

TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY  
REGULAR MINUTES  
October 21, 2019~7:30 p.m.

CALL TO ORDER: Council President DeSena.

STATEMENT

Welcome to the regularly scheduled Public Meeting of October 21, 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 Bruno, Cascio, Ullman, Council President DeSena.  
Let the record reflect also in attendance: Mayor Calamari; Township Administrator Tovo; Township Attorney Poller; Township CFO Curran and Township Clerk Witkowski.

Absent: Councilman Cumming.

READING OF TOTAL LIST OF BILLS: none

APPROVAL OF MINUTES

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

May 20, 2019	Regular Meeting
May 20, 2019	Conference Meeting

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

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

June 5, 2019	Regular Meeting (mu)
June 5, 2019	Conference Meeting (mu)

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

GENERAL PUBLIC DISCUSSION (Five Minute Time Limit)

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

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

Nays: None.

Absent: Councilman Cumming.

Daisy Velez Martinez, 666 Van Emburgh Avenue – Ms. Martinez read the following into the record: Good evening and thank you for your time. My name is Daisy Velez-Martinez. I am a mother of three, high school history teacher, resident and Director of Public Affairs for Washington Township. I am here tonight in response to comments and concerns raised at the last council meeting that took place on October 7, 2019 in regards to Town Day. As many would agree, it was a terrific day and we were blessed with perfect fall festival type weather. However, at the last council meeting some inflammatory words were chosen to describe aspects of the event which not only tainted the positivity of a great day but also birthed a slew of hostility and misinformation on social media. It also disheartened my volunteers and ended up in the newspaper. So, I am here to clarify these statements for Council but more importantly for our tax-paying residents. As of August 29, 2019, the money available for Celebration of Public Events was \$38,169 not \$60,000 or \$80,000 as previously claimed. Additionally, there was no money allocated separately for Town Day. We did not have \$80,000 just for Town Day; that is misinformation. Part of my job as Director of Public Affairs is to stay on budget and \$38,000 was the number presented to me at two separate meetings I requested. Looking at that number and knowing Town Day runs roughly \$21,000 to \$22,000 every year, that did not leave much for future events, old and new ones, without depleting the line item number. After all, Washington Township is not Westwood. We neither have their population nor do we have the amount of businesses they do. Comparing us to them does a disservice to our small, homey community. In fact, the Committee seeks sponsorships from businesses as far as 21 miles away. I wish we had Westwood's problem of turning down donations. The sponsorships we receive do not cover all costs but rather off-sets the expenses in order to provide an affordable day. Town Day operates at a small loss; we do not make a profit and we are very thankful to our sponsors who have so generously donated all these years. Additionally, I run events with the assumption that we may not get sponsors and if we do, we may get very few. As an example, we were unable to obtain sponsorships for the Summer Concerts this year. Luckily, we did have funds available in the line item, Celebration of Public Events, in order to still provide a free event to our residents. The Volunteer Committee Members and I agreed, as had been done in previous years, to charge a nominal fee of \$5.00 for inflatables in addition to the standard \$5.00 pony rides as seen at many festivals and events throughout the state of New Jersey. And to clarify why most events, including ours, charge for pony rides, charging keeps the line manageable and does not strain the animals. A free pony ride would require more ponies which increases the overall expense. As a result, we would have to cut in other areas to absorb the cost and that would negatively affect the event. Many local festivals charge an entrance fee which we do not. They also charge \$5.00 per bounce to jump for 4-7 minutes in simple bounce houses; much different from our elaborate obstacle course-style inflatables. We on the other hand provide 5 hours of bouncing for \$5. Face painting ranges \$5.00-\$7.00, ours is free. Air-brushing on the \$3.00 caps, which sold out, was free. We also secure free giveaways from our vendors as part of the event. The Golden Seniors host the free fish bowl game which parents probably wish we charged for so they would not come home with a minimum of 5 fish every year. The Women's Club offers free Sand Art activities and the petting zoo was also free. Frankly the list goes on. The Committee and I do not see this as disgraceful nor are we embarrassed to charge these minimal fees. Rather, we pride ourselves on providing a tremendous day at a truly affordable price. Embarrassing would be requiring our town's people to prove

their residency. While Town Day was originally established for our residents, it has evolved into an elaborate, quality event attended not only by our residents but by neighboring townships as well. Hence the estimated 3,000-person attendance. So, Mr. DeSena and Council, I respectfully disagree with the comment, and I quote "If we can't have one free event then we shouldn't have Town Day". Cancelling Town Day is not the solution. Rather, this comment discredits the efforts, time and energy of my volunteers. Who, by my calculations, invest an average of 20 hours of their time to meetings and the event, not including getting their post-meeting tasks accomplished? And for those of you who have run volunteer-based events, you know volunteers do not come knocking at your front door. We need to show gratitude for their dedication and I'd like to take this moment to offer my volunteers a sincere thank you. And as a reminder, we do have free events in Township such as the Summer Concerts and Tree Lighting. I am also in the process of adding more free events with the support of the Mayor and Council, to be discussed at budget time. To conclude, I encourage we open up dialogue and collaborate to find a solution to what was described as a disgrace for charging residents. I welcome opposing views because its within that space that growth happens. Things were not done wrong but everything can always be improved upon and I welcome any member of Council to join my team of volunteers. Thank you for your time.

Susan Zaloom, 264 Beech Street, Gregg Lloyd, 264 Beech Street – Ms. Zaloom stated she is here because of a bamboo issue that has been creeping up into her yard and neighbor's yard. This began approximately four years ago when her neighbor behind her on Colonial Blvd. planted a large area of running bamboo in his yard. Council President DeSena stated there is a bamboo ordinance on for introduction tonight. A conversation followed on the annoyance of the bamboo, and how fast it grows.

Anthony Conti, 490 Ridgewood Boulevard North – Mr. Conti spoke of the conclusion of his 50 foot sidewalk issue, which cost him \$550. He did receive a check back in the amount of approximately \$444 two days before a full year had passed, he was told by the Mayor he was charged accordingly to what they have charged other residents. He stated he doesn't feel this was fair and reasonable since he had to pay an engineer, which he feels is excessive. He spoke at length of having the Zoning Official come out, instead of an engineer, the engineer is charging residents whatever he felt he could charge, he had to pay an additional \$114 for the engineer to drive by his home to see that the work was done correctly, to release the remainder of the escrow. He stated this was not a Zoning issue, and an estimate of the cost, if the engineer needs to come out should be given to residents.

Joe D'Urso, 12 Viola Terrace – Mr. D'Urso thanked council and the mayor for the progress that is going in the Township. A conversation followed working with Ms. Schepisi and Mr. Auth, along with the Turnpike Authority to open up Exit 169. Mr. D'Urso asked if a property located on Pascack Road, which used to have horses, is up for consideration for a DMF facility. Council President DeSena explained that Mr. Sarlo, at his presentation, did present that property for consideration, something temporary, but all prospects are being looked into. Mr. D'Urso suggested looking into Sherry Field, since he feels putting the DMF on Pascack Road would be an eyesore. Mr. D'Urso asked since the current Police Chief is retiring, is there a process in place of who determines the new Police Chief. Mayor Calamari stated there is a board established, and for obvious reasons, since his brother is on the police force, he does remove himself from any police discussion. He stated it will be a three member board, the current Director, Chief Hooper and Administrator Tovo. Mr. D'Urso asked if Administrator Tovo was formerly in law enforcement. Administrator Tovo replied yes, he was. Mr. D'Urso asked how will the candidates be judged, will it be work they have done in the Township, character, politics, what will be taken into consideration. Mayor Calamari replied with all due respect, politics will have

nothing to do with it, and he takes offense at that statement. Mr. D'Urso stated he agrees, politics should absolutely nothing to do from the Police in the Township promoting who they want to get on board, be that as Mayor or Council, he wishes that would be taken into consideration, when that final choice is made. Mr. D'Urso stated he would like to thank former Mayor Sobkowicz for putting Town Day back on the map eight years ago.

Michael Werfel, 880 Crest Place – Mr. Werfel asked was there an expectation of how money was to be spent for Town Day. Council President DeSena stated the five Council members made a decision during five budget meeting that there would be no charge for Township residents for Town Day, he stated he still doesn't know where the \$45,000 went. Mayor Calamari stated he and Council President DeSena spoke to Ms. Curran about it, and the money was moved into the current account. He stated everyone received something that showed the amount in that account was \$38,000. Council President DeSena stated during the budget meetings there was \$80,000 in that account, \$108,000 before \$45,000 was removed, and Council did make the decision that there be no charge for Town Day, he stated that is disgraceful, not Town Day, Town Day was wonderful, it is a disgrace that Council sat here and unanimously agreed that Town Day be free, and it was not. Mr. Werfel asked out of the \$38,000, how much was spent on Town Day? Mayor Calamari replied there has not been a final reconciliation yet, but he believes \$3,000 - \$5,000 was spent out of the \$38,000. Mr. Werfel asked what will the balance be allocated towards? Mayor Calamari replied to keep future Town Days affordable. Mr. Werfel asked how much was budgeted this year or allocated for Town Day? Mayor Calamari replied this year, nothing. Council President DeSena stated there was a charge, when Council asked there not to be a charge. He stated it is on the Conference Agenda for discussion.

Fred Goetz, 587 Washington Avenue – Mr. Goetz stated he thanked Council for their efforts in getting the worse portion of Washington Avenue paved. He suggested that the traffic officer put up cones temporarily due to the lines not being painted, causing confusion to motorists. He spoke at length of the drainage issue in front of his home due to there being no curbing, with water pooling in his backyard, driveway during rain and snow since there is no buffer. Mayor Calamari requested Mr. Goetz provide photos when that occurs. Councilman Cascio stated he did observe the flooding issue Mr. Goetz is referring to, that reflectors were installed, but they did come out of the road and are currently along the sidewalk.

Bob Stickel, 191 Walnut Street – Mr. Stickel stated his company in the past ten years has donated between \$250-\$500, and if Council President DeSena does not like the way Town Day ran, instead of criticizing it, he should volunteer. He stated Council President DeSena doesn't need to be asked to volunteer, but just show up at a meeting. He stated he sat on the Town Day committee years ago, and it is a disgrace for Council President DeSena to state there was \$80,000 since the Township never gave any money. He stated he doesn't understand why the Town Council, who are not volunteers, should dictate how a volunteer group runs Town Day, maybe the volunteers will walk away and there will be no Town Day. He suggested next year Council President DeSena, along with Councilmen Bruno and Ullman sponsor the pony rides, so they are free, putting their money where their mouth is instead of using taxpayer money.

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

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

ORDINANCES

Adoption, 2<sup>nd</sup> Reading:

Ordinance No. 19-23

AN ORDINANCE PROHIBITING PARKING ON ROSE COURT WITHIN THE TOWNSHIP OF WASHINGTON

A motion was made by Councilman Cascio, seconded by Councilman Ullman to approve Resolution No. 19-291 authorizing second reading and opening of Public Hearing for Ordinance No. 19-23.

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

Resolution No. 19-291

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 19-23 entitled: AN ORDINANCE PROHIBITING PARKING ON ROSE COURT 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 Ullman, seconded by Councilman Cascio, to close the Public Hearing on Ordinance No. 19-23.

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

A motion was made by Councilman Cascio, seconded by Councilman Ullman to adopt Ordinance No. 19-23.

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

Ordinance No. 19-23

AN ORDINANCE PROHIBITING PARKING ON ROSE COURT WITHIN THE TOWNSHIP OF WASHINGTON

BE AND IT IS HEREBY ORDAINED by the Township Council of the Township of Washington that § 223-69 of the Code of the Township of Washington [Schedule XIV: Parking Prohibited at All Times] be and is hereby amended by added the following street to the provisions thereof:

1. “

Name of street	Side	Location
Rose Court	Both	Entire Length

”

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

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

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

Introduction, 1<sup>st</sup> Reading:

Ordinance No. 19-24

AN ORDINANCE UNDER CHAPTER 87 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RATE OF CLOTHING ALLOWANCE OF OFFICERS AND FIREFIGHTERS OF THE FIRE DEPARTMENT IN SAID MUNICIPALITY FOR THE YEAR 2019

A motion was made by Councilman Cascio, seconded by Councilman Bruno, to introduce and pass Ordinance No. 19-24 at first reading by title.

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

A motion was made by Councilman Cascio, seconded by Councilman Bruno, to approve Resolution No. 19-292.

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

Resolution No. 19 – 292

WHEREAS, Ordinance No. 19-25 entitled: AN ORDINANCE MODIFYING PROCEDURES FOR THE PAYMENT OF BILLS was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 21<sup>st</sup> day of October, 2019; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 6<sup>th</sup> day of November, 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. 19-24

AN ORDINANCE UNDER CHAPTER 87 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RATE OF CLOTHING ALLOWANCE OF OFFICERS AND FIREFIGHTERS OF THE FIRE DEPARTMENT IN SAID MUNICIPALITY FOR THE YEAR 2019

BE IT ORDAINED, by the Township Council of the Township of Washington, in the County of Bergen, New Jersey that the clothing allowance rates are hereby established for officers and firefighters of the Township of Washington Fire

Department for the year 2019 as follows:

	<u>Per Annum</u> <u>- Payable in</u> <u>November</u>
1. Fire Department Uniform Allowance	
a. Chief of Fire Protection	1,725.00
b. Assistant Chief of Fire Protection	1,000.00
c. Battalion Chief & Captain of Fire Protection	875.00
d. Lieutenant of Fire Protection	775.00
e. Other Firefighters	675.00

Persons holding positions in the Office of Fire Protection as set forth in Section 1 shall be payable provided said persons have had more than 50% attendance at public fire duty & drill. If the person entitled to an allowance is a paid employee with the Township, such allowance will be paid through the payroll system.

2. Fire Department Additional Clothing Allowance	
a. Mechanic	375.00

3. Retroactivity – The provisions of this ordinance shall be retroactive to January 1, 2019 at the salaries noted unless otherwise described.

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

5. All ordinances or any provisions of any ordinance inconsistent with the provisions of this ordinance except prior appropriations for this purpose herein stated, are hereby repealed as to such inconsistencies and not otherwise.

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Ordinance No. 19-25

AN ORDINANCE MODIFYING PROCEDURES FOR THE PAYMENT OF BILLS

A motion was made by Councilman Cascio, seconded by Councilman Bruno, to introduce and pass Ordinance No. 19-25 at first reading by title.

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

Nays: None.

Absent: Councilman Cumming.

Councilman Ullman stated he didn't see in the original the following "prior to circulation the list shall be reviewed by Business Administrator for any deletions, additions or approvals." Council President DeSena stated it was added by Attorney Poller, as well as the following "The bill list shall be circulated to each member of the Township Council, the Mayor and Business Administrator." Councilman Ullman asked wouldn't these all have been reviewed prior to that last being created? Attorney Poller replied the answer is it would, it is a joint

thing the Chief Financial Officer and the Administrator, the fact that it actually came from the Chief Financial Officer, and he does agree with it, it just makes sure the two people that actually do the get involved with expenditures of funds are actually taking a look, they coordinate together, the Purchasing Department plus the Chief Financial Officer. He stated this ordinance was sent to both the Administrator and Chief Financial Officer for any inputs, comments, and this is as a result of those comments. Councilman Ullman stated this is a list of all bills, claims, vouchers, scheduled for payment for review and approval by the Township Council, he is assuming that if it is on the list of all bills, claims and vouchers scheduled for payment, that the CFO, the Business Administrator, purchasing and whoever else, department heads, have reviewed those bills, and submitted them. Attorney Poller stated Councilman Ullman is correct, but the bottom line is now they cannot do this payment without getting that list to Council to look at. They do the purchasing and paying, that is exactly what they do, they all sign off, do their job without coming to the Council and saying we would like to pay these bills. Now we are generating another layer of creating a list, to make sure the list is accurate. Let's be honest, everyone questions all sorts of expenditures, which is fine, so this is a double protection to make sure the Chief Financial Officer and Administrator say, yes these are all correct, it may very well be that something may come off the list. If they are not going forward with the purchase, or it may be that there is something missing from a signature that someone may pick up on. His way of thinking, it is an extra protection to make sure that even though they have already gone through all of the machinations to get it paid, they are now creating this list, which is making sure the two people that are involved say yes and the list is accurate, he doesn't see a problem with it. Councilman Cascio stated the only issue he sees with that addition is when are we going to determine that this is going to be approved, things have been known to be sitting on peoples desk for a while before they get approved and reviewed, if we want to pay things timely, which we want to do, we had a problem in the past where bills were not getting paid in an orderly fashion. He could see that getting hung-up on someone's desk, he stated we have lost things in this Administration, as well as other Administrations, he doesn't want that to happen with bills, that is only issue he sees with the addition of this. He stated he does understand having an extra layer of protection, but maybe we should have a time limit, such as 48 hours, 72 hours to get that out to the Council, that is his only issue. Council President DeSena stated Council should leave it up to Ms. Curran to make sure we are able to receive it early enough to get the list. Councilman Cascio asked Ms. Curran, do you ever feel there ever being a problem getting a list in a timely fashion. Ms. Curran replied she did address that to Attorney Poller, he stated he didn't want to put any type of time frame in it, she then stated she would like to have the authority to enforce it, she would like to make a schedule if she says you want to get something paid, the PO's must be in her office ready to go for the bill list, you miss the bill list, you have to wait for the next month. She stated she would expect the bill list to be reviewed by the Business Administrator and herself, within a certain time frame, basically get it done, the issue has to be enforced. Councilman Ullman stated in the event of an E-1, an emergency judgment to pay, even though it will be shown at the next Council meeting, can the Council be advised? Payroll, recurring bills, telephone, those should be paid, they should not be subject to the review that has been agreed. In one instance, where there is an unknown cost that is going to be approved by the Business Administrator and/or CFO, that is in case of an emergency, he would rather askrather than waiting potentially two or four weeks for Council to be notified, if Council could be notified that there is an emergent situation that requires an emergent payment.

A motion was made by Councilman Bruno, seconded by Councilman Ullman, to approve Resolution No. 19-293.

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

Nays: None.

Absent: Councilman Cumming.

Resolution No. 19 – 293

WHEREAS, Ordinance No. 19-25 entitled: AN ORDINANCE MODIFYING PROCEDURES FOR THE PAYMENT OF BILLS was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 21<sup>st</sup> day of October, 2019; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 6<sup>th</sup> day of November, 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. 19-25

AN ORDINANCE MODIFYING PROCEDURES FOR THE PAYMENT OF BILLS

BE IT ORDAINED, by the Township Council of the Township of Washington, that Section 7-61 of the Code of the Township is hereby amended by adding subsection E thereto providing as set forth below:

**1. § 7-61 Payment of claims; expenditures.**

...

**“E.** The Chief Financial Officer shall prepare a list of all bills, claims and vouchers scheduled for payment for review and approval of the Township Council at its regular meetings or at any special meeting. Prior to circulation the list shall be reviewed by the Business Administrator for any additions/deletions and approval. The list shall identify payees, check numbers, amounts and source of funds. The bill list shall be circulated to each member of the Township Council, the Mayor and Business Administrator. Payment approval shall be by motion and vote duly recorded by the Township Clerk, and shall require a majority vote of the Township Council in attendance at such meeting. Bills, claims and vouchers may be approved for payment, when necessary, between regular Council meetings, provided that three Township Council members sign the voucher form, and further provided that all other payment procedures in this Section 7-61 are followed. The following categories of payments shall not require prior Council approval:

- (1) In cases of emergency in the judgment of the Business Administrator and Chief Financial Officer, with such expenditures being included in the list of all vouchers prepared by the Chief Financial Officer for the next regular public meeting of the Council pursuant to Section 7-61 (D).
- (2) Payroll.
- (3) Recurring utility bills.
- (4) Telephone bills.
- (5) Health Benefits and Pension contributions.

- (6) School Taxes and County Taxes.
- (7) Library payment.
- (6) Supplies not exceeding \$1,000.
- (7) Vehicle and Equipment Repairs not exceeding \$500.”

3. 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.

4. 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.

5. 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)].

#### INDIVIDUAL RESOLUTIONS:

A motion was made by Councilman Bruno, seconded by Councilman Ullman, to approve Resolution No 19-294.

Councilman Ullman asked is this an emergency that is not an emergency, or is this an emergency that is an emergency? Ms. Curran replied it is actually called an Emergency Appropriation because since the matching grant was never budgeted for, she is able to put the expenditure in this year, but she has to raise it in next year's budget. Councilman Ullman asked we are raising \$21,000? Ms. Curran replied in next year's budget we are raising \$21,000. Councilman Ullman asked do we know why it was not raised in this year's budget? Ms. Curran replied she was not informed about the grant until maybe a few months ago. Councilman Ullman asked were we not aware that we were going to take advantage of the grant? Ms. Curran replied that she is not sure of, it was presented to her, it was Mr. Azzolina. Councilman Ullman stated the question was more directed to the Administration. Administrator Tovo stated we were dealing with the former engineer, there were some uncertainties if the project was going to go forward, there were concerns about the depth of it, would it be more than just basketball courts, drainage, other reconstruction, by the time we got a sure handle on whether we could do it, should do it, affordability, the time in the budget had already passed. Councilman Ullman asked is the \$21,000 the Township's portion of a match, the total is \$42,000? Ms. Curran replied yes, we have to come up with the \$21,000, they match \$21,000 once we put the \$21,000 out. Council President DeSena asked was the \$80,000 found? Ms. Curran replied we have \$13,500 on one, there is some money in the ordinance, we may be short of it, maybe about \$5,000. Administrator Tovo stated we have some left in this capital account that will help offset that. Councilman Cascio stated this project has been on the books for about two years, with the bulk of that being rehabilitated the basketball court, and he finds it interesting that we now have an emergency issue for this, is it because of the timeline. Ms. Curran stated that is definitely part of it, things have to be done, maybe November 1<sup>st</sup>. Councilman Cascio stated we knew about this project for at least two budget meetings, this project, now it is an emergency appropriation, it should have been appropriated before. Ms. Curran stated the emergency appropriation has to be done because of the fact it was never planned, one requisition goes back to 2015 and 2016, if it wasn't planned from the beginning of the budget time, you can only do it through an emergency appropriation. Councilman Cascio stated we are talking about this for a long time, it is an emergent issue that didn't need to be an

emergent issue. Councilman Bruno asked is it sitting as a grant receivable on the balance sheet. Ms. Curran replied it will be once Council passes the resolution, a Chapter 159 was set up. Councilman Ullman asked where does the \$80,000 come into play? Ms. Curran replied the bid was \$125,000. Council President DeSena stated the \$125,000 was for both Memorial and Gardner basketball courts, drainage and walkway work. Councilman Ullman stated the \$125,000 has been bid out, \$34,000 is going to be covered by grants. Ms. Curran stated it is \$21,000 and \$13,500, approximately \$34,000. Councilman Ullman stated the Township has to come up with \$91,000, are there are open resolutions we can tap into? Ms. Curran replied there is about \$60,000 in a capital account, it is a 2017 capital appropriation, an old bond ordinance that was earmarked for improvements to Memorial and Gardner, but the reason for the Chapter 159 is that you need to have a spending mechanism set up or the contract cannot be awarded. She stated the ordinance states both, Memorial and Gardner, she thinks it is part of a BAN balance that we are renewing in permanent financing. She stated some of them were left open, but we need the grant. Councilman Ullman stated he doesn't know if there was an anticipation that the grants were going to cover this, once we contributed our matching portion because it doubled the price, has the scope increased, or are we looking to do more than was originally part of the grant proposal. Councilman Cascio stated he believes a drainage issue came up later on, it was not anticipated we would spend \$125,000, he was not expecting that. Council Presidents DeSena stated the bid weighted more for Memorial work than Gardner work. Administrator Tovo stated that is correct, he believes that was part of the hold-up with getting the grant done, the reluctance to do the drainage work, but looking at with Mr. Azzolina it was very clear if it was not done, the new court would wash out. Council President DeSena stated it was just the paving of the court, but now it is drainage work, as well as a partial walkway reconstruction.

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

#### Resolution 19-294

#### Authorize submission of an Emergency Appropriation for the 2019 current budget for the local matching grant to Open Space Trust Grant for Memorial Park Basketball Court Rehabilitation Fiscal Year 2015

WHEREAS, an emergency has arisen with respect to a local matching grant for a grant from the County of Bergen Open Space Trust fund which was not raised in the 2016 current budget and, no adequate provision was made in the 2019 budget for the aforesaid purpose as the CFO was not aware of the 2016 grant application, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the foregoing appropriation with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2019; and

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with N.J.S.A. 40A:4-489:

1. An emergency appropriation is hereby made for Grant: Local Match for the Memorial Park Basketball Court Rehabilitation in the amount of \$21,093;
2. That said emergency appropriation shall be provided for in full in the 2019 budget, and is requested to be excluded from CAPS, pursuant to N.J.S.A. 40A:4-53.3c (1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

A motion was made by Councilman Cascio, seconded by Councilman Bruno, to approve Resolution No 19-295.

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

Nays: None.

Absent: Councilman Cumming.

Resolution 19-295

Authorize submission of an Emergency Appropriation for the 2019 current budget for the local matching grant to Open Space Trust Grant for Gardner Park Improvements Fiscal Year 2016

WHEREAS, an emergency has arisen with respect to a local matching grant for a grant from the County of Bergen Open Space Trust fund which was not raised in the 2017 current budget and, no adequate provision was made in the 2019 budget for the aforesaid purpose as the CFO was not aware of the 2017 grant application, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the foregoing appropriation with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2019; and

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with N.J.S.A. 40A:4-489:

1. An emergency appropriation is hereby made for Grant: Local Match for Gardner Park Improvements in the amount of \$13,500.00;
2. That said emergency appropriation shall be provided for in full in the 2019 budget, and is requested to be excluded from CAPS, pursuant to N.J.S.A. 40A:4-53.3c (1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

RESOLUTIONS/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 Bruno to approve the Consent Agenda.

Councilman Ullman stated on 19-288, page one, the rating fee was \$1,500, has the rating been issued and what was the final bill? Ms. Curran replied the rating has been issued, and the final bill is \$15,000, she wanted to do "Pay to Play" just in case because we didn't know if it was going to go over the \$17,500, we didn't want to run into any problems. Councilman Ullman stated on 19-298, there is a typo, the last full sentence "be it further resolved that the sum" he doesn't know if it is \$13,500, or \$13,000. Ms. Curran asked if she is allowed to make a comment on the resolutions? Council President DeSena replied yes. Ms. Curran stated on 19-296 Ms. Witkowski and herself reviewed the budget, and the \$10,000 was not part of the oriental budget, she did look over the Financial Service's account, there is \$8,000 in there because the QPA has been charged to that account, so she might have to do some transfers in order to accommodate that. She stated we did pay about \$3,000 for the bond meetings, we may have to make some transfers. Mayor Calamari asked regarding 19-296, what process was taken by the Council to find this firm? Councilman Bruno stated Council discussed this. Mayor Calamari asked what is the scope of what is being done, it states in their letter (Chakonis) that they are looking at "employee salary

increases without a salary ordinance being adopted by the Council” which the auditor has already commented on, he is not sure what the forensic accountant is going to be charged with finding further than the auditor’s comments, and “payment of older invoices not noted in the budget”. The payment of the older invoices do not affect the budget at all, it was taken care of by either escrow accounts, where we have already collected the monies, but it was just was not reconciled, which most of it is now. He stated the part of that reflected town business, again, money was set aside, but just not paid to the vendor, so he is curious why we are spending \$10,000, what is the auditor charged with finding more than already has been found. He stated lastly, he doesn’t know if it is a coincidence or not, but someone with the same last name “Chakonis” happens to live about four houses away from Councilman Bruno. He doesn’t know if that had to do with the placing of the business of this firm and this has the potential of being not so ethical. He doesn’t know if there is a relation or not but someone with the same last name, it gives a bad appearance the same as if Councilman Cumming or himself voting on the Police contract, he thinks this gives a very bad appended that this is a single source firm, and a potential relative of the person that will be doing it happens to live four doors away, he would like Council to keep that in mind before the vote is taken. Councilman Bruno asked is Mayor Calamari accusing this CPA firm of being unethical? Mayor Calamari replied he didn’t say that, he said potential. Councilman Ullman stated he feels that a question raised about Mayor Calamari and Councilman Cumming voting on being involved in a police decision, the potential of a conflict in his mind is very clear, one has a daughter on the force, one has a brother on the force, there is a direct correlation, familial relationship, being a neighbor four doors down, he doesn’t have that same correlation. He stated he was not aware of it, but to corelate someone who lives four doors down, that has the same last name, but we are not sure if it is that person, to voting on a police issue, where your direct family member would be impacted by that vote, he thinks is a tremendous reach.

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

Resolution 19-288

Authorize the Mayor to enter into an agreement with S&P Global Ratings for the purpose of credit rating services in connection with \$7,250,000 General Bonds of 2019

WHEREAS, the Township of Washington, Bergen County has the need for credit rating services in connection with \$7,250,000 Township of Washington, County of Bergen, New Jersey, General Bonds of 2019 (“Bonds”); and

WHEREAS, such services may be in excess of \$17,500, and the contract for such services is not being awarded under what is termed the fair and open contract provisions as defined in N.J.S.A. 19:44A-20.5; and

WHEREAS, S&P Global Ratings has submitted a proposal to the Township dated September 17, 2019, setting forth the scope of work for the credit rating services related to the Bonds and the compensation to be paid for such services, and the Township wishes to accept said proposal and contract with S&P Global Ratings; and

WHEREAS, S&P Global Ratings has completed and submitted a Business Entity Disclosure Certification which certifies it has not made any reportable contributions to a political or candidate committee in the Township of Washington in the previous one year, or made any contribution not in accordance with the terms of the applicable Township ordinance, and has agreed that the terms of award of a contract hereunder will prohibit S&P Global Ratings from making any reportable contributions during the term of the contract or

making any contribution not in conformity with the terms of the applicable Township ordinance; and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds available in #C-04-55-919-178 to fund the contract amount, and the contract amount shall be chargeable at such time as a certification of available funds is made by the Chief Financial Officer upon receipt of a properly executed purchase order; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Washington, County of Bergen, State of New Jersey authorizes the Mayor to enter into a contract with S&P Global Ratings in accordance with the aforesaid proposal;

BE IT FURTHER RESOLVED that this expenditure shall be charged to such account(s) as may be deemed appropriate by the Chief Financial Officer;

BE IT FURTHER RESOLVED that the position set forth herein was not filled through the "fair and open process" as defined under N.J.S.A. 19:44A-20.4 et seq. As such, it has been attested that S&P Global Ratings, and any subsidiaries, assigns or principals controlling in excess of 10% of said company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the appointment that would, pursuant to P.L. 2004, c.19, affect the eligibility to perform under the appointment, nor will it make a reportable contribution during the term of the contract to any political party committee in the Township of Washington, County of Bergen, or make any contribution which is not in conformity with Township ordinance, when the contract is awarded, or to any candidate committee of any person servicing in an elective public office of said municipality when the contract is awarded;

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification be placed on file with this resolution, and that a notice of the award of said contract shall be published in accordance with law.

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 Bond Ordinance #C-04-55-919-178, Judith Curran, CMFO

Resolution 19-296

Authorize the Mayor to enter into an agreement with Chakonis & Pettit, L.L.C. for the purpose of providing professional auditing services and the conduct of a Special Forensic Audit N.T.E. \$10,000.

WHEREAS, the Township of Washington, Bergen County has the need for certain accounting services; and

WHEREAS, Chakonis & Pettit, L.L.C. has submitted a revised written proposal under date September 19, 2019, with respect to such services including the maximum fee to be charged for the services to be rendered as well as the rates for said services; and

WHEREAS, Chakonis & Pettit, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies it has not made any reportable contributions to a political or candidate committee in the Township of Washington in the previous one year, or made any contribution not in accordance with the terms of the applicable Township ordinance, and has agreed that the terms of appointment will prohibit Chakonis & Pettit, L.L.C. from making any reportable contributions during the term of the contract or making

any contribution not in conformity with the terms of the applicable Township ordinance; and

WHEREAS, the availability of funds for such services shall be confirmed by the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Washington, County of Bergen, State of New Jersey authorizes the Mayor to enter into a contract with Chakonis & Pettit, L.L.C. for said services as described in said proposal;

BE IT FURTHER RESOLVED that the position set forth herein was not filled through the "fair and open process" as defined under N.J.S.A. 19:44A-20.4 et seq. As such, it has been attested that Chakonis & Pettit, L.L.C., and any subsidiaries, assigns or principals controlling in excess of 10% of said company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the appointment that would, pursuant to P.L. 2004, c.19, affect the eligibility to perform under the appointment, nor will it make a reportable contribution during the term of the contract to any political party committee in the Township of Washington, County of Bergen, or make any contribution which is not in conformity with Township ordinance, when the contract is awarded, or to any candidate committee of any person servicing in an elective public office of said municipality when the contract is awarded;

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification be placed on file with this resolution, and that a notice of the award of said contract shall be published in accordance with law.

Resolution 19-297

Authorize submission of Chapter 159 Budget Amendment for Open Space Trust Fund for Memorial Park Basketball Court Rehabilitation Fiscal Year 2015

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Washington in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum \$21,093.00 as a result of an award letter having been received by the Township of Washington from the County of Bergen through the Bergen County Open Space Trust Fund for the Memorial Park Basketball Court Rehabilitation in the Township of Washington.

BE IT FURTHER RESOLVED, that the like sum of \$21,093.00 be appropriated under the caption:

Revenue: Grant Bergen County Open Space Trust Fund  
Memorial Park Basketball Court Rehabilitation- 2019

Appropriations: Grant Bergen County Open Space Trust Fund  
Memorial Park Basketball Court Rehabilitation- 2019

Resolution 19-298

Authorize submission of Chapter 159 Budget Amendment for Open Space Trust Fund for Gardner Park Improvements Fiscal Year 2016

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Washington in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum \$13,500.00 as a result of an award letter having been received by the Township of Washington from the County of Bergen through the Bergen County Open Space Trust Fund for Gardner Park Improvements in the Township of Washington.

BE IT FURTHER RESOLVED, that the like sum of \$13,500.00.00 be appropriated under the caption:

Revenue: Grant Bergen County Open Space Trust Fund  
Gardner Park Improvements- 2019

Appropriations: Grant Bergen County Open Space Trust Fund  
Gardner Park Improvements- 2019

PUBLIC SERVICE ANNOUNCEMENT – Council President DeSena

Satellite Office & Passport Reach Services was at the Township on October 15<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup>. In total 25 passports, 14 senior cards, and 4 Notary Oaths were issued.

New Jersey Motor Vehicle Commission was at the Township on Wednesday, October 16<sup>th</sup> at the Bethany Community Center. Between license plate turn-ins, issuing handicap placards, renewing licenses and registrations, there were 75 customer transactions.

The Clerk's Office is already working with both to confirm dates for next year.

Halloween/Cabbage Night Curfew Information

As per Chapter 184, Curfew, no person under the age of 18 shall remain in or upon the public streets, highways, roads, parks, playgrounds or other public grounds, public places and public buildings between the hours of 9:00PM and 6:00AM on October 30<sup>th</sup> & October 31<sup>st</sup>. Failure to leave after a warning by a Township Police Officer shall constitute a violation of Township Ordinances, and be subject to the penalties. Fire Siren will sound at 9:00 p.m. both nights.

November General Election Information

Tuesday, October 29<sup>th</sup> – Last day to apply for a Vote by mail ballot by Mail.

Saturday, November 2<sup>nd</sup> – The County Clerk's Office will be open to vote in person by Mail in Ballot for the General Election.

Monday, November 4<sup>th</sup> – last day to apply at the County Clerk's Office in person for General Election Mail in Ballot.

Tuesday, November 5<sup>th</sup> – General Election – Polls open from 6:00 am – 8:00 pm

Property Taxes

Township offices will be open on Election Day, Tuesday, November 5, 8:30 a.m.- 4:30 p.m. and closed in observance of Veteran’s Day on Monday, November 11<sup>th</sup>.

Quarter 4 taxes are due November 1 – however, the grace period is extended to Tuesday, November 12<sup>th</sup> and for your convenience, the tax office will remain open until 6 p.m. on November 12<sup>th</sup>.

Free Rabies Clinic will be held on Saturday, November 2<sup>nd</sup>, at the DPW garage from 9:00 am – 10:30 am. Dogs must be on leashes, and cats in carriers, retractable leashes are not allowed. Both dogs and cats are welcome at any time.

Email Notices

Residents are invited to sign up for email notices by texting TOWNSHIP to 22828 and entering your email address.

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

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

Time noted: 8:37 p.m.

  
Susan Witkowski  
Township Clerk

  
Michael DeSena  
Council President

Approved: February 18, 2020



TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY  
CONFERENCE MINUTES  
October 21, 2019

CURRENT BUSINESS

**I. Administration**

A. Project Tracker

Administrator Tovo stated he will go over the projects that were updated since the last Council meeting:

ADA Curb Cuts County Roads – As previously discussed it is currently underway. At this time they are on Ridgewood Road, will be returning to Washington Avenue

Renovation to DMF building – Meeting is scheduled Wednesday or Thursday of this week with Boswell and some of their experts on the topic.

Basketball Courts – Discussed earlier, construction will begin earlier, due date has been extended via email.

Paving Washington Avenue and Ridgewood Road – A good portion of Washington Avenue has been completed, the remainder of Washington along with Ridgewood Road will be done in the Spring of 2020. ADA curb cuts are being done and complete for the Spring of 2020.

Councilman Ullman stated regarding the intersection, pole placement is currently being done, and going into 2020. He asked where do we stand regarding the one piece of property that needs to be acquired in order to complete the plan. Administrator Tovo replied anything that requires acquisition or removal of poles is being worked on. The pole issue being the most pressing as of now, we are trying to get that squared away before we move onto anything else, there is a timeline with PSE&G. Councilman Ullman stated regarding the property acquisition, if an agreement cannot be reached the Council and Township will be forced with a decision to take that property, unless we are going to move the whole street. His question is, without that piece of property, however small it is, can the project move forward without that acquisition occurring. Administrator Tovo replied he is not an engineer, but it would be difficult. Councilman Ullman asked it is possible to get a status from Mr. Yakimik regarding this issue, if he has met with them, if there have been any discussions and where he left off. Administrator Tovo replied the property owner is represented by Counsel, so we are trying to work out a meeting through him. Councilman Cascio stated his opinion is the acquisition of the property should be on the top of the list right now, that could push the whole project back, and he doesn't believe people will be happy to find out that the project is being held up because an agreement cannot be reached regarding a piece of property. He stated he would like an update of what Mr. Yakamik's discussions were with the homeowner, their attorneys, and he requests that be put on the top of the list.

Councilman Ullman asked regarding the firehouse, did Mr. Conley complete the four/five phase of that initial \$400,000 or did he stop because of the status of the funding with Council? Administrator Tovo replied he did have temporary stoppage due to the uncertainty of the passage of the ordinance, going forward would have required additional

monies and his work would have been for naught if not approved. Councilman Ullman asked how far behind are we? Administrator Tovo replied he doesn't believe we are. Councilman Ullman asked when are we anticipating breaking ground on this? Administrator Tovo replied he spoke to Mr. Conley today, and will have additional information by the end of the week. Councilman Ullman asked did Mr. Conley give any estimates of completion dates? Administrator Tovo replied he didn't specifically ask him that today. Councilman Ullman requested that when Administrator Tovo speaks to Mr. Conley, if he can get a projection, if Mr. Conley has to work with Boswell as to when the work would start and complete. Administrator Tovo replied he will.

Councilman Ullman stated regarding the DMF, the deadline we are facing, is it possible to get an extension on the remediation, reason being we seem to have a big issue with rehosting the DMF, if the firehouse is completed in a timely manner, they move into their new facility, there will be an empty four bay garage building that can host the DMF, store equipment, while the remediation is going on. Council President DeSena stated he believes we would have to ask Quest, since this is the final extension. Councilman Ullman requests that they be asked again, and it should be positioned as this would save the Township a considerable amount of money, that is not building a temporary facility, not acquiring land, not moving equipment out of town, even though it is a further delay, it would allow the Township to pivot around our challenges going forward. Councilman Bruno stated he did ask Mr. Conley, who stated shovel to the ground sometime next year, completion would take a year plus.

## **II. Council**

### **A. Ordinances and Legislation**

1. Bamboo ordinance-*draft for review* (mds) – Attorney Poller put a draft together, which was included in Council's packets and stated it is Hilldale's ordinance, which is pretty complete. A conversation followed on previous discussions prior Councils had regarding implementing this type of ordinance, but there being no complaints at that time. Councilman Ullman stated he will recuse himself from voting on this, since he does have an active bamboo issue on his property. He stated regarding this draft, A-1, do these type of vessels exist, any drainage hole or crevice will be exploited by the bamboo, and Section B, Exceptions, "This Section shall not apply to any land owner who, prior to the effective date of the ordinance adopting this Section, has bamboo on any property." Attorney Poller stated in other words, if anyone has bamboo on their property, this ordinance will not apply. Councilman Ullman stated but then in the next sections, it says it will apply. Attorney Poller stated the draft states it can't go onto public property or anyone else's property, in other words, it is not affecting you if you have bamboo on your property, and it stays on your property, but if it is coming off your property, it does apply. Councilman Ullman asked who makes the determination of who is the source of the bamboo? Attorney Poller stated that was one of the issues, where it started, end, who enforced it, this is not the easiest problem to identify in terms of how to enforce it. Council President DeSena stated if a neighbor has 50-foot high bamboo, and the neighbor behind states bamboo is coming into his property, it is my bamboo. Attorney Poller stated it would be like any other allegation that would have to be proved beyond a reasonable doubt in Municipal Court, if someone has a forest of bamboo, and shoots are going into the neighbor's property, in the same line, takes photos of it, notify Police, go to Court, the judge will decided whether that person is offending the ordinance. Council President DeSena stated it is not cut and dry in any town that you look at. Attorney Poller stated exactly, it is a vehicle to get the Code Enforcement out there, as well as control an obvious situation, and give some relief. Councilman Ullman stated Section C, removal, what can

that entail or what are we anticipating. Council President DeSena stated in A-2 it states it cannot be any closer than 10 foot to the property line. Councilman Ullman stated he is speaking of the removal of the bamboo, if a neighbor has an encroachment of 15 foot, he goes to Court, what will the Court say, in order to remediate it they will have to go on his property, who gets to eliminate the remediation plan, if they don't want Round-Up, he is trying to understand if passed, what is the potential impact. Council Presidents DeSena stated the draft states "The cost of the corrective action, together with any civil penalties, legal fees and other costs shall be recoverable from the offending party" does that mean you can get someone to take it out and the neighbor would have to pay for it? Attorney Poller replied yes, if it gets to that, yes. He stated this will be one of those ordinances you will not be able to answer the questions up front, it will have to play out, if the Township starts to get complaints it is over reach, it is too much, there may be complaints coming back to the Council it may have to be revised somewhat, but this is exactly why it was not enacted last time, was the amorphous nature of how to deal with this problem. Councilman Ullman stated we did have a resident who was displeased with fees and other aspects of Zoning and Building process. Attorney Poller stated that is pretty straight forward, it is a set fee, everyone pays it, and the engineer, who is a professional charge for the service, this will be handled by the Code Enforcement Official. Council President DeSena stated that is Section E, "The provisions of this Section shall be enforceable by the Police Department, Code Enforcement Official, as well as by any other individual who observes a violation and wishes to file a complaint."

2. Employee Handbook review/adoption process; Best Practices (jc) – Ms. Curran stated she did forward an email to Council and the Mayor regarding Best Practices, it is a little bit different this year, there are 14 questions, and they also ask if the Township of Washington would like to get help from the State in certain areas, she wanted to pass that onto Council, before she submitted a final answer to the Best Practices. Councilman Ullman asked do you know what the help entails? Ms. Curran replied the list is "Would you like any kind of help with redevelopment plans, Master Plan." Council President DeSena stated we just completed the Master Plan and Redevelopment. Administrator Tovo stated to Councilman Ullman's question, there was no specific detail as to what the nature of the help would be. Councilman Ullman stated if we hadn't done the Master Plan, would they have done it for us. Ms. Curran stated it was a general question, would you want help in any areas, such as this one "Would your municipality like to receive additional technical assistance from DLGS in the area of Capital Improvements" they are worded like that. Councilman Bruno stated he doesn't have a problem with asking for extra help. Ms. Curran stated they can make a suggestion. Councilman Ullman stated if we can get any additional guidance on expanding the scope of our shared service, the ones we have work well, if there are other opportunities, we should look into them. Councilman Cascio stated he is okay with them. Council President DeSena stated he would like to ask for the help for shared services. Administrator Tovo stated we could ask, but he thinks the State would be of limited assistance in many of the categories. Council President DeSena stated they are unfunded mandated requests, they will come back and say we don't have any ability to help. Councilman Ullman stated he believes you should still ask. Ms. Curran stated she did ask a few of her colleagues, many towns are answering yes to a few, to see what is out there. She stated there is one question that refers to the Fair Labor Standards Act, it states "Compensation leave time in lieu of cash payment is considered a form of overtime pay unless such leave is utilized in the same pay period" certain employees are considered exempt, they do not get overtime, but they work a certain amount of hours they may get what they call "compensation time" where that would have to be taken within that pay period it was actually earned, it should not be able to be carried over. Councilman Bruno asked are they being carried over now? Ms. Curran replied she is not saying it is, she is saying if someone is saying they are getting

compensation, they would have to be taken within a certain period, it cannot be carried over. Council President DeSena stated it cannot be grouped all together to take two weeks off, it cannot be banked. Councilman Ullman asked does the Township have a policy on that? Ms. Curran replied she doesn't think we do. Administrator Tovo stated the current handbook does not allow for any comp time whatsoever, the Police have a separate policy for comp time, because they can carry time over, bank their comp time, we do have other policies we are developing and will be coming out to address this issue. Ms. Curran stated another question was "Does the municipality maintain centralized records for all time worked and all employee leave time earned and used" she stated bookkeeping exists in the administration, but she doesn't know how formal it is, but she believes it is very informal from what she understands. Administrator Tovo stated it is informal in the sense it has not yet been computerized, but with the new tracking software it will be. Councilman Bruno asked does the payroll system track that? Ms. Curran replied no. Councilman Bruno asked so if someone works 32 hours, calls in sick for 8 hours, does the payroll system indicate 32 regular hours plus 8 sick. Ms. Curran replied no, you just get paid straight time, with the administration keeping track of sick days. Councilman Bruno stated that means personal days, sick days, vacation days, is not tracked in the payroll system. Ms. Curran stated no it is done manually, we use ADS. Councilman Bruno asked do we know whether or not it can be tracked in the system, if someone submits their sheet, 32 hours regular, 8-hour sick, can that be tracked? Ms. Curran replied it would be a good thing to find out, if we can code it that way. Councilman Bruno stated it should not be manual, it should be in the system. Councilman Ullman stated Administrator Tovo mentioned the expansion of SDL, that has a component of payroll. Administrator Tovo stated it is not payroll, it is tracking of benefit time. Councilman Bruno asked who will be maintaining that, since it is only as good as it is maintained, the employee puts the request into the system, and it goes up to the second, first level manager, it would go to the administration for approval. Administrator Tovo stated that is what we are looking at, it will take the manual component out of it, and it will be done electronically. Councilman Bruno stated the employee would put the request into the system, then it would show how many days the employee would have remaining. Administrator Tovo stated that is how he envisions it working, he has not seen it yet, it is part of what we are buying. Ms. Curran stated the payroll person would have to receive some sort of time sheet to be able to enter a sick day pay, holiday pay. Councilman Bruno stated it would get approved, then go to second level, then to payroll.

3. Director of Finance (mu) – Councilman Ullman stated currently we do not have Director of Finance, the prior Administration either looked or didn't look, he doesn't believe there has been a Director since Mrs. Do passed away. He stated we have certain Directors, that by being appointed into a position become the de facto Director, or it is the other way around, the two he is referring to is the Attorney, when the Attorney is appointed becomes the "Director of Law" the other is the "Administration" so when the Business Administrator is appointed, the become the "Director of the Admin" and those are codified in our Code. Is that something that we would like to do and is it something we can do, if we were to pass an ordinance, are we allowed to create an appointment similar to both the Department of Law, and Department of Administration. Councilman Cascio stated it would have to be changed by passing an ordinance, the question being is there is a desire to do so, if we had a Director, we would have a problem of doing this, but we don't have a Director, this would alleviate a problem in the future, if someone gets hired in that particular position, you already had filled it. Council President DeSena asked Attorney Poller the question, can the Director of Finance be appointed the same way as he and Administrator Tovo are, it states, whoever is the Township Attorney shall be Director of Law, whoever is the Township Administrator, shall be the Director of Administration. Attorney Poller stated it needs to be researched, he would have to check the way the CFO is appointed, whether it is

the same as the Director. Also the Director cannot be a straight Council appointment, that is basically Mayoral appointment. Councilman Cascio stated it would not be a Council appointment, it would be by Charter. Attorney Poller stated it still would be an appointment by the Mayor, subject to the advice and consent of Council, that is the way Faulkner is. Councilman Cascio stated that is true, what we are doing is combining the two. Attorney Poller stated he is trying to remember if the CFO gets appointed by the Council as opposed to the Mayor with the advice and the consent of the Council, he does need to look into it, he will get back to Council. Council President DeSena asked Councilman Ullman's intent is to make that Director the same as the other two if that is possible. Councilman Ullman replied if is possible within our organization charter, he would propose that Council do that.

## B. Financials

1. Interlocal Paramus street sweeping *follow up with Paramus* – Township Clerk Witkowski did reach out to the Clerk in Paramus, as Councilman Ullman did have a question at the last meeting. Since it is specific to that one-line, “one-time sweep”. She stated the Paramus Clerk indicated it is \$4,500 per sweep, so that one page would have to be changed.

2. Reconciliation of all monies from sponsors, food, rides, etc. and all monies paid for Town Day (rb) – Councilman Bruno stated his only intention is to try and explain what happened in this Celebration of Public Events. He stated the Public Events line item and the activity includes Town Day, Christmas Tree Lighting, Fall Festival, Summer Concert Series, it does include other events. He stated in the beginning of 2018, there was \$88,567 as a beginning balance, there was an entry made \$45,000 that reduced the \$88,000 to bring us to a balance of \$43,000, the \$45,000 was taken out and put into Anticipated Revenues, he doesn't know why, but when he asked Ms. Curran the question many Council meetings ago, if it could be reversed, the answer was no, once it is put in there the funds have been depleted. He stated \$45,000 came out, went into Anticipated Revenues, which flowed into surplus, he doesn't think it was used to fund any current fund expenses. He stated going to the end of the year, when we started our budget, we started with a balance of \$60,116, if the \$45,000 was still in there, we would have had a beginning balance of \$115,116 on January 1, 2019, during the budget process it was the intent not to tax the taxpayer again, but to deplete the fund until it is gone for whatever Town Day events, when monies were needed, we would refund it through our taxes. He stated in the past few years we have been charging \$28,000 a year to the residents which they technically get taxed on, but it was not used against this reserve, we used it in current fund, and let this sit, the idea with this was to basically deplete it until it got to zero, and then start current funding, what we wanted to do when the budget is being done. He stated the end result there was \$45,000 that was taken out, he doesn't know why, technically fell into surplus, how do we have \$30,000 number, still missing \$45,000 from this fund, that should have been there, and should have been able for Council to use for whatever event they wanted, that is the reconciliation, the numbers. He stated Town Day itself, in round numbers, it cost about \$22,000, the sponsor revenues we received were approximately \$5,000-\$7,000, net cost being somewhere around \$17,000, not including the fees that were charged to the residents. He stated going forward, when we look at our budget, we should look at each fund for each event, see what the sponsorship money is, right now it is \$29,000, the idea is deplete it use the money.

3. Community Development Block Grant *follow up to letter* – Letter is due December 6<sup>th</sup>. Administrator Tovo stated he did speak to the grant writer today, and are meeting again tomorrow, keeping in mind that the we have very limited options to this particular type of grant, his focus is on the last remaining field, Sherry, that does not have ADA compliant parking stalls, that was walked with our current engineer, both lower and upper entrances have

been reviewed. He stated the Township has a limited opportunity due to the fact we are not low-income level that would allow us to spend the money on the other projects, the bulk of the money received before was from Open Space not from the Block Grant.

4. Presentation-Bond Sale 10.17.2019 by CFO (jc) – Ms. Curran stated we had a very successful bond sale, received a rate of 1.81%, in May it was about 2.2%, at the presentation it was 2%. She stated the great part about that is we received a fantastic premium, over \$500,000, we were borrowing \$7,250,000, a part of that was to permanently finance the BANS at \$5.63, new money was \$1,620,000, but given the fact that we had that premium, we were able to apply that so we are actually just paying back \$6,785,000, as opposed to the \$7,250,000, the \$7,250,000 was \$5,630,000 in BANS, and a new borrowing of \$1,620,000, which was for future projects this year. Councilman Ullman asked is it possible for Sherry Tracey to update the schedule she presented with this new rate and recirculate it? Ms. Curran replied with this new issue, we have all the results, payback schedules, what it will cost us year to year, interest schedule, that is for 10 years. Council President DeSena requested Ms. Curran disseminate that to Council. Councilman Ullman stated the reason he is asking for that schedule in particular, is that it recapped the BANS, and the new funding, as well as having a projection for the firehouse, projected needs, if we can keep that current, it will allow whoever is sitting here, to make an informed decision, it was a very easy to read, simple schedule. Council President DeSena stated it was an Excel spreadsheet, it is a matter of changing the percentage at the bottom, and the number that is being paid back. Councilman Bruno stated when the debt schedule was running at \$844,000, we knew the money that was needed to fund the debt. He stated Mr. Mai did a schedule when we built a new firehouse and other projects, the goal was to have an annual amount of about \$1.1 million, it would be \$350,000 more give or take, what we were used to paying, it is an increase, but it levels out, he feels that section needs to be revisited so there is a level payment for the next 10-20 years. Ms. Curran stated as an example, the first year of payback is \$750,000, it keeps on going down, because we received that premium, we were able to reduce those principal payments.

5. Central Cashier update (mds) – Ms. Curran stated we are moving forward, she did think it was good idea to start with the tax portion in January, since taxes are due in November. All the codes, revenues have been inputted, as well as starting the training process, having it up and running as of November 1<sup>st</sup>. She did mention this to the Tax Collector, she does want to speak to Administrator Tovo about postponing it. Administrator Tovo stated it can be discussed tomorrow, so everyone is on the same page.

### C. Miscellaneous

1. Veterans Day ceremony, traffic on Pascack Road (mu-2018) - Councilman Ullman stated the Chief did indicate that they may be able to put a squad car with flashing lights on each end of Pascack Road, since it cannot be closed due to it being a County road, so as to slow traffic down. Mayor Calamari stated we are thinking about moving the ceremony to the library next year, by Scout Stickel's project, which will then solve the traffic issue.

2. Zoning Board appointments, 2 regular, 1 alternate member term expires 12/31/2019 (sw) – Township Clerk Witkowski would like some direction from Council. Council President DeSena stated he would like to wait until after November, but the Clerk can contact the existing members if they are interested in returning. Councilman Ullman stated no new appointments can be made until the new Council is seated. Township Clerk Witkowski stated she will reach out to all three to see if they are still interested.

3. WCTV TelVue HyperCaster server; playback schedule (sw) – WCTV did put a schedule together for Council in a memo format, the server is up and running which allows WCTV to schedule programming for broadcast at specific dates and times, WCTV did suggest the following schedule, Monday or the day of the meeting we rebroadcast live, rebroadcasting again at 11:00 pm, and on Tuesday at 6:00 am and 10:00 am, 2:00 pm, 6:00 pm and 10:00 pm, on Wednesday, 8:00 am, Noon, 4:00 pm, 8:00 pm, midnight, and Monday of the following week, 6:00 am, 10:00 am, 2:00 pm, 6:00 pm, 10:00 pm, and Tuesday, 8:00 am, Noon, 4:00 pm, 8:00 pm and midnight. These are set times so viewers would know when to tune in, it will also be at the bottom banner indicating when the meeting will be shown again at a certain time, as well as being available on YouTube. Council is in agreement.

4. Food drive (rb) – Councilman Bruno asked if there is something we can do at Town Hall collecting items for the Holidays. Mayor Calamari stated there are many charitable organizations, the Knights of Columbus also collect and drop off in Hillsdale.

5. Best Practices (rb) – Ms. Curran stated the only questions that are left is if Council would like help from the State, all other parts are completed. She stated it does need to be submitted electronically by October 30<sup>th</sup>, but she can send Council a copy, it cannot be changed after submitted. Administrator Tovo stated the Township percentage was 87% last year. Ms. Curran stated the actual questions did change this year.

6. Organizational Chart/Job responsibilities each employee (rb) Councilman Bruno asked what is the status of the organizational chart. Administrator Tovo stated the organizational chart was handed out during our budget season, and the job responsibilities and descriptions is something that is currently being worked on hand in hand with the new personnel policy manual. Council President DeSena asked is the new personnel policy manual going to be reviewed by MEL? Attorney Poller stated they have some input, not everything. Administrator Tovo stated the policies that MEL would have input in are written with MEL guidelines. Councilman Ullman asked will everyone on staff have a performance review? Administrator Tovo replied everyone has been, the cycle ends at the end of July. Councilman Ullman asked would there be any benefit in harmonizing the review dates with the salary requests, when the budget is started. He stated usually there is a review process, that is followed by a compensation process, they are related. He understands here is not really meritocracy, we tend to give blanket raise, but he thinks it would be good to understand performance and compensation. Administrator Tovo stated he does agree, it should be done before the budget process begins, he believes the end of the Summer would be appropriate, since we start the budget process this time of year.

7. Status Basketball Courts (mds) – A request has been made via email, by the Administration, to extend the project to be the first job of Spring, rather than the last job of the Winter.

Ms. Curran stated she would like to make one comment regarding central cashing, at this time when the construction code fees are being collected, they are being lumped together as construction code fees, in the past she would separate those out, plumbing, electric, so on and so forth. She stated the Building Department did give an example of reports that they have. Council President DeSena stated it is a self-funded department, so he feels as long they can prove they have the funds to keep the inspectors that we need. Councilman Ullman stated he feels we should have it at the lowest level of detail we can get, so if the fees are received, and drawn under separate responsibilities, functions, plumbing, electrical, that they should be recorded at that level, if it needs to be analyzed, we have a clear understanding where the fees are coming from. Ms.

Curran asked we can talk about it next month, the Building Department can run the report, but when the receipts are filled out, it can be allocated as to building, electric, plumbing, and then she can do the same thing on the revenue side, if a Council member came and asked can you tell me what you collected for the month in plumbing, it can be done. Councilman Bruno stated in the Public Event Fund, there is \$3,800 of DMF overtime budgeted, overtime is budgeted in a separate line item, separate department, it is good for informational purposes, but a budget line item for salaries/overtimes should be charged to those line items, the minute it is taken out, we lose the integrity of how much we are paying employees, to work either straight or overtime, there is a \$3,800 entry that needs to be reclassified. Ms. Curran stated she will ask why it was done that way.

A motion was made by Councilman Ullman, seconded by Councilman Bruno to adjourn.

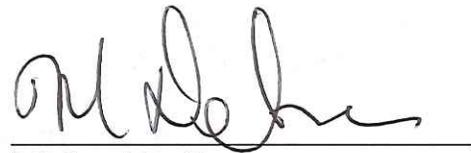
Ayes: Councilmen Bruno, Cascio, Ullman, Council President DeSena.

Nays: None.

Absent: Councilman Cumming.

Time noted: 9:40 p.m.

  
Susan Witkowski  
Township Clerk

  
Michael DeSena  
Council President

Approved: February 18, 2020