

Regular Meeting
March 14, 2011

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, March 14, 2011, at 8:35 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, Pettet and Pasquariello. Councilman Theoharous was 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 29, 2010, and a notice thereof has been posted on December 29, 2010 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:

Regular Meeting of February 14, 2011

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

On roll call, all voted yes except Councilman Pasquariello who abstained and the Mayor declared the motion carried.

PRESENTATION: Volunteer of the Year Award – 7:00 P.M.

The Mayor asked Joanne Dandrea to come up and a plaque was presented to Dave Connelly for Volunteer of the Year Award.

PROCLAMATION: National Day of Prayer – May 5, 2011

The Mayor read the following Proclamation:

WHEREAS, The Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and

WHEREAS, In 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

WHEREAS, The National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her Citizens; and

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WHEREAS, It is fitting and proper to give thanks to God by observing a day of prayer in Wanaque when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our State and nation;

NOW, THEREFORE, I Daniel Mahler, Mayor of the town of Wanaque, do hereby proclaim the first Thursday in May, 2011, to be designated as

"A DAY OF PRAYER IN WANAQUE"

and encourage the citizens of Wanaque to observe the day in ways appropriate to its importance and significance.

ORDINANCES:

Public Hearing of Ord. #3-0-11:

Re: Refunding Bond Ordinance Authorizing the Issuance of \$3,500,000 Refunding Bonds of the Borough of Wanaque, in the County of Passaic, New Jersey

On entertainment of the Mayor, Councilmen Pasquariello and Pettet moved that Ordinance #3-0-11 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 REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF \$3,500,000 REFUNDING BONDS OF THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY

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.

Dave DaSilva, 108 Monroe Street, Haskell said how many bonds are we refunding, what is the original amount and what is the current balance. don't have the number in front of me and current balance get you the amount

The Borough Administrator said it is the Series bonds from the year 2000 I believe and these are sewer bonds. I don't know the original amount off hand and the current balance I will get that information to you.

Dave DaSilva said my concern is in Section 2 letter C in the Ordinance says something like while the net debt of the Borough is going to be reduced the amount of the gross debt of the Borough is going to be increased. What does that mean.

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The Borough Administrator said that is because of the change from the Sewer Authority bonds to the Borough bonds.

Dave DaSilva said there is no way that the balance that is currently owed on those bonds is that we are increasing that balance.

The Borough Administrator said no.

Dave DaSilva said what about the fees for the one hundred twenty five thousand dollars. How does that work into the financing of that bond.

The Borough Administrator said the net savings of one hundred sixty six thousand dollars is the actual savings after all the fees and everything else have been paid.

Dave DaSilva said so the 3.255 is the total amount that we are actually bonding.

The Borough Administrator said right. There is no new debt here. I think that is what you are asking.

Dave DaSilva said is it just Bond lingo that makes it confusing.

The Borough Administrator said yes.

The Mayor closed the Public Hearing.

Councilmen Pasquariello and Cortellessa moved that,

BE IT RESOLVED that an Ordinance entitled AN ORDINANCE REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF \$3,500,000 REFUNDING BONDS OF THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY 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. #4-0-11:

Re: Capital Ordinance – Wanaque Avenue and Butler Place Reconstruction \$230,000 (\$150,000 DOT, \$80,000 CIF)

On entertainment of the Mayor, Councilmen Pettet and Pasquariello and moved that Ordinance #4-0-11 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 AUTHORIZING \$230,000.00 FOR THE RECONSTRUCTION OF WANAQUE AND BUTLER PLACE, APPROPRIATING \$150,000.00 FROM A NJDOT MUNICIPAL GRANT AND \$80,000.00 FROM THE CAPITAL IMPROVEMENT FUND

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

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AN ORDINANCE AUTHORIZING \$230,000.00 FOR THE RECONSTRUCTION OF WANAQUE AND BUTLER PLACE, APPROPRIATING \$150,000.00 FROM A NJDOT MUNICIPAL GRANT AND \$80,000.00 FROM THE CAPITAL IMPROVEMENT FUND

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 18th day of April 2011, 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. #5-0-11:

