

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

PUBLIC PORTION/PUBLIC SESSION

April 4, 2016

The Township Council held a Public Portion/Public Session in the Municipal Building, 350 Pascack Road. The meeting was called to order at 7:31 p.m. by Council President Michael Ullman with the Clerk leading a salute to the flag. Members present: Robert Bruno, Peter Calamari, Steve Cascio, Tom Sears, Michael Ullman. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney; Mary Anne Groh, Business Administrator.

Pursuant to the provisions of the Open Public Meetings Act this meeting was listed in the Township Council Annual Meeting List which was published in The Bergen Record, forwarded to the local newspapers, posted on the Municipal Bulletin Board and filed with the Municipal Clerk.

The Clerk read the total of various bills paid, a copy of which is attached and made part of these minutes.

APPROVAL OF MINUTES

A motion was made by Mr. Calamari, seconded by Dr. Cascio, to approve the March 7, 2016 Public, Conference & Closed Session Minutes and the Special Budget Work Session Minutes of March 10, 2016, March 12, 2016 and March 15, 2016.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

REPORT OF MAYOR

The Mayor read the following appointments:

To the Council President and the Council of the Township of Washington, please be advised that I am appointing the following citizens to the office and positions listed below:

ADVISORY BOARD OF HEALTH

Dan Scudieri	4 year term, expiring December 31, 2019
Robert Stickle	4 year term, expiring December 31, 2019

Mayor Sobkowicz stated since council passed the resolution of the Stigma-Free Zone, we are now able to begin a collaborative campaign against the stigma of mental illness by implementing the tool kit which involves press release, presence at Town Day and so on. Our first meeting will be Wednesday, April 6th at 6:30 p.m., which will also be included in our Health Fair. If anyone is interested in helping out please notify Bernadette at Town Hall. We have hired three new employees, a full-time DMF operator, a part-time planning and zoning clerk and a part time tax assessor's clerk. She stated she has also hired two more part-time employees, a full-time laborer in the DMF and a part time clerk in recreation. The Acting CFO, Denise Marabello, who was appointed as of February 1 for 60 days had resigned at the end of February due to some demands of the council that were inconsistent with her understanding of the position. Ms. Marabello subsequently agreed to stay on until the end of the 60 days or until a successor was appointed, no action by the council has been taken. She hopes that the council can take action tonight, if they want Ms. Marabello to stay on. The Township met its first part of its affordable care obligation by sending out Form 1095 to all employees showing proof of health coverage for 2015. She thanked Joi Apar, the Township finance person who worked with the Township payroll company to complete this. The next step is that the information will be reported to the IRS in June. With regard to street

sweeping, it was to start today, but it did not, hopefully the weather will improve. She stated the Township fared well with the weekend wind storm, there was a power outage and part of the rock fence actually fell in the yard at the municipal building. The State has a new requirement with regard to making a user friendly version of the budget, which is not very user friendly and submit it. She stated in doing so the administrator and herself had to indicate some of the shared services that the Township has. She stated with regard to shared services, the Township does have quite a few, the Township has a health program with Emerson, and now we are going to the north west, a teen program in Westwood, lacrosse and soccer with Westwood, a sewer pump that we share with Hillsdale, Westwood, Emerson and Woodcliff Lake, street sweeping agreement with Paramus, the pistol range with Paramus, a truck loaner program with the County and currently the Township is in negotiation with Hillsdale for mechanic services, in which we submitted a proposal and are awaiting their answers. Relay for Life will take place on May 14th and 15th at the Westwood Regional High School with the goal being to raise money to fight cancer. On April 16th to make everyone aware of the relay, the Township will be painted purple along with distributing flyers. The DMF department now has six full time operators, one full time laborer and two seasonal employees coming on, with another seasonal coming on mid-May. The second new dump truck has arrived and the garbage truck will be arriving soon. The evaluation of the well at Memorial Field will take place at 7:00 a.m. on Monday, April 11, 2016. Memorial Field was seeded twice and reports are the seeds are taking well. On April 1st the new judicial processing will begin at the Police Department, it is still on an interim basis. The process is very complicated the Police Department receives packets for our police chief and officers to fill out in order to meet our requirements. The new SUV that the Police Department received in November of 2015 was totaled about two and a half months later. She stated she was not a happy with the amount that the insurance company was giving the Township on this brand new vehicle. She would like to thank the chief, captain and our administrator because they kept on pursuing it and in the end received much more money than was originally offered. The Police Department has been vigilante with regard to certain parking situations and there has been some improvement. She does have several documents of data for the Conference Session. She stated all of the Township officers are now in the process of getting recertified in CPR and AED. Sergeant Lawton and Sergeant Scherer are the in house instructors. She stated the subject of shared services, dispatching and over time came up at recent council meetings. Chief Hooper, Councilman Sears and herself met to discuss these topics. At this time approximately 70% of our shifts are covered by civilian dispatchers and 30% by police officers, and we do have another dispatcher that is in training. This amount of money does not equate to the \$600,000 to \$800,000 figures being given that it costs to operate the desk. In addition, Chief Hooper and Captain Hackbarth work together to monitor overtime, and with improved efficiency have steadily reduced it. For example, in 2014 we had \$261,000 and in 2015 we had \$177,000 even though salaries increased. Even if the Township had outside dispatching we would still have to maintain our legacy desk should something occur. So far this year the Police Department responded to 2,249 calls, 735 of the calls being in March. On Saturday, May 7th at around 6:00 or 6:30 p.m. the pavilion at Memorial Field will be dedicated to Ceil Ritter, a long-time employee and resident of the Township of Washington. The council will be receiving a formal notice/invitation; it all came about on Saturday after finalizing some things. She stated originally Councilman Cascio and the council accepted the provision to dedicate this pavilion. The Recreation Department, Administration and Police Department all agree that the Summer Recreation Program should remain at Memorial Field for 2016. The reduced open area for the campers is not a basis to disturb this long established program. There are many other areas available at Memorial Field and Washington School for the program's activities. Our Community Response Team (CERT) will be working at the Relay for Life on May 14 and May 15. The Annual Fire Department Pancake

Breakfast was held on March 20th and the Egg Hunt was held on March 26th. So far this year the Fire Department has responded to 39 calls, 15 of them being in March. On April 10th the Fire Department will be honoring Bob Thompson a 60 year fireman, which is real dedication. If anyone happens to see Mr. Thompson, please thank him for his service to this community. She spoke of the article with regard to the FAA implementing a different flight path. The article indicates it is temporary and can only be implemented when visibility is good since they use actual landmarks. She stated towns west of Rout 17 are protesting. She stated for the Township she believes the new path may provide some relief from the noise since the planes will be a little west of us. She stated the Township has always been involved in air flights going to Teterboro and in the past we have managed to get them to reduce the hours, and hopefully this will help the Township. April is Volunteer Month and she has selected Bob Stickle as the Township's Volunteer of the Year, more information will follow. She thanked the Ambulance Corps for their work throughout the year, so far they have responded to 111 calls, which does not include the ambulances that cover other towns that help us, she stated 32 of those call were in March. Please consider becoming a member, she understands it is a lot of work and dedication, but you would be performing a great service to the community. The Township is participating in the New Jersey Tree Recovery Campaign. The Township will be receiving seedlings and they will be distributed to residents on a first come first serve basis on Saturday, April 23rd from 9:00 a.m. to 12:30 p.m. pick up will be at the Road Department. She stated if there are any leftovers it will be indicated on the E-Sign when to pick them up. The Knights of Columbus will be having their honoree night on Saturday, April 23rd. The Township Memorial Day Parade will be held on Monday, May 30th, a band has been secured and we would like to have one more. If anyone knows of any, please let us know. With regard to the Road Program 2016, the following roads will be paved after storm drain repairs, President Road, Kennedy Drive, Adams Place, Calvin Street north of Washington, Douglas Drive, Jacob Road, Lafayette Avenue, Ridgewood Boulevard East, Ruby Court, Wayne Place, West Place and White Birch Road. The physical inventory with regard to the Township's assets is proceeding; they are already done with the Fire Department and DMF. She stated she received correspondence from Paul Azzolina, the engineer for 5 Star and Delta project at the Zoning Board. She stated the gas pumps state Delta on them, the request at this time is for the station to be granted as Exxon, and she did receive items in the mail to approve the Exxon signs. She stated that cannot be done until there is paperwork with regard to ownership. She stated in addition, much to her surprise, six signs were approved for the site, one of the signs is a free standing sign, which is 6 feet by 6 feet, along with two 3 feet by 8 feet canopy signs, a 3 foot by 5 foot price sign mounted on aerial light, and one 2 foot by 15 foot building sign. She stated she will be checking into next week since she is upset by the number of signs. The Administrator has been working diligently on the well issue at Memorial Field, trying to get the company to come to the Township as soon as possible along with quotes for purchases. The Police Department is getting computers and servers and they will also be receiving two brand new hand held radar units. The administrator has also been working on the release of old vehicles and things of that nature; she would like to thank the administrator very much.

REPORT OF COUNCIL

Dr. Cascio – Dr. Cascio stated he has no report this evening.

Mr. Sears – Mr. Sears stated Councilman Calamari and himself went to the shopping center to check on Mrs. Lipnick's request about vehicles coming over the berm. He stated we did observe tire tracks. Councilman Calamari did reach out to the shopping center management. He stated on our way back we were walking along the stream and he happened to look over the fence. He stated it is littered with garbage, someone is dumping back there, there are shopping carts, beer bottles, containers, fence and wood. He stated they

walked just passed the Post Office around the stream going up, it was really disgusting. He reached out to the Boy Scouts, and they have agreed to do a Saturday clean up, and we will be getting the particulars about that. He is asking if anyone else would like to volunteer on that date it would be helpful since it is mess back there. He stated a large portion of the mess are coffee cups thrown over the fence, there are also five gallon buckets of empty soy sauce cans and an untold amount of garbage back there. He stated the Boy Scouts have agreed to do a project to clean up that waterway from the library going all the way up to Ridgewood Avenue. He stated at the last council meetings comments were made with regard to saving \$600,000 to \$800,000 on dispatching. He stated we did work up the numbers and the bottom line there is about \$340,000 to \$345,000 it would cost to do our dispatching, 8,760 hours in total, with civilian dispatching being 70%, which is about \$20.00 an hour and 30% is by police officers which is \$90.00 per hour. He stated with more civilian dispatching coming up the police overtime will be diminished. He did look at the \$600,000 to \$800,000, if you get rid of four policemen and close the police headquarters down, yes you probably might meet that. He stated he does have a concern when people throw out numbers that do not have any emergency service background whatsoever. He stated he has looked at the last time this was dealt with, the Township had two police chiefs, seven fire chiefs, OEM, emergency services, Directors of DPW all have testified that shared services, it is a good thing, but you do not share service people's lives. He stated the savings is not that great, it is minimum, but when people hear that we put a radio in a firehouse, it is no big thing. He stated the Township has a radio in our firehouse also, we can dispatch. He stated he doesn't want to take Township money to try and boost up another town's financial difficulties. He stated he wants to keep Township money in the Township. He stated if things change later on, that is fine but at this time the residents get the best service, you do not want to get into a conflict where two or three people are answering a phone; you may be the number two person. He stated every emergency personnel will tell you time is the most important thing to get to a scene.

Mr. Calamari – Mr. Calamari stated he attended the Fire Departments Pancake Breakfast and a good time was had by everyone that showed up. He stated that council cut some of the suggested COAH funding. He stated in the Record there were two articles having to do with COAH and how it is affecting all of the towns. He encourages anyone from the public who want to query the council on the subject of COAH to do so. He stated he did leave some Memorial Field numbers on the dais; he will address those in the Conference Sessions. He stated he feels council should start to look at these numbers so we can come up to an agreement to inform the voters properly.

Mr. Bruno – Mr. Bruno stated in terms of the budget process, it was very tedious and thorough process that we went through. He stated it was the first time for some council members and he thinks there is a lot we can do and learn from it. He stated hopefully next year hopefully council will be more prudent with how we go about the budget. He stated Mary Anne came in and did a great job, considering the fact that she was dealt a bag of goodies and we were able to get through it. He stated overall he is pleased with what happened and how council went through the budget process and he feels comfortable with what council did.

Mr. Ullman – Mr. Ullman stated he would second Mr. Bruno's comments. He stated the process was quite thorough. He stated there was an issue that arose and we did receive a letter from the auditor which he appreciates the administration securing. He stated the letter highlights issues that were being questioned that have been discussed with the administration for a number of years, they were not addressed and we are being asked to address them now. He stated he is glad we are able to fund those unfunded appropriations and hopefully when issues arise at the audit they can be addressed on a timely basis and not let them sit for future years or future council's to deal with.

GENERAL PUBLIC DISCUSSION

A motion was made by Dr. Cascio, seconded by Mr. Sears, to open the general public discussion.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

Rosa D'Ambra, 423 Colonial Boulevard – Mrs. D'Ambra spoke of taxing the Jewish Y since it is not being used for charitable purpose any longer and it is empty. She spoke of a for-profit hospital or rehabilitation center, such as the Kessler Institute taking the Y's place, not a non-for profit. She also spoke of street sweeping on the 2016 budget and what was done in the past as far as street sweeping. She spoke of the frequency of the street sweeping. She stated she feels council is padding the budget. She spoke of the Park Ridge agreement with Paramus with regard to street sweeping which costs \$14,000 and she feels it needs to be looked into. She spoke of the conditions of the catch basins on Colonial Boulevard and having the Road Department clean them. She asked what happened to the \$4,000 item that was brought up at the budget meeting she attended with regard to Mr. Fadini. She stated she would like all of the items she mentioned to be looked into. Mr. Bruno stated regarding the street sweeping there was money put in 2015, we swept last year once. He stated this year we put in for a minimum of three sweepings which we will make sure get done and followed up. He stated this year we budgeted tight and want to make sure the money that is budgeted does get spent for the Township. He stated he did receive copies of the bills from Mr. Fadini but he has not addressed them yet. He stated it looks like the payments are made out to him for premiums for certain insurance policies; he does have follow up questions. Administrator Groh replied they are premiums for various insurance policies beyond the JIF policies and they are paid to Mr. Fadini's brokerage firm. She stated although it looks like it is paid to Mr. Fadini individually, it is to his brokerage company, which is Vic Fadini. Mayor Sobkowitz stated the reason Colonial Boulevard was swept twice last year is because every year before the parade Paramus sweeps the whole parade route for us. Administrator Groh will look into the difference of the rate. She stated Paramus was asked over a month ago to get it done, but we were pushed back due to demand. She stated she will look into other towns locally that do have sweepers. She stated it is not easy because the debris that is collected is hazardous waste and in the case of Paramus, they will take the sweeper back with the collection and the Township does not have to worry about getting a special permit for disposal and the cost. She stated we did get a proposal from the County to share their street sweeper, but their street sweeping proposal included putting the responsibility on the Township to get rid of the of the sweepings, she does have the DMF Superintendent looking into what the cost for that would be, and we would also have to replace the brooms. She stated we are looking at other options so we have more choices. A conversation followed with regard to answering the public and the time limit. Mayor Sobkowitz stated we did have another concern before Paramus do the roads, they would leave the debris at Cherry Field and the Township would have to pick it up and haul it out. She stated Paramus fortunately takes it away and that is one of the advantages.

Julie Lipnick, 184 Finnerty Place – Ms. Lipnick thanked Councilman Sears for his comments with regard to the shopping center. She spoke of a motorcyclist constantly being back there. She stated there is a large tank behind the shopping center and she would like to know what it is for. She stated it is a large tank and it is leaning right into a well opening, and she is assuming that is monitoring the well from contamination from the once existing dry cleaner that was doing cleaning on site. She spoke of yellow canisters that were once in the back of the shopping center for many months. She would like to know if the tank is monitoring the underground water from the contamination of that dry cleaner that is effecting the waterway. She stated we have new neighbors that are mentioning it and it does effect the sale of our homes. She asked council to look into what the tank is and to let the

public know within 30 days. Mayor Sobkowicz stated wells were put back there to monitor waste that was being dumped there. Mr. Ullman stated it is about 12 feet tall and there is a tube that goes into the ground. Mayor Sobkowicz stated before we send Boy Scouts out there we will check what is going on.

Ray Bernroth, 838 Crest Place – Mr. Bernroth stated he did see the subject of the new Teterboro flight plan on Channel 7 news and apparently the new flight plan is being done for the benefit of Hackensack Medical Center. He stated according to the news report it is being done on a six month trial basis and then they will make the final decision. Mayor Sobkowicz stated the Township and surrounding towns did not receive any notifications. She stated quite a few years back the Township did get notified of a flight path of Teterboro, and letters were written and they did curtail the times the planes could land, and they did change how many planes they can have per day. She stated she is hopeful this will give the Township some relief. She stated a meeting was held at Teterboro, but the Township found out after the fact so we are keeping on top of it.

MaryBeth O'Connor, 33 Horizon Court – Mrs. O'Connor spoke of the parking issues with IHA Juniors on Horizon Court. She stated the administration did indicate unless there was an ordinance, they cannot tell the students what to do but a private school can, they just chose not to. She stated we were asking as a community to have the least restrictive parking signs as possible on Horizon Court. She spoke of the number of signs which would be needed and the passing of an ordinance would result in the area not having a parking problem. Mr. Ullman stated he did meet with Mrs. O'Connor. He asked has the problem increased or decreased. Mrs. O'Connor stated it is markedly better but that is also due to the fact that the neighbor who has a pathway to IHA and also has a sophomore at IHA has told the students that they cannot walk through her property. She stated that she believes there will be a problem every September because there will be a new class of students coming in. Mr. Ullman stated at Conference the council will be discussing the parking issue at Westwood High School and he would like to include this in the discussion. A conversation followed with regard to the amount of signs needed and adding this street to an existing ordinance restricting parking.

Scott Spezial, 785 Washington Avenue – Mr. Spezial stated he is up here trying to get a handle on the expenditures on Memorial Field. He stated he is trying to understand why money is being spent on the field for the condition that it is in and trying to get a handle on the number. He stated he is not blaming council or holding council at fault, he is just trying to understand what is being spent there so it can be compared to the possibility of redoing the field and maybe over the long term save some money. He stated some documents have been received by council in regard to the expenditures going on at Memorial Field currently. Mr. Ullman stated there was a document when we walked in today. Mr. Spezial spoke of the document which includes expenditures that were presented by the prior business administrator and expenses which was done along with actual documentation from the Township. He spoke of items that are not on the actual sheet of paper, such as maintenance items that being lawnmowers, gas, weed whackers, and there are also no rental fees on there, such as field rentals and rent time. He spoke of the labor study that was received by council which is an actual account for the entire last year, of every hour and every dollar that is put into Memorial Field with regard to maintenance by the DMF. He stated the number of \$29,000 is an actual number which is as a result of labor hours which the superintendent kept for the entire year. He stated that brings the annual expense to over \$130,000 per year. He spoke of a person being on council for the past three seasons and spending \$130,000 to \$133,000 per year, that person on council has spent about \$400,000 on Memorial Field. He would like to know what kind of improvements was done on Memorial Field for the \$400,000. Mr. Ullman replied there are no long term improvements, he would call it maintenance. Mr. Spezial stated in the past three seasons, besides the

resodding which we really had to do and do again, there are no improvements done to the field and \$400,000 was spent in three seasons.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment spoke of COAH articles she has read in the paper in which other towns indicate the number of units and why the Township hasn't done so. She stated she feels it is important for the residents of the Township to know how many units we have now and what COAH requires of the Township. She stated at the budget meeting the administration asked for \$79,000 to fight COAH and the council agreed to the \$79,000. She asked what is the purpose of increasing the budget for the engineer. Administrator Groh replied it is for the intersection of Pasack and Washington. Mrs. Ozment asked if the trucks went out for large pick-up. Administrator Groh replied she will check but she did see the truck go out. A conversation followed with regard to the picking up of household debris. Mrs. Ozment stated her street was not picked up as well as Hoover Avenue as well as Jackson Avenue. She thanked Dr. Cascio for finally having the pavilion dedicated for Mrs. Ritter since Mrs. Ritter was a very much loved employee of the Township. She stated with regard to shared services, soccer doesn't have anything to do with Westwood or the Township of Washington; it is private organization with children from other towns. She spoke of her idea of shared services and she believes lacrosse is not a shared service, as well as wrestling. Mr. Ullman asked if COAH can be discussed. Mr. Poller stated a few towns, such as Mahwah, have put the number out here but most towns are handling it as litigation. He stated the Kinsey report stated the Township can afford 433 units and Econsult states it is 172 units. He spoke at length with regard to each town using their own devices to get their number to be different. He stated it is a process, there are 3 judges involved and immunity is given to towns that apply for it. He stated he feels it is disservice to the town to put out there what the Special Master is stating and what the numbers are and Closed Session is not public. He stated he was not asked to attend the budget hearing with regard to COAH, but he did give the administration a number and it was not approved, but he feels it is worth everyone's time to listen and reconsider since it is more than just dollars and cents. He stated \$79,000 was put into the budget for the entire legal department. He stated with regard to COAH there is a segmentation of who gets paid and people are earmarked to get paid most if not all the money already. He stated he would be more than happy to discuss this in Conference Session. Mr. Ullman replied we will have that discussion.

Eamonn Twomey, 187 Devon Road – Mr. Twomey stated he is going back to the budget estimate. He asked if council understands the process of getting real numbers since it has been stated that we do not have real numbers. Mr. Ullman stated he believes Mr. Statile completed a concept, and based on that proof of concept Mr. Statile did an estimate of 2.45, 2.46 million. Mr. Ullman stated it is his understanding if the resolutions passed Mr. Statile would have to do further drawings. Mr. Twomey spoke at length of the process and eventually getting bid specs so you can go out to bid, then the numbers will be given. He stated Mr. Statile's cost would be \$67,000 of the \$150,000 bond that was approved, and so far \$6,000 was spent for the high level design by Mr. Statile. He stated we cannot get to real numbers until we get to design specs. Mr. Ullman spoke at length with regard to the amount of \$560,000 to furnish and install synthetic field which is crumb rubber, everyone being in agreement they do not want crumb rubber and having something above crumb rubber would be an increase in the 2.45. Mr. Twomey stated then there can be options and that would be decided by council. Mr. Ullman stated all sides of the story need to be presented, but he does feel this number will go higher. Mr. Twomey stated we cannot get to those numbers until we go to the next phase, but we do have proof of what we are spending now. Mr. Calamari stated with regard to the documents left on the dais, the first page came from the engineer, the second page from Mr. Cavallo, and the subsequent pages came from Dan Kiely.

William Ferrara, 2556 Cleveland Avenue – Mr. Ferrara stated at the last meeting he asked for an analysis of monies spent by parents in sports programs. Administrator Groh replied she does have those numbers, but was

not aware of Mr. Ferrara's request. A discussion followed with regard to the introduction of the budget and the hearing which is May 2nd. Mr. Ferrara asked what is the status of the Habitat of Humanity project. Mr. Poller replied an agreement was entered into to transfer the property. He stated there is also a court order which will give the Township four credits against our affordable housing requirements. Mr. Ferrara asked if anyone has heard back from the county with regard to Pascack and Washington Avenues. Administrator Groh did contact them and she did receive a voicemail putting the responsibility of buying out the land on the Township, which she does not believe they have a right to do. She would like to confer with the attorney to challenge that position.

Joe D'Urso, 12 Viola Terrace - Mr. D'Urso stated he is the resident Mr. Sears alluded to with regard to police dispatching. He spoke of his involvement a few years back and the numbers he had. He asked Mr. Ullman if Mr. Sears has the numbers that 70% of the Township dispatching is done by civilians and 30% by the police, was Mr. Sears allowed as a councilman to get those numbers without council consent. He spoke of himself asking for dispatch records and not receiving them. Administrator Groh replied that is not the protocol, it is through the administration. Mr. Ullman replied Mr. Sears did not speak to him about this. Mr. Sears stated he did OPRA the request, so he does not have to talk to Mr. Ullman directly since he feels as citizen that he can OPRA something and has a constitutional right to do so. Mr. Ullman spoke of there being a constructive dialogue. He stated if we have those numbers that they be shared amongst the council. He stated he doesn't see the downside of what Mr. Sears did, however there are other members may go before other bodies which is their constitutional right for free speech. Administrator Groh stated it is her understanding, and she would like Mr. Poller to confirm or correct her, is that council people are supposed to field their requests to department heads through the administration. Mr. Poller replied that is true. Administrator Groh stated she believes that is how Mr. Sears handled this situation, but if anyone on council has any questions or concerns she would be more than happy to work with you with requests. Mr. D'Urso stated it has been clarified that 70% of our dispatching is now covered by civilian dispatching and 30% by police officers. He spoke of the civilian dispatching rate being roughly \$20.00 per hour, and the savings which would be over a million dollars. He spoke of how he based his numbers three or four years ago. He spoke of the OPRA request that he made years ago, but did not follow through. He stated he can OPRA who is working the desk weekly or a quarter or a year. Mr. Ullman he stated it would sound like something that would be available and that Mr. D'Urso should submit his request to the Clerk.

A motion was made by Mr. Sears, seconded by Mr. Calamari, to open the general public discussion.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

Administrator Groh - Administrator Groh stated with regard to the garbage pick-up, it is her understanding the only items that were left were those not properly placed at the curb, explanation stickers were left and marked with the reason why.

BUDGET

A motion was made by Dr. Cascio, seconded by Mr. Calamari, to approve Resolution No. 16-172, Temporary Capital Budget.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

Resolution No. 16-172

TEMPORARY CAPITAL BUDGET

Whereas, the local Capital Budget for the year 2016 has not been adopted; and

Whereas, it is desired to introduce a capital ordinance,

Now, Therefore Be It Resolved, by the Township Council of the Township of Washington, County of Bergen that the following temporary capital budget for 2016 be made:

From
Capital Budget (Current Year Action)
2016

Project	Estimated Total Cost	Improvement Fund	Debt Authorized
Improvement Various Streets	\$ 909,000	\$ 45,450	\$ 863,550
Improvement of Municipal Complex	100,000	5,000	95,000
TOTAL ALL PROJECTS:	\$1,009,000	\$ 50,450	\$ 958,550

6 YEAR CAPITAL PROGRAM 2016-2021
Anticipated Project Schedule and Funding Requirement

Project	Estimated Total Cost	Budget Year 2016
Improvement Various Streets	\$ 909,000	\$ 909,000
Improvement of Municipal Complex	100,000	100,000
TOTAL ALL PROJECTS:	\$1,009,000	\$ 1,009,000

Resolution No. 16-173

INCREASING THE MAYORS BUDGET

BE IT RESOLVED by the Township Council of the Township of Washington that the following additional increases to the Mayor's Recommended Budget be and are hereby made:

<u>APPROPRIATIONS</u>	<u>FROM</u>	<u>TO</u>
Engineering Other Expenses	\$35,000	\$85,000

Resolution No. 16-174

INTRODUCTION OF 2016 BUDGET

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of Washington, Bergen County, New Jersey for the year 2016.

BE IT FURTHER RESOLVED, that the said budget be published in the Record in the issue of April 11, 2016 and that a hearing on the Budget will be held at the Municipal Court Chambers on May 2, 2016 at 7:30 o'clock (P.M.) or as soon thereafter as the matter may be reached.

ORDINANCES

2ND Reading Ordinance No. 16-01

The Clerk read Ordinance No. 16-01 entitled: CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK.

A motion was made by Mr. Calamari seconded by Dr. Cascio, to introduce and pass Ordinance No. 16-01 at second reading by title.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

The following resolution, Resolution No. 16-175 was presented and adopted on a motion by Dr. Cascio, seconded by Mr. Sears.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 16-01 entitled: CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Dr. Cascio, seconded by Mr. Calamari, to open the Public Hearing.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

A motion was made by Dr. Cascio, seconded by Mr. Sears, to close the Public Hearing.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman

Nays: None.

A motion was made Dr. Cascio, seconded by Mr. Sears, to pass Ordinance No. 16-01 on a second and final reading, submit the same to the Mayor for her approval and thereafter be published according to law.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman

Nays: None.

Mr. Calamari – Mr. Calamari stated there was a Letter to the Editor in either Community Life or Pascack Press from a resident or someone that sits on the school board alluding to the fact that they are looking to increase the budget by using up a lot of their old CAP Bank. He stated he didn't have an opportunity to attend the Board of Education meeting to question them on this but he sincerely hopes that it is not true with regard to the way it was written. He pledges to the community that he would never vote for anything frivolous to spend that CAP Bank.

Introduction Ordinance No. 16-02

The Clerk read Ordinance No. 16-02 entitled: BOND ORDINANCE APPROPRIATING \$1,009,000 AND AUTHORIZING THE ISSUANCE OF \$958,550 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY.

A motion was made by Dr. Cascio, seconded by Mr. Calamari, to introduce and pass Ordinance No. 16-02 at first reading by title.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

The following resolution, Resolution No. 16-176 was presented and adopted on a motion by Dr. Cascio, seconded by Mr. Sears.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

WHEREAS, Ordinance No. 16-02 entitled: BOND ORDINANCE APPROPRIATING \$1,009,000 AND AUTHORIZING THE ISSUANCE OF \$958,550 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS

IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY was introduced and passed at first reading at a meeting of the Township of Washington on the 4th day of April, 2016.

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on 18th day of April, 2016 at 7:30 o'clock in the evening, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Building, 350 Pascack Road, 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 Township Clerk is authorized to advertise in The Bergen Record, a newspaper circulated in this Township, the introduction and notice of further consideration.

A discussion followed with regard to Resolution No. 16-185, Temporary Emergency Appropriations.

CONSENT AGENDA

Mr. Sears – Mr. Sears stated he would like to recuse himself from voting on Resolution No. 16-178.

Mr. Ullman – Mr. Ullman stated council will now vote on Resolutions No. 16-177 through 16-185, excluding Resolution No. 16-178.

The following resolutions were part of the Consent Agenda and were made available to the Governing Body and the Public prior to the meeting.

The Consent Agenda was presented and adopted on a motion by Mr. Calamari, seconded by Dr. Cascio.

Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.

Nays: None.

Resolution No. 16-177

Tax Refund

WHEREAS, an overpayment for the 1st quarter property taxes was received from two parties, Corelogic Tax Service on behalf of Citifinancial and the new homeowner, John Viganola.

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

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey that the Tax Collector, Elaine Erlewein, be authorized to issue a refund to:

Corelogic RTS
One Corelogic Drive
Attention: Tax Refunds (DFW 1-3)
Westlake, TX 76262

Furman (former owner), Block 4418 Lot 55 \$ 1,931.00
352 Calvin Street

Resolution No. 16-179

Northwest Bergen Regional Health Commission Agreement of REHS and Health Officer

WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes and permits contracting units, such as the Township of Washington (the "Township") to enter into service agreements for the services

contemplated below without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5(1)(a)(1); and

WHEREAS, pursuant to the New Jersey Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.), the Township seeks to renew a shared services agreement with the Northwest Bergen Regional Health Commission (the "Commission") whereby the Commission will provide health services of a professional and technical nature to the Township as provided for in the Local Health Services Law (N.J.S.A. 26:3A2-1 et seq.); and

WHEREAS, the Commission has proposed to provide certain health services of a technical and professional nature for the period of May 1, 2016 through December 31, 2017 to meet or exceed the Public Health Practice Standards of Performance for Local Boards of Health and, in particular, a licensed Health Officer and licensed Registered Environmental Health Specialist as stipulated in its contract proposal dated February 26, 2016; and

WHEREAS, the fees for said services for the period of May 1, 2016 through December 31, 2016 are a total of \$22,675, payable in three (3) equal installments on May 1, 2016; July 1, 2016; and September 1, 2016; and

WHEREAS, the fees for said services for the period of January 1, 2017 through December 31, 2017 are a total of \$34,522.69, payable in four (4) equal installments on January 1, 2017; April 1, 2017; July 1, 2017; and September 1, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Washington, in the County of Bergen, New Jersey approves the Contract Proposal by the Northwest Bergen Regional Health Commission, which is on file with the Township, and hereby authorizes the Mayor to execute said agreement for the above stated purpose.

Resolution No. 16-180

BCUA Solid Waste Agreement

WHEREAS, the Municipal and County Utilities Authorities Law (N.J.S.A. 40:14B et seq.) and the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes and permits contracting units, such as the Bergen County Utilities Authority (the "BCUA") and the Township of Washington (the "Township") to enter into service agreements for the services contemplated below and without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5(2); and

WHEREAS, in accordance with the New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) the County of Bergen, constitutes a Solid Waste Management District in which the BCUA is the agency responsible for implementation of a Solid Waste Management Plan to provide for the collection, processing and disposal of solid waste generated within the County of Bergen; and

WHEREAS, ADS Solid Waste of NJ, Inc. ("ADS") was awarded a contract with the BCUA on April 25, 2013, (the "Contract") for the acceptance, processing and disposal of municipal solid waste at their disposal facility located at 301 Maltese Drive, Totowa, NJ 07512 ("Transfer Station Facility"); and

WHEREAS, the Township of Washington and the BCUA entered into an agreement dated May 31, 2013, pursuant to which the Township delivers municipally-generated solid waste to the Transfer Station Facility for processing, transportation and disposal, and the BCUA provides such solid waste processing, transportation and disposal services to the Township, in a cooperative effort relating to municipal solid waste management; and

WHEREAS, by Resolution 13-2-075 adopted on December 19, 2013 the BCUA consented to the assignment of the Contract from ADS to Covanta 4Recovery, L.L.P. ("Covanta"); and

WHEREAS, on January 28, 2016 the BCUA formally exercised its right to extend the term of the Contract beyond the original expiration date of May 31, 2016 for an initial one (1) year period from June 1, 2016 to May 31, 2017.

WHEREAS, THE Township will be billed by the BCUA on a monthly basis at the rate of \$68.00 per ton for solid waste delivered to the Transfer Station Facility by the Township for the period June 1, 2016 through May 31, 2017; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township hereby approves the aforesaid First Amendment to Solid Waste Service Agreement between the Township and the BCUA, a copy of which is on file with the Township;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the First Amendment to Solid Waste Service Agreement with the BCUA for the above-stated purpose.

Resolution No. 16-181

Escrow Refund

WHEREAS, Anthony & Lisa Muoio posted engineering escrow money on premises known as Block 4414 Lot 25, 183 Fern Street; and

WHEREAS, the project falls within the guideline where neither a Certificate of Occupancy nor a Certificate of Acceptance is needed; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated November 30, 2015; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$559.00 to the above.

Resolution No. 16-182

Escrow Refund

WHEREAS, Thomas & Susan Cafarella posted engineering escrow money on premises known as Block 2406, Lot 19, 337 Ridgewood Blvd North; and

WHEREAS, the Construction Code Official has issued approval dated February 1, 2016, C.O. No. 13-409; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated February 9, 2016; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$461.00 to the above.

Resolution No. 16-183

Escrow Refund

WHEREAS, Robert & Jill Catherman posted engineering escrow money on premises known as Block 4421, Lot 15, 331 Calvin Street; and

WHEREAS, the Construction Code Official has issued approval dated March 3, 2016, C.O. No. 07-250; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated June 3, 2015; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$132.00 to the above.

Resolution No. 16-184

Escrow Refund

WHEREAS, Timothy & Maryanne Hageman posted engineering escrow money on premises known as Block 4506, Lot 51, 174 Walnut Street; and

WHEREAS, the Construction Code Official has issued approval dated December 23, 2015, C.O. No. 13-543; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated October 26, 2015; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$69.00 to the above.

Resolution No. 16-185

Temporary Emergency Appropriations

WHEREAS, an emergent condition has arisen with respect to Appropriations and no adequate provision has been made in the 2016 temporary budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total temporary budget resolution adopted in the year 2016, including this resolution total \$4,421,542.50.

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, that the following emergency temporary appropriations be made and that said emergency temporary appropriations be added to the Temporary Budgets adopted heretofore as follows:

DESCRIPTION	CURRENT EMERGENCY APPROPRIATIONS
DEPARTMENT OF ENGINEERING	
Storm Water Management Program	\$2,000.00
PUBLIC SAFETY FUNCTIONS	
POLICE DEPARTMENT	
Desk Recorder Maintenance	\$615.00
LIBRARY PERS CONTRIBUTION	\$20,725.00
	TOTAL
	<u>\$23,340.00</u>

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

A motion was made by Dr. Cascio, seconded by Mr. Calamari, to approve Resolution No. 16-178.

Ayes: Councilmen Bruno, Cascio, Calamari, Ullman.

Nays: None.

Recuse: Councilman Sears.

Resolution No. 16-178

Homestead Benefits Refund

WHEREAS, homestead benefits were given for 2nd quarter 2016 installment on Block 2306, Lot 19, Steven Kohlreiter, 572 Hoover Avenue, on Block 3215, Lot 46, Thomas J. Sears, 600 Beech Street, and on Block 4506, Lot 3, Edward Maloney, 149 Fern Street

WHEREAS, the Homestead Benefit credit is based upon taxes paid in 2013 and the homeowners became exempt as totally disabled veterans. Per New Jersey Statute 54:3-27.2, overpaid taxes are to be refunded to homeowner,

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey that the Tax Collector, Elaine Erlewein, be authorized to issue a refund to:

Steven Kohlreiter, 572 Hoover Ave

\$787.94

Thomas J. Sears, 600 Beech Street
Edward Maloney, 149 Fern Street

\$317.84
\$558.78

Time Noted: 9:12 p.m.


Elaine Erlewein
Township Clerk


Michael Ullman
Council President

Approved: May 2, 2016

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

CONFERENCE PORTION/PUBLIC SESSION

April 4, 2016

Members present: Robert Bruno, Peter Calamari, Steve Cascio, Tom Sears, Michael Ullman. Also present: Janet Sobkowicz, Mayor; Mary Anne Groh, Administrator; Ken Poller, Attorney.

Time Noted: 9: 12 p.m.

CURRENT BUSINESS

RFP – Auditor – Mr. Ullman stated two RFP's were received, one from the current auditor, Lerch, Vinci and Higgins and one from Louis C. Mai CPA & Associates, he asked if these were the only two proposals received as per the request. Administrator Groh replied yes. Mr. Ullman stated they were received Friday, and he has not had a chance to review them, he would propose discussing them at the next meeting. He asked if anyone has a comment at this moment. Mr. Calamari spoke of the RFP's being completed in January and at that time the firm of Louis C. Mai provided an hourly rate. He stated in the current proposal, they have changed and put a price on each item of work as Lerch, Vinci & Higgins did in their first RFP. He asked was there something in the latter RFP that changed. Administrator Groh replied no. He stated he thinks it is unethical that they changed it to copy a competitors bid from less than three months ago and to come in just under it and if this was in his business he would look very poorly at that bidder for stealing someone else's rate and information, and just underbidding them. Mr. Sears stated he would agree it just seems to be too suspicious. Mayor Sobkowicz asked if anyone checked the unfunded balances in the towns that Louis C. Mai worked in. Mr. Ullman stated he received this Friday afternoon, and he has not had an opportunity to check the unfunded, but asked has the administrator had an opportunity to look at it. Administrator Groh replied she did look at their audits for the City of Elizabeth and the Borough of Kinnelon. She printed out their schedules and both of those towns have significant unfunded appropriations, much as the situation that held up the introduction of the budget this year in the Township and council should look at them to the extent that is a factor in their decision. Mr. Bruno stated he has not looked at anything but he will read it. He stated it was not his issue with Vinci; his issue was that the Township received an adverse opinion, along with several internal control weaknesses that were not addressed for years. His concern and question was how come the Township's books and records have gone not properly maintained, which could materially affect what the financial statements indicate. He stated it was not Vinci's audit report, it was actually the Township not performing, and what Vinci wrote was accurate, it was an adverse opinion. He stated that Vinci's letter is clear as to why we have the unfunded amounts, but Mr. Vinci's last statement specifically states that he does an exit audit interview to discuss this with the administration and council and no actions were taken. His two concerns are that no actions were taken and two as an auditor he should have pushed more to make these changes and make them happen. He is interested in the exit interview and would like to know are any of ordinances still out there from the prior years, and if so we as a council have to act on that immediately. Mayor Sobkowicz stated it has been explained a lot of times that it is not an adverse opinion, the firm Lerch, Vinci and Higgins wrote and explained they do not follow the GAP principles, general accounting principles that corporate non-government entities use, they have to go by the DLGS, which uses a different set of accounting principles. She stated when Mr. Vinci stated adverse situation; he is not saying that the Township

finances are adverse. Administrator Groh stated that is the same thing that Mr. Mai has rendered in both of the towns that he has an adverse opinion. Mr. Bruno stated an auditor gives an opinion regardless of what you are doing; it is qualified, non-qualified or adverse. Mr. Bruno stated the adverse opinion is given whether you follow GAP or not because there are internal weaknesses that are inherent to the financial statements that he is looking at, and it does state that these weaknesses can cause a mistake of the financials. He stated the Township does not reconcile a whole list of things and his only concern is we have to clean it up. He stated that Ms. Marabello did write in her crisis report that it will take months before she can analyze what needs to be done. Administrator Groh did share what was done with the budget with Ms. Marabello and she did have suggestions on what could be done internally to avoid having over expended ordinances. A conversation followed with regard to ordinances being over expended and whose responsibility it would be to raise that issue. The discussion of the RFP's from the auditors will be discussed next week

Memorial Field – Administrator Groh stated the well will be evaluated on Monday, April 11th at 7:00 a.m. with a diagnostic test. She spoke of opening up the sprinkler system, which is subject to the weather. She stated we are taking it one day at a time to get it ready for sports and summer recreation. An estimate was given with regard to mulching the playground area, and other quotes will be received, as well as an estimate for a step down into the playground. A conversation followed with regard to mulching Clark Field as well as other fields. Mr. Calamari stated with regard to the numbers that he handed out at the last meeting, the first sheet was Mr. Statile's estimate, the second sheet was Mr. Cavallo's sheet, and the next few pages are Mr. Kiely's labor required for the maintenance of the field. He stated with regard to the proposal, there are four items that alone add up to over a million dollars, which have to do with drainage, surface and lighting. He would like to state even though we cannot change what the amount is that the residents will be voting on at this point, he would like to see council spend the \$60,000 to go to the next step of the design stage. He stated most of that can be reused since we are pretty much all in agreement that work needs to be done at the field, especially in the areas that add up to over a million. He would like council to think about spending the \$60,000 so the public is given as much information before they vote, whether it is higher, lower or the same. He would like council to think about this and discuss it for the next meeting. Mr. Ullman spoke of the special meeting with Mr. Statile where the lowest grade of fiber and fill was selected and the basketball grant that was received. He spoke at length with regard to if Mr. Statile does this work what the mandate will be and will he take into account the concerns that were raised by the previous council and the members of the recreation and sports community. Mr. Calamari stated that grants cannot be factored in and once the design state is completed, it can then go out to bid and options can be included. He feels it is money well spent since something needs to be done whether the referendum passes or not. Administrator Groh stated that the Township cannot go out and receive bids on the project if there is no funding set in place to pay for the project. Mr. Ullman asked of the \$150,000 how much has been spent. Mayor Sobkowicz replied she believes \$60,000 or around that range. Mr. Ullman stated it will be on the agenda next week.

Summer Recreation – Mr. Ullman stated he understands that the Summer Recreation program will be going with Memorial Field, but would like to know what the issue was in terms of the swim club. Mayor Sobkowicz stated there was a meeting and a site visit. Administrator Groh stated the program was going to be moved if there was a problem with the field. She spoke of the site visit with the swim club and the playing areas being smaller and the fact that the area doesn't include two baseball fields. She stated why think about moving and recreating the program if the issue is access to the field, and according to Mr. Statile that area would be cordoned off, why move it if what you are trading up to is not comparable to what you have. Mayor Sobkowicz

stated the Police Chief and Captain also went for a site visit. Administrator Groh stated they felt it was better at Memorial. Mr. Calamari asked Mr. Twomey if he was aware and okay with this as Director of Recreation. Mr. Twomey replied yes. A lengthy discussion followed with regard to the fees and council receiving the figures of the recreation program.

Solid Waste Disposal (Blue/Purple Bags) – Mr. Ullman spoke of the memo which was attached from 2003 that gives some background with regard to the bags. Administrator Groh spoke of her meetings with Buldo and Waste Management. She stated either towns provide the service or it is an open market and she spoke of the processes in Teaneck and Old Tappan. She stated Teaneck lists the haulers on the website and lets the residents decide, and Old Tappan limits it to three haulers. She stated that residents do not like the current process. She stated there needs to be word revision on the website or the ordinance. It would be an open market as long as the residents use the bag system. Mayor Sobkowicz spoke of trucks coming in and out of the Township and it would be easier to just have two haulers. Mr. Poller spoke of what occurred in the past with regard to the bag system. Mayor Sobkowicz stated she feels the bag system encourages residents to recycle. Mr. Ullmans spoke of residents disliking the bag system and the first step would be amending the ordinance. Mayor Sobkowicz spoke at length with regard to surveys that were done in the past. Mr. Bruno spoke at length with regard to the bags not being used properly and he would like to get rid of the bags. A discussion followed with regard to the prices of the bags and if the bags are for profit or a tipping fee. Mr. Bruno spoke of a conversation he had with one of the Buldo employees with regard to getting a quote for every household for garbage pick-up. Ordinance No. 07-14 was discussed at length. Dr. Cascio spoke of residents tying the blue or purple bags around the handle of garbage cans with regular trash bags inside to save money on bags and there are also penalties that he has never seen assessed. Dr. Cascio agrees that he wants to limit the amount of providers they have and some haulers do have stickers so you know who the hauler would be. Administrator Groh stated Waste Management actually told her they don't need the colored bags, and doesn't even need to be a bag but a container. She stated their proposal would be pricing per container, but they would rather do once a week since that is the norm now. Mr. Ullman asked as the council is this something that needs to be addressed. Dr. Cascio stated he did hear a lot of residents complain about the system. Mr. Sears stated this should be looked into to better the community. Mr. Bruno stated a majority of the town is seniors, and if we save money on bags and pick-ups it would bring the cost down. A discussion of pricing and bidding occurred. It was agreed for the next meeting the Administrator would look into the bags versus no bags, the frequency of pick-ups and the number of carters.

Dog/Cat License and Impound Fee Recovery – Mr. Ullman stated there is a bit of manual processes to support the licensing and an increase from \$10.00 to \$15.00 is suggested along with a recovery of the impounding fee. Mayor Sobkowicz stated every month there are extra charges. Dr. Cascio stated he is in favor of the recovery fee, but not in favor of the increase to \$15.00 which he feels is a big jump. A discussion followed with regard to the licensing fee which \$10.00 and \$1.20 goes to the State and if the animal is not spayed/neutered then it would be a \$13.00 charge. There are currently 800 pets licensed in the Township. Mr. Bruno agrees with Dr. Cascio with regard to charging the \$75.00 recovery fee. A discussion followed with regard to changing the wording in Section 3 from dog or cat to animal. Mr. Ullman stated regarding the ordinance, strike out the increasing on the licensing, leave the impounding/recovery fee and clarify the wording to state animal.

CFO – A conversation followed with regard to Ms. Marabello, who is willing to help out as long as it takes to get someone on board and also if Ms. Marabello is willing to withdraw her resignation. Administrator Groh replied she believes Ms. Marabello would need to understand the expectations of council. A conversation followed regarding the paperwork submitted by Battaglia. Dr. Cascio stated he is comfortable with both, but would like the

CFO present at some meetings. Mr. Calamari stated that in speaking to the Township employees who dealt with Ms. Marabello, they hold her in high regard. A lengthy conversation followed with regard to the expectations of a CFO, which is to attend budget meetings, the first meeting of the month, the hours per week, or any combination thereof. Mayor Sobkowicz stated Ms. Marabello comes in every Saturday, is available by phone and also works remotely from home. Dr. Cascio stated a person coming in on Saturday doesn't present well to any organization and he feels staff does need supervision and guidance. Administrator Groh spoke of the CFO function as per the Faulkner Act. Mr. Ullman feels there is something to be said for being on site on a regular basis. Administrator Groh agrees it would be beneficial to have someone on site at least once a week; she would like to continue with Ms. Marabello for another 60 days. She stated there are not many CFO's since CFO's and Administrator are in the same body. Mr. Ullman asked if Ms. Marabello may be able to make herself available one afternoon per week. Administrator Groh stated the ideal situation would be to extend her appointment for 30 or 60 days and pursue more information from her. A conversation followed with regard to Ms. Marabello dealing with the auditor, and her signing the unaudited financial statements. Council agreed to extend Ms. Marabello's appointment for 60 days. Dr. Cascio stated with the understanding if someone is found in the interim.

A motion was made by Dr. Cascio, seconded by Mr. Sears, to extend the current CFO for 60 days until May 31, 2016.

Ayes: Councilman Bruno, Calamari, Cascio, Sears, Ullman

Nays: None.

Mr. Calamari stated he would like council to consider being more open to an employee that can work remotely. Mr. Ullman does agree but feels the Township needs to be more hands on.

Eton Road – Mayor Sobkowicz stated with regard to Eton Road, 6 or 7 vehicles are parked there on a daily basis, and they have moved to Colonial and South Chestnut, in adding the signs to Sussex everyone is pushing away. She stated the Township is getting complaints with regard to parking, litter, parking away from the curb, and vehicles parking the wrong way. She stated Horizon is not that bad, but residents still want the ordinance amended. Administrator Groh stated that Captain Hackbarth has met with the principal of the high school. She has also taken a map and highlighted the streets that have restrictive parking. She also spoke of an article in The Record regarding student parking at Indian Hills and the council in Oakland passed an ordinance prohibiting parking from 7:00 am to 11:00 am on weekdays when school is in session on 17 streets adjacent to or within the vicinity of the high school. She stated what that did is force the high school to deal with the problem. Mayor Sobkowicz stated that Father at Our Lady of Good Counsel was approached with regard to having students park there, but Father was not interested due to insurance and liability. Mr. Sears spoke of the complaints on Colonial and the officers are writing tickets for various things and he doesn't have a problem doing what Oakland did since the residents are now getting upset. A discussion followed regarding lack of signage on Colonial. Chapter 223 of the Code was discussed along with Chapter 223.73. Administrator Groh stated council would need to consider amending one of those two sections. Mr. Ullman spoke of what he observed with regard to lack of signage on certain streets. Mayor Sobkowicz spoke of there being 10-30 extra parking spaces in the east lot which is for the 12 graders to park. She stated the high school issued more permits than parking spaces. Administrator Groh stated at Indian Hills they double booked spots and friends would then share the spot. A lengthy discussion followed with regard to additional signage and if those residents would want the signs on their property or just deal with the parking during school days. Mayor Sobkowicz stated Captain Hackbarth is in favor of expanding the no parking as long as residents are notified. Dr. Cascio would like to know how many complaints the Police Department received in the past year with regard to parking. There was also a discussion with regard to

prohibiting parking on one side of the street since the streets are narrow. Mr. Ullman stated he would like to do a survey in those areas.

Mr. Ullman – Mr. Ullman stated that during the updates, Mr. Poller asked for some time at the end to discuss legal budget.

Legal Budget – Mr. Poller discussed the \$79,000 number that the Mayor came up with for the Legal Department, which basically takes care of himself, in terms of handling litigation, administrative hearings, special projects and things of that nature. He stated other areas would be charged to him as well, such as the planner. He spoke at length with regard to the legal budget being \$100,000. He stated with regard to COAH, Mr. Slatchetka's fees alone would be \$25,000, the Special Master will be another \$25,000, Econsult will be in the neighborhood of \$20,000 and that would leave no money available for anything else that goes on in the Township, such as a lawsuit or if he has to attend any administrative hearings. He spoke at length with regard to the COAH lawsuit, which is unique and time sensitive. He stated other towns are dealing with this budgetary problem and how to handle this case. He spoke of unforeseen things, such as trials and arguments which may occur. He stated the bill for one month from the Special Master is \$7,300 and she is billing at \$220 per hour. He stated normally the Township of Washington legal budget would run about \$70,000 for the legal budget and \$30,000 in the tax appeals. He stated most of the time his budget is used to pay other people, such as Mr. Slachetka, but this lawsuit is major and we don't know what the ultimate end will be, such if appeals occur and this goes to the Supreme Court, gets thrown out and goes to trial. He stated he would like to also speak about tax appeals. Mr. Calamari asked for everyone's input before we discuss tax appeals. Mr. Ullman stated there was a salary line of \$79,000 which was approved, and a recommendation of an add-on of roughly \$100,000 and \$30,000 on tax appeals. He stated that it is the opinion of some members of council that Mr. Poller's salary covers that body of work, those litigations, based upon their interpretation of the salary ordinance and the code. He stated the matter is the \$25,000 in litigation, \$25,000 in COAH and the \$30,000 in tax appeals, is that part of Mr. Poller's mandate under the Code. Mr. Poller replied no and it never has been. Dr. Cascio stated he has read it many times and spoken to many attorneys and believes that Mr. Poller's interpretation is wrong. Mr. Poller stated there is no lawyer in New Jersey that does litigation for a salary that is fixed, along with coming to meetings and resolutions. Dr. Cascio replied he disagrees. Mr. Poller stated Dr. Cascio should look at surrounding municipalities; lawyers do not take a salary of \$40,000, \$30,000 or even \$70,000 to cover tax appeals and all litigation. Dr. Cascio replied he didn't say it, the ordinance states it and it is not how the law reads. Mr. Poller replied the Salary Ordinance states plus these items at \$135.00 per hour. Dr. Cascio stated Mr. Poller should have advised the council to change this part of the charter. Mr. Poller stated he is not doing tax appeals and litigation for \$70,000. Dr. Cascio replied that is fine if Mr. Poller doesn't want to do it for that salary. Mr. Poller replied Dr. Cascio was one the wanted to hire a special counsel for tax appeals. Dr. Cascio stated he never said that and he is just following what the Code states, and if Mr. Poller chooses he can get a written opinion on it. Mr. Ullman stated that Dr. Cascio provided his view of the charter. Mr. Poller replied it is the Salary Ordinance. Mr. Ullman stated the charter also speaks of the Department of Law and what the Director of Law does which is x, y and z. Mr. Poller replied it doesn't state for what remuneration, compensation is not there. Mr. Poller asked if council would like to sit down and go through the Code and the Salary Ordinance. He stated he understands where Dr. Cascio is coming from since he has voted against him since day one and it is obvious how he feels. Dr. Cascio stated it has been inappropriate for a few years. A conversation followed with regard to Mr. Poller and Dr. Cascio questioning each other's integrity. Mr. Sears stated he would like to clear this matter up in a professional way. Mr. Ullman stated Mr. Poller

offered to walk council through the Salary Ordinance and Charter, and give us a view of how they interact. Mr. Poller spoke of either having the discussion in public or closed session. Mr. Ullman stated it will be in closed and we will try to have some level of professionalism. He stated after the hearing is done we can decide if we are comfortable with the actions that we took or is there an action for the budget and therefore we can move forward. He stated those of us who voted and put us in this position should be prepared to discuss our view of the ordinances, charter as well as the salary ordinance. Mr. Calamari stated he assumes that the Department of Law and attorney is not a full time position, and he would like that to be part of the mix, is that salary for a part time attorney or full time attorney.

A motion was made by Mr. Sears, seconded by Mr. Calamari to adjourn.
Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.
Nays: None.

Time Note: 11:02 p.m.



Elaine Erlewein
Township Clerk


Michael Ullman
Council President

Approved: May 2, 2016