

January 11, 2016  
Regular Meeting

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, January 11, 2016, at 9:05 P.M. in the Wanaque Municipal Building.

The Mayor called the meeting to order.

On roll call, the following Council Members responded: Cortellessa, Leonard, Pettet and Willse. Councilmen Balunis and Pasquariello were 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, 2015, and a notice thereof has been posted on January 2, 2015 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:

December 14, 2015.

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

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

ORDINANCES:

Introduction of Ord. #1-0-16:

Re: Easement to PSE&G for gas line and repeal Ordinance #13-0-15

On entertainment of the Mayor, Councilmen Cortellessa and Willse moved that Ordinance #1-0-16 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 RESCINDING AND REVOKING ORDINANCE NO. 13-0-15 AND AUTHORIZING THE GRANTING OF AN EASEMENT OVER A PORTION OF WANAQUE BOROUGH PROPERTY IDENTIFIED AS BLOCK 448 LOT 8 ON THE WANAQUE TAX BOROUGH TAX MAP.

Councilman Pettet said Lorrie Lane is a private road and do we own it.  
The Borough Administrator said yes we own it.

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

January 11, 2016  
Regular Meeting

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE RESCINDING AND REVOKING ORDINANCE NO. 13-0-15 AND AUTHORIZING THE GRANTING OF AN EASEMENT OVER A PORTION OF WANAQUE BOROUGH PROPERTY IDENTIFIED AS BLOCK 448 LOT 8 ON THE WANAQUE TAX BOROUGH TAX MAP pass first reading, and that said Ordinance be further considered for final passage and adoption at a regular meeting of the Borough Council to be held on the 8th day of February 2016, at the Municipal Building in the Borough of Wanaque at 8:00 PM., 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. #2-0-16:

Re: Easement – Block 402, Lot 7

On entertainment of the Mayor, Councilmen Willse and Pettet moved that Ordinance #2-0-16 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 GRANTING AN INGRESS AND EGRESS EASEMENT OVER A PORTION OF WANAQUE BOROUGH PROPERTY IDENTIFIED AS LOT 7, BLOCK 402, ON THE WANAQUE BOROUGH TAX MAP.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE GRANTING AN INGRESS AND EGRESS EASEMENT OVER A PORTION OF WANAQUE BOROUGH PROPERTY IDENTIFIED AS LOT 7, BLOCK 402, ON THE WANAQUE BOROUGH TAX MAP pass first reading, and that said Ordinance be further considered for final passage and adoption at a regular meeting of the Borough Council to be held on the 8th day of February 2016, at the Municipal Building in the Borough of Wanaque at 8:00 PM., 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. #3-0-16:

Re: Approve PILOT Agreement – Block 231, lots 10, 11

January 11, 2016  
Regular Meeting

On entertainment of the Mayor, Councilmen Willse and Cortellessa moved that Ordinance #3-0-16 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 APPROVING A TWENTY YEAR ANNUAL SERVICE CHARGE PROGRAM FOR THE RESIDENTIAL PROJECT AS PART OF THE MIDVALE REDEVELOPMENT PLAN TO BE CONSTRUCTED IN THE BOROUGH OF WANAQUE BY REALTY ASSOCIATES REDEVELOPMENT LLC, A QUALIFIED URBAN RENEWAL ENTITY.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE APPROVING A TWENTY YEAR ANNUAL SERVICE CHARGE PROGRAM FOR THE RESIDENTIAL PROJECT AS PART OF THE MIDVALE REDEVELOPMENT PLAN TO BE CONSTRUCTED IN THE BOROUGH OF WANAQUE BY REALTY ASSOCIATES REDEVELOPMENT LLC, A QUALIFIED URBAN RENEWAL ENTITY pass first reading, and that said Ordinance be further considered for final passage and adoption at a regular meeting of the Borough Council to be held on the 9th day of November 2015, at the Municipal Building in the Borough of Wanaque at 8:00 PM., 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.

No one came forward.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #25-0-16:

Re: Redemption of Tax Sale Certificate #12-00025 for Block 430, Lot 1.03 in the amount of \$605,851.62 for the Certificate and \$490,000.00 for the Premium

**WHEREAS**, a Tax Sale was held for 2012 delinquent Municipal charges on December 19, 2013;

**WHEREAS**, US Bank Cust – BV001 Trust & Crdtrs, was the successful bidder for Block 430 Lot 1.03, 1069 Ringwood Avenue for which certificate 12-00025 was assigned;

January 11, 2016  
Regular Meeting

**WHEREAS**, Kessler Law, the attorney for the owner, has redeemed said certificate of which funds have been deposited into the Current Account;

**NOW, THEREFORE, BE IT RESOLVED** Treasurer shall refund the lienholder \$605,851.62 for the tax sale certificate and \$490,000.00 for the premium per the certification of the Tax Collector.

Resolution #26-0-16:

Re: Redemption of Tax Sale Certificate #14-00015 for Block 271, Lot 4 in the amount of \$2,243.06 for the Certificate and \$1,500.00 for the Premium

**WHEREAS**, a Tax Sale was held for 2014 delinquent Municipal charges on September 16, 2015;

**WHEREAS**, Clemente Enterprises was the successful bidder for Block 271 Lot 4, 8 Wolfe Drive for which certificate 14-00015 was assigned;

**WHEREAS**, Ocwen Bank, the mortgage holder, has redeemed said certificate of which funds have been deposited into the Current Account;

**NOW, THEREFORE, BE IT RESOLVED** Treasurer shall refund the lienholder \$2,243.06 for the tax sale certificate and \$1,500.00 for the premium per the certification of the Tax Collector.

Resolution #27-0-16:

Re: Redemption of Tax Sale Certificate #14-00025 for Block 414, Lot 40 in the amount of \$1,849.07 for the Certificate and \$1,200.00 for the Premium

**WHEREAS**, a Tax Sale was held for 2014 delinquent Municipal charges on September 16, 2015;

**WHEREAS**, Clemente Enterprises, was the successful bidder for Block 414 Lot 40, 61 Bergen Avenue for which certificate 14-00025 was assigned;

**WHEREAS**, Lereta, has redeemed said certificate of which funds have been deposited into the Current Account;

**NOW, THEREFORE, BE IT RESOLVED** Treasurer shall refund the lienholder \$1,849.07 for the tax sale certificate and \$1,200.00 for the premium per the certification of the Tax Collector.

Resolution #28-0-16:

Re: Redemption of Tax Sale Certificate #14-00026 for Block 415, Lot 35 in the amount of \$11,173.37 for the Tax Sale Certificate #14-00026 for the Certificate and \$31,000.00 for the Premium

**WHEREAS**, a Tax Sale was held for 2014 delinquent Municipal charges on September 16, 2015;

**WHEREAS**, US Bank Cust for Phoenix, was the successful bidder for Block 415 Lot 35, 15 Rockridge Road for which certificate 14-00026 was assigned;

**WHEREAS**, Accumatch, has redeemed said certificate of which funds have been deposited into the Current Account;

January 11, 2016  
Regular Meeting

**NOW, THEREFORE, BE IT RESOLVED** Treasurer shall refund the lienholder \$11,173.37 for the tax sale certificate and \$31,000.00 for the premium per the certification of the Tax Collector.

Resolution #29-0-16:

Re: Redemption of Tax Sale Certificate #14-00017 for Block 273, Lot 15, Tax Sale Certificate #14-00031 for Block 456, Lot 1 and Tax Sale Certificate #14-00008 for Block 238, Lot 1.01 in the amount of \$5,683.51 for the Tax Sale Certificates and \$2,500.00 for the Premiums

**WHEREAS**, a Tax Sale was held for 2014 delinquent Municipal charges on September 16, 2015;

**WHEREAS**, US Bank Cust Pro Cap 4, was the successful bidder for Block 273 Lot 15, 42 Cannonball Road for which certificate 14-00017 was assigned, Block 456 Lot 1, 117 Monroe Street for which certificate 14-00031 and Block 238 lot 1.01, 4 Mullen Ave for which certificate 14-00008 was assigned;

**WHEREAS**, Ocwen Bank, the mortgage holder, has redeemed said certificate of which funds have been deposited into the Current Account;

**NOW, THEREFORE, BE IT RESOLVED** Treasurer shall refund the lienholder \$5,683.51 for the tax sale certificate and \$2,500.00 for the premium per the certification of the Tax Collector.

Resolution #30-0-16:

Re: Credit Account for Tax billing on Block 453, Lot 5 and 5.01 for the 1<sup>st</sup> and 2<sup>nd</sup> Quarter of 2016 due to the Block and Lots being deleted and separated into individual Lots to accommodate the Lakeland Village Development

**WHEREAS**, there exists tax billing on Block 435 Lot 5 and 5.01 for the 1<sup>st</sup> and 2<sup>nd</sup> quarter of 2016;

**WHEREAS**, the above block and lots will be deleted and separated into individual lots to accommodate the Lakeland Village development;

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

Resolution #31-0-16:

Re: Credit Account for Tax billing on Block 105, Lot 14 for the 1<sup>st</sup> and 2<sup>nd</sup> Quarters of 2016 in the amount of \$2,168.39 for the First Half of 2016 due to property being donated to the Borough making it Tax Exempt

**WHEREAS**, there exists tax overbilling on Block 105 Lot 14 for the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2016;

**WHEREAS**, the property owner has donated the property to the Borough of Wanaque therefore making it tax exempt;

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Collector shall credit this account \$2,168.39 for the first half of 2016.

January 11, 2016  
Regular Meeting

Resolution #32-0-16:

Re: Refund of Water overbilling for the Wanaque Reserve Guard Shack in the amount of \$2,147.79

WHEREAS, the Wanaque Reserve Guard Shack has been overbilled for water due to faulty readings;

WHEREAS, the Wanaque Reserve is entitled to a refund for overbilling;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector shall refund the amount of \$2,147.79.

Resolution #33-0-16:

Re: Permanent Appointment – Ralph Porrino – Fire Protection Subcode Official

BE IT RESOLVED that Ralph Porrino be and is hereby appointed Fire Protection Subcode Official, in accordance with the NJ Civil Service Commission certification OL151601, effective immediately, at an annual salary of \$7792.00 (part time).

Resolution #34-0-16:

Re: Current Estimate #1 – Haskell Paving – Jefferson and Milton - \$101,294.76

BE IT RESOLVED Current Estimate #1 in the amount of \$101,294.76 payable to Haskell Paving Inc. for the Jefferson Street Milton Place water main project be and is hereby approved.

Resolution #35-0-16:

Re: Approve “Not Fair and Open” purchase – Regional Communications - \$17,716.00

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR THE PURCHASE OF AN EVENTIDE NEXLOG 740 LOGGING RECORDER**

WHEREAS, the Borough of Wanaque has a need to acquire an Eventide NexLog 740 Logging Recorder for the Police Department as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 and 20.5; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, Regional Communications Inc. has submitted a proposal dated December 21, 2015 indicating they will provide the Eventide NexLog 740 Logging Recorder for the \$17,716.00 and

WHEREAS, Regional Communications Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Regional Communications Inc. has not made any reportable contributions to a political or candidate committee in the Borough of Wanaque in the previous one year, and that the contract will prohibit Regional Communications Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified that funds are available in budget account X-GC-03-377-201.

January 11, 2016  
Regular Meeting

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Wanaque authorizes the Borough Administrator to enter into a contract with Regional Communications Inc. as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Resolution #36-0-16:

Re: Approve Grant Application for Passaic County CDBG – Road Resurfacing

BE IT RESOLVED that the Municipal Council authorizes an application to the Passaic County **Community Development Block Grant (CDBG) Program for Road Resurfacing of various streets** as described in the proposal. If awarded CDBG funds, the Borough shall implement the activities in a manner to ensure compliance with all applicable federal, State and local laws and regulations.

Resolution #37-0-16:

Re: Professional Services – Leggette, Brashears and Graham, Inc. – Haskell Well Rehabilitation

BE IT RESOLVED that a professional services contract be awarded to Leggette, Brashears & Graham, 600 East Crescent Avenue, Suite 200, Upper Saddle River, NJ 07458 in the amount of \$11,600 in accordance with their proposal dated January 11, 2016 – Cost proposal for the preparation of technical specifications for the Rehabilitation of Haskell Well #1, Wanaque NJ; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account 6-WP-02-050-277; and

BE IT FURTHER RESOLVED that the Borough Clerk publish notice of this action in the Suburban Trends.

Resolution #38-0-16:

Re: Award State Contract – Consolidated Fence – Memorial Field (\$30,000 Passaic County Open Space \$ \_\_\_\_\_ Borough Open Space)

BE IT RESOLVED that a contract be awarded to Consolidated Steel and Aluminum Fence Co. Inc., 316 North 12th Street, Kenilworth, NJ 07033 under State Contract A88680 in the amount of \$148,668.75 for the replacement of all fencing and backstops at Memorial Field; and BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the Passaic County Open Space Grant and the Wanaque Open Space Trust Fund.

Resolution #39-0-16:

Re: Award State Contract – AAA Emergency Supply - \$42,774.60 – Six Scott Pack Sets

BE IT RESOLVED that a contract be awarded to AAA Emergency Supply, 635 North Broadway, White Plains, NY 10603 under NJ State Contract A80961 in the amount of \$42,774.60 for the purchase of six (6) Scott SCBA packs and associated equipment; and

January 11, 2016  
Regular Meeting

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account X-GC-03-385-201.

Resolution #40-0-16:  
Re: Budgetary Transfers

BE IT RESOLVED by the Mayor and Council of the Borough of Wanaque that the following inter-appropriation transfers affecting the year 2015 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>	
		<b>CURRENT</b>	
5-CU-01-103-299	\$ 250.00	5-CU-01-111-277	\$ 4,100.00
ELECTION		LEGAL-LABOR ATTORNEY	
5-CU-01-130-216	\$ 500.00		
OEM			
5-CU-01-131-273	\$ 350.00		
FIRE PREVENTION BUREAU			
5-CU-01-135-252	\$ 2,200.00		
RECYCLING			
5-CU-01-142-206	\$ 250.00		
CONSTRUCTION CODE			
5-CU-01-142-237	\$ 100.00		
CONSTRUCTION CODE			
5-CU-01-201-278	\$ 450.00		
MUNIC COURT			
<b>TOTAL</b>	<b>\$ 4,100.00</b>		<b>\$ 4,100.00</b>

Two (2) Applications for Raffle Licenses:

Re: Lakeland Regional High School Band Association – RA:922 and RA:923

Application for 2016 License to Operate Amusement Machines:

Re: Joseph Agostino, 18 Railroad Avenue, Wanaque – “Flip’s”

Letter from the Fire Chief:

Re: Appointment of five (5) Junior Firefighters – 1) Mark Olivieri, Jr. – Company #2,  
2) Sean Thies – Company #2, 3) Joseph Luciani – Company #1, 4) Carol Stelling –  
Company #1 and 5) Gavin Singh – Company #2

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

January 11, 2016  
Regular Meeting

On roll call, all voted yes, except Councilmen Cortellessa who abstained on Resolution #32-0-16 and the Mayor declared the motion carried.

REGULAR REPORTS - PROFESSIONAL REPORTS:

1. Clerk's Receipts for December 2015 -
2. Police Department Report for December 2015 -
3. Tax Collector's Report for December 2015 -
4. Municipal Court Report for December 2015 -

On entertainment of the Mayor, Councilmen Willse and Pettet 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

None.

UNFINISHED BUSINESS: None.

RESOLUTIONS:

Resolution #41-0-16:

Re: Approve Change Order #32 – UniMak LLC – Borough Hall Construction

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

BE IT RESOLVED that change order #32 in the amount of \$10,792.47 to UniMak LLC for the Borough Hall construction be and is hereby approved.

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

Resolution #42-0-16:

Re: Approve Payment #30 – UniMak LLC – Borough Hall Construction in the amount of \$

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

January 11, 2016  
Regular Meeting

WHEREAS, the construction of the new Municipal Building is coming to completion;  
and

WHEREAS, the Building Committee will be meeting with representatives from UniMak LLC, the contractor for the project on January 14, 2016 to review the status of the project; and

WHEREAS, UniMak LLC has submitted payment application #30 in the amount of \$106,378.99, and the Building Committee wishes to review this request for payment with the contractor before payment is made.

NOW, THEREFORE, BE IT RESOLVED that payment application #30 in an amount not to exceed \$106,378.99 to UniMak LLC for the Borough Hall construction be and is hereby approved subject to a final review and approval by the Building Committee on January 14, 2016.

On roll call, all voted yes, Councilman Cortellessa voted yes subject to the Building Committee meeting on January 14<sup>th</sup> as stated in the Resolution and the Mayor declared the motion carried.

Resolution #43-0-16:

Re: Approve Redevelopment Agreement – Block 231, Lots 10, 11

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

WHEREAS, Realty Associates Redevelopment LLC, a qualified urban renewal entity having its principal offices at 266 Harristown Road, Suite 301, P.O. Box 67, Glen Rock, NJ has received final site plan approval from the Wanaque Planning Board to redevelop the property at Block 231, Lots 10 and 11 on the Tax Maps of the Borough of Wanaque, commonly known as 541 and 547 Ringwood Avenue; and

WHEREAS, the Borough of Wanaque and Realty Associates Redevelopment LLC wish to enter into a redeveloper's agreement for this property.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are authorized to execute a Redeveloper's Agreement with Realty Associates Redevelopment LLC and to have the agreement recorded with the Passaic County Registrar of Deeds and Mortgages.

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

PUBLIC DISCUSSION: (Work Meeting)

FINANCE REPORT: Vouchers - Payrolls

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

**VOUCHERS:**

Current Operating 2015

Water Operating 2015

Sewer Operating 2015

January 11, 2016  
Regular Meeting

General Capital  
Water Capital  
Escrow

**Voucher Total:**

**Payroll:**

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

PR #26	12/23/2015	\$ 228,866.62
PR #01	01/08/2016	\$ 255,802.27
	<b>Payroll Total:</b>	\$ 484,668.89
	<b>Grand Total:</b>	\$ 484,668.89

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

APPROVED: January 11, 2016

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Daniel Mahler  
Mayor

**ADJOURNMENT:**

On entertainment of the Mayor, Councilmen Cortellessa 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 9:15 P.M.

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Katherine J. Falone, RMC, CMC  
Municipal Clerk