

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

REGULAR MEETING MINUTES

October 1, 2018

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

Council President Michael DeSena called the meeting at 7:30 p.m. by reading the following statement

OPEN PUBLIC MEETING STATEMENT

The regularly scheduled Public Meeting of October 1, 2018 of the Township of Washington Township Council. Adequate notice of the meeting was given in accordance with the Open Public Meetings Act by the Township Clerk to at least two (2) newspapers in January and this notice has been posted on the Township Bulletin Board and on the Township Web Site.

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

SALUTE TO THE FLAG

ROLL CALL

Council Members Steve Cascio, Arthur Cumming, Michael Ullman and Council President Michael DeSena. Also, present: Peter Calamari, Mayor, Township Attorney Poller and Susan Witkowski, Township Clerk. Absent: Robert Bruno, Councilman; Matthew Cavallo, Administrator.

READING OF TOTAL LIST OF BILLS

The Clerk read the totals of the list of bills representing September 1, 2018 through September 28, 2018:

TOTAL	2017 Reserve	\$0.00
TOTAL	2018 Current	\$2,507,332.47
TOTAL	Capital Fund	\$6,403.12
TOTAL	Animal Control	\$212.60
TOTAL	Trust Fund	\$12,154.48
TOTAL	Grant Fund	\$30,022.81

APPROVAL OF MINUTES

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

June 18, 2018	Regular Meeting Minutes
June 18, 2018	Conference Meeting Minutes
July 16, 2018	Regular Meeting Minutes
July 16, 2018	Conference Meeting Minutes

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

Mayor's Report, October 1, 2018

9/11 Ceremony

Our Annual 9/11 Ceremony was held at the Senior Center. Thank you to everyone that attended and took part in it.

Purchasing Agent/Payroll Clerk

We have a new full-time purchasing/payroll clerk.

American Dream

The Planning Board is hearing the applicant and the public on the American Dream Estates Project, as a development of townhouses and single-family homes on a plot of land off of Van Emburgh Avenue.

County Executive Meeting

Council President DeSena and I had a great meeting with the County Executive and his Deputy Chief of Staff last Friday. A number of topics were discussed that will be discussed at the next meeting.

Coptic Orthodox Church of Pope Kyrillos VI

The Pope of the new Coptic Church visited his congregation today. It was a pleasure to meet and welcome him to our community. Our Police Department working in conjunction with their County and State counterparts did an excellent job guaranteeing his safety and controlling the large number of people in attendance. We also thank our Ambulance Corps for being on standby.

Radio Nashville/Fall Festival

So far it looks like the weather is going to cooperate for our two upcoming events this weekend. We have Radio Nashville, a country band on Friday night at 7:00 pm and our Annual Fall Festival Town Day on Saturday from 11:00 am – 4:00 pm.

MAYORS APPOINTMENTS

Mayor Calamari – Please be advised that I am appointing Joi Apar as Tax Collector for the unexpired term of four (4) years, January 1, 2018 through December 31, 2021, effective September 1, 2018.

Please also be advised that I am appointing Dan Scudieri as a Class II Planning Board member.

REPORT OF COUNCIL

Councilman Ullman stated he has no report this evening.

Councilman Cumming stated a delivery of nine condensers is being arranged for the Municipal Building and the Police Department. This is only the beginning of the PSE&G grants that the Township has received, and we are looking forward to installation in the near future.

Councilman Cascio stated he has no report this evening.

Council President DeSena stated the Mayor and himself met with County Executive Tedesco, it was a very productive meeting. He hopes to bring back good news in the upcoming weeks as things come to fruition.

GENERAL PUBLIC DISCUSSION

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

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

Nays: None.

Absent: Councilman Bruno.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment asked if anyone told the Fire Department about the Saturday meeting in advance, and was the Ambulance Corps notified. Council President DeSena replied he did speak to them in the Bagel Shop, but did not tell them to be there. Mayor Calamari replied a text was sent to Eugene and Rich (Ambulance Corps) and from what he understands from them they did not realize what the meeting was about. Mrs. Ozment spoke at length of completing the intersection first, especially if the Ambulance Corps is moved to that location. A conversation followed on the intersection, the timeline, the acquisition of property, once they are identified by the County. Commuter parking was discussed, which is tied into the intersection project, as well as current tag holders being able to park on the bank (former TD Bank) parking lot. Mrs. Ozment asked if bonding has been determined as of yet? Council President DeSena replied there will be more meetings to determine that. The radio system was explained, it will be a total upgrade involving central station, the tower, Ambulance/Fire/Police and repeaters throughout the Township. Mrs. Ozment spoke of the condition of Memorial Field, and the Memorial Field Committee suggesting lighting and grading improvements to the field.

David Snyder, 91 Windsor Circle – Mr. Snyder asked for the status of paving of Woodfield Road. Council President DeSena stated the project was awarded, but due to the weather it has been delayed. He stated it will be completed in 2018, and it will be a full mill, curb to curb. A conversation followed on the work which needs to be done on county roads, that work being pushed back due to the weather. Mr. Snyder asked what is the status of the crosswalk signs? Mayor Calamari stated there was a meeting with the sales person last week. The salesperson will be meeting with the Traffic Officer to conduct a field study, recommendations will be made, the order will be put in for 2018.

Diane Grimaldi, 441 Van Emburgh Avenue – Ms. Grimaldi asked what is the status of the new administrator? Mayor Calamari replied we have a search firm that conducted a few interviews, candidates have been narrowed down, so definitely by the next Council Meeting. Ms. Grimaldi asked is there any update on the CFO? Mayor Calamari replied we wanted to wait to hire the Administrator, since the Administrator will work with the CFO, we will be advertising for the CFO position. Ms. Grimaldi stated she would like to go on record to say she was at the Planning Board meeting, there were over 75 people at the meeting, mostly from the 200-foot area, but also from all over the Township. She stated there are serious concerns, it may be a done deal, it may not be a done deal, but there are things such as soil remediation, or at least testing, traffic, there were many good points brought up, and it seemed like the attorneys and engineers were pushing everything under the carpet. The attorney and the engineer for the applicant came in to that meeting thinking they were going to get the pumping station done and final approvals. She stated there are 21 conditions that need to be met, the first two were touched upon, with the applicant not having answers for the first two, there are many things that are not in place. She stated many things have changed since 2004, such as standards, it is now 2018, and those plans need to be looked over again with a fine-tooth comb for the betterment of everyone in the community. Council President DeSena stated you are speaking of an application that is in front of the

Planning Board, and we do not want to purge the Planning Board or give them any prejudice so he feels we should stop here. Mr. Poller stated it is an application pending. Ms. Grimaldi stated she will be speaking at the Planning Board meeting as well, she does feel that the people in this community, especially around that property should be represented by not only the Planning Board, but also the Mayor and Council, along with every single official and professional in this town.

Toni Plantamura, 808 Robinwood Road – Ms. Plantamura stated she did not attend the Planning Board meeting. She spoke of eminent domain, properties that should not be developed being taken constantly by developers, and temporary tax relief that the towns get. She stated if she was living in that area, she would be also be upset. She stated when communities come to a meeting for things that need to be considered before development, people need to yell, scream, repeat themselves, but the guys with the money always seem to win. She spoke of the State being pushed with overdevelopment and no one at the State or County level is able to speak up for the little guy when enough is enough. She spoke of the lack of roads being built, and the effect on the roads with all of this overdevelopment. She stated it is a real struggle to live in this State, and the quality of life is being diminished.

A motion was made by Councilman Casio, seconded by Councilman Cumming to close the general public discussion.

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

Nays: None.

Absent: Councilman Bruno.

RECOGNITION

Billy Cook – Billy’s BASEball

Councilman Ullman – Earlier this year the Council was invited to participate in a project with Girl Scout Troops 6679 and 6026. The girls were sending Valentine Care Packages to Veteran’s at the Victory Village Home and this was done in conjunction with Billy’s BASEball. Unfortunately, at the time I was not able to attend, but the effort raised my interest and I did a little research into Billy’s BASEball. Ms. Lorraine Roberts, who is one of the Girl Scout Leaders said “Billy is a wonderful example to our boys and girls.” I could not agree more. In my research of Billy, I came to learn the genesis of his efforts, and appreciate its impact on the United States Military personnel who receive these baseballs. Billy has quite a long list of citations on google, I guess that is a benchmark today. When I look at myself, I do not exist, Billy has a few pages. One that particularly caught my eye was his recognition in 2015 as a recipient of the Prudential Spirit of Community Award. To date, over 17,000 baseballs have been sent to military personnel, and I would be proud to stand next to Billy and recognize him with a gift from the Mayor and Council.

Council President DeSena – Billy and his family are very close to my family, he has become an exemplary young man, we all very proud of his efforts. Saturday, I spent the day at Montclair State University, Yogi Berra Museum watching hundreds of people sign baseballs for our Troops, and it brings a smile to my face every time I see it. Congratulations Billy on your effort, keep up the good work.

Council President DeSena read the following:

The Mayor and Council of the Township of Washington would like to recognize your efforts in supporting the United States Military Personnel through Billy’s BASEballs, a non-profit organization. Your work is a constant reminder to those who serve in the military that their service and sacrifice are recognized and appreciated. “Baseball meant a lot to me, so this ball puts a smile on my face.” Presented with appreciation on Monday October 1, 2018.

PRESENTATIONS

James Stickel, Eagle Scout

“Buy a Brick” Fundraiser

James Stickel – Good evening Mayor, Council and Township residents. My name is James Stickel, I am an Eagle Scout candidate from Troop 321 out of the Township of Washington. My project began last October when I began researching an idea for an Eagle Project, and I wanted to honor Veterans in our Township, and all Veterans in general, and I came up with a Veteran’s Memorial. After talking to the former Mayor, the Library Director, the VFW Commander, and the current Mayor, I began fundraising in April. My first fundraiser was a “Spaghetti Dinner” which I had in June at the Knights of Columbus, and the fundraiser I am currently doing now, which began in May, is selling bricks that people can personalize with a family name, business names, to memorialize or honor a Veteran. So far, I have sold 170 bricks, and plan to continue selling bricks through the winter. The bricks are \$75.00, an additional \$10.00 for a logo, which would be \$85.00. You can order them at the Library, there is a box where you can drop in your order and payment or you can also order them online. There are also order forms at the Library, Town Hall and David’s Bagels. I also began a door tag campaign, and have gone to 2,600 residences around town, door to door, with about 800 more to do. The project will be done in two phases, the first phase, which I started this past Saturday, is to build the wall and the flag poles. We began digging for the wall on Saturday, and hopefully by the end of the month the wall will be built, then the flagpoles will be installed, and in the Spring the personalized bricks will be installed. Thank you.

Council President DeSena – Great job James, thank you.

Councilman Ullman – Having knocked on a few doors during campaigning, that is a significant undertaking, and you should be very proud of your efforts. I am looking forward to seeing your monument completed.

DMF Facility – cursory Planning Review

Charles Sarlo, DMR Architects

Charles Sarlo attended representing DMR Architects. He explained this was a cursory planning study, the majority of the study was done by DMR’s Principal Planner, Fran Reiner, understanding my signature is on the bottom of the page for DMR Architects. I am the Executive Vice-President, General Counselor and partner of DMR Architects, I also have my law practice, where I specialize in real estate development, and land use construction matters, and therefore I am very well versed in these areas, both in the private and public sector. DMR Architects are located at 777 Terrace Avenue in Hasbrouck Heights, it is a firm with over a 25-year history, and one of the top 5 firms in the State of New Jersey in terms of architectural and planning practice, having a very diverse portfolio of private as well as public clients. The firm does plan studies, for areas that need redevelopment, tending to stay away from the Planner that represents the Planning/Zoning Boards, our planning efforts are of a larger scale, in helping to revitalize community, or bring back an industrial site, repositioning it for the benefit of the community. We have very talented planners on our staff, Fran Reiner has been working on the Hackensack project through 2/3 administrations, and convincing them something needed to be done. She came up with the vision and plan, helping the City streamline the development approval process, regulations, parking, architectural nature, there are some 3000 units that are under construction, hoping to bring back the population and economic vitality of the main street. Council has asked DMR to come before you regarding the planning study that was done. DMR was engaged to do a cursory planning study as it relates to the potential relocation of the DPW facility, part of the scope was not to access the current DPW facility, or to do a

study in terms of the needs of the Township. There was a study done previously by the Musial Architectural Group, and we relied on that as the basis, within a margin of error that square footage is accurate. Since we did not do an existing condition study of the DPW facility, I cannot speak in specifics about that relocation, and why the Township may or may not need a new DPW facility, but I can tell you, generally, based on how long it has probably been there, it is probably not up to the DPW facility standards, in terms of both operation and usage, probably inefficient use, and operation, due to the layout and the standards as to what makes a best management practice. It probably also has some regulatory concerns, I am not a DPW expert, but I trust if we were to do a compliance audit on that facility, I am sure there would be some potential concerns that can be identified, as well as public perception, since that facility has been there a long time, and it seems it has outlived its useful life and become an eye-sore. I feel both personally and professionally that it is not the type of facility that one would want at the front door of the Township, since there are many visitors coming into this building to do presentations, as well as many professionals. I know when I go to other municipalities, he is either impressed or not impressed, how the Planning Board treat professionals, not enough parking on-site, which is the same as when someone would walk into a restaurant or other type of facility. If it is being looked at to relocate, I know a property on Pascack Road was identified, and we did a cursory planning study on that. That part of Pascack Road on the southern end is basically a residential zone, in the AA Zone. Any time you are going to put a use that is not compatible with the zone, there is going to be an impact, the question is how significant that impact is going to be. The property that was being looked at while it is in a residential zone, it is a mixed-use area within the confines of what the zone allows. There is a multi-family across the street, and there residential to the south, and there is also a House of Worship adjacent to the north, and the western side, with the parking lot that wraps around. The site itself is about 1.6 acres, the programming that was used, the initial concept plan to fit that program onto that site, it is tight, the architects made it work, but it was tight. If it was decided to go with that plan, there would need to be significant discussions with the operators of the DPW facility in terms of how they operate to see how the pick-up/drop-off could be accommodated for the Township residents with regard to recycling. The second alternative concept was not to put all of the 22 vehicles there, maybe just the structure and the salt dome, and leave the vehicles parked at Borough Hall, lining them along the back fence, to alleviate that site, which will work, the operation will be split, parking at the Borough, but it will make the site function better, not having the massive structure there. If there were to be a structure to house the vehicles, it would be a 10,000 square foot structure, along with 4,000 square feet in a residential zone.

Council President DeSena – If we eliminated the salt structure, which about 4000 square feet.

Mr. Sarlo – Musial actually stated for an average of 841 tons of salt, it would have to be a 50 x 50 x 10-foot-high structure.

Council President DeSena – If the Township does a shared service, and picking up the salt at New Bridge Landing, in Paramus, that would free up a large portion of the site that has been allocated for salt storage, which would probably make things better for planning, correct?

Mr. Sarlo – Correct, but do not forget, it is not only the structure, but you would also need a buffer to the property lines, as well as to any other structure, turn-around space for the loading and unloading of the salt, it is much more than a 50 x 50-foot space. If you looked at the initial concept, it was stuck in the middle of the site, it is a tight site. Eliminating the vehicles and salt, you would be left with a maintenance building, DPW facility building. No matter any use that is

put in a zone that is not regulated, there will be an impact. The zone does allow for municipal facilities, such as a library or Borough Hall not necessarily the DPW facility, you would have to show there is no alternative sites that could be used, and looking at impacts of the surrounding properties.

Council President DeSena – It is in a similar site situation as we have now, with the bank and Borough Hall.

Mr. Sarlo – It is very similar, you have the mixed-use component, the residential homes are buffered here by the parking lot, noise and light does travel, with loaders loading salt in the evening hours, but the other site it is residential directly to the south and adjacent. It can be minimized with shrubbery and fences, but there will be a noise impact. A suggestion in the report was, if this site goes further into consideration, that a noise study be done to make sure it is not an impact to the residents, above and beyond what the State regulations allow. There will also be somewhat of a traffic impact, not necessarily an adverse impact, but one that is beyond what is currently there, such as on Saturday, the residents in that area will have a bit more of a traffic impact. The flip side is it is on County road, and the Master Plan talks about preserving the residential neighborhoods, by putting cars on to the feeder roads, main roads, onto Washington Avenue, Pascack, so they are not going through the residential area, which happens here, but with it also being on Pascack it is more appropriate for a resident to come to a main road and get to the facility. The type of operation it is, there is some Saturday use, and if the salt dome was there it could be all hours of the night, in term of snow/sleet storms, and maybe on Sundays, which would have more of an impact in terms of noise and lights, removing the salt dome would help immensely to locate that facility there, as well as here. Other sites were looked at, the vacant area, the land inventory that the Township has, it was looked at google view. There are many undeveloped sizable tracts of land in the Township. Looking at the mapping system, most likely a lot of the property that was identified, has some types of environmental constraints, due to the brook that runs either through the property, close to the property, the low lying natures on the properties, there could be wetlands pockets, there would be buffer requirements from the brook and some of them are sizable. There may be a two acre developable piece of land on a five/six acre parcel, the rest being environmentally constrained, there would have to be another level of assessment done to determine that. The impact of those, there were six or seven that were mentioned, they are somewhat isolated, many of them happen to be on the boundary of the Borough, but the flip side of that you travel through a residential neighborhood to get there. There may be less of an impact in terms of the adjacent properties, due to where they are located, the overall impact is going through a residential community, not only the DPW trucks, but also residents doing their own drop-off. There is no perfect site, the Township is a bit more difficult because there is no true industrial zone, or heavy commercial zone, it is all primarily residential, so a site needs to be picked that works, that will have the least amount of impact. There is also the financial aspect of it, the other sites do have the potential to be developed, and may be good candidates, but there are no infrastructure/utilities, so the sites will be costlier to develop, such as testing if the soil can support a foundation, the other sites are on the boarder, potentially less impact. The Pascack Road site is flat, rectangular, the utilizes are out on Pascack Road, so from a development standpoint and cost standpoint, it would probably be more cost effect to develop such a site.

Councilman Ullman – When balancing out the placement of the existing facility, and the acquisition, the new facility, proposed facility, even with the removal of the salt shed, it may not be optimum in terms of function at the new location, it being a tight area. In your opinion, does that outweigh putting it at the doorstep of Town Hall? The potential constraints of the site, balancing against having new DMF facility on site.

Mr. Sarlo – Generally I do for a few reasons, number one if you rebuild here, you have two options, one is to demo the existing the building, temporarily relocate the facilities/functions, which comes at a cost and inconvenience then this becomes an active construction site that has other safety issues associated with it. Or you build on top of the parking lot, taking away parking, which is generally tight here, after the new facility is functional, then demo this site and reconfigure parking spaces. Having the vehicles parked here, negates that overall public perception, ideally it would be nice to park the vehicles at that site, but it comes with a cost. If you do not protect the vehicles, they will be out in the elements, and it could be a visual impairment, or protect the vehicles by building a parking garage, either comes with a cost. Cost wise you are probably looking for a public project, \$150 per square foot. Currently, they are in Wood-Ridge, and it came in at that cost, about a \$1.5 million. The garage is about 10,000 square feet and the support functions is another 5,000. The Musial Study had it at about 3,700, our architect didn't think that included internal circulation for the building, which adds 10 to 20% factor, he got it up to 5,000, 5,200 square feet.

Councilman Ullman questioned is there going to be a cost of actuations of the new property, there may or may not be suitable land that are currently owned by the Township, the one in particular is the one adjacent to the High School Field. I don't know what it costs to bring in utilities, a road, and if there are environmental constraints, but if you had to balance something like that out, what are your thoughts, as to the acquisition cost verse starting from scratch at some field in the backyard of the town.

Mr. Sarlo responded that if you are looking at impact, depending on how you would get access to that area in the back, potentially a service road behind the bleachers. You would need permission from the Board of Ed, and if you could cross the brook with the DEP regulations, and you would be coming in off of a County road. If there was a Saturday football game, you would have two driveways and a high school right next to the entrance of the DPW you could have traffic concerns certain hours of the day and days of the week. You would buffer/back-up to some of the multi-families there, but the site seems large enough, potentially it would have less of an impact to the residents if you located it there. There is a big question mark as to whether or not that is developable land. From a cost standpoint, I know what the asking price is, but I do not know what the appraised value would be. To develop a piece of property, you can generally say it would be about a million dollars an acre to an acre and a half, depending on what is needed.

Council President DeSena – It would be more than the acquisition cost of the property we are talking about.

Mr. Sarlo – Correct, it is what is important to the Council, there is no perfect site. If that was a site that was accessible and had utilities, and Borough owned, it would have been developed by now.

Councilman Ullman – My comment would be even less the salt shed, I am not sure that the proposed acquisition site is the optimal site. It is a site that works very well, but it may not be the optimal site. Before we were to decide, I think it may be worthwhile, just understanding that second site, that is referenced in the report, is developable. If it is a DEP zone, and there is no chance of ever moving forward with it, it makes the decision much easier, if it is not, the next step would be seeing what both sites have to offer and at what cost, and impact.

Council President DeSena – Would we be able to have the planner look at the site and come up with a third scenario of no salt shed, reconfiguring everything to help buffers, elevating the salt use. I believe Musial had two options, one was to house all the equipment and one was not to house all of the equipment. I feel Council is not looking to house all the equipment, if we could have that looked

at again, as well as addressing Volmer 2000 wetlands delineation of all the high school fields. We designed all the high school fields before Boswell took it over. There is a plan of the wetlands being all laid out going down from Washington, all the way back to the high school, which would give an answer of what our impacts to the DEP would be.

Councilman Ullman – One of the requests that we had asked the Mayor to consider was to bring in someone to give us this type of guidance. I personally lean towards redeveloping out here, I understand Mr. Sarlo has provided some compelling reasons why not to, and the reports speak to it, before we walk down that street, I think there is one other option that is a potential and it would have the least impact, it would appear on the surface, to adjacent residents. I think in my mind it would become very clear.

Council President DeSena – Mr. Mayor can we look into getting a supplemental from Mr. Sarlo. It would be looking at the site that we have in the report, without salt and without housing all of the vehicles, keeping all the vehicles there, if we can. Once the salt is eliminated, everything may fit there, along with looking at the site at the high school, and doing very quickly what is on the DEP website.

Mr. Sarlo – We can see if it is a C-1 waterway. The availability of the Vollmer Report is important, we can file an OPRA Request. The DEP has a Data Miner Site, but it is not 100% accurate. We are doing a Borough Hall for the borough of Ridgefield, a borough owned property was identified, looked at it through the DEP Miner Site was a large pocket of wetlands, making the site undevelopable. A wetlands study was done, at the request of Council, and it did come back there were wetlands, however, it was at a different location that was on the Data Miner Site of the DEP, and much smaller. The different location allowed enough to be developable land.

Council President DeSena – I can reach out to the Board of Ed tomorrow, as well some of my former colleagues to see if I can get a copy of that.

Councilman Cascio – I have no questions.

Councilman Cumming – I look forward to the supplemental report, with the removal of the salt shed.

Council President DeSena – There is a cost saving with the removal of the salt shed, as well as a quality of life savings, with large trucks being loaded up in the middle of the night.

Mayor Calamari – It would be a little different if we were looking strictly at town owned locations, but with the one being on the market, we could lose it at any time, then we have severely limited our options, if we find out this other location is not feasible, I would like to remind the Council of a timing issue. Also, I had not taken into account about what you said regarding the aesthetic look of our Town Hall, and we should not have that adjacent to us. If we need extra space, myself, the Director the DMF, and Superintendent spoke about leaving the trucks up here, just putting a lean-to along the Oritani property, the rear of the building right now, and we can screen that off property so it would not be an eye sore, the big vehicles, the majority, not all of them, they do not see that being an issue at all.

Council thanked Mr. Sarlo and he left the meeting at 8:41 p.m.

ORDINANCES

Adoption 2nd Reading

Ordinance No. 18-12

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ARTICLE VI, ENTITLED "CLASS AA DISTRICT," OF THE TOWNSHIP OF WASHINGTON ZONING ORDINANCE, ESTABLISHING THE REQUIREMENTS FOR AN INCLUSIONARY MULTI-FAMILY AFFORDABLE HOUSING OVERLAY DISTRICT IN ACCORDANCE WITH THE ADOPTED HOUSING PLAN ELEMENT AND FAIR SHARE PLAN OF THE TOWNSHIP OF WASHINGTON

A motion was made by Councilman Cascio, seconded by Councilman Cumming to approve Resolution No. 18-309 authorizing second reading and opening of Public Hearing for Ordinance No. 18-12.

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

Nays: None.

Absent: Councilman Bruno.

Resolution No. 18-309

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 18-12 entitled: AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ARTICLE VI, ENTITLED "CLASS AA DISTRICT," OF THE TOWNSHIP OF WASHINGTON ZONING ORDINANCE, ESTABLISHING THE REQUIREMENTS FOR AN INCLUSIONARY MULTI-FAMILY AFFORDABLE HOUSING OVERLAY DISTRICT IN ACCORDANCE WITH THE ADOPTED HOUSING PLAN ELEMENT AND FAIR SHARE PLAN OF THE TOWNSHIP OF WASHINGTON be read on second reading and the public hearing be held thereon pursuant to law.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment asked where is the Exhibit A as the Ordinance indicates, Section 2 Page 5. She stated she does have additional questions, so she will move on. A conversation followed on the differences between Ordinance No. 18-12 and Ordinance No. 17-17, and what they are each addressing. Mrs. Ozment asked if the town would have control over the rentals. Mr. Poller replied no, the town will not. A conversation followed on the wetlands and the settlement agreement. Council President DeSena suggested Mrs. Ozment submit an OPRA request for a copy of the settlement agreement.

David Snyder, 91 Windsor Circle – Mr. Snyder asked with regard to the rentals who would control an occupant problem. Mr. Poller stated an Administrative Agent will be hired, as well as Municipal Liaison. Certain things need to be implemented, which have not been done. The Court Master also gets involved in suggesting agencies to use, but T&M is the planning agency who will give that information.

A motion was made by Councilman Cumming, seconded by Councilman Cascio to close the Public Hearing for Ordinance No. 18-12.

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

Nays: None.

Absent: Councilman Bruno.

A motion was made by Councilman Cascio, seconded by Councilman Cumming to adopt Ordinance No. 18-12.

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

Nays: None.

Absent: Councilman Bruno.

Ordinance No. 18-12

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN, AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ARTICLE VI, ENTITLED "CLASS AA DISTRICT," OF THE TOWNSHIP OF WASHINGTON ZONING ORDINANCE, ESTABLISHING THE REQUIREMENTS FOR AN INCLUSIONARY MULTI-FAMILY AFFORDABLE HOUSING OVERLAY DISTRICT IN ACCORDANCE WITH THE ADOPTED HOUSING PLAN ELEMENT AND FAIR SHARE PLAN OF THE TOWNSHIP OF WASHINGTON

WHEREAS, the Planning Board of the Township of Washington adopted the Washington Township Housing Plan Element and Fair Share Plan on July 26, 2017, and the Township Council endorsed same on August 7, 2017; and

WHEREAS, the Washington Township Housing Plan Element and Fair Share Plan, as adopted on July 26, 2017, recommends the establishment of a multi-family affordable housing overlay zones to capture affordable housing opportunities on sites identified and mentioned in the Washington Township Housing Plan Element and Fair Share Plan; and

WHEREAS, on or about February 28, 2017 the Township of Washington entered into a settlement agreement in an action captioned In the Matter of the Application of the Township of Washington Superior Court of New Jersey, Law Division, Bergen County, Docket No. BER-L-6067-15 ("Action") with the Fair Share Housing Center and Franklin Court, LLC, which outlines provisions for the inclusion of an affordable housing set-aside at the property identified as Block 1102 Lots 1.04, 2, 9 and 11 in the Township of Washington; and

WHEREAS, it has become necessary to amend Article VI entitled "Class AA District," of the Township of Washington Zoning Ordinance, and adopt this new ordinance to implement and incorporate the terms of the settlement and the Township's newly adopted and endorsed Housing Element and Fair Share Plan which addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1 et seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985; and

WHEREAS, this Ordinance is intended to provide assurances that low- and moderate-income units ("affordable units") are created with controls on affordability over time, and that low- and moderate-income households shall occupy those units and sets forth the administrative mechanisms necessary to implement the Township's revised Housing Element and Fair Share Plan;

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Washington in the County of Bergen and State of New Jersey as follows:

SECTION 1. Article VI, entitled "Class AA District," of the Township of Washington's Zoning Ordinance is hereby amended to add a new Section 245-26.4 as follows:

Section 245-26.4: Inclusionary Multi-family Affordable Housing Overlay District

- A. Purpose. The purpose of the Inclusionary Multi-family Affordable Housing Overlay District is to provide development that contributes to the Township of Washington's municipal affordable housing obligation in accordance with the Township's Affordable Housing ordinances and to implement and incorporate the court approved settlement agreement, captioned In the Matter of the Application of the Township of Washington Superior Court of New Jersey, Law Division, Bergen County, Docket No. BER-L-6067-15, which was approved by the Superior Court of New Jersey at a Fairness Hearing on May 11, 2017.
- B. Location. The following lands and premises shown and designated on the Tax Assessment Map of the Township of Washington as revised, are hereby classified as the Inclusionary Multi-family Affordable Housing Overlay District:

- Block 1102 Lots 1.04, 2, 11 and a portion of Lot 9
- C. Permitted Uses. No building or land shall be used and no building or other structure shall be built, altered or erected to be used for any other purpose than those specified as follows:
- (1) Multi-family residential
- D. Permitted Accessory Uses. Accessory Uses. Uses customary and incidental to the principal use, including but not limited to: meeting rooms, gyms, and other amenities for the sole use of residents and their guests shall be permitted.
- E. Density. The residential density shall not exceed forty-four dwelling units.
- F. Affordable Housing Requirements.
- (1) At least fifteen percent (15%) of the total number of dwelling units to be constructed on the site, or seven (7) units, shall be set aside as affordable family units
 - (2) Affordable units shall further be reserved as follows: one (1) very low income; three (3) low income; and three (3) moderate income.
 - (3) All affordable units shall be subject to the provisions, where not referenced herein, of Article XXI, Affordable Housing of Chapter 239 of the Township of Washington Code.
- G. Bulk Requirements. Any proposed development shall comply with the following bulk standards:
- (1) Minimum Tract Area: 13 acres
 - (2) Minimum Lot Size: one hundred thousand (100,000) square feet.
 - (3) Minimum Front Yard Setback: one hundred twenty-five feet (125) measured from the property boundary between Lot 1.04 and Van Emburgh Avenue as depicted on the official tax map of the Township of Washington.
 - (4) Minimum Side Yard Setback; forty-five (45) feet.
 - (5) Minimum Rear Yard Setback; 200 (200) feet.
 - (6) Maximum Coverage by Buildings or Impervious Surfaces: 25 percent (25%)
 - (7) Maximum Building Height:
 - (a) Not more than 34 feet at that point of the building closest to Van Emburgh Avenue, as viewed from the easterly right-of-way line of Van Emburgh Avenue;
 - (b) Not more than 63 feet from the average ground elevation around the foundation of the building to the highest point of the building;
 - (c) Not more than 75 feet overall to the highest point of the building.
- H. Off-street Parking. Number and size of off-street parking spaces shall be provided in accordance with the Residential Site Improvement Standards.
- (1) Driveway and Parking Area Setback: Setback of driveways and parking areas from adjacent residential uses and property boundaries shall be at least twenty (20) feet.
- I. Lighting. Site lighting shall be provided at the minimum level to accommodate safe pedestrian and vehicular movements.
- (1) Exterior lighting shall be shielded to prevent glare or illumination on adjacent properties and residential uses.
 - (2) Pedestrian-level, bollard style lighting, or other glare-controlled fixtures mounted on building or landscape walls shall be used to light pedestrian walkways and not exceed four (4) feet in height.
 - (3) Parking lot lights shall not exceed twelve (12) feet in height.
- J. Landscape and Buffering Requirements: All landscaped areas are recommended to provide a variety of flowering and evergreen trees, shrubs and perennial plants to provide seasonal interest.
- (1) A minimum twenty (20) foot wide landscaped buffer shall be provided along all parking areas and driveways that abut a property line of an adjacent residential use or property. This buffer shall be comprised of the following planting requirements:

- (a) Evergreen Row - A minimum twelve (12) foot wide portion of the buffer that is closest to the adjacent property line shall be planted with a staggered row of evergreen trees.
 - (b) Shrub Row - A minimum eight (8) foot wide section of the buffer between the row of evergreens and the grass strip shall be planted with a staggered row of shrubs.
 - [1] Within the shrub row, one (1) deciduous shade tree shall be provided every thirty (30) linear feet or one (1) flowering tree shall be provided every twenty (20) linear feet.
 - (2) A minimum fifty (50) foot wide natural buffer shall be provided along the property boundary between Lot 1.04 and Lot 1.02.
 - (a) The natural buffer shall consist of trees, shrubs and groundcovers existing on the property at the time of development.
 - (b) The area of the natural buffer shall be protected from construction, grading or other activity which might cause damage to or reduction of the area of the buffer and the plant materials within.
 - (c) The natural buffer may be supplemented by additional plantings at the perimeter of the buffer to provide additional screening.
 - (3) A minimum ten (10) foot wide landscaped buffer shall be provided along the perimeter of parking areas not abutting a property boundary. This buffer shall be planted in a manner that will provide a continuous visual screen throughout the entire year.
- K. Open Space. All areas of the tract that are not developed with principal buildings, drives, parking areas and stormwater management facilities shall be reserved as open space for passive recreation or conservation purposes and dedicated to an organization responsible for the ownership and maintenance of such open space for the benefit of owners or residents of the development. Such organization shall not be dissolved and shall not dispose of any open space, by sale or otherwise, except to an organization conceived and established to own and maintain the open space for the benefit of such development, and shall not dispose of such open space without first offering to dedicate the same to the Township of Washington.
- (1) Minimum open space area: At least nine (9) contiguous acres of the tract area shall be reserved as open space.
- L. Signs. The following signs shall be permitted:
- (1) Ground identification sign: One (1) ground identification signs shall be permitted at the entrance to the development on Van Emburgh Avenue.
 - (a) The sign face of the ground identification sign shall not exceed four (4) feet in height and shall not exceed thirty-two (32) square feet in area.
 - (2) Way-finding or directional signage, building identification, building entrance and similar incidental signage shall be permitted.
 - (a) The sign face of way-finding or directional signage shall not exceed two (2) square feet in area per sign.
 - [1] No illumination of way-finding or directional signage shall be permitted.
 - (b) Building identification signage shall not exceed ten (10) square feet in area per sign.
 - [1] Building identification signage may be externally illuminated with a light level of an intensity not to exceed the equivalent of seventy-five (75) watts or 1,100 lumens each, that are shielded and directed solely at the sign.

SECTION 2. Article II: Classes of Districts, Sections 245-3 is hereby amended to include the Inclusionary Multi-family Affordable Housing Overlay District and the Zoning Map of the Township of Washington is hereby amended to include the boundaries of the Inclusionary Multi-family Affordable Housing Overlay District as described herein and in the attached Exhibit A.

SECTION 3. This Ordinance shall be subject to review and recommendation by the Township of Washington Planning Board in accordance with N.J.S.A. 40:55D-26 and notice requirements of N.J.S.A. 40:55D-62.1.

SECTION 4. All ordinances or parts thereof affecting the property designated as Block 1102 Lots 1.04, 2, 11 and a portion of Lot 9 that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies, and no land use related ordinance hereafter enacted by the Township of Washington shall be enforced in such manner as to impair the rights conferred by virtue of the settlement agreement between Franklin Court LLC and the Township of Washington, as marked into evidence in the case entitled In the Matter of the Application of the Township of Washington, Superior Court of New Jersey, Law Division, Bergen County, Docket No. BER-L-6067-15.

SECTION 5. The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

SECTION 6. This Ordinance shall take effect immediately upon its final passage and publication as required by law and filing with the Bergen County Planning Board.

Introduction 1st Reading
Ordinance No. 18-14

AN ORDINANCE ESTABLISHING LATE FEES FOR SANITATION LICENSING REGISTRATIONS

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to introduce and pass Ordinance No. 18-14 at first reading by title.

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

The following resolution, Resolution No. 18-310 was presented and adopted on a motion by Councilman Cascio, seconded by Councilman Cumming.

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

Resolution No. 18-310

WHEREAS, Ordinance No. 18-14 entitled: AN ORDINANCE ESTABLISHING LATE FEES FOR SANITATION LICENSING REGISTRATIONS was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 1st day of October, 2018; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 15th day of October 2018, at 7:30pm, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Complex, 350 Hudson Avenue, Township of Washington at which time and place all persons who may be interested will be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED, that the office of the Township Clerk is authorized to advertise in The Bergen Record a newspaper circulated in this Township, the introduction and notice of further consideration for final passage and public hearing of this ordinance as required by law.

Ordinance No. 18-14

AN ORDINANCE ESTABLISHING LATE FEES FOR SANITATION LICENSING REGISTRATIONS

BE AND IT IS HEREBY ORDAINED by the Township Council of the Township of Washington that Chapter 373 of the Code of the Township of Washington ("Sanitation") is hereby amended by amending Section 373-106 under Article XVI to be entitled "Pro-rated fees; late fees" and adding the following provisions thereto:

1. "For establishments or operations in effect as of the beginning of any calendar year, any fee required to be paid hereunder which shall remain unpaid beyond February 15th of such calendar year shall result in a late fee due of 50% of the annual fee. For establishments or operations not in effect as of the beginning of any calendar year, any pro-rated fee required to be paid hereunder which shall remain unpaid beyond forty-five (45) days of notice from the Township as to the required fee to be paid shall result in a late fee due of 50% of the pro-rated fee."
2. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid such decision shall not affect the remaining portions of this Ordinance.
3. All Ordinances or any provisions of any ordinance inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies and not otherwise.
4. This Ordinance shall take effect upon final passage and publication and in accordance with the Charter, and subject to such emergency resolution as may be adopted pursuant to Section 17-32 thereof. [R.S. 40:69A-181 (b)].

Introduction 1st Reading

Ordinance No. 18-15

AN ORDINANCE AMENDING THE FEE SCHEDULE FOR RECREATION DEPARTMENT ACTIVITIES RELATED TO TEEN CENTER MEMBERSHIP

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to introduce and pass Ordinance No. 18-15 at first reading by title.

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

The following resolution, Resolution No. 18-311 was presented and adopted on a motion by Councilman Cascio, seconded by Councilman Cumming.

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

Resolution No. 18-311

WHEREAS, Ordinance No. 18-15 entitled: AN ORDINANCE AMENDING THE FEE SCHEDULE FOR RECREATION DEPARTMENT ACTIVITIES RELATED TO TEEN CENTER MEMBERSHIP was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 1st day of October, 2018; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 15th day of October 2018, at 7:30pm, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Complex, 350 Hudson Avenue, Township of

Washington at which time and place all persons who may be interested will be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED, that the office of the Township Clerk is authorized to advertise in The Bergen Record a newspaper circulated in this Township, the introduction and notice of further consideration for final passage and public hearing of this ordinance as required by law.

Ordinance No. 18-311

AN ORDINANCE AMENDING THE FEE SCHEDULE FOR RECREATION DEPARTMENT ACTIVITIES RELATED TO TEEN CENTER MEMBERSHIP

BE AND IT IS HEREBY ORDAINED by the Township Council of the Township of Washington that Chapter 212 ("Fees") of the Code of the Township of Washington be and is hereby amended as follows:

1. The program under § 212-1 (B) (1) entitled "Teen Center membership" and the \$10 per calendar year fee associated therewith be and is hereby deleted.

2. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

3. All Ordinances or any provisions of any ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies and not otherwise.

4. This Ordinance shall take effect upon final passage and publication and in accordance with the Charter, and subject to such emergency resolution as may be adopted pursuant to Section 17-32 thereof. [R.S. 40:69A-181 (b)].

CONSENT AGENDA

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

A motion was made by Councilman Ullman, seconded by Councilman Cumming, to the Consent Agenda.

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

Nays: None.

Absent: Councilman Bruno.

Resolution No. 18-312

Authorize refund of escrow balance of \$1,000, Block 3201/L1, 647 Pascack Road

WHEREAS, Mrs. Joyce Backhaus posted engineering escrow monies for a project on premises known as Block 3201 Lot 1, 647 Pascack Road; and

WHEREAS, the Township Engineer has determined that no engineering fees are to be charged against this project and that escrow monies may be released; and

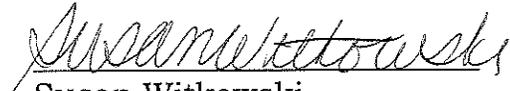
NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow monies in the amount of \$1,000.00 to the above.

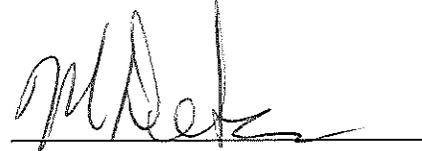
A motion was made by Councilman Cascio, seconded by Councilman Cumming to adjourn to Conference Session.

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

Nays: None.
Absent: Councilman Bruno.

Time Noted: 9:03 p.m.


Susan Witkowski
Township Clerk


Michael DeSena
Council President

Approved: March 18, 2019

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

October 1, 2018

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

Administration

Proposal Allegiant Wireless, LLC – Proposal to Administrator Cavallo, dated September 14, 2018 for the Communication Project – Mayor Calamari stated this was reviewed by both Chiefs, Police and Fire Departments, and they are both happy with the scope of work that it will cover, and will work with the provider to provide any information that may be needed. The proposal is \$29,500, which is under the \$50,000 that was budgeted in 2018. Mayor Calamari stated once he receives Council’s approval, he will sign the agreement. A conversation followed that both Chiefs would provide an assessment with regard to something being done in the interim to achieve better coverage in certain areas before the system is built. Mayor Calamari stated he will reach out to both for that assessment. The Township did not go out for an RFP, since both Chiefs, as well as Administrator Cavallo both know of this company, and it has a good reputation in the industry. Both Chiefs have stated they will dedicate whatever personnel is necessary to get this project completed. A straw poll was taken, all Council members are in agreement. Council President DeSena requested the Mayor execute the proposal. Councilman Ullman requested actual billings against the tasks as the project moves along, as well as regular updates.

Council

Ordinances and Legislation

Review Draft Ordinance Abandoned Properties – Mr. Poller stated this “Abandoned Properties Rehabilitation Act” is far reaching, it goes to the point of not only fixing places, a lien against them, but procedures to acquire title. He stated his thought process was, the Township was not interested in acquiring properties, which would raise some issues. He tried to put in controls, ability to lien the property, everything short of actual taking over the property. Council President DeSena stated he feels this would give the Property Maintenance Officer legs to go clean up a pool if a property is abandoned. Mr. Poller stated he did take that into consideration, other issues the Township has had, putting in the Township’s past experiences, as well as what was available from the statute. He stated he wanted to make sure Council felt the same way, that is not incorporating acquisition of the property. He is working on a case representing someone against a municipality that has such an ordinance, he will get an idea from that vantage point as well. A conversation followed on the monetary violations, some properties having multiple violations per day and those violations being cumulative. This ordinance would be helping the Property Maintenance Official with bank owned and abandoned properties. There is a provision on page 8, 212-14, fees, which is a registration fee that the owner/lien holder would pay to register the abandoned property in the Township. The Clerk’s office does receive foreclosures, which does state who the responsible party is regarding the abandoned property, having this ordinance the Clerk’s office would be able to create a registration list, that will then be forwarded to the Property Maintenance Official.

Financials

Councilman DeSena provided a sheet (11x17) which shows the BANS to date. A conversation followed on what was discussed at the Strategic Planning Meeting, as well the older ordinances. Councilman Bruno spoke of paying down BANS using surplus. A conversation followed on starting the budget process by asking Department Heads where they stand, what was spent or not spent.

Miscellaneous

Short Term Property Rentals – Mr. Poller will look into an Airbnb ordinance as well as vaping. Councilman Ullman asked if the Police have reported anything regarding vaping issues. Mayor Calamari replied to my knowledge it is not a problem, but he would like to be proactive.

Red House Status

Mayor Calamari stated he will touch base with the tenant. After a discussion it was agreed that a letter will be sent reminding the tenant of the December 1st date to vacate the premises.

Public Service Announcement

The 8th Annual Fall Festival will be held Saturday, October 6th from 11:00 am – 4:00 pm at Memorial Field rain or shine. Radio Nashville will be holding a concert on October 5th. General Election Voter Registration Deadline is Tuesday, October 16th. The Clerk's Office will be open from 8:30 am – 9:00 pm. Paper Shredding and E-Recycling Event is October 27th, Saturday, from 9:00 am – 12:00 pm at Town Hall. The Bergen County Satellite Office and Passport Outreach Service is October 23rd, 24th and 25th, from 10:00 am – 2:00 pm at Town Hall. Quarter 4 taxes are due on November 1st. A free Rabies Clinic will be held on Saturday, November 3rd at the DMF Facility from 9:00 am – 10:30 am. Just a reminder, that there is a medication drop box located at the Township of Washington Police Department Lobby, for safety reasons only solid medications, such as pills, patches and inhalers accepted, no liquids or syringes are accepted.

RESOLUTION No. 18-313

Closed Session, October 1, 2018

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

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

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

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

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

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

3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendation, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance, and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

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

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

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

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

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

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

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

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

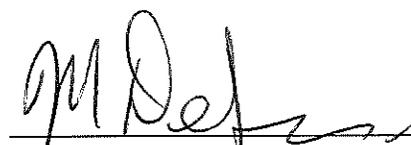
_____The Township Council anticipates that an open session will be necessary.

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

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

Time noted: 9:29 p.m.


Susan Witkowski
Township Clerk


Michael DeSena
Council President

Approved: March 18, 2019