

Regular Meeting  
October 3, 2011

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, October 3, 2011, at 8:00 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 Theoharous. 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, 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:

Minutes of September 12, 2011.

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

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

PROCLAMATION: Put the Brakes on Fatalities Day – October 10, 2011

The Mayor read the following Proclamation:

**PUT THE BRAKES ON FATALITIES DAY  
OCTOBER 10, 2011**

WHEREAS, Across the nation, traffic crashes caused 32,788 fatalities in 2010, and are the leading cause of death for young people ages 15 to 34; and,

WHEREAS, In New Jersey, 556 individuals lost their lives in traffic crashes in 2010; and

WHEREAS, Alcohol-related crashes accounted for 20 percent of the State's traffic fatalities, while speed related crashes for 2010 climbed to 35,039 from 23,011 recorded in 2009.

WHEREAS, Motorcyclist, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and,

WHEREAS, 72 motorcycles, 13 bicyclists and 141 pedestrians were killed in New Jersey in traffic-related crashes in 2010; and,

WHEREAS, Safer driving behaviors such as buckling up, every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear when riding a motorcycle or bicycle; and, focusing solely on driving by

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avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths;

NOW, THEREFORE, I Daniel Mahler, Mayor of the Borough of Wanaque, County of Passaic, State of New Jersey, do hereby proclaim October 10, 2011, **Put The Brakes On Fatalities Day**, and call upon everyone to put these lifesaving behaviors into practice to improve safety on roadways in our community and throughout the State.

ORDINANCES:

Lift from Table/Final Vote of Ord. #17-0-11:  
Re: Amend Chapter 47 – Alcoholic Beverages

On entertainment of the Mayor, Councilmen Theoharous and Cortellessa moved a motion to table Ordinance #17-0-11.

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

Public Hearing of Ord. #18-0-11:  
Re: Amend 2011 Salary Ordinance

On entertainment of the Mayor, Councilmen Theoharous and Balunis moved that Ordinance #18-0-11 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 TO AMEND ORDINANCES THAT PROVIDE FOR AND DETERMINE THE RATE OF PAYMENT THEREOF FOR THE EMPLOYEES OF THE BOROUGH OF WANAQUE IN THE COUNTY OF PASSAIC WHO ARE NOT COVERED BY MUTUAL AGREEMENTS.

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 Pasquariello and Theoharous moved that,

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE TO AMEND ORDINANCES THAT PROVIDE FOR AND DETERMINE THE RATE OF PAYMENT THEREOF FOR THE EMPLOYEES OF THE BOROUGH OF WANAQUE IN THE COUNTY OF PASSAIC WHO ARE NOT COVERED BY MUTUAL

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AGREEMENTS 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 Hearing of Ord. #19-0-11:

Re: Amend Chapter 108 – Vehicles and Traffic – No Left Turns on Ringwood Avenue

On entertainment of the Mayor, Councilmen Pasquariello and Cortellessa moved that Ordinance #19-0-11 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 TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 108, VEHICLES AND TRAFFIC, TO AMEND SCHEDULE XII – LEFT TURN PROHIBITIONS.

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

Bruce Lyons, 84 Burnside Place, Haskell said does this mean you can't make a left turn on Burnside Place.

The Mayor said no. There are certain parking lots that you can't make a left turn out of.

The Mayor closed the Public Hearing.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 108, VEHICLES AND TRAFFIC, TO AMEND SCHEDULE XII – LEFT TURN PROHIBITIONS 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.

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Public Hearing of Ord. #20-0-11:

Re: Appropriating \$15,000 from the Capital Improvement Fund for the purchase of a used Fire Truck

On entertainment of the Mayor, Councilmen Theoharous and Cortellessa moved that Ordinance #20-0-11 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 APPROPRIATING \$15,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A USED FIRE TRUCK.

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 Cortellessa moved that,

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE APPROPRIATING \$15,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A USED FIRE TRUCK 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. #21-0-11:

Re: Amend Chapter 108, Vehicles and Traffic – No Parking North Side of Morningside Place

On entertainment of the Mayor, Councilmen Balunis and Leonard moved that Ordinance #21-0-11 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 TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 108, "VEHICLES AND TRAFFIC," TO AMEND SECTION 108-14, NO PARKING

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

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 108, "VEHICLES AND TRAFFIC," TO AMEND SECTION 108-14, NO PARKING 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 14th day of November 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.

Councilman Pettet arrived at 8:10 P.M.

PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.

Bruce Lyons, 84 Burnside Place, Haskell said there is a lot of water on the road and the drains aren't cleaned out.

The Borough Administrator said we will take a look at it.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Four (4) Applications for Raffle Licenses:

Re: 1) West Milford Midget Football – RA:785, 2) Lakeland Lancer Diamond Club RA:786 and 3) Lakeland Chorale Association – RA:787 and RA:788

Resolution #137-0-11:

Re: Redemption of Tax Sale Certificate #07-00170 for Block 240, Lot 1 in the amount of \$278,823.53 for the Certificate and \$100,000.00 for the premium

**WHEREAS**, a Tax Sale was held for 2006 delinquent Municipal charges on May 30, 2007, and

**WHEREAS**, US Bank Cust/Sass Muni V dtr LLC was the successful bidder for Block 240 Lot 1 for which Tax Sale Certificate #07-00170 was assigned, and

**WHEREAS**, Meyner and Landis LLP has redeemed said certificate of which funds have been deposited into the Current Account;

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**NOW, THEREFORE, BE IT RESOLVED** that the Treasurer shall refund to the lien holder the amount of \$278,823.53 for the certificate and \$100,000.00 for the premium as per the certification of the Tax Collector.

Resolution #138-0-11:

Re: Redemption of Tax Sale Certificate #07-00171 for Block 240, Lot 8 in the Amount of \$14,840.83 for the Certificate and \$5,500.00 for the premium

**WHEREAS**, a Tax Sale was held for 2006 delinquent Municipal charges on May 30, 2007, and

**WHEREAS**, Park Finance was the successful bidder for Block 240 Lot 8 for which Tax Sale Certificate #07-00171 was assigned, and

**WHEREAS**, Meyner and Landis LLP 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 \$14,840.83 for the certificate and \$5,500.00 for the premium as per the certification of the Tax Collector.

Resolution #139-0-11:

Re: Cancel the 2011 Tax and the preliminary Taxes for 2012 due to the purchase by the Borough of Wanaque on Block 421, Lot 14 in the amount of \$1,835.46 for the Year 2011 and \$1,206.84 for the Year 2012

**WHEREAS**, the following block and lot have been purchased by the Borough of Wanaque and should be tax exempt for the year 2011; and

**WHEREAS**, there is a total amount due for Block 421 Lot 14 in the amount of \$1,835.46 for the year 2011 and a total of \$1,206.84 for the year 2012;

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Collector shall cancel the 2011 tax and the preliminary taxes on 2012.

Resolution #140-0-11:

Re: Cancel the 2011 Tax on all parcels and the preliminary Taxes for 2012 due to Tax exemption for the Year 2010 for Block 249, Lot 1 in the amount of \$965.94, Block 301, Lot 1.01 in the amount of \$63.98 and Block 999, Lot 4.01 in the amount of \$5,514.21

**WHEREAS**, the following blocks/lots have been approved for tax exemption in the year 2010; and

**WHEREAS**, there is a total amount due for Block 249 Lot 1 in the amount of \$965.94, a total amount due for Block 301 Lot 1.01 in the amount of \$63.98 and a total amount due for Block 999 Lot 4.01 in the amount of 5,514.21;

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Collector shall cancel the 2011 tax on all parcels and the preliminary taxes on 2012.

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Resolution #141-0-11:  
Re: Halloween Curfew

WHEREAS, the Police Department has determined that a Halloween curfew would be in the best interest of the citizens of Wanaque; and

WHEREAS, said curfew would limit the potential damage to persons and property;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Wanaque as follows:

- 1) There will be a curfew on Sunday, October 30th and on Monday, October 31st at 9:00 P.M. for all children under the age of eighteen.
- 2) That the fire whistle be sounded at 9:00 P.M. on October 30th and on October 31st to make the children aware that the curfew is in effect.

Resolution #142-0-11:  
Re: Appointment of Part-Time Public Safety Telecommunicator – Kevin Morere effective immediately at minimum wage during training and \$17.82 per hour after training is complete

BE IT RESOLVED that Kevin Morere, 14 Walter Drive, Bloomingdale, New Jersey 07403 be and he is hereby appointed as a Part Time Public Safety Telecommunicator trainee effective immediately at minimum wage during training and \$17.82 per hour after training is complete.

Resolution #143-0-11:  
Re: Appointment of Full-Time Public Safety Telecommunicator – Matthew Hayward effective November 7, 2011 at a salary of \$43,966.57

BE IT RESOLVED that Matthew Hayward, 77 Burnside Place, Haskell, New Jersey 07420 be and he is hereby appointed as a Full Time Public Safety Telecommunicator trainee effective November 7, 2011 at a salary of \$43,966.57.

Resolution #144-0-11:  
Re: Amend 2011 Salary Resolution

**2011**

<b>S. Boyhan</b>	Sr. Acct Clerk	\$ 46,824.14
<b>S. Boyhan</b>	Asst. treasurer	\$ 1,331.00
<b>S. Ruhle</b>	Sr. Acct Clerk	\$ 43,587.05
<b>T. Smerklo</b>	<b>Clerk Typist</b>	<b>\$ 40,200.00</b>
<b>J. Norton</b>	Agency Aide	\$ 34,068.92
<b>D. Stinson</b>	Clerk Typist	\$ 43,586.79
<b>D. Drew</b>	Pub Safety Comm	\$ 47,243.82
<b>J. Pica</b>	Pub Safety Comm	\$ 44,845.90
<b>K. Kollmann</b>	Pub Safety Comm	\$ 44,845.90
<b>J. Fiorito</b>	Clerk Typist	\$ 41,590.72
<b>R. Leto</b>	PW Repairer	\$ 45,259.72
<b>S. Reigler</b>	Laborer	\$ 34,672.33
<b>R. Roach</b>	Mechanic Diesel	\$ 51,149.89
<b>G. Vilner</b>	Laborer	\$ 39,617.19
<b>F. Ferrell</b>	Sr. PW Repairer	\$ 61,082.68
<b>C.Gritmon</b>	<b>PW Repairer</b>	<b>\$ 44,000.00</b>
<b>B.McDavitt</b>	Public Nurse	\$ 54,171.60
<b>M. Bolduc</b>	Laborer	\$ 34,672.33
<b>H.VanHassent</b>	Sr. Wate Repairer	\$ 61,082.68
<b>K. Devore</b>	Clerk Typist	\$ 37,864.68
<b>M. Brusco</b>	<b>Laborer</b>	<b>\$ 44,000.00</b>
<b>D. Banker</b>	Asst. Water Supt	\$ 61,082.69
<b>D. Burgess</b>	<b>Laborer</b>	<b>\$ 40,016.00</b>
<b>M. Barnes</b>	Plant Oper	\$ 7,440.90
<b>P. Norton</b>	Clerk OEM	\$ 2,539.80
<b>T. Carroll</b>	Dep. OEM	\$ 3,216.00
<b>M. Brindisi</b>	Rec Sect	\$ 6,420.90
<b>A. Giampeitro</b>	Elect Insp	\$ 12,638.82
<b>D. Stambaugh</b>	Plumb Insp	\$ 12,638.82
<b>M. Reiff</b>	Supervisor	\$ 69,690.48
<b>T. Carroll</b>	Administrator	\$ 124,133.54
<b>K. Falone</b>	RMC	\$ 72,834.12
<b>M. Brindisi</b>	CFO	\$ 43,634.85
<b>T. Carroll</b>	<b>QPA</b>	<b>\$ 3,611.00</b>
<b>A. Smolen</b>	<b>Tax Collector</b>	<b>\$ 54,000.00</b>
<b>J. Miceli</b>	Clerk Typist	\$ 41,244.12
<b>R. Crescente</b>	Supervisor	\$ 69,690.48
<b>J. Brusco</b>	CCO	\$ 76,437.39
<b>K. Gallanthan</b>	<b>Court Admin</b>	<b>\$ 60,000.00</b>
<b>B. Townsend</b>	Tax Assessor	\$ 36,695.60
<b>T. Balunis</b>	Council	\$ 5,250.00
<b>D. Cortellessa</b>	Council	\$ 5250.00
<b>E. Leonard</b>	Council	\$ 5250.00
<b>D. Pasquariello</b>	Council	\$ 5250.00
<b>R. Pettet</b>	Council	\$ 5250.00
<b>G. Theoharous</b>	Council	\$ 5250.00
<b>D. Mahler</b>	Mayor	\$ 7500.00

BE IT RESOLVED THAT the preceding salaries are hereby established for the named employees, retroactive to January 1, 2011.

Adopted: October 3, 2011

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Katherine J. Falone

Daniel Mahler

Borough Clerk

Mayor

Resolution #145-0-11:

Re: Approve Treatment Works Application – Valley View at Wanaque

Resolution #146-0-11:

Re: Purchase of 1983 Pierce Fire Pumper from North White Plains, New York Fire Department

Payment to County of Passaic:

Re: 4<sup>th</sup> Quarter Taxes for the Year 2011 in the amount of \$1,987,552.77

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Resolution #145-0-11:

Re: Approve Treatment Works Application – Valley View at Wanaque

BE IT RESOLVED that the Borough Administrator be and is hereby authorized to sign a Treatment Works Approval Application for Valley View at Wanaque, Block 432, Lots 36 and 38.

Resolution #146-0-11:

Re: Purchase of 1983 Pierce Fire Pumper from North White Plains, New York Fire Department

BE IT RESOLVED that the Borough Administrator is authorized and directed to issue a purchase order to the North White Plains, New York Fire Department for the purchase of a 1983 Pierce Fire Pumper, in accordance with N.J.S.A. 40A:11-1 et.seq.; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available upon adoption of Capital Ordinance 20-0-11.

Payment to County of Passaic:

Re: 4<sup>th</sup> Quarter Taxes for the Year 2011 in the amount of \$1,987,552.77

Payment to County of Passaic:

Re: Open Space Taxes for the 4<sup>th</sup> Quarter Year 2011 in the amount of \$32,908.59

Resolution #147-0-11:

Re: Appointment of Ralph Porrino as Fire Subcode Official

BE IT RESOLVED that Ralph Porrino be and is hereby appointed as the Fire Subcode Official, provisional part time, effective immediately, at an annual salary of \$7022.

On entertainment of the Mayor, Councilmen Pasquariello and Theoharous 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 September 2011
2. Police Department Report for September 2011
3. Tax Collector's Report for September 2011 -
4. Municipal Court Report for September 2011 -

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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: None.

NEW BUSINESS:

Closed Session:

Re: Litigation/Negotiation/Personnel

None.

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 Prepaid 2010	\$ 12,176.96
Current Operating 2010	\$ 4,650.00
Current Operating 2011	\$ 202,150.60
Water Operating Prepaid	\$ 10,229.09
Water Operating 2011	\$ 23,807.87
Sewer Operating 2011	\$ 945.00
General Capital	\$ 9,475.00
Recreation Trust	\$ 1,938.00
Recycling Trust	\$ 36,288.02
Unemployment Trust	\$ 297.92
Water Infrastructure Trust	\$ 23,464.76
<b>Voucher Total:</b>	<b>\$ 325,423.22</b>

**PAYROLL:**

PR #19	9/23/2011	\$ 218,532.49
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**Payroll Total:** \$ 218,532.49

**Grand Total:** \$ 543,955.71

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

APPROVED: October 3, 2011

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Daniel Mahler  
Mayor

Payrolls:

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

**PAYROLL:**

PR #19	9/23/2011	\$ 218,532.49
	Payroll Total:	\$ 218,532.49

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

APPROVED: October 3, 2011

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Daniel Mahler  
Mayor

ADJOURNMENT:

On entertainment of the Mayor, Councilmen Pasquariello 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 8:15 P.M.

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Katherine J. Falone, RMC, CMC  
Municipal Clerk

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