

Regular Meeting
October 15, 2018

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, October 15, 2018 at 8:55 P.M. in the Wanaque Municipal Building.

The Mayor called the meeting to order.

On roll call, the following Council Members responded: Balunis, Cortellessa, Pasquariello, Pettet and Willse. Councilman Leonard 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 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:

Lakeland 12U Junior Lancers Baseball – 7:00 P.M.

Wanaque Warriors Girls' Soccer – 7:00 P.M.

ORDINANCES:

Public Hearing of Ord. #6-0-18:

Re: Establish the position of Municipal Humane Law Enforcement Officer

On entertainment of the Mayor, Councilmen Pasquariello and Willse moved that Ordinance #6-0-18 be taken from the table and read by the Clerk, by title only, for consideration of final reading.

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

The Clerk took from the table and read by title only as follows: AN ORDINANCE OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AMEND CHAPTER 133, ANIMAL CONTROL AND RABIES CONTROL, OF THE BOROUGH CODE TO ESTABLISH THE POSITION OF MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER.

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.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AMEND CHAPTER 133, ANIMAL CONTROL AND RABIES CONTROL, OF THE BOROUGH CODE TO ESTABLISH THE POSITION OF MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER 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. #7-0-18:

Re: Repealing Chapter 87 of the Code and creating a new Chapter 87 titled Canvassers, Peddlers and Solicitors

On entertainment of the Mayor, Councilmen Pettet and Willse moved that Ordinance #7-0-18 be taken from the table and read by the Clerk, by title only, for consideration of final reading as amended.

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 REPEALING CHAPTER 87 OF THE CODE OF THE BOROUGH OF WANAQUE AND CREATING NEW CHAPTER 87 TITLED CANVASSERS, PEDDLERS, AND SOLICITORS.

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.

Sandy Lawson, 28 Haskell Avenue, Haskell asked to explain the Ordinance.

The Borough Attorney explained the Ordinance.

Sandy Lawson said what is the canvassing part.

The Borough Attorney said it modifies the existing Ordinance and canvassers are permitted and there are also certain exemptions.

The Mayor closed the Public Hearing.

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

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BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE REPEALING CHAPTER 87 OF THE CODE OF THE BOROUGH OF WANAQUE AND CREATING NEW CHAPTER 87 TITLED CANVASSERS, PEDDLERS, AND SOLICITORS 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 Ordinance #8-0-18:

Re: Bond Ordinance Appropriating \$51,684.26 for the Improvement of Various Roads

On entertainment of the Mayor, Councilmen Pasquariello and Balunis moved that Ordinance #8-0-18 be taken from the table and read by the Clerk, by title only, for consideration of first reading.

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

The Clerk took from the table and read by title only as follows: ORDINANCE PROVIDING FOR IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, AND APPROPRIATING \$51,684.26 THEREFOR, CONSTITUTING PROCEEDS OF OBLIGATIONS OF THE BOROUGH HERETOFORE ISSUED.

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

BE IT RESOLVED THAT an Ordinance entitled: ORDINANCE PROVIDING FOR IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, AND APPROPRIATING \$51,684.26 THEREFOR, CONSTITUTING PROCEEDS OF OBLIGATIONS OF THE BOROUGH HERETOFORE ISSUED 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 12th day of November 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.

Introduction of Ordinance #9-0-18:

Re: Amend Chapter 114, Zoning Article XI Affordable Housing Provisions Section 114-69
Occupancy Standards

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On entertainment of the Mayor, Councilmen Pettet and Pasquariello moved that Ordinance #9-0-18 be taken from the table and read by the Clerk, by title only, for consideration of first reading.

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

The Clerk took from the table and read by title only as follows: AN ORDINANCE OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AMEND CHAPTER 114, ZONING, ARTICLE XI AFFORDABLE HOUSING PROVISIONS, SECTION 114-69, OCCUPANCY STANDARDS.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AMEND CHAPTER 114, ZONING, ARTICLE XI AFFORDABLE HOUSING PROVISIONS, SECTION 114-69, OCCUPANCY STANDARDS 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 12th day of November 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.

MINUTES:

September 10, 2018

On entertainment of the Mayor, Councilmen Pasquariello 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.

Grace Maiello, 26 Rhinesmith Avenue, Wanaque said I would encourage the Mayor and Council to do another lantern tour maybe even two more.

The Mayor said we are trying to schedule another one but we can't get into the buildings there.

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Sandy Lawson, 28 Haskell Avenue, Haskell said could you go over the affordable housing Ordinance.

The Mayor said it is for renovations for handicapped accessibility and use money for the Community Development Block Grant money not used.

Sandy Lawson said for the road improvements Ordinance is Haskell Avenue on the list.

The Mayor said we will check the list.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #141-0-18:

Re: Credit Block 313.06, Lot 2.19 \$2,208.98 for the 3rd Quarter, \$2,615.62 for the 4th Quarter and \$5,111.14 for the first half of 2019 due to the owner qualifying for a 100% disabled Veteran exemption

WHEREAS, the owner of Block 313.06 Lot 2.19 qualifies for a 100% disabled Veteran exemption from tax beginning on July 16, 2018, the date of purchase

WHEREAS, 16 days of the third quarter is due from the seller and the balance will be credited as well as the 4th quarter of 2018 and the 1st and 2nd quarter of 2019;

NOW, THEREFORE, BE IT RESOLVED the Tax Collector will credit \$2,208.98 of the 3rd quarter, \$2,615.62 for the 4th quarter and \$5,111.14 for the first half of 2019 that has been billed.

Resolution #142-0-18:

Re: Refund of Tax overbilling on Block 412, Lot 3 – 25 Fifth Avenue in the amount of \$3,830.00 for the Year 2018 due to a Tax Court of New Jersey Judgment

WHEREAS, there exists tax overbilling on Block 412 Lot 3, 25 Fifth Avenue, Omni II LLC, due to a Tax Court of New Jersey Judgment;

WHEREAS, the credits total \$3,830.00 for the year 2018 and the owners have already paid the 4th quarter 2018 tax due and the attorney for the owner has requested a full refund;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall issue a check in the amount of the \$3,830.00 to the attorney trust fund, Michael A. Vespasiano, Attorney Trust Account, as per the certification of the Tax Collector.

Resolution #143-0-18:

Re: Redemption of Tax Sale Certificate #17-00003 for Block 240, Lot 14 – 20 Mountain Avenue – Municipal Lien

WHEREAS, a Tax Sale was held for 2017 delinquent Municipal charges on October 12, 2018;

WHEREAS, the Borough of Wanaque was awarded the certificate for Block 240 Lot 14, 20 Mountain Avenue for which certificate 17-00003 was assigned;

WHEREAS, 20 Mountain Avenue LLC, 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 Mayor and Municipal Clerk sign off on the certificate so that it can be recorded as cancelled as per the certification of the Tax Collector.

Resolution #144-0-18:

Re: Redemption of Tax Sale Certificate #15-00006 for Block 240, Lot 8 – 15 Grove Street in the amount of \$11,849.28

WHEREAS, a Tax Sale was held for 2015 delinquent Municipal charges on September 21, 2016

WHEREAS, the SLS 1 LLC was awarded the certificate for Block 240 Lot 8, 15 Grove Street for which certificate 15-00006 was assigned,

WHEREAS, Peter and Sandra Bernstein, have redeemed said certificate of which funds have been deposited into the Current Account.

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall issue a check in the amount of \$11,849.28 as per the certification of the Tax Collector.

Resolution #145-0-18:

Re: Halloween Curfew

WHEREAS, the Borough of Wanaque 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 Tuesday, October 30th and on Wednesday, 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 #146-0-18:

Re: Authorizing an agreement with the Wanaque Valley Regional Sewerage Authority for the services of a licensed Sewer Operator

AUTHORIZING AN AGREEMENT BETWEEN THE BOROUGH OF WANAQUE AND THE WANAQUE VALLEY REGIONAL SEWERAGE AUTHORITY FOR THE SERVICES OF A LICENSED SEWER OPERATOR FOR THE BOROUGH'S SEWER COLLECTIONS SYSTEM FOR THE PERIOD OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019

WHEREAS, the Borough of Wanaque (Borough) is the operator a wastewater collection system and appurtenances for its residents and businesses; and

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WHEREAS, effluent from the Borough's wastewater collection system flows to, and is treated for discharge at, the Wastewater Treatment Facility owned and operated by the Wanaque Valley Regional Sewerage Authority (WVRSa); and

WHEREAS, New Jersey Department of Environmental Protection regulations require the Borough to have a licensed collection system operator; and

WHEREAS, the WVRSa has staff with the attendant licenses to serve as the Borough's licensed collection system operator.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Wanaque hereby authorizes the execution of an agreement with the Wanaque Valley Regional Sewerage Authority, attached to and made part of this Resolution, for the services of a licensed collection system operator for the period October 1, 2018 through September 30, 2019; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Wanaque Valley Regional Sewerage Authority.

Resolution #147-0-18:

Re: Authorizing an amended Lease Agreement between the Borough of Wanaque and Saint Francis of Assisi RC Church

AUTHORIZING AN AMENDED AGREEMENT BETWEEN THE BOROUGH OF WANAQUE AND SAINT FRANCIS CHURCH FOR THE USE OF THE GYM AND RELATED FACILITIES LOCATED AT 868 RINGWOOD AVENUE, HASKELL, NJ

WHEREAS, on August 13, 2018, the Mayor and Council of the Borough of Wanaque authorized an agreement with St. Francis Church for the uses of its gym and related facilities located at 868 Ringwood Avenue, Haskell, NJ; and

WHEREAS, St. Francis has reviewed said agreement and recommended certain amendments; and

WHEREAS, the Borough of Wanaque find the amendments proposed by St. Francis to be acceptable and consistent with the intent of the original agreement.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Wanaque that it hereby authorizes as amended agreement, attached to and made part of this Resolution, with Saint Francis Church for the use of its gym and related facilities located at 868 Ringwood Avenue, Haskell, NJ.

Resolution #148-0-18:

Re: Requesting the reprogramming of \$42,100.00 in FY 2017 Community Development Block Grant Funding

REQUESTING THE REPROGRAMMING OF \$42,100 IN FY 2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FROM THE ORIGINALLY PROPOSED LOW-MODERATE INCOME HOUSING IMPROVEMENT PROGRAM TO AN AMERICAN WITH DISABILITIES ACT (ADA) SIDEWALK COMPLIANCE PROGRAM

WHEREAS, the Borough of Wanaque was awarded Community Development Block Grant (CDBG) funds by the County of Passaic in Fiscal Year 2017 for a low-moderate income Housing Rehabilitation Program; and

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WHEREAS, a total of \$42,100 in CDBG funds are available to the Borough to partially fund the low-moderate income Housing Rehabilitation Program; and

WHEREAS, the Borough is unable to implement the low-moderate income Housing Rehabilitation program at this time; and

WHEREAS, the Borough has a need, as part of its overall road resurfacing initiative, to remove barriers that exist to physically challenged residents utilizing sidewalks within the Borough; and

WHEREAS, the removal of these barriers, specifically the installation of curb cuts/landing ramps, will assist the Borough in its efforts to comply with the American with Disabilities Act.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Wanaque that it hereby requests the County of Passaic to reprogram \$42,100 in Community Development Block Grant funds dedicated to a low-moderate income Housing Rehabilitation Program to a Americans with Disabilities Act compliance program for various sidewalks within the Borough; and

BE IT FURTHER RESOLVED, that the ADA Sidewalk Compliance Program, utilizing reprogrammed CDBG funds will be implemented prior to August 31, 2019.

Resolution #149-0-18:

Re: Authorizing the public sale of property owned by the Borough of Wanaque and Designating an on-line auction service through the New Jersey State Contract T-2581 GOV DEALS

AUTHORIZING THE PUBLIC SALE OF PROPERTY OWNED BY THE BOROUGH OF WANAQUE AND DESIGNATING AN ON-LINE AUCTION SERVICE THROUGH THE NEW JERSEY STATE CONTRACT T-2581 (GOVDEALS)

WHEREAS, the Borough of Wanaque has accumulated surplus property which is no longer needed for public use that requires legal disposition thereof pursuant to N.J.S.A. 40A:11-36 and Local Finance Notice(LFN) 2008-9; and

WHEREAS, the above referenced statute and LFN require sale of such property by auction; and

WHEREAS, surplus property authorized for sale in an "as is" condition without express or implied warranties; and

WHEREAS, the Mayor and Council of the Borough of desire to conduct a public sale of surplus property.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Wanaque that it hereby declares all property on the attached list to be surplus to the needs of the Borough; and

BE IT FURTHER RESOLVED that the Interim Borough Administrator is hereby authorized to sign such documents as may be required to finalize and carry out such auction; and

BE IT FURTHER RESOLVED that the auction shall be carried out under the auspices of New Jersey State Contract #T-2581 through an on-line auction administered by GovDeals.com; and

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BE IT FURTHER RESOLVED that the terms and conditions of the Agreement entered into with GovDeals is available online at GovDeals.com and that the Borough of Wanaque reserves the right to accept or reject any bid submitted.

Letter from the Fire Chief:

Re: Two (2) Membership Applications – Lucas H. Spann and Rennie Jacob – Company 2 effective immediately

Seven (7) Applications for Raffle Licenses:

Re: 1) Lakeland Lancers Boys Basketball Booster Club – RA:997, RA:998 and RA:1001, 2) Ringwood Education Foundation – RA:1000 and 3) Lakeland Chorale Association – RA:1002, RA:1003 and RA:1004

On entertainment of the Mayor, Councilmen Pasquariello and Willse 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 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:

Letter from Victoria Bollhardt – Director Make a Wish Foundation:

Re: Request a waiver of permit fees

On entertainment of the Mayor, Councilmen Willse and Balunis moved a motion to approve the request to waive the permit fees.

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

Closed Session:

Re: Litigation/Negotiation/Personnel

None.

UNFINISHED BUSINESS:

Status Report - Lakeside Manor

Reported on at the Work Meeting.

RESOLUTIONS: None.

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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

2017 Current	\$	308.72
Pre-Paid Current	\$	15,391.82
Current	\$	435,577.77
Pre-Paid Water Operating	\$	33,508.31
Water Operating	\$	51,090.75
Pre-Paid Sewer Operating	\$	31,879.70
Sewer Operating	\$	8,929.05
Escrow	\$	7,304.69
Pre-Paid Recreation Trust	\$	9,970.00
Recreation Trust	\$	11,269.76
Animal Trust	\$	8,590.41
General Capital Trust	\$	5,222.50
Open Space	\$	1,285.00
Other Trust	\$	375.00
Voucher Total:	\$	620,703.48

PAYROLL:

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

PR #19	09/21/2018	\$ 224,332.43
PR #20	10/05/2018	\$ 231,572.17
	Payroll Total:	\$ 455,904.60
	Grand Total:	\$1,076,608.08

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

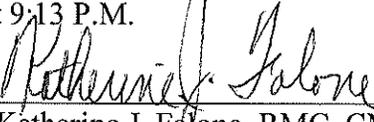
Daniel Mahler
Mayor

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ADJOURNMENT:

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

On roll call, all voted yes except Councilman Willse who voted no and the Mayor declared the motion carried; meeting adjourned at 9:13 P.M.



Katherine J. Falone, RMC, CMC
Municipal Clerk