

TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY

PUBLIC PORTION/PUBLIC SESSION

November 14, 2016

The Township Council held a Public Portion/Public Session in the Municipal Building, 350 Pascack Road. The meeting was called to order at 7:37 p.m. by Council President Michael Ullman, with the Council President leading a salute to the flag. Members present: Robert Bruno, Peter Calamari, Steve Cascio, Tom Sears, Michael Ullman. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney; Mary Anne Groh, Business Administrator; Susan Witkowski, Township Clerk.

Pursuant to the provisions of the Open Public Meetings Act this meeting was listed in the Township Council Annual Meeting Notice which was published in The Bergen Record, forwarded to the local newspapers, posted on the Municipal Bulletin Board and filed with the Municipal Clerk.

The Clerk read the total of various bills paid, a copy of which is attached and made part of these minutes.

PROCLAMATION FOR "World Pancreatic Cancer Day" as read by Mayor Sobkowicz:

WHEREAS, it is estimated that 41,780 Americans will have died of pancreatic cancer in 2016, approximately 1260 live in New Jersey, and pancreatic cancer will afflict more than 53,000 Americans, 71% of whom will die within one year of their diagnosis and 92% will die within five years of diagnosis.

WHEREAS, this year pancreatic cancer surpassed breast cancer to become the third leading cause of cancer related deaths in the United States, and is projected to become the second leading cause by 2020.

WHEREAS, it is the only major cancer with a five year relative survival rate in the single digits of just 8%. Help is needed to shine a spotlight on this disease and finally make progress in developing treatments and early detection tools.

WHEREAS, pancreatic cancer is the 7<sup>th</sup> most common cause of cancer related deaths in men and women across the world.

WHEREAS, there will be an estimated 418,451 new pancreatic cancer cases diagnosed in 2020.

WHEREAS, the good health and well-being of the residents of the Township of Washington are enhanced as a direct result of increased awareness about this cancer and research into early detection, causes and effective treatment.

WHEREAS, issuing a proclamation in supporting the observance of November 17<sup>th</sup> as World Pancreatic Cancer Day in the Township of Washington it can help to raise awareness in our community and bring much needed attention to this deadly disease.

NOW, THEREFORE, BE IT RESOLVED, that I recognize November 17<sup>th</sup> as World Pancreatic Cancer Day and hope to bring much needed attention to this disease.

REPORT OF MAYOR

Mayor Sobkowicz stated on November 11<sup>th</sup> the VFW held their annual Veteran's Day Ceremony at the monument. It is our opportunity to focus on the importance of Veteran's Day which is to honor our Veteran's for their patriotism. She stated we are very fortunate because we are here surrounded by people we know and care about rather being away dealing with enemies. The green light that has been shining on the Municipal Building all week is

part of a national program "Green Light a Vet" and is a symbol to support the 22 million Veterans in the United States. Kay Coppola, who was the president of the seniors, organized a "Wall of Veterans" with the help of Heather Henry and Dina Burke. Our Veterans were asked to give original pictures and documents which were displayed in our Senior Center. She stated she did go visit the "Wall of Hero's" in Waldwick. She stated we currently have 35 Veterans on our wall, she is hoping more Veteran's will come forward with their photos and documentation. She is looking for a local artist, perhaps through the school system, to paint something on the wall designating it a "Wall of Veterans." Flyers will be distributed with all of this information. Nicholas Markets/Food town is renovating, which affects the parking lot, the façade of the building and the interior flow of the store. She stated the traffic flow has already improved; it is more convenient for the shoppers. She hopes residents still support the store during this time of transition. She stated the administrator did arrange for Tower Ladder 41 to have preventive maintenance at the Paramus facility. She stated the price paid for that service was \$500.00 less than what we had been paying. She stated a meeting was also held with them for future handling. Our next street sweeping will be the week of December 12<sup>th</sup>. She stated she is very pleased with the work being done by the members of the Department of Municipal Facilities under the direction of our Acting Superintendent Tom Clossey and foreman Bill Lawlor. They have been very proactive in sprucing up the Veteran's Square, working with the Police Chief on getting quotes on repairs of vehicles; they began the leaf collection a week earlier and worked on Memorial Field. She stated there was one major breakdown this past Saturday on a truck but it was fixed within two days. She stated the new DMF employees also had training in safe operation of the leaf vacuum and Tim Reilly assumed the role of primary operator of that machine. The salt spreaders have been installed and are ready to be deployed should we have an early icing event. Municipal Question #3, Memorial Field question was defeated by a vote of 2,530 to 1,787. She stated the people have spoken and she respects their view. She stated whether people do not want turf, do not want to spend the money on turf, we will work together to find a good alternative to address the concerns surrounding Memorial Field. November 16<sup>th</sup>, Wednesday, she will be meeting with the Township Engineer, to review long and short term options and most likely a committee will help formulate a plan to work with the Mayor and Council to propose a new vision in a timely manner. We have been notified by the DEP that the Township is within the drought warning region. A drought tool kit is being prepared for the Township. Councilman Calamari who is going to the league will pick-up our tool kit which is available at booth number 00111. She stated our new tax appeal reporting policy has been implemented with the tax assessor providing summaries of pending appeals to us. Our new auditors were at the Municipal Building working alongside the administrator for 3 days in the beginning of November. She stated everything went smoothly and they did receive all the reports needed and will be back in December to continue their work. She stated we have begun to work on the budget for 2017. We have received notice from Ridgewood that they are increasing the sewer discharge fees from \$200.00 per home to \$400.00 per home per year, which is a 100% increase and we need to budget for \$17,400 more than was done last year. She stated she has finished the Police Department budget already. She stated she is proud and impressed with Girl Scouts Troop 5564, they have completed Phase 1 on the corner of Pascack Road and School Street with plantings, which were donated by JC Landscaping. She stated Phase 2 will be in the Spring. The leaders of the troop are Theresa Alesso, Bernadette Galli and Lori Donis. From January to October the Police Department answered 6,807 calls, with 629 in October. She stated the New Jersey Bail Reform Act of 2016 has taken away the ability of our local judge to set bail on indictable crimes and domestic violence. She stated this means a much bigger workload for our township in terms of paperwork and in transporting prisoners back and forth. She stated the soft opening was April 8<sup>th</sup> with January 1<sup>st</sup> being the date of starting. She stated from April 8<sup>th</sup> to November 5<sup>th</sup> the Township has spent an additional \$10,030 in overtime and

this new system also requires us to have a new Life scan, which is approximately \$26,600 in order to get certain type of data needed. She stated we were notified by JIF insurance that our dividend for 2016 will be \$12,172, last year it was only \$9,500, so we did make a big improvement in safety and training. Buldo is our new curbside recycling vendor. If anyone is interested in joining the Stigma Free Awareness Committee, please call Bernadette at Town Hall. Chris Robertson, Director of ER at Nursing at Valley, is doing a great job in organizing the Wellness Program in conjunction with Valley Hospital Community Outreach. The kick-off event will be on Saturday, January 7, 2017 at Valley Hospital with a motivational speaker, exercise class and walking tour. Food town is also a sponsor and their nutritionist will be presenting healthy snacks. The Road Program of 2016 went very well; we are still fixing some things with the curbing. Phase 4 will be in the new budget. She spoke to Mayor Doug Frank of Hillsdale regarding the Waste Management truck traffic and there is no news on the renewal of the permit. From January 1<sup>st</sup> to October 31<sup>st</sup> the Ambulance Corps was dispatched 406 times, 39 during October alone. Please reach out to them if you are considering on becoming a member. From January 1<sup>st</sup> to October 31<sup>st</sup> the Fire Department was dispatched 150 times, 16 in October alone. Chief Ehrenfels notified her that truck 40 went back into service due to Jim Stewart and Jeff Guggar, both fireman, completing the repairs at no cost and she thanks them for doing that. The administrator is also working very hard on repair issues for vehicles in that department. The Division of Fish and Wildlife is offering grants, ranging from \$1,000 - \$3,500 for any non-profit group who wants to educate, outreach and research for habitat protection. If anyone is interested, they can call Bernadette at Town Hall and she will provide the paperwork. The Township Library sponsored an event for Jack Kenney, who is a 35 year member for the Library Board of Trustees. Mr. Kenney has given unselfishly his time and effort to the library as well as our community. He has been active in the Knights of Columbus, past Grand Knight, a treasurer of the Golden Seniors, supports Memorial Day, Veteran's Day, Town Day, tree lighting and does anything you ask him to do. If you see him around the Township, please congratulate him and thank him for his service. The "Haunted House" at the library on October 30<sup>th</sup> was outstanding, as well as the "Ragamuffin Parade" sponsored by the Fire Department. December 9<sup>th</sup>, Friday, will be our Tree Lighting Ceremony at 6:30 p.m. and on December 11<sup>th</sup> the library is sponsoring a Christmas Carole by a traveling literary theatre. If anyone is interested, please call the library to register.

## REPORT OF COUNCIL

Councilman Cascio - Councilman Cascio wished President Elect Trump the best of luck and thanked everyone who came out and voted. He stated he was able to attend the Westwood presentation sponsored by the County's Prosecutors Office with regard to the requirements of the County to bring possible criminals down the County and it does look like the Township will need to budget additional funds to escort the accused down to Hackensack.

Councilman Sears - Councilman Sears apologized for not attending the last council meeting (October 31<sup>st</sup>), his plane lost an engine while over the Rockies, and he was a little late. He would like to recognize the members of the VFW, the members are dwindling. He asks that we support the members of the VFW any way we can and thank them for their service. He thanked the Girl Scouts who did an outstanding job at the corner of School Street and Pascack Road. He spoke of the traffic pattern at the Food town and the need for speed bumps.

Councilman Calamari - Councilman Calamari stated everything he wanted to comment on has already been stated.

Councilman Bruno - Councilman Bruno agreed with Councilman Calamari. He stated he does have family members who are Veterans and thanks them for their support and service.

Councilman Ullman - Councilman Ullman thanked the Mayor for her extensive report.

#### GENERAL PUBLIC DISCUSSION

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

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

Nays: None.

Michelle Napolitano - Ms. Napolitano is a volunteer with the Pancreatic Cancer Action Network. She stated on behalf of the North Jersey Affiliate of the Pancreatic Cancer Action Network she would like to thank them for this opportunity. Pancreatic Cancer is the third leading cause of cancer related death in the United States and it is anticipated to become the second in 2020. She stated this disease kills more patients than breast cancer and has a five year survival rate of just 8%. She stated nationally only 4% of pancreatic cancer patients enroll in clinical trials. She spoke of her father's battle with this disease. She thanked Mayor Sobkowicz for allowing her to speak here tonight and the recognition of the need to raise awareness and her decision to declare Thursday, November 17, 2016 "World Pancreatic Cancer Day" means more people will know how deadly and prevalent this disease is as well as hear the message that there is hope. She stated pancreatic cancer does not have to be a death sentence, especially to those patients enrolled in clinical trials. She stated our goal to double survival by 2020 is well on its way to become a reality. She stated two years ago when this goal was initiated, the five year pancreatic cancer survival rate was 6%, now it is 8%, which is still unacceptable. The Pancreatic Cancer Action Network is contributing to this reality by increasing Federal and State funding for pancreatic research as well as providing patients with important tools. She thanks Mayor Sobkowicz and the Township Council for helping to increase awareness of this disease and the options that are available to patients to wage hope. If anyone has any questions about this disease, know someone who is affected or would like to get involved, please let her know or you can also visit the website, [www.pancreaticcancer.org](http://www.pancreaticcancer.org).

Jim Hansen, 11 Lindenwood Court - Mr. Hansen asked Memorial Field is not on the agenda, is that correct? Mr. Ullman replied that is correct. Mr. Hansen stated the referendum was not approved but does believe this needs to be on the agenda since there needs to be an alternate plan. He presented samples of the clay which he collected from drains in several jars and added tap water. He stirred the jars and indicated this is what on the basketball courts and runs into the storm system, which is a violation. He asked how is this going to be funded, it needs to be resolved. He stated the drainage problems and ADA Compliance issues do not go away, they remain and need to be fixed. He stated citizens would like to know what alternate plans are for Memorial Field and it is not on the agenda that Memorial Field be kept on the agenda and asked what are the plans with regard to Memorial Field. Mayor Sobkowicz stated she does have a meeting with the Township Engineer on Wednesday to discuss short/long term plans and hopefully we will get a committee. He spoke of the 41% who voted in favor of the referendum which does show that residents do have concerns. He asked if there is any plan come Spring time. Administrator Groh stated at the last meeting there was an authorization to enter into an agreement for a handicap ramp at the field. She stated it is a small step in making improvements and the start date is March.

Julianne Lipnick, 184 Finnerty Place - Ms. Lipnick stated she elected to have a sign against turf and she also stated her reasons for doing so. She stated she takes great offense to the attitude of those pushing for the turf field. She spoke of being heckled and photographed due to the sign. She stated she did let Councilman Sears know that if her photo showed up anywhere at all in social media, it would be a great issue to be dealt with. She commented on the

Mayor personally delivering election results to Mr. Twomey, which she feels is unacceptable. She stated the Mayor serves every taxpayer, not just a few.

Eamonn Twomey, 187 Devon Road – Mr. Twomey echoed Mr. Hanson, as he would like to know what the plan is. Mr. Ullman replied at this time he has nothing to say. Mr. Twomey asked if Mr. Bruno can share his plan. Mr. Bruno replied he would defer to the Mayor since she spoke to the engineer to understand what needs to be done, hopefully we will get a good report. Mr. Twomey spoke of the MKW study on the fields, and why Mr. Bruno did not ask for that. Mr. Bruno stated we will work collectively and constructively for a game plan for all the fields. Mr. Twomey asked Mayor Sobkowicz if she knows who would be part of the committee. Mayor Sobkowicz replied not exactly, but it will be discussed on Wednesday. Mr. Twomey spoke of the need of addressing all of the issues on the property the correct way. He spoke of the councilmen getting behind the project. Mr. Bruno spoke of Mr. Twomey attending these meetings year after year, but he has never heard Mr. Twomey address basketball or thank volunteers, the parents. Mr. Bruno asked other than football, what other initiatives as a Director of Recreation has Mr. Twomey implemented in the Township, such as a hockey program. Mr. Twomey replied there is a joint roller hockey program with Westwood. He stated hockey is an extremely expensive sport, so no one has their own hockey program/ice rink. He spoke of working with every program within the Township.

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

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

Nays: None.

Nomination by Mayor Sobkowicz (with Consent of Council)

- Director of Fire Department

Mayor Sobkowicz – Mayor Sobkowicz introduced Mr. Loftus, his wife Joan and asked Mr. Loftus to tell council his experience in the Fire Department. Mr. Loftus stated he moved into the Township of Washington in 1973 and in March of 1974 he was accepted into the Washington Township Fire Department. He has worked nights all of his life and in 1985 he became the Junior Lieutenant in the Township of Washington Fire Department. From 1985 to the end of 1991 he moved up the ranks as officer, and in 1992 he became Chief of the Township of Washington Fire Department. He spoke of promotion process in the past, but in 2000 the Chief appointments were for two years. He stated in 2003 he ran for county-wide Fire Department office, he became the Bergen County manager in the New Jersey Firemen's Home in Booton and has been there since. He state he is here by nomination of Mayor Sobkowicz to become the Director of the Fire Department. He has three children, a set of twin girls and a boy. He stated they all attended college, two live in the area. He stated one of his daughters, last December became the Customs and Borders Protection representing the State of Florida. He stated his daughter who lives in the Township is a nurse at Hackensack and his son is a project manager. He stated in 2010 he retired from his employment after 47 years. Mayor Sobkowicz thanked Mr. Loftus and she would like to submit Daniel Loftus's name for Council's approval upon advice and consent, term expiring December 31, 2017.

A motion was made by Councilman Cascio, seconded by Councilman Sears, to consent Mr. Loftus's appointment.

Ayes: Councilmen Bruno, Calamari, Cascio, Ullman.

Nays: None.

Recuse: Councilman Sears.

Resolution No. 16 – 304

## Appointment – Director of the Fire Department

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington, County of Bergen, New Jersey, that it does hereby consent to the Mayor's appointment of Daniel Loftus, 329 Ridgewood Avenue, North, Township of Washington, NJ as Director of Fire Department for a term expiring December 31, 2017.

### INDIVIDUAL RESOLUTIONS

Councilman Ullman – Councilman Ullman spoke of the updates received at the last meeting with regard to the Civil Rights Resolution, 16-302. Councilman Sears spoke of his concerns, especially with regard to Section 9. He stated the volunteers need to be trained first and then the resolution can be passed. Administrator Groh stated back in October the Chief of the Fire Department, the head of the Ambulance Corps and Mr. Twomey, as Director of the Recreation Program, were asked to provide all of their members/volunteers with a link to a video and she is surprised to hear that nothing was disseminated to the Fire Department. She stated whatever we can do; we have done, along with inviting them to a daytime session. She stated even if the resolution is not adopted, the volunteers need to comply with the Civil Rights Resolution. Mr. Bruno asked if the written procedures are complete. Attorney Poller this is regarding behavioral issues, that is not to violate civil rights, not to engage in harassing behavior. He stated a seminar was given by the head counsel for the JIF, it included a video and a lecture and he, himself, also gave a seminar, along with a video and also answered questions. He spoke about this issue also being in the Township's personnel manual. He stated we have fully done what was recommended and JIF is also satisfied. He stated departments can call and ask for more exposure, the film can become available. He stated this is the policy, and it is also the law of the State of New Jersey. He stated being in compliance to receive the discount because the Township has done what it was supposed to do, along with most of the towns. He believes there are, according to JIF, six towns that have not complied. Administrator Groh stated the video is actually a link on a website, so anyone can view it in the privacy of their own home and it was disseminated to the heads of the departments of the volunteers, and she was leaving it up to them how they wanted their volunteers view it. She stated the group meeting was held so people could have a question and answer period. Mayor Sobkowicz asked if a list was given of people who watched the video. Administrator Groh replied she asked the department heads how they plan to inform the volunteers of the video.

#### Resolution No. 16-302

#### Local Civil Rights

A RESOLUTION TO AFFIRM THE TOWNSHIP OF WASHINGTON'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS.

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

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

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

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

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

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

Section 4: The municipal attorney shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

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

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

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

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

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of Washington in order for the public to be

made aware of this policy and the Township of Washington's commitment to the implementation and enforcement of this policy.

A motion was made by Councilman Cascio, seconded by Councilman Calamari, to approve Resolution No. 16-302, Local Unit Civil Rights.

Ayes: Councilmen Bruno, Calamari, Cascio, Ullman.

Nays: Councilman Sears.

Councilman Ullman – Councilman Ullman stated Resolution 16 – 303 has been updated. He stated when it was initially provided with the \$44,000, he asked that the number be amended by the Administrator to reflect only those amounts that had been submitted and approved by the Mayor, not the total amount of unspent balance. Councilman Cascio stated with regard to the resurfacing of the field, the first number was \$44,000, why was it amended to \$22,000? Administrator Groh replied Council funded that line in the budget for \$45,000; just under \$1,000 was spent in connection with the engineer fees and the efforts to get some sod quotes. She stated the idea was to transfer the money and enable it to fund the services through year end, and as you know COAH has been quite expensive this year. Mr. Ullman had requested that we do it on a piecemeal basis; these are the bills that are at hand. She stated council will likely have two more transfers, are one for T&M for services through October 28<sup>th</sup> and for Mr. Poller it is through the end of October. She stated we also received today a bill from the court appointed Special Master that goes through the end of September. That is where the \$22,730.62 is, so there is room in that number for future transfers. Councilman Cascio asked so this is not only for T&M? Administrator Groh replied no. Councilman Bruno asked is it above the \$79,000 that was put in. Administrator Groh replied yes, there is only \$39.50 left. Councilman Bruno asked if T&M sent anything with regard to what will be spent. Mr. Poller stated Councilman Bruno was not present, but Mr. Slatchetka did attend a Closed Session and gave a presentation, which included his assessments and there was a vote. Councilman Bruno stated he would like a copy. Councilman Ullman asked if we know the expectations for the remaining charges at this point. Mr. Poller replied Mr. Slatchetka did give the overall numbers. Mayor Sobkowicz said the numbers were for September to December, but some of the bills that we received were from before December. Councilman Ullman asked do we have a projection of what the expenses are going to be for this program. Mr. Poller stated for the entire program it is going to be more since the COAH process is going to extend to next years. He stated in addition to the proposal, there will be a Fairness Hearing, documents need to be drafted, planning board input, housing element performed, intervener by another party and zoning hearing. He stated he cannot tell you right now what the proponents are, but there is a number. Councilman Ullman stated it was \$85,000; this is \$22,000 of the \$85,000. Administrator Groh stated \$16,262 of the \$21,000 is pre-September. Councilman Ullman stated these discussions occurred in Closed Session; his understanding was the \$85,000 was to see the project to completion, not through the end of the year. His understanding was the \$85,000 included T&M, the Special Master and Mr. Poller's time. Mr. Poller stated he doesn't disagree; the \$85,000 was for the completion of the project. Councilman Ullman asked if it is possible for Mr. Poller, in working with the administrator to figure out where we are. Councilman Cascio stated we spoke about the three components, but now he understands the \$22,000 is we are paying for what has come in. Councilman Ullman stated he received the draft with the \$44,000, but he wants to understand what we are making that transfer to support.

#### Resolution No. 16-303

#### Budget Transfer

WHEREAS N.J.S.A 40A:4-58 provides that if it should become necessary during the last two (2) months of the fiscal year, to expend for any of the

purposes specified in the budget an amount in excess of the sums appropriated therefor and there shall be an excess in an appropriation over and above the amount deemed to be necessary to fulfill another purpose, the governing body may by resolution adopted by not less than 2/3 votes of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Washington that the Deputy Treasurer be and is hereby authorized to make the following transfers in the 2016 Budget Appropriations:

<u>Account</u>	<u>From</u>	<u>To</u>
Group Insurance Plan 6-01-23-222-000	\$ 5,601.00	
Liability Insurance 6-01-23-210-000		\$ 5,601.00
Resurfacing Memorial Field 6-01-28-376-200	\$ 22,730.62	
Law and Council O/E Prof Services 6-01-20-155-260		\$ 22,730.62
Health S&W Health Officer 6-01-27-330-130	\$374.36	
Health S&W P/T Secretary 6-01-27-330-160		\$374.36

A motion was made by Councilman Cascio, seconded by Councilman Sears to approve Resolution No. 16 – 303, Budget Transfer.

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

CONSENT AGENDA, Resolutions 16-305 through 16-308:

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

The Consent Agenda was presented and adopted on a motion by Councilman Cascio, seconded by Councilman Calamari.

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

Resolution No. 16-305

Tax Refund

WHEREAS, an overpayment for the 4th Quarter property taxes was received from two parties, Wells Fargo and Donald F. & Barbara M. DeRosa, occupants of Block 2408, Lot 1, Qualifier C633B, 33 Reagan Way, and;

WHEREAS, under the N.J.S.A. 54:3-27.2, tax overpayments shall be refunded to the payer, 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:

Wells Fargo Home Mortgage  
Attn: Financial Support  
1 Home Campus  
MAC X2303-04D  
Des Moines, IA 50328

Amount of Refund: \$2331.00

Resolution No. 16-306

Tax Refund

WHEREAS, an overpayment for 4th Quarter property taxes was received from Alfred & Rachel Briguglio, occupants of Block 1401, Lot 1.04, 131 Douglas Drive; and

WHEREAS, under the N.J.S.A. 54:3-27.2, tax overpayments shall be refunded to the payer, 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 resident's attorney, Jacobus & Associates, per the attached correspondence.

Amount of Refund: \$1565.50

Resolution No. 16-307

Recreation Refund

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

Elisa Odell  
501 Howard Street  
Township of Washington, NJ 07676

Refund for 7/8 Girls Basketball 2016-2017	\$155.00
Administrative Fee Non-Refundable	\$- 25.00
Refund for 7/8 Girls Basketball	\$130.00

Refund Amount: \$130.00

Resolution No. 16-308

Dog House Saloon – Late Closing

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that permission is granted to extend the closing hours of the Dog House Saloon & Grill to 3:00 A.M. on Wednesday, November 23, 2016 (Thanksgiving Eve) and on Saturday, December 31, 2016 (New Year's Eve).

Administrator Groh asked if Resolution No. 16-310 can also be voted on at this time, which is the introduction of Ordinance No. 16-09. A conversation followed with regard to a new scanner that is needed to be in compliance by January 1, 2017 with the County, along with hardware and peripherals that are part of the State contract. Councilman Cascio stated this is an expense for all Counties, he spoke of shared service with other towns. Mayor Sobkowicz feels it would incur a lot more overtime and a conversation followed on the overtime that will be incurred. Administrator Groh spoke of the specifics of the scanner, along with warranty information and the pricing. A conversation followed with regard to updating to Windows 10 and any other expenses. Councilman Sears stated he would suggest a motion to purchase it. Mayor Sobkowicz stated a second reading is required on this Ordinance, but need to get this on board for January 1<sup>st</sup>. The amount of Capital Appropriation Fund was discussed, along with the Capital Improvement Fund, which is the 5% set aside. Administrator Groh stated this is taking from a General Fund Account which is a surplus. Mayor Sobkowicz stated she calls it Capital Surplus because it is from Ordinances that were canceled. Councilman Bruno stated if this is the same fund, we should have \$145,000. Administrator Groh stated she will follow-up with Denise Marabello, CFO Councilman Calamari stated we

can probably get ten years out of this system, so he feels it is not fair to compare the \$26,000 as opposed to what we will spend in overtime. He also asked if we can find out from the Police Department how often the scanner is used.

Introduction Ordinance No. 16-09

The Clerk read Ordinance No. 16-09 entitled: AN ORDINANCE PROVIDING FOR AN APPROPRIATION OF \$26,466.25 FROM THE GENERAL CAPITAL FUND, CAPITAL FUND BALANCE ACCOUNT TO FINANCE THE COST OF HARDWARE AND PERIPHERALS FOR THE POLICE DEPARTMENT.

A motion was made by Councilman Cascio, seconded by Councilman Sears, to introduce and pass Ordinance No. 16-09 at first reading by title.  
Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.  
Nays: None.

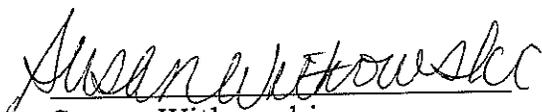
The following resolution, Resolution No. 16-310 was presented and adopted on a motion by Councilman Cascio, seconded by Councilman Sears.  
Ayes: Councilmen Bruno, Calamari, Cascio, Sears, Ullman.  
Nays: None.

WHEREAS, Ordinance No. 16-09 entitled: AN ORDINANCE PROVIDING FOR AN APPROPRIATION OF \$26,466.25 FROM THE GENERAL CAPITAL FUND, CAPITAL FUND BALANCE ACCOUNT TO FINANCE THE COST OF HARDWARE AND PERIPHERALS FOR THE POLICE DEPARTMENT was introduced and passed at first reading at a meeting of the Township of Washington on the 14<sup>th</sup> of November, 2016.

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 28<sup>th</sup> day of November, 2016 at 7:30 o'clock in the evening, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Building, 350 Pascack Road, Township of Washington at which time and place all persons who may be interested will be given an opportunity to be heard concerning said ordinance;

BE IT FURTHER RESOLVED, that the Township Clerk is authorized to advertise in The Bergen Record, a newspaper circulated in this Township, the introduction and notice of further consideration.

Time Noted: 8:55 p.m.

  
Susan Witkowski  
Township Clerk

  
Michael Ullman  
Council President

Approved: February 6, 2017

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

November 14, 2016

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

Time Noted: 9:04 p.m.

Intersection of Pascack and Washington Avenue – Mayor Sobkowicz stated a committee meeting has been scheduled for Monday, November 21<sup>st</sup>. The County has committed to complete a traffic study in the Spring.

Fire Department By-Laws – Councilman Ullman stated he surveyed the council and there were no questions/concerns regarding the by-laws. Mr. Poller stated he will prepare a resolution for the next meeting. A member of the Fire Department will be invited.

Salary Ordinance – Councilman Ullman stated the Ordinance was passed earlier in the year, and then vetoed by the Mayor. It is being reintroduced with some changes to support the personnel activities, and in addition for the Department of Law there is reinsertion of language regarding compensation for other services outside of the standard salary. Councilman Ullman asked Administrator Groh to explain the other changes to the Salary Ordinance. Administrator Groh stated we added in the addition of an hourly rate for the Acting Superintendent of the DMF, the salary of the Clerk's line was changed to reflect Ms. Witkowski's pay, the annual rate for the stand alone Tax Collector was lowered and various titles were added and combination of titles in the Finance Department to allow flexibility for future hires. She stated the Ordinance does set the maximum, so we are not obligated to pay the amount listed. The hourly rate for Tax Collector Clerk was revised to reflect a rate for an experienced Tax Collector to help with the most recent tax season, the salary for the full time finance person was also modified, the Planning and Zoning Board secretary hourly wage was increased due to difficulty in hiring, and the hourly rate for the floating administrative staff member was also increased. Councilman Ullman stated these will be retroactive adjustments to January 1, 2016 to any lines that are changed. Administrator Groh replied for current employees only, if someone has left within the year, there is no retroactive adjustment. Councilman Cascio asked to table this since there are a lot of changes and he would like the changes red-lined along with explanations. Councilman Bruno stated when the Salary Ordinance was vetoed; he felt if we were going to introduce it, as a council it should be done properly. He stated we were given an Employee Handbook, and he is not sure if we are following this handbook. He stated he sent an email, copied everyone, regarding job descriptions, how we properly evaluate employees, and he feels there were items that he felt we should be in accordance with, according to our manual, along with the employees. He stated he has not received an answer, a response or acknowledgment to his email. He stated the employees deserve job descriptions and evaluations. He asked where we are with the Salary Ordinance, along with the employees and how it relates to our Employee Handbook. Administrator Groh stated she has implemented and enforced evaluations, she stated as some department heads left she did ask them to do evaluations of their staff so there was a baseline. The entire DMF had evaluations, and all new employees at the end of their probation have been evaluated. The plan is to evaluate all employees. She stated as far as job descriptions, we do have job descriptions upstairs. Councilman Bruno feels the Employee Handbook is very specific and calls out a lot of employee matters that need to be addressed properly. He asked if everyone has been evaluated. Administrator Groh replied the new hires have been evaluated in accordance

with our procedures that talk about an evaluation after a probationary period. She stated the plan was to evaluate people at year end, but knowing we had department heads leaving, she did ask those employees to give reviews or evaluations of all their staff members. She stated as far as the Police Department we cannot interfere with their personnel. She stated there are two people in her department, the building department and Joi Apar that still need to be evaluated. Councilman Calamari stated this item could have been disseminated to council in an email so council could have been prepared tonight to introduce it. He asked that this be done in the future so things can move along more quickly.

Recycling Contract – Councilman Ullman stated right now the contract was approved for 26 collections per year, is there any interest in revisiting the 24 collections per year pick-up. He spoke of the timeline of the 26 per year pick-up, but a request was made to continue with the 24 per year cycle since there was not sufficient communication to the residents. Mayor Sobkowicz read from the Recycling Update of November 2016 with regard to the recycling market prognosis. She feels the Township will not get the same revenue as they did last year and the 26 times per year will cost more. She would like council to consider going back to 24 times per year. Councilman Cascio stated he prefers the 26 time per year and there is also a savings of approximately \$65,000 over the five years. A conversation followed on the difference of savings between the 24 times per year pick-up and the 26 times per year pick-up. Administrator Groh stated it is \$934.96 per month, which would be \$11,219.52 per year. A discussion followed on revisiting the 24 times per year and the savings. Mr. Poller stated he will prepare a resolution for next week.

CFO Update – Councilman Ullman asked if we have someone for the position. Mayor Sobkowicz stated not at this time, we are still actively looking. Administrator Groh explained that it is still posted and the Salary Ordinance will give us more flexibility. Councilman Ullman questioned if the administration has considered engaging in a professional firm to assist with the search. He asked what appears to be the hurdle. Mayor Sobkowicz said it is a part time position and most of the candidates work full time and only have so many hours to give during the day. Administrator Groh stated part of the hurdle is the appointment is for four years, and we are trying to have flexibility to get someone on board in a parallel position and test them out. She spoke of the Salary Ordinance giving flexibility. Councilman Ullman stated in checking the references for the auditor, he did speak with a CFO in one of the towns, and he brought to his attention a firm that can assist. A conversation followed on hiring a professional firm. Councilman Calamari spoke of making the CFO position a full-time position.

2017 Council Meeting Calendar – Councilman Ullman asked for feedback and asked that it be voted on at the next meeting. A conversation followed on the meeting schedule for November of 2017. Councilman Calamari stated the Code specifically indicates only one meeting in July and August. He stated it may be a good idea to change the Code to indicate optional. He also asked if updates can be forwarded before the packet is forwarded.

Garbage Bags – Councilman Ullman asked if the ordinance needs to specify some type of container. Councilman Calamari asked if Council can regulate how it gets disposed of. Mr. Poller replied he believes the Township can mandate the garbage needs to be in container. Councilman Calamari asked who is going to enforce the law if people do not follow. Mr. Poller stated the Police Department is the general enforcement agency for most ordinances; any violations, the Police have the authority to issue a summons based on observation or complaint. In addition there are other enforcing agents or agencies. Councilman Bruno stated the ordinance does specify plastic bag, not a certain color. Councilman Calamari stated he agrees something should be done, but he does not like having laws on the books that are not enforced. Councilman Cascio stated if someone is going a-la-carte, that garbage will be in some type of white generic bag, but if the customer decides to use the colored bag system, it will be there choice, but it should be a plastic bag for sanitary reasons. Councilman Ullman stated the Ordinance will be introduced, then it

will be up to the individual resident to contract with one of the existing providers or if there is a new provider in town they can contract with them. He asked if it is possible for Mr. Poller to draft the appropriate language that communicates doing away with specific colored bags, but we would want the garbage somehow contained in a sealed plastic bag. A conversation followed in the language of the current ordinance. Mr. Poller stated it is possible to craft the appropriate language, stating the garbage will be in a bag, not a per bag system and method of disposal would be in sealed plastic bag.

2017 Salaries/Hourly – Councilman Ullman stated some of these are being addressed in the proposed Salary Ordinance. He asked if the Township actively evaluates the salaries and compensation against the market and against individual's experience. Mayor Sobkowitz noted there is a booklet that averages our area and the State, and it does give a good comparison with other towns that are our size. Councilman Ullman stated perhaps because of our approach to using part-time staff, certain individuals are being asked to perform functions that are not part of their job description but are doing it for the good of the team. Mr. Ullman asked if we have an active process to evaluate that their salary and/or compensation aligns with that asked of the Township. Mayor Sobkowitz stated she did hire people during tax time and it did work out very well. Councilman Ullman stated when he was at Town Hall to do the agenda last week, there was a line in front of the Tax Office and the individual from the Finance Office was collecting taxes. Mayor Sobkowitz stated she did have someone but that might have been the day that person could not be here. She stated almost 67% of people pay taxes at Town Hall so you will have days when there are lines. Councilman Ullman is there days when the Finance Department works in the Tax Office. Mayor Sobkowitz stated that person did know that when they were hired, she stated MaryAlyce was on vacation, but she did bring back someone who had retired, and it was covered pretty well. Councilman Ullman would ask that we actively evaluate our compensation for both new employees and existing employees and evaluate against the scope of their work as they are asked to do more potentially since positions are not filled. Councilman Bruno spoke of the New Jersey Association of Compensation that you can look up any position and a range would be given of compensation. Mayor Sobkowitz replied there is also a similar book that covers public employees.

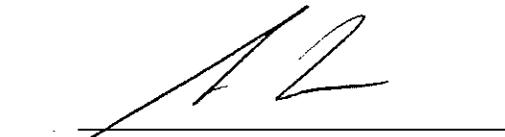
Codification – Mr. Poller stated he received a manuscript from General Code which he has been looking through. He stated it is a basic overview, they take the Township Ordinances and they reorganize them. He stated it is not really a time to redo every single Ordinance, nothing is simple and there are many ways to look at them. He stated the codification is an overview and he will come to Council with some recommendations. He stated it will be a back and forth situation for a while, a final manuscript will be created along with public hearings. The Code is always open and something you can always change. Councilman Ullman asked if an abstract is given of all of the changes they are proposing. Mr. Poller replied recommendations are given on some things, and some they indicate to leave the same. Councilman Ullman asked when the Council can expect to have something from him. Mr. Poller replied a couple of months, sometime in February. Councilman Ullman replied February 6<sup>th</sup>.

Fire Department Apparatus – Councilman Ullman stated that Councilman Sears asked for this to be put on the Agenda. Councilman Sears stated two of the issues have been taken care of already, and he thanked Administrator Groh for taking care of those issues. He stated one of the issues was that Engine 44 blew a tire and the other issue was there was no heat in the Firehouse. Administrator Groh stated Adam had indicated to her right away when the problem occurred, and he volunteered to handle it himself and he actually fixed it tonight. She stated with regard to the issue of the door, we had received two quotes and she did forward them to the Chief and Deputy Chief. She stated with regard to Engine 44 that occurred within the hour the Deputy Chief called and as a matter of protocol when spending money you have to have an idea of what you are going to spend, so it is going through the

purchasing process. Councilman Sears stated the heating bill is probably going to go quite high in the firehouse due to the bay door of Engine 43, where the ground is collapsed, there is about an inch space between the door and the ground, which will be open to all the weather. The bay door of Tower Ladder 41, which was hit during the summer, has a broken section of wood and that is going to cause a lot of cold air coming in. Mayor Sobkowicz spoke of the process of finding someone to fix the tire for Engine 44. Councilman Sears spoke of the job responsibilities of purchasing agent. Administrator Groh stated herself, the Chief, Deputy Chief and the mechanic from the Fire Department had a meeting with the people from Paramus and the procedure which was agreed to be that they would make the contact to Paramus to secure estimates. Councilman Sears questioned that it is put on a volunteer to do this, there should be a full time purchasing agent doing this because she has the contacts, she can make the calls. Administrator Groh stated the requesting department is responsible for getting the quotes for the services and the Purchasing Department then makes sure everything complies with the law. She stated recognizing the Fire Department are volunteers there is additional help being provided for that department as far as preparing the paperwork. A conversation followed on the batteries for the Scott Air Packs, for which a requisition has been approved and search lights for the rescue trucks which are needed. A conversation also followed regarding the meeting schedule and time of meetings.

Time noted: 10:05 p.m.

  
Susan Witkowski  
Township Clerk

  
Michael Ullman  
Council President

Approved: February 6, 2017