

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

PUBLIC PORTION/PUBLIC MEETING

May 9, 2011

The Township Council held a Public Portion/Public Meeting in the Municipal Building, Pascack Road. The meeting was called to order at 7:30 p.m. by Council President Fred Goetz with the Clerk leading the salute to the flag. Members present: Glenn Beckmeyer, Steven Cascio, Joseph D'Urso, Richard Hrbek, Fred Goetz. Also present: Janet Sobkowicz, Mayor; 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.

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

REPORT OF MAYOR

The Mayor reported that approximately 150 people have signed up for the town e-newsletter. She thanked the Green Team and the Fire Department for the planting of junipers at the fire house. The Police held Operation Take-Back recently, a program to dispose of unneeded prescription drugs. Resident and college student, Gabriel Salerno has a part in a local production of a Shakespeare play at Bergen Community College. Shredding and Recycling Day will be June 25, 2011. PSE&G gave the Mayor a tutorial on the solar panels and information is available to residents at town hall and at the library. The Mayor read the amount of money the town received through the recycling program from January through April. Knights of Columbus food drive is May 21st. Town wide library program, Talk It Up has been announced. Mayor spoke about the Acting Administrator's salary in the new salary ordinance which is being introduced at tonight's meeting. Mayor Sobkowicz spoke about the resolution that was passed in the Consent Agenda regarding Washington Avenue and Pascack Road intersection at the last meeting. May 30 is the Memorial Day parade. The Mayor spoke about the police personnel situation including the lack of officers in town, overtime, dispatchers, interviews and potential candidates for new police positions.

REPORT OF ADMINISTRATOR

Mayor Sobkowicz - The Mayor reported on behalf of Mrs. Chin. The Memorial Day Parade Committee will meet on the 3rd floor of town hall every Tuesday night. A planned walk through of the Pascack Brook is scheduled for next week. Mrs. Chin, Mr. Hrbek and Mr. Hamilton plan on attending. The tax office will be open until 6:00pm on May 10, 2011.

REPORT OF COUNCIL

Mr. Hrbek - Mr. Hrbek thanked the police department for handling the personnel situation. He stated that Little League baseball/softball season opening day was a success and invited residents to try to attend one of these opening day events.

Mr. D'Urso - Mr. D'Urso thanked Chief Ciocco, Captain Hooper and Lt. Skinner for sitting down with Council to discuss the Police ranking issue and police dispatching. He asked Mr. Goetz to hold the ordinance until a later time. Mr. Goetz said that he would like to hold a public hearing on the ordinance but not vote on it at this time. Mr. D'Urso said that he looks forward to speaking more to the police department representatives. He spoke about the Little League's

successful opening day event. He thanked the administration for trimming some dangerous branches at Clark field. He stated that the on-line registration for sports will be starting this week. Also, George School sidewalks will be started as soon as school is out for the summer. Mr. D'Urso spoke about a property buyout that Mr. Poller and Council attempted to broker with residents. There are many small town-owned properties that the town could sell to residents and it will be looked at.

Mr. Beckmeyer – Mr. Beckmeyer congratulated the Little League opening day children and volunteers. He stated that he appreciates the continued dialogs between the Police and Council and feels more information is needed before bringing the Police ranking ordinance back to the public.

Dr. Cascio – Dr. Cascio thanked everyone for coming out. Thanked the police for their input on the police ordinance. He said that he is continuing to investigate police dispatching as a shared service and will only pursue the issue if it is a good fit for the town. He congratulated the Little League on their opening day.

Mr. Goetz – Mr. Goetz congratulated the Little League and thanked the volunteers that ran opening day. Mr. Goetz initiated a discussion with Council about tabling the Police ranking ordinance at tonight's meeting and it was agreed that the public would have the opportunity to comment on the ordinance during the public portion of the meeting.

APPROVAL OF MINUTES

A motion was made by Mr. Beckmeyer, seconded by Mr. D'Urso to approve the minutes for April 11, 2011, Public and Conference minutes.
Ayes: Councilmen Beckmeyer, Cascio, D'Urso, Hrbek, Goetz
Nays: None

PUBLIC PORTION

A motion was made by Dr. Cascio, seconded by Mr. Hrbek to open the public discussion.
Ayes: Councilpersons Beckmeyer, Cascio, D'Urso, Hrbek, Goetz
Nays: None

Peter Mayer, 133 Woodfield Road – Mr. Mayer stated that the town could save taxpayer money by adopting a resolution that says the town will not put any money into the improvements for the intersection of Pascack Road and Washington Avenue since the roads are county roads. His second idea pertained to the owner of Season's. He stated that the Council should stop the owner of Season's from turning the intersection of Pascack Road and Washington Avenue into urban blight. Mr. Goetz said that the matter is going in front of the Zoning Board of Adjustment, and the Council has no power in that case. Mr. Mayer stated that the Council needs to stand up for the residents.

Stefan Malaszuk, 925 Washington Avenue – Mr. Malaszuk said that he has been in front of Council six times concerning his driveway issue. The county attempted to fix his drainage problems by putting \$40,000 worth of storm drains in the curbs. It did not fix the problem. He stated that if the county would put a new driveway on Jackson for him than the problem would be solved. Mr. Goetz said that he sympathized as he lives on Washington Avenue. He said that he will ask the administration to have the DMF shovel the snow closer to the curb and run the street sweeper more often. Mayor Sobkowicz stated that she asked the town engineer to check into the situation.

David Snyder, 91 Windsor Circle – Mr. Snyder spoke about the need to add police officers to the town's department for the sake of the town's safety. He spoke about the overgrowth of greenery obscuring the sign for Seven Chimneys on Ridgewood Road. Mayor Sobkowitz said that she has already ordered the vegetation to be cut down. He asked about the cell tower. Mr. Poller said that Verizon has not called him yet. He spoke about the groups who hold Shake a Can events in town. He said that they should solicit at the shopping center instead of the street corners. He spoke about the zoning board meeting he attended for the Sky Trading application. He said the board did not know what traffic grid lock was and that all residents should go to meetings.

Elizabeth Leahy, 275 Wilson Avenue – Mrs. Leahy said that she has heard the cell tower has been proposed to go near her house and she is against putting it there.

Donald DeRosa, 33 Reagan Way – Mr. DeRosa said that he recently heard that the cell tower may be built near his house and would like to know what criteria is used to make a location viable. Mr. Goetz said that the carrier is looking at alternatives but at this time the cell tower is expected to be built on town-owned property.

Rosa D'Ambra, 423 Colonial Boulevard – Mrs. D'Ambra asked where the cell tower carrier is looking at an alternative location. She was told on Wilson Avenue behind the Doghouse.

Joanne Anastasi, 330 Pascack Road – Mrs. Anastasi asked if the town has gotten the study about the cell tower on the GSP. Mr. D'Urso stated that only T-Mobile is located on that pole. The town does not have a current written report on that tower. He said that there was a recent meeting with the cell carrier representatives who said Pascack Road is in a valley and a tower is needed for better coverage. Mrs. Anastasi stated she has satisfactory cell service with her carrier. Mr. D'Urso agreed he does also. He stated that he wants the pole done right so that the town does not have to deal with an additional pole in the future.

Bea Napier, 324 Hudson Avenue – Mrs. Napier stated that she has a petition against the cell tower being erected on Hudson Avenue. She spoke about the heavy parking situation on the streets around the municipal building at times and the danger it could incur if emergency vehicles needed to get up Hudson Avenue due to the cell tower.

Raymond Benroth, 838 Crest Place – Mr. Benroth said that he wants to see some action taken and not just talk.

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

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

Nays: None.

ORDINANCES:

A motion was made by Mr. D'Urso, seconded by Mr. Cascio to table Ordinance No. 11-04, Police Table of Organization.

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

Nays: None

The Clerk read Ordinance 11-09 entitled: CALANEDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14).

A motion was made by Dr. Cascio, seconded by Mr. Hrbek to introduce and pass Ordinance 11-09 at second 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. Beckmeyer, seconded by Dr. Cascio.

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

Nays: None

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 11-09 entitled: CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a-4-45) be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Dr. Cascio, seconded by Mr. Beckmeyer to open the public hearing, and there being no comments or questions was closed on a motion by Dr. Cascio, seconded by Mr. Beckmeyer.

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

Nays: None

A motion was made by Mr. Beckmeyer, seconded by Dr. Cascio to pass Ordinance 11-09 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, Hrbek, Goetz

Nays: None

The Clerk read Ordinance 11-10 entitled: AN ORDINANCE AMENDING ALCOHOL BEVERAGE FEES EFFECTIVE IN THE TOWNSHIP OF WASHINGTON

A motion was made by Mr. Hrbek, seconded by Dr. Cascio to introduce and pass Ordinance 11-10 at second reading by title.

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

Nays: None

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

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

Nays: None

BE AND IT IS RESOLVED, by the Township Council of the Township of Washington that Ordinance No. 11-07 entitled: AN ORDINANCE AMENDING ALCOHOL BEVERAGE FEES EFFECTIVE IN THE TOWNSHIP OF WASHINGTON be read on second reading and the public hearing be held thereon pursuant to law.

A motion was made by Mr. Beckmeyer, seconded by Dr. Cascio to open the public hearing, and there being no comments or questions was closed on a motion by Dr. Cascio, seconded by Mr. Hrbek.

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

Nays: None

A motion was made by Mr. Hrbek, seconded by Mr. D'Urso to pass Ordinance 11-10 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, Hrbek, Goetz

Nays: None

The Clerk read Ordinance 11-08 entitled: AN ORDINANCE UNDER CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF WASHINGTON SETTING FORTH THE RATE OF COMPENDSATION AND MANNER OF PAYMENT OF OFFICERS AND EMPLOYEES IN SAID MUNICIPALITY FOR THE YEAR 2011.

A motion was made by Dr. Cascio, seconded by Mr. Hrbek to introduce and pass Ordinance 11-08 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 Dr. Cascio, seconded by Mr. D'Urso.

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

Nays: None

WHEREAS, Ordinance No.11-08 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 OFFICERS AND EMPLOYEES 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 9th day of May 2011.

NOW, THEREFORE, BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 23rd day of May, 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

The Clerk read Ordinance 11-12 entitled: AN ORDINANCE PROVIDING HOURS OF OPERATION FOR RETAIL BUSINESSES.

A motion was made by Mr. D'Urso, seconded by Dr. Cascio to introduce and pass Ordinance 11-12 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. D'Urso, seconded by Dr. Cascio.

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

Nays: None

WHEREAS, Ordinance No.11-12 entitled: AN ORDINANCE PROVIDING HOURS OF OPERATION FOR RETAIL BUSINESSES was introduced and passed at first reading by title at a meeting of the Township Council of the Township of Washington on the 9th day of May 2011.

NOW, THEREFORE, BE IT RESOLVED, that further consideration for final passage and public hearing of said ordinance shall be held on the 23rd day of May, 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, Hrbek, Goetz

Nays: None

CONSENT AGENDA

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

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

Nays: None.

WHEREAS, an overpayment was received for Block 3408, Lot 5, 636 Ridgewood Road, owner, Pura Milano for the 2nd quarter 2011. Payments were received on April 18, 2011 by Pura Milano and on April 20, 2011 by Bank of America. Homeowner has provided copy of cancelled check and:

WHEREAS, under the New Jersey Statute N.J.S.A. 54:3-27.2, overpayments must be refunded:

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington, New Jersey that the Chief Financial Officer, Jacqueline Do, be authorized to issue a refund to:

Pura Milano
235 West Passaic Street
Rochelle Park, NJ 07662

REFUND: \$ 1,774.45

WHEREAS, Gail and John McNeill posted engineering escrow on premises known as Block 3208, lot 9, 2529 Cleveland Avenue; and

WHEREAS, Mr. and Mrs. McNeill are withdrawing their application as per their letter which is attached requesting the balance of the escrow money be refunded to them.

WHEREAS, there are no outstanding invoices due the Township Engineer as per telephone call to the engineer's secretary on Monday.

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 \$755.00 to the above.

WHEREAS, an emergent condition has arisen with respect to providing sufficient money for the payment as stated below and no adequate provision has been made in the 2011 Temporary Appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total temporary budget resolutions adopted in the year 2011 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40 A:4-20) including this resolution total \$5,360,107.00 exclusive of debt service; and

NOW, THEREFORE BE IT RESOLVED that in accordance with the provisions of N.J.S.40AS:4-20;

An emergency temporary appropriation be and the same is hereby made for the following:

Liability Insurance	\$36,000.00
Workmen's Compensation	\$34,000.00

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

WHEREAS, an emergent condition has arisen with respect to providing sufficient money for the payment as stated below and no adequate provision has been made in the 2011 Temporary Appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides

for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total temporary budget resolutions adopted in the year 2011 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40 A:4-20) including this resolution total \$5,360,107.00 exclusive of debt service; and

NOW, THEREFORE BE IT RESOLVED that in accordance with the provisions of N.J.S.40AS:4-20;

An emergency temporary appropriation be and the same is hereby made for the following:

Police Settlement	\$37,500.00
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BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

WHEREAS, an emergent condition has arisen with respect to providing sufficient money for the payment as stated below and no adequate provision has been made in the 2011 Temporary Appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total temporary budget resolutions adopted in the year 2011 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40 A:4-20) including this resolution total \$5,360,107.00 exclusive of debt service; and

NOW, THEREFORE BE IT RESOLVED that in accordance with the provisions of N.J.S.40AS:4-20;

An emergency temporary appropriation be and the same is hereby made for the following:

Board of Health	
Other Expense	\$16,352.00
Dept of Finance	
Other Expense	\$12,000.00
Memorial Day Parade	\$ 5,000.00

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

WHEREAS, an emergent condition has arisen with respect to providing sufficient money for the payment as stated below and no adequate provision has been made in the 2011 Temporary Appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total temporary budget resolutions adopted in the year 2011 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40 A:4-20) including this resolution total \$5,360,107.00 exclusive of debt service; and

NOW, THEREFORE BE IT RESOLVED that in accordance with the provisions of N.J.S.40AS:4-20;

An emergency temporary appropriation be and the same is hereby made for the following:

Telephone/Other Expense	\$ 3,000.00
Dept. of Engineering	
Stormwater Program	\$ 1,000.00
Fire Department/Gasoline	\$ 2,000.00
Dept. of Municipal Facilities	
Gasoline	\$ 2,000.00

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

WHEREAS, the Legislature of the State of New Jersey adopted N.J.S.A. 5:17-1 et seq., finding that interscholastic and youth athletic programs play an important role in promoting the physical, social and emotional development of children; that it is essential for parents, coaches and officials to encourage youth athletes to embrace the values of good sportsmanship; and that adults involved in youth sports events should be models of good sportsmanship and should lead by example by demonstrating fairness, respect, and self-control; and

WHEREAS, the Governing Body of the Township of Washington agrees that it is essential that all coaches, umpires, parents, participants, and attendees, who are participating in or watching athletic programs, events or activities of the Recreation Department of the Township of Washington, or who are playing or watching any athletic program, event or activity upon any public property within the Township of Washington, shall conduct themselves with fairness, respect, and self-control at all times;

WHEREAS, the Governing Body of the Township of Washington has resolved that each such coach, umpire, parent, participant, and attendee shall govern themselves in accordance with the following Code of Conduct;

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

- A. All coaches, umpires, parents, participants, players, spectators, and attendees who participate in or watch athletic programs, events or activities of the Recreation Department of the Township of Washington, or who are playing or watching any athletic program, event or activity upon any public property owned by the Township of Washington, shall be responsible for his or her own words and actions, and each such person shall conform his or her behavior to the following Athletic Code of Conduct;
1. Each person shall demonstrate and encourage children to demonstrate fairness, and self-control at all times;
 2. Each person shall treat and encourage children to treat any coach, umpire, parent, player, participant, official or any other attendee with respect, regardless of race, creed, color national origin, sexual orientation or ability.
 3. Each person shall not engage in or encourage children in unsportsmanlike conduct or endanger the health, safety or well being any coach, umpire, parent, player, participant, official or any other attendee.
 4. Each person shall not engage in, initiate, or encourage children in the use of profanity, verbal or physical threats or abuse, fights or scuffles aimed at any coach, umpire, parent, player, participant, official or any other attendee.
 5. Each person shall not use nor permit his or her child(ren) to use or be under the influence of drugs, or alcohol while at a youth sports event or at Township property, and shall not attend, coach, officiate or participate in an athletic event or activity while under the influence of drugs, or alcohol.

Everyone participating or watching must adhere to the above rules of conduct and hereby agree failing to conform to the Township of Washington Recreation Department's Athletic Code of Conduct, will

be subject to disciplinary action, including but not limited to the following. It is understood that penalties may be imposed in any order or in any combination.

1. Verbal warning issued by the Recreation Director or by a properly-authorized league, organization.
 2. Written warning issued by the Recreation Department, or by a properly authorized league, organization.
 3. Suspension or immediate ejection from an athletic event or activity issued by the Recreation Department, or by a properly-authorized league, organization.
 4. Suspension from multiple athletic events or activities events issued by the Recreation Department, or by a properly-authorized league, organization.
 5. Season suspension or multiple season suspension issued by the Recreation Department, or by a properly-authorized league, organization.
- A. The Township of Washington shall post this Athletic Code of Conduct on the Township website and at its athletic facilities.
 - B. Nothing herein is intended to supersede any ordinance or statute imposing criminal or civil penalties. This Resolution shall be read in *pari materia* with other Township Ordinances.

WHEREAS, Senate Bill No. 1351 (hereinafter referred to as S-1351) would amend the Open Public Meetings Act, N.J.S.A. 10:4-6, *et seq.*, to include many new requirements that are unnecessary to protect the public's interest in open and transparent government, and which would unduly burden municipalities; and,

WHEREAS, S-1351 would impose new procedural requirements on municipalities which will be time consuming and costly, at a time when municipalities are facing unprecedented financial constraints; and,

WHEREAS, S-1351 would impose new procedural requirements on municipalities that are impractical and wasteful, and which would result in longer meetings and less efficient governance; and,

WHEREAS, among the time consuming, costly, impractical and wasteful new requirements of S-1351 are the following:

A. new requirements pertaining to subcommittees, including notice of subcommittee meetings and the preparation of minutes, which would, among other things, necessitate additional administrative support for all meetings of subcommittees so that minutes can be prepared; and,

B. new requirement that agendas provide a description of all agenda items, including the names of the parties to and approximate dollar amounts of any contracts to be acted upon, which would increase preparation time for agendas; and,

C. new requirement that agendas include estimated starting times for the public portion of the meeting and the portion of the meeting from which the public is to be excluded, though this information would be purely speculative and unreliable; and,

D. new requirement that no public body be permitted to act upon or discuss a matter that is not listed on the agenda except in emergencies, which requirement would be impractical and unnecessarily inhibit the operations of municipal government, as it is often necessary for the effective and efficient administration of municipal governmental purposes to discuss or act on matters for which three business days' notice may not be possible; and this would effectively prevent discussion of items brought forward by the public; and,

E. new requirement that a public body provide for public comment on emergency items that are added to a meeting agenda, adding unnecessary and time-consuming process to meetings; and,

F. new requirement that a public body provide for public comment before taking final action on any matter at any meeting of at least three minutes per person, which requirement, as written, would result in an unworkable series of public comment periods on every action of the governing body, from appointments to resolutions to approval of minutes, thereby adding substantial time to every meeting of the public body; and,

G. new requirement eliminating attorney-client privilege as a basis for excluding the public from a portion of the meeting, which will inhibit the public body's ability to obtain needed legal advice, which is contrary to the public interest; and,

H. new requirement that public bodies be permitted to exclude the public from discussion of personnel matters only with the written consent of the potentially affected employee, thereby inhibiting the public body's ability to take necessary actions on personnel matters; and,

I. new requirements for more extensive minutes of public body meetings, such as the inclusion of each member's stated reasons for his or her actions or vote, the identity of each member of the public who spoke and a summary of what was said, which shall cause the preparation of minutes to be more time consuming and costly; and,

J. confusing new requirements pertaining to disclosure of recordings of meetings, including making recordings promptly available after meetings, and somehow incorporating such recordings with meeting minutes; and,

K. new requirements that minutes would include electronic communications concerning public business among an effective majority of the members that occurred prior to a meeting, which would be an unworkable and ineffective imposition on municipalities, and would purport to make pre-meeting communications somehow become part of the meeting itself, an unprecedented expansion of the meeting concept; and,

L. new requirements for maintaining on the municipal website schedules of meetings, agendas, notices of emergency meetings, minutes, resolutions and ordinance to the extent not already set forth in the minutes, and closed meetings resolutions, for a period of at least five years, which would result in additional costs for posting and maintaining website information;

WHEREAS, there is no justifiable basis for the imposition of the burdensome and cost generative provisions of S-1351; and,

WHEREAS, portions of S-1351 place financial, time, manpower and other burdens on municipalities at a time when municipalities are constrained to layoff municipal employees, impose furloughs, and reduce departmental budgets so that municipalities can meet strict CAP requirements even when revenues are decreased and operating costs continue to climb; and,

WHEREAS, the cost generative provisions of S-1351 are unfunded mandates that violate the "State Mandate, State Pay" amendment to the New Jersey Constitution;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Washington, County of Bergen, and State of New Jersey, for the reasons stated above, do hereby opposes Senate Bill No. 1351 in its current form, and urge the New Jersey State Senate and Assembly to oppose this Bill; and,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to State Senator Loretta Weinberg, State Senator Stephen Sweeney, the members of the Senate and Budget Appropriations Committee, the legislators of the 39th State Legislative District, the New Jersey State League of Municipalities, and the Municipal Clerks' Association of New Jersey.

Mary Ann Ozment, Township Clerk

Fred Goetz, Council President

**TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
CONFERENCE PORTION/PUBLIC MEETING**

May 9, 2011

Members present: Glenn Beckmeyer, Steven Cascio, Joseph D'Urso, Richard Hrbek, Fred Goetz. Absent: None Also Present: Janet Sobkowicz, Mayor; Kenneth Poller, Attorney. Absent: Lilly Chin, Acting Administrator.

PRIORITY

Exit 168 Wetland Maps and Exit Reconfiguration - Mrs. Ozment verified that all necessary procedures were followed by the county and one set of plans were delivered to the Clerk's office for public inspection. A discussion ensued about the negative effect a traffic light at the 168 exit ramp would have for that intersection.

UPDATE

Payment of Vendors - Mr. D'Urso stated that certain vendors have not been paid as of yet and the bills are overdue. Mayor Sobkowicz will look into the issue.

Pay on Line - The Code of Conduct is now complete and approved and the pay on line option will go up within the next few days.

Job Descriptions/Code Enforcement and Building Inspector - No update.

Telephone Audit - No update.

Energy Update, Generator - No update.

Shared Services/Dispatching - Dr. Cascio stated that there is a meeting on May 19th to discuss sharing health services. Copies of the Central Dispatching complex will be handed out soon. He said that Mr. DeJoseph from Hillsdale had been to a Community Development meeting where grant money was being offered for communities that meet certain criteria. No one was at the meeting to represent the township.

Permanent Bonding - The issue will be addressed after the budget has been completed.

There being no further business, a motion was made by Mr. Hrbek seconded by Dr. Cascio to move to Closed Session.

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

Nays: None

Mary Ann Ozment, Township Clerk

Fred Goetz, Council President