

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

REGULAR MEETING MINUTES

April 2, 2018

The Regular Meeting of the Township Council of the Township of Washington was held at 7:30 p.m. in the Council Meeting Room of the Municipal Complex, 350 Pascack Road, Township of Washington, New Jersey.

Council President Michael DeSena called the meeting at 7:30 p.m. by reading the following statement

OPEN PUBLIC MEETING STATEMENT

The regularly scheduled Public Meeting of April 2, 2018 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 notice has been posted on the Township Bulletin Board and on the Township Web Site.

Please notify the Municipal Clerk for any disability requirements necessary for attendance at Mayor and Council meetings. The fire exits are located through the double doors to your right and through the door on your left. Please silence all cell phones.

SALUTE TO THE FLAG

ROLL CALL

Council Members Robert Bruno, Steve Cascio, Arthur Cumming, and Council President Michael DeSena. Also, present: Mary Anne Groh, Administrator; Ken Poller, Township Attorney; and Susan Witkowski, Township Clerk. Absent: Peter Calamari, Mayor; Michael Ullman, Councilman.

The Clerk read the totals of the list of bills paid since the last bill list was submitted representing March 1, 2018 through March 28, 2018:

TOTAL	2017 Reserve	\$10,251.36
TOTAL	2018 Current	\$425,448.88
TOTAL	Capital Fund	\$87,584.96
TOTAL	Animal Control	\$0.00
TOTAL	Trust Fund	\$6,696.30

APPROVAL OF MINUTES

(Councilmen Cumming and DeSena to abstain from the 2017 minutes)

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

December 4, 2017 Public Meeting Minutes
December 4, 2017 Conference Meeting Minutes

Ayes: Councilmen Bruno, Cascio.
Nays: None.
Abstain: Councilman Cumming, Council President DeSena.
Absent: Councilman Ullman.

MAYOR'S APPOINTMENT (with consent of Council)

Read into the record by Administrator Groh

Appointment of Fire Official

To: Council President and Council of the Township of Washington.
From: Honorable Peter Calamari, Mayor.

Please be advised that I am respectfully submitting the following citizen for the position set forth below subject to your advice and consent.

Fire Official: Thomas Derienzo, Jr.
Term Expiring: December 31, 2020.

REPORT OF MAYOR

Mayor Calamari Absent.

REPORT OF COUNCIL

No reports this evening.

GENERAL PUBLIC DISCUSSION

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

Ayes: Councilmen Bruno, Cascio, Cumming, Council President DeSena.
Nays: None.
Absent: Councilman Ullman.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment thanked Administrator Groh for fixing the Town Hall clock. She spoke of Mr. Statile coming to her home to discuss her street, she learned about the milling and also that two inches of asphalt were put down in her street, which is the minimum amount. She stated Mr. Statile also indicated that these streets will last 12-15 years, when the prior streets last 20 years. She stated that by the time the streets are finished, they will need to be redone. She asked has a court date been set with reference to the plume. Attorney Poller stated he did go down to the property with the Police Department, and they weren't home. The property owners were called, they did come in and were served tonight. As per the Order to Show Cause, the return date is April 20, 2018. A conversation followed if the debris and grass schedule will be mailed out again for the residents, and not included in the calendar. If there is a demand for the flyer, it can be done through the "Clean Communities Fund." Mrs. Ozment spoke of the debris schedule, which begins on April 1st and garbage is put out on Easter Sunday, which she feels looks unsightly if someone has friends/company over. She asked if in the future the when the schedule is done, if that can be kept in mind. Administrator Groh replied she will relay Mrs. Ozment's concerns to the Mayor and the DMF.

Julie Lipnick, 184 Finnerty Place – Ms. Lipnick spoke of the selling of the school in 1988 in Westwood, and Westwood and the Township receiving the money, at that time there was talk about each household getting a piece of those monies, but the amount was too small and the Township held on to the money. She spoke at length of inquiring of the status of the money in the past and being humiliated and chastised at public meetings by former members of Council for asking. She applauds Councilman Bruno for keeping his campaign promise to the residents of the Township of finding that money and listing that money. She asked what was done with the interest collected on those monies. Administrator Groh replied each year it goes into the budget as a revenue and decreases the amount that needs to be raised by taxation. Ms. Lipnick spoke of her concern of the past, that no one answered her, no one attested to the fact that those monies were part of the budget or those monies even existed in a bank. Council President DeSena stated those monies have been identified, the monies are there

but the Mayor and Council have not yet determined how those monies will be utilized. Ms. Lipnick stated she finds it amazing that she finally is being addressed. Attorney Poller stated this was never addressed to him, and he does not speak unless he is addressed. Ms. Lipnick stated there was always no comment, and Richard Hrbek, the former Council President chastised her even for asking. She is thankful the money still there and awaits to hear what the Township is going to do with the money.

William Ferara, 2556 Cleveland Avenue – Mr. Ferara would like three additional streets to be looked at, Cross Street, between Chestnut and Monroe, it is splitting up in squares, the point where it meets Chestnut Street, from curb to curb there is a wide gap. Chestnut Street south, between Cross and Willow also has cracks going along the street, and Cleveland Avenue where certain cracks were filled with tar opened again. He asked how long we can reasonably expect streets not to crack after paving. Council President DeSena replied cracks are difficult to determine, a typical street should last anywhere between 10 to 15 years. Mr. Ferara spoke of monies being used for one-time projects, not to pay a new police dispatcher, and he also spoke of keeping two million in reserves at all times. He suggested the new after care vendor, who is now a profit-making organization, KinderCare, be required to pay a share of property taxes for the schools.

Toni Plantamura, 808 Robinwood Road – Ms. Plantamura stated in her opinion, the monies from the sale of the school should be used to improve the Township roads, not be earmarked for a specific project. She stated at the Memorial Field Committee meeting of December 17, 2017, the current Recreation Director stated that the Westwood and Township Baseball were merging. David Terwilliger, who was at the meeting stated it was a lie and called the President of the Washington Baseball via phone who stated the same. Council President DeSena stated he is on the board, and there is no validity to that statement at all. Three-hundred-and-twenty children of the Township that live in the Township belong to our organization, and there will be no merging. Ms. Plantamura spoke at length of certain things being done unethically, and actual lies are being told. She suggested a new Recreation Director be considered, along with some of the coaches. She stated during the time she was gathering signatures for her petition, she was bullied and there was behavior that was uncalled for. She would like an answer to the following questions, are background checks are done and are the coaches certified, what is the status with the “Field Closed” sign, which should not be there since is it Green Acres field, and what is the status of the sprinkler system. Administrator Groh replied background checks will be done on everyone who interacts with children. Council President DeSena replied that it was asked for by Council and was agreed to by the Mayor. Councilman Cumming stated that during a meeting with Mr. Lawlor last week, the sign does flip, it is on hinges, and it has been corrected. Administrator Groh stated she did tell Mr. Lawlor to remove the sign, she will speak with him again. Council President DeSena asked that Mr. Lawlor look at the stop sign at the shopping center, coming out of the driveway, it is a flip stop sign for emergencies, but it is always in the open position. Councilman Bruno spoke of the issues that were discovered in 2015 regarding the pump not working, along with the sprinkler system not working. Approximately \$7,000 was spent for a new pump, it worked and then there was an electrical issue, wires damaged. He sent an email to the former Mayor to have the locks changed, and have the administration and Mr. Lawlor hold the keys. Administrator Groh replied only Mr. Lawlor has the keys.

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

Ayes: Councilmen Bruno, Cascio, Cumming, Council President DeSena.

Nays: None.

Absent: Councilman Ullman.

ORDINANCES

Adoption 2nd Reading

Ordinance No. 18-02

AN ORDINANCE AMENDING FEES FOR SUMMER RECREATION PROGRAM ACTIVITIES AND RELATED SERVICES

A motion was made by Councilman Cascio, seconded by Council President DeSena, to approve Resolution No. 18-182 authorizing second reading and opening of Public Hearing for Ordinance No. 18-02.

Ayes: Councilmen Cascio, Council President DeSena.

Nays: Councilman Bruno.

Abstain: Councilman Cumming.

Absent: Councilman Ullman.

Resolution No. 18-182

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 18-02 entitled: AN ORDINANCE AMENDING FEES FOR SUMMER RECREATION PROGRAM ACTIVITIES AND RELATED SERVICES be read on second reading and the public hearing be held thereon pursuant to law.

William Ferara, 2556 Cleveland Avenue – Mr. Ferara asked what exactly is changing in the program that is causing the additional fee. Administrator Groh replied that a week is being added at the end. She stated the program lost money last year and the Recreation Director has been asking to increase the fees even if the week was not added. Mr. Ferara spoke at length of the various fees in the Township, and he feels that all fees should be looked at, not just doing it piecemeal.

Administrator Groh spoke of the time sensitivity of the ordinance, since residents are already calling. Council President DeSena stated parents did request an additional week, since the first week is an odd week, with the 4th of July, additional programs are being added for the children to do, as well as 8th graders now being included again. He stated the intent is for the project to be fee neutral, that is what is taken in is what is needed to run the program.

Councilman Bruno asked have any fees been collected for any 2018 programs. Administrator Groh replied yes, lacrosse. Councilman Bruno asked has anyone analyzed the cost, how much was spent regarding the new budget numbers that were given to Council to see if that was a reasonable fee. Administrator Groh replied no one asked. Councilman Bruno spoke at length of this being a piecemeal operation, collecting fees for programs at this time and changing fees for this program, which starts in July. Administrator Groh explained Council does have the power to change ordinances, and that is the only way fees change. Councilman Bruno stated there are fees for everything that happens in the Township, but there should be an ultimate fee process, fee revenue and fee expense. He has asked for a budget analysis of all fees, and how it equates to the residents, what is fair or not fair. He stated there needs to be a fee process.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment stated usually at budget time, Council would meet with the Recreation Director and go over the recreation fees, and an ordinance would be prepared, if necessary, to increase the fees. She stated an analysis would also be done. She believes one of the reasons, from what she understands, is the program went down in the number of children attending. Council President DeSena stated the number presented to Council, as well as the Mayor, reflect adding a week of camp, including the 8th graders, as well as additional programs. The cost is to be fee neutral.

A motion was made by Councilman Cumming, seconded by Councilman Cascio, to close the Public Hearing on Ordinance No. 18-02.

Ayes: Councilmen Bruno, Cascio, Cumming, Council President DeSena.
Nays: None.
Absent: Councilman Ullman.

A motion was made by Councilman Cascio, seconded by Councilman Cumming to adopt Ordinance No. 18-02.

Ayes: Councilmen Cascio, Cumming, Council President DeSena.
Nays: Councilman Bruno.
Absent: Councilman Ullman.

Introduction 1st Reading
Ordinance No. 18-03

AN ORDINANCE UNDER CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RATE OF COMPENSATION AND MANNER OF PAYMENT OF EMPLOYEES FOR THE YEAR 2018

A motion was made by Councilman Bruno, seconded by Councilman Cascio, to introduce and pass Ordinance No. 18-03 at first reading by title.

Ayes: Councilmen Bruno, Cascio, Cumming, Council President DeSena.
Nays: None.
Absent: Councilman Ullman.

The following resolution, Resolution No. 18-183 was presented and adopted on a motion by Councilman Bruno, seconded by Councilman Cascio.

Ayes: Councilmen Bruno, Cascio, Cumming, Council President DeSena.
Nays: None.
Absent: Councilman Ullman.

Resolution No. 18-183

WHEREAS, Ordinance No. 18-03 entitled: AN ORDINANCE UNDER CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RATE OF COMPENSATION AND MANNER OF PAYMENT OF EMPLOYEES AND CERTAIN INDEPENDENT CONTRACTORS IN SAID MUNICIPALITY FOR THE YEAR 2018 was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 2nd day of April, 2018; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 16th day of April, 2018, at 7:30 pm, prevailing time, or as soon hereafter as said matter can be reached in the Municipal Complex, 350 Hudson Avenue, Township of Washington at which time and place all persons who may be interested will be given an opportunity to be heard concerning said ordinance.

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

Ordinance No. 18-03

AN ORDINANCE UNDER CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RATE OF COMPENSATION AND MANNER OF PAYMENT OF EMPLOYEES FOR THE YEAR 2018

BE IT ORDAINED, by the Township Council of the Township of Washington, in the County of Bergen, New Jersey that the maximum wages, compensation, stipends and salaries are hereby established for employees of the Township of

Washington for the year 2018 as follows, on a per annum basis and payable semi-monthly, unless otherwise noted:

<u>Department of Administration</u>	<u>Annual Rate</u>
1. Director of Administration/Business Administrator	\$101,500.00
2. Administrative Secretary	38,570.00
3. Purchasing Assistant/Payroll Clerk (Part-Time for 20 Hours a Week) (\$20/Hr. if paid hourly)	20,300.00
4. Floating Staff (Part-Time)	15.25/hr.
 <u>Mayor & Council</u>	
1. Mayor (Payable on quarterly basis)	10,085.00
2. Council President (Payable on quarterly basis)	6,463.00
3. Councilperson (Payable on quarterly basis)	6,236.00
 <u>Office of the Township Clerk/Health Department</u>	
1. Township Clerk	75,000.00
2. a) Election Officer	400.00/election
b) Election Assistant	75.00/election
3. Special Secretary to the Township Clerk/Secretary to Board of Health (Part-Time for 29 Hours a week) (Under 29 Hours/week @ \$18.00/hr.)	27,144.00
4. Board of Health - Meeting Pay	75.00/meeting
5. Registrar	2,030.00
6. Deputy Registrar	1,728.00
7. Director of Health (Payable on quarterly basis)	1,250.00
 <u>Department of Finance</u>	
1. Treasurer	100.00
2. Chief Financial Officer (Full-time)	90,000.00
Chief Financial Officer/Tax Collector (Part-time)	30,450.00
3. Director (Payable on quarterly basis)	1,250.00
4. Deputy Treasurer/Finance Assistant/Benefits Coordinator	44,863.00

5.	Tax Collector (Full-Time)	7,500.00
6.	Deputy Tax Collector (Full-Time)	5,000.00
7.	Tax Collector Asst. (Part-Time) (Max. 300 Hours/Yr.)	16.50/hr.
8.	Tax Assessor (Average minimum of 20 hours per week, at least 4 hours shall be office hours)	20,000.00
9.	Assistant to the Tax Assessor (Part-Time for 8 Hours a week)	\$14/Hour

Department of Law

1.	Director/Township Attorney	73,104.00
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Department of Engineering

1.	Director (Payable on quarterly basis)	1,250.00
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Department of Public Affairs

1.	Director (Payable on quarterly basis)	1,250.00
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Land Use Administration

1.	Planning and Zoning Board Secretary	
	a. Officer Hours – 20 Hours per week	16,820.00*
	b. Meeting Fee – Attendance Only	75.00/meeting
	c. Meeting Fee & Preparation of Minutes	\$200/meeting
2.	Zoning Officer	7,004.00
3.	Code Enforcement Official	9,500.00

Uniform Construction Code Agency

1.	Construction Code Official	27,967.00
2.	Plumbing Sub-Code Official	11,035.00
3.	Electrical Sub-Code Official	13,650.00
4.	Fire Sub-Code Official	8,226.00
5.	Technical Assistants (Part-Time for 25 Hours a Week)	20,852.00
6.	Building/Plumbing Inspector (Part-Time) (not to exceed \$16,380.00 per year)	35.00/hr.

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| 8. | Substitute Inspectors – Hourly | 35.00/hr. |
| 9. | Certificate of Continued Occupancy Inspections (CCO) | 50.00/each |
| 10. | Certificate of Smoke & Carbon Monoxide Detector Compliance | 50.00/each |
| 11. | Fire Inspection | 25.00/each |

Department of Public Safety

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| 1. | Crossing Guards/School Monitors | |
| | Starting until 6 months – Hourly Maximum | 16.26/hr. |
| | 6 months to 1 year – Hourly Maximum | 17.10/hr. |
| | Over 1 year – Hourly Maximum | 17.94/hr. |
| | School Crossing Guards are entitled to maximum 4 days regular pay per school year in the event school is closed due to emergency closing/inclement weather. One (1) week pay for Holiday Recess. Two (2) days’ pay for Winter Recess. One (1) week pay for Spring Recess. Not to exceed 19.75 hours or less hours usually worked by individuals. In addition, not to exceed 5 holidays, non-state or Federal holidays (based on hours usually worked by individual) | |
| 2. | Records Clerk (Part-Time for 16 Hours a week) | 12,667.20 |
| 3. | Director (Payable on quarterly basis) | 1,250.00 |
| 4. | Special Police Officers | 25.00/hr. |
| 5. | Police Chief | 178,290.00 |
| 6. | Dispatchers (Full-Time) (2,080 Hours/Year) | 39,802.00 |
| | Dispatchers (Part-Time) | 27.21/hr. |
| 7. | OEM Coordinator (Payable on quarterly basis) | 1,000.00 |
| 8. | OEM Deputies (Payable on quarterly basis) | 800.00 |

Department of Fire Protection

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| 1. | Director (Payable on a quarterly basis) | 1,250.00 |
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Prosecutor’s Office

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| 1. | Prosecutor | 6,825.00 |
| | Base includes two (2) court sessions per month. Extra court sessions - \$75.00 per session, payable upon completion of a payment voucher. | |
| 2. | Alternate Prosecutor – Per Session (not to exceed \$500.00 per year) | 75.00/each |

Department of Municipal Facilities

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| 1. | Secretary (Part-Time for 25 Hours a week) | 19,500.00 |
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(Part-Time for 20 Hours a week)	15,600.00
2. Public Works Manager without Certification	74,554.00
Certified Public Works Manager	76,088.00
3. Director (Payable on quarterly basis)	1,250.00
4. Recycling Coordinator (Payable Upon Timely Submission of Recycling Tonnage Grant Report to BCUA)	1,000.00

Department of Recreation

1. Superintendent (Full-Time) with 15 Hours in Recreation & 20 Hours in Court – see Court salary below	12,780.00
2. Cheerleading Instructors	8.88/hr.
3. Summer Recreation Director	
a. Pre-Season	22.33/hr.
b. Season	4,975.00
4. Summer Recreation Coordinators	18.75/hr.
5. Summer Recreation Counselors	8.88/hr.
6. Teen Program	10.00/hr.
7. Director (Payable on quarterly basis)	1,250.00

Office of Municipal Court

1. Municipal Court Administrator	30.50/hr.
2. Judge Includes 2 sessions per month. Extra sessions - \$175.00 per session, payable upon completion of a payment voucher	10,237.34
3. Violations Clerk (Part-Time)	18.00/hr.
Violations Clerk (Full-Time) with 20 Hrs. in Court and 15 Hours in Recreation – Recreation Salary above	18,720.00

Annual Mileage Allowance – Payable Quarterly

1. Business Administrator (payable on quarterly basis)	600.00
2. Clerk (payable on quarterly basis)	600.00

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| 3. | Building/Plumbing Inspector (payable on quarterly basis) | 250.00 |
| 4. | Electrical Sub-Code Offl (payable on quarterly basis) | 250.00 |
| 5. | Fire Sub-Code Official (payable on quarterly basis) | 250.00 |
| 6. | Tax Assessor (payable on quarterly basis) | 300.00 |

Per Hour Maximum

The following positions are part-time positions and are payable on an hourly basis upon submission of certified payroll vouchers.

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| 1. | Department of Municipal Facilities | |
| | a. Seasonal Workers – Hourly Maximum | 15.00/hr. |
| | b. Seasonal Workers (w/ CDL) – Hourly Maximum | 16.00/hr. |
| | c. Senior Van Driver | 16.19/hr. |
| 2. | Miscellaneous – All Departments | |
| | a. Employees Not Otherwise Classified – Hourly Maximum | 15.00/hr. |

1. Retroactivity – As to all employees employed as of the effective date of this ordinance, the foregoing maximum rates apply as of (a) January 1, 2018; (b) his/her date of employment in the position as herein described; or (c) his/her one-year anniversary date in the position, whichever is later.

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

3. All ordinances or any provisions of any ordinance inconsistent with the provisions of this ordinance except prior appropriations for this purpose herein stated, are hereby repealed as to such inconsistencies and not otherwise.

COUNCIL RESOLUTION RELATING TO CERTAIN APPOINTMENTS

A motion was made by Councilman Cascio, seconded by Councilman Bruno, to approve Resolution No. 18-184.

Ayes: Councilmen Bruno, Cascio, Cumming, Council President DeSena.

Nays: None.

Absent: Councilman Ullman.

Resolution No. 18-184

Appointment of Fire Official – Thomas Derienzo, Jr.

WHEREAS, the Mayor, having received the recommendation from the Fire Chief and the Director of the Fire Department, appointed the person listed below to the office listed below subject to the consent of the Township Council;

Name: Thomas Derienzo, Jr.

Office/Position: Fire Official

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Washington, County of Bergen, State of New Jersey hereby gives its consent to such appointment by the Mayor.

INDIVIDUAL RESOLUTION

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to approve Resolution No. 18-185.

Councilman Bruno asked is this resolution due to timing, since we are in April. Administrator Groh replied yes, some of the items, such as the IT services, it is a new company, the other is Clerk expenses due to the cost of advertising being higher than expected, the insurance is due to an additional employee, and BCUA is for the 2nd quarter.

Ayes: Councilmen Bruno, Cascio, Cumming, Council President DeSena.
 Nays: None.
 Absent: Councilman Ullman.

Resolution No. 18-185
Emergency Temporary Appropriation

WHEREAS, an emergent condition has arisen with respect to appropriations and no adequate provision has been made in the 2018 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 2018 and emergency appropriations, including this resolution total \$3,970,817.39; 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 2, 2018 and by prior emergency appropriation as follows:

ADMIN – IT SERVICES	\$5,000.00
TWP. CLERK – OTHER EXPENSES	1,000.00
HEALTH, DENTAL, LIFE & ACCIDENT INSURANCE	20,000.00
POLICE – OTHER EXPENSES	1,000.00
FIRE HYDRANT SERVICE	500.00
DMF – OTHER EXPENSES	5,000.00
MAINTENANCE OF FREE PUBLIC LIBRARY	10,000.00
GAS (NATURAL)	3,500.00
SANITARY SEWER FEES – BCUA	202,000.00
TOTAL	\$248,000.00

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 Councilman Cascio, seconded by Councilman Cumming, to the Consent Agenda.

Councilman Bruno asked what is the purpose of the reduction amounts on Resolution No. 18-189? Council President DeSena explained Mr. Azzolina prepared a letter, the work was completed, reviewed and certified by Mr. Azzolina that is was done as per Township standards.

Ayes: Councilmen Bruno, Cascio, Cumming, Council President DeSena.
Nays: None.
Absent: Councilman Ullman.

Resolution No. 18-186
Approval of Certification of Qualifying Volunteer Ambulance Corps member
LOSAP for the year 2017

WHEREAS, The Township adopted Ordinance No. 99-10 which created the Length of Service Awards Program (LOSAP); and

WHEREAS, N.J.S.A. 40A:14-191 requires that the Township of Washington Volunteer Ambulance Corps furnish the Township Council with an annual certification list of all volunteer members who have qualified for credit under the award program for the previous year.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington, County of Bergen, New Jersey that the Township Council hereby approves the volunteer members of the Township of Washington Volunteer Ambulance Corps certified by the Corps LOSAP Coordinator and President for the year 2017, a copy of which list is attached here as Exhibit A; and

BE IT FURTHER RESOLVED that a copy of this list has been posted for at least thirty (30) days at the office of the municipal clerk and at the emergency services squad facility; and

BE IT FURTHER RESOLVED that after the thirty (30) day posting period the Township Treasurer will issue a check to cover volunteers on the attached list to Lincoln Financial.

Resolution No. 18-187
Oppose PSE&G request for multiple 2018 rate increases

WHEREAS, on January 12, 2018, PSE&G requested a 1% rate increase for both electric and gas base delivery rates; and

WHEREAS, PSE&G has also requested that the BPU allow the decoupling of revenues from sales volumes which they believe encourage energy efficiency, renewables and other clean energy technologies; and

WHEREAS, this decoupling of revenues and sales volumes will ultimately lead to residential customers paying more for their electric and natural gas charges; and

WHEREAS, PSE&G has also asked the BPU to grant a separate rate increase to subsidize their nuclear plant operations; and

WHEREAS, PSE&G's Bergen County customer base that will specifically be affected by these three proposed rate increases include Englewood, Tenafly, Westwood, Hillsdale, River Vale, the Township of Washington, Emerson, Englewood Cliffs, Woodcliff Lake, Haworth, Old Tappan, Montvale, Cresskill, Closter and Park Ridge; and

WHEREAS, PSE&G will receive a 2018 federal tax reduction which will lead to a 15% windfall in profits which will more than offset the need for these rate increases; and

WHEREAS, the 15% federal government windfall, if invested in capital equipment and infrastructure improvements, would negate the need for future rate increases;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Washington does hereby formally oppose PSE&G's multiple rate increase requests now before the Board of Public Utilities; and

BE IT FURTHER RESOLVED, that the Township of Washington requests that the Governing Bodies of the other affected municipalities pass resolutions in opposition to these multiple rate increase requests and send copies of the resolution to the Board of Public Utilities, ATTN: Rate Payer Advocate; and

BE IT ALSO RESOLVED, that the Pascack Valley Mayors' Association and the Bergen County League of Municipalities also pass resolutions opposing these multiple rate increases.

Resolution No. 18-188

Support to preserve CDBG Funding FY 2018-2019

WHEREAS, since 1974, the United States Congress, through the Community Development Block Grant Program supported the future welfare of the Nation and the well-being of its citizens through maintaining viable urban communities as social, economic and political entities; and

WHEREAS, said Program has been and continues to be a critical affordable housing, community and economic revitalization tool for families and communities across the nation; and

WHEREAS, the President's Fiscal Year 2018 budget proposes the total elimination of the Community Development Block Grant Program; and

WHEREAS, the broad spectrum of activities, including homeownership opportunities; elimination of slum and blight; housing rehabilitation; improvement to public facilities and infrastructure, such as roads, water and sewer systems, libraries, fire stations, and community centers; and public services, such as employment training, child care, transportation services, services for senior citizens, the disabled and youth; business development and job creation will no longer be able to be undertaken; and

WHEREAS, such action will no longer enable cities, counties and states to meet their community development, affordable housing and economic development needs; and

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Washington hereby requests your help to fight to save the Community Development Block Grant Program and maintain this vital program within the U.S. Department of Housing and Urban Development at a funding level no less than formula funding in Fiscal Year 2017.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the entire New Jersey Congressional Delegation, the United States Senate Committees on Appropriations and Budget and House Committees on Appropriations and Budget.

Resolution No. 18-189

Authorize Performance Guarantee Reduction for B2502.01/L16-17

WHEREAS, Stagger Lee, LLC (the "Developer") executed and delivered to the Township of Washington (the "Township") a Developer's Agreement dated November 25, 2015 (the "Developer's Agreement"), and a Memorandum of

Developer's Agreement was filed with the Office of the Bergen County Clerk on March 9, 2016; and

WHEREAS, the Developer made an application to the Planning Board of the Township for minor subdivision approval, minor site plan approval, application for soil movement permit and approval to demolish existing on-site improvements located on lot 16 and only accessory buildings located on Lot 17 pursuant to a plan to subdivide Lots 16 and 17, into four (4) residential lots consisting of proposed lots 17.01, 17.02, 17.03 and 17.04 in Block 2502.01 (the "Project"); and

WHEREAS, pursuant to the terms of the Developer's Agreement, the Developer posted with the Township certain Performance Guarantees and Escrows; and

WHEREAS, the Developer had previously requested an initial reduction of the Performance Guarantee amounts in place pursuant to the Developer's Agreement in connection with improvements inspected and approved by the Township Engineer, and a first reduction in said amounts was approved and adopted by the Township pursuant to resolution duly adopted; and

WHEREAS, the Developer has requested a further reduction of the Performance Guarantee amounts currently in place pursuant to the Developer's Agreement in connection with improvements subject to inspection and approval by the Township Engineer; and

WHEREAS, the Township Engineer has reviewed such request and has issued a recommendation to the Mayor and Township Council in connection with the Performance Guarantees and escrows deposited by the Developer with the Township pursuant to the Developer's Agreement by letter dated March 28, 2018, a copy of which is annexed hereto (the "Engineer's report and recommendation"); and

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

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

1. The Engineer's report and recommendation is hereby approved and adopted, and action hereunder is authorized for the reduction of Performance Guarantees posted by the Developer with the Township as follows:

<u>Amt.</u>	<u>Original Amount</u>	<u>First Reduction Amt.</u>	<u>Second Reduction</u>
Total Performance Guaranty	\$522,000.00	\$113,400.00	\$8,640.00
Surety Performance Guaranty	\$469,800.00	\$102,060.00	\$7,776.00
Cash Performance Guaranty	\$ 52,200.00	\$ 10,206.00	\$ 504.00

2. The Engineer's report and recommendation reduction is conditioned up the following:

(a) the Developer is required to replenish the Legal and Engineering Services Escrow Account with additional funds equal to the difference between the current account balance and the required minimum balance of \$6,615.00; and

(b) the Developer is required to post a two (2) year maintenance bond in the amount of \$13,095.00 which sum is equal to 15% of the total cost of the improvements that are recognized as complete as referenced in the Engineer's report and recommendation, the form and substance of which shall be subject to the approval of the Township Attorney.

3. All vouchers for professional services in connection with the Project and this Resolution shall be submitted to the Township within thirty days. The Finance Department shall confirm that there are sufficient funds on deposit with the Township in the Legal and Engineering Services Escrow Account to pay all vouchers. Upon the verification by the Finance Department that there are sufficient funds on deposit to pay all submitted vouchers for professional services, the performance guarantees on deposit with the Township may be reduced.

4. A copy of this Resolution, with a copy of the Engineer's report and recommendation annexed hereto, shall be forwarded to the Developer by certified mail.

At this time, it was agreed to go into Closed Session. Conference Session will be suspended for tonight. Immediately after Closed Session, the Budget Session will begin.

Resolution No. 18-190
Closed Session, April 2, 2018

WHEREAS, the public is invited to attend all Meetings (whether denoted public or conference sessions) of the Township Council in accordance with its general practice and the Open Public Meetings Act; and

WHEREAS, the Legislature of the State of New Jersey declared that the public has a right to attend all meetings of the public bodies at which any business affecting the public is discussed or acted upon in any way except as set forth in the Open Public Meetings Act (N.J.S.A. 10:4-12), which provides for the exclusion of the public from the portion of a meeting at which certain enumerated matters are to be discussed; and

WHEREAS, the Township Council has determined that, because of the nature of the subject matter to be discussed, the public should not be present at that portion of the meeting of the Township Council at which certain specific matters encompassed by N.J.S.A. 10:4-12 are to be discussed;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that, pursuant to the express provisions of the Open Public Meetings Act, the public be excluded from the meeting or portion of the meeting (denoted as an "executive" or "closed" session) in which the following matters are to be discussed:

1. Any matter which, by express provision of federal law or State statute or rule of court shall be rendered confidential or excluded from the provision of subsection of a. of this section.

2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendation, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance, and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any

individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

4. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

5. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

6. Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law-

7. Any pending or anticipated litigation or contract negotiation other than in subsection b. (4) herein in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer . **COAH, TAX APPEALS**

8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters by discussed at a public meeting.

9. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.

BE IT FURTHER RESOLVED, that it is not possible as yet to fix the time when or the circumstances under which the discussion conducted in Closed Session can be disclosed to the public. It is anticipated that the subject matter under discussion will be made public when finalized.

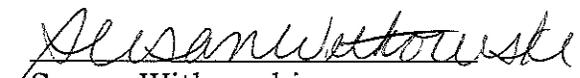
BE IT FURTHER RESOLVED, that notice is hereby given that the Township Council may find it necessary to take action at the conclusion of the executive/closed session; that such action if taken, will occur in open session; that you are invited to stay in the Municipal Building during the executive/closed session; that the doors to the Council chambers will be opened and an announcement will be made if the Township Council will be going into open session; and you may be present during such open session.

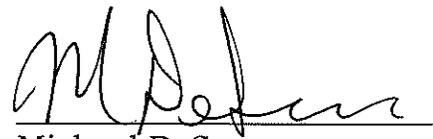
The Township Council anticipates that an open session will be necessary.
(Budget Session)

The Township Council anticipates that an open session will not be necessary.

MOTION		SECOND		COUNCIL	AYES	NAYES	ABSTAIN	ABSENT
Bruno		Bruno	X	Bruno	X			
Cascio	X	Cascio		Cascio	X			
Cumming		Cumming		Cumming s	X			
DeSena		DeSena		DeSena	X			
Ullman		Ullman		Ullman				X

Time Noted: 8:21 p.m.


Susan Witkowski
Township Clerk


Michael DeSena
Council President

Approved: July 16, 2018

