

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

December 5, 2016

The Township Council held a Public Portion/Public Session in the Municipal Building, 350 Pascack Road. The meeting was called to order at 7:38 p.m. by Council President Michael Ullman, with the Council President 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; Susan Witkowski, Township Clerk.

Pursuant to the provisions of the Open Public Meetings Act this meeting was listed in the Township Council Annual Meeting Notice 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 Councilman Cascio, seconded by Councilman Sears, to approve the September 26, 2016 Public Minutes.

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

Nays: None.

REPORT OF MAYOR

Mayor Sobkowicz stated the Department of Municipal Facilities has a two day delay for leaf pick-up due to a mechanical issue with garbage truck #5, and a short Thanksgiving work week. This week we are completing Zone 2 and beginning Zone 3. In order to accomplish this the yard will be closed on Tuesdays, so all 3 crews can work the leaf pick-up. The yard will still be open on Saturdays as usual. In addition the members are preparing for the Tree Lighting which will occur on Friday, December 9th, to be held at 6:00 p.m. The DMF has also winterized the field houses at Clark and Memorial Field. Memorial Field was aerated on November 28th, and seeded and fertilized on December 1st. During the recent storm two large trees came down, they were located on Hoover and Ridgewood Boulevard North. They were cleared after PSE&G fixed the issues relating to power lines. The next collection for white goods will be on December 14th, but you must call and make an appointment. All the salt spreaders have been installed and are ready to be deployed. The Township was notified by the Department of Environmental Protection that we are within the drought warning region. Councilman Calamari picked up the Drought Tool Kit at the League Convention. There is some information on the table, they sent a tool kit, along with a page in color that shows ways you can save on water. There is also a toilet leak detection packet (green and white packet). You would put the tablet in your toilet, wait 15 minutes and if the tablet turns color that would indicate that there is a leak. Administrator Groh attended 2 ½ days of courses on various topics, budget, finance, public sector law and drones. The administrator also met with a few recycling marketers as well as a company that provides bins for clothing/recycling. In addition Administrator Groh worked with Mr. Statile, Township Engineer, to develop some bid documents for the salt shed, along with reviewing the proposed charges from BCUA. Quotes were solicited by advertisement and direct solicitation to six (6) companies for vegetative waste, we only received one quote from Environmental Renewal, with the option to lock it in for a few years. She also asked the Administrator to look into other payroll companies. We are also seeking quotes from other vendors for recycling. Recently there was a court

decision regarding COAH that the towns would not have to build lower/moderate income housing units to cover the gap period of 17 years, from 1999 to the present. However, it was appealed to the State Supreme Court, as reported in The Record on December 1st. This could have a very big impact on suburban towns. She feels these obligations take away the individual communities right to keep its development process. The Knights of Columbus held two blood drives for Baby Grace, who is going through chemotherapy. Due to overwhelming medical costs, Friedberg Properties in River Vale will be hosting a gift wrapping fundraiser. It will be held on Saturday, December 10th and Monday, December 12th through Friday December 16th from 10:00 a.m. to 4:00 p.m. Please bring your gifts to be wrapped and make a donation. The Township has been working well with Paramus and the County in terms of vehicle repairs. The next street sweeping is scheduled for the week of December 12th or immediately after the annual leaf pickup. Our new Auditors have been on site preparing for the audit. In the meantime the Auditor is reviewing information and getting reports. Also, we are working on the budget for 2017, specifically Mr. Statile, Engineer, will be formulating an infrastructure plan that will be part of the budget presented to the Council. As she mentioned last month, it is a good time to add to the Wall of Veterans, since photos had to be taken down due to renovation. More photographs have been received and she is working with the Women's Club to get a sponsor for the project, as there are artists that are interested in working on the project. From January to November 30th the Police Department answered 7,432 calls, with 625 in November alone. The new police car, a 2017 Ford Explorer Police Interceptor has arrived and should be on the road by December 12th. The radios were installed, cameras are going in tomorrow, and decaling will be completed by the end of the week. A Crown Victoria was sold, and a 2006 Explorer was transferred to the Road Department, we are working on replacing another vehicle. The Police Department was able to reduce the price of Lifescan, which is needed for the new Bail Reform Law. The price was \$26,466.00, but we do not need to purchase the palm print scanner. Therefore the new price is \$18,235.00, saving a little over \$8,000.00. The Lifescan Mandate is part of the New Jersey Bail Reform, which has been discussed recently in reference to additional overtime that is necessary to meet the requirements of this law. A new directive was issued that says that all supervisory personnel, from Corporal to Chief, have to attend a half day training class, December 13th or 15th of this current budget year, that will result in more overtime. In the new budget year, 2017, all the other officers, who may take over a shift once in a while also need to complete the training. There was an article in The Record last Tuesday that stated the Bail Reform is also going to require a lot of the State, specifically, 20 judges, which would cost another 9.3 million on the State budget. The Police Department received the Award of Excellence from the AAA North Jersey, the Township was only one of 11 towns out of 99 to receive this award. Clayton Kenney, one of the Township's dispatchers is graduating from Special Law Enforcement Officer 1 Class, and that will really help the Township out at some events. Police Officers Christopher Osenbruck and Vincent Sana, made a CPR/AED save at the tennis club recently. Officer Osenbruck has checked with the family and the person is doing very well. We are still looking for members for the Stigma-Free Mental Awareness Committee. If anyone is interested please call Bernadette at Town Hall. Phase 4 of the Road Program will be in the new budget including a list of roads. No meetings have been held with regard to the intersection, due to difficulty in scheduling during this time of the year. She called Hillsdale Mayor Doug Frank yesterday with regard to the status of Waste Management and the trucks. He indicated he has not heard anything, and they do have a special counsel working on it. Around 5:00 p.m. today Mayor Frank notified her that the DEP contacted him that they had prepared a draft permit for Waste Management that is being reviewed and may go forward in January or February of 2017. She is asking everyone to sign the petition online, the library or upstairs at Town Hall. If this permits does get renewed they have the capability of hauling 900 tons per day, Monday through

Saturday. When this does occur, hearings will be scheduled in Hillsdale, and we will need to get many people to attend those hearings. From January 1st to November 30th, the Ambulance Corps was dispatched 448 times, 42 in November alone. The Ambulance Corps is looking for members, so if anyone is interested, please join. From January 1st to November 30th the Fire Department was dispatched 167, 17 in November alone. The Fire Department is selling Christmas trees and related items for the holidays, please support the Fire Department when looking to purchase these items. The Fire Department won 2nd place in the Wallington parade. Santa Claus will be visiting neighborhoods on Wednesday, December 14th on the east side of town and Thursday, December 15th on the west side of town. Congratulations to our Junior Football Team and the coaches, they won the Super Bowl in a very exciting game in Hillsdale. They played very well and she was proud of the turnout from our community. The Westwood High School Football Team was in the State Championship, North 1, Group 2 but unfortunately they lost to Mahwah 35-28, but it is an honor to be a part of the State finals. Congratulations to two Athletes of the Week from the Township, Sean Hopkins for football/Westwood Regional High School and Kathryn Fascio, Volleyball/Immaculate Heart Academy. They have both done outstanding jobs for their teams. In the wrestling program, 75 boys signed up and 358 children signed up for basketball, including instructional, traveling and various age groups. The Township Library is sponsoring a Peanuts Holiday Celebration on December 9th from 4:30 p.m. to 5:45 p.m. just before the Tree Lighting Ceremony. Families will be decorating a gingerbread house, and many other activities. Our Tree Lighting will be held at 6:00 p.m. On December 11th at 2:00 p.m., the Township Library is sponsoring a Traveling Literary Theatre, but you do need to call to register. The Township Library is one of the sponsors of the Healthy Steps Program, which includes a kick-off on Saturday, January 7, 2017. There will be free health screenings that morning conducted by health care professionals from Valley Hospital. The screenings include cholesterol, health risk assessment, blood pressure, nutrition counseling, hip body/fat measurements and healthy snacks. This is limited to 100 people, so you must call 201-447-8043 to register. It also includes a walking group which will start on Saturday, January 14th, and be an 8 week program. A town-wide flyer will be going out. Sponsors of the event are the Township of Washington, Nicholas Markets/Food Town and Valley Hospital. Chris Robertson, the Director of ER Nursing lives in our Township and he has been working hard planning this program, so please join us.

REPORT OF COUNCIL

Councilman Cascio – Councilman Cascio stated himself, along with Councilmen Sears and Calamari went down to the League of Municipalities in Atlantic City November 15th through November 16th. There were many vendors and interesting products that you would never think that a municipality uses. It is a great event to see what communities need and what is going on in other parts of the State. He attended three classes, a JIF training class, an ethics class and a class on NARCAN, which is the antidote to heroin overdoses. Bergen County will now be one of the counties, in addition to Camden, Ocean and Atlantic County that will have this program so they can dispense the NARCAN for police officers to administer. Again, it was a great event to attend.

Councilman Sears – Councilman Sears agrees with Councilman Cascio, the few days we were down there was an eye opener about the amount of businesses that are out there that deal with State contracts, and the opportunities we have to draw from them. He collected a stack of information and paperwork that he will be sharing later on.

Councilman Calamari – Councilman Calamari stated everything he had has been said, he has nothing to add.

Councilman Bruno – Councilman Bruno stated he would like to publically apologize to the DMF Staff and to the department employees that work in that building. We received some photos over the weekend of the

conditions that exist or existed and in his opinion it is deplorable and unconscionable to have employees in those kind of surroundings. Those employees are asked to do more and more with less and less and he doesn't understand how anyone can come to work in a building like that. Funds have been allocated into different categories and transferred monies back into funds that we were under budgeted for. He stated he went out and placated certain residents to see what the Engineer has to say about Memorial Field because the referendum failed, but he feels we failed our employees in this situation. To him it is unacceptable, he is sure everyone has seen the photos, and the administration knows. Funds have been allocated to this building, to the DMF building, and the Fire Department building, and yet not a penny has been spent on any of these buildings, and it is showing. It is disgraceful and going forward he doesn't believe Council should be talking about any maintenance, other than maintenance to these buildings, which money has been allocated for, it needs to be spent. We cannot freeze the budget and these buildings cannot be ignored, they are dilapidating, falling down and it is disgraceful.

Councilman Ullman – Councilman Ullman stated he has no report at this time.

GENERAL PUBLIC DISCUSSION

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

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

Nays: None.

Fred Goetz, 587 Washington Avenue – Mr. Goetz thanked Councilman Bruno for bringing to everyone's attention the condition of the DMF building. He stated there are maintenance issues in various buildings and this Council, as well as previous Councils have allocated monies and those monies were never spent. He asked if the bus stop schedules are the same as previous years. Councilman Ullman stated he is not aware of any changes. Mr. Goetz spoke of the salary ordinance, and the clause with regard to the Township Attorney, being paid separately for items then being added back in. He would like to know if the Township has heard anything from the IRS, the new Auditor or from any other agency, or received an opinion on whether it is legal or not to pay a salaried employee as an independent contractor and as a full time employee at the same time. Councilman Ullman replied in terms of the new Auditor, he doesn't believe so, and he also doesn't believe any reports have been received by the IRS or any other government agencies. Mr. Goetz hopes before it is voted on for passage that the Council look into whether the Auditor should give an opinion or if we have received, will receive or plan to receive any advice or opinions from any government agencies. He stated there has been a longstanding question on whether it is legal or not, and he doesn't believe the Council should pass an Ordinance, with that clause added, which may subject the Township to liability. He believes the Council has a fiduciary responsibility. He stated the Mr. Poller is precluded from giving an opinion and Council may need to look to an independent agency for guidance.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment asked if Council needed to approve Judy Curran as the temporary Tax Collector since she did handle the tax sale. Mr. Poller replied he believes it is an administrative appointment, but he will look into it. Mrs. Ozment spoke of the Mayor not going out for RFQ's, but when she ran for office 7 years ago she stated she would go out for RFQ's to get most qualified candidates at the best rates. She stated River Vale, who is also Faulkner E, did ask for an RFQ for every position. She spoke of maintenance issues in Town Hall, the condition of the staircase and the courtroom. She spoke of the budget under Mayor Wenzel going out on January 15th no matter what. She does understand that the BCUA is a large amount, but there is no reason the budget cannot be distributed by January 15th so a majority of it can be completed. She has asked before but asks again that the E-Board indicate that the meetings are being televised as well as the website.

William Ferara, 2556 Cleveland Avenue – Mr. Ferara asked why the Salary Ordinance and the Plastic Bag Ordinance are not on the agenda for 2nd reading. Councilman Ullman explained that the Ordinances were introduced November 28th, today is December 5th, and since 10 days have not past, it doesn't allow enough time for a 2nd reading. The second reading of those ordinances will be held December 19th. Mr. Ferara spoke of the Bus Stop resolution before Council, and he doesn't see the reason for the changes and hopes Council reviews the resolution before passing. He spoke of the lack of progress in the leaf pick-up; even if a truck was down he feels more progress should have been made. He spoke at length of the Board of Education's proposal to build a new garage facility in a residential area, what other areas can be used to house such a facility and the current garage facility in Westwood. A conversation followed with respect to the committee that is being formed for Memorial Field, and whether or not the public can attend/participate in those meetings and if the meetings would be televised.

Beatrice Napier, 324 Hudson Avenue – Mrs. Napier agrees with Councilman Bruno on the condition of the Road Department, which has been the same for the past 50 years. She stated the conditions are horrible for the employees and something should be done right away. She asked since the Y is closed, are taxes being paid? Mayor Sobkowicz they are a non-profit organization but they have received a tax bill recently. Mr. Poller stated the Y did receive a tax bill from the tax assessor and there is an appeal.

Joe D'Urso, 12 Viola Terrace – Mr. D'Urso thanked Councilman Bruno for bringing attention to the condition of the DMF building. He stated money had been put in the budget in the past, but it was never spent. He spoke at length of Council looking into outside dispatching and rekindling that idea since there was an offer on the table by Westwood years ago. He commented on the kids that are signed up for basketball and wrestling, the upper gym of the high school which is currently closed, and the Mayor of Westwood offering facilities. He also spoke of an ongoing issue with Verizon/FIOS on Viola Terrace. He asked why the Salary Ordinance was introduced so late in the year. Councilman Ullman stated the Salary Ordinance was passed earlier in the year by Council, but vetoed by the Mayor, the primary reason he believes being was the removal of the ability to collect an hourly fee for extra services by the Department of Law. He stated no money has been added back to the current Salary Ordinance, just the language, that being the \$135.00 per hour. Mr. D'Urso commented on this being held for the last meeting of the year and he asks Council to do the right thing since it is our tax dollars.

A motion was made by Councilman Calamari, seconded by Councilman Sears, to close the general public discussion.

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

Nays: None.

ORDINANCES

Introduction Ordinance No. 16-11

The Clerk read Ordinance No. 16-11 entitled: AN ORDINANCE AMENDING THE LENGTH OF SERVICE AWARDS PROGRAM ("LOSAP") POINT SYSTEM FOR THE TOWNSHIP OF WASHINGTON VOLUNTEER FIRE DEPARTMENT.

A motion was made by Councilman Calamari, seconded by Councilman Cascio, to introduce and pass Ordinance No. 16-11 at first reading by title.

Ayes: Councilmen Bruno, Calamari, Cascio, Ullman.

Nays: None.

Recuse: Councilman Sears.

The following resolution, Resolution No. 16-322 was presented and adopted on a motion by Councilman Cascio, seconded by Councilman Calamari.

Ayes: Councilmen Bruno, Calamari, Cascio, Ullman.

Nays: None.

Recuse: Councilman Sears.

WHEREAS, Ordinance No. 16-11 entitled: AN ORDINANCE AMENDING THE LENGTH OF SERVICE AWARDS PROGRAM ("LOSAP") POINT SYSTEM FOR THE TOWNSHIP OF WASHINGTON VOLUNTEER FIRE DEPARTMENT was introduced and passed at first reading at a meeting of the Township of Washington on the 5th day of December, 2016.

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 19th day of December, 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.

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.

Councilman Bruno – Councilman Bruno stated Resolution No. 16-323 was an attempt to list all of the bus stops within the Township and follow-up with the enforcement of the Police Department. He stated we did receive an email from Captain Hackbarth, which speaks of what the enforcements are. He stated the resolution is nothing more than designating the bus stops. Councilman Ullman stated he believes the Department of Transportation request is asking us to validate the bus stops that exist in the Township, nothing more nothing less. Councilman Sears stated with regard to this resolution, as he reads Captain Hackbarth's letter on enforcement, the Police Department has not been enforcing this. For the last week he has observed cars parked on the sidewalk next to the bus stop and vehicles parked on Season's property every morning, they are waiting and parked at the intersection on the sidewalks. He stated this needs to be referred to the Police Department, to be enforced. Councilman Ullman agrees, he also observes on Colonial, making the turn coming off of Washington, they also wait there at the stop sign. He stated there is no stopping or standing and the vehicles are within 50 feet of the corner. He believes it exists in multiple places, where there is a high volume of people either catching the bus or disembarking. Councilman Cascio stated the bus stops is the bus stops, but the rules need to be enforced. Councilman Bruno does agree these are the bus stops, but things need to be enforced. Councilman Cascio stated the enforcement needs to be done by the administration; this is what the DOT requires. He stated Council should pass it and hopefully the administration does what it primary objective is, that is to enforce the laws of the Township of Washington. Councilman Ullman asked if there are bid specs for the salt storage enclosure and if so where it is located. Administrator Groh replied she does have a draft of the bid specs; the shed would be located at the northwest corner of the parking lot. That was the viable option according to the head of the DMF and Engineer. The existing salt shed will be torn down. Administrator Groh stated the minimum dimensions are 30 feet wide, 32 feet long to max dimensions of 34 feet wide, 36 feet length and a height of should be a minimum of 22 feet with a maximum of 28 feet. Councilman Ullman stated 28 feet is just shy of a three story building, which is quite significant. Administrator Groh spoke of her understanding that is the structural base has to be at least 16 feet, the cinderblock base. It is a cinderblock surround with a tented closure, it has to withstand 10 mile per hour winds, covered by fire rated material, minimum 20 year warranty, prevent storm water runoff and run through, which is the issue with the current salt shed, that being storm water runoff. Councilman Ullman stated his issue is the potential impact of property owners whose property

backs into that area. Mayor Sobkowicz stated the people that will be affected by it will be called in to review it with them. Any approval to move forward would have to be approved by the Council. Councilman Cascio asked if the salt shed is going to be a temporary or permanent structure. Administrator Groh replied permanent. Councilman Cascio stated due to the inadequate conditions of the DMF, and the plans we have from the Musial Group to perhaps knock down the building and build a new one, are we jumping ahead of ourselves on getting bid specs for a shed that we are going to put up which might have to be moved if we go ahead with one of these plans. He stated that shed has been in disrepair for ten years, why it is now a major problem to get this shed fixed. Administrator Groh replied it is her understanding that there is some threat of DEP enforcement and fines are sizable. She stated the building plans were never meant to be in that portion of the parking lot. The plans of the building were discussed. Councilman Cascio would rather knock it down, there are other areas we can store salt with the County. Mayor Sobkowicz stated normally we don't store as much salt as we have at this time, which was due to taking salt instead of funding from the County. She stated the DEP has indicated we need to put the salt shed up, by doing that we will take the old one down. This will allow us more room over on that side to proceed and it necessary. Councilman Cascio stated his recommendation is if we do not know which direction we are going to go, instead of going out to bid for a permanent structure, there are temporary salt storage structures that we can use or move, in the meantime. Mayor Sobkowicz stated she will discuss this with the Engineer, but this spot is the most reasonable spot. Councilman Cascio stated maybe we should reach out to surrounding communities and see if we can store some of our salt on their property. Administrator Groh stated the DMF needs to have it on site, all of it cannot be unloaded and we have potential concerns with the DEP. She stated if this conversation is going to continue, we might want to go into Closed Session. Councilman Sears asked would it be advisable to put a temporary structure up where a permanent structure is being planned. Administrator Groh stated we can ask the Engineer, but one of the concerns is that the DEP requirements are fairly new and they do require some infrastructure to avoid the runoff, and that is why the cinderblock foundation is important. A conversation followed on what type of structure this would be, that being a cinderblock base with an enclosure. Councilman Cascio would like the possibility of this structure being moved in the specs. Councilman Ullman stated if we can confirm that this is a semi-permanent structure, being there is the ability, should plans move forward with some redevelopment, that the structure could move, and then we can advertise. A conversation followed on the reconfiguration of the area in which the salt shed is being proposed. Councilman Bruno asked if Sherry Field was considered. Administrator Groh replied that had been proposed, but she believes there are issues because it is used for other DEP storage and the two uses would not complement each other. Councilman Ullman asked if anyone would like Resolution No. 16-327 pulled. Councilman Cascio replied as long as it a semi-permanent structure, he is fine.

The Consent Agenda, Resolutions 16-323 through 16-327 was presented and adopted on a motion by Councilman Cascio, seconded by Councilman Calamari.

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

Nays: None.

Resolution No. 16-323

Bus Stops

BE IT RESOLVED by the Mayor and Council of the Township of Washington, County of Bergen and State of New Jersey.

That pursuant to N.J.S.A. 39-4-8(e) the following described locations are designated as bus stops:

WASHINGTON TOWNSHIP COUNTY ROADS

1. Along Pascack Road (CR 63), northbound, on the easterly side thereof at:
 - a. Leigh Terrace – (near side)
Beginning at the southerly curblineline of Leigh Terrace and extending 105 feet southerly therefrom (14009).
2. Along Pascack Road (CR 63), southbound, on the westerly side thereof at:
 - a. Northgate Road – (far side)
Beginning at the southerly curblineline of Northgate Road and extending 100 feet southerly therefrom (14010).
3. Along Washington Avenue (CR 502), eastbound, on the southerly side thereof at:
 - a. Jackson Avenue – (near side)
Beginning at the westerly curb line of Jackson Avenue and extending 105 feet westerly therefrom (14003).
 - b. Between Pascack Road and Meisten Street – (mid-block)
Beginning 100 feet west of the westerly curb line of Pascack Road and extending 135 feet westerly therefrom (14004).
 - c. Colonial Boulevard – (far side)
Beginning at the easterly curb line of Colonial Boulevard and extending 100 feet easterly therefrom (14005).
4. Along Washington Avenue (CR 502), westbound, on the northerly side thereof at:
 - a. Colonial Boulevard – (far side)
Beginning at the westerly curb line of Colonial Boulevard and extending 100 feet westerly therefrom (14006).
 - b. Pascack Road – (far side)
Beginning at the westerly curb line of Pascack Road and extending 100 feet westerly therefrom (14007).
 - c. Spice Drive – (far side)
Beginning at the westerly curb line of Spice Drive and extending 100 feet westerly therefrom (14008).

That the Mayor and Council of the Township of Washington will enforce the needed traffic regulations governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public.

Resolution No. 16-324

Refund Overpayment of Taxes

WHEREAS, the following overpayments for property taxes were received:

- Boettger, Christopher, B4501.01 L15, 173 President Rd. – Q4 \$2782.00
- Delibero, Russell, B4311 L2, 425 Hickory St. – Q4 \$2348.00

- McCooe, Ryan S. & Michelle L., B3102 L5, 672 Jefferson Ave. – Q3 \$2208.46
- Schwartz, Brian & Carolyn, B2310 L25, 978 Adams Pl. – Q4 \$2107.00
- 709 Wearimus Rd LLC, B1201 L8, 709 Wearimus Rd. – Q4 \$3384.36

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey, that the Tax Collector be authorized to issue refunds to the payers, either to the mortgage holder who pays taxes on behalf of the property owner or to the property owner.

Resolution No. 16-325

Refund Building Department Permit Overpayment

WHEREAS, Michael P. Alesso paid for a building permit on November 14, 2016 on premises known as Block 3106.02 , Lot 9, 674 Colonial Blvd; and

WHEREAS, according to the attached correspondence from the Building Department, there was an over payment of \$47.00 for Permit No. 16-523; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the over payment in the amount of \$47.00.

Resolution No. 16-326

Refund Balance of Escrow Money

WHEREAS, John & Linda Lorusso, posted Engineering escrow monies on premises known as Block 2415, Lot 11, 335 Jackson Ave.; 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 September 29, 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 \$559.00 to the above.

Resolution No. 16-327

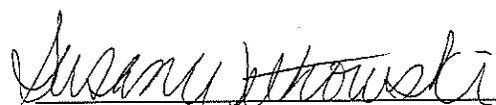
Authorize to advertise bids for salt storage enclosure

WHEREAS the Township has the need and requirement to advertise for bids for a contract for construction of a salt storage enclosure; and

WHEREAS the Township Council wishes to adopt a resolution to authorize the advertisement for bids; and

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Washington that the Business Administrator is hereby authorized to advertise for bids for a contract for construction of a salt storage enclosure.

Time Noted: 8:41 p.m.



Susan Witkowski
Township Clerk



Michael Ullman
Council President

Approved: February 27, 2017

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

December 5, 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; Susan Witkowski, Township Clerk.

Time Noted: 8:43 p.m.

CURRENT BUSINESS

Proposal for Repairs, Ridgewood - Mayor Sobkowicz stated the administration is currently looking this over. Administrator Groh stated there is no harm having 3 potential sources. The requesting department typically makes the determination which vendor is going to be used. Administrator Groh stated if it is Interlocal, it is not subject to the bidding laws, and however, it is the practice of the Township to get second quotes, to see what is out there. She spoke of the agreements, which are fairly specific and the estimates at times differing. She stated the Township has developed a rapport with Paramus; the Township has yet to use the County. She spoke of deferring to the departments to some extent. She stated there is no harm having another agreement out there, whether the Township utilizes it is another question. None of the agreements preclude the Township from getting other estimates. The law states that if we chose to use a private vendor, the Township spends enough money and would need to comply with bidding and at least the quote threshold, so it is good to have another option. With regard to truck number #5, Paramus did come out and look at the truck, the estimate has not been received as of yet. Truck #5 is not in service yet. Councilman Sears spoke of Ridgewood doing small engine repairs, which neither Paramus or the County does, along with providing a printout of each item of repair. Administrator Groh stated before this offer is seriously considered, she would request from Ridgewood a resolution authorizing exaction of the agreement. Councilmen Sears and Calamari will follow-up.

Intersection of Pascack and Washington Avenue - Mayor Sobkowicz stated the traffic study will be done in early spring. Captain Hackbarth does attend traffic meetings every few weeks and does have a scope of what the study would entail, which would include tracking left and right hand turns, and where those vehicles are going. Mayor Sobkowicz stated hopefully this study will be completed sometime in March. Councilman Cascio stated he has received the tax cards for all the properties that the Township may have to negotiate prices for the land. The Helen Boehm property would be less than 100 square feet, and the property next to the gas station would be 50 or 60 square feet. He spoke at length of the purchase of those properties which would help move forward with this project. A conversation followed on the "dead property" in the area as well as the configuration of surrounding streets.

Ethics Board - Councilman Cascio stated he would ask the attorney to draft an ordinance creating a Local Ethics Board within the Township of Washington. He stated the State Ethics Board requires the make-up of the Board to be six (6) members, no more than three (3) representing one party. He would like to make it more restrictive, members being two (2) Republicans, two (2) Democrats and two (2) Unaffiliated, however would be agreeable as Mr. Poller explained that the Local Finance Board handles ethics generally and authorizes the creation of a Local Ethics Board and populate with residents. Most towns the state handles ethics through the Local Finance Board/Local Government Services as they have their own board and powers to handle overall most situations. Councilman Calamari stated he is averse to creating a board that the State currently has that may not be utilized. He asked Councilman Cascio why he feels this is needed. Councilman Cascio spoke of

the timeline of waiting for answers from the State. He stated he is not saying anyone is doing anything unethical, but surrounding Municipalities do have their own. He gave examples of Councilman Sears not being allowed to vote on something for the Fire Department or Councilman Calamari not being allowed to vote on something for the Police Department since his brother is on the Police Department. Councilman Calamari stated that he doesn't see those two examples as a matter of ethics. Councilman Cascio stated he would rather put the decision in the hands of 6 people, as opposed to one person. Councilman Calamari stated he would like to put this to a vote. If a person feels they were slighted by the Municipalities Ethics Board, they cannot go before the State Board. Mr. Poller explained the fact that a council member is not voting has nothing to do with ethics, the Statute prevents that person from voting, conflict issues are not ethics issues. A conversation followed on researching other towns in Bergen County to see how often they used their Ethics Board and what type of issues come before them. Councilman Ullman asked if Mr. Poller could prepare something for Council for January which would outline the State guidelines, how individuals are appointed/selected and the scope of their responsibilities.

Recycling Collection – Mayor Sobkowicz spoke of her conversation with Mr. Buldo whereby he indicated that if the pick-up is 24 times per year it would have to be a Wednesday pick-up, as opposed to 26 times per year which is would be a Friday pick-up. Councilman Calamari suggested a trial basis of 6 months. A conversation followed on the garbage days for pick-up in the Township. Councilman Ullman stated the bids specified a Friday pick-up, he feels you cannot accept a bid and negotiate after the fact. Mr. Poller spoke at length of the bid process and the bid, which was awarded for 26 times per year. Councilman Ullman spoke of the prior discussions among council and council agreeing to the 26 per year pick-up, and the concern of starting the 26 times per year pick-up on October 1st and continuing the 24 week cycle until January 1st. Administrator Groh suggested splitting the 4 weeks, 2 on each side of town. Comments were made on communicating with the community in a timely fashion of the change of pick-up schedule to every other week.

Zoning Board Appointments – Councilman Ullman stated there are three seats open. Two members will be expiring on December 31, 2016 and one alternate member resigned. As a courtesy letters will be sent out to current members whose seats are up asking if they would like to stay on. Councilman Ullman stated he agrees, although that courtesy was not extended to him as a Zoning Board member. The names will be given to the Township Clerk, Ms. Witkowski and she will reach out to those persons.

Council member to Planning Board – Currently Councilman Bruno is the liaison to the Planning Board. Councilman Ullman asked if Councilman Bruno would like to continue. Councilman Bruno replied no, he does not wish to continue since it is difficult for him to make the meetings. Councilman Cascio asked is there a conflict of interest if Councilman Calamari would like to be on the Planning Board since his father is the chairman of the Planning Board. Mr. Poller replied he doesn't believe that is a conflict. Councilman Calamari replied he is not throwing his hat in the ring. Councilman Cascio stated if you wish to do so, that is cleared up.

Dogs leashed on property – Council received correspondence from a resident with a concern about a dog on a neighbor's property. Councilman Ullman read Ordinance §97.25, which was also provided to council which states no dog shall be permitted to run at large off the premise of the owner. He stated this particular instance the dog is off leash, but on the owner's property. The person, who observed this, felt it was a risk. Mr. Poller stated the language in our Ordinance is typical language, if you have your dog off your property it would have to be leashed. He stated he believes it will be a big issue if Council entertains leashing a dog on your own premises. Mayor Sobkowicz stated as long as the dog is fenced in it doesn't have to be on a leash. Councilman Ullman stated this particular example that was provided to Council and the administration is the dog is unleashed and the area is not fenced, so the dog has complete access to the public. Mr. Poller stated if the

dog does go on public domain then it is a violation if the dog is unleashed. Councilman Sears commented on the letter, which stated the dog is running free on the resident's property, 20 yards away from the owner and making aggressive moves towards joggers and people that are walking. He stated the dog is over 100 pounds and he is surprised the dog is unleashed being that far away from the owner. Councilman Ullman stated the question is does the dog need to be leashed even on a resident's property and if that infringes on a resident's right to run their household. Councilman Cascio stated he keeps both his dogs on leashes, tied to his bannister and he never goes off his property without a leash. His neighbor does have two dogs that are not leashed and do wander into other person's property. He feels it is very difficult for a neighbor or person to make a complaint even though they feel threatened. He does understand where the writer of the letter is coming from, it is an animal and we really don't have control. He doesn't want to infringe on property owners rights but again he feels as a council we need to make sure that people passing by are well protected, it is a tough balancing act and he personally would leave the Ordinance as is. Councilman Sears stated this person asked him to bring this subject up, she does feel threatened. He will abide with whatever decision Council wishes to make, but he is concerned with something happening down the road. Councilman Calamari agrees with Councilman Cascio. He asked if there was a way to remind residents when they get their dog licenses the risk of allowing their dogs to be loose on their front lawns. Councilman Ullman asked Mr. Poller if he could survey surrounding to see if any towns regulate leashes on properties, no leashes in fenced areas and a minimum four foot fence. He asked does Mr. Poller foresee any issues with moving forward with such changes. Mr. Poller stated he will check and see what other towns do. He also cautioned Council to keep an open mind before making any changes. He stated dog owners will attend meetings and there is a difference between private liabilities versus municipal liability. He also spoke of enforcement issues that would be involved. He will look at surrounding towns that have E-Code and the Clerk will contact those towns who do not have E-Code.

DMF Building Preliminary Sketches – Council has been provided with letters and four sketches from the Musial Group. The sketches were prepared per needs and requirements which were provided by the former Administrator, Matthew Cavallo, along with DMF Director and Township Engineer Statile. Administrator Groh spoke of the RFP process, in which the Musial Group was awarded the contract. The conceptual drawings were completed within the parameters of the RFP. Councilman Cascio asked that the administration provide the request from the DMF and the Engineer as to needs requested. Councilman Calamari stated on the last page someone wrote \$250-\$300 per square foot and if that is the case, a building of 15,000 square feet would be 3.75 million to 4.5 million dollars. Councilman Calamari spoke at length of his opinion of outsourcing maintenance and repairs, trucks being kept outside and coming up with a smaller building. Mayor Sobkowicz spoke of the dump trucks and garbage truck that were kept outside that lasted for over 20 years. She also spoke of providing a place to stay within the building for workers when they do need to stay through storms. Councilman Calamari stated he would like to get new proposals as soon as possible based on the condition of the building. He feels that building has been on borrowed time for many years. He also has a hard time spending 3.7 to 4.5 million dollars on taxpayer money to keep vehicles inside a building. Administrator Groh stated the DMF did ask for one lift in order to do maintenance on vehicles. Councilman Calamari stated if there is a lift bay it means we need to have a mechanic, and currently our mechanic is out and all of the vehicles suffer. He would like to see the Township get out of that business since many towns or private entities can do the job better than we can. Councilman Ullman tends to agree with Councilman Calamari, but many of these towns, Paramus and Ridgewood have mobile units, so if they can work on the vehicle they would need a lift, as opposed to moving the vehicle to their building or if the vehicle cannot be moved at all. Councilman Calamari stated in light of what we were made

aware regarding the condition of the building something should be accelerated. Councilman Ullman stated there is no salt shed on this and there is a break area on the second floor. Councilman Calamari stated in 5,000 square foot building, it can be a two story building with 2,500 square feet per floor, and there is a tire room that can go downstairs. Comments were made regarding the size of certain rooms. Councilman Cascio requested the square footage of the current building, along with the footprint. Sketch number 5 was discussed, as well as a space for the yard. Councilman Cascio spoke of the timeline of a new building, 18 to 24 months and what repairs can be done. He would like to know if this will happen, since he feels this is along with the intersection has to be completed to serve our residents. Administrator Groh stated she was unaware of the November 15th incident, and she is planning to use the same company as was used to address the mold in the Council chambers. She stated the wall openings have been there for almost 4 years, and Mr. Clossey is going to back with estimates for roofing for a temporary patch. Councilman Cascio also spoke of having a strategic plan in place during construction of a new facility. Councilman Ullman asked if the planner, T&M Associates, evaluated other properties in the Township and if a mixed use building was considered. Mayor Sobkowicz replied other properties around town were looked at. She stated the Engineer is going to inspect the infrastructure and land and we will see what he suggests. Councilman Ullman asked for a state of report back in February for litigation, Engineering and risk management. He stated Mr. Poller did provide a report for litigation; we will be getting one from the Engineer. He stated he would like to ask the risk manager if there are any areas of concerns that he is aware of. Administrator Groh stated there are JIF reports that reference the DMF building. She stated she did reach out to Mr. Fadini and today did confirm we currently have two pending claims, which are covered under insurance. The Township doesn't have any exposure under any pending claims. Councilman Calamari stated he would like the DMF building to meet the minimum standards and would like to see this as a priority.

Bid for vegetative waste recycling – Administrator Groh stated in addition to the bids, it was also advertised in the paper. Six companies were identified that would accept vegetative waste, that is the leaves, yard debris, brush as well as logs. Bid packages were mailed to six companies, as well as advertised. The only company who bid is the company we currently have a contract with. As per the spreadsheet circulated, the bidding came in better than the current contract. The decision for Council is the amount of years, 1, 2 or 3 years. The first year is a decrease, and then year 1 to 2 is a 2% increase, and 2 to 3 is a 2% increase. At the next meeting an award can be made based on what Council would like to do. Administrator Groh is asking for Council to authorized A, B and C and for the term. She spoke of the reason it was broken out that way and a particular company who was interested but could not get consent of surety and compliance of certain documentation needed. She stated in the future she may confer with Mr. Poller if that needs to be done. She also spoke of her concerns of the bid specifications. Alternate A is leaves at Sherry Field, that are dumped there by the DPW workers, a large volume, and approved by the DEP. The rest of them are one of the three (3) sanitation trucks the Township has, the one (1) truck is filled and driven to the facility, and the facility located at 27 Andrews, which is Environmental Renewal Facility. Administrator Groh stated that is who we use currently and their contract expires the end of the year. She stated our experience with this company has been favorable. The leaves are turned into mulch and the facility is a government approved recycling facility. Councilman Cascio would like to look into companies that pick-up leaves curbside, as opposed to the DMF picking up leaves. He stated this will cut down in DMF overtime; it would save our trucks as well. Council agreed to lock in for the 3 year term. Councilman Bruno agreed with Councilman Cascio into exploring other alternatives. Councilman Ullman requested this item be added to the December 19th agenda.

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

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

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

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

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

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

3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendation, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance, and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

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

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

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

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

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

matters by discussed at a public meeting.-**Personnel: Police Department/Township Clerk**

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

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

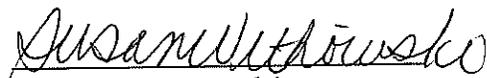
BE IT FUTHER RESOVED, that notice is hereby given that the Township Council may find it necessary to take action at the conclusion of the executive/closed session; that such action if taken, will occur in open session; that you are invited to stay in the Municipal Building during the executive/closed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

 The Township Council anticipates that an open session will be necessary.

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

MOTION		SECOND		COUNCIL	AYES	NAYES	ABSTAIN	ABSENT
Bruno		Bruno		Bruno	x			
Calamari		Calamari	x	Calamari	x			
Cascio		Cascio		Cascio	x			
Sears	x	Sears		Sears	x			
Ullman		Ullman		Ullman	x			

Time noted: 10:11 p.m.


 Susan Witkowski
 Township Clerk


 Michael Ullman
 Council President

Approved: February 27, 2017