

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

REGULAR MEETING MINUTES

October 30, 2017

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

Council President Robert Bruno called the meeting at 7:35 p.m. by reading the following statement.

OPEN PUBLIC MEETING STATEMENT

The regularly scheduled Public Meeting of October 30, 2017 of the Township of Washington Township Council. Adequate notice of the meeting was given in accordance with the Open Public Meetings Act by the Township Clerk to at least two (2) newspapers in January and this notice has been posted on the Township Bulletin Board and on the Township Web Site.

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

Salute to the Flag.

ROLL CALL

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

APPROVAL OF MINUTES

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

August 7, 2017	Public Meeting Minutes
August 7, 2017	Conference Meeting Minutes
October 16, 2017	Closed Session Meeting Minutes

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

RECOGNITION

Township of Washington Police Department Web Design Joe Giordano

Mayor Sobkowicz presented Mr. Giordano with a certificate and thanked him for volunteering his time and expertise in updating the website for the Township of Washington Police Department. Lieutenant Skinner also thanked Mr. Giordano for his help. He stated the website is user friendly, the officers are able to do the updates and Joe is always a phone call away. He stated Joe also saves the Township money by hosting the departments email as a contribution to the Township.

GENERAL PUBLIC DISCUSSION

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

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

John Walcott, 466 Hickory Street – Mr. Walcott stated he is a retired New York City detective and upon his retirement moved to the Township. He spoke of the incident which was spoken about at the last Council meeting regarding Mr. Bruno's arrest and altercation. Council President Bruno stated he was not arrested and there was no altercation. Mr. Walcott spoke of the financial impact and the circus which he feels would occur if Mr. Bruno won the election since Mr. Bruno stated in the paper that "some employees will not get what they expect to get." He stated that Mr. Bruno cannot use his power as Mayor to stop promotions and/or raises. Council President Bruno stated those were not his words, he was talking about employees in the town being empowered to do their jobs. Mr. Walcott spoke of the potential for lawsuits and riots in the Township. Mr. Walcott also asked Mr. Bruno to explain why he should vote for him. Council President Bruno stated he has decreased taxes, controlled the budget, and has done what he was asked to do as a Council representative. He stated prior to him coming onto Council, he also volunteered in various programs. Mr. Walcott also spoke of his concern of calling 911 and thanked Mayor Sobkowitz for her service.

John Snyder, Representing the Pascack Press, 606 Chestnut Street – Mr. Snyder asked if Mr. Bruno believes the remarks of the article were taken out of context. If so, why didn't he clarify what he believed the proper answer to the direct question, if he succeeded as Mayor, would he have a good working relationship with the Police Department. Council President Bruno stated he has been visiting with the Police Department since he became Councilman and felt he had a good working relationship with them and he also was able to meet some of the employees in the Township, who were in turn happy to see him at the office, working for them to get things done. Council President Bruno asked did he not say that. Mr. Snyder replied yes, Mr. Bruno did say that in the piece, but it doesn't mean the context was incorrect. Council President Bruno stated he also informed Mr. Snyder that what he says he would like printed and not taken out of context. He feels what Mr. Snyder wrote is incorrect.

Bob Gilson, 288 Beech Street – Mr. Gilson asked what is the status of waiving the \$50.00 alarm fee for residents who are disabled. Mayor Sobkowitz replied the subject can be put on the Agenda for discussion by Council, and the ordinance would then have to be amended. A conversation followed on the Commuter Parking lot, which currently has 35 spaces and what can be done for additional parking. Councilman Sears has received bids for the installation of a bike rack at the lot. Mr. Gilson stated he has heard that the Y is currently in discussion with NJ Transit about using their parking area for commuters and charging commuters. A conversation followed on the use variance and tax implications if that were to occur.

Jeffrey Westefeld, 315 Fern Street – Mr. Westefeld asked if there has been any update on Hull Terrace, whether it is a private or public road, and if it is private, are the resident reimbursing the Township for services, such as snow removal, and leaf pick-up. Hull Terrace was paved by the Township in 1997, since then there has been snow removal and the Mayor authorized leaf pick up this season. Mayor Sobkowitz stated she does not believe it is a private road, and she has been looking through old files. She believes it is a quasi-semi private road, but there are certain criteria that need to be met in dedicating the road to the Township. Originally the Hull family owned all of the homes at Hull Terrace. She stated she will continue to look through the documents, and have the township attorney to review and report back to council.

Beth Ritter, 699 Jacquelyn Road – Ms. Ritter spoke at length of her dismay and embarrassment as a result of the last Council Meeting she watched on television. For a long time she felt the township was the secret gem of Bergen County, now she feels we are the laughingstock of the Pascack Valley. She spoke of her over 13 year career as a public servant and serving as the Director of Constituents Services for US Congressmen and Senators, working for the

common good of all New Jersey residents, not just members of certain political parties, religions or backgrounds. She spoke of a former Councilman who spoke last week, and her opinion which is that is exactly when smear, dirty and party politics came into play. She spoke of helping a former Veteran get his medals, getting bodies of loved ones from countries where they died, never asking their party or ethnic affiliation. She asked Council to please focus on paying it forward, helping the township residents, seniors and children.

Toni Plantamura, 808 Robinwood Road – Ms. Plantamura stated she is imploring the Township residents to watch the Council meeting of Monday, October 6 before going to the polls. She spoke at length of her belief that the meeting of October 6 was staged, that a retired Police Officer of 25 years, who now resides in Wyckoff, and specializes in security and investigations would conveniently come to a Council meeting four weeks prior to an election about an incident that occurred in 2002 is a form of bullying and dirty politics. She stated she believes Mr. Calamari and Mr. Sears planned and encouraged this. She further stated according to an article in the Sunday, October 23, 2017 issue of the Pascack Press, Mr. Hanson, from his personal number, texted a reporter whom he had met to discuss Memorial Field on previous occasions, the court disposition on September 29, 2017. She spoke of the relationship Mr. Hanson, Mr. Twomey, and Mr. Spezial have and the support they show for Mr. Calamari and Mr. Sears. She stated the Calamari family basically runs this town; the Dad being chairman of the Zoning Board, a brother is a Police Officer along with several other family members. She spoke of it being unsettling for a Township Police Officer, who was called by Mr. Bruno to remove Mr. Hanson at the October 16 meeting, give, his opinion of the 2002 incident. She stated a Police Officer is supposed to be fair and impartial while performing their duties, and as a former Police Officer she is proud to say never once did she give a political statement while wearing a uniform. She stated Mr. Cumming has a daughter who is a Police Officer in the Township, and she asks that both Mr. Calamari and Mr. Cumming recuse themselves from any matters involving the Police Department. She stated voting for this team is voting for the status quo; it will continue to be all in the family and it will not be a vote for new leadership.

Councilman Calamari stated since Ms. Plantamura brought up his family again, he would like to take a minute to give a brief history of his family in the Township. He stated his father's brother John came to Washington Township in the 1960's, soon afterwards his brother and some relatives followed. His Uncle was elected to the Township Council in the early 1970's, and also served as town treasurer for a few brief years. His Uncle relocated to Pennsylvania in the late 1970's, passing away earlier this year. His cousin Julie was asked to be the Township Clerk sometime in the late 1970's, serving many years and has been retired for over 10 years. Julie's husband Boris served as the Director for Public Safety for many years and passed away in 1992. He stated his father's sister, Marie, was asked to fill the position of DMF Secretary back in the 1970's, and also served as secretary for many town boards, as employees back then wore many hats, and she passed away over 20 years ago. His sister volunteered as a girls' softball coach, and his brother coached intermural basketball for many years. His father served on the Township Planning Board for over 30 consecutive years, it is an unpaid volunteer position. The board elects its own chairman, similar to the Council electing a Council President. His Dad has been the chairman for over 20 years, other members consistently choosing him for his good judgement, professionalism and hard work on the Board. His father will be stepping down from the position on the Planning Board at the end of the year regardless of the outcome of the election. His father is also the Chairman of the Washington Township Republican County Committee. One function of the Committee is to support republican candidates for elected positions at all levels. Committee members are elected by the registered Republicans in the Township; they have no power or authority in the Township. His father has run unopposed for as long as he can remember and

this is due to one simple reason, no one else wants the job. He also has two cousins on the Committee as well, who also have run unopposed. His father has asked them to fill the positions, so they are not left vacant. If anyone is interested in these positions, please contact them as they would be happy to talk to someone about taking them over. His father also voluntarily personally purchases and delivers meals for the hard working board workers on Election Day. His brother John is the only relative he has that is working in a paid position in the Township as a Lieutenant in the Police Department. His brother has served in the Police Department for over 24 years, being hired in 1993 through a process administered independently by the Bergen County Police Chief's Association. His brother scored 2nd highest on the written exam out of 70 applicants, and 3rd in the interview position, subsequently being ranked number 2 for the position. The person who ranked number 1 accepted a position with the New Jersey State Police, so his brother was hired. He is proud of each one of his family members record of service and commitment to the community, and seeks to continue this service as Mayor. He stated anyone who thinks his family is running the Township is wrong, we do have a long history, but most of the people are deceased. He and his brother are the only two people doing anything in the Township, other than his Dad who is resigning at the end of the year.

Scott Spezial, 785 Washington Avenue – Mr. Spezial spoke at length of the current traffic situation at Washington Avenue, specifically the vehicles coming over the double yellow line. Mayor Sobkowicz explained how the County realigned the lanes recently, that is making the road a single lane until you get into a separate lane to make a left. Mr. Spezial spoke of both his daughter and himself being involved in separate accidents while exiting their driveway. He stated he is asking for a short term solution. He continued when a Police Officer is parked on Jacquelyn, not one person crosses the double yellow line, and by increasing the width of the road into two lanes, it is encouraging more people to come down the hill and form two lanes. He asked is it possible for a county police officer to come to the area? Mayor Sobkowicz stated there has been a lot of Police detail in the area, and the Township Police have to get back to the County with feedback. He stated again, if there is a police presence on Jacquelyn, no one goes over the double yellow or fast down the hill, the vehicles remain in a single file. Councilman Ullman suggested the Police Department, as well as the county be asked if there is a design that could possibly assist going west, since this is not something new. A conversation followed on asking a county officer to patrol the location.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment requested someone look into why the clock is not working outside of Town Hall. She also asked why are there fifteen 55 gallon black drums in the back of Town Hall's parking lot. Administrator Groh stated they are as a result of work that Quest is performing, three additional monitoring wells were installed last week, at various depths, and those are the samples that were taken, they will be removed on Wednesday. Mr. Poller stated we will be getting the results and findings. Council was made aware of what was happening as well as the residents adjoining the parking lot.

Julianne Lipnick, 184 Finnerty Place – Mrs. Lipnick expressed her opinion of the last meeting where Mr. Bruno came under attack from many sides, and was asked to step down by an anonymous letter as Council President and race for Mayor because of a mistake that he made 15 years ago. She asked who here elected, appointed or volunteer does not have something in their past that they regret saying or doing. She spoke at length of being a classroom aid at Brookside School, and the foul language that was used by the children during football, and as a result the children were banned from playing football during recess by the Principal. She stated when the boys were asked why they use that kind of language, they replied that is how their coach talks. She also spoke of witnessing coaches throwing clipboards, cursing at players for all to

hear, which continues to this day. She stated we should have second thoughts about this type of character that is allowed to coach our youth, she feels it is a double standard. She spoke of schools across the country spending millions of dollars on anti-bullying programs, assuring children it will get better one day, but the behavior at the last meeting proves otherwise. A conversation followed regarding a charge for a late tax payment due to Ms. Lipnick and requested refund.

Jim Hanson, 11 Lindenwood Court – Mr. Hanson spoke of what occurred at the last meeting, being subjected to having the Police called when he sat calmly trying to speak. He stated he has the right to speak for five minutes, and being part of the community it is his job to come out and bring things to the attention of the residents. He spoke of speaking to a reporter in the past, and that conversation being taped and/or recorded. He stated that he is quite certain that the article that was written by the reporter was put in the right context, since that is his job. He thanked Mayor Sobkowitz for her service, and he hopes that no citizen gets treated the way he did at the last meeting, by five police officers coming in when all he was doing was informing the public. He stated every citizen has the right to speak for five minutes on whatever subject they wish to talk about, that is their First Amendment Right.

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

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

Nays: None.

ORDINANCES

Introduction 1st Reading

Ordinance No. 17-19

AN ORDINANCE PROVIDING FOR NO-KNOCK REGISTRY FOR PEDDLING, SOLICITING AND CANVASSING WITHIN THE TOWNSHIP OF WASHINGTON.

A motion was made by Councilman Sears, seconded by Councilman Calamari, to introduce and pass Ordinance No. 17-19 at first reading by title.

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

Nays: None.

The following resolution, Resolution No. 17-320 was presented and adopted on a motion by Councilman Sears, seconded by Councilman Ullman.

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

Nays: None.

Resolution No. 17-320

WHEREAS, Ordinance No. 17-19 entitled: AN ORDINANCE PROVIDING FOR A NO-KNOCK REGISTRY FOR PEDDLING, SOLICITING AND CANVASSING WITHIN THE TOWNSHIP OF WASHINGTON was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 30th day of October, 2017; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 13th day of November, 2017, at 7:30 PM, 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. 17-19

AN ORDINANCE PROVIDING FOR A NO-KNOCK REGISTRY FOR PEDDLING, SOLICITING AND CANVASSING WITHIN THE TOWNSHIP OF WASHINGTON

BE AND IT IS HEREBY ORDAINED by the Township Council of the Township of Washington that Chapter 167 of the Code of the Township of Washington entitled "Peddling and Soliciting" be and is hereby amended by adding the following provisions to Article I [General Regulations]:

1.

§ 167-1 Definitions is amended by amending the definition of "Solicitor" as follows:

"SOLICITOR

A person, also known as a "canvasser," traveling either by foot, motor vehicle or other motorized conveyance, bicycle or other human powered conveyance, or any other type of conveyance, from place to place, from house to house or from street to street, to take or attempt to take orders for the sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such person has, carries or exposes for sale a sample of the subject of the sale, and whether or not such person accepts an advance payment for the goods. Included in the definition of "solicitor" is any person taking a poll or a survey from house to house or on the streets, or soliciting the sale, lease or other disposition of a house or real property."

2.

§ 167-2 Purpose is amended in its entirety to provide as follows:

"The purpose of this article is to prevent crime, invasion of privacy, and dishonest business practices by the regulation of the conduct of solicitors, nonprofit-making vendors and distributors, and the fee therefor is estimated to cover the expenses involved and not for revenue purposes, and by the imposition of license fees for revenue upon peddlers."

3.

The following additional section is hereby added to Article I, General Regulations:

"§ 167-14.1 No Knock Registry.

A. Any owner or occupant of real property within the Township of Washington who desires that solicitors, peddlers, distributors and nonprofit-making vendors be restrained from soliciting such owner or occupant may enroll in a "no knock" registry to be created and maintained by the Township Clerk (the "Registry"). The Registry shall be updated as enrollments are added, and a current Registry shall be provided by the Township Clerk to the Chief of Police.

B. Upon issuance of a license under this chapter, the Chief of Police, or his designee, shall furnish to the licensee the most current Registry provided by the Township Clerk, and the licensee shall personally acknowledge receipt of the Registry, such acknowledgment constituting notice of the contents of the Registry.

C. No solicitor, peddler, distributor or nonprofit-making vendor issued a license under this chapter shall enter upon any property listed on the Registry, nor attempt to contact or communicate with any owner or occupant of said property or invitee thereof. Any licensee violating the provisions of this section shall be punishable by a fine and/or imprisonment as prescribed in Section 1-9 of the Code.”

4. 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.

5. 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.

6. 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. 17- 20

AN ORDINANCE AMENDING THE PROPERTY MAINTENANCE CODE WITH REGARD TO CONDITION OF SIDEWALKS.

A motion was made by Councilman Sears, seconded by Councilman Calamari, to introduce and pass Ordinance No. 17-20 at first reading by title.

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

The following resolution, Resolution No. 17-321 was presented and adopted on a motion by Councilman Sears, seconded by Councilman Ullman.

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

Resolution No. 17-321

WHEREAS, Ordinance No. 17-20 entitled: AN ORDINANCE AMENDING THE PROPERTY MAINTENANCE CODE WITH REGARD TO CONDITIONS OF SIDEWALKS was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 30th day of October, 2017; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 13th day of November, 2017, at 7:30 PM, 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. 17-20

AN ORDINANCE AMENDING THE PROPERTY MAINTENANCE CODE WITH REGARD TO CONDITION OF SIDEWALKS

BE AND IT IS HEREBY ORDAINED by the Township Council of the Township of Washington that Chapter 173 of the Code of the Township of Washington entitled "Property Maintenance" be and is hereby amended by adding the following provision to Article IV, Section 173-7:

1. "I. Lifted, cracked or disintegrated sidewalks where the condition thereof constitutes a hazard to persons utilizing same."
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. 17- 21

AN ORDINANCE AMENDING THE FIREHOUSE PARKING LOT REGULATIONS.

A motion was made by Councilman Calamari, seconded by Councilman Sears, to introduce and pass Ordinance No. 17-21 at first reading by title.

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

The following resolution, Resolution No. 17-322 was presented and adopted on a motion by Councilman Sears, seconded by Councilman Ullman.

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

Resolution No. 17-322

WHEREAS, Ordinance No. 17-21 entitled: AN ORDINANCE AMENDING THE FIREHOUSE PARKING LOT REGULATIONS was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 30th day of October, 2017; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 13th day of November, 2017, at 7:30 PM, 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. 17-21

AN ORDINANCE AMENDING THE FIREHOUSE PARKING LOT REGULATIONS

BE AND IT IS HEREBY ORDAINED by the Township Council of the Township of Washington that Chapter 223 of the Code of the Township of Washington entitled Article V, Firehouse Parking Lot, be and is hereby amended by deleting the current provisions thereof and substituting the following therefore:

“Article V”
Firehouse Parking Lot

§ 223-32 Permit required.

No person shall park a vehicle upon the parking lot adjacent to and part of the firehouse building of the Volunteer Fire Department of the Township of Washington without a permit issued hereunder. Vehicles shall be parked only within parking stalls delineated on the lot, which stalls shall be utilized on a first-come-first-served basis. If no parking stall is available, vehicles shall not be parked anywhere else upon the lot notwithstanding the issuance of a permit hereunder.

§ 223-33 Application for permit.

Applications for a permit shall include the following:

- A. Name and address of applicant.
- B. Number of cars in family and registration plate numbers.
- C. Number of licensed drivers in family.
- D. Names and license numbers of licensed drivers.

§ 223-34 Validity of permit; display required.

Each permit shall be valid until the expiration of the licensing year and shall be prominently displayed upon the vehicle being parked.

§ 223-35 Fee.

A permit fee of \$100.00 shall be due and payable upon issuance of a permit as herein provided.

§ 223-36 Permit limitations.

No more than one permit shall be issued for each family and such permit shall be limited and restricted to residents of the Township of Washington and shall not be transferable.

§ 223-37 Fee not pro-ratable.

All fees, except as hereinafter stated, shall not be pro-ratable for the period between the issuance of the permit and the end of the licensing year.

§ 223-38 Applications, issuance and renewal of permits.

The application for, issuance and renewal of permits shall be governed by the following procedure:

- A. Any person seeking the issuance of a permit hereunder for the upcoming licensing year must file an application therefore. The application form shall be available from the Township Clerk. The Township Clerk shall mail application forms to all permit holders for the current year as provided hereafter, and shall mail application forms to all residents requesting same for the upcoming year, provided that requests must be received no later than the last Township business day in October of the current licensing year.

- B. On the first Township business day in November of the current licensing year, the Township Clerk shall mail application forms for the upcoming licensing year to all current permit holders and to all persons requesting applications in accordance with Subsection A above.
- C. Completed applications for the upcoming licensing year must be submitted in person together with proof of residency in the Township, current driver's license, vehicle registration and vehicle insurance to the Township not later than November 15 of the current licensing year.
- D. Not later than the first meeting of the Township Council after November 15, the Township Clerk shall inform the Township Council of the number of properly completed applications received.
- E. The Township Council may set the number of permits to be issued for the upcoming licensing year by resolution at the first public meeting of the Township Council in the month of December of the current licensing year. If the Township Council shall fail to so act, the number of permits to be issued for the upcoming licensing year shall be equal to the number of permits issued for the current licensing year.
- F. If the number of properly completed applications exceeds the number of permits to be issued for the upcoming licensing year, the Township Clerk shall hold a public drawing from all properly completed applications. This drawing shall be conducted on the third Monday in the month of December of the current licensing year. The Township Clerk shall draw the applications, recording the order of the drawing. Permits shall be awarded in the order of drawing. Those applicants not receiving permits shall be placed on a list of alternates in the order drawn and shall receive permits in the order drawn if and as vacancies occur.
- G. Alternates receiving permits for less than a full licensing year shall have their permit fees pro-rated according to the duration of their permits. A permit holder whose permit is terminated prior to the end of a licensing year shall receive no refund.
- H. The list of alternates shall be maintained by the Township Clerk, which list shall be open to public inspection at all times. A master list of permit holders shall be provided to the Township of Washington Police Department, and shall be updated if any alternates receive permits during the licensing year.

§ 223-39 Licensing year.

The licensing year shall commence on the first day of January and end on the 31st day of December.

§ 223-40 Parking restrictions.

- A. Parking permitted under this article shall be limited to those spaces designated as such on the parking lot property.
- B. Parking shall be limited to the period from Monday through Friday, between the hours 5:00 a.m. and 11:00 p.m.
- C. No more than one authorized vehicle per family may be parked during any permitted period.

§ 223-41 Waiver of liability.

All parking shall be at the applicant's own risk, and the applicant waives any rights or claims of liability against the Township for any loss or damage as a result of parking privileges extended hereunder.

§ 223-42 Violations and penalties.

No vehicle shall park or stand in a parking stall without displaying a parking permit placard issued by the Township Clerk for the applicable licensing year. Any person convicted of a violation of any provision of this Article shall be liable to a penalty of not more than \$100.00 per day for each offense. In addition to any applicable daily fine, any unauthorized vehicles shall be subject to being towed away by the Township. In such case, the owner shall be responsible to pay all costs associated with the removal and storage of such vehicle which may result from such removal before regaining possession of vehicle. ”

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)].

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 Cascio, to the Consent Agenda.

As per Councilman Ullman’s request, Mrs. Witkowski, the Township Clerk expressed her thoughts on Resolution No. 17-317.

As per Councilman’s Calamari’s request, Administrator Groh explained the need for Resolution No. 17-324, which was as a result of reconciling bank statements and Resolution No. 17-325 was prepared by the CFO, as a result of the Corrective Action Plan.

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

Resolution No. 17-317
Opposition to legislative proposals OPRA and OPRA

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by revenue source other than property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more quipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Washington, Bergen County, that the Legislature is strongly urged to reject Senate Bill Nos. 1405 and 1406 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

Resolution No. 17-323

Accepting maintenance bond from Wetlands, Inc. and authorizing release of retainage

WHEREAS Wetlands Inc. ("Wetlands") entered into a Contract with the Township of Washington (the "Township") on June 26, 2017 for the construction of an A.D.A. Compliant Curb Ramp at Memorial Field, which Contract was completed and the work accepted; and

WHEREAS, the Township is authorized to retain ten percent (10%) of the final contract amount for a two-year period from the date of completion, provided, however, that in lieu of retaining ten percent (10%) of the final contract amount for a two-year period, the Township may choose to accept a twenty percent (20%), two-year maintenance bond in a form approved by the Township Council; and

WHEREAS, Wetlands has submitted to the Township, Maintenance Bond Number 106766130-M issued by Travelers Casualty and Surety Company of America in the amount of \$8,650.60 (the "Bond"); and

WHEREAS, the Township Attorney has reviewed such Bond and finds it to be in order;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington that the Maintenance Bond submitted by Wetlands in its current form is hereby approved by the Township Council of the Township

of Washington and release of the retainage is hereby authorized upon the original Maintenance Bond being delivered to the Township.

Resolution No. 17-324

Authorization to cancel stale dated checks

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that the Chief Financial Officer is hereby authorized to cancel outstanding checks dated prior to March 31, 2017, as per the list below of the Township of Washington:

Current Account:

Check #	Amount
31909	165.00
32450	45.00
32525	45.00
33720	50.00
34149	570.00

Trust Account:

Check #	Amount
7112	196.00
7149	270.00

General Capital:

Check #	Amount
3067	1,855.00

Animal Control:

Check #	Amount
1634	52.50

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer of the Township of Washington is authorized to cancel the above outstanding checks totaling in the amount of \$3,248.50.

Resolution No. 17-325

Authorization to cancel General Capital receivables, reserves & General Capital improvement authorizations

WHEREAS, the following receivables and reserves are outstanding in the Township's General Capital Fund and have been deemed no longer collectible or available;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, Bergen County, New Jersey that the following General Capital Grant Receivables, Reserves and Improvement Authorizations be canceled:

General Capital Grant Receivables:

County of Bergen Open Space – Ordinance 14-11	\$ 900.00
Community Development Block Grant – Ordinance 15-08	\$1,801.00
County of Bergen Open Space – Ordinance 13-11	\$5,023.97

General Capital Grant Reserves:

County of Bergen Open Space – Ordinance 14-11	\$ 900.00
Community Development Block Grant – Ordinance 15-08	\$1,801.00

General Capital Improvement Authorizations:

Ordinance 13-11	\$5,023.97
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Resolution No. 17-326

Authorization to refund escrow to John & Kevin Frazza Foundation in the amount of \$147.11

WHEREAS, the John & Kevin Frazza Foundation posted escrow monies for police outside billing/overtime for the Foundation's 5K Run that took place in the Township; and

WHEREAS, the John & Kevin Frazza Foundation is requesting the return of escrow monies that remain in the escrow account, as the event is complete and overtime has been charged to the escrow account; 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 \$147.11 to the above.

Resolution No. 17-327

Authorization to refund engineering escrow for Block 4317, Lot 32, 444 Mountain Avenue in the amount of \$406.00

WHEREAS, Michael Mein posted engineering & soil movement escrow monies on premises known as Block 4317, Lot 32, 444 Mountain Avenue, and;

WHEREAS, the Construction Code Official has issued approval, C.A. No. 17-224, and;

WHEREAS, outstanding invoices due the Township Engineer as per his letter dated June 29, 2017 have been satisfied; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow monies in the amount of \$560.00 to the above.

Resolution No. 17-328

Authorization to refund engineering escrow for Block 2204, Lot 4, 837 Robinwood Road in the amount of \$363.00

WHEREAS, Joseph & Aleda Fulco posted engineering escrow monies on premises known as Block 2204 Lot 4, 837 Robinwood Road, and;

WHEREAS, the Construction Code Official has issued approval, C.A. No. 16-526, and;

WHEREAS, outstanding invoices due the Township Engineer as per his letter dated August 18, 2017 have been satisfied; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow monies in the amount of \$363.00 to the above.

Resolution No. 17-329

Authorization to refund engineering escrow for Block 4508, Lot 47, 178 Hickory Road in the amount of \$657.00

WHEREAS, Jacobsen Landscape Contractors posted escrow monies for engineering work done on premises known as Block 4508 Lot 47, 178 Hickory Street (Ciardulli Residence); and

WHEREAS, the project falls within the guideline where neither a Certificate of Occupancy nor a Certificate of Acceptance is needed; and

WHEREAS, outstanding invoices due the Township Engineer as per his letter dated July 21, 2017 have been satisfied; and

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

Resolution No. 17-330

Authorization to refund engineering escrow for Block 3105, Lot 4, 732 Chestnut Street in the amount of \$559.00

WHEREAS, Eddie & Kelly Riedel posted escrow monies for engineering work done on premises known as Block 3105 Lot 4, 732 Chestnut Street; and

WHEREAS, the project falls within the guideline where neither a Certificate of Occupancy nor a Certificate of Acceptance is needed; and

WHEREAS, outstanding invoices due the Township Engineer as per his letter dated September 5, 2017 have been satisfied; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$559.00 the above.

Resolution No. 17-332

Authorization to refund engineering escrow for Block 4404, Lot 1, 315 South Chestnut Street in the amount of \$675.55

WHEREAS, John & Laurie Andrisano posted engineering escrow monies for work on premises known as Block 4404 Lot 1, 315 South Chestnut Street; and

WHEREAS, the Construction Code Official has issued approval dated August 30, 2017, CO #15-088 & 15-088+A; and

WHEREAS, outstanding invoices due the Township Engineer as per his letter dated August 23, 2017 have been satisfied; and

WHEREAS, escrow release was approved by Resolution 17-313 on October 16, 2017 for \$557.71, but the actual amount should be \$675.55; and

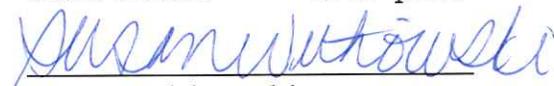
NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$675.55 to the above.

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

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

Nays: None

Time Noted: 8:40 p.m.


Susan Witkowski
Township Clerk


Robert Bruno
Council President

Approved: March 5, 2018

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

CONFERENCE MEETING MINUTES

October 30, 2017

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

Administration

Project Tracker

Fire Department Vehicle – The Tahoe was delivered, it is being stored at the firehouse until it can be delivered to East Coast Lighting to get it outfitted, the purchase order has been completed.

Police Dispatcher – Mayor Sobkowicz stated currently there are two (2) full time dispatchers and one (1) part timer. She stated hiring five (5) full time dispatchers would add several hundred thousand dollars to the budget. A full timer's salary is \$40,000, plus medical coverage, vacation and personal days. She stated she would hire a part-timer, but hiring full timers would not save any money. A conversation followed on monies that were put into the budget for dispatching, as well as not having police officers covering the desk, but out patrolling the Township. Police Dispatching will be discussed again at next year's budget meetings, and the numbers will be worked out.

Police Drainage – Administrator Groh will reach out to Mr. Statile for the specifications. Landscaping does need to be cut, and there is also debris collecting on the roof.

DMF Ceiling – The DMF ceiling is being repaired by the DMF, the \$45.00 is for items which were needed for the repair.

Computers – Three quotes were received, the Mayor has signed off on the one quote for the install and smaller components. A conversation followed on the 17 inch monitors that are currently being used, and the benefit in giving an employee a larger monitor, as to increase productivity.

Building Department – An applicant was hired in the Building Department, and the former employee has been coming in over the weekends to help out.

Quest- Monitoring Wells Update – Mr. Poller's office sent a letter to a resident on Pascack Road to gain access to their property to take samples. There has been an issue in the past with access, and further action may need to be taken to gain access.

Council

Memorial Field – Memos/sod entire field beginning December/use surplus/expedite bidding process – A conversation followed on a letter copied to Council by Mr. Terwilliger. Sodding the field in December was discussed, which the Mayor indicated she is not in favor of, along with not being in favor of sodding the whole field. If monies are taken out of surplus, it does expedite the bidding process in the generic sense since monies are available. Mr. Statile will be asked to price out sodding of the whole field, or just the football area, end zone to end zone. A conversation followed on the DMF maintenance of the

field a few years ago, which resulted in the field being in better shape, and the professional services that were used in this year. The lighting of the field forces the players to stay in a certain location, as opposed to using the whole field and rotating. Mr. Statile will be asked his opinion in sodding a portion or the whole field. Mayor Sobkowicz will reach out to Mr. Dugan about the Memorial Field Committee and Council having a work session.

Class 3 (SLEO) Police Officer – statute – Mr. Poller explained the Class 3 Officer, which is a retired Police Officer can be appointed to public and non-public schools. The position is a part-time position, thirty (30) hours per week, and it would be of a cost savings for the Township. Mr. Poller will provide copies of the Statute to Council. As per the current Township Code, Police Officer is general term and does not specify class. A conversation followed on who would hire the Police Officer in a regional school district. Mr. Poller stated he will reach out to the attorney for the Westwood district. Additional information will be provided.

Tiger Grant Update – Councilman Cascio will reach out to Congressman Josh Gottheimer’s office for an update.

East Glen Avenue 35 m.p.h. – Mayor Sobkowicz stated if Council want to pursue this issue 3 votes are needed. The County requires reports and studies from the Police Department and then they will perform their own studies. If the County deems it is dangerous enough, then will then go to Freeholder Board requesting an Ordinance passed to change. The Police Department is willing to do it, but Council does need to be committed since it is a lot of work. A conversation followed on the speed limit which is 35 mph, the reduction to 25 mph and going east on East Glen is 20 mph. A letter was received by a Township resident who requested the speed limit reduction, as well as putting curbs in the area. The subject will be put on the next agenda, along with Chief Hooper’s letter. SUEZ will be contacted regarding overgrown shrubs at the substations water pump on East Glen Avenue, which is blocking driver’s views. A light at Pascack and Linwood, which is a County road, will also be discussed in the future.

Project Heartbeat – AED Donation – The letter is addressed to the Township of Washington in Warren County. Mr. Stickel has donated all of the AED’s for the Township fields, and he feels this letter is for Warren Township. The Township Clerk did speak with the representative today, and did indicate she was calling Bergen County. The Township is 100% covered, and Mr. Stickel will be providing an email regarding locations of AED’s and training provided. JIF will be contacted as well as Northwest Regional Health Commission to see if there is a need for this equipment.

Ordinances and Legislation

Dumpsters – stormwater management – Dumpsters are covered by storm water management, but they are not covered in terms of regulation, there are provisions to keep them covered and not leaking. Ordinance No. 15-12, Chapter 243-8.2 was read into the record by Mr. Poller. There are exceptions listed to the prohibition. Roll-offs used for constructions also are required to be covered.

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

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

Resolution No. 17-331

Closed Session

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 a. of this section.
2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendation, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance, and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
4. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
5. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
6. Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law-
7. Any pending or anticipated litigation or contract negotiation other than in subsection b. (4) herein in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer. **TAX APPEALS, COAH**
8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed

by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

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

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

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

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

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

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

Time Noted: 9:38 p.m.


 Susan Witkowski
 Township Clerk


 Robert Bruno
 Council President

Approved: March 5, 2018