

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

**SEPTEMBER 24, 2012**

**PUBLIC PORTION/CONFERENCE MEETING**

The Township Council held a Public Portion/Conference Meeting in the Municipal Building, Pascack Road. The meeting was called to order at 7:30 p.m. by Council President, Richard Hrbek. Members present: Glenn Beckmeyer, Steven Cascio, Joseph D'Urso, Fred Goetz, Richard Hrbek. Absent: None. Also present: Janet Sobkowicz, Mayor; Ken Poller, Attorney; Catherine Steinel, Administrator.

Pursuant to the provisions of the Open Public Meetings Act this meeting was listed in the Township Council Annual Meeting List which was published in the Ridgewood News, forwarded to the local newspapers, posted on Municipal Bulletin Board and filed with the Municipal Clerk.

**GENERAL PUBLIC DISCUSSION**

A motion was made by Mr. Goetz, seconded by Dr. Cascio to open the Public Discussion.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Goetz, Hrbek

Nays: None

**Raymond Bernroth, 838 Crest Place** – Mr. Bernroth said that there are several potholes on Crest Place at the corner of Pascack Road. Mr. Hrbek said that the Administrator will check with the Road Department about patching them. Pascack Road is on the Township's list for resurfacing. Mr. Bernroth asked why there are two crossing guards and a policeman on one corner in the Township. Mr. Hrbek said that Lt. Hackbarth is training one crossing guard and the second guard is there to cross the students in the event Lt. Hackbarth is called out on an emergency.

**Michael Ullman, 2 Clark Avenue** – Mr. Ullman asked if the Corrective Action Plan have been discussed by the Council since two meetings ago when Council pulled the resolution and requested clarification. Mr. Hrbek stated that the issue has been moved into closed session, because it involves a personnel matter. Mr. Ullman stated that the same audit issues appear in the Corrective Action Plan each year, and he believes that it should be a topic for the public meeting. Mr. Ullman asked if there is a contract for the cell tower. Mr. Poller stated that points are still being negotiated before the contract can be finalized. Mr. Ullman asked if the Township can ask for Wi-Fi as part of the contract. Mr. Ullman asked if the Township has made progress in going out to bid for a generator again, and Mr. Hrbek said that he will continue to put it on the agenda until the Administration commits to action.

There being no further questions or comments, a motion was made by Mr. D'Urso, seconded by Dr. Cascio to close the Public Portion of the meeting.

Ayes: Councilmen Beckmeyer, Cascio, D'Urso, Goetz, Hrbek

Nays: None

**ORDINANCES**

The Clerk read Ordinance #12-16 entitled: AN ORDINANCE AMENDING THE FIREHOUSE PARKING LOT ORDINANCE.

A motion was made by Mr. D'Urso, seconded by Dr. Cascio to introduce and pass Ordinance 12-16 at second reading by title.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Goetz, Hrbek

Nays: None

The following resolution was presented and adopted on a motion by Mr. D'Urso, seconded by Dr. Cascio.

Ayes: Beckmeyer, Cascio, D'Urso, Goetz, Hrbek

Nays: None

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 12-16 entitled: AN ORDINANCE AMENDING THE FIREHOUSSE PARKING LOT ORDINANCE be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Mr. D'Urso, seconded by Dr. Cascio to open the public hearing.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Goetz, Hrbek

Nays: Nays

A motion was made by Dr. Cascio, seconded by Mr. Goetz to close the public session.

Ayes: Councilpersons Cascio, D'Urso, Hrbek, Goetz.

Nays: None

A motion was made by Mr. D'Urso, seconded by Dr. Cascio to pass Ordinance 12-16 at second and final reading, submit same to the Mayor for her approval and thereafter be published according to law.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Goetz, Hrbek

Nays: None

The Clerk read Ordinance #12-17 entitled: AN ORDINANCE REVISING THE PARKING ON A SECTION OF RIDGEWOOD ROAD.

A motion was made by De. Cascio, seconded by Mr. Beckmeyer to introduce and pass Ordinance #12-17 at first reading by title.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Goetz, Hrbek

Nays: None

The following resolution was presented and adopted on a motion by Mr. D'Urso, seconded by Mr. Beckmeyer.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Goetz, Hrbek

Nays: None

WHEREAS, Ordinance 12-17 entitled: AN ORDINANCE REVISING THE PARKING ON A SECTION OF RIDGEWOOD ROAD was introduced and passed at first reading by title at a meeting of the Township Council of the Township of Washington on the 24<sup>th</sup> day of September, 2012.

NOW, THEREFORE, BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 24<sup>th</sup> day of September, 2012 at 7:30 o'clock in the evening, prevailing time, or as soon thereafter as said matter can be reached in the Municipal Building, Pascack Road, Township of Washington, NJ 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 Township Clerk is authorized to advertise in the Ridgewood News 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.

#### CONSENT AGENDA

#1 and #11 from the Consent Agenda were pulled and voted on separately.

The following resolutions were part of the Consent Agenda and were made available to the Governing Body and the Public prior to the meeting.

The Consent Agenda was presented and adopted on a motion by Mr. D'Urso, seconded by Dr. Cascio.

Ayes: Councilmen Beckmeyer, Cascio, D'Urso, Goetz, Hrbek.

Nays: None.

WHEREAS, a Bergen County Community Development grant of \$13,770.00 has been proposed by the Township of Washington for the

Installation of Three (3) ADA Barrier Free Automatic Door Openers to be installed at the main entrance to the Council/Court Chambers and on the two (2) bathroom doors located inside the Senior Center within the municipality of the township of Washington; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the governing body; and

WHEREAS, the aforesaid project is in the best interest of the people of Township of Washington; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THETREFORE, BE IT RESOLVED, that the Governing Body of Township of Washington hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

WHEREAS, Victoria Faustini-Tedesco, 16 Cathy Road, Hillsdale, New Jersey (the "Original Developer") executed and delivered to the Township of Washington (the "Township") a Developer's Agreement dated January 26, 2010 (the "Developer's Agreement"), and a Memorandum of Developer's Agreement has been filed with the Office of the Bergen County Clerk; and

WHEREAS, the Developer's Agreement provided for the construction of new homes on the three lots in the approved project at different times; authorization for the Original Developer to request that the Township permit another developer of a lot ("Alternate Partial Developer") to install improvements on one or more of the three new home sites on their individual lots; and the posting of performance guarantees and legal and engineering escrows applicable to each lot on which construction is to be commenced; and

WHEREAS, the Original Developer retained and undertook the responsibility of constructing a new home on Lot 4.06 in Block 2501, 2003 East Glen Avenue, Washington Township, New Jersey ("Lot 4.06"), pursuant to the terms and conditions authorized by the Developer's Agreement; and

WHEREAS, pursuant to the terms of the Developer's Agreement, the Original Developer posted with the Township certain surety and cash performance guarantees and escrow; and

WHEREAS, the Original Developer has notified the Township of the Original Developer's completion of installation of improvements with respect to Lot 4.06, and the Original Developer's desire to have a release of the cash performance guaranty, surety performance guaranty and escrow with the Township; and

WHEREAS, the Township Engineer has inspected all improvements of which notice has been given, and has made a recommendation to the Chief Construction Official in connection with the cash performance guaranty, surety performance guaranty and escrow deposited by the Original Developer with the Township pursuant to the Developer's Agreement by letter dated August 9, 2012, a copy of which is annexed hereto (the "Township Engineer's report and recommendation"); and

WHEREAS, the Township Council has considered the Township Engineer's report and recommendation, and is of the opinion that action should be taken in accordance with such report and recommendation;

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

1. The Township Engineer's report and recommendation is hereby approved and adopted subject to the conditions set forth hereafter.

2. The following performance guarantees currently posted with the Township are hereby authorized to be released:

Surety Performance Guaranty (First Indemnity of America Insurance Company)	\$76,404.60
Cash Performance Guaranty	\$ 5,000.40

3. The Township Engineer and Township Attorney shall submit all vouchers for professional services to the Township Treasurer within 30 days of the date of this Resolution. The Township Treasurer shall, within 10 days of expiration of said 30 day period, confirm with the Township Engineer and Township Attorney that there are sufficient funds on deposit with the Township in the legal and engineering escrow to pay all outstanding vouchers.

4. Upon the verification by the Township Treasurer that there are sufficient funds on deposit to pay all outstanding vouchers for professional services, the performance guarantees and unused balance of the escrow on deposit with respect to the subject project shall be released in accordance with this Resolution.

5. A copy of this Resolution, with a copy of the Township Engineer's report and recommendation annexed hereto, shall be forwarded to the Original Developer by certified mail.

WHEREAS, Darlene Nydam posted engineering escrow on premises known as Block 1401.01, Lot 12, 53 Hampshire Road; and

WHEREAS, the project falls within the guideline where a Certificate of Occupancy is not required,

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated September 7, 2012,

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 \$1371.00 to the above.

WHEREAS, Richard Hess posted engineering and soil movement escrow on premises known as Block 4418, Lot 23-25, 349 Hickory Street; and

WHEREAS, the project falls under the guidelines where a Certificate of Occupancy is not required;

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated September 7, 2012,

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 \$96.00 to the above.

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that the Township Treasurer is hereby authorized to refund the following recreation fee:

Nancy Nutile  
672 Meisten Street  
Township of Washington, NJ 07676

Cheerleading 2012 - \$130.00

WHEREAS, a Bergen County Community Development grant of \$3,638.00 has been proposed by the Township of Washington for Senior Citizen Activities in the municipality of the Township of Washington; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the governing body; and

WHEREAS, the aforesaid project is in the best interest of the people of Township of Washington; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of Township of Washington hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Raffle License #871 was approved by the Township Council of the Township of Washington for the Hillsdale K-8 Education Foundation.

Raffle License #872 was approved by the Township Council of the Township of Washington for the Colleen Giblin Foundation.

Raffle License #873 was approved by the Township Council of the Township of Washington for the Community Resource Council.

Raffle License #874 was approved by the Township Council of the Township of Washington for the Aux of Little Sisters of the Poor.

Resolution #1 for approval of the awarding of the bid for the bucket loader was then discussed. Mr. Goetz stated for the record that he is not in favor of the purchase of a bucket loader because the Township needs to be spending money on important projects that have been previously discussed such as road paving. A motion was then made by Dr. Cascio, seconded by Mr. D'Urso to approve the following resolution:

Ayes: Councilmen Beckmeyer, Cascio, D'Urso, Hrbek

Nays: None

Abstain: Councilperson Goetz

WHEREAS, on August 10, 2012, the Township of Washington (the "Township") advertised for bids for the purchase of a bucket-loader for the Department of Municipal Facilities ("DMF"); and

WHEREAS, on August 29, 2012 the Township of Washington accepted bids for the purchase of a bucket-loader for the DMF, Bid #12-5; and

WHEREAS, the Director of the DMF reviewed all bids received by the Township, and determined that Trico Equipment Sales, LLC of Vineland, NJ was the lowest responsible bidder satisfying the bid specifications as noted in the memo issued by the Director dated September 7, 2012, and the Business Administrator concurred with the concerns and determination of the Director of the DMF as set forth in the memo issued by the Business Administrator dated September 18, 2012; and

WHEREAS, the Township Council wishes to award the bid to Trico Equipment Sales, LLC of Vineland, NJ in the amount of \$125,271.00 for the equipment and \$6,350.00 for the seven (7) year extended warranty, bringing the total award of the bid to \$131,621.00, and

WHEREAS, the Chief Financial Officer has certified that funds are available in line item C-04-55-877-901 to award the contract;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Township of Washington hereby awards the bid for the purchase of a bucket-loader for the Department of Municipal

Facilities to Trico Equipment Sales, LLC of Vineland, NJ in the total amount of \$131,621.00

Resolution #11 for shared services for Paramus Vehicle Repair/Maintenance was then discussed. Administrator Catherine Steinel explained to the Council that the vehicle maintenance agreement between the Township and Paramus has been working out well. After a brief discussion of whether the agreement is considered to be a shared service or contracted vendor, a motion was made by Dr. Cascio, seconded by Mr. Beckmeyer to approve the resolution.

Ayes: Councilmen Beckmeyer, Cascio, D'Urso, Goetz, Hrbek

Nays: None

WHEREAS, the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., allows any municipality or county to enter into a contract with any other municipality or county for the joint provision of any services within their joint jurisdiction; and

WHEREAS, the Township of Washington (the "Township") and the Borough of Paramus (the "Borough") seek to enter into a Shared Services Agreement wherein the Borough will provide maintenance and repair to all Township of Washington motor vehicles which are directed to the Borough of Paramus by the Township; and

WHEREAS, the township has reviewed and approves of the "Agreement" between the Township and the Borough as on file with the Office of the Township clerk for the one year period commencing January 1, 2012 and ending on December 31, 2012, and the expenditure of funds pursuant to the terms thereof;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, that the Mayor is hereby authorized to execute the "Agreement" between the Township and the Borough as on file with the Office of the Township Clerk.

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Mary Ann Ozment, Township Clerk

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Richard Hrbek, Council President