

Regular Meeting
February 11, 2013

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, February 11, 2013, at 8:00 P.M. in the Wanaque Municipal Building.

The Mayor called the meeting to order.

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

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 December 28, 2012, and a notice thereof has been posted on December 28, 2012 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.

The Mayor asked for a moment of silence in memory of Francis Garbarino who passed away and was a veteran of two World Wars.

MINUTES:

January 14, 2013

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

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

PRESENTATIONS:

Sports Award Certificates – Cheerleading Champs – 7:00 P.M.

Volunteer of the Year Award – 8:00 P.M.

The Mayor, Councilman Balunis and members of the Recreation Commission presented a plaque to Lois Maskley and Karen Cisco of the Wanaque First Aid Squad for the Volunteer of the Year Award.

PROCLAMATION:

Teachers Award – 7:00 P.M.

WHEREAS, March 12, 2012 the town of Henryville, Indiana was devastated by a succession of two tornados, a hailstorm, rain and then snow; and

WHEREAS, this three square mile town of 2,000 residents saw its three school campus of K-12 wrecked, leaving the children of Henryville without a school and supplies; and

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WHEREAS, the students and parents of Wanaque School, under the leadership of teachers Deidre Marshall and Dawn Sudol, began collecting school supplies to be donated to the students in Henryville; and

WHEREAS, through their efforts, Deidre Marshall and Dawn Sudol were able to make an 800 mile trip to Henryville, Indiana to deliver a U-Haul truck full of school supplies to the temporary classrooms set up for the students; and

WHEREAS, when tragedy happened closer to home with Superstorm Sandy, Deirdre Marshall and Dawn Sudol spearheaded a donation drive at Wanaque School, collecting supplies, gift cards and money which was donated to the Frog Pond Elementary School in Little Egg Harbor, New Jersey.

NOW, THEREFORE, I, DANIEL MAHLER, MAYOR OF THE BOROUGH OF WANAQUE, do hereby issue this proclamation honoring Deidre Marshall and Dawn Sudol for teaching the students of Wanaque School about helping others in time of need, and for their leadership in being a positive role model for their students and the entire community; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby directed to spread this Proclamation in full in the official minutes, forever memorializing the good deeds of Deidre Marshall, Dawn Sudol, and the Wanaque School community.

ORDINANCES:

Public Hearing of Ord. #1-0-13:

Re: Appropriating CDBG Funds and Sewer Capital Funds – Monroe Street and Jefferson Street Sewer Upgrade

On entertainment of the Mayor, Councilmen Leonard and Pettet moved that Ordinance #1-0-13 be taken from the table and read by the Clerk, by title only, for consideration of final reading.

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

The Clerk took from the table and read by title only as follows: AN ORDINANCE APPROPRIATING \$420,000 FOR THE RECONSTRUCTION OF SANITARY SEWER LATERALS AND SANITARY SEWER MAINS ON MONROE STREET AND JEFFERSON STREET IN THE BOROUGH OF WANAQUE, UTILIZING FY 2011 CDBG GRANT OF \$117,295, FY 2012 CDBG GRANT OF \$100,000 AND AUTHORIZING EXPENDITURE OF \$202,605 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 Willse moved that,

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BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE APPROPRIATING \$420,000 FOR THE RECONSTRUCTION OF SANITARY SEWER LATERALS AND SANITARY SEWER MAINS ON MONROE STREET AND JEFFERSON STREET IN THE BOROUGH OF WANAQUE, UTILIZING FY 2011 CDBG GRANT OF \$117,295, FY 2012 CDBG GRANT OF \$100,000 AND AUTHORIZING EXPENDITURE OF \$202,605 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. #2-0-13:

Re: Amend Ordinance #15-0-12 "Water" Clarify effective date

On entertainment of the Mayor, Councilmen Leonard and Willse moved that Ordinance #2-0-13 be taken from the table and read by the Clerk, by title only, for consideration of first reading

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

The Clerk took from the table and read by title only as follows: AN ORDINANCE TO AMEND ORDINANCE #15-0-12 "WATER" TO CLARIFY THE EFFECTIVE DATE.

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

AN ORDINANCE TO AMEND ORDINANCE #15-0-12 "WATER" TO CLARIFY THE EFFECTIVE DATE 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 11th day of March 2013, at the Municipal Building in the Borough of Wanaque at 8:00 P.M., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance; and

BE IT FURTHER RESOLVED that the Borough Clerk be instructed to publish in the manner provided by law a copy of said Ordinance, together with introduction thereof and notice when same will be considered for final passage and adoption.

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

PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.

No one came forward.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

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Resolution #30-0-13:

Re: Redemption of Tax Sale Certificate #10-00022 for Block 317, Lot 5.12 in the amount of \$2,733.96

WHEREAS, a Tax Sale was held for 2010 delinquent Municipal charges on October 5, 2011, and

WHEREAS, US Bank Cust for ATR Fund - NJ was awarded the certificate for Block 317 Lot 5.12 for which Tax Sale Certificate #10-00022 was assigned, and

WHEREAS, CoreLogic Tax Services, has redeemed said certificate of which funds have been deposited into the Current Account.

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund a total of \$2,733.96 as per the certification of the Tax Collector.

Resolution #31-0-13:

Re: Redemption of Tax Sale Certificate #11-00023 for Block 410, Lot 25 in the amount of \$7,464.04

WHEREAS, a Tax Sale was held for 2011 delinquent Municipal charges on October 5, 2012, and

WHEREAS, US Bank Cust/Crestar Cap LLC was awarded the certificate for Block 410 Lot 25 for which Tax Sale Certificate #11-00023 was assigned, and

WHEREAS, Financial Freedom, has redeemed said certificate of which funds have been deposited into the Current Account.

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund a total of \$7,464.04 as per the certification of the Tax Collector.

Four (4) Applications for Raffle Licenses:

Re: 1) Wanaque First Aid Squad Auxiliary – RA:830, 2) Saint Francis Home School Association – RA:831 and 3) Wanaque School PTA – RA:832 and RA:833

Two (2) Applications for Bingo Licenses:

Re: 1) Wanaque First Aid Squad Auxiliary – BA:195 and 2) Wanaque Reserve Senior Citizens – BA:196

Payment to County of Passaic:

Re: 1st Quarter Taxes for the Year 2013 in the amount of \$2,102,936.83

Payment to County of Passaic:

Re: Open Space Taxes for the 1st Quarter Year 2013 in the amount of \$33,675.47

Resolution #32-0-13:

Re: Special Emergency Note Resolution - \$225,000

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EXTRACT from the minutes of a regular meeting of the Borough Council of the Borough of Wanaque, in the County of Passaic, New Jersey, held at the Municipal Building, 579 Ringwood Avenue, Wanaque, New Jersey, on February 11, 2013, at 8:00 o'clock P.M.

PRESENT: Councilman Balunis, Councilman Leonard, Councilman Pasquariello, Councilman Pettet and Councilman Willse.

ABSENT: Councilman Cortellessa

Councilman Willse introduced and moved the adoption of the following resolution and Councilman Leonard seconded the motion:

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$225,000 SPECIAL EMERGENCY NOTES OF THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. Pursuant to an ordinance of The Borough of Wanaque (herein called "local unit") authorizing a special emergency appropriation in the amount of \$225,000, finally adopted on December 13, 2010 and entitled: "An ordinance authorizing a special emergency appropriation N.J.S. 40A:4-54" (#21-0-10), Special Emergency Notes of the local unit are hereby authorized to be issued pursuant to the Local Budget Law of New Jersey (N.J.S. 40A:4-1 et seq.) in a principal amount not exceeding \$225,000 for the purpose of financing the

improvement or purpose described in said ordinance, including (to any extent necessary) the renewal of any Special Emergency Notes heretofore issued therefor.

Section 1. The following matters in connection with said notes are hereby determined:

(a) All notes issued hereunder shall mature at such times as may be determined by the chief financial officer (the “chief financial officer”) of the local unit, provided that no note shall mature later than (i) one year from the date of the first note issued hereunder and (ii) one year from the date of the first note issued pursuant to the ordinance referred to in Section 1 hereof, unless the local unit shall have been paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:4-55 of the Local Budget Law, to renew a portion thereof beyond the first anniversary date of the first of such notes;

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and

(c) The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Special Emergency Notes issued pursuant to the Local Budget Law, and any such notes shall be signed or sealed by the Borough chief financial officer, Mayor and Borough Clerk in any manner permitted by law notwithstanding that said form or resolution may otherwise provide.

Section 2. The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the chief financial officer’s signature upon said notes shall be conclusive as to such determinations.

Section 3. The chief financial officer of the local unit is hereby authorized to sell said notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 4. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 5. The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 6. The chief financial officer of the local unit is further authorized and directed to file a copy of this resolution, as adopted, and all other resolutions or ordinances relating to the authorization of the aforementioned special emergency appropriation with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 7. The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the

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preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 8. All action heretofore taken by Borough officials with respect to the sale, issuance and delivery of said notes is hereby ratified, confirmed, adopted and approved.

Section 9. **This resolution shall take effect immediately.**

Upon motion of Councilman Willse seconded by Councilman Leonard the foregoing resolution was adopted by the following vote:

AYES: Councilman Balunis, Councilman Leonard, Councilman Pasquareillo, Councilman Pettet and Councilman Willse.

NOES: NONE

ABSENT: Councilman Cortellessa

Resolution #33-0-13:

Re: Bond Anticipation Note Resolution - \$5,054,115

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EXTRACT from the minutes of a regular meeting of the Borough Council of the Borough of Wanaque, in the County of Passaic, New Jersey, held at the Municipal Building, 579 Ringwood Avenue, Wanaque, New Jersey, on February 11, 2013, at 8:00 o'clock P.M.

PRESENT: Councilman Balunis, Councilman Leonard, Councilman Pasquariello, Councilman Pettet and Councilman Willse

ABSENT: Councilman Cortellessa

* * *

Councilman Willse introduced and moved the adoption of the following resolution and Councilman Leonard seconded the motion:

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$5,054,115 BOND ANTICIPATION NOTES OF THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to a bond ordinance of The Borough of Wanaque, (herein called "local unit") 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 \$350,000 therefor and authorizing the issuance of \$315,000 bonds or notes of the Borough for financing such appropriation", finally adopted on June 11, 2007 (#10-0-07), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$281,840 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of Laura Avenue (Phase I) in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$455,000 therefor and authorizing the issuance of \$184,500 bonds or notes of the Borough for financing such appropriation", finally adopted on June 11, 2007 (#11-0-07), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$165,060 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the acquisition of a new and additional fire truck by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$975,000 therefor and authorizing the issuance of \$725,000 bonds or notes of the Borough for financing such appropriation", finally adopted on August 13, 2007 (#12-0-07), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$648,680 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of the Haskell Firehouse in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$200,000 therefor and authorizing the issuance of \$180,000 bonds or notes of the Borough for financing such appropriation", finally adopted on August 13, 2007 (#13-0-07), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$167,580 shall be issued for the purpose of temporarily

financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the improvement of the Haskell Water Tank in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$850,000 therefor and authorizing the issuance of \$650,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on March 10, 2008 (#4-0-08), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$633,540 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the construction and improvement of athletic fields in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$1,200,000 therefor and authorizing the issuance of \$1,050,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on March 10, 2008 (#5-0-08), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$811,720 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the acquisition of a new and additional ambulance by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$170,000 therefor and authorizing the issuance of \$153,000 bonds or notes of the Borough for financing such appropriation”,

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finally adopted on December 8, 2008 (#22-0-08), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$119,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 8. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the improvement of the water supply and distribution system (Melrose Avenue and Furnace Avenue) in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$120,000 therefor and authorizing the issuance of \$120,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on December 14, 2009 (#26-09), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$118,475 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 9. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the improvement of Melrose Avenue and Furnace Avenue in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$325,000 therefor and authorizing the issuance of \$108,750 bonds or notes of the Borough for financing such appropriation”, finally adopted on December 14, 2009 (#25-09), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$103,020 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 10. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the improvement of Ringwood Avenue in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$850,000 therefor and authorizing the issuance of \$809,500 bonds or notes of the Borough for financing such appropriation”, finally adopted on July 12, 2010 (#9-0-10), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$809,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 11. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the reconstruction of sidewalks along portions of Ringwood Avenue in and by the Borough of Wanaque, in the County of Passaic, New Jersey, appropriating \$825,000 therefor, directing a special assessment of the cost thereof, and authorizing the issuance of \$785,700 bonds or notes of the Borough for financing the same”, finally adopted on July 12, 2010 (#10-0-10), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$785,700 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 12. Pursuant to a bond ordinance of the local unit 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 \$350,000 therefor and authorizing the issuance of \$315,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on July 11, 2011 (#12-0-11), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$315,000 shall be issued for the purpose of temporarily financing the improvement or

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purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 13. Pursuant to a bond ordinance of the local unit 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 \$190,000 therefor and authorizing the issuance of \$95,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on July 9, 2012 (#20-0-12), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$95,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 14. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 through 13 described, shall be combined into a single and combined issue of bonds in the principal amount of \$5,054,115.

Section 15. The following matters in connection with said Bond Anticipation Notes are hereby determined:

(a) All notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the local unit, provided that no note issued pursuant to Sections 1 through 13, inclusive, hereof shall mature later than (i) one year from the date of the first such note issued pursuant to the respective ordinances referred to in said Sections, and (ii) three years from the date of the first note issued pursuant to each such respective ordinance

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unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and

(c) The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

Section 16. The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the signature of the chief financial officer upon said notes shall be conclusive as to such determinations.

Section 17. The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 18. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid

or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 19. The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 20. The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 21. All action heretofore taken by Borough officials and professionals with regard to the sale and award of said notes is hereby ratified, confirmed, adopted and approved.

Section 22. **This resolution shall take effect immediately.**

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Upon motion of Councilman Willse seconded by Councilman Leonard the foregoing resolution was adopted by the following vote:

AYES: Councilman Balunis, Councilman Leonard, Councilman Pasquariello, Councilman Pettet and Councilman Willse

NOES: NONE

ABSENT: Councilman Cortellessa

Resolution #34-0-13:

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 2012 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>	
2-CU-01-136-256 Sanitation	\$ 4,185.00	2-CU-01-132-299 Emergency-Sandy	\$ 4,185.00
2-CU-01-135-257 Recycling	\$ 13,500.00	2-CU-01-132-299 Emergency- Sandy	\$ 13,500.00
2-CU-01-132-226 DPW O.E.	\$ 1,000.00	2-CU-01-219-204 Insurance	\$ 1,000.00
2-CU-01-132-226 DPW O.E.	\$ 3,000.00	2-CU-01-124-261 Police O.E.	\$ 3,000.00

Resolution #35-0-13:

Re: Redemption of Tax Sale Certificate #10-00025 for Block 425, Lot 3 in the amount of \$2,756.43

WHEREAS, a Tax Sale was held for 2010 delinquent Municipal charges on October 5, 2011, and

WHEREAS, US Bank Cust-for ATR Fund NJ was the successful bidder for Block 455 Lot 3 for which Tax Sale Certificate #10-00044 was assigned,

WHEREAS, Deval LLC, the agent for the mortgage holder, has redeemed said certificate of which funds have been deposited into the Current Account.

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NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund to the lien holder the amount of \$12,409.18 for the certificate #10-00044 and \$5,000 for the premium on the certificate.

Resolution #36-0-13:

Re: Appointment of Michael Pellegrino, 130 High Mountain Road, Ringwood as a Class 1 Special Police Officer effective immediately

BE IT RESOLVED that Michael Pellegrino, 130 High Mountain Road, Ringwood, New Jersey 07456 be and he is hereby appointed as a Class 1 Special Police Officer at a rate of \$19.70 per hour for Borough functions and \$22.16 for Non-Borough functions effective immediately.

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

On entertainment of the Mayor, Councilmen Willse and Leonard 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:

Letter from Raffaele Chirico:

Re: Donation of property to Borough of Wanaque – 9 Algonquin Path, Haskell

Ordinance to be done for the next meeting.

Closed Session:

Re: Litigation/Negotiation/Personnel

None.

UNFINISHED BUSINESS:

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Application for Amusement Machine License:

Re: Diego Rosario – “Roar of the Crowd”, 72 Haskell Avenue, Haskell

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

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

RESOLUTIONS: None.

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 2012	\$ 178,551.46
Water Operating 2012	\$ 20,809.67
Sewer Operating 2012	\$ 135.60
Current Operating 2013	\$ 309,744.46
Water Operating 2013	\$ 59,304.07
Sewer Operating 2013	\$ 750,019.10
Escrow	\$ 4,442.41
General Capital	\$ 78,575.10
Voucher Total:	\$1,401,581.87

Payroll:

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

PR #02	01/25/13	\$ 200,095.40
PR #03	02/08/13	\$ 196,414.98
Payroll Total:		\$ 396,510.38
Grand Total:		\$1,798,092.25

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

APPROVED: February 11, 2013

Daniel Mahler
Mayor

The Mayor said we'll adjourn the meeting until the architect arrives and then reconvene.

Regular Meeting
February 11, 2013

On entertainment of the Mayor, Councilmen Leonard and Willse moved a motion.

On roll call, all voted yes, and the Mayor declared the motion carried at 8:15 P.M.

On entertainment of the Mayor, Councilmen Leonard and Willse moved a motion to reconvene the meeting at 8:45 P.M.

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

Steve Coppa of Comerro and Coppa, P.C. Architects gave a presentation of the proposed expansion project of the Passaic County Community College. Also present was Brian Egan of the Passaic County Community College.

On entertainment of the Mayor, Councilmen Pasquareillo and Balunis moved a motion to endorse the concept of the proposed expansion.

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

ADJOURNMENT:

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

On roll call, all voted yes, and the Mayor declared the motion carried; meeting adjourned at 9:10 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk