

Business Meeting
August 12, 2013

A Business Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, August 12, 2013 at 7:05 P.M. in the Wanaque Municipal Building.

The Mayor called the meeting to order.

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

The Mayor read the following Sunshine Statement: Adequate notice of this meeting has been provided by the Mayor and Council by emailing notice of this Business Meeting to the Suburban Trends and the Herald News newspapers on December 28, 2012 stating therein that this meeting would be held on Monday, August 12, 2013 at the time of 7:00 P.M. in the Wanaque Municipal Building, 579 Ringwood Avenue, Wanaque, New Jersey and a copy of this notice was posted on the bulletin board in the Wanaque Municipal Building on December 28, 2012 and a copy is on file in the office of the Municipal Clerk.

MINUTES:

July 8, 2013

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

On roll call, all voted yes, except Councilman Pettet who abstained and the Mayor declared the motion carried.

ORDINANCES:

Public Hearing of Ord. #10-0-13:

Re: Amend Chapter 108 – “Vehicles and Traffic” to restrict parking during certain hours on a portion of Rhinesmith Avenue

On entertainment of the Mayor, Councilmen Willse and Cortellessa moved that Ordinance #10-0-13 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 THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 108, “VEHICLES AND TRAFFIC” TO RESTRICT PARKING DURING CERTAIN HOURS ON A PORTION OF RHINESMITH AVENUE.

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 Cortellessa and Leonard moved that,

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 108, "VEHICLES AND TRAFFIC" TO RESTRICT PARKING DURING CERTAIN HOURS ON A PORTION OF RHINESMITH AVENUE 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.

Introduction of Ord. #11-0-13:
Re: Amend Cable Television Ordinance

On entertainment of the Mayor, Councilmen Cortellessa and Balunis moved that Ordinance #11-0-13 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 ORDINANCE #6-0-13 ENTITLED AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE SYSTEM WITHIN THE BOROUGH OF WANAQUE, NEW JERSEY TO CABLEVISION OF OAKLAND, LLC.

On entertainment of the Mayor, Councilmen Cortellessa and Balunis moved that,

AN ORDINANCE AMENDING ORDINANCE #6-0-13 ENTITLED AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE SYSTEM WITHIN THE BOROUGH OF WANAQUE, NEW JERSEY TO CABLEVISION OF OAKLAND, LLC 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 9th day of September 2013, 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.

COMMITTEE REPORTS:

Councilman Balunis:

Councilman Balunis reported the statistics for the First Aid Squad were not received due to the Secretary being away. They did receive the new ambulance and there was a nice article in the Suburban Trends on Sunday on the new ambulance. The path by the school the boy scouts cleaned up all the garbage there and it is a lot nicer now. Regarding the first aid building will the boy scouts paint the building.

The Mayor said yes that will be a boy scout project and they will paint the back of the building. There are ten Eagle Scouts to be honored at a ceremony on November 30th. That is a lot of them usually there are only one or two.

Councilman Cortellessa:

Councilman Cortellessa reported on the road and water departments have been busy. The water was drained on Hagstrom field. There are equipment issues that we need to talk about. Signs were put up at Borough Hall for the construction project. The vegetative waste pick up is continuing. Water meter installations and mark outs are being done. The part time students are doing well on the road department and they are busy.

Councilman Leonard:

Councilman Leonard said regarding the issue at Back Beach Park with the cars on the dirt road has that been addressed.

The Borough Administrator said the Chief has been on vacation for the last couple of weeks and I need to talk to him. We can't just put something up. The police are down there regularly patrolling. Some of them come up from Pompton Lakes along the pipeline also.

Councilman Pasquariello:

Councilman Pasquariello read the Police Report. Chief Norton is doing well. The FOP Lodge 145 and the Ringwood Police are sponsoring a one mile hike against addiction on September 8th at 1:00 P.M. at 145 Carltondale Road. Anyone interested can contact Sergeant Cavallaro or Patrolman Spillane.

Councilman Pettet:

Councilman Pettet said I have no report.

Councilman Willse:

Councilman Willse reported the Fire Department had thirteen alarms and five drills in July and thirteen thousand one hundred thirty two man hours year to date. The Hearst tools are on order. The Scott Paks have been ordered also but the division at the State that has to inspect them is backlogged. They should arrive around October 15th.

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Councilman Cortellessa said can you clarify what is the DCRP Insurance in the Corrective Action Plan.

The Borough Administrator said that was not put in the Budget this year.

Councilman Cortellessa said what actions would they take to avoid and make a plan.

The Borough Administrator said this comes from the Chief Financial Officer and will talk to her.

PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.

Jacob Van Loon, 111 Greenwood Avenue, Haskell said I am opposed to the Tilcon plan and what can we do to keep the dump trucks off of Greenwood Avenue. Some of us have lived here for twenty to thirty years and the quality of life has gone down since 287 opened. It is a speedway with the traffic now.

The Borough Administrator said we could put a weight limit on it to stop the bigger trucks coming through.

Jacob Van Loon said the safety factor will get worse and we can't even walk down the road. I appreciate you trying to get the ratables down but I don't agree with the trucks on Greenwood Avenue.

The Mayor said we could do the weight limit Ordinance now. In talking to Tilcon they are looking to having the trucks out early and back in early so they don't get stuck in the traffic.

Jacob Van Loon said there are trucks on that road now.

Susan Neuberger, 37 Union Court said the dump trucks were out at 4:30 A.M. coming down Susquehanna already the other day.

Jacob Van Loon said I appreciate you doing something and thank you for your time.

Marvin Lehman, 4312 Warrens Way, Wanaque said what is the status of the funds to COAH.

The Borough Administrator said we asked for the check back and didn't get it. We stopped payment on it and are waiting for the State to certify it for three hundred eighty thousand dollars.

Ann Timko, 28 Fourth Avenue, Haskell said regarding the preliminary estimate did you receive it and there are two hundred construction signs listed in there.

The Borough Engineer said there is two hundred square feet and fifteen to twenty signs.

Ann Timko said the repair on the Boulevard was done with two to four signs and including site clearing.

The Borough Engineer said that is for anywhere that they need to cut bushes down.

Ann Timko said there are no trees or anything to cut down.

The Borough Engineer said that is for anything that needs to be done – a general site clearing item.

Ann Timko said how did you get to twenty thousand on the estimate.

The Borough Engineer said it covers every item and anything out of the ordinary. The estimate is typical items.

Ann Timko said the test pit what is it.

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The Borough Engineer said it is to cross a utility and cross a sewer/utility line and to come out and mark it out.

Ann Timko said the laterals for the sewer there are fifteen for each house and the water laterals there are thirty listed.

The Borough Engineer said the drain is only on one half of the street and the transite water main needs to be replaced so all the water and only half of the sewer laterals need to be done.

Ann Timko said Haledon did something with a sleeve for twenty thousand dollars.

The Borough Engineer said they are not replacing the laterals they are just cutting them.

Ann Timko said it was six hundred thousand three dollars for twenty feet there and it is eight hundred thousand dollars for here. The Council should take a look at this. The parking you could do alternate side of the parking on the street even if the road is narrowed such as on Bergen Avenue and they didn't dig on my property it was maybe my neighbors' property.

Ken Ambruster, 6 Gardella Place, Haskell thanked Councilman Balunis for helping with the Gaeta garbage contractor issue. A Pompton Lakes resident had an article in the newspaper about cleaning out the area around the stores in Wanaque and it was putting Wanaque down in the newspaper.

Stephen Mazurek, 148 Greenwood Avenue, Haskell said I will piggyback on what Mr. Van Loon said and anything you can do to put up signage to curtail the speeding on Greenwood Avenue. Can you do something to help slow the traffic down there.

The Mayor said I will speak to the Police Chief.

Councilman Leonard said the police are there but they are hidden maybe they can be more visual.

Stephen Mazurek said I appreciate it.

Grace Maiello, 26 Rhinesmith Avenue, Wanaque said the Tilcon issue you should pay attention to how close to Burger King it is and how much dirt comes off of those trucks. The Il Positano restaurant is no longer with us what happens to the license.

The Mayor said the license has to be renewed and then approve by the State.

Glen Conklin, 118 Greenwood Avenue, Haskell said keep in mind that the trucks coming in town will have tar and an odor and also if they are doing projects it may not just be dust and dirt coming off the trucks.

John Kee, 40 Greenwood Avenue, Haskell said with regard to Tilcon the street sweeping is a big concern and who is sweeping the streets.

The Mayor said Tilcon does it and knows they would be doing it.

John Kee said there is a mud puddle when the dirt gets wet and can they limit the time the trucks come out of the street before 8:00 A.M. and 3:00 P.M. Maybe we should disallow them to use the road altogether. Trucks from Tilcon mix thing with trucks from Braen and they will be going down the road. Maybe you can make a no left turn coming out of their street and only a right turn coming out so they would not do a u turn on Union Avenue and discourage them from using Union Avenue and Greenwood Avenue.

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The Mayor said the other gentleman made a good point about the truck limit on Greenwood Avenue.

John Kee said the police do a pretty good job but anytime of the day there are speeders unless the police are there all the time. Can we get a “no littering” sign on Greenwood Avenue. I disapprove of the dirt road altogether and it would alleviate this totally.

Ann Timko, 28 Fourth Avenue, Haskell said in article 12 of the estimate what is DGA.

The Borough Engineer said it is digitized aggregate.

Ann Timko said article 22 there is 2” top and 4” what is that.

The Borough Engineer said asphalt 4” is the rough mix and on top is 2” smooth surface DGA 4”.

Ann Timko said the preliminary estimate on each job is done.

The Borough Administrator said yes.

Ann Timko said what is the cost estimate.

The Borough Engineer said it depends because we can’t take the lowest number of every bidder because the contractor may bid some things higher.

Ann Timko said the cones and things doesn’t the contractor bring that with them.

The Borough Engineer said the cost is priced in the estimate.

Ann Timko said doesn’t the Borough have cones to use.

The Borough Administrator said yes but the cost needs to be in there for the bids. One may be one dollar and the other bid may be ten dollars.

Ann Timko said you should look at the estimate.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #107-0-13:

Re: Credit of Tax overbilling on various properties in the amount of \$19,302.80 for 2013 and \$9,651.46 for the first half of 2014 as a result of County Board Judgments

WHEREAS, there exists tax overbilling on the properties listed on the attached spreadsheet for 2013 and the first half of 2014 as a result of County Board Judgments;

WHEREAS, the credits total \$19,302.80 for the 2013 and \$9,651.46 for the first half of 2014;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector shall adjust these accounts accordingly as per the certifications from the County.

Resolution #108-0-13:

Re: Refund of Tax overpayment for the 2nd Quarter 2013 for Block 403, Lot 112 in the amount of \$777.05 due to Assessor’s office error in the assessed value of the property

WHEREAS, there exists a tax overpayment on the 2nd quarter of 2013 in the amount of \$777.05 for Block 403 Lot 112 due to a County Board judgment;

WHEREAS, the owners have requested a refund of said overpayment;

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NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund a total of \$777.05 as per the certification of the Tax Collector.

Resolution #109-0-13:

Re: Cancel the Sewer Change fund in the amount of \$100.00 and establish a Change fund for the Health Department in the amount of \$100.00

BE IT RESOLVED by the Mayor and Council of the Borough of Wanaque that a Change Fund be established for:

Health Department.....\$100.00

BE IT ALSO RESOLVED by the Mayor and Council that the Borough cancel the following Change Fund:

Sewer Clerk.....\$100.00

Resolution #110-0-13:

Re: Amend Professional Agreement – Petry Engineering – Sanitary Sewer Program – Add Dickens Place - \$19,000.00

WHEREAS, the Borough of Wanaque entered into an agreement with Petry Engineering for professional services for the design of sewer mains and laterals on Jefferson Street, Monroe Street and Jackson Street; and

WHEREAS, the Borough is in receipt of a Community Development Block Grant for the installation of sewers and laterals, which includes Dickens Place.

NOW, THEREFORE, BE IT RESOLVED that the agreement with Petry Engineering, 155 Passaic Avenue, Fairfield NJ 07004 be amended to include the design of sewer mains and laterals on Dickens Place, in the amount not to exceed \$19,000; and

BE IT FURTHER RESOLVED THAT the Chief Financial Officer has certified that funds are available in budget account 3-SW-550-204; and

BE IT FURTHER RESOLVED that the Borough Clerk publish a notice of this award in the Suburban Trends, in accordance with NJSA 40A:11-5 et. seq.

Resolution #111-0-13:

Re: Approve Cancellation of Mortgage – CDBG Program – 13 Franklin Place

WHEREAS, Emily T. McDonough, 13 Franklin Place, Haskell NJ entered into a Wanaque Small Cities Housing Rehabilitation Project Mortgage on March 8, 2000; and

WHEREAS, the Mortgage Note provided that the Mortgage would be paid off in ten (10) years from March 8, 2000, and the property owner has satisfied the conditions of said Note.

NOW, THEREFORE, BE IT RESOLVED that Thomas F. Carroll, Borough Administrator, be and he is authorized and directed to execute a Release of Mortgage in favor of Emily T. McDonough, 13 Franklin Place, Haskell NJ.

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Resolution #112-0-13:

Re: Agreement – Community Grants, Planning and Housing – COAH Screening

BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute an agreement with Community Grants, Planning and Housing LLC for providing Council on Affordable Housing (COAH) screening services for the period of August 1, 2013 to July 31, 2014.

Resolution #113-0-13:

Re: Approve Cross Easement Agreement – Block 464, Lot 43

WHEREAS, the Borough of Wanaque is constructing a welcome park at the corner of Ringwood Avenue and Union Avenue; and

WHEREAS, the adjacent property owner, Wanaque LaSala LLC,, is partnering with the Borough and providing services to the Borough the park; and

WHEREAS, this land is leased to the Borough by the New Jersey Department of Transportation, and certain cross easements are required.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and they are hereby authorized and directed to execute a cross-easement agreement with Wanaque LaSala LLC for the property located at Block 464 Lot 13.

Resolution #114-0-13:

Re: Approve Current Estimate #1 – \$254,408.00 UniMak LLC (Bonds and Insurance)

BE IT RESOLVED that Current Estimate #1 in the amount of \$254,408.00 payable to Unimak, LLC, 322 Lanza Avenue, Garfield, NJ 07026 be and is hereby approved. (insurance and bonds)

Resolution #115-0-13:

Re: 2012 Audit – Corrective Action Plan

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have an annual audit of its books, accounts and financial transactions; and

WHEREAS, The Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A: 5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, The Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by Resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the Annual Audit entitled:

General Comments
Recommendations

and

WHEREAS, The members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the Governing Body; and

WHEREAS, Such Resolution of certification shall be adopted by Governing Body no later than forty-five days after receipt of the Annual Audit, as per the regulations of the Local Finance Board; and

WHEREAS, All members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local Governing Body who, after a date fixed for compliance fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than on thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, That the Governing Body of the Borough of Wanaque, hereby states that it has compiled with the promulgation of the Local Finance board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON August 12, 2013.

Application for Flea Market:

Re: Wanaque Fire Department Auxiliary – Saturday, October 19, 2013 (Rain Date – Sunday, October 20, 2013)

Six (6) Applications for Raffle Licenses:

Re: 1) Wanaque Haskell Education Foundation – RA:848 and RA:849, 2) Lakeland Lancers Soccer Booster – RA:850 and 3) Saint Francis of Assisi Home School Association – RA: 851, RA:852 and RA:853

Resolution #117-0-13:

Re: Letter from Passaic County Board of Chosen Freeholders – Resolution Proclaiming August 18 to August 24, 2013 as Passaic County Senior Citizen Week

WHEREAS, as Americans are living longer and healthier lives, the senior citizen population continues to grow; and

WHEREAS, Passaic County includes 86,403 citizens ages 60; and

WHEREAS, the Mayor and Council are committed to valuing all individuals and recognizing their ongoing life achievements; and

WHEREAS, the older adults in Passaic County play an important role by continuing to contribute experience, knowledge, wisdom and accomplishments; and

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WHEREAS, the Mayor and Council celebrates the contributions older citizens have made throughout their lives; and

WHEREAS, these special citizens have led us through times of conflict, depression, peace and have witnessed first-hand the milestones of our Country;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Wanaque do hereby proclaim August 18 to August 24, 2013 Passaic County Senior Citizen Appreciation Week; and

BE IT FURTHER RESOLVED that the Mayor and Council urges every citizen to take time this week to recognize older adults as powerful and vital citizens who greatly contribute to the community; and

BE IT FURTHER RESOLVED that the Mayor and Council do hereby continue to recognize and celebrate Passaic County Senior Citizen Appreciation Week on an annual basis commencing the third week of August of each subsequent year; and

BE IT FURTHER RESOLVED that the Mayor and Council calls upon each Municipality to recognize and show appreciation for the value and contributions of the older American population during this time heretofore annually.

On entertainment of the Mayor, Councilmen Willse and Cortellessa 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 July 2013 -
2. Police Department Report for July 2013 -
3. Tax Collector's Report for July 2013 -
4. Municipal Court Report for July 2013 -

On entertainment of the Mayor, Councilmen Leonard 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.

PROFESSIONAL REPORTS:

The Borough Engineer reported they are scheduling the Westbrook Road details for the project.

The Borough Administrator reported on Wednesday the new fuel system is being put in and it is a State of the art system. There is a key fob instead of the cards. The milling and paving for 2013 started and Garbarino Avenue was milled today. Conklintown Road will be milled the end of the week and then paved next week. The tennis courts were paved at Back Beach through the developer and it saved two hundred fifty thousand dollars.

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The Borough Attorney reported the courts are in half time session now. There are ten Tax Appeals still pending and they will start active again in September or October.

COMMUNICATIONS: None.

NEW BUSINESS:

Closed Session:

Re: Litigation/Negotiation/Personnel

None.

UNFINISHED BUSINESS: None.

RESOLUTIONS:

Resolution #116-0-13:

Re: Approve Memorandum of Understanding - Tilcon

Held.

FINANCE REPORT: Vouchers – Payrolls:

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.

On entertainment of the Mayor, Councilmen Pettet and Leonard moved a resolution approving the following payrolls:

FINANCE REPORT

Mayor and Council Meeting August 12, 2013

The Finance Committee has examined and approved the following and recommends warrants be issued for their payment when funds of the Borough of Wanaque are sufficient to meet them.

VOUCHERS:

Current Operating 2012	\$ 926.82
Current Operating 2013	\$558,995.12
Water Operating 2013	\$119,717.55
Sewer Operating	\$ 219.99
Escrow	\$ 8,110.50
General Capital	\$ 30,675.96
Water Capital	\$ 593.82
Animal Trust	\$ 70.80
Recreation Trust	\$ 3,971.39

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	Voucher Total:	\$723,281.95
PAYROLLS:		
PR #14	7/15/13	\$ 208,176.21
PR #15	7/26/13	\$ 209,151.39
PR #16	8/09/13	\$ 206,525.88
	Payroll Total:	\$ 623,853.48
	Grand Total:	\$1,347,135.43

ADJOURNMENT:

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

On roll call, all voted yes, and the Mayor declared the motion carried; meeting adjourned at 8:05 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk