

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

**PUBLIC PORTION/PUBLIC MEETING**

**March 10, 2014**

The Township Council held a Public Portion/Public Meeting in the Municipal Building, Pascack Road. The meeting was called to order at 7:30 p.m. by Council President Thomas Sears with the Clerk leading a salute to the flag. Members present: Glenn Beckmeyer, Peter Calamari, Steve Cascio, Richard Hrbek, Thomas Sears. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney. Absent: Catherine Steinel, Administrator.

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

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

**REPORT OF MAYOR**

Stated that the Fire Department and Ambulance Corps each department suffered the loss of a long time member. Bill Kropke was a volunteer dedicated his life to helping our residents and the residents of Pascack Valley as a member of the Ambulance Corps and helped in designing the Mutual Aid System. Joe Rinaldi was a volunteer fireman who dedicated his life to helping our residents and residents of the Pascack Valley as a member of the Fire Department and their Mutual Aid System, and he was also the Chief of the Fire Department and Director of Public Safety. Also stated she attended the Anniversary Event and Awards of Troop 321, which has grown from 4 members to 19 members, the leaders and parents have done a great job in building that troop. Spoke of the library, which in 2012 had 2000 residents visit the library, and in 2013 6300 residents went to the library for programs being offered. Spoke of the various programs being offered, speakers and also a program for preparedness from major storms. Thanked Rio Fasciano for helping the library director in having these programs. The Police Department is interested in starting a CERT Program, which stands for Citizens Emergency Response Team, and also spoke of grants for all guest speakers. Hopes that residents will consider being part of the CERT Team. Stated that the planning board had one application before them and that was the Home Occupation. Spoke of the overtime due to the storms in January and February of 2014. The road department incurred \$20,663.00 for snowplowing in that time period and salt was \$18,000 plus. Stated that the Township does get reimbursed for plowing county roads, and to date we have received \$12,199. Stated that these figures do not reflect repairs and parts for trucks that broke down during the storm. Those figures are being complied for a safety overtime grant. Stated we are still hampered by shortages of salt and equipment breakdown. The DPW used salt extremely well, concentrated on hills and county roads. Thanked all of the employees in the DPW for a job well done. Stated complaints were received but we did get back to places and rectify the situation. Also thanked the police officers and residents who helped with vehicles which were stuck in the snow. Currently potholes are being filled in the local and county streets. Stated that the county does fill potholes, but we do not know how long it will be before they get to them, so potholes are being filled on county roads and streets. Stated that the new generator for the municipal complex was installed, tested and is working. Shredding and E-Recycling will be held on Saturday, April 26, from 9-12 pm and the second event will be in the fall. The Township recycled 112 tons in February as opposed to 79 tons last February, and this translated to \$1400 more in revenue. The Township will be having an online auction March 10 thru March 17 on govdeals.com for approximately 5 vehicles.

Attended the awards ceremony for the Westwood Regional High School football who won the North 1 Group 2 State Championship by beating Waldwick. Thanked Councilpersons Hrbek and Sears for attending the event. Also the Westwood Regional High School basketball team won the state playoff game on Saturday and are going to play another round for the state championship. The girls basketball team made it to the state tournament lost the game but had a great season. The Municipal Alliance Chairperson Joanne Carroll is recruiting new members and ideas, the next meeting will be held March 26 if anyone is interested. The Municipal Alliance is also funding the annual stimulation program for the prom. The Memorial Day Committee is also beginning to be formed, if anyone will like to be involved, please do so. On Friday, February 28, Mary Ann Ozment retired from her position as Township Clerk. Mayor Sobkowicz thanked her for her many years of service to the Township in various positions. The Police Department is interview candidates for the police officer position. At this time we have currently have 18 officers and one is retiring. The annual Safety Poster Contest was cancelled due to the weather; each of the winners received their awards by mail or after school. The Department of Environmental Protection is sponsoring a tree recovery program as a result of all the trees lost due to Hurricane Sandy for the distribution of seedlings. Currently working out the details, if the Township should get approved then the residents will hear more about this. Currently the budget is being worked on; we have a 2% CAP. Some of our expenses have gone up 25% to 30%, but we anticipate being under the 2%. Administrator Steinel wrote and submitted a grant for new fencing at Memorial Field. This will be voted on at public hearing on March 17 and hopefully it will come through. The Tax Collector issued her annual report and the Township is at a 99% tax collection rate.

#### **REPORT OF COUNCIL**

**Mr. Cascio** – Also congratulated the football and basketball teams on their championships. Also congratulated Corrine Myers who won the individual state champion in track. Also would like to commend the road department for their snow removal.

**Mr. Hrbek** – Stated last month we lost Joe Rinaldi and also lost Bill Kropke. Mr. Kropke was a pioneer as far as organizing the ambulance corps in the valley and implementing and keeping the system going. He will be sorely missed.

**Mr. Beckmeyer** – Thanked Mary Ann Ozment for her work as the Township Clerk and wishes her all the best in her future endeavors. Also would like to congratulate the sports teams that were mentioned for their victories. Also would like to send his condolences to the family of Peter Mayer.

**Mr. Calamari** – Would also like to send his condolences to the Kropke and Rinaldi families. Also congratulates Mary Ann Ozment on her retirement.

**Mr. Sears** – Also would like to offer his congratulations to Mary Ann Ozment on her retirement. Also spoke of the Veterans Ceremony that will be coming up in April. If anyone knows a Veteran that would like to participate, they will need their DD214 form, discharge form. The ceremony will be hosted by Kathy Donovan and the veteran will receive a Bergen County Medal for their service to our country.

#### **GENERAL PUBLIC DISCUSSION**

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

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

Nays: None.

**Ray Bernroth, 838 Crest Place** – Stated that he has a Bergen County Veterans card from the county, would that be ok. Mr. Sears stated to bring a

copy to the next council meeting. Mr. Bernroth spoke of the northeast corner of Washington and Pascack that was approved for a mini mart or something like that, would like to know the status. Mr. Sears stated that as of today the wells on both sides of the property were being checked when the construction is going to start he does not know. Mr. Bernroth asked what is the status with regard to the tax assessment. Mayor Sobkowicz stated that they are done visiting the homes, and now they have to gather all the information. Mayor Sobkowicz further stated in about a week residents will be receiving a card in the mail with dates and times residents can come in and protest the assessment., that will be held at the Senior Center. Mr. Bernroth asked what the status with regard to the cell tower is. Mr. Poller stated he is happy to report the cell tower is operating as of last Thursday. A conversation followed with regard different carriers.

**Victoria Dolan, 505 Monroe Avenue** – Stated she along with other members of the Lake Association is here. Stated that she called the Mayor's office and was told that the Mayor was working on this with council. Stated that the Lake Association received a very large bill from an engineer and does not understand why the association is responsible for fixing dams. Stated that in 2012 Glenn Ullman conducted an inspection and indicated to the association that the dams were in satisfactory condition but work had to be done. Stated she does not understand why the association is paying to fix dams. Stated it is a private lake, we are paying for trash removal, but so many people from out of the area use that lake, dumping garbage and members are paying for it. Stated that no one wants to be part of the Lake Association anymore, that amenities were promised but there are none. Stated that bills are paid every year in good faith, but there is also a special assessment that is \$300 and if you live on the lake it is \$500. Would like to know why the Township does not participate. Mr. Poller stated that it is a private lake, not a town lake. A lengthy discussion followed with regard to the development of the lake and the creation of the homeowners association. Mrs. Dolan also stated that they were told that board members need to go patrol the lake since no police patrol the lake. Mr. Hrbek asked this is private property and the association expects the police to patrol private property. There are 267 members of the Lake Association paying for the enjoyment of the lake for the Township. There was also a discussion with regard to what proof members have that they are part of the Lake Association. There was a discussion with regard to members being at the last council meeting and they are going to come back to another meeting to give a presentation and/or give some information. Mr. Sears stated that they were asked to come back to a Public Meeting, since he believes a Closed Meeting is not going to benefit the community or the Lake Association. Mr. Sears further states this will be posted on the website.

**Rose D'Ambra, 423 Colonial Boulevard** – Stated in June of last, Mr. Goetz and Mr. D'Urso were on council, the Mayor stated she was invited to the Lake Association. Stated that this is private property and if anything goes wrong with it the Township would be responsible. Stated that the garbage is flowing down from the Jewish Y all the way around and going into the lake, and that garbage is also underneath the Pascack Road Bridge. Mrs. D'Ambra asked the Mayor if the Mayor had any private meetings with the Lake Association. Mayor Sobkowicz stated the only meeting she had with the lake was a couple of years ago and is was with regard to the possibility of dredging the lake and the cost. Mrs. D'Ambra stated in 1970 there were tennis courts and swings and all of a sudden everything disappeared. Stated if the Township takes over the lake, there will be a tremendous liability. There was a discussion with regard to a boon, the yearly fees and assessment fees. Mr. Poller stated that cases of homeowners association have gone to court and are enforceable. Mrs. D'Ambra stated she knows the budget is being done at this time and would like to know if any monies have been put into the budget to buy the property. Mayor Sobkowicz replied no.

**Julie Lipnick, 184 Finnerty Place** – Stated that she too is a member of the Lake Association and she contacted the DEP and spoke to the Division of Dam Safety and this has been an ongoing issue for the past 8 years and a full report was made. Would like the Mayor to send someone out to the intersection of Finnerty Place and Devon Road, there are the beginnings of a sink hole forming, it is very visible. Stated that Season's is parking vehicles off site, at the Y, the bank and the tennis club. Went to the bank on a Sunday, and the parking lot was full and there was only one person in the bank. Would like council to look into this. The building is over built and they are taking our liberties away by parking in other areas to enhance their business. Mayor Sobkowicz asked are they still parking at the Y. Mrs. Lipnick replied yes, and if the Y is getting money from Season's they can lose their tax exempt status. Mr. Calamari asked has Mrs. Lipnick if she took her concern to the TDBank. Mr. Lipnick replied, yes, and she did and was told they were looking into it.

**Tom O'Donnell, 561 Hoover Avenue** – Asked what the amount of a parking ticket for parking in a no fire zone. Mr. Sears stated he believes it is \$75.00. Mr. O'Donnell stated the Township can make extra revenue by issuing parking tickets at the shopping center for vehicles parked in a no fire zone. Stated that the Township should have an undercover police officer giving tickets so a message can be sent that parking is not allowed there. Stated that there are also a number of accidents down there due to people backing out. Would like to know why this isn't being done. Mr. Sears stated he can't explain that. Mayor Sobkowicz stated they do give tickets at the shopping center and she will check the records of how many. Mr. O'Donnell states this would be a great place for added revenue.

**Agnes Smith, 646 Valley Court** – Spoke of the Faulkner type of government and the administrator's position which can't be a part time position in the Faulkner form of government. Stated that we have an administrator, who is supposedly part time and retired. Stated that the mayor and the administrator do the budget together and other things together. Would like to know why the administrator is working part time and not full time. Stated that nobody is around in the office, the Township does not have a treasurer and a full time administrator. Asked the mayor what are the administrators hours, salary and why is she not here tonight. Mayor Sobkowicz replied the administrator is out sick tonight, she was in the office all day. Mayor Sobkowicz further stated her hours are 30 hours per week. There was a discussion with regard to how is that allowed and the Mayor stated during the interview process with council and herself this current administrator had the criteria that was acceptable. Mrs. Smith stated we are not conforming to the Township's type of government. Mrs. Smith also would like to know do we have a clerk, which is also the council's responsibility. Mayor Sobkowicz replied the clerk just retired last week and gave us two weeks' notice and we are interviewing for the position. There was a discussion with regard to the positions of treasurer and CFO, which no one acceptable has been found. Mrs. Smith stated it is not acceptable that the current administrator is working 30 hours per week. Mrs. Smith further stated it is time to look to ourselves and start revamping.

