

Regular Meeting
June 12, 2017

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A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, June 12, 2017, at 8:30 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 Willse. Councilman Pasquariello 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:

May 8, 2017 and Special Meeting May 22, 2017.

On entertainment of the Mayor, Councilmen Willse and Pettet moved a motion to approve the May 8, 2017 minutes.

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

On entertainment of the Mayor, Councilmen Pettet and Willse moved a motion to approve the May 22, 2017 minutes.

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

Councilman Pasquariello arrived at 8:35 P.M.

ORDINANCES:

Public Hearing of Ord. #9-0-17:

Re: Amend 2017 Salary Ordinance

On entertainment of the Mayor, Councilmen Willse and Pettet moved that Ordinance #9-0-17 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 SALARY ORDINANCE FOR THE YEAR 2017.

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 Willse and Pettet moved that,

BE IT RESOLVED that an Ordinance entitled: AN ORDINANCE TO AMEND THE SALARY ORDINANCE FOR THE YEAR 2017 pass final reading, and that said Ordinance be adopted as an Ordinance of the Borough of Wanaque; and

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published in the manner prescribed by law.

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

PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.
No one came forward.
The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #122-0-17:

Re: Refund of Tax Sale Certificate #15-00009 for Block 304, Lot 6 in the amount of \$1,693.97 for the Tax Sale Certificate and \$700.00 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 304 Lot 6, 5 Storms Place for which certificate 15-00009 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 \$1,693.97 for the tax sale certificate and \$700.00 for the premium as per the certification of the Tax Collector.

Resolution #123-0-17:

Re: Refund of Tax Sale Certificate #14-00024 for Block 400, Lot 12 and Tax Sale Certificate #14-00032 for Block 460, Lot 9 in the amount of \$56,842.46 for the Tax Sale Certificate and \$48,000.00 for the Premium

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

16, 2015;

WHEREAS, US Bank Cust-ProCap 4, was the successful bidder for Block 400 Lot 12 for which Certificate #14-00024 was assigned, and the Borough of Wanaque for Block 460 Lot 9 for which 14-00032 was assigned;

WHEREAS, Getler & Gomez PC, the attorney for the property owner of both Block and Lots, has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$56,842.46 for the tax sale certificate and \$48,000.00 for the premium; and the Mayor and Borough Clerk should sign off on the certificate owned by the municipality as per the certification of the Tax Collector.

Resolution #124-0-17:

Re: Refund of Tax overpayments on various properties in the amount of \$6,686.78

WHEREAS, there exists tax overpayments on the following block and lots for the 2017 2nd quarter taxes,

Block/Lot	Address	Overpayment Amount
243/5	673 Ringwood Ave	\$3,387.17
313.01/2.06	1206 Warren's Way	\$1,598.73
405/4	56 Lakeside Ave	\$1,700.88

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

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund \$6,686.78 as per the certification of the Tax Collector.

Resolution #125-0-17:

Re: Approval of 2017/2018 Liquor License Renewals

BE IT RESOLVED, that the Mayor and Council of the Borough of Wanaque do hereby approve through this Resolution the following Liquor License Renewals for the Year 2017/2018:

1. Haskell Liquors Corporation – t/a Haskell Liquors – 1069 Ringwood Avenue - License #1613-44-003-005
2. Santina and Peter Berta, Inc. – t/a Berta's Chateau – 7 Grove Street - License #1613-32-
3. KJK Spirits, Inc. – t/a Buy Rite Liquors – 207 Ringwood Avenue - License #1613-44-007-012
- *4. Joseph Agostino – t/a Flip's – Resolution #107-0-16 – 18 Railroad Avenue License #1613-32-017-003
5. Il Palazzo, Inc. – t/a Il Palazzo – 600 Ringwood Avenue License #1613-33-020-005

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6. Provision Foods LTD – t/a Tree Tavern – 17 Park Street –
License #1613-32-010-004
7. DNP Enterprises LLC – t/a Wine2Spirits – 662 Ringwood Avenue –
License #1613-44-018-009

*License with Resolution of stipulations and restrictions

On entertainment of the Mayor, Councilmen Pasquariello 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 May 2017 -
2. Police Department Report for May 2017-
3. Tax Collector's Report for May 2017 -
4. Municipal Court Report for May 2017 –

On entertainment of the Mayor, Councilmen Willse and Cortellessa 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:

DEP Property Donation Proposal:

On entertainment of the Mayor, Councilmen Willse and Cortellessa moved a motion to authorize the Borough Administrator to send a letter to the Department of Environmental Protection to respectfully decline their offer.

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

Closed Session:

Re: Litigation/Negotiation/Personnel

Held to the end of the meeting.

UNFINISHED BUSINESS:

Status Report - Lakeside Manor.

RESOLUTIONS:

Resolution #127-0-17:

Re: Garbage Collection Contract

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

WHEREAS, the Borough of Wanaque advertised for and received bids for the collection of garbage and bulky waste on June 1, 2017, and the following bids were received:

GAETA RECYCLING CO., INC. 278-282 Railway Ave. Paterson, NJ 07503 (973) 278-6625 x 16	
1-Year	\$415,500.00
5-Year Contract:	
1st Year	\$432,800.00
2nd Year	\$443,260.00
3rd Year	\$453,600.00
4th Year	\$464,000.00
5th Year	\$474,000.00
TOTAL:	\$2,267,660.00

And:

WHEREAS, the Borough Administrator (QPA) has reviewed the bid of Gaeta Recycling Co., Inc. and finds it to be responsive and responsible and in conformance with NJSA 40A:11-1 et. seq. "Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED that a contract for the collection of garbage and bulky waste, in accordance with the bid received on June 1, 2017 be and is hereby awarded to Gaeta Recycling Co., Inc. 278-282 Railway Avenue, Paterson, NJ 07503 for a term of five (5) years beginning July 2, 2017 and ending June 30, 2022 at the prices noted above; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2017 budget account 1-CU-01-136-251 and subject to subsequent certifications in future years.

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

Resolution #128-0-17:

Re: Recycling Collection Contract

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

WHEREAS, the Borough of Wanaque advertised for and received bids for the collection of garbage and bulky waste on June 1, 2017, and the following bids were received:

COLLECTION, REMOVAL, AND TRANSPORTATION TO MARKET OF

RECYCLABLE MATERIALS FROM PROPERTIES WITHIN THE BOROUGH OF WANAUKE BID - 6/1/2017 at 11:00 AM	
GAETA RECYCLING CO, INC. GET A CAN 278-282 Railway Ave. Paterson, NJ 07503 (973) 278-6625 x 16	
1-Year	\$173,000.00
5-Year Contract:	
1st Year	\$180,300.00
2nd Year	\$184,700.00
3rd Year	\$189,000.00
4th Year	\$193,300.00
5th Year	\$197,700.00
TOTAL:	\$945,000.00

And;

WHEREAS, the Borough Administrator (QPA) has reviewed the bid of Gaeta Recycling Co., Inc. Get-A-Can and finds it to be responsive and responsible and in conformance with NJSA 40A:11-1 et. seq. "Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED that a contract for the collection of garbage and bulky waste, in accordance with the bid received on June 1, 2017 be and is hereby awarded to Gaeta Recycling Co., Inc. Get-A-Can, 278-282 Railway Avenue, Paterson, NJ 07503 for a term of five (5) years beginning July 2, 2017 and ending June 30, 2022 at the prices noted above; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2017 budget account 1-CU-01-135-253 and subject to subsequent certifications in future years.

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

Resolution #129-0-17:

Re: Recycling Collection Contract

On entertainment of the Mayor, Councilmen Cortellessa and Leonard moved that,
 WHEREAS, the Borough of Wanaque advertised for and received bids on June 8, 2017 for automotive repair for Police Department and Administrative vehicles, and received bids from the following:

Superior Auto Body - \$2,274 per month

and;

WHEREAS, the amount bid exceeds the budgeted amount for this service, and after review, it is recommended by the Chief of Police and the Borough Administrator that the bid be rejected and that a new bid be issued.

NOW, THEREFORE, BE IT RESOLVED that the bid of Superior Auto Body for automotive repair for Police Department and Administrative vehicles be and is hereby rejected, and that the Borough Administrator is directed to issue a new bid request.

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

Resolution #130-0-17:

Re: Award Contract – Tremont (Jaycee) Park Playground

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

BE IT RESOLVED that a contract for the purchase and installation of one Miracle Play Structure at Tremont (Jaycee) Park under the NJPA Cooperative Pricing Agreement (NJPA#27910) be awarded to Liberty Parks & Playgrounds, P.O. Box 216, 78 Sunrise Drive, Clayton, DE 19938 in the amount of \$69,717.61 in accordance with their quote dated May 31, 2017; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget accounts PC-900-020 and the Borough Open Space and Recreation Trust Account.

On roll call, all voted yes, except Councilman Willse who voted no and the Mayor declared the motion carried.

Resolution #131-0-17:

Re: Payment to John Garcia Construction Company, Inc. – Current Estimate No. 1
in the amount of \$171,343.20

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

BE IT RESOLVED Current Estimate No. 1 in the amount of \$171,343.20 payable to John Garcia Construction Company, Inc. for the Sixth Avenue and Phelan Court improvements be and is hereby approved.

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

PUBLIC DISCUSSION: (Work Meeting)

FINANCE REPORT: Vouchers - Payrolls

Councilman Pettet said your Finance Committee respectfully reports that they have examined and approved the following and recommend that warrants are issued for their payment when the funds of the Borough of Wanaque are sufficient to meet them:

VOUCHERS:

Current Operating 2017	\$ 196,611.11
Water Operating 2017	\$ 54,372.37
Sewer Operating 2017	\$ 8,820.52
Escrow	\$ 8,491.18
Animal Trust	\$ 36.00
Other Trust	\$ 1,300.00
Unemployment Fund	\$ 91.05
General Capital	\$ 70,499.91
Escrow	\$ 8,491.18
Water Capital	\$ 26,261.25
Recycling Trust	\$ 773.26
Recreation Trust	\$ 5,145.98
Voucher Total:	\$ 380,893.81

PAYROLL:

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

PR #10	5/19/2017	\$ 227,384.53
PR #11	6/02/2017	\$ 230,390.96
	Payroll Total:	\$ 457,775.49
	Grand Total:	\$ 838,669.30

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

Daniel Mahler
Mayor

NEW BUSINESS:

Closed Session:

Re: Litigation/Negotiation/Personnel

On entertainment of the Mayor, Councilmen Willse and Pettet 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) Contract and Settlement.
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.

RECONVENEMENT:

On entertainment of the Mayor, Councilmen Pettet and Willse moved a motion to reconvene at 8:55 P.M.

On roll call, all were present.

On entertainment of the Mayor, Councilmen Leonard and Balunis moved a motion to authorize the Borough Administrator to send a letter to Mr. Rodriquez if at any time he does not meet the ten day deadline, to also send an email notifying him he is in default and to take care of the landscape and window treatments.

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

ADJOURNMENT:

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

On roll call, all voted yes, and the Mayor declared the motion carried; meeting adjourned at 9:00 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk