TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
REGULAR MEETING MINUTES

May 7, 2018

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

Council President Michael DeSena called the meeting at 7:31 p.m. by reading the following statement

OPEN PUBLIC MEETING STATEMENT
The regularly scheduled Public Meeting of May 7, 2018 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.

SALUTE TO THE FLAG

ROLL CALL
Council Members Robert Bruno, Steve Cascio, Arthur Cumming, Michael Ullman, and Council President Michael DeSena. Also, present: Peter Calamari, Mayor; Mary Anne Groh, Administrator; Ken Poller, Township Attorney; and Susan Witkowski, Township Clerk.

The Clerk read the totals of the list of bills paid since the last bill list was submitted representing April 1, 2018 through April 30, 2018:

TOTAL	2017 Reserve	$131,331.05
TOTAL	2018 Current	$3,459,934.27
TOTAL	Capital Fund	$8,248.68
TOTAL	Animal Control	$956.40
TOTAL	Trust Fund	$102,680.09
TOTAL	Grant Fund	$1,750.00

Councilman Bruno stated he noticed several payments to the engineer regarding the intersection and would like to know if a report/scope of work has been received. Mayor Calamari stated everything the County requested the engineer has completed, but if a report has not been provided he can ask for one. Council President DeSena stated the payments are for all the survey work the County has requested. He stated he spoke to Ms. Dargis two weeks ago, and he did inform the Mayor. The county has received the survey that was required, and the County is currently placing the survey into the auto CAD file, which will show the exact lines of the new intersection improvement, and it is a one-and-a-half to two-month process. Council President DeSena stated Ms. Dargis hopes to have it to the Township July/August earlier. After the County's comments, our engineer will be asked to com up with full plans for the intersection and go out to bid ASAP. Councilman Bruno asked is LOSAP being properly funded at this time, since there was a problem a few years ago. Mayor Calamari stated things have been tightened up greatly since then, and everything is the way it should be. Councilman Ullman stated he reached out to Administrator Groh about two engineering projects that may be duplicative on Robinwood, there is a grant to repave and SUEZ is also doing work there. He asked if Mr. Azzolina replied on

that. Administrator Groh replied not as of yet, but he is aware of both of them and is involved in the SUEZ project. She does not believe they are duplicative since they are going to repave the road. She stated at times SUEZ will become aware of roads that are to be paved and will begin their work, knowing there will be a moratorium on the road if it is paved. She stated the whole length of Robinwood was not part of the grant, the improvement was on the top of the street. Councilman Bruno asked if any feedback has been received on Advanced Cleaning Concepts, the new cleaning company. Administrator Groh stated it is month to month, the Fire Department had their 2nd cleaning, and the owner did reach out to them for feedback. She has not heard any negative feedback from the Police Department, only positive. It has been a big improvement in Town Hall, there are little things that we do remind them of, but they have been very responsive. The payment of $4,379.00 to T&M Associates was paid from last year's budget, and everything has been cleaned up from last year. Council President DeSena stated parts for the brine truck have been ordered, will the brine truck now be used. Mayor Calamari stated he spoke to Mr. Lawlor, and based on Council President DeSena's comments, they do consider it a good investment, but not totally on board yet, and are not ruling it out. Council President DeSena asked if the backflow preventers have been installed on Prospect, since Mr. Statile did bill the Township for a few hours on Prospect. Administrator Groh replied Mr. Statile was not involved in the video inspection, his assistant was. A conversation followed on the updated agreements which were sent out to the residents, one of which was returned. The latest version will supersede the previous version, and all residents will be asked to sign the latest version even if they have signed the previous version. Council President DeSena spoke of his concern of the paving at the intersection of Mountain Avenue and Ridgewood Road, which was as a result of the 2016 Road Program. He stated within six months of the road being put down, cracks became visible, there are longitudinal cracks running hundreds of feet on the road. He stated the contractor needs to be notified.

APPROVAL OF MINUTES

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

January 2, 2018	Sine Die Meeting Minutes
January 2, 2018	Reorganization Meeting Minutes
March 19, 2018	Budget Meeting Minutes
March 26, 2018	Special Meeting Minutes – Budget
April 2, 2018	Budget Meeting Minutes

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman, Council President DeSena.
Nays: None.

MAYOR'S REPORT, May 7, 2018

Green Team

On April 28th the Green Team had a watershed clean-up that resulted in removing over 2000 pounds of debris along the banks of the Musquapink Brook and Lincoln Park. All ages came to help with the clean-up. A special thanks to Nicholas Food Town for supplying snacks and beverages to the volunteers. The Green Team is also actively pursuing grants.

Intersection- Previously reported.

Fire House

Fire Chief, Director, Fire Board, Councilman Cumming and myself had another meeting with the architect last week. The architect should have pricing to the Township within the next couple of weeks, and that information will be shared to the full Council upon receipt and review by the Fire Board

Shared Services

After a long hiatus the Shared Services Agreement with Ridgewood is on the agenda for approval tonight. Assuming the resolution is passed by the Council, he will immediately sign it. It will be nice to have another option for township vehicles, small engine repairs and maintenance.

Civilian Dispatching

The Township is getting closer to our goal of having a fully civilianized dispatch desk. Currently, there are three full-time and one part-time civilian operating the desk.

Commuter Parking

Something will be announced, but a small issue needs to be discussed with Council in the Closed Session tonight.

Habitat for Humanity

An event held this past Saturday entitled International Women's Build Program. He could not attend the event, since he was booked another event the same date/time. This annual event was created in partnership with Lowe's and is held during the week leading up to Mother's Day. The program is meant to spotlight the homeownership challenges faced by women. SUEZ Women Build Team and the Habitat Bergen Women Build Committee attended the event and worked on framing the four new homes that are currently under construction at the old VFW site in the township.

Shredding and E-Recycling

The event was very well attend, almost too well and did create some traffic issues at times. We are looking into solutions to the problems for future events.

Little League Opening Day

He was proud to be invited to and speak at Opening Day, which shows our community at its finest. He would like to recognize all the volunteers, sponsors, parents and participants working together to make these programs such a success in our township.

Postman

After a 30-year career, Ron Allen, a postman to many of the Township residents retired last week. Residents along his route sang his praises and made his last day a special one.

Memorial Day Parade Change

Due to a request from our Veterans, led by Steve Kohlrieter, who is on the Memorial Day Parade Committee, we have shortened the parade route so our Veteran's can march and enjoy the entire parade route.

Emergency Responders Calls

He would like to inform the residents of how many calls our Township emergency responders made from January 1st to April 30th. The Police Department had 2,915, the Ambulance Corps had 158 and the Fire Department had 65. When you see these volunteers, please thank them for their service. Everyone is busy, but please remember they are people just like us who find the time to serve their community and fellow residents in some capacity. Many hands make light work.

REPORT OF COUNCIL

Councilman Ullman stated in his Council packet he received a letter from John Commerford, a resident in the Township as well as a contractor. One of his employees was involved in an accident and he wrote to high-lite the assistance of Corporal Riedel and Officer Ferranini. Perhaps at another meeting they can be recognized more formerly. He also stated a nice letter was received from a resident recognizing Dan Scudieri our DMF Director, where there was some property damage on private property, and the damage was repaired.

Councilman Cumming stated he attended Baseball's Opening Day on Saturday, April 21st at Clark Field, with Township residents, and their children who were playing baseball, along with coaches, and Township Officials, such Council President DeSena and Director Dan Scudieri. He was pleased to attend the ceremony with Mayor Calamari, Chief Hooper, and Fire Chief Insetta. Fertilization and chemical treatments of playing fields will begin this week, so sprinklers should be turned on. Twenty-four soil samples were taken from the three fields in the Township, Clark, Memorial and Gardner. The program was specifically developed for our turf on those playing fields. This will give us the greatest benefit with the least expenditure of tax money and he is looking forward to the results. He also mailed completed applications for the PSE&G Direct Install Program. This program provides for energy audits of the lighting, heating and cooling in Township buildings. After the audit, PSE&G sent their contractors to completely convert the lighting in the Municipal Building to energy zipping LED's while keeping the existing fixtures in the regular 2x4 constructed ceilings without disruption. The result is an energy reduction of 90 – 95% in the lighting bill, and maintenance will be unnecessary for the next 20 years. He attended a Green Team meeting a week ago Thursday, which he attended as the Council liaison. He stated Mr. Sears will give that report. He stated last Saturday he spent the day in a Forestry Class at Rutgers in New Brunswick in the company of Mr. Scudieri and Mr. Sears. For him it was a great review, and for all it was tremendous education on forestry, while the Township applies for a grant to clean up our parks and woods. He also attended the architects meeting at the firehouse. The architects are giving us several options for either renovation, rebuilding or building the building. There is a lot of expertise and a lot of good thoughts.

Councilman Bruno stated he is happy tonight that Council will be adopting the budget tonight. In the last two years, there were tax municipal decreases, and this year there will be no tax increase/decrease, so taxes will be maintained at zero. Once the budget is adopted, hope to get to the business at hand in the Township so we can move forward.

Councilman Cascio stated we have a new vehicle on the property which the Township received through a Federal Government Program called the 1033A Program. Lieutenant Skinner helped get a Humvee vehicle which is always good to have, it did not cost the Township anything and he would like to thank Lieutenant Skinner for that.

Council President DeSena thanked everyone that attended "Baseball Opening Day" it was great to celebrate the day. He is glad to see progress at Memorial

Field as well as the intersection, and the Fire House. He was invited to the Fire House meeting, but could not make it, but hopes to be at the next meeting.

GENERAL PUBLIC DISCUSSION

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

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman, Council President DeSena.

Nays: None.

Elizabeth Ritter, 699 Jacqueline Road – Ms. Ritter stated a group of mothers were at the Planning Board Meeting two weeks ago. She stated the letter she will read into the record is a collaboration of what we all would like to bring to Council's attention.

"We are writing to ensure that you are aware of a smoke shop application that was presented to the Washington Township Planning Board during the April 25th open meeting. During this meeting, Eddie Marji's Cedar Smoke application and the associated Planning Board report were partially and publicly reviewed. Mr. Marji has negotiated a lease in the Washington Town Center and he is seeking permission from the Planning Board. He is the owner/operator of 4 Smoke Shops, which have opened within the last 4 years, Lodi, Rochelle Park, Belleville and Dobbs Ferry, New York. Mr. Marji attempted to address expected concerns related to the reputation of a smoke shop, offering to write in to the lease and applications that he would not sell marijuana if and when the State of NJ legalizes it. He was open to limiting sales of cartoon-themed drug paraphernalia which target children. We do not believe that this would prevent a future retraction if business conditions changed; nor do we believe that this would prevent similar stores from attempting to operate in our town. This has many of our residents rightfully concerned.

We understand there might be some difficulty in finding a legal challenge to the application given the current ordinances. In the short term, we are asking for your support in obtaining more information before this application is approved and to provide education on the potential issues. We should seek opinions from various experts in the health, education, and law enforcement fields on the impact to the health and well-being of our community of selling vaping supplies and drug paraphernalia. It is important to understand that there is the potential for marijuana to soon become legalized in the State of NJ. Now we enter a slippery slope of perhaps a dispensary of marijuana filing applications to do business here.

As part of a broader strategy, we are asking for your assistance in changing the town ordinances related to smoke, vape and legalized marijuana sales. We should look to towns that are being proactive in preparation for legalization of marijuana as a guide to how we navigate this issue. Towns like Allendale have stopped a Smoke Shop application. They have already passed ordinances that say "no vape shops" and are planning to pass additional ordinances that will not allow marijuana sales.

Some initial concerns are as follows:

- Public Health – Vaping is on the rise in our schools and is linked to cancer; FDA and FTC are seeking more information on the marketing tactics of e-cigarette for targeting children and making their product look like foods: devastating impact of drugs in the community (assuming with the sale of drug paraphernalia there will be drugs nearby); studies indicate vapes contain harmful substances such as nicotine, a highly addictive drug with known health risks, and formaldehyde or embalming fluid.

- Location – These types of shops are better suited to an area that is less residential and not near bicycle or foot traffic. These are not ideal near our schools, libraries, and places of worship, nor where people are walking about with young children.
- Public Safety – It will need to be determined if there is sufficient police support for a potential increase in incidents from loitering or underage attempts to purchase. It will take some time to develop social norms and a balance in appropriate laws and regulations. This type of restricted 21 and over shop is often compared to a liquor store; with the glaring difference that alcohol has been legal since the 1930's and has had time to evolve. Alcohol and tobacco are regulated by the ATF, whereas vape shops have yet to come under the watchful eye of any agency. Washington Township may not benefit from being an early adopter of vape shops.
- Homeowner Value – We want to consider the potential for negative impact to homeowner values and decreased retail sales for our local businesses. This type of business will detract from the positive perception of the town and will likely not attract young families. We would not want to risk the alienation of a single business owner at the expense of potential losses to all Township homeowners, and also to the rest of the members of the shopping center.

The members of this community are prepared to plan boycotts and get signed petitions to discourage Mr. Marji. However, without an ordinance change we understand it may not be permanent. We would request that you review the Cedar Smoke application, the Planning Board meeting minutes and the report written and reviewed by the Planning Board. We would request your support in reviewing the current ordinances and creating new ones as needed. We all need to consider that this type of business will hurt our community.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment thanked Mrs. Ritter, and wished more people, who have the same concern, would have attended the meeting to make more of an impact. She spoke of Resolution No. 18-209, the Shared Services Agreement, she feels it is more of an agreement, and the phrase shared service should not be used in this type of situation. A conversation followed on the lighting Councilman Cumming referred to in his report, which is for Town Hall and other Township buildings, not the lighting at Memorial Field.

At this time, 8:06 P.M. the Public Session was suspended for the 2018 Budget Adoption.

2018 Budget Adoption

Adoption 2nd Reading

Ordinance No. 18-04

CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

A motion was made by Councilman Ullman, seconded by Councilman Cascio, to approve Resolution No. 18-200 authorizing second reading and opening of Public Hearing for Ordinance No. 18-04.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

Resolution No. 18-200

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 18-04 entitled: CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) be read on second reading and the public hearing be held thereon pursuant to law.

No Public Comments.

A motion was made by Councilman Cascio, seconded by Councilman Ullman, to close the Public Hearing on Ordinance No. 18-04.
Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

A motion was made by Councilman Cascio, seconded by Councilman Ullman, to adopt Ordinance No. 18-04.
Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

Ordinance No. 18-04
CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% or the cost of living adjustment, whichever is less, unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, the cost of living adjustment for calendar year 2018 budget is calculated at 2.5% pursuant to N.J.S.A. 40A:4-45.2 and amounts to $213,997; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Washington in the County of Bergen finds it's advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that an additional 1.0% increase in the budget of said year, amounting to $85,598 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Washington, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2018 budget year, the final appropriations of the Township of Washington shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%,

amounting to $299,595, and that the 2018 municipal budget for the Township of Washington be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

BUDGET RESOLUTION

A motion was made by Councilman Cascio, seconded Councilman Bruno, to pass Resolution No. 18-201, Waiving the Reading in Full of the 2018 Budget.
Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

Resolution No. 18-201
Waiving the Reading in Full of the 2018 Budget

WHEREAS, N.J.DS. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall:

a. Be posted in a public place where public notices are customarily posted, and

b. Is made available to each person requesting the same during said week and during the public hearing, and

WHEREAS, the Township of Washington has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Township is hereby permitted to waive the reading in full of the 2018 Municipal Budget.

2018 BUDGET ADOPTION

A motion was made by Councilman Cascio, seconded by Councilman Bruno, to open the Public Hearing on the 2018 Township Budget.
Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

If anyone desires to be heard regarding the 2018 Township Budget, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record. A copy of the 2018 Budget Introduction was available at the Township of Washington Free Public Library and that copies of said budget were made available to the public.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment thanked the Council for a nice budget, some of the figures seem a little tight, but Council did a nice job.

A motion was made by Councilman Cascio, seconded by Councilman Ullman, to close the Public Hearing on the 2018 Township Budget.
Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

A motion was made by Councilman Cascio, seconded by Councilman Ullman, to pass Resolution No. 18-202, Adoption of the 2018 Township Budget.
Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

Resolution No. 18-202
Adoption of the 2018 Budget

BE IT RESOLVED, by the Governing Body of the Township of Washington, County of Bergen that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorized of the amount of:

(a) $8,360,330 (Item #2 below) For Municipal Purposes; and

(e) $ 598,068 (Item #5 below) Minimum Library Tax

SUMMARY OF REVENUES

1. General Revenues	
Surplus Anticipated	$ 2,150,000
Miscellaneous Revenues Anticipated	1,777,958
Receipts from Delinquent Taxes	307,523
2. Amount to be raised by Taxation for Municipal	
Purposes (Item 6(a), Sheet 11)	8,360,330
5. Amount to be raised by Taxation-Minimum Library	
Levy	598,068
Total Revenues	$13,193,879
SUMMARY OF APPROPRIATIONS	
5. General Appropriations	
Within "CAPS"	
(a & b) Operations Including Contingent	$ 7,945,609
(e) Deferred Charges and Statutory Expenditures	
Municipal	1,002,067
Excluded from "CAPS"	
(a) Operations-Total Operations	
Excluded from "CAPS"	1,649,017
(c) Capital Improvements	560,000
(d) Municipal Debt Service	1,084,249
(e) Deferred Charges – Municipal	177,937
(m) Reserve for Uncollected Taxes	775,000
Total Appropriations	$ 13,193,879

It is hereby certified that the within budget finally adopted by resolution of the Governing Body on the 7th day of May, 2017. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2018 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

At this time the Public Session was resumed.

Toni Plantamura, 808 Robinwood Road – Ms. Plantamura stated she concurs with Ms. Ritter. She spoke of anti-nepotism, what has been written about this subject in the paper and her opinion that Police Departments should be civil service. Council President DeSena stated the Township does have an ordinance in place regarding anti-nepotism. Ms. Plantamura asked what the status regarding the Memorial Field Committee is, since as she understand it, a sub committee has been formed. Mayor Calamari stated the sub-committee was formed to get the playing fields in decent shape. In the future, with the help of Council President DeSena and the Administration, we hope to RFP/RFQ organizations to provide us with their opinion as to a long-term solution for all of our fields, a study as was requested by the Committee. Mayor Calamari stated there is no intent to change the body of the Committee, but nothing can be done until that study is completed. He stated there is no intent for large sodding, just some piece sodding to get the fields in decent playing shape. A conversation followed on the artificial turf field in Ridgewood, which is located in a flood plain, and has been devastated five times due to storms. Ms. Plantamura also asked if there is a plan for a change of form of government, and if Councilman Cascio would allow residents to come to his office to sign the petition. Councilman Cascio stated the petition would have to come from the citizens, and he hopes to give the citizens a voice, but it cannot come from the Council, the citizens need to decide.

Cynthia Cannon, 804 Manhattan Avenue – Ms. Cannon asked about the results of the well testing. Mr. Poller stated access was granted May 4, and we should have the result in a few weeks. Ms. Cannon asked if those results will be released to the public, or does she need to OPRA them. Council President DeSena stated they are public records, and he has no issue releasing the findings.

A motion was made by Councilman Cascio, seconded by Councilman Bruno, to close the general public discussion.
Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

Councilman Ullman asked Mayor Calamari, aside from fertilizer, sprinklers, and spot sodding, there are no other plans at the moment regarding Memorial Field until there is a larger study done, as was done by MKW. Mayor Calamari replied that is correct.
Councilman Cumming stated his assignment is get the grass as playable as possible to get through the summer, to that end fertilization and growing grass. Council President DeSena stated the Mayor will issue a request for qualifications for consultants that are well versed with field utilization to improve our fields.

Ordinances (continued)

Introduction 1st Reading
Ordinance No. 18-05

ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE INTERSECTION OF WASHINGTON AVENUE AND PASCACK ROAD IN AND BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AND MAKING AN APPROPRIATION OF $400,000 FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP THEREFOR.

A motion was made by Councilman Cascio, seconded by Councilman Bruno, to introduce and pass Ordinance No. 18-05 at first reading by title.
Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

The following resolution, Resolution No. 18-203 was presented and adopted on a motion by Councilman Cascio, seconded by Councilman Bruno.
Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

Resolution No. 18-203

WHEREAS, Ordinance No. 18-05 entitled: ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE INTERSECTION OF WASHINGTON AVENUE AND PASCACK ROAD IN AND BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AND MAKING AN APPROPRIATION OF $400,000 FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP THEREFOR was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 7TH day of May, 2018; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 21st day of May, 2018 at 7:30pm, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Complex, 350 Hudson Avenue, 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 office of 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.

Ordinance No. 18-05

ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE INTERSECTION OF WASHINGTON AVENUE AND PASCACK ROAD IN AND BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AND MAKING AN APPROPRIATION OF $400,000 FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP THEREFOR.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AS FOLLOWS:

Section 1. The improvement described in Section 2 of this ordinance is hereby authorized as a general improvement to be made or acquired by The Township of Washington, in the County of Bergen, New Jersey, and there is hereby appropriated therefor the sum of $400,000 from moneys available in the Capital Improvement Fund of the Township.

Section 2. The improvement hereby authorized and purpose for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the improvement of the intersection of Washington Avenue and Pascack Road in and by the Township, including all milling, drainage facilities, traffic control systems, landscaping, signage, structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

Section 3. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 4. This ordinance shall take effect after publication after final passage as provided by law.

Introduction 1st Reading
Ordinance No. 18-06

BOND ORDINANCE APPROPRIATING $1,300,000, AND AUTHORIZING THE ISSUANCE OF $1,237,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to introduce and pass Ordinance No. 18-06 at first reading by title.

Councilman Bruno asked is this being done as long-term bonds or short-term BANS, what is the plan when we start doing Capital Projects and bonding for it. Administrator Groh replied she believes the plan is do BANS consistent with the guidance/opinion Ms. Morrone has given in the past. Mayor Calamari stated in his communication with Ms. Morrone and Administrator Groh he believes that is the plan, but he would hope to analyze rolling these into more permanent bonds shortly, but he believes for this ordinance, the intent is BANS. Councilman Bruno asked if the interest rates are known. Administrator Groh stated she cannot speak to that right now, but Ms. Morrone has been evaluating that, this was discussed during budget, that Ms. Morrone had a long-term plan. Councilman Bruno stated there was a discussion but it was never finalized, the plan was to issue BANS for 10 years, they were going to be looked at but it was never finalized how it was going to be done since bonds are coming due shortly and there are BANS also. Mayor Calamari stated it would be his intent, being passed the budget, to bring Ms. Morrone into our next meeting to have this long-term discussion again. Administrator Groh stated nothing would be done until the bonds mature in August, the reserves have cash flow in hand to enable us to proceed with projects. Councilman Bruno stated he would like to make sure money is bonded and then use it, then be left with unfunded ordinances, like we had $400,000 sitting around. He stated we need to revisit when we are ready to bond what we are actually going to do or not do. Councilman Ullman asked is there a way to segregate these or are we limited to each of these projects to the appropriated amount. As an example, the Item A, is appropriate for $74,000, and Item B is $180,000. If Item A were to go to $80,000, could the remainder be drawn from Item B. Administrator Groh replied she does not believe that is intent, especially when the bonds are issued, the long-term debt, the document is part of the record, offering package, so she believes that you have to stick within it, and also due to the way they are broken down, it is based on the use for life, things are grouped together that have a similar useful life, that is why there are different categories. The Bond Counsel is the one who determined how to group these, and it all ties back into the budget document, they can be repurposed, and it would have to be done by an ordinance. Councilman Ullman asked is there a process/method prospectively to segregate these in our accounting systems so information can be gathered on each one of them at any given time, he want to make sure the projects can be tracked. Administrator Groh stated each project is assigned a unique account number in the system, and it is referenced by the bond, the multi-purpose ordinance number and also has a description. They are entered by Ms. Morrone and able to track hard/soft costs. Councilman Ullman asked would any or all of these require further action by the governing body. Administrator Groh replied other than the 2nd reading of the bond ordinance, she does not believe so. Council has to authorize bids, depending on the dollar amount, if it is not a State contract, things of that nature. Administrator Groh has asked the engineer when we might have specs for various projects after the 2nd reading we can start authorizing bids at this time.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman, Council President DeSena.
Nays: None.

The following resolution, Resolution No. 18-204 was presented and adopted on a motion by Councilman Cascio, seconded by Councilman Ullman.
Ayes: Councilmen Bruno, Cascio, Cumming, Ullman, Council President DeSena.
Nays: None.

Resolution No. 18-204

WHEREAS, Ordinance No. 18-06 entitled: BOND ORDINANCE APPROPRIATING $1,300,000, AND AUTHORIZING THE ISSUANCE OF $1,237,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 7TH day of May, 2018; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 21ST day of May, 2018 at 7:30pm, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Complex, 350 Hudson Avenue, 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 office of 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.

Ordinance No. 18-06
BOND ORDINANCE APPROPRIATING $1,300,000, AND AUTHORIZING THE ISSUANCE OF $1,237,000 BONDS OR NOTES OF THE TOWNSHIP FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of Washington, in the County of Bergen, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to $1,300,000 including the aggregate sum of $63,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said $1,300,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of $1,237,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding $1,237,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for an estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
(a) Improvement of municipally-owned property and facilities in and by the Township including without limitation the basketball courts at Memorial Field and Gardner Park by the rehabilitation thereof and the Police Department interrogation room by the renovation thereof, together with all structures, furnishings, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the $74,100 appropriation hereby made therefor being exclusive of amounts received or expected to be received by the Township from the Bergen County Open Space Trust Fund for said improvements to the basketball courts	$74,100	$70,500
(b) Acquisition by purchase and installation, as necessary, of new and additional equipment, including Scott bottles for use by the Fire Department of the Township, radio, audio recording and active shooter equipment for use by the Police Department of the Township, solar-powered pedestrian crossing signs and other signage for use at various locations, together with all equipment, appurtenances and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	180,000	171,400
(c) Improvement of various streets and locations in and by the Township by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), including without limitation streets and locations described in the Township's 2018 Road Program, together with all structures, milling, drainage improvements, ADA compliant curb cuts, traffic control systems, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	741,000	705,600
(d) Acquisition by purchase and installation, as necessary, of new and additional computer equipment, for use by the Fire Department of the Township, together with all appurtenances and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	27,400	26,000
(e) Acquisition by purchase of new and additional vehicular equipment for use by the Department of Municipal Facilities of the Township, including one (1) dump truck, one (1) pick-up truck and one (1) van, together with all equipment, appurtenances and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	277,500	263,500
Totals	$1,300,000	$1,237,000

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 9.15 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by $1,237,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding $100,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer or the Acting Chief Financial Officer (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at not less than par at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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 Ullman, to the Consent Agenda.

A conversation followed on Resolution No. 18-208, the transfer of the vehicle from the Fire Department to Ambulance Corps. The vehicle will continue to be insured by the Township but will be taken off the books as an asset. A conversation also followed on Resolution No. 18-211, which is a Green Communities Grant which will allow the members to come up with a long-term plan to become a sustainable green community and have an outside assistance with the plan. As noted on the application it is a $3,000 matching grant, and in-kind service will make up the portion. A conversation followed on Resolution No. 18-209, and if it is a contract or a shared service. There are other agreements similar to this, and there is some merit to this agreement since it does fit within the confines of what the State defines as a Shared Service.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

Resolution No. 18-205
Authorize Refund of overpaid taxes Block 3407, Lot 14, in the amount of $500.00

WHEREAS, Homestead Benefits were credited for the 2nd Quarter 2018 installment to Block 3407, Lot 14, Jack & Barbara Inserra, 94 Sussex Road, and;

WHEREAS, the homeowner is exempt as a totally disabled veteran. Per New Jersey Statute 54:3 27.2, overpaid taxes are to be refunded to the homeowner, and;

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey that the Tax Collector be authorized to issue a refund to the above in the amount of $500.00.

Resolution No. 18-206
Authorize Refund of balance of escrow monies Block 2417, Lot 26, in the amount of $2,360.00

WHEREAS, Elva Hone posted Planning Board & Engineering escrow monies for a project on premises known as Block 2417, Lot 26, 280 Pascack Road; and

WHEREAS, Ms. Hone has withdrawn her application and is requesting that her escrow be refunded; and

WHEREAS, outstanding invoices due the Township Engineer as per his correspondence of May 1, 2018 will be satisfied; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow monies in the amount of $2,360.00 to the above.

Resolution No. 18-207
Authorize Refund balance of escrow monies Block 2208, Lot 7 in the amount of $1,428.95

WHEREAS, John & Debra Moye posted engineering escrow monies for work on premises known as Block 2208 Lot 7, 755 White Birch Road; and

WHEREAS, the Construction Code Official has issued approval, C.A. 16-457+A , dated 5/2/2018 ; and

WHEREAS, outstanding invoices due the Township Engineer as per his letter dated April 6, 2018 have been satisfied; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money to the above in the amount of $1428.95.

Resolution No. 18-208
Authorize vehicle transfer from Fire Department to Ambulance Corps

WHEREAS, the Township of Washington is the owner of a 2006 Ford Explorer, Vehicle Identification No.1FMPU 16566 LA975 57 (the "Explorer"), which has heretofore been utilized by the Township of Washington Volunteer Fire Department (the "Fire Department"); and

WHEREAS, the Fire Department has advised the Township that the Fire Department does not have any need for the continued use of the Explorer, and that it is in agreement with the Township providing for an alternate user of the Explorer; and

WHEREAS, the Township of Washington Voluntary Ambulance Corps. Inc. (the "Ambulance Corp.") has made known its desire for the Explorer to be used in conjunction with its operations; and

WHEREAS, the Township has determined that it would be in the public interest to gift the Explorer to the Ambulance Corp. for its use in providing emergency service to the public;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington that the Township of Washington hereby grants and transfers by way of gift or donation the 2006 Ford Explorer, Vehicle Identification No. 1FMPU 16566 LA975 57 to the Township of Washington Voluntary Ambulance Corps. Inc. for its use hereafter, irrevocably assigning all rights thereto to said Township of Washington Voluntary Ambulance Corps. Inc.;

BE IT FURTHER RESOLVED, that the Township shall advise its insurance carrier of the transfer being made hereunder.

Resolution No. 18-209
Authorize Shared Services Agreement with Village of Ridgewood for vehicle and equipment repair maintenance

WHEREAS the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., allows any municipality or county to enter into a contract with any other municipality or county for the joint provision of any services within their joint jurisdiction; and

WHEREAS the Township of Washington ("Township") and the Village of Ridgewood ("Ridgewood") seek to enter into a Shared Service Agreement wherein Ridgewood will provide maintenance and repair to Township of Washington

motor vehicles and equipment which are directed to Ridgewood by the Township; and

WHEREAS the Township has reviewed and approves of the Agreement dated March 18, 2018 between the Township and Ridgewood for the period ending on December 31, 2019 ("the Agreement"), and the expenditure of funds pursuant to the terms thereof;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington, that the Mayor is hereby authorized to execute the Agreement between the Township and Ridgewood.

Resolution No. 18-210
Authorize the Mayor to execute the Solid Waste Service Agreement with the BCUA for the period of June 1, 2018 through May 31, 2020

WHEREAS, the Municipal and County Utilities Authorities Law (N.J.S.A. 40:14B et seq.) and the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes and permits contracting units, such as the Bergen County Utilities Authority (the "BCUA") and the Township of Washington (the "Township") to enter into service agreements for the services contemplated below and without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5(2); and

WHEREAS, in accordance with the New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.) the County of Bergen, constitutes a Solid Waste Management District in which the BCUA is the agency responsible for implementation of a Solid Waste Management Plan to provide for the collection, processing and disposal of solid waste generated within the County of Bergen; and

WHEREAS, in order to continue its Solid Waste Cooperative Marketing Program, the BCUA advertised for bids for solid waste processing, transport and disposal services; and

WHEREAS, Covanta Sustainable Solutions, LLC ("Covanta") was awarded a contract with the BCUA on April 26, 2018, (the "Contract") for the acceptance, processing and disposal of municipal solid waste at their disposal facilities located at 301 Maltese Drive, Totowa, NJ 07512 and 20-32 Fulton Street, Paterson, NJ at a total cost of $66.39 per ton for the period June 1, 2018 through May 31, 2020 (down from a price of $68.25 per ton under the expiring Contract); and

WHEREAS, the BCUA has proposed a form of Solid Waste Service Agreement with the Township under letter dated April 27, 2018 ("the Agreement"; and

WHEREAS, the Township Council is need of such solid waste services and desires to enter into the Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township hereby approves the Agreement;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the Solid Waste Service Agreement with the BCUA for the above-stated purpose.

Resolution No. 18-211
Authorize the Mayor to execute the Green Communities Grant Agreement in the amount of $3,000

WHEREAS, the governing body of the Township of Washington desires to further the public interest in obtaining a grant from the State of New Jersey in the amount, for up to $3,000 to fund the following project:

NJFS URBAN AND COMMUNITY FORESTRY PROGRAM
GREEN COMMUNITIES GRANT

THEREFORE, the governing body resolves that Peter Calamari, or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less then $0.00 and not more than $3,000.00, and (c) to execute ☐ any amendments thereto ☒ any amendments thereto which do not increase the Grantee's obligations.

The Mayor and Council authorizes and hereby agrees to match 50% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

*The portion of this form between the asterisks should be completed if matching funds are required under the terms of this agreement. Where in-kind services are allowed and are stipulated by the Grantee, an attachment must be provided and appended hereto, breaking out the in-kind services.

A motion was made by Councilman Cascio, seconded by Councilman Bruno to adjourn to Conference Agenda.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman, Council President DeSena.

Nays: None.

Time Noted: 8:32 p.m.

Susan Witkowski
Township Clerk

Michael DeSena
Council President

Approved: September 4, 2018

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
CONFERENCE PORTION/PUBLIC SESSION

May 7, 2018

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

Administration

Project Tracker – A conversation followed on securing a grant writer, and the proposed agreement which was received, that triggered some proof under the Local Public Contracts Law, so it will need to be done by competitive contracting. Competitive contracting is done by developing a criteria, and a committee would need to be formed. Surrounding towns will be contacted who has done a competitive proposal for grant writing to see what they have done.

2018 Road Program – The engineer's preliminary roads report will be forwarded to Council and the Administrator by the Mayor.

Doors to Building – A purchase order for the Police Department doors has been issued. The scope cannot be expanded until pay to play documents are received from the contractor, as well as prevailing wage needs to be paid. The Police doors only will be done at this time.

Flooring – Material has been ordered, the plan is to start after Memorial Day, continue through the 4th of July. The full-scope may not be done until September, since the contractor is doing the flooring in phases. The basement needs to be tested for humidity, and pricing may change depending on the results of those tests. Painting will be done beforehand.

QPA Status – Administrator Groh will be done with her last course in 3 weeks, and the exam will be offered in June. Her second year ends this Saturday. The former Administrator, Matt Cavallo, will take over for that time period, compensation still needs to be discussed.

Audit – The audit is due the end of June and is ahead of schedule. Ms. Morrone is currently on vacation, but there are a few items that she needs to look into when she comes back.

Planning Board/Zoning Board Position – The position has been split between the recording secretary and recreation superintendent. The new hire is Gloria Wiesner, who is currently the Director of Recreation in Old Tappan, and has a familiarity with community pass, Edmunds, and background checks. Vince Corrado the former Planning Board/Zoning Board secretary was authorized to work extra hours to get caught up with the minutes and did catch up to 2016. Mr. Corrado will be contacted to do the minutes for the meetings he attended.

Intersection – CAD drawings have been submitted, the next step would the acquisition of the properties. The properties need to be identified by the County, once identified, the appraiser assigns a value to the property, then Mr. Poller and the appraiser need to negotiate a price for that property. $400,000 has been appropriated for land acquisition.

Bus Huts – The hut was cleaned up, but the roof was not repaired, the purchase order for the purchase of shingles is still pending. Councilman Ullman did reach out to a Mr. Joseph DeMauro from NJ Transit, who did provide quite a bit of information, but he does have further questions. NJ Transit does provide the hut as long as the Township agrees to maintain it. Mayor Calamari stated he will reach out to Mr. Lawlor tomorrow regarding replacing the shingles on the roof of

the hut, as well as a fresh coat of paint. The hut at the corner of Washington and Pascack will also be looked at.

Firehouse Progress Report – Report will be submitted soon.

Intersection Progress Report – Previously discussed.

Red House – Mayor Calamari requested an additional 30 days since the plans for the firehouse are due sometime this month and would like to wait until there is a long-term plan for the firehouse.

Commuter Parking – Will be discussed in Closed Session.

Quest – Discussed earlier, payments are current.

Labor Attorney Recommendations – Mr. Poller stated he does have two candidates in mind, but would like one extra piece of information, and he hopes he will have a candidate at the next meeting. Mr. Poller selects the labor attorney, just as he selects the bonding attorney, with the approval of the Mayor. Councilman Bruno stated he will have someone he has in mind will reach out to Mr. Poller.

Municipal Complex Repairs – Items A (doors), B (paint) and D (floors) have been discussed. A memo was received from the Chief last year regarding employee security in the Municipal Building. A copy of the letter will be redistributed to Council.

Council

Other Forms of Government – Correspondence was distributed via packets.

Ordinances and Legislation

Social Media – A conversation followed on the current climate of social media, with Council members and Mayors taking stances on social media and then blocking people, resulting in lawsuits. Social Media conduct will be part of the Employee Handbook and will be distributed to Council. Currently the Police Department has a twitter account, Fire, Police and Ambulance have their own web pages.

Municipal Human Law Enforcement Officer – Mrs. Witkowski, the Township Clerk, gave a history as to how this was brought to her attention through Chief Hooper. Tyco Animal Control (Carol) does fit the criteria of a Municipal Human Law Enforcement Officer, and does in a number of towns. Samples were sent to Mr. Poller to look at and make recommendations to Council. Mr. Poller stated he had some discussion with the Police Chief who indicated he would like to appoint the three people in Tyco. He did send an ordinance to the chief to take a look at, with an option of carrying a firearm, which the Chief recommended to take out. Mr. Poller will have the ordinance at the next meeting. The cost would be only if Carol comes out for an emergency, and that is $60.00. The three people from Tyco have completed a full back-ground check and came back fine.

Indemnification Ordinance – Council was requested to look at it for discussion at the next Council meeting. A copy of the one passed, but vetoed by the former Mayor was submitted in the packets.

Retail Marijuana Store – A conversation followed on what legally can or cannot be done, banning the stores, or regulation. Mr. Poller spoke of the timing, since there is a vape shop application pending. Council President DeSena requested a straw poll be taken of having Mr. Poller looking at our surrounding communities to review Council's options and what the ordinance would look like. The Mayor did speak to the owner of the shopping center, who was in agreement of not renting to a retail marijuana store, but there may be a problem if the center changes owners. Mr. Poller stated he would like to have some direction,

prohibition, prohibition of proximity to schools, churches, public spaces. Council President DeSena stated he favors no selling of marijuana/dispensary in the proximity of a quarter mile from libraries, schools and houses of worship. A conversation followed on the current vape shop application that is pending, including vaping or things of that nature even if this current applicant was grandfathered in. Councilman Ullman stated he understands the concerns by parents, but he feels Council is heading down a slippery slope and the concern of vaping could be about cigarettes and alcohol. He feels Council should be careful about what it talks about and prohibits, and feels we are treading on people's ability to run a business, have commerce and make money. Council President DeSena stated he feels there is no need to have a marijuana dispensary in the Township of Washington. Large urban cities have dispensaries and there is no need to open up a dispensary in a town that has 9000 residents, to have a medical dispensary, recreation or legal, in the Township's little small shopping center sends the wrong message. Mayor Calamari agreed. Council President DeSena stated he feels bad for the people who need to travel to get it, but our small community cannot handle that type of business, there will be a guard at the door, checking identification cards, and he doesn't feel that is the right setting for that. A conversation followed on having marijuana legally delivered to someone's home. Councilman Cumming stated he would like a strong ordinance written, and shares Council President DeSena's opinions, not in our town. Councilman Bruno spoke of the legality of understanding what can or cannot be done. The quarter-mile tactic was discussed, and Nancy Reagan Drug Free School Zones, which is 1000 feet. Councilman Cascio stated he is never one to limit commerce, but there is a safety issue, and he agrees with this tactical method. Mayor Calamari looks forward to signing an ordinance as strict as the Council chooses and signing into law immediately.

Recreation Fee Disparity – A conversation followed on having a breakdown on the costs, addressing the recreation ordinance every year or two, having separate accounts for each recreation program and having a surplus dedicated to the recreation fund. Any monies that come into recreation, should be spent on recreation. Ms. Morrone will be asked for her input since the Township does continue to get written up for not reconciling accounts.

Financials

List of all open PO's – Mayor Calamari stated to his knowledge there are no open PO's for any length of time. Administrator Groh stated she reviewed open PO's and closed out what she could determine should be closed out. There are some older open purchase orders in connection with engineering fees, but she does not have the knowledge whether they should be paid. She did close out some open PO's in connection with the DEP Permit, but there are other older ones that do need to be resolved with Mr. Azzolina. A conversation followed on obtaining PO's that go back to 2017 and older for the next Council meeting. An employment ad for a full-time CFO has been placed on the League of Municipalities website. A conversation followed on Council being in agreement to clean up old purchase orders issued 2017 and prior, also getting an aging report of open PO's through Edmunds.

Council Check Payments Review – A conversation followed on Council seeing what is going to get paid before it is paid, so if there is an area that is being overspent, they know beforehand. This would not be for routine bills, such as PSE&G, but outside vendors. Councilman Bruno, along with Councilman Ullman will review a few months of bills.

Councilman Ullman requested "Potential Litigation – Recreation Department" be added to Closed Session.

Resolution No. 18-212
Closed Session, May 7, 2018 – Tax Appeals, Property Acquisition, Potential Litigation/COAH/Parking/Red House/ Potential Litigation – Recreation Department

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. **PROPERTY AQUISITION**
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 . **POTENTIAL LITIGATION/TAX APPEALS/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 by 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.

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

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

MOTION		SECOND		COUNCIL	AYES	NAYES	ABSTAIN	ABSENT
Bruno		Bruno	X	Bruno	X			
Cascio	X	Cascio		Cascio	X			
Cumming		Cumming		Cummings	X			
DeSena		DeSena		DeSena	X			
Ullman		Ullman		Ullman	X			

Time Noted: 9:31 p.m.

Back to Open Session: 9:40 pm

A motion was made by Councilman Ullman, seconded by Councilman Ullman, to approve Resolution No. 18-213.
Ayes: Councilman Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

Mr. Poller requested a vote authorizing the Tax Assessor to authorize 2018 Tax Appeals.

A motion was made by Councilman Cascio, seconded by Councilman Ullman.
Ayes: Councilman Bruno, Cascio, Cumming, Ullman,
Council President DeSena.
Nays: None.

A motion was made by Councilman Cascio, seconded by Councilman Ullman, to go back to Closed Session.

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

Nays: None.

Time Noted: 9:45 pm

Susan Witkowski
Township Clerk

Michael DeSena
Council President

Approved: September 4, 2018