

Regular Meeting  
February 13, 2012

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, February 13, 2012, at 8:25 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, and Pettet. Councilmen Cortellessa and Theoharous were absent. The Mayor declared a quorum. The Borough Attorney and Borough Engineer were present.

The Mayor read the following Sunshine Statement: This is a Regular meeting of the Mayor and Council and adequate notice thereof has been given by advertising the date, time and place of the Regular meetings in the Suburban Trends and the Herald News newspapers and was e-mailed to these papers on December 28, 2011, and a notice thereof has been posted on December 28, 2011 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:

January 9, 2012.

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

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

ORDINANCES:

Introduction of Ord. #1-0-12:

Re: Amend Code – “Alcoholic Beverages”

On entertainment of the Mayor, Councilmen Pettet and Pasquariello moved that Ordinance #1-0-12 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, TITLED “ALCOHOLIC BEVERAGES”.

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

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, TITLED “ALCOHOLIC BEVERAGES” 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 12th day of March 2012, 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

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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. #2-0-12:

Re: Amend Code – “Sewers” to adjust Connection Fee (Chapter 91)

On entertainment of the Mayor, Councilmen Leonard and Balunis moved that Ordinance #2-0-12 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 AMENDING THE CODE OF THE BOROUGH OF WANAUKE, CHAPTER 91, “SEWERS” TO AMEND THE SCHEDULE OF RATES FOR THE CONNECTION FEE.

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

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF WANAUKE, CHAPTER 91, “SEWERS” TO AMEND THE SCHEDULE OF RATES FOR THE CONNECTION FEE 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 12th day of March 2012, 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. #3-0-12:

Re: Amend Code – Chapter 110 – Towing and Storage of Vehicles

Held.

PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.

No one came forward.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #34-0-12:

Re: Redemption of Tax Sale Certificate #09-00005 for Block 266, Lot 11 in the amount of \$2,903.22

**WHEREAS**, a Tax Sale was held for 2009 delinquent Municipal charges on October 6, 2010, and

**WHEREAS**, US Bank Cust for Pro Cap was the successful bidder for Block 266 Lot 11 for which Tax Sale Certificate #09-00005 was assigned, and

**WHEREAS**, AMS Servicing 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 \$2,903.22 for the certificate as per the certification of the Tax Collector.

Resolution #35-0-12:

Re: Redemption of Tax Sale Certificate #10-00017 for Block 306, Lot 7 in the amount of \$26,047.93

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

**WHEREAS**, US Bank Cust –Emp IV, Cap One was the successful bidder for Block 306 Lot 7 for which Tax Sale Certificate #10-00017 was assigned, and

**WHEREAS**, Robert E. Biggio 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 \$26,047.93 for the certificate as per the certification of the Tax Collector.

Resolution #36-0-12:

Re: Redemption of Tax Sale Certificate #10-00028 for Block 408, Lot 8.02 in the amount of \$3,360.95

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

**WHEREAS**, US Bank Cust for Pro Cap I, LLC was the successful bidder for Block 408 Lot 8.02 for which Tax Sale Certificate #10-00028 was assigned, and

**WHEREAS**, One West Bank 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 \$3,360.95 for the certificate as per the certification of the Tax Collector.

Resolution #37-0-12:

Re: Redemption of Tax Sale Certificate #10-00030 for Block 413, Lot 25 in the amount of \$488.00

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

**WHEREAS**, US Bank Cust for Pro Cap I, LLC was the successful bidder for Block 413 Lot 25 for which Tax Sale Certificate #10-00030 was assigned, and

**WHEREAS**, Ocwen Loan Servicing 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 \$488.00 for the certificate as per the certification of the Tax Collector.

Resolution #38-0-12:

Re: Adjustment of overbilling for the first half of 2012 for Block 313.02, Lot 1.08 in the amount of \$2,880.01 due to an error from the Tax Assessor's office

**WHEREAS**, on Block 313.02 Lot 1.08 there exists an over-billing on the property for the first half of 2012 in the amount of \$2,880.01, as a result of an error in the Tax Assessor's office; and

**WHEREAS**, an adjustment needs to be made on the account for the first half of 2012;

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Collector shall adjust Block 313.02 Lot 1.08 accordingly for the year 2012 and issue a new bill to the homeowner.

Resolution #39-0-12:

Re: Refund of overpayment for 2010 and 2011 for Block 313.02, Lot 1.08 in the amount of \$7,613.87 due to an error in calculation from the Tax Assessor's office

**WHEREAS**, on Block 313.02 Lot 1.08 there exists an overpayment on the property for the years 2010 & 2011 in the amount of \$1,595.23 plus \$146.15 interest for 2010 and \$5,760.03 plus \$112.46 interest for 2011, as a result of a an error in calculation from the Tax Assessor's office; and

**WHEREAS**, a refund is due to Pulte for the years 2010 & 2011 where they were over billed;

**NOW, THEREFORE, BE IT RESOLVED** that the Treasurer shall refund Pulte accordingly for the overpayment in the amount of \$7,613.87

Resolution #40-0-12:

Re: Budgetary Transfers

Resolution for Inter Appropriation Transfers

**BE IT RESOLVED** by the Mayor and Council of the Borough of Wanaque that the following inter-appropriation transfers affecting the year 2011 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:

FROM

TO

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1-CU-01-099-101 Admin S&W	\$ 400.00	1-CU-01-111-276 Legal	\$ 400.00
1-CU-01-099-130 Police S&W	\$ 3,800.00	1-CU-01-135-252 Recycling	\$ 3,800.00
1-CU-01-099-130 Police S&W	\$ 3,200.00	1-CU-01-216-201 LOSAP	\$ 3,200.00

Resolution #41-0-12:

Re: BAN Resolution – Resolution Authorizing the issuance of not exceeding \$5,081,410  
Bond Anticipation Notes

**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 13, 2012, at 8:00 o'clock P.M.

**PRESENT:** Councilman Balunis, Councilman Leonard, Councilman Pasquariello, Councilman Pettet

**ABSENT:** Councilman Cortellessa, Councilman Theoharous

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

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$300,000 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 \$300,000, 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 \$375,000 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 2. 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 3. 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 4. 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 5. 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 6. 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 7. 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 8. 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 9. 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 10. This resolution shall take effect immediately.**

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

**AYES:** Councilman Balunis, Councilman Leonard, Councilman Pasquariello,  
Councilman Pettet

**NOES:** NONE

**ABSENT:** Councilman Cortellessa, Councilman Theoharous

Resolution #42-0-12:

Re: Appointment of Part-Time Telecommunications Operator – Michael Pellegrino, 130 High Mountain Road, Ringwood effective January 23, 2012 pending completion of training

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BE IT RESOLVED that Michael Pellegrino, 130 High Mountain Road, Ringwood, New Jersey 07456 be and he is hereby appointed as a Part Time Public Safety Telecommunicator trainee effective January 23, 2012 at minimum wage during training and \$17.82 per hour after training is complete.

Five (5) Applications for Raffle Licenses:

Re: 1) Wanaque School PTA – RA:794 and RA:795, 2) Wanaque Little League, Inc. – RA:796, 3) Wanaque First Aid Auxiliary – RA:797 and 4) Saint Francis of Assisi School – RA:798

Application for Bingo License:

Re: Wanaque Reserve Senior Citizens – BA:192

Payment to County of Passaic:

Re: 1<sup>st</sup> Quarter for the Year 2012 in the amount of \$1,908,389.06

Payment to County of Passaic:

Re: Open Space Taxes for the 1<sup>st</sup> Quarter Year 2012 in the amount of \$33,781.29

Resolution #43-0-12:

Re: Resolution Authorizing the issuance of not exceeding \$300,000 Special Emergency Notes

**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 13, 2012, at 8:00 o'clock P.M.

**PRESENT:** Councilman Balunis, Councilman Leonard, Councilman Pasquariello, Councilman Pettet

**ABSENT:** Councilman Cortellessa, Councilman Theoharous

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Councilman Loenard introduced and moved the adoption of the following resolution and Councilman Balunis seconded the motion:

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING  
\$5,081,410 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:**

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 \$298,420 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.

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 \$174,780 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.

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 \$686,840 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.

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 \$173,790 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.

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 \$641,770 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.

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 \$830,860 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.

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”, finally adopted on December 8, 2008 (#22-0-08), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$136,000 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.

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 \$120,000 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.

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 \$108,750 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.

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.

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.

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

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 12 described, shall be combined into a single and combined issue of bonds in the principal amount of \$5,081,410.

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

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 12, 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 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;

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

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.

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.

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.

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.

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.

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.

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.

This resolution shall take effect immediately.

Upon motion of Councilman Leonard, seconded by Councilman Balunis the foregoing

resolution was adopted by the following vote:

**AYES:** Councilman Balunis, Councilman Leonard, Councilman Pasquariello,  
Councilman Pettet

**NOES:** NONE

**ABSENT:** Councilman Cortellessa, Councilman Theoharous

Resolution #44-0-12:

Re: 2012 Community Development Block Grant Application – Jefferson Street Sewer

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BE IT RESOLVED that the Borough Administrator be and is here by authorized and directed to apply for the use of funds from the Passaic County Community Development Block Grant Program for activities related to the Jefferson Street sewer replacement project, and if awarded funds, the Borough of Wanaque shall implement the activities in a manner to ensure compliance with all applicable federal, State and local laws and regulations.

Resolution #45-0-12:

Re: Civil Service Appointment – Susan Ruhle – Senior Account Clerk

BE IT RESOLVED that Susan Ruhle, be and is hereby appointed as Senior Account Clerk, in accordance with New Jersey Civil Service Commission certification OL111499 effective February 13, 2012.

Resolution #46-0-12:

Re: Civil Service Appointment – Robert DeStaffen and Dennis Dondero – Fire Prevention Specialist

BE IT RESOLVED that Robert DeStaffen and Dennis Dondero be and are hereby appointed as Fire Prevention Specialist, in accordance with New Jersey Civil Service Commission certification OL120074 effective February 13, 2012

Resolution #47-0-12:

Re: Civil Service Appointment – Tad Skawinski – Deputy Municipal Emergency Management Coordinator

BE IT RESOLVED that Tad J. Skawinski Sr. be and is hereby appointed as Deputy Emergency Management Coordinator in accordance with New Jersey Civil Service Commission certification OL120073 effective February 13, 2012.

Resolution #48-0-12:

Re: Cancel Capital Balances

WHEREAS, balances exist in various Ordinances funded by Bonds and Notes authorized and not issued; and

WHEREAS, these improvements have been completed and the balances are not needed; and

WHEREAS, the Mayor and Council wishes to cancel said old balances;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council that the following Ordinances and balances are hereby cancelled:

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<u>Ordinance Number</u>	<u>Description</u>	<u>Unexpended Balance Cancelled</u>
19-0-99	Provisions of Affordable Housing	\$10,000
8-0-3	Ringwood Avenue Sidewalks	\$24,186
1-0-05	Improvements to First Aid Squad	\$27,000
24-0-05	Improvement to Whistler Place	\$18,966
24-0-06	Emergency Generator	\$1,836
20-0-06	1085 Ringwood Avenue	\$40,000
11-0-10	Second Avenue Drainage Reserve for Debt Service	\$176,100 \$260,000

I, Katherine Falone, Clerk of the Borough of Wanaque, County of Passaic, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Governing Body at a meeting of said Governing Body held on February 13, 2012, and said Resolution was adopted by not less than a two-thirds vote of the members of the governing Body.

Resolution #49-0-12:

Re: Appoint Part-Time Dispatcher – Diane Drew

BE IT RESOLVED that Diane Drew, 24 Laura Avenue, Wanaque, New Jersey 07465 be and she is hereby appointed as a Part Time Public Safety Telecommunicator effective February 1, 2012 at \$17.82 per hour.

Two (2) Applications for Amusement Machine Licenses:

Re: 1) Flip's, 18 Railroad Avenue, Wanaque and 2) Phoenix Club, 1093 Ringwood Avenue, Haskell

Resolution #50-0-12:

Re: Reinstate Taxes on Block 231, Lot 2 for Tax Exemption for a 100% disabled Veteran in the Year 2011

**WHEREAS**, Block 231 Lot 2 was approved for tax exemption for a 100% disabled veteran in the year 2011; and

**WHEREAS**, Mr. Ferri, the owner of the property has moved from the residence in December of 2011;

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Collector shall reinstate the taxes on this parcel for the year 2012.

Resolution #51-0-12:

Re: Approve Current Estimate No. 1 and payment to Mike Fitzpatrick and Son, Inc. – Wanaque Avenue and Butler Place Improvements in the amount of \$305,468.94

Regular Meeting  
February 13, 2012

BE IT RESOLVED that payment be made to A.J.M. Contractors, Inc. for the 2011 Road Program approving Change Order No. 1 and Current Estimate No. 2 and Final in the amount of \$24,466.01 in accordance with the Borough Engineers letter dated February 8, 2012.

Resolution #52-0-12:

Re: Approve Current Estimate No. 2 and Final and Change Order No. 1 to A.J.M. Contractors, Inc. – 2011 Road Program in the amount of \$24,466.01

BE IT RESOLVED that payment be made to A.J.M. Contractors, Inc. for the 2011 Road Program approving Change Order No. 1 and Current Estimate No. 2 and Final in the amount of \$24,466.01 in accordance with the Borough Engineers letter dated February 8, 2012.

Resolution #53-0-12:

Re: Requesting Bus Shelters

WHEREAS, NJ Transit has funds for the purchase of bus shelters throughout the State of New Jersey; and

WHEREAS, the governing body of a municipality in New Jersey or the Board of Chosen Freeholders of a county may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

WHEREAS, the Borough of Wanaque, in the interest of promoting public transportation, conservation of energy, traffic safety, and for the convenience of the public, endorses the concept of providing bus shelters within its jurisdiction.

NOW, THEREFORE, BE IT RESOLVED, that the application is hereby made by the Borough of Wanaque to the New Jersey Transit Corporation for the purchase and installation of 1 bus shelter as set forth in Exhibit A, made a part hereof.

FURTHER, BE IT RESOLVED, that the Mayor and the Municipal Clerk be authorized to execute an agreement with the NJ Transit to arrange for the purchase and installation of the shelter.

On entertainment of the Mayor Councilmen Leonard and Balunis 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 2012
2. Police Department Report for January 2012
3. Tax Collector's Report for January 2012 -
4. Municipal Court Report for January 2012 -

Regular Meeting  
February 13, 2012

On entertainment of the Mayor, Councilmen Leonard and Balunis 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

Held prior to the meeting.

UNFINISHED BUSINESS: None

RESOLUTIONS: None

FINANCE REPORT:

ADJOURNMENT:

On entertainment of the Mayor, Councilmen Pasquariello and Cortellessa 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.

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Katherine J. Falone, RMC, CMC  
Municipal Clerk