**Joe D'Urso, 12 Viola Terrace** – Spoke about the Zoning Board and if any open discussions were had. Mr. D'Urso also spoke of OPRA Requests he has submitted and granted more time. There was a discussion of a working list and the email that was sent out to the Zoning Board members. There was a lengthy discussion with regard to the replacement of members. There was also a discussion with regard to a member resigning. Mr. Sears stated that he had heard the rumor, but to date has not received a letter. Mr. D'Urso asked if everyone was on board and Mr. Sears replied there are no denials for now. There was a discussion with regard to the new members, they were sent letters advising them of the meeting dates and requirements to take a course. Donna Baboulis is still the attorney that runs the board. The new members will be

Sworn in March 18<sup>th</sup>. Mr. D'Urso spoke of the resolution that was not carried out with regard to the Zoning Board members. There was a discussion with regard to the cell tower, AT&T is doing their mechanical work, and Verizon also getting up on the tower. There was a discussion with regard to the lake, if the Mayor had any conversations with anyone from the lake. Mayor Sobkowitz stated she had a conversation with regard to flooding, and also they have a lawsuit. Mr. Calamari states with regard to the Zoning Board, he does not like his integrity being questioned. Mr. Calamari further stated that right or wrong, at least this council did it. There was a discussion with regard to the resolution that was presented that could have carried over the members at the reorganization meeting. Mr. Poller states if you go back to the minutes, the resolution was not carried over because they had to review it and it was carried over to the next meeting.

**David Snyder, 91 Windsor Circle** – Asked who will be responsible if the CVS comes back with approval because the Township didn't do the right thing. Mayor Sobkowitz stated she did speak with the attorney and there is no need to write a letter or a resolution. There was a lengthy discussion with regard to the CVS coming back. It was discussed that the CVS can't come back unless they file a brand new application that is why the letter is stating without prejudice. Mr. Poller spoke of other cases and stated there is no way you can prevent the CVS from coming back, but they would have to file a new application. Mr. Poller stated what his understanding of the withdrawal was, and that the application was not a full application. There was a lengthy discussion with regard to the previous Zoning Board members voting and not being fully sworn in. Mr. Snyder stated he was embarrassed to be a resident of this town, did not expect this as a resident of this town. Mr. Snyder further stated that Woodcliff Lake has just approved televising meetings, and the Mayor does have money in the budget. Mr. Snyder stated maybe the mayor is embarrassed to see certain things that go on during council meetings. Mr. Snyder also stated he only has 3 bars on his phone. Mr. Snyder did write a letter to the Senior Vice President of Global Enterprises, and is expecting a response back.

**Michael Ullman, 2 Clark Avenue** – Mr. Ullman asked if the emergency services have moved to the new tower. Mr. Poller stated the conduit and cable has to be run, they are at the base of the tower now. Mr. Sears stated Mr. Kropke was handling this, but he will speak to Captain Hooper tomorrow. Mr. Ullman stated he has filled out some OPRA Requests, would like to know when he can expect a response. Mayor Sobkowitz stated you will receive a letter stating that there will be a delay. There was a discussion with regard to the testing of the generator. Mr. Ullman would like to know when the new street sweeping schedule will be out. Mayor Sobkowitz stated they are working on the schedule it is not out as of yet.

**Fred Goetz, 587 Washington Avenue** – Asked who is the custodian or records. Mr. Sears stated that Cornelia is. There was a discussion with regard to the position. There was also a discussion with regard to OPRA, and if there is a denial the clerk can get sued. Mr. Goetz stated that he did receive an OPRA denial and it was clearly not written by the clerk. Mr. Goetz states if the denial was written by the attorney, Mr. Goetz would like to know why is the attorney responding to OPRA Requests. Mr. Goetz spoke of the OPRA rules. There was also a discussion with regard to the various OPRA requests that Mr. Goetz had made. Mr. Poller stated as various times, as it was done with the former clerk Mary Ann Ozment, issues come up, personnel and various records that are exempt. Mr. Poller further states he does not handle OPRA requests, but if someone asks him, I will look at it and give them guidance if I can. There was also a discussion with regard some budget information that is not discoverable under OPRA. Mr. Goetz asked with regard to the Pay to Play Ordinance, how is that being addressed. Mr. Sears stated we are addressing the Pay to Play Ordinance, which needs to be changed. There was a lengthy

discussion with regard to violations that Mr. Goetz has brought up with regard to Mr. Poller, Mr. Fadini and Mr. Chicchetti. Mr. Sears stated he has not seen any violation. There was a lengthy discussion with regard to the violation of the Pay to Play Ordinance and if conversations that were had with the attorney Mr. Poller.

**Sandy Phillips, 321 Hudson Avenue** – Stated she does not understand why the Township would entertain the idea of purchasing the lake. Stated when she was looking to buy a home in the Township, she did look in the area of the lake and it was stated to her that there was an association, fees and responsibilities would be involved. There was a discussion of whether the Mayor and the Council would have the authority to make that decision. Mr. Sears stated that the council is going to listen to them in an open session. Ms. Phillips states it was their decision to purchase there, it was their choice. Ms. Phillips further stated that if they are having problems with the lake and outside people they should put a gate up. Ms. Phillips asks with regard to the access road by the cell tower, is that complete. Mr. Sears stated it will be complete when the cell tower is done, that is part of the contract.

**Debbie Ullman, 2 Clark Avenue** – Would like to know the process of replacing the town clerk. Mr. Sears replied an advertisement will go out tomorrow, and then interview will take place. Mr. Sears further states the council is responsible for the town clerk position. Ms. Ullman asks will the Mayor be part of the decision. Mr. Sears replied no, it is council's decision.

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

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

Nays: None.

Mayor Sobkowicz explained the time line of events with regard to the Zoning Board appointments. Further stated that former council members had a role in rectifying the situation and did not do so, but are now complaining about it. Stated that a resolution appeared at the December 16, 2013 meeting and it was never acted upon, no one made a motion or seconded the motion. Stated it was important to get this resolved. Stated she is glad so many people from the community did respond when they saw the information. Further stated that being on the Zoning Board is a lot of work, including studying, looking at the property and the Master Plan.

### **CONSENT AGENDA**

The following resolutions were part of the Consent Agenda and were made available to the Governing Body and the Public prior to the meeting.

The Consent Agenda was presented and adopted on a motion by Mr. Beckmeyer, seconded by Mr. Calamari.

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

Nays: None.

WHEREAS, an emergent condition has arisen with respect to providing sufficient money for the payment as stated below and no adequate provision has been made in the 2014 Temporary Appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total temporary budget resolution adopted in the year 2014 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$4,610,791.00 exclusive of debt service; and

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S. 40A: 4-20:

1. An emergency temporary appropriations be and the same is hereby made for the following:

Emergency Tax Maps Rev	\$ 1,000.00
Bergen County Utilities	
Cont Cap Ex	\$200,000.00
Uniform Construction Code	
Salary & Wages	\$ 67,000.00
Board of Adjustment	
Salary & Wages	\$ 2,850.00
Dept. of Administration	
Salary & Wages	\$ 16,000.00
Dept. of Finance/Tax Collector	
Salary & Wages	\$ 6,100.00
Dept. of Finance/Tax Assessor	\$ 12,400.00
Dept. of Law/Attorney	
Salary & Wages	\$ 17,000.00
Board of Health Salary & Wages	\$ 18,200.00
Dept. of Public Safety	
Salary & Wages	\$500,000.00
Dept. of Public Safety	
Computer Software Leasing	\$ 11,100.00
Municipal Court Salary & Wages	\$ 11,000.00
Library Salary & Wages	\$ 30,000.00
Dept. of Municipal Facilities	
O/E Vehicle Parts	\$ 5,000.00

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Director of the Division of Local Government Service.

WHEREAS, Walid and Rite Mouawad posted soil movement escrow on premises known as Block 2502, Lot 3.04, 21 Julia Court; and

WHEREAS, the Construction Code Official has issued approval dated March 4, 2014, C.O. No. 08-299,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated September 21, 2010,

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 \$105.00 to the above.

WHEREAS, Keith and Deborah Pytlik posted engineering escrow on premises known as Block 4422, Lot 36, 268 Howard Street; and

WHEREAS, as per their letter attached they are withdrawing their application and are requesting the balance of the escrow money refunded,

WHEREAS, there are no outstanding invoices due the Township Engineer as per phone call to the engineer's office,

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 \$706.00 to the above.

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Elaine Erlewein, Acting Township Clerk

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Thomas Sears, Council President

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

**CONFERENCE PORTION/PUBLIC MEETING**

**March 10, 2014**

Members present: Glenn Beckmeyer, Peter Calamari, Steve Cascio, Richard Hrbek, Thomas Sears. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney; Catherine Steinel, Administrator.

**PRIORITY**

**Ordinance #13-19 (Public Professional Contract)** – There was a lengthy discussion with regard to the Play to Pay, which follows the New Jersey guidelines. Dr. Cascio stated that the previous ordinance was simpler, and that New Jersey is probably the most gregarious State when it comes to Pay to Play. Dr. Cascio further states that this ordinance will not supersede the previous ordinance. Dr. Cascio also states that the ordinance that the Township had in the past was violated and this ordinance will not negate the violations that occurred. There was a discussion with regard to Part B, First Time Communication. There was a lengthy discussion with regard to this ordinance which is \$300 maximum, which is going back to the state number. There was also a discussion with regard to the \$2600, which is for corporations with multiple employees. Mr. Poller stated it is \$300, no entity shall give more than \$300 for each candidate or committee, that is the limit.

**Updates on Fire Prevention Code (Attachment)** – This was given to Mr. Sears about 6 months ago. Mr. Sears sat down with the Fire Prevention Bureau, some wording needs to be deleted or corrected. Mr. Sears indicates that this will bring us up to line with the rest of the Valley and the State. This was reviewed by the Fire Director, Chief of the Fire Department, Fire Officials, and inspectors. There was a discussion with regard to Mr. Poller getting the documents.

**Ordinance Prohibiting Smoking upon Public Parks & Ball Fields (Attachment)** – This was received from Gary Pinke. Mr. Sears feels this is a good idea especially to children, don't want to show them the image that smoking is good. Council agreed this ordinance is a good idea.

**Solicitation (Attached 167.15-167.18)** – Mayor Sobkowicz stated that the police department did convey some information, but before we act on it would like Mr. Poller to check the state statute.

**UPDATES**

**Lake Association** – Mr. Sears stated that the Lake Association did come previously but did not bring forward any information. Mr. Sears doesn't believe a private meeting is the way to go and it is necessary to meet the Lake Association in public for transparency. There was a discussion that any information that the Lake Association brings forward the council would like for it to be provided beforehand for review.

A motion was made by Dr. Cascio, seconded by Mr. Calamari to adjourn.

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

Nays: None.

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Elaine Erlewein, Acting Township Clerk

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Thomas Sears, Council President

