

Regular Meeting
January 9, 2017

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, January 9, 2017, at 8:10 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, and Willse. Councilman Pettet 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, 2016, and a notice thereof has been posted on December 29, 2016 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:

December 12, 2016 and Re-Organization January 2, 2017

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

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

PRESENTATIONS:

Honoring Police, Fire and First Aid in their response to I-287 Bridge Incidents

Held at the Work Meeting.

ORDINANCES:

None.

PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.

No one came forward.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #26-0-17:

Re: Redemption of Tax Sale Certificate #12-00020 for Block 423, Lot 30 for cancellation

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WHEREAS, a Tax Sale was held for 2012 delinquent Municipal charges on October 9, 2013;

WHEREAS, the Borough of Wanaque was awarded the certificate for Block 423 Lot 30, Skyland Avenue for which certificate 12-00020 was assigned;

WHEREAS, Robert Mazza, the property owner, has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Municipal Clerk sign off on the certificate so that it can be recorded as cancelled as per the certification of the Tax Collector.

Resolution #27-0-17:

Re: Redemption of Tax Sale Certificate #13-00029 for Block 448, Lot 14 in the amount of \$90,594.34 for the Certificate and \$30,000.00 for the Premium

WHEREAS, a Tax Sale was held for 2013 delinquent Municipal charges on September 24, 2014;

WHEREAS, Stonefield Investment Fund III, was the successful bidder for Block 448 Lot 14, 1223 Ringwood Avenue for which certificate 13-00029 was assigned;

WHEREAS, Gene DeAngelo, the property owner, has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$90,594.34 for the tax sale certificate and \$30,000.00 for the premium per the certification of the Tax Collector.

Resolution #28-0-17:

Re: Redemption of Tax Sale Certificate #15-00014 for Block 317, Lot 2.12 in the amount of \$1,305.39 for the Certificate and \$800.00 for the Premium

WHEREAS, a Tax Sale was held for 2015 delinquent Municipal charges on September 21, 2016;

WHEREAS, Clemente Enterprises LLC, was the successful bidder for Block 317 Lot 2.12, 162 Carter Road for which certificate 15-00014 was assigned;

WHEREAS, Elite Title Group, LLC for the new owner, has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$1,305.39 for the tax sale certificate and \$800.00 for the premium per the certification of the Tax Collector.

Resolution #29-0-17:

Re: Redemption of Tax Sale Certificate #15-00019 for Block 405, Lot 11 in the amount of \$13,113.32 for the Certificate and \$30,000.00 for the Premium

WHEREAS, a Tax Sale was held for 2015 delinquent Municipal charges on September 21, 2016;

WHEREAS, Tower Fund Services for Ebury, was the successful bidder for Block 405 Lot 11, 16 Bartholdi Avenue for which certificate 15-00019 was assigned;

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WHEREAS, David Crook Esq. for the new owner, has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$13,113.32 for the tax sale certificate and \$30,000.00 for the premium per the certification of the Tax Collector.

Resolution #30-0-17:

Re: Redemption of Tax Sale Certificate #15-00021 for Block 415, Lot 11 in the amount of \$4,667.24 for the Certificate and \$3,600.00 for the Premium

WHEREAS, a Tax Sale was held for 2015 delinquent Municipal charges on September 21, 2016;

WHEREAS, Clemente Enterprises, was the successful bidder for Block 415 Lot 11, 54 Bergen Avenue for which certificate 15-00021 was assigned;

WHEREAS, Wells Fargo, the mortgage company, has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$4,667.24 for the tax sale certificate and \$3,600.00 for the premium per the certification of the Tax Collector.

Resolution #31-0-17:

Re: Redemption of Tax Sale Certificate #15-00027 for Block 461, Lot 4 in the amount of \$2,053.15 for the Certificate and \$1,400.00 for the Premium

WHEREAS, a Tax Sale was held for 2015 delinquent Municipal charges on September 21, 2016;

WHEREAS, Clemente Enterprises LLC, was the successful bidder for Block 461 Lot 4, 107 Greenwood Avenue for which certificate 15-00027 was assigned;

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

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$2,053.15 for the tax sale certificate and \$1,400.00 for the premium per the certification of the Tax Collector.

Resolution #32-0-17:

Re: Credit Account for Tax overbilling on Block 200.02, Lot 19 for the Year 2017 in the amount of \$4,943.04 and issue a refund in the amount of \$5,013.50 for the amounts paid

WHEREAS, the owner of Block 200.02 Lot 19 qualifies for a 100% disabled Veteran exemption from tax, beginning on January 2016;

WHEREAS, there now exists a credit on the year 2016 where the bank paid tax and an overbilling on the year 2017 due to this exempt status;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector shall credit this block and lot for 2017 in the amount of \$4,943.04 and the Treasurer shall issue a refund in the amount of \$5,013.50 for the amounts paid.

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Resolution #33-0-17:

Re: Credit Account for Tax overbilling on Block 444, Lot 13 for 2016 and the first half of 2017 as a result of a County Board Judgment in the amount of \$774.29 for 2016 and \$516.19 for the half of 2017

WHEREAS, there exists tax overbilling on Block 444 Lot 13 for 2016 and the first half of 2017 as a result of a County Board Judgment;

WHEREAS, the credits total \$774.29 for 2016 and \$516.19 for the first half of 2017;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector shall adjust these accounts accordingly as per the certifications from the County.

Resolution #34-0-17:

Re: Tax Resolution

Resolution #35-0-17:

Re: Budgetary Transfers

BE IT RESOLVED by the Mayor and Council of the Borough of Wanaque that the following inter-appropriation transfers affecting the year 2016 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>	
	CURRENT		
6-CU-01-099-106 FINANCE S&W	\$ 3,500.00	6-CU-01-099-124 POLICE S&W	\$ 5,000.00
6-CU-01-099-142 CCO S&W	\$ 1,500.00		
6-CU-01-099-142 CCO O.E.	\$ 800.00	6-CU-01-134-299 BD OF HEALTH	\$ 800.00
6-CU-01-099-132 STREETS & ROADS	\$ 1,000.00	6-CU-01-124-299 POLICE O.E.	\$ 1,000.00
6-CU-01-146-202 RECYCLING	\$ 1,500.00	6-CU-01-124-299 POLICE O.E.	\$ 1,500.00
6-CU-01-146-202 GASOLINE	\$ 3,500.00	6-CU-01-124-299 POLICE O.E.	\$ 3,500.00
TOTAL	\$11,800.00		\$11,800.00

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Resolution #36-0-17:

Re: Award Bid – Phelan Court and Sixth Avenue Improvements – John Garcia Construction Company, Inc.

WHEREAS, the Borough of Wanaque advertised for and received bids on January 5, 2017 for the water main replacement and reconstruction of Phelan Court and Sixth Avenue, and bids were received from the following contractors:

1)	John Garcia Construction Co., Inc. 183 Friar Lane Clifton, NJ 07013	\$370,674.75
2)	Pacific Construction, LLC 531 Rte. 22 East, PMB 240 Whitehouse Station, NJ 07105	\$379,050.86
3)	Regal Utility Services, Inc. 731 Warwick Turnpike Hewitt, NJ 07421	\$394,553.01
4)	JTG Construction, Inc. 188 Jefferson Street, Ste. 387 Newark, NJ 07105	\$408,439.00
5)	Your Way Construction, Inc. 404 Coit Street Irvington, NJ 07111	\$558,647.83

And,

WHEREAS, the Borough Administrator and Borough Engineer have reviewed the bid of John Garcia Construction Co., Inc, and finds them to be responsive and responsible and in compliance with N.J.S.A. 40A:11-1 et. seq. "Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to John Garcia Construction Co. Inc., 183 Friar Lane, Clifton, NJ 07013 in the amount of \$370,674.75; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget accounts X-GC-03-394-202 (\$196,224.25) and Y-WC-04-129-201 (\$175,450.50).

Resolution #37-0-17:

Re: Appoint Patricia Qualey, Esq. – Assistant Municipal Prosecutor

BE IT RESOLVED that Patricia D. Qualey, Esq., 97 Lackawanna Avenue, Ste. 001, Totowa, NJ 07512 be and is hereby appointed as the Assistant Municipal Prosecutor for the Borough, at a stipend of \$200 per Municipal Court session.

Resolution #38-0-17:

Re: Appoint Scarinci and Hollenbeck, LLC – Tax Appeal Counsel

WHEREAS, on November 22, 2016 the Borough of Wanaque announced through its official Municipal Website, www.wanaqueborough.com that it was soliciting proposals for Special Counsel – Tax Appeals under the "Fair and Open" provisions of N.J.S.A. 19:44A-20.4 et seq.; and

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WHEREAS, those proposals were received on December 20, 2016 by the Borough Administrator, who opened them and read them aloud; and
WHEREAS, proposals were received from the following:

Scarinci & Hollenbeck

Boggia & Boggia

WHEREAS, upon review by the Borough Council it is agreed to award this professional service under the "Fair and Open" provisions of the law;

NOW, THEREFORE, BE IT RESOLVED that the following professional appointments are made in accordance with N.J.S.A. 40A:11-5 et seq. and N.J.S.A. 19:44A-20.4 et seq.:

Special Counsel – Tax Appeals – Scarinci & Hollenbeck

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available;

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published in the Suburban Trends as required by Law.

Two (2) Applications for Raffle Licenses:

Re: Lakeland Regional High School Band - RA:953 and RA:954

Resolution #39-0-17:

Re: Approval of Person to Person Liquor License Transfer – The Great Atlantic and Pacific Tea Company, Inc., 1069 Ringwood Avenue

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Distribution License Number #1613-44-003-005, issued to The Great Atlantic and Pacific Tea Company, Inc. for premises heretofore located at 1069 Ringwood Avenue, Suite 108, Haskell, New Jersey 07420;

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 January 9, 2017, the Person-to-Person Transfer of the aforesaid Plenary Retail Distribution License to Haskell Liquors Corporation with a premise address of 1069 Ringwood Avenue, Suite 108, Haskell, New Jersey 07420 and does hereby direct the Municipal Clerk to endorse the license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to Haskell Liquors Corporation."

Subject to proof of the proper disclosures for the corporation name.

Application for Used Car Lot License:

Re: Ameri-Car, 891 Ringwood Avenue, Haskell

Subject to the lot being cleaned up and the approval of the Building Inspector and Police.

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On entertainment of the Mayor, Councilmen Pasquariello and Leonard moved a motion to approve the aforementioned Consent Agenda.

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

REGULAR REPORTS - PROFESSIONAL REPORTS:

1. Clerk's Receipts for December 2016 -
2. Police Department Report for December 2016 -
3. Tax Collector's Report for December 2016 -
4. Municipal Court Report for December 2016 -

On entertainment of the Mayor, Councilmen Pasquariello and Willse moved that reports be received and filed; and that all monies be turned over to the Treasurer.

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

COMMUNICATIONS:

Letter from Borough of Riverdale:

Re: Termination Notice – Shared Services Agreement – Construction Official/Subcode
Official Services – Borough of Riverdale

Received and filed.

NEW BUSINESS:

Closed Session:

Re: Litigation/Negotiation/Personnel

None.

UNFINISHED BUSINESS:

Pulte Bond Update:

The Borough Engineer gave an update of the bond.

RESOLUTIONS: None.

PUBLIC DISCUSSION: (Work Meeting)

FINANCE REPORT: Vouchers - Payrolls

None.

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ADJOURNMENT:

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

On roll call, all voted yes, and the Mayor declared the motion carried; meeting adjourned at 8:12 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk