

Regular Meeting
March 12, 2012

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, March 12, 2012, at 9:10 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 Theoharous. 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:

February 13, 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.

PRESENTATION:

Volunteer of the Year Award:
Re: 2011 – Lois Winterfeld

The Mayor and Recreation Commissioner presented a plaque to Lois Winterfeld for the 2011 Volunteer of the Year Award.

APPEARANCE:

Robert Benecke and Sean Davis – New Municipal Building – 7:00 P.M.

Brian Townsend – Tax Assessor – Revaluation

Not present.

PROCLAMATION:

100TH Anniversary – Girl Scouts

The Mayor read the following Proclamation:

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WHEREAS, Monday, March 12, 2012, marks the 100th anniversary of Girl Scouts of the U.S.A., founded by Juliette Gordon Low, March 12, 1912, in Savannah, Georgia; and

WHEREAS, throughout the 100 year history, Girl Scouting has inspired millions of girls and women with the highest ideals of character, conduct, and patriotism; and

WHEREAS, each day through anti-violence projects, Girl Scouting ensures that girls at risk of living lives of crime are instead being given safe and productive paths for growing up; and

WHEREAS, through Girl Scout programs, girls learn of their importance in the world, and their duty to the world around them; and,

WHEREAS, Girl Scouting is playing an active role in increasing the fitness of today's children across the Country through a national sports and fitness initiative; and,

WHEREAS, more than three and a half million current Girl Scout members nationwide celebrate 100 years of an American tradition with more than 50 million women who are former Girl Scouts and now commit themselves to help today's girls;

NOW, THEREFORE, I, Mayor Daniel Mahler, by virtue of the authority vested in me as Mayor of the Borough of Wanaque, do hereby proclaim March 12, 2012, the 100th anniversary of the Girl Scouts of the U.S.A.

ORDINANCES:

Public Hearing 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 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 AMEND THE CODE OF THE BOROUGH OF WANAQUE, TITLED “ALCOHOLIC BEVERAGES”.

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 Pasquariello moved that,

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, TITLED “ALCOHOLIC BEVERAGES” pass final reading, and that said Ordinance be adopted as an Ordinance of the Borough of Wanaque; and

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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. #2-0-12:

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

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

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 Theoharous and Pettet moved that,

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 91, “SEWERS” TO AMEND THE SCHEDULE OF RATES FOR THE CONNECTION FEE 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. #3-0-12:

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

On entertainment of the Mayor, Councilmen Pettet and Balunis moved that Ordinance #3-0-12 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.

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The Clerk took from the table and read by title only as follows: AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 110, TOWING AND STORAGE OF VEHICLES, TO ADD DEFINITIONS AND AMEND FEES.

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

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 110, TOWING AND STORAGE OF VEHICLES, TO ADD DEFINITIONS AND AMEND FEES” pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 9th day of April 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. #5-0-12:

Re: Amend 2012 Salary Ordinance

On entertainment of the Mayor, Councilmen Cortellessa and Leonard moved that Ordinance #5-0-12 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 2012 SALARY ORDINANCE FOR THE BOROUGH OF WANAQUE.

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

AN ORDINANCE TO AMEND THE 2012 SALARY ORDINANCE FOR THE BOROUGH OF WANAQUE pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 9th day of April 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. #6-0-12:

Re: Capital Appropriation Ordinance

On entertainment of the Mayor, Councilmen Pettet and Theoharous moved that Ordinance #6-0-12 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 OF THE BOROUGH OF WANAQUE, LOCATED IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, CANCELLING CERTAIN CAPITAL PROJECT BALANCES TO CAPITAL SURPLUS AND REAPPROPRIATING SAME AS AN IMPROVEMENT AUTHORIZATION FOR THE CONSTRUCTION OF A NEW MUNICIPAL BUILDING (INCLUDING FACILITIES FOR THE POLICE DEPARTMENT AND COURT), AND FURTHER APPROPRIATING THE SUM OF \$299,630 AVAILABLE IN THE TRUST ACCOUNT UNDER THE CAPTION OF "RESERVE FOR REDEVELOPMENT", AS AN IMPROVEMENT AUTHORIZATION, FOR THE CONSTRUCTION OF A NEW MUNICIPAL BUILDING (INCLUDING FACILITIES FOR THE POLICE DEPARTMENT AND COURT).

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

AN ORDINANCE OF THE BOROUGH OF WANAQUE, LOCATED IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, CANCELLING CERTAIN CAPITAL PROJECT BALANCES TO CAPITAL SURPLUS AND REAPPROPRIATING SAME AS AN IMPROVEMENT AUTHORIZATION FOR THE CONSTRUCTION OF A NEW MUNICIPAL BUILDING (INCLUDING FACILITIES FOR THE POLICE DEPARTMENT AND COURT), AND FURTHER APPROPRIATING THE SUM OF \$299,630 AVAILABLE IN THE TRUST ACCOUNT UNDER THE CAPTION OF "RESERVE FOR REDEVELOPMENT", AS AN IMPROVEMENT AUTHORIZATION, FOR THE CONSTRUCTION OF A NEW MUNICIPAL BUILDING (INCLUDING FACILITIES FOR THE POLICE DEPARTMENT AND COURT) pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 9th day of April 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.

Councilman Cortellessa said if we didn't go forward what happens to the money not appropriated.

The Mayor said it would stay there.

The Borough Administrator said we would have to do another Ordinance cancelling them back to capital surplus.

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Introduction of Ord. #7-0-12:

Re: 2012 COLA Rate Index Ordinance

On entertainment of the Mayor, Councilmen Pettet and Balunis moved that Ordinance #7-0-12 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: CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).

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

CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 9th day of April 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. #4-0-12:

Re: Bond Ordinance – Construction of Municipal Building

On entertainment of the Mayor, Councilmen Leonard and Cortellessa moved that Ordinance #4-0-12 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: BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW MUNICIPAL BUILDING IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$4,950,00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,452,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

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

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW MUNICIPAL BUILDING IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$4,950,00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,452,000 BONDS OR NOTES OF THE BOROUGH

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FOR FINANCING SUCH APPROPRIATION pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 9th day of April 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 THE 2012 CURRENT AND WATER UTILITY BUDGETS -
Resolution #78-0-12 and Resolution #79-0-12 – Deferred School Taxes and other
Budgetary Resolutions:

The Borough Administrator gave a presentation on the budget. There is no surplus and it will be the third year of water rate increase and in 2013 there will be new rates. Expenses are down seventy five thousand dollars. There is a two percent increase to Borough employees and one hundred eighty thousand dollars for health insurance and the tax appeals bring the budget down also.

Councilmen Cortellessa said if the reassessment was done last year we wouldn't have the problem.

The Borough Administrator said no that is for 2011.

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

Municipal Budget of the Borough of Wanaque, County of Passaic for the Fiscal Year 2012. It is hereby certified that the Budget and Capital Budget annexed hereto and hereby made a part hereof is a true copy of the Budget and Capital Budget approved by resolution of the Governing Body on the 12th day of March, 2012 and that public advertisement will be made in accordance with the provisions of N.J.S. 40A:4-6 and N.J.A.C. 5:30-4.4(d). Certified by me, this 12th day of March, 2012, Katherine J. Falone, Clerk. It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof and the total of anticipated revenues equals the total of appropriations. Certified by me, this 12th day of March, 2012, Charles J. Ferraioli, Jr., Registered Municipal Accountant, Certified by me, this 12th day of March, 2012, Mary Ann Brindisi, Chief Financial Officer.

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

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

Municipal Budget of the Borough of Wanaque, County of Passaic for the Fiscal Year 2012:

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2012;

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WHEREAS, GMAC through Corelogic 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 \$1,825.98 for the certificate as per the certification of the Tax Collector.

Resolution #55-0-12:

Re: Redemption of Tax Sale Certificate #10-00011 for Block 238, Lot 1.01 in the amount of \$2,036.75

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

WHEREAS, US Bank Cust for Pro Cap was the successful bidder for Block 238 Lot 1.01 for which Tax Sale Certificate #10-00011 was assigned, and

WHEREAS, Corelogic 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 \$2,036.75 for the certificate as per the certification of the Tax Collector.

Resolution #56-0-12:

Re: Redemption of Tax Sale Certificate #10-00013 for Block 248.01, Lot 6C0001 in the amount of \$1,653.47

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

WHEREAS, US Bank Cust for ProCap I LLC, US Bank TLSG was the successful bidder for Block 248.01 Lot 6C0001 for which Tax Sale Certificate #10-00013 was assigned, and

WHEREAS, GMAC through Corelogic 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 \$1,653.47 for the certificate as per the certification of the Tax Collector.

Resolution #57-0-12:

Re: Redemption of Tax Sale Certificate #10-00024 for Block 402, Lot 27 in the amount of \$1,608.02

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

WHEREAS, US Bank Cust for ProCap I LLC, US Bank TLSG was the successful bidder for Block 402 Lot 27 for which Tax Sale Certificate #10-00024 was assigned, and

WHEREAS, GMAC through Corelogic 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 \$1,608.02 for the certificate as per the certification of the Tax Collector.

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Resolution #58-0-12:

Re: Redemption of Tax Sale Certificate #10-00001 for Block 200.05, Lot 4 in the amount of \$200.00 for the Premium

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

WHEREAS, US Bank Cust for ProCap I LLC, US Bank TLSC was the successful bidder for Block 200.05 Lot 4 for which Tax Sale Certificate #10-00001 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 \$200.00 for the premium as per the certification of the Tax Collector.

Resolution #59-0-12:

Re: Refund of Tax overpayment for the 1st Quarter of 2012 for Block 403, Lot 14 in the amount of \$1,904.78

WHEREAS, there exists tax overpayments on the property listed herein for the first quarter of 2012:

<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
403	14	\$1,904.78

WHEREAS, the owners have requested a refund of said overpayment;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund a total of \$1,904.78 as per the certification of the Tax Collector.

Resolution #60-0-12:

Re: Adjustment to the 4th Quarter of 2011 and the 1st Quarter of 2012 for Block 313.06, Lot 4.16 in the amount of \$113.68

WHEREAS, on Block 313.06 Lot 4.16 there exists an interest charge on the property for the 4th quarter of 2011 and the 1st quarter of 2012 in the amount of \$113.68, as a result of a bookkeeping error in the Tax Collector's office.

WHEREAS, an adjustment needs to be made on the account.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector shall adjust Block 313.06 Lot 4.18 accordingly.

Resolution #61-0-12:

Re: Refund of Tax overpayment for Block 236, Lot 9 for the Year 2011 due to a State Tax Court Judgment in the amount of \$2,121.60

WHEREAS, on Block 313.06 Lot 4.16 there exists an interest charge on the property for the 4th quarter of 2011 and the 1st quarter of 2012 in the amount of \$113.68, as a result of a bookkeeping error in the Tax Collector's office.

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WHEREAS, an adjustment needs to be made on the account.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector shall adjust Block 313.06 Lot 4.18 accordingly.

Resolution #62-0-12:

Re: Refund of Tax overpayment for Block 236, Lot 9.01 for the Years 2009, 2010 and 2011 due to a State Tax Court Judgment in the amount of \$10,472.03

WHEREAS, there exists an overpayment on Block 236 Lot 9.01 for the years 2009, 2010 & 2011 due to a State Tax Court Judgment

WHEREAS, the attorney for the owners, Michael I Schneck, has requested a refund of said overpayments;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund a total of \$10,472.03 as per the certification of the Tax Collector.

Resolution #63-0-12:

Re: Refund of Tax Sale Certificate #10-00012 for Block 241, Lot 8 in the amount of \$4,622.27

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

WHEREAS, US Bank Cust for ProCap I LLC, US Bank TLSG was the successful bidder for Block 241 Lot 8 for which Tax Sale Certificate #10-00012 was assigned, and

WHEREAS, Corelogic for HSBC 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 \$4,622.27 for the certificate as per the certification of the Tax Collector.

Resolution #64-0-12:

Re: Refund of Tax Sale Certificate #10-00044 for Block 455, Lot 3 in the amount of \$7,504.62 for the Certificate and \$5,000.00 for the Premium

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, and

WHEREAS, C&L Service Corporation 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 \$7,504.62 for the certificate and \$5,000.00 for the premium as per the certification of the Tax Collector.

Payment to Police and Firemen's Retirement System:

Re: Annual Employer Appropriation Invoice in the amount of \$583,495.00

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Payment to Public Employees' Retirement System:

Re: Annual Employer Appropriation Invoice in the amount of \$252,964.00

Letter from John Vermeulen, 7 Schirra Drive, Wanaque:

Re: Request of refund of deposit for Street Opening Permit #2112 in the amount of \$80.00

Application for Soil Removal Permit:

Re: Nicholas Camisa, 17 Lovell Drive, Wanaque

Application for Amusement Machine License:

Re: Diego Rosario, 72 Haskell Avenue, Haskell (Roar of the Crowd) (Pending approval of Police Chief and Fire Official)

Resolution #65-0-12:

Re: Authorize the execution of the 2011 Open Space and Farmland Preservation Trust Fund Agreement – Back Beach Tennis Courts and Lighting

BE IT RESOLVED that the Mayor be and is hereby authorized to sign the 2011 Open Space and Farmland Preservation Trust Fund Agreement - Back Beach Tennis Courts and Lighting.

Resolution #66-0-12:

Re: Budgetary Transfers

None.

Amend Bingo License #BL:192:

Re: Wanaque First Aid Squad Auxiliary

Resolution #67-0-12:

Re: Award Contract - Garbage

Resolution #68-0-12:

Re: Award Contract - Recycling

WHEREAS, the Borough of Wanaque advertised for and received bids on March 7, 2012 for the collection of recycling curbside from the following:

	ADVANCED	GAETA
One year contract	\$146,200	\$121,680
FOR A THREE YEAR CONTRACT:		
Year 1	\$146,200	\$121,680
Year 2	\$146,900	\$121,680

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Year 3	\$147,250	\$121,680
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FOR A FIVE YEAR CONTRACT:

Year 1	\$146,200	\$121,680
Year 2	\$146,900	\$121,680
Year 3	\$147,250	\$121,680
Year 4	\$147,890	\$121,680
Year 5	\$148,225	\$121,680

and;

WHEREAS, the Borough Administrator has reviewed the bid of Gaeta Recycling, Inc., and finds that it is responsive and responsible in accordance with NJSA 40A:11-1, and recommends the award of a five year contract.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute an agreement with Gaeta Recycling Inc., Paterson NJ, for the curbside collection of recycling for a period of five years, commencing April 1, 2012 at an annual cost each year of \$121,680; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for the year 2012 in budget account 2-CU-01-135-253 and subject to additional appropriations in the 2012 budget and future years budgets.

Resolution #69-0-12:

Re: Award Contract – Field Maintenance

WHEREAS, the Borough of Wanaque placed an advertisement for field maintenance on its web site on February 13, 2012, in accordance with the Fair and Open provisions of N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, on March 8, 2012 the Municipal Clerk opened proposals from the following:

Sierra Landscape Design	\$20,000.00
Total Lawn Care and Landscaping Services, LLC	\$21,394.96
Pat Scanlan Landscaping	\$27,175.00
Andy Matt, Inc.	\$27,900.00
Ascape Landscape and Construction Corporation	\$32,950.00 plus tax
B & S Curb Appeal	\$34,000.00

and;

WHEREAS, the Borough Administrator has reviewed the proposal of Sierra Landscape Design and finds it to be responsive and responsible;

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to Sierra Landscape Design, 852 Ringwood Avenue, Haskell, New Jersey 07420 in the amount of \$20,000.00 for the 2012 season for field maintenance, in accordance with the proposal dated March 8, 2012; and

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BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account 2-CU-01-117-262.

Resolution #70-0-12:

Re: Award Contract – Vegetative Waste Disposal

WHEREAS, the Borough of Wanaque solicited proposals for leave and vegetative waste disposal in accordance with NJSA 40A:11-1 et.seq.;

WHEREAS, proposals were received from the following vendors:

Nature's Choice - \$11.40 cy for yard waste, \$8.40 for leaves/pick up & deliver
and;

WHEREAS, the Borough Administrator has reviewed the proposal of Nature's Choice, Jersey City, NJ and finds it to be responsive and responsible and in the best interests of the Borough of Wanaque;

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to Nature's Choice, 1 Caven Point Avenue, Jersey City NJ in the amount listed above for the disposal of vegetative waste for the Borough of Wanaque for the year 2012; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account 1-CU-01-135-252.

Resolution #71-0-12:

Re: Cancellation of Capital Balances

BE IT RESOLVED that the following balances of Improvement Authorizations be are hereby cancelled to Capital Surplus:

14-0-98 Imp. To Borough owned property	\$ 2,917.10
08-0-08 Purchase of Land	\$102,797.21
10-0-08 Environmental Investigation	\$ 15,230.88
11-0-08 Needs Assessment Municipal Building	\$ 2,753.54
20-0-08 Appraisal of property	\$ 10,700.00
10-0-09 2009 Road Projects	\$108,664.47
12-0-09 Acquisition of Real property	\$ 17,700.75
05-0-10 Paving of First Aid parking Lot	\$ 19,453.28
07-0-10 2 nd Avenue Drainage project	\$ 41,760.00
14-0-09 Purchase of Truck	\$ 8,432.00
07-0-03 Improvement to Ringwood Avenue	\$ 94,590.77
Total	\$425,000.00

Resolution #72-0-12:

Re: Appoint Electrical Subcode Official - Permanent

BE IT RESOLVED that James Hoffman be and is hereby appointed as Electric Subcode Official, permanent, in accordance with the New Jersey Civil Service Commission certification OL120115 dated 1/20/12, at an annual salary of \$12,892.

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Resolution #73-0-12:

Re: Approve Developer's Agreement – Wanaque Realty

BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute a Developers Agreement between the Borough of Wanaque and Realty Associates Redevelopment, LLC for the redevelopment of the property at Block 231, Lot 11, 547 Ringwood Avenue, Wanaque, NJ.

Resolution #74-0-12:

Re: 2011 Recycle Tonnage Grant

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

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 **2011 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of (name of governing body) 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 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 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.

Resolution #75-0-12:

Re: Appoint Frank Ferrell – Assistant Road Supervisor

BE IT RESOLVED that Frank Ferrell be and is hereby appointed as assistant Road Supervisor, provisional, effective immediately at an annual salary of \$64,745.

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Resolution #76-0-12:
Re: Approve PILOT Rebate

WHEREAS, the Borough of Wanaque entered into a Financial Agreement with Bald Eagle Urban Renewal at Wanaque LLC on August 17, 2006, providing for long term tax exemption pursuant to the Tax Abatement Law; and

WHEREAS, a Certificate of Completion was issued on September 23, 2009 effective October 31, 2009, with Payment in Lieu of Tax (PILOT) payments commencing thereafter in the amount of \$227,893.02; and

WHEREAS, Section 4.3 provides for the Borough of Wanaque to contribute financially to this project, in the amount of \$115,000 for the year 2010 to this project; and

WHEREAS, Bald Eagle Urban Renewal at Wanaque LLC has satisfied Section 4.1 of the agreement with respect to the year 2010.

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer be and is hereby authorized and directed to issue a payment of \$115,000 from the PILOT payment received to Bald Eagle Urban Renewal at Wanaque LLC in the amount of \$115,000 in accordance with the agreement.

On entertainment of the Mayor Councilmen Theoharous 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 February 2012
2. Police Department Report for February 2012
3. Tax Collector's Report for February 2012 -
4. Municipal Court Report for February 2012 -

On entertainment of the Mayor, Councilmen Leonard and Theoharous 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:

Application for Place to Place Liquor License Transfer:
Re: KJK Spirits, Inc., 207 Ringwood Avenue, Wanaque – License #1613-44-007-013 –
Resolution #77-0-12

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

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WHEREAS, an application has been filed for a Place-to-Place Transfer of Plenary Retail Distribution License Number #1613-44-007-012, for purposes of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Wanaque Governing Body does hereby approve, effective March 12, 2012, the expansion of the aforesaid Plenary Retail Distribution licensed premises located at 207 Ringwood Avenue, Store Number 1, Wanaque, New Jersey 07465 to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

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

The Mayor said there are two appointments to the Library Board one is Christine Pantano replacing Elizabeth Lynch and the term expires December 31, 2013 and Judith Voll replacing Debbie Griffin whose term expires December 31, 2012.

Closed Session:

Re: Litigation/Negotiation/Personnel

Held to the end of the meeting.

UNFINISHED BUSINESS: None

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 Prepaid	\$124,706.70
Current Operating 2011	\$ 6,558.96
Current Operating 2012	\$470,760.94
Water Operating Prepaid	\$ 27,383.09
Water Operating 2012	\$ 28,686.27
Sewer Operating 2012	\$ 1,385.86
General Capital	\$ 44,945.00
Water Capital	\$ 465.00
Recreation Trust	\$ 3,382.00

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Recycling Trust	\$ 241.96
Unemployment/Disability	\$ 1,064.07
Animal Trust	\$ 1,108.20
Escrow	\$ 1,940.45

Voucher Total: \$712,628.50

Payroll:

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

PR #4 2/24/12 \$ 196,585.23

PR #5 3/09/12 \$ 190,128.30

Payroll Total: \$ 386,713.53

Grand Total: \$1,099,342.03

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

APPROVED: March 12, 2012

Daniel Mahler
Mayor

Closed Session:

Re: Litigation/Negotiation/Personnel

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, (N.J.S.A. 10:4-1) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public Body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Wanaque, County of Passaic, State of New Jersey, as follows:

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.

2. The general nature of the subject matter to be discussed is as follows:

1) Negotiations – Purchase of Public Properties.

3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session when the reasons for discussing and acting on the matter in closed session no longer exist, but no later than one month of the Mayor and Council arriving at a final decision on the specified subject matter.

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

Regular Meeting
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RECONVENEMENT:

On entertainment of the Mayor, Councilmen Balunis and Pettet moved a motion to reconvene.

On roll call, Councilmen Balunis, Cortellessa, Leonard, Pasquariello, Pettet and Theoharous were present.

ADJOURNMENT:

On entertainment of the Mayor, Councilmen Theoharous and Pasquariello moved a motion to adjourn the meeting.

On roll call, all voted yes, and the Mayor declared the motion carried; meeting adjourned at 9:40 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk