

Regular Meeting
May 14, 2018

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, May 14, 2018 at 10:10 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, Pettet and Willse. 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 November 15, 2017, and a notice thereof has been posted on November 15, 2017 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.

PRESENTATIONS:

Sports Awards Certificates – Basketball and Wrestling – 7:00 P.M.
Coloring and Essay Contest – 7:00 P.M.

The Mayor asked the coaches to come forward and presented the certificates to the Basketball and Wrestling.

PROCLAMATIONS:

100th Anniversary Logo Contest – 7:00 P.M. – Held.

ORDINANCES:

Public Hearing of Ord. #3-0-18:
Re: CAP Index Rate

On entertainment of the Mayor, Councilmen Leonard and Willse moved that Ordinance #3-0-18 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: CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).

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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 Balunis moved that,

BE IT RESOLVED THAT an Ordinance entitled: CALENDAR YEAR 2018 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, except Councilman Cortellessa who voted no and the Mayor declared the motion carried.

Introduction of Ordinance #4-0-18:

Re: Establishing a private outdoor video surveillance camera registry

On entertainment of the Mayor, Councilmen Pasquariello and Willse moved that Ordinance #4-0-18 be taken from the table and read by the Clerk, by title only, for consideration of first reading.

On roll call, all voted yes, except Councilmen Cortellessa and Willse 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 ESTABLISHING A PRIVATE OUTDOOR VIDEO SURVEILLANCE CAMERA REGISTRY.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE ESTABLISHING A PRIVATE OUTDOOR VIDEO SURVEILLANCE CAMERA REGISTRY 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 11th day of June 2018, 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.

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PUBLIC HEARING AND ADOPTION OF THE 2018 MUNICIPAL OPERATING, WATER UTILITY AND SEWER UTILITY BUDGETS – Resolution #87-0-18

The Mayor opened the Public Hearing on the Budget.
No one came forward.
The Mayor closed the Public Hearing on the Budget.

On entertainment of the Mayor, Councilmen Leonard and Cortellessa moved a motion to table the adoption of the Budget.

On roll call, all voted yes, except Councilman Pasquariello who voted no and the Mayor declared the motion carried to table the adoption of the Budget.

MINUTES:

April 9, 2018

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

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

COMMITTEE REPORTS: (Work Meeting)

PUBLIC DISCUSSION:

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

CONSENT AGENDA:

Resolution #88-0-18:

Re: Refund of Tax Sale Certificate #12-00002 for Block 200.08, Lot 10 in the amount of \$88,794.23 for the Tax Sale Certificate and \$36,900.00 for the premium

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

WHEREAS, Stonefield Investment Fund II, was the successful bidder for Block 200.08, Lot 10, 232 Crescent Road for which certificate 12-00002 was assigned;

WHEREAS, title 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 \$88,794.23 for the tax sale certificate and \$36,900.00 for the premium as per the certification of the Tax Collector.

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Resolution #89-0-18:

Re: Cancel Water and Sewer balances due to bankruptcy for Block 415, Lot 11, 54 Bergen Avenue - \$3,855.79

WHEREAS, there has been a discharge of debts ordered from the United States Bankruptcy Court for the water and sewer charges at Block 415 Lot 11, 54 Bergen Avenue;

WHEREAS, the Borough Attorney has advised that we should cancel water and sewer balances prior to the filing date of December 9, 2017;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector shall credit this account in the amount of \$3,855.79.

Resolution #90-0-18:

Re: Refund of 1st Quarter of 2018 in the amount of \$116.88 and credit the 2nd Quarter of 2018 in the amount of \$116.87 for 9113 Warren's Way parking

WHEREAS, the owner of 9113 Warren's Way maintained a primary parking and an additional secondary parking space; and

WHEREAS, primary parking spaces at the Wanaque Reserve are included within the assessment of the dwelling unit; and

WHEREAS, secondary parking spaces at the Wanaque Reserve are assessed and billed separately from the dwelling unit; and

WHEREAS, the owner of 9113 Warren's Way sold her primary parking space and now maintains the secondary parking space as her primary space; and

WHEREAS, that parking space had been billed as an extra and is no longer an extra nor does it have any billable value for 2018; and

WHEREAS, the homeowner has requested a refund for the 1st quarter of 2018 in the amount of \$116.88 and a credit for the 2nd quarter of 2018 in the amount of \$116.87;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall issue a refund in the amount of \$116.88 and the Tax Collector shall credit the May installment in the amount of \$116.87.

Resolution #91-0-18:

Re: Refund of 4th Quarter of 2017 and the 1st and 2nd Quarter of 2018 in the amount of \$6,747.63 for Block 266, Lot 9 due to 100% disabled Veteran exemption

WHEREAS, the owner of Block 266 Lot 9 qualifies for a 100% disabled Veteran exemption from tax beginning on December 13, 2017, the date of purchase;

WHEREAS, the 4th quarter of 2017 was paid in full by the seller and must be partially refunded; and the 1st and 2nd quarter of 2018 should be refunded as well;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall issue a refund in the amount of \$6,747.63, the portion of the 4th quarter that is exempt as well as the 1st and 2nd quarter of 2018.

Resolution #92-0-18:

Re: Refund of a Tax overpayment on Block 432.01, Lot 13.05, 9 Red Oak Court for the 2nd Quarter of 2018 in the amount of \$260.85

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WHEREAS, there exists a tax overpayment on Block 432.01 Lot 13.05, 9 Red Oak Court for the 2nd quarter of 2018;

WHEREAS, the owners have vacated the property and requested a refund;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund the homeowner \$260.85 as per the certification of the Tax Collector.

Three (3) Applications for Raffle Licenses:

Re: 1) Saint Francis of Assisi Church - RA:991, RA:992 and RA:993

Resolution #93-0-18:

Re: Rejecting Back Beach Renovation Bid

WHEREAS, the Borough of Wanaque advertised for and received bids on March 18, 2018 for Back Beach Park Improvements; and

WHEREAS, the low base bid submitted by Robert Wogish Landscape Contractors in the amount of \$246,273.48 exceeded the Engineer's project cost estimate by \$72,671.48 or more than 41%; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40:A:11-13.2 provides for the rejection of bids that substantially exceed the cost estimate for the project;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wanaque that bids for Back Beach Park Improvements be rejected; and

BE IT FURTHER RESOLVED that the project engineer is hereby authorized to rebid the project after input by the Mayor and Council.

Resolution #94-0-18:

Re: Rejecting Vegetative Waste Bid

WHEREAS, the Borough of Wanaque advertised for and received bids on March 9, 2018 for the disposition of vegetative waste for recycling; and

WHEREAS, the Borough's bid specification did not include a form for an Iran disclosure certification; and

WHEREAS, Natures Choice Corporation of Middlesex, New Jersey submitted a bid proposal that did not include and Iran disclosure certifications; and

WHEREAS, the lack of an Iran disclosure certification is considered a material defect which cannot be waived or cured post bid submission.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wanaque that bids for the disposition of vegetative waste for recycling be rejected.

Resolution #95-0-18:

Re: Drug Policy

WHEREAS, Chapter 33 of the Code of the Borough of Wanaque (the "Borough") authorizes the Borough Council to amend the Borough's Police Department's ("Department") rules and regulations set forth in the police manual; and

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WHEREAS, the Chief of Police of the Department has recommended that the rules and regulations governing the Department's drug testing policy be amended to add the required modifications as set forth in the New Jersey Attorney General's Law Enforcement Directive No. 2018-2; and

WHEREAS, Borough Labor Counsel has prepared revisions to the Department's drug testing policy and such revisions having been accepted by the Fraternal Order of Police;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough hereby approves the revisions to the drug testing policy set forth in the Department's rules and regulations contained in the Department's police manual;

BE IT FURTHER RESOLVED that the Chief of Police shall cause the revised Department's drug testing policy to be distributed to each member of the department and the revised policy shall also be filed in the office of the Borough Clerk.

Resolution #96-0-18:

Re: Payment of Current Estimate No. 2 for the Back Beach Water Main Replacement to Regal Utility Services, Inc. in the amount of \$48,742.51

BE IT RESOLVED that payment be made to Regal Utility Services, Inc. in the amount of \$48,742.51 for Current Estimate No. 2 for the Back Beach Water Main Replacement be and is hereby approved.

Resolution #97-0-18:

Re: Greentree Bond Reduction

Held.

Resolution #98-0-18:

Re: Authorize hiring of Richard Paddock as a Laborer for the Department of Public Works

BE IT RESOLVED by the Mayor and Council of the Borough of Wanaque that it hereby appoints Richard Paddock of 110 Monroe Street, Haskell, New Jersey to the position of Laborer with the Wanaque Department of Public Works at an annual salary of \$40,000; and

BE IT FURTHER RESOLVED that the appointment of Richard Paddock to the position of Laborer shall be conditioned upon the review and consent of the Borough Council's Personnel and Roads Committee; and

BE IT FURTHER RESOLVED that the start date of employment shall be set by the Borough Administrator only after review and consent by the Borough Council's Personnel and Roads Committee.

Resolution #99-0-18:

Re: Designating a portion of Wanaque Borough near Susquehanna Avenue as an area in need of redevelopment

WHEREAS, on August 14, 2017 the Borough Council of the Borough of Wanaque adopted Resolution #158-0-17 authorizing and directing the Wanaque Planning Board to

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undertake a preliminary investigation to determine whether the properties in the proposed redevelopment area qualify under the criteria of N.J.S.A. 40A:12A-5 as an area in need of redevelopment. The Council identified twenty-eight (28) properties to be investigated as a potential area in need of redevelopment. Nine (9) of the properties are borough owned. The properties situated in the proposed redevelopment area are located in the vicinity of Susquehanna Avenue; and

WHEREAS, the criteria to determine if a property qualifies to be in a redevelopment area is set forth in the New Jersey Local Redevelopment and Housing Law (N.J.S.A 40A:12A-1 et seq.); and

WHEREAS, the primary objectives of the Borough of Wanaque redevelopment effort as indicated in the aforesaid Borough Mayor and Council resolution is to: 1) improve property conditions in the Borough; 2) improve the quality of life of Borough residents; and 3) improve the economic foundation of the Borough so that long-term property tax stability is realized by all Wanaque taxpayers; and

WHEREAS, the Local Redevelopment and Housing Law (LRHL) allows for the substantial improvement to properties included in an area in need of redevelopment resulting from 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, which states 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 Wanaque Planning Board has thoroughly investigated and discussed the issue of redevelopment and the process of investigating an area in need of redevelopment. This investigation included a review of the criteria set forth in the LRHL (N.J.S.A. 40A:12A-5) to determine if this business area of Wanaque qualifies as an area in need of redevelopment; and

WHEREAS, the Borough of Wanaque authorized the economic and land use consultants, Benecke Economics, to conduct a study of the proposed potential redevelopment area and make a recommendation as to whether the area identified by the Borough Council satisfies the criteria of the LRHL, the Borough Mayor and Council also assisted the Planning Board in the

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redevelopment process and understanding the economic issues respecting this proposed potential redevelopment area; and

WHEREAS, the Wanaque Planning Board, on March 15, 2018, conducted a public hearing pursuant to the LRHL and following publication and wide distribution of a notice of hearing and following the preparation of a map of the potential area in need of redevelopment; and

WHEREAS, the Planning Board considered the Redevelopment Investigation Report by Benecke Economics, said reports having been provided to the property owners and made available to the general public; and

WHEREAS, the Wanaque Planning Board adopted a Resolution finding and determining that the area (properties) referenced herein qualifies under N.J.S.A. 40A:12A-1 et seq. as an area in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Wanaque that, based upon the recommendation of the Wanaque Planning Board and recognizing the diligent work of the Board, the properties at the following locations are hereby declared to be in need of redevelopment:

The Borough of Wanaque, New Jersey	
Identification of Potential Susquehanna Avenue ANR-Parcels-NOT Subject to Condemnation.	
Block-Lot	Property Location
468, 2.01	Adjacent to the Borough of Bloomingdale
475, 1	Adjacent to the Borough of Bloomingdale
470, Lots 1, 2, 3, 4, 5, 6, 7, and 8	Near Algonquin Path
471, Lots 1, 2, 3, 4, 5, 6, 7, and 8	Near Seminole Path
472, Lots 1, 2, 3, 4, and 5	Near Pocahontas Path
473, Lots 1, 2, 3, 4, and 5	Near Susquehanna Avenue

BE IT FURTHER RESOLVED that these properties are hereby designated as a non-condemnation area in need of redevelopment pursuant to the provisions of N.J.S.A. 40A:12A-1 et seq.

BE IT FURTHER RESOLVED that the Borough Mayor and Council will NOT be authorizing the use of eminent domain condemnation regarding this matter.

Resolution #100-0-18:

Re: Authorize hiring of Mathew Milligan as a Laborer for the Department of Public Works

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BE IT RESOLVED by the Mayor and Council of the Borough of Wanaque that it hereby appoints Mathew Milligan, 3 Horseshoe Bend, Ringwood, NJ to the position of Laborer with the Wanaque Department of Public Works at an annual salary of \$40,000; and

BE IT FURTHER RESOLVED that the appointment of Mathew Milligan to the position of Laborer shall be conditioned upon the review and consent of the Borough Council's Personnel and Roads Committee; and

BE IT FURTHER RESOLVED that the start date of employment shall be set by the Borough Administrator only after review and consent by the Borough Council's Personnel and Roads Committee.

Application for Ice Cream Vendor License – Toufic Katerji – Tom's Ice Cream

Approve the Borough Administrator to invoke Ordinance 92-6 based on the results of the Arborist for two trees on Linda Road and one tree in the cemetery

Authorize Mrs. Vogt to post posters on Sherman Avenue, Eastside Avenue and Beam Avenue From June 1, 2018 to August 31, 2018 regarding a motor vehicle accident. The content and Placement of the signs to be approved by the Police Chief

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:

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.

On entertainment of the Mayor, Councilmen Pettet and Balunis moved a motion to appoint a Committee to review the Pulte Bond which will include the Mayor, the Interim Borough Administrator, Councilman Willse, Councilman Leonard, Jules Figula and Michael Levine.

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

COMMUNICATIONS: None.

NEW BUSINESS:

Closed Session:

Re: Litigation/Negotiation/Personnel

None.

UNFINISHED BUSINESS:

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Status Report - Lakeside Manor.

Reported on at the Work Meeting.

RESOLUTIONS: None.

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	\$	
Pre-Paid Current	\$	8,142.97
Water Operating	\$	
Pre-Paid Water	\$	1,418.73
Sewer Operating	\$	
Escrow	\$	
General Capital	\$	
Water Capital	\$	
Pre-Paid Recreation	\$	285.00
Recreation Trust	\$	
Animal Trust	\$	
Open Space	\$	
Other Trust		
Pre-Paid Other Trust	\$	5,603.00
Voucher Total:	\$	

PAYROLL:

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

PR #8	04/20/2018	\$ 219,934.54
PR #9	05/03/2018	\$ 213,853.86
	Payroll Total:	\$ 433,788.40
	Grand Total:	\$ 433,788.40

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

Daniel Mahler
Mayor

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 10:25 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk