

Regular Meeting
June 15, 2015

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, June 15, 2015, at 9:40 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 e-mailing notice of this meeting to the Suburban Trends and Herald News newspapers on March 12, 2015 stating therein that the June 8, 2015 Regular Meeting has been rescheduled to be held on Monday, June 15, 2015 at the time of 8:00 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 March 12, 2015 and a copy is on file in the office of the Municipal Clerk.

MINUTES:

May 11, 2015.

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

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

PUBLIC HEARING: 2015 Budget Amendment

On entertainment of the Mayor, Councilmen Cortellessa and Pettet moved a motion to open the Public Hearing.

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

No one came forward.

The Mayor closed the Public Hearing.

ADOPTION OF 2015 CURRENT, WATER AND SEWER UTILITY BUDGET: Resolution #90-0-15

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

On roll call, all voted yes, except Councilman Balunis, Cortellessa, Leonard, and Willse, and the Mayor declared the motion denied.

RESOLUTION #102-0-15 - Amend Capital Budget

Removed from the Agenda.

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ORDINANCES:

Public Hearing of Ord. #8-0-15:

Re: Water Bond Ordinance – Replace Water Main and Services – Milton Place and Jefferson Street - \$325,000

On entertainment of the Mayor, Councilmen Cortellessa and Leonard moved that Ordinance #8-0-15 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: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$325,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$325,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

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 Pasquariello and Pettet moved that,

BE IT RESOLVED THAT an Ordinance entitled: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$325,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$325,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION pass final reading, and that said Ordinance be adopted as an Ordinance of the Borough of Wanaque; and

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

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

Public Hearing of Ord. #9-0-15:

Re: Bond Ordinance – Resurface Various Roads - \$370,000

On entertainment of the Mayor, Councilmen Pasquariello and Pettet moved that Ordinance #9-0-15 be taken from the table and read by the Clerk, by title only, for consideration of final reading.

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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 \$370,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$333,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

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 Pasquariello and Cortellessa moved that,

BE IT RESOLVED THAT an Ordinance entitled: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$370,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$333,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION 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. #10-0-15:

Re: Bond Ordinance – Fire and First Aid Equipment - \$230,000

On entertainment of the Mayor, Councilmen Willse and Pasquariello moved that Ordinance #10-0-15 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 ACQUISITION OF NEW EQUIPMENT BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$230,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$207,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

Cortellessa said critical to do.

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

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF NEW EQUIPMENT BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$230,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$207,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 13th day of July 2015, at the Municipal Building in the Borough of Wanaque at 7:00 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. #11-0-15:

Re: Capital Appropriation Ordinance – \$12,500 Fire Equipment

On entertainment of the Mayor, Councilmen Willse and Cortellessa moved that Ordinance #11-0-15 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 \$12,500.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF FIRE EQUIPMENT

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

AN ORDINANCE APPROPRIATING \$12,500.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF FIRE EQUIPMENT be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 13th day of July 2015, at the Municipal Building in the Borough of Wanaque at 7:00 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:

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PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.
No one came forward.
The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #91-0-15:

Re: Refund Lienholder for Tax Sale Certificate #13-00027 for Block 438, Lot 9 in the amount of \$2,936.61 for the Tax Sale Certificate and \$1,400.00 for the Premium

WHEREAS, a Tax Sale was held for 2013 delinquent Municipal charges on September 24, 2014, **WHEREAS**, Tower Fund Services as Cust for Ebury was the successful bidder for Block 438 Lot 9, 12 Hannibal Place for which certificate 13-00027 was assigned, **WHEREAS**, Ocwen, the mortgage holder on the property, redeemed the certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$2,936.61 for the tax sale certificates and \$1,400.00 for the premium per the certification of the Tax Collector.

Resolution #92-0-15:

Re: Refund of overpayment for Block 455, Lot 2 for the 2nd Quarter of 2015 in the amount of \$30.52

WHEREAS, there exists an overpayment for Block 455 Lot 2 for the 2nd Quarter of 2015 in the amount of \$30.52; **WHEREAS**, the homeowner has requested a refund;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund the overpayment in the amount of \$30.52.

Resolution #93-0-15:

Re: Refund Lienholder for Tax Sale Certificate #13-00001 for Block 200.05, Lot 4 in the amount of \$2,050.60 for the Tax Sale Certificate and \$1,700.00 for the Premium

WHEREAS, a Tax Sale was held for 2013 delinquent Municipal charges on September 24, 2014, **WHEREAS**, Clemente Enterprises LLC was the successful bidder for Block 200.05 Lot 4, 149 Crescent Road for which certificate 13-00001 was assigned, **WHEREAS**, Ocwen, the mortgage holder on the property, redeemed the certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$2,050.60 for the tax sale certificates and \$1,700.00 for the premium per the certification of the Tax Collector.

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Resolution #94-0-15:

Re: Refund Lienholder for Tax Sale Certificate #13-00002 for Block 212, Lot 17 in the amount of \$11,568.75 for the Tax Sale Certificate and \$18,500.00 for the Premium

WHEREAS, a Tax Sale was held for 2013 delinquent Municipal charges on September 24, 2014, **WHEREAS**, Stonefield Investments was the successful bidder for Block 212 Lot 17, 6 DeBow Avenue for which certificate 13-00002 was assigned, **WHEREAS**, Steven Varano P.C., the attorney at closing, redeemed the certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$11,568.75 for the tax sale certificates and \$18,500.00 for the premium per the certification of the Tax Collector.

Application to amend Tow Truck License:

Re: Justified Towing and Repair LLC, 400 Union Avenue, Haskell

Two (2) Applications for Amusement Machines Licenses:

Re: Joseph Agostino, 18 Railroad Avenue, Wanaque

Resolution #95-0-15:

Re: Approve Change Order #21 to #24 totalling \$125,646.55 and Progress Payment #23 to UniMak LLC for Borough Hall Construction - \$303,706.01

BE IT RESOLVED THAT change orders 21, 22, 23 and 24 totaling \$125,646.55 and progress payment #23 in the amount of \$303,706.01 for the construction of the new Municipal Building payable to UniMak LLC be and are hereby approved.

Resolution #96-0-15:

Re: Approve 2014 Community Development Block Grant and Authorize execution of the Agreement - \$100,000 Water Replacement Project for Jenkins Avenue, Locust Street and Storms Place

BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute a sub-recipient agreement between the County of Passaic, NJ and the Borough of Wanaque for Community Development Block Grant Funds, in the amount of \$100,000 for program year 2014.

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Resolution #97-0-15:
Re: 2016 A.W.A.R.E. A.S.A.P. Grant

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; **WHEREAS**, The Borough Council of the Borough of Wanaque, County of Passaic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and, **WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and, **WHEREAS**, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Passaic;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Wanaque, County of Passaic, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the AWARE ASAP Municipal Alliance grants for fiscal year 2016 in the amount of:

DEDR	\$	44,880
Cash Match	\$	11,220
In-Kind	\$	33,660

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution #98-0-15:
Re: Authorizing execution of Quit Claim Deed for Block 435, Lot 5.01

WHEREAS, on June 9, 2014 the Wanaque Borough Council adopted Resolution Number 118-0-14 and on July 14, 2014 the Council adopted Ordinance Number 11-0-14 and further on October 6, 2014 the Council adopted Ordinance Number 15-0-4 all pertaining to the Fourth Avenue Redevelopment Zone and the property located at Block 435, Lot 5.01, a property which has had title (ownership) issues and which has been the subject of tax title liens and potential In Rem foreclosure proceedings for failure to pay property taxes; and WHEREAS, Article VIII, Section III of the Constitution of the State of New Jersey establishes that the clearance, planning, development or redevelopment of certain areas of the State of New Jersey shall be a public purpose and further that municipal, public or private corporations may be authorized by law to undertake such development and redevelopment; and WHEREAS, the

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Legislature of the State of New Jersey has adopted a comprehensive set of redevelopment laws, the centerpiece of which is the Local Redevelopment and Housing Law (LRHL-NJSA 40A:12A-1 et seq.), allowing for the substantial improvement to, and turnaround of, underutilized, unused, fragmented, deteriorated and generally blighted properties through the careful design, writing, and implementation of local redevelopment plans and as amended by Assembly Bill 3615--P.L. 2013, Chapter 159, signed into law on September 6, 2013, allowing for the substantial improvement to properties included in an area in need of redevelopment, and WHEREAS, the above actions by the Council have as their respective objectives the purpose of effectuating the Fourth Avenue Redevelopment Plan so as to have the property located at Block 435, Lot 5.01 included in the redevelopment project at Block 435, Lot 5, the former U.S. Aluminum site which has been subject to an environmental remediation program which said remediation has been concluded pursuant to a letter, dated May 27, 2015 from Groundwork, Inc. of East Hanover, NJ- a copy of which is attached hereto-; and WHEREAS, on March 23, 2015 the Borough of Wanaque and Greentree at Wanaque II, LLC entered into a Redevelopment Agreement which among other things included the terms and conditions for the Redeveloper (as defined within said Redevelopment Agreement) to acquire said parcel, Lot 5.01, pursuant to Section 4 of the Redevelopment Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Wanaque Mayor and Council that the Mayor and Administrator are hereby authorized to execute and deliver a Quit Claim deed covering the property at Block 435, Lot 5.01 which shall terminate the rights of the Borough of Wanaque to said property, which the Borough may heretofore may have possessed based on In Rem foreclosure or tax title lien proceedings. Said Quit Claim deed being executed upon payment being made by the Redeveloper of the required amount stipulated in the Redevelopment Agreement.

Resolution #99-0-15:

Re: Supporting JCP&L Upgrade and Hardening Plan

Held.

Resolution #100-0-15:

Re: Award Bid – Improvements to Fifth Avenue and Leonard Place - Haskell Paving – \$371,783.36

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WHEREAS, the Borough of Wanaque advertised for and received bids on June 11, 2105 for the improvements to Leonard Place and Fifth Avenue, and the following proposals were received:

Haskell Paving Inc.	\$371,783.36
John Garcia Construction Company, Inc.	\$387,996.35

and;

WHEREAS, the Borough Administrator and the Borough Engineer have reviewed the proposal of Haskell Paving Inc., and find it to be responsive and responsible and in conformance with N.J.S.A. 40A:11-1 et. seq., "Local Public Contracts Law."

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to Haskell Paving, Inc., 30 Greenwood Lake Turnpike, Ringwood NJ 07456 in the amount of \$371,783.36; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget accounts X-GC-03-382-200 and Y-WC-04-124-200.

Resolution #101-0-15:

Re: Appointing Linda Cervino as Keyboarding Clerk effective June 29, 2015

BE IT RESOLVED that Linda Cervino, 5 Mc Atee Lane, Wanaque, NJ be and is hereby appointed as a Keyboarding Clerk effective June 29, 2015 at an annual salary of \$35,000.

Resolution #103-0-15:

Re: Authorizing sale and disposal of surplus property

WHEREAS, the Borough of Wanaque is constructing a new Municipal Building with new furnishings and equipment; and WHEREAS, the furnishing and equipment in the existing building are old, decrepit and dilapidated, with little or no value; and WHEREAS, it is in the best interest of the Borough of Wanaque to sell and dispose of the furnishings and equipment at a nominal price, rather than pay a vendor to remove said personal property.

NOW, THEREFORE, BEI IT RESOLVED that the Borough Administrator be and he is authorized to sell and dispose of the furnishings and equipment not needed for public use, which is in the old Municipal Building, in accordance with NJSA 40A:11-1 "Local Public Contracts Law."

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

On roll call, all voted yes, Councilman Cortellessa stated he is only voting yes as it is necessary to go forward but not going forward with the Budget next month and the Mayor declared the motion carried.

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REGULAR REPORTS - PROFESSIONAL REPORTS:

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

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:

Business Meetings:

Re: July and August – 7:00 P.M.

Closed Session:

Re: Litigation/Negotiation/Personnel

None.

UNFINISHED BUSINESS: None.

RESOLUTIONS: None.

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 2014	\$	450.00
Water Operating 2014	\$	30.57
Current Operating 2015	\$	257,590.10
Water Operating 2015	\$	40,962.06
Sewer Operating 2015	\$	56,744.97

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General Capital	\$	326,856.77
Recreation Trust	\$	4,946.00
Animal Trust	\$	48.00
Voucher Total:	\$	687,628.47

Payroll:

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

PR #10	05/15/2015	\$	208,494.27
PR #11	05/29/2015	\$	217,137.44
PR #12	06/12/2015	\$	208,941.24
Payroll Total:		\$	634,572.95
Grand Total:		\$	1,322,201.42

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

APPROVED: June 15, 2015

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 10:10 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk