

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

PUBLIC PORTION/CONFERENCE MEETING

August 15, 2011

The meeting of the Township Council was held this date in the Municipal Building, Pascack Road. The meeting was called to order at 7:32 p.m. by Council President Fred Goetz with the Clerk leading the salute to the flag. Members present: Glenn Beckmeyer, Steven Cascio, Joe D'Urso, Richard Hrbek, Fred Goetz. Also present: Janet Sobkowicz, Mayor; Kenneth Poller, Attorney. Absent: Lilly Chin, Acting Administrator.

Pursuant to the provisions of the Open Public Meetings Act, this meeting was noticed with the Ridgewood News, posted on Municipal Bulletin Board and filed with the Municipal Clerk.

Council President Fred Goetz asked that Council adjourn the public meeting to go into closed session. A motion was made by Mr. D'Urso, seconded by Mr. Hrbek to go into closed session.

Ayes: Councilmen Beckmeyer, Cascio, D'Urso, Hrbek, Goetz
Nays: None

After the closed session, a motion was made by Dr. Cascio, seconded by Mr. Beckmeyer to move to open session.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Hrbek, Goetz
Nays: None

Mr. Poller then stated that he received a phone call from an attorney representing the ACLU due to a complaint from a township resident. In light of the information he received, the public portion of the Township of Washington Council meetings shall strictly adhere to the policy of limiting each person of the public to be limited to five minutes of speaking in front of the microphone with no exceptions. The ACLU stated that the Township was very generous with the limit of five minutes since most towns limit the public one time for three minutes.

PUBLIC DISSCUSSION

A motion was made by Mr. Beckmeyer, seconded by Dr. Cascio to open the public discussion.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Hrbek, Goetz
Nays: None

David Snyder, 91 Windsor Circle – Mr. Snyder spoke about putting the cell phone tower on the north side of the municipal building. The issue has been discussed in prior meetings and the possibility is being investigated. Mayor Sobkowicz stated that there was a meeting on August 4, 2011 and members of the meeting will be back on August 24, 2011 to talk about the best location on municipal property. Changes may need to be made. Mr. Snyder said that many people have said that they do not want the cell tower in their backyards. He spoke about the word “recues” and said he believes that Mr. D'Urso should be recued from the vote because “you can not have someone within site distance be able to come up with new ideas of where the cell tower should be (located)”. Mr. Goetz stated that although Mr. D'Urso has expressed concern over the location at the town hall site, no conflict has risen to the level that Mr. D'Urso should be recused. Also, there is not going to be a vote. Mr. D'Urso stated that he is working within the system to make the tower as unobtrusive as possible.

Raymond Benroth, 838 Crest Place – Mr. Benroth said that he would like to see handicapped parking signs be put up in the municipal parking lot. Mayor Sobkowicz stated that the administrator is working on the issue. Mr. Benroth asked if the cell phone tower is going forward. He wants better reception.

Mitchell Rosenthal, 270 Hoover Avenue – Mr. Rosenthal corrected a statement made at the last council meeting that Season's bought the corner properties on Pascack Road and Washington Avenue for 3.2 million dollars. Season's paid 2.2 million dollars. He asked Mayor and Council if the ideas that he brought forward at the last Council meeting were looked at and discussed since the meeting. He also asked for the overall status of the cell tower project. Mr. Goetz said that he has looked at Mr. Rosenthal's information and is confident that everyone else has as well. Many of the ideas were similar to ones that had been previously considered, but there are legal reasons why some of the plans could not work. The project will move forward when Verizon tells the town where and when they are ready to build. Mr. Rosenthal stated that he does not understand why the property behind the Dog House was brought up if the location of the cell tower is contracted for town hall. Mr. Rosenthal asked if the tower is going to be painted to blend in and if there will be a light on the top of it. Mr. Goetz said the discussion of the aesthetic aspect of the tower has not been discussed with Verizon as of yet. Mayor Sobkowicz said that at the August 24, 2011 meeting with Verizon, they will be discussing the location of the equipment and perhaps the option of placing the tower on the north side of the town hall building. The Director of Engineering is invited to the meeting on August 24, 2011

Rosa D'Ambra, 423 Colonial Avenue – Mrs. D'Ambra stated that the Township of Washington receives money from a variety of sources. She said that the microphone system should be updated. Many people in the audience at public meetings cannot hear the mayor and council well. She stated that a light should be placed on top of the cell tower once it is built to deter incidents. Money for the sound system was discussed. The Mayor explained that outside billing money cannot necessarily be used for other things. The sound system is original to when the dais was built, although additional microphones were added to the conference table when the new recording system was added last year.

Elizabeth Leahy, 275 Wilson Avenue – Mrs. Leahy stated that she read the cell tower bid and did not see where it said that the new tower is replacing the police tower. Also, she asked if the location could be changed to the north side by amendment. Mr. Poller said that the bid has been awarded but the lease agreement has not been signed at this time. He explained the details of the bid that was awarded but there are details of the bid that could possibly be altered.

John Marchese, 271 Hoover Avenue – Mr. Marchese said that it does not make sense to him that the new tower needs to be legally built on the same side that the police tower is located on now.

Linda Murphy, 675 McKinley Avenue – Mrs. Murphy spoke about the Sky Trading and CVS applications. She gave details of the cases and specific problems in each. She spoke about Mr. Azzolina's report on the intersection redevelopment of Washington Avenue and Pascack Road and quoted from the report that the project would more than likely not be addressed until 2013. Mrs. Murphy stated that the applications should be put on hold until the intersection issue is addressed. Mr. Goetz said that Mrs. Murphy must speak to the zoning board with these issues.

John Tekerian, 273 Colonial Boulevard – Mr. Tekerian stated that he is against the redevelopment of the intersection of Washington Avenue and Pascack Road. He wants to see a referendum be put on the ballot for vote on the intersection improvements. Mr. Goetz stated that the Council has no jurisdiction over the zoning board and the matters Mr. Tekerian's referring to cannot be addressed by the Council. The zoning board members are selected by the Council but are not controlled by the Council.

Agnes Smith, 646 Valley Court – Mrs. Smith stated that she had come to a previous Council meeting where it was announced that the Township would be meeting with the Turnpike Authority to further discuss exit 168. Before the meeting was to take place, a local newspaper reported that a contract was awarded and the project was to begin. The Council and administration did not know the decision was being made at that time. Mrs. Smith stated that she spoke with the county herself. She said that the Township should have acted sooner. Mrs. Smith stated that the intersection project should not go forward until the exit 168 problem is resolved. The Township of Washington should not be a main thoroughfare to other towns. Mr. Goetz stated that the Council did not know the bid had been awarded. The project has been in the works for eight years. A letter from the Turnpike Authority came in today stating the plan is going through.

Grace Hogan, 898 Washington Avenue – Mrs. Hogan asked Mayor Sobkowicz if she polled Northgate Townhouse development about sharing the use of the complex's amenities if townhouses were built on the corner property of Pascack Road and Washington Avenue. Mayor Sobkowicz stated that First Hartford approached the townhouse development.

Sandra Philips, 321 Hudson Avenue – Mrs. Philips asked if the town is purchasing the property next to the municipal complex. Mr. Goetz said to his knowledge, no. Mrs. Philips said she understands that according to ordinance, structures can not be built within 50 feet of a residential property but the tower will be closer than 50 feet. The cell tower plans will have to go to the planning board for approval. No timeline is available at this time.

Michael Ullman, 2 Clark Avenue – Mr. Ullman asked what contract was discussed in the closed session at the beginning of this meeting. Mr. Goetz stated that it was for Council to receive an update on the recent Verizon meeting. Mr. Ullman asked what the process is in the development of the VFW and will the process be documented. Mr. Poller stated that the governing body will be the architects. The township planner will be the consultant for any plans. There is no timeline but it is on the priority agenda at this meeting. Mr. Ullman asked if the police are going to be paid \$50 per hour for the Click It or Ticket program, or if they will receive comp time in addition to the hourly rate. Mrs. Do stated comp time is not given to officers working on the program. Mr. Goetz asked if the same policy is enforced for terminal leave. Mayor Sobkowicz spoke about the way blue vouchers are filled out by the police with details of assignments that were worked. The voucher determines the rate in which the officer is paid. The Mayor stated that it is her understanding that officers can make the differential up with comp only if it does not cause any overtime. Mr. Ullman asked if the Council could give any details concerning the closed session at the previous Council meeting. Mr. Goetz stated that it was in regards to sharing opinions on personnel and staffing within the police department. A discussion ensued regarding the recent hiring of new officers by the administration, the

Table of Organization ordinance, and the Council's role in working with the police department.

There being no other questions or comments, a motion was made by Mr. Hrbek, seconded by Mr. Beckmeyer to close the public portion of the meeting.

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

Nays: None.

ORDINANCE

The Clerk read Ordinance 11-14 entitled: AN ORDINANCE UNDER CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RATE OF COMPENSATION AND MANNER OF PAYMENT OF THE OFFICE OF DEPUTY CLERK IN SAID MUNICIPALITY FOR THE YEAR 2011. Mr. Goetz said that because a personnel action form was not signed by the Mayor reflecting the compromise made at the last Council meeting, the ordinance making the Deputy Clerk's position full time will be introduced tonight. Mayor Sobkowicz stated that since the last Council meeting she had a meeting with the Deputy Clerk and is now prepared to discuss a new compromise. She stated that a new employee has been hired to do minutes for the planning/zoning office and laid out her new schedule for the Deputy Clerk. Mr. Goetz stated that all departments are understaffed. Also, since the original compromise has not been carried through, the ordinance needs to be introduced. Mr. Hrbek's asked that the Deputy Clerk not lose overall working hours in the process of compromising. A discussion ensued regarding the staffing structure of several departments.

A motion was made by Mr. Goetz, seconded by Dr. Cascio to introduce and pass Ordinance 11-14 at first reading by title.

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

Nays: None

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

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

Nays: None

WHEREAS, Ordinance No.11-14 entitled: AN ORDINANCE UNDER CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RATE OF COMPENSATION AND MANNER OF PAYMENT OF THE OFFICE OF DEPUTY CLERK IN SAID MUNICIPALITY FOR THE YEAR 2011 was introduced and passed at first reading by title at a meeting of the Township Council of the Township of Washington on the 15th day of August 2011.

NOW, THEREFORE, BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 12th day of September 2011 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.

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

Nays: None

CONSENT AGENDA

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

Item #2 and item #3 were pulled from the Consent Agenda. Item #2 was briefly discussed and it was agreed that a \$10.00 fee will be charged to recreation program refunds going forward. Also, item (3) was clarified to state that \$50.00 per hour was the sole rate of pay for police officers working the "Over the Limit, Under Arrest" program.

Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Hrbek, Goetz
Nays: None

WHEREAS, Mr. John Valerio, who resides at 250 Fern Street, Block 4410, Lot 15, and;

WHEREAS, Mr. Valerio was granted a permanent disability resulting from service-connected injuries as declared by the United States Veteran's Administration pursuant to N.J.S.A. 54:04-03.30, which grants total exemption from local property taxes and; since changes entered by the Tax Assessor's office is for tax year 2012, a tax bill was issued based upon information on the 2011 Extended Tax Duplicate.

WHEREAS, the Township Council of the Township of Washington, New Jersey, authorized, the Deputy Tax Collector, Elaine Erlewein, be authorized to cancel August 2011, November 2011, February 2012, May 2012 and forward based upon the date the application was filed with the Township of Washington which was June 6, 2011 in accordance with this resolution.

Cancel:	\$4,389.06 (Balance of 2011 Tax)
	\$4,278.00 (Preliminary 2012 Tax)
Total:	\$8,667.06

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 funds:

Meletia Sengos
429 Walnut Street
Township of Washington, NJ 07676

Football - \$175.00

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 funds:

Maryann Jahansouz
195 Fern Street
Township of Washington, NJ 07676

Lacrosse - \$140.00

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

WHEREAS, the Township has received \$4,400.00 from the Driving While Intoxicated Enforcement "Over the Limit Under Arrest 2011 Statewide Crackdown" and the Township wishes to amend the 2011 Budget to include this Grant; and

NOW, THEREFORE, BE IT RESOLVED, that the Township council of the Township of Washington hereby requests the Director of the

Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 the sum of \$4,400.00 which is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Additional Revenues offset by Appropriations.

Appropriations:

“Over the Limit Under Arrest – 2011 Statewide Crackdown”

BE IT FURTHER RESOLVED, that a like sum of \$4,400.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations excluded from 5% CAPS

Public & Private Programs offset by Revenues

Over the Limit Under Arrest – 2011 Statewide Crackdown - \$4,400.00

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services for approval.

Raffle License #814 for St. John the Theologian was approved by the Township Council of the Township of Washington.

Raffle License #815 for Community Resource Council was approved by the Township Council of the Township of Washington.

WHEREAS, Avner Turm (RHY Construction Inc.) posted a cash performance bond and road opening bonds on premises known as Block 3209, Lot 13, 605 Monroe Avenue; and

WHEREAS, the Construction Code Official has issued approval dated July 19, 2011, C.O. No. 10-080, and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated July 19, 2011,

NOW, THEREFORE, BE IT RESOLVED, that the Township Treasurer of the township of Washington is authorized to refund the Performance Cash Bond and the Road Opening Bond in the amount of \$19,950.00 to the above.

Mary Ann Ozment, Township Clerk

Fred Goetz, Council President