

TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY  
REGULAR MEETING MINUTES  
December 21, 2020~7:30 p.m.

**☞PLEASE NOTE THIS IS A VIRTUAL MEETING  
WITH REMOTE PUBLIC COMMENT☞  
DUE TO CORONAVIRUS PANDEMIC**

**COUNCIL MEETINGS NOW LIVE STREAMED** - To view the council meetings live, go to [WCTVNJ'S YouTube](#) and click on channel "[Township Council Meetings](#)". The YouTube live stream will be available to view during the live council meeting.

CALL TO ORDER: Council President Feeney

STATEMENT:

Welcome to the regularly scheduled Public Meeting of December 21, 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 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 Conference Call

Councilmen Cascio, Cumming, DeSena, Councilwoman Morgan, Council President Feeney. Let the record reflect also participating via Conference Call: Administrator Tovo; Mayor Calamari; Township Attorney Poller and Township Clerk Susan Witkowski.

Public Service Announcement read by Council President Feeney

CORONAVIRUS

For the latest updates and message from our Health Officer, please visit the Township website.

COVID TESTING – Bergen County has launched a Drive-thru COVID Testing Site at Bergen Community College through December 30, 2020. The program will offer antigen nasal swab rapid COVID-19 tests that provide results in 24 hours or less, please visit our website for dates and registration information.

COUNCIL MEETINGS NOW LIVE STREAMED-To view the Council meetings live, please visit the township website for further information.

KINDERGARTEN REGISTRATION-has opened, please visit our website for registration information.

HOLIDAY HOME DECORATING CONTEST-Bring out the Tinsel, bring out the bows, bring out the Lights and Cue the Snow!! Enter the Township of Washington's HOLIDAY HOME Decorating Contest! Winners: Your home will be featured on social media and a winner chosen through online voting, plus receive a holiday prize basket, and lawn sign displaying your achievement! DEADLINE: All entries must be submitted by 6:00pm on Wednesday, December 23, 2020.

Online voting begins December 24 and ends at midnight on January 2nd, 2021. Winner will be announced on January 3rd on Facebook. Entries will help create a map for families to visit your creative work in person.

2020 PBA TOY DRIVE - The 32nd Annual PBA Toy Drive is happening! Over 45 participating agencies collecting toys to make the holidays special. Tomorrow's Children Hospital, US Military Families, Valley Hospital Pediatric Center are just a few organizations that benefit from our toy drive! Please donate a new unwrapped toy to our police headquarters located at 350 Hudson Avenue.

WASHINGTON TOWNSHIP FIRE DEPARTMENT CHRISTMAS TREE SALE - This year the Fire Department is selling trees, wreaths and other greens at Memorial Field daily from 10am to 9pm. Tree prices range from \$25 - \$150

ZONING BOARD OF ADJUSTMENT SEEKING MEMBERS - The Township Council is soliciting resumes and/or letters of interest/qualifications, from Township residents to be appointed to the Zoning Board for two (2) regular members and (1) alternate member. The functions of the Board are described in the Township Code, Chapter 585. All interested parties are asked to submit documents by the end of business day, Dec. 28, 2020 to be considered for the appointment. Please submit letters to Susan Witkowski, Township Clerk, 350 Hudson Avenue, Township of Washington, or electronically to Sue Witkowski, subject: ZBA Appointment.

APPROVAL OF MINUTES: None.

RECOGNITION:

Township/Westwood Cardinals  
Junior Football/Cheer Program

Peter Calamari, Mayor  
Desserie Morgan, Councilwoman  
Chris Bulger, Joseph Scalia Coaches

Mayor Calamari – Congratulations to the Junior Cardinal Football team for winning the championship over Norwood by a score of 12-7 and the Junior Cheer Program. Both girls and boys worked hard during this extremely difficult year, they are teaching the younger children that anything can be accomplished if you work together as a team. At this time, I would like to turn it over to Councilwoman Morgan.

Councilwoman Morgan – It has not been an ideal year, but I commend the girls and congratulate the boys. We are stronger united, and next year will be even better, I am so proud. Thank you to all the adult volunteers, without whom we could not have pulled this off, thank you for an amazing job.

Chris Bulger – Thank you for recognizing what the boys have accomplished this year, combining the two programs has been a long time coming, and it is a bright future combining the two towns. Thank you for everyone’s support, the players get along and work together great, doing so they won the championship, which is incredible. The coaches and players are amazing, we are one Cardinal Team now and look forward to a bright future, not only with the current players, but with upcoming players, and those that played are always welcomed back. Thank you for everyone’s support, without the support, this would not have been possible. He would like to recognize all the players and coaches as well, everyone worked hard, thank you.

Joseph Scalia – Thank you Chris Bulger, we were quarantined for four-weeks, still came back strong, without his leadership, we would not have been able to do so. There is one team, not Westwood Cardinals or Township Cardinals, we are the “Cardinals” that is what we are focused on. Thank you, Mayor Calamari, for your support and commitment, Council members, especially Councilwoman Morgan, who is a true example of what it means to volunteer. Thank you to

Eammon Twomey, Joe Setticase, Dan Scudieri and all the parents and volunteers who helped with emails, communications, lining the fields, helping the players get ready, thank you for your commitment it really makes our towns a great place to raise our kids and continue to raise our kids. On behalf of Coach Bulger and myself, I would like to wish everyone a great Holiday Season and we look forward to next year's season.

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

**\*\*TO PARTICIPATE IN THE GENERAL PUBLIC COMMENT 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, THERE IS A FIVE-MINUTE LIMIT PER CALLER. PLEASE NOTE THAT THIS IS PUBLIC COMMENT AND COMMENTS BY THE COUNCIL OR 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 DeSena, seconded by Councilman Cumming, to open the General Public Discussion.

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

Nays: None.

Meagan DePiero, 28 Gabriel Way – Ms. DePiero stated she is a volunteer coach of the Pee Wees, before that Flag. She would like to give recognition to all those that spoke tonight and to Desserie Morgan who had a huge impact on the program, she loves seeing Westwood and the Township together, that is who we are and will be going forward.

Elizabeth Leahy, 275 Wilson Avenue – Ms. Leahy stated the back of her home is on Hudson, she noticed this morning that a town employee was putting yellow ribbons around the trees behind the Dog House, the trees are also marked with an orange X. She stated the person she spoke with indicated the trees were going to be cut down to put a shed there, and something about salt and trucks. She would like to know if this decision is being made, if alternatives were looked into and what the final cost would be for cutting down the trees and engineering fees, she doesn't feel this is the best place. She also spoke of a fox family that lives in the area and the environmental impact on the animals, disturbing of the environment, she would like more information.

Diane Grimaldi, 441 Van Emburgh Avenue – Ms. Grimaldi questioned the resolution to refund Viviano overpayment of taxes in 2020, since Viviano has had Woodland Farmland status since 2019. She would like some clarity on how that mistake was made, was it by the Tax Collector, Tax Assessor and did Viviano actually pay the \$12,000 in 2020.

Michael Ullman, 2 Clark Avenue – Mr. Ullman wanted to follow-up on whether the Tax Collector received feedback on the determination of Farmland exclusion on the Viviano property, if there is a particular event that will force or change that designation for the Farmland, if that property becomes a fully taxable piece of property. He would also like to know if any grants were submitted for the pumper, is it for the tower that is on order, or for the Emergency Services, since we do have a Grant Writer on retainer. He stated on the Bill List, page 104, tree removal 988 Adams, he would like to know why the Township paid for a tree removal that was on private property. Regarding OLG and the parking of DMF vehicles, did the Tax Assessor make a determination of the impact of the tax status regarding OLG, if they are doing this for revenue and receiving revenue,

does it impact their tax status or a portion of their exemption. He also would like to know the status of background checks with adult volunteers, he understands that some activities were not held (due to pandemic) but there was football and cheer, participated on Township property, which is part of the ordinance, he would like to know if and when background checks were done, or do we just not care, because that is what it comes down to.

Anthony Udina, 876 Ridgewood Boulevard East – Mr. Udina asked is their update or any additional information that can be disclosed regarding 450 Pascack Road.

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

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

Nays: None.

#### COUNCIL COMMENTS:

Council President Feeney stated we did address Viviano at the end of the last meetings comment section. She asked Attorney Poller if we should start with that.

Attorney Poller replied due to developments that occurred today, he would like pulled, Resolution No. 20 – 314, that is the refund. He stated as far as the Sunset situation, it is when the property is not used for farmland any longer, this is a question for the Tax Assessor, that is when they get approval for a different use, is it when they actually build, stop using it for wood. Clearly the statute talks of the change in use and a two-year roll-back, but the actual implantation of it, that would be the Assessor, he would be the one to initiate the change-over. Administrator Tovo stated he spoke with the Assessor today, if they are not in compliance with the Farmland Act, they lose the exemption, there is no sunset unless the property applies for a new use or is not in compliance. Council President Feeney stated just to clarify, the application for the Farmland will change when they are not in compliance or there is a new use determined for the property. Administrator Tovo stated that is correct. Councilman DeSena asked when is the roll back period? Attorney Poller replied two years, roll back means you would receive the taxes back for a two-year period, Sunset means they do not get the application of the Farmland Assessment going forward, that is a change in use. Attorney Poller stated the statute does speak of the change in use, there may be something in the manual for the assessor as to whether that is an approval for a different use, implementation of the use, shovel in the ground, we do need to reach out to the Assessor for clarification. Council President Feeney requested Administrator Tovo to reach out to the Assessor to check the manual. She asked do we know if this roll back or Sunset is automatically going to apply here. Attorney Poller replied Sunset to him means when somethings is automatically over, that is when the assessment for the particular tax year will not be applicable as farmland. The roll back is previous taxes for two years that farmland is in effect, the Tax Assessor can clarify this in the form of a memo that can be read, it should not be a problem, this is basic for an Assessor.

Mayor Calamari stated regarding the property behind the Dog House, he will have a report later in the evening.

Councilwoman Morgan stated regarding background checks, she does want to see this happen for all volunteers. As far as Cheer, her background was not checked, so she is assuming that the rest of Cheer was not checked. She wants to make this a priority; she did reach out to Administrator Tovo it is a work in

progress we would like to get everyone to use the same company that baseball uses so it will be uniform across all of the activities. Councilman DeSena stated baseball uses LexisNexis, it is part of their Charter, we cannot add to it. Administrator Tovo replied a separate account would be created. Councilwoman Morgan stated we want to use the same organization/vendor as baseball uses, not just for sports, as this would extend to all volunteers, she feels more clarity is needed for the Township, if not LexisNexis, maybe we can go another route. Council President Feeney asked what happened to the process last year, with the company we spoke about? Administrator Tovo replied we decided to go with Name Checks only with our volunteer coaches. Councilwoman Morgan requested a timeline for updates so it doesn't fall to the wayside, a date be set for background checks to be completed, this does need to be done. Administrator Tovo replied yes, he will reach out directly to the vendor. Councilman Cascio stated AAU also does background checks, administration can also look into that company.

Council President Feeney asked does the administration have any information from the Grant Writer? Administrator Tovo stated there are no grants for the building or ladder truck, the Grant Writer will be looking into what's coming up, what will be available and if the Township is eligible.

Council President Feeney stated regarding 450 Pascack, it is a work in progress, there is no update at this time, anything that is negotiated behind the scenes cannot be spoken about at this time.

Councilman Cumming stated he has no comments at this time.

Councilman Cascio stated he has no comments at this time.

Councilman DeSena wished everyone Happy Holidays, great job by the Cheer and Football programs. He would like to see something done in recognition of Scott Spezial at Memorial Field, perhaps a banner underneath the scoreboard, or renaming of the field, he did so much for the town programs. He sated there are no update on grants, and Viviano will be spoken about later. Council President Feeney replied the resolution (21-314) is being pulled off the Consent Agenda. Councilman DeSena stated regarding background checks, there are two vendors that Little League allows us to use, that is LexisNexis and JDF. He can provide all of the information online, this has been discussed for three years, still has not been done, it is time to do something.

#### MAYOR/ADMINISTRATOR COMMENTS:

Mayor Calamari stated regarding the trees, more have been marked that will be coming down, the orange X mark doesn't mean the tree will come down. Regarding Viviano and the payment of taxes, he cannot speculate why they paid, that is a question for them. The Grant Writer has secured about \$107,000 in total, he did look but there was nothing for the Fire House or equipment. He and Director Eamonn Twomey are looking into naming the field or scoreboard Scott Spezial. Administrator Tovo stated regarding tree removal, it is not private property, but it may be close to. Councilwoman Morgan requested Councilmen Cascio and DeSena email her the information regarding background checks, copying Administrator Tovo.

#### ORDINANCES

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

Ordinance No. 20-15



AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN AND STATE OF NEW JERSEY, AMENDING CHAPTER 540, ARTICLE XXI, OF THE TOWNSHIP CODE, ENTITLED "AFFORDABLE HOUSING" TO CLARIFY AND SUPPLEMENT PROVISIONS OF THE ORDINANCE RELATING TO VERY LOW INCOME HOUSEHOLDS, THE CALCULATION OF INCOME LIMITS, AND MONITORING OF THE TOWNSHIP'S AFFORDABLE HOUSING PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF THE COURT, THE NEW JERSEY FAIR HOUSING ACT AND RELEVANT REGULATIONS GOVERNING THE PROVISION OF AFFORDABLE HOUSING

A motion was made by Councilman DeSena, seconded by Council President Feeney to approve Resolution No. 20-334 authorizing second reading and opening of Public Hearing for Ordinance No. 20-15.

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

Nays: None.

Resolution No. 20-334

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 20-15 entitled: AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN AND STATE OF NEW JERSEY, AMENDING CHAPTER 540, ARTICLE XXI, OF THE TOWNSHIP CODE, ENTITLED "AFFORDABLE HOUSING" TO CLARIFY AND SUPPLEMENT PROVISIONS OF THE ORDINANCE RELATING TO VERY LOW INCOME HOUSEHOLDS, THE CALCULATION OF INCOME LIMITS, AND MONITORING OF THE TOWNSHIP'S AFFORDABLE HOUSING PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF THE COURT, THE NEW JERSEY FAIR HOUSING ACT AND RELEVANT REGULATIONS GOVERNING THE PROVISION OF AFFORDABLE HOUSING be read on second reading and the public hearing be held thereon pursuant to law.

PRELIMINARY COMMENTS/Ord. 20-15:

Stan Slachetka, PP, AICP  
T&M Associates

Mr. Slachetka – Ordinances 20-15, 20-16 and 2017 are amendments to the existing ordinances that are on the books in the Township. The Township Affordable Housing Plan has been recently approved by the Court this addresses the obligation. The Court appointed a Special Master that advises the Court on affordable housing matters. That Court Master made certain recommendations to the Court with regards to the Township. among them are amendments to the Township's existing Affordable Housing Ordinances, most of these are technical in nature, need to be approved by the Township so they are fully up to date and meet the requirements of the Court Master. These ordinances are very technical in nature.

Ordinance 20-15 amends the Township's Affordable Housing Ordinance, which governs the process and procedures of construction, marketing to the region, income to occupy the housing units. The first amendment governs the way the units are termed to be affordable, how individual families become income qualified, low-moderate income occupying of the units, maximum income to occupy the units. Administrative Agent, CGHP is responsible for affirmative marketing, qualifying households, governing of the procedure and process. The second amendment, the requirement is 13% of the affordable units created in the Township are to be eligible and qualified by families of very low income, which is 30% of the median region, in Bergen County, the amendment is updating it from 10% to 13% to make sure that it is consistent with the current statutory

requirement, the Township has no flexibility. The third amendment relates to the way the Township is required to submit annual monitoring documents to the Court, showing progress in achieving the affordable housing obligation, tracking the same language that exists in the Settlement Agreement that the Township entered into with the Fair Share Housing Center, which is the advocacy group for affordable housing statewide and is party to the Township's affordable housing plan with the Court. This is allowing the Township to be up to date with the Court Master's recommendation on the Township's Affordable Housing Ordinance. Council President Feeney stated Mr. Slachetka will answer any question the public may have.

\*\*IF ANYONE DESIRES TO BE HEARD REGARDING ORDINANCE NO. 20-15 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\*\*

No calls received.

A motion was made by Councilman DeSena, seconded by Councilman Cascio, to close the of Public Hearing for Ordinance No. 20-15.

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

Nays: None.

A motion was made by Council President Feeney, seconded by Councilman DeSena, to adopt Ordinance 20-15 at second reading by title.

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

Nays: None.

#### Ordinance No. 20-15

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN AND STATE OF NEW JERSEY, AMENDING CHAPTER 540, ARTICLE XXI, OF THE TOWNSHIP CODE, ENTITLED "AFFORDABLE HOUSING" TO CLARIFY AND SUPPLEMENT PROVISIONS OF THE ORDINANCE RELATING TO VERY LOW INCOME HOUSEHOLDS, THE CALCULATION OF INCOME LIMITS, AND MONITORING OF THE TOWNSHIP'S AFFORDABLE HOUSING PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF THE COURT, THE NEW JERSEY FAIR HOUSING ACT AND RELEVANT REGULATIONS GOVERNING THE PROVISION OF AFFORDABLE HOUSING

WHEREAS, the Washington Township Planning Board adopted the Washington Township Housing Plan Element and Fair Share Plan on July 26, 2017; and

WHEREAS, the Washington Township Council endorsed the Washington Township Housing Plan Element and Fair Share Plan on August 7, 2017; and

WHEREAS, the Township's previously adopted Affordable Housing Ordinance implements and incorporates the Township's adopted and endorsed Housing Element and Fair Share Plan which addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1 et seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985; and

WHEREAS, the Township's Affordable Housing Ordinance is intended to provide assurances that very low-, low- and moderate-income units ("affordable units") are created with controls on affordability over time and that very low-, low- and moderate-income households shall occupy those units and whereas this

ordinance sets forth the administrative mechanisms necessary to implement the Township's Fair Share Plan; and

WHEREAS, the Township's Housing Plan Element and Fair Share Plan and related ordinances implementing that plan, including the Affordable Housing Ordinance, are the subject of a settlement agreement between the Township and the Fair Share Housing Center (FSHC) that has been reviewed and approved by the Court; and

WHEREAS, pursuant to the recommendation of the Court-appointed Planning Master assigned to the Township's case, the Township wishes to amend its Affordable Housing Ordinance to revise certain provisions of the ordinance related to housing that is affordable to very low income households as defined by relevant regulations and statutes, and to add language related to the calculation of the required income limits for very low-, low-, and moderate-income units and the monitoring of the township's affordable housing plan.

BE IT ORDAINED, by the Township Council of the Township of Washington in the County of Bergen and State of New Jersey as follows:

SECTION 1. Section 113, Paragraph M, of Chapter 540, Article XXI of the Township of Washington Code, "Affordable Housing", is hereby amended to add the following new language as follows (new language is shown as bold and underlined and deleted language is shown in bold and cross-out):

M. Maximum Rents and Sales Prices:

- (1) In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in the UHAC, utilizing the regional income limits established by COAH or a successor entity.
- (2) Income limits for all affordable units that are part of the Township's housing plan for which income limits are not already established through a federal program exempted from the UHAC pursuant to N.J.A.C. 5:80-26.1 shall be updated by the Township annually within 30 days of the publication of determinations of median income by HUD as follows:
  - (a) Regional income limits shall be established for the region that the Township is located within (i.e., Region 1) based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial Census in the Township's housing region. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very low-income unit for a household of four shall be 30 percent of the regional weighted average median income for a



family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.

(b) The income limits are the result of applying the percentages set forth in subparagraph (a) above to HUD's determination of median income for the current fiscal year (FY) and shall be utilized until the Township updates the income limits after HUD has published revised determinations of median income for the next fiscal year.

(c) The Regional Asset Limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3 shall be calculated by the Township annually by taking the percentage increase of the income limits calculated pursuant to subparagraph (a) above over the previous year's income limits and applying the same percentage increase to the Regional Asset Limit from the prior year. In no event shall the Regional Asset Limit be less than that for the previous year.

(2) 3) The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted rental units shall be affordable to households earning no more than 52 percent of median income.

(3) 4) The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least ~~10~~ 13 percent of all low- and moderate-income rental units shall be affordable to very low-income households, earning 30 percent or less of the regional median household income.

(4) 5) The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type, and low-income ownership units must be available for at least two different sales prices for each bedroom type.

(5) 6) In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:

(a) A studio shall be affordable to a one-person household;

(b) A one-bedroom unit shall be affordable to a one- and one-half person household;

(c) A two-bedroom unit shall be affordable to a three-person household;

(d) A three-bedroom unit shall be affordable to a four and one-half person household; and

(e) A four-bedroom unit shall be affordable to a six-person household.

~~(6~~ 7) In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:

(a) A studio shall be affordable to a one-person household;

(b) A one-bedroom unit shall be affordable to a one- and one-half person household; and

(c) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.

~~(7~~ 8) The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

~~(8~~ 9) The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate size household, including an allowance for tenant paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

~~(9~~ 10) The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the Administrative Agent be lower than the last recorded purchase price.

~~(10~~ 11) The rent of low- and moderate-income units may be increased annually based on the permitted percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low-income housing tax credits.

SECTION 2. Section 114, Paragraph C, of Chapter 540, Article XXI of the Township of Washington Code, "Affordable Housing", is hereby amended as follows (deleted language is shown as bold and crossed-out):

C. In accordance with N.J.S.A. 52:27D-329.1 (P.L. 2008, C. 46) at least 13 percent of the affordable units provided within the Township shall be reserved for very low-income households, i.e., households earning 30 percent or less of the median income, and of that amount at least 50 percent shall be reserved for very low-income families (i.e., non-age restricted and not reserved for special needs populations). For developments with ~~eight (8) or more~~ affordable housing units ~~on-site~~, at

least 13 percent of all low- and moderate-income units shall be affordable to households earning no more than 30 percent of median income. A minimum of 50 percent of these units shall be reserved for very low-income families.

SECTION 3. New Section 118, "Monitoring Requirements", is hereby added to Chapter 540, Article XXI of the Washington Township Code, "Affordable Housing", as follows:

§540-117 Monitoring requirements.

- A. Purpose. The purpose of these provisions is to institute various monitoring requirements set forth in an executed Settlement Agreement dated March 22, 2017 and made between the Township of Washington and the Fair Share Housing Center.
- B. On the first anniversary of the approval of the Township's Spending Plan, which is described in Chapter 513, and every anniversary thereafter through the expiration of the Township's Settlement Agreement with the Fair Share Housing Center, the Township shall provide annual reporting of trust fund activity to the New Jersey Department of Community Affairs, or other entity designated by the State of New Jersey, with a copy provided to the Fair Share Housing Center and posted on the municipal website. Forms developed for this purpose by the New Jersey Department of Community Affairs or COAH shall be used to report trust fund activity. The reporting shall include an accounting of all trust fund activity, including the source and amount of funds collected, and the amount and purpose for which any funds have been expended.
- C. On March 22, 2018 (i.e., the first anniversary of the execution of the Township's Settlement Agreement with the Fair Share Housing Center) and every March 22 thereafter through the expiration of said Settlement Agreement, the Township shall post reporting of the status of all affordable housing activity on the municipal website with a copy of such posting provided to the Fair Share Housing Center. Forms developed by COAH or any other forms endorsed by the Court shall be used for this purpose.
- D. On July 1, 2020, the Township shall post a midpoint realistic opportunity review on its municipal website, with a copy provided to the Fair Share Housing Center. The midpoint realistic opportunity review, which is required by N.J.S.A. 52:27D-313, shall provide details on the implementation of the Township's adopted Housing Element and Fair Share Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether the mechanisms to meet unmet need should be revised or supplemented. The posting of the municipal review shall invite any interested party to submit comments to the municipality, with a copy to the Fair Share Housing Center, regarding whether any sites no longer present a realistic opportunity and should be replaced and with the mechanisms to meet unmet need should be revised or supplemented.
- E. Within 30 days of March 22, 2017, the Township shall post on its municipal website, with a copy provided to the Fair Share Housing Center, a status report as to the municipality's satisfaction of its very low-income requirements. Such posting shall invite any interested party to submit comments to the municipality and Fair Share Housing Center on the issue of whether the municipality has complied with very low-income requirements.

SECTION 4. This Ordinance shall be subject to review and recommendation by the Township of Washington Planning Board in accordance with N.J.S.A. 40:55D-26 and notice requirements of N.J.S.A. 40:55D-62.1.

SECTION 5. All ordinances or parts thereof that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

SECTION 6. The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

SECTION 7. This Ordinance shall take effect immediately upon its final passage and publication as required by law and filing with the Bergen County Planning Board.

\*\*\*\*\*

Ordinance No. 20-16

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN, AND STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 513 OF THE TOWNSHIP CODE, ENTITLED "DEVELOPMENT FEES" TO UPDATE PROVISIONS ASSOCIATED WITH AFFORDABLE HOUSING DEVELOPMENT FEES

A motion was made by Councilman DeSena, seconded by Council President Feeney to approve Resolution No. 20-335 authorizing second reading and opening of Public Hearing for Ordinance No. 20-16.

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

Nays: None.

Resolution No. 20-335

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 20-16 entitled: AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN, AND STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 513 OF THE TOWNSHIP CODE, ENTITLED "DEVELOPMENT FEES" TO UPDATE PROVISIONS ASSOCIATED WITH AFFORDABLE HOUSING DEVELOPMENT FEES be read on second reading and the public hearing be held thereon pursuant to law.

PRELIMINARY COMMENTS/Ord. 20-16:

Stan Slachetka, PP, AICP  
T&M Associates

Mr. Slachetka – This ordinance is amending the existing ordinance that is on the books, it is another component to the Township’s implementation of the court approved housing plan requested by the Court Master. This brings the provisions of the current mandatory development fees up to date to meet the court approved development fees recommended by the Court Master. This ordinance relates to the current mandatory development fees for any development, residential or commercial, proposed to improvement to the Township that is not providing affordable housing as part of the development, pay a fee for affordable housing purposes, which is deposited into a trust fund

only to be used for the various implementations of components of the affordable housing plan, such as administrative purposes, it is a way to fund the affordable housing activities that are taking place, it is an implementation of the Township's plan, it is already taking place in an eligible project, it is required to collect those fees. The fees for commercial properties the fees are required by statute, if nothing is done by the Township, those monies would go directly to the State, not the Township, because the Township does have a development ordinance, it does have the opportunity to collect those fees. The ordinance speaks on how the fees are collected, the procedure if a developer wishes to appeal, sets for the percentages, equalized assessed value that is charged for both residential and non-residential. There was a request by the Court Master, based on input from the Fair Share Housing Center, to require the collection of fees for situations where a residential property would be demolished completely and replaced by a brand new structure, the difference of the net value would be assessed of 1.5% based on the equalized assessed value on improvements, based on a request on conversations and a request by the Council to the Court Master and the Court, we were able to reduce the fee to 0.5% (half-percent) of equalized assessed value, benefitting the Township. The structure of this ordinance is consistent with ordinances that have been approved in many other towns and is a required component implemented by the housing plan, it is a mechanism of funding which is to take place, is a request and requirement of the Court Master, and is an amendment of existing ordinances that are currently on the books. All of these ordinances have been reviewed by the Planning Board at their meeting, and determined to be consistent with the Township's Master Plan.

**\*\*IF ANYONE DESIRES TO BE HEARD REGARDING ORDINANCE NO. 20-16 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\*\***

No calls received.

A motion was made by Councilman Cascio, seconded by Councilwoman Morgan, to close the of Public Hearing for Ordinance No. 20-16.

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

Nays: None.

A motion was made by Councilman DeSena, seconded by Council President Feeney, to adopt Ordinance 20-16 at second reading by title.

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

Nays: None.

#### Ordinance No. 20-16

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN, AND STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 513 OF THE TOWNSHIP CODE, ENTITLED "DEVELOPMENT FEES" TO UPDATE PROVISIONS ASSOCIATED WITH AFFORDABLE HOUSING DEVELOPMENT FEES

WHEREAS, in *Holmdel Builder's Association v. Holmdel Township*, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27D-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules; and



WHEREAS, pursuant to PL 2008, c.46, Section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH)is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans, and municipalities that are under the jurisdiction of a court of competent jurisdiction and have an approved spending plan may retain fees collected from non-residential development; and

WHEREAS, pursuant to the March 10, 2015 Order of the New Jersey Supreme Court in in re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (*Mount Laurel IV*), the Court transferred all COAH's functions, powers, and duties to the Courts, and thus, any and all references to COAH shall mean the Courts or successor agency to COAH if such entity is established by statute; and

WHEREAS, this ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to the Court's regulations and in accordance PL 2008, c.46, Sections 8 and 32 through 38.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Washington in the County of Bergen and State of New Jersey as follows:

SECTION 1. Chapter 513, Development Fees, relating to Mount Laurel housing, is hereby deleted in its entirety and replaced with the following new Chapter 513:

#### Chapter 513 Development Fees

##### §513-1 Purpose.

In *Holmdel Builder's Association V. Holmdel Township*. 121 NJ 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27D-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.

- A. Pursuant to PL 2008, c.46, Section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), the Council on Affordable Housing (COAH) is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of a court of competent jurisdiction and have an approved spending plan may retain fees collected from non-residential development.
- B. Pursuant to the March 10, 2015 Supreme Court Order in in re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (*Mount Laurel IV*), the Court transferred all COAH's functions, powers, and duties to the Courts. Any and all references to COAH shall mean the Courts or successor agency to COAH if such entity is established by statute.
- C. This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to the Court's regulations and in accordance PL 2008, c.46, sections 8 and 32 through 38.

##### §513-2 Basic Requirements.

- A. This Ordinance shall not become effective until approved by the Court.
- B. The Township of Washington shall not spend development fees until the Court has approved a plan for spending such fees (Development Fee Spending Plan).

§513-3 Definitions.

A. The following terms, as used in this ordinance, shall have the following meanings:

“Affordable housing development” means any residential development that consists of dwelling units that are affordable to persons and families of low or moderate income within the meaning of the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301et al.) and is included in or approved pursuant to the Housing Element and Fair Share Plan, or otherwise addresses the Township’s fair share obligation. This includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable housing development.

“COAH” or the “Council” means the New Jersey Council on Affordable Housing established under the Fair Housing Act or the Courts or successor agency to COAH if such entity is established by statute.

“Development fee” means money paid by a developer for the improvement of property as permitted in Holmdel Builder’s Association v. Holmdel Township. 121 NJ 550 (1990) and in N.J.A.C. 5:93-8.

“Developer” means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

“Equalized assessed value” means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).

“Green building strategies” means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

§513-4 Imposition of affordable housing development fees.

A. Residential Development

(1) Within all the Township zoning districts, residential developers, except for developers of the types of development specifically exempted below or as specified in paragraph A (3) of this subsection, shall pay a fee of one and one-half percent (1.5%) of the equalized assessed value for residential development, provided that no increased density is permitted.

(2) Where an increase in density is permitted through a variance granted pursuant to N.J.S.A. 40:55D-70d(5) or a rezoning, redevelopment plan, or redevelopment plan amendment that is adopted after the effective

date of this ordinance, developers shall be required to pay a development fee of six percent (6.0%) of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include a set-aside of affordable housing units. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

- (3) Improvements or additions to existing single-family dwellings on individual lots shall not be required to pay a development fee, but a development fee of one half of one percent (0.5%) shall be charged for any new dwelling constructed as a replacement for a previously existing dwelling on the same lot that was or will be demolished, unless the owner resided in the previous dwelling for a period of one year or more prior to obtaining a demolition permit. Where a development fee is charged for a replacement dwelling, the development fee shall be calculated on the increase in the equalized assessed value of the new structure as compared to the previous structure.

#### B. Nonresidential Development

- (1) Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted below, shall pay a fee equal to two and one-half percent (2.5%) of the equalized assessed value of the land and improvements for all new non-residential construction on an unimproved lot or lots, provided that no increase in floor area is permitted.
- (2) Non-residential developers, except for developers of the types of development specifically exempted below, shall pay a fee equal to two and one-half percent (2.5%) of the increase in total equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
- (3) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and one-half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the preexisting land and improvements and the equalized assessed value of the newly improved structure, i.e., land and improvements, at the time the final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.
- (4) Developers that convert any portion of an existing residential structure to a nonresidential use shall pay a development fee of two and one-half percent (2.5%). The development fee shall be calculated based on the increase in the equalized assessed value of the converted structure.

#### §513-5 Eligible exactions, ineligible exactions and exemptions.

##### A. Residential Development

- (1) Developers of low- and moderate-income housing shall be exempt from paying development fees, including developments where the developer is providing affordable units elsewhere in the Township or is making a payment in lieu of construction of on-site affordable housing units and further provided that the minimum number of affordable units required for the development is completed in accordance with this chapter. A

payment-in-lieu-of-construction or development fee payment shall only be used to fund affordable housing activities within the Township in accordance with N.J.S.A 52:27D-329.3 or as approved by COAH or the Court.

- (2) Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The applicable development fee percentage shall be vested on the date that the building permit is issued.
- (3) Owner-occupied residential structures demolished and replaced as a result of a fire, flood, or natural disaster shall be exempt from paying a development fee.
- (4) Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, which requires the issuance of a Certificate of Occupancy (for example, when a single-family home is converted to a two-family home or a single-family home is converted to an apartment building). The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
- (5) Development fees shall be imposed and collected when a Certificate of Occupancy is issued for a new residential unit on a newly created lot that is the result of a subdivision. The development fee shall be calculated on the equalized assessed value of the land and improvements.
- (6) Additions to existing homes and improvements such as decks, patios and like shall be exempt from the payment of a development fee.

#### B. Nonresidential Development

- (1) The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to a two and a half percent (2.5%) development fee, unless otherwise exempted below.
- (2) The two and a half percent (2.5%) development fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within the existing footprint, reconstruction, renovations and repairs.
- (3) Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption". Any exemption claimed by a developer shall be substantiated by that developer.
- (4) A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final Certificate of Occupancy for the non-residential development, whichever is later.

(5) If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this Section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Township of Washington as a lien against the real property of the owner.

#### §513-6 Collection of fees.

- A. Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- B. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- C. The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- D. Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- E. The construction official responsible for the issuance of a final certificate of occupancy shall notify the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- F. Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- G. Should the Township of Washington fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).
- H. Fifty percent (50%) of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
- I. Appeal of development fees:
  - (1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review



and determination by the Board, collected fees shall be placed in an interest-bearing escrow account by the Township of Washington. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq. within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

- (2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the Township of Washington. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq. within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

#### §513-7 Affordable housing trust fund.

- A. There is hereby created a separate, interest-bearing housing trust fund to be maintained by the chief financial officer of the Township for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- B. The following additional funds, if collected by the Township, shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
  - (1) payments in lieu of construction of affordable units, which shall be separately identifiable from other payments as a sub-account within the Affordable Housing Trust Fund;
  - (2) developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
  - (3) rental income from municipally operated units;
  - (4) repayments from affordable housing program loans;
  - (5) recapture funds;
  - (6) proceeds from the sale of affordable units; and,
  - (7) any other funds collected in connection with the Township of Washington's affordable housing program.
- C. Within seven days from the opening of the trust fund account, the Township of Washington shall provide the Court with written authorization, in the form of a three-party escrow agreement between the municipality, the bank, and the Court to permit the Court to direct the disbursement of the funds in the event of a failure by the Township of Washington to comply with trust fund monitoring and reporting requirements or to submit accurate monitoring reports; or a failure to comply with the conditions of the judgment of compliance or a revocation of the judgment of compliance; or a failure to implement the approved Spending Plan and to expend funds within the applicable required time

period as set forth in *In re Tp. of Monroe*, 442 N.J. Super. 565 (Law Div. 2015) (aff'd 442 N.J. Super. 563); or the expenditure of funds on activities not approved by the Court; or for other good cause demonstrating the unapproved use(s) of funds, the Court may authorize the State of New Jersey, Department of Community Affairs, Division of Local Government Services (LGS), to direct the manner in which the funds in the Affordable Housing Trust Fund shall be expended, provided that all such funds shall, to the extent practicable, be utilized for affordable housing programs within the Township of Washington, or, if not practicable, then within the County of Bergen or the Housing Region in which Washington Township is located.

Any party may bring a motion before the Superior Court presenting evidence of such condition(s), and the Court may, after considering the evidence and providing the municipality a reasonable opportunity to respond and/or to remedy the non-compliant condition(s), and upon a finding of continuing and deliberate non-compliance, determine to authorize LGS to direct the expenditure of funds in the Trust Fund or impose such other remedies as may be reasonable and appropriate to the circumstances.

- D. All interest accrued in the housing trust fund shall only be used to fund eligible affordable housing activities approved by the Court.

#### §513-8 Use of funds.

- A. The expenditure of all funds shall conform to a spending plan approved by the Court. Funds deposited in the housing trust fund may be used for any activity approved by the Court to address the Township of Washington's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; rehabilitation; new construction of affordable housing units and related costs; accessory apartment, market to affordable, or regional housing partnership programs; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost-saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or, any other activity permitted by the Court and specified in the approved spending plan.
- B. Funds shall not be expended to reimburse the Township of Washington for past affordable housing activities.
- C. At least thirty percent (30%) of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third (1/3) of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning thirty percent (30%) or less of the median income of the housing region in which Washington Township is located.
  - (1) Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner's association or condominium fees and special assessments, and assistance with emergency repairs.

(2) Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.

(3) Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

D. The Township of Washington may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including its programs for affordability assistance.

E. No more than twenty percent (20%) of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than twenty percent (20%) of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with the Court's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

#### §513-9 Monitoring.

A. The Township of Washington shall provide an annual reporting of Affordable Housing Trust Fund activity to the New Jersey Department of Community Affairs, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center, and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services. The reporting shall include an accounting of all housing trust fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.

#### §513-10 Ongoing collection of fees.

A. The ability for the Township of Washington to impose, collect and expend development fees shall expire with the end of the repose period covered by its judgment of compliance unless the Township of Washington has filed an adopted Housing Element and Fair Share Plan with the Court or with a designated administrative entity of the State of New Jersey, has petitioned for a judgment of compliance or substantive certification, and has received approval of its development fee ordinance by the entity that will be reviewing the Housing Element and Fair Share Plan.

B. If the Township of Washington fails to renew its ability to impose and collect development fees prior to the expiration of its judgment of compliance, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant

to section 20 of P.L. 1985, c.222 (C.52:27D-320). The Township of Washington shall not impose a development fee on a development that receives preliminary or final site plan approval after the expiration of its judgment of compliance, nor shall the Township of Washington retroactively impose a development fee on such a development. The Township of Washington shall not expend any development fees after the expiration of its judgment of compliance.

SECTION 2. This Ordinance shall be subject to review and recommendation by the Township of Washington Planning Board in accordance with N.J.S.A. 40:55D-26 and notice requirements of N.J.S.A. 40:55D-62.1.

SECTION 3. All ordinances or parts thereof that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

SECTION 4. The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

SECTION 5. This Ordinance shall take effect immediately upon its final passage and publication as required by law and filing with the Bergen County Planning Board.

\*\*\*\*\*

#### Ordinance No. 20-17

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 540, ENTITLED "LAND DEVELOPMENT" AMENDING THE TOWNSHIP'S MANDATORY AFFORDABLE HOUSING SET-ASIDE REQUIREMENT ON NEW MULTI-FAMILY RESIDENTIAL DEVELOPMENT

A motion was made by Council President Feeney, seconded by Councilman Cascio, to approve Resolution No. 20-336 authorizing second reading and opening of Public Hearing for Ordinance No. 20-17.

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

Nays: None.

#### Resolution No. 20-336

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 20-17 entitled: AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 540, ENTITLED "LAND DEVELOPMENT" AMENDING THE TOWNSHIP'S MANDATORY AFFORDABLE HOUSING SET-ASIDE REQUIREMENT ON NEW MULTI-FAMILY RESIDENTIAL DEVELOPMENT be read on second reading and the public hearing be held thereon pursuant to law.

#### PRELIMINARY COMMENTS/Ord. 20-17:

Stan Slachetka, PP, AICP  
T&M Associates

Mr. Slachetka – This is the third and final ordinance of the three ordinances. It is an amendment recommended by the court appointed Planning Master and is consistent with those throughout the State of New Jersey. The Township, as part of its housing plan, determined that there is limited development land available for development of affordable housing in the municipality, it is able to reduce its overall obligation, approved by the Court and Court Master. As a requirement of that, the vacant land adjustment to reduce the obligation, the Township is required to implement various mechanisms to potentially capture opportunities for affordable housing that may not be apparent, one of those mechanisms is the adoption of what is called the Mandatory Set-Aside Ordinance, which means if Council or Zoning grants a use variance for a multi-family of five units or more, a portion would be set-aside for affordable housing, typically that would be 20% if the units were for sale and 15% if the units were for rent, so five units in building, of those five units one would have to be affordable. This would be in circumstances where such units are not already permitted, but if the Zoning Board heard it, application for use variance was approved for a multi-family residential housing, that set-aside would apply and is required. This is an amendment, a clause in the current ordinance which protects the Township, it specifically states that set-aside requirement does not give the developer the right to a variance or establish any other obligation. This mandatory set-aside is on the books, a developer cannot go in front of the Zoning Board of Adjustment and compel the Zoning Board to grant a variance. Planning Board has reviewed this and it is consistent with the Master Plan.

**\*\*IF ANYONE DESIRES TO BE HEARD REGARDING ORDINANCE NO. 20-17 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\*\***

No calls received.

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to close the of Public Hearing for Ordinance No. 20-17.

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

Nays: None.

A motion was made by Council President Feeney, seconded by Councilman DeSena, to adopt Ordinance 20-17 at second reading by title.

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

Nays: None.

#### ORDINANCE NO. 20-17

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 540, ENTITLED "LAND DEVELOPMENT" AMENDING THE TOWNSHIP'S MANDATORY AFFORDABLE HOUSING SET-ASIDE REQUIREMENT ON NEW MULTI-FAMILY RESIDENTIAL DEVELOPMENT

WHEREAS, the Washington Township Planning Board adopted the Washington Township Housing Element and Fair Share Plan on July 26, 2017; and



WHEREAS, the Township Council of the Township of Washington endorsed the Washington Township Housing Element and Fair Share Plan on August 7, 2017; and

WHEREAS, pursuant to Township's settlement with the Fair Share Housing Center and the adopted Housing Plan Element and Fair Share Plan, the Township of Washington adopted a mandatory affordable housing set aside requirement for all new multi-family residential developments of five (5) or more units that become permissible through either a use variance, a density variance increasing the permissible density of the site, a rezoning permitting multi-family residential housing where none are permitted or new or amended redevelopment plan; and

WHEREAS, pursuant to the recommendation of the Court-appointed Planning Master assigned to the Township's case, the Township wishes to amend its Mandatory Affordable Housing Set Aside ordinance to clarify that this requirement does not give any developer the right to any rezoning, variance or other relief, or establish an obligation on the part of Washington Township to grant such rezoning, variance or other relief.

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

SECTION 1. Chapter 540, of the Township Code is hereby amended to add a new Section 120 in Article XXII, Mandatory Affordable Housing Set-Aside, as follows (New language is shown in bold/underline text):

Article XXII, Mandatory Affordable Housing Set-Aside

§540-108 Purpose.

Unless otherwise required by existing zoning or an adopted redevelopment plan, all new multi-family residential developments of five (5) or more units that become permissible through either a use variance, a density variance increasing the permissible density at the site, a rezoning permitting multi-family residential housing where not previously permitted, or a new or revised redevelopment plan shall be required to provide an affordable housing set-aside as follows:

- (1) Required affordable housing units shall be equal to 20% of the number of housing units proposed in the application for units offered for sale.
- (2) Required affordable housing units shall be equal to 15% of the number of housing units proposed in the application for units offered for rent.

§540-119 Providing affordable housing units.

Affordable housing units may be provided on-site or off-site within the Township and are subject to the provisions of the Township's Affordable Housing Ordinance.

§540-120 Rights to rezoning, variance or other relief.

This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of Washington Township to grant such rezoning, variance or other relief. No

subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement.

SECTION 2. This Ordinance shall be subject to review and recommendation by the Township of Washington Planning Board in accordance with N.J.S.A. 40:55D-26 and notice requirements of N.J.S.A. 40:55D-62.1.

SECTION 3. All ordinances or parts thereof that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

SECTION 4. The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

SECTION 5. This Ordinance shall take effect immediately upon its final passage and publication as required by law and filing with the Bergen County Planning Board.

\*\*\*\*\*

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

#### 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?

Council President Feeney advises Council that Resolution No. 20-314, "Authorize Tax Collector to refund of excess taxes paid, B1306/L2, 463 Van Emburgh Avenue in the amount of \$12,572.51" will be pulled from the Consent Agenda as per Attorney Poller. Councilman DeSena requested Resolution No. 20-337 and 20-348 be pulled for discussion.

A motion was made by Council President Feeney, seconded by Councilwoman Morgan, to approve the Consent Agenda, with the exception of Resolutions No. 20-337 and 20-348.

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

Nays:           None.

#### Resolution No. 20-338

Authorize refund of payment to lien holder, B2301, L1, 464 Ridgewood Blvd. North, in the total amount of \$101,250.39

WHEREAS, at the Tax Sale held on November 19, 2019, the Township of Washington sold a tax lien for delinquent 2018 taxes on Block 2301, Lot 1, also known as 464 Ridgewood Blvd No., owned by Washington Township Recreation Club; and

WHEREAS, Tax Lien Certificate #19-00002 was sold to Robert Rothman; and

WHEREAS, Robert Rothman paid a premium of \$30,100.00 on the date of the tax sale for Tax Sale Certificate #19-00002; and

WHEREAS, the tax office received a payment for redemption of Certificate #19-00002 in the amount of \$71,150.39; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey that the Tax Collector be authorized to refund \$71,150.39 plus the \$30,100.00 premium, payable to: Rothman Realty Corp. Profit Sharing/Robert Rothman, 411 Grand Avenue, Englewood, NJ 07631

Tax Lien	\$9,191.02
4% Redemption Penalty	367.64
Subsequent Taxes	52,497.29
Subsequent Interest	9,030.44
Recording Fee	52.00
Search Fee	12.00
Sub-Total:	\$71,150.39
Premium	<u>30,100.00</u>
TOTAL DUE:	\$101,250.39

For Informational Purposes:

1099

Sub Interest:	9,030.44
4% Redemption Penalty:	<u>367.64</u>
TOTAL 1099:	\$9,398.08

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 Redemption account; #0-01-95-005-000. Total Certified Amount Not to Exceed: \$101,250.39; John Corcoran, CMFO

Resolution No. 20-339

Authorize refund of payment to lien holder, B4320, L6, 405 Park Place, in the total amount of \$54,821.12

WHEREAS, at the Tax Sale held on December 3, 2020, the Township of Washington sold a tax lien for delinquent 2019 taxes on Block 4320, Lot 6, also known as 405 Park Place, owned by Karl Ollendike; and

WHEREAS, Tax Lien Certificate #20-00003 was sold to R. Rothman; and

WHEREAS, R. Rothman paid a premium of \$41,100.00 on the date of the tax sale for Tax Sale Certificate #20-00003; and

WHEREAS, the tax office received a payment for redemption of Certificate #20-00003 in the amount of \$13,721.12; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey that the Tax Collector be authorized to refund \$13,721.12 plus the \$41,100.00 premium, payable to: R. Rothman, 411 Grand Avenue, Englewood, NJ 07631

Tax Lien	12,933.13
6% Redemption Penalty	775.99
Search Fee	<u>12.00</u>
Sub-Total:	\$13,721.12
Premium:	<u>41,100.00</u>
TOTAL DUE:	\$54,821.12

For Informational Purposes: 1099

6% Redemption Penalty: 775.99

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 redemption account; #0-01-95-005-000 Total Certified Amount Not to Exceed: \$54,821.12; John Corcoran, CMFO

Resolution No. 20-340

Authorize Tax Collector to cancel property tax bills, B2101, Lot 8, 15 Braeburn Drive, Veteran tax-exempt status

WHEREAS, Mrs. Ann Marie Newman, who resides at 15 Braeburn Drive, Block 2101, Lot 8, Qualifier C015D, is eligible for a property tax exemption as the widow of a veteran who was granted a permanent disability resulting from service-related injuries, as declared by the United States Veteran's Administration, pursuant to N.J.S.A. 54:04-03.30, which grants total exemption from local property taxes; and

WHEREAS, the Township of Washington Tax Assessor has approved the property tax exemption; and

WHEREAS, the Township Council of the Township of Washington, New Jersey, authorizes the Tax Collector to cancel future property tax bills for the above-mentioned resident.

Resolution No. 20-341

Authorize execution of Shared Service Agreement with Borough of Paramus for Vehicle Maintenance for year 2021

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40a:65-1 et seq.) promotes the broad use of shared services as technique to reduce local expenses funded by property tax payers; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40a:65-1 et seq.) allows for any local unit to enter into an agreement with any other local units or units to provide or receive any services that each local participating in the Agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Township of Washington (the "Township") has a need for maintenance and repair services with respect to its vehicles and the Borough of Paramus ("Paramus") has the personnel and equipment necessary to provide such vehicle maintenance and repair service for the Township; and

WHEREAS, Paramus and the Township seek to enter into a Shared Service Agreement for vehicle maintenance whereby Paramus would provide to the Township such vehicle maintenance and repair services.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township approved of the proposed shared services agreement as referenced herein between the Township and Paramus, a copy of which is on file with the Township;

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute shared services agreement with Paramus for the above stated purpose.

Resolution No. 20-342

Authorize execution of Interlocal Agreement with the Borough of Paramus for Street Sweeping Services for year 2021

WHEREAS, the Borough of Paramus and the Township of Washington seek to renew an Interlocal Agreement wherein the Borough of Paramus will provide Street Sweeping Services for the Township of Washington; and

WHEREAS, the Mayor and Council deems it to be in the best interest of the Township of Washington to renew an Interlocal Agreement with the Borough of Paramus for Street Sweeping Services.

NOW THEREFORE BE IT RESOLVED, that the Council of the Township of Washington hereby authorize the Mayor to execute the required Shared Services Agreement with the Borough of Paramus for Street Sweeping Services for the 2021 calendar year.

Resolution No. 20-343

Authorize adoption and maintenance of the Hazard Mitigation Plan

WHEREAS, the Township of Washington, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property; and

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk through the adoption of a Bergen County Multi-Jurisdictional Hazard Mitigation Plan (“Hazard Mitigation Plan”); and

WHEREAS, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the Hazard Mitigation Plan; and

WHEREAS, a draft Hazard Mitigation Plan has been developed by the Mitigation Planning Committee; and

WHEREAS, the draft Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property; and

WHEREAS, the draft Hazard Mitigation Plan was provided to each participating jurisdiction and was posted on the Bergen County Office of Emergency Management’s website so as to introduce the planning concept and to solicit questions and comments; and to present the Hazard Mitigation Plan and request comments, as required by law; and

WHEREAS, the draft Hazard Mitigation Plan was submitted by the Bergen County Office of Emergency Management to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on August 7, 2020; and



WHEREAS, the New Jersey Office of Emergency Management and the Federal Emergency Management Agency have approved the draft Hazard Mitigation Plan as submitted; and

WHEREAS, formal adoption and maintenance of the Hazard Mitigation Plan by the governing body is a condition of receipt of federal disaster aid; and

WHEREAS, the Bergen County Office of Emergency Management has recommended to the County Executive and Board of Chosen Freeholders that the Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on August 7, 2020, be adopted as the official Hazard Mitigation Plan of the County of Bergen.

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

1. The Bergen County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on August 7, 2020 by the Bergen County Office of Emergency Management is hereby adopted as an official plan of the County of Bergen; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. A hard copy of the Hazard Mitigation Plan shall be kept on file at the Bergen County Office of Emergency Management, and a digital copy shall be posted on the web site of the Bergen County Office of Emergency Management.
3. Any action proposed by the Hazard Mitigation Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Township of Washington, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Township of Washington Emergency Management Coordinator shall coordinate with their local offices and officials; and periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Bergen County Office of Emergency Management. The Bergen County Office of Emergency Management shall prepare an annual progress report on the goals and mitigation actions set forth in the Hazard Mitigation Plan. Copies of those reports will be kept on file at the office of the Board of Chosen Freeholders and the Bergen County Office of Emergency Management. Municipal status reports may be submitted at any time to the County Coordinator to amend mitigation actions identified in the Hazard Mitigation Plan. At a minimum, municipal status reports shall be submitted to the County Coordinator on an annual basis. The County Coordinator will identify one meeting per year that will address hazard mitigation updates, as required by the State of New Jersey's Hazard Mitigation Plan and its Standard Operating Procedure.

#### Resolution No. 20-344

#### Designating time and place of 2021 Council meetings

BE IT RESOLVED, by the Township Council that the first and third Monday of each month, in the Municipal Complex Building, Council Chambers, 350 Hudson Avenue, Township of Washington, NJ, at the hour of 7:30 P.M. be designated as the time and place of Council meetings for the year 2021; and

NOW, BE IT RESOLVED, by the Township Council in compliance with the provisions of the Open Public Meeting Act (N.J.S.A. 10:4-6 Et Seq.) that:

Section 1. Except as provided by Chapter 4, Section 10:4-12B, all meetings of the Council shall be open to the public at all times.

Section 2. At every meeting, the public may actively participate during the time designated for that purpose in the order of business and the Council may take formal action.

Section 3. The meetings of the Council shall be held on the dates and times set forth in the scheduled annexed hereto and made a part hereof.

Section 4. Within seven (7) days following the adoption of this resolution, a copy shall be posted on a bulletin board accessible to the public at all business hours at or near the entrance to the Council’s meeting room and shall remain so posted until replaced with a duly adopted resolution setting forth any revision thereof. A copy shall be mailed or sent by electronic means to two (2) official newspapers.

Section 5. Upon receipt by the Township Clerk of a written request setting forth the name and address of the person making the request, the Clerk shall send to such person by regular mail, or by electronic means, between the date of such request and December 31<sup>st</sup> next ensuing, a copy of the meeting schedule referred to in section 3.

The following is the 2021 list of meeting dates as approved by the Township of Washington Township Council at a regularly scheduled meeting of December 21, 2020. Public/Conference meetings are held on the first and third Monday of each month at 7:30 pm, \*unless otherwise noted, in the Council Chambers of the Municipal Complex Building, located at 350 Hudson Avenue, Township of Washington, New Jersey. There is the option to take action at every meeting.

## 2021 COUNCIL MEETINGS

<b>January</b>	4 <sup>th</sup> Sine Die Meeting 7:30 p.m.
	4 <sup>th</sup> Reorganization 7:30 p.m.
	*19 <sup>th</sup>
<b>February</b>	1 <sup>st</sup>
	*16 <sup>th</sup>
<b>March</b>	1 <sup>st</sup>
	15 <sup>th</sup>
<b>April</b>	5 <sup>th</sup>
	19 <sup>th</sup>
<b>May</b>	3 <sup>rd</sup>
	17 <sup>th</sup>
<b>June</b>	*9 <sup>th</sup>
	21 <sup>st</sup>
<b>July</b>	*12 <sup>th</sup>
<b>August</b>	*9 <sup>th</sup>
	*30 <sup>th</sup>
<b>September</b>	20 <sup>th</sup>
<b>October</b>	4 <sup>th</sup>
	18 <sup>th</sup>
<b>November</b>	*8 <sup>th</sup>

<b>December</b>	6 <sup>th</sup>
	20 <sup>th</sup>

Resolution No. 20-345

Authorize adoption of Affordable Housing Trust Fund Spending Plan

WHEREAS, the Township of Washington, County of Bergen, State of New Jersey, has received a judgment of compliance and repose from the Superior Court of New Jersey, Law Division, Bergen County in connection with its adopted 2017 Housing Element and Fair Share Plan; and

WHEREAS, certain conditions have been established by the Court as part of the Township’s judgment of compliance and repose, including the adoption of a spending plan governing the expenditure of funds in the Township’s affordable housing trust fund; and

WHEREAS, the Township of Washington heretofore has received approval from a court of competent jurisdiction of its development fee ordinance; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of construction of affordable units on-site, barrier free escrow funds, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units; and

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from the Council on Affordable Housing or a court of competent jurisdiction prior to spending any of the funds in its housing trust fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;
5. A schedule for the expenditure of all affordable housing trust funds;
6. If applicable, a schedule for the creation or rehabilitation of housing units;
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend the trust fund balance as of July 17, 2008 within four (4) years of the approval of the spending plan, or in accordance with an implementation schedule approved by the Court;

9. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three (3) years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period;
10. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
11. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, the Township of Washington has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46 (Attached herein as Exhibit A)

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Washington hereby requests that the Court review and approve the Township of Washington's spending plan.

Resolution No. 20-346

Authorize commitment to fund costs associated with implementation of Housing Element and Fair Share Plan

WHEREAS, the Township Council of the Township of Washington (the "Township") adopted a Resolution endorsing the Township's 2017 Housing Plan Element and Fair Share Plan ("Fair Share Plan"), as adopted by the Township of Washington Planning Board on July 26, 2017; and

WHEREAS, the Fair Share Plan consists of the construction of new units to meet the Borough's fair share obligation through December 31, 2025; and

WHEREAS, the Township enacted a mandatory Affordable Housing Development Fee Ordinance to generate revenue to offset the cost of the aforementioned affordable housing programs and adopted an Affordable Housing Trust Fund Spending Plan ("Spending Plan") for submission to the Council consistent with the Township's Fair Share Plan; and

WHEREAS, the Spending Plan dated December 15, 2020 describes the amount of development fees currently available, the anticipated sources and amounts of projected development fees, and the use of development fee revenue to fund affordable housing programs and other funding obligations and restrictions in compliance with the Municipal Land Use Law, Fair Housing Act and applicable rules and regulations; and

WHEREAS, all of the Township-funded programs included in the Fair Share Plan and the Spending Plan will be aided by the use of Affordable Housing Trust Fund monies.

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

1. The aforementioned recitals are incorporated herein by reference.
2. If available revenue in the Affordable Housing Trust Fund is insufficient to fund the costs associated with its affordable housing programs as hereinabove described, the Township commits to provide full funding for

these programs including their administration, or to make up for any shortfall in funding, either through municipal appropriations or bonding.

3. A copy of this Resolution shall be available for public inspection at the office of the Township Clerk.
4. This Resolution shall take effect immediately.

#### Resolution No. 20-347

#### Authorize adoption of an Affordable Housing Affirmative Marketing Plan

WHEREAS, the Township of Washington, County of Bergen, State of New Jersey, has received a judgment of compliance and repose from the Superior Court of New Jersey, Law Division, Bergen County in connection with its adopted 2017 Housing Element and Fair Share Plan; and

WHEREAS, certain conditions have been established by the Court as part of the Township's judgment of compliance and repose, including the adoption of an affirmative marketing plan for affordable housing units created in the Township; and

WHEREAS, in accordance with the requirements of the Court in and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26-1, *et seq.*, the Township of Washington is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created within the Township of Washington, are affirmatively marketed to very-low-, low- and moderate-income households, particularly those living and/or working within Housing Region 1, the Housing Region encompassing the Township of Washington.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Washington, County of Bergen, State of New Jersey, does hereby adopt the following Affirmative Marketing Plan:

#### Purpose

In accordance with the Fair Housing Act and the New Jersey Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1, *et seq.*), the Township of Washington is required to adopt an Affirmative Marketing Plan to ensure that all affordable housing units created within the Township of Washington are affirmatively marketed to low- and moderate-income households, particularly those living and/or working within Housing Region 1, the Housing Region encompassing the Township of Washington, as well as those within the counties of Bergen, Hudson, Passaic and Sussex.

#### Affirmative Marketing Plan

- A. All affordable housing units in the Township of Washington shall be marketed in accordance with the provisions herein unless otherwise provided by law or regulation of the State of New Jersey.
- B. This Affirmative Marketing Plan shall apply to all developments that contain or will contain low- and moderate-income units, including those that are part of the Township's prior round Fair Share Plan and its current Fair Share Plan, and those that may be constructed in future developments, including those in:
  - a. Franklin Court:



- i. Address of Development: 783 Van Emburgh Avenue
  - ii. Block(s) and Lot(s): Block 1102, Lots 1.04, 2 and 11 and part of 9
  - iii. Number of Affordable Units: 7 Units
  - iv. Number of Affordable Rental Units: 7 Units
  - v. Number of Affordable For-Sale Units: 0 Units
  - vi. Price Range of Affordable Rental Units: To be established by Township Administrative Agent
  - vii. Price Range of Affordable For-Sale Units: N/A
  - viii. State and Federal Funding Sources: None
  - ix. Age-Restricted or Non-Age Restricted: Non-Age-Restricted
  - x. Approximate Starting Date of Advertising: 2022
  - xi. Approximate Starting Date of Occupancy: 2022
  - xii. Managing/Sales Agent's Name, Address and Phone Number: TBD
  - xiii. Application Fees: TBD
- b. VFW Site:
- i. Address of Development: 639 Jefferson Street, Washington Township, NJ 07676
  - ii. Block(s) and Lot(s): Block 3103, Lot 25
  - iii. Number of Affordable Units: 4 Units
  - iv. Number of Affordable Rental Units: 0 Units
  - v. Number of Affordable For-Sale Units: 4 Units
  - vi. Price Range of Affordable Rental Units: N/A
  - vii. Price Range of Affordable For-Sale Units: \$189,990 (all units)
  - viii. State and Federal Funding Sources: HOME Grant (\$400,000)
  - ix. Age-Restricted or Non-Age Restricted: 2 Units Age-Restricted; 2 Units Non-Age Restricted with Veteran's Preference

- x. Approximate Starting Date of Advertising: September 23, 2017
  - xi. Approximate Starting Date of Occupancy: October 30, 2019
  - xii. Managing/Sales Agent's Name, Address and Phone Number: Habitat for Humanity of Bergen County (121 Carver Avenue, Westwood, NJ 07675; 201-457-1020)
  - xiii. Application Fees: None
- c. Any and all other units in affordable housing developments that are not yet anticipated by the Fair Share Plan.
- C. The Affirmative Marketing Plan shall be implemented by an Administrative Agent designated by and/or under contract to the Township of Washington. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developer/seller/owner of the affordable unit(s).
- D. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Township of Washington, shall undertake all of the following strategies:
1. Publication of one advertisement in a newspaper of general circulation within Housing Region 1, consisting of Bergen, Hudson, Passaic and Sussex Counties.
  2. Broadcast of one advertisement by a radio or television station broadcasting throughout the housing region.
  3. Listing on the New Jersey Housing Resource Center website (viz., <https://www.njhrc.gov>)
  4. At least one additional regional marketing strategy using one of the other sources listed below.
- E. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Township of Washington is located in Housing Region 1, consisting of Bergen, Hudson, Passaic and Sussex Counties.
- F. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:

1. All newspaper articles, announcements and requests for applications for low- and moderate-income units shall appear in at least one major circulation daily newspaper of regional circulation (throughout all of Region 1), or through a series of daily newspapers that reaches all of Region 1 residents. This may include but is not limited to the Star Ledger and the Bergen Record.
2. For new developments, the primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspaper(s) once a week for four consecutive weeks. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of publication to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
3. All advertisements and listings shall include:
  - a. Street address(es) of the units;
  - b. Directions to the units;
  - c. Range of prices for the units;
  - d. Numbers of bedrooms in units (bedroom mix);
  - e. Maximum income permitted to qualify for the units;
  - f. Location of applications;
  - g. Business hours when interested households may obtain an application;
  - h. Application fees, if any;
  - i. Number of units currently available;
  - j. Anticipated dates of availability.
  - k. Link to a fillable or downloadable application form; and,

1. Information on how to request a paper application form.
  
4. Newspaper articles, announcements and information on where to request applications for low- and moderate-income housing shall also appear at least once a week for four consecutive weeks in at least three locally oriented weekly newspapers within the Region, one of which shall be circulated primarily within Bergen County and the other two of which shall be circulated primarily outside of Bergen County but within the Housing Region.
  
5. The following regional cable television stations or regional radio stations shall be used during the first month of advertising. The developer must provide satisfactory proof of public dissemination:
  - a. WKXW (101.5 FM) (109 Walters Ave., Ewing, NJ 08638)
  
  - b. WOR (710 AM) (32 Avenue of the Americas, New York, NY 10013)
  
  - c. WCBS (880 AM) (345 Hudson St 11th Floor, New York, NY 10014)
  
  - d. Cablevision (12-20 River Rd, Fair Lawn, NJ 07410)
  
- G. Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:
  1. Washington Township Municipal Building
  
  2. Township of Washington Public Library
  
  3. Washington Township Web Site
  
  4. Developer's Sales/Rental Offices
  
  5. Bergen County Administration Building
  
  6. Bergen County Board of Social Services
  
  7. Hudson County Administration Building

8. Passaic County Administration Building
9. Sussex County Administration Building
10. Bergen County Cooperative Library System (all branches)
11. PALS Plus Library Cooperative (all branches)
12. Sussex County Library (all branches)

Applications shall be mailed by the Administrative Agent and Municipal Housing Liaison to prospective applicants upon request. Also, applications shall be available at the developer's sales/rental office and shall be mailed to prospective applicants upon request.

H. The Administrative Agent shall develop, maintain and update a list of community contact persons and/or organizations in Bergen, Hudson, Passaic and Sussex Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the Region, including major regional employers.

1. Quarterly informational flyers and applications shall be sent to each of the following agencies for publication in their journals and for circulation among their members:
  - a. Eastern Bergen County Board of Realtors (411 Route 17 South, 5th Floor; Hasbrouck Heights, NJ 07604)
  - b. Passaic County Board of Realtors (204 Berdan Ave., Wayne, NJ, 07470)
  - c. Sussex County Association of Realtors (351 Sparta Avenue, Suite 101A Sparta, NJ 07871)
  - d. Liberty Board of Realtors (110A Meadowlands Pkwy #103, Secaucus, NJ 07094)
2. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies within the counties of Bergen, Hudson, Passaic and Sussex:

Welfare or Social Service Board (via the Director)

Rental Assistance Office (local office of DCA)

Office on Aging



Housing Authority (municipal or county)

Community Action Agencies

Community Development Departments

3. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of major employers within the Region that are included on the list of community contact person(s) and/or organizations(s) in Bergen, Hudson, Passaic and Sussex Counties that shall be developed, maintained and updated by the Administrative Agent.
  4. Quarterly informational circulars and applications shall be sent to the offices of the: Fair Share Housing Center (510 Park Blvd., Cherry Hill, NJ); Latino Action Network (PO Box 943, Freehold, NJ); NAACP NJ State Conference (15 W Front St, Trenton, NJ); NAACP Warren/Sussex Branch Unit (PO Box 229, Washington, NJ 07882); NAACP Bergen Branch Unit (PO Box 1136, Englewood, NJ 07631); NAACP Passaic Branch Unit (PO Box 1600, Passaic, NJ 07055); NAACP Bayonne Branch Unit (PO Box 1017, Bayonne, NJ 07002), NAACP Hoboken Branch Unit (PO Box 1219, Hoboken, NJ 07030), and NAACP Paterson Branch Unit (PO Box AQ, Paterson, NJ 07509).
- I. The following is a listing of community contact person(s) and/or organizations in Bergen, Hudson, Passaic and Sussex Counties that will be notified of the availability of low-and moderate-income units for the purposes of aiding in the affirmative marketing program and providing guidance and counseling services to prospective occupants of low- and moderate-income units:
1. American Red Cross of Northern New Jersey, 209 Fairfield Road, Fairfield, NJ 07004
  2. ARC of Bergen & Passaic, 223 Moore Street, Hackensack, NJ 07601
  3. Bergen County Board of Social Services, 218 Route 17 North, 17 Park Office Center - Building A, Rochelle Park, NJ 07662
  4. Bergen County Housing Authority, One Bergen County Plaza - 2nd Floor, Hackensack, NJ 07601
  5. Bergen County YWCA, 112 Oak Street, Ridgewood, NJ 07450
  6. Community Food Bank of NJ, 321 Evans Terminal Road, Hillside, NJ 07205
  7. Easter Seal Society of New Jersey, 25 Kennedy Blvd., Suite 600, East Brunswick, New Jersey 08816
  8. Fair Share Housing Center, 510 Park Blvd., Cherry Hill, NJ 08002

9. Hackensack Housing Authority, 65 First Street, Hackensack, NJ 07601
10. Hudson County Department of Family Services, 257 Cornelison Ave, Jersey City, NJ 07302
11. Jewish Federation of Northern New Jersey, 50 Eisenhower Drive, Paramus, NJ 07652
12. Latino Action Network, PO Box 943, Freehold, NJ 07728
13. Legal Services of Northwest Jersey, 18 Church Street, Suite 120, Newton, NJ 07860
14. NAACP Bayonne Branch Unit, PO Box 1017, Bayonne, NJ 07002
15. NAACP Bergen Branch Unit; PO Box 1136, Englewood, NJ 07631
16. NAACP Hoboken Branch Unit, PO Box 1219, Hoboken, NJ 07030
17. NAACP NJ State Conference, 15 W Front St, Trenton, NJ 08608
18. NAACP Passaic Branch Unit; PO Box 1600, Passaic, NJ 07055
19. NAACP Paterson Branch Unit, PO Box AQ, Paterson, NJ 07509
20. NAACP Warren/Sussex Branch Unit, PO Box 229, Washington, NJ 07882
21. Newton Housing Authority 32 Liberty St Newton, NJ 07860
22. Northeast New Jersey Legal Services, Bergen County Office, 190 Moore Street, Suite 100, Hackensack, NJ 07601
23. Northwest New Jersey Community Action Program, Inc. (NORWESCAP), 350 Marshall Street, Phillipsburg, NJ 08865
24. Passaic County Board of Social Services, 80 Hamilton Street, Paterson, NJ 07505
25. Passaic County Public Housing Agency, 100 Hamilton Plaza, Suite 510, Paterson, NJ 07505
26. Sussex County Division of Social Services, 83 Spring Street, Suite 203, Newton, NJ 07860
27. The Housing Partnership, 2 East Blackwell Street, Dover, NJ 07801

28. The Salvation Army New Jersey Divisional Headquarters, 4 Gary Road, P.O. Box 3170, Union, NJ 07083
  29. Volunteers of America-Greater New York, 340 West 85th Street, New York, NY 10024
  30. Washington Township Administrative Agent, 350 Hudson Avenue, Washington, NJ 07676
  31. Washington Township Affordable Housing Liaison, 350 Hudson Avenue, Washington, NJ 07676
- J. A random selection method to select occupants of low- and moderate-income housing will be used by the Administrative Agent, in conformance with N.J.A.C. 5:80-26.16(l), and wherein income-qualified households will be assigned an identification number and invited to attend a public drawing of said identification numbers to be held by the Administrative Agent. At this public drawing, which shall be publicly advertised and videotaped for documentation purposes, the Administrative Agent will use a mechanical lottery machine (i.e., a device to randomly select balls labeled with the aforementioned assigned identification numbers) to randomly select identification numbers. All identification numbers will be selected, and the order in which they are selected will establish the order of priority for access to an individual affordable unit/type of affordable unit within an affordable housing development. The household with the highest order of priority will be given a specified amount of time in accordance with this affirmative marketing plan in order to finalize the purchase or rental of the specific unit/type of unit for which it has been selected; when such time has expired, access to the unit/type of unit shall then be provided to the next highest priority household for the same amount of time. Access will be provided to the next highest priority household until one of the income-qualified households has finalized the purchase or rental of the specific unit/type of unit. Notification of such access will be made via certified mailing to the income-qualified household. This random selection process shall provide a regional preference for all households that live and/or work in Housing Region 1 comprised of Bergen, Hudson, Passaic and Sussex Counties.
- K. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income-qualify low- and moderate-income households; to place income-eligible households in low- and moderate-income units upon initial occupancy; to provide for the initial occupancy of low- and moderate-income units with income-qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to low- and moderate-income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26.1, *et seq.*
- L. The Administrative Agent shall provide or direct qualified low- and moderate-income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.

- M. All developers/owners of low- and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent.
  
- N. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all low-income housing units are initially occupied and for as long as affordable units exist that remain deed restricted and for which the occupancy or re-occupancy of units continues to be necessary.
  
- O. The Administrative Agent shall provide the Municipal Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C. 5:80-26.1, *et seq.*

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

Nays: None.

RESOLUTIONS REMOVED FROM CONSENT AGENDA

Resolution No. 20-337

Authorize payment of bills December 3, 2020 to December 16, 2020

A motion was made by Councilwoman Morgan, seconded by Council President Feeney on Resolution No. 20-337.

Discussion:

Councilman DeSena asked Boswell was paid twice for the 2019 Road Improvement Project, totaling close to \$35,000, is that correct? Administrator Tovo replied that is correct, it was not part of their retainer. Councilman DeSena stated it was billed to Various Improvements Road ADA ramps, \$111,650. Administrator Tovo stated it was charged to the Road Program, as per the ordinance. Councilman DeSena asked was a refund ever received from the County, it has been almost two years? Administrator Tovo replied not as of yet, it has been barely a year, it is in the hands of the County DPW Director, we are waiting for him to approve the payment, hopefully soon. Councilman DeSena stated Boswell billed another \$3,800.25 in the same Various Improvements Road ADA Grant, that makes it close to \$40,000, were these for plans and specs? Administrator Tovo replied they were for plans, specs and also their inspections. Councilman DeSena asked do we have Inspection Reports from their inspectors? Administrator Tovo replied he will send what he has, he doesn't have all of them. Councilman DeSena stated JAG Paving Corp, it was all paid to Memorial Field and Gardner. Administrator Tovo stated as Council recalls there was grant money available for that and we had some matching funds, we didn't have enough to pay for the entire project, so we knew all along we had to fund the balance elsewhere. Council President Feeney stated that was discussed during the budget process. Administrator Tovo stated it has been discussed numerous times. Councilman DeSena stated we are making an Emergency Appropriation for that, page 11, line 2, \$21,093, he does remember the juggling we had to do to find the rest of the money, but he doesn't remember requesting an Emergency Appropriation for it. Administrator Tovo stated he believes that was from last year's budget, where the matching funds were not placed in the budget, at the

end of last year we had to do an \$89,000 Emergency Appropriation, that was part of that. Councilman DeSena stated it states first encumbered date 12/15/20, that is why he didn't think it had to do with last year, it just got encumbered. Administrator Tovo stated what he had done of last year's budget, the \$89,000 we had to approve the Emergency Appropriation of \$21,000 it was for matching funds that were not in place in the 2019 budget.