Re: Water Capital Ordinance – Wanaque Avenue and Butler Place Reconstruction \$200,000 (Infrastructure Trust Fund)

On entertainment of the Mayor, Councilmen Pasquariello and Pettet moved that Ordinance #5-0-11 be taken from the table and read by the Clerk, by title only, for consideration of first reading

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

The Clerk took from the table and read by title only as follows: AN ORDINANCE APPROPRIATING \$200,000.00 FROM THE WATER INFRASTRUCTURE TRUST FUND FOR WATER SYSTEM IMPROVEMENTS TO WANAQUE AVENUE AND BUTLER PLACE

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

AN ORDINANCE APPROPRIATING \$200,000.00 FROM THE WATER INFRASTRUCTURE TRUST FUND FOR WATER SYSTEM IMPROVEMENTS TO WANAQUE AVENUE AND BUTLER PLACE 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 18th day of April 2011, 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.

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Introduction of Ord. #6-0-11:

Re: An Ordinance to Amend Chapter 91 – “Sewers” to amend the Connection Fee (\$8,813.00)

On entertainment of the Mayor, Councilmen Pasquariello and Pettet moved that Ordinance #6-0-11 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 WANAQUE, CHAPTER 91, ‘SEWERS’ TO AMEND THE SCHEDULE OF RATES FOR THE CONNECTION FEE

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

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF WANAQUE, 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 18th day of April 2011, 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. #7-0-11:

Re: 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 Pasquariello and Cortellessa moved that Ordinance #7-0-11 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: 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 Pasquariello and Cortellessa moved that,

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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 18th day of April 2011, 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 2011 CURRENT AND WATER UTILITY BUDGETS -
Resolution #43-0-11 and Resolution #44-0-11 – Deferred School Taxes and other
Budgetary Resolutions

The Borough Administrator gave a presentation on the budget.

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

Municipal Budget of the Borough of Wanaque, County of Passaic for the Fiscal Year 2010. 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 10th day of May, 2010 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 10th day of May, 2010, 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 10th day of May, 2010, Charles J. Ferraioli, Jr., Registered Municipal Accountant, Certified by me, this 10th day of May, 2010, 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 Pasquariello and Pettet moved that,

Municipal Budget of the Borough of Wanaque, County of Passaic for the Fiscal Year 2011:

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2011;

BE IT FURTHER RESOLVED, that said Budget be published by summary only in the Suburban Trends in the issue of March 30, 2011;

The Governing Body of the Borough of Wanaque does hereby approve the following as the Budget for the year 2011:

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Resolution #58-0-11

Re: Resolution providing for increase in Reserve for Uncollected Taxes Percentage

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

**RESOLUTION PROVIDING FOR INCREASE IN
RESERVE FOR UNCOLLECTED TAXES PERCENTAGE**

WHEREAS, the Borough of Wanaque collected only 97.86% of the 2010 taxes due to an increase in State and County tax appeals as a result of unfavorable economic conditions in the local economy and real estate markets for 2010, and

WHEREAS, the lower percentage collected in 2010 has an effect on the "Reserve for Uncollected Taxes" in 2011, and

WHEREAS, the Governing Body is desirous of reducing the 2010 total tax levy by the amount of the tax appeals in calculating the 2010 tax collection percentage resulting in a collection percentage of 98.22% for 2010, and

WHEREAS, the Governing Body desires to anticipate 98.14% collection for 2011, to help reduce the "Reserve for Uncollected Taxes", with prior written consent of the Director of Local Government Services,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wanaque, County of Passaic, State of New Jersey, that the prior written consent of the Director of Local Government Services be requested to anticipate 98.14% collection of taxes in 2011 in figuring the "Reserve for Uncollected Taxes".

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Office of 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.

Dave DaSilva, 108 Monroe Street, Haskell said what happened at the Pulte trailer site there was someone on the roof with a bucket of tar there.

The Borough Administrator said we had a leak..

Dave DaSilva said who patched it up.

The Borough Administrator said actually Jeff Brusco did.

Dave DaSilva said wasn't that roof just recently worked on.

