

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
REGULAR MEETING AGENDA
May 6, 2019~7:30 p.m.

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

STATEMENT:

Welcome to the regularly scheduled Public Meeting of May 6, 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.

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

Absent: Councilman Bruno.

READING OF TOTAL LIST OF BILLS: none.

APPROVAL OF MINUTES: none

REPORT OF MAYOR:

2019 Road Program

Roads are being identified and cost calculations are being prepared by Boswell Engineering.

Intersection Pascack & Washington

Survey work and projected relocation of the utilities are underway in preparation for construction.

New Ambulance & Fire Department Building

The design development phase is currently being worked on and that phase should be completed by the end May. The architect expects to have another presentation to Council at one of the meetings in June.

DMF Building

We are in the process of looking for a temporary location so the building can come down and soil remediation can take place.

Grant Writer

We are interviewing two potential vendors next week.

Radio System

Testing of the State radio system has been completed with satisfactory results. Cost models are being prepared for comparison to an upgrade of our existing radio system.

Pedestrian Crossing Signs

Flashing pedestrian crossing signs have been installed near the Westwood Regional High School and Washington School. He has heard from many people that they have noticed them, so they are having the desired effect.

Little League Opening Day Ceremony

It was a pleasure to attend the Little League Opening Day Ceremony. A big "Thanks" to everyone involved in all of our rec programs. Without their time and dedication these programs will not exist.

Green Team

The Green Team is busy at work. They had another clean-up event at Gardner and Sherry Fields on April 27th, and took over 300 hundred pounds of trash and debris out of the parks. They also distributed free tree seedlings to our residents.

ADA Parking

ADA parking spots have been installed at Clark and Gardner Fields.

Red House

The removal of the oil tank from the town-owned red house on Washington Avenue started today, the structure will be demolished as soon as that is complete.

Planning Board

The Planning Board has been busy approving many new businesses in the shopping center with more to come. Please give these businesses your support. The Board is also working on revisions to the Township's Master Plan.

Boy Scout Troop # 321

I was happy to be invited to and attend Boy Scout Troop's #321 Annual Awards Ceremony. Being a former member of the Troop, the event holds a special place to me. It is nice to hear about everything they are doing as an organization.

Tour of the Township

The Administrator, Tom Sears, representing the Green Team, members of the DMF and I took the Township Engineer for a tour to get a look first hand at the projects that need to be addressed.

Annual Meeting Board of Education

The Administrator and I, along with our counterparts from Westwood, attended the annual meeting which we have with members of the Board of Education. Our relationships are good, and we committed to work together where we can for the benefit of the students and the towns best interests.

Shredding and E-Recycling Event

We had another successful shredding and e-recycling event. The Township is happy to offer these events to our residents so they can properly discard any sensitive paperwork, and to keep unused electronics out of landfills.

Council Meeting May 20th

At our next meeting on May 20th, we will be honoring one of our residents who will be turning 100; and recognizing Mr. Kevin Lynch, and the Oritani Foundation for their constant generosity to our Township, especially for their donation of \$100,000 to Habitat for Humanity to support the new Veteran's and Senior Housing complex at the former VFW site. Please come out to that meeting to show these special people our appreciation for their accomplishments.

REPORT OF COUNCIL

Councilman Ullman stated he would to address the April 4th Council Meeting, along with a Letter to the Editor on April 15th by Mayor Calamari. He stated there are a number of areas that warrant a review or further examination. First of all, he is sorry that the Mayor regrets that the Council voted to spend taxpayer money on a forensic accountant. He believes it is important that we evaluate the financial statements of the Township. The Mayor rightly points out that we do have an auditor, having performed audit like functions as a controller at JP Morgan, and participated in audits at that same institution, an audit does provide some level of comfort that things are being done properly, however it is not an extensive review, and it is not a review of every balance, account, check that is written, PO that is drawn, it is done through audit testing, and he thinks there are areas that require further and a deeper review. He doesn't view this as political or a politics issue, he views it as being important so the Council, Administration and public have confidence in the financials that are being presented. In his letter the Mayor goes on to point out that we have significant capital projects that can no longer be postponed; therefore, every dollar should have a solid purpose behind it. He stated Resolution No. 19-165 is for \$1,000, he believes at the time when this was asked, this was to do a bank reconciliation. His question is, we have employees who are employed by the Township who should be doing these reconciliations, yet we found money in another line item to spend \$1,000 to have someone reconcile and do something that should have been done by an employee. He stated if you want to talk about wasting money and having a solid purpose behind it, this is it. It would have never come to light, would have never known that these reconciliations were not done, but the Administration had to come to the Council and request a transfer, and he doesn't see any transparency there. He stated during the budget, we reviewed the existing and current spend for a number of departments, Council agreed with the Mayor to use a professional service firm to identify an Administrator, that firm, The Canning Group, which identified Mr. Tovo, he believes that is a good hire and money well spent. However, when we went to spend the money, we went to any line item that had funds, it was charged to the Mayors, Councils and Department of Law's budgets, which doesn't sound right, it should go to one of the Departments. He stated as the Administrator has said, the Township does a run rate budget, that basically means if you are spending money at a certain rate, you will continue to spend it. He stated when you see \$5,000 in the Council budget, that does not belong there, the next year, if no one asks, it will get budgeted again. He feels it is important we have visibility into these things, yes, the Council identified it and asked questions, but he feels a deeper dive into the Township finances would be warranted. He stated last year the Council requested that Town Day be run through a Trust Account, which has been built up over time, rather than charge the taxpayers to have Town Day, and it is his understanding that many of the expenses did not go through that Trust Account, they went through Current Fund. He doesn't think it is a control issue, but why is something that is being requested by the Council not being done. He stated lastly, the former engineer has been submitting an outstanding running invoice for a number of years, it was sent monthly, it went to the former Mayor, it was not addressed by the former Mayor, nor was it addressed with the Council. He stated it continued to be submitted, he can only imagine that the current Mayor became aware of this after he took office. He stated this was not brought to the Council's attention until the middle of last year, after a number of months had passed. His question is, if we want to be transparent, there is nothing to hide, work together, why does it take this long for it to come to the Council. He still doesn't know, but Council was assured that much of it was related to escrow, that there were monies that were encumbered, but is not clear how much the Township still owes the former Engineer. He has yet to see a final reconciliation, and this is something that could have or may have been caught earlier, but it was not. He believes that there is a need to look at some of these items in more detail, if we do not want to call it a forensic examination, perhaps we can call it

