

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

PUBLIC PORTION/PUBLIC SESSION

June 27, 2016

The Township Council held a Public Portion/Public Session in the Municipal Building, 350 Pascack Road. The meeting was called to order at 7:32 p.m. by Council President Michael Ullman with the Clerk leading a salute to the flag. Members present: Robert Bruno, Peter Calamari, Steve Cascio, Tom Sears, Michael Ullman. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney; Mary Anne Groh, Business Administrator.

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 Bergen Record, forwarded to the local newspapers, posted on the Municipal Bulletin Board and filed with the Municipal Clerk.

APPROVAL OF MINUTES

A motion was made by Dr. Cascio, seconded by Mr. Sears, to approve the May 16, 2016 Public & Conference Minutes.

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

Nays: None.

GENERAL PUBLIC DISCUSSION

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

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

Nays: None.

Rosa D'Ambra, 423 Colonial Boulevard – Mrs. D'Ambra spoke of the unfairness of the five minute limit. She stated she does not believe a response should be included in her five minutes. Mr. Ullman stated it is part of the charter and he explained why there is a five minute time limit. Mrs. D'Ambra spoke at length of the property behind Northgate and meetings that she feels should be held at the Planning Board meetings and not with the administrator or the Mayor. Administrator Groh stated the meeting was for the removal of trees, which does not go before the Planning Board until it reaches a certain level. Mrs. D'Ambra read from an article in the March 16, 2016 in the Pascack Press and as well as a May 23rd article regarding Northgate. She stated she believes it is a breach of ethics and it should go before the Planning Board. She asked what the status of the garbage service is. Mr. Ullman replied it will be discussed during the Conference portion of the agenda.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment stated she agrees with Mrs. D'Ambra on the five minute time limit and suggested having a Public Session in the beginning and again at the end of the meetings. She spoke of being sworn in as a Zoning Board member, which is a ritual and tradition, and not being contacted by the Zoning Board secretary regarding the meetings. She spoke of the Administrative Code, specifically Article 3 and the history of the frequency of meetings in the past. She also spoke of the upcoming meetings and the fact that there will be 3 meetings in an 11 week period. She also suggested having public meetings outside of regular meetings so residents can voice their opinions. Mr. Bruno spoke of reaching out to the Planning Board secretary and the intent on having everyone sworn in during a council meeting. A conversation followed with regard to the codification status, of which a manuscript is expected in August.

Jim Hanson, 11 Lindenwood Court – Mr. Hanson asked that the MKW study of Memorial Field be put on the Township website. He asked if there is an engineer's report with regard to Memorial Field. Administrator Groh stated she does have documents with regard to Memorial Field and she will look through them. Mr. Ullman stated that it is important to get that information

out to the public. A conversation followed having a cost spending spreadsheet prepared regarding Memorial Field. Mr. Hanson spoke of the quote for sod to cover 20% of the field. He stated he feels it was not high quality sod but ornamental sod. He asked if there are any updates with regard to road paving. Mr. Ullman stated it is on the Conference Agenda. Mr. Hanson stated he listened to the audio tapes and he did have difficulty hearing the council members when they were speaking.

Joe D'Urso, 12 Viola Terrace – Mr. D'Urso spoke of the meeting agenda not being posted on the Township website.

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

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

Nays: None.

A conversation followed with regard to the agenda, which is on the website under meetings/agenda, but was not on the calendar link on the right side of the website.

ORDINANCE

2ND Reading Ordinance No. 16-05

The Clerk read Ordinance No. 16-05 entitled: AN ORDINANCE UNDER CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RATE OF CLOTHING ALLOWANCE OF OFFICERS AND FIREFIGHTERS OF THE FIRE DEPARTMENT IN SAID MUNICIPALITY FOR THE YEAR 2016.

A motion was made by Mr. Calamari, seconded by Mr. Bruno, to introduce and pass Ordinance No. 16-05 at second reading by title.

Ayes: Councilmen Bruno, Calamari, Cascio, Ullman.

Nays: None.

Recuse: Councilman Sears.

The following resolution, Resolution No. 16-222 was presented and adopted on a motion by Dr. Cascio, seconded by Mr. Calamari.

Ayes: Councilmen Bruno, Calamari, Cascio, Ullman.

Nays: None.

Recuse: Councilman Sears.

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 16-05 entitled: AN ORDINANCE UNDER CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RATE OF CLOTHING ALLOWANCE OF OFFICERS AND FIREFIGHTERS OF THE FIRE DEPARTMENT IN SAID MUNICIPALITY FOR THE YEAR 2016 be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Mr. Calamari, seconded by Dr. Cascio, to open the Public Hearing.

Ayes: Councilmen Bruno, Calamari, Cascio, Ullman.

Nays: None.

Recuse: Councilman Sears.

Rosa D'Ambra, 423 Colonial Boulevard – Mrs. D'Ambra asked Mr. Sears what is done with the old uniforms. Mr. Sears replied the clothing allowance is not for uniforms, it is a stipend that is given to firemen at the end of the year if they damage their clothes during the year. He stated the old uniforms are returned to the Township and they get put out for government bidding.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment asked if Mr. Sears is no long on the council or elects not to run, will the ordinance go back to being one ordinance for all employees. Mr. Ullman replied he would assume so.

A motion was made by Mr. Calamari, seconded by Dr. Cascio, to close the Public Hearing.

Ayes: Councilmen Bruno, Calamari, Cascio, Ullman.

Nays: None.

Recuse: Councilman Sears.

After a conversation it was agreed to edit item number one in Ordinance No. 16-05 to read "Fire Department Clothing Allowance."

A motion was made Mr. Calamari, seconded by Dr. Cascio, to pass Ordinance No. 16-05 on a second and final reading, submit the same to the Mayor for her approval and thereafter be published according to law.

Ayes: Councilmen Bruno, Calamari, Cascio, Ullman.

Nays: None.

Recuse: Councilman Sears.

2ND Reading Ordinance No. 16-06

The Clerk read Ordinance No. 16-06 entitled: AN ORDINANCE UNDER CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RATE OF COMPENSATION AND MANNER OF PAYMENT OF OFFICERS AND EMPLOYEES IN SAID MUNICIPALITY FOR THE YEAR 2016.

A motion was made by Dr. Cascio, seconded by Mr. Bruno, to introduce and pass Ordinance No. 16-06 at second reading by title.

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

Nays: None.

The following resolution, Resolution No. 16-223 was presented and adopted on a motion by Mr. Calamari, seconded by Mr. Bruno.

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

Nays: None.

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 16-06 entitled: AN ORDINANCE UNDER CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RATE OF COMPENSATION AND MANNER OF PAYMENT OF OFFICERS AND EMPLOYEES IN SAID MUNICIPALITY FOR THE YEAR 2016 be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Mr. Sears, seconded by Dr. Cascio, to open the Public Hearing.

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

Nays: None.

Rosa D'Ambra, 423 Colonial Boulevard – Mrs. D'Ambra asked why Mr. Poller is not paid under "Contractual Non-Salaried Services." Mr. Ullman stated Mr. Poller is covered under the "Department of Law" and the attorneys under the heading of "Contractual Non-Salaried Services are paid annually in December. Administrator Groh stated the pay period for employees is twice a month, not 26 payments per year.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment asked if Mr. Ullman had received job descriptions for the various employees. Mr. Ullman replied he had not. Mrs. Ozment spoke of the importance of job descriptions and the mayor being asked to provide such in the past. She spoke of the various salaries of the part-timers and floaters and the disparities. She stated there should be a minimum and maximum salary stated. She spoke of the administrative code which states the Township should have a treasurer and a director of finance, both of which we it does not have. Administrator Groh stated the ordinance does stated these are maximum wages, not the minimum. She also spoke of the reason why certain employees cannot make more per hour due to the fact they are collecting a pension. She stated the maximum that is stated is what is needed to attract the best people for the position. She

stated we did receive a resignation from the DMF secretary, but a new hire would not necessarily receive that amount.

Joe D'Urso, 12 Viola Terrace – Mr. D'Urso asked if the Township currently has a DMF superintendent Administrator Groh replied yes, until June 30th, his assistant resigned but that is completely unrelated. Mr. D'Urso asked under Department of Finance, Benefits Coordinator, is that a new position. Mr. Ullman replied an individual within the Finance Department is receiving \$1,750 to coordinate the various benefit programs, such as medical, dental and pension, in addition to a salary. Mr. D'Urso asked is this person the risk manager. Administrator Groh replied no, it is a full time employee.

Sandy Philips, 321 Hudson Avenue – Mrs. Philips asked if the Chief of Police salary is under a separate contract. Mr. Ullman stated he believes it is negotiated with the administrator and the council approves it. He stated is it not part of the CBA (Collective Bargaining Agreement.) Mrs. Philips asked if the \$38,000 for police dispatching full time. Mayor Sobkowicz replied we have two full timers and that is the salary.

Fred Goetz, 587 Washington Avenue – Mr. Goetz asked if the Township currently has the positions of Treasurer and Finance Director. Mr. Ullman replied as far as he knows we do not. Mr. Goetz stated the Township does have a CFO. Mr. Ullman replied a part-time Acting CFO. Mr. Goetz spoke at length functions that need to be performed by those specific positions according to the Charter. He also spoke of why those positions are there and the importance of the positions. He urges the council to put forth a name for the Treasurer and Finance positions so someone can communicate the state of the Township finances to the council. Mr. Bruno asked who Joi is. Mayor Sobkowicz replied Joi is our Deputy Treasurer. She stated when the Township advertised for CFO, we also advertised for treasurer.

A motion was made by Dr. Cascio, seconded by Mr. Bruno, to close the Public Hearing.

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

Nays: None.

Mr. Calamari – Mr. Calamari stated that Mr. Ullman indicated he had meetings with Councilman Bruno and Councilman Cascio. He asked if Mr. Ullman could elaborate as to what was said to change his mind as that may enlighten him and Councilman Sears before a vote is taken.

Mr. Ullman – Mr. Ullman stated the Township does have a Charter and in that Charter the Department of Law and Township attorney speaks to the roles and responsibilities of the Township attorney. He stated on Page 2, the Department of Law, there is a salary for that Department and those functions. He stated in his mind based on those discussions, there is compensation being provided for that role. He stated additional billings for special functions, or what is perceived to be special functions was not necessary.

Mr. Calamari – Mr. Calamari stated he took a look at last year's expended 2015 versus this years appropriated. He stated last year just between salary/wages and tax appeals came to \$88,000, this year we have budgeted \$80,000 for those two functions. He stated we are asking that department to take at least a 10% cut over what they have been getting for many years, probably more, but at least 10%. He stated since it is at best ambiguous, that the salary does or does not include extra billing, he believes this is totally unfair to the department that everyone else received a 1.5% increase for the most part, and even though the salary line increased 1.5% in effect the attorney is receiving a 10% pay cut and that is if he maxed out the salary and the tax appeal lines. He stated since \$10,000 was put in for tax appeals, what we can plan on doing if the number exceeds that. Mr. Ullman stated his understanding is the \$10,000 is to assist with appraisals, he believes there was another amount that was discussed for attorney billings. He stated if we require more appraisals then the \$10,000 allows for, just as we would for any other situation hopefully we could find that money in another line item and

make the transfer. He stated if it is not there we would go out and raise those funds on an emergent situation. He stated the \$10,000 is for appraisals, the \$30,000 that was last year is part of the salary. He stated those monies, the \$30,000 was removed. Mr. Calamari stated he would like to ask Mr. Poller the paid or charge was \$18,495 for the tax appeals line item, was that strictly for appraisals or did he get money out of that line item and has he for many years collected money for tax appeals out of that line item. Mr. Poller replied yes, originally there was not even a special line item for tax appeals, but as tax appeals got bigger a special line item was made for that. He stated that money was for work performed based on an hourly basis and it done throughout the State of New Jersey and virtually all of the municipalities of New Jersey, things like litigation and appearing in Court are billed on an hourly basis. He stated there are a lot of municipalities in the State of New Jersey, the lawyers usually receive a retainer plus they get paid on an hourly basis for work performed. He stated with regard to litigation, it is unknown of how much time and how much litigation will be performed. He stated in some towns it is done by a professional service contract, some by way of salary and some by personnel action form. He stated he did mention an appellate division case in the past that indicates this is an acceptable way of compensating attorneys. He stated it has been done for his entire tenure here and it was done for the tenure of the attorney who was in office before him for he believes 12 years. He stated he has been around 44 years practicing law, he has been exposed to plenty of municipal attorneys, and he does not know of any who do not get paid for litigation or appearing in Court. He stated in the past he has spoken of the Charter. He stated the Administrative Code that the Township has does set forth what his responsibilities are, it states this is what the Municipal Attorney does, there is not a word in that entire section about how the position is compensated. He stated a different part of the Administrative Code states the salary is set by ordinance and under that approach the ordinance that has been passed on a yearly basis always provided for, without exception, that there were hourly billings for litigation. He stated the following municipalities in addition to getting paid monies, all bill for litigation, Haworth, Hillsdale, Montvale, Park Ridge, Saddle River, Paramus, Ramsey, Woodcliff Lake, Upper Saddle River, Westwood, Verona and Fair Lawn. Administrator Groh stated it is hourly for everything in Haworth. Mr. Poller replied yes, some attorneys have it straight hours no matter what they do, whether it be meetings, telephone calls, conference calls, research, no matter what it is. He stated he took the liberty of samplings some municipalities and also looked at all the Faulkner communities, and again every attorney is paid on an hourly basis for their litigation. He stated some of the salaries, such as Mahwah \$90,000, Mount Olive \$72,000, Jefferson \$66,000, Fair Lawn receives \$102,000 and bills for paralegals and faxes, and all sorts of other things which he has never billed for. He stated this is nothing more that deciding that this person should be paid x dollars. He stated he does not want to get into motives, but only facts. He stated it is obviously clear that this was going to be done, and it has nothing to do with doing it for the taxpayers. He stated he supposes it is being done because he is not on the right side of things. He stated he does object to trying to analyze the charter says it or the law says it. He stated anything there is, whether it is the law, the practice, the history in this Township, practice of 567 municipalities, anything you look is to the contrary and that view supports my view and does not support this.

