

Regular Meeting
May 12, 2014

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, May 12, 2014, at 8:10P.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: 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:

April 7, 2014.

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

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

PRESENTATION:

Volunteer of the Year Award – Joanne Dandrea:

The Mayor asked the Recreation Commission members to come forward and the Volunteer of the Year Award was presented to Joanne Dandrea.

Joanne Dandrea thanked the Mayor and members for the award.

Bob Horowitz and Paul Schpak said the Wanaque Reserve held a show and wanted to donate the money to the Wanaque First Aid Squad for their services. A check was presented to Lois Maskley and Patty Norton.

ORDINANCES:

Public Hearing of Ord. #7-0-14:

Re: Appropriate \$450,000 for Sewer Main and Lateral Replacement

On entertainment of the Mayor, Councilmen Leonard and Willse moved that Ordinance #7-0-14 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.

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The Clerk took from the table and read by title only as follows: AN ORDINANCE APPROPRIATING \$450,000 FOR THE RECONSTRUCTION OF SANITARY SEWER LATERALS AND SANITARY SEWER MAINS ON JACKSON STREET, MILTON PLACE, CRESCENTE LANE AND RINGWOOD AVENUE IN THE BOROUGH OF WANAQUE, UTILIZING FY 2013 CDBG GRANT OF \$100,000, AND AUTHORIZING EXPENDITURE OF \$350,000 FROM THE SEWER UTILITY CAPITAL FUND.

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

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE APPROPRIATING \$450,000 FOR THE RECONSTRUCTION OF SANITARY SEWER LATERALS AND SANITARY SEWER MAINS ON JACKSON STREET, MILTON PLACE, CRESCENTE LANE AND RINGWOOD AVENUE IN THE BOROUGH OF WANAQUE, UTILIZING FY 2013 CDBG GRANT OF \$100,000, AND AUTHORIZING EXPENDITURE OF \$350,000 FROM THE SEWER UTILITY CAPITAL FUND 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. #8-0-14:

Re: Amend Chapter 29 "Personnel Policies and Regulations" to add Section 29-10,
Method of Compensation

On entertainment of the Mayor, Councilmen Willse and Leonard moved that Ordinance #8-0-14 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 CODE OF THE BOROUGH OF WANAQUE, CHAPTER 29, PERSONNEL POLICIES AND REGULATIONS, TO ADD SECTION 29-10, METHOD OF COMPENSATION.

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

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AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 29, PERSONNEL POLICIES AND REGULATIONS, TO ADD SECTION 29-10, METHOD OF COMPENSATION 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 June 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. #9-0-14:

Re: Capital Ordinance - \$69,000 for Fire Equipment

On entertainment of the Mayor, Councilmen Leonard and Cortellessa moved that Ordinance #9-0-14 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 APPROPRIATING \$69,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF FIRE EQUIPMENT.

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

AN ORDINANCE APPROPRIATING \$69,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF FIRE EQUIPMENT 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 June 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. #10-0-14:

Re: Bond Ordinance – Road Resurfacing

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On entertainment of the Mayor, Councilmen Willse and Cortellessa moved that Ordinance #10-0-14 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: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$375,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$281,250 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

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

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$375,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$281,250 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION 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 June 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 HEARING OF RESOLUTION #83-0-14 AMEND THE 2014 CURRENT, WATER AND SEWER UTILITY BUDGET:

The Mayor opened the Public Hearing on the Budget.

No one came forward.

The Mayor closed the Public Hearing on the Budget.

ADOPTION OF THE 2014 CURRENT, WATER AND SEWER UTILITY BUDGETS AS AMENDED – Resolution #70-0-14

On entertainment of the Mayor, Councilmen Pettet and Cortellessa moved a motion to approve Resolution #70-0-14.

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

PUBLIC DISCUSSION:

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The Mayor opened the Public Discussion.

Robert Mann, Mountain Lakes Estates said what is the status of the development.

The Mayor said we sent a letter to Mr. Rodriguez and he has until the June meeting to respond to us.

Robert Mann said there are people up there digging and we can't put the house up for sale because we live next to a dump. Everyone is losing patience and it has been ten or twelve years.

The Mayor said we have been dealing with this and have given him more than enough time to build the project. We met with him in December and asked him to finish the phase I and he did little of the work and he has received summonses.

Robert Mann said the people in the development are getting hammered. We got dumped on and are looking to you to resolve it.

The Mayor said the State legislature passes law and it helps the developers and it ties the towns' hands and we can't do anything.

Robert Mann said he has had issues wherever he builds. It is deplorable.

The Borough Attorney said we received a call from a major developer so they are trying to market the property.

Robert Mann said he did this in Pennsylvania and they put him in jail. If I had a piece of paper to present to the bank that he is responsible maybe that would help and give us a break. If you let him build you get what you inspect not what you expect. If you don't ask you don't get it that's why I'm here. It's not a good way of life. I will bring the papers to you. Why do we have to follow up with this to inspect it.

The Borough Administrator said Jeff and I will have a conversation tomorrow morning.

Robert Mann said one woman has a wall that collapsed and the water is coming down into her yard and then it will be in my yard and then in my neighbor's yard. It has been ten years and something has to be done. There is a lot of traffic up there also.

Joann Paterson, 6 Linda Road, Wanaque said regarding the retaining wall I have spoken to Jeff Brusco and he referred me to the Engineer. The people took a backhoe and the retaining wall is deteriorating and the water is now coming into my yard and they dumped a tandem of dirt onto the road by the swale, across the property and on the road swale on Mountain Lakes Drive.

The Borough Administrator said I spoke to the Engineer and I will call Jeff and be up there tomorrow morning.

Joann Paterson said the property behind me the shed is deteriorated and he does what he wants. He excavated the whole side of the hill which is on a slope embankment and there is a retaining wall. The dirt is just dumped on the side of the road. Jeff Brusco did leave me a message and say he was going to address it.

The Borough Administrator said let me look into it tomorrow and deal with it.

Kim Gurrieri, 36 Mountain Lakes Drive, Wanaque said I am concerned about the property. I purchased it in 2004 because I didn't want to leave the town and ten years later it is an eyesore. When I give directions to people they turn around thinking they are on the wrong street because of the condition of the road. I am asking you to keep the pressure on the developer and I can't sell the house due to the condition of the street and it is not safe for my three children. Thank you.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #85-0-14:

Re: Redemption of Tax Sale Certificate #12-00009 for Block 238, Lot 1.01 in the amount of \$2,572.46 for the Certificate

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 238 Lot 1.01 for which Tax Sale Certificate #12-00009 was assigned, and

WHEREAS, Ocwen Loan Servicing LLC has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$2,572.46 for the certificate as per the certification of the Tax Collector.

Resolution #86-0-14:

Re: Redemption of Tax Sale Certificate #12-00021 for Block 423, Lot 33 in the amount of \$472.08 for the Certificate

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

WHEREAS, US Bank Cust/Crestar Cap LLC was the successful bidder for Block 423 Lot 33 for which Tax Sale Certificate #12-00021 was assigned, and

WHEREAS, Ocwen Loan Servicing LLC has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$472.08 for the certificate as per the certification of the Tax Collector.

Resolution #87-0-14:

Re: Credit Accounts for Tax billing for the Year 2013 and 2014 for Block 313, Lot 2 in the amount of \$1,744.52 and Block 470, Lot 5 in the amount of \$1,456.32 due to properties being Borough owned and should be exempt

WHEREAS, there exists a tax billing on the following Block and Lots for the year of 2013 and 2014 when these properties are Borough owned and should be exempt:

Block	Lot	Amount
313	2	\$1,744.52
470	5	\$1,456.32

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

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Resolution #88-0-14:

Re: Credit Account due to balance of \$740.99 on the 1st Quarter of 2013 on Block 417,
Lot 11 from a bankruptcy

WHEREAS, there exists a balance of \$740.99 on the 1st quarter of 2013 on Block 417 Lot 11 left from a bankruptcy; and

WHEREAS, a check was returned to the bankruptcy court causing them to believe the debt was paid and stop disbursing on this claim. At the recommendation of the Borough Attorney we will not proceed to collect the balance reflected in the account;

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

Resolution #89-0-14:

Re: Estimated Tax Bills

BE IT RESOLVED that the Borough's Tax Collector be and she is hereby authorized and directed to issue estimate Tax bills for the 3rd Quarter of 2014, upon the approval of the Tax rate set forth in Resolution #90-0-14.

Resolution #90-0-14:

Re: Establish Tax Rate

WHEREAS, the Borough of Wanaque adopted its 2014 budget on May 12, 2014; and

WHEREAS, it has been determined that it will be necessary to issue estimated tax bills for the 3rd quarter of 2014, in order to provide for a sufficient cash flow for governmental operations; and

WHEREAS, the tax levies for the Borough of Wanaque, Wanaque Board of Education and the County of Passaic will not fall above the 5% threshold for the rate to be set by the Governing Body; and

WHEREAS, the Governing Body desires to have the estimated tax bill for the 3rd quarter of 2014 to be as close as possible to the actual tax bill, so that any shortfall will be minimal in the 4th quarter, and place an unexpected additional burden on our taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the following amounts for the 2014 3rd quarter estimated tax bill for the Borough of Wanaque be and are hereby approved.

	Amount to be Raised	14 Rate
Borough	\$ 9,313,171.35	0.828
Local School	\$13,600,242.00	1.209
Regional H.S.	\$ 7,102,516.00	0.631
County	\$ 8,636,488.00	0.767
Library	\$ 426,463.00	0.038
Open Space (Municipal)	\$ 112,531.00	.01
Open Space (County)	\$ 128,579.00	.011
TOTAL	\$39,319,990.35	3.494

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Payment to County of Passaic:

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

Payment to County of Passaic:

Re: Open Space Taxes for the 2nd Quarter Year 2014 in the amount of \$30,314.93

Application for Bingo Licenses:

Re: Wanaque Reserve Senior Citizens Association – BA:198

Resolution #91-0-14:

Re: Award Contract – Westbrook Road Improvements

WHEREAS, the Borough of Wanaque advertised and received bids on May 6, 2014 for improvements to Westbrook Road, and the following proposals were received:

Haskell Paving Co.	\$204,189.82
4 Clean-Up, Inc.	\$283,182.10
DLS Construction	\$290,618.50
Sanzari Asphalt Maintenance	\$313,000.00

and;

WHEREAS, upon review and recommendation by the Borough Engineer, it has been determined that the bid of Haskell Paving Inc. is the lowest responsive and responsible bidder and in conformance with NJSA 40A:11-1 et. seq. "Local Public Contracts Law."

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Wanaque that a contract for the Westbrook Road Improvements be and is hereby awarded to Haskell Paving, Inc. 30 Greenwood Lake Turnpike, Ringwood NJ 07456 in the amount of \$204,189.82; and

BE IT FURTHER RESOLVED that the award of this contract is subject to the approval of the New Jersey Department of Transportation; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account X-GC-03-378-201.

Resolution #92-0-14:

Re: Award Contract – Sewer Line Improvements

WHEREAS, the Borough of Wanaque advertised for and received bids for the sanitary sewer improvements on Jackson Street, Dickens Place, Crescente Lane and Ringwood Avenue, and the following proposals were received:

MSP Construction Inc.	\$339,985.24
John Garcia Construction	\$383,554.07

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Matina & Sons, Inc.	\$395,000.00
Haskell Paving, Inc.	\$569,611.31

and;

WHEREAS, the Consulting Engineer has reviewed the bid of MSP Construction Inc. and finds it to be responsive and responsible and in conformance with NJSA 40A:11-1 et. seq.

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to MSP Construction Corp., 126 Walnut Street, Newark, NJ 07105 at the low bid price of \$339,985.24; and

BE IT FURTHER RESOLVED that this award is contingent upon the bid proposal being approved by the Passaic County Community Development Block Grant office; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in bond ordinance 7-0-14 and resolution 101-0-14.

Resolution #93-0-14:

Re: Amend Community Development Block Grant Agreement

BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute an amended agreement with the Passaic County Community Development Block Grant Program for 2013 for an additional \$50,000 grant for the sanitary sewer replacement program on Jackson Street, Dickens Place, Crescente Lane and Ringwood Avenue.

Resolution #94-0-14:

Re: Purchase of 2014 Ford F450 4 Wheel Drive – Sewer Utility

BE IT RESOLVED that a contract be awarded to Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07936 for one 2014 Ford F-450 \$WD, REG CAB 141” WB 60” CA XL under the Morris County Cooperative Pricing Contract 15-C Item #10A, at the cost of \$47,405.00; and

BE IT FURTHER RESOLVED that funds are available in budget account 4-SW-05-050-201.

Application for Raffle License:

Re: Saint Francis of Assisi Home School Association – RA:870

On entertainment of the Mayor, Councilmen Pasquariello 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:

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

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On entertainment of the Mayor, Councilmen Leonard 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:

Closed Session:

Re: Litigation/Negotiation/Personnel

None.

UNFINISHED BUSINESS: None.

RESOLUTIONS: None.

On entertainment of the Mayor, Councilmen Cortellessa and Leonard moved a motion for the Borough Attorney to file a Tort Claim Notice – Title 59 for Lakeland Regional High School.

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

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	\$ 3,952.09
Water Operating 2013	\$ 1,317.36
Current Operating 2014	\$352,045.13
Water Operating 2014	\$ 33,228.29
Sewer Operating 2014	\$ 15,684.73
General Capital	\$141,983.70
Water Capital	\$ 4,819.01
Escrow	\$ 1,970.00
Animal Trust	\$ 25.00
Unemployment/Disability	\$ 484.25

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Recycling Trust	\$ 2,075.00
Recreation Trust	\$ 2,952.78
Voucher Total:	\$ 560,537.34

Payroll:

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

PR #8	04/18/14	\$202,723.49
PR #9	05/02/14	\$212,037.80
Payroll Total:		\$414,761.29
Grand Total:		\$975,298.634

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

APPROVED: May 12, 2014

Daniel Mahler
Mayor

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 8:55 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk