

replied that was requested by the CFO, she believes it had to do with finalizing the books/records for year end. Councilman Ullman stated he will forward an email to Administrator Groh for Ms. Morrone requesting further information.

A motion was made by Councilman Cascio, seconded by Councilman Cumming to suspend normal business for the Historical Poster Presentation.

Ayes: Councilman Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

PRESENTATION

Historical Poster Presentation

John Hogan, Bergen County Clerk

Mr. Hogan, Bergen County Clerk – Mr. Hogan thanked Council President, Council Vice-President, Mayor and Council members. He spoke of the “Temporary Satellite Office” which will be held at the Township of Washington on October 23-25. Services will include Passport Applications, Vote by Mail Ballots, Notaries and issuing of photo ID Cards. He urges that this information be put on the Township website, as well as an email blast. He stated he has various assigned duties, one of which is land records, which come into his office and are preserved there, as well as many historical documents. His office has documents that predate both World Wars, the Spanish American War and in some of the older communities, documents that predate the Civil War, and have not been seen since then. He spoke of a new initiative that was started to go out to high schools and middle schools. Recently his staff went to Ridgefield Park and registered 140 seniors to vote, which was an all-time high. He stated he lost his father, who was a Mayor when he was 16, and he has not missed an election since then. He stated if the Township needs a speaker for schools, Senior Centers, to please contact him to make arrangements. With regard to the historical records, his job is to preserve those records. He stated when he arrived at his office 7 ½ years ago, the documents were preserved pretty well for the last century, but technology has improved. The maps were in boxes, rolled up, folded, which was not a good idea, as per historians, everything should be laid flat. The documents uncovered were original incorporation papers for all 70 towns, the first elections for all 70 towns, as well as the first exempt firefighter certificate for 7 or more years of service. Campaign literature was uncovered from the 1870’s, and to notify the County Clerk they took a piece of the campaign literature and wrote across the bottom “this team won.” All of the documents were scanned and reproduced in a collage that is being presented to each municipality, and it is up to each municipality of where they would like it displayed. The reason for this collage is to bring alive some of the history of the community that no one has seen since it was filed in the County Clerk’s Office, as well as to promote community pride. All of these municipalities, when they were formed, had their own reason, and can be examined in some of the documents. What started out as “Washington Township” was then changed to “Township of Washington” and was created out of an Act of the New Jersey Legislature on April 13, 1840, territories between the Hackensack River and Saddle River, that had been part of Harrington Township. At the time of that creation, the Township covered an area of almost 20,000 acres. Orvil Township, was created on January 1, 1886, from the western portion of the Township of Washington, southern portion of Ho-Ho-Kus Township and the Borough Act resulted in “Boroughitis” when a lot of towns came to be in 1894. Most of the towns that are up in this area all came from Washington Township. At the time the Township of Washington came to be, Martin Van Buren was the President, Samuel Morris patented his telegraph, on January 25th the American Navel Expedition under Charles Wilkes, is the first to identify Antarctica as a new continent, the world’s first adhesive postage stamp was issued by Great Britain, and on December 2nd, William Henry Harrison was elected as the 9th President of the United States at that time, which puts into perspective how far back these

documents go. The documents have been reproduced into a collage and anyone can interpret them as they see fit, and also get copies if they wish. The collage includes the oldest map that was found was filed in the Clerk's Office on December 29, 1874, property of John Romaine and RJ Tanner, another map was filed on July 12, 1911, Washington Park, located in Washington Township, West Hillsdale, Van Emburgh Avenue, property was owned by DJ Donovan, who resided in New York City, another map was filed on November 27, 1921, Washington Heights, in Washington Township, subdivision of property, Thomas F. Braham, approved by a resolution passed by the Chairman Committee, Township of Washington, at a meeting, Fern Street, Beech Street, Washington Avenue, and the last map was filed with Alexander Allen, who was the longest serving County Clerk, serving 30 years, December 5, 1947, sectional map of Washington Lake's Estates, property of Carlson Builders Incorporated, Woodfield Road, Sussex Road. Additional documents include an election that was held April 12, 1875, the Town Clerk, James Alfred Ackerman, along with several other names that are from the origin of the Township, the returns of an election held in the First District, Washington Township, March 14, 1893, the amount of votes is listed, along with a list of names, whose descendants may still live in the Township, another document is March 12, 1901, for Justice of the Peace Thomas D. Brown, election of March 10, 1903, Township Clerk is Merseles Post 87 votes, Constables were elected in those days, surveyors of highways, towns keepers, and another Justice of the Peace, F. Gleason, and Exempt Firefighters certificates. Firefighters who served 7 years or more were considered exempt firefighters, Charles Randle, Township of Washington, he joined the Fire Department on January 1939, and the certificate was issued May 1, 1951, Sidney Barns was another firefighter who joined the Fire Department on October 14, 1941, Clayton Brawer was the Chief of the Fire Department A.R. Purdy was the Chief Executive Officer, and Grace Fletcher was the Clerk at that time. He stated at this time, most of the 1st floor of the County Administrators building housed land records, title search records. Those documents will be now scanned and are coming off the shelves and, in its place, there will be a County Historical Research Center. If anyone is interested in obtaining the documents that are on the poster, please visit the County Clerk's website, visit the Bergen County map, and you can print out any documents. He hopes everyone enjoyed the presentation as much as they enjoyed uncovering these documents.

APPROVAL OF MINUTES

A motion was made by Councilman Cascio, seconded by Councilman Bruno, to approve the following minutes:

January 16, 2018	Regular Meeting Minutes
January 16, 2018	Conference Meeting Minutes
February 5, 2018	Regular Meeting Minutes
February 5, 2018	Conference Meeting Minutes

Ayes: Councilman Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

OPEN SPACE PUBLIC HEARING (at 7:30 pm or soon thereafter)

PUBLIC HEARING ON BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL PROGRAM PARK IMPROVEMENT APPLICATION FOR SENIOR CITIZENS PARK.

A motion was made by Councilman Cascio, seconded by Councilman Ullman, to open the Public Hearing.

Ayes: Councilman Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

Council President DeSena - The meeting is now open to the public. Notice of public hearing on BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL PROGRAM PARK IMPROVEMENT APPLICATION FOR SENIOR CITIZENS PARK was advertised as a display ad fifteen (15) days before the date set therefore under N.J.S.A.40A:4-9, on May 11, 2018 in addition to the public notice advertised May 4, 2018. If anyone desires to heard regarding the application, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

William Ferara, 2556 Cleveland Avenue – Mr. Ferara asked is this the John Martini Park on Sussex Road? Council President DeSena replied yes, it is. Mr. Ferara asked what type of improvements are going to be made? Council President DeSena the bocce ball courts will be redone, some concrete paving done, some sidewalks redone, benches, planters, garbage cans, landscaping and new grass. Mr. Ferara spoke of his concern of people sitting there eating lunch, but not see Seniors or anyone playing bocce, he would like the Township to do something to encourage people to use the park. A conversation followed on the type of grant it is, which is a \$15,000 matching grant. Mr. Ferara stated he feels the basketball courts at Clark Field should have been looked at before this project, even though it is a good project, since Clark Field gets more use.

Council President DeSena asked if anyone has any additional comments? Seeing no hands, I entertain a motion that the public hearing on BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL PROGRAM PARK IMPROVEMENT APPLICATION FOR SENIOR CITIZENS PARK be closed and that it be resolved that the legal advertisement was posted on the bulletin board on which public notices are customarily posted and published in The Bergen Record.

A motion was made by Councilman Ullman, seconded by Councilman Bruno, to close the Public Hearing.

Ayes: Councilman Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

A motion was made by Councilman Bruno, seconded by Councilman Cumming, to approve Resolution No. 18-219, Endorsement of Open Space Trust Fund Application.

Ayes: Councilman Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

Resolution No. 18-219

Endorsement of Open Space Trust Fund Application

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Township of Washington desires to further the public interest by obtaining a matching grant of \$30,000. from the County Trust Fund to fund the following project: Improvements at Senior Citizens Park; and,

WHEREAS, the Township Council has reviewed the County Trust Fund Program Statement and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant

and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the Township Council held the required Public Hearing to receive public comments on the proposed park improvements in the application on June 6, 2018; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above-named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Township Council:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of June 18, 2018, as established by the County; and,

2. That, in the event of a County Trust Fund award less than the grant amount requested above, the Township Council will secure the balance of funding necessary to complete the project, or modify the project as necessary; and,

3. That the Township Council is committed to providing a dollar for dollar cash match for the project; and,

4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.

5. That the Township Council agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,

6. That this resolution shall take effect immediately.

Mayor's Report, June 6, 2018

Contaminated Recycling

We received a few emails yesterday from our recycling company saying that our recycling is being downgraded and extra charges are being assessed due to excess contamination. A quick excerpt from the emails reads as follows:

“The attached load was downgraded 40% due to plastics, food waste, green waste and construction material. Downgraded material will be charged at \$150.00 per ton. Attached photos are for a load that was downgraded 10% due to plastic bags, please eliminate any materials that are listed on the inbound grading sheet, which is attached”.

The rules will be posted on the website on the top of the webpage. Please take time to review them.

Councilman DeSena – Pizza boxes and plastic bags are not recyclable as these items destroy all of our recycling loads.

Administrator Groh – Those items are not allowed to be included in the comingled and residents are not allowed to use them to put comingled out, they need to be put loose in a barrel. Papers cannot be put in plastic bags, but you can use a paper bag, or have them loose in a container. Plastic bags cannot be used to contain any recyclables. Emails were sent out, along with posting on the website about a month ago after we were notified it was going to be strictly enforced.

Intersection

In speaking with the County, the status has not changed, they have everything they need from the Township and are continuing their work but cannot commit to a time frame.

Firehouse

The Ambulance Corp is having internal discussions about moving their location to the firehouse location. Once that decision is made and the preliminary sketches can be firmed up, the architect can give us pricing for the project. Council President DeSena asked is there a time frame for the Ambulance Corps to make that decision. Mayor Calamari stated there is no time frame and would like to give them the time they think they need. There is a verbal that it will not drag out too long.

Shared Services

The Township sent its first vehicle to Ridgewood for service, and he was told a good turnaround time was given to get the vehicle back in service.

Police Department Retirement

After a distinguished 38-year career with the Township Police Department, Captain Hackbarth will be retiring as of July 1. He will be missed and wish him the best for the future.

New Ambulance

The Ambulance Corps has taken delivery of their new rig, and he was given a tour. He is happy to say if you or someone you know has to use their services, you will have the finest people taking care of you in a state of the art rig.

Police Department

The Police Department has taken delivery of their new mobile speed monitor and message board. Look for it to be deployed at different locations throughout the Township, and be mindful of your speed, whether the board is reminding you or not. Now that school is almost out children will be spending more of their time outdoors.

Fire Department Inspection and Dinner

Along with Council President DeSena and Councilman Ullman he was happy to attend the Fire Department Inspection and Dinner. Our firefighters keep the equipment in perfect condition to handle any situation that comes their way.

Post Storm Recap Meeting

In our post storm recap meeting from the May 15th storm, it was decided to get prices for the DMF to acquire larger chain saws to better deal with the down trees, we are also looking to contract with tree companies to give us a priority response during and after these events.

Planning Board

The Planning Board rejected an application for a smoke shop at the shopping center. It was nice to see such a large, passionate turnout from our residents on the issue.

Girl Scout Bridging Ceremony

He was honored to be invited to, attend and speak at the Girl Scout Bridging ceremony. It brought back fond memories of when his own daughters were part of the Scouts.

Cub Scout Pack 228

He was invited to attend the Cub Scout Pack 228 Annual Blue & Gold dinner, but due to an email snafu, the invitation didn't make its way until after the event and is sorry he missed the event. On a related note, if anyone emails me and does not receive a response within 48 hours, please try to resend your email, or call Town Hall and let Bernadette know that you reached out to me and have not heard back.

Memorial Day Parade and Ceremony

It was an honor and pleasure to walk in the parade with Council President DeSena, Councilman Cumming and Councilman Ullman to pay honor to our fallen servicemen and women.

Flooring

He is happy to report that Phase 1 of the new flooring project in Town Hall is underway. All of the existing floor tiles on the 3rd floor have been removed, and the installation of new tiles is taking place

Town Concert Summer Series

This Friday (June 8th) at 8:00 pm WCTV will air an information session about the concerts, and they will loop it for a while, as is done with the Council Meetings, with it being re-aired as we get closer to the dates. Thanks to Pete Neary, Bill Biliias and the rest of the team for working so hard to make this event happen. Also thank you to WCTV and their volunteers for their time and talent to help promote the concerts.

REPORT OF COUNCIL

Councilman Ullman stated he would like to thank the Fire Department for their invitation to the inspection and dinner. It was a very nice evening and it is good to see the equipment in top shape, and the effort and pride they take in the equipment. He would also like to recognize the Fire Department for their invitation to the Memorial Day Ceremony where they recognized fallen members of the Department, it is a very nice tribute. He would like to thank those who came out for the Memorial Day Parade and for those who did not, if you are in town, you should make an effort to attend, it is a very nice event, as well recognizing those who have fallen, we do have a few members of the VFW who march, and it is an inspiration to see these gentlemen who are probably in their 70's and 80's proudly march with the flag. He would like to thank Dina Burke, she is one of the leads in planning the event, and Tom Sears as the Grand Marshall of the parade.

Councilman Cumming stated he would like to ditto that which was well presented by Councilman Ullman. He also attended the Memorial Day Parade, with Tom Sears as the Grand Marshal and it was a very nice town turnout. Today is the 74th Anniversary of D-Day, he was very privileged to know a D-Day survivor, if there are any around, God Bless them and thank you. The audits for PSE&G to renovate all the lighting and some of the mechanicals in all the 6/7 township buildings are done and the fields were completed. Mr. Lawlor arranged things, and Mr. Casey went around with us all day, one of the auditors was Mr. Grimaldi from Van Emburgh Avenue. Mr. Grimaldi called him today, another application will be put in and signed for Sherry Field, and the Ambulance Corp and Library buildings will also be included. The audits are complete on the buildings that were done and are being forwarded to PSE&G and we should receive word of how much we are getting very shortly.

Councilman Bruno stated he agrees with everything that was previously said.

Councilman Cascio stated he has no report.

Council President DeSena stated he would like to thank the Fire Department for the invitation, it was a great event. Walking in the Memorial Day Parade was an honor, and my sidekick Domenic, my little guy enjoyed it in his wagon. It was a great day to honor the fallen, the ones that are still with us and pay tribute to them. With regard to Quest, he does have a summary from Quest and it reads as follows:

In October of 2017, Quest Environmental and Engineering Services installed 3 additional monitoring wells in the southwest corner of the Municipal Complex in order to determine if on-site ground water contamination associated with a release from the former underground storage tank extended to the southwest. On May 4th, sampling of these newly installed wells, and four others select wells was conducted, monitoring wells located off-site on a residential property was sampled to complete contamination delineation to the south. Monitoring wells were sampled to assess the extent of contamination that remains on site. As a cost savings measure, on-site assessment and the extent that remains on site was determined. Wells near or within the contamination plume were not sampled, past contamination levels there remain above the New Jersey DEP Standards.

(He stated attached he has findings from the report, if anyone is interested and they can be made available.)

The results indicated that the natural degradation of the contaminants is ongoing and the impacted area appears to be confined to the municipal property. The NJDEP has previously requested the ongoing monitoring of 6 residential potable wells, located west of the complex until such time it was demonstrated that the contamination did not extend off-site to the south west. These potable wells never contained contamination but were monitored as a precautionary measure and protection of public health. This requirement was satisfied by the sampling results of the MW11 well cluster. Quest will be preparing the remedial investigation report for Washington Township's review and approval, and for submission to the New Jersey Department of Environmental Protection. The report will provide the site's remedial history, details regarding ground water and soil sampling, soil remediation as well as recent well installation. Upon review, Quest will come to our Council meeting and conduct a full presentation for the Council

He stated that was the Summary Report, the results are back, now they will conclude them and put together their full findings, in about 4-6 weeks. Hopefully they will attend the first meeting in July.

Council President DeSena stated Mr. Poller has now joined us.

He would like to ask the Council if they would be amicable in amending Ordinance No. 86-7 to include additional uses that would be prohibited and not permitted within the retail business section of our Township. The last prohibited use is Letter "O" he would like to add a prohibited use of "P" for marijuana retail and wholesale shops, "Q" for vape products, retail and wholesale, "R" of hatchet throwing, "S" of massage parlors and "T" headshops selling drug paraphernalia, all types. Mr. Poller stated this can be discussed during the Conference Session but believes Council should move on it quickly.

GENERAL PUBLIC DISCUSSION

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

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

Katrina Cassidy, 35 Eugene Court – Ms. Cassidy stated instead of preparing an ordinance of which limits uses, she suggests perhaps as Ridgewood and Woodcliff Lake have done, have an ordinance that lists uses that are allowable, stores that are already in town as a guide, so there is a protection against things that Council or residents are not okay with. Council President DeSena stated we can review that suggestion and see if that is possible. Mayor Calamari stated the Planning Board is also looking to streamline the process of getting tenants into the shopping center. They will be working with Council to determine a list of acceptable businesses, and if a business falls into that criteria, the process can be streamlined, with the business checking off that they meet the criteria.

Kevin Doyle, 655 Fern Street – Mr. Fern spoke of his concern of speeding on his street, and if it would be possible to put signs on all side streets enforcing the 25mph speed limit. He stated his street is a cut through street, and there are small children in his neighborhood, he is concerned of their safety, as well as the safety of their families. Council President DeSena stated speed limit signs were put on Colonial. Mayor Calamari suggested putting 25mph speed limit signs on all streets that come off Washington, which is a 35mph speed limit, reminding drivers to drop their speed.

David Snyder, 91 Windsor Circle – Mr. Snyder thanked the Planning Board members for the 7-0 vote on the vape shop. He spoke of the concerns the parents had that attended the meeting. He stated he understood that the vape store owner stated in the public meeting that no marijuana would be sold in the store, but currently there are six dispensaries in the State of New Jersey, with a plan to increase to 23, and each dispensary will be able to have two selling places for medical marijuana, which means if you have a smoke shop/vaper store these dispensaries can pick two sellers to distribute their merchandise. He suggested having an ordinance in place so the mall owner can have a clear ordinance of what is allowed or not allowed. A conversation followed on the Township passing an all-inclusive ordinance, and the timeline of the ordinance passing.

William Ferrara, 2556 Cleveland Avenue – Mr. Ferrara spoke of the State Law which prohibits anyone under the age of 21 from purchasing cigarettes and vaping products, the law would make it a disorderly offense. A conversation followed on Lukoil, which is selling e-cigarettes and vaping material, and monitoring locations to not sell to individuals under the age of 21. Mr. Ferrara spoke of an article in The Bergen Record, which talked about the effects of vaping, and the same chemical that is used in anti-freeze goes into the vaping products. He asked if parking spaces will be expanded at Clark/Gardner Field, and if instead of paving crushed stone can be used. Council President DeSena replied the two ADA spaces will be paved, crushed stone will not be used since it will be difficult to get a walker or scooter over crushed stone. A conversation followed on the cooperative resolution for paving, which is being pulled, and the Municipal Humane Officer, which is required by the State, will be filled by Carol Tyler, our Animal Control Officer/TYCO at no additional cost. A conversation also followed on the two resolutions regarding Green Spaces and Buildings. Council President DeSena stated as an engineer, we do our best to be as green as possible, but sometimes the costs prohibits us from getting the benefit we would like to get. The resolution states an attempt will be made and the Mayor supports it.

A motion was made by Councilman Cascio, seconded by Councilman Bruno, to close the general public discussion.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

ORDINANCES

Adoption 2nd Reading

Ordinance No. 18-07

AN ORDINANCE ESTABLISHING THE POSITION OF MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER

A motion was made by Councilman Ullman, seconded by Councilman Cascio to approve Resolution No. 18-220 authorizing second reading and opening of Public Hearing for Ordinance No. 18-07.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

Resolution No. 18-220

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 18-07 entitled: AN ORDINANCE ESTABLISHING THE POSITION OF MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER be read on second reading and the public hearing be held thereon pursuant to law.

No Public Comments.

A motion was made by Councilman Bruno, seconded by Councilman Ullman, to close the Public Hearing on Ordinance No. 18-07.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

A motion was made by Councilman Bruno, seconded by Councilman Cumming to adopt Ordinance No. 18-07.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

Ordinance No. 18-07

An Ordinance Establishing the Position of Municipal Humane Law Enforcement Officer

BE AND IT IS HEREBY ORDAINED by the Township Council of the Township of Washington that ARTICLE XII of the Code of the Township of Washington (the "Township") entitled "Department of Public Safety" be and is hereby amended by adding the following provisions thereto:

1. "§5-79. Municipal Humane Law Enforcement Officer.

A. Within the Department of Public Safety, there shall be not less than one (1) Municipal Humane Law Enforcement Officer who shall be appointed by the Mayor upon the recommendation of the Chief of Police and with the approval of the Director of Public Safety.

B. The Municipal Humane Law Enforcement Officer shall have the power and authority within the Township to act as a municipal humane law enforcement officer to:

- (1) enforce all animal welfare and animal cruelty laws of the State of New Jersey and ordinances of the Township;
- (2) investigate and sign complaints concerning any violation of an animal welfare or animal cruelty law of the State of New Jersey or ordinance of the Township; and
- (3) act as an officer for the detection, apprehension, and arrest of offenders against the animal welfare and animal cruelty laws of the State of New Jersey and ordinances of the Township.

C. The Municipal Humane Law Enforcement Officer shall:

- (1) abide by the provisions of chapter 22 of Title 4 of the Revised Statutes and all other applicable laws and regulations;
- (2) satisfactorily complete the training course developed pursuant to subsection a. of section 11 of P.L.2005, c.372 (C.4:22-11.11), subject to the provisions of subsection c. of section 11 of P.L.2005, c.372 (C.4:22-11.11) as applicable, as soon as practicable, but no later than one year after the date on which the officer's designation is approved by the Chief of Police;
- (3) refer all complaints for violations of the provisions of subsection c. of R.S.4:22-17 to the county prosecutor for investigation and prosecution, or any other appropriate legal action, except that such Municipal Humane Law Enforcement Officer may take any action necessary, within the authority granted pursuant to chapter 22 of Title 4 of the Revised Statutes, to respond to an emergency situation;
- (4) provide notice to the county animal cruelty prosecutor designated pursuant to paragraph (1) of subsection a. of section 28 of P.L.2017, c.331 (C.4:22-14.4) within five businesses days after the receipt of any complaint of a violation of any provision of article 2 [C.4:22-15 et seq.] of chapter 22 of Title 4 of the Revised Statutes, regardless of whether the violation is referred to the county prosecutor pursuant to paragraph (3) of this subsection. The notice shall contain, at minimum, a brief description of the offense alleged; and
- (5) submit, by October 1 of each year, a report to the animal cruelty prosecutor designated pursuant to subsection a. of section 28 of P.L.2017, c.331 (C.4:22-14.4), which shall include, for the most recently concluded State fiscal year, the number of complaints received for each offense under article 2 [C.4:22-15 et seq.] of chapter 22 of Title 4 of the Revised Statutes and the number of cases referred to the county prosecutor, and may contain any policy recommendations or concerns of the municipal humane law enforcement officer related to animal cruelty law enforcement in the municipality."

2. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid such decision shall not affect the remaining portions of this Ordinance.

3. All Ordinances or any provisions of any ordinance inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies and not otherwise.

4. This Ordinance shall take effect upon final passage and publication and in accordance with the Charter, and subject to such emergency resolution as may be adopted pursuant to Section 17-32 thereof. [R.S. 40:69A-181 (b)].

CONSENT AGENDA

All of the following items have been determined to have the unanimous consent of Council and will be enacted in one motion. Should any item require independent consideration, any Council Member may have such item removed from the Consent Agenda.

A motion was made by Councilman Ullman, seconded by Councilman Cumming, to the Consent Agenda.

Councilman Bruno asked what the time frame is for the road paving to begin (Resolution No. 18-222.) Administrator Groh stated Mr. Azzolina indicate he hopes to have the roads approved at the next meeting and go out to bid shortly thereafter. The minimum turnaround time for bidding is 10 days, however more time will be given. The general time frame is to have the bids advertised and opened around July 12/13, then awarded at the July 16 meeting, and go out to pave as soon as possible thereafter. Administrator Groh spoke of going through the co-op, but Mr. Azzolina realized, after a discussion with the engineer, there would be no advantage to join, and his recommendation would be to proceed outside of the co-op.

Councilman Ullman asked regarding Resolution No. 18-233, what is Council certifying to? Administrator Groh replied this is in connection with the new ambulance vehicle and is a requirement of the DMV. Councilman Ullman stated he does not have a problem passing the resolution but would like to know what Council is certifying. After a discussion it was agreed that Mrs. Witkowski, the Township Clerk, will reach in the morning to Mr. Rich Miras of the Ambulance Corps for further explanation.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

All resolutions were passed with the exception of the following which were pulled from the Agenda:

Resolution No. 18-226

Resolution No. 18-227

Resolution No. 18-231

Resolution No. 18-221

Authorize Refund of building permit fees Block 3116, Lot 17, in the amount of \$791.80

WHEREAS, Mr. Richard Wynes paid for a Building Permit 17-205 on May 16, 2017 on premises known as Block 3116, Lot 17, 699 Beech Street; and now is requesting a refund for the Building Permit in the amount of \$1,031.00 due to construction being cancelled.

WHEREAS, according to the attached Construction Permit copies from the Building Department, this created a refund to Mr. Wynes in the amount of \$882.80. This reflects the original payment of \$1,031.00 minus the DCA Training Fee of \$33.00, less a 20% fee to the Building Department for Plan Review:

\$	1,031.00
-	<u>33.00 (DCA Fee)</u>
\$	998.00
-	<u>206.20 (20% Plan Review)</u>
\$	791.80

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the payment in the amount of \$791.80 to Mr. Richard Wynes for cancelled Building Permit 17-205.

Resolution No. 18-222

Authorize the advertisement for bids 2018 road program

WHEREAS, the Council of the Township of Washington has determined to undertake a project for the improvement of Woodfield Road within the Township to be paid in part by a non-matching grant awarded on May 17, 2017 by the New Jersey Department of Transportation in the sum of \$165,627.00; and

WHEREAS, the Township Council has a need to advertise for bids for said project;

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the Business Administrator is authorized to advertise for bids for said project based on specifications to be prepared by the Township Engineer.

Resolution No. 18-223

Authorize refund of park permit fee

WHEREAS, DP Martial Arts Academy applied for and was granted a permit to use the Pavilion and barbecue area at Memorial Field on May 28, 2018 and paid a fee of \$265 for use of the Pavilion; and

WHEREAS, there was a storm on May 15, 2018 that caused damage to a tree next to the Pavilion that could not be removed prior to May 28, 2018 rendering the barbecue area inaccessible and a large amount of the Pavilion unavailable.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the Township Treasurer is authorized to refund the fee of \$265 to DP Martial Arts Academy.

Resolution No. 18-224

Authorize advertisement for bids ADA parking spaces at Gardner and Clark Field, contract with BCCD

WHEREAS, the Township of Washington has received a non-matching federal grant in the amount of \$51,750 through the Bergen County, Division of Community Development for the construction of A.D.A. parking spaces at Gardner Field and Clark Field; and

WHEREAS, the Township Council wishes to adopt a resolution to authorize the advertisement of bids in furtherance of said contract;

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the Business Administrator is authorized to advertise for bids for said project.

Resolution No. 18-225

Chapter 159 – Request approval of revenue and appropriation – NJDOT 2018 Municipal Aid – Robinwood Road

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that by the Township Council of the Township of Washington, Bergen County, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$178,112.00,

which is now available from the NJDOT 2018 MUNICIPAL AID – ROBINWOOD ROAD,

BE IT FURTHER RESOLVED, that the like sum of \$178,112.00 is hereby appropriated under the caption NJDOT 2018 MUNICIPAL AID – ROBINWOOD ROAD; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the NJDOT 2018 MUNICIPAL AID Grant in the amount of \$178,112.00.

Resolution No. 18-226 **PULLED******

Authorize cancellation of unencumbered balances of grant appropriation reserves, \$60,392.00

WHEREAS, certain Grant Appropriation Reserve account balances are available and recommended for cancellation;

NOW, THEREFORE BE IT RESOLVED, by the Township of Washington, that the CFO of the Township of Washington is hereby authorized and directed to cancel the Unencumbered balances of the Grant Appropriation Reserves as follows:

<u>Account ID</u>	<u>Grant Name</u>	<u>Amount</u>
G-02-41-700-000	ALCOHOL EDUCATION AND REHAB	\$ 4,132.00
G-02-41-710-000	POLICE LIVE SCAN FINGERPRINT	\$ 35.00
G-02-41-715-000	DRUNK DRIVING ENFORCEMENT FUND	\$ 8,634.00
G-02-41-720-000	COMMUNITY DEVELOPMENT	\$ 9,636.00
G-02-41-725-000	TOBACCO GRANT	\$ 214.00
G-02-41-730-000	SLAHEOP GRANT	\$ 75.00
G-02-41-735-000	PANDEMIC FLU	\$ 14,281.00
G-02-41-740-000	PUBLIC HEALTH PRIORITY FUNDING	\$ 144.00
G-02-41-745-000	POLICE BODY ARMOR FUND	\$ 6,475.00
G-02-41-755-000	HEALTH - NEXTEL PDA GRANT	\$ 5.00
G-02-41-760-000	CLICK IT OR TICKET	\$ 957.00
G-02-41-765-000	LINCS CORE CAPACITY INFRASTRUCTUR	\$ 3.00
G-02-41-770-000	HOMELAND SECURITY FIREFIGHTER	\$ 486.00
G-02-41-775-000	STORMWATER REGULATION	\$ 4,124.00
G-02-41-790-000	OVER THE LIMIT UNDER ARREST	\$ 10,150.00
G-02-41-800-000	BERGEN COUNTY JIF	\$ 1,041.00
		<u>\$ 60,392.00</u>

Resolution No. 18-227 **PULLED******

Authorize cancellation unfunded appropriation balances under certain bond ordinances previously adopted – various capital improvement projects, \$248,266.00

WHEREAS, Township Council of the Township of Washington, Bergen County, New Jersey previously adopted Bond Ordinances for the purpose of funding various capital projects and improvements of the Township as more fully specified in the Bond Ordinances and

WHEREAS, as of the date hereof, the projects have been completed and/or unfunded balances remain open and unexpended; and

WHEREAS, the Township now desires to cancel such appropriations and unused debt authorizations;

NOW THEREFORE BE IT RESOLVED, By the Township Council of the Township of Washington, the County of Bergen, that the following unexpended and dedicated balance of General Capital Appropriations by cancelled:

Ordinance Number	Unfunded Amount
97-4	\$ 22,911.00
99-7	\$ 1,855.00
06-09	\$ 223,500.00
Total:	\$ 248,266.00

Resolution No. 18-228

Authorize refund of engineering escrow B3116, L17, in the amount of \$1,462.21

WHEREAS, Richard J. Wynes posted engineering escrow monies for a project on premises known as Block 3116, Lot 17, 699 Beech Street; and

WHEREAS, Mr. Wynes has terminated his proposed project and is requesting that his escrow be refunded; and

WHEREAS, outstanding invoices due the Township Engineer as per his correspondence dated May 31, 2018 have been satisfied; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow monies in the amount of \$1462.21 to the above.

Resolution No. 18-229

Endorsing the adoption of green building practices for civic, commercial and residential buildings

WHEREAS, buildings account for 39% of CO2 emissions – more than either the transportation or industrial sectors. In addition, buildings account for nearly 12% of potable water use, 65% of waste output, and 71% of electricity consumption in the U.S. (U.S. Green Building Council).

WHEREAS, green building - also referred to as sustainable or high-performance building – is a collection of better design, construction, and operating practices that have the potential to reduce or eliminate the negative impacts of development on the environment and on human health. There are many examples of green building programs and guidelines that have been propagated at national, state and municipal levels. They commonly address energy efficiency and carbon emissions reductions, water conservation, waste reduction, healthy and sustainably produced materials, indoor air quality, occupant productivity and health, and other components of green building and sustainable development.

WHEREAS, the purpose of this resolution is to enhance the public welfare and assure that commercial, residential and civic development is consistent with the Township of Washington's desire to create a more sustainable community by incorporating green buildings measures into the design, construction, operation and maintenance of buildings.

WHEREAS, the Township additionally wishes to support green building in the private sector through a combination of voluntary actions (e.g., including a green building scorecards as a discussion item with the Site Plan approval process), and actions that may be required in future although not at the time of the adoption of this resolution (e.g., amending the Site Plan approval checklist to directly incorporate those green buildings standards available to a municipality),

and educational actions (e.g., - make available information on green building programs, guidelines, rebates, etc., to residents of the municipality).

NOW, THEREFORE, BE IT RESOLVED that the Township of Washington hereby implements a Green Building Policy that will encourage green design for commercial residential buildings.

Resolution No. 18-230

Endorsing sustainable land use pledge resolution

WHEREAS, land use is an essential component of overall sustainability for a municipality; and

WHEREAS, poor land-use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of space and the degradation of natural resources; and

WHEREAS, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

WHEREAS, Given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;

NOW, THEREFORE, we the Township of Washington, resolve to take the following steps with regard to our municipal land-use decisions with the intent of making the Township of Washington a truly sustainable community. It is our intent to include these principles in the next master plan revision and reexamination report and to update over land-use zoning, natural resource protection, and other ordinances accordingly.

Regional Cooperation – We pledge to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions.

Transportation Choices – We pledge to create transportation choices with a Complete Streets approach by considering all modes of transportations, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. We will reevaluate our parking with the goal of limiting the amount of required parking spaces, promoting shared parking and other innovative parking alternatives, and encouraging structured parking alternatives where appropriate.

Natural Resource Protection – We pledge to take actions to protect the natural resources of the Sate of environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, we pledge to complete a National Resources Inventory when feasible to identify and assess the extent of our natural resources and to link natural resource management and protection to carrying capacity analysis, land-use and open space planning.

Mix of Land Uses – We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that make the most sense for our municipality and the region, particularly in downtown and town center areas.

Housing Options – We pledge, through the use of our zoning and revenue generating powers, to foster a diverse mix of housing types and locations,

including single – and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.

Green Design – We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating our site plan and subdivision requirements for residential and commercial buildings.

Municipal Facilities Siting – We pledge, to the extent feasible, to take into consideration factors such as walkability, bikability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.

Resolution No. 18-231 **PULLED******

Authorize participation in the 2018 road paving program of 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) (hereafter “Co-op”); and

WHEREAS, the Co-op plans to advertise for bids for the 2018 Road Paving Program utilizing the services of Boswell Engineering as the Co-op’s Engineer; and

WHEREAS, participation in the Co-op requires payment of \$500 to Boswell Engineering for its services in preparing consolidated bid specifications and reviewing the bids, as well as payment of the sum of \$500 to the Co-op as contribution for the Co-op’s legal counsel in the bidding process and award of a contract and related matters; and

WHEREAS, participation in the Co-op is beneficial to the Township, insofar as it allows the Township to enjoy reduced costs for materials and labor, as well as the elimination of engineering fees for the evaluation of bids and related advertising costs.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington, County of Bergen, State of New Jersey that the Township hereby authorizes participation in the Co-op’s 2018 Road Program.

Resolution No. 18-232

Authorize contracts for goods and services through the Bergen County Cooperative Purchasing System

WHEREAS, pursuant to *N.J.S.A.40A:11-11(6)*, the Township of Washington (“the Township”), may, by this resolution and a properly executed purchase order purchase any goods or services from approved contract vendors under the Bergen County Cooperative Pricing System (11-BeCCP) (hereinafter “the County Co-op”); and

WHEREAS, the Township has the need to purchase goods or services offered through the County Co-op, including without limitation, construction of A.D.A. Compliant-Curb Cuts.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Washington, in the County of Bergen, New Jersey that it authorizes the Business Administrator or Qualified Purchasing Agent to purchase certain goods or services from the County Co-op, pursuant to all conditions of the individual contracts; and

BE IT FURTHER RESOLVED that pursuant to *N.J.A.C.5:30-5.5(b)*, no contract amount shall be chargeable until such time as a certification of availability of funds is made by the Chief Financial Officer.

Resolution No. 18-233

Certification of emergency medical services Ambulance Corps

WHEREAS, the Township of Washington Volunteer Ambulance Corp had a need to purchase a new ambulance; and

WHEREAS, the new ambulance was ordered and received; and

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of Washington certifies that the Volunteer Ambulance Corp provides Basic Life Support Services to the municipality and its ambulance and ambulance equipment are qualified to perform emergency medical services as prescribed under N.J.S.A. 27:5F-13.1 through 27:5F-27.

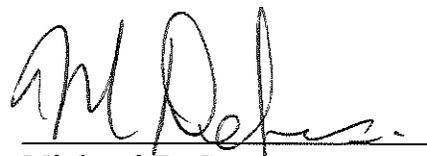
A motion was made by Councilman Ullman, seconded by Councilman Bruno to adjourn to Conference Agenda.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

Time Noted: 8:44 p.m.


Susan Witkowski
Township Clerk


Michael DeSena
Council President

Approved: September 4, 2018

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
CONFERENCE PORTION/PUBLIC SESSION

June 6, 2018

Members present: Robert Bruno, Steve Cascio, Arthur Cumming, Michael Ullman, Council President Michael DeSena. Also present: Peter Calamari, Mayor; Mary Anne Groh, Administrator; Ken Poller, Attorney; and Susan Witkowski, Township Clerk.

Councilman Ullman requested planning approvals and enforcement of planning board decisions, specifically around trees, be added to the Conference Agenda.

Administration

Project Tracker

Roads – Purchase order will be issued shortly.

Doors/Police Department – On Monday, June 4, the contractor met with Chief Hooper to finalize details, doors have been ordered.

Tax Window – Installation will take place after flooring is completed. Flooring will start on the 3rd floor, then move to the Court Office and the 2nd floor will begin next week.

Personnel Matters – Two resumes for the CFO position have been received, one was contacted for more information. The Mayor and Administrator will be reviewing the resumes.

Code Enforcement Official – A number of resumes have been received. Mr. Mazanec will continue on through the 15th, with someone being on board by the 18th. The Mayor and Administrator will schedule and conduct the interviews in the next few days.

Grant Writer – The ad is running this Friday, for an RFP, receiving on June 28th, ideally awarded on the July 2nd, pending acceptable responses.

Audit – The audit was returned this past Monday. Mr. Mai has indicated the report will be issued the last week in June.

Resignation of Personnel – The purchasing assistant/payroll has resigned.

A conversation followed on the ADA curb cuts on county roads, which will be done prior to the road being paved. A sink hole has been reported on Washington Avenue, by the Police Department, which Mr. Azzolina will be doing a camera inspection with BCUA, be evaluated and wrapped up before any paving happens. Mr. Azzolina will also be made aware of another sink hole, which is located on Calvin, by the large patch. The County has also been made aware of putting a traffic control box at Washington at Meisten, and Washington at Clinton, so cars do not block the box. The 2nd floor flooring is slated for Tuesday, Town Hall may be closed that day, or very light activity. The original schedule did contemplate evening work, demo will be done, then the floor will be laid, starting with the Tax/Clerk offices. Once the schedule is known, it will be posted on the bulletin board and website.

Fire House - Updated in the Mayor's Report.

Intersection Progress Report – Updated in the Mayor's Report.

Red House – The occupants were sent notice to vacate the premises. The occupants did ask for a meeting, which was with the Mayor and Administrator about a week ago. The occupant asked for a little more time, with the end of

November (November 30th) being the absolute latest date. He did bring a check for \$2,000 to apply his rent arrears, and will bring the rent fully up to date with this agreement, with the understanding that either party has 30 days out, so if that property is needed before November, 30 days-notice will be given, and if he has found a place before November he can also give the Township 30 days-notice. There is a release in the agreement asking him to sign stating in exchange for staying, he agrees not to bring any action against the Township for any potentially hazardous conditions that exist in the house for the extended stay.

Council President DeSena stated he is okay with the terms, as long as the tenant brings the rent up to date. Council members all agree. The tenant did bring the \$2,000, which was not accepted until the agreement is decided upon. He would like to pay excess per month, to apply to what is owed. A conversation followed on starting some type of proceeding, or waiting until November, if payment is missed, then a 30 days-notice will be given. Mr. Poller explained filing does not occur that fast, since it is not a straight landlord tenant. A conversation followed on setting the date to October 31st, due to the holiday season a discussion to continue as to what the land would be used for.

Council agreed to the November 30th date for the tenant to vacate the premises (red house.)

Quest – Updated in Council President DeSena’s report. A conversation followed on the results which were received. The plume does exist on the property, where the storage tank extended next to the DMF, it is attenuating by natural attenuation at a satisfactory rate. The administration did reach out after the results were received, and was assured there was no concern for visitors/employees to be there. A vapor study was conducted back in 2011, which also came back safe.

Labor Attorney Recommendations – Mr. Wiss resume was included in Council packets, as per Mr. Poller recommendation. A conversation followed on Mr. Poller reaching out to Matt (attorney recommended by Councilman Bruno). Mayor Calamari and Councilman Cumming recused themselves from the discussion on the labor attorney. Mr. Wiss will be named, not a firm, at a rate of \$150 per hour.

Codification – The timeline is later this month. Mr. Poller will reach out to General Code regarding the schedule.

Employee Performance Implementation Program – A discussion followed on how this could be implemented next year. Mayor Calamari did check with six of the local towns, and they do not do this, since there is a concern regarding lawsuits. A conversation followed on creating a rubric to evaluate job performance, criteria, and what is currently being used, which is based on the JIF Manuals. Monies have been budgeted for training, and employees should be made to understand that the training is part of their duties. The Director evaluates the Department Head, and the Department Heads evaluate the employees they work with on a day to day basis. Mayor Calamari will look into this.

CFO – Two resumes have been received. The ad is still running.

Infrastructure Study – No update.

Westwood Flag Crossing – Councilman Bruno spoke of a program that is in Westwood, flags are in buckets at intersections, a pedestrian picks up the flag, waves it as they cross the intersection, and reinsert the flag in the bucket at the other side of the crossing. Hillsdale has solar flashing yellow lines that flash once a button is pushed for pedestrians to cross. Mayor Calamari stated the budget has passed and he is looking forward to getting signs ordered to protect pedestrians. He will ask the Police Department to contact Westwood and Hillsdale to get their input.

Insurance Waiver Incentive – Currently, two or three employees are eligible. Mayor Calamari would like a straw poll of the Council to see if this is something they would be in favor of. Councilman Ullman spoke of his support, if it is an insurance eligible position, check a yes/no decline box, and then the employee would receive a prorated stipend. A conversation followed on employees that do not qualify if their spouse is currently under PERS. Councilman Cumming stated he feels it is a good, positive thing for employees as well as the Township. Councilman Bruno stated he feels the opposite, and would create all sorts of problems, either you take the insurance or you do not. Councilman Cascio stated he feels the same as Councilman Bruno. The stipend would be an annual stipend, whatever the amount of the savings, capped to \$5,000. A conversation followed on the stipend being W-2 item, and if those monies are taxable. Mayor Calamari asked that a straw poll be taken at the next Council meeting. Mr. Poller suggested having someone with a tax background look into this to see if it permitted. Councilman Bruno stated he will reach out to Mr. Mai.

DMF Study – Mayor Calamari stated he did send out two emails late last night, for the public's benefit he would like to take a few minutes to read it. A Needs Study was done the beginning of 2017, and that was used as a starting point.

Mayor Calamari 's email read: "I had a meeting with Bill Lawlor, Patty McDermott, and Dan Scudieri. We used the Needs Study that was done in the beginning of 2017 as our starting point, I have attached it here. We all agree on the following, we don't need a vehicle garage, a lean two type structure with a back and roof, but an open front would be fine to keep the vehicles out of the elements, this could either go on the back wall of the existing DMF area or the back/side wall of the proposed new location. We envision putting solar panels on the roof of the structure. In place of the vehicle garage we can use a scaled down area for basic maintenance and repairs, all the other areas outlined in the building are fine, plus maybe 10% to allow future growth. The salt shed could be the larger size requested at the new site. As the space needs assessment says, more room would allow for a wash bay for the equipment, there is no room on the current property for any type of storage of recycling, e-cycling, storage of white goods, etc. The DMF is getting a lot of inquiries from residents regarding bringing these to the DMF in between our current pick-up schedule. Currently there are ten, plus or minus, pieces of DMF equipment parked in the parking lot every day and night, combine that with another eight to fifteen spots for employees, depending on if we are using seasonal workers, and that would free up about twenty-five spots in the lot to be used by the Seniors when they have their meetings, court dates, etc. I personally witnessed a Senior drive away not being able to attend the meeting because the street parking is too far away and they cannot walk that far, it would also enable us to add more handicap parking close to the building. The people in the meeting felt that a new building at the proposed property would give them the space they need to properly service the needs of the town and its growing number of residents for years to come. (The portion in closed parenthesis was left out due to it being a Closed Session item.)"

Mayor Calamari stated we didn't want to spend more money to do a study, when we had the 2017 study as a baseline.

Council President DeSena stated Council will review this and get back to that point.

Council

Ordinances and Legislation

Social Media – The Township Clerk, Mrs. Witkowski, will reach out to surrounding towns.

Recreation Fees

The Recreation Department included the draft (Ordinance No. 18-08, Mighty Might Cheerleading) for review and would like the Ordinance to be introduced tonight, so there is time to put the program on Community Pass. Director Twomey did indicate the \$50.00 amount would cover the cost (T-shirt and hair bow.) The program is open for K-2. Councilman Ullman and Councilman Bruno both would like the Director to compile the costs of the programs, fees, and a view of all of the recreation programs.

Introduction 1st Reading

Ordinance No. 18-08

AN ORDINANCE AMENDING RECREATION PROGRAM ACTIVITIES AND FEES

A motion was made by Councilman Ullman, seconded by Councilman Cumming, to introduce and pass Ordinance No. 18-08 at first reading by title.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

The following resolution, Resolution No. 18-235 was presented and adopted on a motion by Councilman Ullman, seconded by Councilman Cumming.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

RESOLUTION No. 18-235

WHEREAS, Ordinance No. 18-08 entitled: AN ORDINANCE AMENDING RECREATION PROGRAM ACTIVITIES AND FEES was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 6TH day of June, 2018; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 2nd day of July, 2018, at 7:30pm, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Complex, 350 Hudson Avenue, 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 office of 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 No. 18-08

AN ORDINANCE AMENDING RECREATION PROGRAM ACTIVITIES AND FEES

BE AND IT IS HEREBY ORDAINED by the Township Council of the Township of Washington that Section 5-92(B) of Article XVI of the Code of the Township of Washington [“Department of Recreation”] be and is hereby amended by adding the following program and applicable fees to the Township’s recreation programs as follows:

<u>PROGRAM</u>	<u>Fee for First Family</u>	<u>Fee for Each Additional</u>
	<u>Participant</u>	<u>Family Participant</u>

Mighty Might Cheerleading \$50

\$45

2. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

3. All Ordinances or any provisions of any ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies and not otherwise.

4. This Ordinance shall take effect upon final passage and publication and in accordance with the Charter, and subject to such emergency resolution as may be adopted pursuant to Section 17-32 thereof. [R.S. 40:69A-181 (b)].

Zoning – Prohibited Use, Retail and Wholesale Uses

A conversation followed to amend Ordinance 86-7, adding the following:

- marijuana, retail, wholesale, medical and recreational stores of any kind.
- vape Shops, retail and wholesale of any kind.
- hatchet throwing businesses.
- massage parlors and spas.
- head shops selling drug paraphernalia of any kind.

Mr. Poller spoke of a time when the Township duty/job was promoting the shopping center, the more business that came in the better. He spoke of having a list of prohibited uses and having those applications then go before the Zoning Board for a variance. He spoke of the Ridgewood and Franklin Lake inclusion ordinances, which lists permitted uses alphabetically, and the prohibition list. Councilman Ullman stated he opposes some of these exclusions, because he does not know how they would be interpreted or applied. He spoke of what is currently available, such as rolling papers, vape e-cigarettes, hookah pipes, at the stationery store, and gas station. He stated if Council is looking to achieve this for the safety of the public, then alcohol and cigarettes should be on the prohibited list. He stated he is trying to understand the purpose of the exclusions. Council President DeSena discussed Ordinance 86-7, and the prohibited uses. A discussion followed on banning alcohol, which is controlled by the ABC, and what would occur if national chains came in, such as a Massage Envy or European Wax Salon. Councilman Ullman stated for years we have heard how empty the shopping center has been, what can be done to encourage commerce, and he feels this is going down a slippery slope. Councilman Cumming spoke of the rent being quite high at the shopping center, which he feels may be a bigger issue in discouraging businesses to come to the Township, he also feels Council should listen to the residents. Councilman Bruno stated he is not in favor of the vape/marijuana shops, but would like to make sure that what is excluded, the reason why they are excluded works legally for the Township. Mr. Poller spoke of not being afraid of putting items in an ordinance, because someone might challenge the ordinance. He spoke of the issue of rolling papers, hookahs being currently sold at some locations, and where you would marry the paraphernalia, if you prohibit the sale of marijuana, with the sale of the product itself. Selling the pipe and paper is not a problem in the store, but selling the paper and pipe with the marijuana, the accessibility of getting everything in one place. The Township Clerk was asked to get ordinances from surrounding towns on this subject. Council President DeSena spoke of his concern of waiting, since this has become a hot topic in other municipalities, and children, as well as parents, being educated on this topic. Councilman Cascio spoke of the difficulty of prohibiting things, and marrying the two things together. A conversation followed on the new phenomenon of hatchet throwing shops, and spas that are in surrounding towns. Councilman Cascio spoke of it becoming a slippery slope, and having exceptions, which he feels are much easier

to list. Councilman Ullman spoke at length of standing behind the argument of this being a health concern, which he feels is laughable. He stated if we are saying it is a health concern, then we should also be concerned with the sale of tobacco and liquor. A conversation followed on the sale of those items, which are controlled by the State and the ABC, and the concept of a dry town. Mayor Calamari stated he agrees to the concept, but he does have a problem with prohibiting massage parlors, which can be a health use. Council President DeSena stated he is amendable to removing massage parlors, but he feels the other four do not belong in Washington Township. A discussion followed on an adult goods store, such as a Romantic Depot wanting to come to the shopping center, more analysis that needs to be done and adding items to the ordinance as they come up. Mr. Poller stated he needs at least 3 votes to add those four items.

Ayes: Councilmen Bruno, Cumming, Council President DeSena.
Nays: Councilman Ullman.
Abstain: Councilman Cascio.

MEL Legal Bulletin 18-29, Solicitation Ordinances – Mr. Poller will review for next meeting.

Tree Ordinance – Councilman Ullman stated he follows a taxpayers group Facebook page and there was a discussion about trees, and he would like some general guidelines so people understand what is their property, right of way, things of that nature. Mr. Poller stated, as an overview, there is no absolute hard and fast rule that you can apply in every case, people are quick to say the tree is on his property, crossed the line, he is responsible, end of story, but it is not that easy, there are a lot of shades of gray. There are policies that the law, insurance companies and towns have come around to, and every town is different. Mr. Poller spoke of many scenarios involving trees such as falling into someone's property, causing personal injury, right of way, over township lines, prior notice of a tree condition, growing across property lines, and if a resident can be forced to cut down a tree. He stated he did contact JIF to see if there is any literature on this. He stated generally speaking, the general approach seems to be that if there is a tree on someone's property, and it fell onto someone's property, that person feels the tree came onto their property, therefore where the tree came from, that person is the responsible party, but the answer is that is not true. Wherever the trees fall, whatever is on a homeowner's property, the homeowner is responsible. If a tree in a right of way falls and goes into someone's property and causes damage, the first thing would be to give the report to the insurance carrier to take care of, to see who is responsible for what. Mr. Poller spoke of trees being in the right of way, which is moved by the Township. A conversation followed on New Jersey Forestry coming to do an assessment of the Township trees, hiring arborists, trees being in the right of way, the homeowner's responsibility of a sidewalk that is damaged by a tree root and the understanding of the right of way/dedicated roadway. Councilman Cascio read from Statute 5-85, Office of Streets and Roads, trim, removal of trees and shrubs on public property and all public rights of way, in the right of way, our DMF has the responsibility to remove the tree. Mr. Poller stated that does not create liability, and it is also subject to the allocation of resources, if there are no resources, a town cannot be compelled to do so. The right of way was also discussed.

Draft Indemnification Ordinance – Mr. Poller has provided a draft indemnification ordinance, changes were made upon Council's request. Councilman Cascio requested that instead of "shall provide upon request" he would like it to read "shall provide." The ordinance will be introduced at the next meeting with the change requested by Councilman Cascio.

Retail Marijuana Stores – The Township Clerk will provide sample ordinances at the next meeting.

Planning Approvals and Enforcement of Decisions – Councilman Ullman spoke of a subdivision application that was before the Planning Board, the building of 3 homes, at the location of Jackson and Crest. He stated it was his recollection that quite a few heritage trees were to remain on the property, but he passed by, the area was clear cut, he feels that it is criminal that those trees were removed, and the penalty could never measure up to the crime. Mr. Poller spoke of the tree ordinance, the current violations, and the replacement level of planting 3 trees when one is taken down. He also gave a brief history of how this ordinance came to be, and Mr. Azzolina’s recommendation that this ordinance be strengthened. A conversation followed on the procedure and process, so this does not happen again, as well as marking the trees and putting a protective netting around it to protect the root system.

Representative Community Development Committee – A resolution will be drafted for the June 30th meeting adding Councilman Cumming to the committee.

Bags Price Increase – Councilman Cascio stated he purchasing his garbage bags, he noticed the price increase of \$2.00, he would like to know if the ordinance needs to be addressed. Mr. Poller stated the currently the homeowner makes their own deal with the vendor.

Council President DeSena requested that Administrator Groh be served a Rice Notice. A Rice Notice will be prepared by the Clerk and served. As per a straw poll, Council agrees.

Financials

Idle Cash – A conversation followed on investing surplus/current money into a higher bearing interest account. Councilman Ullman asked if there are restrictions based on the Cash Management Plan that Council adopted at the reorganization meeting. Mayor Calamari will ask Ms. Morrone on both these issues.

Year to date spending versus budget – Administration will prepare quarterly reports for Council.

Council Approval of Bills – A conversation followed on the engineer bills, some of which were charged to the current fund. Ms. Morrone will be contacted to see if that is acceptable. The escrow comes out of the trust fund.

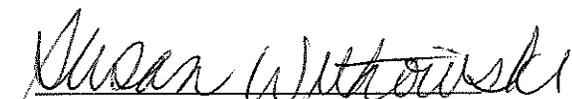
LTD Planning (Long Term Debt) – Ms. Morrone will need to explain.

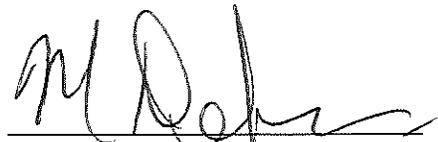
Council President DeSena will reach out to his contact regarding noise barriers on the Parkway, as per Councilman’s Bruno’s request.

A motion was made by Councilman Ullman, seconded by Councilman Cumming to adjourn.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

Time Noted: 10:42 p.m.


Susan Witkowski
Township Clerk


Michael DeSena
Council President

Approved: September 4, 2018

