

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

**PUBLIC PORTION/CONFERENCE SESSION**

**May 19, 2014**

The Township Council held a Public Portion/Public Meeting in the Municipal Building, Pascack Road. The meeting was called to order at 7:33 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.

**APPROVAL OF MINUTES**

A motion was made by Mr. Beckmeyer, seconded by Mr. Calamari, to approve the April 21, 2014 Public & Conference Session Minutes. (Calamari Abstain).

Ayes: Councilpersons Beckmeyer, Cascio, Hrbek, Sears.

Nays: None.

A motion was made by Mr. Hrbek, seconded by Mr. Beckmeyer, to approve the May 5, 2014 Public & Conference Session Minutes.

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

Nays: None.

**GENERAL PUBLIC DISCUSSION**

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

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

Nays: None.

**Ray Bernroth, 838 Crest Place** – Mr. Bernroth spoke of the potholes on Crest Place, which still haven't been filled yet. States that the worst area is as one goes down to Pascack Road. Mr. Sears states he will make a call tomorrow.

**Al Gillio, 746 Wayne Place** – Mr. Gillio asked with regard to 741 Wayne Place, if the Township is going to continue to maintain that property as it has done before since no one has been living there for over a year. Mayor Sobkowicz replied yes. Mr. Gillio would like to know if there is an update with regard to the paving of the streets. Mayor Sobkowicz stated that bids are going out this week, and that is phase one of the road program. Mayor Sobkowicz further states that it is in our capital budget and it will start soon.

**Joe D'Urso, 12 Viola Terrace** – Mr. D'Urso thanked Council President for putting the Conference Minutes on the website. Mr. D'Urso asked Mr. Sears who prepares the agenda for council meetings. Mr. Sears indicated that he prepares the agenda and also refers to council and the Mayor. Mr. D'Urso asked with regard to the Closed Session tonight, personnel, does that include the clerk. Mr. Sears states yes, we have made a decision on the clerk. Mr. D'Urso asks has a new administrator been found. Mayor Sobkowicz states that she does have an interview this evening. Mr. D'Urso asked with regard to Ordinance #14-05, it was introduced, then published and not mentioned on May 5, shouldn't the ordinance have been re-introduced again. Mr. Poller stated it was already published, slight revision and republished. Mr. D'Urso asked with regard to the resolutions for the increases and decreases in the budget, why are they not here. Mayor Sobkowicz states that the auditors were asked and they stated it was not needed at this time. Mr. D'Urso asks the Mayor if the budget which is being introduced tonight is higher or lower than

the number submitted by the Mayor. Mayor Sobkowicz states it is a bit lower. Mayor Sobkowicz further states that there were increases and decreases, the auditor was asked about it today, and the auditor just provided the introduction to the budget. Mr. D'Urso states that he agrees with Mr. Bernroth with regard to Crest Place, the road is terrible.

**Rose D'Ambra, 423 Colonial Boulevard** – Mrs. D'Ambra states crossing Pascack and going uphill on Manhattan the light in that area turns very fast and pedestrians can't cross the street. Mrs. D'Ambra states the county should look at that and that area also needs to be restriped for pedestrians. Mrs. D'Ambra states also Pascack Road and Washington Avenue that area also need to be looked at by the county and restriped for pedestrians. Mrs. D'Ambra would like to know if the Township is going to hire a full time administrator. Mayor Sobkowicz replied yes, it has been discussed with the Council President and Vice President. Mayor Sobkowicz further states as soon as the position of administrator is complete, the next position that will be looked at is Superintendent of the Road Department, which applications have already been submitted.

**Mary Ann Ozment, 960 Adams Place** – There was a lengthy discussion with regard to the lack of the increases and decreases by resolution to the budget. Mrs. Ozment states that this has been the procedure for the past 28 years, and without the resolutions one does not know how much the budget was increased or decreased in a department. Mrs. Ozment would like to know how the budget is being introduced without those resolutions. Mr. Poller states that he does not handle the budget, the auditor was consulted, and the auditor knew the budget was being introduced tonight. Mrs. Ozment spoke of the Consent Agenda, which a copy was made available to the public. Mrs. Ozment asked when the public hearing on the budget is. Mr. Sears replied June 23. Mr. Sears explained the police escort procedure to Mrs. Ozment. There is not a standard practice with regard to police escorts, but the police department does reach out to other towns. Mrs. Ozment asked if there is a new police chief at this time. Mayor Sobkowicz replied not yet. Mrs. Ozment then asked with regard to the full time administrator, is there anyone that the Mayor is considering. Mayor Sobkowicz yes, she is. The Mayor further stated she spoke with the Council President who was not available to meet with him, but the Vice President did meet him, and the council members will be meeting him tonight. Mrs. Ozment spoke about a bond ordinance that was done with the old council, it was for \$235,000. Mrs. Ozment then went on to name the various items in the ordinance and asked if those items had gone out to bid. Mayor Sobkowicz replied not at this time. Mrs. Ozment would like to know why money was spent on the bond ordinance back in September, 8 months ago, if none of the items were purchased. Mayor Sobkowicz states it has not been bonded, but each department needs to come in when those items are needed and that the ordinance was done with the previous council.

**Julie Lipnick, 184 Finnerty Place** – Mrs. Lipnick spoke of the road department coming to her home and also spraying an X on her shrubs for them to be cut so they do not pose a danger to anyone coming around the corner. Mrs. Lipnick would like an explanation why Azarian and the shopping center are exempt from taking care of the sidewalk. Mrs. Lipnick spoke at length of the dangerous conditions with regard to the sidewalk, the fence, and exposed nails. Mrs. Lipnick has requested copies of letters that has gone to the management company and has not received any as of yet. Mrs. Lipnick would like letters sent to the management company of matter with regard to the shopping center.

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

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

Nays: None.

**ORDINANCE #14-05**

The Clerk read Ordinance #14-05 entitled: AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, BERGEN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 239, LAND DEVELOPMENT, and CHAPTER 243, STORMWATER MANAGEMENT, OF THE TOWNSHIP OF WASHINGTON CODE. (Amending Land Development and Stormwater Management).

A motion was made by Mr. Beckmeyer, seconded by Mr. Calamari, to introduce and pass Ordinance # 14-05 as amended.

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

Nays: None.

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

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

Nays: None.

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance #14-05 entitled: AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, BERGEN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 239, LAND DEVELOPMENT, and CHAPTER 243, STORMWATER MANAGEMENT, OF THE TOWNSHIP OF WASHINGTON CODE be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Mr. Beckmeyer, seconded by Mr. Hrbek, to open the Public Hearing.

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

Nays: None.

**Rose D'Ambra, 423 Colonial Boulevard** – Mrs. D'Ambra asked why wasn't this ordinance sent to the Planning Board. Mr. Poller states that the ordinance went before council first to be introduced, then went to the Planning Board.

A motion was made by Dr. Cascio, seconded by Mr. Hrbek, to close the Public Hearing.

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

Nays: None.

A motion was made by Mr. Beckmeyer, seconded by Mr. Hrbek, to pass Ordinance #14-05 on a second and final reading, submit the same to the Mayor for her approval and thereafter be published according to law.

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

Nays: None.

**INDIVIDUAL RESOLUTION**

Chin vs. Township of Washington, Fred Goetz, Individually, and John Doe's, Docket Number BER-L-904-12

Mr. Beckmeyer asked for an explanation of the resolution since it has been in closed session. Mr. Poller states that a settlement with regard to this lawsuit was negotiated between JIF, who is representing the Township and the individual plaintiff. A recommendation was made to settle the lawsuit for \$55,000. The Township will be responsible for approximately \$35,000 between this year and next year.

The following resolution was made available to the governing body and the public prior to the meeting.

WHEREAS, the Township of Washington was named as a Defendant in an action in the Superior Court of New Jersey, entitled Chin v. Township of

Washington, Fred Goetz, individually, and John Does, Docket Number BER-L-904-12; and

WHEREAS, the interests of the Township of Washington were being represented by the firm of Pfund McDonnell, P.C. appointed counsel through the Bergen Joint Insurance Fund ("JIF") and its associated insurers; and

WHEREAS, a settlement of the subject lawsuit was negotiated by the aforesaid counsel, the terms of which were conveyed to the Township Council with a recommendation from the litigation counsel on behalf of the JIF and its associated insurers that said settlement should be accepted; and

WHEREAS, the amount payable by the JIF and its associated insurers pursuant to the settlement is \$55,000.00, and is subject to the Township deductible and contribution portion;

WHEREAS, the Township Council has deliberated upon the terms of settlement and has determined that it is in the best interest of the Township of Washington to enter into the original negotiated settlement;

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

1. The terms of settlement of the subject lawsuit, Chin v. Township of Washington, Fred Goetz, individually, and John Does, Docket Number BER-L-904-12 requiring the payment of the sum of \$55,000.00 to the plaintiff are hereby approved.

2. The Township Council hereby authorizes Pfund McDonnell, P.C., appointed counsel through the Bergen Joint Insurance Fund ("JIF") and its associated insurers, to execute and deliver such settlement documents as are required to effectuate such settlement.

3. The Township Council hereby further authorizes the Mayor to execute and deliver such release documents on behalf of the Township as may be required in connection with said settlement, and to authorize all required payments to the JIF in accordance with the Township's deductible and contribution requirements under the Township's arrangement with the JIF.

A motion was made by Mr. Calamari, seconded by Dr. Cascio for approval of the Individual Resolution.

Ayes: Councilpersons Calamari, Cascio, Hrbek.

Nays: Councilpersons Beckmeyer, Sears.

### **CONSENT AGENDA**

There was a discussion with regard to Item #3 the increase in the temporary budget. Mayor Sobkowicz states the increase is to pay for bills; it is not the full amount of the line item. There was a discussion with regard to the Police Desk Recording System. Mayor Sobkowicz states it is repairs to the system and contractual obligations. There was also a discussion with regard to the Resurfacing Program. Mayor Sobkowicz states that the lead agency is Westwood and the check in the amount of \$500 has been signed. Mayor Sobkowicz further states the bids are going out this week. With regard to Memorial Field it is the fencing and the pavilion roof and there was a matching grant. There was a discussion with regard to Item #4 the design and construction supervision by the engineer. Mayor Sobkowicz states that the engineer did walk all of the streets, Phase 1 of the program.

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. Hrbek, seconded by Mr. Calamari.

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

Nays: None.

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

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3 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 new protective fencing around the perimeter of Memorial Park, and a new roof for the pavilion building thereon;

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 Tax Court of New Jersey and Bergen County Tax Court approved a tax assessment settlement for Block 3201, Lot 2, Qualifier C073C, 173 Woodbury Ct. current owner, Matt Zangeneh, for 2013, and pursuant to N.J.S.A. 54:3-27.2, overpayments are to be refunded,

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 issue a refund to:

Michael I. Schneck, Esq.  
301 S. Livingston Avenue, Suite 105  
Livingston, NJ 07039

Amount Paid                   \$   8,123.44  
Amount per Judgment: \$   7,592.00

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 \$5,577,360.21 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:

Dept. of Law/Tax Appeals	\$11,000.00
Dept. of Recreation/Other Expense	\$30,000.00
Public Defender/Other Expense	\$ 700.00
Dept. of Municipal Facilities	
O/E Air Cond/Heat Serv.	\$ 6,000.00
Police Dept. Mt.Ct-Desk Record Sys	\$ 2,000.00
Police Dept. Tele.Support System	\$ 1,000.00
Memorial Day Parade	\$ 1,700.00

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

WHEREAS, the Township of Washington (the "Township") has a need to acquire engineering services in connection with the 2014 Resurfacing Program, a cooperative program with Westwood (the "Project"); and

WHEREAS, such services qualify as professional services pursuant to *N.J.S.A. 40A:11-5 (1) (a) (i)*; and

WHEREAS, Christopher P. Statile, P.A. has submitted a written cost proposal for the Project which provides that services will not exceed \$23,500.00 (the "Proposal"); and

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

WHEREAS, Christopher P. Statile, P.A. has completed and submitted a Business Entity Disclosure Certification in accordance with state law and Township ordinances, and has agreed to furnish to the Township a copy of its Business Registration Certification and Affirmative Action Certification; and

WHEREAS, the Deputy Treasurer encumbered the funds which are available and allocated pursuant to Capital Ordinance 13-06 and has been from Capital Account #C-04-55-879-951;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Washington, County of Bergen, State of New Jersey hereby approves Christopher P. Statile, P.A. to perform the engineering services required in connection with the Project as set forth above, and hereby further authorizes the Mayor to execute a contract with Christopher P. Statile, P.A. consistent with the Proposal and this Resolution.

#### **INTRODUCTION OF BUDGET**

Mr. Hrbek asked if the copy of the budget that was provided in the packets is the same as the one that is provided tonight. Mrs. Erlewein states that they are the same.

A Motion was made by Mr. Calamari, seconded by Mr. Beckmeyer to approve the following resolution introducing the 2014 Municipal Budget.

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

Nays: None.

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of Washington, Bergen County, New Jersey for the year 2014.

BE IT FURTHER RESOLVED, that the said budget be published in the Record in the issue of June 9, 2014 and that a hearing on the Budget will be held at the Municipal Court Chambers on June 23, 2014 at 7:00 o'clock p.m. or as soon thereafter as the matter may be reached.

After the Closed Session, a motion was made by Mr. Beckmeyer, seconded by Mr. Hrbek, to close the Close Session and go back into Open Session.

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

Nays: None.

Mr. Poller went into the hallway to declare the Council was going back into Open Session.

A motion was made by Mr. Calamari, seconded by Mr. Beckmeyer for appointment of Elaine Erlewein as Acting Township Clerk.

Ayes: Councilpersons Beckmeyer, Calamari, Hrbek, Sears.

Nays: Councilperson Cascio.

WHEREAS, The Township Council of the Township of Washington wishes to appoint Elaine Erlewein as Acting Township Clerk pursuant to law;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that Elaine Erlewein is hereby appointed as Acting Township Clerk for the statutory period of one year from the date of vacating the position of Township Clerk until March 1, 2015.

A motion was made by Mr. Beckmeyer, seconded by Dr. Cascio for the appointment of Matthew A. Cavallo as Township Business Administrator.

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

Nays: None.

WHEREAS, the Mayor of the Township of Washington has requested the advice and consent of the Township Council for the appointment of Matthew A. Cavallo as Business Administrator of the Township of Washington for the term ending December 31, 2017; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council hereby gives its advice and consent to the Mayor's appointment of Matthew A. Cavallo to the position of Township Business Administrator for the term ending December 31, 2017.

A motion was made by Mr. Beckmeyer, seconded by Mr. Calamari, for the Acting Township Clerk Stipend.

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

Nays: None.

WHEREAS, the Township Council required an Acting Township clerk for the purpose of such individual serving as the Clerk of the Township Council at council meetings, including any budget meetings, taking minutes of said meetings, executing resolutions and other documents, passed or adopted at said meetings, and performing such other duties as required of the Office of the Township Clerk or as requested by the Township Council; and

WHEREAS, the Township Council appointed Elaine Erlewein as Acting Township Clerk effective as of March 10, 2014; and

WHEREAS, due to the increased work volume from serving as the Acting Township Clerk of the Township, the Township Council has agreed to stipends each in the amount of \$3,000.00 for the months of March, April, and May (pro-rated to May 19, 2014) to compensate the Acting Township Clerk for the time and effort involved with this temporary position; and

WHEREAS, the Deputy Treasurer encumbered funds which are available and allocated in the 2014 Temporary Budget Account #40120120110;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington agrees to stipends each in the amount of \$3,000.00 for the months of March, April, and May (pro-rated to May 19, 2014) to compensate the Acting Township Clerk as set forth 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**

**May 19, 2014**

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

**PRIORITY**

**Fire Prevention Ordinance – Amended (Attachment)** – Mr. Sears introduced Mr. Strambone the Fire Chief who is present for any questions with regard to the fire prevention ordinance. Mr. Brendan O’Sullivan was also present. There was a lengthy discussion with regard to the ordinance, which was brought up to state rules and regulations. The discussion included changes that were made and fees that were updated. There was also a discussion with regard to annual inspections and what the state requires per square footage. There was a discussion with regard to life hazard, which is involved in the safety of the schools, high rise buildings, and gas stations, which must be registered with the state. There was also a discussion with regard to non-profits, which pay the state fee and the Township receives a check every quarter from the state of 40% of the fee for doing the inspection. New ordinance would include the posting of fire lanes, which are the Township’s standards. Mr. Strambone states it is the recommendation of the police and fire department. There was a discussion with regard to the photograph on page 9. There was also a discussion with regard to Rapid Access key boxes which are also required by the Planning Board. On page 6, smoke detectors, carbon monoxide detectors and fire extinguishers were also discussed. There was a discussion with regard to the location of fire extinguishers in homes, the mounting of them and the state mandate. Rules are mandated by the state, the Township can’t change them, and there is also a liability concern. Section E was discussed with regard to the certification. It was agreed that E in total will be removed. False alarms are still standard. There was a discussion with regard to the fire official getting complete documentation and giving his recommendation to the planning board and zoning board. On Section B, section 2, referral of fire official is to be inserted. There was a lengthy discussion with regard to 111-9, violations and penalties. With regard to 111-6, carbon monoxide detectors and fire exit will be put in the title. With regard to 111.7, referrals by planning board/zoning board, inspection by fire official. Mr. Poller states if anyone would like to make further changes please send the changes highlighted in word format to his office. Mr. Poller also recommends that Mr. Strambone attend to the second reading of the ordinance at which time if there are any questions at the public portion, Mr. Strambone will be available to answer them. There was also a discussion with regard to section 111-12, firefighter safety. Mr. Sears states this was done due to the fact that IHA installed solar panels on the roof of the school.

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

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

Nays: None.



