

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

PUBLIC PORTION/CONFERENCE MEETING

January 24, 2011

The meeting of the Township Council was held this date in the Municipal Building, Pascack Road. The meeting was called to order at 7:30 p.m. by Council President Joseph D'Urso with the Clerk leading the salute to the flag. Members present: Steven Cascio, Richard Hrbek, Joseph D'Urso. Glenn Beckmeyer arrived 8:30p.m. Absent: None. Also present: Janet Sobkowitz, 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.

APPROVAL OF MINUTES:

A motion was made by Mr. Hrbek, seconded by Mr. Cascio to approve the minutes for January 10, 2011, Sine Die; January 10, 2011 Reorganization; January 10, 2011 Conference; and January 10, 2011, Closed as amended.

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

Nays: None.

PUBLIC DISSCUSSION:

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

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

Nays: None

Peter Mayer, 133 Woodfield Road – Mr. Mayer thanked the DPW for their hard work clearing the snow during the storms this winter. He asked if the Council is going to lower the lake during times of heavy rain since the law suit with Scordo has been settled. Mr. Goetz said that the issue is between the Lake Association and the town's OEM. Mr. Poller stated that he was unaware that the lawsuit has been settled. Mayor Sobkowitz said that she will check to see if the case is dismissed. In case that it is, then she stated that the town will lower the lake. She then said that recyclables will be one day late in pick up due to weather.

Al Gillio, 746 Wayne Place – Mr. Gillio stated that Wayne Place residents are happy that the town and Board of Education are meeting jointly to come up with a solution to the traffic problems at Washington School. The residents of Wayne Place would like to be a part of the dialogs.

Michael Ullman, 2 Clark Avenue – Mr. Ullman asked about a resolution passed at the last Council meeting concerning cancelling unspent funds. Mrs. Do stated that the money will go into surplus – Mr. Ullman stated that the town is doing the same thing with additional funds from police reserve. He asked if the money is earmarked for specific purpose. Mayor Sobkowitz stated that since the 2% cap on the budget the town will need the money as revenue. It is not for specific usage. Mr. Ullman asked about uncovered liability insurance for the DMF and Police Department. Mr. Goetz said that the topic will be discussed further in the budget meetings.

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

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

Nays: None.

CONSENT AGENDA:

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. Hrbek, seconded by Dr. Cascio.

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

Nays: None.

WHEREAS, the Tax Court of New Jersey granted an adjustment in taxes for Block 1404.02, Lot 2, 105 Salem Road for the years 2009 and 2010. The reduction for 2008 and 2009 must be refunded to homeowner. This resolution supersedes previous resolution dated October 18, 2010; previous requisition was incomplete.

WHEREAS, under the New Jersey Statute 54:3-27.2, refund of excess taxes is to be refunded to homeowner;

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:

Brach, Eichler, LLC and Freddy and Marie Salerno
101 Eisenhower Parkway
Roseland, NJ 07068

\$4,390.51 (2010)
\$4,538.37 (2009)
TOTAL: \$8,928.88

WHEREAS, the Tax Court of New Jersey granted an adjustment in taxes for Block 2202, Lot 1, 620 Pascack Road for the years 2008, 2009 and 2010. Homeowner paid the reduced amount for 2010; however, the reduction for 2008 and 2009 must be refunded to homeowner. This resolution supersedes previous resolution dated October 18, 2010. Homeowner paid reduced installment for 4th quarter 2010.

WHEREAS, under the New Jersey Statute 54:3-27.2, refund of excess taxes is to be refunded to homeowner;

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:

Robert Jacobs, Esq.
Winni & Banta, P.C. Court Plaza
211 Main Street, #1010, Hackensack, NJ 07601

\$1,700.00 (2008)
\$5,809.63 (2009)
TOTAL: \$7,509.63

WHEREAS, Mr. Andrew J. McKenna, who resides at 17 Braeburn Drive, Block 2109, Lot 8, Qualifier C017C, and;

WHEREAS, Mr. McKenna 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;

WHEREAS, the Township Council of the Township of Washington, New Jersey, authorized, the Chief Financial Officer, Jacqueline Do, be authorized to cancel 1st and 2nd quarters 2011 property taxes based upon the date the application was filed with the Township of Washington which is January 11, 2010 in accordance with Resolution:

Cancel:

1st Quarter 2011: \$ 2,041.00
2nd Quarter 2011: \$ 2,041.00

WHEREAS, an overpayment was received for Block 4408, Lot 28, 281 Colonial Boulevard, homeowners Frank and Claudia Luna, for the 4th quarter 2010. Said property was awarded a tax reduction due to a successful tax appeal. Lender of record for the homeowner paid the original bill. Credit was transferred to 1st quarter 2011; however, lender again paid the original bill.

WHEREAS, under the N.J.S.A. 54:3-27.2, in the event a taxpayer is successful in an appeal from a reduced assessment, the taxing district shall refund any excess taxes paid, and:

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:

BAC TAX SERVICES CORPORATION

1757 Tap Canyon Road
Simi Valley, CA 93068

Reduced Amount Due: \$ 1,606.13
Original bill Paid: - \$ 2,853.91
Amount to be refunded: \$1,247.78

WHEREAS, Mr. Addison, who resides at 782 White Birch Road, Block 2209, Lot 10, 782 White Birch Road and;

WHEREAS, the Township Council of the Township of Washington, New Jersey, authorized, the Chief Financial Officer, Jacqueline Do, be authorized to cancel 4th quarter 2010 and 1st and 2nd quarters 2011 property taxes based upon the date the application was filed with the Township of Washington which is March 29, 2010 in accordance with Resolution:

Cancel:

4th Quarter 2010: \$ 2,223.37
1st Quarter 2011: \$ 2,303.00
2nd Quarter 2011: \$ 2,303.00

WHEREAS, the Tax Court of New Jersey and Bergen County Tax Court approved a tax assessment settlement for Block 1307.02, Lot 5, 10 Katharina Place, current owners David and Gale Fanale, for 2008, 2009 and 2010. Refunds for 2008 and one-half of 2009 were previously refunded to client, the remaining half was applied to 1st & 2nd quarter 2010 taxes, however, overpayment was received, and pursuant to N.J.S.A. 54:3-27.2, overpayments are to 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:

Marcus Brody, Esq.
5 Becker Farm Road
Roseland, NJ 07068

Amount Billed: \$ 15,393.50
Amount Paid: \$ 17,917.07
Amount to be refunded \$ 2,523.57

WHEREAS, Charles Messina posted engineering and soil movement escrow on premises known as Block 4404, Lot 19, 328 Colonial Boulevard; and

WHEREAS, the Construction Code Official has issued approval dated December 21, 2010, C.O. No. 10-004;

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated December 20, 2010.

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 \$43.00 to the above.

WHEREAS, Timothy and Catherine Slutzky posted engineering and soil movement escrow on premises known as Block 4215, Lot 2, 565 Howard Street; and

WHEREAS, the Construction Code Official has issued approval dated December 14, 2010, C.O. No. 10-326;

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated December 7, 2010.

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 \$412.00 to the above.

WHEREAS, Sanjeet and Sanjani Patel posted engineering and soil movement escrow on premises known as Block 4521, Lot 5, 147 Cosman Street; and

WHEREAS, the Construction Code Official has issued approval dated December 1, 2010, C.O. No. 9-259;

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated October 18, 2010.

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 \$196.00 to the above.

WHEREAS, Debra and Kenneth Beck posted engineering escrow on premises known as Block 4215, Lot 7, 572 Mountain Avenue; and

WHEREAS, the Construction Code Official has issued approval dated November 10, 2010, C.O. No. 09-452;

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated October 29, 2010.

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 \$196.00 to the above.

WHEREAS, John and Helen Rehm posted engineering escrow on premises known as Block 4415, Lot 8, 317 Walnut Street; and

WHEREAS, the Construction Code Official has issued approval dated October 21, 2010, C.A. No. 10-088;

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated December 13, 2010.

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 \$412.00 to the above.

WHEREAS, Montana Construction Corp. posted engineering and soil movement escrow along with a performance bond on premises known as Block 2202.02, Lot 2, 708 Amherst Drive for Dominick Santaite, Jr.; and

WHEREAS, the Construction Code Official has issued approval dated January 10, 2011, C.O. No. 10-085;

WHEREAS, there are no outstanding invoices due the Township Engineer as per his letter dated December 20, 2010.

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 \$1092.00 and the performance bond in the amount of \$1000.00 for a total of \$2092.00 to the above.

WHEREAS, Title 40A:4-58 of the New Jersey Statutes provides if it should become necessary during the first three (3) months of the fiscal year to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in an appropriation over and above the amount deemed to be necessary to fulfill the purpose setting forth the facts, adopted by not less than 2/3 votes of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Washington that the Treasurer be and is hereby authorized to make the following transfers in the 2010 Budget Appropriations:

	FROM	TO
Dept. of Public Safety		
Police		
Salary & Wages	\$4,000.00	
Dept. of Municipal Facilities		
Salary & Wages		\$4,000.00

WHEREAS, prompt and efficient delivery of medical services is a vital component of our society; and

WHEREAS, Pascack Valley Hospital was integral to our community as an employer of approximately 1,000 local residents and annually serviced approximately 14,000 inpatient admissions, 42,000 patient days, 5,500 operating room procedures, 11,000 same day center visits, over 1,000 births and approximately 23,000 emergency room visits; and

WHEREAS, for over fifty (50) years this need was met, in substantial part, by Pascack Valley Hospital and the subordinate medical offices and facilities which were located throughout the greater Pascack and Northern Valley communities ; and

WHEREAS, the local economy, medical and social services for our community are in large measure dependent upon a hospital, both as an employer of the skilled and unskilled medical work force residing in our area, and as a provider of medical and social services and a healthcare safety net for our residents including a large population of senior citizens; and

WHEREAS, the closure of Pascack Valley Hospital in November of 2007 coupled with the closures of Passaic Beth Israel and Passaic General Hospitals in Passaic in 2007 along with Barnert Hospital in Paterson in 2008 struck a severe blow to the region and disrupted the long standing system of delivering emergency and non-emergency medical care in Northern New Jersey; and

WHEREAS, the remaining hospitals in the region by reason of distance, travel time, lack of public transportation, and accessibility have been unable to fill the void left by Pascack Valley Hospital as evidenced by the 100% capacity the of main campus of Hackensack University Medical Center and the documented accounts of Valley Hospital utilizing

hallways and multi-purpose cafeteria space as staging areas for patients requiring emergency treatment and awaiting admission to rooms; and

WHEREAS, the extra travel time associated with the distance to the remaining hospital facilities has placed an unbearable burden on the Volunteer Ambulance Corps. in surrounding communities and upon the citizens, particularly senior citizens, residing in the area and needing to travel to the hospitals for treatment or assistance of family members at said facilities for treatment; and

WHEREAS, fourteen municipalities in the Pascack and Northern Valleys placed a referendum question on the ballot in November, 2009 resulting in seventy-three percent (73%) of the voters supporting the efforts to open a full service acute care hospital in Westwood; and

WHEREAS, it has been determined that Hackensack University Medical Center has filed petition to the New Jersey State Department of Health and Senior Services to call for the application of a Certificate of Need allowing for the establishment of a new acute care hospital in Westwood; and

WHEREAS, the Mayor and Council of the Township of Washington wish to express their sentiment and support for the petition by, and subsequent application of Hackensack University Medical Center to operate a full service acute care community hospital in Westwood.

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

1. On behalf of its thousands of residents, the Mayor and Council of the Township of Washington petitions the State of New Jersey Department of Health and Senior Services to affirm the petition of Hackensack University Medical Center as a matter of extreme urgency and with the very realistic potential to be a life and death decision, call for the application of a Certificate of Need for a new hospital in Westwood.
2. The Governing Body of the Township of Washington specifically rejects the situation that existing hospitals can adequately fill the void left by Pascack Valley Hospital. In the three years following the closure of Pascack Valley Hospital it has been observed, experienced and learned, by the Governing Body, its emergency services, and citizens, that our communities lack the resources to transport patients over the distances said alternative arrangements necessitate and, moreover, in the case of medical emergency, the survival opportunities for critically ill patients decline in direct proportion to the length of travel to remote locations.
3. Waiting times at the remaining hospitals in the region are excessive and unacceptable. Reports are confirmed of hallways clogged with gurneys filled with patients awaiting attention and admission.
4. A system of medical care delivery, including physicians' offices, clinics and off-site medical facilities has grown up around the Pascack Valley Hospital over the last fifty (50) years. The disruption of that system, which would inevitably result from the permanent closure of the former Pascack Valley Hospital, will have, over time, an even greater negative impact on the availability and accessibility of quality medical care, quality of life, and the economy in the surrounding communities than has already been experienced.

THEREFORE, for all of the reasons mentioned above, the Governing Body of the Township of Washington does hereby urge the State of New Jersey Department of Health and Senior Services to call for

the Certificate of Need application and to allow for the establishment of a new acute care hospital in Westwood.

WHEREAS, the citizens of the Township of Washington stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Township of Washington has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's **Read Across America**, a national celebration of reading, will be conducted on March 2, 2011, which would have been the 107th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, **Read Across America-NJ** is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students:

NOW, THEREFORE, BE IT RESOLVED, that the Township of Washington Township Council calls on the citizens of Township of Washington to assure that every child is in a safe place reading together with a caring adult on March 2, 2011;

BE IT FURTHER RESOLVED, that this body enthusiastically endorses NEA'S **Read Across America** and **Read Across America-NJ** and recommits our community to engage in programs and activities to make America's children the best readers in the world.

After the Closed Session, a motion was made by Mr. Beckmeyer, seconded by Dr. Cascio to move back to Open Session.

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

Nays: None

A motion was made by Dr. Cascio, seconded by Mr. Beckmeyer to proceed with the acquisition of property located immediately to the south of the Municipal Complex for the purchase price of \$410,000 and providing for the owner to remove and keep the rear deck and all the appliances subject to the passing of an appropriate ordinance authorizing the sale of the property which is public property to be funded by the rental from the cell tower subject to any adjustments recommended by the auditor and approved by the Council.

Ayes: Councilpersons Beckmeyer, Cascio, Hrbek, Goetz.

Nays: Councilperson D'Urso

A motion was made by Mr. Beckmeyer, seconded by Dr. Cascio to adjourn, the time being 10:30 p.m.

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

Nays: None

Mary Ann Ozment, Township Clerk

Fred Goetz, Council President