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

Resolution No. 20-337

Authorize payment of bills December 3, 2020 to December 16, 2020

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 12/3/20 to 12/16/20:

TOTAL	2019 Reserve	\$350.00
TOTAL	2020 Current	\$154,570.65
TOTAL	Capital Fund	\$123,420.62
TOTAL	Animal Control	\$909.00
TOTAL	Grant Fund	\$42,186.00
TOTAL	Trust Fund	\$0.00
TOTAL	Escrow Trust	\$77,453.36
<b>GRAND TOTAL:</b>		<b>\$398,889.63</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	TAX LIEN REDEMPTION-ONNIK KAZANJIAN	\$57,284.26
TOTAL	TAX LIEN PREMIUM REFUND-ONNIK KAZANJIAN	\$28,000.00
<b>TOTAL:</b>		<b>\$85,284.26</b>

RICOH USA, INC	CLERK'S OFFICE PRINTER	83.89	39477
ACTION DATA SERVICES INC.	2020 PAYROLL PROCESSING	328.72	39468
AMBULANCE CORPS WASHINGTON TWP	MONTHLY CONTRIBUTIONS-OCT-NOV	6,666.66	39461
AMBULANCE CORPS WASHINGTON TWP	MONTHLY CONTRIBUTIONS-DEC	3,333.37	39461
GLD ASSOCIATES, INC	GRANT WRITING & CONSULTING	2,500.00	39488
GLD ASSOCIATES, INC	GRANT WRITING & CONSULTING	2,500.00	39488
WB MASON CO., INC.	Toner Cartridge	41.17	39475
WB MASON CO., INC.	Manilla Env. 15x20	37.56	39475
UNITED SITE SERVICES	GARDNER FIELD	150.00	39473
UNITED SITE SERVICES	SHERRY FIELD	150.00	39473
UNITED SITE SERVICES	SHERRY FIELD	95.00	39473
UNITED SITE SERVICES	INV.# 592198 5/20/19	150.00	39473
UNITED SITE SERVICES	INV.# 592199 5/20/19	150.00	39473



UNITED SITE SERVICES	INV.# 592199 5/20/19	95.00	39473
UNITED SITE SERVICES	INV.# 5929092 6/5/20	-45.00	39473
UNITED SITE SERVICES	GARDNER FIELD 6/22/20-7/12/20	112.50	39473
UNITED SITE SERVICES	SHERRY FIELD 6/22/20-7/12/20	112.50	39473
UNITED SITE SERVICES	SHERRY FIELD 6/22/20-7/12/20	71.25	39473
EAST COAST EMERGENCY LIGHTING	EMERGENCY LIGHTING	5,080.20	39478
LANGUAGE LINE SERVICES	Phone Interpretation	51.75	39460
WB MASON CO., INC.	LC3017BK INK CARTRIDGE	75.66	39475
UNITED SITE SERVICES	Sherry Field 8/10/20-9/6/20	245.00	39473
EDMUNDS & ASSOCIATES, INC.	PRINT 2020 TAX BILLS	935.01	39459
EDMUNDS & ASSOCIATES, INC.	FOLD & STUFF	159.30	39459
EDMUNDS & ASSOCIATES, INC.	ENVELOPES/INDICIA/RTN ADDRESS	419.03	39459
EDMUNDS & ASSOCIATES, INC.	DELIVERY TO POST OFC	60.00	39459
EDMUNDS & ASSOCIATES, INC.	BLANK TAX BILLS-200	68.00	39459
A CUT ABOVE TREE CARE&SURGERY	988 ADAMS PLACE-TREE REMOVAL	4,200.00	39482
UNITED SITE SERVICES	INV.# 5956987 7/13/20 - 8/9/20	50.00	39473
UNITED SITE SERVICES	WHEELCHAIR ACCESSIBLE	150.00	39473
UNITED SITE SERVICES	INV.# 5956988 7/13/20 - 8/9/20	50.00	39473
UNITED SITE SERVICES	WHEELCHAIR ACCESSIBLE	150.00	39473
UNITED SITE SERVICES	STANDARD TEMPORARY RESTROOM	95.00	39473
BOSWELL ENGINEERING, INC	2019 ROAD IMPROVEMENT I#142825	18,944.37	3495
BOSWELL ENGINEERING, INC	PREPARE NEW STORMWATER	5,000.00	39487
FBI-LEEDA INC	Executive Leadership Course	695.00	39484
APPLIED CONCEPTS INC.	DSR 2 Antenna Radar	2,813.00	39456
APPLIED CONCEPTS INC.	Tahoe Antenna Mount	57.00	39456
APPLIED CONCEPTS INC.	Tahoe Counting Unit Mount	45.00	39456
APPLIED CONCEPTS INC.	Tahoe Rear Antenna Mount	87.25	39456
WB MASON CO., INC.	OFFICE SUPPLIES	0.00	39475
WB MASON CO., INC.	CUSTOM STAMP-PERMIT APPROVED	18.41	39475
WB MASON CO., INC.	UNIV COLORED PAPER-BLUE	5.73	39475
WB MASON CO., INC.	UNIV. COLORED PAPER-GREEN	5.73	39475
WB MASON CO., INC.	UNIV. COLORED PAPER-PINK	5.73	39475
WB MASON CO., INC.	UNIV. COLORED PAPER-ORCHID	5.73	39475
WB MASON CO., INC.	SOFTALK STD.TEL.SHOULDER REST	11.84	39475
WB MASON CO., INC.	UNIVERSAL SELF STICK NOTE PADS	8.33	39475
WB MASON CO., INC.	UNIV. COLORED PAPER CANARY	5.73	39475
BOSWELL ENGINEERING, INC	INV.# 144545 PROJECT: WT113	3,825.00	3495
PERENNIAL SERVICES LLC	AERATION - CORE AERATION	3,200.00	39496
PERENNIAL SERVICES LLC	SEED ATHLETIC FIELD MIXTURE	0.00	39496
B&H PHOTO/VIDEO INC.	AJA U-TAP USB 3.1 GEN POWERED	345.00	39458
BOSWELL ENGINEERING, INC	INV.# 144548 PROJECT: WTES116	580.25	3495
BOSWELL ENGINEERING, INC	INV.# 144547 PROJECT: WTES106	211.00	3495
BOSWELL ENGINEERING, INC	INV.# 144546 PROJECT: WTES105	105.50	3495
GOOSETOWN COMMUNICATIONS	Products	129.06	39472
GOOSETOWN COMMUNICATIONS	Labor	607.50	39472
EDMUNDS & ASSOCIATES, INC.	2020 ADDED ASSESSMENT BILLS	270.00	39459
AUTOMOTIVE BRAKE COMPANY	Rain guards for Fords - Set of	479.70	39465
AUTOMOTIVE BRAKE COMPANY	Rain guards for Car 48	89.00	39465
GOOSETOWN COMMUNICATIONS	Kenwood Rugged standard mic	208.00	39472
GOOSETOWN COMMUNICATIONS	Kenwood Noise-canceling Mic	204.00	39472
G & J WIRING	SERVICE INSTALL NEW DATA RACK	660.00	3496
G & J WIRING	SERVICE VISIT	95.00	39495
BOSWELL ENGINEERING, INC	660 PASCACK REALTY LLC	52.75	3495
BOSWELL ENGINEERING, INC	2019 ROAD IMPROVEMENT I#144936	14,560.75	3495
BOSWELL ENGINEERING, INC	2019 PSE&G GAS OR212 I# 144937	52.75	8840
BOSWELL ENGINEERING, INC	2020 PSE&G GAS OR316 I#144941	52.75	8840
BOSWELL ENGINEERING, INC	2020 PSE&G MODERNIZING I#14493	316.50	8840

BOSWELL ENGINEERING, INC	CSH PASCACK LLC I#144938	52.75	8840
BOSWELL ENGINEERING, INC	2020 PSE&G GAS OR222 I#144940	52.75	8840
AZZOLINA&FEURY ENGINEERING INC	PLAN BD/ENG 2108/3 #73853	555.75	8836
AZZOLINA&FEURY ENGINEERING INC	PLAN BD/ENG 2108/3 #73853	13.50	8836
NORTH JERSEY MEDIA GROUP	ADOPTION ORD. 20-12	15.20	39463
NORTH JERSEY MEDIA GROUP	INTRODUCTION ORD. 20-14	14.25	39463
NORTH JERSEY MEDIA GROUP	INTRODUCTION ORD. 20-13	19.47	39463
AMERICAN WEAR INC.	INV.# 753658 10/29/20	135.75	39469
AMOROSO TREE SERVICE, INC	INV.# 56554 10/27/20	2,800.00	39483
AMOROSO TREE SERVICE, INC	713 TULANE COURT	2,200.00	39483
G & J WIRING	INVOICE# 819 FIBER WIRING	755.00	39495
WB MASON CO., INC.	58A (CF258A) TONER CARTRIDGE	66.71	39475
FIREFIGHTER ONE	SPV V18 BL 18" FAN	4,206.38	39474
FIREFIGHTER ONE	DELIVERY	35.00	39474
FIREFIGHTER ONE	S PIPE KIT	1,639.48	39474
FIREFIGHTER ONE	S PIPE KIT	235.21	39474
WB MASON CO., INC.	STORAGE BOXES	241.87	39475
PARTS AUTHORITY, LLC	TRICO WIPER BLADES TAHOE	38.88	39490
PARTS AUTHORITY, LLC	TRICO REAR WIPER BLADES TAHOE	8.76	39490
PARTS AUTHORITY, LLC	TRICO WIPER REAR 14 TAHOE	7.26	39490
PARTS AUTHORITY, LLC	DEF FLUID	58.08	39490
PARTS AUTHORITY, LLC	GREEN ANTI FREEZE	60.00	39490
PARTS AUTHORITY, LLC	WASHER FLUID	18.00	39490
PARTS AUTHORITY, LLC	WASHER DEICER	31.20	39490
PARTS AUTHORITY, LLC	EXIDE BATTERY 18 TAHOE	194.99	39490
PARTS AUTHORITY, LLC	EXIDE BATTERY 14 TAHOE	187.99	39490
PARTS AUTHORITY, LLC	DELIVERY	37.55	39490
BELMIRO AMARAL	CLEANING SERVICE	800.00	39457
ATLANTIC COAST FIBERS, LLC	RECYCLING OCTOBER 2020	565.89	39489
ATLANTIC COAST FIBERS, LLC	RECYCLING JULY 2020	103.52	39489
AZZOLINA&FEURY ENGINEERING INC	BI/PRE ZON/ENG 4511/1 #73923	171.75	8836
VALLEY HEALTH MEDICAL GROUP	FIRE FIGHTERS PHYSICAL	300.00	39467
VALLEY HEALTH MEDICAL GROUP	FIRE FIGHTERS PHYSICAL	280.00	39467
VALLEY HEALTH MEDICAL GROUP	DOT Testing	170.00	39467
VALLEY HEALTH MEDICAL GROUP	inv# 479054c5622 TStutzer	27.00	39467
NEW JERSEY FIRE EQ CO	GF-2550 G-CLEAN FOAMING HAND	204.50	39462
NEW JERSEY FIRE EQ CO	3M AURA N-95 PARTICULATE	462.00	39462
NEW JERSEY FIRE EQ CO	MASK DISINFECTANT GALLON	70.00	39462
PALISADES SALES CORPORATION	Lenovo post warranty hardware	249.00	39476
PALISADES SALES CORPORATION	APC Backups Pro 1500	390.00	39476
AZZOLINA&FEURY ENGINEERING INC	BI/PZ/ENG 4316/4 #73912	415.00	8836
AZZOLINA&FEURY ENGINEERING INC	BI/PZ/ENG 2202.01/1 #73927	556.50	8836
AZZOLINA&FEURY ENGINEERING INC	SOIL-4410/1 #73922	171.75	8836
AZZOLINA&FEURY ENGINEERING INC	BI/PZ/ENG 2304/41 #73925	586.50	8836
AZZOLINA&FEURY ENGINEERING INC	BI/PZ/ENG 3206/5 #73934	570.00	8836
AZZOLINA&FEURY ENGINEERING INC	SOIL-3206/5 #73935	175.50	8836
AZZOLINA&FEURY ENGINEERING INC	SOIL-4511/50 #73930	201.00	8836
AZZOLINA&FEURY ENGINEERING INC	BI/PZ/ENG 4511/50 #73929	511.50	8836
AZZOLINA&FEURY ENGINEERING INC	SOIL-1402.01/6 #73926	302.25	8836
AZZOLINA&FEURY ENGINEERING INC	SOIL-663 JEFFERSON #73854	192.75	8836
AZZOLINA&FEURY ENGINEERING INC	SOIL-67 SALEM #73964	226.50	8836
AZZOLINA&FEURY ENGINEERING INC	BI/PZ/ENG-67 SALEM #73963	683.25	8836
AZZOLINA&FEURY ENGINEERING INC	SOIL-123 WALNUT 4509/11 #73970	184.50	8836
HOME DEPOT U.S.A., INC.	4- Milwaukee Battery	876.00	39464
HOME DEPOT U.S.A., INC.	2- Energizer AA Battery 25 PK	33.96	39464
HOME DEPOT U.S.A., INC.	1- Energizer AAA Battery 30 PK	16.98	39464
HOME DEPOT U.S.A., INC.	5- Energizer 9V Battery 5 PK	76.50	39464

