

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

PUBLIC PORTION/PUBLIC MEETING

JULY 11, 2011

The Township Council held a Public Portion/Public Meeting in the Municipal Building, Pascack Road. The meeting was called to order at 6:30 p.m. by Council President Fred Goetz with the Clerk leading the salute to the flag. Members present: Steven Cascio, Joseph D'Urso, Richard Hrbek, Fred Goetz. Absent: Glenn Beckmeyer. Also present: Janet Sobkowicz, Mayor; Lilly Chin, Acting Administrator; Kenneth Poller, Attorney.

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.

Gary Vinci was present for this portion of the meeting. The meeting began with a special presentation and discussion regarding permanent bonding with town auditor, Gary Vinci. Mr. Vinci introduced Paige Fisher. He began on page two in the report provided to Mayor and Council, speaking about the need for the town to convert outstanding Bond Anticipation Notes into long term bonds. The town has three million dollars in outstanding notes at this time. He discussed several scenarios that the township could do that were outlined in the report. Improvements, acquisitions and capital projects, outlined in town ordinances, based on their average useful life, are used to come up with the bonding amount the town would seek. Different bonds have different interest rates. The town is rated AA2, second highest rating possible. The Council must decide to go with Moody's or Standard and Poors. Mr. Hrbek questioned the debt service and capital purchases within the budget for 2013, specifically, police equipment. Mr. Vinci stated that the town can address some expenses within the budget. He said that interest rates are very low at this time. Bonding specifics were explained to Council. Mr. Vinci went over the terms at 15, 12 and 10 year bonding. Mr. D'Urso spoke about the town being turned down for bonding in 2010. Mr. Vinci spoke about the non-conforming schedule that led to the denial. He referred to page 7 of his report and explained about the principal that the town is now paying. The rates and lives of bonds were discussed. If the town makes a purchase, they can not bond it beyond its useful life. It was suggested that Mr. Vinci show the figures for 8 years. The timetable for finalization of the decision for how long the Township wants to go out for bonds should be done by the end of July. Mr. Goetz stated that the bonding issue would be put back on the agenda for the July 25 meeting. Mrs. Do asked about the two rating companies.

The Clerk read the total of various bill paid, a copy of which is attached and made part of these minutes.

Mr. Goetz asked to have the bill list be put on the conference agenda as a priority.

REPORT OF MAYOR

Junior Academy was great success. Over 100 children were enrolled and Lt. Skinner did an excellent job running the program. Summer Recreation is in second week. Town Day is October 1, 2011, with a rain date of October 8, 2011. If anyone would like to volunteer, you can call Bernadette at Town Hall. The first committee meeting is

July 26, 2011. June 26, 2011 was the Township's shredding day and 2 tons of paper was shredded. The Mayor spoke about the increase in the money the Township has received in recycling from this year compared to last year. She asked residents to support the weekly farmers market at the Knights of Columbus on Sundays from 9 am to 1 pm. The farmers market will continue until September 16, 2011. She spoke about her attendance at the Westwood High School graduation and congratulated Assemblyman Schroeder and three of the Township's Councilmen on the graduation of their children. The Mayor spoke about recent meetings of the shared services committee. The Township is making progress towards a decision about joining the County central dispatch system. Councilman Casio has been instrumental in the process and arranged for new radios to be tested in house by the Police Department. The mayor stated that she has requested an inventory of all communication equipment. Tom Clossey and Lilly Chin attended a meeting at the county DPW facility to gather information on a new policy regarding the ownership of culverts and who is responsible for maintenance and repairs. The Mayor spoke about an ongoing Safety First Program to promote safety in the workplace. The committee meets regularly. There will be an emergency drill with seniors coming up soon. HUMC North's appeal was mentioned. GSP exit 168 is scheduled for changes by the Turnpike Authority, taking away the stop sign and putting a yield sign up instead. This will lead to more problems for traffic on Washington Avenue as well as the bus stop near the intersection.

REPORT OF ADMINISTRATOR

Mrs. Chin said that Phase II of the energy grant program will be starting soon. The first phase is complete and included the installation of air conditioning units and generators in municipal-owned properties. The Township received a \$1,950 grant from Community Development for computers and equipment to be installed in the Senior Center. A \$21,758 tonnage recycling grant has been awarded to the town to offset curbside pickup.

REPORT OF COUNCIL

Mr. Hrbek - Councilman Hrbek congratulated all high school and college graduates. He congratulated the 10 and under Little League team for coming in second place in the District 4 Division, losing to Paramus, a much larger town. They played very hard. There are issues in the GSP plan that is being proposed. Accidents have been addressed to a degree by taking out the stop sign.

Mr. D'Urso - Councilman D'Urso congratulated all graduates. The GSP exit needs to be improved. He said that exit 151 on the parkway in Nutley had a similar situation and is being worked on at this time. He is glad that there is no traffic light on the Turnpike Authority's plan. The bus stop across from Jackson Avenue is in a dangerous location on Washington Avenue and needs to be moved. The county has the authority over the bus stops and they need to address the dangerous situation.

Dr. Cascio - Councilman Cascio spoke about Exit 168 and its configuration now and the anticipated changes. He said that he attended the Westwood High School graduation and it had special meaning to him as an alumnus of the school.

Mr. Goetz - Mr. Goetz said that he recently attended Governor Christie's town hall meeting in Fair Lawn and gained interesting insights. He attended a seminar on Conflicts and Ethics given by the League of

Municipalities and has information to share with Council and the Administration. He attended the Junior Police Academy graduation and congratulated the graduates and thanked Lt. Skinner and the police officers that worked the program.

APPROVAL OF MINUTES

A motion was made by Dr. Cascio, seconded by Mr. Hrbek to approve the minutes for June 13, 2011 Public and Conference meetings.

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

Nays: None

Abstain: Mr. D'Urso

PUBLIC PORTION

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

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

Nays: None.

Gerald Brown, 559 Jackson Avenue - Mr. Brown gave an explanation about how dangerous it is to turn onto Washington Avenue from Jackson Avenue. He said that 80% of people at exit 168 do not stop at the stop sign. He made several suggestions as to what the town could do to make the intersection safer. He asked if the Mayor and Council received his e-mail concerning the tree ordinance he sent them after the June 27, 2011 meeting. He asked if the owner of the properties on the corner of Washington Avenue and Pascack Road needed a permit to take down the dead trees. He asked about the water quality of the brook running behind those properties. He asked if Mr. Tucker is doing something about the possible violations on the properties. He said that he thinks that \$3,000 would be an appropriate fine for each dead tree. He questioned whether the township is taking advantage of the grant that is being offered to towns for exploring sharing services in police departments. Mr. Goetz said that the Township responded in time to be considered to be part of the shared police service study and grant. Mr. Brown stated that he does not care about the cell tower but he has seen one in Saddle River that looked very acceptable and recommends that the town should use it as a model for the Township cell tower when it is built. Mayor Sobkowicz commented on the Township's possible participation in the shared police service study.

Linda Murphy, 675 McKinley Avenue - Mrs. Murphy stated that the corner of Washington Avenue and Pascack Road need to have safety measures taken for the pedestrians. It is a very dangerous intersection. The Township should take measures similar to Westwood's intersection in the center of their town. She thanked the Mayor for allowing the information for a citizen's meeting to be put up on the town hall electronic sign. She asked if WCTV could video tape the zoning board meeting. Mayor Sobkowicz said that she would speak to Mr. LiFrieri and the township attorney about the possibility.

Patricia Puchalik, 677 Meisten Street, Debbie Agnello, 667 Meisten Street - Mrs. Puchalik and Mrs. Agnello asked if the Council received their recent letter and was told yes. They said that the flooding problem on their properties was the worst flooding to date this past Friday. Mayor Sobkowicz said that the Township engineer is writing up a report and asked Mrs. Puchalik and Mrs. Agnello to meet with her at town hall the next day.

Al Lombardi, 526 Willow Street - Mr. Lombardi spoke about the sidewalks being installed around George School thanks to a grant that former Councilman Schroeder, Mayor Sobkowicz and Councilman Devine obtained for the Township. Mr. Lombardi would like the cement that will be used for the sidewalks to be tinted with some color to make them look nicer. Mr. Goetz said that he would ask the engineer about the suggestion. Mr. D'Urso asked if the sidewalks needed to be constructed around all of the areas as originally planned. He was told yes due to the conditions of the grant.

Mitchell Rosenthal, 270 Hoover Avenue - Mr. Rosenthal spoke about an e-mail that he received regarding the town of Hempstead, NY and an ordinance that is in the process of being adopted disallowing cell towers to be erected within 200 feet of residential homes there. He gave examples of several spokespersons and their reasons for speaking out against cell towers in residential areas. Mr. Rosenthal said that he has identified areas better suited for a cell tower. He spoke about doing another study. Legalities, attorney fees, litigation fees, and other fees were discussed. Alternative sites were limited to the one site behind the Dog House. Mr. Rosenthal said that 20 trees would have to be cut down. He asked that the town look at a map that he brought to the meeting showing alternative areas he is suggesting. He asked what the issues are surrounding looking into alternative sites. He wanted to know what the cost to taxpayers would be for a continued study, legal fees and what the status is on the cell tower at this moment. Mr. Goetz stated that the Council and attorney do not get extra compensation for the cell tower project. The talk about pending litigation and contract negotiations can not be spoken about in public meetings at this time. There was a cost for a consultant to come in early in the process as well as engineering and advertising costs. The contract has been awarded to Verizon. Verizon allowed the town to entertain the alternative sight behind the Dog House. Alternative areas that were originally looked at were not acceptable to the cell carriers. Mr. Rosenthal stated that residents are extremely upset about the location that has been chosen.

John Marchese, 271 Hoover Avenue - Mr. Marchese said that his property is within 250 feet from the alternate sight. No one on his street wants the cell tower behind the Dog House. He said that he does not want the original proposed site changed. Keep it next to town hall.

David Snyder, 91 Windsor Circle - Mr. Snyder spoke about the location of the cell tower and the legal reason why the town needs to honor the agreement with Verizon and move forward on placing the tower on municipal property. He said that when the Turnpike Authority improves exit 168 there will be more traffic than there is now on Washington Avenue going towards Pascack Road. If the CVS project goes through traffic will become unbearable even with the proposed county road improvements. He said that he would like a referendum be put on the November ballot asking citizens if they want the Sky Trading and CVS to be built on the corner of Washington Avenue and Pascack Road. Mr. Goetz said that research will have to be done but he does not think that a question of that nature would be legal. Mr. Poller agreed and gave reasons why the zoning board has the authority to make these types of land use decisions. He stated that the citizens would be best served by hiring an attorney to represent their interests.

Frank Minervini, 25 Melba Way - Mr. Minervini said that he just heard about the cell tower and asked when the next meeting will be. Mr. Goetz stated that the cell tower is a topic in front of the Council.

Alexander Garibian, 264 Hoover Avenue - Mr. Garibian equated how mothers protect their children and the town needs to protect its residents by not allowing Verizon to put a cell tower up in the Township.

Raymond Benroth, 838 Crest Place - Mr. Benroth stated that he had asked the Council a long time ago if the cell tower would be built in his lifetime. He said that it is time to get it done.

Carla Cherrey, 550 Hoover Avenue - Mrs. Cherrey stated that she is afraid to turn onto Washington Avenue from Jackson Avenue since the Turnpike Authority took the toll away. She said that she supports the need for a cell tower in the town.

Michael Ullman, 2 Clark Avenue - Mr. Ullman asked if there would be a formal response to 2010 deficiencies found in the Report of Audit that was issued on May 10 by Lerch Higgins. Mrs. Do stated that the Council has accepted the report and it has been sent to Trenton. A formal response comes from department heads within 45 days from the time it is published in the newspaper.

George Reeves 366 Hudson Avenue - Mr. Reeves said that he has lived in the town for over 25 years and has followed the cell tower story as the location changed often. He stated that the cell tower belongs next to town hall.

Sandra Philips 322 Hudson Avenue - Mrs. Philips stated that it is wrong to put the cell tower up next to town hall. If the tower came down it could prevent the EMS and Police from being able to exit the road. She stated that there are too many facilities in the immediate area to put the cell tower up here.

Jonathon Mahtaban, 265 Ridgewood Blvd. N. - Mr. Mahtaban said that he would like to see the location behind the Dog House.

Peter Russo, 272 Wilson Avenue - Mr. Russo said that he is an electrician. He realizes that residents are desperate for cell service but there is a better location than the town hall or Dog House.

There being no further comments or questions, a motion was made by Mr. D'Urso, seconded by Mr. Goetz to close the public portion.

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

Nays: None.

ORDINANCE

The Clerk read Ordinance 11-13 entitled: AN ORDINANCE MODIFYING THE TABLE OF ORGANIZATION OF THE POLICE DEPARTMENT OF THE TOWNSHIP OF WASHINGTON AND PROVIDING FOR OTHER CHANGES THEREIN.

A motion was made by Mr. D'Urso, seconded by Dr. Cascio to introduce and pass Ordinance 11-13 at second reading by title.

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

Nays: None.

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

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

Nays: None.

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 11-13 entitled: AN ORDINANCE MODIFYING THE TABLE OF ORGANIZATION OF THE POLICE DEPARTMENT OF THE TOWNSHIP OF WASHINGTON AND PROVIDING FOR OTHER CHANGES THEREIN 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 Cascio, D'Urso, Hrbek, Goetz

Nays: None.

David Snyder, 91 Winsor Circle - Mr. Snyder thanked the Council for leaving the rank of Captain in the table of organization and for hiring several more officers.

There being no more questions or comments a motion was made by Mr. Hrbek, seconded by Dr. Cascio to close the public portion.

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

Nays: None.

A motion was made by Mr. Hrbek, seconded by Mr. Beckmeyer to pass Ordinance 11-13 at second and final reading, submit same to the Mayor for her approval and thereafter be published according to law.

Ayes: Councilpersons 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. D'Urso.

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

Nays: None.

WHEREAS, Block 2506, Lot 7, Qualifier CPA25, owner, Robert and Jochevet Knopp, Parking Space at Washington Grand, purchased said property on May 2, 2002. However, deed information was not properly entered and correct homeowner was not billed for parking space. Previous builder/owner paid quarterly tax bills through May 1, 2009.

WHEREAS, the Tax Collector's office is requesting the second half of 2009, entire amount for 2010 and first half 2011 totaling \$295.63 through July 29, 2011 be canceled by resolution since homeowner was not properly billed.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey that the Deputy Tax Collector, Elaine Erlewein, be authorized to credit Robert and Jochevet Knopp tax account through this resolution:

2009:	\$ 77.71
2010:	\$ 147.92
2011:	\$ <u>70.00</u>
TOTAL:	\$-295.63

WHEREAS, Robert and Judith Corker posted engineering escrow and soil movement escrow on premises known as Block 4216, Lot 5, 561 Mountain avenue; and

WHEREAS, the Construction Code Official has issued approval dated July 5, 2011, C.A. No. 11-196;

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated June 30, 2011.

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 \$713.00 to the above.

WHEREAS, Fidelity Cemetery Associations (Garden of Memories Mausoleum) posted a Performance Guaranty Bond and engineering escrow along with soil movement escrow on premises known as Block 3207, Lot 1, Building No. 7, Soldier Hill Road; and

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated July 8, 2011,

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 \$14,911.88 to the above.

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 of Washington will receive \$2,320.00 from the 200 Club of Bergen County and wishes to amend the 2011 Budget to include this amount as revenue.

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 in the sum of \$2,320.00 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:

2010 Appropriation Grant for a Stabilization System and Crash Bag Kit

BE IT FURTHER RESOLVED, that a like sum of \$2,320.00 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

2010 Grant for Stabilization System and Crash Bag Kit

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 #807 and #808 for Sejong Cultural Education, Inc. was approved by the Township Council of the Township of Washington.

WHEREAS, by law, the effective date of an ordinance may be accelerated due to an emergency situation, and such action must be supported by 2/3 vote of the governing body;

WHEREAS, Ordinance No. 11-13 has been enacted on July 11, 2011 and an emergent situation exists with respect to the health and welfare of the Township of Washington.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Washington that Ordinance 11-13 is hereby effective immediately upon publication.

