

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

PUBLIC PORTION/PUBLIC MEETING

July 1, 2013

The Township Council held a Public Portion/Public Meeting in the Municipal Building, Pascack Road. The meeting was called to order at 7:38 p.m. by Council President Steven Cascio with the Clerk leading a salute to the flag. Members present: Fred Goetz, Richard Hrbek, Steven Cascio. Absent: Glenn Beckmeyer. Mr. D'Urso arrived at 7:52 p.m. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney. Absent: Catherine Steinel, Administrator.

Pursuant to the provisions of the Open Public Meetings Act this meeting was listed in the Township Council Annual Meeting List which was published in the Ridgewood News, forwarded to the local newspapers, posted on the Municipal Bulletin Board and filed with the Municipal Clerk.

The Clerk read the total of various bills paid, a copy of which is attached and made part of these minutes.

REPORT OF MAYOR

Mayor Sobkowicz talked about the Jr. Police Academy. Said that 100 children ages 10-14 participated from Township of Washington, Westwood and Hillsdale. Lt. Skinner coordinated the program. Also told the residents that over 10,000 people were at each show of the circus that was held at the Y in the Township. Said that the summer recreation program was being remodeled. Approximately 398 children signed up and the Township even had 10 out of town children sign up. \$80,000 was brought in and there will be no cancellations for rain. Town Day will be held on October 5 from 11:00 a.m. – 4:00 p.m. Mayor Sobkowicz said that if you would like to be on a committee, you should call Bernie from the Administrator's office. Mayor Sobkowicz stated that there would be an environmental day/fall cleanup day on Saturday, October 12. Ragamuffin would be on October 26 and there would be a different format for this also and a trunk and treat at the high school that day. Information will be on the website. On June 25, 2013 180 students graduated from Westwood High School. Our Fire Department and the Westwood Fire Department brought their ladder trucks and a huge American flag. It really enhanced the ceremony. Mayor Sobkowicz said that the Township is doing a shared purchase of a lightning system at three of our fields. It would be more costly if we went alone on the project. Received 32,500 from our 2012 open space grant which we matched for work on the pavilion and we applied for a 2013 open space grant for new front doors for the senior room to make them ADA compliant. Mayor Sobkowicz said that she met with the new Director of the Library, Laura Rifkin and she said that she wants to connect with the community and wants to start a beautification program. Mayor Sobkowicz said that the Planning Board met with BP which will replace Getty. There were several new applications, such as a residential subdivision on Washington Avenue into 2 common driveways. Beth El is building a new mausoleum. Ninety-five acre is in the Township. The American Dream application is also looking to come back before the Planning Board. Mayor Sobkowicz said that the residents would now have a new way to pay their taxes. The Tax Collector is looking for ways to pay directly or by credit card. There was also an upgrade with the Pitney Bowes stamp machine which will help with mailing of the tax bills.

REPORT OF COUNCIL

Mr. Hrbek – No Report
Mr. Goetz – No Report
Dr. Cascio – No Report

GENERAL PUBLIC DISCUSSION

A motion was made Mr. Hrbek, seconded by Mr. Goetz to open the General Public Discussion.

Ayes: Councilpersons Goetz, Hrbek, Cascio

Nays: None

Ray Bernroth, 838 Crest Place – Talked about the 5 minute cut off. He said that he thought it was a good idea. Maybe 6 minutes would be better. Last year one person read his report to everyone instead of giving a summary and he took up about 30 minutes. Feels that no one should read a report.

Peter Mayer, 133 Woodfield Road – Said that his house was struck by lightning today and the police and fire department showed up. He said that they do a wonderful job. He thanked them and said that his family was safe. Mr. Mayer spoke of the last meeting that occurred, that he was cut off due to the fact he was speaking about the ongoing investigation. Mr. Mayer then spoke of what occurred on June 4 that the police had to be called from a real emergency to come to the aid of Dr. Cascio who called 911 due to the fact the Dr. Cascio felt intimidated by Mr. Gus Calamari. Mr. Mayer then asked Dr. Cascio to step down as councilman due to the fact that we the public have been misled. Dr. Cascio replied no. Mr. Mayer then gave his suggestions for council meetings. He said that one meeting should have Mr. D’Urso, Mr. Goetz, Dr. Cascio and Mary Ann Ozment attend. This meeting could be where they can approve matters and then reward themselves with fancy plaques. The other council meeting could be held on a different night with the Mayor, Administrator, Mr. Beckmeyer, Mr. Hrbek and Council-Elect Calamari, Sears and Mr. Poller. He said that this Council could move towards a positive agenda and make our town a great town. Mr. Mayer further stated that Mr. Poller is a great attorney, comparing Mr. Poller to a baseball umpire. He said he is doing a great job and there are no lawsuits against the town except for one involving Mr. Goetz and Mr. D’Urso. Dr. Cascio then indicated to Mr. Mayer that his time had expired whereupon Mr. Mayer continued to talk. Dr. Cascio then indicated again that Mr. Mayer’s time had expired.

Vito Trause, 442 Ridgewood Boulevard North – Said that he has worked the elections for 26 years as time keeper there and they used 2 clocks, wrist watch and the clock on the wall to determine the beginning time to open the polls and the ending time to close the polls. Mr. Mayer said that Mr. Trause should determine the 5 minute rule.

Peter Calamari, 28 Gabriel Way – Mr. Calamari asked about the status of the Department of Law employment. Dr. Cascio stated in regard to Mr. Poller’s status that there is still discussion about the attorney being an employee or an independent contractor. Mr. Calamari indicated it was going to be left to the IRS, then an outside attorney and this week it is something different. Mr. Calamari stated it is a waste of time. Mr. Calamari said that it is a personal vendetta against Mr. Poller. Mr. Calamari further indicated he thought the final determination was the IRS. Dr. Cascio stated we are not making any decision on this matter tonight. Mr. Calamari spoke of the five minute rule and that according to the Ordinance the five minute rule is not up to the chairperson but it is up to council. The Ordinance does not give the chairperson the ultimate power. He said that is the way the ordinance is written. Mr. Calamari stated that Dr. Cascio should consult with the council with regard to the five minutes and follow how the ordinance is written. Mr. Calamari then spoke about the Zoning Board members and that some of them might not have been sworn into their positions or were not appointed. Mr. Poller stated the swearing in is not a concern, that can be done by correctly taking the oath. Mr. Poller indicated he is more concerned with the idea that someone was not appointed correctly and properly seated

as a board member. Dr. Cascio stated that someone will look into this. Mr. Calamari also had a concern that the 2013 Minutes are not up to date on the website.

There being no other questions or comments, a motion were made by Mr. Hrbek, seconded by Mr. Goetz to close the public portion of the meeting.

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

Nays: None.

ORDINANCES

The Clerk read Ordinance 13-16 entitled: AN ORDINANCE ALLOWING FOR INSTALLATION AND USE OF GENERATORS WITHIN RESIDENTIAL DISTRICTS IN THE TOWNSHIP OF WASHINGTON.

A motion was made by Mr. Hrbek, seconded by Dr. Cascio to introduce and pass Ordinance 13-16 at first reading by title.

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

Nays: None.

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

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

Nays: None.

WHEREAS, Ordinance 13-16 entitled AN ORDINANCE ALLOWING FOR INSTALLATION AND USE OF GENERATORS WITHIN RESIDENTIAL DISTRICTS IN THE TOWNSHIP OF WASHINGTON was introduced and passed at first reading at a meeting of the Township of Washington on the 1st day of July 2013.

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 15th day of July, 2013 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 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 13-17 entitled: AN AMENDING ORDINANCE REGARDING REMOVAL OF TREES WITHIN THE TOWNSHIP OF WASHINGTON.

A motion was made by Mr. Hrbek, seconded by Mr. Goetz to introduce and pass Ordinance 13-17 at first reading by title.

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

Nays: None.

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

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

Nays: None.

WHEREAS, Ordinance 13-17 entitled AN AMENDING ORDINANCE REGARDING REMOVAL OF TREES WITHIN THE TOWNSHIP OF WASHINGTON was introduced and passed at first reading at a meeting of the Township of Washington on the 1st day of July, 2013.

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 15th day of July, 2013 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 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

There was a discussion about the first resolution on the Consent Agenda, Cash Management Plan, and it was decided to take the item off the agenda since the Administrator was not here this evening to explain.

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. Hrbek, seconded by Mr. D'Urso.

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

Nays: None.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance, and

WHEREAS, NJS 40A:5-29 provides for receipt of Field House Donations by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Field House Donations are hereby anticipated as revenue and are hereby appropriation for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Township Council hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for the Field House Donations as per NJS 40A:5-29
2. The Township Clerk of the Township of Washington is hereby directed to forward two certified copies of this resolution to the director of the Division of Local government Services

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance, and

WHEREAS, NJS 40A:10-1 provides for receipt of Death Benefits – Insurance by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Death Benefits – Insurance are hereby anticipated as revenue and are hereby appropriation for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Township Council hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Field House Donations as per NJS 40A:10-1
2. The Township Clerk of the Township of Washington is hereby directed to forward two certified copies of this resolution to the director of the Division of Local government Services

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance, and

WHEREAS, NJS 40A:5-29 provides for receipt of Recreation Donations by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Recreation Donations are hereby anticipated as revenue and are hereby appropriation for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Township Council hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for the Recreation Donations as per NJS 40A:5-29
2. The Township Clerk of the Township of Washington is hereby directed to forward two certified copies of this resolution to the director of the Division of Local government Services

WHEREAS, N.J.S.A. 40A:11-5 allows exceptions for the bidding process which include the marketing of recyclable materials recovered through a recycling program; and

WHEREAS, the Township of Washington (the "Township") went out for quotations for the removal of Township organic co-mingled material including grass clippings and garden debris which will be disposed of at a permitted vegetative waste composting site; and

WHEREAS, the Township received two quotations as follows: Environmental Renewal, L.L.C. at \$16.74 per cubic yard; and Organic Recycling, Inc. at \$20.00 per cubic yard; and

WHEREAS, the Township has deemed that Environmental Renewal, L.L.C.'s past performance with the Township and the proximity of its facility to the Township causes them to have the best quotation:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township hereby awards the contract to Environmental Renewal, L.L.C. at \$16.74 per cubic yard of uncompacted material in the total sum of no more than \$33,480.00 for the year 2013, for the removal of the Township's organic co-mingled material including grass clippings and garden debris; and hereby authorizes the Mayor to execute a contract with Environmental Renewal, L.L.C. for the above stated purpose and price.

WHEREAS, the Township of Washington ("Township") issued and served a notice to Themis Zampantis on June 13, 2013 for violations under Section 173-7F of the code of the Township of Washington occurring at property commonly known as 741 Wayne Place, Township of Washington (Block 2208, Lot 3); and

WHEREAS, Themis Zampantis failed to comply with such notice; and

WHEREAS, pursuant to Section 173-24 of the Code of the Township of Washington, a Tax Lien Certificate dated June 20, 2013 was issued by the Township's Code Enforcement Official in the amount of \$841.46, which is attached to this resolution, for approval by the Township Council;

NOW, THEREFORE, BE IT RESOLVED, by the Township council of the Township of Washington that the Township Council hereby approves the Tax Lien Certificate dated Jun 20, 2013 attached hereto; and

BE IT FURTHER RESOLVEED, that the Township Council hereby authorizes the Township Treasurer to take all appropriate action to

impose on the property commonly known as 741 Wayne Place, Township of Washington (Block 22-08, Lot 3), a municipal lien in the amount of the Tax Lien Certificate, whereupon such amount shall become a municipal lien on such property, and said amount shall be added to and become and form a part of the real estate taxes assessed and levied upon said property, the same to bear interest at the same rate as real estate taxes, and to be collected and enforced by the same officers and in the same manner as real estate taxes.

WHEREAS, the Municipal Court, Municipal Clerk and the Tax Collector's Office of the Township of Washington have requested the establishment of change funds to be used by the cashiers located at the respective windows; and

WHEREAS, the Township Administrator has reviewed this request and recommends the establishment of a change fund for the Municipal Court in an amount not to exceed \$200, Municipal Clerk in an amount not to exceed \$25.00 and a change fund for the Tax Collector's Office in an amount not to exceed \$100.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that a change fund be established in the amount of \$200 to be used by the Municipal Court, change fund in the Municipal Clerk's Office in an amount not to exceed \$25 and a change fund be established in the amount of \$100 to be used by the Tax Collector's Office.

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

Ana Vides
135 Kinderkamack Road
Westwood, NJ 07675
Summer Recreation 2013 - \$205.00

Mary Ann Ozment, Township Clerk

Steve Cascio, Council President