

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

RESOLUTION No. 16-155
Closed Session, March 7, 2016

WHEREAS, the public is invited to attend all Meetings (whether denoted public or conference sessions) of the Township Council in accordance with its general practice and the Open Public Meetings Act; and

WHEREAS, the Legislature of the State of New Jersey declared that the public has a right to attend all meetings of the public bodies at which any business affecting the public is discussed or acted upon in any way except as set forth in the Open Public Meetings Act (N.J.S.A. 10:4-12), which provides for the exclusion of the public from the portion of a meeting at which certain enumerated matters are to be discussed; and

WHEREAS, the Township Council has determined that, because of the nature of the subject matter to be discussed, the public should not be present at that portion of the meeting of the Township Council at which certain specific matters encompassed by N.J.S.A. 10:4-12 are to be discussed;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that, pursuant to the express provisions of the Open Public Meetings Act, the public be excluded from the meeting or portion of the meeting (denoted as an "executive" or "closed" session) in which the following matters are to be discussed:

1. Any matter which, by express provision of federal law or State statute or rule of court shall be rendered confidential or excluded from the provision of subsection of a. of this section.

2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

3 Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendation, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance, and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

4 Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

5. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

6. Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.

7. Any pending or anticipated litigation or contract negotiation other than in subsection b. (4) herein in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer. **COAH**

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

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

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

BE IT FURTHER RESOLVED, that notice is hereby given that the Township Council may find it necessary to take action at the conclusion of the executive/closed session; that such action if taken, will occur in open session; that you are invited to stay in the Municipal Building during the executive/closed session; that the doors to the Council chambers will be opened and an announcement will be made if the Township Council will be going into open session; and you may be present during such open session. The Township Council anticipates that an open session will be necessary ~~X~~. The Township Council anticipates that an open session will not be necessary _

Motion	Seconded	Council	Ayes	Nays	Abst.	Absent
Bruno	Bruno	Bruno	✓			
Calamari	Calamari	Calamari	✓			
Cascio	Cascio	Cascio	✓			
Sears	Sears	Sears	✓			
Ullman	Ullman	Ullman	✓			

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

RESOLUTION No. 16-156

WHEREAS, Michael Martino posted engineering escrow money on premises known as Block 3401 Lot 3, 159 Ridgewood Road; and

WHEREAS, the applicant has abandoned the project at this time and has requested that his escrow be refunded; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per email dated 1/27/16; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$515.00 to the above.

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON



Elaine Erlewein
Township Clerk

BY 

Michael Ullman
Council President

DATED: March 7, 2016

Motion	Seconded	Council	Ayes	Nays	Abst.	Absent
Bruno	Bruno	Bruno	✓			
Calamari	Calamari	Calamari	✓			
Cascio	Cascio	Cascio	✓			
Sears	Sears	Sears	✓			
Ullman	Ullman	Ullman	✓			

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

RESOLUTION No. 16-157

WHEREAS, Jure & Elena Picinic posted engineering escrow money on premises known as Block 4416, Lot 55, 282 Hickory Street; and

WHEREAS, the Construction Code Official has issued approval dated February 23, 2016, C.O. No.14-537; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated September 28, 2015; and

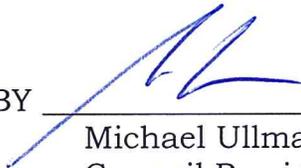
NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the Township of Washington is authorized to refund the balance of the escrow money in the amount of \$461.00 to the above.

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON



Elaine Erlewein
Township Clerk

BY 

Michael Ullman
Council President

DATED: March 7, 2016

Motion		Seconded		Council	Ayes	Nays	Abst.	Absent
Bruno		Bruno	✓	Bruno	✓			
Calamari		Calamari	✓	Calamari	✓			
Cascio	✓	Cascio		Cascio	✓			
Sears		Sears		Sears	✓			
Ullman		Ullman		Ullman	✓			

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

RESOLUTION No. 16- 158

Re: Local Health Services – Borough of Emerson

WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes and permits contracting units, such as the Borough of Emerson (“Emerson”) and the Township of Washington (the “Township”) to enter into service agreements for the services contemplated below without competitive bidding for same, pursuant to and in accordance with N.J.S.A. 40A:11-5(1)(a)(1); and

WHEREAS, pursuant to the New Jersey Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.), Emerson seeks to enter into a shared services agreement with the Township whereby the Township will provide health services of a professional and technical nature to Emerson as provided for in the Local Health Services Law (N.J.S.A. 26:3A2-1 et seq.); and

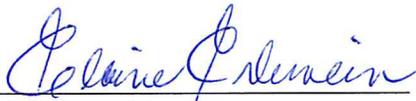
WHEREAS, the Township wishes to enter into such a shared services agreement with Emerson;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township approves of the proposed shared services agreement between the Township and Emerson, a copy of which is on file with the Township;

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the subject shared services agreement with the Borough of Emerson for the above stated purpose.

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON


Elaine Erlewein,
Township Clerk

By 
Michael Ullman,
Council President

Dated: March 7, 2016

Motion		Seconded		Ayes	Nays	Abst.	Absent
Bruno		Bruno		✓			
Calamari		Calamari	✓	✓			
Cascio	✓	Cascio		✓			
Sears		Sears		✓			
Ullman		Ullman		✓			

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

RESOLUTION No. 16-159

Re: Deputy Township Clerk

WHEREAS, the Township Clerk of the Township of Washington was not available for the budget session scheduled for and conducted on March 1, 2016 pursuant to the Open Public Meetings Act; and

WHEREAS, it is the desire of Township Council to designate by way of ratification and reaffirmation Cornelia Lisa as Deputy Township Clerk to perform the duties of the Township Clerk for the Budget session of March 1, 2016;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that Cornelia Lisa is hereby designated as Deputy Township Clerk for the Budget session of March 1, 2016, and that her actions as Deputy Township Clerk are hereby ratified and reaffirmed in all respects retroactive to the Budget session of March 1, 2016.

ATTEST:



Elaine Erlewein,
Township Clerk

APPROVED:

TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON

By 

Michael Ullman,
Council President

Dated: March 7, 2016

Motion		Seconded		Ayes	Nays	Abst.	Absent
Bruno		Bruno		✓			
Calamari		Calamari	✓	✓			
Cascio	✓	Cascio		✓			
Sears		Sears		✓			
Ullman		Ullman		✓			

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

Resolution No. 16-160

Stigma-Free Campaign Resolution

WHEREAS, the Bergen County Executive and the Board of Chosen Freeholders, along with the Bergen County Department of Health Services, supports the designation of Stigma-Free Zones in every municipality, and;

WHEREAS, at the June 2013 meeting of the Bergen County Mental Health Board, members of the Board learned from Care Plus NJ staff that the agency was working collaboratively to establish a *Stigma Free Zone* in Paramus, and;

WHEREAS, the members of the Mental Health Board supported the initiative and recognized that the initiative was aligned with the Board's mission to raise awareness of the disease of mental illness, and;

WHEREAS, the National Institute of Mental Health reports that 1 in 4 adults experience mental illness in a given year and 1 in 17 adults live with a serious mental illness such as schizophrenia major depression, or bipolar disorder, approximately 20% of youth ages 13 to 18 and 13% of youth ages 8 to 15 experience severe mental disorders in a given year, and;

WHEREAS, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease, and;

WHEREAS, Stigma-Free Zones aim to inspire public interest and open dialogues about stigma, raise awareness of the disease of mental illness and create a culture wherein residents who have the disease of mental illness feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma and;

WHEREAS, promoting awareness that there can be no "health" without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed, and;

WHEREAS, Local resources are available to treat the disease of mental illness so no one resident needs to suffer alone or feel hopeless, and;

WHEREAS, establishing Stigma-Free Zones will raise awareness of resources and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired and tragedies are avoided, and;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Washington recognizes the community needs and supports the efforts of the County of Bergen in designating the Township of Washington as a Stigma-Free Zone.

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON


Elaine Erlewein
Township Clerk

By 
Michael Ullman
Council President

Date: March 7, 2016

Motion		Seconded	Ayes	Nayes	Abst.	Absent
Bruno		Bruno		✓		
Calamari		Calamari	✓	✓		
Cascio	✓	Cascio		✓		
Sears		Sears		✓		
Ullman		Ullman		✓		

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

RESOLUTION No. 16-161

Requirements and Procedures Establishing the Township of Washington CERT
Program

WHEREAS, the Township of Washington (“the Township”) solicits residents to serve their community during emergency situations as volunteers of a Community Emergency Response Team (CERT) under the supervision of the Township Chief of Police or his/her designee, the Emergency Management Coordinator or his/her designee for the Township Police Department and,

WHEREAS, the role of a volunteer CERT member has expanded to include aiding the Township in, not only emergency situations, but assisting the Township when the Township runs municipal and civic events and activities, when authorized by the Chief of Police or his/her designee or the Emergency Management Coordinator or his/her designee and,

WHEREAS, the CERT program shall be annually re-established by the Township of Washington and,

WHEREAS, approved CERT members shall assist the Township under the supervision and through the Office of Emergency Management (“OEM”) in the Township Police Department for the following activities and events when approved by the Chief of Police or his/her designee or by the OEM Coordinator or his/her designee:

- Emergency and disaster situations;
- Dog & cat rabies clinics;
- Memorial Day Parades and Services;
- Paper shredding events;
- Assistance at Fire Department, Ambulance Corps. and OEM training events;
- Notifications to seniors who may not be able to leave their homes;
- Participation in emergency events and training exercises;
- Town Day event; and
- Any other event approved by the Emergency Management Coordinator or his/her designee or the Chief of Police or his/her designee.

WHEREAS, in order for a Township volunteer to become a CERT member and maintain status as a Township-approved CERT volunteer member, a CERT shall:

1. Successfully complete the CERT training course as provided by Bergen County;
2. Attend 50% of the Township CERT training events each calendar year;
3. Attend any future required training for CERT volunteers;
4. Abide by the Standards of Conduct for the Township CERT team members attached hereto.

WHEREAS, the authorized role of a trained CERT member includes: Assisting as a shelter aid; performing public assistance checks at homes of senior citizens and people with disabilities; providing information at public information centers during emergencies; staffing first aid booths and preparedness displays at health fairs and similar community events; planning and conducting training events; serving on emergency planning teams; assisting residents with changing batteries in their smoke alarms; and providing general assistance at non-disaster events and emergencies and,

WHEREAS, CERT volunteers may only serve at emergencies, and authorized events and activities when approved by the Chief of Police or his/her designee or the Emergency Management Coordinator or his/her designee for the Township Police Department and,

WHEREAS, the current roster of trained and approved CERT volunteer members is attached as if set forth at length,

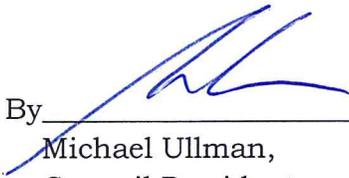
NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Washington, County of Bergen, State of New Jersey that the attached roster of trained and approved volunteer CERT members is hereby approved for 2016 and the requirements contained in this Resolution are hereby authorized to serve as program procedures and shall constitute requirements for the Township CERT program.

BE IT FURTHER RESOLVED, that the Municipal Clerk of the Township of Washington shall provide a certified copy of this Resolution with the attached list of trained and approved CERT volunteer members to the Bergen County Joint Insurance Fund, Police Chief and Emergency Management Coordinator for the Township Police Department.

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON


Elaine Erlewein,
Township Clerk

By 
Michael Ullman,
Council President

Dated: March 7, 2016

Motion		Seconded		Ayes	Nays	Abst.	Absent
Bruno		Bruno		✓			
Calamari		Calamari	✓	✓			
Cascio	✓	Cascio		✓			
Sears		Sears		✓			
Ullman		Ullman		✓			

**TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY**

RESOLUTION NO. 16-162

**RESOLUTION ACCEPTING DONATION OF FIREFIGHTING FOAM AND
AUTHORIZING EXECUTION OF AGREEMENT WITH THE COUNTY OF BERGEN
REGARDING THE TERMS THEREOF.**

WHEREAS, the County of Bergen operates the Bergen County Law and Public Safety Institute (the "Institute"); and

WHEREAS, the New York City Fire Department ("FDNY") has removed from service 7,820 gallons of National Foam Kidd brand firefighting foam concentrate, ("Firefighting Foam") that is past its shelf life and has thus exceeded its operational life for firefighting purposes; and

WHEREAS, the City of New York ("the City"), acting by and through the FDNY, has agreed to donate the Firefighting Foam to the County for use by the Institute for training purposes; and

WHEREAS, the Bergen County Board of Chosen Freeholders, by Resolution No. 1198-15, adopted on October 14, 2015, authorized the County to share the donated Firefighting Foam with the Township of Washington for training purposes, subject to availability and the terms set forth in an "AGREEMENT TO SHARE DONATED FIREFIGHTING FOAM CONCENTRATE," (the "Agreement") annexed hereto as Exhibit A; and

WHEREAS, the governing body of the Township of Washington has determined that it is in the best interest of the residents and taxpayers of the municipality to accept the donation of the Firefighting Foam for training purposes, subject to the terms and conditions set forth in the Agreement,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Washington, as follows:

1. The recitals set forth above are incorporated into the body of this resolution as if set forth at length herein.
2. The Township of Washington hereby accepts the donation from the County of Bergen of the Firefighting Foam as set forth above, subject to the terms of the Agreement annexed hereto as Exhibit A.
3. The Administrator, Mary Anne Groh, is hereby authorized to execute an Agreement with the County of Bergen in the form annexed hereto as Exhibit A, together with any other documents necessary to complete the above contemplated transaction.

ATTEST:

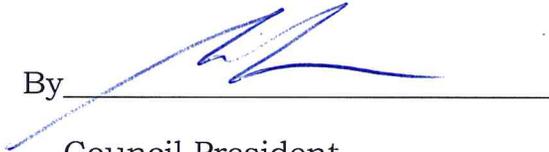
APPROVED:

TOWNSHIP COUNCIL OF THE

TOWNSHIP OF WASHINGTON



Elaine Erlewein
Township Clerk



By _____
Council President
Michael Ullman

Date: March 7, 2016

Motion Seconded Ayes Nays Abst. Absent

Bruno		Bruno		✓			
Calamari		Calamari	✓	✓			
Cascio	✓	Cascio		✓			
Sears		Sears		✓			
Ullman		Ullman		✓			

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

RESOLUTION NO. 163

RE: GIS DATA EXCHANGE

WHEREAS, the exchange and sharing of Geological Information Systems Data ("GIS Data") serves a public purpose in that it facilitates the development of geographical information systems for the mutual aid and public safety of all parties involved; and

WHEREAS, the County of Bergen (the "County") wishes to exchange GIS Data with the Township of Washington (the "Township"); and

WHEREAS, the Township wishes to exchange GIS Data with the County;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township hereby approves the proposed agreement between the Township and the County of Bergen, a copy of which is on file with the Township;

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the subject agreement with the County of Bergen for the above stated purpose.

ATTEST:


Elaine Erlewein,
Township Clerk

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON

By 
Michael Ullman,
Council President

Dated: March 7, 2016

Motion		Seconded		Ayes	Nays	Abst.	Absent
Bruno		Bruno	✓	✓			
Calamari		Calamari	✓	✓			
Cascio		Cascio		✓			
Sears		Sears		✓			
Ullman	✓	Ullman		✓			

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

RESOLUTION NO 16-164

WHEREAS, the Township of Washington (the "Township") is the owner of the land located at Lot 25 in Block 3103 on the Tax Assessment Map of the Township of Washington, commonly known as 639 Jefferson Avenue (the "Premises"); and

WHEREAS, the Township is desirous of transferring the Premises to Habitat for Humanity of Bergen County (also referred to as "Habitat") for the purpose of partially satisfying the Township's obligation to provide for affordable housing pursuant to the Fair Housing Act and consistent with the principles and dictates of the New Jersey Supreme Court's opinion in *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 221 N.J. 1 (2015); and

WHEREAS, the Township filed a declaratory judgment action in the Superior Court of New Jersey in connection with the Township's obligations with respect to affordable housing and in compliance with procedures outlined by the New Jersey Supreme Court (the "WT COAH Action"); and

WHEREAS, Habitat is desirous of accepting the transfer of the Premises from the Township for the purpose of constructing affordable housing on the Premises; and

WHEREAS, Habitat is a Not-for-Profit Corporation of the State of New Jersey which provides community based programs to assist low and moderate income persons with home ownership; and

WHEREAS, Habitat is an organization which constructs and sells the type of housing which satisfies a municipality's affordable housing obligations; and

WHEREAS, N.J.S.A. 55:27D-311(a)(5) provides for the donation of land by a municipality for the purpose of providing low and moderate income housing; and

WHEREAS, N.J.S.A. 55:27D-325 provides that a municipal governing body may, by resolution, authorize the private sale and conveyance of municipally-owned property to a non-profit entity provided that there is a contractual guarantee that the housing units will remain available to low and moderate income households; and

WHEREAS, the Township Council adopted Resolution No. 15-244 authorizing the transfer of the Premises from the Township to Habitat for the purpose of Habitat constructing and selling units at the Premises which would provide the Township with credit toward its affordable housing obligations consistent with the Fair Housing Act and the principles and dictates of the New Jersey Supreme Court's opinion in *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 221 N.J. 1 (2015), and authorizing the Mayor to execute any agreements and documents necessary to effectuate the transfer of said Premises to Habitat consistent with such purpose; and

WHEREAS, a Purchase and Sale Agreement was executed by Habitat and the Township consistent with such purpose which was contingent upon entry of an order by the Superior Court in the WT COAH Action; and

WHEREAS, the Purchase and Sale Agreement was reviewed by the Special Master appointed by the Superior Court in the WT COAH Action, and certain recommendations were made by the Special Master for amendment of the Purchase and Sale Agreement to further comply with and advance the Township's desire to comply with its affordable housing obligations, and the Township has agreed to incorporate such amendments in said agreement, resulting in an Amended and Restated Purchase and Sale Agreement which has been agreed upon as to form and substance by the Special Master and Habitat, and the Township wishes to proceed with and authorize the execution of the Amended and Restated Purchase and Sale Agreement; and

WHEREAS, the Superior Court has entered an Order in the WT COAH Action providing the Township with credits against its affordable housing obligations upon the construction and marketing of four housing units under the terms of the Amended and Restated Purchase and Sale Agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that the Township Council hereby approves the transfer or donation of Lot 25 in Block 3103 on the Tax Assessment Map of the Township of Washington, commonly known as 639 Jefferson Avenue to Habitat for Humanity of Bergen County for the purpose of Habitat for Humanity of Bergen County constructing and selling units at the Premises in accordance with the Amended and Restated Purchase and Sale Agreement and which would provide the Township with credit toward its affordable housing obligations consistent with the Fair Housing Act and the principles and dictates of the New Jersey Supreme Court's opinion in *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 221 N.J. 1 (2015);

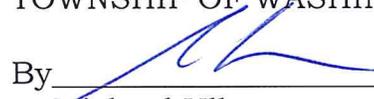
BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the Amended and Restated Purchase and Sale Agreement as same is on file with the Office of the Township Clerk, and any other agreements and

documents necessary to effectuate the transfer of said Premises to Habitat for Humanity of Bergen County in accordance with the Amended and Restated Purchase and Sale Agreement and consistent herewith.

ATTEST:


 Elaine Erlewein,
 Township Clerk

APPROVED:
 TOWNSHIP COUNCIL OF THE
 TOWNSHIP OF WASHINGTON

By 
 Michael Ullman,
 Council President

Dated: March 7, 2016

Motion		Seconded		Ayes	Nays	Abst.	Absent
Bruno		Bruno		✓			
Calamari		Calamari		✓			
Cascio		Cascio	✓	✓			
Sears	✓	Sears		✓			
Ullman		Ullman		✓			