The Borough Administrator said yes however when we were moving some snow apparently one of our part time workers did some damage.

Dave DaSilva said what is the current plan for permanent power and lighting at the new welcome to Wanaque sign.

The Mayor said we are going to put lights on the sign and flagpole.

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Dave DaSilva said my concern is when we had piles of snow it looked like there were solar lights and now it looks like there are home flood lights that are used for decorations for Halloween with extension cords brought in from somewhere in the woods and it doesn't seem safe to me. There are cords going somewhere.

Mayor said I don't think they are plugged in now. They are not powered.

Dave DaSilva said maybe we can get rid of them if they are not being used.

Mayor said yes they are supposed to be taken out of there.

Dave DaSilva said did we get approval from Arrow to do the construction project on the properties for the flooding on Second Avenue.

The Engineer said we are going to put inlets and connect the inlets in the street with seepage pits. We have a set of plans and we are going to try to stay within the grant.

Dave DaSilva said did Arrow give consent or do we need to get consent.

The Borough Administrator said Dave you weren't here last month. That whole plan has been scrapped.

The Mayor said the problem was it was too close to the Arrow building and the fear was it could undermine the foundation so what we did was went with a series of storm water drains that are in effect.

Dave DaSilva said where are they being put.

The Mayor said along Second Avenue in the street.

Dave DaSilva said how long do you anticipate the street being down for.

The Engineer said they will probably just work on one side of the street at a time.

Dave DaSilva said what is the plan for the Doty Road parking lot. When are they going to start.

The Mayor said at this point we are going to put in an application to the County because they have a County corridor grant and see if we can get some money from them.

Dave DaSilva said and when do you think you are actually going to pave the parking lot. Any idea how many spaces there are going to be there.

Mayor said we are probably looking at sometime over the summer and we don't know the number of spaces. We sent a map to the County and did we get the map back yet.

The Borough Administrator said they looked at the stormwater and they were okay with it. We did get Mikes office to do a layout and I don't remember the number of spaces.

Dave DaSilva said do you think that when you re-level and re-pave it you will get rid of the ponding that happens there.

The Borough Administrator said yes that was the concern basically to put a couple of seepage pits in there. We don't want to force the water off onto a neighboring property and we can't put the water out onto the street so we are going to put some seepage pits in order to take care of that.

Dave DaSilva said and that will not affect the test well there on that property.

The Borough Administrator said no.

Dave DaSilva said is there any update of the Mountain Lakes Estates.

The Borough Attorney said we are still waiting for the appellate division to come down with their ruling. They are still boarded up as far as I know and they responded to our requests to remediate what some of the initial problems that were brought to our attention.

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Dave DaSilva said has anything changed with 815 Ringwood Avenue the liquor license.

The Borough Attorney said nothing has occurred to my knowledge. I know of no application that has been made to the Director of the Division of Alcoholic Beverage Control and there has been no application made to us. I suspect that application is lost and unless the State Alcoholic Beverage Control does something, but I think the time has lapsed.

The Mayor said they actually gave him a second window of opportunity and he passed on it.

Dave DaSilva said is there any update of the Fourth Avenue Candle Factory.

The Borough Attorney said there is a motion for a summary judgment this Thursday. We are exempted from that lawsuit and they agreed that we shouldn't be in there. It would appear that M&T Bank is going to foreclose and they made a structured deal with Haskell Products who owned the property who had a five or six million dollar mortgage and subordinated that mortgage to the M&T Bank for a five million dollar mortgage. Unfortunately M&T Bank is going to foreclose and they are going to wipe out the claim of Haskell products on their mortgage but they made a settlement. There remains the suit against Lexon Insurance company which has been assigned to the law division and we have to wait for the trial date. We are prepared to go forward on the trial. We tried to negotiate some resolutions, we had meetings on site, we exchanged letters and asked for certain things to be done and nothing has happened.

The Borough Administrator said I spoke with M&T bank and they are going to maintain the property as far as cutting the weeds and they are actively soliciting other developers to take a look at.

Dave DaSilva said are you seeking damages for the developers agreement amounts of money.

The Borough Attorney said we are seeking completion of the project. There is a bond posted. There was a request for bond reduction and they were given a significant reduction and we gave them a reduction based upon updated prices to complete the project. So they either have to come in and complete the project or they have to pay money to complete the project and either they are going to pay the money now and put the infrastructure in or throw it out later. So the insurance company has the money and at some point in time they will either give us the money for us to do the job or do the job themselves.

Dave DaSilva said it is horrible over there. Are there any changes at US Aluminum and do you still have someone actively interested in building there.

The Mayor said we are waiting for Department of Environmental Protection approval on the site and then they can move forward and yes there is someone still interested.

Grace Maiello, 26 Rhinesmith Avenue, Wanaque said how much is a tax point . I am very disappointed in that new development that is going in up there on Ringwood Avenue and I hope it goes well because if it doesn't I will be up here because there are too many houses on that little lot.

The Borough Administrator said a tax point for 2011 is fifty seven thousand nine hundred twenty six dollars.

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The Mayor closed the Public Discussion.

CONSENT AGENDA:

Two (2) Applications for Raffle Licenses:

Re: 1) Lakeland Lacrosse Association - RA:761 and 2) Wanaque Little League – RA:762.

Application for Amusement Machine License :

Re: Diego Rosario, 72 Haskell Avenue. (Approved by Police Chief and Fire Official).

Resolution #45-0-11:

Re: Redemption of Tax Sale Certificate #09-00002 for Block 212, Lot 13 in the amount of \$300.37.

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

WHEREAS, US Bank Cust Pro Capital LLC was the successful bidder for Block 212 Lot 13 for which Tax Sale Certificate #09-00002 was assigned, and

WHEREAS, GMAC 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 \$300.37 for the certificate as per the certification of the Tax Collector.

Resolution #46-0-11:

Re: Redemption of Tax Sale Certificate #08-00191 for Block 273, Lot 2 in the amount of \$1,118.00.

WHEREAS, a Tax Sale was held for 2008 delinquent Municipal charges on September 30, 2009 and

WHEREAS, Park Finance was the successful bidder for Block 273 Lot 2 for which Tax Sale Certificate #08-00191 was assigned, and

WHEREAS, Dovenmuehle 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 \$1,118.00 for the certificate and \$100.00 for the Premium as per the certification of the Tax Collector.

Resolution #47-0-11:

Re: Redemption of Tax Sale Certificate #09-00013 for Block 404, Lot 4 in the amount \$277.24.

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

WHEREAS, US Bank Cust Pro Capital I LLC was the successful bidder for Block 404 Lot 4 for which Tax Sale Certificate #09-00013 was assigned, and

WHEREAS, IndyMac Home 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 \$277.24 for the certificate and \$100.00 for the Premium as per the certification of the Tax Collector.

Resolution #48-0-11:

Re: Refund of Tax overpayment for Block 231, Lot 13 in the amount of \$2,131.55 due to property receiving a Tax Exempt Status in 2010.

WHEREAS, there exists a tax overpayment on the property listed herein for the first and second quarter of 2010 due to the property receiving a Tax Exempt Status in 2010:

<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
231	13	\$2,131.55

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

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund a total of \$2,131.55 as per the certification of the Tax Collector.

Resolution #49-0-11:

Re: Refund of Tax overpayments on Block 304, Lot 10.01 in the amount of \$1,096.15 due to a reduction in the assessment for 2009 and 2010.

WHEREAS, a State Tax Court Judgment has been received for Block 304, Lot 10.01 assessed to Hector Castillo; and

WHEREAS, due to the reduction in the assessment there now exists a tax overpayment for the Tax Years 2009 and 2010 in the amounts of \$548.35 and \$547.80; and

WHEREAS, the attorney, William S. Winters, Esq., has requested the refund on behalf of his client;

NOW THEREFORE, BE IT RESOLVED that the Treasurer shall refund a total of \$1,096.15 as per the Certification of the Tax Collector.

Resolution #50-0-11:

Re: Redemption of Tax Sale Certificate #09-00009 for Block 275, Lot 13 in the amount of \$1,584.56.

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

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WHEREAS, US Bank Cust Pro Capital LLC was the successful bidder for Block 275 Lot 13 for which Tax Sale Certificate #09-00009 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 \$1584.56 for the certificate and \$200.00 for the premium as per the certification of the Tax Collector.

Resolution #51-0-11:
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 2010 Local Municipal Budget be approved:

BE IT FURTHER RESOLVED that the proper Borough Officers are hereby directed to enter the said transfers on the financial records of the Borough:

<u>FROM</u>		<u>TO</u>	
0-CU-01-099-127	\$2,200.00	0-CU-01-117-281	\$2,200.00
Police S&W OT		Public Bldg O.E.	

Resolution #52-0-11:
Re: Appointment of Part-Time Communications Operator - John Garza effective immediately

BE IT RESOLVED that John Garza, 294 Skyline Lakes Drive, Ringwood, New Jersey 07456 be and he is hereby appointed as a Part Time Public Safety Telecommunicator effective immediately at minimum wage during training and \$17.97 per hour after training is complete.

Resolution #53-0-11:
Re: Approval of Bylaw Amendments to the New Jersey Intergovernmental Insurance Fund.

APPROVAL OF BYLAW AMENDMENTS TO THE NEW JERSEY
INTERGOVERNMENTAL INSURANCE FUND

WHEREAS, N.J.S.A. 40A:10-36 et seq. permits local units to join together to form a joint insurance fund; and

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WHEREAS, said statute was designed to give local units the opportunity to use alternative risk management techniques, providing they are based on sound actuarial principals; and

WHEREAS, the New Jersey Intergovernmental Insurance Fund, hereinafter the Fund, was established effective February 1, 1991 pursuant to said statutes; and

WHEREAS, the Borough of Wanaque is a member of the Fund; and

WHEREAS, revisions to the existing bylaws of the Fund were reviewed and approved by the Fund's Executive Committee at their December 9, 2010 meeting.

NOW, THEREFORE, BE IT RESOLVED, the Borough of Wanaque hereby adopts the following bylaw amendments hereto attached:

Resolution #54-0-11:

Award Contract – Building Maintenance Services

WHEREAS, the Borough of Wanaque wishes to contract for janitorial services for the Borough Hall, Police Department, and various rest room facilities; and

WHEREAS, by a proposal dated February 7, 2011, Friendship House has offered to provide these services to the Borough of Wanaque; and

WHEREAS, NJSA 40A:11-5 (n) provides for an exception from public bidding for “the doing of any work by handicapped persons employed by a sheltered workshop” and Friendship House is a qualified sheltered workshop;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wanaque that a contract for janitorial services be awarded to Friendship House, 125 Atlantic Street, Hackensack NJ 07601, for a term of one year, commencing on April 11, 2011 and terminating on April 10, 2012, at an annual fee of \$31,600 subject to passing a security check and subject to terminating the contract for any breach of security; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available for 2011 in budget account 1-CU-01-11-262, and subject to appropriation in the 2012 budget.

Resolution #55-0-11:

Award Contract – Ballfield Maintenance

WHEREAS, the Borough of Wanaque placed an advertisement for ballfield maintenance on its web sit on March 1, 2011, in accordance with the Fair and Open provisions of N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, on March 11, 2011 the Borough Administrator opened proposals from the following:

Sierra Landscape Design	\$22,500
Kodiak Landscape Design	\$32,000

and;

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

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NOW, THEREFORE, be it resolved that a contract be awarded to Sierra Landscape Design, 852 Ringwood Avenue, Haskell, NJ in the amount of \$22,500 for the 2011 season for ballfield maintenance, in accordance with the proposal dated March 10, 2011; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account 1-CU-01-117-262.

Resolution #56-0-11:

Re: Authorizing Settlement of Tax Appeals – Brookside Heights.

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEALS –
BROOKSIDE HEIGHTS, WANAUKE, NEW JERSEY

WHEREAS, thirty (30) tax appeals had been filed with the Tax Court of New Jersey by the law firm of Brach, Eichler, LLC, on behalf of various residents of the development known as Brookside Heights, Wanaque, New Jersey, all of which are set forth and identified under Exhibit “A” with identifying docket numbers, block and lot and qualifier information, and;

WHEREAS, the Borough Tax Assessor Brian Townsend in conjunction with Wanaque Borough retained Tax Expert Scott Holzauer have evaluated the appeals and;

WHEREAS, it is in the best interests of the Borough of Wanaque to settle the aforesaid appeals,

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

1. The Borough Attorney, Anthony Fiorello, Esquire is hereby authorized and empowered to enter into Stipulations of Settlement in connection with Tax Appeal filed in the within matter as set forth and identified in Schedule A, which is incorporated herein and made a part hereto and is hereby further authorized to execute Stipulations of Settlement for each of the individual appeals filed in the form annexed hereto, as it related to each individual property under Exhibit “B”.

Letter from Betsy Lenke:

Re: Requesting the refund of the deposit for Street Opening Permit #2076 in the amount of \$100.00.

Application for Raffle License

Re: Wanaque Little League – RA:763

Resolution #57-0-11:

Re: Award Contract – Grants Consultant

On entertainment of the Mayor Councilman Pasquariello and Cortellessa moved a motion to approve the aforementioned.

Regular Meeting
March 14, 2011

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

REGULAR REPORTS - PROFESSIONAL REPORTS:

1. Clerk's Receipts for February 2011
2. Police Department Report for February 2011
3. Tax Collector's Report for February 2011 -
4. Municipal Court Report for February 2011 -

On entertainment of the Mayor, Councilmen Pasquariello 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:

Letter from Lorraine LaNeve re: Requesting permission to gather at the Wanaque War Memorial at 12:00 Noon on May 5, 2011 for National Day of Prayer and Proclamation.

On entertainment of the Mayor, Councilmen Pettet and Pasquariello moved that permission be granted to gather at the Wanaque War Memorial on May 5, 2011.

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

NEW BUSINESS:

Resolution #59-0-11

Re: Application for Liquor License Transfer

Application for Liquor License Transfer – Person to Person re: T.P. Summer , Inc. to KJK Spirits, Inc. – License #1613-44-007-012 – 207 Ringwood Avenue, Wanaque

On entertainment of the Mayor, Councilman Pasquariello and Pettet moved to approve the aforementioned Liquor License Transfer.

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

Appointment of Open Space Committee Members

On entertainment of the Mayor, Councilmen Pasquariello and Pettet moved a motion to reappoint Peter Heckler and appoint Paul Johannemann to 3 year terms on the Open Space Committee.

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

Closed Session:

Re: Litigation/Negotiation/Personnel

None.

UNFINISHED BUSINESS:

None

RESOLUTIONS:

None

FINANCE REPORT: Vouchers – Payrolls

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.

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

FINANCE REPORT

Mayor & Council Meeting March 14, 2011

The Finance Committee has examined and approved the following and recommends warrants be issued for their payment when funds of the Borough of Wanaque are sufficient to meet them.

VOUCHERS:

Current Operating Prepaid 2011	\$ 14,448.31
Current Operating 2010	\$ 72,718.60
Current Operating 2011	\$ 139,534.72
Water Operating Prepaid	\$ 286.72
Water Operating 2010	\$ 3,646.50
Water Operating 2011	\$ 26,414.46
Sewer Operating 2011	\$ 91.99
Escrow	\$ 3,514.50
General Capital	\$ 764.50
Recreation Trust	\$ 1,285.00
Animal Trust	\$ 7,522.85
Other Trust	\$ 2,850.00
Unemployment/Disability	\$ 14.53

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		Voucher Total:	\$273,092.68
Payroll:			
PR #4	2/25/11		\$ 195,129.95
PR #5	3/11/11		\$ 181,387.95
		Payroll Total:	\$ 376,517.90
		Grand Total:	\$ 649,610.58

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

ADJOURNMENT:

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

On roll call, all voted yes, and the Mayor declared the motion carried; meeting adjourned at 9:05 P.M..

Katherine J. Falone, RMC, CMC
Municipal Clerk