

Regular Meeting
June 13, 2016

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, June 13, 2016, at 10:05 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, Pettet and Willse. Councilman Pasquariello 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, 2016, and a notice thereof has been posted on January 2, 2016 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:

May 9, 2016.

Councilman Cortellessa said there needs to be a correction made on the vote for Ordinance #7-0-16 reflecting my vote as no.

On entertainment of the Mayor, Councilmen Leonard and Balunis moved a motion to approve the aforementioned with the correction noted to be made.

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

PRESENTATION: Steve Sbarra – Municipal Pipeline Group – 7:00 P.M.

ORDINANCES:

Public Hearing of Ord. #9-0-16:

Re: Capital Surplus Ordinance – Fund purchase of Block 232, Lots 2 & 4 - \$570,000

On entertainment of the Mayor, Councilmen Leonard and Balunis moved that Ordinance #9-0-16 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 APPROPRIATING \$570,000 FROM CAPITAL SUPLUS TO FUND THE PURCHASE OF REAL PROPERTY IN THE BOROUGH OF WANAQUE, BLOCK 232, LOTS 2 & 4.

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.

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On entertainment of the Mayor, Councilmen Leonard and Willse moved a motion to table the Ordinance and have the Finance Committee review the Ordinance.

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

Public Hearing of Ord. #11-0-16:

Re: Amend Chapter 133 – “Animals and Rabies Control”

On entertainment of the Mayor, Councilmen Pettet and Cortellessa moved that Ordinance #11-0-16 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 AMENDING CHAPTER 133, ARTICLE 4, OF THE CODE OF THE BOROUGH OF WANAQUE TITLED "ANIMALS AND RABIES CONTROL" AND REGULATING FARM ANIMALS, FOWL, PIGEONS POISONOUS SNAKES AND REPTILES IN THE BOROUGH OF WANAQUE AND PROVIDING PENALITIES FOR VIOLATION.

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.

On entertainment of the Mayor, Councilmen Leonard and Willse moved a motion to table the Ordinance and have the Ordinance Committee review the Ordinance.

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

Introduction of Ord. #12-0-16:

Re: Capital Appropriation Ordinance – DPW Equipment \$125,000 (DPW Backhoe)

On entertainment of the Mayor, Councilmen Willse and Leonard moved that Ordinance #12-0-16 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 APPROPRIATING \$68,175 FROM CAPITAL SURPLUS AND \$56,825 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS.

Councilman Cortellessa said I am supportive of this but I am concerned for the expenditure of funds from capital.

The Borough Administrator said I suggest that you at least introduce the Ordinance.

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

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BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE APPROPRIATING \$68,175 FROM CAPITAL SURPLUS AND \$56,825 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS 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 13th day of June 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. #13-0-16:

Re: Water Capital Appropriation Ordinance – Water Main Replacement – Monroe Street, Jackson Street, Dickens Place - \$450,000.00

On entertainment of the Mayor, Councilmen Leonard and Cortellessa moved that Ordinance #13-0-16 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 APPROPRIATING \$450,000 FROM THE WATER UTILITY RESERVE FOR DEBT, FOR THE REPLACEMENT OF WATER MAINS ON A PORTION OF JACKSON STREET, MONROE STREET, AND DICKENS PLACE.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE APPROPRIATING \$450,000 FROM THE WATER UTILITY RESERVE FOR DEBT, FOR THE REPLACEMENT OF WATER MAINS ON A PORTION OF JACKSON STREET, MONROE STREET, AND DICKENS PLACE 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 11th day of July 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. #14-0-16:

Re: Bond Ordinance – Multi-Purpose – Emergency Generators, Renovation of George Cash Fieldhouse - \$210,000.00

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On entertainment of the Mayor, Councilmen Cortellessa and Balunis moved that Ordinance #14-0-16 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: BOND ORDINANCE APPROPRIATING \$225,000, AND AUTHORIZING THE ISSUANCE OF \$120,000 BONDS OR NOTES.

Councilman Leonard said I have concerns on this Ordinance and I think the price should be lower.

The Borough Administrator said I would recommend you introduce the Ordinance at least.

Councilman Cortellessa said have the Building Committee look at the Field House.

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

BE IT RESOLVED THAT an Ordinance entitled: BOND ORDINANCE APPROPRIATING \$225,000, AND AUTHORIZING THE ISSUANCE OF \$120,000 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 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 11th day of July 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.

Councilman Cortellessa said regarding Ordinance #9-0-16 we need to know how and why this happened and what happens now.

Councilman Leonard said I would like to discuss it further.

The Borough Attorney said you moved a motion to table the Ordinance and send it to the Finance Committee.

Councilman Balunis said we have two options and one is we can put it in the budget.

Councilman Willse said if there is half a million dollars floating around for capital how much more could there be.

The Borough Administrator said we are using capital for the Fire Chief's car and in the capital improvement fund there is two hundred fifty thousand dollars and it gets put in there every year.

Councilman Cortellessa said the five hundred seventy thousand dollars how do we take it out of capital now and not do the other projects.

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The Borough Attorney said you can table the Ordinance and it can go to the Committee.
Councilman Leonard said we should table the Ordinance to the Finance Committee to look at it further.

Councilmen Leonard and Willse moved a motion to table Ordinance #9-0-16..
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 there is mis information on the school district regarding the reconfiguration. The first year would be six hundred sixty eight thousand dollars to move the children and the bus figure is for three hundred fifty children. The other things are bookcase removal, kids moving and toilets that are not included in the moving expenses. The teachers' contract is close to one million dollars and total it is close to four million dollars.

Councilman Pettet said what is the purpose of this.

Grace Maiello said since 1858 this is the fourth time they tried to do this and it is not transporting all the students only the students outside of two miles and they still have the two buildings. It is the same amount of children and I get upset because the children are not getting education both the children at this school and that school.

Councilman Willse said it is from the property not the building entrance that they measure the two miles.

Grace Maiello said there was a twenty three thousand dollar cost for a traffic study in 2008. The information given out is misleading. There are confused people and it will be very costly. There are costs being incurred and it is getting expensive and it is the responsibility of the school district. They voted to do it in 2017.

Councilman Leonard said it is going to affect everyone to adjust their schedules. They should move the conversations with the districts.

Grace Maiello said and the parking is bad also.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #104-0-16:

Re: Refund of overpayment of Taxes for Block 313.08, Lot 3.21 in the amount of \$5,104.45 for the Tax Years 2015 and 2016 based upon proration. Owner qualifies For a 100% disabled Veteran exemption from Tax

WHEREAS, the owner of Block 313.08 Lot 3.21 qualifies for a 100% disabled Veteran exemption from tax, beginning on November 23, 2015;

WHEREAS, the property owner has overpaid the tax for the year 2015 and 2016 based upon proration and is due a full refund for the 1st and 2nd quarter of 2016 along with a partial refund for the 4th quarter of 2015;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer refund a total of

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\$5,104.45 as per the certification of the Tax Collector.

Resolution #105-0-16:

Re: Refund of overpayment of Taxes on Block 418, Lot 17 in the amount of \$3,429.10 for the Tax Year 2016 based on proration. Owner qualifies for a 100% Disabled Veteran exemption from Tax

WHEREAS, the owner of Block 418 Lot 17 qualifies for a 100% disabled Veteran exemption from tax, beginning on February 17, 2016;

WHEREAS, the property owner has overpaid the tax for the year 2016 based upon proration and is due a refund for part of the 1st quarter of 2016 along with a full refund for the 2nd quarter of 2016;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer refund a total of \$3,429.10 as per the certification of the Tax Collector.

Letter from Mary Joyce McLoughlin:

Re: Requesting refund of deposit for Street Opening Permit #2239 in the amount of \$100.00

Resolution #108-0-16:

Re: Tax Appeal Settlement – Conocophillips – Block 248, Lot 6.03 – 627 Ringwood Avenue

BE IT RESOLVED that a settlement in the Tax Court of New Jersey, Docket No. 015716-2012 in the matter of Conocophillips vs Borough of Wanaque, with regards to Block 248 Lot 6.03 be and is hereby approved; and

BE IT FURTHER RESOLVED that the Borough Attorney is authorized to execute such settlement on behalf of the Borough of Wanaque.

Resolution #109-0-16:

Re: Approve Agreement – North Jersey Friendship House, Inc. – Janitorial Services – \$50,005.68

BE IT RESOLVED that change order #33 in the amount of a reduction of \$1,160 and progress payment #30 in the amount of \$45,714.03 payable to UniMak LLC for the Borough Hall construction be and is hereby approved.

Resolution #110-0-16:

Re: Beyer Ford – Purchase of 2017 Police Interceptor SUV – Morris County Co-Op – Fire Chief Vehicle - \$27,742.50 (lights and accessories to be installed by Murphy Communications and Emergency Lights - \$9,850.22)

BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a Shared Services Agreement with Lakeland Regional High School for the purchase and operation of a lightning detection system which will cover both the high school and Borough fields.

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Letter from the Fire Chief:

Re: Remove James Wenzel from the roles of Company #1 effective immediately

Application for Ice Cream Vendor License:

Re: Toufic Katerji, 60 Fayette Avenue, Wayne

On entertainment of the Mayor, Councilmen Willse and Pettet 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:

On entertainment of the Mayor, Councilmen Willse and Cortellessa 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:

Approval of 2016/2017 Liquor License Renewals – Resolution #106-0-16:

1. The Great Atlantic & Pacific Tea Company, Inc. – t/a A & P Liquors
 2. Santina and Peter Berta, Inc. – t/a Berta's Chateau
 - 3.. KJK Spirits, Inc. – t/a Buy Rite Liquors
 - *4. Joseph Agostino – t/a Flip's – Resolution #107-0-16
 5. Il Palazzo, Inc. – t/a Il Palazzo
 6. DNP Enterprises LLC – t/a Wine 2 Spirits
 7. Provision Foods, LTD – t/a Tree Tavern
- *License with Resolution of stipulations and restrictions

The Mayor said for number four Joseph Agostino the Resolution #107-0-16 I am adding a section E which is to establish use of the parking lot on Erie Avenue.

BE IT RESOLVED, that the Mayor and Council of the Borough of Wanaque do hereby approve through this Resolution the following Liquor License Renewals for the Year 2016/2017:

1. The Great Atlantic & Pacific Tea Company, Inc. – t/a A & P Liquors
(Lic #1613-44-003-004) – 1069 Ringwood Avenue, Haskell
2. KJK Spirits, Inc. – t/a Buy Rite Liquors
(Lic #1613-44-007-012) – 207 Ringwood Avenue, Wanaque
- *3. Joseph Agostino – t/a Flip's – Resolution #107-0-16
(Lic #1613-32-017-003) – 18 Railroad Avenue, Wanaque

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4. Il Palazzo, Inc. – t/a Il Palazzo
(Lic #1613-33-020-005) – 600 Ringwood Avenue, Wanaque
5. Provision Foods, LTD – t/a Tree Tavern
(Lic #1613-32-010-003) – 17 Park Street, Wanaque

*License with Resolution of stipulations and restrictions.

On entertainment of the Mayor, Councilmen Pettet and Leonard moved a motion to approve adding Section E to Resolution #107-0-16.

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

Business Meetings:

Re: July and August – 7:00 P.M. to be changed back to a Work Meeting July 11, 2016 at 7:00 P.M. and a Regular Meeting to 8:00 P.M. and a Work Meeting August 8, 2016 at 7:00 P.M. and a Regular Meeting at 8:00 P.M.

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

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

The Mayor said I need to appoint a replacement member on the Board of Adjustment to replace Joseph D’Alessio and the new member is Barry Hain.

On entertainment of the Mayor, Councilmen Leonard and Balunis moved a motion to approve the aforementioned appointment.

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

On entertainment of the Mayor, Councilmen Willse and Leonard moved a motion to approve holding a Special Meeting on June 21, 2016 at 7:00 P.M.

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

Closed Session:

Re: Litigation/Negotiation/Personnel

Held to the end of the meeting.

UNFINISHED BUSINESS: None.

RESOLUTIONS:

Resolution #111-0-16:

Re: Participation in Passaic County CDBG program 2017-2019 (appearance – Deborah Hoffman, Passaic County CDBG Director)

Held to the Special Meeting for June 21, 2016 at 7:00 P.M..

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Resolution #112-0-16:

Re: Award Bid – Water Mains – Maple Avenue, Orchard Street, North Maple Avenue –
Reivax Construction - \$230,284.00

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

WHEREAS, the Borough of Wanaque advertised for and received bids for the water main replacement on Maple Avenue, Orchard Street and North Maple Avenue on June 9, 2016, and bids were received from the following:

Reivax Construction 356 Thomas Street Newark, NJ 07114-2811	\$230,284.00
John Garcia Construction 183 Friar Lane Clifton, NJ 07013	\$235,736.83
Pacific Construction LLC 531 Rt.22 East PMB 240 Whitehouse Station, NJ 08889	\$263,226.24
DR Mullen Construction Co. Inc. 38 Edison Avenue Oakland, NJ 07436	\$324,969.00
Haskell Paving 30 Greenwood Lake Tpke. Ringwood, NJ 07456	\$344,929.45

and;

WHEREAS, the Borough Engineer and the Borough Administrator have reviewed the bid of Reivax Construction and find it responsive, responsible, and in conformance with NJSA 40A:11-1 et. Seq.

NOW, THEREFORE BE IT RESOLVED that a contract be awarded to Reivax Construction, 356 Thomas Street, Newark, NJ in the amount of \$230,284.00 and that the Mayor and Borough Clerk are authorized to execute said contract; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account Y-WC-04-128-201.

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

Resolution #113-0-16:

Re: Professional Services – Affordable Housing Legal Services – Scarinci and Hollenbeck

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

WHEREAS, on April 30, 2016 the Borough of Wanaque announced through its official Municipal Website, www.wanaqueborough.com, that it was soliciting proposals for Special Counsel – Affordable Housing under the “Fair and Open” provisions of N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, those proposals were received on June 9, 2016 by the Borough Administrator, who opened them and read them aloud; and

WHEREAS, proposals were received from the following:

Scarinci & Hollenbeck
Mauro, Savo, Camerino, Grant & Schalk

WHEREAS, upon review by the Borough Council it is agreed to award this contract under the “Fair and Open” provisions of the law;

NOW, THEREFORE, BE IT RESOLVED that the following contract award is made in accordance with N.J.S.A. 40A:11-1 et seq. and N.J.S.A. 19:44A-20.4 et seq.:

Special Counsel – Affordable Housing – Scarinci & Hollenbeck, 1100 Valley Brook Road, Lyndhurst, NJ;

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account 6-CU-01-111-200;

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published in the Suburban Trends as required by Law.

On roll call, all voted yes, except Councilman Leonard who voted no and the Mayor declared the motion carried.

Resolution #114-0-16:

Re: Professional Services – Tax Court Legal Services – Scarinci and Hollenbeck

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

WHEREAS, on April 30, 2016 the Borough of Wanaque announced through its official Municipal Website, www.wanaqueborough.com, that it was soliciting proposals for Legal Services Tax Appeals under the “Fair and Open” provisions of N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, those proposals were received on June 9, 2016 by the Borough Administrator, who opened them and read them aloud; and

WHEREAS, proposals were received from the following:

Scarinci & Hollenbeck
Mauro, Savo, Camerino, Grant & Schalk

WHEREAS, upon review by the Borough Council it is agreed to award this professional service under the “Fair and Open” provisions of the law;

NOW, THEREFORE, BE IT RESOLVED that the following professional appointments are made in accordance with N.J.S.A. 40A:11-5 et seq. and N.J.S.A. 19:44A-20.4 et seq.:

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Legal Services for defense of tax appeals – Scarinci & Hollenbeck at an hourly fee of \$150; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account 6-CU-01-111-278;

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published in the Suburban Trends as required by Law.

On roll call, all votes yes, except Councilman Leonard who voted no and the Mayor declared the motion carried.

Resolution #115-0-16:

Re: Professional Services – Architectural Design – Renovation of George Cash Field House - Petry Engineering

Held.

Resolution #116-0-16:

Re: Appointment of Laborer - DPW

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

BE IT RESOLVED that Joshua Mazowiecki be and is hereby appointed as a Laborer, full time temporary, in the Department of Public Works at an hourly rate of \$16.00; and

BE IT FURTHER RESOLVED that this temporary appointment shall be effective on June 27, 2016 and shall terminate no later than December 24, 2016.

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

PUBLIC DISCUSSION: (Work Meeting)

FINANCE REPORT:

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	\$ 3,800.77
Water Operating 2015	\$ 3,443.92
Current Operating 2016	\$ 199,373.51
Water Operating 2016	\$ 141,690.98
Sewer Operating 2016	\$ 238,415.70
General Capital	\$ 11,928.40

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Escrow	\$	13,957.62
Recycling Trust	\$	318.75
Animal Trust	\$	31.20
Housing Trust	\$	3,408.00
Recreation Trust	\$	619.00
Voucher Total:	\$	616,987.85

Payroll:

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

PR #10	05/17/2016	\$ 209,162.97
PR #11	05/31/2016	\$ 220,335.19
Payroll Total:		\$ 429,498.16
Grand Total:		\$1,046,486.01

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

APPROVED: June 13, 2016

Daniel Mahler
Mayor

The Mayor said regarding the presentation given on the pipeline and the consideration of the amount not to exceed \$6,200.00 will be held to the next meeting.

NEW BUSINESS:

Closed Session:

Re: Litigation/Negotiation/Personnel

On entertainment of the Mayor, Councilmen Leonard 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) Litigation – Mountain Lakes Estates and Lakeside Manor.

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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 Cortellessa and Balunis moved a motion to reconvene at 11:50 P.M.

On roll call, all were present.

ADJOURNMENT:

On entertainment of the Mayor, Councilmen Leonard and Balunis moved a motion to adjourn the meeting.

On roll call, all voted yes, and the Mayor declared the motion carried; meeting adjourned at 11:50 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk