

Regular Meeting
May 9, 2016

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, May 9, 2016, at 11:05 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 Willse. Councilman Leonard was absent. The Mayor declared a quorum. The Borough Attorney, Borough Engineer and Borough Auditor 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 January 2, 2016, and a notice thereof has been posted on January 2, 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:

April 11, 2016.

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

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

PRESENTATION: SPORTS AWARD CERTIFICATES - BASKETBALL – 7:00 P.M.:

PUBLIC HEARING: Passaic County Open Space and Recreation Grant Applications

On entertainment of the Mayor, Councilmen Willse and Leonard moved a motion to open the Public Hearing.

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

The Borough Administrator said there are two applications being submitted one is for the Back Beach property and the other one is for property off of Doty Road for Open Space. The Open Space Committee met and provided an email letter notice in support of the two applications.

No one from the public came forward.

On entertainment of the Mayor, Councilmen Willse and Cortellessa moved a motion to close the Public Hearing.

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

Resolution #97-0-16:

Re: Passaic County Open Space and Recreation Grant Application – Improvements to Back Beach Park

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

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WHEREAS, the Borough of Wanaque wishes to make improvements to Back Beach Park; and

WHEREAS, the Passaic County Open Space and Recreation Trust Fund provides grant opportunities to municipalities to fund recreation improvements; and

WHEREAS, Back Beach Park has received funding in the past from the State of New Jersey Green Acres Program, and is a vital recreation facility for residents of Passaic County and beyond, hosting both softball, baseball and soccer on its fields, along with tennis courts, picnic area and playground; and

WHEREAS, the Borough of Wanaque wishes to apply to the Passaic County Open Space and Recreation Trust Fund for a grant to effectuate improvements enumerated in the grant.

NOW, THEREFORE, BE IT RESOLVED that the Borough Administrator and Borough Clerk are hereby authorized to execute the grant application to the Passaic County Open Space and Recreation Trust Fund and submit the application on behalf of the Borough of Wanaque.

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

Resolution #98-0-16:

Re: Passaic County Open Space and Recreation Grant Application – Acquisition of Open Space

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

WHEREAS, the Borough of Wanaque has an opportunity to preserve open space within the Borough by purchasing a portion of the property located at Block 400, Lot 9, off of Doty Road; and

WHEREAS, the Passaic County Open Space and Recreation Trust program offers grants for the acquisition of open space in Passaic County; and

WHEREAS, the Borough of Wanaque wishes to apply for funding to the Passaic County Open Space and Recreation Trust program for this acquisition.

NOW, THEREFORE, BE IT RESOLVED that the Borough Administrator and Borough Clerk be and are hereby authorized to execute a grant application for the acquisition of a portion of Block 400, Lot 9 in the Borough of Wanaque and file said application with the Passaic County Open Space and Recreation trust grant program.

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

ORDINANCES:

Public Hearing of Ord. #6-0-16:

Re: CAP Rate Ordinance

On entertainment of the Mayor, Councilmen Willse and Leonard moved that Ordinance #6-0-16 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.

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The Clerk took from the table and read by title only as follows: CALENDAR YEAR 2016 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).

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 Leonard and Willse moved that,

BE IT RESOLVED THAT an Ordinance entitled: CALENDAR YEAR 2016 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) 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. #7-0-16:

Re: Amend Chapter 72 – Fees – Tax Redemption Certification

On entertainment of the Mayor, Councilmen Willse and Pettet moved that Ordinance #7-0-16 be taken from the table and read by the Clerk, by title only, for consideration of final reading.

On roll call, all voted yes, except Councilman Cortellessa who voted no 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 72, FEES, TO AMEND ARTICLE II, ISSUANCE OF DUPLICATE TAX BILLS, TO ESTABLISH A FEE FOR REDEMPTION CALCULATIONS.

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 Cortellessa moved that,

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BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAUKE, CHAPTER 72, FEES, TO AMEND ARTICLE II, ISSUANCE OF DUPLICATE TAX BILLS, TO ESTABLISH A FEE FOR REDEMPTION CALCULATIONS 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. #8-0-16:

Re: Water Capital Ordinance – Main Replacement – Maple Avenue, Orchard Street,
North Maple Avenue

On entertainment of the Mayor, Councilmen Balunis and Cortellessa moved that Ordinance #8-0-16 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 \$230,000 FROM THE WATER UTILITY RESERVE FOR DEBT SERVICE AND \$100,000 FROM A PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT, FOR THE REPLACEMENT OF WATER MAINS ON MAPLE AVENUE, ORCHARD STREET AND NORTH MAPLE AVENUE.

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 Cortellessa and Willse moved that,

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE APPROPRIATING \$230,000 FROM THE WATER UTILITY RESERVE FOR DEBT SERVICE AND \$100,000 FROM A PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT, FOR THE REPLACEMENT OF WATER MAINS ON MAPLE AVENUE, ORCHARD STREET AND NORTH MAPLE AVENUE 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. #9-0-16:

Re: Capital Surplus Ordinance – Fund purchase of Block 232, Lots 2 and 4 - \$570,000

On entertainment of the Mayor, Councilmen Pettet and Cortellessa moved a motion to table the Ordinance.

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

Public Hearing of Ord. #10-0-16:

Re: Bond Ordinance – \$500,000 Road Resurfacing

On entertainment of the Mayor, Councilmen Willse and Pettet moved that Ordinance #10-0-16 be taken from the table and read by the Clerk, by title only, for consideration of final reading.

On roll call, all voted yes, except Councilman Leonard who voted no 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 IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$425,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

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 Willse moved that,

BE IT RESOLVED THAT an Ordinance entitled: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$425,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION 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, except Councilman Leonard who voted no and the Mayor declared the motion carried.

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Introduction of Ord. #11-0-16:

Re: Amend Chapter 133 "Animals and Rabies Control"

On entertainment of the Mayor, Councilmen Leonard and Willse moved that Ordinance #11-0-16 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 CHAPTER 133, ARTICLE 4 OF THE CODE OF THE BOROUGH OF WANAUKE TITLED "ANIMALS AND RABIES CONTROL" AND REGULATING FARM ANIMALS, FOWL, PIGEONS, POISONOUS SNAKES AND REPTILES IN THE BOROUGH OF WANAUKE AND PROVIDING PENALTIES FOR VIOLATION.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE AMENDING CHAPTER 133, ARTICLE 4 OF THE CODE OF THE BOROUGH OF WANAUKE TITLED "ANIMALS AND RABIES CONTROL" AND REGULATING FARM ANIMALS, FOWL, PIGEONS, POISONOUS SNAKES AND REPTILES IN THE BOROUGH OF WANAUKE AND PROVIDING PENALTIES FOR VIOLATION pass first reading, and that said Ordinance be further considered for final passage and adoption at a regular meeting of the Borough Council to be held on the 13th day of June 2016, at the Municipal Building in the Borough of Wanaque at 8:00 PM., 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.

PUBLIC HEARING AND ADOPTION OF THE 2016 MUNICIPAL OPERATING, WATER UTILITY AND SEWER UTILITY BUDGETS - Resolution #100-0-16:

On entertainment of the Mayor, Councilmen Pettet and Balunis moved to open the Public Hearing on the Budget.

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

Jules Figula, 3202 Warrens Way, Wanaque said there was an article in April that said the end of the American Dream due to job security not being there anymore. People are draining their savings to pay bills and the unemployed middle manager is not a stable future. No where does it mention the public sector. The sales are well below purchase price at Wanaque Reserve and they are moving south. The legacy will be constructing a new building in a town where there are no residents. Wanaque has a high tax image. The emails suggested four ways to bring a zero increase and Mr. Carroll disagreed. The budget is funded by the tax levy surplus to fund it and borrowing will not work. We met with a Financial Advisor and the town has an AA rating. The surplus grew by half a million dollars this year. The balance is 1.5 million dollars compared to 1.3 million dollars last year. There is a higher surplus again in the following years. The

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capital improvement increase should be put on hold. Reduce the garbage and recycling in the budget. Twenty one thousand dollars reduction leaves six thousand dollars in there. The contract runs to 2019 at the current rate. The interest in taxes 2.76 and 7.85 revenue in 2006 which is seventy thousand dollars more this year. The short fall would be covered. Thirty nine thousand dollars out of thirteen million 0.3 percent of the budget which is a two hundred thousand eighteen dollar decrease in the budget and seventy one thousand dollar decrease and thirty nine thousand eight hundred dollar increase in revenue for 0.53 percent of the total budget and a zero tax increase for the remaining. Do the right thing this year again. You did it last year.

On entertainment of the Mayor, Councilmen Pettet and Pasaquariello moved a motion to approve the aforementioned resolution.

On roll call, all voted yes, except Councilmen Cortellessa, Leonard and Willse who voted no, and the Mayor voted yes to break the tie vote and declared the motion carried. Councilman Pettet said I am voting with the people in mind within a relative margin the people will thank us and we need surplus. I would vote no if it was ten million dollars and I do not disrespect anyone who voted no.

PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.

On one came forward.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #85-0-16:

Re: Redemption of Tax Sale Certificate #13-00020 for Block 411, Lot 5 in the amount of \$4,929.98 for the Certificate and \$1,800.00 for the Premium

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

WHEREAS, Tower Fund Services as Cust for Ebury, was the successful bidder for Block 411 Lot 5, 24 Sixth Avenue for which certificate 13-00020 was assigned;

WHEREAS, Corelogic for Citimortgage, has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$4,929.98 for the tax sale certificate and \$1,800.00 for the premium per the certification of the Tax Collector.

Resolution #86-0-16:

Re: Redemption of Tax Sale Certificate #14-00007 for Block 236, Lot 2 in the amount of \$1,749.93 for the Certificate and \$200.00 for the Premium

WHEREAS, a Tax Sale was held for 2014 delinquent Municipal charges on September 16, 2015;

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WHEREAS, Clemente Enterprises, was the successful bidder for Block 236 Lot 2, 586 Ringwood Avenue for which certificate 14-00007 was assigned;

WHEREAS, Nations Lending Service on behalf of Bayview Loans, has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$1,749.93 for the tax sale certificate and \$200.00 for the premium per the certification of the Tax Collector.

Resolution #87-0-16:

Re: Redemption of Tax Sale Certificate #14-00023 for Block 317 Lot 5.08 in the amount of \$23,877.04 for the Certificate and \$39,000.00 for the Premium

WHEREAS, a Tax Sale was held for 2014 delinquent Municipal charges on September 16, 2015;

WHEREAS, US Bank Cust for Phoenix, was the successful bidder for Block 317 Lot 5.08, 58 Carter Road for which certificate 14-00023 was assigned;

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

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$23,877.04 for the tax sale certificate and \$39,000.00 for the premium per the certification of the Tax Collector.

Resolution #88-0-16:

Re: Approve Change Order #33 in the amount of \$-1,160.00 and progress Payment #30 in the amount of \$45,714.03 for Borough Hall construction

BE IT RESOLVED that change order #33 in the amount of a reduction of \$1,160 and progress payment #30 in the amount of \$45,714.03 payable to UniMak LLC for the Borough Hall construction be and is hereby approved.

Resolution #89-0-16:

Re: Approve Share Service Agreement – Lakeland Regional High School – Lightning Detection System

BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a Shared Services Agreement with Lakeland Regional High School for the purchase and operation of a lightning detection system which will cover both the high school and Borough fields.

Resolution #90-0-16:

Re: Co-Op pricing purchase – Earth Networks – Weatherbug Lightning Detection System – \$31,1156.00

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WHEREAS, the Borough of Wanaque and the Lakeland Regional High School have entered into a shared services agreement for the purchase of a lightning detection system for the athletic fields located in the Borough of Wanaque; and

WHEREAS, the Borough of Wanaque serves as the lead agency for this endeavor

NOW, THEREFORE, BE IT RESOLVED that Borough Administrator is authorized to execute a purchase order with Earth Networks, 12410 Milestone Center Drive, Suite 300, Germantown, MD 20876 for one WeatherBug Outdoor Alerting Package under Bergen County Cooperative Contract #13-65.1A in the amount of \$31,115; and

BE IT FURTHER RESOLVED \$31,115 is hereby appropriated from the Borough of Wanaque Open Space and Recreation Trust Fund and that the Chief Financial Officer has certified that funds are available in that fund; and

BE IT FURTHER RESOLVED that the share of the cost paid for by the Lakeland regional high School Board of Education be credited to the Borough's Open Space Fund.

Resolution #91-0-16:

Re: Not Fair and Open Contract – Regional Communication – PD Radio Maintenance

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR RADIO MAINTENANCE SERVICES

WHEREAS, the Borough of Wanaque has a need to acquire radio maintenance services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Regional Communications Inc. has submitted a proposal dated October 15, 2015 indicating they will provide the radio maintenance services for \$19,324; and

WHEREAS, Regional Communications, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Regional Communications Inc. has not made any reportable contributions to a political or candidate committee in the County of Passaic, Borough of Wanaque, 39th Legislative District in the previous one year, and that the contract will prohibit Regional Communications, Inc. from making any reportable contributions through the term of the contract, and

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Wanaque authorizes the Borough Administrator to enter into a contract with Regional Communications, Inc. as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget accounts 6-CU-01-124-212, 132-299,123-299,128-291,6-WP-02-050-221.

Resolution #92-0-16:

Re: Appoint David Hammerle as Zoning Officer

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WHEREAS, the Borough of Wanaque needs to appoint a Zoning and Land Use Administrator;

NOW, THEREFORE, BE IT RESOLVED that David Hammerle be and is hereby appointed as the Zoning and Land Use Administrator for the Borough of Wanaque, in accordance with Chapter 114-62.1 of the Borough Code.

Resolution #93-0-16:

Re: Approve Amended CDBG Agreement Jenkins Avenue, Locust Street and Maple Avenue Water Mains - \$60,000.00

WHEREAS, the Borough of Wanaque has received a supplemental 2014 Community Development Block Grant in the amount of \$60,000 for the replacement of water mains on Jenkins Avenue, Storms Place, Locust Street and Maple Avenue; and

WHEREAS, an amendatory grant agreement needs to be executed;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute an amendatory Passaic County Community development Block Grant agreement for the above referenced project.

Resolution #96-0-16:

Re: Approve Contract – Friendship House – Cleaning Services

Held.

Resolution #97-0-16:

Re: Passaic County Open Space and Recreation Grant Applications – Improvements to Back Beach Park

WHEREAS, the Borough of Wanaque wishes to make improvements to Back Beach Park; and

WHEREAS, the Passaic County Open Space and Recreation Trust Fund provides grant opportunities to municipalities to fund recreation improvements; and

WHEREAS, Back Beach Park has received funding in the past from the State of New Jersey Green Acres Program, and is a vital recreation facility for residents of Passaic County and beyond, hosting both softball, baseball and soccer on its fields, along with tennis courts, picnic area and playground; and

WHEREAS, the Borough of Wanaque wishes to apply to the Passaic County Open Space and Recreation Trust Fund for a grant to effectuate improvements enumerated in the grant.

NOW, THEREFORE, BE IT RESOLVED that the Borough Administrator and Borough Clerk are hereby authorized to execute the grant application to the Passaic County Open Space and Recreation Trust Fund and submit the application on behalf of the Borough of Wanaque.

Resolution #98-0-16:

Re: Passaic County Open Space and Recreation Grant Application – Acquisition of Open Space

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WHEREAS, the Borough of Wanaque has an opportunity to preserve open space within the Borough by purchasing a portion of the property located at Block 400, Lot 9, off of Doty Road; and

WHEREAS, the Passaic County Open Space and Recreation Trust program offers grants for the acquisition of open space in Passaic County; and

WHEREAS, the Borough of Wanaque wishes to apply for funding to the Passaic County Open Space and Recreation Trust program for this acquisition.

NOW, THEREFORE, BE IT RESOLVED that the Borough Administrator and Borough Clerk be and are hereby authorized to execute a grant application for the acquisition of a portion of Block 400, Lot 9 in the Borough of Wanaque and file said application with the Passaic County Open Space and Recreation trust grant program.

Resolution #99-0-16:

Re: Current Estimate #3 in the amount of \$34,871.78 and Change Order #1 in the amount of \$10,369.70 for Haskell Paving – Jefferson Street Water Main

BE IT RESOLVED that Current estimate #3 in the amount of \$34,871.78 and change order #1 in the amount of \$10,369.70 payable to Haskell Paving Inc. for the Milton Place Jefferson Street water main replacement be and is hereby approved.

Five (5) Applications for Raffle Licenses:

Re: 1) Wanaque Reserve Senior Citizens – RA:932, RA:933, RA:936, 2) Wanaque School PTA – RA:934 and RA:935

Payment to County of Passaic:

Re: 2nd Quarter Taxes for the Year 2016 in the amount of \$2,351,948.46

Payment to County of Passaic:

Re: Open Space Taxes for the 2nd Quarter Year 2016 in the amount of \$31,428.09

Letter from Jerome Timmons:

Re: Refund of deposit for Street Opening Permit #2238 in the amount of \$100.00

Resolution #101-0-16:

Re: Settlement of Tax Appeal – Block 248, Lot 6.03

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL

Block: 248; Lot: 6.03

WHEREAS, ConacoPhillips, the owner of property identified on the Borough of Wanaque Tax Map as Block 248, Lot 6.03 and commonly known as 672 Ringwood Avenue has filed a tax appeal in the Tax Court of New Jersey under Docket No. 015716-2012; and

WHEREAS, the Borough tax expert Scott Holzhauser, in conjunction with the Borough Tax Assessor, Brian Townsend had determined that a settlement should be effected with respect

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WHEREAS, it is in the best interest of the Borough of Wanaque to enter into a Stipulation of Settlement in connection with the said appeal,

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 of Wanaque is hereby authorized to enter into a Stipulation of Settlement in the form annexed hereto.
2. The Borough Attorney Anthony Fiorello, is authorized to enter into the Stipulation of Settlement.
3. The said settlement is determined to be in the best interests of the citizens of the Borough of Wanaque.

Resolution #102-0-16:

Re: Change Order #2 in the amount of (\$13,200.20) and Final Payment #3 in the amount Of \$9.51 to Pacific Construction for Water Main Replacement

BE IT RESOLVED that Current estimate #3 (final) in the amount of \$9.51 and change order #1 in the amount of (\$13,200) payable to Pacific Construction for the Jenkins Avenue, Storms Place, Locust Street, Maple Avenue water main replacement be and is hereby approved.

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

On roll call, all voted yes, except Councilman Willse who voted no on Resolution #93-0-16 and Councilman Cortellessa who abstained on Raffle Licenses and the Mayor declared the motion carried.

REGULAR REPORTS - PROFESSIONAL REPORTS:

On entertainment of the Mayor, Councilmen Willse and Pasquariello 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

Held to the end of the meeting.

Project Medication Drop:

Subject to the color scheme and size.

UNFINISHED BUSINESS: None.

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RESOLUTIONS:

Resolution #94-0-16:

Re: Appoint Assistant Supervisor of Public Works

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

BE IT RESOLVED that Michael A. Brusco be and is hereby permanently appointed to the position of Assistant Supervisor, Public Works, in accordance with the New Jersey Civil Service Commission certification #PL160445 dated 4/4/15, with an annual salary of \$66,000 effective 7/1/16.

On roll call, all votes yes, except Councilman Leonard who voted no 6 and the Mayor declared the motion carried.

Resolution #95-0-16:

Re: Co-Op Pricing Contract – Tilcon – Road Resurfacing - \$663,062.00

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

WHEREAS, the Borough of Wanaque is a member of the Morris County Cooperative Pricing Council, which has awarded a contract #6MOCCP for road resurfacing; and

WHEREAS, the Borough of Wanaque wishes to utilize said cooperative contract for the 2016 road resurfacing program.

NOW, THEREFORE, BE IT RESOLVED that Borough Administrator is authorized to execute a purchase order to Tilcon NY, 9 Entin Road, Parsippany NJ 07054 in accordance with the requirements of the Morris County Pricing Council, in an amount estimated to be \$663,062; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in Bond ordinance 10-0-16.

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

Resolution #103-0-16:

Re: Commencing Redevelopment of Lakeside Manor by requesting the Planning Board
To determine whether Block 200.20, Lots 1-47 an area in need of Redevelopment
As defined in N.J.S.A. 40A:12-1 et. seq.

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

Commencing the Redevelopment of Lakeside Manor by Requesting the Wanaque Planning Board to Determine Whether Block 200.20, Lots 1-47 is an Area in Need of Redevelopment as Defined in N.J.S.A. 40A:12A-1 et seq.

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WHEREAS, Article VIII, Section III of the Constitution of the State of New Jersey establishes that the clearance, planning, development or redevelopment of certain areas of the State of New Jersey shall be a public purpose and further that municipal, public or private corporations may be authorized by law to undertake such development and redevelopment, and

WHEREAS, the Legislature of the State of New Jersey has adopted a comprehensive set of redevelopment laws, the centerpiece of which is the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.), allowing for the substantial improvement to, and turnaround of, underutilized, unused, fragmented, deteriorated and generally blighted properties through the careful design, writing, and implementation of local redevelopment plans, and

WHEREAS, the Local Redevelopment and Housing Law (LRHL) allows for, and encourages, the substantial improvement to properties included in an area in need of redevelopment resulting in capital investment and the turnaround or rearrangement of properties that are either unused, underutilized, fragmented, or deteriorated, or in the alternative may help achieve the policy and planning goals and objectives of the State of New Jersey Development and Redevelopment Plan (SDRP) which states in part that "new development should be guided into centers to preserve open space, farmland, and natural resources... and strengthen beneficial economic development opportunities"; and

WHEREAS, the primary objective of the Borough of Wanaque's redevelopment effort is to improve the quality of life of Borough residents and businesses and to improve the economic foundation of the Borough so that long-term property tax stability, employment, and general commerce is achieved; and

WHEREAS, in furtherance of the aforesaid purposes the Borough Council desires to determine whether a distressed area of the Borough, known as Lakeside Manor, Inc. located at Block 200.20, Lots 1-47, qualifies as an area in need of redevelopment area as defined in the LRHL so as to achieve the aforesaid objectives, and

WHEREAS, on August 10, 2000 the Borough of Wanaque and the former developer entered into a Developer's Agreement memorializing the terms and conditions of an application (#2-98) for a preliminary major subdivision for 64 townhouse units which was modified to 47 townhouse units on subsequent application (#11-99) for final major subdivision approval and pursuant to a resolution of the Wanaque Planning Board dated August 19, 1999; and

WHEREAS, due to circumstances beyond the control of the Borough the previous developer did not complete any of the aforesaid units leaving the property in an abandoned state; and

WHEREAS, on October 6, 2014 the Borough Council adopted a resolution, attached hereto, which indicates the potential blighting influences of the project on the adjacent residential neighborhood; and

WHEREAS, it appears that within this specific area there exists property (land), buildings or other improvements which, by reason of faulty arrangement of design, deleterious land use, obsolescence or obsolete layout or other factors, have remained vacant, stagnant, unproductive, under-utilized and undervalued and may be detrimental to the safety, health, morals or welfare of the citizens of the Borough of Wanaque; and

WHEREAS, the Borough Council is requesting that the Wanaque Planning Board conduct an investigation to determine if the property located at Block 200.20, Lots 1-47 satisfies the conditions and criteria of redevelopment so that the Planning Board and Council may take action to potentially declare the below listed property as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1 et seq.

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NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Wanaque, Passaic County, New Jersey, pursuant to N.J.S.A. 40A:12A-1 et seq., that the Planning Board is hereby authorized and directed to undertake a preliminary investigation to determine whether the property in the proposed redevelopment area, as further defined in this resolution and as depicted on the official tax map of the Borough of Wanaque is a redevelopment area in accordance with the criteria set forth in N.J.S.A. 40A:12A-5, and

BE IT FURTHER RESOLVED that the Planning Board shall conduct a public hearing respecting the proposed redevelopment area, Lakeside Manor, the property specifically being investigated shall be Block 200.20, Lots 1-47.

BE IT FURTHER RESOLVED, that said public hearing shall be conducted after public notice is given in accordance with N.J.S.A. 40A:12A-6 and, after completing its hearings and deliberations, the Wanaque Planning Board, after receiving a report from Benecke Economics, shall submit a recommendation to the Borough Council whether the delineated area, or any part thereof, is, or is not, determined to be a redevelopment area.

BE IT FURTHER RESOLVED that the WHEREAS paragraphs hereinbefore written are made a part of the operable and effective portion of this Resolution and this Resolution shall take effect immediately upon adoption according to law.

BE IT FURTHER RESOLVED that Greentree Investment Group, or its successors and/or assigns, as contract property owner is hereby appointed and designated as redeveloper of the above properties subject to the area in need of redevelopment being established.

Property ID (Block/Lot)	Street Address
Block 200.20, Lots 1-47	Near Conklintown Road
Property ID (Block/Lot)	Street Address
Block 200.20, Lots 1-47	Near Conklintown Road

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

PUBLIC DISCUSSION: None.

FINANCE REPORT:

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:

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VOUCHERS:

Current Operating 2015	\$ 27,295.14
Water Operating 2015	\$ 2,801.30
Current Operating 2016	\$ 211,324.86
Water Operating 2016	\$ 58,456.28
Sewer Operating 2016	\$ 14,989.02
General Capital	\$ 30,189.83
Water Capital	\$ 3,548.00
Escrow	\$ 9,372.60
Other Trust	\$ 600.00
Animal Trust	\$ 41.40
Unemployment/Disability	\$ 183.36
Recreation Trust	\$ 7,251.65
Voucher Total:	\$ 366,053.44

Payroll:

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

PR #8	04/15/2016	\$ 217,839.26
PR #9	04/29/2016	\$ 204,090.64
Payroll Total:		\$ 421,929.90
Grand Total:		\$ 787,983.34

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

APPROVED: May 9, 2016

Daniel Mahler
Mayor

NEW BUSINESS:

Closed Session:

Re: Litigation/Negotiation/Personnel

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

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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) Litigation – Mountain Lakes Estates and Lakeside Manor.
 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 Balunis and Cortellessa moved a motion to reconvene at 12:30 A.M.

On roll call, all were present.

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 12:35 A.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk