

Regular Meeting
February 10, 2014

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, February 10, 2014, at 8:25 P.M. in the Wanaque Municipal Building.

The Mayor called the meeting to order.

On roll call, the following Council Members responded: Balunis, Leonard, Pasquariello, Pettet and Willse. Councilman Cortellessa was absent. The Mayor declared a quorum. The Borough Attorney and Borough Engineer were present.

The Mayor read the following Sunshine Statement: This is a Regular meeting of the Mayor and Council and adequate notice thereof has been given by advertising the date, time and place of the Regular meetings in the Suburban Trends and the Herald News newspapers and was e-mailed to these papers on January 2, 2014, and a notice thereof has been posted on January 2, 2014 on the bulletin board in the Wanaque Municipal Building, 579 Ringwood Avenue, Wanaque, New Jersey and a copy thereof has been on file in the office of the Municipal Clerk.

MINUTES:

January 13, 2014.

On entertainment of the Mayor, Councilmen Pasquariello and Pettet moved a motion to approve the aforementioned Minutes.

On roll call, all voted yes, and the Mayor declared the motion carried.

PRESENTATION: Sports Award Certificates – Cheerleaders – 7:00 P.M.

ORDINANCES:

Public Hearing of Ord. #1-0-14:
Re: Amend Salary Ordinance

On entertainment of the Mayor, Councilmen Pasquariello and Pettet moved that Ordinance #1-0-14 be taken from the table and read by the Clerk, by title only, for consideration of final reading.

On roll call, all voted yes and the Mayor declared the motion carried.

The Clerk took from the table and read by title only as follows: AN ORDINANCE TO AMEND ORDINANCES THAT PROVIDE FOR AND DETERMINE THE RATE OF PAYMENT THEREOF FOR THE EMPLOYEES OF THE BOROUGH OF WANAQUE IN THE COUNTY OF PASSAIC WHO ARE NOT COVERED BY MUTUAL AGREEMENTS.

This Ordinance has been duly advertised in accordance with the statutes; a copy was posted on the bulletin board in the Municipal Building, a copy was available for the public to read in the Clerk's office; and copies are available for the public present here this evening.

The Mayor opened the Public Hearing.

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No one came forward.
The Mayor closed the Public Hearing.

On entertainment of the Mayor, Councilmen Pasquariello and Pettet moved that,

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE TO AMEND ORDINANCES THAT PROVIDE FOR AND DETERMINE THE RATE OF PAYMENT THEREOF FOR THE EMPLOYEES OF THE BOROUGH OF WANAQUE IN THE COUNTY OF PASSAIC WHO ARE NOT COVERED BY MUTUAL AGREEMENTS pass final reading, and that said Ordinance be adopted as an Ordinance of the Borough of Wanaque; and

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published in the manner prescribed by law.

On roll call, all voted yes, and the Mayor declared the motion carried.

Public Hearing of Ord. #2-0-14:

Re: Approve participation in PCIA Energy Aggregation Program

On entertainment of the Mayor no motion was made to take Ordinance #2-0-14 from the table for consideration of final reading.

Introduction of Ord. #3-0-14:

Re: Amend Chapter 91, "Sewers" to amend the Connection Fee

On entertainment of the Mayor, Councilmen Pasquariello and Pettet moved that Ordinance #3-0-14 be taken from the table and read by the Clerk, by title only, for consideration of first reading

On roll call, all voted yes, and the Mayor declared the motion carried.

The Clerk took from the table and read by title only as follows: AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 91, "SEWERS" TO AMEND THE SCHEDULE OF RATES FOR THE CONNECTION FEE.

On entertainment of the Mayor, Councilmen Pasquareillo and Pettet moved that,

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 91, "SEWERS" TO AMEND THE SCHEDULE OF RATES FOR THE CONNECTION FEE pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 10th day of March 2014, at the Municipal Building in the Borough of Wanaque at 8:00 P.M., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance; and

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BE IT FURTHER RESOLVED that the Borough Clerk be instructed to publish in the manner provided by law a copy of said Ordinance, together with introduction thereof and notice when same will be considered for final passage and adoption.

On roll call, all voted yes and the Mayor declared the motion carried.

Introduction of Ord. #4-0-14:
Re: Amend 2014 Salary Ordinance

On entertainment of the Mayor, Councilmen Pasquariello and Willse moved that Ordinance #4-0-14 be taken from the table and read by the Clerk, by title only, for consideration of first reading.

On roll call, all voted yes, and the Mayor declared the motion carried.

The Clerk took from the table and read by title only as follows: AN ORDINANCE TO AMEND THE SALARY ORDINANCE OF THE BOROUGH OF WANAQUE FOR THE YEAR 2014.

On entertainment of the Mayor, Councilmen Pasquariello and Willse moved that,

AN ORDINANCE TO AMEND THE SALARY ORDINANCE OF THE BOROUGH OF WANAQUE FOR THE YEAR 2014 pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 10th day of March 2014, at the Municipal Building in the Borough of Wanaque at 8:00 P.M., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance; and

BE IT FURTHER RESOLVED that the Borough Clerk be instructed to publish in the manner provided by law a copy of said Ordinance, together with introduction thereof and notice when same will be considered for final passage and adoption.

On roll call, all voted yes, and the Mayor declared the motion carried.

Introduction of Ord. #5-0-14:
Re: Amend the Re-Development Plan – Block 435, Lots 5 and 5.01

On entertainment of the Mayor, Councilmen Leonard and Pasquariello moved that Ordinance #5-0-14 be taken from the table and read by the Clerk, by title only, for consideration of first reading.

On roll call, all voted yes, and the Mayor declared the motion carried.

The Clerk took from the table and read by title only as follows: AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN ESTABLISHED IN ORDINANCE NUMBER 5-0-09 (PROVIDING FOR AN INDUSTRIAL MIXED USE ZONE (IMU)) AND CREATING THE FOURTH AVENUE RESIDENTIAL OVERLAY ZONE (FAR) CONSISTENT WITH THE BOUNDARIES OF THE IMU

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ZONE AND CONSISTENT WITH THE FOURTH AVENUE RESIDENTIAL REDEVELOPMENT PLAN, SO AS TO INCLUDE THE PROPERTIES LOCATED AT BLOCK 435 (LOT 5) AND BLOCK 435 (LOT 5.01) WITHIN THE FAR AS AN OVERLAY ZONE TO THE EXISTING IMU ZONE HERETOFOR ESTABLISHED BY ORDINANCE NUMBER 5-0-09; AND, FURTHER AMENDING THE ZONING MAP OF THE BOROUGH OF WANAQUE TO INCLUDE THE FAR OVERLAY ZONE. CHAPTER 114-14.12 OF THE CODE OF THE BOROUGH OF WANAQUE ENTITLED 'MRA ZONE' IS HEREBY AMENDED TO INCLUDE THE FAR OVERLAY ZONE AND ZONING DISTRICT.

On entertainment of the Mayor, Councilmen Leonard and Pasquariello moved that,

AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN ESTABLISHED IN ORDINANCE NUMBER 5-0-09 (PROVIDING FOR AN INDUSTRIAL MIXED USE ZONE (IMU)) AND CREATING THE FOURTH AVENUE RESIDENTIAL OVERLAY ZONE (FAR) CONSISTENT WITH THE BOUNDARIES OF THE IMU ZONE AND CONSISTENT WITH THE FOURTH AVENUE RESIDENTIAL REDEVELOPMENT PLAN, SO AS TO INCLUDE THE PROPERTIES LOCATED AT BLOCK 435 (LOT 5) AND BLOCK 435 (LOT 5.01) WITHIN THE FAR AS AN OVERLAY ZONE TO THE EXISTING IMU ZONE HERETOFOR ESTABLISHED BY ORDINANCE NUMBER 5-0-09; AND, FURTHER AMENDING THE ZONING MAP OF THE BOROUGH OF WANAQUE TO INCLUDE THE FAR OVERLAY ZONE. CHAPTER 114-14.12 OF THE CODE OF THE BOROUGH OF WANAQUE ENTITLED 'MRA ZONE' IS HEREBY AMENDED TO INCLUDE THE FAR OVERLAY ZONE AND ZONING DISTRICT pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 10th day of March 2014, at the Municipal Building in the Borough of Wanaque at 8:00 P.M., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance; and

BE IT FURTHER RESOLVED that the Borough Clerk be instructed to publish in the manner provided by law a copy of said Ordinance, together with introduction thereof and notice when same will be considered for final passage and adoption.

On roll call, all voted yes, and the Mayor declared the motion carried.

PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.

Grace Maiello, 26 Rhinesmith Avenue, Wanaque said at the Board of Education meeting regarding the security at the school there was discussion of possibly relocating the voting sites. Now you have to go through security procedures to go into the school and it would be helpful to relocate the polling sites.

The Borough Administrator said it is being looked into.

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John Maiello, 26 Rhinesmith Avenue, Wanaque said I would like to thank you for not passing the energy aggregation Ordinance and commend you on the good job of plowing of the streets.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #40-0-14:

Re: Redemption of Tax Sale Certificate #12-00015 for Block 317, Lot 1.08 in the amount Of \$2,001.55 for the Certificate and \$3,100.00 for the premium

WHEREAS, a Tax Sale was held for 2012 delinquent Municipal charges on October 09, 2013, and

WHEREAS, US Bank Cust for BV001 Trust was the successful bidder for Block 317 Lot 1.08 for which Tax Sale Certificate #12-00015 was assigned, and

WHEREAS, Valley National Bank has redeemed said certificate of which funds have been deposited into the Current Account.

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$2,001.55 for the certificate and \$3,100.00 for the premium as per the certification of the Tax Collector.

Resolution #41-0-14:

Re: Redemption of Tax Sale Certificate #12-00019 for Block 413, Lot 20 in the amount of \$1,824.33 for the Certificate and \$2,000.00 for the Premium

WHEREAS, a Tax Sale was held for 2012 delinquent Municipal charges on October 09, 2013, and

WHEREAS, Clemente Enterprises was the successful bidder for Block 413 Lot 20 for which Tax Sale Certificate #12-00019 was assigned, and

WHEREAS, Nationstar Mortgage has redeemed said certificate of which funds have been deposited into the Current Account.

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$1,824.33 for the certificate and \$2,000.00 for the premium as per the certification of the Tax Collector.

Resolution #42-0-14:

Re: Redemption of Tax Sale Certificate #12-00024 for Block 463, Lot 22 in the amount of \$7,036.81 for the Certificate and \$7,000.00 for the premium

WHEREAS, a Tax Sale was held for 2012 delinquent Municipal charges on October 09, 2013, and

WHEREAS, Tower Fund Services as Cust for Ebury Fund was the successful bidder for Block 463 Lot 22 for which Tax Sale Certificate #12-00024 was assigned, and

WHEREAS, Bayview Loan Servicing has redeemed said certificate of which funds have been deposited into the Current Account.

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NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$7,036.81 for the certificate and \$7,000.00 for the premium as per the certification of the Tax Collector.

Resolution #43-0-14:

Re: Credit of 1st Quarter of 2014 Sewer and refund the Sewer paid for the 2nd, 3rd and 4th Quarter of 2012 and the entire year of 2013 for 63 Fourth Avenue in the total amount of \$1,505.00

WHEREAS, the owner of 63 Fourth has been paying for sewer that should have been inactivated upon purchase of the property;

WHEREAS, the owner would like a refund;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector credit the 1st quarter of 2014 sewer and refund the sewer paid for the 2nd, 3rd and 4th quarter of 2012 and the entire year of 2013 in the total amount of \$1,505.00

Resolution #44-0-14:

Re: Credit for a Tax overbilling on Block 432, Lot 38 for the 1st and 2nd Quarter of 2014 in the amount of \$59,559.30

WHEREAS, there exists a tax over billing on Block 432 Lot 38 for the 1st and 2nd quarter of 2014. This parcel was the "mother lot" for Greentree Development and now has an assessed value of 0 for the year 2014;

WHEREAS, the owners have requested a credit to the account;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector shall credit these accounts accordingly in the amount of \$59,559.30.

Resolution #45-0-14:

Re: Credit for a Water overbilling at 190 Meadowbrook Avenue due to an incorrect reading

WHEREAS, there exists a water over billing on the account for Mr. & Mrs. Manzi at 190 Meadowbrook Avenue due to the an incorrect reading;

WHEREAS, the owners have requested a credit to the account;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector shall credit this account accordingly.

Resolution #46-0-14:

Re: Credit for a Tax overbilling on Block 403, Lot 114 for the 1st and 2nd Quarter of 2014 due to the parcel being combined with Lot 112

WHEREAS, there exists a tax over billing on Block 403 Lot 114 for the 1st and 2nd quarter of 2014 due to this parcel being combined with Lot 112 beginning the year 2014;

WHEREAS, the owners have requested a credit to the account;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector shall credit these accounts accordingly.

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Resolution #47-0-14:
Re: Budgetary Transfers

Resolution for Inter Appropriation Transfers

BE IT RESOLVED by the Mayor and Council of the Borough of Wanaque that the following inter-appropriation transfers affecting the year 2013 Local Municipal Budget be approved:

BE IT FURTHER RESOLVED that the proper Borough Officers are hereby directed to enter the said transfers on the financial records of the Borough:

<u>FROM</u>		<u>TO</u>	
CURRENT			
3-CU-01-156-346	\$ 8,000.00	3-CU-01-117-299	\$ 8,000.00
FICA		Public Bldg. O.E.	
WATER OPERATING			
3-WP-02-050-101	\$ 3,300.00	3-WP-02-200-274	\$ 5,100.00
S&W		Misc	
3-WP-02-054-295	\$ 1,800.00		
FICA			

Application for Raffle License:
Re: Saint Francis of Assisi Home School Association – RA:865

Resolution #48-0-14:
Re: Bond Anticipation Note - \$13,446,850.00

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$13,071,850 BOND ANTICIPATION NOTES OF THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, AS FOLLOWS:

Pursuant to a bond ordinance of The Borough of Wanaque, (herein called "local unit") entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$350,000 therefor and authorizing the issuance of \$315,000 bonds or notes of the Borough for financing such appropriation", finally adopted on June 11, 2007 (#10-0-07), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$265,260 shall be issued for the purpose of temporarily

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financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of Laura Avenue (Phase I) in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$455,000 therefor and authorizing the issuance of \$184,500 bonds or notes of the Borough for financing such appropriation", finally adopted on June 11, 2007 (#11-0-07), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$155,340 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the acquisition of a new and additional fire truck by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$975,000 therefor and authorizing the issuance of \$725,000 bonds or notes of the Borough for financing such appropriation", finally adopted on August 13, 2007 (#12-0-07), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$610,520 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of the Haskell Firehouse in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$200,000 therefor and authorizing the issuance of \$180,000 bonds or notes of the Borough for financing such appropriation", finally adopted on August 13, 2007 (#13-0-07), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$161,370 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of the Haskell Water Tank in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$850,000 therefor and authorizing the issuance of \$650,000 bonds or notes of the Borough for financing such appropriation", finally adopted on March 10, 2008 (#4-0-08), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$625,310 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the construction and improvement of athletic fields in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$1,200,000 therefor and authorizing the issuance of \$1,050,000 bonds or notes of the Borough for financing such appropriation", finally adopted on March 10, 2008 (#5-0-08), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$417,580 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the acquisition of a new and additional ambulance by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$170,000 therefor and authorizing the issuance of \$153,000 bonds or notes of the Borough for financing such appropriation", finally adopted on December 8,

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2008 (#22-0-08), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$102,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of the water supply and distribution system (Melrose Avenue and Furnace Avenue) in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$120,000 therefor and authorizing the issuance of \$120,000 bonds or notes of the Borough for financing such appropriation", finally adopted on December 14, 2009 (#26-09), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$116,950 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of Melrose Avenue and Furnace Avenue in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$325,000 therefor and authorizing the issuance of \$108,750 bonds or notes of the Borough for financing such appropriation", finally adopted on December 14, 2009 (#25-09), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$97,290 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of Ringwood Avenue in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$850,000 therefor and authorizing the issuance of \$809,500 bonds or notes of the Borough for financing such appropriation", finally adopted on July 12, 2010 (#9-0-10), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$766,890 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the reconstruction of sidewalks along portions of Ringwood Avenue in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$825,000 therefor, directing a special assessment of the cost thereof, and authorizing the issuance of \$785,700 bonds or notes of the Borough for financing the same", finally adopted on July 12, 2010 (#10-0-10), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$744,340 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$350,000 therefor and authorizing the issuance of \$315,000 bonds or notes of the Borough for financing such appropriation", finally adopted on July 11, 2011 (#12-0-11), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$315,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

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Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$190,000 therefor and authorizing the issuance of \$95,000 bonds or notes of the Borough for financing such appropriation", finally adopted on July 9, 2012 (#20-0-12), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$95,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the construction of a new municipal building in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$4,950,000 therefor and authorizing the issuance of \$4,452,000 bonds or notes of the Borough for financing such appropriation", finally adopted on April 9, 2012 (#4-0-12), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$4,452,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of Westbrook Road in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$450,000 therefor and authorizing the issuance of \$198,000 bonds or notes of the Borough for financing such appropriation", finally adopted on July 8, 2013 (#7-0-13), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$198,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$535,000, and authorizing the issuance of \$481,800 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Wanaque, in the County of Passaic, New Jersey", finally adopted on July 8, 2013 (#8-0-13), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$481,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance making a supplemental appropriation of \$3,650,000 for the construction of a new municipal building in and by the Borough heretofore authorized to be undertaken by the Borough of Wanaque, in the County of Passaic, New Jersey, and authorizing the issuance of \$3,467,500 bonds or notes of the Borough for financing such supplemental appropriation", finally adopted on July 8, 2013 (#9-0-13), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$3,467,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 through 17 described,

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shall be combined into a single and combined issue of bonds in the principal amount of \$13,071,850.

The following matters in connection with said Bond Anticipation Notes are hereby determined:

All notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the local unit, provided that no note issued pursuant to Sections 1 through 17, inclusive, hereof shall mature later than (i) one year from the date of the first such note issued pursuant to the respective ordinances referred to in said Sections, and (ii) three years from the date of the first note issued pursuant to each such respective ordinance unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;

All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and

The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the signature of the chief financial officer upon said notes shall be conclusive as to such determinations.

The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other

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things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended. All action heretofore taken by Borough officials and professionals with regard to the sale and award of said notes is hereby ratified, confirmed, adopted and approved. This resolution shall take effect immediately.

Upon motion of Councilman Willse, seconded by Councilman Balunis the foregoing resolution was adopted by the following vote:

AYES: Councilman Balunis, Councilman Leonard, Councilman Pasquariello, Councilman Pettet, Councilman Willse

NOES: NONE ABSTAIN: NONE ABSENT: Councilman Cortellesa

Payment to County of Passaic re:

Re: 1st Quarter Taxes for the Year 2014 in the amount of \$2,017,871.46

Payment to County of Passaic re:

Re: Open Space Taxes for the 1st Quarter Year 2014 in the amount of \$30,314.94

Payment to County of Passaic re:

Re: Open Space Taxes and Added Assessment for 2011 and 2012 in the amount of \$11,073.81

Resolution #49-0-14:

Re: Approve Permanent Appointment as Public Works Repairers – Michael Brusco, Shane Riegler, Robert Roach

BE IT RESOLVED that the promotion to the permanent title of Public Works Repairer, Civil Service Certification PL140033 dated 1/15/14 for the following employees be and is hereby confirmed:

Michael Brusco - \$58,600
Robert Roach – \$56,100
Shane Reigler - \$39,854

Resolution #50-0-14:

Re: Approve Tax Court Settlement – Brendan and Nancy King

WHEREAS, Brendan J. King and Nancy C. King filed Tax Appeals, in the Tax Court against the Borough of Wanaque, for tax year 2012 with respect to premises identified on the Wanaque Borough Tax Map as Block 231; Lot 5.01, 7 and 8, commonly known and identified as 523, 527 and 533 Ringwood Avenue, in the Borough of Wanaque. Said Complaints bearing Docket Number 004866-2012; and

WHEREAS, the Borough of Wanaque has filed an Answer and appearing in opposition to the Tax Appeal so filed; and

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WHEREAS, the Borough did retain the services of Scott Holzhauer, MAI a Real Estate Expert Appraiser; and

WHEREAS, after appearances, and conferences, between the taxpayer, its experts, and the Borough of Wanaque, through Mr. Holzhauer, Brian Townsend, the Borough of Wanaque negotiated, which is deemed to be in the best interests of the Borough of Wanaque;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Wanaque, County of Passaic and State of New Jersey as follows:

1. The Tax Appeal filed by Brendan J. King and Nancy C. King, Docket No. 004866-2012 with respect to premises identified as Block 231, Lots 5.01, 7 , and 8 on the Borough's Official Tax Map, and commonly known as 523, 527 and 533 Ringwood Avenue, be settled in accordance with a proposed Stipulation of Settlement annexed hereto and made a part hereof.
2. The Borough Attorney Anthony Fiorello, Esq., is hereby authorized and directed to affix his consent to the Stipulation of Settlement and thus resolve the pending Tax Appeal filed by the taxpayer Brendan J. King and Nancy C. King.

Resolution #51-0-14:

Re: Approve Payment – Emergency Repair - Water Main – \$11,631.00 – Mike Fitzpatrick and Son

WHEREAS, an emergency existed with regards to the repair of a mater main on Wilson Drive on January 17, 2014 which necessitated the services of an outside contractor to make the repair; and

WHEREAS, the Superintendent of Public Works and the Borough Administrator contracted with Mike Fitzpatrick & Son Inc., 18 Cozy Lake Road, Oak Ridge, NJ to perform the necessary work; and

WHEREAS, this work qualifies and an emergency purchase in accordance with NJSA 40A:11-6.

NOW, THEREFORE, BE IT RESOLVED that payment in the amount of \$11,631.00 be and is hereby approved for the repair work on Wilson Drive on 1/17/14 to Mike Fitzpatrick & Son, 18 Cozy Lake Road, Oak Ridge, NJ; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account 4-WP-02-050-219.

Resolution #52-0-14:

Re: Approve Current Estimate #7 – Uni Mak LLC – Borough Hall Construction

BE IT RESOLVED that current estimate #7 for the construction of the new Municipal Building, in the amount of \$54,782.00 payable to UniMak LLC be and is hereby approved.

Resolution #53-0-14:

Re: Approve Current Estimate #4 and Final – John Garcia and Son – Monroe Street Sewer Project

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BE IT RESOLVED that current estimate #4 and final for the Sewer replacement project on Monroe Street and Jefferson Street, in the amount of \$27,000.31 payable to John Garcia and Son be and is hereby approved.

Resolution #54-0-14:

Re: Approve Tax Court Settlement – Shree Badha Shivan LLC (Holiday Inn) 2010, 2011, 2012 and 2013

WHEREAS, Shree Badha Shivam, LLC has filed Tax Appeals, against the Borough of Wanaque for Tax Years 2010, 2011, 2012 and 2013 in the Tax Court of New Jersey with respect to premises identified on the Wanaque Borough Tax Map as Block 468, Lot 3.01, the Docket Numbers, of said Complaints being 013805-2010, 002149-2012, and 009703-2013; and

WHEREAS, the Borough of Wanaque has filed and appeared in opposition to the Tax Appeals so filed; and

WHEREAS, the Borough did retain the services of Scott Holzhauer, MAI a Real Estate Expert Appraiser; and

WHEREAS, after appearances, and conferences, between the taxpayer, its experts, and the Borough of Wanaque, through Mr. Holzhauer, the Borough of Wanaque Assessor, and Attorney, a proposed settlement has been negotiated, which is deemed to be in the best interests of the Borough of Wanaque;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Wanaque, County of Passaic and State of New Jersey as follows:

1. That the Tax Court of New Jersey cases, filed by Shree Badha Shivam, LLC, against the Borough of Wanaque, involving premises known as Block 468; Lot 3.01 on the Borough's Official Tax Map, and commonly known as 303 Union avenue, under Docket Numbers 013805-2010, 002149-2012 and 009703-2013 be settled in accordance with a proposed Stipulation of Settlement annexed hereto and made a part hereof.
2. The Borough Attorney Anthony Fiorello, Esq., is hereby authorized and directed to affix his consent to the Stipulation of Settlement and thus resolve the pending Tax Appeal filed by the taxpayer Shree Badha Shivam, for premises commonly known as Holiday Inn Express against the Borough of Wanaque.

Resolution #55-0-14:

Re: Approve Final Estimate #3 and Change Order #2 – Fourth Avenue Improvements – AJM Contracting - \$20,827.03

BE IT RESOLVED that Change Order #2 (-496.00) and Final Estimate #3 for the Fourth Avenue Improvements, in the amount of \$20,827.03 payable to John AJM Contractors, Inc. be and is hereby approved.

Resolution #56-0-14:

Re: Amend 2014 Salary Resolution

BE IT RESOLVED that the 2014 Salary resolution be amended to add the following:

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Name	Title	Salary
J. Brusco (Riverdale Interlocal)	Construction Code Official	\$4,000
J. Hoffman (Riverdale Interlocal)	Electric Subcode Official	\$4,000
D. Stanbaugh (Riverdale interlocal)	Plumbing Subcode Official	\$1,500
R. Porrino (Riverdale Interlocal)	Fire Subcode Official	\$2,000
T. Carroll (Lyndhurst interlocal)	Qualified Purchasing Agent	\$13,564
Maryann Brindisi (Lyndhurst interlocal)	Recreation secretary	\$1,500

Resolution #57-0-14:

Re: Contract – State Health Benefits Plan – Prescription effective 6/1/14

A **RESOLUTION** to authorize participation in the New Jersey State Health Benefits Program Act of the State of New Jersey for Local Prescription Drug Coverage.

BE IT RESOLVED:

1. The Borough of Wanaque, a participating employer in the Health Benefits Program, hereby elects to participate in the Local Prescription Drug Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.25 et seq.) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission.
2. As a participating employer we will remit to the State Treasury all premiums on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.
3. We hereby appoint the Borough Administrator to act as the Certifying Officer in the administration of this program.
4. This resolution shall take effect immediately and coverage shall be effective as of June 1, 2014 or as soon thereafter as it may be effectuated pursuant to the statutes and regulations.

Adopted: February 10, 2014

Katherine J. Falone
Borough Clerk

Daniel Mahler
Mayor

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Borough of Wanaque on the 10th day of February, 2014

Signature – Katherine J. Falone
Borough Clerk
579 Ringwood Avenue, Wanaque, NJ 07465
973-839-3000 x 7113
Area Code Telephone #
CVS/Caremark
Present Prescription Drug Carrier
Number of Employees – 42
Employer's State Social Security Identification – 22-6002369

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Resolution #58-0-14:
Re: Grant Application – Passaic County

On entertainment of the Mayor, Councilmen Willse and Balunis moved a motion to approve the aforementioned Consent Agenda.

On roll call, all voted yes, and the Mayor declared the motion carried.

REGULAR REPORTS - PROFESSIONAL REPORTS:

1. Clerk's Receipts for January 2014 -
2. Police Department Report for January 2014 -
3. Tax Collector's Report for January 2014 -
4. Municipal Court Report for January 2014 -

On entertainment of the Mayor, Councilmen Pasquariello and Willse moved that reports be received and filed; and that all monies be turned over to the Treasurer.

On roll call all voted yes and the Mayor declared the motion carried.

COMMUNICATIONS: None.

NEW BUSINESS:

Closed Session:
Re: Litigation/Negotiation/Personnel

Held to the end of the meeting.

UNFINISHED BUSINESS: None.

RESOLUTIONS:

FINANCE REPORT:

Councilman Pettet said your Finance Committee respectfully reports that they have examined and approved the following and recommend that warrants be issued for their payment when the funds of the Borough of Wanaque are sufficient to meet them.

VOUCHERS:

Current Operating 2013	\$256,969.63
Water Operating 2013	\$ 20,986.28
Sewer Operating 2013	\$ 1,061.29
Current Operating 2014	\$511,508.99

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Water Operating 2014	\$123,279.42
Sewer Operating 2014	\$802,086.05
General Capital	\$ 40,358.28
Escrow	\$ 2,180.75
Animal Trust	\$ 1,464.60
Recreation Trust	\$ 4,217.19
Other Trust	\$ 300.00
Housing Trust	\$ 375.70

Voucher Total: \$1,764,788.18

Payroll:

Councilmen Pettet and Willse moved a resolution approving the following payrolls:

PR #1	01/10/14	\$212,723.34
PR #2	01/24/14	\$223,569.29
PR #3	02/07/14	\$203,384.95
	Payroll Total:	\$639,677.58
	Grand Total:	\$2,404,465.76

On roll call, all voted yes, and the Mayor declared the resolution adopted and forthwith approved it.

APPROVED: February 10, 2014

Daniel Mahler
Mayor

NEW BUSINESS:

Closed Session:

Re: Litigation/Negotiation/Personnel

On entertainment of the Mayor, Councilmen Pasquariello and Willse moved that,

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, (N.J.S.A. 10:4-1) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, This public Body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Wanaque, County of Passaic, State of New Jersey, as follows:

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.

2. The general nature of the subject matter to be discussed is as follows:

1) Negotiations.

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3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session when the reasons for discussing and acting on the matter in closed session no longer exist, but no later than one month of the Mayor and Council arriving at a final decision on the specified subject matter.

On roll call, all voted yes, and the Mayor declared the motion carried.

RECONVENEMENT:

On entertainment of the Mayor, Councilmen Willse and Pettet moved a motion to reconvene.

On roll call, all were present.

ADJOURNMENT:

On entertainment of the Mayor, Councilmen Pasquariello and Willse moved a motion to adjourn the meeting.

On roll call, all voted yes, and the Mayor declared the motion carried; meeting adjourned at 9:10 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk