

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

PUBLIC PORTION/CONFERENCE MEETING

February 27, 2012

The Township Council held a Public Portion/Conference Meeting in the Municipal Building, Pascack Road. The meeting was called to order at 7:30 p.m. by Council President Richard Hrbek with the Clerk leading the salute to the flag. Members present: Glenn Beckmeyer, Steve Cascio, Joseph D'Urso, Richard Hrbek. Councilman Fred Goetz arrived at 7:37pm. Also present: Janet Sobkowicz, Mayor; Kenneth Poller, Attorney, Catherine Navarro-Steinel, 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.

APPROVAL OF MINUTES

A motion was made by Mr. D'Urso and seconded by Mr. Beckmeyer to approve the conference and closed meeting minutes for December 19, 2011

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

Nays: None

Absent: Councilman Goetz

A motion was made by Mr. D'Urso, seconded by Mr. Beckmeyer to approve Budget Meeting minutes for February 10, 2012

Ayes: Councilmen Beckmeyer, D'Urso, Hrbek

Nays: None

Abstain: Councilman Cascio, Goetz

A motion was made by Mr. D'Urso, seconded by Dr. Cascio to approve the Budget Meeting minutes for February 13 and February 15, 2012

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

Nays: None

Abstain: Councilman Goetz

PROCLAMATION

Mayor Sobkowicz read a proclamation designating March Women's History Month. Mayor Sobkowicz also announced that the Pascack Valley Hospital, now HUMC, has been approved to reopen. More details will follow.

PUBLIC PORTION

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

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

Nays: None

Barbara Finnegan, 112 Cosman Street – Mrs. Finnegan spoke about years of putting fill in at Sherry Field, a C1 waterway and flood prone area. The stream needs to be desnagged. Sherry Field has been enlarged four times since she moved into town. Mrs. Finnegan showed pictures of DMF equipment moving fill at Sherry Field to the Council. Mr. Hrbek said that he is aware of the problem and will discuss with the Mayor to remove some of the fill. Mrs. Finnegan said that the work begins very early and the noise is bothersome. She spoke about pink markers on some trees around Sherry Field. Mayor Sobkowicz stated that last year some desnagging was done and it is her belief that it helped. Janet also said that leaves were there longer last year.

Tom Srickland, 107 Cosman Street - Mr. Srickland said he supported Mrs. Finnegan's complaint. He spoke about the bridge that was replaced near Sherry Field. Mr. Hrbek stated that the bridge was designed to allow the same amount of water to pass as the old bridge.

Raymond Bernroth, 838 Crest Place – Mr. Bernroth asked if the town is going to enforce the no parking law on Ridgewood Blvd. North. Mr. Hrbek

said that the ordinance can be enforced as soon as the No Parking signs come in and are put up. He commented on the new girls' softball field in front of the high school. He asked about the construction agenda for the cell tower for 2012.

Steven Malaszuk, 925 Washington Avenue – Mr. Malaszuk asked if there is any progress on plans for rebuilding his driveway. Mr. Hrbek stated that the Turnpike Authority sent him a copy of the plan that they gave Mr. Malaszuk. Mr. Malaszuk said that the town allowed the Turnpike Authority to “throw him under the bus”. Mr. Hrbek said that the plan looks reasonable. Mayor Sobkowicz said that the trees Mr. Malaszuk wants cut down cannot be done because the trees are in a riparian zone. The issue is now between Mr. Malaszuk and the Turnpike Authority. Mr. Hrbek said that he will give Mr. Malaszuk the plans he received tomorrow. He said that he will continue to work with the issue and do what he can to help. Mr. Malaszuk stated that the Mayor attended the meeting in front of his house when the Turnpike Authority said that they would rebuild his driveway before work began on the exit. He said that he is not satisfied with the plan that the Turnpike Authority is proposing.

Grace Hogan, 898 Washington Avenue – Ms. Hogan said that she was following up on the issue of retaining wall behind the properties along the corner of Pascack Road and Washington Avenue. She spoke to the Construction Official about why an inspection was not done. He stated that the wall was below four feet and did not need inspection. The Zoning Board engineer said that the wall is five feet in height and therefore should have been inspected. There are issues with the wall that need to be corrected. Mayor Sobkowicz said that the Building Official has inspected the wall and is working with the owner to correct problems. Ms. Hogan requested that the conference meeting minutes and the closed minutes be posted on the website. It would show transparency and it would save time for Town Hall employees.

David Philips, 321 Hudson Avenue – Mr. Philips asked if the cell tower plan has been approved yet. Mr. Hrbek said that the site has not been approved by Verizon yet but the Council hopes to know more by the next Council meeting.

Linda Murphy, 675 McKinley Avenue – Ms. Murphy said that she had a plastic bag with a water testing kit placed on her front door with instructions and a form to be filled out with personal information. Mr. Hrbek stated that he also had a kit attached to his front door and called the company. He believes that the company is trying to sell water treatment systems. The police department did not issue any permits to the company to go door to door. The police stopped them from placing any further kits on doors without a permit. Mrs. Murphy spoke about digging activity that was recently done on the corner lots at the corner of Washington Avenue and Pascack Road. She asked if the Council knows what type of testing was being done. Mayor Sobkowicz said that the Township Engineer, Paul Azzolina will give a report on the topic in the Conference session. Mrs. Murphy spoke about the retaining wall on the property and the problems occurring.

Donna McGinnis, Washington Avenue – Mrs. McGinnis said that the gas station next door to her house plowed snow from their lot onto her fence. This is not the first time that the problem has happened and she wants it to stop. Mr. Hrbek said that the administration will look into the situation. He told the audience that there are forms on the table and online to report problems to the administration.

There being no further 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

ORDINANCES

Mr. Hrbek opened a dialog among Council in reference to Ordinance 12-01. \$55,000 was put into the budget line item for the position but it was suggested by several Council members that the line item be lowered by 10%. There have been about eight candidates interviewed so far. Mayor Sobkowicz spoke about the reason for the high line item in that the position was to have a dual role, purchasing and assistant to the Administrator. Councilmen gave opinions on salary and the option of having a person to help the administrator. It was agreed to lower the line item to \$50,000. A motion was made by Dr. Cascio, seconded by Mr. Goetz to amend the line item.

Ayes: Cascio, D'Urso, Goetz, Hrbek

Nays: Beckmeyer

The Clerk read Ordinance 12-01 entitled: AN ORDINANCE RESTRUCTURING THE DEPARTMENT OF ADMINISTRATION WITHIN THE TOWNSHIP OF WASHINGTON AND SETTING FORTH THE RATE OF COMPENSATION AND MANNER OF PAMENT OF OFFICIERS AND EMPLOYEES WITHIN THE DEPARTMENT OF ADMINISTRATION FOR THE YEAR 2012

A motion was made by Dr. Cascio, seconded by Mr. D'Urso to introduce and pass Ordinance 12-01 at second reading by title.

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

Nays: Councilperson Beckmeyer.

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

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

Nays: Councilperson Beckmeyer

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 12-01 entitled AN ORDINANCE RESTRUCTURING THE DEPARTMENT OF ADMINISTRATION WITHIN THE TOWNSHIP OF WASHINGTON AND SETTING FORTH THE RATE OF COMPENSATION AND MANNER OF PAMENT OF OFFICIERS AND EMPLOYEES WITHIN THE DEPARTMENT OF ADMINISTRATION FOR THE YEAR 2012 be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Mr. Goetz, seconded by Mr. D'Urso to open the public hearing and there being no questions or comments was closed on a motion made by Mr. Hrbek, seconded by Dr. Cascio.

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

Nays: None

A motion was made by Mr. D'Urso, seconded by Dr. Cascio to pass Ordinance 12-01 at second and final reading, submit same to the Mayor for her approval and thereafter be published according to law.

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

Nays: Councilperson Beckmeyer.

The Clerk read Ordinance 12-03 entitled: AN ORDINANCE AMENDING THE OFFICE OF FIRE PREVENTION

A motion was made by Dr. Cascio, seconded by Mr. D'Urso to introduce and pass Ordinance 12-03 at second reading by title.

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

Nays: Councilperson Goetz.

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

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

Nays: Councilperson Goetz

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 12-03 entitled AN ORDINANCE AMENDING THE OFFICE OF FIRE PREVENTION be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Mr. Beckmeyer, seconded by Mr. D'Urso to open the public hearing and there being no comments or questions was closed on a motion made by Mr. Hrbek, seconded by Dr. Cascio.

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

Nays: None

A motion was made by Mr. D'Urso, seconded by Dr. Cascio to pass Ordinance 12-03 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

Nays: Councilperson Goetz.

The Clerk read Ordinance 12-04 entitled: AN ORDINANCE REVISING THE PARKING ON A SECTION OFF JACKSON AVENUE

A motion was made by Dr. Cascio, seconded by Mr. D'Urso to introduce and pass Ordinance 12-04 at second reading by title.

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

Nays: Councilperson Goetz.

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

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

Nays: Goetz

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 12-04 entitled AN ORDINANCE REVISING THE PARKING ON A SECTION OFFF JACKSON AVENUE.

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

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

Nays: None.

Michael Ullman, 2 Clark Avenue – Mr. Ullman asked what the changes consist of in more detail. Mr. Hrbek explained the new parking pattern that will ease congestion at the intersection.

Councilman Goetz – Mr. Goetz stated that since the Township is trying to change several elements at the intersection including the bus stop and driveway of corner resident, he feels that it is premature to pass the no parking ordinance.

Being no other questions or comments, a motion was made by Mr. Hrbek, seconded by Dr. Cascio to close the public hearing.

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

Nays: None

A motion was made by Mr. D'Urso, seconded by Dr. Cascio to pass Ordinance 12-03 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

Nays: Councilperson Goetz.

CONSENT AGENDA

ITEMS 3, 4, 6 were pulled from the 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.

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

Ayes: Councilmen Beckmeyer, Cascio, D'Urso, Goetz, Hrbek.
Nays: None.

WHEREAS, Ashish and Palak Shah posted engineering escrow on premises known as Block 2501, Lot 4.05, 2005 East Glen Avenue; and

WHEREAS, the Construction Code Official has issued approval dated October 25, 2011, C.O. No. 10-266,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated October 19, 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 \$894.20 to the above.

WHEREAS, the Tax Court of New Jersey granted an adjustment in taxes for Block 2202, Lot 12, 590 Pascack Road, owners, TD Bank for the year 2010 and tax year 2011, and

WHEREAS, the adjustment created an over payment in taxes for the year 2010 and tax year 2011; under Statute 54:3-27.2, the taxing district shall refund excess taxes paid, together with interest thereon from the date of overpayment at a rate of 5% per annum.

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

Nashel & Nashel Trust Account (Attorneys for TD Bank)

415 Sixtieth Street

West New York, New Jersey 07073

Overpayment 2010	\$ 2,939.25
Interest 2010	\$ 195.16
Overpayment 2011	\$3,015.53
Interest 2011	\$ 48.72
Total	\$6,198.66

WHEREAS, the Tax Court of New Jersey granted an adjustment in taxes for Block 1402.01, Lot 17, 72 Salem Road, owner, Elisa M. Romeo, for the years 2010 and 2011.

WHEREAS, under the New Jersey Statute 54:3-27.2, the taxing district shall refund excess taxes paid.

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

The Irwin Law Firm, P.A. (Attorneys for Elisa Romeo)

80 Main Street, Suite 410

West Orange, NJ 07052

(2010)	\$ 1,432.50
(2011)	\$ 1,469.68
TOTAL:	\$ 2,902.18

WHEREAS, an overpayment was received for Block 3601, Lot 2, Qualifier C011E, 156 Pond Drive, owner, Randall Cole for the 1st quarter 2012. Payments were received on January 17, 2012 by MMA, Attorneys (\$1,952.00) and on February 8, 2012, (\$1852.99) paid by lender of record.

WHEREAS, under the New Jersey Statute N.J.S.A. 54:3-27.2, overpayments must refunded:

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

MMA Trust Account
651 West Mount Pleasant Avenue, Suite 200
Livingston, NJ 07036-1673

WHEREAS, the Township of Washington has by law been administering a LOSAP program for the Fire volunteers; and

WHEREAS, the Planning Administrator has received the list of volunteers from the Fire Department who qualify under the program; and

WHEREAS, the list has been reviewed and deemed accurate; and

WHEREAS, it is required under the law that the Township Council of the Township of Washington approve the attached list;

NOW, THEREFORE, BE IT RESOLVED, that after 30 (thirty) days posting, the Planning Administrator will issue a check to cover volunteers on the attached list to Lincoln Financial.

WHEREAS, the Township of Washington has agreed to the establishment of a Length of Service Award program (LOSAP) Deferred Compensation Plan. This plan is to be made available to all bona fide eligible volunteers who are performing qualified services which is defines as firefighting and prevention services, emergency medical services and ambulance services pursuant to Section 457 of the Internal Revenue code of 1986, as amended, except for provisions added by reason of the Length of Service Award Program as enacted into federal law in 1997. The establishment of this Length of Service Award Program will also comply with New Jersey Public Law 1997, Chapter 388 and the Length of Service Award Plan document; and

WHEREAS, the Township of Washington deems it appropriate to act to ensure retention of existing members and to provide incentives for recruiting new volunteer firefighters/first aid organization members; and

WHEREAS, the Township of Washington has a Length of Service Award Plan document that implements the Programs objectives; and

WHEREAS, certain tax benefits could accrue to eligible volunteer firefighters organization members;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Washington is adopting a Length of Service Award Program Deferred Plan which is substantially similar to a Plan that has been submitted to the Internal Revenue Service for a Private Letter Ruling. The use of the Ruling is for guidance only and the Township of Washington acknowledges that for Internal Revenue Service purposes, the Ruling of another sponsoring agency is not to be considered precedent; and

BE IT FURTHER RESOLVER, by the Township Council of the Township of Washington that it hereby adopts a Length of Service Award Program Deferred Plan provided by the Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, Plan Identifier:01-LOSAP-Lincoln-101700; and

BE IT FURTHER RESOLVED, that the Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, has agreed to be the provider for the Township of Washington Length of Service Award Deferred Program and it eligible volunteers as provided for in its Length of Service Award Plan document, Plan Identifier: 01-LOSAP-Lincoln-101700; and

BE IT FURTHER RESOLVED, THAT THE Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, will provide for the benefit of the participants, a Multi-Fund Variable Annuity contract as its funding vehicle; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.D. 5:30-11.37 (a) the Township of Washington solicited a proposal for a Length of Service Award Program (LOSAP) and Service Agreement from Lincoln National

Life Insurance Company and Lincoln Financial Group, its agent, the only provider currently doing LOSAP business in the State of New Jersey. A written waiver from the requirement for soliciting proposals from two or more providers offering prototypical length of service award plans was issued by the Director of the division of Local Government Services in the State Department of Community Affairs; and

BE IT FURTHER RESOLVED, there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of the contractor in the selection of a contractor for the administration of a Length of Service Award Plan pursuant to N.J.A.C. 5:37-11.29,

BE IT FURTHER RESOLVED, that the Township of Washington accepted Lincoln National Life Insurance Company's proposal because of the level of service, the financial stability of the company, features of the plan's investment options and references; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to execute an Administrative Services Agreement with the Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, Plan Identifier: 01-LOSAP-Lincoln-101700, and such other agreements as are necessary to implement the LOSAP Deferred Program. It is implicitly understood that there is to be no cost other than the Service Award by the Township of Washington to the program; and

BE IT FURTHER RESOLVEDE, that the Chief Financial Officer is authorized to serve as the "Local Plan Administrator" of the plan, represent the Township of Washington and execute individual Participation Agreements between Lincoln National Life Insurance Company and Lincoln Financial Group, its agent and bona fide eligible volunteers; and

BE IT FURTHER RESOLVED, by the Township of Washington that the Township Clerk forwards a certified true copy of this resolution to the Chief Financial Officer; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer will submit all necessary documents to the Director of the Division of Local Government Services in the State Department of Community Affairs for approval.

WHEREAS, the Township of Washington has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NSA 40A:8A-1 et. seq. and Title I of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that the Governing Body appoint a representative and alternate and that the Chief Executive Officer name a representative and alternate for the term starting February 27, 2011 through the end of the fiscal year June 30, 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body hereby appoints Glenn Beckmeyer as its representative and Richard Hrbek as its alternate to participate on the Community Development Committee; and

BE IT FURTHER RESOLVED, that Catherine Navarro-Steinel is hereby appointed as the representative from the Chief Executive Officer and Bernadette Pomykala, as her alternate with consent of the Governing Body.

WHEREAS, it is a requirement of PNC Bank, an approved depository for the Township of Washington, that a resolution be prepared and approved by the Township Council to submit signature card changes as necessary; and

NOW, THEREFORE, BE IT RESOLVED, by the township council of the township of Washington that the Chief Financial Officer/Treasurer is hereby authorized to submit the signature cards, as necessary, to the PNC Bank.

WHEREAS, the Township of Washington recognizes the necessity for the sharing of emergency services, aka mutual aid, to communities or districts inside and outside of the presently established Pascack Valley and Tri-Boro Mutual Aid groups, for the purpose providing of personnel and fire rescue equipment; and

WHEREAS, the Township of Washington's Fire Chief or the Fire Chief's designated representative will be making decisions to provide mutual aid to area communities with brief notice; and

WHEREAS, the Township of Washington's fire Chief or the Fire Chief's designated representative will insure that arrangements are made, prior to providing such mutual aid to other communities; for appropriate emergency protection for the township of Washington and its residents; and

WHEREAS, the Township understands that the community or region requiring mutual aid may not be adjacent to or be part of the existing Pascack Valley or Tri-Boro Mutual Aid groups already established in the Pascack Valley of Bergen County;

WHEREAS, Worker's Compensation will be provided by the Township of Washington (employer), General Liability is assumed by the recipient of the service and Automobile Liability/Physical Damage and Property Insurance stays with the owner of the property (Township of Washington).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Washington that it authorizes the Township of Washington Fire Chief and/or the Fire chief's designated representative to provide mutual aid services to any community or district the Fire Chief or his designated representative deems necessary.

Be it further resolved that the Township of Washington will provide its insurance carrier and its insurance agents with copies of this resolution to insure that insurance coverage, in the same manner as provided on an everyday basis, is provided to the Township of Washington and its representatives during the time period mutual aid is provided to another community or district.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Governing Body of Park Ridge, Woodcliff Lake, Hillsdale, Westwood, River Vale, Old Tappan, Emerson and to the Township of Washington Volunteer Fire Department.

Raffle License #848 for Hackensack Chapter UNICO was approved by the Township Council of the Township of Washington.

Raffle License #849 and #850 for Hawes Elementary School was approved by the Township Council of the Township of Washington.

Raffle License #851 and #852 for St. Johns Greek Orthodox Church was approved by the Township Council of the Township of Washington.

Raffle License #853 for Walter D Head Foundation for International Understanding was approved by the Township Council of the Township of Washington.

A temporary appropriation and a transfer were discussed and a motion was made by Mr. D'Urso, seconded by Mr. Beckmeyer to approve the following two resolutions:

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

Nays: None

WHEREAS, Title 40-A:4-58 of the New Jersey Statutes provides if it should become necessary during the first three (3) months of the fiscal year, to

expend for any of the purposes specified in the budget an amount in excess of the respective sum appropriated therefore 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
Dept. of Administration		
Salary & Wages	10,403.25	
Township Clerk		
Salary & Wages	1,590.75	
Water		1,000.00
Electricity – Fire House		150.00
Dept. of Municipal Facilities:		
Maint. Of Building		4,400.00
Parks		194.00
Eq. Parts		285.00
Dept. of Fire Protection		
Other Expense		1,500.00
Repair Chief Car		460.00
Police Department		
Telephone Support System		278.00
Vehicle Parts		32.00
Dept. of Law		
Tax Appeals		2,000.00
Municipal Court		
Other Expense		195.00
Dept. of Finance		
Other Expense		1,500.00

WHEREAS, an emergent condition has arisen with respect to providing sufficient money for the payment as stated below and no adequate provision has been made in the 2012 Temporary Appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total temporary budget resolutions adopted in the year 2012 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40 A:4-20) including this resolution total \$3,607,502.00 exclusive of debt service; and

NOW, THEREFORE BE IT RESOLVED that in accordance with the provisions of N.J.S.40AS:4-20;

An emergency temporary appropriation be and the same is hereby made for the following:

Dept. of Fire Protection		
Equipment Parts		500.00
Dept. of Municipal Facilities		
Equipment Parts		1,000.00
Police & Firemen's System		523,000.00
Public Employees Retirement System		157,916.00
Dept. of Recreation		
Rental Athletic Facilities Eq.		1,000.00

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

At this point Professional Bonding Attorney was discussed by Council and Mr. Goetz said that he felt that the Township needs to RFP for this type of professional service and that there is a pool of applicants available. A motion was then made by Mr. Beckmeyer, seconded by Dr. Cascio to pass the following resolution

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

Nays: None

WHEREAS, the Township of Washington, Bergen County has a need to acquire services of a Bonding Attorney to be rendered to the Township as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Governing Body of the Township of Washington has determined that the Township requires professional services of a Bonding Attorney for an amount which may be in excess of \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Robert H Beinfield of Hawkins, Delafield & Wood LLP has submitted a proposal attached setting forth the rates for services to the Township for the year 2012; and

WHEREAS, Robert H. Beinfield of Hawkins, Delafield & Wood LLP will be the Bonding Attorney; and

WHEREAS, Hawkins, Delafield & Wood LLP completed and submitted a Business Entity Disclosure Certification which certifies that Hawkins, Delafield & Wood LLP has not made any reportable contributions to a political or candidate committee in the Township of Washington in the previous one year, and that the contract will prohibit Hawkins, Delafield & Wood LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the availability of funds for such services shall be determined in the Township's annual budget;

NOW, THEREFORE, BE IT RESOLVED that the Township of Washington Council, County of Bergen, State of New Jersey authorizes the Mayor to enter into a contract with Hawkins, Delafield & Wood, LLP as described herein; and

BE IT FURTHER RESOLVED, that the contract herein has been awarded to Hawkins, Delafield & Wood LLP to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Hawkins, Delafield, Wood LLP, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Township of Washington, County of Bergen, when the contract is awarded, or to any candidate committee of any person servicing in an elective public office of said municipality when the contract is awarded; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and that a notice of the award of said contract shall be published according to law.

