

Regular Meeting
May 14, 2012

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, May 14, 2012, 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, 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 December 28, 2011, and a notice thereof has been posted on December 28, 2011 on the bulletin board in the Wanaque Municipal Building, 579 Ringwood Avenue, Wanaque, New Jersey and a copy thereof has been on file in the office of the Municipal Clerk.

MINUTES:

April 9, 2012.

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

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

ORDINANCES:

Public Hearing of Ord. #8-0-12:

Re: Authorize Purchase of 569 Ringwood Avenue

On entertainment of the Mayor, Councilmen Pettet and Balunis moved that Ordinance #8-0-12 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 AUTHORIZING THE ACQUISITION OF REAL ESTATE KNOWN AS BLOCK 232; LOT 4 ON THE WANAQUE TAX MAP AND FURTHER IDENTIFIED AS 569 RINGWOOD AVENUE WANAQUE, NJ (N.J.S.A. 40A: 12-1, et seq.)

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

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No one came forward.
The Mayor closed the Public Hearing.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL ESTATE KNOWN AS BLOCK 232; LOT 4 ON THE WANAQUE TAX MAP AND FURTHER IDENTIFIED AS 569 RINGWOOD AVENUE WANAQUE, NJ (N.J.S.A. 40A: 12-1, et seq.) 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. #9-0-12:
Re: Authorize Purchase of 565 Ringwood Avenue

On entertainment of the Mayor, Councilmen Pettet and Balunis moved that Ordinance #9-0-12 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 AUTHORIZING THE ACQUISITION OF REAL ESTATE KNOWN AS BLOCK 232; LOT 2 ON THE WANAQUE TAX MAP AND FURTHER IDENTIFIED AS 565 RINGWOOD AVENUE, WANAQUE, NJ PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW N.J.S.A. 40A:12-1, et seq.

This Ordinance has been duly advertised in accordance with the statutes; a copy was posted on the bulletin board in the Municipal Building, a copy was available for the public to read in the Clerk's office; and copies are available for the public present here this evening.

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

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

BE IT RESOLVED THAT AN ORDINANCE ENTITLED: AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL ESTATE KNOWN AS BLOCK 232; LOT 2 ON THE WANAQUE TAX MAP AND FURTHER IDENTIFIED AS 565 RINGWOOD AVENUE, WANAQUE, NJ PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW N.J.S.A. 40A:12-1, et seq. pass final reading, and that said Ordinance be adopted as an Ordinance of the Borough of Wanaque; and

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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. #10-0-12:

Re: Amend the Affordable Housing Plan of the Borough of Wanaque

On entertainment of the Mayor, Councilmen Leonard and Willse moved that Ordinance #10-0-12 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 TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 114, "ZONING" TO REPEAL AND REPLACE ARTICLE XI, AFFORDABLE HOUSING PROVISIONS.

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

John Maiello, 26 Rhinesmith Avenue, Wanaque said is this to raise COAH units in town.

The Mayor said it is to amend for proposed development on Warren Hagstrom Boulevard.

The Mayor closed the Public Hearing.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 114, "ZONING" TO REPEAL AND REPLACE ARTICLE XI, AFFORDABLE HOUSING PROVISIONS 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. #11-0-12:

Re: Amend the Affordable Housing Plan Regarding Development Fees

On entertainment of the Mayor, Councilmen Cortellessa and Balunis moved that Ordinance #11-0-12 be taken from the table and read by the Clerk, by title only, for consideration of final reading.

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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, PASSAIC COUNTY, NEW JERSEY, CHAPTER 72, TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING DEVELOPMENT FEES.

This Ordinance has been duly advertised in accordance with the statutes; a copy was posted on the bulletin board in the Municipal Building, a copy was available for the public to read in the Clerk's office; and copies are available for the public present here this evening.

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

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, PASSAIC COUNTY, NEW JERSEY, CHAPTER 72, TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING DEVELOPMENT FEES 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 Ord. #12-0-12:

Re: Amend Redevelopment Plan (Block 432, Lots 36, 38)

On entertainment of the Mayor, Councilmen Pettet and Balunis moved that Ordinance #12-0-12 be taken from the table and read by the Clerk, by title only, for consideration of first reading.

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

The Clerk took from the table and read by title only as follows: AN ORDINANCE AMENDING ORDINANCE NUMBER 10-0-05 ENTITLED "ESTABLISHING THE ADULT HOUSING REDEVELOPMENT PROJECT WITHIN THE FOURTH AVENUE RENEWAL AREA AND ESTABLISHING THE FOURTH AVENUE ADULT HOUSING ZONING DISTRICT" AND FURTHER AMENDING CHAPTER 114-"ZONING" OF THE BOROUGH OF WANAQUE CODE SPECIFICALLY, MODIFYING §114-7.1, AAH-2 DISTRICT, SO AS TO CHANGE THE ZONE TITLE TO THE **FOURTH AVENUE RESIDENTIAL REDEVELOPMENT ZONE** AND FOURTH AVENUE RESIDENTIAL ZONING DISTRICT, THEREBY REPEALING THE AAH-2 ZONE. THIS ORDINANCE FURTHER AMENDS THE LAND USE MAP TO ADD THE FAR REDEVELOPMENT ZONE THERETO.

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

AN ORDINANCE AMENDING ORDINANCE NUMBER 10-0-05 ENTITLED “ESTABLISHING THE ADULT HOUSING REDEVELOPMENT PROJECT WITHIN THE FOURTH AVENUE RENEWAL AREA AND ESTABLISHING THE FOURTH AVENUE ADULT HOUSING ZONING DISTRICT” AND FURTHER AMENDING CHAPTER 114-“ZONING” OF THE BOROUGH OF WANAQUE CODE SPECIFICALLY, MODIFYING §114-7.1, AAH-2 DISTRICT, SO AS TO CHANGE THE ZONE TITLE TO THE **FOURTH AVENUE RESIDENTIAL REDEVELOPMENT ZONE** AND FOURTH AVENUE RESIDENTIAL ZONING DISTRICT, THEREBY REPEALING THE AAH-2 ZONE. THIS ORDINANCE FURTHER AMENDS THE LAND USE MAP TO ADD THE FAR REDEVELOPMENT ZONE THERETO pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 11th day of June 2012, at the Municipal Building in the Borough of Wanaque at 8:00 P.M., 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. #13-0-12:

Re: Accept Easement – Westbrook Road

On entertainment of the Mayor, Councilmen Pettet and Leonard moved that Ordinance #13-0-12 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 AUTHORIZING THE ACCEPTANCE OF AN EASEMENT FROM THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION IN CONNECTION WITH THE REALIGNMENT OF WEST BROOK ROAD IN THE BOROUGH OF WANAQUE, NJ PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW N.J.S.A. 40A:12-1, et seq.

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

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF AN EASEMENT FROM THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION IN CONNECTION WITH THE REALIGNMENT OF WEST BROOK ROAD IN THE BOROUGH OF WANAQUE, NJ PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW N.J.S.A. 40A:12-1, et seq. pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 11th day of June

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2012, at the Municipal Building in the Borough of Wanaque at 8:00 P.M., 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. #14-0-12:

Re: Return Easement – Westbrook Road

On entertainment of the Mayor, Councilmen Pettet and Leonard moved that Ordinance #14-0-12 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 AUTHORIZING THE VACATION OF AN EASEMENT FROM THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION IN CONNECTION WITH THE REALIGNMENT OF WEST BROOK ROAD IN THE BOROUGH OF WANAQUE, NJ PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW N.J.S.A. 40A:12-1 ET SEQ.

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

AN ORDINANCE AUTHORIZING THE VACATION OF AN EASEMENT FROM THE NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION IN CONNECTION WITH THE REALIGNMENT OF WEST BROOK ROAD IN THE BOROUGH OF WANAQUE, NJ PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW N.J.S.A. 40A:12-1 ET SEQ. pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 11th day of June 2012, at the Municipal Building in the Borough of Wanaque at 8:00 P.M., 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. #15-0-12:

Re: Amend Chapter 111, Water to amend Water Rates

On entertainment of the Mayor, Councilmen Willse and Leonard moved that Ordinance #15-0-12 be taken from the table and read by the Clerk, by title only, for consideration of first reading

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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 111, "WATER" TO AMEND CERTAIN WATER RATES.

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

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 111, "WATER" TO AMEND CERTAIN WATER RATES pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 11th day of June 2012, at the Municipal Building in the Borough of Wanaque at 8:00 P.M., 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.

The Borough Administrator said it will only be implemented if change by the State.

Introduction of Ord. #16-0-12:

Re: Appropriate \$320,000 from Housing Trust Fund to purchase property at 10 Warren Hagstrom Boulevard

On entertainment of the Mayor, Councilmen Leonard and Balunis moved that Ordinance #16-0-12 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 APPROPRIATE \$320,000 FROM THE HOUSING TRUST FUND FOR THE PURCHASE OF BLOCK 313, LOT 2.

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

AN ORDINANCE TO APPROPRIATE \$320,000 FROM THE HOUSING TRUST FUND FOR THE PURCHASE OF BLOCK 313, LOT 2 pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 11th day of June 2012, at the Municipal Building in the Borough of Wanaque at 8:00 P.M., 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 and the Mayor declared the motion carried.

Councilman Leonard said how is the trust fund maintained.

The Borough Administrator said you either use the money or lose it.

Introduction of Ord. #17-0-12:

Re: Authorize purchase of 10 Warren Hagstrom Boulevard

On entertainment of the Mayor, Councilmen Pettet and Leonard moved that Ordinance #17-0-12 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 AUTHORIZING THE ACQUISITION OF REAL ESTATE KNOWN AS BLOCK 313, LOT 2 ON THE WANAQUE TAX MAP AND FURTHER IDENTIFIED AS 10 WARREN HAGSTROM BOULEVARD, WANAQUE, NJ PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW N.J.S.A. 40A:12-1 ET SEQ.

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

AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL ESTATE KNOWN AS BLOCK 313, LOT 2 ON THE WANAQUE TAX MAP AND FURTHER IDENTIFIED AS 10 WARREN HAGSTROM BOULEVARD, WANAQUE, NJ PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW N.J.S.A. 40A:12-1 ET SEQ. pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 11th day of June 2012, at the Municipal Building in the Borough of Wanaque at 8:00 P.M., 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. #18-0-12:

Re: Amending Ordinance #2-0-06 entitled "Establishing a Redevelopment Plan and designating the Council of the Borough of Wanaque to act as the Redevelopment entity for the Ringwood Avenue mixed use Redevelopment Project"

On entertainment of the Mayor, Councilmen Cortellessa and Leonard moved that Ordinance #18-0-12 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.

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The Clerk took from the table and read by title only as follows: AN ORDINANCE AMENDING ORDINANCE NUMBER 2-0-06 ENTITLED “ESTABLISHING A REDEVELOPMENT PLAN AND DESIGNATING THE COUNCIL OF THE BOROUGH OF WANAQUE TO ACT AS THE REDEVELOPMENT ENTITY FOR THE RINGWOOD AVENUE MIXED USE REDEVELOPMENT PROJECT WITHIN THE RINGWOOD AVENUE RENEWAL AREA”; AND ADDING NINE PROPERTIES LOCATED IN BLOCKS 436 AND 437 TO THE RINGWOOD AVENUE SERVICE BUSINESS ZONING DISTRICT (SBD) AMENDING CHAPTER 114 – ZONING OF THE BOROUGH OF WANAQUE CODE TO INCLUDE SAID PARCELS IN THE SBD ZONE.

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

AN ORDINANCE AMENDING ORDINANCE NUMBER 2-0-06 ENTITLED “ESTABLISHING A REDEVELOPMENT PLAN AND DESIGNATING THE COUNCIL OF THE BOROUGH OF WANAQUE TO ACT AS THE REDEVELOPMENT ENTITY FOR THE RINGWOOD AVENUE MIXED USE REDEVELOPMENT PROJECT WITHIN THE RINGWOOD AVENUE RENEWAL AREA”; AND ADDING NINE PROPERTIES LOCATED IN BLOCKS 436 AND 437 TO THE RINGWOOD AVENUE SERVICE BUSINESS ZONING DISTRICT (SBD) AMENDING CHAPTER 114 – ZONING OF THE BOROUGH OF WANAQUE CODE TO INCLUDE SAID PARCELS IN THE SBD ZONE pass first reading, and that said Ordinance be further considered for final passage and adoption at a meeting of the Borough Council to be held on the 11th day of June 2012, at the Municipal Building in the Borough of Wanaque at 8:00 P.M., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance; and

BE IT FURTHER RESOLVED that the Borough Clerk be instructed to publish in the manner provided by law a copy of said Ordinance, together with introduction thereof and notice when same will be considered for final passage and adoption.

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

PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.

Ken Ambruster, 6 Gardella Place, Wanaque said what is going to happen to the Phoenix Club.

The Mayor said they are negotiating with the insurance company but the building is structurally sound and there is a bit of water damage. They are negotiating with the insurance company if it is a loss or something that can be fixed. He may want to take the insurance money and renegotiate with the redeveloper. We don't know at this point yet. The building is included in the redevelopment zone. The discussion I had with the owner after the fire was he was hoping the insurance company would give him a big insurance check and he would leave that's the feeling I got.

Ken Ambruster said the Climate Control business are they subject to being pushed out.

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The Mayor said they are included with the other property that persons primary residence is on so it could not be included in the redevelopment zone. However that person may renegotiate with the redeveloper and reach a mutually agreeable price for his property and he may be more than willing to sell it or he may not be. That's up to him.

Ken Ambruster said will the V.F.W. lose the building there or will they have to relocate and find another location.

The Mayor said the V.F.W. building is in the redevelopment area. The businesses are subject to negotiating with the redeveloper. The redeveloper will renegotiate and come up with a price and once he has all the sufficient properties locked up and in order to come forward with the redevelopment proposal then that's what will happen. He will probably have to come forward with a few residential properties.

Ken said will have to relocated the V.F.W. then to another location then.

The Mayor said possibly. There are a number of possibilities. The last time when the redeveloper was going to develop north of Doty Road and was negotiating with people before the economy turned they negotiated to either build them a hall in a separate location or to give them some facilities in where ever the building was but since they didn't move forward with the project they just put it on hold.

Ken Ambruster said I am just asking in fairness to the veterans.

The Mayor said we would not do anything to hurt the veterans.

John Maiello, 26 Rhinesmith Avenue, Wanaque said what is the easement for Westbrook Road.

The Borough Administrator said for the bridge on Westbrook Road.

John Maiello said what is the appropriation for the three hundred twenty thousand dollars for.

The Borough Administrator said to purchase the property at 10 Warren Hagstrom Boulevard.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #93-0-12:

Re: Redemption of Tax Sale Certificate #10-00041 for Block 448, Lot 14 in the amount of \$32,360.46

WHEREAS, a Tax Sale was held for 2010 delinquent Municipal charges on October 5, 2011, and

WHEREAS, US Bank Cust-Empire IV, Cap One was the successful bidder for Block 448 Lot 14 for which Tax Sale Certificate #10-00041 was assigned, and the Borough of Wanaque was assigned Tax Sale Certificate #10-00042 for Block 448 Lot 14.02,

WHEREAS, Chuck Fazio, the mortgage holder, has redeemed said certificate of which funds have been deposited into the Current Account.

NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund to the lien holder, US Bank the amount of \$32,360.46 for the certificate #10-00041, and the Mayor and Municipal Clerk sign the Authorization for Cancellation for the Municipal Lien #10-00042 as per the certification of the Tax Collector.

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Two (2) Applications for Raffle Licenses:

Re: 1) Saint Francis of Assisi Home School Association – RA:808 and 2) Wanaque
Community Education Foundation – RA:809

Resolution #94-0-12:

Re: Purchase of an F250 Truck – Water Department

BE IT RESOLVED that a contract for the purchase of one (1) 2012 Ford F-250 4WD REG CAB under State Contract A78848 be awarded to Warnock Fleet, 175 Route 10, East Hanover, in the amount of \$33,212.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in Water Capital Outlay.

Resolution #95-0-12:

Re: Estimated Tax Bills for 3rd Quarter of 2012

BE IT RESOLVED that the Borough's Tax Collector be and she is hereby authorized and directed to issue estimate Tax bills for the 3rd Quarter of 2012, upon the approval of the Tax rate set forth in Resolution #96-0-12.

Resolution #96-0-12:

Re: Estimated Tax Rate

WHEREAS, the Borough of Wanaque adopted its 2012 budget on April 16, 2012; and

WHEREAS, it has been determined that it will be necessary to issue estimated tax bills for the 3rd quarter of 2012, in order to provide for a sufficient cash flow for governmental operations; and

WHEREAS, the tax levies for the Borough of Wanaque, Wanaque Board of Education and the County of Passaic will not fall above the 5% threshold for the rate to be set by the Governing Body; and

WHEREAS, the Governing Body desires to have the estimated tax bill for the 3rd quarter of 2012 to be as close as possible to the actual tax bill, so that any shortfall will be minimal in the 4th quarter, and place an unexpected additional burden on our taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the following amounts for the 2012 3rd quarter estimated tax bill for the Borough of Wanaque be and are hereby approved.

	Amount to be Raised	11 Rate	12 Rate	Percent
Borough	\$ 8,690,793.60	1.43209	1.488	3.75
Local School	\$13,077,394.00	2.217	2.239	0.98
Regional H.S.	\$ 7,077,663.15	1.2241	1.212	-1.02
County	\$ 8,286,104.00	1.31782	1.419	7.10

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Library	\$443,876.40	.07765	0.076	-2.17
Open Space (Municipal) \$	58,411	.01001	0.01	0
Open Space (County) \$.	136,400	.02335	0.0235	0
TOTAL	\$37,912,746.35	6.302	6.467	2.55

Assessed Value: \$584,119,389

Resolution #97-0-12:

Re: Contract – Friendship House – Janitorial Services - \$36,969.00

WHEREAS, North Jersey Friendship House is a sheltered workshop non-profit organization providing janitorial services, and the Borough of Wanaque is in need of such services; and

WHEREAS, services provided by a sheltered workshop are exempt from public bidding under N.J.S.A. 40A:11-5 et. seq.;

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 \$36,969 for the period of one year commencing May 1, 2012; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account 2-CU-0-117-283.

Resolution #98-0-12:

Re: Regional Communications – Radio Maintenance (Not Fair and Open Award – \$19,356.00)

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

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

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

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

WHEREAS, Regional Communications Inc. has submitted a proposal dated November 17, 2011 indicating they will provide the radio maintenance services for \$19,356; and

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

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

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

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget accounts 2-CU-01-124-212, 132-299,123-299,128-291,2-WP-02-050-221.

Resolution #99-0-12:

Re: Current Estimate No. 2 for Wanaque Avenue and Butler Place Improvements and payment to Mike Fitzpatrick and Son, Inc. in the amount of \$29,204.00

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

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

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

WHEREAS, the Borough of Wanaque has previously received State of New Jersey Planning Commission endorsement of the Haskell Town Center in which these properties are located; and

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

WHEREAS, in furtherance of the aforesaid purposes the Borough Council desires to refine the redevelopment area so as to achieve the aforesaid objectives, and

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

WHEREAS, in the years 2007 and 2008 the Borough Planning Board investigated this area to determine if the properties located therein satisfy the criteria as an area in need of redevelopment and held public hearings on this matter on December 20, 2007 and January 17, 2008; and

WHEREAS, on January 17, 2008 the Planning Board adopted a resolution, attached hereto and considered as part of the evidence in this matter, determining that the subject area is an area in need of redevelopment; and

WHEREAS, the Borough Council has not deliberated on this matter and has not declared the area to be in need of redevelopment, with the exception of the property located at Block 437, Lot 1.02, which was vacant municipal property, declared in need of redevelopment on August 10, 2010; and

Property ID (Block/Lot)	Address
Block 436, Lot 2	2 Brook Street
4	Brook Street
4.01	5 & 16 Brook Street
4.02	14 Brook Street
Block 437, Lot 1.01	1089 Ringwood Ave.

WHEREAS, the Borough Council is requesting that the Wanaque Planning Board conduct a follow up investigation so as to determine if their findings regarding the following parcels continue to be valid so that the Council may take action to potentially declare the below listed properties as an area in need of redevelopment pursuant to NJSA 40A:12A-1 et seq.

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

BE IT FURTHER RESOLVED that the Planning Board shall conduct a public hearing respecting the proposed refined redevelopment area, South of Doty Road, those properties specifically being investigated shall be:

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3	1095 Ringwood Ave.
5	1097 Ringwood Ave.
6	1101 Ringwood Ave.
9,10 (merged parcels)	1109 Ringwood Ave.

Benecke Economics shall guide the Planning Board in its deliberations; and
BE IT FURTHER RESOLVED, that said public hearing shall be conducted after public notice is given in accordance with NJSA 40A:12A-6 and, after completing its hearings and deliberations, the Wanaque Planning Board shall submit a recommendation to the Borough Council whether the delineated area {nine properties}, or any part thereof, be, or not be, determined to be a redevelopment area. This determination shall affirm, or not, the 2008 determination of the Planning Board; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

Resolution #101-0-12:

Re: Approve Amendment to COAH Spending Plan

WHEREAS, the Borough of Wanaque entered into a contract with Appraisal Systems, Inc. to conduct a revaluation of property in the Borough of Wanaque, and due to a delay in receiving approval of the tax maps, said services were delayed for one year; and

WHEREAS, the Director of the Division of Taxation has requested an amendment to the contract, extending the dates and other minor modifications.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute an amendatory contract with Appraisal Systems, Inc., to the satisfaction of the Director of the Division of Taxation.

Resolution #102-0-12:

Re: Approve Amendment to Contract – Revaluation

WHEREAS, the Borough of Wanaque entered into a contract with Appraisal Systems, Inc. to conduct a revaluation of property in the Borough of Wanaque, and due to a delay in receiving approval of the tax maps, said services were delayed for one year; and

WHEREAS, the Director of the Division of Taxation has requested an amendment to the contract, extending the dates and other minor modifications.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute an amendatory contract with Appraisal Systems, Inc., to the satisfaction of the Director of the Division of Taxation.

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Application for Soil Removal Permit:
Re: 47 Ramapo Mountain Drive, Wanaque

Held.

Resolution #100-0-12:
Re: Request Planning Board to study area south of Doty Road for possible Redevelopment

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

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

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

WHEREAS, the Borough of Wanaque has previously received State of New Jersey Planning Commission endorsement of the Haskell Town Center in which these properties are located; and

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

WHEREAS, in furtherance of the aforesaid purposes the Borough Council desires to refine the redevelopment area so as to achieve the aforesaid objectives, and

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

WHEREAS, in the years 2007 and 2008 the Borough Planning Board investigated this area to determine if the properties located therein satisfy the criteria as an area in need of redevelopment and held public hearings on this matter on December 20, 2007 and January 17, 2008; and

WHEREAS, on January 17, 2008 the Planning Board adopted a resolution, attached hereto and considered as part of the evidence in this matter, determining that the subject area is an area in need of redevelopment; and

WHEREAS, the Borough Council has not deliberated on this matter and has not declared the area to be in need of redevelopment, with the exception of the property located at Block 437, Lot 1.02, which was vacant municipal property, declared in need of redevelopment on August 10, 2010; and

Property ID (Block/Lot)	Address
-------------------------	---------

WHEREAS, the Borough Council is requesting that the Wanaque Planning Board conduct a follow up investigation so as to determine if their findings regarding the following parcels continue to be valid so that the Council may take action to potentially declare the below listed properties as an area in need of redevelopment pursuant to NJSA 40A:12A-1 et seq.

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

BE IT FURTHER RESOLVED that the Planning Board shall conduct a public hearing respecting the proposed refined redevelopment area, South of Doty Road, those properties specifically being investigated shall be:

Block 436, Lot 2	2 Brook Street
4	Brook Street
4.01	5 & 16 Brook Street
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3	1095 Ringwood Ave.
5	1097 Ringwood Ave.
6	1101 Ringwood Ave.
9,10 (merged parcels)	1109 Ringwood Ave.

Benecke Economics shall guide the Planning Board in its deliberations; and
BE IT FURTHER RESOLVED, that said public hearing shall be conducted after public notice is given in accordance with NJSA 40A:12A-6 and, after completing its hearings and deliberations, the Wanaque Planning Board shall submit a recommendation to the Borough Council whether the delineated area {nine properties}, or any part thereof, be, or not be, determined to be a redevelopment area. This determination shall affirm, or not, the 2008 determination of the Planning Board; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

On entertainment of the Mayor, Councilmen Cortellessa and Pettet 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:

1. Clerk's Receipts for April 2012 -
2. Police Department Report for April 2012 -
3. Tax Collector's Report for April 2012 -
4. Municipal Court Report for April 2012 -

On entertainment of the Mayor, Councilmen Cortellessa 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.

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COMMUNICATIONS:

Letter from Pulte Group requesting Bond Release for Wanaque Reserve

Held.

NEW BUSINESS:

On entertainment of the Mayor, Councilmen Willse and Pettet moved a motion to appoint Jack Dunning to the Park Committee.

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

Closed Session:

Re: Litigation/Negotiation/Personnel

Held prior to the meeting.

UNFINISHED BUSINESS: None.

RESOLUTIONS:

Resolution #103-0-12:

Re: Authorize execution of Passaic County Community Development Block Grant for 2011 CDBG Grant Award

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

BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute an agreement with the Passaic County Community Development Block Grant Program in the amount of \$117,395 for the Monroe Street Sanitary sewer program.

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

Resolution #104-0-12:

Re: Authorize execution of Lease for NJDOT Property Part of Parcel X49C and Parcel X44B, Route 287, Section 20

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

BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute a Lease agreement with the New Jersey Department of Transportation for NJDOT Property part of parcel X49C and Parcel C44B, Route 287, Section 20 (corner of Ringwood Avenue and Union Avenue).

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

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Resolution #105-0-12:

Re: Professional Services – Architect for Borough Hall Design

Held.

FINANCE REPORT:

Councilman Pettet said your Finance Committee respectfully reports that they have examined and approved the following and recommend that warrants be issued for their payment when the funds of the Borough of Wanaque are sufficient to meet them.

VOUCHERS:

Current Operating Prepaid	\$ 9,522.30
Current Operating 2011	\$ 12,337.12
Current Operating 2012	\$281,368.64
Water Operating Prepaid	\$ 26,252.51
Water Operating 2012	\$ 77,245.79
Sewer Operating 2012	\$ 3,181.75
General Capital	\$ 12,993.64
Recreation Trust	\$ 4,097.96
Animal Trust	\$ 47.40
Unemployment/Disability	\$ 2,653.60
Voucher Total:	\$429,700.71

Payroll:

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

PR #8 4/20/12	\$ 212,001.97
PR #9 5/04/12	\$ 198,855.02
Payroll Total:	\$ 410,856.99
Grand Total:	\$ 840,557.70

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

APPROVED: April 9, 2012

Daniel Mahler
Mayor

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ADJOURNMENT:

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

On roll call, all voted yes, and the Mayor declared the motion carried; meeting adjourned at 9:00 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk