

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

PUBLIC MEETING/PUBLIC SESSION

December 5, 2011

The Township Council held a Public Portion/Public Meeting in the Municipal Building, Pascack Road. The meeting was called to order at 7:31 p.m. by Council Vice President Steven Casio with the Clerk leading the salute to the flag. Members present, Joseph D'Urso, Richard Hrbek, Steven Cascio. Mr. Goetz arrived at 7:40pm, Mr. Beckmeyer arrived at 9:20pm. Also present: Janet Sobkowicz, Mayor; Kenneth Poller, Attorney. Absent: Lilly Chin, Acting Administrator.

Pursuant to the provisions of the Open Public Meetings Act, this meeting was noticed with the Ridgewood News, posted on Municipal Bulletin Board and filed with the Municipal Clerk.

The Clerk read the total of various bill paid, a copy of which is attached and made part of these minutes. Mr. D'Urso asked questions regarding a check paid to the fire department, a bill for Memorial and Clark field paid to Let It Grow, and payment for outside billing for the Police department.

REPORT OF MAYOR

Mayor Sobkowicz spoke about recycling and amounts the town received over the past few months, noting that the total is higher than the same time last year. She spoke about the progress being made in the reopening of the Pascack Valley hospital. She gave a website communications report which showed that people used the site heavily during times of recent storms. There are 200 town people who have signed up for email alerts. Police sponsored Operation Take Back procured 63 pounds of prescription drugs. The Mayor said that she and Mr. D'Urso have been working on Operation Allow Right Turns at Exit 171. They are gathering key people from neighboring towns and strategies to further the promotion of opening GSP exit 171 to right hand turns. The Mayor spoke about a county grant that the township was awarded in 2008 for Memorial Field and was not used. After Mrs. Chin spoke to the county a check was issued to the township from the county for approximately \$26,000 for bills Mrs. Chin submitted. The Township Recreational teams and IHA had winning seasons. Veteran's Day ceremony was held on November 10, 2011. She thanked various people for their roles in the special day. Court system shared service committee is being looked into. Mayor Sobkowicz thanked residents for getting together to organize the tree lighting ceremony that will take place on December 11, 2011. There will be an entire weekend of events, including a concert in the Senior Center, a visit with Santa, and trees and wreathes for sale at the fire house. The fire department answered 75 major calls during the October snowstorm. Safety First Initiative committee has been meeting and have begun installing necessary fixtures and implementing practices to make the township compliable with insurance law as mandated. The Fire Department is considering starting a junior program. The aftermath of the October storm has been more costly than other recent storms combined in the past. Bergen County was originally not on the list for federal aid erroneously. There will be many reports that need to be filled out. The Mayor spoke about the cost and clean up. Leaf pick up is on schedule.

REPORT OF ADMINISTRATOR

No Report

REPORT OF COUNCIL

Mr. Hrbek – Mr. Hrbek said that he would like the Council and Administration to revisit the Coaches Code of Conduct in the New Year.

Mr. D’Urso - Mr. D’Urso spoke about the cost of the clean up after the storm, specifically the company that was hired to pick up the branches and do chipping. He said that he would like the town to look into buying a chipper. He thanked the Mayor for hiring an outside company quickly. He said that the e-alerts are great and more residents should sign up for them. He recognized the freshmen football team for their undefeated season. He stated that the Holiday Tree Lighting is December 11. He thanked the Administrator from Emerson for bringing the United Water meeting that was held during the week of the NJLM Convention to the attention of all municipalities that would be affected. and. Mr. D’Urso asked the Mayor to meet with the committee, Allow Right Turns at Exit 171 on Thursday, December 15, 2011. He has had responses from seven (7) residents in regards regarding the new exit configuration at GSP exit 168. He said that it is his opinion that a traffic light is needed at the exit.

Dr. Cascio – Dr. Cascio said that he is pleased about the hospital’s progress in moving forward and the expected time of reopening in 2012. He will share his progress and information on shared services and the RFP process at the conference meeting tonight.

Mr. Goetz – Mr. Goetz said that he will be sharing information from the NJLM Conference sessions he recently attended with Dr. Cascio. The Clerk has also shared information she received from the classes she attended at the conference. He spoke about the Township’s Veteran’s Day ceremony and stated that everyone should recognize veterans. He said that he and Dr. Cascio attended a meeting with County Prosecutor Molinelli and will share his report at the conference session.

APPROVAL OF MINUTES

A motion was made by Mr. Hrbek, seconded by Dr. Cascio to approve the October 17, 2011 Conference and October 26, 2011 Conference and November 1, 2011 Public Minutes of the Township of Washington.

Ayes: Councilpersons Cascio, D’Urso, Hrbek, Goetz

Nays: None

PUBLIC DISCUSSION

A motion was made by Mr. Hrbek, seconded by Dr. Cascio to open the Public Discussion.

Ayes: Councilpersons Cascio, D’Urso, Hrbek, Goetz

Nays: None

Steve Malaszuk, 925 Washington Avenue – Mr. Malaszuk stated that he had originally been told that all the work on his house should have been done before they started on the 168 exit. What they said they did not do. Mr. Goetz said that the Council was not aware of the meeting that was held to discuss the resident’s issue. Mayor Sobkowicz said that the turnpike authority scrubbed the first set of plans. Mr. D’Urso said that he called John O’Hearn and needed to talk to him again about Washington Avenue. Mr. Malaszuk said that he was trying to get in touch with Brian O’Leary but did not get a call back.

Ray Benroth, 838 Crest Place – Said that he was happy to see that the leaves are being picked up and that people are putting the branches on their property taking them out of the streets. He asked if someone would be coming back to chip the branches and Mayor Sobkowicz stated that the chipper would be back soon. Also asked

about cell tower and was told that Mr. Poller was trying to get in contact with Verizon.

Mr. David Snyder, 91 Windsor Circle – Talked about Exit 168. Agrees that there needs to be a traffic light at the exit. Said that it is a dangerous situation and you have to strain your neck to see if anyone is coming. The traffic light could be a blinking light. Then talked about exit 171. Feels it is a good thing to have a committee with surrounding towns. Should have councilmen from each town. Mr. D’Urso said that he sent e-mails to a few of the towns. Said that he didn’t want to go into attack mode concerning Woodcliff Lake. He also talked about a new exit down from 168 which could help resolve the problem of Exit 168. Mayor Sobkowitz said that the County was opposed to a light on Washington Avenue. She fees that a blinking light would make people aware. Mayor Sobkowitz said that she has a meeting with the turnpike authority on December 12 with Mr. Hrbek. Mr. Snyder then questioned shared services on dispatching. He asked why the Township cannot have their own dispatchers in house. These could be civilians who know the town instead of people who work in Mahwah. Would like to see part timers doing dispatching. Said that he talked to the son of the owner of the shopping center who said that he would be managing the property. He said that he wants to fill the mall up. He will do whatever it takes. He asked about the procedure for a new tenant and what he has to do to open in the mall and a discussion followed about the rules and regulations. Mr. Snyder was told that it only took about 30 days to get the permission. He said that the mayor and council should try to make it easier for tenants. He then said that he hoped that all the leaves would be picked up by December 25.

Grace Hogan, 898 Washington Avenue – Talked about soil testing. Said that about one year ago attention was brought forward about the corner of Pascack Road and Washington Avenue. The same house today is still dilapidated. Back in 2009 owner appeared before council to help him fast track the possibility of a project on the corner. She was told by Mayor Sobkowitz that the Council did not change the zoning when the owner of the property came before the Council. He did not receive any special treatment. It was left as residential. Anything else would have to go before the Zoning Board as a non-conformity use. Mr. Poller then explained about all the summonses that the owner received and told her the different ones as Mayor Sobkowitz had copies of them.

Linda Murphy, 675 McKinley Avenue – Showed picture of residential area of Washington Avenue and Pascack Road before soil was dumped there. The planters that had been put up are on someone else’s property and now must be moved. Mr. Statile, engineer for Township, concerning the CVS project, has said that 5 feet of the planter is in violation. A discussion followed about DEP and the rules and regulations. Mr. Poller said that DEP has final authority and has jurisdiction over spills and contamination. There are many gas stations that have this type of problem. Mrs. Murphy also commented that there should be guardrail ramps at Exit 168. Said that the guardrail is not high enough and that it is a dangerous situation.

Michael Ullman, 2 Clark Avenue – Said that he asked about the washer and dryer at the firehouse about one month ago and hasn’t heard an update yet. Mayor Sobkowitz said that the dryer was in immediately but that there was a drainage issue with the washer and it should be hooked up soon. Mayor Sobkowitz said that she would get Mr. Ullman more information. There was a further conversation about grants and Mayor Sobkowitz stated that the administrator was looking back to see if there was any money in old ordinances.

There being no more questions or comments, a motion was made by Mr. Beckmeyer, seconded by Mr. D'Urso to close the Public Portion.

Ayes: Councilpersons D'Urso, Cascio, Hrbek, Goetz

Nays: None

ORDINANCE

The Clerk read Ordinance 11-17 entitled: AN ORDINANCE AMENDING THE DIMENSION RESTRICTION UNDER SECTION 71-5 OF CHAPTER 71 OF THE CODE OF THE TOWNSHIP OF WASHINGTON

A motion was made by Dr. Cascio, seconded by Mr. Beckmeyer to introduce and pass Ordinance 11-17 at second reading by title.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Hrbek, Goetz

Nays: None

The following resolution was presented and adopted on a motion by Mr. D'Urso, seconded by Dr. Cascio.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Hrbek, Goetz

Nays: None

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 11-17 entitled: AN ORDINANCE AMENDING THE DIMENSION RESTRICTION UNDER SECTION 71-5 OF CHAPTER 71 OF THE CODE OF THE TOWNSHIP OF WASHINGTON be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Mr. D'Urso, seconded by Dr. Cascio to open the public hearing.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Hrbek, Goetz

Nays: None

David Snyder, 91 Windsor Circle – He said that there have been difference heights discussed over time and the height of 140 ft. had been discussed. He asked if 125 ft. would be all that was needed and was told yes.

Michael Ullman, 2 Clark Avenue – Asked what was the definition of adjacent. Mr. Hrbek stated that following the building code that it was around the perimeter of the structure. There was a discussion about the elevation and how it is measured. Mr. Ullman asked that, if adjacent means next to, can an object extend beyond 125 ft. He was told that nothing can extend beyond 125 ft. The foundation was then discussed and it was concluded that the foundation, because of the slope of the land could be 3 ft. above ground and therefore the entire height could be 128 ft.

There being no more comments or question a motion was made by Mr. Hrbek, seconded by Mr. Beckmeyer to closed the public portion

Ayes: Councilpersons Beckmeyer, Casio, D'Urso, Hrbek, Goetz

Nays: None

A motion was made by Dr. Cascio, seconded by Mr. Beckmeyer to pass Ordinance 11-17 at second and final reading, submit same to the Mayor for her approval and thereafter be published according to law.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Hrbek, Goetz

Nays: None

CONSENT AGENDA

After Mr. Goetz read the list of consent agenda items, it was asked to remove the cancellation of outstanding checks to be discussed.

Mr. D'Urso thanked the treasurer for the list of people concerning the outstanding checks and stated that this was done on the advice of the auditor and if someone came back with a copy of a check they could get their money.

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. D'Urso, seconded by Dr. Cascio.

Ayes: Councilmen Beckmeyer, Cascio, D'Urso, Hrbek, Goetz.

Nays: None.

WHEREAS, by law, the effective date of an ordinance may be accelerated due to an emergency situation, and such action must be supported by 2/3 vote of the governing body;

WEREAS, Ordinance No. 11-17 has been enacted on December 5, 2011 and an emergent situation exists with respect to the health and welfare of the Township of Washington.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington that Ordinance 11-17 is hereby effective immediately upon publication.

WHEREAS, the Borough Administrator of Emerson, Joseph Scarpa, in a letter to the Honorable Lee Solomon, President of the NJ Board of Public Utilities, stated the Board of Public Utilities scheduled a hearing in regards to the rate increase proposed by United Water during the League of Municipalities Convention; and

WHEREAS, due to the timing of the hearing, it was difficult for elected and appointed officials to attend and oppose yet another exorbitant increase rate proposed by United Water; and

THEREFORE, Mr. Scarpa requested that the BPU schedule a second hearing on the matter, prior to making a decision, to allow for more input; and

BE IT RESOLVED, that the Township of Washington Council supports Mr. Scarpa's efforts reflected in his letter to the BPU; and

BE IT FURTHER RESOLVED that the Township of Washington Council requests that a second hearing be scheduled, prior to making a decision, to allow fair representation from within the communities that the proposed rate increase will affect.

WHEREAS, Karen and Kenneth Schnall posted engineering escrow on premises known as block 4503, Lot 13, 126 Fern Street; and

WHEREAS, the Construction code Official has issued approval dated march 25, 2010, C.O. No. 08-340; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated March 18, 2010,

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington be authorized to refund the balance of the escrow money in the amount of \$98.00 to the above.

WHEREAS, Craig and Darlene Mandeville posted engineering escrow on premises known as Block 3402.02, Lot 25, 751 Pine Lake Drive; and

WHEREAS, the project of an expansion of a driveway does not require a Certificate of Occupancy nor a Certificate of Acceptance.

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated November 4, 2011,

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

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that the attached schedule for 2012 of Regular and Conference Meetings is hereby approved for compilation and distribution pursuant to the Open Public Meetings Law [P.L. 1975 Ch.231] all to be held on Mondays at 7:30 p.m., in the Municipal Courtroom, 350 Hudson Avenue.

BE AND IT IS RESOLVED, by the township Council of the Township of Washington that the Fief Financial Officer is hereby authorized to cancel outstanding checks dated prior to 2010, as per list below of the Township of Washington Current Account.

Check #	Amount
18124	\$ 96.25
20124	69.09
20245	250.00
20676	75.00

BE AND IT IS RESOLVED, by the township Council of the Township of Washington that the Chief Financial Officer is hereby authorized to cancel outstanding checks dated prior to 2008, as per list below of the Township of Washington Payroll Account:

Check #	Amount
67845	\$ 149.97
67868	156.62
68918	127.21
69498	733.14
69899	177.53
69918	197.98

A motion was made by Mr. Goetz, seconded by Dr. Cascio to pass the following resolution which had been discussed during the Conference Portion of the meeting.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Hrbek, Goetz

Nays: None

WHEREAS, Title 40A:4-58 of the New Jersey Statutes provides if it should become necessary during the last two (2) months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excel of the respective sums appro0priated therefor and there shall be an excess in an appropriation over and above the amount deemed to be necessary to fulfill the purpose setting forth the facts, adopted by not less than 2/3 votes of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that the Treasurer be and is hereby authorized to make the following transfers in the 2011 Budget Appropriations:

	FROM	TO
Department of Public Safety		
Police Dispatching	\$10,000.00	
Statutory Expenditures		
Social Security System (O.A.S.I.)		\$10,000.00

Mary Ann Ozment, Township Clerk

Fred Goetz, Council President

