

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
REGULAR MEETING AGENDA
July 15, 2019~7:30 p.m.

CALL TO ORDER: Council President DeSena.

STATEMENT

Welcome to the regularly scheduled Public Meeting of July 15, 2019 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 FLAG: Lead by Council President DeSena

ROLL CALL:

Councilmen Cumming, Cascio, Ullman, Council President DeSena.

Let the record reflect also in attendance: Mayor Calamari; Township Administrator Tovo; Township Attorney Poller; Township CFO Curran, Township Clerk Witkowski and Borough Engineer John Yakimik.

Absent: Councilmen Bruno.

MAYOR'S APPOINTMENTS (with consent of Council)

Appointment of Honorable Anthony N. Gallina, P.J.M.C. as Municipal Judge

Mayor Calamari – To the Council President and Council of the Township of Washington, please be advised that I am respectfully submitting the following citizen for the position set forth below, subject to your advice and consent:

Honorable Anthony N. Gallina, P.J.M.C. Municipal Judge
Term expiring 12/31/19

COUNCIL RESOLUTION RELATING TO CERTAIN APPOINTMENT:

A motion was made by Councilman Ullman, seconded by Councilman Cumming, to approve Resolution No. 19-229.

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

Resolution No. 19-229

Appointment of Honorable Anthony N. Gallina, P.J.M.C. as Municipal Judge, for the unexpired vacancy term expiring December 31, 2019

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that it does hereby consent to the Mayor's appointment of Honorable Anthony N. Gallina, P.J.M.C., as Municipal Judge of the Municipal Court commencing July 16, 2019 to fill the unexpired vacancy term through December 31, 2019.

Mayor Calamari – Mayor Calamari stated the Judge is present tonight, and thanks him for coming on board.

MAYOR'S APPOINTMENT (without consent of Council)

Mayor Calamari – To the Council President and Council of the Township of Washington, please be advised that I am respectfully submitting the following citizen for the position set forth below, subject to your advice and consent:

Appointment of Honorable Richard G. Brady as Alternate Municipal Judge for the term expiring 12/31/19

Councilman Ullman questioned why Council consented to the Judge, but not the alternate. Attorney Poller stated there is no position for Alternate, per se, that is covered by the Statute, the Township Code.

READING OF TOTAL LIST OF BILLS

The Clerk read the totals of the list of bills paid since the last bill list was submitted representing June 1, 2019 through July 12, 2019.

TOTAL	2018 Reserve	\$19,776.61
TOTAL	2019 Current	\$3,797,667.92
TOTAL	Capital Fund	\$39,942.50
TOTAL	Animal Control	\$55.80
TOTAL	Trust Fund	\$3,363.94
TOTAL	Grant Fund	\$39,857.50
TOTAL	Escrow Trust	\$48,362.92

Councilman Ullman requested that the retiree expense, which is not reflected in the User-Friendly Budget, be shown on expense side as a negative in the Schedule. A conversation followed on the policy for benefits for past retirees, which is no longer available to those that retire. Councilman Ullman requested that the policy be clearly noted in the Employee Handbook.

Councilman Bruno arrived at 7:36 p.m.

Councilman Ullman asked on Page 7, was a claim made to JIF for repairs/expenses regarding the fallen tree. Administrator Tovo stated the repairs were below the \$2,000 deductible. Councilman Ullman asked on page 7, the Payroll Report fee, is this over and above the normal services. Administrator Tovo stated he will get back to Councilman Ullman on that. Councilman Ullman stated page 10, check # 37632, for Advance Electrical upgrade to Borough Hall lighting, he is wondering what that is considering there was a large exercise taken by Councilman Cumming. Administrator Tovo stated he believes it is not captured correctly. There are issues with the HVAC working properly, and thermostats, that is the work they were in for. This was not part of the HVAC work that was done as part of the energy program, the existing thermostats need service and repair. A conversation followed on using the reserve, the municipal insurance, which is about \$26,000, and perhaps reclassing this. Councilman Ullman stated page 11, check # 37642, Boswell Engineering for Washington and Pascack, should that be charged to the Capital Project. Ms. Curran replied it should be, that is an error. A conversation followed on the payment to the Borough of Saddle River for a TA, the Township of Washington's TA had a week vacation, the services of their TA was offered, it is a one-time expense. Councilman Ullman stated on page 26, check # 37736, why were portable basketball nets paid for since there are basketball nets at Bethany and Memorial. Administrator Tovo he will reach out the Recreation Director. Councilman Ullman stated page 31-32, payments are being made to the Borough of Paramus. Administrator Tovo stated the Police Department have a donation account, usually for extra items that are not budgeted for, he will follow-up.

APPROVAL OF MINUTES:

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to approve the Closed Session Minutes of April 2, 2018. (Councilman Ullman was absent).

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

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to approve the Closed Session Minutes of May 7, 2018 and May 21, 2018.

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

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to approve the Closed Session Minutes of June 17, 2019. (Councilman Cascio was absent).

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

REPORT OF MAYOR CALAMARI

2019 Road Program and Intersection

John Yakimik is present from Boswell Engineering this evening, who will give us a firsthand status on those two topics.

Westwood High School Graduation

It was a pleasure to be invited to and attend the high school graduation ceremony, unfortunately the weather did not cooperate, the ceremony had to be moved indoors, but that did not put a damper on the enthusiasm of the graduates, friends and family. We wish them the best in their future endeavors.

Summer Concerts

Asbury Fever played for our entertainment last Friday (July 12th). The weather was perfect and a good time was had by everyone in attendance. This Friday, July 19th, will be the final concert for 2019, featuring Rubix Cube, the popular 80's tribute band. Thank you to the people at Bethany Community Center for allowing us to use their parking lot for these events. It is always a pleasure working with the members of the Fire Department to make these concerts, and other events happen, such as their Annual Car Show, and Easter Egg Hunt to name a few. They are always there to support the Township, please show them how much they are appreciated in return.

Paper Shredding and E-Recycling Event

The next paper shredding and e-recycling event will take place this Saturday, July 20th, 9:00 am – Noon at the Town Hall parking lot.

Town Hall Summer Hours

New Summer hours went into effect on July 8th, and will run through Labor Day, September 2nd. The new hours are as follows: Monday 8:30 am – 7:30 pm, Tuesday, Wednesday, Thursday 8:30 am – 4:30 pm, and Friday 8:30 am – 12:30 pm. The new hours pertain to the Clerk, Tax Collector, Building, Planning & Zoning Departments.

Summer Recreation Program

The program is at the half-way point, and it having a tremendous year. We are receiving very positive comments from the parents of children and the number of participants has increased from 130 in 2016, to over 450 this year. A few of the highlights of this year's program is the coordination of 12 trips, which are fully sold out, with wait lists for more attendees, 50-75 campers attend the Township pool 4 days a week, every Wednesday there is a Fire Truck wet down, again we thank the Department and members that take the time to make this happen. Counselor to camper ratio has gone from over 10-1 to a safer 7-1 ratio. The Counselors have all been EpiPen trained, and we now have 5 New Jersey Certified Educators on staff that are CPR and First-Aid trained. Again, we would like to thank Bethany Center for opening their facilities to the program, it is great for the participants to have an air-conditioned place to go for lunch, breaks and days with inclement weather. Thank you to the leader and coordinator Chris Pinto and his staff of counselors for all the work they put in to make the program such a success.

Junior Police Academy

Under the direction of Detective Heather Castronova and with the help of many of her fellow officers, the Department ran another great program, with their counterparts from Emerson and Westwood. It is hard to imagine, but this was year 19 of the program, who would have thought way back then it would have lasted this long and keep getting better with every year. Probably not a coincidence, but with Detective Castronova leading the program, this class had the most female recruits ever. The program wishes to thank the Attorney General's Office, the Bergen County Sheriff, Anthony Cureton, Paramus Police Chief Ken Ehrenberg, and everyone else for their support.

REPORT OF COUNCIL

Councilman Ullman stated he no report this evening due to the full Agenda.

Councilman Cumming stated in the interest of the full Agenda, he would like to only mention we lost one of our residents, Bernard Gola, who was a Holocaust and Auschwitz survivor. Mr. Gola was one of our honored residents of Northgate.

Councilman Bruno stated he has no report.

Councilman Cascio stated he has no report.

Council President DeSena stated it was an honor to be invited to and attend the Junior Police Academy graduation ceremony. He was very proud to be there and live in the Township that runs such a great program for our children. The first Summer concert was great, and the grass looks great. He stated his son is one of the counselors at the Bethany Summer Camp, and he can't say enough about it, having gone through all the years as a camper, and now being a camp counselor, he thinks it is a great improvement being at the Bethany Church. Thank you to the Mayor and everyone here that made this happen.

GENERAL PUBLIC DISCUSSION (Five Minute Time Limit)

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to open the Public Discussion.

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

Nays: None.

Anthony Conti, 490 Ridgewood Boulevard North – Mr. Conti stated he wanted to install an English Walkway (bluestone set in grass) which his neighbor did not want, and his neighbor called the town. The Zoning Official (Gary Mazanec) came out, informed Mr. Conti that he needed to fill out a Zoning Application, as well as provide a blueprint, the project went from a simple English walkway to curbing and walkway. Mr. Conti stated he submitted the application as well as the blueprint on September 30th, and after numerous calls and stops to the Township, he received approval to start the project on November 7, 2018, That took quite a bit, not only calls to Mr. Azzolina, but he also spoke to the Township Administrator, who called Mr. Azzolina on the phone to push it through. Mr. Azzolina's excuse was he was busy with the Viviano property. Mr. Conti stated he could not do the project because of the cold weather, since it is concrete, sand and gravel, but he did start the project in April, and finished the project late April due to the rain. He then went to the Zoning Office in the Township on May 6th, and requested is money back that was not used. Mr. Azzolina had already charged \$444.50 to over engineer the sidewalk with 8 inches of gravel, 6 inches of concrete and wire mesh. Mr. Conti stated Code is 4 inches of gravel, 4 inches of concrete with a Belgium block curb, set in concrete, none of this over engineering. He stated on May 6th, the Zoning Official sent an email to Mr. Azzolina telling him that Mr. Conti finished his project, would like the refund on the \$1,000 deposit that he put down to pay Mr. Azzolina. He stated he also went to see Ms. Curran, after numerous emails that she sent, he received a letter today from Mr. Azzolina stating that the Township could now refund his balance, and Mr. Azzolina also charged him another \$110.75 to state that Mr. Conti did the project properly. He stated it has cost him \$550.25, and he will be receiving a refund of \$444.75, which took a year, this refund cannot be done at this meeting, but will be done at the next meeting of August 12th. Mr. Conti spoke at length of why a Zoning Official, who has some sort of engineering background, could not come to his home, look at the project, state the project was done correctly, instead of paying Mr. Azzolina another \$110.75. He stated Mr. Azzolina did not come during the construction, so there is no way he could say it was constructed properly by looking at the surface, he stated the only way to do that is get the building inspector to come in. Council President DeSena spoke of the timing, as well as the charges being unacceptable, and asks the Administration to look into this and follow up with Mr. Conti. Mr. Conti stated all of the employees he dealt in the Township were very helpful, and did go out of their way to assist him.

David Snyder, 91 Windsor Circle – Mr. Snyder stated he is in favor of the new Firehouse/Ambulance Corps, but is concerned of the traffic and congestion in the area. He spoke of a traffic study that was done a few years ago by Lieutenant Hackbarth, and the increase of traffic. A conversation followed on the dentist that is opening an office where the bridal shop used to be, and the engineer providing comments to the application to address the egress and ingress. Mayor Calamari stated the intersection improvements will be tied into the firehouse signaling. Council President DeSena stated it is his understanding, and he has seen the firetrucks go in and out, there has never been an issue. He stated the new intersection will give them better ability to go in and out.

William Ferrara, 2556 Cleveland Avenue – Mr. Ferrara asked what is the status of a passed bond ordinance from 2017, which was for 2.9 million, 1.9 for reconstruction of the DMF Building, and \$986,000 for additional bays for the Firehouse. Councilman DeSena stated the ordinance was never funded, it was authorized, but outstanding. Mr. Ferrara asked if the one-million from the school sale would be used for the 1.3-million-dollar ordinance. Councilman DeSena stated a decision has not been made yet. Mr. Ferrara asked what is the status of the 2018 audit? Council President DeSena stated Council has just received it. A conversation followed on Ordinance 19-14, with is for the parking lot at Memorial Field, as well as the completion of the walkway pathways at Memorial and Sherry. The parking lot at Sherry will not be done this year until there is a

different solution for the leaves, the parking lot was re-grated in April. Mr. Ferrara spoke of having the grant writer apply for grants before the money is spent to purchase an item, such as a fire engine. Mr. Ferrara asked that restricting parking to one side of the street be looked into (Clark Field) during baseball season, since it is difficult to pull out of driveways. He also suggested moving the dirt pile behind located behind the gates to the scoreboard area, or a three-sided structure, since the dirt does run into the street during rain.

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to close the Public Discussion.

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

Nays: None.

Councilman Ullman asked what is the prohibition from taking any action on that parking lot? Council President DeSena stated it is in wetlands, the Township has been fined numerous times. The Township would have to put drainage, and apply for an individual permit at \$35,000, with the possibility of the permit being denied. The DMF has put stone, and re-grated the whole parking lot. Leaves and stone can be put there, but nothing permanent can be put there, once that is done, it becomes an encroachment to the wetlands.

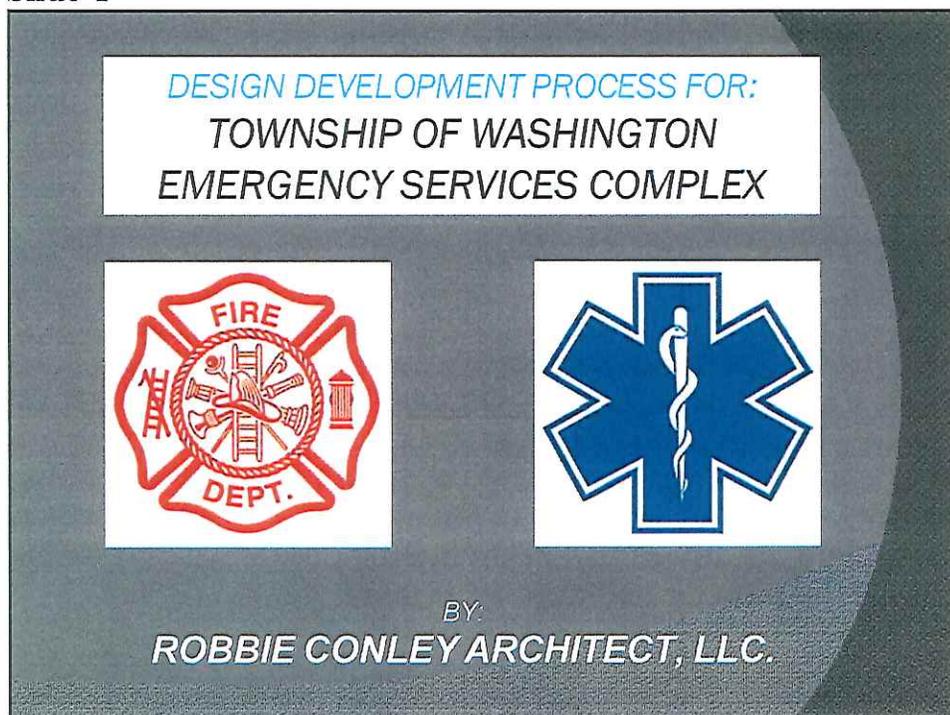
PRESENTATION:

Firehouse and Ambulance Corp Buildings

Robbie Conley, Architect

Councilman Ullman asked what is the expectation of this presentation, and subsequent discussions? Council President DeSena replied the expectation is to authorize the completion of the design, go out to bid, and pass the bond ordinance to pay for it, that was the order of the Agenda.

Slide 1



Slide 2

LOCATION AND EXPERIENCE

LOCATION:
 Robbie Conley Architect, LLC.
 596 Glassboro Road
 Woodbury Heights, NJ 08097

EXPERIENCE:

- Fire Service: 35 Years
- Architecture: 30 Years
- Chief of Woodbury Heights Fire Dept.: 10 Years
- Councilman: 3 Years
- Mayor of Woodbury Heights: 4 Years
- Substantial Experience in Public Work, EMS & Fire

ROBBIE CONLEY ARCHITECT, LLC

Mr. Conley thanked the Mayor and Council and introduced himself. He is the owner of Robbie Conley Architect, he has over 35 years experience in the fire service, as well as architecture. He has served 10 years as the Chief of the Woodbury Heights Fire Department, as well as Councilman for 3 years, and Mayor for 4 years. Our firm is emergency service building design specialists, having substantial experience in all public buildings, but mostly emergency service buildings. He is here tonight to present the design development presentation for the Emergency Service Complex.

Slide 3

NEEDS ASSESSMENT SUMMARY – FIRE & AMBULANCE

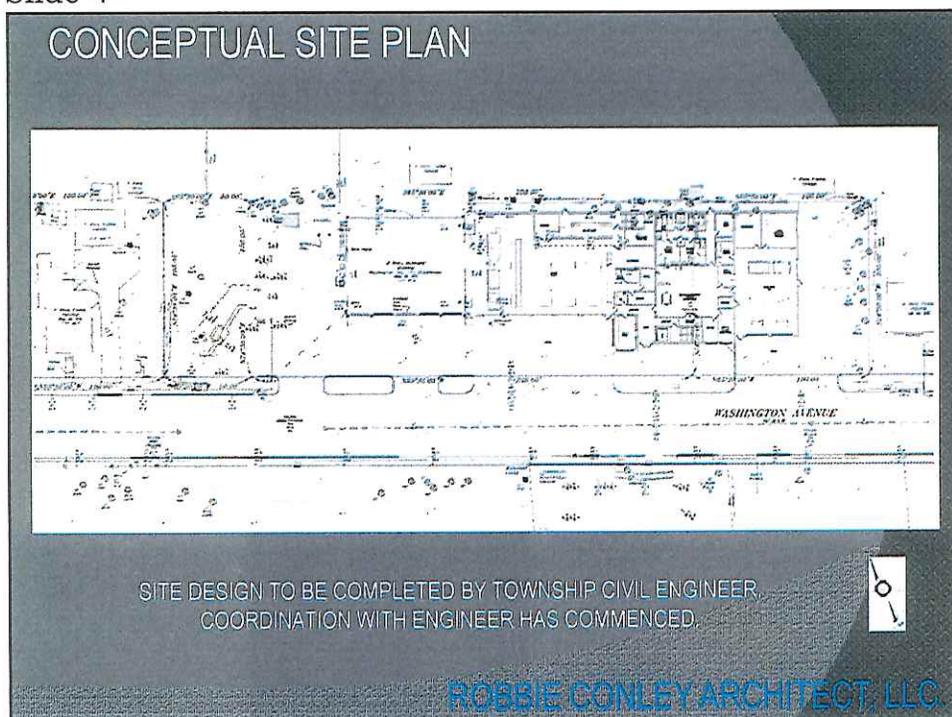
Township of Washington Fire/Ambulance Building NEEDS ASSESSMENT		
SUMMARY		
Operations		5,734
Circulation	10%	573
Total		6,307 SF
House		4,843
Circulation	10%	484
Total		5,327 SF
Administration		3,101
Circulation	10%	310
Total		3,411 SF
TOTAL		16,045 SF
Ambulance		4,812
Circulation	10%	481
Total		5,293 SF
TOTAL FIRE & AMBULANCE		20,338 SF

ROBBIE CONLEY ARCHITECT, LLC

A needs assessment summary was done in the beginning of the project, which came out approximately 20,000 square foot building. Councilman Ullman asked can Mr. Conley explain the Needs Assessment of 20,338? Mr. Conley replied ordinarily a Needs Assessment was done for the Fire Department, after that was completed, it was asked if we could look at including the Ambulance also. As part of that study, in our experience, we came up with spaces for the Ambulance Building, that was presented last August, our first presentation of the study. After our firm was asked to move forward with the project, we sat down and met with the Ambulance personnel, and came up with the spaces that they needed,

that is how we came up with the 20,338 square feet. The total for the Firehouse was 15,045 square feet and total of the Ambulance of 5,293, which came up to 20,000 square feet. Councilman Ullman stated that is all the needs that have been expressed by the Fire Department and Volunteer Ambulance Corps. Mr. Conley yes, when we were looking at them separately. Council President DeSena stated there were several meetings, and that number was refined, reduced, based on what the needs actually was and what we are actually getting. Mr. Conley replied yes, once we got into the actual design, we were able to trim away some of the square footage by some of the spaces, and also with the Ambulance we were able to cut down one bay out of the Ambulance, and two or three bays out of the Fire Department building. In the beginning the Needs Assessment was one thing, but when we sat down and started designing, some of those needs were trimmed down to get the square footage of the building down to a more efficient design. Councilman Ullman asked so we put the needs of a 20,338 square foot space into an 18,934 square foot space. Mr. Conley replied correct, once we met with both organizations, and started looking, going through the design, some of the spaces that we had in both building was able to be taken out. For instance, in the Ambulance Building, we had a day room/ready room area, and also had a separate training room. We were able to combine them both into one space, that was a little larger than the ready room, but smaller than the training room, so they would be able to have a majority of their normal training in that space. If they do have outside meeting, where there are more people than fit in that space, they would be able to use the Fire Departments meeting room, which is larger and accommodate that need. Councilman Ullman asked the Assessment and Design assumes the Ambulance will be able to use the Fire Departments rooms. Mr. Conley replied that is correct. Council President DeSena stated the one meeting room, not all of them.

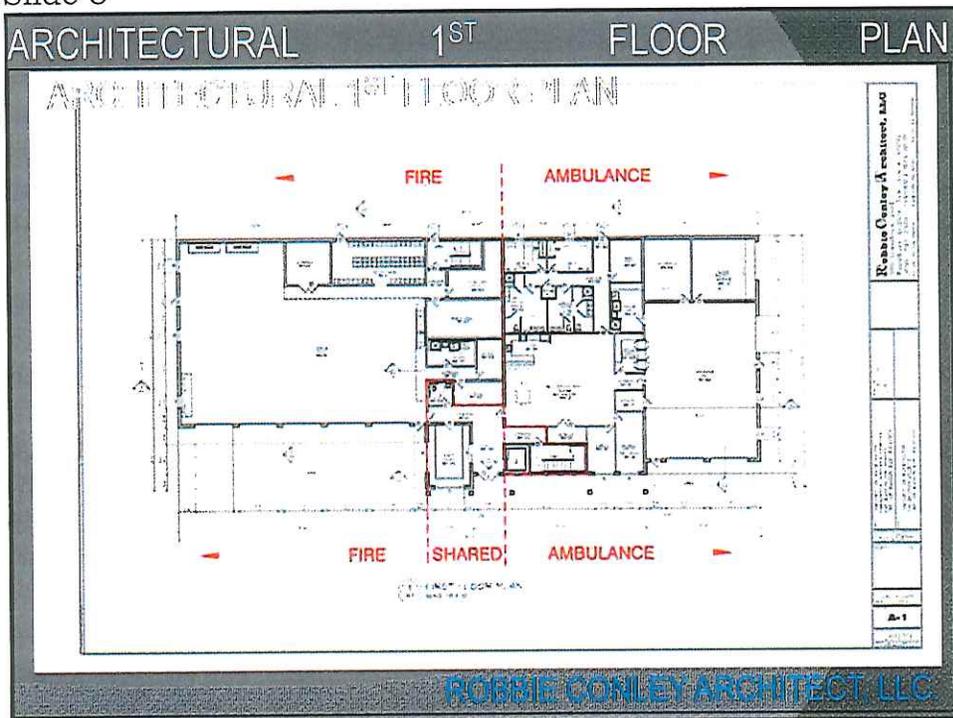
Slide 4



Mr. Conley stated this is the site plan that we came up on the property, one box is the existing firehouse, and the other box is the Fire Department and EMS building. EMS has a driveway and parking lot, there is a grass area in the middle, then on the other side the fire trucks will be able to pull out. Once the existing firehouse is demolished, there will be parking available. Councilman Ullman asked what is the status of Monument Park and the Red House, and how have they been incorporated into the site-plan? Mr. Conley replied they have not been incorporated into the site plan, we are basically doing the building, this is the Conceptual Site Plan, the Township Engineer will be doing the actual site-plan, and it is his understanding they have not been fully contracted to work on the project yet, but they will be at that time. He stated we do not need the

monument at this time, we don't feel we need that for parking, that will be overflow parking. This is the parking we are showing for the Fire Department, which is approximately the same size as the parking that they currently have. The parking for the Ambulance is over here (indicating), this is adequate parking for their needs. Councilman Ullman asked if there is any commuter parking assumed here? Mr. Conley replied at this time, no. Councilman Bruno asked do you know the space of the current commuter parking? Council President DeSena stated the flip-flop of the parking lot is the commuter parking, the fire spaces during the day, not the designated ones are the commuter parking. Councilman Ullman stated the footprint of the existing firehouse is much smaller than the footprint of the proposed firehouse and the areas in front, and he doesn't believe that the commuter and Fire Department can cohabitate on a shared space. Mr. Conley stated there are approximately two rows of parking for Fire Department only, and there is probably about 15 spots there, and there are three to four rows of commuter parking, what he is showing here on this side, about half of this existing building, would probably be the parking for the Fire Department that is currently Fire Department only parking, the other half could be left over for commuter parking. He would think if this project moves forward, and the commuter parking was going to stay in this area, that something would have to be done with the red house and Fire Memorial. He understands there have been discussions of relocating the Fire Memorial across the street on the corner, but that is not something that we are working on. Councilman Ullman asked would it be fair to say the scope of the six-million-plus is the new building, plus the demolition of the old building on this site. Mr. Conley stated he allowed the amount of \$200,000 for the site, an estimate, which he has discussion with the Township Engineer, he is not sure what the \$200,000 entails, but his guess is that it does not entail work on the side of the property.

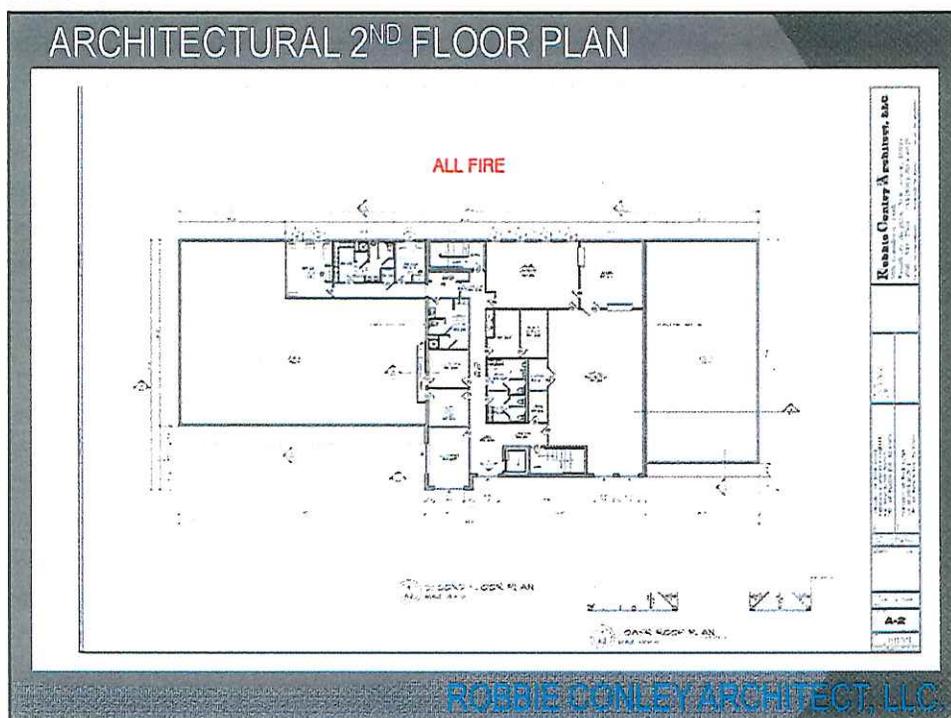
Slide 5



Mr. Conley stated we were able to meet of the all needs of the Ambulance on the 1st floor, shared space is in the middle, the other side is the Fire Department, along with the fire truck bays. For the Ambulance side, two pulling out the front, and there is one on the side, which can be used for a utility room, or additional vehicle if need be. The Fire Department, we have three, with two being double, it can be used for two smaller vehicles or one large vehicle. The ladder truck can take up one of the spaces completely, the other space can be a smaller vehicle, such as a pick-up truck, with either a boat or a trailer behind it. There are five bays, with enough room to fit six pieces of equipment. The fire gear is located in the back, along with a de-con maintenance area, or laundry area, along with storage, all of their needs are met on this floor here. The shared space in the

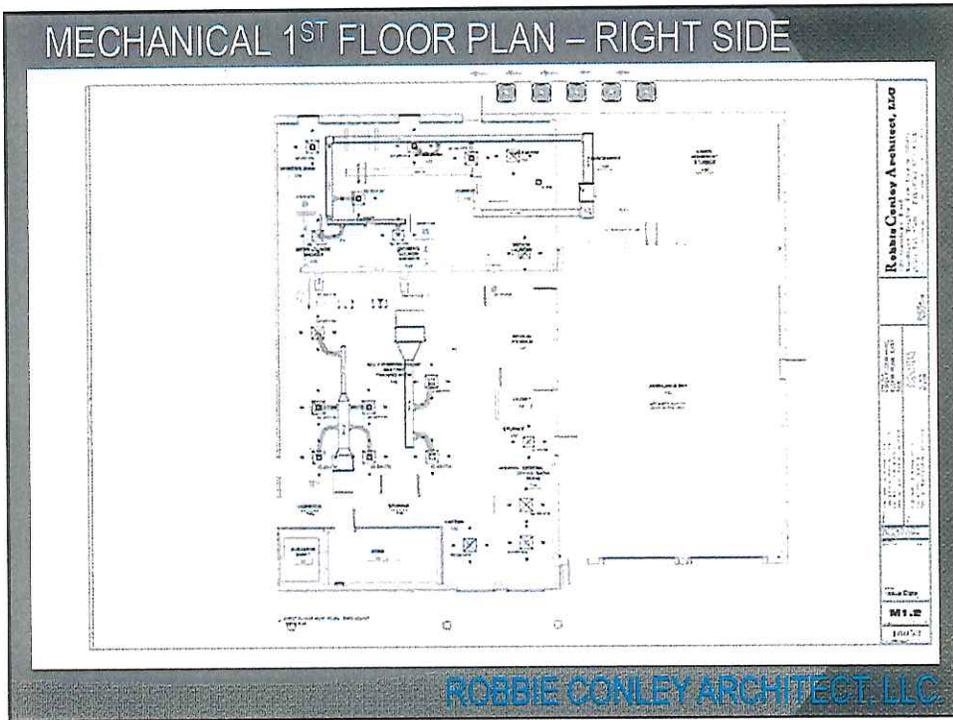
center is the main entrance, a lobby, a toilet room, radio room, elevator and stair tower. The plan is for the future, if need be, the radio room can be shared by the Police in an emergency, that is to have a radio system that the Police can use. Councilman Ullman asked if the six-million include radio equipment. Mr. Conley replied the six-million does not include radio equipment.

Slide 6

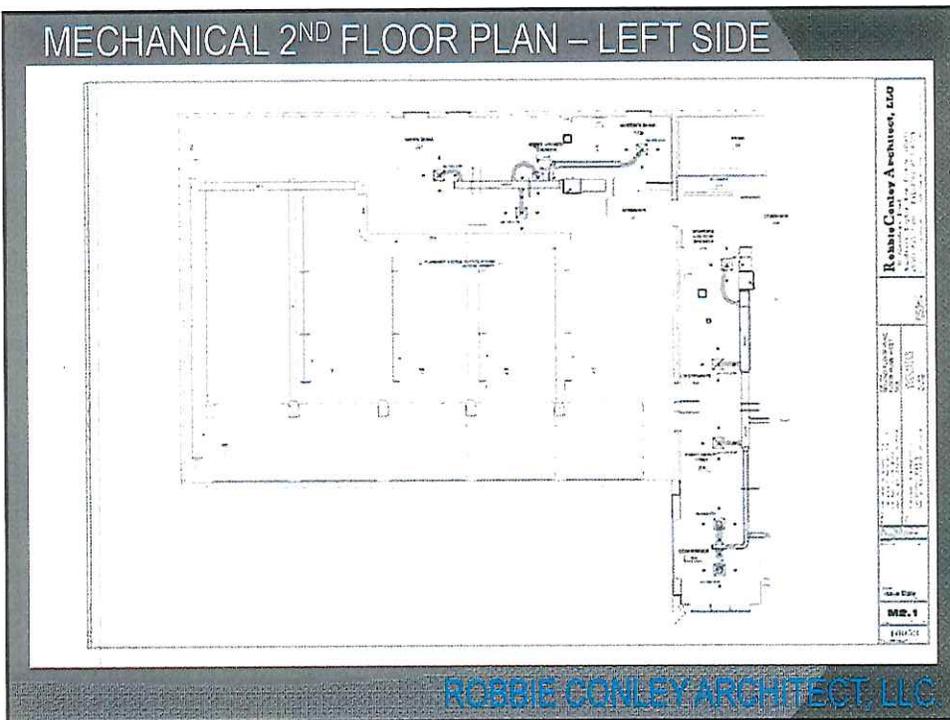


Mr. Conley stated the 2nd floor is all fire, coming out of the elevator there is a lobby, there is a large meeting room that would be able to be shared by the Ambulance if they had a large meeting or training session. One section is open to below, with another section being two floors. Councilman Ullman stated if the Ambulance had a large meeting, they could move up to the Fire Department. Mr. Conley replied that was discussed during one of the committee meetings that was held, when we were trying to trim the building down, we were trying to trim down one of the spaces, getting the cost of the building down. Councilman Ullman asked if the that meeting room can be used by the Ambulance Corps, when there is a large meeting, why can't we expand the shared space. Mr. Conley replied it would be shared at times. Councilman Ullman stated it is shared, but we have a complete duplicative space on the ground floor for the Ambulance. Mr. Conley replied we actually don't (referring to slide 5) this area here is a kitchen and a rec room. Councilman Ullman stated when he looks at this plan, he sees two complete separate buildings, he doesn't see efficiency here, and he doesn't see value to the taxpayer in terms of trying to manage the size down. Mr. Conley replied he disagrees, there are two separate organizations that are sharing a building, therefore, with the two separate organizations, they need to have certain spaces separately. The ready room down here, multi-purpose room there is a small kitchenette here, the ambulance runs duty crews, they are typically there more often, the fire typically doesn't run duty crews as much, so they need a small kitchen to heat up lunch or dinner, they don't cook larger items, along with lockers/showers for the ambulance, and there are separate locker/showers for fire also on their side of the building. Mr. Conley stated we looked into putting them into one space, but that was one thing the organizations didn't want to see that, they would like to keep them separate. He stated when we looked at putting the bathrooms, lockers, showers together, it made the building larger, because of the corridors and walkways needed to get from one side of the building to the other. The other issue with the lockers and showers, is you want your lockers and showers to be close to where the members are coming back, if they are contaminated on a call, for instance, an ambulance call, if they go out and come back with blood all over them, or any bodily fluids, you

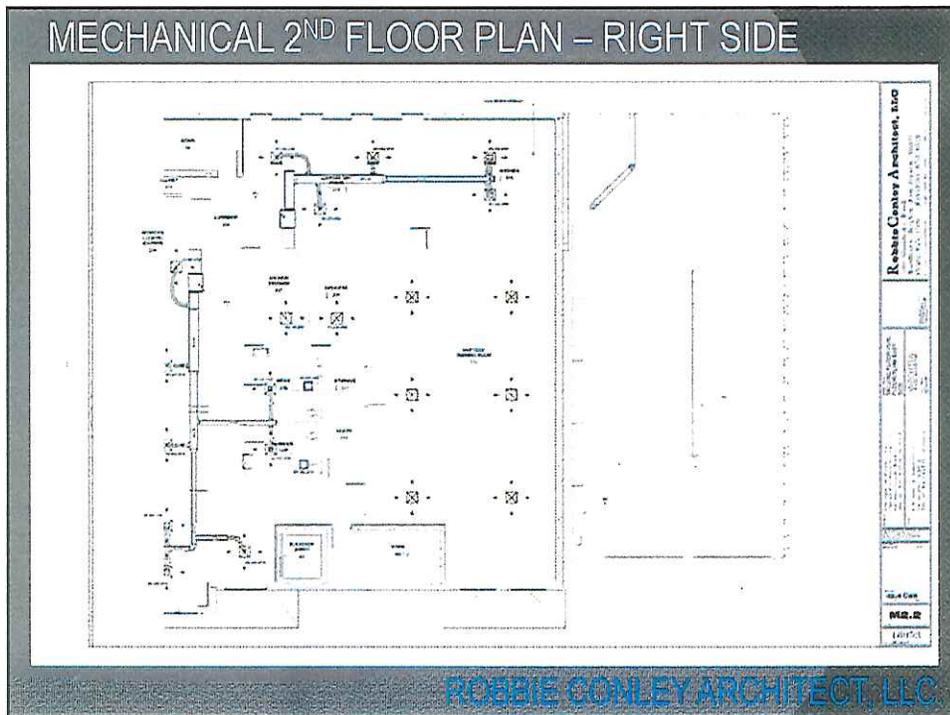
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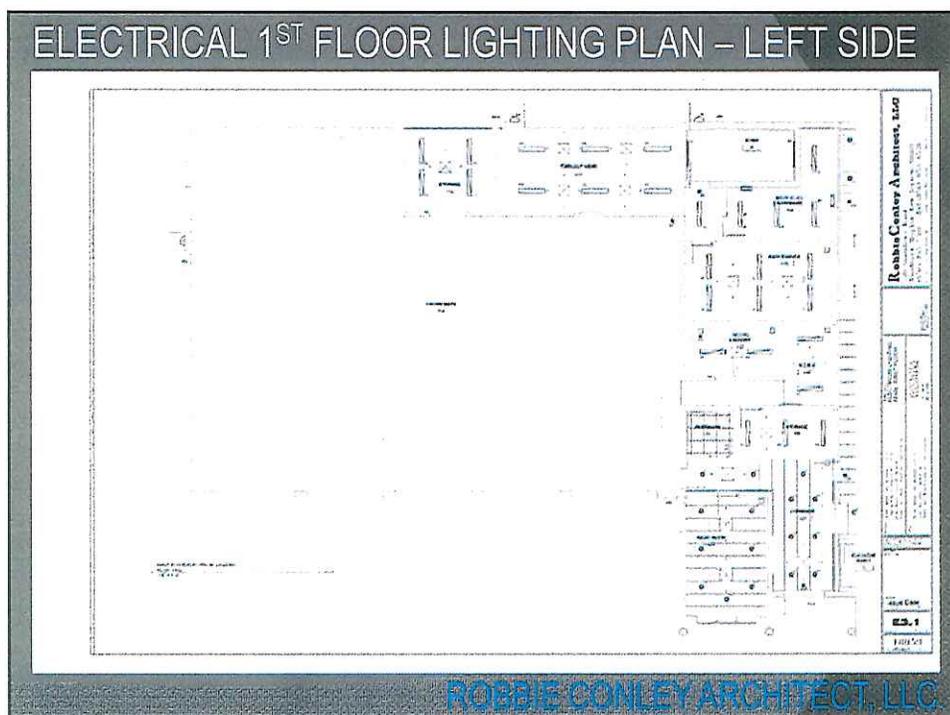
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Slide 13



Slide 14



do not want them tracking those bodily fluids through the building to get to the lockers and showers to get cleaned up, you want them close to the area where they will be returning to the building, that is why the lockers and showers are right here, so they can get a shower, there is a de-con shower, but they are not cleaning with soap and water until they get into the shower facility. On Slide 6, the fire members would come up the stairwell, and they would go into the male/female locker and showers. Councilman Ullman stated to him it makes no sense, the Ambulance members walk into a door and walk into a de-con, but the fire members would go upstairs. Mr. Conley replied correct, but going upstairs it is still adjacent, you walk through this hallway and up the steps. The materials in these areas are rubber stair treads, if you are contaminated, they are easy to clean, you're not walking across carpet or hallways where the public is. Councilman Ullman stated he would challenge Mr. Conley, and the organizations, to see if there is a passivity to do that, we have duplicative de-con rooms, showers, two different washing machines, one to support the ambulance and one to support the fire. Mr. Conley stated the washing machines for the fire and ambulance are two different things, what the ambulance has is a residential washing machine, they already have a stackable washer/dryer that they own or will be donated, what gets washed in that is sheets, towels, that sort of thing. The Fire Department has what is called a Gear Tracker, that is larger piece of equipment to clean the turn out gear. Using the Gear Tracker to clean every day linen is not using it efficiently. Most of these machines you pour a certain amount of detergent in, it uses the detergent amount that is needed, that detergent is more expensive than detergent that would be used to clean every day linens, towels. Laundry for the EMS, and laundry for the Fire Department are two completely different things. Councilman Ullman asked if both those machines could be co-located. Mr. Conley replied they can, but he is not sure what you would save by co-locating them, he doesn't believe anything would be saved if they are put in the same location, as well as the toilet rooms, which was discussed having one set for the entire building. Toilet facilities are required on the amount of occupancy you have in the building, the amount of toilets that are need, not mattering if they are all together or in separate locations, the same amount of toilets are needed. He stated there is really no difference in cost if you put them together or separate, there might be a small amount saved in the amount of plumbing or piping needed, but to get from one area to the other area, you are talking about bigger corridors or longer corridors, as well as people snaking through the building, it is not efficient to do it that way. He stated in looking at the Municipal Building, the toilets are not located in one location, they are spread throughout the building because it is more efficient to have it that way, and that is the way this is being designed, we are trying to design it the most efficient for the use of the building, keeping it within a reasonable budget, and trying to meet the budget number that we have, which he feels has been successfully done with the designs that we have. Mr. Conley stated he understands Councilman Ullman's position, he sat there also, and he understands it is a lot of money that we are looking to approve to spend for the Township, but he really thinks the most efficient building in the long run, is what we are looking at here. He stated he understands looking to save a little bit of money with some of the design elements now, but he feels in the long run that will end up costing more money than the efficiency of the building now. Councilman Bruno asked can Mr. Conley explain what the new Ambulance Corps building would have versus what they have now, what would be the benefits for them? Mr. Conley replied he doesn't believe they have lockers, showers, de-con area in their existing building. They don't have a separate locked medical storage room, the storage is in cabinets, they do have a small kitchenette area, what is being provided here is larger, it is also a training space for their normal training. A quiet room is also being provided for training, which they don't currently have. The EMS personnel do take a lot of online classes, such as the Gold Cross magazine, where a member would read an article, take a test and receive CEU's towards their EMT recertification. The existing building does not have bunk rooms, but they do have them here. There is a lot of new spaces that

are required, that are not in their existing building. Councilman Bruno asked if any of the lockers would come from the old location to the new location? Mr. Conley replied he doesn't believe there are any lockers in the old location. Councilman Ullman asked the radios are not included in the radio room? Mr. Conley replied the radios are not included, the cost that is being provided is for anything that is built into the building, that is included in this cost, with the exception of some things that you cannot buy for a 30-year program. The State will not allow you to buy for 30 years for IT, the Township has an IT contract, which will most likely be the person that does the IT. Security, card-access, those sorts of things are not included in the per square foot cost. Mr. Conley stated he does not have actual numbers/quotes, but we do have ballpark numbers. The room in the back room of the 1st floor (slide 5) is where the server and IT is located.

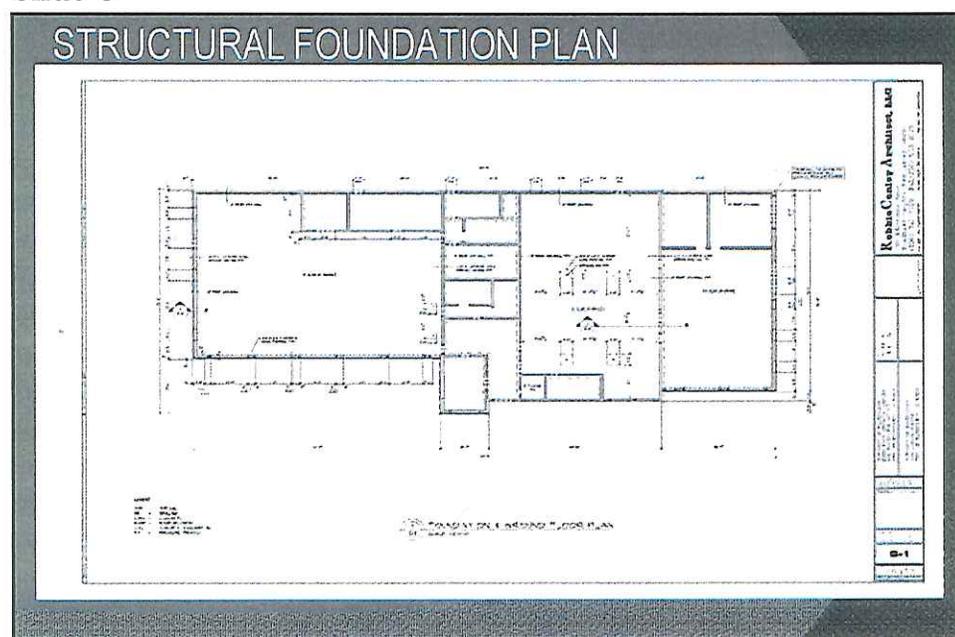
Slide 7

SQUARE FOOTAGES

First Floor Fire	6,976 SQ. FT.
First Floor Ambulance	5,712 SQ. FT.
First Floor TOTAL	12,688 SQ. FT.
Second Floor Fire	6,242 SQ. FT.
Second Floor Ambulance	0 SQ. FT.
Second Floor TOTAL	6,242 SQ. FT.
TOTAL ALL FLOORS	18,930 SQ. FT.
FIRE TOTAL	13,218 SQ. FT.
AMBULANCE TOTAL	5,712 SQ. FT.

Mr. Conley stated the square footage is 18,930, that is with trimming some of the spaces and also making some of the spaces more efficient in the design process.

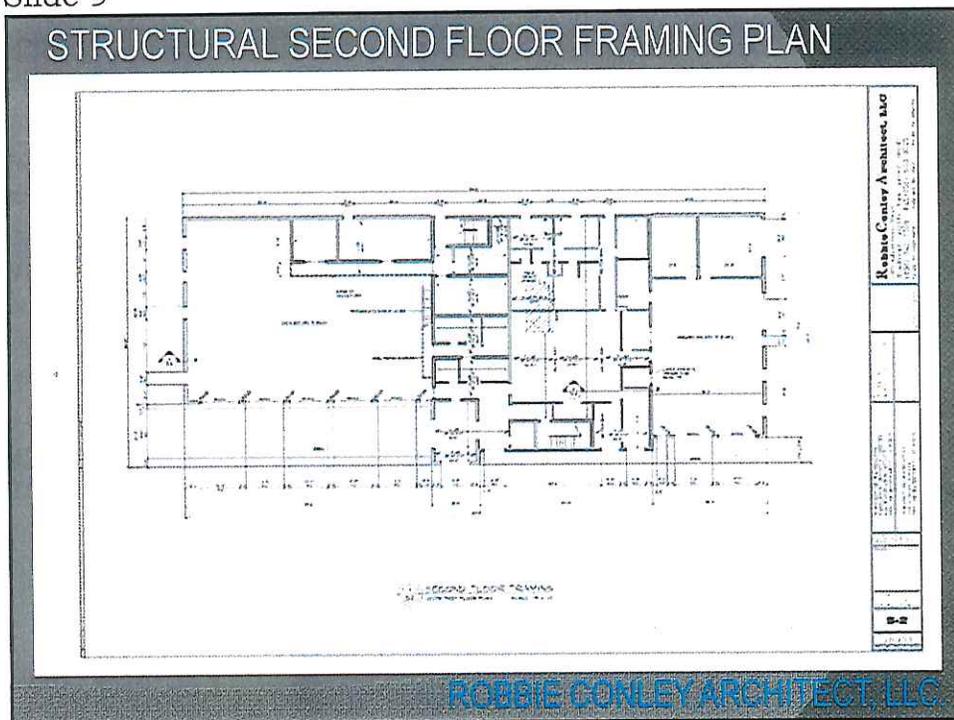
Slide 8



Mr. Conley stated part of the design and development is getting into the structure of the building, the mechanical, electrical and plumbing of the building. He stated we can trim the cost because before this we were just looking at a ballpark cost, now we are getting closer to what the cost is really going to be. Slide 8 is the footings and foundations, the ambulance portion is going to have a few columns coming up, but it is pretty much a wide-open space for a block bearing wall that is going to be adjacent to the ambulance and a block bearing wall on this side. In essence, with the exception of a few columns coming up here, in the

future if the ambulance needs change, that whole side of building, the metal studs and dry wall can be taken down and modified into whatever the needs are. Mr. Conley stated we try to keep as few bearing walls, block walls as we can, so it can be modified in the future. He stated if emergency services quickly, it changes often, and we are estimating what the needs are going to be 20, 25 years down the road, that is why the building is designed this way, so changes can be made and modified in the future.

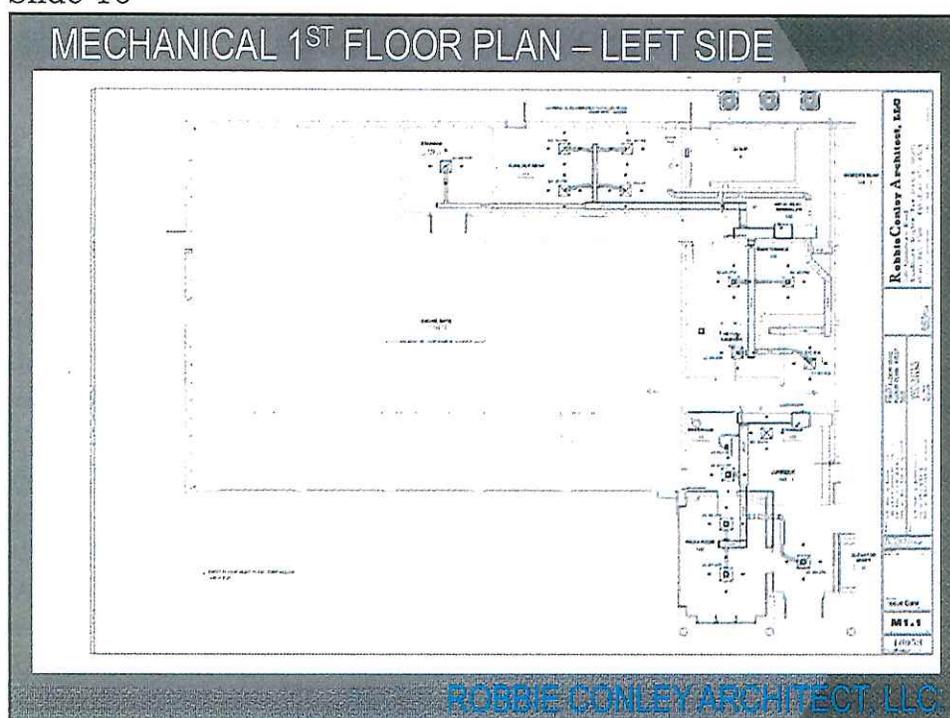
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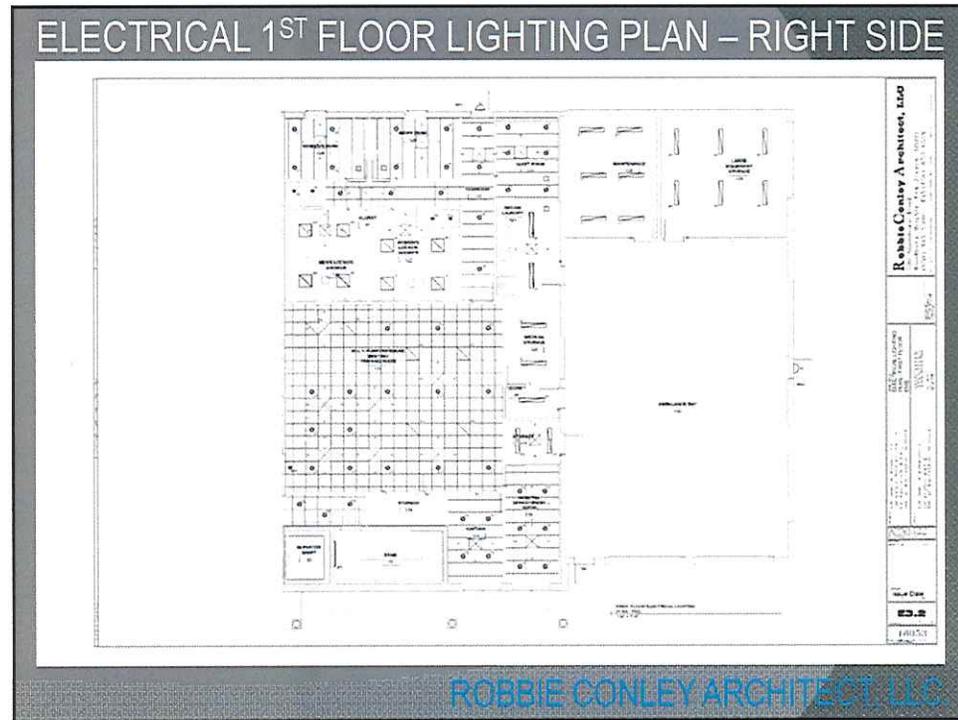
Mr. Conley stated the 2nd floor is the same, opened up with columns, it is roof trusses, so in essence nothing on the 2nd floor, with the exception of this wall, this wall here, and the front/back/side walls are not bearing. The entire 2nd floor also could be adjusted in the future. The HVAC, which is located on the 2nd floor, is not one master system, we have multiple small split systems, which is similar to a residential system. That is done for multiple reasons, such as cost, it is more economical to do it this way in the beginning of the project, than to have a massive system in, doing it this way keeps it simple, minimal zoning, minimal controls. The Fire Department, as well as the Ambulance asked to keep it as simple as possible. There is an air-handling unit inside, with a condensing unit outside, it is easy to change the filters, easy to do maintenance if necessary. All of the air-handling units are either in the attic, floor ceiling space, mechanical room, and all of the condensing units are outside. There is one generator which will be located on the Fire Department side of the building, which is included in the cost, but there is a note regarding a grant. Administrator Tovo stated that grant will expire prior to this project beginning so we are re-writing the grant to put the generator in the library, and keeping the one that we have at the Fire Department, the grant is from FEMA, as a result of Sandy. Councilman Ullman asked is this the most efficient. Mr. Conley replied yes, it is the most efficient for cost, this is a critical building to have open all the time, in doing multiple smaller units, if one unit goes down, you will not lose the heating or air conditioning for the entire building, you will just lose it for that one area, you can still operate until the unit gets repaired. It is more reasonable for future councils to approve replacing a smaller unit, than a larger unit all at once. Mr. Conley stated there are no solar panel powers, but he suggests if it is something the Township would like, that you look into a power purchase agreement in the future, after the building is built, because you do not want to have the Township purchase the solar panels, include them as part of the building now. Currently the cost is outrageous and would put the expense way up, and the payback is approximately 15 years, most of the solar panels are 18-22 years effective, that will be a large expense for the Township to put in now. If a power purchase

agreement is put into place, it is paid for through time, with savings on electric bills. Councilman Ullman asked if this is going to be designed to a standard of LEED? Mr. Conley replied this building is not being designed as a LEED building, but every building we design we look at sustainable design, get materials that are locally produced, units that are the best rating that we can get. He stated designing it as a LEED building is not being done, it was not a request from the Township, but we do look at sustainable design. Council President DeSena asked what would the cost be to design this building as LEED building, if we were to take this building as it sits, would it raise it about 50%, 30 to 50%? Mr. Conley replied it would substantially raise the cost, he is not sure if it is 50%, but maybe 30%, but it is a substantial increase. Council Presidents DeSena stated with minimal benefit because it is a firehouse. Mr. Conley replied correct, and just the conditioning that is required at the end, it will probably cost half of the project. He stated there are multiple units on the 2nd floor, the HVAC design has not been completed as of this point. The Fire Department side is looking at all LED lighting, in front area will be a drop ceiling, but most of the rest of the building will be a hard ceiling, dry-wall to the underside of the structure, to save cost. The drop ceiling is in the entrance area, since there will be a lot of duct work running through that common space, additional items can be run to the radio room in the future. If residents want to come to the building for evacuation, it would probably be the 2nd floor meeting room for the Fire Department. Councilman Bruno asked if Mr. Conley has any idea of what cost would be for utilities in this building? Mr. Conley replied no.

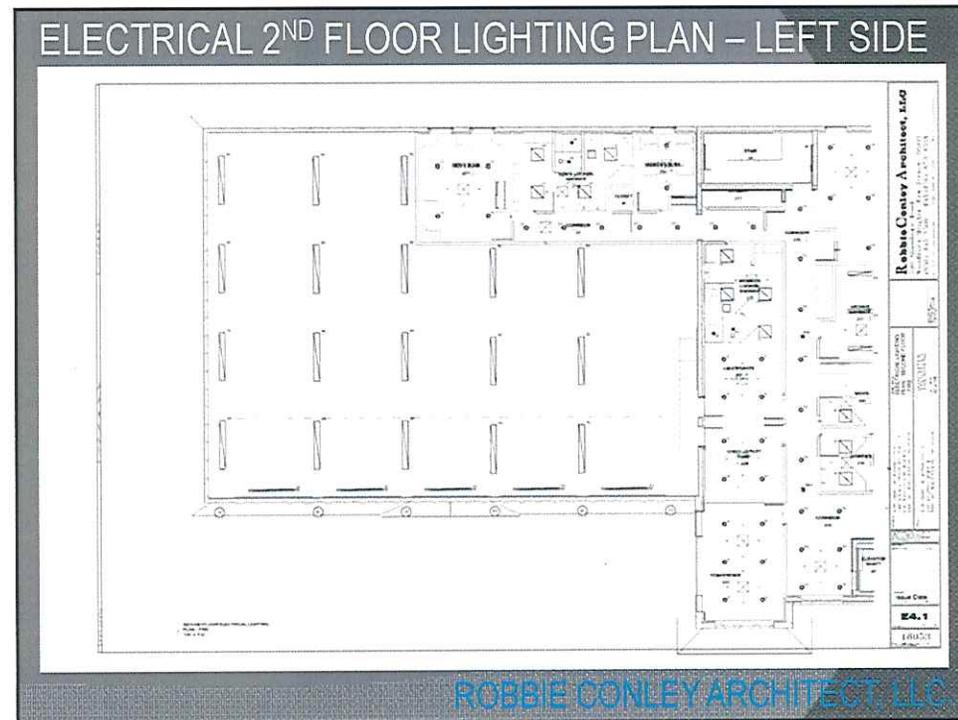
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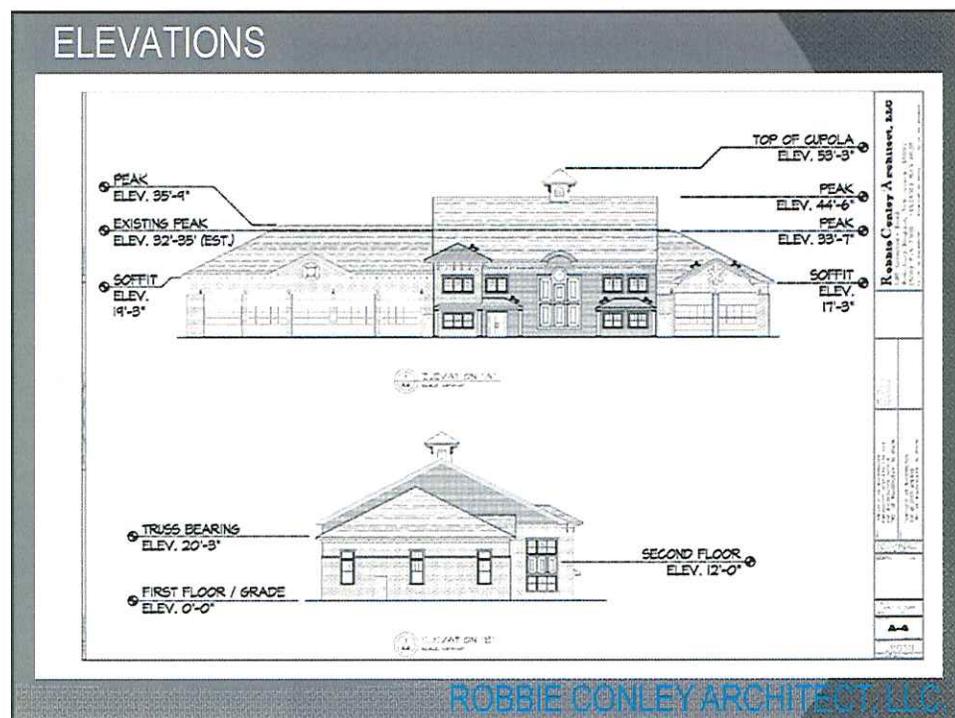
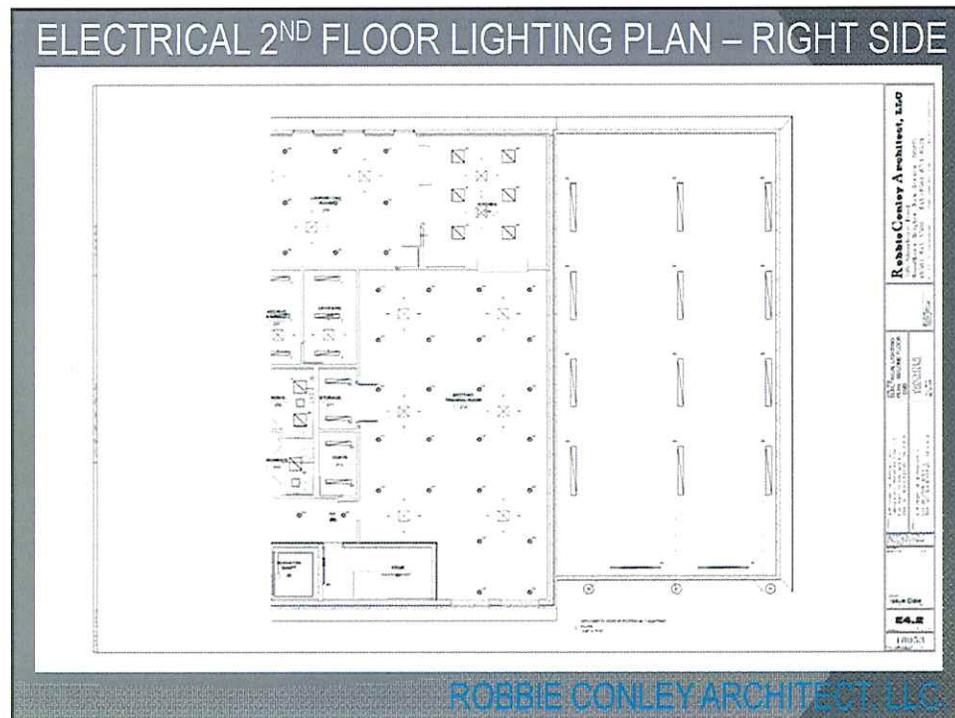


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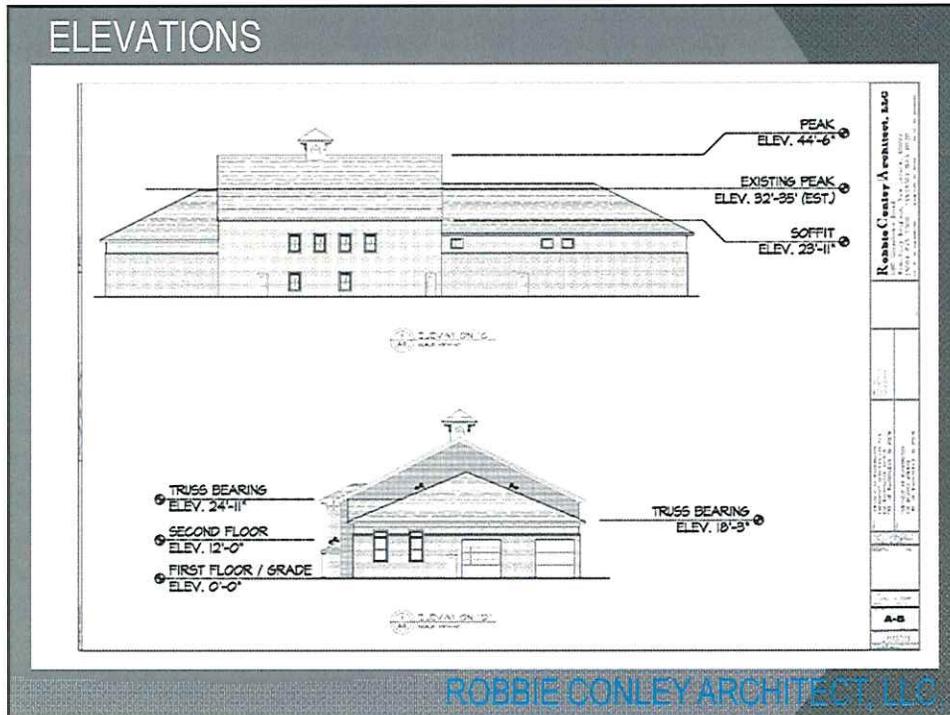
Slide 16





Mr. Conley stated this is the front elevation of the building, the soffit is approximately seventeen-foot-five on the Ambulance side, the peak of the roof is at thirty-three-feet, the peak of the high roof is at about forty-four feet six-inches. On the fire side the soffit is nineteen-foot-five, the peak of the roof is thirty-five-four and the center is still forty-four-six. The peak of the existing is approximately thirty-two to thirty-five feet, unfortunately the Fire Department's ladder truck is out of service, we were unable to get an exact measurement, but we were able to get a ballpark. The top of the cupola, which doesn't come into any zoning ordinances is approximately 50 foot, but the actual cupola that would be built has not been chosen yet, it was toned down from the previous cupola. Councilman Ullman asked is there a more efficient design than the peak roof, from a height perspective, if it is thirty-two-feet, we are adding 12 feet from where we are today to where are going to be, his question is by using a different roof system, or a different design for the outside box, can height be taken off? Mr. Conley replied height can be taken off with a flat roof, but a flat roof will probably cost more money in the design for the structure, as well as more money for the

roofing system itself, and it will cost the money again in approximately 20 years to re-roof that roof. If we went with a higher in roofing system, if we went with a lower in-roofing system, every 10 years you would be putting money in replacing the roof. He stated this is a higher for a pitched roof, this is a 4/12 pitch, which is really the lowest pitch we can get without doing special things with the shingles, this is 50 year to a lifetime guarantee shingle roof, not having to worry about repairs and paying for the roof in the future. He stated it is a little bit higher than it could be, yes, if we went with a flat roof, he is not a huge fan of flat roofs, most of them leak and they are very expensive to maintain and repair. He stated he is trying to give you the most efficient, functional, and the most efficient cost building in the long run. Councilman Ullman asked how much more would it cost to put a flat roof on? Mr. Conley replied he would have to go through the design and structure of the flat roof, the building would have to be steel bar joists, as opposed to wood floor joists, and so that is turning the entire building into a different design, and a different way of doing things. He stated the cost to replace this roof as a flat roof, if we go with a cheaper roof system, \$20.00 to \$28.00 per square foot every 10 years. Councilman Ullman stated when he was knocking on doors on McKinley, explaining to residents that today they have nothing, and tomorrow they will have a forty-four-foot building in front of them, that was a surprise to them, the height, and they had concerns. He stated we are responsible to taxpayers to most efficiently spend money, we are also having to be a good neighbor. Mr. Conley stated he understands that, that is why he wanted to show the soffit heights. When you are this building, you are looking at that level, because they sit up higher, approximately 10 to 15 feet above the grade of this building, currently if you take that, along with the 6 foot fence that is on top of that, you will not see very much of this roof if you look straight at it. Councilman Ullman stated he disagrees, because if you are directly behind the existing firehouse, that may be the case, but if you go in, it slopes down, and where this is going to be, it is almost level. Mr. Conley stated it gets down to probably about six-foot of upgrade, it does slope down to almost level, right around the end of the ambulance building. Councilman Ullman stated they are going to be impacted. Mr. Conley replied they are definitely going to be impacted. Council President DeSena stated all the residents within 200 feet were invited, they were also given a package with the presentation. Councilman Bruno stated what is the responsibly of the Township, with additional gas lines and plumbing. Mr. Conley replied the gas company will bring in the gas line, that is no additional charge for that being put in, we are in the process of designing the size of the sewer and water lines, he doesn't believe the existing water and sewer lines that are there will be used, there will be new lines coming in with the old ones abandoned, that is in the cost.



Mr. Conley stated this is the back of the building, the soffit height is approximately 22 foot in the back, and the peak is the same in the back as it is in the front. Councilman Ullman asked what is the material on the back of the building? Mr. Conley replied the back of the building would be block, most likely an articular block or regular block, that decision has not been made. Architectural block is a bit more expensive, that is what the cost estimate has been figured at, to save money you can go with either smooth block or regular block. The front has architectural block on both, what is called the wings, the center of the building is brick, it is a considered a brick building with masonry back-up. The tower element is architectural block, the element in the center of the front elevation is a panel design, behind that is the stairwell and elevator, nothing can be put there other than a solid wall, so that was put there as a design element, a clock can be put in there, if the Township wants to, which is included in our cost estimate. Councilman Ullman asked what is on the side elevation, the front? Mr. Conley stated that is masonry, that would be architectural block, split base block. Councilman Ullman asked are those windows? Mr. Conley replied yes, they are windows, with panels in the middle. Council President DeSena stated they are similar to the ones that are at Town Hall that were painted blue. Councilman Cumming stated we asked for a certain similarity to this building. Councilman Bruno asked is the elevator just a passenger elevator? Mr. Conley replied yes, just about. Councilman Bruno asked could that elevator be used to transport furniture? Mr. Conley replied they could use the elevator, depending on what elevator is specified, we can ask them to include blankets, some of the manufacturers automatically include blankets to hang up and move furniture.

DESIGN DEVELOPMENT – COST ESTIMATE

Project Cost Estimate				
1	Building Cost New			
	18,930	SF	\$130 Arch	\$2,460,900
	18,930	SF	\$75 MEP	\$1,419,750
	18,930	SF	\$45 Struct.	\$851,850
	Total Cost		\$250	\$4,732,500
2	Site Work (no environmental remediation)			\$200,000
3	Demolition			\$48,000
4	Diesel Exhaust			\$63,000
5	Specialized Equipment			\$20,000
6	Emergency Generator (To Be Provided by Grant)			\$65,000
			Total Construction Cost	\$5,128,500
7	Professional Fees			\$415,000.00
8	Legal, Reproduction			\$25,642.50
9	10% Contingency			\$512,850
			Total Project Cost	\$6,081,993

ROBBIE CONLEY ARCHITECT, LLC
10011 Bluff Road
29108-1933

Mr. Conley stated regarding cost, we are still at the \$250 per square foot, the structural portion is approximately \$45 a square foot, the MEP (mechanical, electrical and plumbing) is approximately \$75 per square foot, the architectural comes at \$130 a square foot, making it \$250 per square foot, that brings in the building at \$4,732,000. Site work is approximately \$200,000, \$48,000 for demolition, \$63,000 for diesel exhaust system, specialized equipment is at \$20,000, that is for the built-in counters, cabinets, those sort of things, there is \$65,000 in the budget for an emergency generator, but that can be pulled out if that is still available through a grant, or if a grant is approved, bringing the cost of the building to \$5,126,500. He stated the professional fees have not changed, legal and reproduction, we will be going out to bid with electronic documents, not paper drawings, saves about \$300 - \$400 per set of drawings. The drawings are owned by the Township for the use of the building, legal and reproduction was decreased. Mr. Conley stated he kept the contingency at 10%, bringing the total project cost to \$6,081,993. He stated there was a discussion earlier about regarding some of the equipment that will be purchased by the Township, but is not part of the cost estimate, things such as access control systems, IT, security, those items will be at a cost of approximately \$240,000. The Township may want to take it out of the contingency or lower the contingency, it can be done either way. He stated he feels more than comfortable that out of the numbers that have been given, the \$240,000 can be taken out of the contingency to get the rest of what is needed for the building. He suggests that this money be taken out and look for that money on BANS or something else, so the whole project can be bonded for 30 years, as opposed to knocking it down by things that only have a five or seven-year lifespan. Councilman Ullman asked what is the estimate of the site design, the cost? Mr. Conley replied the site design is at a cost of \$200,000, that is a ballpark cost estimate at this time for a retaining wall that will go across the back of the building, curbing that will come down along the front, and repaving of the lot, it will be confirmed with the Township engineer. Councilman Ullman asked is the Township's professionals fees included in the \$415,000? Mr. Conley replied he doesn't know what the Township's engineers will be charging. He stated his fee is not the \$415,000, it is below that, there is some additional monies in there. Council President DeSena asked does the \$415,000 include hiring engineers? Mr. Conley replied he had included some monies in there for engineers, as well as a geotechnical engineer, but the geotechnical engineer has already gone out and done the work, and that cost has already been paid/reimbursed, so there is still money in there. Mr. Yakimik stated a proposal was given on May 3rd. Councilman Bruno asked of the five-and-a-half million, what does Mr. Conley feel is an estimate versus hard

numbers? Mr. Conley replied they are pretty hard numbers, he feels comfortable with the five-and-a-half-million, it is our cost estimate, the industry can change at any time, he doesn't foresee that happening in the next few months if we move forward on this. He stated if this gets into bidding next Spring or Summer, he would have to look at that numbers at that time to see if the costs have gone up or gone down, but based on the current data and comparable in the area, he feels comfortable with the number right now. Councilman Ullman asked in addition to \$6,081,993, we would need to add access controls, IT, and radios? Mr. Conley replied if you are doing radios, that \$240,000 does not include a radio system, because radio systems can be anywhere from a few hundred dollars to a million dollars, and he doesn't know which radio system the Fire Department is looking at. Council President DeSena as Mr. Conley just stated he is confident that the contingency can be reduced to 5%, and include the \$240,000 and still be at the \$6,081,993 number with \$250,000 in contingency. Mr. Conley replied that is correct. Council President DeSena stated it would not be \$6,336,330, is what he asking. Mr. Conley replied he feels comfortable with taking down that contingency. Council President DeSena stated even doing that, we would have a quarter-of-a-million-dollars in contingency to buy furniture, or whatever is needed, extra site work or whatever that may be. Councilman Ullman stated it does not include any action on Memorial Park, Red House or former lot where it stood. Mr. Conley replied that is correct. Councilman Ullman asked it doesn't include furnishings? Mr. Conley replied we took the cost of furniture out before the last presentation, because it is our understanding that there was furniture that was donated, that the Fire Department and Ambulance for that building. He stated we were told to take the furniture out of the budget, and that would either come out of their regular operating cost, or deal with that later, if everything that is available is not enough for them. Councilman Ullman asked cabinetry, locker rooms, storage for Ambulance side/Fire side is that included in this cost? Mr. Conley replied anything that is not movable, built in, is included in this cost. He stated the medical storage actually has a shelf in the back, with cabinets in the front, counters, those are included in the cost. He stated if the Fire Department wanted a medical rack to put in there, that is not included in the cost, that is not a built in. He stated the gear lockers, lockers, those are included in the cost. Councilman Ullman asked is the estimate based on a baseline or top of the line. Mr. Conley stated it is somewhere in the middle, the majority of the buildings that we specify, and he makes suggestions regarding materials, what he has seen has worked in emergency services buildings that he has designed, as well as others, and he also makes suggestions of what is to be used or not be used. He stated we are looking at solid wood cabinets in the kitchen area, solid surface, probably not granite, but a stone. He stated we are looking at materials that he has seen through the years of doing these emergency service buildings, will hold up in an emergency service building to the firemen and ambulance personnel, the materials are durable. Councilman Ullman asked are there any plans to change the elevation of the existing site? Mr. Conley stated he doesn't believe we have to, he has done a quick grading plan for himself, we don't have to bring very much fill, if any into this building at all, the soil that is there appears to be good enough to be used for fill, we will be able to reclaim some of the materials that are being taken out footings and foundations to use there, as per the geotechnical engineer go out, the soil is very good. Councilman Bruno asked so no remediation with the soil? Mr. Conley replied it doesn't look like there is any structural remediation that needs to be done, granted we are taking five different boring locations, so there could be underground unforeseen things, but we are pretty confident with what we have seen that that is not going to happen, and hopefully with the history of the site there is not anything there. Councilman Ullman asked did the boring analysis include chemical? Mr. Conley replied it did not, but if they would have found anything that was suspicious, it would have been brought to our attention, and there was nothing that was brought to our attention to make us think that we need to investigate further. Councilman Ullman asked historically, when you take down a firehouse, due to the type of activity that occurs there, trucks, diesel oil, chemicals, could that in

and of itself become a hazardous site? Mr. Conley stated very doubtful, it is a concrete slab. He stated one Fire Department that he dealt with had a pit where maintenance of vehicles with stone on the bottom, everyone thought there was concrete under the stone, there wasn't, that was an issue, but he doesn't foresee anything like that happening. Councilman Bruno stated he would like to make one comment, that whole corner is suspicious, his concern is the 10% contingency, he doesn't think it is a bad number, but that number should be for things like soil remediation, things that we start adding onto the building, just to be clear, he doesn't feel that should be the furniture number. Council President DeSena stated it is not a furniture number. Councilman Bruno stated his feeling is we should strip furniture out, he feels it is a big project, and we don't know what you may find as you continue, sewers, water that could be a lot. Mr. Conley stated that is all included in the cost, new sewer and water line, electric service, that is included in our cost, unforeseen conditions, historically we haven't found anything outrageous on any of the projects we have done. He stated in Montvale, when the new firehouse was done, there was a question of something being buried under Engine Bay 4, we took a look with ground penetrating radar and there was nothing there. He stated many times you hear old stories, and they become lore, and then fact, we haven't heard anything like that regarding this site, from having our geotechnical engineer go out and do the core borings, and look at the soil, that is why he feels fairly comfortable that we will not run into any major unforeseen conditions with this, but he cannot guarantee that, nobody can. He stated most of the buildings he has done, 1% to 2% is the change orders on the building, having a 5% contingency he is still comfortable with that, he doesn't know that there would be change orders going up that high, unless there are things that the Fire Department and the Mayor, Council request. He stated he is more than happy to keep the 10% contingency, and the Township find money elsewhere to buy the rest of the things, but he is comfortable with the 5% contingency. Council President DeSena stated typically at the 100% mark you are at a 5% contingency because you have refined the design that your cost opinion should only include a 5% contingency, at 100% design, which is a general practice in the industry. Mr. Conley replied that is correct. Council President DeSena stated the Township newspaper noted that you were involved in the Montvale Firehouse and there was a change order, that had nothing to do with your design, that was dispute between the sub-contractor and contractor, not the Conley design, is that correct? Mr. Conley replied that is correct, there was dispute between the general contractor and subcontractor, it had nothing to do with the design at all, and at the end of the project with the New Milford Police, there was a credit change order that went back to the Borough. He stated with Montvale there were several items that were bid as alternates, and during the project, because the bids came in well below our original estimate, most of those things that were alternates, all of them, were awarded as change orders to go back into the project, because the base bid came in lower. Councilman Cascio stated there are two gas stations in the area, that have had plumes and problems with the DEP, no matter what you build there the soil is the soil, he understands bore testing's were done, if per chance, plumes come back, he feels that is a big concern that some of us have. He is really not concerned, it is being remediated as best it can, letting it deteriorate over time with the benzenes, and what not, has Mr. Conley come across that before with buildings such as this? Mr. Conley replied yes, he has, one building he worked on there was a gas station across the street that had an issue with leaking caps, that plume was supposedly cleaned up, released by the DEP that everything was fine. He stated when we started to do borings at the firehouse, something was found that was suspect, we had it looked into, the State came out, and the State said it was probably residual from the gas station across the street, that is a closed case, everything is fine, move on with construction. Councilman Bruno asked who would hire the GC? Mr. Conley stated the GC would be hired by the Township, we would put it out to bid, handle the bidding process, we would check with the Township purchasing agent, but typically we prefer to handle the bidding process,

distribute the drawings, run the pre-bid meeting with the contractors. He stated the Township Clerk receives the bids, we are present for the bid opening process, we then review the bids, along with the attorney, to make sure everything is proper, we check the contractors, if it is not someone we dealt with before, we check the background, if there are any issues we would bring it to the Township's attention. He stated with Local Public Contract Law, it is very hard to not award to the lowest responsible bidder, but we would go through that process, we are here every two weeks during construction, keeping an eye on the contractor, making sure he is staying on schedule, or to keep him on schedule, and also making sure when the building is complete that he is doing what we designed. There is a question period through the bidding process by the contractors, those questions would be answered, either by clarification or addendum that would be issued publicly. Mr. Conley stated we follow the Local Public Contract Law, which is all part of our fees. He stated if you were a Township that did construction projects every few years, your purchasing agent would feel comfortable doing this, but because you don't do that much, we would prefer to do it. Councilman Cumming asked will the generator handle 100% of the load, including HVAC? Mr. Conley replied that is the plan, yes. Councilman Cumming asked what is the fuel for that generator? Mr. Conley replied we are looking at a diesel generator.

Peter Insetta, 519 Monroe Avenue, Chief of the Fire Department – Mr. Insetta stated one of the problems was the last grant on the generator, which was natural gas, was the cost associated to run the gas line, which would come from Helen Bohn, through the lot to the side of the building. The current building does have gas, but the gas line would have to be upgraded. The building is served by two gas meters, the existing line from the 1955 building, and the additional line from the 1965 addition. Chief Insetta stated it would cost approximately \$60,000+ to run that line. Mr. Conley stated we would be taking out the old gas lines out to the main. He stated having that generator, being a natural gas generator, the service line is not large enough to handle that amount of gas for the generator, but that gas line should be large enough to run this building.

Councilman Cascio stated a GC is hired, Mr. Conley's job during construction is to send someone out every two weeks, is there an open line of communication with the GC? Mr. Conley replied during construction a Request for Information comes from the contractor, sometimes on a daily basis, those are answered. He stated when we have the construction documents completed, ready to go out to bid, we will have a book that is approximately two to two-and-a-half inches thick that will have every single thing that goes into this building. For a majority of the items that go into the building we will receive submittals from the contractor, showing and telling us that he is putting in the item we are looking for, or something equal to that. He stated typically, with the exception of the meetings, we are typically spending about 8 to 10 hours a week on this project, not on site, in the office doing the work, on site we are on average out there every two weeks, depending on what is going on with construction, sometimes 3 weeks. We may be here two weeks in a row, he also likes to come out and surprise the contractor, because if they know we come out every other Tuesday, there is a full amount of manpower there, sometimes we come out and surprise them, making sure they are doing their job. He stated the GC will submit a Schedule of Values, what percentage of each line item he feels is done, it is reviewed, we either agree or disagree, they can change it, once we are satisfied, it will be certified that the work has been completed, then it is turned into a payment application to the Township to issue a check to the contractor. Councilman Bruno asked is there is a clause that items need to be done by a certain time, or we start knocking the bill down? Mr. Conley replied, yes, we have to look at the liquidated damages, it is not a penalty, it cannot be a penalty or an arbitrary number, it has to be a number that you have cause for that loss, the number would have to be calculated to be put in there, an estimate has been calculated at \$350 per day that we would start charging back as liquidated damages, or the Township could

start charging back to the contractor if he is behind schedule. He stated he tells every GC on the job his subs not his problem, they are the GC's problem and he needs to control them. He stated he talks to the GC, and the Township talks to him. He stated the legal portion of the specifications have already been drawn up and forwarded to the attorney for his review/comments for whatever changes need to be made so the attorney is comfortable with it since he is the one that will have to defend that contract in the future, if there is an issue with the contract. Councilman Bruno asked start to finish, how long, knock-down and start building? Mr. Conley stated if Council were to say yes, we have approximately three to four months left to be ready to go out to bid, with approximately a two-month bidding period, receive the bids, review them, go back before Council for award to the contractor, talking about 12 to 16 months for construction, the broad range is due to the time of the year. He stated if we go out to bid in November, receive bids December beginning of January, get started in March, we are thinking probably closer to 12 to 14 months. He stated we are at the end of Design Development, we still need to design the booklet details, the way the building is to get put together, between now and the time it is ready go out to bid. Councilman Bruno asked we would not need to bond this until at least three months from now technically? Mr. Conley stated suggests to start working on the bonding immediately since it does take two to three months for the bond to get approved. He stated if Council would say tonight go ahead, move forward, he would suggest at the next meeting Council have the first reading of the bond ordinance, September for the 2nd reading, then you have twenty day period, then you would not go out to bid until that money is available. Ms. Curran stated you can bid on it, but we have to actually pass the bond before the purchase order can be generated. Administrator Tovo stated it needs to be funded before you make the award, but you can bid without funding. Council President DeSena stated we would have to have a bond ordinance ready that has approval before we can go out to bid, the Council would have to have a definitive yes before we can go out to bid. Ms. Curran replied yes. Council President DeSena stated the bond ordinance has to be introduced before you go out to bid. Ms. Curran stated you introduce, go out to bid, but you need funding before awarding. Mr. Conley stated he would like to thank everyone for the opportunity and looks forward to moving with a very successful project being built.

Councilman Ullman stated understanding what was presented this evening doesn't include Memorial Park or the red house, is there a plan for those two parcels, he would hate to consider development of the firehouse not understanding what the plan is for the adjacent property. Mayor Calamari stated like Mr. Conley stated once the old firehouse comes down, that would go towards firefighters parking, the preliminary thoughts are the memorial would move potentially across the street, if we don't have another option by then for commuter parking, where the red house is, then that would revert back to commuter parking to where the new firehouse would be going. Currently there are 38 commuter spots, we sell 65. Councilman Ullman asked if the monument is a separate tax lot? Mayor Calamari replied he does not know. Councilman Ullman stated the Ambulance Corps today has a deeded piece of property that they operate, as a Volunteer Ambulance entity, they are not part of the Municipal Government, is that a fair characterization? Attorney Poller stated it is a regular deed with a reversion if they stop using it as an Ambulance Corps, they are insured by the Township, which includes liability and equipment, they are affiliated with the Township in terms of operations, so to speak. Councilman Ullman stated if the volunteer Ambulance Corps moved to this new building, how is that organized. Attorney Poller stated basically, what the thought process was is that they would be getting a 75 year lease, the statute provides a 50-year lease, plus a 25-year additional extension. He has drafted up a 75-year lease, with a lot of terms, which mirror the fact of them having the building, as long as they are operating as an Ambulance Corps, then the deed will come back to the Township, which will be owned as a municipal property. Councilman Ullman

stated today, when the budget is done, they need to do some sort of maintenance at the firehouse, the Township pays for that, for the most part, he understands they do a lot of work themselves. Attorney Poller replied correct. Councilman Ullman asked in terms of the volunteer Ambulance Building, if a cabinet falls off the wall, who is responsible at that point. Attorney Poller stated, the lease has to be looked over, but basically the Township would take care of everything except for the individual equipment that they are using, but they are not required to do repairs, cannot do alterations without coming to the Township. The Township pays for the insurance, gas, electric, water, whatever they need to operate the Township is paying for, they are there, they use the space, they have it for 75 years as long as they are operating, it is theirs. It does not change the way they operate as an organization, they are still an independent organization, there is a lease, they are an organization, the township is still the Township, and there is a lease, at a dollar a year.

ORDINANCES:

Adoption - 2nd Reading:

Ordinance No. 19-12

AN ORDINANCE ESTABLISHING FLOOD DAMAGE PREVENTION PROVISIONS TO MINIMIZE PUBLIC AND PRIVATE LOSSES DUE TO FLOOD CONDITIONS IN SPECIFIC AREAS WITHIN THE TOWNSHIP OF WASHINGTON

A motion was made by Councilman Cascio, seconded by Councilman Cumming to approve Resolution No. 19-230 authorizing second reading and opening of Public Hearing for Ordinance No. 19-12.

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

Resolution No. 19-230

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 19-12 entitled: AN ORDINANCE ESTABLISHING FLOOD DAMAGE PREVENTION PROVISIONS TO MINIMIZE PUBLIC AND PRIVATE LOSSES DUE TO FLOOD CONDITIONS IN SPECIFIC AREAS WITHIN THE TOWNSHIP OF WASHINGTON be read on second reading and the public hearing be held thereon pursuant to law.

No Public Comments.

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to close the Public Hearing on Ordinance No. 19-12.

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

A motion was made by Councilman Cascio, seconded by Councilman Cumming to adopt Ordinance No. 19-12.

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

AN ORDINANCE ESTABLISHING FLOOD DAMAGE PREVENTION PROVISIONS TO MINIMIZE PUBLIC AND PRIVATE LOSSES DUE TO FLOOD CONDITIONS IN SPECIFIC AREAS WITHIN THE TOWNSHIP OF WASHINGTON

BE AND IT IS HEREBY ORDAINED by the Township Council of the Township of Washington that Chapter 244 of the Code of the Township of Washington ("Flood Hazard Areas") is hereby amended by deleting all of the current provisions thereof in their entirety and substituting the followings provisions therefore:

1.

**"SECTION 244-1.0
STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND
OBJECTIVES**

§244-1.1 STATUTORY AUTHORIZATION

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, *et seq.*, delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Township Council of the Township of Washington, of Bergen County, New Jersey does ordain as follows:

§244-1.2 FINDINGS OF FACT

- a) The flood hazard areas of the Township of Washington are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- b) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

§244-1.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- a) Protect human life and health;
- b) Minimize expenditure of public money for costly flood control projects;
- c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d) Minimize prolonged business interruptions;
- e) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
- f) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- g) Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- h) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

§244-1.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- a) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- b) Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- c) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- d) Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- e) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SECTION 244-2.0 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

AH Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone

AO Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

Appeal — A request for a review of the Chief Construction Official's interpretation of any provision of this ordinance or a request for a variance.

Area of Shallow Flooding — A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard — Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH.

Base Flood — A flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE) — The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30 the elevation represents the water surface

elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

Basement — Any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway Wall — A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

Development — Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

Elevated Building — A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor, elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

Erosion — The process of gradual wearing away of land masses.

Existing Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Flood or Flooding — A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a) The overflow of inland or tidal waters and/or
- b) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) — The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

Floodplain Management Regulations — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing — Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities,

structures and their contents.

Floodway — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without accumulatively increasing the water surface elevation more than 0.2 foot.

Freeboard — A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Highest Adjacent Grade — The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

Historic Structure — Any structure that is:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved State program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in States without approved programs.

Lowest Floor — The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements of 44 CFR Section 60.3.

Manufactured Home — A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park or Manufactured Home Subdivision — A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

New Construction — Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site

grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality.

Recreational Vehicle — A vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of Construction — (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348)) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of pilings, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure — A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

Substantial Damage — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

Substantial Improvement — Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Variance — A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

Violation — The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (e)(2),

(e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

SECTION 244-3.0 GENERAL PROVISIONS

§244-3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Township of Washington, Bergen County, New Jersey.

§244-3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Township of Washington, Community No. 340080, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report "Flood Insurance Study, Bergen County, New Jersey (All Jurisdictions)" dated August 28, 2019.
- b) Flood Insurance Rate Map for Bergen County, New Jersey (All Jurisdictions) as shown on Index and panels 34003C0089H, 34003C0093H, 34003C0177H, 34003C0181H, 34003C0183H, whose effective date is August 28, 2019.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study and maps are on file at The Office of the Municipal Clerk, 350 Hudson Avenue, Washington Township, New Jersey.

§244-3.3 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2,000 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Township of Washington, from taking such other lawful action as is necessary to prevent or remedy any violation.

§244-3.4 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

§244-3.5 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- a) Considered as minimum requirements;
- b) Liberally construed in favor of the governing body; and,
- c) Deemed neither to limit nor repeal any other powers granted under State statutes.

§244-3.6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance

does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the Township of Washington, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION 244-4.0 ADMINISTRATION

§244-4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in section 244-3.2. Application for a Development Permit shall be made on forms furnished by the Chief Construction Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- a) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- b) Elevation in relation to mean sea level to which any structure has been floodproofed.
- c) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in section 244-5.2-2; and,
- d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

§244-4.2 DESIGNATION OF THE LOCAL ADMINISTRATOR

The Chief Construction Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

§244-4.3 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR

Duties of the Chief Construction Official shall include, but not be limited to:

§244-4.3-1 PERMIT REVIEW

- a) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- b) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- c) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of section 244-5.3 (a) are met.

§244-4.3-2 USE OF OTHER BASE FLOOD AND FLOODWAY DATA

When base flood elevation and floodway data has not been provided in accordance with section 244-3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Chief Construction Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer section 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, and section 244-5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION.

§244-4.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED

- a) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- b) For all new or substantially improved floodproofed structures:
 - i. verify and record the actual elevation (in relation to mean sea level); and
 - ii. maintain the floodproofing certifications required in section 244-4.1 (c).
- c) Maintain for public inspection all records pertaining to the provisions of this ordinance.

§244-4.3-4 ALTERATION OF WATERCOURSES

- a) Notify adjacent communities and the New Jersey Department of Environmental Protection, Bureau of Flood Control and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

§244-4.3-5 SUBSTANTIAL DAMAGE REVIEW

- a) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.
- b) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Control.
- c) Ensure substantial improvements meet the requirements of section 244-5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, section 244-5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION and section 244-5.2-3, SPECIFIC STANDARDS, MANUFACTURED HOMES.

§244-4.3-6 INTERPRETATION OF FIRM BOUNDARIES

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 244-4.4.

§244-4.4 VARIANCE PROCEDURE

§244-4.4-1 APPEAL BOARD

- a) The Planning Board as established by Township of Washington shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- b) The Planning Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Chief Construction Official in the enforcement or administration of this ordinance.
- c) Those aggrieved by the decision of the Planning Board, or any taxpayer, may appeal such decision to the Superior Court of New Jersey, as provided in relevant New Jersey Statutes and Rules of Court.
- d) In passing upon such applications, the Planning Board, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:

- i. the danger that materials may be swept onto other lands to the injury of others;
 - ii. the danger to life and property due to flooding or erosion damage;
 - iii. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - iv. the importance of the services provided by the proposed facility to the community;
 - v. the necessity to the facility of a waterfront location, where applicable;
 - vi. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - vii. the compatibility of the proposed use with existing and anticipated development;
 - viii. the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
 - ix. the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - x. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
 - xi. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- e) Upon consideration of the factors of section 244-4.4-1 d) and the purposes of this ordinance, the Planning Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- f) The Planning Board shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

§244-4.4-2 CONDITIONS FOR VARIANCES

- a) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items i.-xi. in section 244-4.4-1 (d) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- b) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- c) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- d) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- e) Variances shall only be issued upon:
 - i. A showing of good and sufficient cause;
 - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
 - iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in section 244-4.4- 1 (d), or conflict with existing local laws or ordinances.
- f) Any applicant to whom a variance is granted shall be given written

notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

SECTION 244-5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION

§244-5.1 GENERAL STANDARDS

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

§244-5.1-1 ANCHORING

- a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

§244-5.1-2 CONSTRUCTION MATERIALS AND METHODS

- a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

§244-5.1-3 UTILITIES

- a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
- c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- d) For all new construction and substantial improvements, the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

§244-5.1-4 SUBDIVISION PROPOSALS

- a) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;
- b) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- c) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,
- d) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

§244-5.1-5 ENCLOSURE OPENINGS

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles,

building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings in at least two (2) exterior walls of each enclosed area, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

§244-5.2 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data have been provided as set forth in section 244-3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in section 244-4.3-2, USE OF OTHER BASE FLOOD DATA, the following standards are required:

§244-5.2-1 RESIDENTIAL CONSTRUCTION

- a) New construction and substantial improvement of any residential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1;
- b) Require within any AO or AH zone on the municipality's DFIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

§244-5.2-2 NONRESIDENTIAL CONSTRUCTION

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities as well as all electrical, heating, ventilating, air-conditioning and other service equipment: either

- a) Elevated at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1; and
- b) Require within any AO or AH zone on the municipality's DFIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

or

- a) Be floodproofed so that below the more restrictive, base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 6-1, the structure is watertight with walls substantially impermeable to the passage of water;
- b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

- c) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 244-4.3-3(b) ii.

§244-5.2-3 MANUFACTURED HOMES

- a) Manufactured homes shall be anchored in accordance with section 244-5.1-1 (b).
- b) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:
 - i. Be consistent with the need to minimize flood damage,
 - ii. Be constructed to minimize flood damage,
 - iii. Have adequate drainage provided to reduce exposure to flood damage,
 - iv. Be elevated on a permanent foundation such that the top of the lowest floor is at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1 and,
 - v. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

§244-5.3 FLOODWAYS

Located within areas of special flood hazard established in section 244-3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- a) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- b) If section 244-5.3 a) is satisfied, all new construction and substantial improvements must comply with section 244-5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION.
- c) In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the accumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

**SECTION 244-6.0
SEVERABILITY**

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.”

2. 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.

3. 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 R.S. 40:69A-181 (b)].

Resolution No. 19-231

Emergency resolution-Ordinance 19-12

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to approve Resolution No. 19-231.

Councilman Ullman asked why is this considered an emergent condition? Council President DeSena replied because the homeowners need this to be in effect in order to have their policies be renewed. Councilman Ullman asked if anyone's coverage has expired? Council President DeSena replied he doesn't know about that, but he knows it needs to be adopted by August 28th. Attorney Poller explained with this type of ordinance you should not take a chance because the Township can get penalized if it is not effect. He stated Council is passing it tonight, he stated this ordinance does qualify as an emergency because you are at risk with the DEP if this ordinance is not in effect.

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

Nays: None.

Absent: None.

Resolution No. 19-231

Emergency resolution-Ordinance 19-12

WHEREAS, N.J.S.A. 40:69A-181(b) provides that an ordinance may take effect less than 20 days after final passage and approval if the Township Council shall adopt a resolution declaring an emergency, and at least two-thirds of all the members of the Township Council vote in favor of such resolution; and

WHEREAS, the Township Council of the Township of Washington has determined that an emergency exists in connection with the improvements authorized by Ordinance No. 19-12, and that such emergency as well as the general welfare of the Township of Washington would be served by having Ordinance No. 19-12 take effect less than 20 days after final passage and approval;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington that Ordinance No. 19-12 shall take effect immediately pursuant to law upon the adoption of this Resolution by at least two-thirds of all the members of the Township Council.

Ms. Curran explained why Resolution No. 19-234 needs to be passed prior to voting on Ordinance No. 19-13. Council President DeSena stated the Agenda will be suspended to vote on Resolution No. 19-234.

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to approve Resolution No. 19-234.

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

Nays: Councilman Ullman.

Resolution No. 19-234

Authorizing cancellation of unexpended balances of unfunded improvement authorizations

WHEREAS, the Township of Washington did adopt Ordinance No.98-10/98-15, Removal of Underground Storage Tank, Ordinance No. 99-07/05-1, Purchase of Equipment, Ordinance No.12-07, Acquisition of Fire Department Equipment, Ordinance No. 12-12, Acquisition of Vehicles and Equipment, Ordinance # 13-07, Improvements to Colonial Field, Ordinance No. 14-11, Fencing at Memorial Field, and Ordinance No. 15-07, Various Road Improvements; and
 WHEREAS, all purchases and agreements have been completed and there remain unexpended unfunded balances of \$95,694 in the above-mentioned Ordinances per the schedule below:

Ordinance Number	Improvement Description	Unfunded Balance as of 12/31/18	Amount To Be Cancelled
98-10/98-15	Removal of underground storage tank	414	414
99-7/05-01	Purchase of equipment	1,855	1,855
12-06	Acquisition of new fire equipment	3,442	3,442
12-12	Acquisition of vehicles and equipment	2,986	2,986
13-07	Improvement to Colonial Blvd	65,814	65,814
14-11	Fencing at Memorial Field	19,975	19,975
15-07	Improvements of various roads	1,208	1,208
TOTALS		95,694	95,694

WHEREAS, the Township Council requested that certain Ordinances with unexpended unfunded balances be cancelled; and

WHEREAS, the CFO met with the Business Administrator, and these cancellations were recommended by the Business Administrator; and

WHEREAS, the CFO is allowed to cancel these balances with the adoption of a resolution by the Township Council; and

WHEREAS, the cancellation of these balances will result in a decrease in the renewal of the Township's outstanding Bond Anticipation Notes by the amount of the cancellation which is \$95,694 and the required paydown of \$274,306 raised in the current year 2019 budget for a total reduction of \$370,000; and

WHEREAS, the Bond Anticipation Notes currently in the amount of \$6,000,000 which are scheduled to be renewed on July 15, 2019 will be renewed for \$5,630,000.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Washington, in the County of Bergen, State of New Jersey, that the Township Council is authorized to approve the cancellation of the aforementioned balances by the CFO.

Council President DeSena stated back to the original Agenda.

Introduction-1st Reading:

Ordinance No. 19-13

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW FIRE AND EMERGENCY SERVICES FACILITY IN AND BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$6,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,714,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION.

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to introduce and pass Ordinance No. 19-13 at first reading by title.

A conversation followed regarding page 3, the useful life of the bond (30 years), as well as funding ancillary costs next year.

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

The following resolution, Resolution No. 19-232 was presented and adopted on a motion by Councilman Cascio, seconded by Councilman Cumming.

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

Resolution No. 19 – 232

WHEREAS, Ordinance No. 19-13 entitled: BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW FIRE AND EMERGENCY SERVICES FACILITY IN AND BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$6,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,714,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 15th day of July, 2019; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 12th day of August, 2019 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. 19-13

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW FIRE AND EMERGENCY SERVICES FACILITY IN AND BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$6,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,714,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION

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

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Township of Washington, in the County of Bergen, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$6,000,000, said sum, except for the sum of approximately \$550,000 available therefor pursuant to other appropriations of the Township, being inclusive of all appropriations heretofore made therefor and

including the sum of \$286,000 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$6,000,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$5,714,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$5,714,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the construction of a new fire and emergency services facility in and by the Township on lands owned by the Township and located at 656 Washington Avenue, said building being of not less than Class B construction (as such term is defined or referred to in Section 40A:2-22 of said Local Bond Law), including installation of telephone, computer, electrical, heating, ventilation and air conditioning systems, and improvement of the site thereof, together with all water, gas, electric and storm water management facilities and structures, sidewalks, driveways, curbing, parking facilities, lighting, paving, landscaping, structures, fixtures, furnishings, equipment, work and materials necessary, useful or convenient for said facility, all as shown on and in accordance with the plans and specifications therefor prepared and filed or to be prepared and filed in the office of the Township Clerk, subject to such variation, modification, addition or alteration as may from time to time be approved by the Township Council of the Township as necessary or desirable in connection with the construction of said facility.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$5,714,000.

(c) The estimated cost of said purpose is \$6,000,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$286,000 down payment for said purpose, said estimated cost being exclusive of the sum of approximately \$550,000 available therefor pursuant to other appropriations of the Township.

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

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

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is thirty (30) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$5,714,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$750,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. Any funds from time to time received by the Township as a grant for the improvement or purpose described in Section 3 of this bond ordinance shall be used for financing such improvement or purpose by application thereof either to direct payment of the cost of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Township authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or treasurer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Ordinance No. 19-14

BOND ORDINANCE APPROPRIATING \$4,288,650, AND AUTHORIZING THE ISSUANCE OF \$3,977,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY

A motion was made by Councilman Bruno, seconded by Councilman Cascio, to introduce and pass Ordinance No. 19-14 at first reading by title.

A conversation followed on the reducing the borrowing by taking the one-million from the school fund, to put towards the DMF building, reducing the amount to \$300,000, as well as tabling the ordinance, the effect it will have on the Road Program, since that is included in this Ordinance. After a discussion, Council President DeSena requested the Bond Counsel change the amount to \$300,000, and change the wording to reflect new acquisition of firetruck, not reconditioning. A conversation followed on scheduling an emergency meeting to pass Ordinance No. 19-14, with corrections, so the Road Program will not be affected.

A motion was made by Councilman Ullman, seconded by Councilman Bruno, to **table** Ordinance No. 19-14.

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

Nays: None.

Ordinance No. 19-14 (TABLED)

BOND ORDINANCE APPROPRIATING \$4,288,650, AND AUTHORIZING THE ISSUANCE OF \$3,977,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY

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

(a) The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of Washington, in the County of Bergen, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$4,288,650 including the aggregate sum of \$200,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and including also, in the case of the improvement or purpose described in paragraph (c) of said Section 3, the sum of \$111,650 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement to Woodfield Road.

(b) For the financing of said improvements or purposes and to meet the part of said \$4,288,650 appropriations not provided for by application hereunder of said down payments and grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$3,977,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$3,977,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

(c) The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for an estimated cost of each such purpose, and the

estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Improvement of various properties and facilities in and by the Township, including by the installation of a fiber optic network, together with all structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	\$250,000	\$238,000
(b) Substantial reconditioning of fire apparatus for use by the Washington Township Volunteer Fire Department, including the acquisition by purchase and installation of a new engine, including all equipment, accessories and attachments necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	650,000	619,000
(c) Improvement of various streets, parking lots and other locations in and by the Township by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), including without limitation streets, parking lots and other locations described in the Township's 2019 Road Program and Woodfield Road, and including also improvement of various intersections, together with for all the aforesaid all structures, milling, drainage improvements, ADA compliant curb cuts, traffic control systems, easement and property acquisition, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$1,011,650 appropriation hereby	1,011,650	857,000

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
made therefor being inclusive of the amount of \$111,650 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement to Woodfield Road		
(d) The construction of a Department of Municipal Facilities building in and by the Township on lands owned by the Township and located adjacent to the Municipal Building or such other location as may be determined by the Township, said building being of not less than Class B construction (as such term is defined or referred to in Section 40A:2-22 of said Local Bond Law), including installation of telephone, computer, electrical, heating, ventilation and air conditioning systems, and improvement of the site thereof, together with all water, gas, electric and storm water management facilities and structures, sidewalks, driveways, curbing, parking facilities, lighting, paving, landscaping, structures, equipment, fixtures, furnishings, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	1,300,000	1,238,000
(e) Acquisition by purchase of new and additional vehicular equipment for use by the Department of Municipal Facilities of the Township, including one (1) dump truck and two (2) pick-up trucks, together with all equipment, appurtenances and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	265,000	252,000
(f) Acquisition by purchase and installation of a new radio system for use by various departments of the Township, including all equipment, appurtenances, attachments and	750,000	714,000

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved		
(g) Improvement of municipally-owned properties and facilities in and by the Township, including the play fields by the installation of new bleachers, together with all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	<u>62,000</u>	<u>59,000</u>
Totals	<u>\$4,288,650</u>	<u>\$3,977,000</u>

Except as otherwise stated in paragraph (c) above with respect to the said grant-in-aid of financing the purpose described in said paragraph, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

(d) The following additional matters are hereby determined, declared, recited and stated:

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

2. The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15.50 years.

3. The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$3,977,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

4. Amounts not exceeding \$350,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local

Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

(e) Any funds from time to time received by the Township as a grant for the improvements or purposes described in Section 3 of this bond ordinance, including without limitation the \$111,650 grant referred to in Section 3(c), shall be used for financing such improvements or purposes by application thereof either to direct payment of the cost of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Township authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

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

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

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

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

Ordinance No. 19-15

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AND APPROPRIATING \$389,712 THEREFOR, CONSTITUTING PROCEEDS OF OBLIGATIONS OF THE TOWNSHIP HERETOFORE ISSUED.

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to introduce and pass Ordinance No. 19-15 at first reading by title.

Ordinance No. 19-15 is the re-appropriation, it is money the Township has on hand. Exhibit A, the Schedule of Improvement and Authorizations, is the unfunded balance as of 12/31/18. Ms. Curran explained not to be canceled is \$95,694, which reduces the amount of the BANS. She stated it was borrowed as BANS, unfunded/unused, the money is sitting there and now we are re-appropriating some and cancelling some to bring down the amount of the BANS, that is also what the C-6 Schedule indicates. Councilman Ullman asked there is \$389,000 sitting in the bank, the Township is paying interest on it, and it was never used for projects. Ms. Curran replied that is correct.

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

Nays: None.

The following resolution, Resolution No. 19-235 was presented and adopted on a motion by Councilman Bruno, seconded by Councilman Cumming.

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

Nays: None.

Resolution No. 19 – 235

WHEREAS, Ordinance No. 19-15 entitled: ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AND APPROPRIATING \$389,712 THEREFOR, CONSTITUTING PROCEEDS OF OBLIGATIONS OF THE TOWNSHIP HERETOFORE ISSUED was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 15th day of July, 2019; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 12th day of August, 2019 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. 19-15

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN BY THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AND APPROPRIATING \$389,712 THEREFOR, CONSTITUTING PROCEEDS OF OBLIGATIONS OF THE TOWNSHIP HERETOFORE ISSUED.

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

Section 1: The improvements described in Section 2 of this ordinance are hereby authorized to be made or acquired by the Township of

Washington, in the County of Bergen, New Jersey, as general improvements, and there is hereby appropriated therefor the sum of \$389,712, said sum constituting proceeds of obligations of the Township heretofore issued and not necessary for financing the purposes for which issued and now available for financing the said improvements or purposes.

Section 2: The improvements or purposes for the financing of which the appropriation is made as provided in Section 1 of this ordinance are: the acquisition by purchase of various equipment including a wood chipper, box, mower and leaf pusher (\$72,875) and the reconstruction, rehabilitation and resurfacing of various roads and locations in the Township (\$316,837), together with for all the aforesaid all structures, site work, accessories, appurtenances, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

Section 3. It is the opinion of the Township Council of the Township, as the governing body thereof, that it is in the best interest of the Township that \$389,712 constituting proceeds of obligations of the Township heretofore issued under Ordinance Nos. 13-11 (\$46,411), 14-13 (\$72,875), 15-04 (\$123,778) and 16-02 (\$146,648) of the Township, shall be appropriated to and used to finance costs of the improvements or purposes above-described in Section 2 of this ordinance.

Section 4. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

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

CONSENT AGENDA:

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

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

Councilman Bruno requested that Resolution No. 19-238 be pulled.

The vote will be for Resolutions 19-236, 19-237, 19-239 through 19-243.

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

Nays: None.

Abstain: None.

Resolution No. 19-236

Authorize issuance of not exceeding \$5,630,000. Bond Anticipation Notes (BANS)

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

Section 1. Pursuant to a bond ordinance of The Township of Washington, in the County of Bergen (the "Township") entitled: "Bond ordinance providing for the purchase of equipment by The Township of Washington, in the County of Bergen, New Jersey, appropriating \$44,000 therefor and authorizing the issuance of \$41,800 bonds or notes of the Township for financing such appropriation", finally adopted on July 12, 1999 (#99-7 as supplemented by #05-1), bond anticipation notes of the Township in a principal amount not exceeding \$18,519 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for the purchase of equipment and renovation of the firehouse by the Township of Washington, in the County of Bergen, New Jersey, appropriating \$50,000 therefor and authorizing the issuance of \$47,000 bonds or notes of the Township for financing such appropriation", finally adopted on August 23, 1999 (#99-12), bond anticipation notes of the Township in a principal amount not exceeding \$15,989 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for the improvement of the storm water drainage system in and by the Township of Washington, in the County of Bergen, New Jersey appropriating \$700,000 therefor and authorizing the issuance of \$161,500 bonds or notes of the Township for financing such appropriation", finally adopted on April 9, 2007 (#07-4), bond anticipation notes of the Township in a principal amount not exceeding \$8,436 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for the acquisition of new equipment for use by the Fire Department of the Township of Washington, in the County of Bergen, New Jersey, appropriating \$21,000 therefor and authorizing the issuance of \$20,000 bonds or notes of the Township for financing such appropriation" finally adopted on April 9, 2012 (#12-06), bond anticipation notes of the Township in a principal amount not exceeding \$7,667 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for acquisition of new and additional vehicular equipment by the Township of Washington, in the County of Bergen, New Jersey, appropriating \$162,000 therefor and authorizing the issuance of \$154,000 bonds or notes of the Township for financing such appropriation", finally adopted on July 23, 2012 (#12-12), bond anticipation notes of the Township in a principal amount not exceeding \$82,567 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for the improvement to Memorial Field in and by the Township of Washington, in the County of Bergen, New Jersey, appropriating \$160,000 therefor and authorizing the issuance of \$152,000 bonds or notes of the Township for financing such appropriation", finally adopted on July 23, 2012 (#12-13), bond anticipation notes of the Township in a principal amount not exceeding \$131,033 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including

(to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for the improvement of various roads in and by the Township of Washington, in the County of Bergen, New Jersey, appropriating \$908,692 therefor and authorizing the issuance of \$865,000 bonds or notes of the Township for financing such appropriation", finally adopted on May 6, 2013 (#13-06), bond anticipation notes of the Township in a principal amount not exceeding \$639,640 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 8. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for the improvement of Colonial Boulevard in and by the Township of Washington, in the County of Bergen, New Jersey, appropriating \$300,000 therefor and authorizing the issuance of \$285,000 bonds or notes of the Township for financing such appropriation", finally adopted on May 6, 2013 (#13-07), bond anticipation notes of the Township in a principal amount not exceeding \$16,067 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 9. Pursuant to a bond ordinance of the Township entitled "Bond ordinance appropriating \$285,897, and authorizing the issuance of \$218,274 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Washington, in the County of Bergen, New Jersey", finally adopted on May 20, 2013 (#13-11), bond anticipation notes of the Township in a principal amount not exceeding \$162,803 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 10. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for the improvement of the municipal complex site in and by the Township of Washington, in the County of Bergen, New Jersey, appropriating \$94,320 therefor and authorizing the issuance of \$89,604 bonds or notes of the Township for financing such appropriation", finally adopted on May 20, 2013 (#13-12), bond anticipation notes of the Township in a principal amount not exceeding \$77,244 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 11. Pursuant to a bond ordinance of the Township entitled "Bond ordinance appropriating \$235,400, and authorizing the issuance of \$223,630 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Washington, in the County of Bergen, New Jersey", finally adopted on September 23, 2013 (#13-20), bond anticipation notes of the Township in a principal amount not exceeding \$94,976 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 12. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for the installation of new fencing at Memorial Field in and by The Township of Washington, in the County of Bergen, New Jersey, appropriating \$110,000 therefor and authorizing the issuance of \$104,000 bonds or notes of the Township for financing such appropriation", finally adopted on September 22, 2014 (#14-11), bond anticipation notes of the Township in a principal amount not exceeding \$41,915 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 13. Pursuant to a bond ordinance of the Township entitled "Bond ordinance appropriating \$100,000, and authorizing the issuance of \$95,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Washington, in the County of Bergen, New Jersey", finally adopted on October 20, 2014 (#14-13), bond anticipation notes of the Township in a principal amount not exceeding \$91,348 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 14. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for the improvement of Memorial Field in and by the Township Of Washington, in the County of Bergen, New Jersey, making an initial appropriation of \$150,000 and authorizing the issuance of \$142,800 bonds or notes of the Township for financing such appropriation", finally adopted on March 23, 2015 (#15-04), bond anticipation notes of the Township in a principal amount not exceeding \$137,876 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 15. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for the improvement of various roads in and by The Township of Washington, in the County of Bergen, New Jersey, appropriating \$750,000 therefor and authorizing the issuance of \$714,000 bonds or notes of the Township for financing such appropriation", finally adopted on June 1, 2015 (#15-07), bond anticipation notes of the Township in a principal amount not exceeding \$644,277 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 16. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for the acquisition of new and additional vehicular equipment by the Township of Washington, in the County of Bergen, New Jersey, appropriating \$765,000 therefor and authorizing the issuance of \$728,000 bonds or notes of the Township for financing such appropriation", finally adopted on July 20, 2015 (#15-09), bond anticipation notes of the Township in a principal amount not exceeding \$655,416 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 17. Pursuant to a bond ordinance of the Township entitled "Bond ordinance appropriating \$1,009,000, and authorizing the issuance of \$958,550 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Washington, in the County of Bergen, New Jersey", finally adopted on April 18, 2016 (#16-02), bond anticipation notes of the Township in a principal amount not exceeding \$910,575 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 18. Pursuant to a bond ordinance of the Township entitled "Bond ordinance providing for the improvement of various roads in and by the Township of Washington, in the County of Bergen, New Jersey, appropriating \$600,000 therefor and authorizing the issuance of \$570,000 bonds or notes of the Township for financing such appropriation", finally adopted on May 8, 2017 (#17-03), bond anticipation notes of the Township in a principal amount not exceeding \$570,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 19. Pursuant to a bond ordinance of the Township entitled "Bond ordinance appropriating \$2,946,123, and authorizing the issuance of

\$2,643,927 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Washington, in the County of Bergen, New Jersey”, finally adopted on June 12, 2017 (#17-04), bond anticipation notes of the Township in a principal amount not exceeding \$75,024 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 20. Pursuant to a bond ordinance of the Township entitled “Bond ordinance appropriating \$1,300,000, and authorizing the issuance of \$1,237,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Washington, in the County of Bergen, New Jersey”, finally adopted on May 21, 2018 (#18-06), bond anticipation notes of the Township in a principal amount not exceeding \$1,237,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 21. Pursuant to a bond ordinance of the Township entitled “Bond ordinance providing for the improvement of municipal property in and of The Township of Washington, in the County of Bergen, New Jersey, appropriating \$125,000 therefor and authorizing the issuance of \$118,750 bonds or notes of the Township for financing such appropriation”, finally adopted on April 27, 1998 (#98-10 as amended and/or supplemented by #98-15), bond anticipation notes of the Township in a principal amount not exceeding \$11,628 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 22. All bond anticipation notes (the “notes”) issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (the “Chief Financial Officer”), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 23. Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township’s faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 24. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12

promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 25. All action heretofore taken by Township officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 26. This resolution shall take effect immediately.

Resolution No. 19-237

Authorize the advertisement for bids for 2019 Road Program

WHEREAS, the Council of the Township of Washington has determined to undertake projects for the improvement of roadways within the Township in 2019; and

WHEREAS, the Township Council has a need to advertise for bids for such road improvements;

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the Business Administrator is authorized to advertise for bids for said project.

Resolution No. 19-239

Authorize the advertisement for bids for Basketball Courts at Memorial and Gardner Fields

WHEREAS, the Township of Washington has received a matching Open Space grant in the combined amount of \$34,500 through the Bergen County Open Space Trust Fund for the upgrade of Basketball Courts at Memorial and Gardner Fields; and

WHEREAS, the Township Council wishes to adopt a resolution to authorize the advertisement of bids in furtherance of said contract.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the Business Administrator is authorized to advertise for bids for said project.

Resolution No. 19-240

Authorize refund balance of escrow monies, B2209, L4, 747 White Birch Road in the amount of \$258.50

WHEREAS, Leonardo Sabino posted engineering escrow monies for work on premises known as Block 2209 Lot 4, 747 White Birch Road; and

WHEREAS, the Construction Code Official issued approval, C.O. 18-136, dated 6/19/2019; and

WHEREAS, outstanding invoices due the Township Engineer have been encumbered for payment; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money to the above in the amount of \$258.50.

As required by N.J.S.A. 40a:4-57, N.J.A.C. 5:30-14.5 and any other applicable requirements, I, Judith Curran, Chief Financial Officer of the Township of Washington, have ascertained the availability of funds for such services as determined in the Township's annual budget; SABINO 0002, SABINO 0003, Total Certified Amount Not to Exceed: \$258.50; Judith Curran, CMFO

Resolution No. 19-241

Authorize refund of escrow monies to Joseph M. Sanzari, Inc. for the completed road and pipe repair work on Linwood Avenue at Parkway Court in the amount of \$2,263.44

WHEREAS, Joseph M. Sanzari, Inc. posted escrow monies on 5/17/19 for Police Department overtime for road & pipe repair work on Linwood Ave @ Parkway Court in the Township of Washington; and

WHEREAS, Joseph M. Sanzari, Inc. is requesting the return of escrow monies that remain in their escrow account, as the project is now complete; and

WHEREAS, the Police Captain has confirmed that the project is complete and the Payroll Department has confirmed that overtime pay for this project has been charged against escrow in full; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the escrow balance in the amount of \$2,263.44 to the above.

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by N.J.S.A. 40a:4-57, N.J.A.C. 5:30-14.5 and any other applicable requirements, I, Judith Curran, Chief Financial Officer of the Township of Washington, have ascertained the availability of funds for such services as determined in the Township's annual budget; Acct#T-12-56-850-900. Total Certified Amount Not to Exceed: \$2,263.44; Judith Curran, CFO.

Resolution No. 19-242

Authorize refund of overpaid taxes, B3407, L14, 94 Sussex Road in the amount of \$550.00

WHEREAS, Homestead Benefits were credited for the 2nd Quarter 2019 tax installment to Block 3407, Lot 14, 94 Sussex Road, Jack & Barbara Inserra; and

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

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey that the Tax Collector be authorized to issue a refund to the above in the amount of \$550.00

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by N.J.S.A. 40a:4-57, N.J.A.C. 5:30-14.5 and any other applicable requirements, I, Judith Curran, Chief Financial Officer of the Township of Washington, have ascertained the availability of funds for such services as determined in the Township's annual budget; Acct#9-01-95-004-000. Total Certified Amount Not to Exceed: \$550.00. Judith Curran, CMFO

Resolution No. 19-243

Recognition of the Bergen County American Legion Centennial

WHEREAS, on March 15, 1919, The American Legion was founded in Paris, France by United States World War I military personnel, members of the American Expeditionary Force, who convened for the first caucus; and

WHEREAS, a new organization named The American Legion eventually developed from this historic meeting, whose founders, led by Lieutenant Colonel Theodore Jr., were dedicated to the four pillars, consisting of the care for Veteran's, a strong national defense, Americanism, and children and youth; and

WHEREAS, today The American Legion is the world's largest Veteran's organization, with over two million members worldwide, and over 4,000 members belonging to 41 Posts in Bergen County; and

WHEREAS, the Bergen County American Legion organization recognizes 23 "Centennial Posts" that are celebrating their 100 years of service, having all been chartered in 1919; and

WHEREAS, those Posts are situated in the following municipalities: Bogota, Carlstadt, Cliffside Park, Closter, East Rutherford, Englewood (78), Fort Lee, Garfield, Hackensack, Hasbrouck Heights, Hillsdale, Leonia, Lodi, Lyndhurst, Maywood, Oradell, Park Ridge, Ridgefield, Ridgefield Park, Ridgewood, Rutherford (109), Teaneck and Wood-Ridge; and

WHEREAS, The Bergen County American Centennial Committee's mission is to bring recognition to the 23 Centennial Posts in Bergen County that were chartered in 1919, and to that end will hold a Centennial Gala on Sunday, September 29, 2019 at The Elan Catering & Events in Lodi, New Jersey; and

NOW, THEREFORE BE IT RESOLVED, that the elected representatives and citizens of the Township of Washington are pleased to recognize The Bergen County American Legion for their Posts' collective myriad of contributions to the good and welfare of Veteran's, service members and the communities they serve, and wish its members every success in continuing the legacy of service into its next hundred years.

Resolution No. 19-238

Authorize the Advertisement for bids for Bocce Ball Courts at Senior Citizen Park

A conversation followed on the \$30,000 matching grant for the bocce ball court, which is currently in disrepair and underutilized. The plan is for the same footprint. The grant is not only for the bocce ball court, it also includes new pavers.

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to approve Resolution No. 19-238.

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

Nays: None.

WHEREAS, the Township of Washington has received a matching Open Space grant in the amount of \$30,000 through the Bergen County Open Space Trust Fund for the construction of a Bocce Ball Court at Senior Citizens Park; and

WHEREAS, the Township Council wishes to adopt a resolution to authorize the advertisement of bids in furtherance of said contract;

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the Business Administrator is authorized to advertise for bids for said project.

PUBLIC SERVICE ANNOUNCEMENT – Council President DeSena

TOWN HALL SUMMER HOURS - New summer hours go into effect July 8th and run through Labor Day, Sept. 2nd. The new hours are as follows:

- Monday: 8:30 am to 7:30 pm
- Tuesday/Wednesday/Thursday: 8:30am - 4:30 pm
- Friday: 8:30 am - 12:30 pm

**New hours pertain specifically to the following departments: Clerk, Board of Health, Registrar, CFO, Tax Collector, Purchasing, Building, Planning/Zoning*

TAX BILLS

The Township has not yet received its Tax Rate from the County. We cannot prepare annual bills until we receive our rate. The grace period for payment will be extended 25 days from the date the bills are mailed.

2019 SUMMER CONCERT SERIES

The Township will be hosting our second summer concert this Friday, July 19th at 7:00 pm, and will feature Rubix Kube. Bring your chairs! Visit the website for additional information.

TOWNSHIP PAPER SHREDDING & E-RECYCLING EVENT will take place on Saturday, July 20th from 9:00 am – 12:00 pm in the Town Hall Parking Lot.

MOSQUITO CONTROL PUBLIC NOTICE

In compliance with Section 9.10 of the New Jersey Pesticide Control Code the Bergen County Dept. of Public Works Mosquito Control Division, will be applying pesticides for the control and reduction of adult mosquito populations on an area-wide basis as needed throughout BERGEN COUNTY during the period from April 30, 2019 to October 31, 2019. For more information on mosquitoes and mosquito control contact the Bergen County Mosquito Control Program at 201-634-2880 or 201-634-2881.

MUNICIPAL BUILDING

The Municipal Building will be closed temporarily tomorrow morning for electrical work and will open at 10:30 a.m. on July 16, 2019.

A conversation followed on the positive feedback regarding summer hours.

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

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

Nays: None.

Time Noted: 10:16 p.m. adjourn to Conference Session

A motion was made by Councilman Cascio, seconded by Councilman Cumming to go back into Public Session.

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

Nays: None.

Time Noted: 11:49 p.m. reconvene to Public Session

Council President DeSena – Gentlemen we are back in Open Session. Can I have a motion to authorize the Administrator to execute a Memorandum of Understanding subject to the Approval as to Form on the Special Labor Counsel for the Police PBA Negotiations.

On a motion by Councilman Cascio, second by Council President DeSena

Ayes: Councilman Cascio, Council President DeSena.

Nays: Councilman Ullman.

Abstain: Councilman Bruno,

Recuse: Councilman Cumming.

Attorney Poller – Just so you understand Councilman Bruno, when you abstain, under our rules an abstention is a vote with the majority.
Councilman Bruno – Should we do it again.
Councilman Cascio – No it passed.
Council President DeSena – Can I have a motion to reconvene Closed Session to discuss the remaining items.

A motion was made by Councilman Cumming, Council President DeSena, to go reconvene Closed Session.

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

Nays: None.

Time Noted: 11:51 p.m.



Susan Witkowski
Township Clerk



Michael DeSena
Council President

Approved: November 6, 2019

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
CONFERENCE AGENDA
July 15, 2019

CURRENT BUSINESS

I. Administration

A. 1. Project tracker

Administrator Tovo stated the following update on the project tracker:

Capital Projects – Items #1 and #2 – The Township Engineer is present for any questions anyone may have.

ADA Curb Cuts – Purchase Order has been issued to Reggio Construction, awaiting information from the contractor so they can be put into the system as a vendor. The Township is on their list.

DMF Two Trucks – No changes in the status.

Breathalyzer – No changes in the status.

Radio System – Pricing models are being reviewed and leveled to ensure it is a fair evaluation process, approximately 30 days, September 1st is a reasonable date.

DMF Building – No change.

Basketball Courts – The specs are almost ready to go, we have the permission to go out to bid, will go out very soon.

Signage – Issues with the 2nd vendor we want pricing from

Firehouse – Update tonight.

Memorial Field – No change.

Personnel - A new clerk started in the Police Department on July 1st. Council President DeSena requested Ms. Curran to check that line item, since there was an overlap, to make sure there is enough budgeted in that line item. Administrator Tovo stated he does not feel it will be an issue.

Grant Writer – Grant Writer is working with Department Heads to schedule meetings to determine their needs and identify the grants that would best suit what they need to do.

Town Hall Upgrades – Regarding drainage, we are still working with the contractor to get on the schedule, needs have been established, and need to get the work started now that the weather has improved.

Paving Washington and Ridgewood – Looking at the Fall paving cycle of 2019, October, as long as they do not get behind. Regarding ADA ramps, the Township is third on the list (Reggio Construction), that being July or August.

WCTV – All equipment has been ordered, most of it is in. The server is still the one piece that they are waiting for.

DMF Paint Machine – Already has been used on the parking lot, being put to good use.

Township Computer Server – Administration thought it had been ordered by the Township IT person, specs need to be worked out and will be ordered shortly.

Access Control – Access control has been wired; door strikes will go in probably starting next week.

Security upgrades – Getting updated quotes, received the last one needed this morning.

Flags – Flags have been ordered, confirmation of the color of the Township flag was needed, an old flag was provided.

Council President DeSena stated he was just advised by Ricky of WCTV that the WCTV server was delivered, it is being prepped for configuration. A new WCTV will be coming shortly.

Boswell Engineering

John Yakimik, P.E.; Township Engineer

Mr. Yakimik stated we met last week with the County of Bergen, with our alignment. At the time we were trying to avoid any easements to be taken from any property owners. One in particular, immediately to the east of the Exxon station, and immediately to the north of the Exxon station. Upon meeting with the County Assistant Engineer, the avoidance of those two is not going to be possible. He stated he suggested to the Mayor and the Administrator, that he as the Engineer visit these two, or at least one of the two property owners, the owner to the east of the Exxon station. Council President DeSena asked is that the remaining house that used to be next to our red house? Mr. Yakimik replied that is correct, and he explained to the property owner, in very laymen's term what we are looking to do in the front, it is a very minor easement, it is minor to him, it might not be to the homeowner. He stated he does not want to create panic and a stir from the homeowner, he wants to approach this from 64,000 feet when he speaks with the homeowner. The easement is basically to allow the sidewalk that is already there to exist, right now the property line goes through the sidewalk. We tried looking at shifting everything across the street towards the bridal shop at the vacant piece of land there, that was not possible, or the County did not accept that type of shifting. The other property towards the north, that is dependent on what Coach Bus Lines is going to want as far as offloading of their passengers. He has asked the Administrator to get a meeting with Coach Lines immediately, or as soon as possible, so we can discuss what their needs will be at the intersection to make sure we properly design for them. Council President DeSena asked are we still including Seasons' design of the commuter lot there, or is that off the table at this time? Mr. Yakimik replied that is not part of our design. Council President DeSena stated because he believes their design shows the commuter bus pulling into the parking lot. Mr. Yakimik replied it does. Council President DeSena stated so that would eliminate requiring that easement? Mr. Yakimik replied that is correct, because then the bus lines can go into that facility, that would eliminate the need for that easement. Council President DeSena replied so we would need only one easement, is that correct? Mr. Yakimik replied that is correct. Council President DeSena asked Mayor Calamari if he can get a response from the homeowner to see where we are with that? Mayor Calamari replied yes, of course. Councilman Bruno stated when you talk about the Coach Bus Line, that is the north side, is that correct? Mr. Yakimik replied yes. Councilman Bruno asked what about on the south side? Mr. Yakimik replied we want to eliminate that, we want to take the buses off the streets so they are not blocking traffic, but we need to know what their operations

are and what they are comfortable with operating through that intersection. Councilman Bruno asked you would want them to pull through the lot? Mr. Yakimik replied yes, we want them to make most of the operations off of the right of way as possible in that lot. Councilman Bruno stated they would have to come out of Pascack, which goes north and south, and go directly across from the gas station? Council President DeSena replied it would be Clinton. Mr. Yakimik stated as far away from the intersection as possible, that is the idea, if that does not work, then we start looking at easements and bump outs for the buses, that they could get off of the roadway and not block traffic. Councilman Ullman asked is the idea that circulation is in the parking lot? Council President DeSena replied yes. Councilman Ullman asked, the bus would come east on Washington, make a left on Pascack, make a left into the lot? Council President DeSena replied have a drop-off area and then turn around and come back out. Councilman Ullman stated come back out and make a left crossing the traffic. Council President DeSena stated it would be a four-way intersection at that point, once it is reconfigured. Councilman Ullman asked the house to the east, do we know what the size of the easement would be, what will happen to that homeowner's property? Mr. Yakimik replied it is a movement of the curb and sidewalk a few feet, at most. He stated there is a lot of landscaping there, that is why he wanted to go and explain to the homeowners in laymen's terms your sidewalk instead of being here will be here, and the curb instead of being here will be here, it will move closer to them. Councilman Bruno asked will commuters from the bus traffic be walking on that property? Council President DeSena stated not if the commuter lot was on the corner, they would park in the new lot, not travel through the firehouse. The Engineer did give the Mayor a design to the new lot, and was going before the DEP for the coffer that is associated with that water body, that is the issue. Mr. Yakimik stated in order to encroach on that coffer, to do what we need to do, it has to be a public use, so therefore, the incorporation of the commuter lot there as a public use is very advantageous to encroach on that coffer and get the parking spaces we needed on that lot. Council President DeSena stated there would be about 200 plus spaces for commuters. Councilman Cumming asked how many "few feet" is the residents effected? Mr. Yakimik replied he doesn't know, his impression from Gary Ascolese and the engineers that are working on this is that it is about one or two, if it is something different, he will come back to this board. Councilman Cascio asked what about the easement north, on the other side of the gas station? Mr. Yakimik replied that is dependent on what the bus company tells us, if they need a bump-out for northbound buses, then we will definitely going to need an easement. Councilman Cascio asked did Mr. Yakimik get an estimate for that easement at this point? Mr. Yakimik replied it would be significantly more than a few feet, it is enough to put a sidewalk and a little buffer, five-feet. Councilman Cascio stated there is no sidewalk there at present, it is a very high slope and narrow piece of land between the roadway and the structure. Mr. Yakimik stated easements are the lynch pin to any project. A conversation followed on where the bus stop would be located. Mr. Yakimik stated he would like that bus stop as far away from the intersection but close enough to the parking, it is not necessarily a cutout there, but it is a sidewalk to lead people from the bus. The cutout would be further, but it is the sidewalk for the commuters that would be let off from the bus to get to where they need to go. Councilman Bruno asked is that COACH or NJ Transit? Administrator Tovo replied it is Rockland Coach owned by Coach USA, NJ Transit approve the routes, they can cancel routes whenever they deem appropriate, we have been trying to contact them, they are very non-responsive. Councilman Ullman stated the first issue is the house (gold house) next to the gas station, the second issue, which may be mitigated slightly if the commuter lot is developed, when will see a shovel in the ground? Mr. Yakimik replied we are working on next year, a very good sign is that we have received an Interlocal Services Agreement from the County, which he believes was transmitted, that means the County is serious about funding this for construction. Council President DeSena stated that is the agreement that our former Mayor refused to sign, that stopped the whole project.

Mr. Yakimik stated we could start, and when he first came here back in January, we spoke about utility relocations, and that is something we would like to see before the end of the year. He stated some of the alignment/tweaking Gary Ascolese has been doing, is to save the number of poles that have to be moved. Public Service will move them at their cost for road widening, but some very commonsense tweaking limits the number of poles that need to be moved, and makes Public Service a good neighbor that we did our best to minimize the number of poles. He stated it has been sent out to the utility companies, they are on board as far as knowledge of the project, we are waiting for their plans to come back, hoping in the next few months to meet with them out on the field, show them where we actually would like those poles moved as part of the project. They can fund their money for movement of those poles, hopefully getting done by the end of the year. He stated as far as activity that the public can see, that is what we are working on right now. Council President DeSena asked Administrator Tovo if we received the Interlocal Agreement? Administrator Tovo replied we have not. Mr. Yakimik stated he will check on the status, his understanding was it was before the Freeholders. Mayor Calamari stated we did get a draft copy of what the Freeholders would be looking at. Council President DeSena asked will the Mayor execute it when he receives it? Mayor Calamari replied the minute it walks in the door. Councilman Cumming stated he saw a utility mark out person at the intersection three weeks ago. Councilman Cascio asked that Mr. Yakimik keep Council apprised of any conversations. Councilman Ullman asked how does the acquisition occur, do we have a pRICE and we start at that pRICE? Mr. Yakimik replied no, how he likes to do it and how it happens is that we approach it from the 64,000 feet, he goes out there, explains to the homeowner what we are looking at, you will be receiving some documents in the future, if we get any opposition from the homeowner, we deal with it as we go forward. He stated there will be some sort of appraisal that we have in our proposal to give the precise dimension of what we need to the town attorney, gives it to the appraiser, and the fair market value of what that easement amount it, convey that to the property owner and hopefully we strike a deal. Councilman Cumming asked what does the term "approach it from 64,000 feet" mean? Mr. Yakimik stated that is his term, to approach it very softly and practically to the homeowner, rather than barrage them with documents in the mail and scare them on what is going on. He stated to him as an engineer is it very necessary for the public good and public safety, it is, in his opinion, a minimal encroachment on what the homeowner might just see is or is not their property. He stated he likes to approach it from dare he say a non-political engineering standpoint rather than a political standpoint at first, with a barrage of documents from the borough attorney. A conversation followed on ascertaining the fair market value, which is done by the appraiser once the size of the taking is, and the process/negotiations. Councilman Ullman asked if Mr. Yakimik is fully engaged with the Emergency Service Building? Mr. Yakimik replied not yet, the architect just asked him to change something in his proposal, which he will do and give it to Administrator Tovo.

II. Council

A. Ordinances and Legislation

1. Ordinance Providing for Alternate Members of the Planning Board (Draft Ordinance No. 19-16 for review) – Attorney Poller stated this is an ordinance to provide for alternates for the Planning Board, as there are alternates for the Zoning Board. He stated in all the years we have never had the need for alternates to Planning Board, but in the latest situation that we have with the pending application, some conflicts and so forth have reduced the number of people, the statute provides for the ability to appoint two alternates. Council President DeSena stated this would replace the two, the Mayor and Council member. Attorney Poller stated no, it is not replacing anything, this is adding alternates, they will function in the absence of someone else, exactly like the Zoning Board. Council President DeSena stated if someone doesn't show up, they are there. Attorney Poller stated they would have to listen to the tapes if it

is an application and so on and so forth. Councilman Ullman asked what is Class IV? Attorney Poller replied it is the last Class that the Mayor appoints, any citizens. Councilman Ullman asked are all the seats filled at the moment? Mayor Calamari replied no they are not, we had one resignation. Councilman Ullman stated do we have an employee? Mayor Calamari replied Dan Scudieri, DMF. Councilman Ullman asked this can be done? Attorney Poller replied it can be done. Councilman Ullman asked is it governed by the State or the Township? Attorney Poller replied the State Statute authorizes it, if you don't pass the Ordinance you can't do it, but the State Statute authorizes it. Council President DeSena asked is this something that should be done immediately? Attorney Poller replied yes, he believes immediately. Council President DeSena asked can this be done during Conference Agenda, since a sample was given? Attorney Poller replied the Planning Board is meeting at the end of July, with the next meeting at the end of August. He stated he would like to see this being introduced tonight, and being passed at the August meeting which would be before the Planning Board. Councilman Ullman asked does their position promotion in the event of a resignation? Attorney Poller replied no, these are terms. Council President DeSena stated it is the same as Zoning, they have to resign as Alternates, and apply to be a full member. Attorney Poller stated we are looking for Alternates. Councilman Ullman stated he is thinking of the process we went through for Zoning, and he wants to make sure it is consistent. Attorney Poller replied it will be the same way, you can introduce it tonight, action can be taken at the Conference Session, we are public, it can be introduced. Councilman Cascio stated we always talk about ordinances are important and need to be discussed, need some time to digest it, now all of a sudden, we are getting this, that it has to be tonight. He would like to know the reason why, is it because there is one particular thing in front of the Planning Board right now that there is an issue with? Attorney Poller replied yes. Councilman Cascio stated he is unaware of it, he would like to know why it has to be done immediately and why is it an urgent issue. Attorney Poller stated number one he specifically did not put this on the public portion with an introduction, he asked it be put on the Conference Agenda so there could be a discussion if Council wants to move it. He stated the reason for it is that the Viviano application is pending before the Planning Board and we have two conflict situations, which reduces the people, someone resigned, it is a nine member Board, three people are out, we have six people, alternates bulk it up to at least a number of people, so they have a reasonable chance to have a vote. Councilman Cascio asked is there a minimal number that you have to have for a quorum? Attorney Poller replied it is the majority, he is looking for he compliment of number of people, three people are missing, three opinions. He stated is a large application and there is a lawsuit, so for the protective reasons of having more of a full Board it will be good. Councilman Cascio stated at this time the Board consists of nine, five is needed for a quorum in total, you only have six, if one resigned, and two recused themselves. Attorney Poller stated the Board started at nine, two are conflicted, one resigned, down to total of six. Councilman Cascio stated total of six, five is needed for a quorum for the Board. Attorney Poller stated it is having been requested by the Planning Board attorney, on numerous occasions to get Alternates in if there is going to be this conflict situation. Councilman Cascio asked Mayor Calamari are there many absenteeism when you meet? Mayor Calamari replied generally not, but you can never control people's circumstances. Councilman Cascio stated if it follows the Zoning Board, and it is like he has no problem with it whatsoever, but at this point, since we do have these applications coming up, he doesn't see an issue with it. Councilman Cumming stated he respectfully suggests this is more of a "housekeeping action" rather than rushing something through for the sake of rushing something through, it is something that needs to be done to straighten things out and help clarify things. Councilman Ullman asked how many years have we had a Planning Board? Attorney Poller stated a long time, but this is the first time we have had this kind of situation. Councilman Ullman asked could we be accused of "spot ordinance'ing?" Attorney Poller replied no, you are allowed to put people

on, the statute allows it. He stated it is there for the Zoning Board, it just so happens that we have never had a problem, the issue was never raised, there have been problems with the Zoning Board, we have had the alternates, that works fine, this is just something that has never come up, usually it would not, except we are dealing with conflicts as opposed to someone not showing up. He stated usually one or two do not show up, then you have two conflicts, members not showing up, all of a sudden you are down to a small number of members. Councilman Bruno stated we have some large Planning Board issues, are new members going to be up to snuff with what is happening. Attorney Poller stated they have to review the transcripts, certify to it, they cannot come in and say they will vote on it, they have to do their homework. He stated another reason why it is a good time is, if Council remembers, there has been so much procedural jockeying around with the application that he thinks the testimony has not even come in yet, substantively, so this would be a good time. Councilman Cascio asked what are the conflicts with the two members? Attorney Poller replied the conflicts are, if you remember, an attorney came up here and argued you should not let the application proceed before the Planning Board, his argument is that because the project involves the conveyance of a piece of property that is owned by the Township, that the Mayor, who has a seat on the Planning Board has a conflict because he is representing a property owner in the project, is that a real conflict or not a conflict, a conflict is a matter of degree. The other conflict is the Council representative/member was involved in a lawsuit which involved the attorney for the applicant, he says it is a conflict.

Introduction, 1st Reading:

Ordinance No. 19-16

AN ORDINANCE PROVIDING FOR ALTERNATE MEMBERS OF THE PLANNING BOARD

A motion was made by Councilman Ullman, seconded by Councilman Cumming, to introduce and pass Ordinance No. 19-16 at first reading by title.

Attorney Poller recommended that Councilman Cumming abstain.

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

Abstain: Councilman Cumming.

The following resolution, Resolution No. 19-245 was presented and adopted on a motion by Councilman Cascio, seconded by Councilman Bruno.

Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,

Council President DeSena.

Nays: None.

Resolution No. 19 - 245

WHEREAS, Ordinance No. 19-16 entitled: AN ORDINANCE PROVIDING FOR ALTERNATE MEMBERS OF THE PLANNING BOARD OF 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 15th day of July, 2019; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 12th day of August, 2019 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. 19-16

AN ORDINANCE PROVIDING FOR ALTERNATE MEMBERS OF THE PLANNING BOARD OF THE TOWNSHIP OF WASHINGTON

BE IT ORDAINED, by the Township Council of the Township of Washington, that Chapter 553 (Planning Board) of the Code of the Township is hereby amended by adding the following Subsection "C" to Section 553-1 of the Code:

1. "§553-1

...

C. Alternate members.

(1) There shall be appointed by the Mayor two residents of the Township of Washington, Bergen County, New Jersey, to serve as alternate members of Class IV of the Planning Board and who shall be designated by the Mayor as "Alternate No. 1" and "Alternate No. 2." Alternate members shall meet the qualifications of Class IV members of the Planning Board. The terms of the alternate members shall be for two years, except that the terms of the alternate members shall be such that the term of not more than one alternate member shall expire in any one year; and provided further that in no instance shall the terms of the alternate members first appointed exceed two years. A vacancy occurring otherwise than by expiration of term shall be filled by the Mayor for the unexpired term only.

(2) No alternate member shall be permitted to act on any matter in which he or she has either directly or indirectly any personal or financial interest.

(3) Alternate members may participate in all matters but may not vote except in the absence or disqualification of a regular member of any class. Participation of alternate members shall not be deemed to increase the size of the Planning Board established by Township ordinance. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote."

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)].

2. Hiring/Promotions ordinance, Police Dept. (mu) – Councilman

Ullman stated he had asked about this a number of months ago, and was told it was going to be part of the reviews that were being done, policies that were being reworked. He stated his question is if we don't have a current promotions policy, how are we promoting individuals, what is the process? He understands that there is recommendation that is made, he believes it is by the Chief, and the Director to the Mayor, is there a process behind that is documented, do we have the ability as Council to understand what that process is? He stated it was his understanding that we don't have a current one, there may be something that may or may not be used, how does this happen? Mayor Calamari replied his understanding is, the process that they have to date has withstood a number of court challenges by officers, in the past, who felt that things didn't go their way, lets say in a promotional process, the process is legitimate, as far as what it is. He stated he thinks the words that are generally used are merit and fitness, that are the backbone of the promotional process, that the Chief and Director know those two criteria for all of the officers. Based on that, do not quote him 100%, he doesn't want to speak out of turn about the promotion process, as you know for obvious reasons he tries to distance himself from the promotional process, but those are the two main criteria, there may be some others that he is not familiar with offhand, so based on those couple of criteria they decide who is going to be promoted. Councilman Ullman stated he understands the process may have withstood the litigation hurdle, but he doesn't know if that makes it a good process, it just makes it a process if we get sued, we are protected. Mayor Calamari stated we did talk about revising the process, however, the consensus was that another round of promotions will probably take place when the Chief is forced out, due to his age, which is the end of October. He stated to change a process, and not give the rank and file who would be considered for promotions enough time to adapt to a new promotional process, such as right now we don't insist on college, if we do it now, college is part of it, three or four months from now doesn't give people an opportunity to make those adjustments, so the consensus was after the next round of promotions, they will probably be a drought of a few years before the next round. Whoever the new Chief is should have input on that process, so the process will be reviewed by the new Chief and whoever else after the next round, so people have time to gear up, this is the new criteria, now they know what they have to gear for if they want to be considered for a promotion. Councilman Ullman asked as a Council we still have the ability to pass an ordinance if the Council chooses. Attorney Poller replied yes. Councilman Bruno asked is the Director involved in this, since the Mayor had a conversation with him. Mayor Calamari replied he is at this level, yes. Councilman Bruno asked is the Director involved in the day to day operations? Mayor Calamari replied day to day operations, no, he is not, but he is here enough, talks to the Chief, Officers. Councilman Ullman stated the Director did not participate in the budget, either the preparation or our discussions. Mayor Calamari replied that is correct, but Councilman Bruno asked if the Director is involved at this level, he does keep up with the officers, he does speak to the Chief about officers in general, so between them they are up on the criteria. Councilman Cascio stated at this time we will have gaps, that need to be filled through the promotional process, he feels that as a Council or future Councils, if they want to draft an ordinance clarifying the areas of fitness and merit, that can be done, but the problem is we have a timeline to pass an ordinance quickly, due to the Chief's retirement. Councilman Ullman stated he brought this up almost a year ago, and asked for the Director and Chief to come to speak to Council and was stonewalled, there have been promotions upon promotions. He stated something was brought in from Wayne for discussion, was asked to table it, and there were still promotions. He stated is fitness and merit, or the process we don't sued or can successfully defend ourselves, is that enough. A discussion followed on the criteria of fitness and merit. Councilman Bruno asked the Mayor if he approves the promotion? Mayor Calamari replied he approves it. Councilman Bruno asked if the Mayor is approving something, he would need to know what he is approving? Mayor Calamari replied he trusts the people that

are making the recommendation. Councilman Bruno asked they recommend they want something and the Mayor says great, without reviewing the file, fitness and everything else that is involved? Mayor Calamari replied just like he doesn't monitor them on a day to day basis, what criteria would he put in to second guess their direct supervisor. Councilman Bruno asked does the Mayor review a file, an attendance record, fitness record. Mayor Calamari replied he has a Chief and Director that do that, he doesn't micromanage, he approves it based on their recommendation. Councilman Bruno stated there is no policy or procedure. Mayor Calamari stated there is a policy and procedure it is called fitness and merit; he believes it is in promotional ordinance. Councilman Bruno asked we have a promotional ordinance? Attorney Poller replied no we do not. Councilman Cascio asked Administrator Tovo if the SOP Policy is being worked on? Administrator Tovo stated there are over 100 model policies that we are working on, 50 so far have been converted. He stated we start from the beginning, which how a director system operates, establishment of rules and regulations, going towards the larger/bigger policies, such as promotions, internal affairs and so forth, changing things that might be unique to Township or the County. Councilman Cascio asked does any part of the SOP have a protocol other than just a recommendation from the Director or the Chief? Administrator Tovo replied to his knowledge that is all it does say, it is based on the recommendation of the Chief and the Director. Mayor Calamari stated he doesn't like hearing Councilman Ullman saying he was stonewalled, the one conversation Councilman Ullman mentioned a particular person's name, he can say that factually, and he did say Councilman Ullman was getting close to a RICE Notice and he dropped it at that point. He did not stonewall, he did tell Councilman Ullman he was speaking about a particular person, they should receive a RICE Notice. Councilman Ullman stated he is asking about the process, he used the persons name as an example of where he thought the process failed, he was questioning what their process was to reach a conclusion. Mayor Calamari stated once an employee's name is mentioned, we are in RICE Notice territory. Council President DeSena asked would Councilmen Ullman and Bruno like to make a motion to adopt an ordinance. Councilman Ullman replied no. Councilman Cascio asked Administrator Tovo if that is an SOP that will be worked on? Administrator Tovo replied that is correct, it is about a year long process. Councilman Bruno stated if the Chief resigns, the people that are in their positions, without moving to Chief, you can name an Acting Chief without doing rounds of promotions. Council President DeSena stated the Table of Organization tells us what we need, it states we can only have x-amount of these people, and those people. He stated the last round of promotions was necessitated because there was not enough room to bring in a new officer for the one that resigned. Councilman Bruno stated it is a company losing a CFO, they can operate the next day with a COO. Council President DeSena stated if you have competent people, like the SLEO that was just promoted, he or she was promoted to that position because we did our due diligence with them, they worked for us, and in order for them to get promoted people had to be moved up to create that spot for the resignation, there are competent people in our organization. He asked is Councilman Bruno saying to look outside the organization and disqualify someone that has been with us for 20 -25 years because they should be the next person. Councilman Bruno stated there should be a process, but to that point in a budget meeting we should go with a Police Chief that is outside the Township. Councilman Cascio stated he is for getting the best person for the job, no matter where they are from. Councilman Ullman stated we had talked about other Departments, this is not exclusive to the Police, we have discussed succession planning in the DMF, as well as Finance, when the Police occurs there is more visibility to it from our perspective as a Council. Council President DeSena stated the only way we would ever have visibility is to adopt an ordinance that gives us the visibility, so do we have enough people to pass that ordinance, he himself is a no, but whatever the rest of Council feels they can adopt it. He stated until something is passed that gives us the leg to do this, it is going to be in cloak of darkness, that is way our ordinance is written,

it is done by the Director and Chief, with the Mayor signing it. He stated if Council wants to change that enough votes are needed to pass an ordinance.

B. Financials

C. Miscellaneous

1. Clarke Field Basketball Court – resurface (sc) – Councilman Cascio provided the contact information to Administrator Tovo.

Councilman Ullman asked is the litigation with Viviano and COAH, are they two separate issues, or is it one issue? Attorney Poller replied two separate issues, but please add on another suit involving Met Life.

A motion was made by Councilman Ullman, seconded by Councilman Cumming to approve Resolution No. 19-244.

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

Nays: None.

Resolution No. 19-244

Closed Session – PBA negotiations; litigation – Viviano Concerned Neighbors suit and COAH, and Met Life

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.

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) of N.J.S.A. 10:4-12, 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. **PBA NEGOTIATIONS; LITIGATION-VIVIANO CONCERNED NEIGHBORS SUIT AND 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.

Time Noted: 11:16 p.m. (Reconvene Closed Session)

Time Noted: 11:49 p.m. (Reconvene Public Session)

A motion was made by Councilman Cascio, seconded by Councilman Cumming to reconvene Public Session.

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

Nays: None.

A motion was made by Councilman Cumming, Council President DeSena, to reconvene Closed Session.

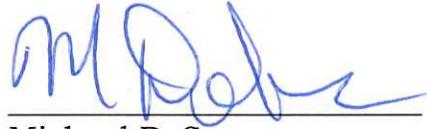
Ayes: Councilmen Bruno, Cascio, Cumming, Ullman,
Council President DeSena.

Nays: None.

Time Noted: 11:51 p.m. (Back into Closed Session)



Susan Witkowski
Township Clerk



Michael DeSena
Council President

Approved: November 6, 2019