

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
REGULAR MEETING
February 4, 2019~7:30 P.M.

CALL TO ORDER: by Council President DeSena, 7:30 p.m.

STATEMENT:

Welcome to the regularly scheduled Public Meeting of February 4, 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 Township 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 Cascio, Cumming, Ullman, Council President DeSena were in attendance. Let the record reflect also in attendance: Mayor Calamari, Township Administrator Tovo, Attorney Ken Poller, CFO Curran, Township Clerk Witkowski and John Yakimik, Township Engineer.
Absent: Councilman Bruno.

MAYOR APPOINTMENT – (with consent of Council)

Appointment of Fire Inspector – Thomas Lepore

Mayor Calamari – Please be advised that having considered the need for such services, as well as the recommendation of the Fire Official, I am hereby appointing the following person to the office or position listed below:

Thomas Lepore – Fire Inspector

The previous Fire Inspector, Mr. Kwasniewski, is leaving the area, there is no term on this appointment.

COUNCIL RESOLUTIONS RELATING TO CERTAIN APPOINTMENTS:

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to approve Resolution No. 19-137.

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

Nays: None.

Absent: Councilman Bruno.

Resolution No. 19-137

Appointment of Fire Inspector – Thomas Lepore

WHEREAS, the Mayor, having received the recommendation from the Fire Chief and the Director of the Fire Department, appointed the persons listed below to the position listed below subject to the consent of the Township Council;

Name: Thomas Lepore
Office/Position: Fire Inspector

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Washington, County of Bergen, State of New Jersey hereby gives its consent to such appointment by the Mayor:

READING OF TOTAL LIST OF BILLS

The Clerk read the totals of the list of bills representing January 1, 2019 through January 31, 2019.

TOTAL	2018 Reserve	\$153,879.10
TOTAL	2019 Current	\$2,353,583.34
TOTAL	Capital Fund	\$4,352.64
TOTAL	Animal Control	\$12.00
TOTAL	Trust Fund	\$0.00
TOTAL	Grant Fund	\$12,154.48
TOTAL	Escrow Trust	\$9,394.00

Councilman Ullman referred to page 2, and asked is there has been any consideration of getting a leaf grinder to reduce the volume, as \$876 seems a bit much per truck. Also, on page 2, PO 37032, is the number net? Is it contributions after expenses? For transparency this can be gross number. Page 8, PO 37094, the petty cash log is maintained by Bernadette Pomykala, reviewed at the end of each year, with an initial amount of \$500. Page 12, PO 37106, Delta Dental, there are no lifetime benefits for retirees, the retirees send the check to the township, and pay the entire premium. The monthly amount is \$134.68, and is for two retirees. A conversation followed on previous discussions of not offering this to any future retirees, the township was going to do away with this practice. Administrator Tovo stated he and Ms. Curran are not familiar with any prior discussion, he will research this and get back to Council. Councilman Ullman stated page 13, PO 37115, it seems this is from 2017. Ms. Curran explained we have is a two-year budget, appropriations and reserves if it is 2018, and accounts payable if it is 2017. She stated there are not many open PO's, this one was from Mr. Inserra. A conversation followed on page 16, PO 3364, 3365, 3366, Active Shooter Equipment, Traffic Signs, and the expense category that covered them. Administrator Tovo stated he will research the ordinance and get back to Council. Town Hall building has Wi-Fi throughout.

APPROVAL OF MINUTES: None.

REPORT OF MAYOR CALAMARI

2019 Road Program

We will soon be reviewing the roads to include in this year's program, when they have been identified, cameras will be run through the sanitary sewer, and storm water lines under them to make any necessary repairs before paving them.

Intersection

The County sent plans to our engineer late last week. We will be meeting with them soon to review them and keep this important project moving forward.

Eagle Scout Project

Ethan O'Malley put together a nice Veteran's display at Town Hall, it is mounted on the wall behind the stairs on the main level. While visiting the building please take a look at it. The Scouts are doing many great things in our town.

New Ambulance & Fire Department Building

Both organizations have been meeting with the architect to refine the space requirements of a new building.

Ambulance and Fire Department Annual Reorganization Dinners

It is an honor and privilege to be invited to and attend these annual dinners to swear in their officers for the new year.

Town Calendars

I hope you have all received the 2019 calendar. I would like to recognize Bernadette for being the point person and consolidating all the information the department heads offer and working with the printer on the format, and the mailing.

Grant Writer

We have issued a Request for Quotation from grant writers.

Radio System

We are accepting delivery of new trial radios later this week for our emergency services to start testing.

REPORT OF COUNCIL

Councilman Ullman stated no report.

Councilman Cumming stated January 27th, Sunday, was Holocaust Remembrance Day, that was the day Auschwitz was liberated, towards the end of the second World War. The PSE&G direct install of the LED lights in the building is completed, there were two repairs, one was in the Police hallway, and the other was in the Firehouse. The lighting has worked out excellent. We have five more split systems and heating units to put in, primarily, in this building. The furnace portion and blower has been delivered, we are waiting for the condenser side, for air conditioning, expect to finish that soon, and be able to take on additional projects.

Councilman Cascio stated he was invited and attended the March 27th Advisory Board of Health meeting; there purpose is to advise the Council as to what the Township's needs are health wise. Some of the subjects that were discussed were the need of a mental health program in the Township, the opioid crisis in the suburbs, and having a Township Wellness Program for all ages. The board will be preparing a report within the next month for Council to review.

Council President DeSena stated the Township is a Stigma-Free town for mental health awareness, he asked would it be possible to put up a sign that we are stigma-free community and include when our employees are using this on emails. The red house tenants moved out as of the end of November, plans are being prepared to have it demolished. Administrator Tovo stated he has been working with utilities for shut-off, and he does have a quote for demolition.

Council President DeSena stated just a word to the public, if anyone has questions, social media is not the place to get answers, the public has all of Council's email addresses/phone numbers, please reach out to us, we are here for you. He stated before going down the social media route, please reach out and get the facts.

GENERAL PUBLIC DISCUSSION (five-minute time limit)

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

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

Nays: None.

Absent: Councilman Bruno.

Mary Ann Ozment, 960 Adams Place – Mrs. Ozment thanked the Mayor and Council for the calendar, but there were no names of any employees, and it would be nice to know titles and names. She spoke of the three appointments that were not approved by Council, and no new names being given, she feels there is a lack of transparency. Mayor Calamari stated he disagrees, he is happy with the job they are doing, that is why there were no new names suggested. Mrs. Ozment commented on the Memorial Field Committee, the need for drainage, lighting, and usage of Memorial Field. She spoke of the \$25,000 study that was suggested by the Memorial Field Committee, but she does not remember it that way. She spoke of the voters not wanting the turf field, Councilman Cumming working on the field, and the suggestion that the Memorial Field Committee would be receiving a notice of cancellation, which she has not yet received.

Toni Plantamura, 808 Robinwood Road – Ms. Plantamura spoke of the increase in the minimum wage to \$15.00 per hour, and what effects that will have on her business, as well as additional changes Governor Murphy is proposing. She spoke of her disappointment on how things are progressing in the Township, nothing being done about the change in government, which was a campaign promise. Council President DeSena spoke of the two avenues to change the form of government, first is to get 1,750 signatures, once submitted to the Council, the borough attorney will prepare a referendum for the next public election, if it is done by the Council, it needs to be unanimous by Council. He stated he spent close to 40 hours speaking to a gentleman down at Division of Local Government Services, he understands he spoke of this during his campaign, and was misguided to think we could turn this into a Borough form of government, but we cannot turn this into a Borough form of government, it will remain a Faulkner form of government until the Township of Washington ceases to exist. He stated it can become a different form of Faulkner government, but it can never become the Borough of Westwood or a form of a borough. He stated if this Council chooses to pass an ordinance, what will happen is a question will go on the next General Election, yes or no, do you want to change the form of government to this type of Faulkner. Two things happen, it either passes or fails, if it fails, it dies right there, if it happens to pass, then nominations are taken for committee members. Those committee members then have to have a Special Election to be voted upon, the top five vote getters, whether they are Republicans, Democrats or Independents, run the Committee. After the Committee is formed three things happen, the Committee can decide in a few days, we don't think we need to change the form of government, the process stops, the committee can decide to change the form of government, which will then take it to another election, then it needs to pass that election, it is a three to four year process from start to finish. He stated there have been two towns in the past that tried to do it, and one has accomplished it. He stated it is not like we didn't research this, it is a very daunting and expensive task, and it can fail right after the ordinance in the first election. He stated he can meet with Ms. Plantamura if she likes, or she can reach out to the Division of Local Government Services. He stated he admits during the debate he did say he would like to change the form of government because he was told it could be changed to a borough form of government, but that is not the case. Ms. Plantamura stated Councilman Ullman spoke of perhaps renting an artificial field, and he was going to look at the expense, for certain events. Councilman Ullman stated he did not receive a response, he did make a request, and it was going to be reviewed by the Administration, but he did not receive a response. Administrator Tovo stated it was answered, that it was rented by football for their practice leading up to their championship game. Councilman Ullman stated it was in our list of bills, it was a one-time expense, and that is what prompted the question. A conversation followed on shared services. Councilmen Cascio and Cumming have invited via a letter sent by the Clerk, representatives from each town to attend a shared service meeting the 3rd Thursday of every month, to see if surrounding towns can work together. The Township did enter into a shared service agreement late last year with the

County for road salt and fuel. Ms. Plantamura spoke at length of the State being overdeveloped, eminent domain and low-income housing.

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

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

Nays: None.

Absent: Councilman Bruno.

ORDINANCES

Adoption 2nd Reading: None.

Introduction 1st Reading:

Ordinance No. 19-01 **TABLED**

AN ORDINANCE UNDER CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RANGE OF COMPENSATION AND MANNER OF PAYMENT OF EMPLOYEES FOR THE YEARS 2019 -2021

A motion was made by Councilman Cascio, seconded by Councilman Ullman, to introduce and pass Ordinance No. 19-01 at first reading by title.

Council President DeSena stated there have been new hires, are the Deputy Tax Collector full-time and Tax Collector part-time lines still needed? Administrator Tovo stated if there is a change down the road, they are there, also for historical reference, they will be left unfunded, but they can be removed. Council President DeSena stated is there a need for a Benefits Coordinator for a town of this size? Administrator Tovo stated currently there is someone in that capacity part-time. A conversation followed on part-timers that have become full-time employees, and added responsibilities. The Personnel Manual will be updated, with job descriptions being included. Councilman Ullman asked why is this a multi-year ordinance? Administrator Tovo stated it is a two-year range, and will be revisited in 2021. Councilman Ullman stated he does not prefer a three-year range; he understands it gives felicity with hiring and increases but prefers it be done annually. He asked that the Councilperson, line 3, the stipend be put in the lower range of \$4,500 to avoid a pension contribution. He spoke of the minutes in the Land Use Department being behind, and not paying the employee until the minutes are generated. Mayor Calamari stated currently, the completion of minutes is in her salary, as it is now in the Salary Ordinance is in case it goes back to a part-time person. Councilman Ullman stated he suggests that we figure out a way to have increased control in the generation of minutes. He stated regarding the Department of Law, he would like to add back in the hourly rate, the Department of Law is providing a service, and it is in our Code. He stated page 4, Dispatchers, the 2080 hours based on a 40-hour week, he thought it was changed to the Pitman schedule. Administrator Tovo explained they are still paid for a 40-hour workweek, the additional time would be part of their benefit time off. Council President DeSena stated he thought the new dispatchers would come on knowing they will be working 2145 not 2080. Administrator Tovo stated they are paid based 2080 hours, a 40-hour workweek, under that Pitman schedule there are not even weeks, you may work less than 40 one week, more than 40 the following week. Council President DeSena asked do they have any Kelly time coming to them? Administrator Tovo stated they may have some Kelly time, but that is all part of their benefit time within the department. Councilman Ullman asked what would their net or gross compensation be over these numbers? Administrator Tovo replied no, their financial compensation is for 2080 hours. Councilman Ullman asked can the mileage allowance be rolled into an employee's base salary, acknowledging that it is in that base salary in year one, and that just becomes part of their salary going forward. A discussion followed, page 7, Retroactivity, it should read January 1, 2019, not 2018. A

conversation followed on adding mileage into the base salary, which will then become taxable as well as pensionable, and the Township making additional pension payments. Councilman Ullman spoke submitting mileage based on the Federal quota. Council President DeSena asked would the procedure manual need to be changed? Administrator Tovo stated we would, but we would end up paying more money than is budgeted, he stated Ms. Curran will look at it. Council President DeSena asked if this for the Business Administrator for time coming here or time going to other places. Administrator Tovo replied time going to other places. Council President DeSena stated he is ok with leaving it as is. Councilman Ullman stated he is in favor of either rolling into their salary, if there is a big concern about it being pensionable and future compounding, based on increases, then make it pay as you go with strict mile allowance. Council President DeSena stated he believes Councilman Ullman is introducing another area of work versus what we have now, that is the \$150 per quarter, what happens if Administrator Tovo spends \$400 in the first quarter, then this would have to be revised. Councilman Ullman replied yes. Council President DeSena asked if Council is okay with changing Mayor and Council item 3 to \$4,500. Councilman Cascio stated he is in agreement with Councilman Ullman, he would like the salary ordinance to be for one year, not multiple years. Administrator Tovo stated if it is done for one year, there is no point in doing this at all, set the salary for that year, and it just be a hard number, why do a range if it is going to be changed every year. Councilman Cascio asked there are people that resign during the year, that do not come back, lets say the Administrator decides to leave, at a salary of \$110,000, and we cannot find anyone at \$110,000, we have the option of \$150,000 to draw monies from somewhere else if it is within that range for that year. Administrator Tovo replied we still have to do a separate salary resolution, so that we tag the exact amount. He stated part of the purpose of doing a range is that you don't change the ordinance every year, you simply do a salary resolution that reflects, or is consistent with the range, we do not have a salary resolution. Typically, most towns adopt a salary range ordinance, and every year do a resolution to set the exact amount, per position. Councilman Ullman stated that is ok with him. Council President DeSena stated you will still have to pass everyone's salary as per the budget.

Mr. Poller requested a few minutes.

Administrator Tovo stated Mr. Poller brought up a point that this needs to be examined further, so we will bring this back to our next meeting.

Council President DeSena stated let the record reflect that Ordinance No. 19-01 has been **tabled** at first reading.

Resolution No. 19-138 **TABLED**

AN ORDINANCE UNDER CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RANGE OF COMPENSATION AND MANNER OF PAYMENT OF EMPLOYEES FOR THE YEARS 2019 -2021

INDIVIDUAL RESOLUTIONS:

None.

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 Cumming, seconded by Councilman Cascio to approve the Consent Agenda.

Councilmen Ullman and Cascio would like to pull Resolution No. 19-140.

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

Resolution No. 19-139
Authorize refund of tax lien certificate to MTAG in the amount of \$107,648.08

WHEREAS, at the Tax Sale held on November 17, 2015, the Township of Washington sold a tax lien for delinquent 2014 taxes on Block 2408, Lot 1, Qualifier C636A, also known as 36 Reagan Way, owned by Mr. Frederick Martone; and

WHEREAS, Tax Lien Certificate #15-00007 was sold to TWR AS CST Ebury Fund1 NJ, LLC, which was then assigned to MTAG as CST for Ebury Fund1 NJ, LLC in 2018; and

WHEREAS, Ebury Fund 1 NJ, LLC paid a premium of \$42,000 on the date of the tax sale for Tax Sale Certificate #15-00007; and

WHEREAS, the tax office received a payment for redemption of Certificate #15-00007 in the amount of \$65,648.08; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey that the Tax Collector be authorized to refund \$65,648.08, plus the \$42,000.00 premium, payable to MTAG as CST for Ebury Fund 1 NJ, LLC:

Tax Lien	\$11,767.80
6% Redemption Penalty	706.07
Subsequent Taxes	37,050.86
Subsequent Interest	14,623.35
Recording Fee	43.00
Search Fee	12.00
Foreclosure Fees	<u>1,445.00</u>
	\$65,648.08
Premium:	<u>42,000.00</u>
TOTAL:	\$107,648.08

FOR INFORMATIONAL PURPOSES ONLY:

1099:	
Sub Interest:	\$14,623.35
6% Penalty:	<u>706.07</u>
TOTAL 1099:	\$15,329.42

Resolution No. 19-141
Authorize payment of 2018 salaries for Fire Official and Fire Inspectors

WHEREAS, the following Township employees were not paid their 2018 salary since these titles and their respective salaries were not included in the 2018 salary ordinance;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, Bergen County, New Jersey that the following Township employees be paid their 2018 salary in the next payroll period:

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 that there are available sufficient uncommitted funds in the 2018 Salary Account; Acct#08-01-25-264-320; Total Certified Amount Not to Exceed: \$8,500.00; _____, Judith Curran, CMFO

2018
Salary

Thomas Derienzo, Fire Official	\$4,500.00
James Stewart, Fire Inspector	\$2,000.00
Ralph Kwasniewski, Fire Inspector	\$2,000.00

Resolution No. 19-142

Authorize refund of escrow money, B4408, L20, 217 Colonial Boulevard in the amount of \$90.00

WHEREAS, Michael & Sharon Fusco posted escrow monies for engineering work on premises known as Block 4408 Lot 20, 217 Colonial Blvd.; and

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

WHEREAS, outstanding invoices due the Township Engineer, as per his letter dated January 28, 2019, 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 in the amount of \$90.00 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 that there are available sufficient uncommitted funds in the Escrow Account; Acct#08-12-286-56-000-003; Total Certified Amount Not to Exceed: \$90.00; _____, Judith Curran, CMFO

Resolution No. 19-143

Authorize refund of building department application fees, B4301, L1, 495 Colonial Blvd. in the amount of \$175.00

WHEREAS, Jakub Chomczyk and Elisette Orenge applied for a Continued Certificate of Occupancy and Certificate of Smoke and Carbon Monoxide Detector Compliance on January 11, 2019 on the premises known as Block 4301, Lot 1, 495 Colonial Blvd; and

WHEREAS, according to the attached correspondence from the Building Department, the applicants are requesting the fees paid back in the amount of \$175.00. This reflects the \$100.00 fee for the Continued Certificate of Occupancy and the \$75.00 fee for the Certificate of Smoke and Carbon Monoxide Detector Compliance. The refund is requested due to the applicants no longer purchasing the property; and

NOW, THEREFORE, BE IS RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the fees associated with the application in the amount of \$175.00.

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 that there are available sufficient uncommitted funds in the Non-Budget Account; Acct#09-01-95-037-000; Total Certified Amount Not to Exceed: \$175.00; _____, Judith Curran, CMFO

Resolution No. 19-140, authorize cancellation of General Capital Grant Receivable for Open Space in the amount of \$11,081.

Ms. Curran explained the Township is not getting this grant money, it was raised in 2018, money was spent, she doesn't know why the Township didn't get these monies. Councilman Cascio asked if Ms. Curran could find out who was responsible for the grant. Councilman Ullman questioned what is the process, where is the breakdown in the process, and what will be done to correct it. He stated the last meeting it was \$250,000 that was spent, and now there is an Open Space Receivable that is being cancelled at \$11,081, and the Township is not receiving. He asked are there more? Ms. Curran replied she hasn't seen any. Mayor Calamari stated he will let the CFO and Administrator research this one, as well as the last one, to see where things broke down, and give a report next time to let you know what caused it, to the best we can go back, and going forward we will make sure this doesn't occur. Councilman Ullman stated the purpose of this request is to see what went wrong, and what will be put in place going forward so it does not happen again. Administrator Tovo stated what is needed is policy and accountability. Ms. Curran stated normally when you go out for a bond, and you know you applied for a grant, you bond for the entire amount, because you don't know if you are going to get the grant. She stated sometimes you will receive a letter awarding the grant, but you don't get it, if you don't get it you will not spend that portion if the grant is not received. Councilman Cascio stated it was not funded in full, we didn't get it, so we didn't have money to complete the project. Ms. Curran stated exactly. Councilman Ullman stated in this case of canceling the receivable was there an expectation that monies would be received. Ms. Curran replied she would think the project was complete, and the money was spent and not funded, that is why it had to be raised in the current budget. Councilman Cumming asked that we find out the circumstances. Ms. Curran replied either way we have to cancel it to move forward.

A motion was made by Councilman Cascio, seconded by Councilman Cumming to approve Resolution No. 19-140.

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

Resolution No. 19-140

Authorize cancellation of General Capital Grant Receivable for Open Space in the amount of \$11, 081.00

WHEREAS, the following Receivable has been outstanding in the Township's General Capital Fund and has been deemed no longer collectible or available.

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

General Capital Grant Receivable:	
Open Space Receivable – Ordinance No. 13-11	\$ 11,081.00
Deferred Charges to Future Taxation Unfunded:	
Ordinance No. 13-11	\$ 11,081.00

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

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

PUBLIC SERVICE ANNOUNCEMENT – Council President DeSena

TAXES:

First Quarter Taxes are due. Payments not received by Monday; February 11, 2019 will be charged interest back to the 1st of February. Tax office hours are 8:30-4:30, Monday through Friday (office closed for lunch between 12:30-1:30). The tax office will remain open until 6:00pm on Monday, February 11, 2019 for your convenience.

PET LICENSING

The \$5.00 late fee is now in effect. The Clerk's Office has registered 632 dogs and 47 cats.

COMMUTER PARKING APPLICATIONS

Just a reminder, the 2019 hanging Commuter Parking tags must be displayed to avoid a ticket. Please visit Clerk's Office for an application.

Town Hall will be closed on Monday, February 18, 2019.

The next Council meeting will be held on Tuesday, February 19, 2019 at 7:30 pm.

Time noted: 8:32 p.m.


Susan Witkowski
Township Clerk


Michael DeSena
Council President

Approved: August 12, 2019

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
CONFERENCE AGENDA
February 4, 2019

CURRENT BUSINESS

I. Administration

1. 2019 Budget – Administrator Tovo stated the budget binders are on the dais, and would like to start looking at dates to schedule budget meetings. Council President DeSena stated he will not schedule any meetings until we have some time to digest this budget, the expenditures were received under separate cover for the 2019. He would like everyone to review the budget, and send comments to the Township Clerk, Mrs. Witkowski, who will then forward to the administration and Mrs. Curran, CFO, who is now here full-time, and send a response back to everyone, as he understands questions may come up. He stated we do not need to sit here and ask questions during meetings, and not sit here for days, as last year. He would like to schedule the budget meeting at the next Council meeting (February 19th). Councilman Ullman requested an electronic version of the budget. Mayor Calamari stated it was a pleasure putting the budget together this year with the Administrator and CFO, all the department heads cooperated, this year went much smoother than last year. Councilman Cascio asked is there a projected tax impact. Administrator Tovo stated we are waiting for a few numbers to come in from our contracting services, in about a week we will have that number.

II. Council

A. Ordinances and Legislation

1. Use of Facilities, *continuation* (sc/ac) – Councilman Cascio stated he is waiting for additional information, and will have it at the next meeting. A discussion followed on having a list of organizations which are for profit, not for profit 501(3)(c), and the current ordinance, which does not specify if it is per use or per year. The ordinance will be reviewed and tightened up.

2. Ordinance 14-03 amend to include smoke free zones, including but not limited to vaping, e-cigarettes, tobacco, etc.; public vehicles – continuation (kp) – Attorney Poller stated this will be for all public areas/building and vehicles. He provided Council with ordinances from various towns, and would like their input before he prepares a draft. Council President DeSena stated he likes the Wyckoff and Park Ridge ordinances, which includes parks. Attorney Poller stated if any Council member would like something included in the ordinance, please advise. The ordinance would include smoking, vaping products and chewing tobacco.

3. Airbnb, two family homes (kp) – Attorney Poller stated he did provide two ordinances for review for Airbnb Woodcliff Lake and Paramus. He stated brokers have been reaching out to the Code Enforcement Official for affirmation that certain residences are legal two-family homes, which they are not. He stated the company that did the revaluation did notice that certain homes had second kitchens, or were set up for more than one family, and in the write-up did put down they were two-family homes, that doesn't make it legal, but that is where some of this is coming from. He stated the current ordinance does not permit two family homes, but he feels it does need to be clearer. A conversation followed on the Code Enforcement Officer, who does have a list (approximately 15 residences) and will be following up, making it clear that it is a non-permitted use. The position will be it is non-legal, unless there is a pre-existing non-conforming use (first ordinance in the Township was in 1947) or there are any records for a variance, the burden being on the occupant of the

property. This ties in with an Airbnb, advertising their homes as two-family for rentals. A conversation followed on an ordinance regarding Airbnb rentals, following Woodcliff Lake and Paramus, and tightening up the current ordinances regarding second kitchens.

4. Ordinance No. 15-15, Use of Township Facilities, *continuation* (sw) – Previously discussed.

5. Sample resolution SUEZ replace lead service lines (mds) – A sample resolution was provided from Teaneck, which is a demand/commitment from SUEZ North America to aggressively replace lead service lines they own. SUEZ has submitted a 15-year plan, to replace all the lead lines in their service district. Council President DeSena stated he would like Council to follow Teaneck, along with other municipalities in Bergen County and pass a resolution to demand SUEZ to more aggressively pursue removing these lead lines, he feels it should be a 5-7 year-plan. The Township Clerk will prepare a resolution stating the Township is not in favor of the 15-year plan.

B. Financials

C. Miscellaneous

1. Appointment of Zoning Board member, vacancy term expiring 12/31/21 continuation (sw) – No resumes have been received. Council President DeSena stated if anyone is interested in joining the Zoning Board, please send your resume to the Clerk for consideration.

2. Bergen JIF-Elected Official Training Program dates (sw) – Council President DeSena stated there are various dates available in close proximity to the Township, that are free, and we will receive our JIF points. Please let the Clerk know if you will be attending, or respond directly to the email provided.

A motion was made by Councilman Cascio, seconded by Councilman Cumming to approve Resolution No. 19-144.

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

Resolution No. 19-144

Closes Session – Personnel (Police Department; Tax Appeal)

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) herein in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer . **TAX APPEAL**

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

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

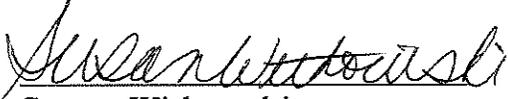
BE IT FURTHER RESOLVED, that it is not possible as yet to fix the time when or the circumstances under which the discussion conducted in Closed Session can be disclosed to the public. It is anticipated that the subject matter under discussion will be made public when finalized.

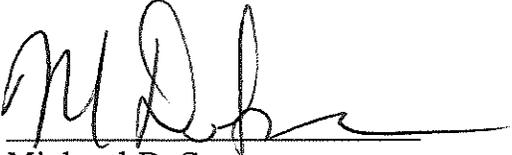
BE IT FURTHER RESOLVED, that notice is hereby given that the Township Council may find it necessary to take action at the conclusion of the executive/closed session; that such action if taken, will occur in open session; that you are invited to stay in the Municipal Building during the executive/closed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

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

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

Time Noted: 8:58 p.m.


Susan Witkowski
Township Clerk


Michael DeSena
Council President

Approved: August 12, 2019