

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

**PUBLIC PORTION/CONFERENCE SESSION**

**March 24, 2014**

The Township Council held a Public Portion/Public Meeting in the Municipal Building, Pascack Road. The meeting was called to order at 7:31 p.m. by Council President Thomas Sears with the Clerk leading a salute to the flag. Members present: Peter Calamari, Steve Cascio, Richard Hrbek, Thomas Sears. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney. Absent: Glenn Beckmeyer, Councilman; 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.

**Mayor Sobkowicz** – Would like to thank Charlotte Kazigian who won a defibrillator at Town Day and has donated it to Town Hall it will be installed in the area of the Senior Center. Mr. Stickle who did donate the defibrillators that we have at each of our four fields will install the defibrillator and run a class on CPR that goes with the donation.

**APPROVAL OF MINUTES**

A motion was made by Mr. Cascio, seconded by Mr. Calamari to approve the February 10, 2014 Public & Conference Session minutes. (All Vote)

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

**GENERAL PUBLIC DISCUSSION**

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

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

**Ray Bernroth, 838 Crest Place** – Stated that there are many pot holes on Crest Place. Would like to make a note of it so the road department can start filling them in. Stated very nice more than the usual amount of people are here and hopes that keeps up. Also stated he does have more bars on his phone even though it is not Verizon. Mayor Sobkowicz stated the road department is out there filling potholes and they are also filling them on the County Roads. Mayor Sobkowicz also stated that the road department did receive the co patch from the county. Discussion was had with regard to the various locations of the potholes.

**Michael DiFiore, 214 Ridgewood Boulevard North** – Stated that he has been a resident of the Township for more than 30 years. Spoke of the No Parking signs and it does present a hardship to the residents when they have holidays and family gatherings. Stated it is also impacting the property value of their homes. He then presented a signed petition to the board. Also read Ordinance 223.69, which addresses the issue of restrictive parking. Stated something needs to be worked out since it is not fair to the residents. Mayor Sobkowicz stated last year residents came out complaining of the opposite that is cars blocking the intersection, so council did amend the ordinance. Mayor Sobkowicz also states she will discuss it with Safety Officer Lieutenant Hackbarth. States that an idea might be to issue permit cards being issued, 5 or 6 per household and put the card on the car's windshield.

**Anthony Salerno, 200 Ridgewood Boulevard North** – Stated that he has family members with medical conditions and they are forced to walk four or five houses which is dangerous in varies weather conditions. Stated that the Police Department has been very cooperative, the residents call ahead of time to let the Police Department know the residents are only parking on one side of the street. Stated that Bacari Grill is now parking on the street due to the fact that there parking lot is covered with snow. Stated that certain amount of parking permits should be issued to residents so Bacari Grill does not take advantage of the parking.

**Joe D'Urso, 12 Viola Terrace** – Would like to thank Councilpersons Beckmeyer, Hrbek and Cascio for honoring the JIF/MEL. Stated that the night of the Zoning Board reorganization meeting that Mr. Sears and the Mayor should not attend the meetings, it poses lawsuits. Stated that the Mayor, other councilmembers and the risk manager were there and it shows impropriety. There was a discussion with regard to why there are no Public Sessions at Zoning Board meetings. A lengthy discussion followed with regard to the Zoning Board meeting, a resolution and a letter that was presented. Mr. D'Urso stated that the attorney for the Zoning Board also indicated that she is also a Land Use attorney. There was a discussion on whether Mr. Poller can direct the Zoning Board attorney to let the public speak. There was a lengthy discussion with regard to the requirement of a resolution or whether the letter was sufficient. There was also a discussion with regard to Land Use attorney resumes that council received back in 2011. Mr. D'Urso stated that he did see that the positions of new clerk, CFO, treasurer have been advertised and would like to know what the status is. Mr. Sears stated at this time we are looking at resumes, there is a temporary clerk at this time. Mr. D'Urso asked is there someone taking classes paid for by the town. Mayor Sobkowicz stated yes, since last year. Mayor Sobkowicz continued we allow people to take classes from time to time, even the road department. Mr. Calamari stated he did attend the Zoning Board meeting and it was to show support for the incoming and existing members of the board.

**Mary Ann Ozment, 960 Adams Place** – Would like to know if council members were aware that the Mayor sent someone last year to take courses to become the clerk. Mr. Sears stated that he was aware that a particular person was taking classes. Mr. Calamari stated not until very recently. Mr. Hrbek stated he just found out recently. Mrs. Ozment then went on to speak about the turf field at Memorial Field. She stated that Mr. Fadini had spoken at a few meetings from last June until the election, with regard the Mayor winning the election. Stated that Mr. Fadini is a very political person, and she herself found that the Mayor did beat Mr. D'Urso by 254 votes. Then stated she found out that promises were made with regard to a turf field at Memorial if people voted a certain way. Then asked Mr. Sears and Mr. Calamari did either of them promise that they would be working on a turf field. Mr. Sears replied absolutely not. Mr. Calamari replied not that he can remember. She then asked if council has gone out or is going out for bonding for a turf field. Mr. Sears replied we haven't discussed it and no bonding is going forward. She then asked if there is money in the capital budget put aside for a turf field, since there wasn't any put aside when she was working at the clerk's office. Mr. Sears replied we haven't gotten to the capital budget yet. She then asked if this council, with the assistance of WCTV Volunteers, and this was a promise made by the Mayor, Mr. D'Urso and Mr. Goetz, to televise meetings, has this ever been brought up for discussion by this council. Mr. Sears replied at this time it has not.

**Julie Lipnick, 184 Finnerty Place** – Would like to know the status of the parking situation with Bacari Grill parking at the TDBank, the tennis club and the Y. Mayor Sobkowicz replied the situation has been referred to Mr. Tucker and she has not received an answer as of yet. Mayor Sobkowicz stated that an investigation of the sink hole on Finnerty Place that Mrs. Lipnick

brought up at the last meeting was conducted. The Mayor believes that something is wrong since it has been filled twice and it is not holding. Mrs. Lipnick stated that she was told it might be a possible water leak underneath the roadway. Mrs. Lipnick also spoke of the men that are filling the potholes, they were wearing only vests and she feared for their safety.

**Fred Goetz, 587 Washington Avenue** – Stated with regard to the promise the Mayor made to the sports community about Memorial Field being turfed. Mr. Sears stated that this was just reviewed and the council has not discussed anything about that. Mr. Goetz apologized he didn't hear the answer due to the fact he came in late. Mayor Sobkowicz stated that that promise was never made. There was a lengthy discussion with regard to the Pay to Play Ordinance, which Mr. Sears stated he began a search so the Township can be in line with the State and the County, spoke to his legal advisor, and he also did that with the Smoking in Public Parks ordinance. There was a discussion with regard to interviews for 2 police officer positions. Mr. Goetz stated the only interview he heard taking place were those of a son of an existing police officer, son of a councilman of the Township and the son of a political supporter. Mayor Sobkowicz stated there were more than 30 applicants and the same process that was used 3 or 4 years ago was used at this time also. Mayor Sobkowicz spoke of the interview process in detail. The department is down one police officer and one is leaving April 1. There was a discussion with regard to who is the custodian of records, the administrator or the clerk. Mr. Sears states the Deputy Clerk takes on all the responsibilities and the rights of the clerk. There was also a discussion with regard to the finance officer, since there is no treasurer. Mayor Sobkowicz stated we have a CFO, Certified Deputy Treasurer and Administrator. There was a discussion with regard to the finance office, the finance department and the clerk's office. Mayor Sobkowicz states that everything is operating correctly. Mayor Sobkowicz also stated positions were advertised for a number of times. As of this time we have a part time CFO who is fully certified and everything is in order. Mr. Goetz states his question of who is in charge of the day to day operations has not been answered.

**Vic Fadini, 698 Kennedy Drive** – Would like to congratulate and thank the council for stepping with the Zoning Board situation. Stated he attended the Zoning Board meeting as a show of support to the new Zoning Board. Stated that with regard to the Zoning Board situation there was an impression in the media that there was an oversight by the attorney, but that oversight came out of the Clerk's Office. Stated he goes up to Town Hall several times a week and it is a pleasure to go up there. Stated that things are running efficiently and no one comes in and are not served the way they are supposed to be. Stated in his view the departments are running better than they have been under previous administrations and thanks the council for that.

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

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

## **ORDINANCES**

The Clerk read Ordinance 14-02 entitled: AN ORDINANCE AMENDING THE RULES ESTABLISHED REGARDING THE AWARD OF PUBLIC PROFESSIONAL SERVICE CONTRACTS.

A motion was made by Mr. Calamari, seconded by Mr. Sears to introduce and pass Ordinance 14-02 at first reading by title.

Ayes: Councilpersons Calamari, Hrbek, Sears.

Nays: Councilperson Cascio.

The following resolution was presented and adopted on a motion by Mr. Calamari, seconded by Mr. Sears.

Ayes: Councilpersons Calamari, Hrbek, Sears.

Nays: Councilperson Cascio.

WHEREAS, Ordinance 14-02 entitled: AN ORDINANCE AMENDING THE RULES ESTABLISHED REGARDING THE AWARD OF PUBLIC PROFESSOIN SERVICE CONTRACTS was introduced and passed at first reading at a meeting of the Township of Washington on the 24th day of March 2014.

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 7<sup>th</sup> day of April, at 7:30 o'clock in the evening, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Building, Pascack Road, Township of Washington at which time and place all persons who may be interested will be given an opportunity to be heard concerning said ordinance;

BE IT FURTHER RESOLVED, that the Township Clerk is authorized to advertise in the Bergen Record, a newspaper circulated in this Township, the introduction and notice of further consideration for final passage and public hearing of this ordinance as required by law.

The Clerk read Ordinance 14-03 entitled: AN ORDINANCE PROHIBITING SMOKING WITHIN PARKS, PLAYGROUNDS AND RECREATION AREAS IN THE TOWNSHIP OF WASHINGTON.

A motion was made by Mr. Cascio, seconded by Mr. Calamari to introduce and pass Ordinance 14-03 at first reading by title.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

The following resolution was presented and adopted on a motion by Mr. Hrbek, seconded by Mr. Calamari.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

WHEREAS, Ordinance 14-03 entitled: AN ORDINANCE PROHIBITING SMOKING WITHIN PARKS, PLAYGROUNDS, AND RECREATION AREAS was introduced and passed at first reading at a meeting of the Township of Washington on the 24th day of March 2014.

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 7<sup>th</sup> day of April, at 7:30 o'clock in the evening, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Building, Pascack Road, Township of Washington at which time and place all persons who may be interested will be given an opportunity to be heard concerning said ordinance;

BE IT FURTHER RESOLVED, that the Township Clerk is authorized to advertise in the Bergen Record, a newspaper circulated in this Township, the introduction and notice of further consideration for final passage and public hearing of this ordinance as required by law.

The Clerk read Ordinance 14-04 entitled: AN ORDINANCE AMENDING FEES FOR RECREATION DEPARTMENT ACTIVITIES.

A motion was made by Mr. Sears, seconded by Mr. Cascio to introduce and pass Ordinance 14-04 at first reading by title.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

The following resolution was presented and adopted on a motion by Mr. Hrbek, seconded by Mr. Cascio.

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

WHEREAS, Ordinance 14-04 entitled: AN ORDINANCE AMENDING FEES FOR RECREATION DEPARTMENT ACTIVITIES was introduced and passed at

first reading at a meeting of the Township of Washington on the 24th day of March 2014.

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 7<sup>th</sup> day of April, at 7:30 o'clock in the evening, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Building, Pascack Road, Township of Washington at which time and place all persons who may be interested will be given an opportunity to be heard concerning said ordinance;

BE IT FURTHER RESOLVED, that the Township Clerk is authorized to advertise in the Bergen Record, a newspaper circulated in this Township, the introduction and notice of further consideration for final passage and public hearing of this ordinance as required by law.

### **CONSENT AGENDA**

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

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

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

WHEREAS, John and David Viganola posted engineering escrow on premises known as Block 4308, Lot 4, 369 Fern Street; and

WHEREAS, the Construction Official has issued approval dated March 10, 2014, C. O. No. 13-461,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated March 3 2014,

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$223.00 to the above.

WHEREAS, Metropolitan Center for Human Services LLC posted engineering escrow on premises known as Block 2404, Lot 10, 280 Ridgewood Blvd. North; and

WHEREAS, the Construction Code Official has issued approval dated February 10, 2014, C.O. No. 13-535,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated January 27, 2014,

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$363.00 to the above.

WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes and permits contracting units, such as 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(1)(a)(1); and

WHEREAS, pursuant to the New Jersey Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.), the Township seeks to enter into a shared services agreement with the Mid-Bergen Regional Health Commission (the "Commission") whereby the Commission will provide health services of a professional and technical nature to the Township as provided for in the Local Health Services Law (N.J.S.A. 26:3A2-1 et seq.); and

WHEREAS, the Commission has agreed to provide Environmental Health Services including a Registered Environmental Health Specialist for the period of April 1, 2014 to December 31, 2014 for 20 hours per month at \$46.00 per hour not to exceed \$920 per month.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township Council approves the agreement proposed by the Mid-Bergen Regional Health Commission, which is on file with the Township, and hereby authorizes the Mayor to execute said agreement for the above stated purpose.

WHEREAS, the Township of Washington has the need to advertise for bids for contract of services; and

WHEREAS, the Township Council wishes to adopt a resolution to authorize the solicitation of bids; and

WHEREAS, the Township has the need and requirement to solicit bids for 2014 Organic Material (Leaves, Grass, Logs/Branches).

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township of Washington hereby authorizes the solicitation for bids as referenced above by the Township Administrator.

WHEREAS, the Township of Washington has the need to advertise for bids for a contract of services or supplies; and

WHEREAS, the Township Council wishes to adopt a resolution to authorize the solicitation of bids; and

WHEREAS, the Township has the need and requirement to solicit bids for Gasoline & Diesel Fuel/Fueling Station Services; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township of Washington hereby authorizes the solicitation for bids as referenced above by the Township Administrator.

WHEREAS, it is the policy of the Township of Washington to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

WHEREAS, the governing body of the Township of Washington has determined that certain procedures need to be established to accomplish this policy;

NOW, THEREFORE, BE IT ADOPTED by the Governing Body of the Township of Washington that:

Section 1: No official, employee, appointee or volunteer of the part of the Township of Washington shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Washington for using the facilities or property of the Township of Washington. Township of Washington by whatever title known, or any entity that is in any way a

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receive authorization or support in any way from the Township of Washington to provide services that otherwise could be performed by the Township of Washington.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The municipal attorney shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil

rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The municipal attorney shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Washington as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The municipal attorney shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the municipal attorney shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of Washington. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township of Washington's website.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of Washington in order for the public to be made aware of this policy and the Township of Washington's commitment to the implementation and enforcement of this policy.

WHEREAS, on December 21, 2010, Governor Christie signed into law reforms to the Arbitration process that took effect January 1, 2011; and

WHEREAS, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing the weight accorded to each of the required considerations and expedited the appeal process; and

WHEREAS, these reforms marked a dramatic change to the arbitration process and have helped municipalities to control the never-ending rise in public safety personnel costs; and

WHEREAS, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of the property tax levy will expire on April 1, 2014; and

WHEREAS, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the State to further reduce or even eliminate crucial services, personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and

WHEREAS, the 2% Interest Arbitration cap has controlled one of the largest municipal expense, public safety salaries, not only through arbitration awards but through contract negotiations; and

WHEREAS, absent further action by the Legislature, any contract that expires on or after April 1, 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and

WHEREAS, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and

WHEREAS, without the 2% cap on Interest Arbitration Awards but with the 2% cap on property tax levy local budget makers could be forced to reduce other essential municipal services to fund an arbitration award;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Washington strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1, 2014 sunset; and

BE IT FURTHER RESOLVED, that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, the legislators of the Township of Washington, State Legislative representatives, Governor Chris Christie, and the New Jersey State League of Municipalities.

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that the Township Treasurer is hereby authorized to refund the following recreation fee:

Heather Gilmore  
110 Hampton Court  
Township of Washington, New Jersey 08081  
Lacrosse 2014 - \$130.00

WHEREAS, the Township of Washington has agreed to the establishment of a Length of Service Award Program (LOSAP) Deferred Compensation Plan. This plan is to be made available to all bona fide eligible volunteers who are performing qualified services which is defined as firefighting and prevention services, emergency medical services, and ambulance services pursuant to Section 457 of the Internal Revenue Code of 1986, as amended, except for provisions added by reason of the Length of Service Award Program will also comply with the New Jersey Public Law 1997, Chapter 388 and the Length of Service Award Plan Documents; and

WHEREAS, the Township of Washington deems it appropriate to act to ensure retention of existing members and to provide incentives for recruiting new volunteer firefighters/first aid organization members; and

WHEREAS, the Township of Washington has a Length of Service Award Plan Document that implements the Programs objectives; and

WHEREAS, certain tax benefits could accrue to eligible volunteer firefighters organization members;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Washington is adopting a Length of Service Award Program Deferred Plan which is substantially similar to a Plan that has been submitted to the Internal Revenue Service for a Private Lettering Ruling. The use of the Ruling is for guidance only and the Township of Washington acknowledges that for Internal Revenue Service purposes, the Ruling of another sponsoring agency is not to be considered precedent; and

BE IT FURTHER RESOLVED, by the Township Council of The Township of Washington that , it hereby adopts the Length of Service Award Program Deferred Plan provided by the Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent Plan Identifier: 01-LOSAP-LINCOLN-101700; and

BE IT FURTHER RESOLVED, that the Lincoln National Life Insurance Company AND Lincoln Financial Group, it's agent, will provide, for the benefit of the participants, a Multi-Fund Variable Annuity contract as its funding vehicle; and

BE IT FURTHER RESOVLED that in accordance with N.J.A.C. 5-37-7.1  
(a) The Township of Washington solicited a proposal for a Length of Service Award Program (LOSAP) and Service Agreement from Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, the only provider

doing LOSAP business in the State of New Jersey. A written waiver from the requirement for soliciting proposals from two or more providers offering prototypical length of service award plans was issued by the Director of the Division of Local Government Services in the State Department of Community Affairs; and

BE IT FURTHER RESOVLED, that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of the contractor in the selection of a contractor for the administration of a Length of Service Award Plan pursuant to N.J.A.C. 5:37-11.29;

BE IT FURTHER RESOLVED, that the Township of Washington accepted Lincoln National Life Insurance Company's proposal because of the level of service, the financial stability of the company, features of the plan's investment options and references; and

BE IT FURTHER RESOVLED, that the Chief Financial Officer is authorized to execute an Administrative Services Agreement with the Lincoln National Life Insurance Company and the Lincoln Financial Group, its agent, Plan Identifier: 01-LOSAP-LINCOLN-111700, and such other agreements as are necessary to implement the LOSAP Deferred Program. It is implicitly understood that there is to be no cost other than the Service Award by the Township of Washington to the Program; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to serve as the "Local Plan Administrator" of the plan, represent the Township, and execute individual Participation Agreements between Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent and bona fide eligible volunteers; and

BE IT FURTHER RESOLVED, by the Township of Washington that the Township Clerk forward a true copy of this resolution to the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Chief Financial Officer will submit all necessary documents to the Director of the Division of Local Government Services in the state Department of Community Affairs for approval.

WHEREAS, the Township of Washington has by law been administering a LOSAP program for the Fire Volunteers; and

WHEREAS, the Planning Administrator has received the list of volunteers from the Fire Department who qualify under the program; and

WHEREAS, the list has been reviewed and deemed accurate; and

WHEREAS, it is required under the law that the Township Council of the Township of Washington approve the attached list;

NOW, THEREFORE, BE IT RESOLVED that after the 30 (thirty) day posting the Planning Administrator will issue a check to cover volunteers on the attached list to Lincoln Financial.

WHEREAS, the Township of Washington has by law been administering a LOSAP program for the Ambulance Corp Volunteers; and

WHEREAS, the Planning Administrator has received the list of volunteers from the Ambulance Corp who qualify under the program; and

WHEREAS, the list has been reviewed and deemed accurate; and

WHEREAS, it is required under the law that the Township Council of the Township of Washington approve the attached list;

WHEREAS, the list will be returned to the Township of Washington Ambulance Corp for a 30 (thirty) day posting;

NOW, THEREFORE, BE IT RESOLVED that after the 30 (thirty) day posting the Planning Administrator will issue a check to cover volunteers on the attached.

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 sums 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 is and is hereby authorized to make the following transfers in the 2013 Budget Appropriations:

	FROM	TO
Fire Dept. Other Expense		
Training Expense		
3-01-25-265-370	\$245.00	
Fire Dept.-Physicals		
3-01-25-271-000		\$245.00
Fire Dept. Other Expense		
Vehicle & Equip. Repairs		
3-01-26-315-005	\$650.00	
Fire Dept. Fire Chief's Car		
3-01-26-315-013		\$650.00

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 \$5,406,889.00 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:

Liability Insurance	\$ 68,000.00
Workmen's Compensation	\$ 72,496.00
Municipal Alliance/State Share	\$ 1,000.00
Public Employees Retirement Fund	
Annual Appropriation	\$135,702.00
Police & Firemen's Retirement Fund	
Annual Appropriation	\$544,400.00
Dept. of Municipal Facilities	
O/E Equipment Parts	\$ 4,000.00
Recreation Dept. Other Expense	
Community Program	\$ 500.00

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

A motion was then made by Mr. Sears, seconded by Mr. Calamari, to move to Open Session.

Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None

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

Ayes: Councilpersons Calamari, Cascio, Hrbek, Sears.

Nays: None.

WHEREAS, the Township Council requires an Acting Township Clerk to perform the duties of Municipal Clerk of the Township of Washington; and

WHEREAS, the Township Council has determined to appoint Elaine Erlewein as Acting Township Clerk effective as of March 10, 2014, and for a period of 60 days from the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington as follows:

The Township Council hereby appoints Elaine Erlewein as Acting Township Clerk effective March 10, 2014, and for a period of 60 days from the date of this Resolution.

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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 24, 2014**

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

**PRIORITY**

**Lake Association** – Brief presentation was given by George Shellowsky President of the Lake Association, Carl Bergquist and Jeffrey Rogers, members of the Board of Trustees for the advantages of the Township purchasing the lake. The Homeowners Association has managed Lake Schlegel and the adjacent parkland since 1947. There was a lengthy discussion with regard to council preparing questions they with regard to the Lake Association. Mr. Shellowsky suggested of having a subcommittee. There were discussions with regard to the dams and the replacement of them which was approximately 29 years ago. The logs that were inserted are rotten and need to be replaced. At this time the steel trash racks are half in, half out of the water and are rotting. This needs to be repaired and the cost is upwards of \$100,000 which is spread among the 261 members. Also the state mandates these requirements and it is an unfunded mandate. Mr. Shellowsky spoke of the need for fields in the Township and it would be like opening a new park. There was a discussion with regard to maintenance of the dams, low interest loans or applicable grants. There was one lawsuit but it has been resolved. Mr. Hrbek stated he would feel better if the insurance questions are answered by our Risk Manager and JIF insurance. Mr. Calamari suggested on taking a poll of the members to see if all members are in favor of this move to incorporate the lake to the Township, go to the members first, since that it has not been done. There was a discussion with regard to the people that are on the lake, the right of way and the property line. At this time the right of way is 25 feet but that is very deceiving. The property line fluctuates at to where the water line is at the moment. Dr. Cascio stated he is concerned about downstream, what happens to the dams. There was a discussion with regard to Township employees entering upon private property. A lengthy discussion followed with regard to dues and the hiring of a professional to manage the dam. There was also a discussion with what happens when a state of emergency is declared. There was also a discussion with regard to what the council would like provided. Some of the items asked for were what the dues are, insurance coverage, who is responsible for fencing and security. Dr. Cascio stated he would like a copy of the by-laws and declaration restrictions. There was a discussion with regard to title searches and maps. Mr. Sears stated a list will be given to the Lake Association representatives.

A motion was made by Dr. Cascio, seconded by Mr. Calamari to go into Closed Session.

Ayes: Councilman Calamari, Cascio, Hrbek, Sears.

Nays: None.

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Elaine Erlewein, Acting Township Clerk

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Thomas Sears, Council President