

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
RE-SCHEDULED REGULAR MEETING MINUTES
March 23, 2020~7:00 p.m. (originally March 16, 2020)

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

CALL TO ORDER: Council President Feeney

STATEMENT:

Welcome to the re-scheduled Public Meeting of March 23, 2020 of the Township of Washington Township Council. Adequate notice of the meeting was given in accordance with the Open Public Meetings Act by the Township Clerk to at least two (2) newspapers on March 13th, and this notice has been posted on the Township Bulletin Board 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:
Mayor Calamari; Township Administrator Tovo; and Township Attorney Poller.

At Town Hall: Township Clerk Witkowski.

PUBLIC SERVICE ANNOUNCEMENT read by Council President Feeney.

CORONAVIRUS: For information and the latest updates, please visit the Township of Washington home page.

CLOSURE & CANCELATION ALERTS:

The Township has decided on the following closures to mitigate the potential transmission of COVID-19 in our area until further notice:

The municipal building is closed to the public with limited staff on any given day and all offices may be reached by phone and email.

The Library and senior center/senior activities closed/cancelled

All spring recreation sports are suspended until April 6th

All township parks/playgrounds and fields are closed to all activities

The following procedures have been implemented:

All business will be conducted via telephone, email or United States Postal Service. In addition, we have added a DROP BOX/PICK UP BOX located outside front door. NOTE these are not intended as afterhours boxes, please use them during normal business hours.

Drop off and pick up of any necessary paperwork, such as permit applications, payments, licenses, etc., will be available through the drop box outside. Please call appropriate department beforehand to make arrangements for picking up of forms.

The Borough will be erring on the side of caution by closing to the public and cancelling all inspections until further notice. Please check back regularly for updates as the situation progresses.

The BCUA's April 5th Household Hazardous Waste collection event scheduled for Bergen Community College has been canceled. The BCUA has also suspended its electronics recycling program and composter sales at its Little Ferry/Moonachie facility.

SCAM ALERT - Please be aware that individuals are going door to door claiming to be from the Centers for Disease Control. The CDC does NOT deploy teams to go door to door. Residents should not let these people into their homes or speak with them. Contact Township of Washington Police Department if this activity is reported.

Sign up for Township email notices by texting the word TOWNSHIP to 22828 and entering your email address. You can also follow us on Facebook and Twitter.

Please look under "Community" on our website to see those establishments that are offering take-out services.

Mayor Calamari – The New Jersey Department of Community Affairs, Department of Environmental Protection and Board of Public Utilities are asking that every water system, private or public, including those operated by our municipal governments, commit to a suspension of any water shut offs for reasons of non-payment, safe reconnection of anyone previously shut off, and a suspension of the use of liens as a collection practice until the outbreak of COVID-19 has subsided. Anyone that falls into that category, please reach out to the water company for reconnection.

APPROVAL OF MINUTES

A motion was made by Councilman Cascio, seconded by Councilman Cumming to approve the following minutes:

November 25, 2019 Regular Meeting (sf/dm)
November 25, 2019 Conference Meeting (sf/dm)

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

****TO PARTICIPATE IN THE 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. PLEASE NOTE THAT AT THE END OF THE PUBLIC COMMENT NO MORE CALLS WILL BE ACCEPTED****

GENERAL PUBLIC DISCUSSION (Five Minute Time Limit)

Council President Feeney advised there is a five-minute-time limit.

A motion was made by Councilman DeSena, seconded by Councilman Cumming, to open the general public discussion.

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

Michael Ullman, 2 Clark Avenue – Mr. Ullman thanked Council for holding the meeting during the pandemic. He stated on the list of bills on the website, page 3, Robbie Conley Architects, PO #20-00290, \$59,200, description is “Construction docs” what is this payment for, is it a partial payment? Council President stated on our page it states “Various Improvements Section 20.” Administrator Tovo stated it is progress billing, as Mr. Conley works on the construction documents, bid package, it is part of his original quoted amount. Mr. Ullman stated he disagrees, there is a Design Development Phase and a Construction Document Phase at the completion of the Construction Document Phase a payment of \$158,400 was due, there is no provision for progress payments, unless something has changed, again, why are we making progress payments that are not part of the fee proposal agreement. Administrator Tovo replied he doesn’t have the documents in front of him, but there is progress billing. Mr. Ullman stated there are discreet phases, the construction documents is a discreet phase, the total of \$158,400, is this progress billing Administrator Tovo state this a progress payment for work completed. Mr. Ullman asked why is there progress payment, he would like someone to get back to him on this. Mr. Ullman stated in February he had a question about who is handling the accounting functions on the 2nd floor, Council President Feeney stated he did receive an email on March 2nd from Ms. Feeney, but she did not get back to him since then. Council President Feeney stated she does have some answers, not all of them, she will get back to Mr. Ullman shortly, but with everything going on it not has been easy, she will get back to Mr. Ullman as soon as she possibly can. Mr. Ullman stated he appreciates Ms. Feeney’s comment that she is looking into it, but it has been two months. Council President Feeney stated she understands, but she doesn’t want to respond with incomplete answers, she doesn’t believe that is fair.

Julianne Lipnick, 184 Finnerty Place – Ms. Lipnick stated she has two things to address. She submitted paperwork to the Township Clerk, which she is sure everyone has in their packets, it is regarding the sewer back-up in her home that took place, which was brought to Council’s attention in August. She stated she and her husband do their due diligence to keep their home up to par, inside and out, we have experienced quite a bit of problems with the sewer line. The Borough Engineer was at her home in August, looked into the matter, ran a scope, months passed, she sent Administrator Tovo and email inquiring about the results of the scope, was told the line as scoped were clear, she explained the pumps were still going off. Administrator Tovo then told her that a second scope would be done on the line. She contacted Mr. Yakimik and was told “the line is clear now” and Administrator Tovo did indicate via email the line was clear. She stated we have spent a great deal of money, trying to rectify the problem because we thought the problem was in our home, but in actuality it was not, we have been victims of the shopping center since the 1990’s, when it was enhanced. At that time, when she asked for the 200-foot list, a document that showed she was notified of the expansion, the Administration at that time told her “The builder said he did everything he was supposed to do” but that was not the responsibility of the builder, it was the responsibility of the building owner. She stated we have been victims over and over again, trucks at all hour’s day and night, we have a noise ordinance, lights, trucks emptied all hour of the night, she has brought that to the Administration’s attention, as well as the store manager. She understands that there is a problem in the sewer line, but she is not going to be a victim and have her property value diminished due to laziness and oversight. She has submitted all of her bills, she is requesting reimbursement as well as a backflow preventer installed on the line, as was done on Prospect, Mr. Yakimik did state to her that it will happen again. She stated all the corrective work that was done is outlined in her letter, currently, there are blue mark-outs on the street, to the gate. She called SUEZ, no one knows anything, even Mr. Yakimik didn’t know. She stated this lack of transparency has to stop, this dates back to the 1990’s, there was no Zoning Board hearing back in the 1990’s due to this

expansion, this leads her to believe the same thing is now being done with Gorga Place. She stated her second issue is the Post Office, on March 7, 2020, she was outside doing yard work, only to find her personal mail was thrown on her porch, her mailbox has been on the side of the home almost 50 years, she stated she also found a piece of mail in a bush, the postmark was washed off, glue gone, it was a government check issued to her husband. She has kept the mail, and notified Josh Gottheimer's office, this has got to stop, something needs to be done. Council President Feeney stated she has notified the Postmaster General, she is looking into it, the Township doesn't have control over the hours of the Post Office, she is going to speak to the postal carriers about the mail not being delivered, was the March 7th date the date the mail was delivered? Ms. Lipnick stated she doesn't believe so, the date on the check was February 27th, she doesn't care about the hours, but when she finds a government check that her husband has been waiting for in the bushes, that is not acceptable. Council President Feeney stated Ms. Lipnick is 100% correct, she will speak to the Postmaster tomorrow again and explain the situation. She stated regarding the engineering issue, we received the paperwork in our packets, she will speak with the engineer, review the engineers report and get back to Ms. Lipnick.

A motion was made by Councilman DeSena, seconded by Councilman Cascio, to close the general public discussion.

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

Nays: None.

The public portion comment of the meeting is closed.

ORDINANCES

Adoption, 2nd Reading:

Ordinance No. 20-03 will be re-advertised for the next meeting.

Introduction, 1st Reading:

Ordinance No. 20-04

AN ORDINANCE AMENDING FEES ASSOCIATED WITH THE SUMMER RECREATION PROGRAM

A motion was made by Council President Feeney, seconded by Councilwoman Morgan, to introduce and pass Ordinance No. 20-04 at first reading by title.

Councilman DeSena stated since Council has not received a breakdown of fees to run the program, he would like to table the ordinance. Mayor Calamari stated the breakdown will be provided tomorrow, he would ask that Council pass the introduction, if the ordinance is tabled, it messes up the registration dates. Councilman Cascio stated he doesn't see why it needs to be rushed through. Councilman DeSena stated he would like to see income in and funds out, if the program is being funded correctly, he would like to introduce it next week, along with 20-03. Council President Feeney asked why is 20-03 being tabled? Township Clerk Witkowski stated when she advertised the meeting, she thought it would carry over, but Attorney Poller stated the public hearing doesn't carry over, that is why it had to be re-advertised. Attorney Poller stated that is correct. Council President Feeney stated the ordinance 20-04 can be amended at 2nd reading. Councilwoman Morgan stated she agrees. Councilman DeSena stated he would prefer it done correctly the first time. Mayor Calamari stated there is a lot of prep work to get done regarding the program, as well as registration numbers, he stated he will send the information tomorrow, he would request Council pass the first reading tonight.

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

Nays: None.

A motion was made by Councilman DeSena, seconded by Councilwoman Morgan, to approve Resolution No. 20-194.

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

Nays: None.

Resolution No. 20 – 194

WHEREAS, Ordinance No. 20-04 entitled: AN ORDINANCE AMENDING FEES ASSOCIATED WITH THE SUMMER RECREATION PROGRAM was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 23RD day of March, 2020; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 6th day of April, 2020 at 7:30pm, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Complex, 350 Hudson Avenue, Township of Washington at which time and place all persons who may be interested will be given an opportunity to be heard concerning said ordinance

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

Ordinance No. 20-04

AN ORDINANCE AMENDING FEES ASSOCIATED WITH THE SUMMER RECREATION PROGRAM

BE AND IT IS HEREBY ORDAINED, by the Township Council of the Township of Washington that Section 212-1(B)(1) of the Code of the Township of Washington be and is hereby amended by revising the fee schedule applicable to the Summer Recreation Program as follows:

1.

§ 212-1 Chapter 7, Administration of Government.

....

B. Office of Recreation. (§ 7-91)

(1) The following schedule shall apply to participants in the recreational activities administered through the Office of Recreation:

“PROGRAM	Fee for First Family Participant	Fee for Each Additional
Family Participant		
Summer Recreation Program	\$400	\$390

8:30 a.m.–2:30 p.m.
 (6-week program)
(Out-of-Town Registration below)

Summer Recreation before and after care programs:

Full before and after care 7:30 a.m.–8:30 a.m. 2:30 p.m.–6:00 p.m.	\$600	\$575
--	-------	-------

Full before care only 7:30 a.m.–8:30 a.m.	\$200	\$180
---	-------	-------

Full after care only 2:30 p.m.–6:00 p.m.	\$450	\$425
--	-------	-------

Fee for late pick-up (Paid at end of week)	\$25 per hour for each participant	
---	------------------------------------	--

Out of town registration includes any participants **who are not residents** of either the Township of Washington or Westwood:

“PROGRAM	Fee for First	Fee for Each
	Family Participant	Additional

Family Participant

Summer Recreation Program 8:30 a.m.–2:30 p.m. (6-week program)	\$500	\$490
--	-------	-------

Summer Recreation before and after care programs:

Full before and after care 7:30 a.m.–8:30 a.m. 2:30 p.m.–6:00 p.m.	\$700	\$675
--	-------	-------

Full before care only 7:30 a.m.–8:30 a.m.	\$275	\$255
---	-------	-------

Full after care only 2:30 p.m.–6:00 p.m.	\$525	\$500
--	-------	-------

Fee for late pick-up (Paid at end of week)	\$25 per hour for each participant	
---	------------------------------------	--

Prorated refunds will be issued only during the first two weeks of the program. After the first two weeks of the program, registration fees are **NON-REFUNDABLE**.

(2) **REFUNDS:** There shall be a \$25 per-registration refund fee. Refunds shall only be issued if requested in writing within the first two-weeks of a program and during the first week of Summer Recreation. No refund will be issued for before and after care after the start of the program. No refunds will be issued for Summer Recreation trips/excursions.”

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

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

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

INDIVIDUAL RESOLUTION(S):

Resolution No. 20-184

Authorize emergency temporary appropriation, PERS Pension Liability and PFRS Pension Liability

A motion was made by Councilwoman Morgan, seconded by Council President Feeney to approve Resolution No. 20-184.

Councilman DeSena stated being that the temporary budget expires in 8 days, how is the Township going to pay bills starting April 1st? Administrator Tovo stated bills will be paid through an Emergency Appropriation, he did speak to Lerch, Vinci, this is the way they recommended it be handled, this is outside the temporary budget. Councilman DeSena asked what account is that? Administrator Tovo stated it is not coming from a line item account, it would be Oritani, that is where all of our accounts are, this was done last year, it is part surplus. Councilman DeSena stated his question is on March 31st the Temporary Budget was passed to pay employees and bills, day to day operations, how is that being done, after April 1st we have no money in our budget to pay employees. Administrator Tovo stated that will be done at the next meeting. Councilman DeSena stated the next meeting is April 6th, he wants to be sure everyone gets paid, this resolution only pays pension liability for PERS/PFRS, doesn't pay anything after March 31st. Township Clerk Witkowski the next payroll is March 30th, then April 15th. Council President Feeney stated if it gets in by April 6th there will be monies, the last meeting was canceled. Councilman DeSena stated taxes need to be collected, employees need to be paid. Council President Feeney asked can we have the temporary budget a week before the next meeting. Administrator Tovo replied he will get back to Council President Feeney tomorrow.

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

Nays: None.

Resolution No. 20-184

Authorize emergency temporary appropriation, PERS Pension Liability and PFRS Pension Liability

WHEREAS, an emergent condition has arisen with respect to appropriations and no adequate provision has been made in the 2020 Temporary Budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations for said purpose; and

WHEREAS, the total temporary budget resolution adopted in the year 2020 is for \$2,836,687.00; and

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Washington, in the County of Bergen, State of New Jersey (not less than two-thirds of all members affirmatively concurring) that, in accordance with the provisions of N.J.S.A. 40A:4-20, the following emergency temporary appropriations be made and that said emergency temporary appropriations be added to the Temporary Budget, adopted on January 6, 2020, as follows:

PERS – PENSION LIABILITY	\$141,183.00
PFRS – PENSION LIABILITY	\$788,048.00
TOTAL:	\$929,231.00

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

RESOLUTIONS/CONSENT AGENDA

All of 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.

*A motion was made by Councilwoman Morgan, seconded by Councilman DeSena to move the Consent Agenda.

Councilman DeSena requested to table the following Resolutions: 20-185, 20-188, 20-189, 20-190, 20-191.

Councilman Cascio requested to table Resolution 20-192.

Discussion Resolution 20-185

Councilman DeSena asked is the Building Department self-funded? Administrator Tovo replied as the proposed budget 2020 currently stands, with the pay increases for the TA’s, the revenues versus our spends will be about \$4,000 which will come out of the current fund, that is allowable by law and can be funded by the township. Councilman DeSena asked PO 20-00090, Deptcor, CSCMDC (two-sheet carbon). Administrator Tovo stated this should be in Purchase Order process, a check should not have been cut.

Councilman DeSena stated Purchase Order by listing number, it says “remove and replace 300 square feet” amount of \$4,320, SCS Contracting. Administrator Tovo stated that curb is township property, received quotes and the work went to the lowest bidder, he is not sure which school, but will check with the DMF, the work has not been completed. Councilman DeSena stated why are we cutting checks. Administrator Tovo stated he doesn’t know if this is accurate, if this has gone far out enough to get a check cut. Council President Feeney asked Administrator Tovo maybe Council needs to review this before checks go out. Administrator Tovo replied preferably getting the bill list sooner, so it can be checked for accuracy. Council President Feeney stated something is going on that needs to be addressed. Councilman DeSena stated he has problem with the next four. Council President Feeney stated the resolution needs to be tabled, she would like an answer tomorrow on what is supposed to be monies set aside on PO’s, or money that needs to get paid for invoices, obviously, Verizon and some others would have to be paid, but she is not comfortable with this bill list, we might have to have a quick meeting to approve these bills, she also did have a few questions. She would like Administrator Tovo to review this, and get back to Council by the end of business tomorrow, which are PO’s that need monies to be set aside for them, which items are checks that need to be paid for services or goods. Councilmembers agree.

***Resolution No. 20-185 TABLED**

Authorize payment of bills March 3, 2020-March 13, 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 03/03/20 to 03/13/20:

TOTAL	2019 Reserve	\$32,061.68	
TOTAL	2020 Current	\$248,893.80	
TOTAL	Capital Fund	\$89,576.84	
TOTAL	Animal Control	\$1,032.60	
TOTAL	Grant Fund	\$500.00	
TOTAL	Trust Fund	\$7,236.30	
TOTAL	Escrow Trust	\$3,824.28	
		GRAND TOTAL:	\$383,125.50

BE IT FURTHER RESOLVED, that no 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		0
-------	--	----------

Discussion Resolution No. 20-188

Councilman DeSena asked is Council comfortable with the library expense of \$370,000, it is a lot of money. Councilwoman Morgan agrees. Councilman DeSena stated the numbers are escalating, he would like to time to digest it, he would like the whole application, along with the drawings. Councilwoman Morgan stated a lot of the items are nice to have, but not necessarily a need. Council President Feeny stated she doesn't know if it is a nice to have, what the library needs, what the residents are asking for. Councilman Cumming stated he did see this the first time this afternoon, it is quite a bit of money for the scope of work. Councilman DeSena stated he agrees with Councilman Cumming. Council President Feeny asked has this gone out to bid? Administrator Tovo replied it has not. Council President Feeny stated the reason this is being asked for, the resolution, is that monies will be set aside before it goes out to bid, where did these estimates come from? Administrator Tovo replied the architect, the reason is it on the agenda is there was a grant deadline, it has been extended to June 5th. He stated the Capital Budget originally presented did have \$100,000 earmarked for the library project, in an effort to offset the increased cost here, we are pulling DMF items out to keep the amount down to what was originally presented. Councilman DeSena requested Council be provided with a print-out of the packets/application that were sent via email to the Council. Council President Feeny asked does Resolution No. 20-192 also need to be tabled, it just confirms township ownership of the library. Mayor Calamari replied that ties into the grant, a confirmation is needed that it is Township owned property. Council President Feeny asked is there a minimum amount that has to be spent, a cap? Administrator Tovo replied he is not sure about the cap, the increase is due to the size of the building, and adding a generator. Council President Feeny stated the spend for the Township would be \$185,000, they would match another \$185,000, not spending \$370,000. Councilwoman Morgan stated a matching grant would be justifiable. Council President Feeny stated better paperwork is needed. Councilman Cumming stated Council was told about a small renovation of \$100,000, now it is \$185,000, with the total jump to \$370,000, he stated we need clarification, not a last-minute email composed by

the architect testifying that yes, the mechanical equipment is adequate to do the job. Council President Feeney stated Council does need to go over this. Mayor Calamari stated he will get more information, perhaps do a questions/answer period with Ms. Rifkin. Council is in agreement.

Discussion Resolution No. 20-190

Councilman DeSena asked how many bids were received? Administrator Tovo replied two, \$26,000 differential, engineer received a quote, Administration received a quote. Councilman DeSena stated we can't receive multiple quotes from the same vendor without advertising, the threshold being \$17,500, a company is only allowed one non-competitive, non-bid quote per year. Council President Feeney asked Attorney Poller where do we stand, it is SCS Contracting. Councilman DeSena stated it is to remove and replace concrete curb, more concrete curb is being given without a bid. Councilman Cumming stated it is already on the bill list. Council President Feeney stated she will reach out to Attorney Poller tomorrow to discuss this resolution and the rules of bidding.

Discussion Resolution No. 20-191

Councilman DeSena asked where are the monies for these bins coming from? Administrator Tovo replied from a Clean Communities Grant, we have over \$140,000, it is not coming out of our budget, multiple vendors were looked at, this vendor will match the bins we have. Councilman DeSena replied he is okay with it.

The following Resolutions were **TABLED**:

*Resolution No. 20-188 **TABLED**

Authorize the intent to provide match funding, NJ Library Construction Bond Act in the amount of \$185,000

WHEREAS, the Township of Washington and the Township of Washington Public Library wish to apply for the project entitled the New Jersey Library Construction Bond Act Grant for approximately Three Hundred Seventy Thousand Dollars (\$370,000); and

WHEREAS, the New Jersey Library Construction Bond Act project requires a resolution or bond ordinance of the intent to provide funding for the 50% cash match; and

WHEREAS, the Township of Washington has agreed to provide the cash match on behalf of the Township of Washington Public Library for its project entitled the New Jersey Library Construction Bond Act because of its benefits for our residents and it is in the best interests of the Township of Washington.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF WASHINGTON:

1. The Township of Washington hereby certifies its intent to provide up to One Hundred Eighty-Five Thousand Dollars (\$185,000) in matching funds on behalf of the Township of Washington Public Library for its project entitled the New Jersey Library Construction Bond Act in the total project amount of approximately Three Hundred Seventy Thousand Dollars (\$370,000).

*Resolution No. 20-189 **TABLED**

Authorize permission to apply for the NJ Library Construction Bond Act in the amount of \$370,000

WHEREAS, the Township of Washington and the Township of Washington Public Library wish to apply for the project entitled the New Jersey Library Construction Bond Act Grant; and

WHEREAS, to apply for the New Jersey Library Construction Bond Act project, the Township of Washington and the Township of Washington Public Library must certify that they are authorizing their governing bodies to submit this grant application; and

WHEREAS, the Township of Washington and the Township of Washington Public Library must certify that permission has been granted to apply for the project entitled the New Jersey Library Construction Bond Act in the amount of Three Hundred Seventy Thousand Dollars (\$370,000).

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF WASHINGTON:

1. The Township of Washington hereby certifies that permission has been granted to apply for the project entitled the New Jersey Library Construction Bond Act in the amount of Three Hundred Seventy Thousand Dollars (\$370,000).

***Resolution No. 20-190 TABLED**

Authorize award of bid for ADA Compliant Parking Stalls to SCS Contracting in the total amount of \$23,400

WHEREAS, on March 26, 2019, the Township of Washington, County of Bergen, New Jersey received bids for the construction of new ADA Compliant Parking Stalls for Memorial Field in the Township of Washington where ADA Parking do not currently exist (the "Project"); and

WHEREAS, the Project is being funded through a year 2019, \$26,000 Bergen County Community Development Block Grant which uses Federal funds; and

WHEREAS, SCS Contracting of 87 Shadyside Road, Ramsey, NJ 07446 was the lowest responsible bidder for the work to be performed in connection with the Project in the amount of \$23,400; and

WHEREAS, the contract amount of \$23,400 shall be chargeable at such time as a certification of available funds is made by the Chief Financial Officer upon receipt of a properly executed purchase order.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington, County of Bergen, New Jersey that the bid of SCS Contracting of 87 Shadyside Road, Ramsey, NJ 07446 is hereby accepted and is awarded to SCS Contracting for the construction of new ADA Compliant Parking Stalls for Memorial Field in the Township of Washington where ADA Parking do not currently exist, in the final contract amount of \$23,400.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute a Contract with SCS Contracting for the above stated purpose consistent with said bid.

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, Robert Tovo, Temporary Chief Financial Officer of the Township of Washington, have ascertained the availability of funds for such services as determined in account #0-01-71-700-203; Total Certified Amount Not to Exceed: \$23,400.00; Robert Tovo, Temporary CMFO

***Resolution No. 20-192 TABLED**

Authorize confirming certification of ownership of the Township Library property for New Jersey Library Construction Bond Act
Pc-ties into grant, can hold off

WHEREAS, the Township of Washington and the Township of Washington Public Library wish to apply for the project entitled the New Jersey Library Construction Bond Act Grant; and

WHEREAS, the New Jersey Library Construction Bond Act requires proof that the property site where the library renovations shall be constructed is owned by the Township of Washington and shall be dedicated for public library use only.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF WASHINGTON:

1. The Township of Washington hereby certifies that it is the owner of the property commonly known as the Township of Washington Public Library, 144 Woodfield Road, Township of Washington, Bergen County, New Jersey 07676 where the proposed library renovations shall be constructed, more specifically identified as Block 3402 and Lot 17 on the Tax Map of the Township of Washington.
2. The Township of Washington further certifies that this property is dedicated to public library use.

Roll call to **TABLE** R20-185, 20-188, 20-189 and 20-192:

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

Nays: None.

A motion was made by Councilman Cascio, seconded by Councilman DeSena to approve the following Resolutions: 20-186, 20-187, 20-191, 20-193.

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

Nays: None.

Resolution No. 20-186

Authorize refund of engineering escrow monies, Block 2328/Lot 26, 367 Jackson Avenue in the amount of \$1,000.00

WHEREAS, Magnolia Home Remodeling posted Engineering escrow monies for a project on premises known as Block 2328, Lot 26, 367 Jackson Avenue (Black Residence); and

WHEREAS, according to the Township Engineer, the application did not require a zoning/engineer review, and he has requested the escrow monies posted be refunded.

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money to the above in the amount of \$1,000.00.

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, Robert Tovo, Temporary Chief Financial Officer of the Township of Washington, have ascertained the availability of funds for such services as

Resolution No. 20-187

Authorize removal of interest accrued due to a mis-posting of tax payment, Block 4429/Lot 7, 218 Lafayette Street in the amount of \$22.00

WHEREAS, the Tax Office was made aware in February 2020 of a mis-post that had occurred six months prior, during the Quarter 3 2019 tax cycle. Because the payment did not clearly specify that it was for another property, it was posted to the payer's address, Block 4429, Lot 7, 218 Lafayette Street, instead of to Block 4306, Lot 51, 402 Fern Street. This created an overpayment for 218 Lafayette, which was refunded to Corelogic in December 2019; and

WHEREAS, 402 Fern Street has been properly credited. However, this opened a delinquency, with accrued interest, for 218 Lafayette. Corelogic has paid the original refund monies back to credit 218 Lafayette. However, interest remains outstanding; and

WHEREAS, per N.J.S.A 54:4-99, the governing body has the discretion to remove the interest; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey, that the Tax Collector be authorized to remove the interest for Block 4429, Lot 7, 218 Lafayette Street, not to exceed an amount more than \$22.00.

Resolution No. 20-191

Authorize confirming contract with State co-op vendor to purchase litter and recycling receptacles in the total amount of \$36,552.60

WHEREAS, the Township of Washington, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Washington has the need on a timely basis to purchase the following Litter and Recycling Receptacles In a total quantity of 36 units with lids and proper decals; and

WHEREAS, the State Contract price is as follows:

Per unit	\$ 1,094.00
TOTAL with shipping	\$36,552.60

WHEREAS, the Temporary Chief Financial Officer will certify that sufficient funds are available in the Current Grant Account for Clean Communities; and

WHEREAS, the Township of Washington intends to enter into a Purchase contract Ben Shaffer Recreation, PO Box 844 Lake Hopatcong, NJ 07849 (NJ State Contract # 16-FLEET-00135) for the contract total cost of \$36,552.60 through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts.

NOW THEREFORE BE IT RESOLVED that the Township Council authorizes the Purchasing Agent to purchase the above listed receptacles from Ben Shaffer Recreation, pursuant to all conditions in the individual State contracts.

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, Robert Tovo, Temporary Chief Financial Officer of the Township of Washington, have ascertained the availability of funds for such services as determined through a grant fund; G-02-41-705-000 Total Certified Amount Not to Exceed: \$36,552.60; Robert Tovo, Temporary CMFO

Resolution No. 20-193

Authorize refund of 1st quarter 2020 property tax payment, Block 4502/Lot 21 in the amount not to exceed \$2,898.00

WHEREAS, the owners of 180 Fern Street, Block 4502, Lot 21, initiated a cancellation of an online credit card payment in the amount of \$2,898.00 for a duplicate Q1 2020 property tax payment. Per our credit card processor's protocol, during their review of a cancellation claim, the original payment stays on our records until the claim is settled; and

WHEREAS, the claim has now been settled and we have been invoiced by our credit card processor to refund the amount of the original payment; and

WHEREAS, under the N.J.S.A. 54:3-27.2, tax overpayments shall be refunded to the payer.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Washington authorizes the Tax Collector to issue payment to FIS Global, P.O. Box 4535, Carol Stream, IL 60197-4535, in the amount of \$2,898.00.

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, Robert Tovo, Temporary Chief Financial Officer of the Township of Washington, have ascertained the availability of funds for such services as determined in the Township's current fund account; #0-01-95-004-000 Total Certified Amount Not to Exceed: \$2,898.00; Robert Tovo, Temporary CMFO

A motion was made by Councilman Cascio, seconded by Council President Feeney to adjourn to the Conference Agenda.

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

Nays: None.

Attorney Poller will not be present for the Conference Agenda.

Time Noted: 8:15 p.m.

/s/ Susan Witkowski
Township Clerk

/s/ Stacey Feeney
Council President

Approved: May 4, 2020

TOWNSHIP OF WASHINGTON
 BERGEN COUNTY, NEW JERSEY
CONFERENCE/BUDGET MINUTES
March 23, 2020

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

CURRENT BUSINESS

- I. Administration**
- II. Council**
 - A. Ordinances and Legislation
 - B. Financials
 - 1. budget meeting dates set
 - C. Miscellaneous
- III. Budget 2020 Discussion**

The Township Clerk stated the State may be extending the budget by a month, Council President Feeney stated she would like to file an extension regardless.

Council President Feeney stated since this is via telephone, she will go line by line, if anyone has a comment, please let her know.

Page 16

A motion was made by Council President Feeney, seconded by Councilwoman Morgan as recommended \$100.

Ayes: Councilwoman Morgan, Council President Feeney.

Nays: Councilmen Cascio, Cumming, DeSena.

0-01-20-150-240	Finance/Tax Assessor Subscriptions	REC	\$100	Budget \$0 DECREASE \$100
-----------------	------------------------------------	-----	-------	-------------------------------------

Tax Assessor needs to update their books, they are changed every year. Administration will get more information from the Tax Assessor, confirm update.

0-01-20-150-460	Finance/Tax Assessor Tax Books	REC	\$3,800	FLAG
-----------------	--------------------------------	-----	---------	-------------

Page 19

Department of Law

Attorney Poller's salary was discussed in Closed Session, March 9, 2020, 1.5% increase. Council in agreement.

Township Clerk Witkowski placed a phone call to Attorney Poller.

Attorney Poller joined the Conference/Budget Session to discuss the following line item #0-01-20-155-260, Department of Law-Other Legal Services.

Attorney Poller stated in years past, the line item was \$70,000, or more depending on what was involved, what he sees for 2020 is Viviano, COAH lawsuits as well as a combination of lawsuits with the Labor Attorney. Councilman DeSena asked does Lou Lamatina represent the Planning Board? Attorney Poller replied no, not the lawsuit, he handles the lawsuits, salary ordinance states litigation, administrative agencies and special projects. Councilman Cascio asked where does it state that? Attorney Poller stated that Councilman Cascio says according to the code, he represents the Township every

time, but it doesn't say at what price, what he gets paid. He stated if you go around to other municipalities, lawyers get paid extra for doing litigation, litigation is over and above basic services. Basic services are pretty extensive, they include attending meetings/special meetings, communication with all departments, working with the Police, Fire, DMF, Recreation, Engineering, Health, Municipal Clerk, Municipal Offices. Communication with council members, Mayor, preparing of resolutions, ordinances, bid awards, contracts, code interpretation, Planning Board issues, Zoning Board issues, bidding questions, property acquisitions, usage, property maintenance issues, property sales, environmental matters, OPRA issues, negotiations, legal interpretations, insurance issues, personnel matters, investigations, leasing for any property, going over contracts, drafting of contracts, that is just to name a few, of what is covered. The category that is not included is litigation, Administrative Agencies or Special Projects, that is covered under the ordinance at \$135 per hour, is a modest amount. Westwood is hourly billing at \$175, most are billing at \$160, \$150, Old Tappan is \$170, for example some of the budgets for other towns are Westwood \$140,000, River Vale \$130,000, plus \$3,200, Emerson \$189,000 Hillsdale \$188,000, Mahwah \$290,000, Ridgewood \$294,000 and Park Ridge \$400,000. Our expenses are extremely low, the one thing you don't want to do, it comes up all the time, is you cannot anticipate all litigation, he is anticipating litigation that he knows exists, labor stuff and personnel issues, he is being modest. Council President Feeney stated she also sees the COAH fees line was moved up to this line, is that correct? Attorney Poller stated the COAH expenses have to do with T&M Associates at \$25,000, the Court Master \$12,000 - \$15,000. Council President Feeney stated she is good with the \$45,000. Councilman Cascio stated that Attorney Poller is not following the law. Attorney Poller stated he is following the law.

A motion was made by Council President Feeney, seconded by Councilwoman Morgan, to approve the line item below.

0-01-20-155-260	Department of Law – Other Legal Services	REC \$45,000	Budget \$45,000
-----------------	--	--------------	-----------------

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

0-01-20-155-320	Department of Law – Consulting Non-Legal	REC \$2,000	Budget \$2,000
-----------------	--	-------------	----------------

Attorney Poller stated the above line item is for tax appeals. He stated regarding COAH, Planner Fees \$25,000, even after the Compliance Hearing there will be additional work, which the Planner will be needed for.

Mr. Poller's phone call ended at 8:49 p.m.

Page 22

Mayor Calamari stated the Director of Public Affairs has requested to discuss her budget at a Budget Meeting, since she is a Director, please let him know and he will reach out to her.

**Public Affairs Budget will be discussed at a later time.*

Page 23 WCTV

Administrator Tovo stated the capital fund was budgeted for the server, current fund we saw a spike in the number last year. The \$10,000 does not cover budget meetings, that is a separate line item. Councilman Cascio stated a large amount of money was put in for the last couple of years, it should be coming down,

almost flat, they are not part of the township. Township Clerk Witkowski stated the other line item, Video Taping Council meetings, is on page 22, near the bottom. Council President Feeney asked what is in this \$10,000 line item that they are requesting. Administrator Tovo stated (inaudible) items need to be replaced that are broken. Council President Feeney stated it comes out to \$833 per month. Councilman Cascio asked is WCTV a separate organization? Administrator Tovo replied they are not a township organization, we are assisting. Mayor Calamari stated they do not do any fundraising on their own. Councilman Cascio stated he makes a recommendation of \$7,000. Councilwoman Morgan stated she tends to agree. Council President Feeney stated she feels we should give WCTV the courtesy of hearing them out, has anyone receive any type of an update from them. Township Clerk Witkowski will forward Council and Administrator an email she received from WCTV regarding the line item.

0-01-20-407-000	WCTVCable Television Expense	REC \$10,000	FLAG
-----------------	---------------------------------	--------------	-------------

0-01-20-180-110	Planning Department Secretary Salary	REC \$15,225	Budget \$15,000 DECREASE \$225
-----------------	---	--------------	--

Zoning Officer \$25,000 and Code Enforcement Official \$25,000.

0-01-20-185-120	Zoning Officer	REC \$40,0000	Budget \$25,000 DECREASE \$15,000
-----------------	----------------	---------------	---

Township Clerk Witkowski suggested if an employee works for a different town, the township split the cost of the Conference.

Zoning Board Legal Services will be discussed in Closed Session.

0-01-21-185-260	Zoning Office/Board- Legal Services	REC \$3,500	Budget \$3,500.
-----------------	--	-------------	-----------------

Page 28 – Uniform Construction Code

Councilman DeSena asked Administrator Tovo leaving the salaries in this department as is, there is a \$4,000 deficit? Administrator Tovo replied we are leaving the budget as recommended; fees have not been increased in that department in 12 years. Councilman DeSena stated that is the Code Enforcement Officials fault, not the Township, if he wants to come and speak about raising fees in the department that is his prerogative, he doesn't want taxpayers to fund a department that should be self-funded. Administrator Tovo stated ideally the department should be funded by the fees/permits that come in, we are not restricted by the number, we will be utilizing current fund monies to offset the budget for this department. Council President Feeney stated she does understand, she did ask for a breakdown of the department of monies in and monies out, she would like those numbers before the next meeting. She also would like to table some of these items, but office supplies and books we can go through. Councilman DeSena stated the department is supposed to be self-funded, he would like to get the information first from Administrator Tovo.

Page 30 Workmen's Compensation Insurance

0-01-23-215-000	Workmen's Comp. Ins.	REC \$196,000.	Budget \$196,000.
-----------------	----------------------	----------------	-------------------

Councilman DeSena asked how is the Workmen's Comp Insurance Calculated? Administrator Tovo replied the liability insurance was billed to us from the insurance fund, the workers comp and the other items are broken out for us, they may change slightly if so, they will be reallocated to other lines. Council President Feeney stated it is a 6% increase on Workers Comp. Mayor Calamari

stated we did add a few full-time DMF employees, that is a heavy increase in workers comp, the rates do go up.

Health/Dental/Life/Accident Insurance

0-01-23-220-000	Health, Dental, Life & Accident	REC. \$870,000.	TABLED
-----------------	---------------------------------	-----------------	---------------

Administrator Tovo stated the increase is due to additional employees. Councilman Cascio requested the increase per employee. Councilman DeSena stated he would like more information, would like this tabled. Administrator Tovo stated it runs monthly, going up and down, depending if we add someone, someone leaves. Council President Feeney asked how many employees were added? Administrator Tovo replied in the ballpark of 3, we are doing the deduct for employee contributions. Councilman Cumming asked does the Township pay for retirees? Administrator Tovo replied no, we do not. Council President Feeney asked this is health, dental, life and accident dismemberment on the job? Administrator Tovo replied correct. Council Presidents Feeney stated 3 people would add \$36,000, she would like to know where the other \$130,000 is coming from, unless talking about families. Administrator Tovo stated there is life insurance for PBA members that are eligible, employee contributions that come back to us are being deducted from this line, we did get some conflicting answers from the CFO and the Auditor. Council President Feeney stated she would like to table this line.

Administrator Tovo stated he will be recommending additional monies in the Office of Emergency Management line item. Council President Feeney requested that breakdown by weeks end. Mayor Calamari stated it would be an estimate at best. Council President Feeney stated this time we are going through is not like anything anyone on this phone call has experienced. Administrator Tovo stated it will likely be reimbursable.

Page 54 – Health Department

Councilwoman Morgan asked if she can have input in the Health Department budget, she is a member of the Advisory Board? Mayor Calamari replied Councilwoman Morgan is allowed to have input on any line.

Township Clerk Witkowski stated the Registrar Salary was \$2,060, as per the Salary Ordinance is should be \$2,061, going to \$2,092. The Deputy Registrar Health Secretary was put in at \$2,134, it should have been \$1,754. She requested the salaries be split between the jobs because it is too confusing when it comes to budget times. Council President Feeney asked is everyone good with this. Mayor Calamari stated in light of not giving anyone anything extra for what they are doing during their 35 hour workweek, he is changing his recommendation on this to zero (0-01-27-330-160), he stated if we are not going to give Bernadette extra money for DPW he is changing his recommendation to zero, we need to be consistent, we cannot pick and choose. Councilman DeSena asked so we are not giving extra to these two people, we are getting rid of this, as well as the \$6,000 for the other person? Mayor Calamari replied we are not giving Bernadette anything. Councilman DeSena advises the Mayor not to use names. Mayor Calamari stated since we are not giving anything extra to the person that is doing the DPW Admin, he feels we should not be giving anything extra to the Registrar/Secretary, if Council is going to go to zero on the DPW, he is pulling his recommendation on this, putting it to zero. Township Clerk Witkowski stated by State law the Township needs a Registrar. Mayor Calamari stated he will put a dollar in for it. Councilman DeSena stated in light of the Mayor’s recommendation, why don’t we give the Health Benefits Coordinator \$2,000, and the DPW Secretary \$2,000, if Council is okay with it? Council President Feeney stated for Administrative Secretary Council did approve the 1.5% increase, \$42,620, she has the \$6,000 stipend, there are more

responsibilities in other roles. Councilman DeSena stated these are 35-hour work-weeks, the Health Department has meetings at night. Mayor Calamari stated there is a separate line items for meetings. Council President Feeney stated she feels some of the roles are different, the responsibility in her opinion it is an additional responsibility, to price that job out by itself, we would not get someone for the \$48,620. Councilman DeSena stated she took on the job, she had enough time to take on that responsibility. Council President Feeney that is an additional job in addition to her own. Councilman DeSena stated the title (DPW Secretary) used to be done by that office. Councilman Cumming stated this person is getting a lot done, she is doing her job. Council President Feeney stated she feels this person is worth the \$48,620. Township Clerk Witkowski stated if the Township were to go out and get a Registrar, you would be hiring them on part-time basis for \$15,000 - \$16,000. Councilman Feeney stated just because this person is completing this work within the 35 hours, it doesn't mean she should not be compensated for the value of what we are getting. Councilman Cumming stated he will say this again, everyone is worthy of that comment. Councilman DeSena stated he is not comfortable of the logic that was interjected during this budget meeting, that is zeroing out a line item as retribution to someone else. Mayor Calamari stated that is not was done. (inaudible) Council President Feeney asked the Mayor and Councilman DeSena to stop, this is not productive. She would like to table these items and regroup at the next meeting.

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

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

Nays: None.

Time Noted: 9:46 p.m.

/s/ Susan Witkowski
Township Clerk

/s/ Stacey Feeney
Council President

Approved: May 4, 2020