

Regular Meeting
April 8, 2013

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, April 8, 2013, at 8:20 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 Engineer was present and the Borough Attorney 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.

MINUTES:

March 11, 2013

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

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

ORDINANCES:

Public Hearing of Ord. #3-0-13:

Re: Accepting Donation of Real Estate for Block 470, Lot 5

On entertainment of the Mayor, Councilmen Pettet and Leonard moved that Ordinance #3-0-13 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 ACCEPTING THE DONATION OF REAL ESTATE OWNED BY RAFFAELLE CHIRICO IDENTIFIED AS BLOCK 470, LOT 5 ON THE WANAQUE BOROUGH TAX MAP PURSUANT TO LOCAL LAND AND BUILDINGS LAW N.J.S.A. 40A:12-1 ET SEQ.

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.

Regular Meeting
April 8, 2013

The Mayor closed the Public Hearing.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE ACCEPTING THE DONATION OF REAL ESTATE OWNED BY RAFFAELLE CHIRICO IDENTIFIED AS BLOCK 470, LOT 5 ON THE WANAQUE BOROUGH TAX MAP PURSUANT TO LOCAL LAND AND BUILDINGS LAW N.J.S.A. 40A:12-1 ET SEQ. 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. #4-0-13:
Re: Establish Chapter 34, Public Works

On entertainment of the Mayor, Councilmen Leonard and Willse moved that Ordinance #4-0-13 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 TO ESTABLISH CHAPTER 34, PUBLIC WORKS.

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 Cortellessa and Willse moved that,

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE TO ESTABLISH CHAPTER 34, PUBLIC WORKS 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.

Regular Meeting
April 8, 2013

Public Hearing of Ord. #5-0-13:
Re: CAP Index Ordinance

On entertainment of the Mayor, Councilmen Pettet and Willse moved that Ordinance #5-0-13 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 TO ESTABLISH CAP INDEX.

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 Cortellessa and Pettet moved that,

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE TO ESTABLISH CAP INDEX 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. #6-0-13:
Re: Granting Municipal Consent for the Operation of a Cable Television System within the Borough of Wanaque to Cablevision

On entertainment of the Mayor, Councilmen Pasquariello and Willse moved that Ordinance #6-0-13 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 GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE BOROUGH OF WANAQUE, NEW JERSEY TO CABLEVISION OF OAKLAND, LLC.

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

Regular Meeting
April 8, 2013

AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE BOROUGH OF WANAQUE, NEW JERSEY TO CABLEVISION OF OAKLAND, LLC 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 13th day of May 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.

Councilman Cortellessa said was the amount \$47,000.00 for last year.
The Borough Administrator said last year the amount was \$42,000.00.

PUBLIC HEARING AND ADOPTION OF THE 2013 CURRENT AND WATER UTILITY BUDGETS – Resolution #58-0-13 – Self Examination of the Budget and Resolution #59-0-13 - Adopt Budget

The Borough Administrator said regarding the Budget there is a \$553,680 expenses increase, a \$478,335 increase in taxes, a \$195,000 increase in police salary, a \$101,621 increase in debt service, a \$67,112 increase in pension, a \$76,000 increase in health benefits, a \$125,000 increase in the capital improvement fund and a increase of \$108,388 increase in reserve for uncollected taxes.

The Mayor opened the Public Hearing on the Budget.
No one came forward.
The Mayor closed the Public Hearing on the Budget.

Resolution #58-0-13:

Re: Self Examination of the Budget

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

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

Resolution #59-0-13:

Re: Adopt Budget

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

BE IT RESOLVED by the Mayor and Council of the Borough of Wanaque of the County of Passaic that the Budget hereinbefore set forth is hereby adopted and shall constitute an

Regular Meeting
April 8, 2013

appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$12,291,817.33 for Municipal purposes;

RECORDED VOTE:

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

NAYS: NONE

ABSTAINED: NONE

ABSENT: NONE

It is hereby certified that the within Budget is a true copy of the Budget finally adopted by Resolution of the Governing Body on the 8th day of April 2013. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2013 approved Budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

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

PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.

No one came forward.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #50-0-13:

Re: Refund of Tax overpayments on various properties in the amount of \$5,150.23

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 432 Lot 5 for which Tax Sale Certificate #10-00036 was assigned,

WHEREAS Corelogic, the mortgage holder, has redeemed said certificate of which funds have been deposited into the Current Account.

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund to the lien holder the amount of \$3,327.89 for the certificate.

Resolution #51-0-13:

Re: Redemption of Tax Sale Certificate #11-00010 for Block 212, Lot 13 in the amount of \$825.00 for the Certificate

WHEREAS, a Tax Sale was held for 2011 delinquent Municipal charges on October 10, 2012, and

Regular Meeting
April 8, 2013

WHEREAS, Stonefield Invest Fund II, LLC was the successful bidder for Block 444 Lot 14 for which Tax Sale Certificate #11-00027 was assigned,

WHEREAS BAC Tax Services, the mortgage holder, has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund to the lien holder the amount of \$1,431.57 for the certificate.

Resolution #52-0-13:

Re: Recycle Tonnage Grant

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the **2013 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of THE Borough of Wanaque to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Wanaque that the Borough of Wanaque hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Thomas F. Carroll, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Application for Membership – Wanaque Borough Volunteer Fire Department:

Re: Donald Fantozzi – Company #2 effective immediately

Regular Meeting
April 8, 2013

Payment to County of Passaic:

Re: 2nd 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 2nd Quarter Year 2013 in the amount of \$33,675.46

Five (5) Applications for Raffle Licenses:

Re: 1) Saint Francis of Assisi School HSA – RA:835, 2) Haskell School PTA – RA:836 and RA:837 and 3) Wanaque Reserve Senior Citizens – RA:838 and RA:839

Application for Soil Removal Permit:

Re: 18 Milton Place, Haskell

Subject to the conditions in the Borough Engineers letter dated March 28, 2013.

Resolution #53-0-13:

Re: Approve various Change Orders – Ringwood Avenue Construction

BE IT RESOLVED that the Borough Council of the Borough of Wanaque hereby concurs with Passaic County Change Order #5 for the Ringwood Avenue Phase III project, in the amount of \$49,395.49; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the Water Infrastructure account.

Resolution #54-0-13:

Re: Payment to A.J.M. Contractors, Inc. for Current Estimate No. 1 – Fourth Avenue Improvements in the amount of \$25,705.35

BE IT RESOLVED that payment be made to A.J.M. Contractors, Inc. for Fourth Avenue Improvements approving Current Estimate No. 1 in the amount of \$25,705.35 in accordance with the Borough Engineers letter dated April 1, 2013.

Resolution #55-0-13:

Re: Appoint Michael Stambaugh as Electrical Subcode Official

BE IT RESOLVED that Michael Stambaugh be and he is hereby appointed as Plumbing Subcode Official, temporary, effective April 1, 2013 at an annual salary of \$13,150.

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 March 2013 -

Regular Meeting
April 8, 2013

2. Police Department Report for March 2013 -
3. Tax Collector's Report for March 2013 -
4. Municipal Court Report for March 2013 -

On entertainment of the Mayor, Councilmen Leonard and Willse 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:

Letter from Parkside at Wanaque :

Re: Request relief from the payment schedule for Sewer Connection Fees – Resolution #61-0-13

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

WHEREAS, Parkside at Wanaque LLC has requested a change in the payment schedule for sewer connection fees; and

WHEREAS, the Borough Council feels that this is a reasonable request.

NOW, THEREFORE, BE IT RESOLVED that the sewer connection fee for the Parkside at Wanaque LLC shall be due as follows:

- One half of the fee shall be due at the issuance of the foundation permit.
- Balance of fee shall be paid before the issuance of the certificate of occupancy

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

On entertainment of the Mayor, Councilmen Willse and Pasquariello moved a motion to appoint Councilmen Cortellessa, Balunis and Pettet to the Beautification Committee.

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

NEW BUSINESS:

Closed Session:

Re: Litigation/Negotiation/Personnel

None.

UNFINISHED BUSINESS: None.

RESOLUTIONS:

Resolution #56-0-13:

Re: Approve Title/Salary Changes – Public Works

Regular Meeting
April 8, 2013

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

BE IT RESOLVED that the following employees be appointed to the following titles and salaries in the Department of Public Works, effective April 22, 2013:

Robert Roach, Public Works Repairer (with mechanic duties)	\$55,000
Michael Brusco, Public Works Repairer (with supervisory duties)	\$53,000
Robert Leto, Public Works Repairer	\$49,000
Charles Gritmon, Public Works Repairer	\$49,000
Shane Reigler, Public Works Repairer	\$39,073
Greg Villner, Laborer	\$42,208
James Norton, Laborer	\$39,920
Nathaniel Burgess, Public Works Repairer	\$44,632
Michael Bolduc, Public Works Repairer **	\$39,073

**effective upon obtaining CDL license

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

Resolution #57-0-13:

Re: Award Bid – Demolition of 565, 569 and 577 Ringwood Avenue

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

WHEREAS, the Borough of Wanaque advertised for bids for the demolition of the properties located at 565, 569 and 577 Ringwood Avenue, and received the following:

- 1) National Waste & Recycling Services
225 Turnbull Avenue
Hamilton, NJ 08610 \$34,500.00
- 2) Caravella Contractors
40 Deforest Avenue
East Hanover, NJ 07936 \$36,968.00
- 3) Yannuzzi & Sons
152 Route 206 South
Hillsborough, NJ 08844 \$37,369.00
- 4) Cap Services, Inc.
81 Heckel Street
Belleville, NJ 07109 \$39,000.00
- 5) Lombardo Excavating
33 Fawn Hollow Drive
Newton, NJ 07860 \$48,900.00
- 6) Two Brothers Contracting

Regular Meeting
April 8, 2013

250 Rutherford Blvd Clifton, NJ 07014	\$54,800.00
7) East Coast Hazmat Removal 494 East 41 st Street Paterson, NJ 07504	\$57,500.00
8) GL Group Environmental 140 Hamburg Tpke. Bloomingdale, NJ 07403	\$64,200.00
9) PowRSave 27 West Street Bloomfield, NJ 07003	\$65,000.00
10) Pyramid Contracting Corp 163 Sargeant Avenue Clifton, NJ 07013	\$67,297.00
11) SMAC Corporation 27 East 33 rd Street Paterson, NJ 07514	\$124,000.00

and;

WHEREAS, the Borough Administrator has reviewed the bid of National Waste and Recycling Services, Inc., and finds the bid to be responsive and responsible in accordance with NJS A 40A:11-1 et. Seq. "Local Public Contracts Law."

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute a contract with National Waste & Recycling Services, 225 Turnbull Avenue, Hamilton, NJ 08610 in the amount of \$34,500.00 for the demolition of the properties located at 565, 567 and 577 Ringwood Avenue; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account X-GC-371-201.

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

Resolution #60-0-13:

Re: Appoint Thomas P. Norton as Interim Police Chief

On entertainment of the Mayor, Councilman Pasquariello and Pettet moved that,

WHEREAS, Police Chief John Reno will be retiring from his employment with the Borough of Wanaque on June 30, 2013; and

WHEREAS, Chief Reno will begin his terminal leave at the close of business on April 12, 2013; and

WHEREAS, it is necessary to appoint an interim Police Chief to be in charge of the Police Department during Chief Reno's terminal leave;

Regular Meeting
April 8, 2013

NOW, THEREFORE, BE IT RESOLVED that Police Captain Thomas P. Norton be and he is hereby appointed as interim Police Chief effective at the close of business on April 12, 2013, and shall serve in this capacity until such time as a permanent appointment is made; and

BE IT FURTHER RESOLVED that the salary for interim Police Chief Thomas Norton shall be \$160,063.

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 2012	\$ 95,627.45
Current Operating 2013	\$1,024,477.59
Water Operating 2012	\$ 19,938.00
Water Operating 2013	\$ 34,500.09
Sewer Operating 2013	\$ 1,319.29
Escrow	\$ 525.00
General Capital	\$ 50,718.25
Animal Trust	\$ 7,375.75
Other Trust	\$ 65,000.00
Recreation Trust	\$ 1,605.00
Voucher Total:	\$1,301,086.42

Payroll:

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

PR #06	03/22/13	\$ 194,762.48
PR #07	04/05/13	\$ 200,000.00
Payroll Total:		\$ 394,762.48
Grand Total:		\$1,695,848.90

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

APPROVED: April 8, 2013

Regular Meeting
April 8, 2013

Daniel Mahler
Mayor

ADJOURNMENT:

On entertainment of the Mayor, Councilmen Pasquariello 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 8:35 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk