

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

REGULAR MEETING MINUTES

May 22, 2017

The Regular Meeting of the Township Council of the Township of Washington was held at 7:30 p.m. in the Council Meeting Room of the Municipal Complex, 350 Pascack Road, Township of Washington, New Jersey.

Council President Robert Bruno called the meeting at 7:34 p.m. by reading the following statement

OPEN PUBLIC MEETING STATEMENT

The regularly scheduled Public Meeting of May 22, 2017 of the Township of Washington Township Council. Adequate notice of the meeting was given in accordance with the Open Public Meetings Act by the Township Clerk to at least two (2) newspapers in January and this notice has been posted on the Township Bulletin Board and on the Township Web Site.

Please notify the Municipal Clerk for any disability requirements necessary for attendance at Mayor and Council meetings. The fire exits are located through the double doors to your right and through the door on your left. Please silence all cell phones

ROLL CALL

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

APPROVAL OF MINUTES

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

February 27, 2017	Regular Meeting Minutes
February 27, 2017	Conference Meeting Minutes
February 27, 2017	Closed Session Minutes
March 13, 2017	Regular Meeting Minutes
March 13, 2017	Conference Meeting Minutes
March 13, 2017	Closed Session Minutes

Ayes: Councilmen Calamari, Cascio, Sears, Ullman, Council President Bruno.

Nays: None.

A discussion followed on the process of releasing the Closed Session Minutes.

GENERAL PUBLIC DISCUSSION

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

Ayes: Councilmen Calamari, Cascio, Sears, Ullman, Bruno.

Nays: None.

Tony Napoli, 447 Prospect Avenue, Marek Dziarmaga, 448 Prospect Avenue - Mr. Napoli asked what is the current status of the back flow preventer, the sensor and the pricing on the pipe with regard to Prospect Avenue. Mayor Sobkowicz stated the engineer is working on it, she doesn't have an update today but she did confirm in writing what was asked for via a letter. The

engineer did get quote for the back flow valves and sensors, but there was an issue with regarding sizing, so he did have to go back with more specifics as to the size, those bids will be received shortly. The engineer will also be getting a quote with for a new pipe and he will be interfacing with the vendors. The bid threshold is \$17,500 and it is more likely a second quote will be necessary. Once Mr. Statile has the numbers and ordering, the residents of Prospect Avenue will be notified.

Christian Sigli, 297 South Chestnut Street – Mr. Sigli spoke at length of the students from the high school parking on his street, and the increase of the vehicles. He stated a few residents have sent out emails and would like to know what the Council is planning to do. He would like to see signs limiting parking to two hours. Mayor Sobkowicz spoke of surveys which were sent in the past to residents. She would recommend signs limiting parking to two hours, but Council does need to vote on it. Council President Bruno stated it is on the Conference Agenda to be discussed. Mr. Sigli spoke of the students paying a fee to be allowed to park in the school lot or perhaps parking in the church across the street. Mayor Sobkowicz spoke of attending Board of Ed meetings and raising this issue. The school is not in a position to put more parking spaces on their grounds and they do not allow juniors to park at the school. The school is looking at some sort of internal solution. Mayor Sobkowicz stated she is going to encourage the school to apply for a “Safe Routes to School Grant” which can be used to add parking spaces. A conversation followed on letters which were put on the windshield of the students asking them to park on one side of the street, which Mr. Sigli feels made the situation worse. Council President Bruno stated in attending the Board of Ed meeting he learned that the school has not been getting any complaints about parking because the students are parking on the street. He stated the school is emphatic about not putting spots on the property, but he did make it clear that the signs will be going up. Councilman Calamari stated he met with the Pastor of OLG (Our Lady of Good Counsel) and there was a miscommunication on the dollar amount. He will be meeting with the school, on the Pastor’s behalf later on this week with a better proposal. Parents have also asked if they could rent spots individually, but they cannot due to insurance/liability issues. Administrator Groh stated as Captain Hackbarth drove through the school parking lot there were approximately 20 spaces available, so sharing of spots can be done.

Lori Andrisano, 315 South Chestnut Street – Mrs. Andrisano asked how long before the “No Parking” are installed and she also requested more police presence in the morning and the afternoon. She stated she did send out an email of an incident that occurred in which a vehicle was coming down the road at an excessive speed and did not stop. She stated she doesn’t want to complain, but it is getting dangerous and scary. Mayor Sobkowicz stated she will send more police officers to the area and she also explained the process of amending the ordinance to add South Chestnut Street.

John Andrisano, 315 South Chestnut Street – Mr. Andrisano spoke of what he has observed on his street with vehicles speeding, drivers not paying attention and drivers driving on the wrong side of the street. He stated he has small children, and he doesn’t want to come here to say that something happened; as he feels this situation is getting out of control. Council President Bruno stated he will reach out to Mr. Gonzalez to communicate to the students.

