

**TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
PUBLIC PORTION/PUBLIC SESSION**

August 4, 2014

The Township Council held a Public Portion/Public Session in the Municipal Building, Pascack Road. The meeting was called to order at 7:30 p.m. by Council President Thomas Sears with the Clerk leading a salute to the flag. Members present: Glenn Beckmeyer, Peter Calamari, Steve Cascio, Richard Hrbek, Thomas Sears. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney. Matthew Cavallo, Business Administrator. Councilman

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 Ridgewood News, 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.

REPORT OF MAYOR

Mayor Sobkowicz states the Township received the Bergen County CD for the municipal rate on Thursday. On Friday the tax bills were printed, and on Monday the envelopes were stuffed and mailed. The due date for taxes is Friday August 29th. Mayor Sobkowicz spoke of a string of burglaries that have happened in the past couple of weeks. On July 25th Hillsdale called and requested help in reference to a burglary that had just occurred, and after that call another call came in for an open garage and a possible burglary on Hoover Avenue. Township officers and a Hackensack detective who lives on the block noticed the sliding door was ajar and there was a suspicious vehicle in the area. The Bergen County Canine Unit joined our officers in the search, and after a chase by Sergeant Lawton, Officer Cangialosi and Special Officer Ferrarini the alleged burglar was apprehended. Ho-Ho-Kus, Westwood and Ridgewood officers also came for assistance. The alleged burglary suspect was taken to Hackensack University Medical Center for treatment of an ankle injury. The Bergen County Superior Court Judge set bail at \$570,000.00 due to the number of warrants this person had outstanding in New Jersey. Acting Police Chief Glenn Hooper asks residents to immediately report anything suspicious, leave the light on in your home, have mail and papers brought in when you are away and also notify the police department when you go out of town. Mayor Sobkowicz appreciates the work done by our police officers in this situation and cooperation was great. Police Drive Sober or Get Pulled Over grant was approved and a resolution is scheduled for approval this evening. The program will run from August 15 to September 1. Lieutenant Hackbarth has been on special detail for Click-It or Ticket. The results are that 96.4% of drivers had seat belts engaged and 3.6% did not, so the Township is not able to qualify for the Click-It or Ticket. Acting Chief Hooper advises resident to keep cars lock and keep valuables hidden. A car was stolen this past weekend, the car was not locked and the keys were inside of the car. The same number of tons was recycling in July of 2013 and July of 2014. Our next E-Recycling and Shredding Event will be held on Saturday, October 11, 2014. Mayor Sobkowicz thanked the Fire Director Brendan O'Sullivan, Chief Bilias and the Fire Board for being responsive and proactive in regard to purchasing procedures information that the Mayor requested and meeting with various programs to get proposals and bring new members in. Mayor Sobkowicz states the Fire Department participated in a rescue drill with the Ambulance Corp to extricate a person trapped in a car and then transports them to a hospital. They also participated in a water rescue boat drill with the Pascack Valley Firemen's Association. It is important to realize that the members of the Ambulance Corps and Fire Department conduct drills and training so they are always

prepared. Mayor Sobkowicz states that she attended a 60th Jubilee for Sister Miriam Blackwell of Our Lady of Good Counsel. The event recognized Sister Miriam's work at the parish as well as the greater community. Carrera Construction Company will be conducting bridge and roadway repairs on the Garden State Parkway. They will also be conducting inspections, concrete repairs and complete resurfacing of the overpass of Garden State Parkway Exit 168 beginning the night of August 7, ending approximately on August 14. This has been contracted by the New Jersey Turnpike Authority to be completed overnight from 8 pm to 6 am. During those hours traffic on Washington Avenue will be limited to one lane traveling in the westbound direction only, eastbound traffic will be detoured to another route. Motorists will be able to exit the parkway from the northbound lane 168 and travel east on Washington Avenue. Additionally motorists traveling from the direction of Pascack Road west to the Garden State Parkway will be able to access the southbound Garden State Parkway during construction. At the completion of each night both lanes of the overpass will be open to normal traffic, Township Police Officers will be posted at each of the construction zones to assist residents. Mayor Sobkowicz states herself, Acting Police Chief Hooper, Lieutenant Hackbarth and Administrator Cavallo met with the contractors and he advised us that this work may generate construction noise and they will try and limit the noise as much as possible. However, they feel once repairs are done, the traffic will be quiet. Mayor Sobkowicz states herself and Administrator Cavallo attended an administrators meeting to view the status of the road program that the Township has with six towns, to share ideas. Westwood has a government intern gathering information for us in reference to PBA contracts in the area. Mayor Sobkowicz spoke of a July 9th preconstruction meeting for Phase 1 of the road program. D & L personnel, Township police, project engineers, United Water, the Township Administrator Cavallo, and Mayor Sobkowicz reviewed such topics as sub-contractors, general scope of work, construction contracts, scheduling and so on. The southern end of Hoover Avenue to Lincoln to Manhattan will not be paved this year due to future work in 2015 by United Water. United Water asked if the Township would pave only up to that spot, hopefully they will pave the rest. D&L Construction will commence work on or about August 18, mill on September 8 and paving on September 10, weather permitting. Limits of the work will be marked out by the engineer prior to work commencing. Residents who live in the area of the road program will be receiving a letter about changing gas and water service before the paving begins. No road will be opening for ten years unless it is a certified emergency. A letter went out to residents that live in the area of the Parkway on Friday and residents who live in the area of the roads being paved will also receive letters. On July 30 the Planning Board gave approval to an addition on a residence on Lafayette Avenue, also gave approval to a new restaurant called Prime Steakhouse which will be located next to the movie theatre, which will be opening sometime in September and the Planning Board also scheduled a public hearing for the Stagger Lee application on Linwood Avenue. On July 29th the Township went out to renew our bond anticipation notes. There were five bidders ranging from .53% interest up to 1% interest. The award was given to PNC Bank at .53% interest. The Township Library will hold a Mole Awareness Workshop of Saturday, September 27, 2014 at one o'clock pm. Summer Recreation Program ended last week and it was very successful, more than 250 children enjoyed the program, which included picnics and various rides. The Field Trip scheduling was improved in the type and number of trips and there was also a prepayment. Trips included ice skating, bowling, swim club, monster mini-golf and a New Jersey Jackals baseball game. Mayor Sobkowicz would like to congratulate Administrator Cavallo for completing the Certified Public Manger program, which includes 36 weeks of training in difference aspects of public administration, finance and personnel. Mayor Sobkowicz states that the administrator has been very busy with projects that

were outlined above. Mayor Sobkowicz also spoke of the various projects Administrator Cavallo has been working on.

REPORT OF COUNCIL

Dr. Cascio – No report this evening.

Mr. Hrbek – No report this evening.

Mr. Calamari – Mr. Calamari would like to recognize the passing of Tom Martin, who was a long time police officer in the Township. Mr. Calamari remembers Police Officer Martin quite well, since Police Officer Martin used to come to the schools to speak of safety and working with the Police Department.

Mr. Sears – Mr. Sears states as of today he still has not received the police report he requested from the police department with regard to dispatchers, from officers to civilians, and he is still waiting for this report. Mr. Sears would like to thank the DPW for cleaning up the entrance to the building, they even power washed the front of the building. They did an outstanding job. Mr. Sears also would like to recognize the police officers and the police department for their capture of the person that broke into the home. Mr. Sears further states he is still getting some complaints on overnight parking on the streets, which he will pass along to the police department. Mr. Sears states he also received a call from the George School PSO president with regard to the signs, which hopefully will be posted before school starts. Mayor Sobkowicz states that the signs were ordered. Mr. Sears also states the library is offering a CPR training course; if anyone is interested please contact the library.

APPROVAL OF MINUTES

A motion was made by Dr. Cascio, seconded by Mr. Calamari to approve the March 24, 2014, June 30, 2014 and July 7, 2014 Closed Session Minutes. (Beckmeyer Abstain)

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

A motion was made by Dr. Cascio, seconded by Mr. Calamari to approve the April 7, 2014 Closed Session Minutes. (Hrbek Abstain)

Ayes: Councilpersons Calamari, Cascio, Sears.

A motion was made by Dr. Cascio, seconded by Mr. Hrbek to approve the April 21, 2014 Closed Session Minutes. (Calamari Abstain)

Ayes: Councilpersons Cascio, Hrbek, Sears.

Nays: None.

A motion was made by Dr. Cascio, seconded by Mr. Calamari, to approve the May 5, 2014 Closed Session Minutes; May 8, 2014 Closed Session Minutes; May 19, 2014 Closed Session Minutes; July 21, 2014 Public, Conference and Closes Session Minutes.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

GENERAL PUBLIC DISCUSSION

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

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

Rose D'Ambra, 423 Colonial Boulevard – Mrs. D'Ambra thanked Council President Sears for recognizing the problem at the Township Dump. Mrs. D'Ambra states she has been coming to Council Meetings since Mr. Stapleton was mayor, and this is the first time someone went out to see what was going on with the town dump, not the prior council and not the rest of this council. Mrs. D'Ambra spoke of the condition of the back of the shopping

center. Mrs. D'Ambra spoke to Mr. Levy of the Health Department and told him it smells there. Mrs. D'Ambra states that she passed there and the Subway had their back door open with no screen, and there are plenty of little critters running around back there. The waste containers that are there are not enough, since there are a lot of food stores there. Mrs. D'Ambra knows that Councilperson Calamari has an office there; maybe he should do an inspection. Mrs. D'Ambra walked that back one Sunday morning, there were boxes and crows. Something should be done; it should not look that way. Mrs. D'Ambra asked if Mr. Levy is some sort of doctor. Mayor Sobkowicz states that Mr. Levy is the Township Health Inspector. Mrs. D'Ambra spoke of the new fence that was put up by the shopping center sidewalk. Between the fence and the trees it is very hard to walk in that area. Mrs. D'Ambra also spoke of the fire house parking lot, and hopes when that area is done there will be some room left for a sidewalk. Mrs. D'Ambra spoke with regard to the condition of the sidewalk at 905 Washington Avenue. Mrs. D'Ambra has been walking in that area since 1973 and that homeowner has never fixed the sidewalk, but other homeowners along Washington Avenue have fixed their sidewalk. Mrs. D'Ambra states that she took pictures and gave them to Mr. Tucker. Mayor Sobkowicz states that she will have Administrator Cavallo look into it. Mrs. D'Ambra states that sidewalk is deteriorating and believes the homeowner wants grass there so they don't have to shovel.

David Snyder, 91 Windsor Circle – Mr. Snyder states he spoke to the technical department at Verizon and found out on the cell tower we only have data, not voice. Mr. Snyder has a 4G phone, and his data is always at 100%, but has dropped calls in Washington Commons. Mr. Snyder would like to know if Mr. Poller can answer the question of why there is no voice service on the cell tower, and if ATT&T has both voice and data on the cell tower. Mr. Poller states that he can find out from the representatives from ATT&T and Verizon. Mr. Poller does not believe it was specified, and from his memory he does not believe that these services were discussed. Mr. Snyder states with regard to the stairs, and the amount of money it would cost the taxpayers to fix it, Mr. Snyder agrees with Mr. Hrbek. If the Township can put some sort of walkway coming down from the cell tower to come up, that would be better than stairs. Mr. Snyder is happy to hear about Prime Steakhouse. Mr. Snyder agrees with Mrs. D'Ambra that the shopping center should be kept clean. The Township is a real estate investment for everyone.

Toni Plantamura, 808 Robinwood Road – Ms. Plantamura spoke with regard to the turf field, the budget that was passed and the cost of the field going into the budget for discussion. Ms. Plantamura also states that it would be better to get rid of the stairs and put grass and plantings. Mayor Sobkowicz states that even taking out the stairs, removing the cement is going to cost a lot of money. Ms. Plantamura would like to go who exactly is asking for this turf field, what groups are asking for the taxpayers to fund 3 million dollars for turf field. Mayor Sobkowicz states that in the estimates they have seen, it has not been three million dollars, the estimates have been 2 point something, depending upon what is done. Mayor Sobkowicz further states there are plenty of residents who are involved in sports and recreation who are interested in the turf field. Mayor Sobkowicz spoke at length with regard to what it takes to keep Memorial Field in good shape being that the field is constantly being used. Mayor Sobkowicz also states that the sentiment in putting in a turf field requires very little maintenance, after 12 or 15 years it may need to be replaced, but the infrastructure is already there. Ms. Plantamura would like to know what groups exactly are asking for this turf field. Mayor Sobkowicz states a lot of groups, even the recreation, some are for it some are against it, but the majority do want the turf field. Mayor Sobkowicz spoke of bond anticipation and notes, which needs to be done again. There was a discussion of who would benefit with regard to this turf field. Mr. Sears states that council has a

major responsibility to the DPW, the Fire Department and the roads, and there is a priority list. Mr. Sears further states that the turf field can be discussed tonight, but there is not guarantee that field is going to go in. Mayor Sobkowitz states that all of the items will be considered, but in the long run the turf field does require a lot less maintenance and money. Ms. Plantamura would like some information with regard to getting a petition and putting the item to a referendum vote before spending money for an astro turf field in this town. Mr. Sears states as soon as he gets that information, he will forward it to Ms. Plantamura.

Ray Bernroth, 838 Crest Place – Mr. Bernroth would like to know when Crest Place is going to be paved. Mayor Sobkowitz states Crest Place is on the road program. Administrator Cavallo states the sidewalk work will start August 18, paving will commence on or about September 8th.

Warren Comunale, 930 Sycamore Lane – Mr. Comunale states he lives in one of the five homes that were burglarized between July 21st and July 25th. Mr. Comunale states that in speaking to the Police Department last week, one of the biggest assets we have are our neighbors in terms of being vigilante. Mr. Comunale would like to know if it would be possible to put up some messages on the electronic board to that effect. There was a conversation with regard to when the break-in occurred, active patrols being done in the area and access on and off the Garden State Parkway. Mayor Sobkowitz states that she did put certain streets on patrol and there are going to be things that she is going to ask the Highway Authority for. There was a discussion of people banging on resident's doors and running away to see if residents are home or not. Mayor Sobkowitz states we were very fortunate we made this arrest and hopefully things will calm down.

Michael Ullman, 2 Clark Avenue – Mr. Ullman would like to know why the introduction of the salary ordinance is being rescinded. Mr. Sears states it is going to be removed from the Consent Agenda for further discussion at the Conference Session. Mr. Hrbek states there were some changes made, since it has been already published with the wrong information, it needs to be redone and reintroduced and republished with the correct information. Mr. Ullman asks with regard to the Ecology permit, is the only way to secure on is to go to the clerk's office or can it be done by mail, or can someone from the DMF issue the permit. Mr. Sears at this time it is through the clerk's office since there needs to be proof of residency. The hours of the clerk's office are 8:30 am to 4:30 pm. Administrator Cavallo states that he did meet with Mr. Hrbek last week and that is one of the issues that we are going to speak about at the Conference Session. Mr. Ullman asks has there been any discussion with regard to integrating our DMF facility with another town, merging them. Mr. Sears states that has not been discussed at this time. Mr. Ullman states that may be something to consider since the DMF building is over 2 million dollars, along with purchases of other vehicles, there may be an opportunity to integrate some or all of these functions with other towns. Mayor Sobkowitz states that she has given the directive to the directors for each of those departments to come up with visions they have within those departments, they are investigating a lot of opportunities.

Joe D'Urso, 12 Viola Terrace – Mr. D'Urso was also wondering why the salary ordinance was being rescinded. Mr. D'Urso further states that Mr. Sears is the Counsel President and does control the agenda. Mr. Sears states that is why he removed it. Mr. D'Urso asks on the Priority, it states Recreation, what is the topic. Mr. Sears states that Councilman Beckmeyer asked for that to be put on the Priority table. Mr. Sears does not know the topic, but the Recreation Director will have ten minutes to speak. Mr. D'Urso asks why is the topic of the field being revisited by this council, since it was presented to the previous council. Mr. D'Urso states with regard to money, money could have been saved if you went to outside dispatching, numbers don't lie. Mr. D'Urso further states maybe then you could have funded your field.

A motion was made by Mr. Hrbek, seconded by Mr. Calamari to close the general public discussion.

Ayes: Councilpersons Beckmeyer, Calamari, Cascio, Hrbek, Sears.

Nays: None.

CONSENT AGENDA

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

Mr. Sears states that Item # 9, Resolution #14-144 was added tonight. Dr. Cascio would like to pull Item # 1 Resolution #14-136 and Item # 8 Resolution #14-143 for discussion at the Conference Session. Mr. Hrbek states he has nothing else. Mr. Beckmeyer states he is okay. Mr. Calamari states he also has some questions with regard to Item # 8 Resolution #14-143.

Mr. Sears states the following resolutions will be approved: Resolution #14-137, Resolution #14-138, Resolution #14-139, Resolution #14-140, Resolution # 14-141, Resolution #14-142 and Resolution #14-144. Resolution #14- 136 and Resolution # 14-143 will be held for further discussion at the Conference table.

The Consent Agenda was presented and adopted on a motion by Mr. Beckmeyer, seconded by Mr. Hrbek.

Ayes: Councilpersons Beckmeyer, Calamari, Cascio, Hrbek, Sears.

Nays: None.

Resolution # 14-137

Return of Engineering Escrow

WHEREAS, Danielle Buldo and Brian Molta posted engineering escrow on premises known as Block 4518 Lot 1, 172 Cosman Street; and

WHEREAS, the project is within the guidelines where a Certificate of Occupancy is not required,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated July 18, 2014,

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 \$510.00 to the above.

Resolution # 14-138

Chapter 159-Drive Sober or Get Pulled Over Grant

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Township of Washington will receive \$5,000.00 from the New Jersey Division of Highway Traffic Safety and wishes to amend the 2014 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Washington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2014 in the sum of \$5,000.00 which is now available as a revenue from:

Miscellaneous Revenues

Special item of General Revenue Anticipated with Prior Written
Consent of the Director of Local Government Services:

Additional Revenues offset by appropriations.

Appropriations:

Drive Sober or Get Pulled Over FY 2014

BE, IT FURTHER RESOVED, that the sum of \$5,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations excluded from 5% CAPS

Public & Private Programs offset by Revenues

N.J. Division of Highway Traffic Safety

Drive Sober or Get Pulled Over Grant FY 2014

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

Resolution # 14-139

Memorial Field Grant Award

BE IT RESOLVED, that the Mayor and Council of the Township of Washington wish to enter into a Bergen County Trust Fund Project Contract ("Contract") with the County of Bergen for the purpose of using a \$31,622.00 matching grant award from the 2013 Funding Round of the Bergen County Open Space, Recreation, floodplain Protection, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the municipal park project entitled Memorial Park Fencing Project located in Memorial Park at Pascack Road and School Street in Block 2325 Lot 1 on tax maps of the Township of Washington;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Matthew A. Cavallo to be a signatory to the aforesaid Contract; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about December 4, 2015; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the county in accordance with the Trust fund's requirements; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements.

Resolution # 14-140

Drive Sober or Get Pulled Over 2014 Statewide Grant

WHEREAS, the Township of Washington Police Department has applied for the Driving While Intoxicated enforcement "Drive Sober Or Get Pulled Over 2014 Statewide Crackdown" Highway Safety Grant from the New Jersey Division of Highway Traffic Safety; and

WHEREAS, the State has awarded a grant to the Township of Washington in the amount of \$5,000.00; and

WHEREAS, the grant (\$5,000.00) will pay for Police Officers to work overtime to enforce laws effecting the safety and welfare of the residents and

streets of the Township of Washington and to educate and encourage the public to refrain from driving while intoxicated;

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people every day, and almost 18,000 people each year; and

WHEREAS, 19% of motor vehicle fatalities in New Jersey in 2012 were alcohol related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the summer season and Labor Day holiday in particular are traditionally times of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Drive Sober Or Get Pulled Over 2014 Statewide Crackdown; and

WHEREAS, the project will involve increased impaired driving enforcement from August 15 through September 1, 2014; and

WHEREAS, an increase in impaired driving enforcement and reduction in impaired driving will save lives on our roadways;

THEREFORE, be it resolved that the Mayor and the Council of the Township of Washington accept the Grant from the State of New Jersey, Division of Highway Traffic Safety and declare its support for the Drive Sober Or Get Pulled Over 2014 Statewide Crackdown from August 15 through September 1, 2014 and pledges to increase awareness of the dangers of drinking and driving.

Resolution # 14-141

Summer Recreation Refunds

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that the Township Treasurer is hereby authorized to refund the following recreation fees:

Suat Abaci
772 Pine Lake Drive
Township of Washington, NJ 07676

Refund for Summer Recreation (Daughter did not attend program due to illness)

Refund Amount: \$215.00

Heather Constantinides
708 Kennedy Drive
Township of Washington, NJ 07676

Refund for Summer Recreation Trip (Swim & Ice Skating Trip)

Refund Amount: \$18.00

Blanca Grinkovitch
730 Amherst Drive
Township of Washington, NJ 07676

Refund for Summer Recreation Trips (Bowling Trip/Swimming Trip/2 Sons)

Refund Amount: \$28.00

Peter Sanchez
530 Fourth Avenue
Westwood, NJ 07675

Refund for Summer Recreation (Bowling Trip)

Refund Amount: \$6.00

Annemarie Pastena
438 Walnut Street
Township of Washington, NJ 07676

Refund for Summer Recreation (Swim Trip)
Refund Amount: \$8.00

Resolution # 14-142

Continuing Disclosure Obligations to Bonds & Notes

WHEREAS, the Township of Washington, County of Bergen, State of New Jersey (the "Township") has previously issued its bonds, bond anticipation notes and/or other debt obligations (the "Bonds"); and

WHEREAS, in connection with the issuance of certain of the Bonds and for purposes of assisting underwriters to comply with Rule 15c-12 under the Securities Exchange Act of 1934, the Township has covenanted and/or entered into one or more undertakings or agreements to provide continuing disclosure (the "Continuing Disclosure Obligation") to the public marketplace; and

WHEREAS, in general the Continuing Disclosure Obligation requires the Township to file certain financial information and notice of certain events in specified places and at specified times; and

WHEREAS, in connection with the sale of certain of the Bonds, the Township issued one or more official statements that, among other things, described the Township's Continuing Disclosure Obligation and whether or not the Township had previously complied with its Continuing Disclosure Obligation in all material respects; and

WHEREAS, the Division of Enforcement (the "Enforcement Division") of the U.S. Securities and Exchange Commission (the "SEC") announced its Municipalities Continuing Disclosure Cooperation Initiative (the "Initiative") to address potentially materially inaccurate descriptions in official statements (made innocently, inadvertently or otherwise) of prior compliance with continuing disclosure obligations; and

WHEREAS, pursuant to the terms of the Initiative, the Enforcement Division will recommend "favorable settlement terms" for issuers and underwriters that self-report by 12:00 a.m., eastern standard time, on September 10, 2014, possible materially inaccurate statements in official statements in the last five years relating to prior compliance with continuing disclosure obligations by submitting a specified questionnaire (the "Questionnaire") to the Enforcement Division; and

WHEREAS, the Township has been provided with a copy of the Initiative, a copy of an advisory prepared by bond counsel to the Township describing the Initiative and a copy of the Questionnaire released by the Enforcement Division; and

WHEREAS, if an issuer takes advantage of the Initiative by self-reporting possible materially inaccurate statements and if any of such statements are determined to be materially inaccurate by the Enforcement Division, the Enforcement Division will recommend to the SEC a settlement in which (i) the issuer consents to a cease-and-desist order, (ii) the issuer neither admits nor denies the findings of the SEC and (iii) there is no payment of any civil penalty by the issuer; and

WHEREAS, any such settlement will require the issuer (i) to establish appropriate policies and procedures and training regarding continuing disclosure obligations within 180 days, (ii) comply with existing continuing disclosure undertakings, including updating past delinquent filings within 180 days, (iii) cooperate with any subsequent investigation by the Enforcement Division regarding the false statement(s), including the roles of individuals and/or other parties involved, (iv) disclose in a clear and conspicuous fashion

the settlement terms in any final official statement for an offering by the issuer for five years and (v) provide the SEC staff with a compliance certification regarding the applicable undertakings by the issuer in one year; and

WHEREAS, the Initiative cautions that if an issuer does not take advantage of the Initiative by submitting a Questionnaire identifying any possible materially inaccurate statement with respect to prior compliance with a continuing disclosure obligation and the Enforcement Division later determines that such a materially inaccurate statement was made, then the Enforcement Division will likely recommend and seek financial sanctions against the issuer; and

WHEREAS, the New Jersey Division of Local Government Services issued Local Finance Notice 2014-9, dated July 23, 2014 (the "LFN"), which among other things strongly recommends that local government officials proactively take steps to self-identify their own levels of compliance with continuing disclosure obligations in order to determine if it is advisable to participate in the Initiative; and

WHEREAS, the LFN advises that the failure to live up to continuing disclosure requirements, in addition to having potential consequences under federal law, could have consequences for various State of New Jersey matters including, in particular, (i) the denial or deferral of applications made to the Local Finance Board and (ii) decreased scores on future "Best Practices Questionnaires" that could trigger a withholding of a portion of State aid; and

WHEREAS, in light of the foregoing, the Township is desirous of retaining a professional firm that specializes in continuing disclosure matters to examine the Township's Continuing Disclosure Obligation and previous continuing disclosure filings and to report to the Township any noncompliance with its Continuing Disclosure Obligation; and

WHEREAS, upon receipt of such report from the continuing disclosure specialist, the Township will review such report with its professionals, including particularly its bond counsel, its auditor, its general counsel and its other finance professionals (the "Township Professionals"); and

WHEREAS, as a result of such review, it may be desirable for the Township to take advantage of the Initiative by submitting one or more Questionnaires to the Enforcement Division identifying a statement with respect to prior compliance with its Continuing Disclosure Obligation that is potentially materially inaccurate; and

WHEREAS, the Township is desirous of authorizing the submission of one or more Questionnaires to the Enforcement Division if deemed advisable by the Township Administrator or the Township Chief Financial Officer (the "Township Officials") after consultation with the Township Professionals;

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

Section 1. Authorization to Retain a Continuing Disclosure Specialist. The Township Officials are each hereby authorized and directed to retain a firm that specializes in continuing disclosure matters (a) to examine the Township's Continuing Disclosure Obligation and previous continuing disclosure filings, (b) to report to the Township any noncompliance with its Continuing Disclosure Obligation and (c) to otherwise assist the Township and the Township Professionals with respect to the Initiative, the Questionnaire and the provision of continuing disclosure materials to the public marketplace.

Section 2. Authorization to Submit Questionnaire. The Township Officials are each hereby authorized, after examining the report of the continuing disclosure specialist and consulting with the Township Professionals, to take advantage of the Initiative by submitting one or more Questionnaire to the Enforcement Division by the September 10, 2014, deadline established by the Initiative.

Section 3. Various Incidental Actions. The Township Officials are hereby authorized to execute and deliver all documents and instruments and to do all

matters and things as may be necessary, useful, convenient or desirable in collection with the foregoing.

Section 4. Prior Action. All action heretofore taken by the Township Officials and the Township Professionals relating to the foregoing is hereby ratified, confirmed, adopted and approved, including without limitation soliciting and/or engaging a professional firm that specializes in continuing disclosure matters to undertake the continuing disclosure review described in this resolution.

Section 5. Capitalized Terms. All capitalized words and terms used by not defined in this resolution shall have the meanings ascribed to such words and terms, respectively, in this resolution.

Section 6. Effective Date. This resolution shall take effect immediately.

Resolution # 14-144

Washington Avenue Commuter Parking Lot Improvements

WHEREAS, the Township of Washington (the "Township") has a need to acquire engineering services in connection with the following: Washington Avenue Commuter Parking Lot Improvements (the "Project"); and

WHEREAS, such services qualify as a professional services pursuant to N.J.S.A. 40A:11-5 (1) (a) (i); and

WHEREAS, Christopher P. Statile, P.A. has submitted a written cost proposal for the Project which proves that services will not exceed \$12, 520 (the "Proposal"); and

WHEREAS, the contract for such services is not be awarded under what is termed the fair and open contract provisions as defined in N.J.S.A. 19;44A-20.5; and

WHEREAS, Christopher P. Statile, P.A. has completed and submitted a Business Entity Disclosure Certification in accordance with state law and Township Ordinances, and has agreed to furnish to the Township a copy of its Business Registration Certification and Affirmative Action Certification; and

WHEREAS, the Deputy Treasurer encumbered the funds which are available and allocated in Capital Bond Ordinance # 13-06 allocated in Capital Budget Account #04-55-879-951;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Washington, County of Bergen, State of New Jersey hereby approves Christopher P. Statile, P.A. to perform the engineering services required in connection with the Project as set forth above, and hereby further authorizes the Mayor to execute a contract with Christopher Statile, P.A. consistent with the Proposal and Resolution.

After a brief discussion during the Conference Session, the following resolutions were approved:

A motion was made by Dr. Cascio, seconded by Mr. Hrbek, to approve Resolution # 14-136, a resolution rescinding the introduction of Ordinance No. 14-09.

Ayes: Councilpersons Beckmeyer, Calamari, Cascio, Hrbek, Sears.

Nays: None.

Resolution # 14-136

Rescinding Introduction of Ordinance No. 14-09

WHEREAS, Ordinance 14-09 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

OFFICERS AND EMPLOYEES IN SAID MUNICIPALITY FOR THE YEAR 2014” was introduced at first reading by title on July 21, 2014; and

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

The Township Council hereby rescinds the adopted motion introducing and passing Ordinance 14-09 at first reading by title.

A motion was made by Mr. Beckmeyer, seconded by Mr. Hrbek, to approve Resolution # 14-43, a resolution increasing the bid threshold and recognizing the appointment of a Qualified Purchasing Agent.

Ayes: Councilpersons Beckmeyer, Calamari, Cascio, Hrbek, Sears.

Nays: None.

Resolution # 14-143

Increasing the Bid Threshold and Recognizing the Appointment of a Qualified Purchasing Agent

WHEREAS, *N.J.S.A. 40A:11-3(a)* permits an increase in the bid threshold to \$36,000 if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, *N.J.S.A. 40A:11-9* establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Section 5-49 of the Code of the Township of Washington establishes the Office of Purchasing Agent as a duty of the Business Administrator; and

WHEREAS, Business Administrator Matthew A. Cavallo possesses the designation of Qualified Purchasing Agent as issued by the State of New Jersey Director of the Division of Local Government Services in accordance with *N.J.A.C. 5:34-5.1*; and

WHEREAS, the Township of Washington desires to take advantage of the increase bid threshold associated with the appointment of a Qualified Purchasing Agent.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Washington, County of Bergen, State of New Jersey hereby increases its bid threshold to \$36,000 in accordance with *N.J.S.A. 40A:11-3(a)*.

BE IT FURTHER RESOLVED pursuant to *N.J.A.C. 5:34-5.2*, the Acting Township Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Matthew A. Cavallo’s certification to the Director of the Division of Local Government Services.

Elaine Erlewein, Acting Township Clerk

Thomas Sears, Council President

**TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY**

CONFERENCE PORTION/PUBLIC SESSION

August 4, 2014

Members present: Glenn Beckmeyer, Peter Calamari, Steve Cascio, Richard Hrbek, Thomas Sears. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney; Matthew Cavallo, Administrator.

Resolution # 14-136 (Item # 1 on the Consent Agenda) – Mr. Poller explained there were some errors in the ordinance as it was introduced. Mr. Poller further explained the two choices that happen when an ordinance is published. Mr. Poller further states the choice was not to have two public hearings. Mr. Sears states that he should have had some information on what changes were being made. Mr. Sears further states that he received a sheet, and he didn't know what was being changed. Administrator Cavallo states after the meeting, it was brought up by the Clerk and Rosemarie that the former administrator's position was left off, and since it was retroactive to the beginning of the year, that position needed to be added, there was also an issue with a DMF part time position. Mr. Sears states that he believes that information should have been attached to the ordinance so council would know what was going on. There was a discussion that an email did go out to Council on July 22 by the Acting Clerk. Mr. Hrbek states that there were corrections made including the Former Administrator, Health Director, the Assessor, the former Clerk, and a correction to the DMF stipend. Mr. Hrbek further states that in checking his emails, the Acting Clerk did send the email to all council members. Mr. Sears states next time he would like that information attached to the ordinance.

A motion was made by Dr. Cascio, seconded by Mr. Hrbek, to approve Resolution # 14-136, a resolution rescinding the introduction of Ordinance No. 14-09.

Ayes: Councilpersons Beckmeyer, Calamari, Cascio, Hrbek, Sears.

Nays: None.

Resolution # 14-143 (Item # 8 on the Consent Agenda) – Administrator Cavallo explains the bid threshold, and the bidding process. Administrator Cavallo states that he is a Qualified Purchasing Agent. Administrator Cavallo states that council still has to approve anything over \$17,500 that falls into the Pay to Play law. As a QPA you may go up to \$36,000 without a bid. Mr. Poller states the state recognizes people with more training and qualifications. Administrator Cavallo states in this form of government, if it is under \$17,500 the mayor is allowed to purchase, by law, as long as the CFO certifies the funds. Dr. Cascio asks is QPA a new position. Administrator Cavallo states under this form of government, the Business Administrator is the purchasing agent. Dr. Cascio states it has been explained well enough. Mr. Beckmeyer states every town he works with has this.

A motion was made by Mr. Beckmeyer, seconded by Mr. Hrbek, to approve Resolution # 14-43, a resolution increasing the bid threshold and recognizing the appointment of a Qualified Purchasing Agent.

Ayes: Councilpersons Beckmeyer, Calamari, Cascio, Hrbek, Sears.

Nays:None.

PRIORITY

Priority List – There was a lengthy discussion with regard to the priority list and how it is broken down. There was also a discussion as to what information is contained on the list, the amount of monies that each item entails and what would entail for an item to be a priority. Mr. Beckmeyer

states that if an item requires a bond, or is paid out in a one lump sum, that should be indicated on the list. Mr. Hrbek states that a discussion has to start so at least we can get a feel of what the priorities are, and what council feels is important. Administrator Cavallo states unless we have an engineer, a lot of the numbers will not be accurate. There was a discussion with regard to other than Memorial Field, what other studies are going to be conducted. Mr. Beckmeyer states we need to know what it is going to cost the taxpayers, at this time we don't have it on here. Administrator Cavallo states that he will work on getting council something. Mr. Beckmeyer would like on the list how much is it going to cost for each of the items and the maintenance. There was a lengthy discussion with regard to Memorial Field, the maintenance of the field, the lighting and studies that were previously done. There was also a lengthy discussion with regard to the firehouse building renovation. Mr. Beckmeyer states with regard to Memorial Field, if it is not going to cost anything, why is it at the bottom of the list. Mr. Sears states the list is for review. Mr. Beckmeyer states this list needs to show what it is going to cost our taxpayers in additional taxes. Mr. Hrbek states the numbers are a forecast or a projection. A lengthy discussion followed with regard to the recreation numbers. Mayor Sobkowicz states let us have the Administrator gather some information so we can get started. Dr. Cascio states he would like some more information. Mr. Hrbek states there would be columns for different things, such as bonding, cost per year, debt service and have it broken down. There was a discussion with regard to bond anticipation notes and seeing what ordinances can be cancelled out. Administrator Cavallo states he will work on this for the next meeting. Mr. Calamari would like the information in an email form before the next meeting.

Recreation Director/Eamonn Twomey/Scott Spezial – Mr. Twomey states that they were at the council meeting back in June with the cost of the turf field and what the Township is actually spending. Mr. Twomey indicated since that meeting he has not heard anything, and is here tonight to answer any questions council may have. Mr. Twomey states that the numbers on the document presented are actual numbers over a two year period that have been spent, which would include maintenance, sod replacement, sprinkler, electricity, use of the lights and labor with the DPW. Mr. Twomey states what is not on the document is the down time on not having the field available, and the impact on the various programs. Mr. Twomey also indicated he did receive an email from the athletic director that the field at Westwood High School would not be available after June 1 since they have their own programs going on there. Mr. Twomey states Mr. Spezial and he is here to answer any and all questions council may have. Mr. Twomey states the numbers are real, and the money is being spent anyway. Mr. Twomey states three years ago every member of the recreation board at that time wanted to have a turf field. Mr. Twomey spoke of Musco Lighting, the cost savings, and the 25 year warranty. Mr. Twomey states during Lacrosse season 29 of the 59 lights were off and that is a major concern. The entire park is calling for an upgrade, and this would be a 15 year investment into the recreation of this town. After 15 years the Township would have an \$850,000 drainage system, the Township would still have a 10 year warranty on light bulbs and Musco Lighting would still come and fix the lights. At this time the Township is spending almost \$12,000 a year to fix the lights and it is a constant maintenance issue. Mr. Twomey states based on the numbers that were given, after 15 years bonding for the project, 2.3 million spending over \$150,000 a year with a 2% increase over the next 15 years, the amount would be 2.5 million. Mr. Twomey states what we are asking as a Recreation Program is that the Township spend the money wisely. There was a discussion with regard to the lighting, which would be from \$470,000 to \$500,000, which includes the removal of the old poles and ten new ones. There was also a discussion with regard to the warranty of the turf field, which is 13 years, and covers the entire product from any defect. Mr.

Twomey states the turf cost is actually \$350,000 and it is corner to corner, no clay. There was a lengthy discussion with regard to clay, and the towns that did do clay and regretted it. There was also a discussion with regard to the drainage. There was a lengthy discussion with regard to investing the money for the turf field for two sports, having Town Day on the field and limiting the use of the turf field. Mr. Sears states there are other things that need to be done in the Township, such as the Firehouse and the DPW Building. Mr. Twomey states the Recreation Department never came to the council meeting and stated that they didn't want those items to be done, the fact is the Township is spending the money anyway, there would not be a need for additional funding. Mr. Twomey states the men's softball is on that field for 3 ½ months, they use it just as much as anyone else. Mr. Twomey further states that he was misquoted. There was a conversation with regard to putting spikes in the field for Town Day. Mr. Twomey states that stakes should never be put on the field, even in the current condition. After Town Day sprinklers are broken and need to be fixed. Mr. Spezial states since 1998 or 1999, putting money in the field has amounted to 2.3 million dollars we are no better off than we were before. The Recreation Department has come to council with a list of problems, drainage, geese, lighting, and use of the field, and none of those problems have been fixed. Sodding is done five or six times a year. Mr. Spezial states the money is being spent anyway. There was also a discussion of the various events that do go on the field. Mr. Calamari would like to know if the manufacturer puts out a document that lists restrictions for the turf field, and if they do he would like a copy of it. There was a lengthy discussion with regard to expenses that Mr. Spezial has charted over a two year period, which includes maintenance of the field. Mr. Spezial states he drove by the field and there were five DPW men working on the field, those men could be used by the Township to do something else. A sweeper, at a cost of \$28,000 would be used for maintenance of the field, and that is done twice a year. Mr. Twomey states that the sweeper would become the responsibility of the Recreation Department. There was also a discussion with regard to garbage at the field. Mr. Twomey spoke of the back of the next page, the second set of numbers; the average it will go up is 2% every year.

UPDATES

Ecology Permits – Administrator Cavallo states that Mr. Hrbek and himself met last week to discuss the ecology permits. There are a couple of things that need to be discussed before a revision is drafted. There was a discussion of the fact at this time commercial vehicles are prohibited from using the Ecology Center. There was also a discussion with regard to two permits are issue and if a resident states that they lost the permit, how does the Township know that the person did in fact lose the permit. The purchasing of the permit at this time is only by the Clerk, permits can't be issued on Saturday and the DMF is not allowed to issue permits. The person on site must enforce the rules, but does DMF have the authority to enforce the ordinance which is from 1988. The waste also needs to be dispose of in the proper receptacle. Mr. Hrbek states he believes it would be a good idea for the website and also hand out flyers indicating the items that can be brought to dump, and items that cannot be brought to the dump, such as hazardous material, paints, insecticide and those kinds of items. Administrator Cavallo states what needs to be addressed is if commercial vehicles would be accepted and changing of the stickers. There was also a discussion of having a barcode on the sticker, what information would be on the barcode and we can see the amount of volume the dump is getting. Mr. Sears states with the barcode, you would need a database. Administrator Cavallo states that it does not need to be done at this time, but the barcode only cost pennies and it might be good for use in the future. There was a discussion of commercial vehicles going to the

site, how a commercial vehicle is identified and trucks now can have residential plates. Mr. Sears states any truck or pickup needs to go to the police department for a red sticker. Administrator Cavallo states when this ordinance was written in 1988, people didn't drive SUV's or trucks every day, now it has become the norm. Administrator Cavallo states at this time the ordinance states the police department has to inspect the vehicle; this belongs in the clerk's office, not the police department. Mr. Hrbek states we need a starting point. There was a discussion on what the dumping fees would be. Mr. Hrbek further states that he and Administrator Cavallo do have something, and they will get it out this week.

Commuter Parking Lot – Mr. Sears states that 3 people parked in the Fire Department spots this past week, and they were ticketed. There is a sign at the Commuter Parking Lot. There was a discussion on markers on fire hydrants and who supplies them. Mr. Sears states he has seen some of them bent, and they are inspected on a regular basis.

Habitat for Humanity – Administrator Cavallo did meet with Jacey Raimondo last week, who put him in touch with several administrators in the area. Administrator Cavallo states the main issue is the Township needs to hire a planner. There was a lengthy discussion whether the previous planner carries over. Mayor Sobkowicz states the previous council wanted to look at new planners; we do have resumes and did interview two of them. Mr. Poller states as he recalls two planners were interviewed last year and one planner submitted his paperwork a day late. Mayor Sobkowicz states she would like to have a Closed Session meeting at 6:15 to discuss the planners. Mr. Sears states the next meeting on September 18th will begin at 6:15 for a Closed Session.

Roads – Mayor Sobkowicz states that they did have a meeting with the project engineer, and everything went well. Administrator Cavallo states the specs for Colonial Boulevard are 90% complete and that will be ready to go out to bid. The roads will be listed on the website, the blockage of dates, and residents will also receive letters. There was a discussion of a new list being formed for the next group of streets. Administrator Cavallo states we can see if we can add streets to be within the current limits. Mr. Beckmeyer states we approved a number in a contract, 20% over that figure cannot be granted. Mayor Sobkowicz states one section of street by the library was added. Mr. Beckmeyer states that Mountain Avenue may be good for a DOT Grant since it is connected to a county road.

A motion was made by Mr. Hrbek, seconded by Mr. Beckmeyer to go into Closed Session.

Ayes: Councilpersons Beckmeyer, Calamari, Cascio, Hrbek, Sears.

Nays: None.

Elaine Erlewein, Acting Township Clerk

Thomas Sears, Council President