

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

PUBLIC PORTION/PUBLIC MEETING

March 12, 2012

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, Richard Hrbek. Members present: Steven Cascio, Joseph D'Urso, Richard Hrbek. Absent: None. Mr. Beckmeyer and Mr. Goetz arrived at 9:45 p.m. during the conference session. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney; Catherine Steinel, Administrator.

Pursuant to the provisions of the Open Public Meetings Act this meeting was listed in the Township Council Annual Meeting List which was published in the Ridgewood News, forwarded to the local newspapers, posted on 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:

Mayor Sobkowicz said that Eileen the turkey is back home. She said that there will be a fire drill for the Road Department tonight at some time during this meeting. She reported on the study done for the six town shared dispatch center and that it was deemed too expensive. A 4 town study is being conducted at this time with Washington Township, Westwood, Hillsdale and River Vale. A test of patching calls through Westwood was conducted on March 6 and another test will be done next week. The Township of Washington Police 31st Annual Poster Contest was held recently and the talent of the children was phenomenal. The Mayor thanked everyone involved. She pointed out several projects that the Road Department had completed recently including the lining of the Firehouse parking lot and repair and painting of the bus stop. She told people that she recently attended a program at Washington School presented by several fourth grade students about Earth Hour which is coming up on March 31, 2012. Shredding Day was held on March 10 and there was a large amount of e-waste as well as paper shredding. The next shredding event will be held in June. There has been an increase in recycling activity and the Mayor gave the figures and compared them to the same time last year. Administrator Catherine Steinel recently attended a Community Development Grant meeting and has secured grant money to automate the front doors of the Town Hall building as well as the doors to the Senior Center. A one day clinic for youth ice hockey was run recently involving several towns. Half of the children who signed up came from Washington Township and Westwood and another clinic may be offered soon. The Coaches Background Check and Fingerprinting program are being coordinated through a grant that Margaret Kossel is working on. The Township's Municipal Alliance was instrumental in introducing a program in the Middle School and High School for parents and students that dealt with Drug Abuse. It was praised by surrounding towns who hope to have the guest speaker come to other local schools. The Mayor said that the Memorial Day Parade still needs a marching band. The Educational Foundation held its 5th Annual Gala recently. The proceeds benefited the school's Social Studies curriculum. She spoke about the tax formula that goes to the school between Westwood and Washington Township. The Township will see a slight decrease in their school taxes. There was a meeting concerning the Woodcliff Lake exit recently with Township official, police and the

County. A study at exit 171 is being considered. Mayor Sobkowitz said that a shared court system is being considered for discussion. She said that Police overtime is down this year compared to the same time last year. The October snowstorm FEMA paperwork has been completed and the Mayor gave the dollar amounts the Township should expect to see returned from FEMA.

REPORT OF COUNCIL:

Dr. Cascio – Dr. Cascio said that the dispatch test with Westwood went well and both towns are looking forward to another trial, adding Hillsdale and River Vale for an extended period of time. He complimented the Westwood High School Track team on winning a national championship. The budget should be completed by the end of next week.

Mr. D’Urso – Mr. D’Urso spoke positively about how the dispatch test went with Westwood. He said that money has been added into the new budget for shared services. Mr. D’Urso spoke about the importance of the Coach’s background check program. He said that he attended the Gala with the Mayor and Councilman Hrbek and it was a good evening.

Mr. Hrbek – Mr. Hrbek said that maybe some of the reward money for the safe return of Eileen could go to the Rapture Center who took care of her for a brief period. The Washer and Dryer at the Fire Department are operational now. Mr. Hrbek said that Memorial Field is on the agenda tonight and has been a historical hot topic. He said that it is used on a very heavy basis and the town is committed to finding all sports a place to play. Town has used school facilities in the past. Westwood High School will waive its fees for the Township to have use of its fields beginning next week. Westfield in Westwood will also be available to the town after it opens in the late summer. Mr. Hrbek said that he wants to see Memorial Field rehabilitated correctly this year. He said that the field will be discussed further during the meeting. All needs in town need to be looked into and projects need to be prioritized.

APPROVAL OF MINUTES:

A motion was made by Mr. D’Urso, seconded by Dr. Cascio to approve minutes for February 22, 2012, February 28, 2012, March 5, 2012 Budget, January 23, 2012 Conference Ayes: Councilmen Cascio, D’Urso, Hrbek
Nays: None

PUBLIC DISCUSSION:

A motion was made by Mr. D’Urso, seconded by Dr. Cascio to open the Public Discussion.
Ayes: Councilpersons Cascio, D’Urso, Hrbek.
Nays: None

Rosa D’Ambra, 423 Colonial Avenue - Mrs. D’Ambra asked why the Fire Department did not get a grant for the washer and drier. She said that she has read where neighboring fire departments apply for and receive grant money for various equipment. She asked if the DMF position that was advertised has been filled yet. Mayor Sobkowitz stated that two seasonal help people will be starting in the DMF soon and the advertised position will be filled in the middle of April. Mrs. D’Ambra said that the school path is littered with debris that needs to be cleaned up on a more regular basis. A garbage pail is needed to be tied to a tree. The last five years have been very bad. Mr. Hrbek said that a new garbage

pail will be supplied and the DMF will check on the area more often, He stated that resident complaint forms are available online and at town hall to document these problems. Mayor Sobkowicz said that people do not respect the area.

Elizabeth Leahy, 275 Wilson Avenue – Mrs. Leahy asked if there is any new news about the cell tower. Mr. Poller said that a release exhibit was submitted to the town. Preliminary work has been done for assessment and now needs to be signed off on. The construction of the tower is in the Verizon budget for 2012.

Stefan Malazuk, 925 Washington Avenue - Mr. Malazuk asked why the no parking ordinance on Jackson Avenue is being put into effect. He said that he and his family and friends cannot park on Jackson Avenue any longer once the signs are put up. He asked if the Council looked at the letter he gave them regarding the driveway that the Turnpike Authority wants to build for him. He feels that the town should be more concerned about his safety issues. Mr. Malazuk referenced the meeting that occurred on his property between the Turnpike Authority, town officials and others. Mr. Poller asked how old the agreement is that Mr. Malazuk is referring to. Mr. Poller said that, although the Township of Washington is not involved in the agreement, he called and spoke to the Turnpike Authority engineer and was told that a final agreement is going out to Mr. Malazuk. He stated again that the Township is not part of the agreement. Mr. Hrbek said that the town officials will continue to do all they can on Mr. Malazuk's behalf. Mayor Sobkowicz said that she was at the referenced meeting in front of Mr. Malazuk's home to approve curb cuttings. Mr. Malazuk said that he gave the county estimates for a new driveway and agreed to pay half of the cost to do it the way he wanted it done.

Raymond Bernroth, 828 Crest Place – Mr. Bernroth asked when the cell tower will be constructed. Mr. Poller said that he could not guess. Mr. Bernroth asked if the signs for no parking have been put up by Ridgewood Avenue North.

Michael Ullman, 2 Clark Avenue – Mr. Ullman asked if there are any lessons to be learned from the washing machine and dryer installation. He asked about the status on the generator. He was told that the specs need to be looked at again before it goes out to bid for a second time. He asked about the master plan for fields and its status. Mr. Hrbek ran down a list of what is available to the town in regard to fields. He said that there was a misunderstanding about the master plan report and that the town instead received a proposal for turfing Memorial field. Dr. Cascio stated that the town will not proceed with any field project until a master plan is submitted and studied. Mr. D'Urso said that there are many options and many things to be considered. Mr. Ullman asked about a forward looking view for 2012 capital projects and beyond. Mr. Hrbek named several projects and the need to prioritize. He said that the Township engineer is underutilized in the evaluation process and would like more of his input going forward. Mr. Ullman asked about our capital infrastructure. He asked that the budget minutes and closed minutes be posted on the website.

Jim Burns, 998 Bridge Street – Mr. Burns asked if the no parking ordinance on Ridgewood Blvd. North is going to be enforced. Mr. Hrbek said that residents asked that the ordinance be addressed and the Council agreed to enforce it. Mr. Burns said that the town needs restables and that by stopping Bacari Grill employees from parking on the street, the restaurant will not thrive. Mr. Hrbek said that it is for public safety reasons. Mr. Burns said that other violations are not enforced

strongly enough. Mr. Burns said that the town needs are changing and this is not Mayberry anymore.

Peter Calamari, 28 Gabriel Way – Mr. Calamari said that he agrees that research should be done with dispatching and suggested that meetings should be scheduled earlier when more older residents could attend. He also said that the temporary signs in front of the shopping center are an eyesore and cheapen the look of the town. He said that someone in charge should speak to the management company or store owners.

Eamonn Twomey, 183 Devon Road – Mr. Twomey asked if the Township is going to have free use of the fields at the high school. Mr. Hrbek said that there is no plan or schedule in place at this time but he has and will continue to speak to Dr. Zoeller about the topic soon. Mr. Hrbek spoke to Mayor Birkner and options are being explored with Westwood for field space. Mr. Toomey said that putting sod on the Memorial field is a waste of tax dollars. He spoke about the history of the field. He said that the bulk rate has been given to us already for the high school, but only for the turf rate. Mr. Twomey and Mr. Hrbek spoke about rates.

ORDINANCES:

Ordinance #12-05 (Revised Parking on Sections of Jackson Avenue) was tabled without discussion.

CONSENT AGENDA:

Resolutions #3, 5, 6 pulled from 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. D'Urso, seconded by Dr. Cascio.

Ayes: Councilmen Cascio, D'Urso, Hrbek.

Nays: None.

WHEREAS, Christopher Sabatella posted engineering and soil movement escrow on premises known as Block 2312, Lot 23, 460 Coolidge Avenue; and

WHEREAS, the Construction Code Official has issued approval dated March 5, 2012, C.O. No. 10-197,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated February 3, 2012,

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington be authorized to refund the balance of the escrow money in the amount of \$419.00 to the above.

WHEREAS, at the Tax Sale held on October 28, 2010, the Township of Washington sold a tax lien on Block 4310, Lot 58, also known as 418 Hickory Street, for delinquent 2009 taxes, owned by Thomas Caron and;

WHEREAS, this Tax Lien Certificate #09-00007 was sold to Brian P. Caughey for 0% redemption fee and a premium of \$8000.00 and:

WHEREAS, the owner, Thomas P. Caron has effected redemption of Certificate#09-00007 in the amount of \$25,770.32, and,

Now, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey that the Tax Collector, Elaine

Erlewein be authorized to refund a total of \$25,770.32 payable to Brian Caughey, 38 Hawthorne Street, Rutherford, NJ 07070

BE IT FURTHER RESOLVED, that the Treasurer be authorized to a check in the amount of \$8000.00 (Premium) to the aforementioned lien holder.

Tax Title Lien	\$ 2,380.96		
2% Redemption Penalty	47.62	1099:	
Subsequent Taxes	19,987.90	Sub. Interest:	\$ 3,298.84
Subsequent Interest	3,298.84	2%Penalty	47.62
Recording Fee	43.00	Total 1099:	\$3,346.46
Search Fee	12.00		
Total:	\$25,770.32		

WHEREAS, on August 3, 1976, Kim Montelaro, a resident of New Milford, Bergen County, then 20 years old, was forcibly abducted, brutally assaulted and murdered b repeat offender, Christopher Righetti; and

WHEREAS, Christopher Righetti, Prisoner # 9431, is currently incarcerated for the killing of Kim Montelaro; and

WHEREAS, Christopher Righetti has gone may times before the Parole Board of Northern State Prison. His release was denied each time as the parole board found that Christopher Righetti was unwilling to take responsibility for abducting, assaulting and murdering Kim Montelaro; and

WHEREAS Christopher Righetti has never shown any remorse for his crime and has made no substantial progress in addressing the issues that led him to murder Kim Montelaro and has demonstrated a substantial risk for recidivism; and

WHEREAS, Kim's family should not be made to relive his horrible crime every few years when there is a parole hearing,. They are forced to travel long distances from their current residents in Florida each time there is a parole hearing for their daughter's killer. They continue to suffer unnecessarily on Christopher Righetti's account; and

WHEREAS, in addition to the efforts of Anthony and Alice Montelaro, the Township of Washington hereby supports the position that Christopher Righetti should not be granted parole and should serve out the full remainder of his life sentence with a future parole eligibility date of at least 35 years. The abduction, rape, and murder of an innocent young woman is a serious crime that demands justice; and the family of Kim Montelaro should be given the peace of mind of knowing that their daughter's murderer will remain behind bars for the rest of his life, as ordered by the court.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Washington hereby abides by the conclusion that Christopher Righetti should not be granted parole and should serve out the full remainder of his life sentence. If he is given a future it should be no sooner than 35 years from now. The abduction, rape and murder of an innocent young woman is a serious crime that demands justice; and the family of Kim Montelaro should be given the peace of mind of knowing that their daughter's murderer will remain behind bars for the rest of his life, as ordered by the court.

BE IT FURTHER RESOLVED that a copy of his resolution shall be sent to the Bergen County Police Chiefs Association, the New Jersey PBA, the Office of the Bergen County Prosecutor, the Office of the Bergen

County Executive, and to Chairman James T. Plousis of the New Jersey State Parole Board.

BE IT RESOLVED, that the Mayor and Council of the Township of Washington wishes to enter into a grant agreement with the Council of Bergen for the purpose of using \$735,000.00 in 2009 Open Space Trust Funds for Open Space Land Acquisition in the Township of Washington; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor Janet Sobkowicz to be a signatory to the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Catherine Navarro-Steinel to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Township of Washington is liable for matching funds as outlined in the Open Space Grant Agreement dated April 21, 2010.

This resolution was adopted by the Mayor and council of the Township of Washington at a meeting on March 12, 2012.

WHEREAS, the New Jersey Local Public Contracts Law (N.J.A.A. 40A:11-1 et seq.) authorizes and permits contracting units, such as the Bergen County Utilities Authority (the "BCUA") and the Township of Washington (the "Township") to enter into service agreements for the services contemplated below without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5(2); and

WHEREAS, the BCUA seeks to enter into a shared services agreement with the Township whereby the BCUA will provide a Certified Recycling Professional for signing of the annual recycling tonnage report which is required by the New Jersey Recycling Enhancement Act ("REA") P.L. 2008, CHAPTER 6, for submission to the new Jersey Department of Environmental Protection ("NJDEP"); and

WHEREAS, the Township wishes to enter into such a shared services agreement with the BCUA;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township approves of the proposed shared services agreement between the Township and the BCUA, a copy of which is on file with the Township;

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the subject shared services agreement with the BCUA for the above-stated purpose.

Raffle License #855 for Colleen Giblin Foundation was approved by the Township Council of the Township of Washington.

State Contract Vendors resolution was discussed. The Council was told that the auditor recommended that this resolution be done for all vendors that the Township deals with who are state contract vendors each year. A motion was made by Dr. Cascio, seconded by Mr. D'Urso to approve the following resolution:

Ayes: Councilpersons Cascio, D'Urso, Hrbek

Nays: None

WHEREAS, the Township of Washington, pursuant to N.J.S. A. 40A11-12a and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under State of New Jersey Cooperative Purchasing Program for any State contracts entered

into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Washington has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Township of Washington intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Washington authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Township of Washington pursuant to N.J.A.C. 5:30-5.5(b) the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no - contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contacts between the Township of Washington and the Referenced State Contract Vendor shall be from January 1, 2012 to December 31, 2012.

Temporary Emergency Appropriation resolution was discussed and the Council was told that the \$1250 needed was for municipal alliance state share. This grant was for a bullying program in the schools. A motion was made by Mr. D'Urso, seconded by Dr. Cascio to pass the following resolution:

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 2012 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 resolutions adopted in the year 2012 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40 A:4-20) including this resolution total \$3,607,502.00 exclusive of debt service; and

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

An emergency temporary appropriation be and the same is hereby made for the following:

Dept. of Public Safety	
Maint. Of Desk Record System	\$1,600.00
Municipal Alliance-State Share	\$1,250.00

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

After the Closed Session, a motion was made by Mr. D'Urso, seconded by Dr. Cascio to move from Closed Session to Open Session so that a vote could be held on a transfer resolution.

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

Nays: None

A motion was made by Mr. D'Urso, seconded by Dr. Cascio to approve the following resolution:

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

Nays: None

Abstain: Councilperson Goetz

WHEREAS, Title 40-A:4-58 of the New Jersey Statutes provides if it should become necessary during the first three (3) months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective sum appropriated therefore and there shall be an excess in an appropriation over and above the amount deemed to be necessary to fulfill the purpose setting forth the facts, adopted by not less than 2/3 votes of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that the Treasurer be and is hereby authorized to make the following transfers in the 2011 Budget Appropriations:

	FROM	TO
Dept. of Municipal Facilities		
Other Expense	\$22.00	
Water		\$22.00

Mary Ann Ozment, Township Clerk

Richard Hrbek, Council President