Julianne Lipnick, 184 Finnerty Place – Ms. Lipnick spoke of an email she sent to Council regarding an incident that occurred on Washington Avenue. While she was driving a vehicle was coming towards her head on. She is requesting that flexible tubes be installed all the way up to Burke Street to prevent vehicles from crossing the double yellow line. She stated if a vehicle hits them, there will be no major damage to the vehicle. She stated she has observed police officers in the area, but more needs to be done. A conversation followed

on informing residents of streets closures via website and reverse 911. Ms. Lipnick spoke of her front walk curb cut being blocked by vehicles as a result from the overflow of the parking lot at the library. She requested the DPW paint the curb cut yellow so no vehicles park there. Councilman Sears agreed with Ms. Lipnick. Administrator Groh stated she will see if that can be done. Councilman Calamari questioned, since Washington Avenue is a County road would the Township need permission to put the cones up even if the Township pays for the cones. Administrator Groh replied the Township would need County approval. Councilman Sears stated he will reach out to Nancy Dargis at the County level to see if this can be done. Mayor Sobkowitz stated she will also speak to Captain Hackbarth.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment stated she has not yet received an answer regarding “Friends of Clark Field.” Councilman Sears stated he will forward the information tomorrow. Mrs. Ozment spoke of the subject of Handbook, retaliation, intimidation and withholding payroll which is on the Conference Agenda and what she encountered while working at the Township, which she feels is run like a dictatorship. She wishes the Council luck, but it was the norm and she is sure it is still happening today. She spoke at length of various curb cuts in the area of Adams and Harrison, and why there is a curb cut located right next to a driveway. Administrator Groh stated as per Mr. Statile, a driveway does not satisfy the requirements for public use. A conversation followed on curb cuts on Ridgewood Boulevard North, Jackson Avenue and Adams Place. Administrator Groh stated she will look at the application since the curb cuts were as a result of a grant.

Julianne Lipnick, 184 Finnerty Place – Ms. Lipnick stated at Woodfield Road, by the library, there is a handicap curb cut that doesn’t have a red pad and is completely demolished. Administrator Groh thanked Ms. Lipnick for the information, and the item is on the list to be repaired.

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

Ayes: Councilmen Calamari, Cascio, Sears, Ullman, Bruno.

Nays: None.

CONSENT AGENDA

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

A motion was made by Councilman Cascio, seconded by Councilman Sears to approve the Consent Agenda.

Ayes: Councilmen Calamari, Cascio, Sears, Ullman, Bruno.

Nays: None.

Resolution No. 17-212 Appointment of Community Development Committee members for the term July 1, 2017 through June 30, 2018

WHEREAS, the Township of Washington has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8a-1 et seq. and Title 1 of the Housing Community Development Act of 1974; and

WHEREAS, said Agreement requires that the Governing Body appoint a representative and alternate and that the Chief Executive Officer name a

representative and alternate for the term starting July 1, 2017 through the end of fiscal year June 30, 2018.

NOW, THEREFORE, BE IT REOLVED that the Governing Body hereby appoints Steve Cascio as its representative and Peter Calamari as its alternate to participate on the Community Development Committee; and

BE IT FURTHER RESOLVE, that Mary Anne Groh is hereby appointed as the representative from the Chief Executive Officer and N/A as the alternate with the consent of the Governing Body.

Resolution No. 17-213

Authorization of Inclusion in the Bergen County Community Development Program for Program Years 2018 through 2020

WHEREAS, certain federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by June 12, 2017, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Township of Washington and its residents to participate in said Programs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Washington hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, 2020 (July 1, 2018 – June 30, 2021); and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Bergen County Division of Community Development no later than June 12, 2017.

Resolution No. 17-215

Authorizing the Advertisement for Requests for Qualifications for Grant Writing Services

WHEREAS, the Council of the Township of Washington has determined to hire an entity to provide grant writing services to the Township; and

WHEREAS, the Township Council has a need to advertise to solicit Requests for Qualifications for such services;

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the Business Administrator is authorized to advertise for Requests for Qualifications for grant writing services.

A motion was made by Councilman Calamari, seconded by Councilman Sears to adjourn to Conference Agenda.

Ayes: Councilmen Calamari, Cascio, Sears, Ullman, Bruno.
Nays: None.

Time Noted: 8:18 p.m.


Susan Witkowski
Township Clerk


Robert Bruno
Council President

Approved: September 11, 2017

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

CONFERENCE MEETING MINUTES

May 22, 2017

Members present: Peter Calamari, Steve Cascio, Tom Sears, Michael Ullman and Robert Bruno. Also present: Janet Sobkowicz, Mayor; Mary Anne Groh, Administrator; Ken Poller, Attorney and Susan Witkowski, Township Clerk.

Administration

DMF Repair Status

Bill Lawlor, Superintendent, Department of Municipal Facilities.

Council President Bruno spoke of an email that was received today from Administrator Groh, dated January 19, 2017, that includes three (3) reports from the Musial Group, dated January 4, 2017 which is a site assessment, equipment assessment and space need assessment for the DMF building. Mr. Lawlor stated he saw this today. Council President Bruno asked why this is being seen in May, when it is dated January 4, 2017. Administrator Groh stated after she received the email, she did forward it within a half hour to the Mayor with a note asking her to review the document and let her know what the next step would be. She did reach out to the Mayor via email twice on the status. Councilman Ullman spoke of his frustration in getting this document today and not having a chance to review it when Council is having a meeting with Mr. Lawlor and DMF staff. Council President Bruno also spoke of his frustration of not being informed and the horrific press that has been received regarding the DMF building. Mayor Sobkowicz stated at the time the proposals were received, no one was happy with the proposals, and a needs assessment was supposed to have been provided. She spoke of what she has been working on this year with the engineer, and he did provide a drawing for a two story facility. Councilman Sears stated the information was never received from the needs study, he did OPRA it and that is how he received the information. Council President Bruno stated he would like to know, as per the report, if the monitoring wells are being maintained. Councilman Cascio stated they are monitored and reports are provided. Mr. Poller spoke of the plume, as it is called, and the monitoring wells which were installed. Council President Bruno stated the report also states the contaminated soil for new construction will require remediation. Mr. Poller stated an environmental company will need to be involved in a site assessment to figure that out. Councilman Cascio stated the first thing a project needs is a Needs Assessment which was done in regards to the DMF building. Council President spoke of the needs study that was presented, which is looking at 9,000 square feet to house 22 vehicles. Mr. Lawlor stated he believes personally that is much too large. Vehicles that are not used on a day to day basis do need to be kept inside. At this time there are 6-8 vehicles that should be stored indoors, two front end loaders, new salt trucks, future salt trucks and larger vehicles that are not day to day, such as mason dumps and pick-up trucks. Architectural drawing, Option 4 was looked at which is almost the same depth of the building, but it add 20 to 30 feet to the length of the building, going north, giving the DMF four full size bays, 14 feet high by 14 feet wide. If the building was pivoted, facing southward, there is enough room, and it would open up storage space in the yard, which is needed. The other plans are just big giant warehouses that take up the whole footprint. At this time the building is approximately 50 feet deep, it can go slightly deeper for more storage space inside. The plan as presented, if the scale is correct, is approximately 90 feet lengthwise, and would give the DMF six bays facing forward, smaller bays are also needed. The tallest truck is 12 feet, so the roof should be slightly higher for cleaning and maintenance issues. A conversation followed on the tire room, equipment room and office space, if they can be

combined into one large room. The building can be reconfigured so the locker room, men's/women's bathroom, kitchen and offices can be on the ground floor. Council President Bruno asked Mr. Lawlor to review the documents which were provided today. Four vehicles were sold last year, only two were replaced. A mason dump truck is in the capital budget. Truck 6 salter/dump trucks, Truck 2, Truck 16 and Truck 18 were all sold. Truck 1 is a pick-up truck, Truck 5 is a sanitation/garbage truck, Truck 9 is a mason truck, which needs some repair, and Truck 10 was sold and replaced by Truck 11, another sanitation truck. There is a John Deere loader, tanker truck/flatbed which is used for leaf vacuuming and two bucket loaders, skid steer which is used for working in the parks, rack truck, which needs to be replaced soon, Truck 34 has some damage, also needs to be replaced, open trailer and 3 sanitation trucks. There is a closed trailer, used for landscaping, a man cage that is used for tree work and putting up flags. A full size tandem dump truck is needed. A conversation followed on what is stored in the shed and if a new building is needed. Councilman Calamari asked if Mr. Lawlor could provide an updated equipment assessment as well as a 3 year plan on what would be needed in terms of equipment. A conversation followed on the numbers the trucks were/and have been assigned. Council President Bruno asked Mr. Lawlor his opinion on the salt shed location. Mr. Lawlor replied the salt shed needs to be on site, if the salt shed is off site it would create difficulty for the employees when they are called in for a storm/water main break. He feels we need 250/300 tons of salt. Last winter not a bad winter, allotted 50 tons by the County for every event, because the Township does their roads, we were able to use the County salt for all our needs. A conversation followed on using the community room as a command center while the DMF building is being constructed, and POD storage units. A discussion followed on where to store the trucks and the period of time it would take to construct the building. Mr. Lawlor feels it would save cost and financing if everything is put on one floor. Option 4 is putting the DMF building out next to the Ambulance Corps, which would allow the DMF to continue working. This plan would fit in our yard as it currently stands. It would pivot and the rear of the building would be along Oritani, and the bay doors in front of the building would face south, which would be the front of the building, currently they are facing west. A lengthy conversation followed on perhaps putting the Fire Department and DMF building on one property, and what was suggested in the past. Building a new Ambulance Corp building, was discussed as in the past. The current building is owned by the Ambulance Corp, was discussed along with a location. Mr. Lawlor was asked to provide a truck schedule, along with the function of the vehicle and any dedicated piece of hardware. Councilman Ullman asked if there are any pressing issues regarding the building to please bring them to the attention of the Administrator and Council President Bruno. Mr. Lawlor stated a few issues do need to be addressed, the disrepair is not a recent development. The roof has been repaired, a heavy duty sealant was put across the center seam. A full timer has not been hired, seasonal are starting as of June 1.

Grant Writer – Completed.

Repair Status

Town Hall Repairs – Councilman Cascio stated the bathroom sink in the men's room third floor is still clogged. He did bring this to the attention of the administration during the second budget meeting, it is now three months later.

Fire Apparatus Repair – Councilman Sears stated Tower 41 is still down due to something wrong with the hydraulics and Rescue 40 will be going down to get the door repaired, which will be a new door.

Payroll/Purchasing – A conversation followed on hiring someone to do the function of payroll/purchasing. Administrator Groh spoke of her frustration

with the Mayor in making an offer to someone for the position. She spoke of the payroll position, which is a few days a week, the purchasing is more of a clerical position, which is done on a daily basis. A conversation followed on the budgeted amount, which was for a full time position. Administrator Groh stated she does agree with the Mayor that this position is a part-time position. Council President Bruno spoke of the disservice that is being done to the Township residents by not having these positions filled. There was one candidate who did have purchasing experience, but found a job elsewhere and another candidate did not have purchasing experience. Mayor Sobkowicz stated she would like a 60 day probationary period. Council President Bruno disagrees, he feels a 30 day probationary period is sufficient.

Building – A conversation followed on the Building Department. Administrator Groh stated there was a second employee in that Department that did leave for a full time position. Lisa's hours have been expanded and there was a conversation of Vince Corrado (Planning & Zoning Board Secretary) helping out that Department since he does have his Technical Assistance certification, but that has not been happening. Administrator Groh stated she spoke to John Scialla, Construction Code Official, about getting someone to help out in the Building Department for 15 hours a week, and the Mayor did agree to run an ad. The hourly rate may be an issue.

Violations Clerk – Administrator Groh stated currently we have Lynda Lasini who is our part time Deputy Court Administrator, she is a full time Court Administrator in Rochelle Park. The County did come to realize that it is very difficult to find someone to fulfill the role on a full time basis, so they have allowed the Township to have a Violations Clerk on a part-time basis. Councilman Ullman asked if an additional full time dispatcher has been hired, which was added to the budget. Administrator Groh stated she will reach out to the Police Chief. The Police Department does have two Special Officers that are being used more often.

Finance Department – Ms. Morrone has been in her regular time. As she gets acclimated to the position, she will then make recommendations.

Town Hall – Purchase orders have been issued, and the contractor and the DMF will be setting up a schedule. Administrator Groh stated she will be developing a check-list with Bill Lawlor. She spoke of the various items that need to be done, such as painting, siding and the replacement of doors. Mayor Sobkowicz asked that Bill look at the roof on the bus shelter at Spice. A conversation followed on the insurance fund, which was collected as a result of a lawsuit to finish up the building. At this time there is a \$200,000 balance in the account. Mr. Mai and Mr. Vinci will be asked if those monies can be used for the repairs. Administrator Groh stated a purchase order has been issued for various plumbing issues. A conversation followed on having the Department of Municipal Facilities (DMF) perform simple maintenance on the building.

Fire Apparatus – Administrator Groh stated purchase orders have been issued.

Computers – Administrator Groh stated she will reach out to Doug (DART) and then have a conversation with Councilman Calamari. Nothing can be encumbered until after the 20 day estoppel period, but it doesn't stop us from getting quotes. Administrator Groh spoke of her QPA status approval.

Roads

2017 Road Program – The advertisement was in the paper May 15th, bids will be opened on June 6, at 11:00 a.m. in Council Chambers. The engineer reviews the bids, puts them in a spreadsheet and makes a recommendation. On June 12 the contract will be awarded, after a signed contract is received a schedule

will be submitted in July/June. Administrator Groh stated she did forward an email to Council regarding two roads, and those roads were in Cluster 2 as per Mr. Statile.

Parking Issues – South Chestnut – A conversation followed on amending the current parking ordinance on South Chestnut. Councilman Ullman spoke of his concern of what is going to be the level of no parking that will dissuade juniors from parking on the street. Councilman Calamari stated he will be meeting with the school, and the cost is changing greatly from the previous amount (parking at OLG) and he is hoping to see that the school will spend the money to alleviate this problem. Mayor Sobkowitz spoke of encouraging the school to apply for a “Safe Routes to School” grant. If they do they can align the driveway with OLG’s driveway, which would result in more parking spaces on the lot that faces east, the newer lot, plus there would also be a traffic light that would work in the morning and afternoon. A conversation followed on the schools adoption of their budget. The church lot closest to the school has 28/30 spots and if needed spots in the main lot, they can be purchased. Council President Bruno spoke of meeting with the school, and stating the signs will go up, the residents of the Township are not happy and it is a safety issue. A conversation followed on having the police patrol the streets and having the ordinance introduced at the June 12th meeting. Councilman Sears suggested either looking at the zones as per the leaf pick-up or picking streets. A conversation followed on picking the streets, blanketing of the area and the placement of the signs, which are needed to enforce the Ordinance. Councilman Ullman proposed blanketing a much larger area so the Ordinance is more effective. Councilman Sears stated he suggests sitting down, picking out the zone/streets and sending them to Mr. Poller.

Council Minutes – Council President Bruno stated the Clerk’s office is catching up.

Recognition – Council President Bruno suggested doing some sort of recognition program, bringing those people that he reads about in the local paper to Council meetings to recognize them, perhaps give them a certificate/pizza party. He feels this would bring the community together. Councilman Calamari feels that is a great idea, the school and recreation program would be the conduits. Council President Bruno stated he will work with Mrs. Witkowski, the Township Clerk, on this program.

Shared Calendar – Council President Bruno spoke of having a “shared events” calendar so each department can see what is happening, such as an internal calendar. Council President Bruno would like to work on this and asked Council for any thoughts.

Friends of Clark Field – Councilman Sears asked with regard to Council minutes, is Cornelia working the extra hours and is she getting paid. Council President Bruno replied she is working the five hours per week, but has not gotten paid. She is owed five hours, for the last 4 to 5 weeks, which is 30 hours plus. Councilman Sears stated with regard to Clark Field the plantings were done Saturday (May 20.) He thanked the Fire Department and DPW who showed up along Stone Mill Garden who donated not only the boxwood plants, but also dug the holes for the trees, along with giving us instructions in planting/caring for the trees. He also gave a “Shout Out” to Girl Scout Troop 6679 who helped with the plantings. He stated not only they did finish the planting job assigned to them, they also helped with the trees, cleaned up the park and put out the American flags. He stated they were an outstanding group, full of energy, good citizens and their parents should be very proud of them. Overall it was a great community project and a great day. Councilman Sears stated he will be sending another soil sample to be tested since the soil on one side of the park is different than the other. Councilman Cascio suggested recognizing the Girl Scout group at the next Council meeting. Mayor

Sobkowicz stated there was a question regarding how/who the checks for Clark Field were made out to. She checked with the auditor and they are being done correctly.

Employee Handbook – Council President Bruno stated we all received a handbook, which we signed off receipt. He stated he has learned a lot in the last few weeks, good or bad due to having some time off.

Council President Bruno read the following statement into the record:

As Council President, I feel I have a responsibility to be the voice of the residents and employees. I am not speaking for the council members, but would hope to have their support and a candid conversation upon conclusion. Over the last few weeks, I physically toured in detail the Town Hall, Police Department and DMF facilities. And I did have several conversations with the Deputy Chief of the Fire Department. In addition, I spoke first hand to many employees, mainly to reach out and offer any assistance. I will say we have a solid, dedicated team of employees willing to help and get the job done and I thank them as I'm sure we all do. I was appalled at the conditions that we expect our employees to work under. I know the buildings are old, but the list is endless and the neglect is abundant. I will not go into the specifics, because I think we have read enough of them. This is no example of who Washington Township neither is nor wants to be. Perception is reality. And the perception needs to change immediately. Maybe the employees did not speak up, or maybe they just gave up. I believe it's the latter of the two, but how is it that I can do a thorough walk through and make this determination in two days. At the end of the day the person in charge, the mayor has the responsibility and authority and the budget, and the support of the Council by developing the budget to make the change. Unfortunately, nothing was done over the last 8 years. I have heard on many occasions how employees are talked to and treated unfairly but it wasn't until the budget meeting that I witnessed firsthand the unacceptable behavior of our mayor. And again when we all heard the disturbing transcript from the phone call at the April 10 meeting. To retaliate and threaten not to increase someone's salary and laugh about having extra hours for a CFO, which is what I and the Council have been pushing for is unacceptable. The Council basically has been put on notice. This is not what we want in our mayor. We hold our Directors, Department Heads, and employees accountable for their actions and behavior and have issued an employee handbook stating the towns expectations.. As elected officials, we are held in an even higher regard and accountability, it comes with the territory. The definition of a motion of no confidence, alternatively vote of no confidence, no-confidence motion, is a statement or vote that a person or persons in a position of responsibility is no longer deemed fit to hold that position: perhaps because they are inadequate in some respect, or failing to carry out obligations, or are making decisions that other members feel are detrimental. I am making a motion for a no confidence vote in Mayor Sobkowicz I'd like to have a second and then we can have a discussion and hear from each of the council members, and the mayor if she chooses to do so.

A motion was made by Council President Bruno for a vote of no-confidence for Mayor Sobkowicz. Councilman Cascio stated he will second for discussion. Councilman Sears stated he has no comment at this time. Councilman Calamari stated he has no comment, just hearing the definition of it he doesn't know if he can absorb it all to be ready to vote on it, but he will say no, not at this point. Councilman Ullman stated the only comment he would make is that there is here say in the building that the Mayor talks to individuals who will discuss things with her off the record. He does think the telephone call, the message that was left, was quite damning. He stated the Mayor also did have an episode where the administrator attempted to make some copies and was told that if she did she was fired. It does create an environment that could be difficult to work in and does understand where Council President Bruno is

coming from and he does agree to a certain extent. Council President Bruno asked if the Mayor has any comments, or anything she would like to discuss that he read. Mayor Sobkowicz replied if someone was told not to go do that now, to do it in the morning, and she came at me pretty tough, too. Mayor Sobkowicz stated she was upset but she doesn't feel this is warranted, she has worked for this Township for 30 something years and has done a great job. She stated lately some of the things that have come up have been a little difficult and would hope that she will be able to improve on that issue. She stated she has been generous with employees, such as offering to raise the minimum wage to \$15.00 per hour. Employees have all gotten decent raises, even those who asked for extra raises, and she is trying to make sure things will get better. She apologizes and would hope that in the next coming months things will get more positive. Plans have been made and things have been fixed, it is time consuming, and we are all working on it. She stated some of the things that are handed to her are not correct and need to be sent back to be corrected. She would hope that things would get better in the next few months. A lot is on the agenda, things have been happening and it is difficult because a lot of employees want raises and we have stepped up. She feels things will get better. Council President Bruno stated there are things that he can read off, but he will not since it is not worth going through again. He stated there has been neglect and perception, which he doesn't understand why, other than the fact that he has been here the last few weeks. He stated we have a person, case in point that has been working five extra hours for the last five weeks and has not gotten paid, which is illegal and just wrong. He stated we sat here as a Council and had discussion. The Clerk is now the Registrar and the assistant is the Health Secretary, and we say they will receive extra money for doing it, they do not get paid, they get backlash that they will get one or the other, but not both. Mayor Sobkowicz stated when that made, that was a suggestion from the Township Clerk to give the assistant the Board of Health to justify those extra five hours, but it didn't come that way. Council President Bruno stated the extra five hours were given to this employee by Council weeks ago, had nothing to do with the Health Department. Mayor Sobkowicz replied it was not, it was to give the employee that she would do the health part also. Council President Bruno asked has this employee been paid. Mayor Sobkowicz replied she is just finding out she wasn't. Administrator Groh replied the Mayor did not sign the form. Mayor Sobkowicz replied it was done wrong. Council President Bruno replied it is illegal not to pay employees. Administrator Groh stated it was not given to the Mayor right away because the form wasn't prepared. Mayor Sobkowicz replied she just got the form about a week ago and signed right away. Councilman Calamari asked Mr. Poller given Council President's explanation, you hear of these votes of no confidence occasionally, does this vote have any legal standing or is it more ceremonial, what exactly are we voting on. Mr. Poller states he does not think it is a legal consequence of dissolving a parliament or government or anything of the kind. There is nothing that he knows of, without looking in the books about having this kind of a motion affecting the legal standing of an officer holder who is elected. He would think, without looking into it, that is largely ceremonial, some expression of opinion more than anything else. Mayor Sobkowicz stated she works so many hours here and days, and you pick out one or two things fine, but she can pick out other people don't do around here either, and she does try and fill in as much as she can, such as going out and checking prices, ordering things, and she does a lot on her own. She does work all day, and she does writing and letters, purchase orders and gets a large packet every night. Council President Bruno stated the Township can't have more bad publicity than what has been done already. He stated he is not looking at this as something as ceremonial, he is asking for a vote of no confidence and he would like to take a roll call. Councilman Cascio stated he is not going to judge the Mayor on anything that she has done that she is aware of, but in this courtroom during a Council meeting she did threaten to fire an employee, and she also was, in his opinion vindictive when we overheard the Mayor saying that she is not going to pay or consider her salary, and that is not becoming of

a Township Official in any capacity, it is not hearsay, it is on tape, it was seen and heard. He stated people cannot be treated like that, especially a very important person in this Township that is being the Administrator, who does a lot of work. He stated even if you are thinking those thoughts, you never say them. He does think a lot of thoughts, but he would never open his mouth, although sometimes he does, but he knows when to hold his tongue. He feels that was very very disrespectful to the office that she holds and the person. He stated the handbook speaks about retribution and consequences, and this is a handbook that the Mayor has prepared and revised many times. He stated he is not in Town Hall every day, but he does hear through the grapevine these things happen and it is not here-say, everyone saw and it is on tape, he was ashamed and embarrassed, the Mayor that we elected, who he voted for would say something to another employee in the Township, he was very shocked. Mayor Sobkowicz replied it is not about lowering her salary, she did get a big increase. He stated she did get a big increase and he did not vote for that increase. Mayor Sobkowicz replied it was not about lowering the salary, it may have been to cut back on the increase, but she does work hard. Councilman Cascio replied she is a hard worker, all of the administrators we have had have worked very diligently and they do the best job they can. He feels that comment was very vindictive and when you threaten to fire her, expel her from her job, while she was walking out to make copies for her Council, who she works for, that he thought was totally inappropriate. Mayor Sobkowicz replied she was not very nice to her that evening. Administrator Groh requested that she not be spoken about without a Rice Notice, please. Council President Bruno stated the voicemail said the following: "I can't wait to lower her salary the Council gave her, because I set the salary, can't wait, these are the games she is going to play she is in for it". Council President Bruno stated he doesn't need to explain that comment, she is the Mayor of this Township and we hold people in high regard. He stated directors, employees, managers speak to people like that in private practice, they are fired, they have no job any more, that is not acceptable and this is what represents our Township and he doesn't accept it. He stated he would like a roll call and then we can move for the rest of the agenda. Councilman Calamari stated between what Mr. Bruno is saying and the attorney, he doesn't think everyone appears clear on what they are voting on, and he would like to be clear before we are voting. Mr. Poller stated it is ceremonial and Mr. Bruno thinks it is more than ceremonial. Council President Bruno state he will read it again: The definition of a motion of no confidence, alternatively vote of no confidence, no-confidence motion, is a statement or vote that a person or persons in a position of responsibility is no longer deemed fit to hold that position: perhaps because they are inadequate in some respect, or failing to carry out obligations, or are making decisions that other members feel are detrimental. Council President Bruno stated he is looking at all three, he has a problem and he states he has a motion of no confidence. He stated this is the definition, he didn't write it and he is making a motion of no confidence in the Mayor running the Township, if that spells it out more that is fine. He doesn't view it as ceremonial. Mr. Poller replied he stated it is an expression of opinion, he is not saying it is ceremonial. He stated the effect of it is not the removal, it is not a hearing, and it is an expression of opinion. Council President Bruno stated it is his opinion and he would like to take a vote, if a councilman agrees on the opinion or the description of it fine, if a councilman doesn't agree that is fine, then we move on. He feels this is a fundamental problem of what is going in this town, and it just cannot be tolerated or accepted any longer, and that is his opinion. Mayor Sobkowicz replied she has done a lot of good work here. Council President Bruno replied he doesn't disagree, he knows the Mayor has spent her whole life here, and he thanks her for that, but this is disturbing what is happening here, and people cannot be treated like this. He stated there are issues with personnel, sanitary issues, the Police building, he cannot explain it, and it just doesn't work. Mayor Sobkowicz stated a lot of good has been done here. Council President Bruno feels the residents are not happy with it and he will read it again: As council president, I feel I have a responsibility to be the voice of the residents

and employees. I am not speaking for the council members, but would hope to have their support and a candid conversation upon conclusion. Council President Bruno would like to take a roll call for a vote of no confidence.

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

Abstain: Councilman Calamari.

Abstain: Councilman Sears stated he will abstain until he gets a clear interpretation from the Township attorney.

Ordinances and Legislation

Anti-Nepotism Ordinance – Mr. Poller spoke of his feeling that ordinances should be discussed among Council, not just given to him for introduction. He feels input is needed from Council on specific revisions or questions. He spoke of XX10.66, which he feels needs to be clearer language, that those employees that are covered by a Collective Bargaining Agreement, contract or promotional procedures not be affected. He also spoke of XX14C, promotion of existing employees, where the criteria are testing or performance, along with current employees. A conversation followed on the temporary/part time/seasonal employees, XX102A and reconsidering the seasonal position, such as leaf collectors and recreation. Councilman Calamari spoke of not being a fan of anti-nepotism policies, friends versus family members. Mr. Poller stated there have been no issues in the Township previously. He will work on this ordinance and email it to Council.

Municipal Ethics Board – Mr. Poller stated the Division of Local Government Services handles ethics, they are handled by professionals and not affected by local policy. According to the DLGS, in Bergen County there are 7 municipal ethic boards out of 70 and statewide there are 34 out of 567. He spoke of his concerns of having this board, and how it can be misused. He feels it is unnecessary to have this board at a municipal level when there is already a professional board statewide. He stated filing an ethics charge with the State and having them handle, to him, is a far better remedy than trying to assemble local people to judge local people. He spoke of what the ordinance would entail, such as independent attorney and clerical staff which would cost money. There is a State Code of Municipal Ethics for Municipal Officials, which will be updated in the Township Code. Any decision of the Local Board is appealable to the State Board and will be going down to the State Board anyway. Councilman Cascio stated this ordinance is from Paramus. He spoke of the two changes he made to 37-4 and 37-2 and he also spoke of people who may not want to deal with the State. Mr. Poller stated ethics should not be ruled on by people of any party, they should be ruled by independent professional people who are trained. He spoke of the damages than can be made to a person's reputation by local people that may have axes to grind. A conversation followed on the timeline for complaints and feedback. Council President Bruno stated he will review the Township ECode 360, Chapter 37 and discuss this issue at the next meeting.

Codification – Mr. Poller explained the code process and the manuscript that was received with editorial suggestions/commentary from General Code. He stated at this time it is not an appropriate time to actually rewrite a whole host of ordinances that would need to be done afterwards. He spoke of going through the comments provided by General Code, and his recommendations. The editorial printout was sent to Council by the Township Clerk, and Mr. Poller suggests Council email him with any issues they have. He spoke of the purpose, which is to update the Code, and the timeline of passing ordinances in the Township. In the copy provided to Council, any blue/yellow/red highlight was completed by Mr. Poller, and the suggestions were written out by E-Code. A conversation followed on the input of specific department heads, as well as the timeline. Councilman Calamari suggested this may be a proper time to change the gender specific references. Mr. Poller commented on his

philosophy of being more general than specific, case law that he looked at and the relationship of CFO versus the Treasurer function in the Township.

Email Security/Confidentiality Statement – Mr. Poller stated almost all of the messages that go back and forth are discoverable and certainly OPRA'able. Councilman Calamari asked if it would be a violation of putting that statement in the emails. Mr. Poller stated the statement is a true statement, the intention of the sender is that the email goes to the appropriate person that is supposed to receive it, if it does not that person is ignore it or delete it. Mr. Poller stated he approved either statement that was shown to him.

Re-examination of Master Plan – Councilman Ullman, who is the Council's representative on the Planning Board spoke of a discussion that was raised at the last Planning Board meeting regarding the Master Plan being reexamined. Caroline Reiter, a representative of Mr. Statile's office, did attend a Planning Board meeting and gave a presentation, which was 18 months ago. A conversation followed on Mr. Slatchetka being part of the reexamination of the Master Plan, as per his involvement in COAH and also being the Township Planner. Mayor Sobkowicz stated Ms. Reiter was hired to do the re-examination of the Master Plan and Mr. Slatchetka was hired to do the housing element. The Planning Board would need to hold a hearing, approve it and forward it to Council. A conversation followed on the Master Plan, which needs to be done every 10 years and be in compliance with the law. After a discussion, Councilman Ullman stated that at the next Planning Board meeting he will speak with the chairman and advise that the examination can continue and the housing element prepared by Mr. Slatchetka will be married up with the findings of Ms. Reiter. Council President Bruno commented on the proposals received by the Planning Board while he was on the board.

Draft – Ordinance Prohibiting Turns – Mr. Poller prepared this draft ordinance to address the "No Left Turn" into the gas station and out of the gas station. A resolution will be prepared for introduction at the June 12 meeting.

Amend Parking at Fire Department Lot – Councilman Sears spoke of the benefits of assigning parking spaces in 2018 which would eliminate police officers going out on a daily basis to the location and fielding complaints. A conversation followed on the fees being charged by surrounding towns, how many applications the Clerk's office receives and the timeline of introducing the ordinance. Councilman Sears recommended a \$200.00 yearly fee, which would reserve a parking spot. Council agreed.

Joint Planning/Zoning Board – Councilman Sears stated he requested this be put on the Agenda, River Vale has done this recently, consolidating both boards into one group thus having one group and one attorney, which does save costs. Mayor Sobkowicz stated Hillsdale has done this also. Councilman Ullman suggested reaching out to the surrounding towns that have done this and get some feedback if it has been successful. Councilman Sears stated he will reach out to Hillsdale.

Property Maintenance Issues/Code Officer – Councilman Sears spoke of two complaints he received of open building permits, one from 2007 and one from 2010. A conversation followed if there is a timeline to close out building permits. Council President Bruno reached out to the Zoning Officer/Code Enforcement Official asking him to take a drive through the Township to see what is happening and his reply was that he wanted to get together to discuss this procedural change. A conversation followed on the procedures that the Zoning Officer follows, and if taking a drive through the Township would be a procedural change. The job description as per the Ordinance was discussed, Section 245-86, which indicates that it can occur either way, by complaints or by what the Zoning Officer/Code Enforcement Official observes. Council President Bruno spoke of bringing to the attention of the Zoning Officer/Code Enforcement Official the Western Union signs at the gas station along with the 8 foot flags. The Zoning Officer/Code Enforcement Official did go to the

location. It is a residential zone and the gas station would need to go before the Zoning Board for approval for commercial use.

Financials

Department Budget Meetings – All department heads have their budgets.

Debt Analysis – Councilman Ullman will follow up with the CFO via email. A conversation followed on a book that the Administrator did put together, which shows the ordinances, open capital ordinances and ledgers, along with a printout of all of the ordinances that were listed. Councilman Ullman commented on the refinancing of BANS, the bond counsel and the importance of doing a debt analysis.

Town Day Escrow – Council President Bruno spoke of the \$29,000 balance in an escrow trust fund account for Town Day and the \$21,000 that was budgeted this year. He would like use the escrow money for Town Day this year, and leave the balance for next year. A conversation followed on the amount of revenue that has been collected over the years and what has been budgeted in the past. Councilman Cascio stated doing the math, it is his understanding that currently there is \$50,000 for Town Day. Administrator Groh spoke of another trust fund that she found after the budget was complete that has to do with salt. Council President Bruno stated he will look at what was spent in the past years for Town Day.

A motion was made by Councilman Cascio, seconded by Councilman Sears to adjourn Conference Session and enter into Closed Session.

Ayes: Councilman Calamari, Cascio, Sears, Ullman, Bruno.

Nays: None.

Resolution No. 17-214

Closed Session, May 22, 2017

WHEREAS, the public is invited to attend all Meetings (whether denoted public or conference sessions) of the Township Council in accordance with its general practice and the Open Public Meetings Act; and

WHEREAS, the Legislature of the State of New Jersey declared that the public has a right to attend all meetings of the public bodies at which any business affecting the public is discussed or acted upon in any way except as set forth in the Open Public Meetings Act (N.J.S.A. 10:4-12), which provides for the exclusion of the public from the portion of a meeting at which certain enumerated matters are to be discussed; and

WHEREAS, the Township Council has determined that, because of the nature of the subject matter to be discussed, the public should not be present at that portion of the meeting of the Township Council at which certain specific matters encompassed by N.J.S.A. 10:4-12 are to be discussed;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that, pursuant to the express provisions of the Open Public Meetings Act, the public be excluded from the meeting or portion of the meeting (denoted as an “executive” or “closed” session) in which the following matters are to be discussed:

1. Any matter which, by express provision of federal law or State statute or rule of court shall be rendered confidential or excluded from the provision of subsection of a. of this section.

2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendation, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance, and similar program or institution operated by a public body pertaining to any specific individual

admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

4. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

5. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed –

6. Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.

7. Any pending or anticipated litigation or contract negotiation other than in subsection b. (4) herein in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer. **Litigation-COAH**

8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

9. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.

BE IT FURTHER RESOLVED, that it is not possible as yet to fix the time when or the circumstances under which the discussion conducted in Closed Session can be disclosed to the public. It is anticipated that the subject matter under discussion will be made public when finalized.

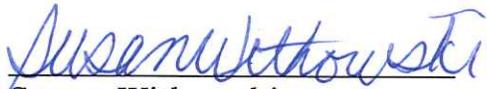
BE IT FURTHER RESOLVED, that notice is hereby given that the Township Council may find it necessary to take action at the conclusion of the executive/closed session; that such action if taken, will occur in open session; that you are invited to stay in the Municipal Building during the executive/closed session; that the doors to the Council chambers will be opened and an announcement will be made if the Township Council will be going into open session; and you may be present during such open session.

 The Township Council anticipates that an open session will be necessary.

 X The Township Council anticipates that an open session will not be necessary.

MOTION		SECOND		COUNCIL	AYES	NAYES	ABSTAIN	ABSENT
Bruno		Bruno		Bruno	X			
Calamari		Calamari		Calamari	X			
Cascio	X	Cascio		Cascio	X			
Sears		Sears	X	Sears	X			
Ullman		Ullman		Ullman	X			

Time Noted: 11:54 p.m.



Susan Witkowski
Township Clerk



Robert Bruno
Council President

Approved: September 11, 2017