

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

PUBLIC PORTION/PUBLIC MEETING

February 6, 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: Steve Cascio, Joseph D'Urso, Fred Goetz, Richard Hrbek. Absent: Glenn Beckmeyer Also present: Janet Sobkowicz, Mayor; Kenneth Poller, Attorney.

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.

REPORT OF MAYOR

Mayor Sobkowicz spoke about an increase in the recycling revenues for the year. She spoke about the higher prices the Township will be getting for some recycling. Our recycler is collecting a broader variety of recyclables. The list of all permissible recycling is on the website. Shredding and E-recycling Day will be held March 10, 2012. An ice hockey clinic will be held February 12, 2012 with several other towns to evaluate the interest level of players for a possible future program. The computer program, Capturepoint, is being used successfully to sign up children for recreation programs. JIF will be requiring that all volunteer coaches take a class regarding concussions and a fingerprinting grant to aid in background checks is being sought by the Recreation Superintendent. Directions to receive Township E-alerts were explained. She thanked Council for approving Gayle Loftis as alternate prosecutor. The Mayor spoke about the JIF meeting that she, Mr. Hrbek and Mr. Fadini attended. HUMC North is in the countdown days to be approved to be reopened. She spoke about a new crash report related to Exit 168 since the renovation of the exit. She quoted passages from a county report that stated why a traffic light would not be appropriate at the exit. She expressed sympathy to the families of several residents who passed away recently. She said that she was happy to officiate at the fire department and EMS installation dinners. She spoke about the options in regard to shared services for dispatching and mentioned a shared court system. The Mayor thanked Mrs. Chin for the work she did for the community. She spoke about the police department and the overtime they accrued in 2011. Four police officers have received awards and may be acknowledged at a future meeting. She spoke about the working budget, surpluses and expenditures.

REPORT OF COUNCIL

Mr. Goetz – No Report

Dr. Cascio – No report.

Mr. D'Urso – Asked why the new Administrator, Catherine Navarro-Steinel, was not present at this meeting. Mayor Sobkowicz stated that Ms. Steinel has many meeting to attend this week and it was a matter of prioritizing her time.

Mr. Hrbek – Said that he would like to update residents on questions and comments from the last meeting. Shrubs that were damaged near George School during the sidewalk project will be replaced in the spring. After researching possibility of not having to amend the Fire Prevention Official ordinance, Mr. Hrbek found that it would not be possible for the Township's Fire Prevention Official to become a fireman in the Township due to the department's bylaws. The washing machine in the fire house is still in the process of being installed. Work is being done in house. Two bids came

in during this second round of bidding on a generator have come in. A third bid may have to go out. A natural gas generator may be considered. The no parking law on Ridgewood Blvd. North is continued to be looked into. Mayor Sobkowicz spoke about the problems that the fire department has been having installing the washing machine.

Approval of Minutes

A motion was made by Dr. Cascio, seconded by Mr. D'Urso to approve the Conference minutes for December 19, 2011.

Ayes: Cascio, D'Urso, Goetz, Hrbek

Nays: None

PUBLIC PORTION

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

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

Nays: None

Linda Murphy, 679 McKinley Avenue – Mrs. Murphy said that there are no speed limit signs on the ramp at GSP exit 168 and she asked that the county provide signs. She asked if there has been any discussion or follow up on Lt. Hackbarth's recommendation that weight restrictions be placed for trucks traveling on McKinley Avenue.

Rosa D'Ambra, 423 Colonial Avenue – Mrs. D'Ambra said that if a CVS is built it would impact the movements of the Township taxpayers at the intersection. She said that (the late) Mr. Hogan was the first to talk about the intersection with the old Council. She spoke about how Mr. Kourgelis met with the former Council about allowing him to simplify the zoning process to develop the property into a commercial area. She spoke about the present plans being presented to the zoning board now. Mr. Poller said that he remembers the request to have the property rezoned but the idea was rejected by the former Council. Mrs. D'Ambra asked if it was legal to have Mr. Kourgelis meet with the Council before coming before the zoning board and Mr. Poller stated that it is legal. Mrs. D'Ambra said she was pleased that, at the original meeting with the former Council, Mayor Sobkowicz and Mr. Hrbek stated they wanted the zone to remain residential and for housing to be built on the site.

Agnes Smith, 646 Valley Court – Mrs. Smith said that she came to the Council asking them to meet with the county about opening exit 171 to right hand turns and asked if any meetings have occurred. Mr. Hrbek said that scheduled meetings have been cancelled due to various reasons but it is still being pursued. Mrs. Smith said that Woodcliff Lake has grant money to do intersection improvements and it is not a time for the Township to procrastinate. She said that the Township pays high taxes and are entitled to the improvements needed at exit 168 as well as other improvements.

Grace Hogan 898 Washington Avenue – Mrs. Hogan said that she sent an email to the Council this morning. She spoke about the summons against the properties owned on and around 660 Pascack Road and the disrepair of the houses. The violations have nothing to do with what is going on in the Zoning Board. She spoke about the soil added to the sites. Mrs. Hogan stated that the minutes for Zoning and Planning Board meetings are not on the website. She asked the Council to reconsider televising the Council meetings. She asked that the Township of Washington pass a resolution opposing the development of Soldier Hill Road as Emerson and Oradell have already done.

Bill Thomson, 560 Hoover Avenue – Mr. Thomson asked if the No Parking signs have been put up along Ridgewood Blvd. North by the intersection of Ridgewood Road. He was told that the signs need to be ordered.

Mr. Thomson asked about the reason Council meetings are not televised. He asked if under our Faulkner form of government we need a full time administrator. Mr. Poller said that the ordinance does not state that an administrator needs to be full time. Mr. Thomson asked if we have an ordinance against commercial trucks parking in the Township overnight and sited several examples of ones that he has seen. He spoke about a list of neglected homes he gave Council two months ago that nothing has been done about. Mr. D'Urso spoke about the issues of neglected houses and televising meetings. Mr. Thomson asked if the Council knows how many properties Mr. Kourgelis owns on Washington and Pascack Road. He stated that if Mr. Kourgelis is allowed to build a commercial building on the corner than the Township is opening itself up to more commercial properties in the area. Mr. Poller said that it is an issue in front of the zoning board and the Council must stay away from the issue as not to influence the application. Zoning should be given all information needed to realize the importance of their decision.

John Ashton, 395 Jackson Avenue – Mr. Ashton asked about the status of the cell phone tower. Mr. Hrbek said that the issue has been going on for over 7 years and gave a detailed history of the work Council has done on the topic. Geological studies are being carried out now and the process is moving forward. The tower will be 120 feet and be located on the north side of municipal building. Mr. Ashton stated that he emailed the township recently and did not get a response. He has recently moved into the neighborhood and did not know the history of the project.

ORDINANCES

After a discussion about Ordinance 12-01, the Council decided to not to continue with the public hearing on the Ordinance.

The Clerk read Ordinance 11-02 entitled: AN ORDINANCE MODIFYING THE RATE OF COMPENSATION AND MANNER OF PAYMENT OF CERTAIN OFFICERS AND EMPLOYEES WITHIN THE TOWNSHIP OF WASHINGTON FOR THE YEAR 2012.

A motion was made by Mr. D'Urso, seconded by Mr. Goetz to introduce and pass Ordinance 12-02 at second reading by title.

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

Nays: None.

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

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

Nays: None.

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 12-02 entitled AN ORDINANCE MODIFYING THE RATE OF COMPENSATION AND MANNER OF PAYMENT OF CERTAIN OFFICERS AND EMPLOYEES WITHIN THE TOWNSHIP OF WASHINGTON 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. D'Urso, seconded by Mr. Dr. Cascio to open the public hearing.

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

Nays: None.

Michael Ullman, 2 Clark Avenue – Asked if it was possible to have the ordinance in draft form be put on website. This ordinance was introduced at the last meeting. Mr. Hrbek said that he could have requested a copy from the clerk. Mr. Hrbek said that he would look into having the clerk put the ordinances on the website.

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

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

Nays: None

A motion was made by Mr. D'Urso, seconded by Mr. Goetz to pass Ordinance 12-02 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: None.

Mr. Hrbek stated that it was explored about the Fire Prevention Chief becoming a member of our fire department and it was concluded that it was not a possibility.

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 first reading by title.

Ayes: Councilpersons Cascio, D'Urso, Hrbek

Nays: Councilperson Goetz

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

Ayes: Councilpersons Cascio, D'Urso, Hrbek.

Nays: Councilperson Goetz

WHEREAS, Ordinance 12-03 entitled: AN ORDINANCE AMENDING THE OFFICE OF FIRE PREVENTION was introduced and passed at first reading by title at a meeting of the Township Council of the Township of Washington on the 6th day of February 2012.

NOW, THEREFORE, BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 27th day of February, 2012 at 7:30 o'clock in the evening, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Building, Pascack Road, Township of Washington, NJ 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 Ridgewood News a newspaper circulated in this Township, the introduction and notice of further consideration for final passage and public hearing of this ordinance as required by law

The clerk read Ordinance 12-04 entitled: AN ORDINANCE REVISING THE PARKING ON A SECTION OF JACKSON AVENUE.

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

Ayes: Councilpersons Cascio, D'Urso, Hrbek

Nays: Councilperson Goetz

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

Ayes: Councilpersons Cascio, D'Urso, Hrbek.

Nays: Councilperson Goetz

WHEREAS, Ordinance 12-04 entitled: AN ORDINANCE REVISING THE PARKING ON A SECTION OF JACKSON AVENUE was introduced and passed at first reading by title at a meeting of the Township Council of the Township of Washington on the 6th day of February 2012.

NOW, THEREFORE, BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 27th day

of February, 2012 at 7:30 o'clock in the evening, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Building, Pascack Road, Township of Washington, NJ 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 Ridgewood News a newspaper circulated in this Township, the introduction and notice of further consideration for final passage and public hearing of this ordinance as required by law

CONSENT AGENDA

Items #3, 4, 5, 6, 7 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 Dr. Cascio.

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

Nays: None.

WHEREAS, Riggi Paving, Inc. posted engineering escrow on premises known as Block 2408, Lot 1, 11 Sutton Way; and

WHEREAS, the project falls within the guidelines where neither a Certificate of Occupancy or Certificate of Acceptance is required,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated September 29, 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 \$579.00 to the above.

WHEREAS, at the Tax Sale held on November 20, 2008, the Township of Washington sold a tax lien on Block 4322, Lot 5, also known as 383 Mountain Avenue, for delinquent 2007 taxes, formerly owned by Encore Development Corp, currently owned by Valley National Bank and;

WHEREAS, this Tax Lien Certificate #07-003 was sold to Robert Rothman for 0% redemption fee and a premium of \$3500.00 and:

WHEREAS, Valley National Bank will redeem of Certificate#07-003 in the amount of \$43,138.63, and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey that Elaine Erlewein, Tax Collector be authorized to refund a total of \$43,138.63 payable to Robert Rothman, 411 Grand Avenue, Englewood, NJ 07631

BE IT FURTHER RESOLVED, that the Treasurer be authorized to a check in the amount of \$3500.00 (Premium) to the aforementioned lien holder.

Tax Lien	\$ 1,154.91	
2% Redemption Penalty	23.10	1099 for US Bank/Pro Capital I, LLC:
Subsequent Taxes	31,046.68	Sub. Interest: \$10,861.94
Subsequent Interest	10,861.94	2%Penalty 23.10
Recording Fee	40.00	Total 1099: \$10,885.04
Search Fee	12.00	
Total:	\$43,138.63	

Raffle License #841 and #842 for Wyckoff Family YWCA was approved by the Township Council of the Township of Washington.

Raffle License #843 and #844 for River Vale PTA was approved by the Township Council of the Township of Washington.

Raffle License #845 for the Mahwah School Foundation was approved by the Township Council of the Township of Washington.

Raffle License #846 and #847 for CASA was approved by the Township Council of the Township of Washington.

BE AND IT IS RESOLVED, by the Township council of the Township of Washington that the Council hereby consents to the appointment of Catherine Navarro-Steinel, Acting business Administrator, for term ending 12/31/12.

After a discussion about the transfer for the Police Desk Recording System, a motion was made by Dr. Cascio, seconded by Mr. Hrbek to pass the following resolution:

Ayes: Councilpersons 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
Police - Dispatching		
Salary & Wages	\$1,200.00	
Police - Mt. Contr. Desk Rec. Syst		\$1,200.00

After a discussion about the transfer to recycling and how the money in the recycling had been transferred to help with the cost of picking up the tree branches from the October storm, a motion was made by Mr. D'Urso, seconded by Dr. Cascio to approve the following resolution:

Ayes: Councilpersons, 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 Finance		
Tax Collector		
Salary & Wages	\$17,600.00	
Dept. of Public Service		

Police		
Salary & Wages	\$21,100.00	
Dept. of Recycling		
Other Expense		\$38,700.00

The temporary appropriation for the Fire Department was discussed and the Mayor said that the Fire Department needed additional funds in their temporary budget for the connection of the washer and dryer. A motion was made by Mr. D'Urso, seconded by Mr. Hrbek to approve the following resolution:

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

Nays: None

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 \$2,924,086.00 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:

Fire Department		
Other Expense	\$500.00	

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

The Council then discussed the second temporary appropriation and why it was needed. A motion was made by Mr. D'Urso, seconded by Dr. Cascio to approve the following resolution:

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

Nays: None

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 \$2,293,586.00 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:

Township Clerk		
Other Expense	\$	1,300.00
Dept. of Public Safety		
Main. Ct. Desk Record System	\$	9,561.00
Equipment Parts	\$	1,000.00
Computer Software Leasing	\$	10,500.00

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

The Clerk explained the resolution about the transfer of the liquor license and a motion was made by Dr. Cascio, seconded by Mr. D'Urso to approve the following resolution:

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

Nays: None

WHEREAS, an application has been filed for a Person to Person Transfer of Plenary Retail Consumption License Number 0266-33-004-007, heretofore issued to BC Boys, LLC for premises located at 800 Ridgewood Road, Township of Washington, New Jersey;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Washington Governing Body does hereby approve, effective February 6, 2012, the transfer of the aforesaid Plenary Retail Consumption License to BC Boys, LLC and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all of its terms and conditions is hereby transferred to BC Boys, LLC effective February 6, 2012.

The Council discussed the resolution in reference to acquiring services of a Planning Consultant and Mr. Goetz felt that there should be an RFP for all professionals. A motion was then made by Dr. Cascio, seconded by Mr. D'Urso to approve the following resolution:

Ayes: Councilpersons Cascio, D'Urso, Hrbek

Nays: Councilperson Goetz

WHEREAS, the Township of Washington, Bergen County has a need to acquire services of a Planning Consultant 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 Planning Consultant for an amount which will be in excess of \$17,500; and

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

WHEREAS, Stanley C. Slachetka, P.P., A.I.C.P., an employee of T&M Associates has submitted a proposal attached setting forth the rates for services to the Township for the year 2012; and

WHEREAS, Stanley C. Slachetka will be the Planner for COAH, Zoning and Planning Board matters; and

WHEREAS, T&M Associates completed and submitted a Business Entity Disclosure Certification which certifies that T&M Associates 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 T&M Associates 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 T&M Associates as described herein; and

BE IT FURTHER RESOLVED, that the contract herein has been awarded to T&M Associates 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 T&M Associates, 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.

Mary Ann Ozment, Township Clerk

Richard Hrbek, Council President