wait to find out if they are approved or not, then they will contact you Administrator Tovo. He suggested having the Building Department look at who this occurred to and who may deserve a refund, maybe look at the escrow slips see when people have been escrowed by two different engineers for the same application, he feels Administration should be able to figure out who is due a refund, this way we can be proactive instead of reactive. Mayor Calamari stated he feels bad that a resident might feel that they we would punish them when they bring something to our attention, that is not the case at all, we appreciate when residents bring things to our attention, if anyone listening is having second thoughts please bring it to the Administrators attention, mistakes are made, we will correct them.

Ayes: Councilmen Cascio, DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.  
Nays: None.

Resolution No. 21-189

Authorize refund of engineering escrow monies, B 4205, L 1 494 Cross Street, not to exceed \$736.75

WHEREAS, Natalia & Zach Cherkassky posted engineering escrow monies for a project on premises known as Block 4205, Lot 1, 494 Cross Street; and

WHEREAS, they have terminated their proposed project and are requesting that remaining escrow be refunded; and

WHEREAS, the Engineer has advised us that there are no outstanding or pending invoices, as per his correspondence dated 4/6/2021; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow monies in the amount of \$736.75 to the above.

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by N.J.S.A. 40a:4-57, N.J.A.C. 5:30-14.5 and any other applicable requirements, I, John Corcoran, Chief Financial Officer of the Township of Washington, have ascertained the availability of funds for such services as determined in the Township's escrow account; PROJECT ID: CHERKASS01 Total Certified Amount Not to Exceed: \$736.75; John Corcoran, CMFO

RESOLUTIONS REMOVED FROM CONSENT AGENDA

Resolution No. 21-188

Authorize payment of bills April 1, 2021 – April 14, 2021

A motion was made by Council President Feeney, seconded by Councilman Cascio, Resolution No. 21-188.

*Discussion:*

Councilman DeSena stated on page 1, \$667.50 paid to LVH to meet with the CFO and Tax Collector, isn't that part of what the Township pays LVH? Administrator Tovo stated no, not on a retainer, it was additional training for the CFO on Edmunds. Councilman Cascio asked doesn't Edmunds offer training as part of their contract? Administrator Tovo replied they do, this training was to Township items, not Edmunds items. Councilman DeSena stated on page 6, Advanced Electrical Contracting for \$1,575, that used to be the meet up spot for our Internet Sales Program, that sign has been removed, can we put the meet up sign back at that location so they can be videotaped while making their internet sales? Administrator Tovo replied the intention is to relocate that, it will go back up, once the remediation is done, we will have a better idea. Councilman DeSena asked is the Meet up Spot going to be stopped until the remediation is done? Administrator Tovo replied we don't have to wait until the remediation, there is a portion of land beyond the building that needs to be remediated as well, he will look into it. Councilman DeSena stated on page 8, \$534, garbage truck decals are those the decals to say that we are in compliance, that we can go dump at the dump, but should that be billed to a sign expense? Administrator Tovo replied he will look into that. Councilman DeSena stated at the beginning of the meeting Council President Feeney stated SUEZ is flushing hydrants on Beech Street, there are three hydrants in a row that have been taken out of service, do we know when SUEZ will be here to repair these hydrants, a brand new one has been removed from its stem, the other two have been taken out of service. Administrator Tovo replied as per his last conversation with SUEZ, once the flushing is done, their crews will come out and address all the deficient hydrants that were located. Mayor Calamari asked does Councilman Sears know if SUEZ notify the Fire Department about the hydrants? Councilman Sears replied we will get a notification; the Chief then broadcasts it out over the radio. Administrator Tovo stated he just received an update from DPW that the Meet Up Spot has already been relocated, we do have video cameras on it.

Ayes: Councilmen Cascio, DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.

Nays: None.

Resolution No. 21-188

Authorize payment of bills April 1, 2021 – April 14, 2021

BE IT RESOLVED, by the Township Council of the Township of Washington as per Ordinance No. 19-25, § 7-61 Payment of claims; expenditures, the list of claims below have been reviewed and approved by the Department Head, Township Administrator, Mayor and Chief Financial Officer; and

BE IT FURTHER RESOLVED, that the Treasurer is hereby authorized to pay the following list of bills, representing the time frame of 4/1/21 to 4/14/21:

TOTAL	2020 Reserve	\$2,534.80	
TOTAL	2021 Current	\$370,685.93	
TOTAL	Capital Fund	\$283,193.66	
TOTAL	Animal Control	\$0.00	

TOTAL	Grant Fund	\$ 0.00	
TOTAL	Trust Fund	\$5,000.95	
TOTAL	Escrow Trust	\$2,828.85	
	<b>GRAND TOTAL:</b>		<b>\$664,244.19</b>

BE IT FURTHER RESOLVED, that the following claims have been paid by the Treasurer prior to the Bill List Resolution, as per Ordinance No. 19-25, since the last bill list was submitted:

TOTAL	Westwood Regional Board of Education	\$2,199,951.00
TOTAL	Township of Washington Library	\$51,568.50
TOTAL	Annual Pension Liability – PERS & PFRS	\$977,717.00
<b>TOTAL</b>		<b>\$3,229,236.50</b>

Vendor Name	Description	Amount	Check Id
HEALTH AWARENESS REGIONAL PROG	JANUARY-MARCH 2020	200.00	39838
WB MASON CO., INC.	CANON INK	51.10	39843
WB MASON CO., INC.	CANON INK - BLACK	68.97	39843
WB MASON CO., INC.	BIC PENS	5.00	39843
WB MASON CO., INC.	3 HOLE PAPER RM	24.43	39843
HOLD MY KNOTS, LLC	LUNCH FOR DPW	124.16	39852
GROFF TRACTOR NEW JERSEY LLC	QUOTE# PQT024814 CLAW ATTACH	30,000.00	3536
LERCH, VINCI & HIGGINS	MEETING WITH CFO & TAX COLLECT	667.50	39837
ELAYAN, MAHMOUD	REFUND ESCROW MONIES-SOIL	136.10	8903
ELAYAN, MAHMOUD	REFUND ESCROW MONIES	289.25	8903
DEPTCOR BUREAU OF STATE IND	#9 Window Envelopes	66.00	39841
DEPTCOR BUREAU OF STATE IND	#10 Window Envelopes	66.00	39841
DEPTCOR BUREAU OF STATE IND	#10 Envelopes See Attachments	61.00	39841
GROFF TRACTOR NEW JERSEY LLC	INV.# PSO318335-1 9/30/20	850.64	39847
GROFF TRACTOR NEW JERSEY LLC	VS INCOMING	100.00	39847
WB MASON CO., INC.	ADESSO CYBER TRACK H5 1080P HD	77.99	39843
OPTIMUM	2021 DMF CABLE SERVICE	116.40	39833
BULDO CONTAINER & DISPOSAL	2021 CURBSIDE RECYCLING	12,154.48	39817
WB MASON CO., INC.	UNV102001ND SMALL BINDER CLIPS	0.58	39843
WB MASON CO., INC.	UNV10210ND BINDER CLIPS MEDIUM	1.92	39843
WB MASON CO., INC.	UNV102201ND LARGER BINDER CLIP	7.74	39843
WB MASON CO., INC.	BICGSF11BE BLUE PENS DZ	1.60	39843
WB MASON CO., INC.	UNV15112 MANILA LEGAL FOLDERS	12.93	39843
WB MASON CO., INC.	UNV40099 10X13 MANILA	19.79	39843
WB MASON CO., INC.	QUA37910 12 X 15-1/2 BROWN	20.33	39843
ACTION DATA SERVICES INC.	2021 PAYROLL PROCESSING	298.67	39839
WB MASON CO., INC.	26A HP TONER/BLACK HEWCF226A	77.30	39843
WB MASON CO., INC.	5 1/4" EXP FILE POCKET-10/BX	30.58	39843
WB MASON CO., INC.	FILE LABELS/ASST CLR/750 PK	10.90	39843
WB MASON CO., INC.	ADDING MACHINE TAPE/WHITE-3/PK	7.40	39843
WB MASON CO., INC.	MAGIC TAPE REFILL 3/4"x1000"	11.22	39843
WB MASON CO., INC.	GLUE STICK/3 PK-AVE00134	1.33	39843
WB MASON CO., INC.	JUMBO SIZE KRAFT ENVELOPE	18.78	39843
WOJCICKI JR., RICHARD S	COUNCIL MEETING 01.04.2021	300.00	39850
WOJCICKI JR., RICHARD S	COUNCIL MEETING 01.19.2021	300.00	39850
AVAYA, INC./ CIT	2021-TELEPHONE LEASING	498.80	39821
FUJITEC NEW YORK	2021 ELEVATORS: ALL MARCH	318.27	39832
FUJITEC NEW YORK	2021 ELEVATORS: ALL MAR COVID	3.00	39832
PRAXAIR DISTRIBUTION, INC.	2021-CYLINDER RENT SUMMARY	11.12	39816
RICOH USA, INC	POLICE COPIER LEASE	135.36	39845
HOME DEPOT U.S.A., INC.	HUSKY - SHELVING 77X78X24	358.00	3535
WB MASON CO., INC.	Red Sharpies	8.80	39843
WB MASON CO., INC.	Red Folders for Firearms	131.20	39843

WB MASON CO., INC.	File Folders Legal	77.62	39843
WB MASON CO., INC.	Printable DVDs	178.74	39843
WB MASON CO., INC.	HP 902XL Cyan	8.05	39843
WB MASON CO., INC.	HP 902XL Yellow	15.42	39843
WB MASON CO., INC.	HP 902XL Black	15.42	39843
HOME DEPOT U.S.A., INC.	SLIM JIM 23 GAL. GRAY VENTED	34.97	39829
HOME DEPOT U.S.A., INC.	COMPONENT SHELF	19.97	39829
WB MASON CO., INC.	UNV20982 2" BINDERS	45.80	39843
WB MASON CO., INC.	UNV35663 POST-IT	2.49	39843
WB MASON CO., INC.	INSERTABLE DIVIDERS AVE11109	6.24	39843
BERGEN COUNTY UTILITIES AUTH	2021 WASTE WATER SERVICE AGREE	199,800.00	39822
DELTA DENTAL PLAN OF NEW	DELTA DENTAL PREMIUM-APR 2021	4,975.20	39830
PASCACK VALLEY MAYORS ASSOC	PASCACKVALLEY MAYOR ANNUAL DUE	250.00	39825
PASCACK VALLEY MAYORS ASSOC	PASCACK VALLEY MAYOR ASSOC 1QT	214.17	39825
AUTHORINET CONSULTING, LLC	AUTHORINET ADVANTAGE INV 8988	225.00	39853
AUTHORINET CONSULTING, LLC	AUTHORINET ADVANTAGE PLUS	875.00	39853
AUTHORINET CONSULTING, LLC	MICROSOFT EXCHANGE ONLINE	171.00	39853
AUTHORINET CONSULTING, LLC	MICROSOFT 365 BUSINESS BASIC	285.00	39853
AUTHORINET CONSULTING, LLC	ZOOM VIDEO WEBINAR	85.30	39853
AUTHORINET CONSULTING, LLC	ZOOM PROFESSIONAL	31.97	39853
AUTHORINET CONSULTING, LLC	AUTHORINET ADVANTAGE PLUS	22.58	39853
AUTHORINET CONSULTING, LLC	LOGMEIN LICENSE INV# 9017	2,449.86	39853
POLICE TRAFFIC OFFICER'S ASSOC	Police Traffic Officer's	250.00	39818
JT & COMPANY INC	Invoice # 18505 - Chevy 2500	850.00	8902
JT & COMPANY INC	Invoice # 18446 - Ford F-250 &	3,975.00	8902
PowerDMS Inc	Content Management Specialist	150.00	39851
WB MASON CO., INC.	TOPS WYWO PADS TOP3002P	1.99	39843
WB MASON CO., INC.	POST ITS 4X4 MMM6756SSMIA	10.81	39843
WB MASON CO., INC.	POST ITS 2X2 MMM6228SSMIA	9.98	39843
WB MASON CO., INC.	POST ITS 4X4 MMM6756SST	11.50	39843
WB MASON CO., INC.	BOX TAPE DISPENSER MMMDP300RD	8.00	39843
WB MASON CO., INC.	BOX TAPE 6 PK UNV63000	5.53	39843
WB MASON CO., INC.	PENTEL PENS PENBL107C	9.80	39843
WB MASON CO., INC.	DESK PAD HOD473	14.21	39843
WB MASON CO., INC.	PENCIL CUP DEF34204	7.54	39843
STATE LINE FIRE & SAFETY, INC.	New Amerex 10lb ABC Dry	377.20	39819
APPROVED SURGICAL SUPPLIES, INC	Oxygen Tank Refills	53.00	39836
APPROVED SURGICAL SUPPLIES, INC	Oxygen Tank Refills	53.00	39836
ALL AMERICAN FORD INC.	124D1COIL ASY - Car 49	605.40	39840
PowerDMS Inc	PowerDMS 2021 Annual Fees	900.00	39851
BERGEN CTY PROSECUTOR'S	2021 MARS Maintenance Fee	1,500.00	39820
ESI EQUIPMENT INC.	ANNUAL PREVENTIVE MAINTENANCE	1,292.00	39815
BERGEN CNTY POLICE CHIEFS ASSN	2021 Dues - Chief Skinner	322.50	39831
BERGEN CNTY POLICE CHIEFS ASSN	2021 Dues - Chief Skinner	177.50	39831
WESTWOOD BRUSHLESS CAR WASH	February Car Washes	70.00	39844
LORCO PETROLEUM SERVICES	INVOICE# 1606492 1/22/21	80.00	39849
CLIFFSIDE BODY CORPORATION	INVOICE# W 34470 2/18/21	172.50	8900
CLIFFSIDE BODY CORPORATION	SHOP SUPPLIES	3.45	8900
SUBURBAN SPRINKLER	INVOICE NO. 12475 11/18/20	875.00	39855
WB MASON CO., INC.	UNV79000 STAPLES	1.96	39843
WB MASON CO., INC.	MMM8106PK SCOTCH TAPE REFILL	19.05	39843
WB MASON CO., INC.	UNV01117 LARGE RUBBER BANDS	1.11	39843
WB MASON CO., INC.	SOF48102 PHONE CORD	3.76	39843
WB MASON CO., INC.	SWI54501 STAPLER BLACK	12.08	39843
AMERICAN WOODCARVING LLC	POLICE SHEILD-CARVED 3D SIGN	3,879.48	3541
AMERICAN WOODCARVING LLC	POLICE SHEILD-CARVED 3D SIGN	110.52	3541
AMERICAN WOODCARVING LLC	REPLACEMENT POST	960.00	3541

AMERICAN WOODCARVING LLC	INSTALLATION FEE	350.00	3541
ADVANCE ELECTRICAL CONTRACTING	REMOVE LAMP POST NEAR AMBL BLG	650.00	3537
ADVANCE ELECTRICAL CONTRACTING	REMOVE LAMP POST NEAR DMF BLG	550.00	3537
ADVANCE ELECTRICAL CONTRACTING	DISCONNECT ELECTRIC LINE DMF	375.00	3537
NJ LEAGUE OF MUNICIPAL	CODE ENFORCEMENT OFFICER P/T	115.00	39824
T&M ASSOCIATES	PROFESSIONAL SERVICE LAF403053	5,924.35	39835
CITY WIDE TOWING INC	11/30/2020 TOWED GARBAGE TRUCK	275.00	39854
CITY WIDE TOWING INC	12/2/2020 TOWED GARBAGE TRUCK	275.00	39854
HOME DEPOT U.S.A., INC.	RESET COMBINATION LOCK	87.78	39829
INSTITUTE FOR PROFESSIONAL DEV	Courses for CFO License	100.00	39842
PSE&G-CCMC	CROSS ST 7225733702	20.41	39826
PSE&G-CCMC	PASCACK RD P60071 72257361	33.83	39826
PSE&G-CCMC	670 WASHINGTON AVE 7225774409	105.68	39826
PSE&G-CCMC	DANBURY CT 7226060000	353.91	39826
PSE&G-CCMC	VARIOUS LOCATIONS 7226201909	4,926.27	39826
PSE&G-CCMC	651 PASCACK RD 7225599909	53.08	39826
PSE&G-CCMC	536 RIDGEWOOD BLVD 7225735306	1,762.18	39826
PSE&G-CCMC	470 PASCACK RD 7225982109	1,118.72	39826
PSE&G-CCMC	RIDGEWOOD RD TS 6504238502	19.62	39827
PSE&G-CCMC	MANHATTAN & PASCACK 7225593102	25.96	39827
PSE&G-CCMC	WASHINGTON AVE 7225690604	46.00	39827
PSE&G-CCMC	CALVIN & HUDSON 7225781200	8.53	39827
PSE&G-CCMC	7 HAMPTON CT 7225923307	17.35	39827
PSE&G-CCMC	SUTTON WAY 7225979000	189.34	39827
PSE&G-CCMC	593 CROSS ST 7225980203	34.16	39827
PSE&G-CCMC	LAFAYETTE AVE 7226062704	40.73	39827
PSE&G-CCMC	VAN EMBURGH & WASH 7226200309	13.48	39827
PSE&G-CCMC	SUTTON WY 7225597418	50.24	39827
PSE&G-CCMC	HAMPTON CT SL 7225737406	67.81	39827
PSE&G-CCMC	NORTHGATE RD 7225875507	144.73	39827
PSE&G-CCMC	POND CT SL 7225975900	139.06	39827
NJ DEPARTMENT OF TREASURY	DEP GARBAGE TRUCK DECALS	534.00	39814
PSE&G-CCMC	350 PASCACK RD 7225879707	1,622.54	39828
PSE&G-CCMC	350 PASCACK RD 7225879707	695.52	39828
PSE&G-CCMC	350 PASCACK RD 7225879707	815.35	39828
PSE&G-CCMC	350 PASCACK RD 7225879707	500.00	39828
PSE&G-CCMC	670 WASHINGTON AVE 7226067900	610.50	39828
PSE&G-CCMC	670 WASHINGTON AVE 7226067900	103.00	39828
PSE&G-CCMC	670 WASHINGTON AVE 7226067900	251.57	39828
PSE&G-CCMC	350 PASCACK POLICE 7225927906	382.79	39828
PSE&G-CCMC	350 HUDSON AVE 1 7226064103	815.60	39828
BOSWELL ENGINEERING, INC	2021 ROAD IMPROVEMENT I#149223	859.50	3539
ROBBIE CONLEY ARCHITECT, LLP	CONSTRUCTION ADM SERV 18053.19	5,657.00	3542
IMPAC	2021- VEHICLE FUEL DPW	67.94	39846
AUTHORINET CONSULTING, LLC	PD/Microsoft Exchange Inv#9039	309.07	39853
AUTHORINET CONSULTING, LLC	ONSITE INV# 9102 FOR TAX OFFICE	260.00	39853
AUTHORINET CONSULTING, LLC	AUTHORINET ADVANTAGE INV 9064	225.00	39853
AUTHORINET CONSULTING, LLC	AUTHORINET ADVANTAGE PLUS	875.00	39853
AUTHORINET CONSULTING, LLC	MICROSOFT EXCHANGE ONLINE	171.00	39853
AUTHORINET CONSULTING, LLC	MICROSOFT 365 BUSINESS BASIC	285.00	39853
AUTHORINET CONSULTING, LLC	ZOOM VIDEO WEBINAR	85.30	39853
AUTHORINET CONSULTING, LLC	ZOOM PROFESSIONAL	31.97	39853
AZZOLINA&FEURY ENGINEERING INC	SOIL 3310/5 #74409	180.00	8899
AZZOLINA&FEURY ENGINEERING INC	SOIL 4408/28 #74416	201.00	8899
AZZOLINA&FEURY ENGINEERING INC	SOIL 2202.02/2 #74376	201.00	8899
AZZOLINA&FEURY ENGINEERING INC	SOIL 3015/4 #74377	201.00	8899
TEKCON CONSTRUCTION, INC	EMERGANCY SERVICES BUILDING 7	225,271.81	3540

NJ DEPARTMENT OF TREASURY	ANNUAL REMEDIATION FEE 2021	6,520.00	3538
SUEZ WATER NEW JERSEY	EMERGANCY SERVICES BUILDING	7,652.35	3534
SUEZ WATER NEW JERSEY	HYDRANTS- 10003725412222	11,916.90	39823
SUEZ WATER NEW JERSEY	350 PASCACK RD 10003303512222	213.04	39823
SUEZ WATER NEW JERSEY	PASCACK SEASONAL10006651312222	3.72	39823
AUTHORINET CONSULTING, LLC	AUTHORINET ADVANTAGE INV 9037	225.00	39853
AUTHORINET CONSULTING, LLC	AUTHORINET ADVANTAGE PLUS	875.00	39853
AUTHORINET CONSULTING, LLC	MICROSOFT EXCHANGE ONLINE	171.00	39853
AUTHORINET CONSULTING, LLC	MICROSOFT 365 BUSINESS BASIC	285.00	39853
AUTHORINET CONSULTING, LLC	ZOOM VIDEO WEBINAR	85.30	39853
AUTHORINET CONSULTING, LLC	ZOOM PROFESSIONAL	31.97	39853
AUTHORINET CONSULTING, LLC	PD/Microsoft Exchange Inv#9065	272.00	39853
CLARKE CATON HINTZ	DETERMINATION OF MT LAUREL	1,837.00	39848
T&M ASSOCIATES	PROFESSIONAL SERVICE LAF403054	910.00	8901
T&M ASSOCIATES	PROFESSIONAL SERVICE LAF397994	710.50	8901
VALLEY HEALTH MEDICAL GROUP	2021 DOT TESTING 1st QTR	170.00	39834
VALLEY HEALTH MEDICAL GROUP	FIRE FIGHTER PHYSICAL	280.00	39834
DELTA DENTAL PLAN OF NEW	DELTA DENTAL PREMIUM-MAY 2021	4,851.42	39830
BERGEN COUNTY MUNICIPAL JT INS	JIF INSURANCE-Q1 2021	45,375.00	39856
BERGEN COUNTY MUNICIPAL JT INS	JIF INSURANCE-Q1 2021	48,565.00	39856
<b>TOTAL</b>		<b>664,244.19</b>	

A motion was made by Council President Feeney, seconded by Councilman DeSena to adjourn to Conference Session.

Ayes: Councilmen Cascio, DeSena, Councilman Sears, Councilwoman Morgan, Council President Feeney.

Nays: None.

Time noted: 10:18 p.m.

/s/ Susan Witkowski  
Township Clerk

/s/ Stacey Feeney  
Council President

Approved: August 9, 2021