

April 9, 2018  
Regular Meeting

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, April 9, 2018 at 8:45 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.

#### NEW BUSINESS:

##### Closed Session:

##### Re: Litigation/Negotiation/Personnel

On entertainment of the Mayor, Councilmen Leonard and Cortellessa 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) Litigation.

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 Willse and Cortellessa moved a motion to reconvene the meeting at 10:15 P.M.

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

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Councilman Cortellessa said there is an issue with a tree on a property and a complaint from a resident.

The Interim Borough Administrator said there is an arborist coming out to look at some trees and it needs to be taken into consideration.

The Borough Attorney said the Ordinance says we can remove a tree if it is a danger to public safety.

The Interim Borough Administrator said concerned about going onto private property and will have an arborist to look at it and address it.

Councilman Cortellessa said there is a drainage issue and should have the Department of Public Works put in a storm drain on the property.

The Borough Engineer said there is a culvert there already where the existing road met that road. The property is not graded properly to drain to the pipe. It's private property.

The Mayor said water comes off his property.

Councilman Pettet said we put in a catch basin on Second Avenue and that stops the up flow.

The Borough Engineer said someone regraded his property and the water can't get there to get out and could make it better. There is a septic there and that may be causing an issue. It is a private problem he should take care of it.

Councilman Willse said suggest he have a landscaper go and address the issue.

Councilman Cortellessa said don't know why it's not draining.

The Borough Engineer said not sure it's draining in his yard. There are two places could drain the yard.

#### PRESENTATIONS:

Sports Awards Certificates – Cheerleaders – 7:00 P.M.

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

2017 Volunteer of the Year Award – Frank Tucker – 7:00 P.M.

The Mayor asked the representatives from the Recreation Commission to come forward and presented the plaque to Frank Tucker for the 2017 Volunteer of the Year Award.

#### PROCLAMATIONS:

100<sup>th</sup> Anniversary Logo Contest – 7:00 P.M. – Held.

National Day of Prayer – May 3, 2018

The Mayor read the following Proclamation:

WHEREAS, The Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and

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WHEREAS, In 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

WHEREAS, The National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her Citizens; and

WHEREAS, It is fitting and proper to give thanks to God by observing a day of prayer in Wanaque when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our State and nation;

NOW, THEREFORE, I Daniel Mahler, Mayor of the Borough of Wanaque, do hereby proclaim the first Thursday in May 3, 2018, to be designated as

### "A DAY OF PRAYER IN WANAQUE"

and encourage the citizens of Wanaque to observe the day in ways appropriate to its importance and significance.

#### ORDINANCES:

##### Introduction of Ordinance #3-0-18:

##### Re: CAP Index Rate

On entertainment of the Mayor, Councilmen Leonard and Pasquariello moved that Ordinance #3-0-18 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: 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.

On entertainment of the Mayor, Councilmen Leonard and Pasquariello 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 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 14th day of May 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.

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

INTRODUCTION OF THE 2018 MUNICIPAL OPERATING, WATER UTILITY AND SEWER UTILITY BUDGETS – Resolution #79-0-18 and Resolution #80-0-18 – Deferred School Taxes and other Budgetary Resolutions

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

Municipal Budget of the Borough of Wanaque, County of Passaic for the Fiscal Year 2018. It is hereby certified that the Budget and Capital Budget annexed hereto and hereby made a part hereof is a true copy of the Budget and Capital Budget approved by resolution of the Governing Body on the 9th day of April, 2018 and that public advertisement will be made in accordance with the provisions of N.J.S. 40A:4-6 and N.J.A.C. 5:30-4.4(d). Certified by me, this 9th day of April, 2018, Katherine J. Falone, Clerk. It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof and the total of anticipated revenues equals the total of appropriations. Certified by me, this 9th day of April, 2018, Charles J. Ferraioli, Jr., Registered Municipal Accountant, Certified by me, this 9th day of April, 2018, Mary Ann Brindisi, Chief Financial Officer.

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

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

Municipal Budget of the Borough of Wanaque, County of Passaic for the Fiscal Year 2018:

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2018;

BE IT FURTHER RESOLVED, that said Budget be published by summary only in the Suburban Trends in the issue of April 15, 2018;

The Governing Body of the Borough of Wanaque does hereby approve the following as the Budget for the year 2018:

RECORDED VOTE: Ayes:	Councilman Balunis	Nays: None
	Councilman Cortellessa	
	Councilman Leonard	Abstained: None
	Councilman Pasquariello	
	Councilman Pettet	Absent: None
	Councilman Willse	

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Borough of Wanaque, County of Passaic, on April 9, 2018.

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building, on May 14, 2018 at 8:00 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2017 may be presented by taxpayers or other interested persons.

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

MINUTES:

March 12, 2018

On entertainment of the Mayor, Councilmen Balunis 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 #81-0-18:

Re: Supporting the 2018 UDrive UText UPay Distracted Driving Crackdown

**WHEREAS**, distracting driving is a serious, life-threatening practice that is preventable;  
and

**WHEREAS**, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

**WHEREAS**, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

**WHEREAS**, in 2014 alone distracted driving-related crashes resulted in 3,179 deaths and 431,000 injuries on our nation's roads; and

**WHEREAS**, in New Jersey distracted driving was listed as a contributing circumstance in more than 800,000 crashes between 2010-2014; and

**WHEREAS**, the State of New Jersey will participate in the nationwide *Distracted Driving 2018 Crackdown* from April 1 - 21, 2018 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

**WHEREAS**, the national slogan for the campaign is *UDrive. UText. UPay*; and

**WHEREAS**, a reduction in distracted driving in New Jersey will save lives on our roadways;

**THEREFORE, BE IT RESOLVED**, that the Borough of Wanaque declares its support for the *Distracted Driving 2017 Crackdown* both locally and nationally from April 1 - 21, 2018 and pledges to increase awareness of the dangers of distracted driving.

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Resolution #82-0-18:

Re: Change Order No. 1 – Tri-Plex Industries, Inc. in the amount of \$4,150.00 for Wanaque Public Library Additional Fire Alarm Work

**AWARDING CHANGE ORDER NO. 1, TO A CONTRACT BETWEEN THE  
BOROUGH OF WANAQUE AND TRI-PLEX INDUSTRIES, INC**

**WHEREAS**, the Borough of Wanaque awarded to Tri-Plex Industries, Inc. in the amount of \$99,800.00 for the design & build of the Wanaque Public Library;

**WHEREAS**, the following items, outside of the scope of the awarded contract have been identified and are recommended for approval

Work: **Additional Fire Alarm Work**

Description: Upon investigation, existing fire alarm was not in compliance when interfacing with the new elevator. Remove and replace non-working detectors at lower level, elevator shaft, mechanical room and street level. Wire additional detector inside elevator shaft. Upgrade current system to be in compliance with the requirements of the State elevator inspector. Test the system and inspection with the NJ State Inspector.

Cost: \$4,150.00  
% of Total 4.15%

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Wanaque hereby authorizes and approves Change Order #1 with Tri-Plex Industries, Inc. In the amount of \$4,150.00 representing a change of 4.15% from the original contract cost; and

**BE IT FURTHER RESOLVED** that with the approval of Change Order # 1 the total amount of Change Orders approved to date equal \$103,950.00 representing 4.15% Increase of the total original contract amount.

Application for Bingo Licenses:

Re: Wanaque Reserve Senior Citizens - BA:207

Three (3) Applications for Raffle Licenses:

Re: 1) Wanaque F.O.P. Lodge #145 Civic Association, Inc. RA:988, 2) Wanaque First Aid Squad Auxiliary – RA:989 and 3) Wanaque First Aid Squad, Inc. – RA:990

Resolution #83-0-18:

Re: Authorizing Morris Co-Op Contract for work related to backstop/fence repair at various fields

**AUTHORIZING CHALLENGER FENCE, INC. TO UNDERTAKE REPAIRS TO  
DAMAGED FENCE AND FENCE STRUCTURES IN VARIOUS MUNICIPAL PARKS  
THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL FOR THE  
PERIOD JANUARY 1, 2018 THROUGH DECEMBER 31, 2018**

**WHEREAS**, recent winter storms have resulted in significant damage to fence and fence structures in various municipal parks; and

**WHEREAS**, the Borough has submitted an insurance claim for said damage through the North Jersey Intergovernmental Insurance Fund; and

**WHEREAS**, the Borough finds it necessary to make needed repairs prior to the final settlement of damage related insurance claims; and

**WHEREAS**, the Morris County Cooperative Pricing Council was established in 1974 and operates under the guidelines of N.J.S.A. 5:34-7.1; and

**WHEREAS**, the Borough of Wanaque is a member of the Morris County Cooperative Pricing; and

**WHEREAS**, the Morris County Cooperative Pricing Council has awarded contract (MCCPC Contract #53 to Challenger Fence, Inc. of Paterson, New Jersey for fencing materials and installation; and

**WHEREAS**, Challenger Fence has provided the Borough of Wanaque with a cost estimate (Estimate 1294 dated 3/15/18) of \$62,415 for the demolition and removal of damaged fence and fence structures and for the replacement of same; and

**WHEREAS**, the Borough's Chief Financial Officer has certified the availability of project funds; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Wanaque do hereby authorize Challenger Fence, Inc. to undertake the repair of fence and fence structures in various municipal parks in accordance with their price quote of March 15, 2018; and

**BE IT FURTHER RESOLVED** that the Borough's Chief Financial Officer is hereby directed to utilize the proceeds of any insurance payments related to this matter to restore funds to the account designated herein.

Resolution #84-0-18:

Re: Authorizing the award of a Non-Fair and Open Contract for Landscaping Services for the Year 2018

## RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LANDSCAPING SERVICES FOR THE YEAR 2018

**WHEREAS**, the Borough of Wanaque has a need to purchase landscaping services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; 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 in the amount of \$19,655.00; and

**WHEREAS**, Scenic Landscaping has completed and submitted a Business Entity Disclosure Certification which certifies that Scenic Landscaping has not made any reportable contributions to a political or candidate committee in the Borough of Wanaque in the previous one year, and that the contract will prohibit Scenic Landscaping from making any reportable contributions through the term of the contract, and

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WHEREAS, the Chief Financial Officer has certified that funds are available in budget account 7-CU-01-117-281.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Wanaque authorizes the Borough Administrator to enter into a contract with Scenic Landscape, 7 Argyle Street, Haskell, NJ 07420 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.

Resolution #85-0-18:

Re: Janitorial Services – Friendship House

WHEREAS, North Jersey Friendship House Inc. is a “sheltered workshop” and its services are exempt from public bidding in accordance with NJSA 40:A11-5 of the “Local Public Contracts Law,” and

WHEREAS, the Borough of Wanaque wishes to enter into a contract for janitorial services at Borough Hall/Police Headquarters and the recreation bathroom facilities.

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to North Jersey Friendship House, 125 Atlantic Street, Hackensack, NJ 07601 in the amount of \$59,998.00 for the period of one year from May 1, 2018 through April 30, 2019, in accordance with NJSA 40A:11-5; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account 8-CU-01-117-283.

Resolution #86-0-18:

Re: Current Estimate No. 1 – Back Beach Water Main Replacement payment to Regal Utility Services, Inc. in the amount of \$256,996.67

BE IT RESOLVED that payment be made to Regal Utility Services, Inc. in the amount of \$256,996.67 for Current Estimate No. 1 for the Back Beach Water Main Replacement be and is hereby approved.

Letter from Thomas Luciani – President Fire Department – Wetdown May 19, 2018

Received and filed.

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

On roll call, all voted yes, except Councilman Cortellessa who abstained on 11.3 - Application for Bingo License – Wanaque Reserve Senior Citizens Association and Councilman Leonard who abstained on 11.7 – Resolution #85-0-18 Janitorial Services – Friendship House and the Mayor declared the motion carried.

REGULAR REPORTS - PROFESSIONAL REPORTS:

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

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

COMMUNICATIONS: None.

NEW BUSINESS:

Closed Session:

Re: Litigation/Negotiation/Personnel

Held at the beginning of the meeting.

UNFINISHED BUSINESS:

Status Report - Lakeside Manor.

Reported on at the Work Meeting.

Resolution #68-0-18:

Re: Credit account for added assessment billing on Block 313.07, Lot 7C0091 for the first Half of 2017 along with the interest on the second half of 2017

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

**WHEREAS**, there exists an added assessment billing on Block 313.07 Lot 7C0091 for 2017 for an extra parking spot that had been missed during the initial set up of the extras at Wanaque Reserve;

**WHEREAS**, the homeowner has requested a credit for the first half of 2017 and any interest due since she obtained ownership in June of 2017 and the billing was set up in the name of the old owner;

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Collector shall credit the account for the first half of 2017 and the interest on the second half of 2017 which has been paid.

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

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:

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Current Operating 2017	\$ 55,711.99
Current Operating 2018	\$ 246,799.98
Water Operating 2017	\$ 2,160.38
Water Operating 2018	\$ 43,612.02
Sewer Operating	\$ 85.39
Escrow	\$ 2,936.08
General Capital	\$ 7,363.08
Water Capital	\$ 258,741.87
Recreation Trust 2017	\$ 637.00
Recreation Trust 2018	\$ 8,887.32
Animal Trust	\$ 52.20
Open Space	\$ 987.50
Other Trust	\$ 500.00
Voucher Total:	\$ 628,474.73

PAYROLL:

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

PR #6	03/23/2018	\$ 240,724.40
PR #7	04/06/2018	\$ 227,241.05
	Payroll Total:	\$ 467,965.45
	Grand Total:	\$1,096,440.18

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

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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 10:45 P.M.

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Katherine J. Falone, RMC, CMC  
Municipal Clerk