a financial services fee, because that is what we call it here, and no one should get too upset about it. He stated the Council President and Attorney Poller have basically warned Council members that there should not attend Planning Board meetings, there could be a perception of influence, and he appreciates that. He lives on Van Emburgh, down the block from a major development that is being proposed/contemplated/moving forward, there is no exit/entrance on Van Emburgh or alternate street, he is directly next to the property. He stated he had things to say that he wanted the Planning Board to hear, he will take their advice and not say them at the Planning Board meetings, but he will mention it here. He stated this development, as advised is a part of our COAH, and believes the owner has the right to develop that property, however there was the issue of the pump station. He stated he as a member of Council approved the use of the pump station, however he takes extreme exception with their Engineer basically saying that the people who live there their s*** won't stink because he said that you will not smell any odor, no realization that the pump station exists on that property, and he finds that hard to believe. He understands Council President DeSena commented that he has worked in sewerage treatment facilities, but he believes those are engineered at a different level. He believes if this plan is allowed to go forward, that pump station should be placed as central as possible to the new development, and should not infringe or cause any harm to any of the existing residents. It has not been put in the ground yet, and he thinks every effort to be made to make sure it is properly distanced from existing residents and let the new people deal with the issue, if it is not going to be an issue of smell or access, then it should be no issue where it is located on their property.

Councilman Cumming stated the Township of Washington recently completed more than \$198,500 in energy efficiency upgrades through the PSE&G Direct Install Program. PSE&G paid for 70% of the improvements up front, and the municipality will repay 30% of the cost, interest free over the next three years, built into the billing. The money that is saved in the LED lighting will pay for, in most cases, the air-conditioning improvements, that 30%. The work will save the Township of Washington \$12,702 per year in energy costs, the energy savings will allow the Municipality to re-invest the savings to community improvements, or other parts of our budget. Work included energy efficient HVAC, and LED lighting upgrades, in both the interior and exterior of the Municipal Court, Police Department, DPW, Firehouse, Public Library, Memorial and the other fields, totaling a savings of more than 84,600 kilowatts a year, which is a 55% reduction in energy usage.

Councilman Cascio stated he has no report tonight.

Council President DeSena thanked everyone who attended Baseball's Opening Day, it was a huge success for Baseball and Softball.

Council President DeSena read the following PSA:

Taxes

2nd Quarter Property Taxes were due May 1st, with a grace period extended to Friday, May 10th. For your convenience the tax office will remain open until 6:00 pm on that Friday.

Office on the Road

On Wednesday, April 22nd, Assemblywoman Holly Schepisi will be will be hosting an "Office on the Road" at the Senior Center, 1:30 pm. She will be meeting with constituents and educating the community about services available through her Legislative Office.

Recreation Department

The Recreation Department is looking for camp counselors for the Township's Summer Rec Program. High School and College students are welcome to apply.

Reminder – High School applicants need working papers to be obtained at the high school guidance dept. Both College and High School age applicants need two forms of ID; such as a Driver's License, Social Security Card, Passport, High School ID. Please visit the Township website for further information.

Mobile MVC is Coming to River Vale May 15th, 10:00 am – 2:00 pm.

The NJ Motor Vehicles Commission, "Agency on Wheels", offers driver licenses, non-driver id cards, registration, license plates, placards and examination permits. Please visit the Township website for further information

Memorial Day Parade

The Township is need of Antiques Cars and Convertibles for the Memorial Day Parade. If you can help, please visit the website for further information.

Mosquito Control Public Notice

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

Tree Removal

If a resident is planning on removing any trees on their property, please review the Township Ordinance and complete the Tree Removal Application before doing so.

Mayor Calamari stated he would like to respond to what was said. He stated since his Letter to the Editor was brought up, he encourages everyone to read it, it is available on their website, Pascack Press, and anyone can read the full content of his letter. He will not discuss the first part, as he states in his letter public employees are entitled to certain protections, and their jobs are not spoken about in public. Councilman Ullman is correct, with the Council's understanding we did pull money from multiple accounts to hire a search firm, there was no other way to do it since it was not budgeted in the beginning of the year, it was money well spent. Regarding the Town Day Trust Account, yes it did go against current account in 2018. He stated as everyone knows we had major staffing problem when he assumed the role of Mayor, and it took a while to get the positions properly staffed, that includes the position of CFO, these things did not post to the correct account, but he can assure everyone with our new CFO they will this year. Regarding the Azzolina bills, he became aware of them approximate in March, with the Administrator at that time starting to look into it, and the Council became aware in April or May. When the previous Administrator left, the new Administrator picked up on it. He stated it was years as Councilman Ullman stated of unpaid bills, and cannot get solved overnight, it took a lot of research to find out what they were, could they be paid, and did the Township have the money. Former Administrator Cavallo did process payments in the range of about \$70,000 against all those back invoices, and the escrow is still being worked on as it takes longer. Escrow is money collected from residents when they want to do something to their homes, it is a lot of small accounts that need reconciling, but it is going on currently. He stated it will take as long as it takes, but it is being worked on.

Councilman Ullman asked any comment on the tax reconciliation? Council President DeSena replied no Councilman Ullman.

PROCLAMATION

Read by Council President DeSena
Week May 5-11, 2019

50th Anniversary of Municipal Clerks

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

Whereas, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, I, Michael DeSena, Council President of the Township of Washington, do recognize the week of May 5 through May 11, 2019, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Susan Witkowski and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

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

Nays: None.

Absent: Councilman Bruno.

Tom Sears, 600 Beech Street – Mr. Sears stated he is here to bring everyone up to date on what the Green Team has been doing. The Green Team received a \$350 Clear Water Grant from the County. The Green Team cleaned up 1,987lbs. of recyclable, construction and other materials behind the water way from the library, passed the movie house, almost to the Church property, as well as Lincoln Park. The Green Team also applied for a \$5,000 grant from NJ Transit, but did not receive the grant due to paperwork not being submitted, by the previous Administrator. The Green Team also lost a \$10,000 grant for a two-port charging station due to the lack of a letter of support from the Mayor and Council. The Green Team is currently on the priority list for a \$6,000 grant from NJ Transit/PSE&G, which would cover a one-port charging station. Council President DeSena stated the Green Team could not apply for those grants until Council passes the ordinance in a few minutes. Mr. Sears stated after the Mayor, Councilman Cumming and himself walked the community, it was decided the best site for the one-port charging station would be circle in the circle in front of Town Hall, but it is still in the preliminary stages. Regarding the Community

Garden, the Green Team dropped off 50 pounds of peppers and tomatoes, along with 20 pounds of herbs for the seniors. The Green Team has a new member, Abby, from Hackensack Hospital who will be working along with Laura, at the library, to do some health/safety projects for the community, along with another new member, Diane Grimaldi, who will be a great asset to the team. The clean water clean-up was done and resulted in 372 pounds of debris, and other materials were picked up, Sherry & Gardner Fields, and were also awarded a \$350 from the County. The Green Team also applied to Adopt a Beach in the State of New Jersey, and were awarded with six boxes of supplies from the State, bags, gloves and recyclable materials. The Green Team joined a group called Bergen HUB, which consists of several towns within Bergen County, that deal with environmental issues at the County level, and were awarded a \$3,000 grant for Styrofoam. Mr. Sears explained there are two types of Styrofoam, one of which Waste Management will not pick up. The County is now asking to pick this up, drop it off at the recyclable bin. The grant will offset the containers, the bags and rolling it down to the center, it will be on site. Currently working with Bergen County to drop it off at their site, but we are delivering to Haskell first. Safe Street Program was started, it is \$20,000 - \$30,000 grant, one person at the high school is assigned on Dr. Gonzalez's team, it is a bicycle route and pedestrian crossing. A safe bicycle route has been prepared to all the schools, pictures of the intersections and crossings, what needs to be repaired, painted, signs that need to be placed, currently at the final stage. Clark, Sherry Fields and the Commuter Parking location will each receive a bicycle rack, which is part of the anti-idling policy. Lincoln Park will be addressed, since it is cluttered again. Dog parks are being looked at, with Gardner Field being the most promising at this time. An "Art Day" is being planned for local artists, either at the library or at one of the fields. The Township is on the list to get 50 red bud trees, along with other trees, from the NJ State Forestry, that will go to Sherry and Gardner Fields as a buffer. The Green Team members are taking courses at Rutgers to keep current with CEU credits. The Scouts, through the Green Team, are placing mosquito flyers all around the lake, which were received from the County. Councilman Ullman requested that Mr. Sears contact Council President DeSena to be placed on future agendas as a presentation to be more constructive.

Mary Ellen Bolton, 71 Andrea Lane – Ms. Bolton thanked the Mayor and Council for letting her speak here tonight. She spoke of being a resident of the Township for 24 years, the great community she resides in and on behalf of her husband, she would like to mention the ladies in the Township offices are fabulous, and she enjoys visiting with them. Upon her retirement, she was invited by a colleague to join the Westwood Community Center Forever Young. Upon registering for her classes, she was assured not only was she welcomed, but that there was a cooperative working relationship between the Council in Westwood, and the Township. She enjoys three cardio classes per week, one strength training and yoga class, enjoying a cooperative working relationship, being physically fit, and have developed a comradery with the other individuals that participate. She stated on April 25th, she received an email from your part-time Recreation Director, asking for my phone number, she emailed back asking if she could correspond through email, and has yet to receive a response. She received an email on May 3rd from the Westwood Recreation Director informing her that we no longer have the luxury of attending the classes without a fee. She comes here tonight to ask what happened between the working relationship between Westwood and the Township, which she understands has existed for almost a decade. Council President DeSena stated the Council has not been made aware of this issue. Mayor Calamari replied he has just recently become aware of this, and can speak to it if you would like. Ms. Bolton stated she has a colleague with her (Anita Robertson, 355 Calvin Street) and they are representing 14 individuals. Mayor Calamari stated the Westwood Recreation Department asked for a meeting with Mr. Setticone and himself, after the Township budget was completed to state they could no longer offer the Township residents the free

program, as they do their Westwood residents. He stated we were not happy with that, since monies were not budgeted for that program, due to the timing. He did tell them although we appreciated what they did over the years, asking for the rest of this year if the Township could not subsidize the program, had they asked us sooner in the year, monies could have been budgeted. He stated we also agreed in that meeting we are working with bigger plans to share between the Township and Westwood Recreation Departments, looking at a broader range of programs to come up with, fee structures for next year's budget, and we are hoping this is only a temporary set-back, we value our relationship with Westwood and their Recreation Program. As for the balance of this year, no disrespect to them at all, we asked Westwood if they could continue for the rest of this year, but fiscally they could not. The Township budget has been completed, and will be approved at the next meeting. The cost was about \$4,000, for 14 individuals. Ms. Robertson provided flyers of the program, classes they are offered, as well as how much will be asked to be paid per class per resident.

Anita Robertson, 355 Calvin Street – Ms. Robertson stated after moving to Township 12 years ago, she was looking for local activities, and found the ad advertising the class for seniors at the Westwood Community Center, and was told at the time of registration since she lived in the Township, there would not be a charge. She stated she has forged many relationships, and now the program is known as the Forever Young program. After 7 years, she was told she will not be considered a non-resident, and in order to participate a fee is required, which will affect 15 Township residents. She stated she presently attends two classes, has participated in a variety of offerings, but placing the cost will affect the classes she takes. She is asking the Mayor and Council to contribute to the Forever Young Program in Westwood for the Township residents. Council President DeSena stated this will be discussed with the Administration, and try to come to a resolution. He stated you can contact himself or the Mayor for any updates. Councilman Cascio thanked Ms. Bolton for her service as a nurse in the Township, spoke of having a working relationship with Westwood and coming to a resolution. Mayor Calamari stated there was a longer gap than usual between meetings, and apologizes for not getting the word out sooner, but as soon as we found out Mr. Setticone did try to reach out to everyone to let them know, and we will try to come to a resolution.

David Snyder, 98 Windsor Circle – Mr. Snyder spoke of the condition of the sidewalks along Pascack Road, and Chimney Ridge Road, going toward Ridgewood, which are sunken in and have gaps. He stated has anyone gone out to let these residents know? Attorney Poller stated the ordinance has been passed to give the Code Enforcement Official authority to do that. Administrator Tovo stated we are having a meeting on the 20th of this month to go over procedure. Mr. Snyder asked if the 2006 grant that was never used, will that be passed on to the taxpayers, that amount of money. Council President DeSena stated that can be reviewed. Mr. Snyder spoke of blinkers at Memorial Field, and adjustments that should be made timewise, when children are present. Council President DeSena stated the flashing yellows are flashing 24/7 as we speak. Mr. Snyder replied no they are not, Mayor Calamari stated Mr. Snyder spoke to him before the meeting, it was news to him, it will be checked tomorrow. Mr. Snyder stated there should also be a triangle sign for yield pedestrian by the gas station. Council President DeSena spoke of the law of not being able to put a yield control at a traffic signal. A conversation followed on putting a signal at the intersection, near the bus drop off, such as triangle sign. Mr. Snyder spoke of Exit 168, with cars backed up from over the hill towards Westwood coming north, exit 172 and traffic for drivers that are coming into the Township. Council President DeSena stated that will occur when Woodcliff Lake passes a referendum that approves the right-hand movement at Exit 172, which is the Highway Authority.

Julie Lipnick, 184 Finnerty Place – Ms. Lipnick spoke of the Church that took over where Bethany used to be, they have large events, the parking lot is

inadequate, parking spills down Devon Road, and along her street, causing her not to be able to get out of her driveway. She spoke of her concern of emergency vehicles, if needed, they cannot get down the street, she suggested closing down one side of Devon Road. She suggested speaking to the residents on Devon if it occurs every Sunday, it only affected her during a special event. She stated Rudy Wenzel was Mayor when her street was turned from Westgate Road to Finnerty Place to honor the only soldier from the Township who was killed during the Vietnam War. She stated the plaque that was put up and never changed, currently it is faded, and would like something nicer looking to be put on that pole. Mayor Calamari replied he will look into it. Ms. Finnerty spoke of the condition of the road, which has a sink hole, along with another sink hole manifesting at Woodfield, at the driveway to the lake, along the sewer cover. She asked are background checks being done on recreational volunteers. Administrator Tovo replied the answer is yes, that is in process. The names of all of the coaches, will be checked through the State Police System. A conversation followed on how this has not been done in the past, even though it has been brought up to past Councils. For Little League, every single volunteer, anyone that has any interaction with children is run through the Nexis Lexis System every year. She spoke of "Theft of Service" and how this applies to public/private sector, but not to government officials. She also spoke of her husband's vehicle hitting a pothole at the intersection resulting in \$1,000 of damage to the vehicle, and holding "Theft of Service" to former administrations.

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

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

ORDINANCES

Adoption: 2nd Reading:

Ordinance No. 19-06

CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

A motion was made by Councilman Cascio, seconded by Councilman Cumming to approve Resolution No. 19-194 authorizing second reading and opening of Public Hearing for Ordinance No. 19-06.

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

Resolution No. 19-194

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 19-06 entitled: CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) be read on second reading and the public hearing be held thereon pursuant to law.

No Public Comments.

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to close the Public Hearing on Ordinance No. 19-06.

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

Absent: Councilman Bruno.

A motion was made by Councilman Cascio, seconded by Councilman Cumming to adopt Ordinance No. 19-06.

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

Nays: None.

Absent: Councilman Bruno.

Ordinance No. 19-06

CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Washington in the County of Bergen finds its advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$89,477 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Washington, in the County of Bergen, a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of Washington shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$313,169, and that the CY 2019 municipal budget for the Township of Washington be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduction: 1st Reading:

Ordinance No. 19-08

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 YEAR 2019

A motion was made by Councilman Cumming, seconded by Councilman Ullman, to introduce and pass Ordinance No. 19-08 at first reading by title.

Councilman Cascio stated he would like an explanation on the two changes. Administrator Tovo replied one was a type-o regarding the salary of the Recreation Director, and the second one was under "The Department of Law – Director of Township Attorney" the paragraph under the title was not there, but needs to be there in order for there to be a mechanism to pay the attorney when he works in that function, the function being litigation. Councilman Cascio asked does that change from last year? Administrator Tovo replied it was not in last year's ordinance that he saw, but it was in prior years. Councilman Cascio stated it was taken out last year, was it requested to put in by someone? Administrator Tovo stated we had budgeted the line item for litigation, so the mechanism is needed to pay bills. Council President DeSena asked is that the \$10,00 line item? Administrator Tovo replied it is the \$12,500. Councilman Cumming stated he has no comment. Councilman Ullman stated his only comment would be when this was initially introduced back in February, he had requested that the paragraph be added, in subsequent budget meetings, there were a number of discussions around that, and it was clear to me that a majority of the Council not support that be added. He stated his question is there is an additional line item that was added, monies added to the budget, his understanding for those monies were the ancillary expenses related to litigation, such as FedEx, serving papers, copies of reports, stenographers, is that what that is supposed to represent, to him it doesn't, if that is the \$12,500, that is that understanding? Attorney Poller replied yes. Councilman Cascio stated it doesn't state that, it states that is an hourly rate paid to the attorney of \$135.00, it doesn't state for ancillary services, such as FedEx, serving court papers, copies and things of that nature, that is what it is supposed to represent. Attorney Poller replied that was not for the FedEx and the filing fees. Councilman Ullman had brought up the last time this ordinance to put back that clause that had been there since the 1970's. It went out last year, and Councilman Ullman brought up the idea that work was being done for litigation and related matters that he does as the attorney, and should be compensated. He stated the number that was thrown out was higher, the Administration had put in \$20,000 and it was reduced to \$12,500, and from what he understood, that money was approved, therefore the mechanism to pay that money, it is for litigation, pursuant to what was brought up by Councilman Ullman, and what had been there for the last umpteenth years, that is why that wording was put back in. He stated we did have a discussion at one of the previous meetings that certainly things like filing fees, deposition expenses, service fees, things of that nature, would be paid, but that was not the amount, and for that line item was not for just those expenses, it was for the services. Councilman Cascio replied that is correct, Councilman Ullman thought we put it back in there, and the Council discussed it, and that was not an option. Attorney Poller replied if the Council is not in favor of it, then remove it. Councilman Cascio replied apparently Council was not in favor since the original draft didn't have it in. Attorney Poller stated the draft by Administrator Tovo was done based on last year's ordinance, he was not aware that the mechanism for payment of litigation expenses was to put that

wording back in, from his point of view it was just an oversight, is that correct Administrator Tovo? Administrator Tovo stated that is correct. Attorney Poller continued that is why it was put back in, if Council is not in favor of it, take it out. Councilman Cascio replied he personally is not in favor of it. Council President DeSena asked do we have the organizational chart that puts the name to all of the positions, is that completed? Administrator Tovo stated it is nearly completed, it will be presented the next meeting. Council President DeSena would like to make a motion to table Ordinance No. 19-08 until the organizational chart is provided. Councilman Ullman stated he does want to see the chart, but it is worth voting/discussing this particular edition, it is either in or out. Council President DeSena stated he believes a vote was taken and it was out. He requested that Ordinance No. 19-08 be tabled tonight, until the Township Clerk can go over the minutes, along with receipt of the organizational chart. Councilman Ullman stated he would vote to proceed as is, with this paragraph in it. Councilman Cumming stated he is also in favor of that. Councilman Cascio stated he is not in favor as is.

ROLL CALL TO ADOPT ORDINANCE NO. 19-08 AS PRESENTED(Revised 5.6.19)

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

Councilman Ullman questioned what would the edit be, the removal of the paragraph. Council President DeSena stated to the best of his recollection there was an affirmative vote to remove the paragraph at a previous meeting. Councilman Ullman stated the next step would be a revision, and voting on it again. Council President DeSena replied yes.

Ordinance No. 19-08 TABLED FOR NEXT MEETING

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 YEAR 2019

BE IT ORDAINED, by the Township Council of the Township of Washington, in the County of Bergen, New Jersey that the salary ranges, compensation and stipends are hereby established for employees of the Township of Washington for the year 2019 as follows, on a per annum basis and payable semi-monthly, unless otherwise noted:

<u>Department of Administration</u>	<u>Rate</u>
1. Director of Administration/Business Administrator	\$125,000
2. Administrative Secretary	\$42,000
3. Purchasing Assistant/Payroll Clerk	\$45,675
4. Floating Staff (Part-Time)	\$15,238
 <u>Mayor & Council</u>	
1. Mayor (Payable on quarterly basis)	\$10,085
2. Council President (Payable on quarterly basis)	\$6,463
3. Councilperson (Payable on quarterly basis)	\$6,236
 <u>Office of the Township Clerk/Health Department</u>	

1.	Township Clerk	\$80,000
2.	a) Election Officer	\$400/election
	b) Election Assistant	\$75/election
3.	Special Secretary to the Township Clerk	\$24,847
4.	Board of Health - Meeting Pay	\$75
5.	Registrar	\$2,030
6.	Deputy Registrar, Secretary to Board of Health	\$1,728
7.	Director of Health (Payable on quarterly basis)	\$1,250

Department of Finance

1.	Treasurer	\$100
2.	Chief Financial Officer (Full-time)	\$110,000
3.	Director (Payable on quarterly basis)	\$1,250
4.	Deputy Treasurer/Finance Assistant	\$5,000
5.	Tax Collector (Full-Time)	\$50,000
6.	Tax Collector Asst. (Part-Time)	\$2,500 16.50/hr.
7.	Tax Assessor (Average minimum of 20 hours per week, at least 4 hours shall be office hours)	\$20,555
8.	Assistant to the Tax Assessor (Part-Time)	\$5,814

Department of Law

1.	Director/Township Attorney	\$74,201
	In addition, thereto, services in connection with proceedings before any court or administrative tribunal or agency; and special projects; all of this shall be reasonably compensated in accordance with Township policies at the rate of \$135.00 per hour	

Department of Engineering

1.	Director (Payable on quarterly basis)	\$1,250
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Department of Public Affairs

1.	Director (Payable on quarterly basis)	\$1,250
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Land Use Administration

1.	Planning and Zoning Board Secretary	
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- a. Officer Hours – 20 Hours per week \$27,186
- b. Meeting Fee – Attendance Only \$75/meeting

- 2. Zoning Officer \$7,100
- 3. Code Enforcement Official \$9,000

Uniform Construction Code Agency

- 1. Construction Code Official \$28,387
- 2. Plumbing Sub-Code Official \$11,035
- 3. Electrical Sub-Code Official \$13,859
- 4. Fire Sub-Code Official \$8,350
- 5. Technical Assistants (Full Time) \$27,000
Technical Assistants (Part Time) \$20,000
- 6. Building/Plumbing Inspector (Part-Time) \$15,600
- 8. Substitute Inspectors – Hourly \$500
- 9. Certificate of Continued Occupancy Inspections (CCO) \$12,000
- 10. Certificate of Smoke & Carbon Monoxide Detector Compliance \$50
- 11. Fire Inspection \$25

Department of Public Safety

- 1. Crossing Guards/School Monitors \$17.87/hr.
Starting until 6 months – Hourly Maximum
6 months to 1 year – Hourly Maximum
Over 1 year – Hourly Maximum
School Crossing Guards are entitled to maximum 4 days regular pay per school year in the event school is closed due to emergency closing/inclement weather. One (1) week pay for Holiday Recess. Two (2) days' pay for Winter Recess. One (1) week pay for Spring Recess. Not to exceed 19.75 hours or less hours usually worked by individuals. In addition, not to exceed 5 holidays, non-state or Federal holidays (based on hours usually worked by individual)
- 2. Records Clerk (Part-Time) \$19,000
- 3. Director (Payable on quarterly basis) \$1,250
- 4. Special Police Officers \$52,000
- 5. Police Chief \$180,964
- 6. Dispatchers (Full-Time) (2,080 Hours/Year) \$40,400
Dispatchers (Part-Time) \$27.21/hr.

- | | | |
|----|--|---------|
| 7. | OEM Coordinator (Payable on quarterly basis) | \$1,250 |
| 8. | OEM Deputies (Payable on quarterly basis) | \$600 |

Department of Fire Protection

- | | | |
|----|---|---------|
| 1. | Director (Payable on a quarterly basis) | \$1,250 |
| 2. | Uniform Fire Safety Act | \$8,500 |
| | a. Fire Official | |
| | b. Fire Inspectors | \$4,500 |

Prosecutor's Office

- | | | |
|----|--|---------|
| 1. | Prosecutor | \$6,927 |
| | Base includes two (2) court sessions per month.
Extra court sessions - \$75.00 per session, payable upon completion of a payment voucher. | |
| 2. | Alternate Prosecutor – Per Session
(not to exceed \$500.00 per year) | \$75 |

Department of Municipal Facilities

- | | | |
|----|--|----------|
| 1. | Secretary (Part-Time or Full Time) | \$18,500 |
| 2. | Public Works Manager without Certification (Acting) | \$75,672 |
| | Certified Public Works Manager | \$77,230 |
| 3. | Director (Payable on quarterly basis) | \$1,250 |
| 4. | Recycling Coordinator (Payable Upon Timely Submission of Recycling Tonnage Grant Report to BCUA) | \$1,000 |

Department of Recreation

- | | | |
|----|---------------------------------------|--------------|
| 1. | Superintendent (Full-Time) | \$29,000 |
| 2. | Cheerleading Instructors | \$9/hr. |
| 3. | Summer Recreation Director | |
| | a. Pre-Season | \$ 22.66/hr. |
| | b. Season | \$5,050 |
| 4. | Summer Recreation Coordinators | \$19/hr. |
| 5. | Summer Recreation Counselors | \$9/hr. |
| 6. | Teen Program | \$10/hr. |
| 7. | Director (Payable on quarterly basis) | \$1,250 |

Office of Municipal Court

- | | |
|--|----------|
| 1. Municipal Court Administrator | \$19,823 |
| 2. Judge
Includes 2 sessions per month. Extra sessions -
\$175.00 per session, payable upon completion of a
payment voucher | \$11,000 |
| 3. Violations Clerk (Part-Time) | \$21,894 |

Annual Mileage Allowance – Payable Quarterly

- | | |
|--|-------|
| 1. Business Administrator (payable on quarterly basis) | \$600 |
| 2. Clerk (payable on quarterly basis) | \$600 |
| 3. Building/Plumbing Inspector (payable on quarterly
basis) | \$250 |
| 4. Electrical Sub-Code Offl (payable on quarterly basis) | \$250 |
| 5. Fire Sub-Code Official (payable on quarterly basis) | \$250 |
| 6. Tax Assessor (payable on quarterly basis) | \$250 |

Per Hour Maximum

The following positions are part-time positions and are payable on an hourly basis upon submission of certified payroll vouchers.

- | | |
|---|----------|
| 1. Department of Municipal Facilities | |
| a. Seasonal Workers – Hourly Maximum | \$18/hr. |
| b. Seasonal Workers (w/ CDL) – Hourly Maximum | \$20/hr. |
| c. Senior Van Driver | \$20/hr. |
| 2. Miscellaneous – All Departments | |
| a. Employees Not Otherwise Classified – Hourly
Maximum | \$20/hr. |

1. Retroactivity – As to all employees employed as of the effective date of this ordinance, the foregoing salary ranges apply as of (a) January 1, 2019; (b) his/her date of employment in the position as herein described; or (c) his/her one-year anniversary date in the position, whichever is later.

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 except prior appropriations for this purpose herein stated, are hereby repealed as to such inconsistencies and not otherwise.

Introduction: 1st Reading:

Ordinance No. 19-09

AN ORDINANCE ESTABLISHING THE TOWNSHIP OF WASHINGTON GREEN TEAM AS A PERMANENT ADVISORY COMMITTEE

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to introduce and pass Ordinance No. 19-09 at first reading by title.

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

The following resolution, Resolution No. 19-196 was presented and adopted on a motion by Councilman Cascio, seconded by Councilman Cumming.

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

Resolution No. 19-196

WHEREAS, Ordinance No. 19-09 entitled: AN ORDINANCE ESTABLISHING THE TOWNSHIP OF WASHINGTON GREEN TEAM AS A PERMANENT ADVISORY COMMITTEE was introduced and passed at first reading at a meeting of the Township Council of the Township of Washington on the 6th day of May, 2019; and

NOW, THEREFORE BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 20th day of May, 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.

INDIVIDUAL RESOLUTIONS

Resolution No. 19-197

Emergent Condition Police Department

A motion was made by Councilman Cascio, seconded by Councilman Cumming, to approve Resolution No. 19-197.

Councilman Cascio requested an explanation. Ms. Curran replied the purpose of the resolution is for licensing fees, a down payment was made but the final payment is due before the budget is adopted, the monies are there.

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

Resolution No. 19-197

Emergent Condition Police Department

WHEREAS, an emergent condition has arisen in that the Township of Washington is expected to enter into contracts, commitments or payments prior

to the 2019 budget and no adequate provision has been made in the 2019 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$5,209,793.81.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Washington in the County of Bergen, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A.40A:-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$17,350.00 as listed below:
2. Said emergency temporary appropriations will be provided for the in the 2019 budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

Police O/E

<u>Budget Account Line Item</u>	<u>Account Number</u>	<u>Amount</u>	<u>Purpose</u>
Computer Software Leasing	9-01-25-246-000	\$8,025.00	Annual Fee
Bergen County's Prosecutor's	9-01-25-243-000	\$5,825.00	MARS-Police Dispatcher Software License
Police Reverse 911	9-01-25-250-100	\$2,300.00	2019 Swift 911 Subscription
Pistol Range	9-01-25-248-000	\$1,200.00	Pistol Range Rental

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by N.J.S.A. 40a:4-57, N.J.A.C. 5:30-14.5 and any other applicable requirements, I, Judith Curran, Chief Financial Officer of the Township of Washington, have ascertained the availability of funds for such services as determined in the Township's annual budget; 2019 Budget. Total Certified Amount Not to Exceed: as noted on resolution Judith Curran, CMFO

CONSENT AGENDA:

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

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

Councilman Ullman and Councilman Cascio requested Resolution No. 19-200 be pulled for discussion.

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

Resolution No. 19-198

Authorize refund as per tax appeal, Block 4501.01, Lot 13, 155 Presidents Road in the amount of \$4,569.05

WHEREAS, Dan & Vicky Dougherty, homeowners of 155 President Road, Block 4501.01 Lot 13, were awarded a tax reduction due to a successful State Court tax appeal; and

WHEREAS, under the N.J.S.A. 54:3-27.2, in the event a taxpayer is successful in an appeal from a reduced assessment, the taxing district shall refund any excess taxes paid within 60 days of judgement; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey, that the Tax Collector be authorized to issue a refund to the claimant's representative, Michael A. Vespiano, Esq., 331 Main Street, Chatham, NJ 07928 for the following amounts:

YR/Original Assessment	Adjusted Assessment	Refund Due
2016 - \$840,300	\$775,000	\$1507.78
2017 - \$840,300	\$775,000	\$1518.23
2018 - \$840,300	\$775,000	\$1543.04

TOTAL: \$4,569.05

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by N.J.S.A. 40a:4-57, N.J.A.C. 5:30-14.5 and any other applicable requirements, I, Judith Curran, Chief Financial Officer of the Township of Washington, have ascertained the availability of funds for such services as determined in the Township's annual budget; 2019 Budget. Total Certified Amount Not to Exceed: \$ 4,569.05 Judith Curran, CMFO

Resolution No. 19-199

Authorize payment, Block 4312, Lot 22, 407 Hickory Street, for redemption of tax lien certificate in the amount of \$62,913.13 and premium in the amount of \$56,000, not to exceed total amount of \$118,913.13

WHEREAS, at the Tax Sale held on December 30, 2016, the Township of Washington sold a tax lien for delinquent 2015 taxes on Block 4312, Lot 22, also known as 407 Hickory Street, owned by Matthew D., William D., & Mary L. Kuhn; and

WHEREAS, Tax Lien Certificate #16-00005 was sold to Mr. Onnik Kazanjian; and

WHEREAS, Mr. Kazanjian paid a premium of \$56,000 on the date of the tax sale for Tax Sale Certificate #16-00005; and

WHEREAS, the tax office received a payment for redemption of Certificate #16-00005 in the amount of \$62,913.13; 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 \$62,913.13, plus the \$56,000.00 premium, payable to: Mr. Onnik Kazanjian, 376 Spring Valley Road, Paramus, NJ 07652:

Tax Lien	\$13,323.85
6% Redemption Penalty	799.43
Subsequent Taxes	38,717.83
Subsequent Interest	10,029.02
<u>Recording Fee</u>	<u>43.00</u>
	\$62,913.13
Premium:	<u>56,000.00</u>
TOTAL DUE:	\$118,913.13

For Informational Purposes:

<u>1099</u>	
Sub Interest:	\$10,029.02
6% Penalty:	<u>799.43</u>
	\$10,828.45

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by N.J.S.A. 40a:4-57, N.J.A.C. 5:30-14.5 and any other applicable requirements, I, Judith Curran, Chief Financial Officer of the Township of Washington, have ascertained the availability of funds for such services as determined in the Township's annual budget; 2019 Budget. Total Certified Amount Not to Exceed: \$ 118,913.13 Judith Curran, CMFO

DISCUSSION RESOLUTION NO. 19-200

Councilman Ullman spoke of his concerns regarding Resolution No. 19-200. Township Clerk Witkowski stated this was something new that Ms. Groh, the former Administrator brought in last year, it is something the State is requiring all the towns to have done before adoption of the budget. The Township Clerk has emailed the DCA to find out, since one person is missing what is needed to be done in his absence. Administrator Tovo stated it is on the Best Practices list. A discussion followed on item paragraph 3 of the Resolution, and if the Township has hiring practices. Background checks are being done on all new hires. The Township Clerk will also ask the State, what is the penalty, if any, if the Council does not pass Resolution No. 19-200.

Council will be provided with a copy of the Township's current hiring practices, as well as P.L. 2017, c. 183. Resolution No. 19-200 will be tabled until the next Council Meeting (May 20th).

Resolution No. 19-200 **TABLED FOR NEXT COUNCIL MEETING (MAY 20TH)**
Certification of compliance with the United States equal employment opportunity commission

WHEREAS, N.J.S.A. 40a:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964", *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approval annual budget to the Division of local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidence by the group affidavit form of the governing body attached hereto.

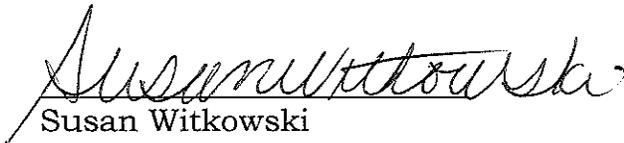
NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Washington, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c. 183, by certifying that the local unit's hiring practices

comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

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

Time Noted: 9:00 p.m.


Susan Witkowski
Township Clerk


Michael DeSena
Council President

Approved: October 7, 2019

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
CONFERENCE AGENDA
May 6, 2019

CURRENT BUSINESS

I. Administration

A. 1. Project tracker

Administrator Tovo stated in effort not to redundant, he will not cover what the Mayor already has already addressed.

Under Capital Projects:

ADA Curb Cuts – County roads, it is in the final phase of contract preparation. Administration expects to hear something back by the end of the week on the status.

Class VII Dump Truck – No change

Class V Dump Truck – No change.

Breathalyzer – No change.

Basketball Courts – Administration met with Mr. Azzolina this morning to review the plans for both Gardner and Memorial, a site meeting will be conducted on Thursday (May 9th).

ADA parking at Clark Field – Projects are complete.

Signage – Administration is meeting with the sign vendor later this week to review his proposals and make the final order.

No change on the projects on the final page.

Councilman Ullman questioned ADA parking, if there are some monies left over, there is a request for additional sidewalks at one of the fields. Councilman Ullman also requested a punch list item for the vendor that did town hall remediation for the drainage, to come back and reset the lights, connect the junction box to the wall, and correct any other things on the punch list.

Regarding the Class V dump truck, Part II of a State contract allows the Township to make a purchase without bidding, Part I can vary depending on what is being added to the base. Vendors can have different pricing on the add on items, but not on the base. A conversation followed on the scope of the hiring process of the grant writer, one candidate is narrower in scope, and the other candidate has awards across the board. Councilman Cascio will forward the email of the vendor for the other basketball court.

2. Rudy Wenzel memorial tree (rb) – Discuss at next meeting.

3. Road program map highlighting (rb) – Older version is being updated by Boswell Engineering.

II. Council

A. Ordinances and Legislation

1. Name change DMF to DPW in town code (mds) – A proposal is attached to change the name in the Code. Administration will check with DMF if they have a preference. A few members of Council would like to change it to DPW.

2. Sign ordinance, repeal political signs (sc) – Councilman Cascio stated at the last meeting, there were some changes he wanted to make, Councilman Ullman did make a good point, it becomes more restrictive. He stated at this time he would like to repeal the political nature of the sign ordinance. A conversation followed on residents being able to put an unlimited number of signs on their property, the Federal issue, limiting the signs to one sign per issue or candidate, refining the current ordinance or repealing it in total. Council President DeSena spoke of his concerns in changing the sign ordinance. A conversation followed on the enforcement of the ordinance, which has been done in the past, with success. Attorney Poller spoke of his concern of legislating how many signs for an issue a resident can have, as well as size of sign.

A motion was made by Councilman Cascio, seconded by Councilman Ullman, to repeal the political part of the sign ordinance.

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

Ordinance remains as is.

3. Draft Ordinance prohibit dogs from playing fields (mds) – A draft ordinance provided based on the three letters of recommendations to remove animals from the playing fields at Memorial, Gardner, Clark and Sherry fields. A conversation followed on adding parks, which are not fenced in. Gardner, Clark and Sherry have set fenced in areas, Memorial has two set of fences, the black ornamental around the perimeter, and there is also an internal fence at the hill that cuts the playground and basketball courts from the main playing fields. After a discussion, it was decided that a playground area with structures at the fields be included in the ordinance. Attorney Poller stated enforcement will be done by the Police, also by people who report them, and summons can be issued. Council is in agreement to introduce this ordinance at the next meeting, with the addition of playgrounds.

B. Financials

C. Miscellaneous

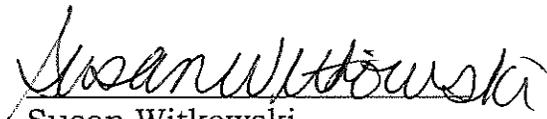
Council President DeSena stated he understands Councilman Bruno had asked that the police negotiations not be discussed, but is Council ready to go into closed, if they wish, to have a presentation on Police negotiations today, even though Councilman Bruno is not here, he had asked that we wait, but we have been waiting a long time. He stated we pushed this off, so at least we can be brought up to speed with what has occurred, or do we want to wait for Councilman Bruno. Councilman Ullman stated Council has waited this long, and Councilman Bruno has expressed his wish to be part of the update. Councilman Cumming stated he is disappointed. Councilman Cascio asked if there is anything time sensitive. Administrator Tovo replied no. Councilman Cascio stated if it is not time sensitive, we can wait. Councilman Ullman stated he understands Councilman Cumming has a bit of frustration of it being brought up, but would Councilman Cumming be part of that update? Attorney Poller stated he is not voting on it, that is the conflict part, can he be brought up to date as to what is happening in the Township, he would leave voting up to other Councilmembers. Councilman Ullman stated but if it is a negotiation, why can't an individual vote on it? Attorney Poller replied because they have an interest so they cannot vote on it. Councilman Ullman asked do those interests extend to having an understanding of a negotiating position? Attorney Poller replied no,

he does not necessarily think that is true, because even the Mayor is brought up to date on what is happening with the negotiations, we have gone through this. He stated as a matter of fact, the labor lawyer that we have gave us an opinion that stated he can be brought up to date on where things stand, he is not saying that they be part of you discussing the strategy of what you want, and how to go about it, you might ask him to leave during that portion, but just to be brought up to date to see where things are, what the PBA is asking for, what issues they may be, or things of that nature, not an issue. Mayor Calamari stated he doesn't agree, what happens if Councilman Ullman is absent at the next meeting, how long do we put this off, things happen, there are four councilmembers out of five present tonight. Secondly, he would like it to be noted that the Administrator has been ready to give updates probably the last 3 or 4 meetings, but the budget was being done and Council said it was too late to extend those meetings. Mayor Calamari stated he wants it on the record that Administrator Tovo was ready to give updates at the last 3 or 4 meetings.

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

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

Time Noted: 9:31 p.m.


Susan Witkowski
Township Clerk


Michael DeSena
Council President

Approved: October 7, 2019

