

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

PUBLIC PORTION/CONFERENCE SESSION

June 30, 2014

The Township Council held a Public Portion/Conference Session in the Municipal Building, Pascack Road. The meeting was called to order at 7:32 p.m. by Council President Thomas Sears with the Clerk leading a salute to the flag. Members present: Peter Calamari, Steve Cascio, Richard Hrbek, Thomas Sears. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney; Matthew Cavallo, Administrator. Absent: Glenn Beckmeyer, Councilman.

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.

SWEARING OF MATTHEW CAVALLO, BUSINESS ADMINISTRATOR

Mayor Sobkowicz – Mayor Sobkowicz would like to introduce Mr. Cavallo's family and friends that are here tonight, Nancy, his grandmother; Lisa, his Aunt; Peter, a family friend; Meghan, his sister; Don, his dad and Neil Bellet, the current administrator of Wayne, New Jersey.

(Meghan Cavallo holds the Bible).

Mr. Cavallo is sworn in as the Business Administrator of the Township of Washington by Mayor Sobkowicz.

APPROVAL OF MINUTES

A motion was made by Mr. Hrbek, seconded by Dr. Cascio, to approve the May 19, 2014 Public & Conference Session Minutes.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

A motion was made by Mr. Calamari, seconded by Dr. Cascio, to approve the May 27, 2014 Special Session Minutes. (Mr. Hrbek abstains).

Ayes: Councilpersons Calamari, Cascio, Sears.

Nays: None.

A motion was made by Dr. Cascio, seconded by Mr. Hrbek, to approve the June 2, 2014 Special Session Minutes. (Mr. Calamari abstains).

Ayes: Councilperson Cascio, Hrbek, Sears.

Nays: None.

A motion was made by Dr. Cascio, seconded by Mr. Hrbek, to approve the June 9, 2014 Public & Conference Session Minutes.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

GENERAL PUBLIC DISCUSSION

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

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

Ronald & Janie Meyer, 23 Stratford Court – (Mr. Meyer hands a letter to the Council). Mr. Meyer states that there are four other residents with him here tonight. Mr. Meyer states that this letter has been around since January 13, and would like to know what the status is. Mayor Sobkowicz states that the situation that Mr. Meyer is addressing will be covered by our town attorney in tonight's closed session. Mr. Poller states two notices have been given by the

Chief Construction Official, time for action has expired and it has now been referred to the legal department with regard to what action needs to be taken for non-compliance of the summons. Mr. Poller further states legal action is anticipated and Mr. Poller can have the administrator advise Mr. Meyer of the course of action that will be taken, but not what goes on during closed session. There was a lengthy discussion with regard to the tenants that are at the location illegally. Mr. Poller knows of the two summonses, but this is the first time he has heard of illegal tenants and will make his recommendations as to what course of action should be taken. Mrs. Meyer states this letter was sent in January with regard to the illegal 3 to 4 family home on Stratford Court. Mr. Poller states he would ask the administrator about this, but it is not the same administrator. Mr. Meyer states he handed this letter to Catherine Steinel and the next day John Scalia called and stated his hands are tied. Mrs. Meyer states that if something can get passed the building inspector we can all have tenants. Mr. Poller will have the current administrator reach out to you and keep you up to date. Mr. Sears states this is the first time he has seen this and he guarantees that this will be addressed tonight during closed session. Mrs. Meyer states that they are prepared to go to the newspapers to move forward and get something done. Mrs. Meyer further states that there are complete strangers stating that yes, they are tenants and pay rent. Mr. Sears states we will look into this and thanks the Meyer's for bringing it to Council's attention.

Rose D' Ambra, 423 Colonial Boulevard – (Mrs. D'Ambra hands photos to Council taken June 23). Mrs. D'Ambra states that there are ordinances in the books that are not being adhered to. Mrs. D'Ambra spoke of property located on Pascack Road between McKinley and Jefferson that is loaded with used cars. Mrs. D'Ambra states that Mr. Covello has a business of junking and buying cars and owns the property Block 3103 Lots 1-7. Mrs. D'Ambra spoke at length with regard to an area that is zoned for commercial and residential use. Mrs. D'Ambra stated at one time there were 10 cars on the corner of Jefferson and Pascack, now there are over 50 cars. Mrs. D'Ambra states Mr. Covello is leasing the land as a used car lot and that should not be. Mr. D'Ambra also states that Mr. Covello does not live in town, so he does not care what the Township looks like. Mrs. D'Ambra also states that James Tucker is a part time Zoning Officer and the Township needs a full time Zoning Officer. Mayor Sobkowicz states that there were several summons issued and there was also a mandatory court appearance for June 19th but it was adjourned so that they could hire an attorney. Mr. Poller states the history of the property and that the Township went to court over the property and lost. Mr. Poller states that Judge Contillo ruled even though the cars were bigger in number, it was the continuation of a nonconforming use and he would not issue an order directing them to stop. Mrs. D'Ambra states it is a dangerous situation, all the cars being parked so close together. Mayor Sobkowicz states the timeline of when a summons is issued. Mayor Sobkowicz further states that the violations not only is the use, but also the parking on the grass. There was a conversation with regard to the corner being used as a parking lot.

Ray Bernroth, 838 Crest Place – Mr. Bernroth states the pot holes on Crest Place are still there. Mayor Sobkowicz states the pot holes were filled. Mr. Bernroth asks Mr. Sears to come to Crest Place to see what pot holes were filled and not filled. Mr. Sears states yes, he will take a ride to Crest Place. Mr. Bernroth states as a matter of protocol, when Mrs. Erlewein takes the roll call, Mr. Cascio should be addressed as Councilman Dr. Cascio. Mr. Sears states that will be corrected.

Toni Plantamura, 808 Robinwood Road – Mrs. Plantamura spoke at length with regard to the traffic conditions on Washington Avenue coming off of Exit 168. Mrs. Plantamura also stated that over 2 ½ years ago a committee was formed with regard to Exit 168 and there was never another meeting held. Mrs. Plantamura states as a taxpayer, she is tired of looking at traffic every say. Mrs. Plantamura states if over two million dollars can be spent for a turf

field in this town, she would like to know why money can't be spent for hiring a lawyer for opening Exit 171. Mrs. Plantamura has lived in this town since 1956 and remembers when there was no traffic on Washington Avenue. Mrs. Plantamura states in the 1950's and 1960's she played on the fields and does not understand why the kids would need a turf field. Mrs. Plantamura would like to know if there could be a referendum to bring this to a vote. Mrs. Plantamura then spoke at length with regard to all the borrowing the Township will undertake for new projects. Mrs. Plantamura states she is 60 years old, works four jobs, and is working more and getting less for her money. Mrs. Plantamura believes that there should be a fundraiser for Memorial Field for the turf. Mayor Sobkowicz states with regard to Exit 171 there may be an opportunity, since the Parkway is going to spend 68 million dollars for improvements, to make the left hand turn a right hand turn off of Exit 171. Lieutenant Hackbarth does attend county meetings with county engineers and he is encouraging them to make that change. Mayor Sobkowicz states with regard to the Senior Center floor, the Township did receive a redevelopment grant to pay for the replacement of that flooring. Mayor Sobkowicz states years ago when she became the Mayor, the debt flow was 30% of the tax dollar. At this time the debt flow is 7.5% of the tax dollar, so at this time projects can be done since the debt load has dropped considerably. Mr. Hrbek states that Mrs. Plantamura makes an excellent point with regard to the traffic situation at Washington Avenue and Pascack Road. Mr. Hrbek states that there are a lot of projects and organizations that are looking for their own causes, but as a council we need to step back and prioritize the projects that will best benefit the Township. Mr. Hrbek states with regard to the DMF building, that project will save the Township the repair and replacing of vehicles and that will save the taxpayers money in the long run. Mr. Hrbek spoke at length with regard to the road rehabilitation program, doing a little bit at a time. Mr. Hrbek states that certain things need to be addressed, such as the parking lot at the firehouse, the clearance for fire trucks at the fire house, and the cracking of the flooring. Mr. Hrbek states there have been studies in the past few years on these issues that are important to the infrastructure of the Township and a benefit to all the residents. Mrs. Plantamura appreciates Mr. Hrbek's comments, and if she had the time she would attend all the council meetings. Mrs. Plantamura states that there is extreme hardship out there, that she is also a college professor, and that there are families that are hurting during these times. Mrs. Plantamura would like a referendum or a vote on the turf field. Mrs. Plantamura would also like to see a right hand turn off Exit 171. Mr. Calamari would like to remind the proposal that Council has on Memorial Field is 12 to 15 year pay back. Mr. Calamari also states that the Township would save on the maintenance costs offsetting what the field would cost. Mr. Calamari states that amount would also include the lighting of the field.

Sandy Philips, 321 Hudson Avenue – Mrs. Philips states the lights should be shut off every once in a while at the field. Mrs. Philips also would like to reiterate what Mrs. Plantamura stated, she is in total agreement. Mrs. Philips would like to know why it takes two months for minutes to be posted on the website. Mr. Sears states the minutes are in the best shape that they have ever been. Mrs. Philips would like to know the status of the steps outside. Mayor Sobkowicz states the engineer has a plan for the front part and the back and it is going to be starting pretty soon. Mayor Sobkowicz states there is going to be one stairway.

Mike Jezior, 804 Robinwood Road – Mr. Jezior states he supports what Toni Rossi (Plantamura) stated. Mr. Jezior spoke of his time playing football and a player gets hurt when someone hits them, turf does not prevent injuries. Mr. Jezior states that he is against the turf; it seems like a tremendous waste of money.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment asks if Mr. Sears received a copy of the list of vendors for the Somerset County Cooperative

Pricing Agreement. Mr. Sears states no, he did not. Mr. Sears then asks Mr. Cavallo for a list of vendors. Mrs. Ozment asks who brought this forward to Mr. Sears. Mr. Sears states the council discussed it and it was discussed at the budget meeting. Mrs. Ozment spoke with regard to the Somerset County Cooperative Pricing Agreement, that she did look into it and there are only two municipalities in Bergen County, Teterboro and Maywood that participate. Mrs. Ozment would like to know why we would be doing something that is so out of reach. Administrator Cavallo states the cooperative pricing system is similar to a state contract where the Township can purchase items at a discount due to the large numbers of municipalities and/or school districts that are a part of it. Administrator Cavallo states that the Somerset Cooperative has over a 100 members and believes that the Middlesex Cooperative is double. Mrs. Ozment would like to know if the Township has a new police chief. Mr. Sears states at this time we do not, but there is the chain of command. Mrs. Ozment would like to know if we have a tax collector at this time. Mayor Sobkowicz replied we have received two or three applications. Mrs. Ozment asks do we have a new DMF superintendent. Mayor Sobkowicz states no, we have only received two or three applications for that position also. Mrs. Ozment states since we are in a cooperative now, we can go to the cooperative. Mrs. Ozment also asks are we actively looking for a CFO. Mrs. Ozment would like to know why as President of the Council Mr. Sears doesn't know any of the answers to these questions. Mayor Sobkowicz states we do have a CFO, Ms. Judy Curran, who is sitting right here. Mrs. Ozment knows Judy very well and Ms. Curran did work in her office. Mrs. Ozment would like to know if the Mayor is looking for a regular CFO, one that can be around. Mayor Sobkowicz replied yes, people have applied. Mrs. Ozment asked have people applied for the Director of Finance position. Mayor Sobkowicz states no. Mrs. Ozment spoke at length with regard to the need of a new firehouse and fire truck. Mrs. Ozment states that the new firehouse would have to be handicap accessible. There was also a discussion with regard to an elevator and chair lift being installed in the firehouse. Mrs. Ozment spoke also spoke of the need for a new DMF building. Mrs. Ozment also states when she left the clerk's office, the whole ceiling had fallen down. Mr. Sears states to Mrs. Ozment her time has expired.

Michael Ullman, 2 Clark Avenue - Mr. Ullman asked who has been appointed as town engineer and has it gone out to bid. Mayor Sobkowicz replies that Azzolina & Feury have been appointed as town engineer and no it had not gone out to bid. Mr. Ullman would like to know why the appointment was not made in December. Mr. Sears states that the appointment for town engineer is made by the Mayor, not by council. Mr. Ullman would like to know why it took six months to appoint a town engineer. Mayor Sobkowicz states that Azzolina & Feury were appointed as the Planning and Zoning engineer. Mayor Sobkowicz also states for six months she had been using another engineer on special projects. Mayor Sobkowicz also states that Mr. Azzolina has a long history with the Township. Mr. Ullman states that a fresh prospective is good; the engineer had a fresh prospective with regard to the CVS application. Mayor Sobkowicz states there was a determination from his firm of the 50 acre dumping and that is why we are using him on special projects. There was a discussion if the old tower is going to be removed. Mr. Sears states at this time everything is working off the new tower, after testing is complete, the old tower should be coming down. There was a discussion with regard to Five Star, the Zoning Board resolution, and as part of the resolution the time frame was for one year. Mr. Sears's states Five Star is now constructing on that property, drilling and doing some kind of soil testing. Mayor Sobkowicz states she believes it is within the time line. Mr. Ullman would like to know the property on the northeast corner, the trees are deteriorating. Mr. Ullman knows that a summons was issued. Mr. Ullman would like to know if that are monitored on a regular basis. Mr. Sears states he does not know, but he will find out for Mr. Ullman.

Joe D'Urso, 12 Viola Terrace – Mr. D'Urso would like to know why the Township engineer was not appointed in January. Mayor Sobkowicz states she wanted to see other engineers, but a Township engineer is needed for planning and zoning. Mr. D'Urso asks was there any money owed to Azzolina, in the past six months that have not been paid. Mayor Sobkowicz states there might have been. Mr. Sears states he did sign a couple of vouchers. Mayor Sobkowicz states she also signed a couple of vouchers, and the engineer has been paid. There was a discussion with regard to the potholes on Crest and Pascack, that there may be a water issue at that location. Mr. D'Urso thanked council for moving ahead on the Pascack Valley Cooperative Paving. Mayor Sobkowicz spoke of the engineer on the project, the bids that were received, the grants and phase 2. With regard to the Disposal of Obsolete Township Equipment Resolution, two cars never sold and the administrator want so go out and sell them. With regard to the Recycling Bid, that went out to three bidders. Mr. D'Urso asks with regard to the Cooperatives when can it be out of county. Administrator Cavallo states it depends on the organization of the county. Morris County's bylaws state it is restricted to Counties that touch Morris County. Middlesex, Somerset and Monmouth and a couple in South Jersey opened it up to the entire State, which is allowed by law. Mr. D'Urso suggests that the swim club does have a large piece of property, could be grated, invest in stationary lights, and since the swim club is hurting and the turf field is expensive, it might be a good idea to partner with the swim club. Mr. D'Urso suggests investing in stationary lights, and there is plenty of parking down there.

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

Ayes: Councilpersons Beckmeyer, Calamari, Cascio, Hrbek, Sears.

Nays: None.

BUDGET HEARING

Resolution # 14-110

Wavier of Reading in Full 2014 Budget

A motion was made by Mr. Calamari, seconded by Dr. Cascio to read the following resolution.

Ayes: Councilpersons Beckmeyer, Calamari, Cascio, Hrbek, Sears.

Nays: None.

WHEREAS, N.J.D.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall:

- a. Be posted in a public place where public notices are customarily posted, and
- b. Is made available to each person requesting the same during said week and during the public hearing, and

WHEREAS, THE Township of Washington has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Township is hereby permitted to waive the reading in full of the 2014 Municipal Budget.

A motion was made by Mr. Beckmeyer, seconded by Dr. Cascio to open the Public Hearing on the 2014 Budget.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

Michael Ullman, 2 Clark Avenue – Mr. Ullman asks about the five minute restriction. Dr. Cascio it is in the Charter. Mr. Ullman spoke of Sheet 4, revenue realizing cash in 2013 versus anticipated in 2014, why are anticipated less revenue on these various lines. Mayor Sobkowicz states due the fact that permits are running behind. Mayor Sobkowicz continues you can't anticipate more than you actually receive. Mr. Ullman asks about Sheet 10, line 810, it is \$125,000 and anticipated in 2014 is \$35,000. Mr. Vinci states the 2013 is the trust fund transferred, outside billing goes to trust. Mayor Sobkowicz introduces Mr. Gary Vinci, of Lerch, Vinci & Higgins, and the Township auditor. Mr. Vinci spoke at length with regard to the budget, the budget will last two years and the balance after the second year goes into surplus, it is in the audit report not the budget report. There was a discussion with regard to Page 12, and the \$15,000 which get reserved. Mr. Vinci spoke also of the reserve column; money there is earmarked for bill that may come in 2014. Mr. Vinci further states that the budget itself will last for two years, the 2013 budget reserves that have remained in the end of 2014 go into surplus. Mr. Vinci continues that that is actually an exhibit in the audit report. There was a discussion with regard to how often the Township receives bills from the auditors. Mayor Sobkowicz states that a proposal is given at the beginning of the year. Mr. Vinci states that they come in 2014 to do the 2013 audit.

Rose D'Ambra, 423 Colonial Boulevard – Mrs. D'Ambra asks with regard to the \$600,000 for the VFW rehabilitation, why is it going to be funded in 3 years. Mr. Sears states we will be working on this at the next council meeting, to discuss proposals and items. Mrs. D'Ambra asks under bonds and notes, \$570,000 will be bonded. Mayor Sobkowicz states some of it comes out of capital improvement.

Mary Ann Ozment, 560 Adams Place – Mrs. Ozment asks on page 39, cash and investments, the five million, with regard to the sale of the middle school, which is in PNC, that is included. Mr. Vinci states by year's end, the Township had 5.829, which is the largest asset of the Township, offsetting that would be the surplus the Township had, balance remaining from the 2013 budget and other reserves that the Township has at years end. Mrs. Ozment asks is the money from the sale of the middle school in there. Mr. Vinci states yes. Mrs. Ozment would like to know how long can that be kept under a separate entity and why wasn't it put in general funds. Mr. Vinci states there is no restriction of how long you can keep a reserve from the sale of a municipal asset. It is up to the governing body to determine how and when they are to use these proceeds. Mr. Vinci states the interest goes over into surplus. Mrs. Ozment asks who is doing the Township's investments. Mayor Sobkowicz states Judy the CFO does them in conjunction with the administrator, and Rosemary does assist. Mrs. Ozment asks with regard to financial service fees, legal account, on page 14, why was more money put in if we didn't use it all. Mayor Sobkowicz replies lawsuits are anticipated. Mrs. Ozment asks with regard to the \$31,000, is that the amount of money the Township needs to pay for the recent lawsuit which was just settled. Mr. Poller states the lawsuit is in the amount of \$55,000, and the Township's portion is \$31,000.

Joe D'Urso, 12 Viola Terrace – Mr. D'Urso ask the 5.5 million in cash investments, is that actual money siting in our bank accounts, hard cash the Township has. Mr. Vinci states yes. Mr. D'Urso spoke at length with regard to the introduction of the budget, back in May, himself and the former clerk Mary Ann Ozment pointed out that the budget was not being introduced correctly, being that it did not the increase or decrease resolutions. Mr. D'Urso states when that was pointed out, the Mayor stated that she spoke to the auditor. Mr. D'Urso would like to ask the auditor a direct question, that is he called by the Mayor or anyone on that day. Mr. Sears states no. Mr. Vinci states there was a misunderstanding, miscommunication and that does happen. Mr. D'Urso

states this is detrimental to the auditor's reputation. Mr. D'Urso spoke at length with regard to the introduction to the budget, that the vote should have been rescinded. Mr. Hrbek states it was a misunderstanding, Mr. D'Urso was correct in pointing it out and it was not done intentionally. Mr. D'Urso states it should have been tabled instead it was re-advertised and more tax dollars were spent. Mr. D'Urso further states he does record the meetings, which he has a right to do.

A motion was made by Mr. Hrbek, seconded by Mr. Calamari to close the Public Hearing on the 2014 Budget.

Ayes: Councilpersons Cascio, Calamari, Hrbek, Sears.

Nays: None.

A motion was made by Mr. Hrbek, seconded by Mr. Calamari to approve the following resolution, **Resolution # 14-111** for the 2014 Budget of the Township of Washington.

Ayes: Councilpersons Calamari, Hrbek, Sears.

Nays: Councilperson Cascio.

BE IT RESOLVED, by the Governing Body of the Township of Washington, County of Bergen that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorized of the amount of:

(a) \$8,946,259.00 (Item #2 below) For Municipal Purposes; and

(e) \$567,423.00 (Item #5 below) Minimum Library Tax

SUMMARY OF REVENUES

1. General Revenues

Surplus Anticipated	\$ 1,100,000.00
Miscellaneous Revenues Anticipated	1,868,360.00
Receipts from Delinquent Taxes	300,000.00

2. Amount to be raised by Taxation for Municipal

Purposes (Item 6(a), Sheet 11)	8,946,259.00
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5. Amount to be raised by Taxation-Minimum Library

Levy	567,423.00
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Total Revenues	\$12,782,042.00
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SUMMARY OF APPROPRIATIONS

5. General Appropriations

Within "CAPS"

(a&b) Operations Including Contingent	\$ 8,259,525.00
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(e) Deferred Charges and Statutory Expenditures

Municipal	921,693.00
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Excluded from "CAPS"

(a) Operations-Total Operations

Excluded from "CAPS"	1,666,201.00
(c) Capital Improvements	35,000.00
(d) Municipal Debt Service	964,940.00
(m) Reserve for Uncollected Taxes	847,683.00
Total Appropriations	\$12,782,042.00

It is hereby certified that the within budget finally adopted by resolution of the Governing Body on the 30th day of June, 2014. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2014 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

ORDINANCE #14-07

The Clerk read Ordinance # 14-07 entitled: AN ORDINANCE AMENDING THE FIRE PREVENTION PROVISIONS OF THE CODE OF THE TOWNSHIP OF WASHINGTON, BERGEN COUNTY.

A motion was made by Mr. Calamari, seconded by Dr. Cascio, to introduce and pass Ordinance # 14-07 at first reading by title.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

The following resolution, **Resolution #14-112**, was presented and adopted on a motion was Dr. Cascio, seconded by Mr. Calamari.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

WHEREAS, Ordinance # 14-07 entitled: AN ORDINANCE AMENDING THE FIRE PREVENTION PROVISIONS OF THE CODE OF THE TOWNSHIP OF WASHINGTON, BERGEN COUNTY, was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 30th day of June, 2014;

NOW, THEREFORE, BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 21st day of July, 2014 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 Bergen Record, 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.

ORDINANCE #14-08

The Clerk read Ordinance # 14-08 entitled: AN ORDINANCE REVISING THE PARKING ON RIDGEWOOD ROAD ABD RIDGEWOOD ROAD AND RIDGEWOOD BOULEVARD NORTH.

A motion was made by Dr. Cascio, seconded by Mr. Hrbek, to introduce and pass Ordinance # 14-08 at first reading by title.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

The following resolution, **Resolution #14-113**, was presented and adopted on a motion was Dr. Cascio, seconded by Mr. Hrbek.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

WHEREAS, Ordinance # 14-08 entitled: AN ORDINANCE REVISING THE PARKING ON RIDGEWOOD ROAD AND RIDGEWOOD BOULEVARD NORTH, was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 30th day of June, 2014;

NOW, THEREFORE, BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 21st day of July, 2014 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 Bergen Record, 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

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. Calamari.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

RESOLUTION #14-114

Accepting Bid and Awarding the 2014 Road Paving Program through the Pascack Valley Cooperative Pricing System

WHEREAS, the Township of Washington, County of Bergen, State of New Jersey is a member of the Pascack Valley Cooperative Pricing System (#107-PVCPS) of which the Borough of Westwood is acting as the "lead agency"; and

WHEREAS, on June 11, 2014, the Pascack Valley Cooperative Pricing System received bids for the 2014 Road Paving Program; and

WHEREAS, D & L Paving Contractors, Inc., 681 Franklin Ave, Nutley, NJ 07110 was the lowest responsive and responsible bidder for the contract, in a required contract amount of \$4,041,612.65 of which \$666,259.56 is the share for the Township of Washington; and

WHEREAS, the Borough of Westwood, County of Bergen, State of New Jersey acting as the "lead agency" passed Resolution 14-156, awarding the master contract for the 2014 Road Paving Program on June 17, 2014; and

WHEREAS, the Township of Washington's share of this contract shall be charged to Account No. C-04-55-879-956 or any other account that may be deemed appropriate by the Chief Financial Officer.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington, County of Bergen, State of New Jersey that the Township's share of the bid submitted by D & L Paving Contractors, Inc., 681 Franklin Ave, Nutley, NJ 07110, be accepted and it be awarded the contract, in a required contract amount of \$666,259.56; and

BE IT FURTHER RESOLVED that this expenditure shall be charged to Account No. C-04-55-879-956 or any other account that may be deemed appropriate by the Chief Financial Officer and the availability of funds shall be certified by the Chief Financial Officer.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to enter into a contract with D & L Paving Contractors, Inc. in accordance with the bid and this resolution.

RESOLUTION # 14-115

Disposal of Obsolete Township Equipment

WHEREAS, the Department of Municipal Facilities and the Police Department have advised the Mayor of obsolete equipment that is no longer needed for public use; and

WHEREAS, *N.J.S.A. 40A:11-36* authorizes the disposition of personal property not needed for public use without public sale when the estimated fair value of the property to be sold does not exceed the applicable bid threshold in any one sale; and

WHEREAS, the item of equipment set forth below have an aggregate value of less than bid threshold:

- 1985 Ford 800 Series Truck VIN 1FDYK80U3FVA22466
- 2003 Ford Crown Victoria VIN 2FAFP71WX3X112849
- 2006 Ford Crown Victoria VIN 2FAFP71W96X106805

WHEREAS, it is in the best interest of the Township to dispose of said equipment.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington, County of Bergen, State of New Jersey that the obsolete equipment referenced above which is no longer needed for public use by the Township shall be disposed of according to the manner as prescribed by law.

RESOLUTION # 14-116

Accepting the Bid and Awarding the contract for Recycling of Organic Materials Bid # 14-2

WHEREAS, on May 21, 2014, the Township of Washington, County of Bergen, State of New Jersey received bids for Recycling of Organic Materials – Bid # 14-2; and

WHEREAS, Environmental Renewal, LLC, 27 Andrews Drive, Woodland Park, NJ 07424 was the lowest responsive and responsible bidder in an as required, no minimum purchase amount for not to exceed \$176,526.00 in 2014, \$182,646 in 2015, and \$188,626 in 2016 without further authorization by the governing body; and

WHEREAS, funds are available in Account No. 01-26-305-200 and have been certified by the Chief Municipal Financial Officer. This expenditure may also be charged to any other account which may be deemed appropriate by the Chief Municipal Financial Officer; and

WHEREAS, the as required, no minimum purchase amount of the contract is \$176,526.00, and shall be chargeable at such time as a certification of available funds is made by the Chief Municipal Financial Officer upon receipt of a properly executed purchase order.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington, County of Bergen, State of New Jersey that the bid of Environmental Renewal, LLC, 27 Andrews Drive, Woodland Park, NJ 07424 be accepted and it be awarded Bid # 14-2, in an as required, no minimum

purchase amount not to exceed \$176,526.00 in 2014, \$182,646 in 2015, and \$188,626 in 2016, without further authorization by the governing body; and

BE IT FURTHER RESOLVED that no amount of this contract shall be chargeable until such time as services are received or otherwise called for prior to placing the order and a certification of available funds is made by the Chief Municipal Financial Officer upon receipt of a properly executed purchase order; and

BE IT FURTHER RESOLVED that this expenditure shall be charged to Account No. 01-26-305-200, or any other account that may be deemed appropriate by the Chief Municipal Financial Officer, and the availability of funds has been certified by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to enter into a contract with Environmental Renewal, LLC in accordance with the bid and this resolution.

RESOLUTION # 14-117

Appointment of Recreational Director

BE IT RESOLVED, by the Township Council of the Township of Washington, that the Council hereby consents to the appointment of Eamonn Twomey, Director of Recreation as read by Mayor Sobkowicz for the term prescribed by law which is four years and will expire on December 17, 2017.

RESOLUTION # 14-118

Road Opening Refund/ 668 Leigh Terrace

WHEREAS, Patrick and Chiara Preciose posted a road opening bond on premises known as, 668 Leigh Terrace; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated June 4, 2014,

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the road opening bond in the amount of \$1000.00 to the above.

RESOLUTION # 14-119

Engineering & Soil Moving Refund/ 752 White Birch Road

WHEREAS, Thomas Lind posted engineering and soil movement escrow on premises known as Block 2209, Lot 6.02, 752 White Birch Road; and

WHEREAS, the Construction Code Official has issued approval dated May 27, 2014, C.O. No. 08-447,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated January 13, 2014,

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 \$262.00 to the above.

RESOLUTION # 14-120

Recreation Refund/ Connelly

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:

Christine Connelly
630 Calvin Street
Township of Washington, NJ 07676

Refund for Summer Recreation 2014
\$250.00

RESOLUTION # 14-121

Appointment of Township Engineer

WHEREAS, the Township of Washington, Bergen County has a need to acquire engineering services to be rendered to the Township; and

WHEREAS, the contract for such services is not being awarded under what is termed the fair and open contract provisions as defined in N.J.S.A. 19:44A-20.5; and

WHEREAS, Azzolina & Feury Engineering, Inc. has been appointed Township Engineer and its professional engineering services will be in excess of \$17,500; and

WHEREAS, Azzolina & Feury Engineering, Inc. has submitted a proposal with respect to the rates for said services to be rendered to the Township for the year 2014 which is the anticipated term of this contract; and

WHEREAS, Azzolina & Feury Engineering, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies it has not made any reportable contributions to a political or candidate committee in the Township of Washington in the previous one year, or made any contribution not in accordance with the terms of the applicable Township ordinance, and has agreed that the terms of appointment will prohibit Azzolina & Feury Engineering, Inc. from making any reportable contributions during the term of the contract or making any contribution not in conformity with the terms of the applicable Township ordinance; 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 Council of the Township of Washington, County of Bergen, State of New Jersey authorizes the Mayor to enter into a contract with Azzolina & Feury Engineering, Inc. as described herein; and

BE IT FURTHER RESOLVED, that the contract herein has been awarded to Azzolina & Feury Engineering, Inc. to provide the goods or services as described herein. This contract was not awarded through the "fair and open process" as defined under N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Azzolina & Feury Engineering, Inc., 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, or make any contribution which is not in conformity with Township ordinance, 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 be placed on file with this resolution, and that a notice of the award of said contract shall be published according to law.

Mr. Sears – Mr. Sears states that there is no Priority Table tonight. Habitat for Humanity will be here on Monday, July 7 to give us an overview

and presentation. Mr. Sears would like to thank the Mayor at this for getting Habitat for Humanity to come back to the Township. Mr. Sears also would like to thank Councilman Peter Calamari for accompanying him to look at the Veteran's homes that already have been built.

Mr. Poller – Mr. Poller would like to address Mr. D'Urso with regard to his understanding of what happened with regard to the budget. Mr. Poller spoke at length with regard to how the budget was introduced. Mr. Poller stated there is nothing to hide, it was a mistake. Mr. Poller stated from his understanding, the clerk saw the package, assumed it was all budgets and the clerk did call the auditor and spoke to Alex and inquired if this is all there is, and Alex states yes, there is all there is, without the clerk actually taking apart the package and looking at it. Mr. Poller further stated he did have a conversation with the auditor, and nothing is absolute even if it has been done the same way over the years. Mr. Poller does not attend the budget meetings, but he believed the proper way would be to start from scratch. Mr. D'Urso states that Mr. Sears is Council President and Mr. Sears does not want to answer his questions. Mr. D'Urso states that Mr. Poller is the Director of Law, not the Council and he should not be explaining this.

Mr. Sears – Council will be going to Closed Session.

Elaine Erlewein, Acting Township Clerk

Thomas Sears, Council President