HOME DEPOT U.S.A., INC.	4- Razor Back Rake	115.92	39464
HOME DEPOT U.S.A., INC.	4- Razor Back Shovel	95.92	39464
HOME DEPOT U.S.A., INC.	3- Rigid 4.5 Diamond Blade	38.91	39464
HOME DEPOT U.S.A., INC.	1- Diablo 4.5 Metal Blade	34.97	39464
HOME DEPOT U.S.A., INC.	4- Scoop Shovel	175.16	39464
HOME DEPOT U.S.A., INC.	1- Milwaukee Bit Set	29.97	39464
HOME DEPOT U.S.A., INC.	1- Milwaukee Dry Vac	299.00	39464
HOME DEPOT U.S.A., INC.	4- Quick Push Broom	79.92	39464
HOME DEPOT U.S.A., INC.	4- Roof Pitch Fork	111.92	39464
HOME DEPOT U.S.A., INC.	1- Milwaukee Wet Vac	199.00	39464
HOME DEPOT U.S.A., INC.	1- Milwaukee Saw All Blade	24.97	39464
HOME DEPOT U.S.A., INC.	1- Milwaukee Blower	159.00	39464
HOME DEPOT U.S.A., INC.	1- DeWalt Deep Impact 3/8 Sock	39.91	39464
IMPAC	2020- VEHICLE FUEL DMF	25.97	39479
AUTHORINET CONSULTING, LLC	AUTHORINET ADVANTAGE PLUS	225.00	39494
AUTHORINET CONSULTING, LLC	AUTHORINET ADVANTAGE PLUS	746.65	39494
AUTHORINET CONSULTING, LLC	MICROSOFT EXCHANGE ONLINE	368.62	39494
AUTHORINET CONSULTING, LLC	ZOOM VIDEO WEBINAR	290.00	39494
AUTHORINET CONSULTING, LLC	PD/Exchange Email I# 8806	256.00	39494
AUTHORINET CONSULTING, LLC	VERIZON FIOS INSTALL I# 8815	130.00	39494
AUTHORINET CONSULTING, LLC	INSTALL WIRELESS ACCESS I#8820	428.00	39494
AUTHORINET CONSULTING, LLC	LOGMEIN LICENSE POLICE I# 8826	191.29	39494
AUTHORINET CONSULTING, LLC	LOGMEIN INSTALL POLICE I# 8849	32.50	39494
UNITED SITE SERVICES	GARDNER FIELD 11/2/20-11/29/20	150.00	39473
UNITED SITE SERVICES	SHERRY FIELD 11/2/20-11/29/20	150.00	39473
UNITED SITE SERVICES	STANDARD TEMPORARY	95.00	39473
WOJCICKI JR., RICHARD S	VIDEO TAPING COUNCIL MEETINGS	300.00	39480
WOJCICKI JR., RICHARD S	SEPTEMBER 1, 2020	300.00	39480
WOJCICKI JR., RICHARD S	SEPTEMBER 14, 2020	300.00	39480
WOJCICKI JR., RICHARD S	OCTOBER 5, 2020	300.00	39480
WOJCICKI JR., RICHARD S	OCTOBER 19, 2020	300.00	39480
WOJCICKI JR., RICHARD S	NOVEMBER 9, 2020	300.00	39480
ANCHOR RUBBER STAMP & PRINTING	S-857 SELF INKING STAMP	36.00	39481
ANCHOR RUBBER STAMP & PRINTING	SHIPPING & HANDLING	9.50	39481
BEACON OFFSET PRINTING LLC	#10 ENVELOPES (NO WINDOW)	75.00	39470
NJ DEPT OF HEALTH & SEN SRVS	PET REGISTRATION OCTOBER 2020	5.00	1683
NJ DEPT OF HEALTH & SEN SRVS	PILOT CLINIC OCTOBER 2020	1.00	1683
NJ DEPT OF HEALTH & SEN SRVS	POPULATION CONT. OCTOBER 2020	3.00	1683
TYCO ANIMAL CONTROL SERVICES	ANIMAL CONTROL SERV. OCT. 2020	975.00	39466
FP MAILING SOLUTIONS	2021 ANIMAL LICENSE POSTAGE	900.00	EFT
STEWART, SCOTT	FIRE-CLOTHING ALLOWANCE 2020	675.00	39491
RITTER, BENJAMIN P	FIRE-CLOTHING ALLOWANCE 2020	675.00	39492
SHALOM, SASI	FIRE-CLOTHING ALLOWANCE 2020	675.00	39486
JAG PAVING CORP	MEMORIAL FIELD & GARDNMER	21,093.00	39497
JAG PAVING CORP	MEMORIAL FIELD & GARDNMER	21,093.00	39497
JAG PAVING CORP	MEMORIAL FIELD & GARDNMER	21,109.00	3497
JAG PAVING CORP	MEMORIAL FIELD & GARDNMER	4,021.12	3497
JAG PAVING CORP	MEMORIAL FIELD & GARDNMER	59,350.88	3497
NORTH JERSEY MEDIA GROUP	Legal Advertising	13.77	8838
NORTH JERSEY MEDIA GROUP	Legal Advertising	17.58	8838
NORTH JERSEY MEDIA GROUP	Legal Advertising	15.68	8838
NORTH JERSEY MEDIA GROUP	Legal Advertising	10.23	8838
NORTH JERSEY MEDIA GROUP	Legal Advertising	14.73	8838
NORTH JERSEY MEDIA GROUP	Legal Advertising	16.15	8838
NORTH JERSEY MEDIA GROUP	Legal Advertising	17.10	8838
NORTH JERSEY MEDIA GROUP	Legal Advertising	17.10	8838
NORTH JERSEY MEDIA GROUP	Legal Advertising	54.17	8838

NORTH JERSEY MEDIA GROUP	legal advertising	19.00	8838
NORTH JERSEY MEDIA GROUP	legal advertising	12.35	8838
NORTH JERSEY MEDIA GROUP	legal advertising	31.35	39463
NEW JERSEY DEPART DCA ELSA	ELEVATOR INSPECTION- 4025364	258.00	39485
ROTHMAN, ROBERT	TAX LIEN REDEMPTION 20-00003	13,721.12	39471
ROTHMAN, ROBERT	TAX LIEN PREMIUM REFUND	41,100.00	8839
ROTHMAN RLTY CORP PROFIT SHRG	TAX LIEN REDEMPTION 19-00002	71,150.39	39493
ROTHMAN RLTY CORP PROFIT SHRG	TAX LIEN PREMIUM REFUND	30,100.00	8841

\*\*\*\*\*

Resolution No. 20-348

Authorize appointment of Robert Tovo, Township Administrator as Municipal Housing Liaison

A motion was made by Council President Feeney, seconded by Councilman Cumming, on Resolution No. 20-348.

Discussion:

Councilman DeSena asked Administrator Tovo, since this is his 2<sup>nd</sup> year being appointed, was the class not held due to COVID? Administrator Tovo replied the former CFO held this position last year, this is his first year holding this position, he will be taking the classes in January to become the Housing Liaison, there is a cost for the class, there is no stipend.

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

Nays: None.

Resolution No. 20-348

Authorize appointment of Robert Tovo, Township Administrator as Municipal Housing Liaison

WHEREAS, the § 7-96 of Code of the Township of Washington established the position of Municipal Housing Liaison for the Township of Washington, the purpose of which position is to create the administrative mechanism responsible for administering the Township of Washington's affordable housing program; and

WHEREAS, the Code of the Township of Washington provides that the Township shall appoint a specific municipal employee to serve as a Municipal Housing Liaison responsible for administering the affordable housing program, including affordability controls, the Affirmative Marketing Plan, monitoring and reporting, and, where applicable, supervising any contracted Administrative Agent; and the Code further provides that the Municipal Housing Liaison shall be appointed by the governing body and may be a full- or part-time municipal employee; and

WHEREAS, the Code of the Township of Washington further provides that the Municipal Housing Liaison shall be approved by COAH, its successor entity, or the Court and shall be duly qualified through a training program sponsored by Affordable Housing Professionals of New Jersey before assuming the duties of Municipal Housing Liaison; and

WHEREAS, the Township Council, as the governing body of the Township of Washington, has determined to appoint Robert Tovo, Township Business Administrator, as the Township's Municipal Housing Liaison;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Washington, County of Bergen, State of New Jersey hereby

appoints Robert Tovo, Township Business Administrator, as the Township's Municipal Housing Liaison;

BE IT FURTHER RESOLVED that Robert Tovo shall complete the qualifications for said position through a training program sponsored by Affordable Housing Professionals of New Jersey before assuming the duties of Municipal Housing Liaison.

A motion was made by Councilman DeSena, seconded by Councilman Cumming to adjourn to Conference Agenda.

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

Nays: None.

*\*At this time Mr. Slachetka left the meeting.*

Time noted: 9:00 p.m.

/s/ Susan Witkowski  
Township Clerk

/s/ Stacey Feeney  
Council President

Approved: June 9, 2021



TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY  
CONFERENCE AGENDA  
December 21, 2020

**⌘PLEASE NOTE THIS IS A VIRTUAL MEETING ⌘**  
**DUE TO CORONAVIRUS PANDEMIC**

CURRENT BUSINESS

**I. Administration**

A. Draft, Bid Specs: Recycling-Vegetative Waste (rt) – Administrator Tovo stated these are a preview of the items that will go to bid in 2021, he is asking Council to look at the draft get back to him with any comments, questions or concerns via email or phone call. Councilman DeSena stated he believes our DPW staff load the trucks. Administrator Tovo stated he doesn't believe so, he will double-check. Councilman DeSena asked can we include it in the bid, that they load it themselves. Administrator Tovo replied yes, we can, we can make it clear in the contract. Mayor Calamari stated we were having a meeting at the site one day when they were being loaded, it was not our DPW staff. Council President Feeney asked if there was going to be a change, please notify the residents, as well if there was going to be a financial impact also, so we can encourage our residents to cooperate with our staff. Councilman DeSena stated he would like to confirm that this is for leaf pick-up at Sherry Field that we dump there from the leaf program. Administrator Tovo stated that is correct.

B. 2021 Commuter parking *follow up* (pc) – Mayor Calamari stated unfortunately he doesn't have anything to report, he is hoping to have something in place by the Sine Die Meeting.

B. DPW Temporary location (pc) – Mayor Calamari read the following statement:

We will be utilizing the town owned property at the end of Hudson Avenue adjacent to The Dog House parking lot to house two (2) 12x24 residential looking storage sheds for the DPW. No trucks will be stored there. Councilman Cascio initially suggested we evaluate this site for the use to save every taxpayer dollar possible and not spend money on temporary rental locations, so I encourage people to thank him for that suggestion. If they are no longer needed at that location, we will plant new trees to replace the ones that will come down. They may have to remain there permanently if the DPW stays in its current location at town hall. This will help remedy the lack of space and storage issues in the current space. We will also be using a small piece of town owned land that is adjacent to Sherry Field to construct a two-bay garage for basic maintenance and repair of equipment. On the tax maps it is referred to as Brook Avenue and is currently unimproved. It will be set back from the road and sight lines consistent with the houses on that road. All the buildings will be modular construction and therefore moveable based on changing needs and plans. I want to inform everyone that in the past, and prior to my administration, Green Acres grant money was accepted by the town for all the parks in town. Taking Green Acres money binds all the park land to being useable only for recreation. We will be using a portion of the Sherry Field parking lot for temporary parking and storage of the DPW vehicles as this is a permitted use within the Green Acres restrictions. We have also identified enough temporary space in Town Hall to base the employees during this temporary period, saving money in not renting temporary office trailers. We were able to do this because of the proximity of Town Hall to Valley Bank, who is gracious to allow us to park vehicles in their back-parking lot. The dump operation will continue to take place from the Town Hall parking lot. These spaces will enable the department to continue operations until a new facility is built. These decisions were not made lightly. Being in already mostly built town leaves us with limited options when needs like this

arise. The department will do their best at all locations to keep the disturbance to the area residents at a minimum. As always reach out to myself or Administrator Tovo if you have any concerns about the operation. We are considering and investigating all possible locations and options for a permanent space for the DPW building, so if anyone has any knowledge of practical and viable space or any workable ideas, please bring them to the attention to myself or the Administrator. Thank you.

**II. Council**

- A. Ordinances and Legislation
- B. Financials
- C. Miscellaneous

a. 2021 budget meeting dates (sf) – Budget Meetings will be held on the following Saturdays from 9:00 a.m. – 2:00 p.m., January 23<sup>rd</sup>, January 30<sup>th</sup>, February 6<sup>th</sup>, February 13<sup>th</sup>, February 20<sup>th</sup> and February 27<sup>th</sup>. Council President Feeney asked if anyone has any conflicts, please reach out to her or the Township Clerk, we will see how COVID steers the meetings in the new year. Council agreed.

A motion was made by Councilman DeSena, seconded by Councilwoman Morgan, to adjourn.

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

Nays: None.

Time noted: 9:10 p.m.

/s/ Susan Witkowski  
Township Clerk

/s/ Stacey Feeney  
Council President

Approved: June 9, 2021