

TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY  
SPECIAL MEETING MINUTES  
June 29, 2020~7:30 p.m.

**☞PLEASE NOTE THIS IS A VIRTUAL MEETING  
WITH REMOTE PUBLIC COMMENT☞  
Public Hearing on 2020 Budget  
DUE TO CORONAVIRUS PANDEMIC**

CALL TO ORDER: Council President Feeney.

STATEMENT:

Welcome to the Special Public Meeting of June 29, 2020 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 on June 19, 2020 and this notice 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.

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ROLL CALL: Via Conference Call

Councilmen Cascio, Cumming, DeSena, Councilwoman Morgan, Council President Feeney. Let the record reflect also participating via Conference Call: Mayor Calamari; Township Attorney Poller; Administrator Robert Tovo; Gary J. Vinci, RMS, PSA, of Lerch, Vinci and Higgins and Township Clerk Witkowski.

Public Service Announcement Council President Feeney

Please patron our restaurants in the Township, some do have outdoor dining which is a very nice option this time of year.

If any resident needs COVID-19 relief, please visit the Township website.

GENERAL PUBLIC DISCUSSION (Limit to five (5) minutes)

**\*\*TO PARTICIPATE IN THE GENERAL PUBLIC DISCUSSION PORTION OF THE MEETING, PLEASE DIAL IN ON 201-664-4659. YOU WILL BE ASKED TO STATE YOUR NAME AND ADDRESS FOR THE RECORD, AND WE ASK THAT ONLY ONE PERSON SPEAK AT A TIME. PLEASE NOTE THAT AT THE END OF THE GENERAL PUBLIC DISCUSSION, NO MORE CALLS WILL BE ACCEPTED\*\***

A motion was made by Councilman DeSena, seconded by Councilman Cumming, to open the General Public Discussion.

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

Nays: None.

Michael Ullman, 2 Clark Avenue – Mr. Ullman commented on not seeing items on the Agenda, such as the opening of Town Hall, but the Mayor mentioning it. He stated Councilman DeSena tried to interject something at the last meeting, but since it was not on the Agenda he was shut down, it seems like if it is not on the Agenda it gets shut down, everything else is fair play, he feels Council President Feeney is being disingenuous.

Joe D’Urso, 12 Viola Terrace – Mr. D’Urso asked will there be an update on the tax bill, did the Township receive the notice from the Board of Ed, is there an update on the DPW temporary relocation and has the Township gone out to bid on the Firehouse? Council President Feeney replied we do not have an update on the DPW, the negotiations are still going forward, there was some back and forth in a Closed Session and Administration is working on Council’s inquiries, she asked Mayor Calamari to give the update on the firehouse. Mayor Calamari stated he believes the bid package went out either Friday or today, he will confirm that first thing tomorrow, putting an update on the website. Council President Feeney asked Mr. Vinci to give an update on the estimated tax bills. Mr. Vinci replied this year, due to the unique situation that we are dealing with, the State of New Jersey advised all municipalities to send out estimated tax bills for the 3<sup>rd</sup> quarter. It is very rare that they recommend such a practice, many towns were doing that, but their recommendation to issue the tax bills was because they expect a delay in certifying municipal budgets back to the County Tax Board, with that delay the tax rate could not be established. What also compounded this year was that Bergen County had not adopted their annual budget, their budget hearing is not scheduled until July 29<sup>th</sup>, a final tax rate most likely will not be known in Bergen County until sometime in August. In May the Tax Collector prepared a certification based on the statutory limits that a levy is allowed to increase with an estimated tax, that is 5% increase over the prior year, the estimated tax bill is really just for that quarter. Once the final tax rate is known, any adjustment, plus or minus, will then appear in the final

adjustment of the 4<sup>th</sup> quarter bill starting November 1<sup>st</sup>. The school tax number was confirmed with the Board of Education, with us and the Tax Collector for the calendar year levy for their operation. The Council passed a Resolution in May, part of the issue was to have the bills printed, knowing that quite a few municipalities were expected to send out the bills, any adjustment based on the final tax rate will be clarified in Quarter 4 bills. He was told by the County today those bills may not go out until towards the end of August. Councilman DeSena said that Mr. Vinci stated he received the tax numbers from the school, what number did he use for the Township? Mr. Vinci replied the number that was in the resolution was estimated before the budget was introduced. Councilman DeSena asked what number was that? Mr. Vinci replied \$9,661,583. Councilman Desena stated that shows only surplus of 1.5 million, is that correct? Mr. Vinci replied all he has is the resolution that was submitted to the Council. Council President Feeney asked if Mr. Vinci email Council which surplus number was used in that number or would the CFO have that information. She stated she did receive some phone calls from residents who stated it was a little high, she did indicate to them it was an estimation of the tax bill because of the adoption of the budget, as well County issues. Mr. Vinci stated the County number had to be estimated and that allocation Countywide is not going to be known for another month or so, there may be an adjustment for the County levy as well. The County budget hearing is July 29<sup>th</sup>, then they have to allocate the taxes Countywide, varying by municipality by evaluation. Councilman DeSena asked if the Township used a 5% increase from last year for the County tax? Mr. Vinci replied that is what the Tax Collector put in the resolution, correct, he believes levy is going at 4%, it is not necessarily 4% for each community.

Anthony Conti, 490 Ridgewood Boulevard North – Mr. Conti thanked Council President Feeney for replying to his email. He understands according to the email he received from Council President Feeney, the swim club will not be used for the DPW, there were other questions that were not answered, one of the questions was has the Township explored other options, such as a shared service, instead of renting land. Council President Feeney said her email stated a definitive location was not determined, she did not say the swim club was not going to be used, there are inquiries going out to other town, and in general to various properties in the Township. The Administration has not finished negotiating, a final decision/option has not been brought to Council's attention, at this time everything is purely speculation until, as the government in our Township functions, the Administration finalizes what they are doing, brings it to Council, discuss it, agree, then it comes and it is put to the public, at the present time all options are on the table and are being explored. Mr. Conti asked was a request for bid put out to other towns to do a shared service, or is Council planning only to use Township property? Council President Feeney stated she does not have a definitive answer to say that we are using Township property or not, all options, including other towns services are being explored, but at the

present time there is no definitive answer she can give you or anyone on the Council can give you, because the Administration has not finished their negotiations with whoever is going to be used for the DPW. Mr. Conti asked is the Township putting out a request for bids from other towns for shared services? Council President Feeney stated she is not going to answer his question any differently, she does understand his concern, however, at the present time all options on the table. Yes, she has said that services from other towns are being explored, at the present time all options are on the table and are being discussed, however at the present time we haven't come to an agreement, the Administration has not finished negotiating, there is nothing definitive that she can give him. Mr. Conti asked if other towns were not requested to give a bid for shared services, how can that be taken into consideration if Council doesn't have the numbers in front of them? Council President Feeney replied other towns services are currently being explored. Mr. Conti asked so there was a bid request to other towns for shared services? Council President Feeney replied other town services are being explored, she doesn't have anything definitive to tell Mr. Conti that a specific bid went out or not, that is why all options are on the table, and are being explored. Mr. Conti asked was a bid for a shared service requested of any town? Council President Feeney replied currently everything is under negotiation with the Administration, at this time that is all the information she has. Mr. Conti asked Mayor Calamari if any request to any other town regarding bids for shared services, did the request go out to any other town? Mayor Calamari replied we have reached out to other towns who he cannot name, we are waiting to hear back from them, to gauge interest, to see even if they have room for us, once we narrow down the towns that could handle it, we will take it to the next level to negotiate with them. Mr. Conti thanked the Mayor, he appreciates the answer.

Julie Lipnick, 184 Finnerty Place – Ms. Lipnick stated she would assume the barricades that are at the Finnerty Place walkway, by the shopping center are there are due to Councilwoman's Morgan's concerns of kids riding their bikes by that area and going into the roadway, is that correct? Councilwoman Morgan replied that is correct, it is temporary. Ms. Lipnick stated it serves no purpose, as she has observed, the kids have made it a joke, weaving in and out of those barricades, one of them has been turned over, basically what has been created is another nuisance to the area residents because we cannot now bring the cart home, unload groceries, and bring the cart back. She stated she has observed a dozen kids, under the age of 16, cellphone in hand, one hand on bike, no helmets, language that she cannot repeat when they saw those barricades, they simply weave around them. She suggested as was done in the past putting together a bike safety program, the adults should not be penalized due to the kids lack of safety concerns. Councilwoman Morgan stated she agrees, more needs to be done, she is open for suggestions, she will reach out to Chief Skinner to see if there are any alternatives while a permanent solution is being figured

out. She appreciates Ms. Lipnick's perspective and does take her word for it. Ms. Lipnick stated years ago there were "No motor vehicle" signs there, that was a two-year fight because drivers would use that driveway to enter/exit the property instead of driving to the light, please do not fine the adults because they are not able to take advantage of what is across the street. Ms. Lipnick respectfully requests that Council President Feeney retract her statement from the June 15<sup>th</sup> meeting when the matter of the sewer was on the Agenda. She feels Council President Feeney gave the public the general impression that she had just submitted her documentation, looking for an instantaneous response, however that is not the case, all of the documentation was submitted back in March, and it has not been resolved, the sewer has been a problem for almost two years. She stated she finds it very interesting, as a resident that has sustained damage, as well as a major problem, she cannot get answers or get reports that the Health Department has, to which Administrator Tovo has stated several times he will look into and get a copy, she has nothing. She stated she is not going to be subjected to continuous damage in her home, she did not expect instantaneous reports, but she thinks submitting information two to three months out gives enough time to make a decision. Council President Feeney stated she was going off the documents that the entire Council received that were stamped received June 11<sup>th</sup>. Ms. Lipnick stated March 10<sup>th</sup> was the first submission, she has all of her documents, June 10<sup>th</sup> was a follow-up due to the fact she didn't get any answers, all of the emails between the Administrator and herself were all there, including the March 10<sup>th</sup> letter. Council President Feeney stated the Council was not privy to any of the emails between Ms. Lipnick and the Administrator, Council received the documents on June 11<sup>th</sup>, we did ask for an engineer's report. Ms. Lipnick stated every single bill was submitted on March 10<sup>th</sup>. Council President Feeney stated she doesn't disagree, Council received the information the date it is marked, she is not discrediting Ms. Lipnick, she is just giving her the information. Ms. Lipnick stated there was an original submission, no emails, a cover letter, then all the emails were forwarded, she stated she is living here almost 40 years, she did move into an area with a shopping center, the shopping center as it is now did not exist, the loading docks were in the back of the shopping center, the building was situated 65 feet further back, that being said, not one resident was every given the courtesy to review plans, no zoning board hearings, just a building permit. She stated Mr. Poller is well aware of what went on all of this was done without any input from the residents the attitude back then was it is only one house that is affected that is her home it all went through. She stated the Township of Washington has created a nuisance, under the Nuisance Law, health, lack of sleep, quality of life all become matters for which financial reimbursement can occur, and economic obsolescence as per the Tax Code, the Township has literally put a burden on me, my health is not what could be because of what she has to live with. She stated no one cares about the noise, trucks idling all day/night and accidents between trucks almost occurring. She stated as you see in her letter, she is asking the Township forgive herself and her husband the municipal portion of

her property taxes to make good for what she has to live with, she waits for a reply. She asks that the sewer problem be taken care of, a backflow preventer be installed in the street, so no one has to be impacted once again.

Annette DeSciора, 62 Edgewood Drive – Ms. DeSciора questioned why some callers get to speak for 20 minutes about their own personal issues, while others are cut off right away? (no response) She stated she would like clarification, the other caller indicated shopping carts are taken off the property of the supermarket, offsite, walking the shopping cart home, is that okay to be done? Councilwoman Morgan replied the caller has a point. Ms. DeSciора stated she of course she has a point, that is incredulous, she doesn't have that opportunity, this whole thing is crazy, Council needs to take some control, people are talking. Council President Feeney asked the caller to email her name and address, she does try to let her be at five-minutes, she didn't feel it was the right time to interrupt Ms. Lipnick. Councilwoman Morgan thanked the caller for her input.

Kevin Doyle, 655 Fern Street – Mr. Doyle asked what other, besides Washington Avenue, are on the list to be paved for the road improvement program? Administrator Tovo replied he can email the list to Mr. Doyle tomorrow. Mr. Doyle asked are there any residential roads? Administrator Tovo replied he will email Mr. Doyle the list tomorrow. Mr. Doyle asked is there any update on the intersection? Council President Feeney stated she believes there will be an update at the next meeting, July 13<sup>th</sup>. Mayor Calamari stated we are still going through property acquisition.

Joseph Scalia, 813 Ridgewood Boulevard East – Mr. Scalia spoke of his concerns of overdevelopment, plans to build 44 units next to the school, which would include low income housing in this area, 50 feet from the school. Council President Feeney stated she believes it is in front of the Zoning Board at this time. Councilman DeSena stated an application has been submitted to the Planning Board. Council President Feeney stated at this time, Council doesn't have it, she asked Township Clerk Witkowski when are the next Planning Board meeting? Township Clerk Witkowski replied July 1<sup>st</sup>, which is for one application, and July 29<sup>th</sup>. Council President Feeney stated it will be on the July 29<sup>th</sup> Agenda, there will be a public notice. Mr. Scalia stated he hopes the Mayor and Council are concerned about this, 44 units across from the school and 50 feet from the playground, as well as the Senior home proposed next to Season's, this is a concern for the parents. Mayor Calamari stated it is in front of the Zoning Board, the residents should have their voices heard on any application before the Zoning Board by emailing, writing, calling. Councilman Cumming stated the Zoning Board is an entirely separate from the function of Council, the residents within 200 feet will be notified by certified mail, then having the opportunity to join in the discussions/meetings. Mayor Calamari stated Councilman DeSena is the Council representative on the Planning Board, he would ask that he keep Council updated on such a large application.

Councilman DeSena stated the Board just received the application. Council President Feeney stated the Planning and Zoning Board meetings are being conducted through Zoom, they are not on WCTV, the resident needs to go on the website to find out when the meeting is and how to join.

Mike Lemken, 723 Amherst Drive – Mr. Lemken stated he is not in favor of the project, word got out through an article in the paper, resulting in over 60 phone calls into the Zoning Board meeting. He stated he supports the caller that lives on Finnerty Place, something needs to be done to help this resident, homes are bought, and then large developments are being shoved down our throats. He stated he understands the County increase of 5%, what were the rates used, his taxes went up more than 5%. Mr. Vinci stated the value of the home determines the increase that you had, the average home assessed at \$465,000. He believes the Tax Collector was using estimated amounts that were known in May, estimating the rate that was used in the tax bill, it is difficult to gauge the impact. It varies, if your home is higher than the \$465,000, the tax would be greater, if it is less, there would be less of an impact. Mr. Lemken stated he was at 6%, if 5% was done for the County, where is the 1%? He stated his home is assessed at \$508,000, which is not significantly more than \$465,000, on the Mayor's Facebook page he stated if a resident's home is assessed at \$465,000, the increase would be \$79, he assumes that is per quarter, the increase is around \$200 per quarter at \$508,000. Mr. Vinci stated the first two quarters you are paying a lower amount based on last year's tax calculations, the last two quarters in a calendar year is where the municipalities make up the difference with the tax rate. He stated to give you an idea, the estimated tax increase for the regional school is \$140, he doesn't know how the final calculations will come up, but he can say with estimated bills the amount the collector utilized. In certain situations, may have been greater than what the final number would be, but the calculations for the adjustment will be in the 4<sup>th</sup> quarter bill, if you paid more in the 3<sup>rd</sup> quarter than you should have, then your 4<sup>th</sup> quarter bill will be adjusted downward from what you should have paid. Mr. Lemken stated the \$79, for a home assessed at \$465,000 is not realistic for anyone, it probably doesn't make sense to anyone in the Township. Mr. Vinci stated the \$79 is just the municipal portion of the bill. Mr. Lemken stated he appreciates the explanation, but a large bill was sent, he feels information should have been given beforehand. Council President Feeney stated we can take that under consideration for next year, the information is also part of the budget.

A motion was made by Councilwoman Morgan, seconded by Councilman Cumming, to close the General Public Discussion.

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

Nays: None.

Councilman DeSena stated he would like to inform the public that the July 1<sup>st</sup> Zoom Planning Board meeting will be broadcast on WCTV. Council President Feeney stated they are working on it, it is not definitive yet, she didn't want to put it out there if it doesn't happen.

## ORDINANCES

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

#### Ordinance No. 20-06

CALENDAR YEAR 2020 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 Councilwoman Morgan, seconded by Council President Feeney to approve Resolution No. 19-238 authorizing second reading and opening of Public Hearing for Ordinance No. 20-06.

Ayes: Councilmen Cascio, Cumming, Councilwoman Morgan,  
Council President Feeney.

Nays: Councilman DeSena.

#### Resolution No. 20 – 238

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 20-06 entitled: AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) be read on second reading and the public hearing be held thereon pursuant to law.

Diane Grimaldi – Township Clerk Witkowski advised Ms. Grimaldi the public hearing is for the Ordinance 20-06, CAP Bank. Ms. Grimaldi stated she thought it was for the budget, she will call during that time.

A motion was made by Councilman Cumming, seconded by Councilwoman Morgan, to close the Public Hearing for Ordinance No. 20-06.

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

Nays: None.

A motion was made by Councilwoman Morgan, seconded by Councilman Cumming to adopt Ordinance No. 20-06.

Ayes: Councilmen Cumming, Councilwoman Morgan, Council President Feeney.

Nays: Councilmen Cascio, DeSena.



Ordinance No. 20-06

CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Washington in the County of Bergen finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 1.0% increase in the budget of said year, amounting to \$96,199 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Washington, in the County of Bergen, a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of Washington shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$336,695, and that the CY 2020 municipal budget for the Township of Washington be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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Ordinance No. 20-07

AN ORDINANCE HONORING TOWNSHIP VETERANS BY NAMING TOWNSHIP STREETS AFTER VETERANS

A motion was made by Councilman DeSena, seconded by Council President Feeney to approve Resolution No. 20-245 authorizing second reading and opening of Public Hearing for Ordinance No. 20-07.

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

Nays: None.

Resolution No. 20 – 245

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 20-07 entitled: AN ORDINANCE HONORING TOWNSHIP VETERANS BY NAMING TOWNSHIP STREETS AFTER VETERANS be read on second reading and the public hearing be held thereon pursuant to law.

No one on the line.

A motion was made by Councilman DeSena seconded by Councilwoman Morgan, to close the Public Hearing for Ordinance No. 20-07.

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

Nays: None.

A motion was made by Councilman DeSena, seconded by Councilman Cumming to adopt Ordinance No. 20-07.

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

Nays: None.

Ordinance No. 20-07

AN ORDINANCE HONORING TOWNSHIP VETERANS BY NAMING TOWNSHIP  
STREETS AFTER VETERANS

WHEREAS, the Township wishes to acknowledge the service of Veterans from the Township of Washington who have served their country by hereafter naming new streets created in the Township after Township Veterans;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Washington, that the Code of the Township is hereby amended by creating Article V within Chapter 433 of the Code of the Township of Washington entitled "Street Names" providing as follows:

1.

"ARTICLE V  
Street Names

1. § 433-30. Naming of streets.

All newly created streets in the Township of Washington shall be named after citizens of the Township of Washington who have served in the military forces of the United States. The chapter of Veterans of Foreign Wars serving the Township (the "VFW") shall be consulted by the Township Council in order to obtain the names of Township Veterans from the list of Township Veterans maintained by the VFW. The name selected by the Township Council from the list of Township Veterans shall be memorialized in a resolution adopted by the Township Council.

§ 433-31. Exceptions.

In the event that the VFW does not provide the name of a Township Veteran for commemoration by such street naming, or if the Township Council shall determine that special considerations exist which militates that a street be named after someone who was not a Township Veteran or named for something other than a Township Veteran, then the Township Council shall adopt a resolution reflecting such determination."

2. 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.

3. 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.

4. 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)].

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Ordinance No. 20-08

AN ORDINANCE AMENDING THE REQUIREMENTS FOR CANOPY SIGNS WITHIN THE TOWNSHIP OF WASHINGTON SHOPPING CENTER

A motion was made by Councilman DeSena, seconded by Councilwoman Morgan to approve Resolution No. 20-240 authorizing second reading and opening of Public Hearing for Ordinance No. 20-08.

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

Nays: None.

Resolution No. 20 – 240

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 20-08 entitled: AN ORDINANCE AMENDING THE REQUIREMENTS FOR CANOPY SIGNS WITHIN THE TOWNSHIP OF WASHINGTON SHOPPING CENTER be read on second reading and the public hearing be held thereon pursuant to law.

No one on the line.

A motion was made by Councilwoman Morgan, seconded by Councilman Cumming, to close the Public Hearing for Ordinance No. 20-08.

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

Nays: None.

A motion was made by Councilwoman Morgan, seconded by Councilman Cumming to adopt Ordinance No. 20-08.

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

Ordinance No. 20-08

AN ORDINANCE AMENDING THE REQUIREMENTS FOR CANOPY SIGNS  
WITHIN THE TOWNSHIP OF WASHINGTON SHOPPING CENTER

BE IT ORDAINED, by the Township Council of the Township of Washington, that Section 194-4.1 (D) of the Code of the Township of Washington is hereby amended as provided hereafter:

1. § 194-4.1 (D) is hereby amended to provide as follows:

“D. All canopy signs located in the pedestrian walkway frontage of the Washington Township Shopping Center building shall not exceed 2 1/2 feet in length and shall be in style and color to be established by the owner of the Washington Township Shopping Center.”

2. 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.

3. 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.

4. 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)].

Introduction, 1<sup>st</sup> Reading: None.

BUDGET RESOLUTIONS

Resolution No. 20-241

Certification of compliance with the United States equal employment opportunity  
commission

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to approve Resolution No. 20-241.

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

Resolution No. 20-241

Certification of compliance with the United States equal employment opportunity commission

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40a:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964", *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approval annual budget to the Division of local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidence by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Washington, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c. 183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Resolution No. 20-242

Waiver the reading in full of the 2020 Budget

A motion was made by Councilwoman Morgan, seconded by Councilman Cumming, to approve Resolution No. 20-242.

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

Nays: None.

Resolution No. 20-242  
Waiver the reading in full of the 2020 Budget

WHEREAS, N.J.D.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall:

- a. Be posted in a public place where public notices are customarily posted, and
- b. Is made available to each person requesting the same during said week and during the public hearing, and

WHEREAS, the Township of Washington has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Township is hereby permitted to waive the reading in full of the 2020 Municipal Budget.

Resolution No. 20-243  
Self-examination 2020 municipal budget

A motion was made by Councilwoman Morgan, seconded by Councilman Cumming, to approve Resolution No. 20-243.

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

Nays: None.

Resolution No. 20-243  
Self-examination 2020 municipal budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Washington has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the

Township meets the necessary conditions to participate in the program for the 2020 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that the 2020 municipal budget be examined in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The Township Council has found the budget has met the following requirements:

1. That with reference to the following items, if applicable, the amounts have been calculated pursuant to law and appropriated as such in the budget.
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met.
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly stated;
  - b. Items of appropriations are properly set forth
  - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.



2020 BUDGET ADOPTION  
\*PUBLIC HEARING ON THE 2020 TOWNSHIP BUDGET @7:30 P.M. AS  
ADVERTISED\*

**\*\*IF ANYONE DESIRES TO BE HEARD REGARDING THE 2020 TOWNSHIP BUDGET, PLEASE DIAL IN ON 201-664-4659. YOU WILL BE ASKED TO STATE YOUR NAME AND ADDRESS FOR THE RECORD, AND WE ASK THAT ONLY ONE PERSON SPEAK AT A TIME. PLEASE NOTE THAT AT THE END OF THE PUBLIC HEARING, NO MORE CALLS WILL BE ACCEPTED\*\***

A motion was made by Councilman Cumming, seconded by Councilwoman Morgan, to open public hearing on the 2020 Township Budget.

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

Nays: None.

*Please note that a copy of the 2020 Township Budget was posted on the Township web site on May 28, 2020, as noted in the advertisement placed in the Bergen Record and available by contacting the Township Clerk during normal business hours.*

Joe D'Urso, 12 Viola Terrace – Mr. D'Urso asked regarding 20-06, does the 3-2 vote carry/pass, or are 4 votes needed? Mr. Vinci replied the vote follows the normal adoption process of a Municipal Ordinance, which he believes is majority. Mr. D'Urso stated usually to establish a CAP bank, it usually takes 4 votes for the Council to pass, since it is money, does the 3-2 pass? Attorney Poller stated he agrees with Mr. Vinci, that is correct. Township Clerk Witkowski stated as per Mr. Vinci and Attorney Poller it passes with a 3-2 vote.

Michael Ullman 2 Clark Avenue – Mr. Ullman stated in the Public Notice for this evening's meeting there is a discussion on a number reported the amount of bonds, notes and loans of 6.785 million, this budget contemplates a 3-year Capital Plan of 4.4 million, components of that is 1.5 million for a ladder truck, 1.5 million in road programs, do you know what the prospective impact will be on tax payers if we move forward with the 4.4 million? Council President Feeney asked Mr. Vinci if he has that information. Mr. Vinci replied the debt will not be known, first of all, the Capital Budget is only a plan, until the Township Council adopts a Capital Ordinance authorizing those projects, the debt will really not be known until that point, the primary driving how much it would be would be the interest rate market conditions at that time, currently the interest rates are very low for municipal debt, obviously, if you are going out two years, there is a matter of estimation that you have to build into the interest rate, it is very difficult to estimate what the rate will be a year, even six-months down the road. He stated