Mr. Calamari – Mr. Calamari stated the Department of Legal Services is the only department that is taking a cut in the area of salary and wages be it for straight time, over time, whatever you want to call it. He stated he does not know what wisdom some of his fellow councilmembers have that most of the State does not that you cannot see that someone should be paid extra, especially for litigation, since you can be in Court for an hour or you can be in Court a month. He stated it benefits the Township, in his opinion, to have it as a variable, because you don't to pay salary based on worst case scenario. He stated a reasonable salary is picked and you pay then overtime based on how much time is required for variables that we cannot judge at this point. He

stated he would like to make a motion to re-instate the additional billing rate of \$135 per hour to modify the salary ordinance before we vote on it. Mr. Poller replied which is lower than 85% of the numbers he came up with throughout the State.

A motion was made by Mr. Calamari, seconded by Mr. Sears, to re-instate the billing rate of \$135.00 per hour.

Ayes: Councilmen Calamari, Sears.

Nays: Councilmen Bruno, Cascio, Ullman.

Mr. Sears – Mr. Sears stated that everything Mr. Calamari stated he agrees with. He stated obviously this is going to be a one-sided political vote, you can see the negativity and resentment against Mr. Poller. He stated he thinks it is really unfair to treat him in such a manner since he has defended this Township so graciously over the years and has won many cases on our behalf. He stated what is done and done, the vote has been taken.

Mr. Bruno – Mr. Bruno stated there is no resentment on his part to Mr. Poller or to his position. He stated he is not a politically motivated person.

A motion was made Mr. Bruno, seconded by Dr. Cascio, to pass Ordinance No. 16-06 on a second and final reading, submit the same to the Mayor for her approval and thereafter be published according to law.

Ayes: Councilmen Bruno, Cascio, Ullman.

Nays: Councilmen Calamari, Sears.

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 Dr. Cascio, seconded by Mr. Sears.

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

Nays: None.

Resolution No. 16-224

Dog House Saloon Late Closing

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that permission is granted to extend the closing hours of the Dog House Saloon & Grill to 3:00 a.m. on Thursday, July 14, 2016 (Over 35 Township Men's Softball League Event).

Resolution No. 16-225

Liquor License Renewals

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, 2016 be and are hereby approved:

#0266-33-005-004

License Name: TJJ Inc.

Trade Name: Seasons Catering

#0266-33-004-010

License Name: Island Way Inc.

Trade Name: Bacari Grill

#0266-33-001-006

License Name: CB Washington Twsp LLC

Trade Name: Charlie Browns Steakhouse

#0266-33-003-008

License Name: Amy LLC
Trade Name: Dog House Saloon & Grill

BE IT FURTHER RESOLVED, that the following Plenary Retail Distribution License renewal for one year, effective July 1, 2016 be and are hereby approved:

#0266-31-009-001
License Name: Township Liquors Inc.
Trade Name: Township Liquors

BE IT FURTHER RESOLVED, that the following Club License renewal for one year, effective July 1, 2016 be and are hereby approved:

#0266-31-008-001
License Name: Washington Township Columbian Club Inc.
Trade Name: Washington Twp Columbian Club

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.

Resolution No. 16-226

Certification of Annual Audit

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Township of Washington pursuant to N.J.S.A. 40A-:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs: and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations: and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C.5:306.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

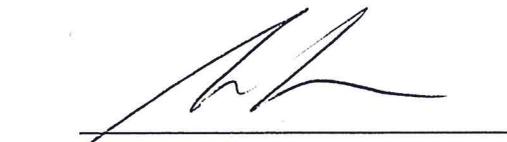
R.S. 52:27BB-52: A local officer or member of a local governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Division of Local Government Services), Under the provisions of this Article, shall be guilty of a misdemeanor And, upon conviction, may be fined not more than one thousand

Dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Council of the Township of Washington, hereby states that it has complied with N.J.A.C. 5:30-6.5 annual does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Time noted: 8:36 p.m.


Elaine Erlewein
Township Clerk


Michael Ullman
Council President

Approved: July 18, 2016

BERGEN COUNTY, NEW JERSEY

CONFERENCE PORTION/PUBLIC SESSION

June 27, 2016

Members present: Robert Bruno, Steve Cascio, Peter Calamari, Tom Sears, Michael Ullman. Also present: Janet Sobkowicz, Mayor; Mary Anne Groh, Administrator; Ken Poller, Attorney.

Time Noted: 8:37 p.m.

CURRENT BUSINESS

Memorial Field Status – Update – Administrator Groh stated low bidder pulled out and second bidder looked at the field and resubmitted a revised proposal which is \$200 under the \$40,000 bid threshold. She spoke of the exclusions, which were soil testing, fertilization, things that may be needed. With regard to hydro seeding, only one quote has been obtained which is \$7,440 and we cannot move further until another quote is received. She stated two companies were contacted and they have been out to the field and we are waiting on paperwork. Mr. Ullman asked is that quote based on the same general area of coverage. Administrator Groh stated no, it is to treat the bald spots, we did have some success based on the seeding efforts of the DMF and this is designed for patchwork, to get it through the season, not to be a permanent fix. She stated when the engineer did the spec for the sod; it was only to get us through the year, not meant to a permanent fix. She stated we are going to proceed with the hydro seeding since we are over the bid threshold, \$200 under with exclusions doesn't give the Township any room. She stated we will move forward with the hydro seeding depending on when the other quotes are received. Mr. Ullman spoke of the condition of the field he has observed, such lush areas and some bald spots. He asked if the cycle times on the irrigation are appropriate for the season and are all the heads working. Administrator Groh replied yes, the heads have been fixed and she will ask Mr. Kiely, Mr. Spezial regarding the irrigation. Mr. Ullman asked if fertilization has been applied to the field and is there a program that is being followed. Administrator Groh stated she doesn't believe the DMF does any of in house, as far as weed control. She stated she doesn't know if we have any program, especially since what is going on with the field being a limbo status. Mr. Ullman spoke of having a program in place to keep the grass healthy/flourishing. Administrator Groh stated she believes that treatment of the field was subcontracted out to an outside company. Mayor Sobkowicz replied she believes it was Green-a-Lawn. Administrator Groh replied she will look into it. Mr. Calamari stated a big part of the problem is the water drainage at the field, so the water might be draining right off the field and not sinking into the root system. He believes there would be success once the drainage issue is addressed. Dr. Cascio thanked Administrator Groh for getting the lights fixed at the field.

Correct Action Plan 2015 Audit – Administrator Groh stated Mr. Bruno inquired of the Bank Reconciliation Status via email and she stated as of today it is all up to date to the end of May for all departments with the exception of the Recreation Department. She stated the Recreation Department has had transition and we have someone who came in but she has been consumed with getting the recreation program up and running. Mr. Bruno asked what is not being reconciled. Administrator Groh stated for the rec program, it is done through the Community Pass system, even if someone pays by check it goes through the Community Pass system, which needs to be reconciled. She stated the recreation department has a special bank account. A conversation followed regarding how the reconciling is being done with regard to the recreation department, which is only collects revenue. Mr. Bruno asked what is the status of the sub ledger to the general ledger. Administrator Groh replied according to

the CFO, it is done on a quarterly basis, if not more frequently, it depends on not only the budget, but the certified tax rate and it is something Ms. Marabello is familiar with. A conversation followed regarding the inventory that was completed. Comments were also made with regard to maintaining the recreation account once caught up. Mr. Sears spoke of a fire department trailer tagged by the asset company which was purchased by the department. Administrator Groh stated a form would need to be returned to her. Dr. Cascio spoke of past Corrective Action Plans and getting the number down to one or two. As per Mr. Ullman's request, Administrator Groh will provide an update at the end of September.

A motion was made by Dr. Cascio to approve Resolution No. 16-227.

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

Nays: None.

Resolution No. 16-227

Approving the Corrective Action Plan for 2015 Audit Findings and Recommendations

WHEREAS Local Finance Notice CFO-97-16 issued November 19, 1997 by the Division of Local Government Services requires that all municipalities prepare and submit a Corrective Action Plan as part of the annual audit process; and

WHEREAS said regulation requires the Township's Chief Finance Officer with the assistance of the Administrator to prepare a Corrective Action Plan for approval by the governing body within sixty (60) days of receipt of the audit report; and

WHEREAS a revised Audit Report for the year ending December 31, 2015 was received on June 2, 2016; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Washington, Bergen County, New Jersey hereby approves the attached Corrective Action Plan for the findings and recommendations in the Audit Report for 2015;

BE IT FURTHER RESOLVED that the Township Clerk shall forward one certified copy of this Resolution with attachment to the Director of the Division of Local Government Services.

Road Improvement D&L Paving – Mr. Ullman spoke of the concerns rose at the last meeting with regard to D&L Paving. Administrator Groh spoke of traveling the Township roads with Mr. Calamari. She stated the engineer indicated that the specs are the same as are put out by the DOT and every town uses them, with the exception of an enhancement spec that Mr. Statile's office uses as far as the center seam. A conversation followed regarding maintenance bonds and hold back of payment until the job is certified by the engineer. D&L paving was also the contractor that was retained by the consortium last year. Administrator Groh replied the Township did pave a little later, but it is ideal to pave in the heat of the summer. She stated council would need to have a good reason not to accept the lowest bid. Mr. Calamari stated he looked at the roads and was happy with what he saw. He also looked at the road completed by a different paving company on behalf of Ridgewood and the center seam is no different. A conversation followed regarding overseeing D&L more closely this year than last year. Mr. Calamari asked what bond term which is issued. Administrator Groh replied she believes it is one year.

A motion was made by Mr. Calamari, seconded by Mr. Sears to approve Resolution No. 16-228.

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

Nays: None.

Resolution No. 16-228

Awarding the 2016 Road Improvement Program pursuant to the Pascack Valley Cooperative Pricing System

BE IT RESOLVED by the Township Council of the Township of Washington that it hereby awards a Contract for road resurfacing work within the Township pursuant to the Pascack Valley Cooperative Pricing System; and

BE IT RESOLVED that the bid of D&L Paving Contractors, Inc., 681 Franklin Avenue, Nutley, New Jersey 07110 is hereby accepted as the lowest responsible bidder;

The amount of the Contract for the Township of Washington:

Base Bid: 634,117.39

BE IT RESOLVED, the Chief Financial Officer has certified that funds are available in the Capital Account in an amount not to exceed \$634,117.39.

NOW THEREFORE BE IT RESOLVED that the Mayor is hereby authorized and requested to execute a contract on behalf of the Township of Washington for the 2016 Road Improvement Program as described in the Bid Specifications.

A conversation followed with regard to Colonial Boulevard Discretionary Aid Application. Administrator Groh will provide an update.

Ballot Question – General Election – Mr. Ullman stated the ballot question needs to be approved for the November election, that being Ordinance No. 15-16. He spoke of the samples that were provided in the packets to council which were reviewed by Mr. Poller. A vote is needed to submit said question to the Board of Elections. Mr. Ullman stated the language is based on the petition set forth but it is also based on the actual ordinance summary. Mr. Calamari asked does the ballot question need to refer to the ordinance number. Mr. Poller replied no.

A motion was made by Dr. Cascio, seconded by Mr. Sears, to pass the draft as proposed.

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

Nays: None.

Solid Waste (Household & Recycling Contract) – Administrator Groh stated the recycling specifications are currently being revised and we will go out to advertise for those shortly. A conversation followed if removing the blue/purple bags would violate the agreements with the haulers. Mr. Ullman spoke of various options, one being the Township collecting garbage, two going out to bid and award that contract as part of the tax base and third as it is done today, contracted by each household. Mr. Poller spoke of how this evolved within the Township, the ordinance and the limited involvement of the council. A conversation followed if the Township is creating an inference by only providing two haulers. Dr. Cascio stated the ordinance talks about a per bag system, but it doesn't specify colored bags. He stated we do not want to have open trash containers, residents like the per bag system but do not like paying per bag or having a specific bag. Mr. Ullman stated a majority of the public doesn't like the colored bag system. A conversation followed regarding recycling within the Township. Mr. Calamari stated people may want to pay extra without the colored bags. Mr. Bruno stated the ordinance should have the per bag requirement. He stated we can tell the haulers no more colored bags and then they can price the residents accordingly. A conversation followed regarding having both Buldo and Waste Management attend a council meeting to gather some information. Mr. Ullman stated he will solicit individual questions from council and consolidate those questions.

Security Cameras – Town Hall – Mayor Sobkowicz stated she and Chief Hooper toured the building, a vendor has been selected and they will be starting to install cameras in the complex beginning tomorrow (June 28th).

She stated the new server in the Police Department is up and running, but they did need to purchase Easy Street Draw at a cost of \$1,095. She spoke at length of a dangerous road bend as you come around Meisten Street. She stated there have been numerous accidents of westbound vehicles losing traction when it rains and when there are winter leaves. She stated those accidents have been dangerous since the vehicles do slide/spin on to oncoming traffic. She stated the County has offered to put Durablend in that area which would make the roadway red in color and provide more friction. She stated this will occur either July 5-15 or August 15-31, require overtime and would also require closure of the intersection. She stated this would be for vehicles going west on Washington at Meisten, and the Durablend would be approximately 200 linear feet and 14 feet wide. Mr. Sears asked if anyone contacted the County for assistance with regard to vehicles crossing the double yellow lines. Mayor Sobkowicz stated the Police are doing detail at that location. Mr. Bruno spoke at length of putting cones in that area. A conversation followed with regard to the intersection and leaving both the intersection and Memorial Field on future agenda's. Mr. Calamari spoke of the camera system and if other things have been considered so it is done correctly. Mr. Ullman suggested taking this discussion into closed session. Mayor Sobkowicz stated she will check in with Chief Hooper in the morning.

Ethics Committee Discussion – Dr. Cascio stated he asked the Council President to put this on the agenda. He stated a few towns do have their own ethic committees, and he would like council to think about putting an ethics board together since the Local Finance Board is cutting back on the program. He stated he is handing out to council N.J.S.A. 40A:9-22 of the Municipal Ethics Board. He stated other towns have set up their own Ethics Board and State Guidelines would have to be followed. He stated he also will hand out Section 40A:22.5 which tell of the infractions the board would have to address. He asked council look at the handouts and this can be addressed at the next meeting. Mr. Ullman stated he will add it to the agenda for the next meeting.

A break was taken from 9:40 p.m. – 9:50 p.m.

Township Auditor – Mr. Ullman commented on the auditor appointment in the past and for the coming year. He also spoke of a discussion with the clerk regarding the auditor signing off on the destruction of documents. He stated proposals were received from both the exiting auditor, Lerch, Vinci & Higgins and Lou's Mai. Dr. Cascio stated he agrees with Mr. Bruno it would be good to get a fresh set of eyes on the books. Mr. Calamari commented at length regarding the second proposal of Louis C. Mai which he feels mimicked the first proposal of Lerch Vinci & Higgins. He asked Administrator Groh if the specs were changed. She replied no. Mr. Calamari expressed his concerns of one company copying directly from another company. He feels it is highly unethical and it is not an auditor he would do business with. Mr. Sears agreed with Mr. Calamari. He stated the auditor did put forth corrections and it may be that it may be our fault that the corrections did not get completed. Mr. Bruno stated he would like both Mr. Mai and a representative from Lerch, Vinci & Higgins come in a make a presentation. He spoke at length of what occurred at a Planning Board meeting when he received two quotes for a re-examination and what occurred when there was a re-do. A conversation followed regarding what occurred at the Planning Board with regard to proposals that were submitted. Mr. Bruno spoke of the revised audit on State Vendors at the last minute. He stated he is concerned that the Township is not getting what it needs and he feels something is amiss. Administrator Groh spoke of looking over Mr. Mai's audit reports in other towns and they also had the same type of deferred charges that the Township had to fund this year. A conversation followed with having an interview process with Mr. Mai and Lerch, Vinci & Higgins as was done with the Zoning Board appointments. Mr. Ullman spoke of his experience with internal control. He stated he has no problem with putting together a Q & A, but he would like council's

involvement. Comments were made regarding the audit and what was done in the past regarding audits that referenced bonds. Mr. Ullman stated he would like to bring Mr. Mai and a representative from Lerch, Vinci & Higgins to the next meeting (July 18th) to ask questions on their audit philosophies. He stated the CFO can be asked if she would like to contribute or participate.

Council – Administration Communication – Mr. Ullman spoke of a house fire that occurred in the Township and a resignation of a superintendent that came to light at the last meeting, both of which when questioned he knew nothing about. He stated he would like to set up some type of mechanism for which things of this nature can be communicated. Mayor Sobkowitz spoke at length of the protocol, being any time of the day or night, if something occurs, she is notified by the Police Chief and she then notifies the Council President. She stated for some reason she did not receive the call regarding the fire to be able to pass the information to the Council President. She spoke at length of the protocol in place when an emergency occurs. She stated we cannot make any statement to the paper. Mr. Ullman spoke of events which he feels council should know about. A conversation followed regarding the rumor of Mr. Kiely's resignation and the actual receipt of his resignation letter. Administrator Groh replied the letter was received and forwarded to council. She stated it is an administrative function to replace that person. Mayor Sobkowitz stated she does have updates in her monthly report. Mr. Sears asked that if anyone gets called for a comment by any newspaper, please do not comment since that can wind up in lawsuit. Comments were made with regard to the chain of command in the Township. Mayor Sobkowitz stated the Township does have PI Officers (Public Information Officers) who are allowed to put information out, those would be Detective Calamari and Officer Heather Castronova, and before they put anything out it is reviewed by a higher agency.

Council Discussion on Test Video of June 13, 2016 – Administrator Groh spoke of not receiving a copy of the test video, as well as the Mayor and Mr. Poller. A copy of the video was given, and Mr. Ullman indicates he will drop off his copy at Town Hall tomorrow. Mr. Ullman stated the audio was very good, but he feels the public should sit instead of stand. He stated he felt everything was positive and personally doesn't see a reason not to do it. The equipment will be permanently set up and it is up to each body that uses the room whether they would like to use the equipment. Mr. Ullman stated as per Mr. Lifrieri the cost will be \$200 per meeting, which cover the person recording/live broadcasting the meeting, looping the meeting on WCTV until Wednesday and then loading the meeting onto the WCTV website. He stated there is also a person in Oradell that WCTV works closely with that would be a back-up person. He stated if Zoning/Planning wanted to record their meetings they would have to appropriate their own money. A conversation followed regarding Mr. Larry Lifrieri being the party council would interact with and the person doing the recording would be a contractor, not an employee of the Township. (Council was in agreement with doing the video). Mr. Ullman stated he would like the Mayor, Administrator and Mr. Poller to review the video and give some feedback. Mr. Calamari asked what the price on the camera is. Mr. Ullman stated the only start-up cost is the construction of a small shelf in which the cameras would be permanently mounted, which they already have. A discussion followed of also putting the audio on the website.

BANS – (Bond Anticipation Notes) Discussion – Administrator Groh passed out documents to council regarding BANS and the unfunded ordinances they apply to. She stated currently the Township has \$2,510,000 in bond anticipation notes outstanding, that are coming due August 5th. She then gave an overview of the documents, the first page being a resolution that council will consider for the July 18th meeting, the next page is an email from Bob Beinfeld (Hawkins, Delafield, & Wood) the Township bond counsel, which lays out the time frame of what needs to be done. She also discussed how the amount changes between now and then. She stated with regard to the other two loose pages, one is a very short schedule of BANS for new financing, and

the next schedule (sideways spreadsheet), that was prepared by the Lerch, Vinci firm to help evaluate the Township debt situation. She explained each of the columns of the spreadsheet and spoke of the spreadsheet at length. She stated she has also attached ordinances and each ordinance at the bottom in bold states what is recommended to be financed along with an explanation of how that was determined. She also spoke at length of the summary sheets provided. A discussion followed regarding Ordinance No. 13-20, various improvements. Administrator Groh explained the justification for funding, the soft cost and the summary of details. She also spoke of what the current council has authorized for the roads and trucks. Comments were made with regard to issuing of bonds, authorizing BANS and Ordinance 99-05. A discussion followed regarding permanent bonding and the making of principal payments. Administrator Groh spoke of the BAN rates and the debt section of the financial statement. She stated a decision does not have to be made tonight and she can field any questions council may have between now and July 18th (the next council meeting). A conversation followed regarding why the administrator prepared these documents and not the current CFO. A discussion followed regarding what Mr. Statile has been paid so far.

Resolution No. 16-229

Closed Session, June 27, 2016

Whereas, the Open Public Meeting Act (N.J.S.A. 10:4-6) provides that the public may be excluded from that portion of a governmental public meeting if the subject matter falls within certain enumerated subjects that are in said statute; and

Whereas, the Township Council wishes to discuss pending litigation involving COAH which is currently before the Superior Court of New Jersey; and

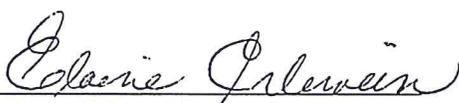
Whereas, the subject matter of the Closed Session will be disclosed when finalized, which date is currently unknown as the COAH litigation is ongoing; and

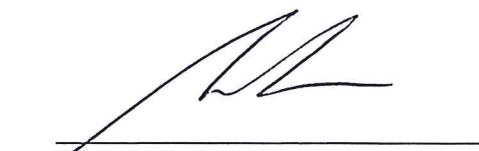
Whereas, no Public Session will be needed after the Closed Session;

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from the current Closed Session at which the pending litigation involving COAH will be discussed.

Motion		Seconded		Ayes	Nays	Abst.	Absent
Bruno		Bruno		X			
Calamari		Calamari		X			
Cascio	X	Cascio		X			
Sears		Sears	X	X			
Ullman		Ullman		X			

Time Noted: 11:12


 Elaine Erlewein
 Township Clerk


 Michael Ullman
 Council President

Approved: July 18, 2016