

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

**PUBLIC PORTION/PUBLIC MEETING**

**November 12, 2013**

The Township Council held a Public Portion/Public Meeting in the Municipal Building, Pascack Road. The meeting was called to order at 7:30 p.m. by Council President Steve Cascio with the Clerk leading a salute to the flag. Members present: Glenn Beckmeyer, Joe D'Urso, Fred Goetz, Richard Hrbek, Steven Cascio. Absent: None. Also present: Janet Sobkowicz, Mayor; Catherine Steinel, Administrator; Ken Poller, Attorney.

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

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

**REPORT OF MAYOR**

Mayor Sobkowicz stated the members of the VFW held annual Veterans Day Service on Monday November 11. It was an opportunity to thank the Veterans for their service to our country in defending our nation and protecting our freedom. It was a good turnout by the members of the VFW, but the Mayor would have been happier if more people from the public attended. The VFW was there in full force. Thomas Sears who is a Veteran will be organizing an awards ceremony which will be held here in March of 2014. If anyone has a relative or someone they would like to nominate, they can receive a medal and certificate from Kathy Donovan. Please contact Bernadette at town hall. On Saturday, October 12, the last paper shredding and e-recycling was held for the year. More than 1.5 tons of paper was recycled and a trailer truck was filled to capacity with electronics. The next event will be held in the Spring of 2014. In September and October more paper and comingled was recycled than the same period last year, 224 tons. The Township of Washington Police Department participated in securing and identifying the active shooter at the Garden State Plaza last week. In addition that evening our police department had to cover the northern end of Paramus for their calls. October 26 was operation take back, 60 pounds of medication was returned to the DEA. At this time we are now part of a new initiative where you can drop off 24/7 any kind of medication. There is a drop off box located in the vestibule of the police department. Chief Ciocco continues to caution residents to lock their vehicles when parked in the driveway and lock windows and door to keep the burglars out and also please leave a porch light on. There was an article in the paper about a lady in Ridgewood who someone tried to force into an SUV, but fortunately someone saw this occurring and called 911. Lt. Skinner gave a basic talk on cyber bullying at Immaculate Heart Academy as a public service. The Ambulance Corp is looking for new members. It is definitely a commitment, but you receive a lot of satisfaction knowing that you made a difference and they are a great group of people. The Fire Department in conjunction with the library held its Annual Ragamuffin Parade at Finnerty Place and it was much better attended this year. The children were organized in age groups. They then walked to the library and were awarded prizes for the best costume. A section of the library was actually turned into a Haunted House. It worked out very well, and the Mayor would like to thank the fire department, library staff and Roseanne Boylan of the Township for donating the Dunkin Donuts. What is planned for next year is doing the same thing except we would like to hold a trunk or treat at the high school. The library has a lot of great new programs going on, so please stop in and get involved. The annual tree lighting and Menorah lighting ceremony will be held on Saturday,

December 4<sup>th</sup> at 4:00 pm. The Mayor would also like to congratulate the Westwood Regional football team for being the 1<sup>st</sup> seed in the NJIC North 1 group 2. The first playoff game is Friday at 7:00 pm against Elmwood Park. Also would like to congratulate Julie Keating on her election to the Board of Education. The DMF is in full swing with the leaf program and they are keeping up pretty well. Thanked Elaine Erlewein for offering to keep the tax office open on Election Day during tax hours. Also thanked Ron Scherer of the road department to agreeing to keep the dump area open and catch up with the repair of equipment. The Memorial Field playground is under way and the equipment is being delivered this week. The cell tower is progressing and the target date is December 24, 2013. The large concrete portion has already been backfilled. The generator for the entire municipal complex is going to be installed this week or next week. The Township did receive a grant of \$142,000 that Mrs. Steinel worked on through FEMA, which we had hoped to use for the generator, but since the generator is already in installation mode, we can't. We are investigating generators with lights for the intersections when we have a power outage or a storm and we are also reviewing the generator at the fire house. We are also on track with installing the underground conduit from one side of the building over to the cell tower so as to always have constant communication. On November 7, 2013, the FEMA representative was here. They do come in once in a while to check on everything to make sure our paperwork is in order. They did review everything and stated we will be getting the rest of our allotment from Hurricane Sandy which is \$67,000 and going back to 2011 they indicated they still owe us \$2,193 which they feel we are deserving. On the other hand, as fortunate as we are with that, we did receive a notice that the cost of our recycling pick up curbside on October 1 will increase 25%. We need around \$8000 to be put towards that for the end of the year due to the increase. With regard to leaf removal we did receive a 30% increase, which is \$56,000 that we have to find in the current budget. On Wednesday November 6, 2013 at the Contemporary Women's club the guest speaker was our former county executive Pat Schuber in a question and answer period. The sod at Memorial Field held up pretty well, except for one large area in the middle. At this point we are going to decide to aerate and seed that area. Our insurance coordinator Vic Fadini held a Safety First Committee meeting on Wednesday, November 6, 2013 to review our progress and make plans for 2014. In addition Mr. Fadini, the recreation superintendent Margaret Koesel and Mayor met to review and improve procedures for next years extended rec program.

#### **REPORT OF COUNCIL**

**Mr. D'Urso** – Would like to thank and recognize the Veterans that have served this country, current and past. With all the crazy things going on in the world we do need these men and women out there. Also would like to congratulate the local candidates that participated in this year's election, congratulations to Mayor Sobkowicz, Peter Calamari, Tom Sears and Rose D'Ambra. Encourages everyone to be involved and stay involved in your town, a lot goes on that people do not pay too much attention to. People should be more involved to make it work for the best. With regard to Memorial Field, Mr. D'Urso said that he didn't understand what the Mayor was saying, but we made quite a sizable investment this year and it was very controversial with regards to not going to turf and putting sod in. It has been spoken about in great detail in the last four years. Hopes that the field will be winterized to protect the investment that has been made and if there are not funds available maybe council can be asked for the funds to take care of that field. Stated he did receive an email from the administrator in regard to the temporary

generator. The residents of this street probably see it sitting out there, and it is only temporary until the cell tower goes up.

**Mr. Hrbek** – Would like to reiterate what Councilman D’Urso said in thanking the Veterans for their service and time. Mr. Hrbek said that his dad served and he realized what a commitment that was and really what it meant to us as Americans. I think it is sometimes forgotten. Thank you to all candidates that ran. Again, it is being involved, getting involved, and making that effort. Congratulations to the candidates, who won, and he said he looks forward to serving with them in the upcoming year.

**Mr. Beckmeyer** – Would like to thank the Veterans for their service to this country and wished more people showed up for the ceremony to experience the heart and warmth that comes through in a ceremony of that nature. Also would like to congratulate the Mayor, Peter and Tom for their victories on Election Day and also would like to thank Mike Ullman and Rose D’Ambra for participating in the election and running. Running in an election is never easy, not really enjoyable to some of us, but it is something that people should do. Believes more people should experience it and try it and get involved in local politics that is very important.

**Mr. Goetz** – Echoing the sentiments of the past three council members. Other than that, no report.

**Mr. Cascio** – Would like to congratulate the candidates who won the election. Also would like to thank the Veterans for serving our country, they do an unspeakable service that no one could really appreciate unless you have been through it. I appreciate the freedom they have given us in their efforts to serve this country.

**Mayor Sobkowicz** – Would like to thank Councilman Beckmeyer for generously and graciously playing taps at all of our events, Memorial Day and Veterans Day. Understands he is very busy this time of year, but he does make sure he comes and does that and it is really great.

**Dr. Cascio** – Thanked Glenn for doing that service and it is appreciated.

#### **APPROVAL OF MINUTES**

A motion was made by Mr. D’Urso, seconded by Mr. Hrbek to pass the September 9, 2013 Conference minutes, September 23, 2013 Conference minutes, October 7, 2013 Public and Conference minutes of the Township Council of the Township of Washington.

Ayes: Councilpersons Beckmeyer, D’Urso, Goetz, Hrbek, Cascio

Nays: None.

#### **GENERAL PUBLIC DISCUSSION**

A motion was made by Mr. D’Urso, seconded by Mr. Beckmeyer to open the general public discussion.

Ayes: Councilpersons Beckmeyer, D’Urso, Goetz, Hrbek, Cascio

Nays: None.

**Terry Kipriadis, 270 Pascack Road** – Owner of Gyros and Goodies in the Township. Comes before Council today saddened by recent events and is convinced that some people in this town want to see local businesses fail instead of flourish. Received a call last Monday, November 4 from the Mayor’s secretary who asked that the banner be taken down, which highlighted the restaurant being featured on the Food Network. She was told that the Mayor received enormous amounts of calls at her office and home from townspeople complaining about the banner. The banner is an integral part of the process to promote the business. The Food Network has spent several hundreds of thousands of dollars to produce the show and she wonders why she can’t

promote it for a few months with the banner. Stated that there is a temporary sign ordinance which covers these types of signs, and she knows that from her past experience with sign ordinance issues. Customers complained about campaign signs being on public property, but those signs did not come down. Feels that no one is promoting the small businesses who are struggling to survive down at the strip mall. At prior meetings residents got up and begged the council to do something to help us, since property values were falling due to the vacancies in the strip mall. This is a Democratic society. It is when the majority speaks not one or two. He said that she has spoken to hundreds of people in the past few weeks and they are appalled that anyone would complain about the banner. Fellow store owners in the strip mall are happy since the banner is attracting business. Stated two days after receiving the call about the sign she also received a \$1000 violation in the mail dated Monday, November 4, 2013 for her doing electrical work without a permit. She said she noted the date of the violation is the same date the call from the Mayor was received. Stated no electrical work was done, and also no official presented themselves to do any inspection prior to receipt of the violation. One week after the fact, the building inspector came in to see if any electrical work was done, and he found that no electrical work was done. Asked why a violation was sent before he came in to check and was told someone, would not say who, someone told him that there was work done and he had to issue the violation to cover himself. Would like to know if this is the normal protocol in this town to issue a violation without first making an inspection. Stated that this is nothing more than harassment. Stated that she has done everything possible to move traffic and more business to the strip mall. Spent six months fighting a sign ordinance to allow us to use logos and colors in our signs. Has organized events for charity, and went as far as getting the restaurant on a national television show to get exposure to show that this strip mall is alive and well and not a ghost town. Efforts have caused businesses to start coming back to this mall and what does she get in return, a slap in the face. Asked the governing body and the people of this town if they don't want businesses to succeed and prefer the town center to have a 50 or 60 percent vacancy rate, please let her know and she will take her business elsewhere. It has been hard enough fighting a land lady that does not have a clue, let alone fighting the townspeople to survive. Please do what you can to support us and not harass us. If you choose to support us I ask you to allow me to leave up the banner and drop the harassment and violation that are not only invalid, but unethically issued. Mr. D'Urso stated he does go and try to patronize strip mall. He walked in and met Terry and was appalled. Mr. D'Urso stated we do have a temporary sign ordinance. The political sign situation was spoken about, with regard to senate and assembly signs sitting on properties and nobody harasses those people. Mr. D'Urso believes that is wrong. Mr. D'Urso would like to know how a building inspector can issue a \$1000 violation without anybody walking in and observing the property. Stated that someone should check the state guidelines because it is unethical and wrong. It is very offensive. Stated that Terry has done a lot to promote this mall. She had a national program which is bringing business to the mall. It has helped her business but also other businesses since it is now crowded there. Mayor Sobkowicz stated she had absolutely no knowledge with regard to the electrical situation until Wednesday or Thursday, and that administration is looking into the electrical situation. The Mayor further stated that she worked hard to help her and that you may not be happy about the conversation that was had with regard to the sign, but as you can see the sign was allowed to stay up. The Mayor further stated that everyone worked very hard to get the landlord to agree to national logos and colors on the signs and an ordinance was put in for that. Businesses were promoted on Town Day. All businesses were invited to come and serve their

food and meet the public. A lot of time was spent on the television show this past summer with the production company and the police chief and the administrator which was done on our own time. The production company was asked if they were going to do anything that required permits and they assured us they were not. The Mayor stated that she has not done anything that is really out of line. The production company's insurance was not in order and a lot of time was spent advising them and going back and forth several times to make sure everything was in order by a certain date. The fire department set up a tent and helped with the Gyros Eating Contest and the Mayor stated she left an event to go to the Gyros Eating Contest event to show support. The Mayor further stated she did return the call and did go look at the sign on Saturday, after complaints were received. The Mayor stated had she called and stated she was putting up the sign for promoting the show, there would not have been a problem but complaints were received. Ms. Kipriadis replied you did not call me back on Friday. The Mayor replied she did not ask you to take it down and in the meantime found out about the electrical so she had to try to investigate that. Ms. Kipriadis stated that she does appreciate all the support that has been given and she is not going to deny that. Ms. Kipriadis further stated that she had been complaining about the signs and she got Azarian to come here. She has been fighting tooth and nail to keep the flow of business down at that strip mall. Dr. Cascio stated he would like a record of who called the Mayor's office and complained about the sign, any written complaints, and a complaint needs to be in writing for it to be considered a complaint. Dr. Cascio further stated at this point he would like to find out why a violation was issued without an inspection and he is going to call the Association of State Inspectors to find out if that is something that can be done and would like the mayor and the administrator to work together to find out why that was. Dr. Cascio further stated that Mr. D'Urso, Mr. Beckmeyer, Mr. Goetz and I are all business owners and Mr. Hrbek is very business savvy. We all respect businesses and support each other. Dr. Cascio further stated you have a pledge from him that we will continue to support the businesses in the shopping center and we will look into this matter. Mrs. Steinel stated the reason the construction official appeared at the store today is because he was called into her office. Mrs. Steinel went on to state it is not the practice or the policy for anyone to issue a violation without an inspection and is not exactly sure how reliable the source is. Mrs. Steinel further indicated it is not the policy of the Township to issue violations to make revenue. Mrs. Steinel further went on to explain that an inspection of the premises should have been conducted and guidance should have been given with regard to the sign to bring it into compliance with the ordinance or request a special dispensation for a period of time. Mrs. Steinel further stated that this is something that is a personnel issue right now and there are people that are being addressed in regards to this. Mrs. Steinel spoke about the production company with regards to insurance, safety and not wanting the store owner to be held liable or the landlord. Mrs. Steinel also indicated that the production company was told they needed to meet with the Building Department, which they did not and they are going to be receiving a letter in regards to the decorative adjustments that were made to the store. Mrs. Steinel went on to speak about the decorative brick and the outlets, that the decorative brick needs to be removed or the outlets need to be moved. Mrs. Steinel stated these things should have been explained to Ms. Kipriadis as opposed to what occurred and Mrs. Steinel does apologize that she was not there when this originally occurred. Mrs. Steinel stated she did receive her first warning of this when Mr. D'Urso sent his email. Mrs. Steinel stated the zoning officer was required to go down there as well as Mr. Scalia, who went down to see Ms. Kipriadis today and the electrical

Inspector is coming on Tuesday to give you more guidance. Mrs. Steinel states that we also do not want problems with your landlord or insurance company. Mrs. Steinel concluded by saying this is where we are right now and it is a personnel issue. Mr. D'Urso stated he walked in that one night and it was upsetting and he understands it is a personnel issue and thanks Mrs. Steinel for taking the time to explain the protocol. Mr. D'Urso stated it is nice to see crowds at the mall, and when you have a sign stating Rocco DiSpirito Food Network, people get excited. People then try and check out what is going on and they may then stop at Dunkin Donuts to get coffee, Rite Aid or A&P. Mr. D'Urso further stated this town is 98% residential and we don't have big businesses to support the people in the shopping center. Mr. D'Urso further indicated that it is good to have Dunkin Donuts back and the pizzeria, sometimes blind eyes are turned. Mr. Goetz also thanked the administrator for taking on this issue and addressing it so swiftly. Mr. Goetz understands it is a personnel issue right now and would like to get it resolved. Mr. Goetz would like an update for the next meeting and if someone needs to be Rice Noticed to do that so we can get a full explanation of what happened and make sure it does not happen in the future.

**David Snyder, 91 Windsor Circle** – Would like to congratulate the new administration. Happened to walk in probably the same day Mr. D'Urso did. Stated that he has been pro the mall for the last few years and at one time asked the attorney if there was a possibility of the Township being able to purchase the mall through a bond and have a management company run it because without the mall you really don't have anything in this town to draw. There were 39 episodes of the show, hundreds and hundreds of thousands of people watch this show on national television. After the show there was standing room only and Terry was very excited since they could not imagine all of the people that were showing up. People do not have narrow vision. They see the entire mall with all the stores and especially in the last six weeks of the season this is the time most of the stores in the mall make their money. This is an unbelievable opportunity for our town to shine, and with Rocco DiSpirito being one of the best chefs around coming here for personal appearances what happened to Terry is a travesty. Whether or not Terry went to the Mayor and asked about the sign/banner, this is an exciting time. People were coming from all over and also from other towns. This is one of the most exciting things to have happened in the Township and this is what Westwood has made into a business and that is why Westwood is flourishing. Terry got stabbed in her chest because of what happened and we can't have this happen again. Does not believe the Food Network will be coming back to the Township. Please let her have the banner up. Do whatever it takes so we can draw more traffic. Settle the electrical issue and everything will be solved. We should have a show come here every five years to feature a restaurant and this town will be back with real estate going up and everything else. Please get rid of the political signs for other candidates. Let the DPW take down the signs. Always talked about the beautification of this town. The real estate values are going down and wait until you have the reevaluation.

**Anthony Conti, 490 Ridgewood Boulevard North** – Did not come here to talk on behalf of the Gyros. Has a swim club that is adjacent to his back yard, the parking lot. For two years has had dumpsters in the backyard. There was a cease and desist two months ago and it was put on hold because a committee was going to be formed and someone was going to let him know about the debris, the trailers, the dumpsters, the Winnebago and the boat, which has been removed. Would like to know what happened to the cease and desist and what happened to the committee. He did contact the Mayor, Has also been in contact with the swim club president who assured him that the

dumpsters would be gone and they are gone as of today. They were there yesterday but believe since there was a council meeting somehow they were removed, but the dumpsters keep coming back. For two years the swim club has been parking dumpsters in the back of the swim club. Would like to know if the cease and desist is going to be reinstated, and if the soil in the back yard is going to be tested for any carcinogen's, lead, asbestos or anything else that leaked out of those dumpsters since no one knows where those dumpsters have been and what the rain has washed out of them. Would like to know if this is going to be taken care of by this town or does the DEP or EPA have to be called to find out how this trash can be taken out of his backyard. It is not a swim club anymore it is a dump site. There is some sort of pile in the back yard and there is a chair on top of the pile facing the window to his home and he believes this was done to mock him and he walked into the woods a bit to take photos. Would like to know what is going on here and is anything going to be done. Was also told that he would have to speak to Mr. Poller about the committee. He did two months ago and nothing has happened. Would like council to forget about the committee and that it has been 60 days and nothing has transpired and reinstate the cease and desist. A thousand dollars for a banner and he has had five dumpsters in his backyard. There were five dumpsters, trailers. This Sunday a man came in and walked the property to make sure he had room for his trailer, and went inside his trailer to work in his equipment from 8:30 am to noon on a Sunday. He said that he did not call the police, council people or anyone because nobody does anything and it seems like there are deals going on at the swim club. Stated that he is going to put trailers on his property and ask people in this town to put trailers on their properties and then see if they receive a fine or a cease and desist. Comes to a meeting and hears that someone is getting a thousand dollar fine for putting a banner that is brining business to this community. Would like to know from Mr. Hrbek how is this committee going. Mayor Sobkowicz stated the fine was not for the banner, it was for electrical work. Dr. Cascio asks the administrator what is the status at this time with regard to the cease and desist order. Mrs. Steinel stated that it was put in abeyance at the council meeting and a committee consisting of Mr. Goetz and Mr. Hrbek who volunteered was going to be formed. Mrs. Steinel further stated that the cease and desist order was put in abeyance in order to meet representatives from the swim club to see if there was any kind of amicable solution the swim club could come up with to meet the needs of the neighbors. Mrs. Steinel did pull the records of who owns the properties adjacent to the swim club and there was also a question of whether this was going to be an administrative committee or investigative committee. Upon recommendation from Mr. Poller it was recommended it be an investigative committee and that means that facts and testimony are gathered and recommendations are made. Mrs. Steinel stated we have photos from the site from about a month ago and if Mr. Conti has current photos a meeting can be scheduled to see what can be done from there. Mr. Goetz stated he volunteered to be on the committee, as did Mr. Hrbek and there was a question on whether it was going to be an administrative committee or investigative committee. Mr. Goetz further stated the Mayor said she would choose who was going to be on the committee and neither himself or Mr. Hrbek have received a phone call and he asked if a committee been formed or can we do this now. Mr. Poller states he does not want to talk about the committee as it was never formed and it was just talked about. Mr. Poller was under the impression that it was trying to be worked out, that is why the cease and desist was in abeyance. Mr. Poller then stated he spoke to Mr. Tucker and asked Mr. Tucker if he had made a recent inspection of the swim club and Mr. Tucker indicated he had not. Mr. Poller stated to Mr. Tucker that Mr. Tucker needs to go to the swim club property and make an

inspection, see what is there and if the swim club is in violation to issue the violation. Mr. Poller stated he didn't say wait for a committee or not because Mr. Poller thought the delay was so this could be resolved amicably. Mr. Conti asked so as far as council is concerned the committee is null and void and the cease and desist is back in force. Mr. Conti further states he was told that nothing could be done by Mr. Tucker because the cease and desist was put in abeyance. Mr. Conti is asking for the cease and desists because there is trash there. Mr. Poller further states he told Mr. Tucker to go make an inspection and discharge his duties, since a fair amount of time has passed. Mr. Poller stated Mr. Tucker is the enforcement officer who should make the inspection and, if there are violations, issue the notice. Mr. Conti stated that Mr. Tucker is going to go down there and this committee is not going to take place. Dr. Cascio stated, no, we didn't say that. Dr. Cascio further stated that the town should get the information from Mr. Tucker and see what his findings are. There was a lengthy discussion regarding whether it was 90 days or 60 days ago that this was done already. Mr. Conti asked who is going to test the soil for contaminants, what could have leaked out of those dumpsters into the soil. Mr. Poller replied that the Township is not going to test the soil and if Mr. Conti does have an issue Mr. Conti can call the DEP. Mr. Hrbek stated he had asked at the meeting, whatever date it was, what action was being requested. We didn't have the facts and to possibly put this on hold to find out what the facts are. Mr. Conti indicated it was the September meeting and nobody did anything. Mr. Hrbek stated the administrator was working on it. Mr. Conti stated it was supposed to be the committee, Mr. Hrbek and Mr. Goetz that is what was said. Mr. Hrbek said that a statement was made regarding the committee and Mr. Goetz volunteered and Mr. Hrbek stated that he would volunteer if there was to be a committee. Mr. Conti stated that he contacted Mr. Goetz to indicate that he wanted to be on the committee. Mr. Goetz stated that is correct. He did volunteer for the committee and there was a discussion whether the committee should be administrative or not. Mr. Goetz further continued that if Mr. Conti was told that nothing could be done because the council put the cease and desist in abeyance that is not correct. Mr. Goetz further stated that council can cease and desist any penalties for the issuance of the violation but as Mr. Poller stated the code enforcing officer was told to go make an inspection and issue penalties if there were any. Mayor Sobkowicz stated it was not the cease and desist order that was put in abeyance. Mayor Sobkowicz further stated that the council can't put the cease and desist in abeyance, but can hold the order in abeyance. So administratively there is a cease and desist order still out there. Mr. D'Urso stated this is not a pick and choose of who is favorite in this town and going back to Gyros and Goodies, that fine was uncalled for and the administrator assured us it would be rectified. Mr. D'Urso stated he agrees with Mr. Conti that Mr. Conti does not want this in his backyard and also does not want to live next to a transfer station. Mr. D'Urso also stated everyone in this town has to follow the rules, no one can put two dumpsters on their property, and the swim club is different because it is more property but trucks are not allowed. Mr. Conti stated there are construction trailers back there. They come and go and are dumping back there and he does not know what they are dumping. Mr. Conti further continued there are piles of trees and logs seven to eight feet high. Mr. D'Urso stated that there are 100 addresses in this town that he knows of, and he is not the gestapo and the council is not the gestapo, but if you are going to have a code enforcement officer and building inspector, then everybody needs to live by the rules. Someone cannot get away with something just because they know someone. Mr. D'Urso also stated he knows Mr. Conti is aggravated and Mr. D'Urso would like to state for the record that he is Mr. Conti's friend. They grew up together and their children grew up together and Mr. Conti does have

a valid complaint. Dr. Cascio stated that council is going to get a report or something from the code enforcement officer. Mrs. Steinel stated all of the information needs to be given to council, the current photos and the last inspection that took place. Mrs. Steinel stated just to clarify that her understanding of the abeyance from the meeting was everything was being held at abeyance for a committee and in fairness to the code enforcement officer he was held in abeyance by Mrs. Steinel. Mrs. Steinel further continued if she misinterpreted the intention of the cease and desist that she takes full responsibility. Mrs. Steinel also stated it was her understanding from the comments at that meeting that there was going to be an attempt to work with the residents and swim club and based upon who is here, in fairness to the swim club, since they don't know we are shifting gears here, the swim club should be formally notified. Mrs. Steinel further stated if we are going to re-inspect and send them notices of violations as the attorney has advised, they have to have the opportunity to take some corrective action. Mrs. Steinel also stated if they are making the situation worse, as was stated in the testimony here this evening, then we have to look at the difference from the prior photos. Mrs. Steinel then stated if she misinterpreted the intention of the abeyance then the zoning officer receiving that direction from me, not that he was going back on his own, Mrs. Steinel held him back. Mr. Conti explained that they have not made it worse, the dumpsters are gone as of today and Mr. Conti did receive a text from Christine the president of the swim club telling Mr. Conti if he sees anything to let her know. Apparently they are bringing the dumpsters in without here knowing. Mr. Conti stated he does not want to be the dumpster police, some of it has been cleaned up, the boat is gone, roll off dumpster is gone, what remains is the wood, a big red trailer and a pile of something with a chair on top facing Mr. Conti's home. Mr. Conti also stated he is a member of the swim club, Bond #005, and he is here complaining about an establishment that he is part ownership of. Dr. Cascio stated the course of action would be to set up a committee and he will ask Mr. Goetz and Mr. Hrbek to be part of that committee and the purpose of the committee will be to gather facts. Mayor Sobkowicz stated that the code enforcement official is going back to re-inspect and if he finds a violation he sends out a notice and tells them how many days they have. Dr. Cascio states we will try to work together with the swim club and the residents. Mayor Sobkowicz stated a lot of time has gone by and when the code enforcement officer goes out and inspects and if he finds out it is not right, he will issue something. Mayor Sobkowicz further stated why do we need a committee when we have a code enforcement officer. Mr. Conti explained he has been in contact with the swim club president, Christine and has been going back and forth on texts and she told Mr. Conti that she is bending over backwards to appease him but Mr. Conti feels he is being dumped on here and now you want to start a committee. Dr. Cascio states he want to find out why it was not enforced to begin with. Apparently it was not being enforced because there was nothing issued. They have had dumpsters there for a long time. Mr. Conti stated it has been two years and the first summons was given to them 90 days ago. Dr. Cascio stated he would like to know why that was. Mayor Sobkowicz stated it does not matter at this point. It is what it is. Mr. Conti stated that he just wanted it cleaned up. He can tell you the story from way back when, how it happened since he was told by the past administrator. Dr. Cascio stated we will look into it.

**Rose D'Ambra, 423 Colonial Boulevard** – Talked about the BP Gas station and that the Building Department received a set of modified plans and the issue with these plans is that they want to put diesel and we cannot let this happen. If this happens the corner of Washington Avenue and Pascack Road will become like Route 17 and you will not be able to go down Washington Avenue and as it is you can't go down Pascack Road. Hopes that the Planning

Board, Zoning Board and Building Department don't let this go through. Mayor Sobkowicz stated that the Planning Board can't address the diesel. Mrs. D'Ambra stated that they want to make money. We are taxpayers in this town and we should get what we want. Mayor Sobkowicz stated the Planning Board didn't address the issue. They can go to the Zoning Board for a variance, if they choose to do so. Mrs. D'Ambra stated the council needs to get involved in this. Dr. Cascio stated the council can't get involved as it is not within their purview. Mrs. D'Ambra further stated that nobody cares and that Season's got what they wanted because they have money, Five Star got what they wanted, a canopy and a little grocery store, and once the diesel goes in for BP, then Five Star is going to ask for the same thing. Something should be done. They don't live here. We do and this is our town.

**Sandy Philips, 321 Hudson Avenue** – Strongly objects to the subject of not parking on both sides of Hudson. The ambulance has been getting through fine for years. Would like to know if the access road can be fixed and is that a possibility. Also stated whenever there is an event, a senior meeting, court or any kind of get together Hudson is jammed on both sides and if you make that a one side only parking, then they are going to be parking in our driveways. She asked to please leave it alone. Dr. Cascio asked you are stating that people are going to park in your driveway. Mrs. Philips replied yes, because they have to park somewhere. Where are they going to park. They are going to come here complaining that there is nowhere to park, so please leave it alone. We have enough things to worry about.

**Bill Thomson, 560 Hoover Avenue** – Thanked Mr. Beckmeyer for playing Taps for the Veterans yesterday, and also for playing Taps in the past for Veterans and Memorial Day, truly appreciate it. Would also like to state the ceremony is done at 11:11, which is the 11<sup>th</sup> hour, the 11<sup>th</sup> day, and the 11<sup>th</sup> month. Stated that he attended several budget meeting and would like to know how do we put \$90,000 of surplus into the budget and at the end of the year end up with more money back into the surplus then we started with. The Mayor replied stuff was sold. Is concerned that this is a pattern, and it is overlooked and would like to bring it to the attention of the council so it does not happen again. Also spoke about monies put into the budget such as to hire dispatchers and they weren't hired last year or the money was not used so the money goes back into surplus and we are taxed twice. Stated if no one is hired the money is going to go back into surplus again. Spoke of the budget, civilian dispatchers. Mrs. Steinel stated that dispatchers were actually hired and what we have we will use. Mr. Thomson spoke of the budget being passed in June and the Mayor freezing the budget in July, and having a surplus this year and the taxpayers being taxed three times for the same things. Also spoke of the leaf pickup and that the five guys from DPW are doing the best they can with three pieces of antiquated equipment. Would like to keep the money in the surplus, put it in a CAP Budget and have a good leave pick up program. Spoke of political signs, and how police knocked on some residents' doors to state that the Mayor told them they can only have one sign and to make sure they take down the signs. Complained about Assembly and State Senate signs that are on Municipal property where Memorial Field is and in front of Town Hall and nobody does anything about it. Spoke with regard to the state law of parking on sidewalks, which is not being enforced, and the reality is that people that park on sidewalks that don't get the tickets are the people that have Sobkowicz signs for Mayor on their property. If the Mayor would like the addresses Mr. Thomson said that he can provide them. Also thanked all for the support received on Veterans Day. Mayor Sobkowicz spoke about the surplus, which was \$920,000 out of surplus to bring in as revenue in the 2013 budget, and it was done the same way last year to lessen the taxes. Mrs. Steinel spoke of the political signs which are never ever to appear on government property. Those signs were removed by the DPW. It was also stated that if the sign in in the public right of way, they are notified to take a photo of it, date it, remove

the sign and bring it to town hall. Nothing is to be in the public right of way. Mrs. Steinel further stated that no signs should be on public property or the parks. There should be nothing that would influence our children. There was a conversation with regards to signs still on the corner of Memorial Field, signs on the corner of Pascack and Washington and it was asked why didn't the DPW remove them. Mrs. Steinel indicated in all fairness to DPW, sometimes they are nervous to remove signs and they have been told if they receive any problems to send them to Town Hall. Mrs. Steinel further stated that is why she wants a photo taken, dated so as to not have it said that the sign was stolen, that something was stolen off of private property. There was a discussion of having the police remove the signs. Mrs. Steinel stated that because of the State Attorney General Guidelines, when you are pulling a sign it could look like you are putting a sign, so Mrs. Steinel would rather DPW get around to it. Mr. D'Urso asked if there is a protocol for political signs to be on property of residents that work for the Court System, Municipal Court, is there any kind of law for that. Mrs. Steinel stated that the court rule governs that.

**Michael Ullman, 2 Clark Avenue** – Asked about the status on placing the emergency antennae on the new tower. Mrs. Steinel stated that cost estimates were received and it was presented to the Mayor. The Mayor has authorized to begin work. Asked with regard to the writing of the summons, it looks as if someone stepped outside of their authority and did not follow the rules, would like to know when is that discussion about that individual going to become public knowledge. He wanted to know if he will get to find out who did what and why. Stated that we have public employees who are for lack of a better term going rouge and doing what they feel what they want to do. They are doing things that are not within the confines of their roles. Dr. Cascio replied that the town will have to look into that. He said he doesn't know the answer to your question. Mr. Ullman asked if he could receive a response at the next meeting or the meeting following. Dr. Cascio stated that he will receive a response.

There being no further comments or questions, a motion was made by Dr. Cascio, seconded by Mr. Beckmeyer to close the general public portion.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio

Nays: None.

## **ORDINANCES**

The Clerk read Ordinance 13-22 entitled: AMENDING NO STOPPING/STANDING CERTAIN HOURS/CERTAIN STREETS.

A motion was made by Mr. Beckmeyer, seconded by Mr. Hrbek to introduce and pass Ordinance 13-22 at second reading by title.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

Nays: None.

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

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

Nays: None.

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance 13-22 entitled: AMENDING NO STOPPING/STANDING CERTAIN HOURS/CERTAIN STREETS be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Mr. D'Urso, seconded by Mr. Hrbek to open the public hearing.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

Nays: None.

**Rose D'Ambra, 423 Colonial Boulevard** – Would like to know who is going to give out the tickets for the people that misuse the parking spaces on the street by Palm, Park & Hickory. People are parking on the yellow line and

also on the path from Calvin to the school. Does not believe anyone is paying attention and this is a bad situation, especially when school is out or when parents are bringing children to school. They seem to be parking anywhere they want. Dr. Cascio states that it is within the purview of the police department. If a police officer sees a violation it is their duty to ticket those cars. Dr. Cascio further stated he will bring it to the attention of the administrator, who can then speak to the appropriate department to resolve this issue.

A motion was made by Mr. D'Urso seconded by Mr. Hrbek to close the public hearing.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

Nays: None

A motion was made by Mr. Hrbek, seconded by Mr. Beckmeyer to pass Ordinance 13-22 on second and final reading, submit the same to the Mayor for her approval and thereafter be published according to law.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

Nays: None.

### **Consent Agenda**

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

After a discussion it was determined that Number 8 will be tabled for further discussion.

The Consent Agenda was presented and adopted on a motion by Mr. Hrbek, seconded by Mr. D'Urso.

Ayes: Councilpersons Beckmeyer, D'Urso, Goetz, Hrbek, Cascio.

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, school, nonprofit organization, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Township Council of the Township of Washington, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee;

WHEREAS, the Township Council was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal rather than calendar year cycle;

WHEREAS, funding has been made available to Township of Washington Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind grant requirements for the extension funding.

NOW, THEREFORE, BE IT RESOLVED that the Township Council does hereby authorize the submission of the grant extension for the Township of Washington Municipal Alliance grant in the amount of

DEDR	\$14,814.00
Cash Match	\$ 3,703.00
In Kind	\$11,110.00

The Township Council acknowledges the terms and conditions for administrative compliance audit requirements.

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 27, 2013 (Thanksgiving Eve) and on Tuesday, December 31, 2013 (New Year's Eve).

WHEREAS, United Water New Jersey ("United Water") posted a bond to guaranty the performance by United Water of restoration of Jackson Avenue in a "curb to curb" manner in connection with a recently completed water main replacement project originating at Washington Avenue and terminating at Ridgewood Boulevard East within the Township of Washington (the "Township"); and

WHEREAS, United Water has notified the Township Engineer of the completion of these improvements and the desire to have the bond posted by United Water cancelled; and

WHEREAS, the Township Engineer has inspected all work performed by United Water and has determined that all such work has been satisfactorily completed, and has made a recommendation to the Township Council for the cancellation of the bond by letter dated October 31, 2013, a copy of which is annexed hereto (the "Township Engineer's Report and Recommendation"); and

WHEREAS, the Township Council has considered the Township Engineer's Report and Recommendation, and is of the opinion that action should be taken in accordance with such Report and Recommendation;

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

1. The Township Engineer's Report and Recommendation is hereby approved and adopted subject to the conditions set forth hereafter.

2. The Department of Finance shall confirm that there are sufficient funds on deposit with the Township from United Water to pay all outstanding vouchers related to inspections and the release of the Performance Bond, and upon verification of same by the Department of Finance, the Performance Bond shall be released and a letter from the Department of Finance may be issued to United Water confirming the same.

3. A copy of this Resolution, with a copy of the Township Engineer's Report and Recommendation annexed, shall be forwarded to United Water.

WHEREAS, David and Michelle Buchner posted engineering escrow on premises known as Block 4404, Lot 13, 316 Colonial Boulevard; and

WHEREAS, the Construction Code Official has issued approval dated October 17, 2013, C.O. No. 12-359,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated October 14, 2013,

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow in the amount of \$461.00 to the above.

WHEREAS, Mary Hila posted engineering escrow on premises known as Block 4304, Lot 37, 376 Beech Street; and

WHEREAS, the project falls under the guidelines where a Certificate of Occupancy is not needed,

WHEREAS, there are no outstanding invoices due the Township as per the engineers letter dated October 3, 2013,

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$657.00 to the above.

WHEREAS, Quaffle Management Group posted Performance and Backfill Bonds along with engineering and soil movement escrow on the following premises known as Block 1401 Lot 1.01, 134 Douglas Drive, Block 1401 Lot 1.02, 130 Douglas Drive, Block 1401 Lot 1.03, 135 Douglas Drive and block 1401 Lot 1.04, 131 Douglas Drive; and

WHEREAS, the Construction Code official has issued approval dated December 2, 2009, C.O. No. 07-350 (130 Douglas Drive), August 19, 2008 C.O. No. 07-352 (131 Douglas Drive), December 11, 2008, C.O. No. 07-349 (134 Douglas Drive), December 8, 2013 C.O. No. 07-351 (135 Douglas Drive),

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letters dated August 11, 2008, December 9, 2008, November 18, 2008, August 12, 2013, and October 3, 2013,

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money along with the remaining Performance Bond and Backfill Bond in the amount of \$13, 827.34.

WHEREAS, Dutra Excavating & Sewer, Inc. posted a road opening performance bond on premises known as Block 3215, Lot 13, 609 Colonial Boulevard; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated November 6, 2013,

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the road opening performance bond in the amount of \$1,000.00 to the above.

WHEREAS, certain grant receivable balances remain on the Current Fund Balance Sheet; and

WHEREAS, unexpended appropriated grant reserve balances associated with these receivables remain on the Current Fund Balance Sheet; and

WHEREAS, it has been determined that the Township has collected all funds eligible to be received from these grant programs; and

WHEREAS, it has been further determined that the programs associated with these grants have been completed; and,

WHEREAS, it is necessary to formally cancel said grant receivable and appropriated grant reserve balances from the Current Fund Balance Sheet;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Washington that the following grant balances is cancelled of record:

<u>Grant Description</u>	<u>Grant Receivable Balance</u>	<u>Cancelled Against Appropriated Reserve Balance</u>	<u>Fund Balance</u>
Police Click or Ticket	\$1,150	\$1,150	
Bergen County Handgun Grant	2,000	2,000	
Child Passenger Safety Grant	5,389	3,811	\$1,578
Assistance to Firefighters	\$ 3,032		\$3,032
Stormwater Drainage	19,702	\$19,702	
Drive Sober/Get Pulled Over	178		178
Clean Community Program	885	885	
Municipal Alliance Grant	4,760	4,760	
Emergency Preparedness Grant (Health Department)	2,500	31	2,469
2010 Health Services Grant (H1N1)	377	377	-
Motorcycle Safety Grant	1,726	50	1,676
	<b><u>\$42,099</u></b>	<b><u>\$33,166</u></b>	<b><u>\$8,933</u></b>

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Mary Ann Ozment, Township Clerk

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Steve Cascio, Council President