the interest rates two months ago, due to the Pandemic were extremely high, they have since been reduced to where the market conditions for issuing government debt is actually very strong. As an example, last month a municipality sold, he believes it was 15-year bonds with an interest rate of under 2%, he doesn't know the impact, he would know it would be the timeframe that the Council adopts those ordinances, the Capital Budget is strictly a plan, a project that they have been discussing. Mr. Ullman stated the 6.785 does not include the 4.4 in the budget, this is for the Capital Plan. Mr. Vinci replied that is correct, the 6.7 million is only the outstanding bonds that the Township currently has. Mr. Ullman asked does Mr. Vinci know if the 6.785 include Ordinance 19-19, 6 million dollars for the Emergency Service Building or Ordinance 19-17, 1.1 million for DPW, \$650,000 for the pumper, \$750,000 for the radio upgrade, 1 million for prior year road program, that is another 9.7 million in ordinances passed, but not funded, if we were to do those ordinances, plus the 4.4 in the Capital Plan, we are looking at 13 million dollars in addition. Mr. Vinci replied that is correct. Mr. Ullman stated we don't know what that impact is. Mr. Vinci stated you will not know until the Township goes into the bond market to finance those projects, he would think initially those projects will be financed by anticipation notes, one-year note, and bonds may not be issued immediately. Township Clerk Witkowski stated whoever is pushing the button please stop, you need to wait your turn. Mr. Ullman understands Clerk Witkowski is doing the best she can, but it is almost impossible to have a dialogue, ask questions and hear answers. Township Clerk Witkowski stated she does agree. Council Presidents Feeney stated someone was on the line pushing buttons unnecessarily. Mr. Ullman stated it makes it very difficult to participate in the budget hearing. Councilwoman Morgan stated unfortunately we do not have any other options; we need to make good with what we have. Mr. Ullman stated we do have other options we choose not to use them. Councilwoman Morgan stated let's keep this moving this is not helpful. Mr. Ullman stated Councilwoman Morgan made the statement. Council Presidents Feeney asked Mr. Ullman if he has any more questions regarding the budget. Mr. Ullman stated he does not, he thinks the public should be aware that there is contemplated another 13 million dollars in capital expenditures that are not reflected in the increase of \$79 that was quoted, he is sure we will look forward to further increases. Council President Feeney asked if Mr. Ullman is still on the line? Mr. Ullman replied he is. Council President Feeney asked Mr. Ullman to finish the last part of his statement? Mr. Ullman stated the budget increase that we saw on the municipal line for the Township doesn't include 13 million dollars in contemplated expenditures, over 9 of which have been approved, but not funded, and another 4 that are part of a three-year Capital Plan, the residents should be aware. Council President Feeney asked if Mr. Ullman is still there. Township Clerk Witkowski stated there is someone playing games on the phone tonight. Mr. Ullman stated someone clearly doesn't appreciate his comments. Council President Feeney stated she doesn't know if it is directed at Mr. Ullman, someone may think this is funny, but it is not.

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to close public hearing on the 2020 Township Budget.

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

Nays: None.

Resolution No. 20-244

Adoption of the 2020 Township Budget

A motion was made by Councilwoman Morgan, seconded by Councilman Cumming, to approve Resolution No. 20-244.

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

Nays: Councilmen Cascio, DeSena.

Township Clerk Witkowski asked Attorney Poller to weigh in. Attorney Poller replied there is nothing to weigh in, motion carries. Council President Feeney states she did reach out to Council more than once, to see if anyone had any issues with the budget, she did not receive any responses. She said there have been debates, but at the last meeting we were all in agreement.

Resolution No. 20-244

Adoption of the 2020 Township Budget

BE IT RESOLVED, by the Governing Body of the Township of Washington, County of Bergen that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorized of the amount of:

- (a) \$9,461,583 (Item #2 below) For Municipal Purposes; and
- (e) \$ 609,902 (Item #5 below) Minimum Library Tax

SUMMARY OF REVENUES

1. General Revenues	
Surplus Anticipated	\$ 1,800,000
Miscellaneous Revenues Anticipated	1,511,401
Receipts from Delinquent Taxes	272,000
2. Amount to be raised by Taxation for Municipal Purposes (Item 6(a), Sheet 11)	9,461,583
5. Amount to be raised by Taxation-Minimum Library Levy	609,902
Total Revenues	\$13,654,886

SUMMARY OF APPROPRIATIONS	
5. General Appropriations	
Within "CAPS"	
(a & b) Operations Including Contingent	\$ 8,935,428
(e) Deferred Charges and Statutory Expenditures	
Municipal	1,167,847
Excluded from "CAPS"	
(a) Operations-Total Operations	
Excluded from "CAPS"	
(c) Capital Improvements	160,000
(d) Municipal Debt Service	965,700
(e) Deferred Charges – Municipal	89,224
(m) Reserve for Uncollected Taxes	715,000
Total Appropriations	
	\$ 13,654,886

It is hereby certified that the within budget finally adopted by resolution of the Governing Body on the 29<sup>th</sup> day of June, 2020. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2020 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

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

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

Nays: None.

Time Noted: 9:08 p.m.

/s/ Susan Witkowski  
Township Clerk

/s/ Stacey Feeney  
Council President

Approved: March 4, 2021