

Regular Meeting
April 11, 2016

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, April 11, 2016, at 8:00 P.M. in the Wanaque Municipal Building.

The Mayor called the meeting to order.

On roll call, the following Council Members responded: Balunis, Cortellessa, 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 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:

March 14, 2016.

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

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

PRESENTATION: 2015 VOLUNTEER OF THE YEAR AWARD – 8:00 P.M.:

The Mayor and Nick Ruhle and Walt White of the Recreation Commission presented the 2015 Volunteer of the Year Award to Mark Olivieri.

PRESENTATION: Wanaque Reserve Mens Club:

Paul Shupak and Bob Horowitz presented a five hundred dollar check to Mark Olivieri – Fire Chief for the Fire Department and Karen Cisco – President and Patty Norton for the First Aid Squad on behalf of the Wanaque Reserve.

ADMINISTRATION OF OATH OF OFFICE AND APPOINTMENT OF CHIEF OF POLICE – Resolution #74-0-16 – 8:00 P.M.:

Police Chief McAuliffe from Hawthorne representing the Police Chiefs from surrounding towns spoke about Robert Kronyak's promotion to Police Chief and his dedication to the job and town and congratulated him on the promotion to Police Chief. Passaic County Sheriff was present also.

Former Police Chief Robert Kronyak, Sr. spoke about the promotion of his son and congratulated him on becoming Police Chief.

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Councilman Pasquariello read the following Resolution.

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

WHEREAS, Robert Kronyak Jr. was born and raised in the Borough of Wanaque, attending Lakeland High School, and was hired as a Patrolman with the Wanaque Police Department in December 1989; and

WHEREAS, Robert Kronyak Jr. was promoted to the rank of Sergeant in 1998, to the rank of Lieutenant in 2007, and to the rank of Captain in 2013, accumulating many awards over his career; and

WHEREAS, it is the desire of the Mayor and Council to appoint Robert Kronyak Jr. as the 8th Chief of the Wanaque Police Department;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Wanaque that Robert Kronyak Jr. be and is hereby appointed as Police Chief of the Borough of Wanaque, and that the Borough Administrator is authorized to execute a permanent appointment upon receipt of a Certification from the New Jersey Civil Service Commission; and

BE IT FURTHER RESOLVED that compensation for this position shall be established with a separate employment agreement.

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

The Mayor administered the Oath of Office to Chief of Police Robert Kronyak, Jr.

Police Chief Robert Kronyak, Jr. thanked everyone for coming and extended an invitation to the First Aid Squad for refreshments.

The Mayor said we will take a ten minute recess at 8:20 P.M.

On entertainment of the Mayor, Councilmen Cortellessa and Willse moved a motion to reconvene the meeting at 8:30 P.M.

On roll call, all voted yes and were present.

ORDINANCES:

Introduction of Ord. #6-0-16:

Re: CAP Rate Ordinance

On entertainment of the Mayor, Councilmen Pettet and Pasquariello moved that Ordinance #6-0-16 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: 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).

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On entertainment of the Mayor, Councilmen Pettet and Pasquariello 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 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 9th day of May 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.

Introduction of Ord. #7-0-16:

Re: Amend Chapter 72 – Fees – Tax Redemption Certification

On entertainment of the Mayor, Councilmen Willse and Cortellessa moved that Ordinance #7-0-16 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 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.

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

BE IT RESOLVED THAT an Ordinance entitled: 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 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 9th day of May 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.

Introduction of Ord. #8-0-16:

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

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On entertainment of the Mayor, Councilmen Cortellessa and Willse moved that Ordinance #8-0-16 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 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.

On entertainment of the Mayor, Councilmen Willse and Cortellessa 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 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 9th day of May 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.

Introduction of Ord. #9-0-16:

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

On entertainment of the Mayor, Councilmen Cortellessa and Willse moved that Ordinance #9-0-16 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 APPROPRIATING \$570,000 FROM CAPITAL SUPLUS TO FUND THE PURCHASE OF REAL PROPERTY IN THE BOROUGH OF WANAQUE, BLOCK 232, LOTS 2 & 4.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE APPROPRIATING \$570,000 FROM CAPITAL SUPLUS TO FUND THE PURCHASE OF REAL PROPERTY IN THE BOROUGH OF WANAQUE, BLOCK 232, LOTS 2 & 4 pass first reading, and that said Ordinance be further considered for final passage and adoption at a regular

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meeting of the Borough Council to be held on the 9th day of May 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.

Resolution #84-0-16:

Re: Temporary General Capital and Water Capital Budget

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

WHEREAS, the Borough of Wanaque desires to establish the 2016 Temporary Capital Budget of said municipality by inserting therein the following projects.

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

Section 1. The 2016 Temporary Capital Budget of the Borough of Wanaque is hereby established by the adoption of the schedule to read as follows:

Temporary Capital Budget of the
Borough of Wanaque
County of Passaic, New Jersey
Projects Scheduled for 2016
Method of Financing

<u>Project</u>	<u>Est. Costs</u>	<u>Other Funds</u>	<u>Budget Appr. Fund</u>	<u>Capital Imp. Fund</u>	<u>Grants</u>	<u>Debt Authorized</u>
Imp. Various Roads	500,000			75,000		425,000

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2016 Temporary Capital Budget, to be included in the 2016 Permanent Capital Budget as adopted.

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ROLL CALL: AYES - Councilman Balunis, Councilman Cortellesa, Councilman Pasquariello,

Councilman Pettet, Councilman Willse

NAYS: NONE ABSTAIN: NONE ABSENT: Councilman Leonard

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

Introduction of Ord. #10-0-16:

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

On entertainment of the Mayor, Councilmen Pasquariello and Pettet moved that Ordinance #10-0-16 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: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF WANAUKE, 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.

On entertainment of the Mayor, Councilmen Willse and Cortellesa 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 PASSIAC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT, FOR THE REPLACEMENT OF WATER MAINS ON MAPLE AVENUE, ORCHARD STREET AND NORTH MAPLE AVENUE 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 9th day of May 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.

INTRODUCTION OF THE 2016 MUNICIPAL OPERATING, WATER UTILITY AND SEWER UTILITY BUDGETS - Resolution #75-0-16 and Resolution #76-0-16 – Deferred School Taxes and other Budgetary Resolutions:

The Borough Administrator gave a presentation on the budget.

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

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Municipal Budget of the Borough of Wanaque, County of Passaic for the Fiscal Year 2016. 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 11th day of April, 2016 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 11th day of April, 2016, 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 11th day of April, 2016, Charles J. Ferraioli, Jr., Registered Municipal Accountant, Certified by me, this 11th day of April, 2016, Mary Ann Brindisi, Chief Financial Officer.

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

Councilman Cortellessa said I voted yes that as long as the questions on the budget will be answered and gone over by the Borough Administrator prior to the adoption.

Councilman Willse said I voted yes with the same notations as Councilman Cortellessa has stated.

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

Municipal Budget of the Borough of Wanaque, County of Passaic for the Fiscal Year 2016:

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2016;

BE IT FURTHER RESOLVED, that said Budget be published by summary only in the Suburban Trends in the issue of April 17, 2016;

The Governing Body of the Borough of Wanaque does hereby approve the following as the Budget for the year 2016:

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

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 11, 2016.

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building, on May 9, 2016 at 8:00 P.M. at which time and place objections to said Budget and Tax Resolution for the year 2015 may be presented by taxpayers or other interested persons.

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

PUBLIC DISCUSSION:

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The Mayor opened the Public Discussion.

Frank DePaola, 2413 Warrens Way said is Ordinance #9-0-16 in addition to the building cost which is over nine million dollars and the five hundred seventy thousand dollars included in 5.3.

The Borough Administrator said yes.

Frank DePaola said the cost for the walls is the money bonded.

The Borough Administrator said part of the borrowing was earlier last year financing.

Frank DePaola said how did you know how much the walls were going to cost.

The Borough Adminstrator said the full amount borrowed and funded knew it was coming.

Frank DePaola said you guessed at the number and the cost is more.

The Borough Administrator said yes and we borrowed money.

Frank DePaola said you are constantly borrowing money and throwing it to other things.

The Borough Administrator said the Engineer estimate for capital bonding and sometimes good amount or it comes in higher than the Engineers estimate. Have funds nothing goes to the last dollar. Appropriate money and it comes off indebtness.

Frank DePaola said three hundred thousand dollars was told went to surplus account for total surplus.

The Borough Administrator said funded capital permanent funding and the balance of the money capital funding is going to be used.

Frank DePaola said the surplus accounts are what for.

The Borough Administrator said the operating, regular capital, sewer, water capital may take a look at it. The Ordinance is completed, bonded for and the money goes into the accounts.

Frank DePaola said three hundred thousand is excess funds.

The Borough Administrator said capital operating and are already using that.

The Mayor said we can't use water surplus for sewer we can only use it for water.

Jules Figula, 3202 Warrens Way, Wanaque said suggestion to think of creative ways to reduce the budget anything innovative.

The Borough Administrator said we looked and there is very little per the Sate except raising the fees. The revenue side there is nothing other than using surplus which we did other than legal and we don't want to get caught using others. The Police went to Direct 15 and there is savings. We got tight on the operating budget, analyzing costs and proposed to the finance committee appropriation for capital rather than going out to debt.

Jules Figula said used money for purchase of two vehicles last year. Should look at ratables for potential developers.

The Mayor said we are looking at properties such as Tilcon and we don't include that money in the budget. There are other projects we are looking at in the town. Last year expenses were down but taxes went up due to tax appeals. The town is twenty three percent of the tax bill and if there are appeals we have to pay for that.

Jules Figula said the tax appeals can we get the amounts on the agendas and get the resolutions when they are passed.

Sandy Lawson, 28 Haskell Avenue, Haskell said I'm glad the dollar amounts are going to be available. What is the status with Tilcon.

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The Mayor said still negotiating with the Elks and it is a large committee and a time consuming process and we did have a meeting in January with them.

Sandy Lawson said it is a priority for us when the trucks come through for Tilcon.

The Mayor said it is a financial impact for all of us. Planning on the municipal building and what happens if Tilcon doesn't come through.

The Borough Attorney said we are okay, Tilcon is okay and the Elks need to meet and we urged them to come to fruition. The Elks if the road goes through and get reimbursed for the road. The cell tower company is tired of waiting for the Elks and they may put the cell tower in another place.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #71-0-16:

Re: Redemption of Tax Sale Certificate #14-00014 for Block 259, Lot 3 in the amount of \$2,102.36 for the Certificate and \$1,900.00 for the Premium

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

WHEREAS, US Bank Cust Actlien Holding, was the successful bidder for Block 259 Lot 3, 15 Stafford Drive for which certificate 14-00014 was assigned;

WHEREAS, Advantage Title Agency for the new owner, has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$2,102.36 for the tax sale certificate and \$1,900.00 for the premium per the certification of the Tax Collector.

Resolution #72-0-16:

Re: Redemption of Tax Sale Certificate #14-00022 for Block 317, Lot 1.08 in the amount of \$1,714.24 for the Certificate and \$1,100.00 for the Premium

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

WHEREAS, Clemente Enterprises LLC, was the successful bidder for Block 317 Lot 1.08, 186 Carter Road for which certificate 14-00022 was assigned;

WHEREAS, Valley National Bank, the mortgage holder, has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$1,714.24 for the tax sale certificate and \$1,100.00 for the premium per the certification of the Tax Collector.

Resolution #73-0-16:

Re: Redemption of Tax Sale Certificate #14-00005 for Block 234, Lot 6.03 in the amount of \$1,803.70 for the Certificate and \$1,600.00 for the Premium

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

WHEREAS, Clemente Enterprises LLC, was the successful bidder for Block 234 Lot 6.03, 10 Laura Avenue for which certificate 14-00005 was assigned;

WHEREAS, US Bank Home Mortgage, the mortgage holder, has redeemed said certificate of which funds have been deposited into the Current Account;

NOW, THEREFORE, BE IT RESOLVED Treasurer shall refund the lienholder \$1,803.70 for the tax sale certificate and \$1,600.00 for the premium per the certification of the Tax Collector.

Four (4) Applications for Raffle Licenses:

Re: 1) Saint Francis of Assisi Church – RA:927, RA:928, RA:929, 2) PTA Haskell School – RA:930

Resolution #77-0-16:

Re: 2015 Tonnage Grant Application

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the **2015 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of Borough of Wanaque to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Borough of Wanaque that the Borough of Wanaque hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Thomas F. Carroll to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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Resolution #78-0-16:

Re: Appoint Thomas F. Carroll as Emergency Management Coordinator (no change in salary)

BE IT RESOLVED that Thomas F. Carroll be and he is appointed as Emergency Management Coordinator (unclassified) for the Borough of Wanaque in accordance with N.J.S.A. Appendix A:9-33 et. seq., effective April 1, 2016 at an annual stipend of \$3568; and

BE IT FURTHER RESOLVED that Thomas F. Carroll is granted a Leave of Absence from the permanent Civil Service position of Assistant Emergency Management Coordinator in order to assume the position of Emergency Management Coordinator, and said leave of absence is continued for the entire period that Thomas Carroll serves in the unclassified position.

Application for Bingo License:

Re: Wanaque Reserve Senior Citizen Association, Inc. – BA:202

Letter from the Fire Chief:

Re: Membership Application for Richard Morici – Company #2 effective immediately

Application for Raffle License:

Re: PTA Haskell School – RA:931

On entertainment of the Mayor, Councilmen Balunis and Pasquariello 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:

Closed Session:

Re: Litigation/Negotiation/Personnel

Held to the end of the meeting.

UNFINISHED BUSINESS: None.

RESOLUTIONS:

Resolution #79-0-16:

Re: Approve Tax Appeal Settlement – DiRubbio, Ruck, McCauley, Heartland Bank (2011 and 2012)

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

RESOLUTION AUTHORIZING SETTLEMENT OF TAX COURT
CASE DIRUBBIO, RUCK, MCCAULEY, HEARTLAND BANK
v. BOROUGH OF WANAUKE TAX COURT DOCKET NO.'S
010026-2011 AND 001655-2012

WHEREAS, DiRubbio, Ruck, McCauley, Heartland Bank are the owners of property known and identified as Block 412, Lot 3, commonly known as 25 Fifth Avenue said premises containing facilities known as the Lakeland Health Care Center; and

WHEREAS, the said property owners filed Tax Appeals in the Tax Court of New Jersey for Tax Years 2011 and 2012 under Docket Numbers 010026-2011 and 001655-2012 respectively; and

WHEREAS, The Borough engaged the services of real estate expert's Scott J. Holzhauer and Michael E. Hostenstein, as well as consulting with the Borough Tax Assessor Brian Townsend and Borough Attorney Anthony Fiorello, Esq., and it appearing that the settlement of the above Tax Court cases are in the best interests of the Borough of Wanaque and consistent with opinions rendered by the above noted experts;

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

1. The Borough of Wanaque is hereby authorized to enter into Stipulations of Settlement in connection with two (2) Tax Court Cases brought by Plaintiff DiRubbio, Ruck, McCauley, Heartland Bank against the Borough of Wanaque, Docket Numbers 010026-2011 and 001655-2012 in the form annexed hereto.
2. Wanaque Borough Special Counsel Patrick J. McNamara, Esq. of the firm Scarinci & Hollenbeck, LLC are hereby authorized to enter into the said Stipulations of Settlement.

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

Resolution #80-0-16:

Re: Award Fair and Open Contract – Haskell Well Rehabilitation

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

WHEREAS, on March 29, 2016 the Borough of Wanaque announced through its official Municipal Website, www.wanaqueborough.com that it was soliciting proposals for Rehabilitation services for Haskell Well #1 under the "Fair and Open" provisions of N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, those proposals were received on April 8, 2016 by the Borough Administrator, who opened them and read them aloud; and

WHEREAS, proposals were received from the following:

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A.C. Schultes Inc. \$23,630
664 S. Evergreen Avenue
Woodbury Heights, NJ 08097

Rinbrand Well Drilling Co. Inc. \$52,705
14 Waldron Avenue
Glen Rock, NJ 07452-2831

and;

WHEREAS, upon review by the Borough Council it is agreed to award this professional service under the "Fair and Open" provisions of the law;

NOW, THEREFORE, BE IT RESOLVED that the following contract is made in accordance with N.J.S.A. 40A:11-1 et seq. and N.J.S.A. 19:44A-20.4 et seq.:

Rehabilitation Services for Haskell Well #1, A.C. Schultes Inc., 664 S. Evergreen Avenue, Woodbury Heights, NJ 08097 in the amount of \$23,630.00 in accordance with their proposal dated April 8, 2016; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available;

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published in the Suburban Trends as required by Law.

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

Resolution #81-0-16:

Re: Liquor License Renewal 2015/2016 – Aryan Cira, LLC 1069 Ringwood Avenue, Haskell (Pocket License)

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

BE IT RESOLVED, that the Mayor and Council of the Borough of Wanaque do hereby approve through this Resolution the following Liquor License Renewal for the Year 2015/2016;

BE IT FURTHER RESOLVED that the Licensee received a Special Ruling from the Director of the State Division of Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-12.39 to authorize the renewal of an inactive license for the license term 2015/2016;

BE IT FURTHER RESOLVED that the Licensee also has received a Special Ruling from the Director of the State Division of Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-12.18 to issue a new license for the license term 2015/2016.

1. Aryan Cira, LLC – License #1613-33-002-004

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

Resolution #82-0-16:

Re: Person to Person Liquor License Transfer – Aryan Cira, LLC 1069 Ringwood Avenue, Haskell (Pocket License) to Sal Falciglia, Jr.

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

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WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number #1613-33-002-004, issued to Aryan Cira, LLC for premises heretofore located at 1069 Ringwood Avenue, Haskell, New Jersey 07420 (Pocket License);

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Wanaque Governing Body does hereby approve, effective April 11, 2016, the Person-to-Person Transfer of the aforesaid Plenary Retail Consumption License to Sal Falciglia, Jr. with a mailing address of 179 Cahill Cross Road, Suite 311, West Milford, New Jersey 07480 and does hereby direct the Municipal Clerk to endorse the license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to Sal Falciglia, Jr."

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

Resolution #83-0-16:

Re: Person to Person Liquor License Transfer – Sal Falciglia, Jr., 1069 Ringwood Avenue, Haskell (Pocket License) to Adriana M. Falcon.

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

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number #1613-33-002-004, issued to Sal Falciglia, Jr., 179 Cahill Cross Road, Suite 311, West Milford, New Jersey 07480 for premises heretofore located at 1069 Ringwood Avenue, Haskell, New Jersey 07420 (Pocket License);

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Wanaque Governing Body does hereby approve, effective April 11, 2016, the Person-to-Person Transfer of the aforesaid Plenary Retail Consumption License to Adriana M. Falcon with a mailing address of 32 Algonquin Terrace, Ringwood, New Jersey 07456 and does hereby direct the Municipal Clerk to endorse the license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to Adriana M. Falcon."

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

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:

Regular Meeting
April 11, 2016

Current Operating 2015	\$ 3,561.00
Water Operating 2015	\$ 875.08
Current Operating 2016	\$ 315,560.14
Water Operating 2016	\$ 17,156.96
Sewer Operating 2016	\$ 640.50
Water Capital	\$ 14,664.00
General Capital	\$ 46,118.67
Escrow	\$ 3,420.00
Recycle Trust	\$ 393.75
Animal Trust	\$ 6,877.40
Recreation Trust	\$ 4,862.05
Voucher Total:	\$ 414,129.55

Payroll:

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

PR #6	03/18/2016	\$ 250,839.49
PR #7	04/01/2016	\$ 212,937.94
Payroll Total:		\$ 463,777.43
Grand Total:		\$ 877,906.96

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

APPROVED: April 11, 2016

Daniel Mahler
Mayor

NEW BUSINESS:

Closed Session:

Re: Litigation/Negotiation/Personnel

On entertainment of the Mayor, Councilmen Willse and Pettet 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:

Regular Meeting
April 11, 2016

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 Pasquariello and Pettet moved a motion to reconvene at 9:35 P.M.

On roll call, all were present.

ADJOURNMENT:

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

On roll call, all voted yes, and the Mayor declared the motion carried; meeting adjourned at 9:35 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk