

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

**PUBLIC PORTION/CONFERENCE MEETING**

**JUNE 24, 2013**

The Township Council held a Public Portion/Conference Meeting in the Municipal Building, Pascack Road. The meeting was called to order at 7:32 p.m. by Council President Steven Cascio with the Clerk leading a salute to the flag. Members present: Glenn Beckmeyer, Joseph D'Urso, Fred Goetz, Richard Hrbek, Steven Cascio. Absent: None. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney; 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.

**GENERAL PUBLIC DISCUSSION**

A motion was made by Mr. Beckmeyer seconded by Mr. Hrbek to open the Public Discussion.

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

Nays: None.

**Peter Mayer, 133 Woodfield Road** – Mr. Mayer commended Mr. D'Urso on his letter to Pascack Press in which Mr. D'Urso stated he would work with the mayor and continue to do what is good for the town for the next six months. Mr. Mayer then went on to name all of the departments and people that need the Township's support, in particular the police department. Mr. Mayer then stated there is a rumor at the bagel store that Mary Ann Ozment stated if Janet is reelected she would retire. Mr. Mayer stated he would like Mary Ann Ozment to join the guys at the bagel shop in the morning. Mr. Mayer stated that Mr. Goetz was not here at the last meeting. Mr. Goetz replied that he came in later for the Closed Session. Mr. Mayer asked regarding the leak, concerning the criminal investigation and who is the lead prosecutor. Dr. Cascio replied he never stated it was a criminal investigation. He said that there is an investigation regarding a leak and Dr. Cascio does not know the name of the lead investigator. Mr. Mayer asked who in the Prosecutors Office told Dr. Cascio about the existence of this investigation. Dr. Cascio stated he called up the Prosecutors Office and asked if the report was released by them. Mr. Mayer stated that Dr. Cascio stated to the public there was an investigation into the leak. Dr. Cascio stated that if he said investigation he misspoke. Mr. Mayer asked Dr. Cascio would he be surprised if he told him that no one in the Prosecutors Office is aware of any investigation. Dr. Cascio replied no he would not be surprised. At that point Mr. Mayer was told that his five minutes was up and a heated discussion followed.

**Rose D'Ambra, 423 Colonial Boulevard** – Mrs. D'Ambra asked if the Township applied for funding from FEMA for the generator. Mrs. Steinel replied yes. Mrs. Steinel said that when the storm occurred, the Township was allowed to apply for grants for equipment and also for emergency lights for the intersections. Mrs. Steinel further indicated that it was discussed at the Budget Meetings. Mrs. D'Ambra asked if the funding come through. Mrs. Steinel indicated we have not yet been notified. Mrs. D'Ambra asked if the generator would cover the Department of Public Works/Road Department, Municipal Building and Police Department. Mrs. Steinel replied yes. Mrs. D'Ambra then asked several questions with regard to Mr. Poller employment. Mr. Poller replied that he was hired under the same arrangement as the prior attorney, a salary with medical benefits and also if there was extra work he would bill on an hourly basis and received a 1099 for that extra work. Mrs. D'Ambra then replied that she feels that Mr. Poller is an employee of the town and should receive the benefits.

**Ray Bernroth, 838 Crest Place** – Mr. Bernroth asked questions regarding the cell tower. Mr. Poller stated it will be up by the end of the year. Mr. Poller stated that AT&T has signed the lease and we are waiting for Verizon to sign the lease. Mr. Bernroth stated it is nice to see a lot of people at these meetings. Mr. Bernroth stated that every October he attends a religious retreat and there he met a man named Joe who is a retired civil court judge in Massachusetts. Mr. Bernroth had a conversation with this man who indicated to Mr. Bernroth it is very important to attend town meetings for informational purposes and to know what is going on.

**David Snyder, 91 Windsor Court** – Mr. Snyder stated there is a broadcast facility upstairs and the council needs to consider live feed for these meetings. Mr. Snyder stated this can be done by running a cable. Mr. Snyder stated it is not a grandstanding issue. It is an issue to get people out to these meetings to see what the governing body of the Township of Washington is doing. Mr. Snyder stated this would set a trend for this town for what is going to happen in the future. Mr. Snyder stated that the five minute rule would still be in effect. There are seniors who are in wheelchairs that can't get out and these people are entitled to the same services that the people who are able to get to these meetings. Mr. Snyder stated that he administrator is doing a great job and Mr. Snyder stated that the administrator should have a contract. Mr. Snyder further stated we are starting off in a new beginning. He said that we are doing things new so hopefully we will have a live video feed and no grandstanding.

**Agnes Smith, 646 Valley Court** – Mrs. Smith stated she has attended Planning & Zoning Board meetings and Mrs. Smith indicated that the persons making the presentation is facing the dais and does not have a microphone so what is said cannot be heard. Mrs. Smith further stated that a new microphone system is necessary. Mrs. Smith stated that she has spoken to the new secretary Joanne regarding the microphone system and Joanne stated that is under the domain of Margaret Koesel, the court administrator. Mrs. Smith spoke with regard to agendas from last week, so everyone can read what is going on. Mrs. Smith asked Joanne if the minutes are verbatim and Joanne stated that they are not verbatim. Mrs. Smith then stated that the minutes should be from week to week and they should be verbatim. Mrs. Smith also indicated that she inquired of Joanne when the next meeting would be and Joanne indicated it is posted on the bulletin board on the 2<sup>nd</sup> floor. Mrs. Smith stated that the town has the outdoor electronic sign that we paid a lot for and that if a meeting is cancelled, it should be posted on that board so residents don't have to come out for no reason. Mrs. Smith stated that the town needs new microphones and the minutes should be transcribed verbatim. Mayor Sobkowicz stated in reference to the microphones that Margaret and Mary Ann did a lot of research in 2009 and the system was purchased in 2010. Mrs. Steinel explained that council provided funding in an ordinance that just passed to update and upgrade the sound system. Mrs. Steinel indicated they will take into consideration Mrs. Smith's comment pertaining to a microphone on the floor. Mrs. Steinel further stated that a change will take place as soon as the ordinance is cleared in the budget. There was a discussion regarding EDA loans the Township has as well as money the Township has in the budget. Mrs. Steinel indicated that was money put into the Capital Budget for improvements to public buildings to address the issue regarding the microphones and this is immediate.

**Alfred Gillio, 746 Wayne Place** – Mr. Gillio stated he would like an update on 741 Wayne Place since it has been two weeks and nothing has happened. Mrs. Steinel explained to Mr. Gillio the process that has occurred with regard to cost maintenance and items that need to be signed off. She then said that the next step is for council to pass a resolution at the next meeting

which will permit a tax lien on the property. Mrs. Steinel indicated she cannot mobilize DPW on private property without the resolution.

**Vic Fadini, 698 Kennedy Drive** – Mr. Fadini stated in the past people were allowed to finish their thoughts during public discussion, but there seems to be different rules here now. Mr. Fadini still thinks people want to talk and they should be allowed to speak.

**Terry Dunn, 2464 Cleveland Avenue** – Mrs. Dunn stated she would like to give her five minutes to Peter Mayer as Mrs. Dunn would like to hear the rest of what Mr. Mayer had to say. Dr. Cascio replied that we do not yield time for a second time around.

At this point, Mr. Mayer started talking to Dr. Cascio and then Dr. Cascio told Mr. Mayer that he can be heard again at the next meeting. Dr. Cascio also stated that Mr. Mayer can tell the reporters in the audience his comment, since the reporters are always looking for a good story.

**William Thomson, 560 Hoover Avenue** – Mr. Thomson spoke with regard to parking on sidewalks, which is not permitted. The residents who live at 442 Ridgewood Boulevard North park on the sidewalk every day. Mr. Thomson stated that he heard that nothing in the Zoning Board or Planning Board gets done without the Mayor's approval. Mayor Sobkowicz stated that is not true. Mr. Thomson asked about cell phones and who has them and why. Mayor Sobkowicz stated that previous mayors had separate lines in their home, and when Mayor Devine came in cell phones just started. Mrs. Steinel stated there are two in the Police Department, two in the DPW and Mrs. Steinel stated she herself has one. Mrs. Steinel stated she has a blackberry so that she has e-mail contact with the governing body at all times. Mrs. Steinel also indicated that if the Township wants to cancel the cell phones, Mrs. Steinel is ok with that. Mr. Thomson asked the Mayor if she would be willing to get rid of her phone as well. The Mayor stated the DPW calls her, and she calls them and the Mayor cannot expect the DPW to use their own cell phones to do town work. Mr. Thomson stated he will leave the rest of his comments for the next meeting.

**Peter Calamari, 28 Gabriel Way** – Mr. Calamari stated it is very sad state in our government with these five minute guidelines and strict policy in this matter. Mr. Calamari would like the opinions of the council members. Mr. Goetz stated it actually makes sense. Mr. Goetz further stated that council received a notice from the ACLU and this issue was discussed with council, mayor and the attorney. Mr. Goetz further stated it was a decision council made, with the advice of the attorney and any possible pending litigation, that it could cost taxpayer money. Mr. Goetz stated most towns do put a strict rule in place and it has been maintained. Mr. Hrbek would like to know how council is liable by letting people talk longer if there is time in the meeting. Mr. Hrbek stated it is important to let people talk longer if there is time in the meeting. Mr. Hrbek further stated that the residents are the public and this is their chance to be part of the meeting. Mr. Hrbek would like the opportunity to ask the attorney between now and the next meeting how we can be liable by letting the public speak. Mr. Beckmeyer stated he agrees with Mr. Hrbek on this topic. Mr. Beckmeyer further stated that the first go around is the five minutes, but if people have more to say they should be able to talk as long as it does not compromise the five minute rule to give the person extra time. Mr. Beckmeyer spoke of the ACLU, and letting a person speak for an additional 30 seconds. Mr. Beckmeyer also stated he would like to hear from the Township attorney regarding this matter. Mr. D'Urso stated he is all for letting everyone speak. Mr. D'Urso stated that everyone has the right to speak constructively and council to listen. Mr. D'Urso further stated that people may not like an idea, but we agree to disagree. Mr. D'Urso also stated we are your neighbors and we try to get along and everyone has the right to speak their mind constructively. Mr.

D'Urso stated that at the Board of Education meetings people are given five minutes. The five minute guidelines are strictly followed there. Dr. Cascio stated the reason for the five minutes, is to give everyone equal time to speak. Dr. Cascio stated if someone has more to say, they can come back at the next council meeting. Mr. Calamari stated that Dr. Cascio is a little too strict. Dr. Cascio stated when someone else is in this seat they can do whatever they want; five minutes is five minutes only; no retakes.

There being no other questions or comments, a motion was made by Mr. D'Urso, seconded by Mr. Goetz to close the public portion of the meeting.

Ayes: Councilpersons D'Urso, Goetz, Cascio.

Nays: Beckmeyer, Hrbek.

### **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. Hrbek, seconded by Mr. Goetz.

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

Nays: None.

WHEREAS, John and Helen Pangis posted engineering and soil movement escrow on premises known as Block 2203, Lot 13, 748 White Birch Road; and

WHEREAS, the Construction Code Official has issued approval dated June 18, 2013, C.O. Nos. 93-392 and 03-526,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated November 21, 2012,

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 \$205.00 to the above.

WHEREAS, David and Sandra Philips posted engineering and planning board escrow on premises known as Block 2416, Lot 28, 321 Hudson Avenue; and

WHEREAS, the Construction Code Official has issued approval dated May 22, 2013, C.A. No. 13-021,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated June 6, 2013,

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 \$1195.16 to the above.

WHEREAS, Tilcon New York posted engineering escrow for a project on Washington Avenue and Van Emburgh Avenue; and

WHEREAS, the project has been completed as per the memo from the Police Department which is attached,

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 \$541.80 to the above.

WHEREAS, John and David Viganola posted engineering escrow money on premises known as Block 4418, Lot 20, 341 Hickory Street; and

WHEREAS, the Construction Code Official has issued approval dated June 11, 2013, C.O. No. 12-599,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated June 6, 2013,

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 \$314.00 to the above.

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that the following Plenary Retail Consumption License renewals for one year, effective July 1, 2013 be and are hereby approved:

BC Boys, LLC t/a Bacari Grill  
800 Ridgewood Road  
0266-33-004-008

BE IT FURTHER RESOLVED, that the following club License renewals for one year, effective July 1, 2013 be and are hereby approved:

Washington Township Recreation Club  
P.O. Box 1035  
0266-31-009-001

BE IT FURTHER RESOLVED, by the Township Council of the Township of Washington that the Municipal Clerk be and is hereby authorized to sign and deliver the respective licensing certificates on behalf of the Township of Washington.

During the Conference Session a motion was made by Mr. Beckmeyer, seconded by Mr. Goetz, to approve the following resolution Authorizing Joint Purchase of Lightning Detection System.

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

Nays: None.

WHEREAS, the Borough of Westwood, Borough of Emerson, Township of Washington, Emerson Board of Education and Westwood Regional Board of Education have identified the need for a lightning detection system at the municipal and school recreation facilities; and

WHEREAS, the municipalities and school boards have determined that a joint purchase of a lightning detection system that covers the facilities throughout all three municipalities would be the most cost effective; and

WHEREAS, after viewing presentations regarding the Strike Guard and Weather Bug systems, municipal and school officials collectively determined that the Strike Guard system best meets the needs of their respective facilities; and

WHEREAS, the Strike Guard Lightning Warning System is available under New Jersey State Contract # A81-431 through Commercial Recreation Specialists; and

WHEREAS, the total cost for a lightning detection system for the Borough of Westwood, Borough of Emerson, Township of Washington, Emerson Board of Education, and Westwood Regional Board of Education recreation facilities is \$99,574.40; and

WHEREAS, the cost for the Township of Washington for the purchase and installation of the Strike Guard lightning detection system, which includes share costs for the central unit as well as the cost for individual units at Clark Field, Memorial Field, Sherry and Gardner Fields, is \$22,719.00; and

WHEREAS, should one entity choose not to participate, the cost to the remaining participants would increase \$1,014.75, making the total cost for the Township of Washington \$23,733.75;

NOW, THEREFORE, BE IT RESOLVED, that the Council hereby authorize the joint purchase of a Strike Guard detection system with the Borough of Emerson, Borough of Westwood, Township of Washington, Emerson

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School Board and Westwood Regional School Board, in an amount not to exceed \$23,733.75 for Washington's portion of the project.

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Mary Ann Ozment, Township Clerk

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Steve Cascio, Council President