

Regular Meeting  
June 13, 2011

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, June 13, 2011, 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 and Pasquariello. Councilmen Pettet and Theoharous were 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 December 29, 2010, and a notice thereof has been posted on December 29, 2010 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:

Minutes of May 9, 2011.

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

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

#### ORDINANCES:

##### Public Hearing of Ord. #9-0-11:

Re: Amend Chapter 88 – Property Maintenance to establish Article VIII – Fertilizer Application

On entertainment of the Mayor, Councilmen Pasquariello and Cortellessa moved that Ordinance #9-0-11 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 88, PROPERTY MAINTENANCE, TO ESTABLISH ARTICLE VIII, FERTILIZER APPLICATION.

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.

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

Councilmen Pasquariello and Cortellessa moved that,

BE IT RESOLVED that an Ordinance entitled AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 88, PROPERTY MAINTENANCE, TO ESTABLISH ARTICLE VIII, FERTILIZER APPLICATION 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. #10-0-11:

Re: Amend Chapter 95 – Stormwater Management to add Article V – Private Storm Drain Inlet Retrofitting

On entertainment of the Mayor, Councilmen Pasquariello and Balunis moved that Ordinance #10-0-11 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 95, STORMWATER MANAGEMENT, TO ADD ARTICLE V, PRIVATE STORM DRAIN INLET RETROFITTING.

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.

Councilmen Pasquariello and Balunis moved that,

BE IT RESOLVED that an Ordinance entitled: AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF WANAQUE, CHAPTER 95, STORMWATER MANAGEMENT, TO ADD ARTICLE V, PRIVATE STORM DRAIN INLET RETROFITTING 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. #11-0-11:  
Re: Title 39 – Wanaque Reserve

On entertainment of the Mayor, Councilmen Balunis and Pasquariello moved that Ordinance #11-0-11 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 TITLED “APPLICATION OF TITLE 39 OF THE NEW JERSEY REVISED STATUTES (N.J.S.A.39:5A-1) TO PULTE COMMUNITIES NOW KNOWN AS WANAQUE RESERVE, BLOCK 313, LOTS 1,6, AND 8.01.

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.

Councilmen Balunis and Pasquariello moved that,

BE IT RESOLVED that an Ordinance entitled: AN ORDINANCE TITLED “APPLICATION OF TITLE 39 OF THE NEW JERSEY REVISED STATUTES (N.J.S.A.39:5A-1) TO PULTE COMMUNITIES NOW KNOWN AS WANAQUE RESERVE, BLOCK 313, LOTS 1,6, AND 8.01 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. #12-0-11:  
Re: Bond Ordinance – 2011 Road Resurfacing Program

On entertainment of the Mayor, Councilmen Pasquariello and Cortellessa moved that Ordinance #12-0-11 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: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$315,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

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

AN ORDINANCE ENTITLED: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF WANAQUE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$315,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION 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 July 2011, at the Municipal Building in the Borough of Wanaque at 7:00 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. #13-0-11:

Re: Appropriation \$40,000 from Sewer Capital Improvement Fund for purchase of a Utility Truck

On entertainment of the Mayor, Councilmen Cortellessa and Pasquariello moved that Ordinance #13-0-11 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 \$40,000 FROM SEWER CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A UTILITY TRUCK.

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

AN ORDINANCE ENTITLED: AN ORDINANCE APPROPRIATING \$40,000 FROM SEWER CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A UTILITY TRUCK pass first reading, and that said Ordinance be further considered for

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final passage and adoption at a meeting of the Borough Council to be held on the 11th day of July 2011, at the Municipal Building in the Borough of Wanaque at 7:00 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. #14-0-11:

Re: Appropriate \$29,000 from Water Infrastructure Trust to replace check valves at Conklintown Road Booster Station

On entertainment of the Mayor, Councilmen Cortellessa and Balunis moved that Ordinance #14-0-11 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 \$29,000 FROM WATER INFRASTRUCTURE TRUST TO REPLACE CHECK VALVES AT CONKLINTOWN ROAD BOOSTER STATION.

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

AN ORDINANCE ENTITLED: AN ORDINANCE APPROPRIATING \$29,000 FROM WATER INFRASTRUCTURE TRUST TO REPLACE CHECK VALVES AT CONKLINTOWN ROAD BOOSTER STATION 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 July 2011, at the Municipal Building in the Borough of Wanaque at 7:00 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. #15-0-11:

Re: Supplemental Appropriation \$75,000 - Revaluation

On entertainment of the Mayor, Councilmen Pasquariello and Balunis moved that Ordinance #15-0-11 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 AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION N.J.S. 40A:4-54.

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

AN ORDINANCE ENTITLED: AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION N.J.S. 40A:4-54 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 July 2011, at the Municipal Building in the Borough of Wanaque at 7:00 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 HEARING: Application to the Passaic County Open Space and Farmland Preservation Trust Fund for funding the renovation of two Tennis courts and lights at Back Beach Park

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

PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.

Ken Ambruster, 6 Gardella Place, Haskell said why are we receiving estimated tax bills when everyone adopted the budgets.

The Mayor said we have to wait for the State Aid.

Ken Ambruster said when will the bills go out.

The Borough Administrator said the bills will go out early July.

Ken Ambruster said what is the resolution for marketing of recycling materials.

The Mayor said it's for accepting bids and possibly someone other than Future Sanitation will pick up.

Ken Ambruster said they will take all recycling numbers and have to get the word out.

The Mayor closed the Public Discussion.

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CONSENT AGENDA:

Seven (7) Applications for Raffle Licenses:

Re: 1) Saint Francis Home School Association – RA:772 and RA:773 2) Wanaque Reserve - RA:774 and RA:775,3) Ringwood Wanaque Ice Hockey Association, Inc. – RA:776, RA:777 and RA:778

Application for Amusement Machine License:

Re: Jomon Kalarickal- “Phoenix Club” – 1093 Ringwood Avenue, Haskell (Approved by the Police Chief and Fire Official)

Application for Used Car Lot License:

Re: David Dursema – “Auto Handlers, LLC” – 1368 Ringwood Avenue, Haskell (Approved by the Police Chief, Building Inspector and Health Department)

Resolution #78-0-11:

Re: Refund of Tax overpayments on various properties for the 2<sup>nd</sup> Quarter of 2011 in the amount of \$6,182.12

**WHEREAS**, there exists tax overpayments on the property listed herein for the second quarter of 2011:

<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
457	4	\$1,344.64
208	7	\$1,405.42
313.05	1.06	\$1,556.26
313.05	3.16	\$1,875.80

**WHEREAS**, the owners have requested a refund of said overpayment;

**NOW, THEREFORE, BE IT RESOLVED** that the Treasurer shall refund a total of \$6,182.12 as per the certification of the Tax Collector.

Resolution #79-0-11:

Re: Refund due to State Tax Court Judgment for thirty (30) Properties in Brookside Heights for the year 2010 in the amount of \$916.80 each for a total amount of \$27,504.00

**WHEREAS**, a State Tax court Judgment has been received for thirty (30) properties in Brookside Heights as per the attached list, and

**WHEREAS**, due to the reduction in the assessment there now exists a tax overpayment for the Tax Year 2010 in the amount of \$916.80 for each of the thirty (30) properties,

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**WHEREAS**, the attorney for the group, Brach Eichler, LLC., has requested the refund on behalf of his clients.

**NOW, THEREFORE, BE IT RESOLVED** that the Treasurer shall refund a total of \$27,504.00 as per the Certification of the Tax Collector.

Resolution #80-0-11:

Re: Redemption of Tax Sale Certificate #09-00006 for Block 269, Lot 8 in the amount of \$25,559.73 for the Certificate and \$15,500.00 for the premium

**WHEREAS**, a Tax Sale was held for 2009 delinquent Municipal charges on October 6, 2010, and

**WHEREAS**, Jersey Land Abstract, Inc. was the successful bidder for Block 269 Lot 8 for which Tax Sale Certificate #09-00006 was assigned, and

**WHEREAS**, Corelogic 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 the amount of \$25,559.73 for the certificate and \$15,500.00 for the premium as per the certification of the Tax Collector.

Two (2) Applications for Ice Cream Vendor License:

Re: 1) Mohammed Hamoud – HOLA Ice Cream, 2) Daniel Fonzo – Great Lakes Ice Cream (Approved by the Police Department and Health Department)

Letter from the Fire Chief:

Re: Remove the name of Raymond Kummer, 124 Doty Road, Haskell from the membership rolls of Company 2 and add David Russo, 80 Burnside Place, Haskell to the membership rolls of Company 2

Resolution #81-0-11:

Re: Chapter 159 – FEMA Reimbursement - \$18,852.97 – Hagstrom Field Damage (2010)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any Special Item of Revenue in the Budget of any County of Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Wanaque, in the County of Passaic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an Item of Revenue in the Budget for the year 2011 in the amount of \$18,852.97

**BE IT FURTHER RESOLVED**, that a sum of \$18,852.97 is hereby appropriated under the caption of:

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FEMA REIMBURSEMENT-HAGSTROM FIELD.....\$18,852.97

BE IT FURTHER RESOLVED, that the Borough Clerk forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Resolution #82-0-11:

Re: Authorize State Contract purchase – 2010 Dodge Charger - \$30,000.00

BE IT RESOLVED that a purchase order be issued to Warnock Fleet and Leasing for the purchase of one (1) 2010 Dodge Charger police package, at a total cost of \$30,000.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account 1-CU-01-125-263.

Resolution #83-0-11:

Re: Award Contract – Marketing of Recycling Materials

WHEREAS, the Borough of Wanaque solicited proposals for the marketing of paper and co-mingled recycling materials, which are picked up curbside, and proposals were received from the following:

Greenstar Recycling 59-85 Florida Avenue Paterson, NJ 07503	paper – 151.75% of yellow sheet paper floor price: \$60.25 per tom Co-mingled - \$31.07 per ton
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Green Sky Industries One Broad Street Clifton, NJ 07011	paper – 140% of yellow sheet paper floor price: \$50.00 per ton Co-mingled - \$33.00 per ton
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Atlantic Coast Fibers 101 7 <sup>th</sup> Street Passaic, NJ	paper – 158% of yellow sheet paper floor price - \$50.00 Co-mingled - \$44.00 per ton
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and;

WHEREAS, the marketing and sale of recycling materials is exempt from public bidding in accordance with NJSA 40A:44-5 et. seq.

WHEREAS, the Borough Administrator has reviewed all proposals, and recommends that a contract be awarded to Atlantic Coast Fibers, 101 7<sup>th</sup> Street, Passaic, New Jersey.

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to Atlantic Coast Fibers, 101 7<sup>th</sup> Street, Passaic, NJ for the marketing of recycling materials in accordance with their proposal of June 7, 2011, and said contract shall be for a period of 3 years.

Resolution #84-0-11:

Re: Estimated Tax Bills

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WHEREAS, the Borough of Wanaque adopted its 2011 budget on April 18, 2011;  
and

WHEREAS, it has been determined that it will be necessary to issue estimated tax bills for the 3rd quarter of 2011, 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 2011 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 2011 3rd quarter estimated tax bill for the Borough of Wanaque be and are hereby approved.

	Amount to be Raised	11 Rate	10 Rate	Percent
Borough	\$ 8,743,679.00	1.509	1.445	4.24
Local School	\$12,841,729.00	2.217	2.072	6.55
Regional H.S.	\$ 7,090,700.64	1.224	1.300	-6.2
County	\$ 7,460,000.00	1.288	1.261	2.08
Open Space (Municipal)	\$57,926.00	.010	.010	0
Open Space (County)	\$139,022.00	.024	.024	0
TOTAL	\$36,333,056	6.272	6.112	2.56

Assessed Value: \$579,260,000

Resolution #85-0-11:

Re: Current Estimate No. 1 – Second Avenue Drainage Improvements – J.R. Haftek Co., Inc. in the amount of \$42,232.50

**BE IT RESOLVED** that Current Estimate No. 1 in the amount of \$42,232.50 be and is hereby approved for J.R. Haftek Co., Inc. for the Second Avenue Drainage Improvements.

Resolution #86-0-11:

Re: Current Estimate No. 1 – Melrose Avenue and Furnace Avenue Improvements – John Garcia Construction Co., Inc. in the amount of \$95,314.00.

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**BE IT RESOLVED** that Current Estimate No. 1 in the amount of \$95,314.00 be and is hereby approved for John Garcia Construction Co., Inc. for the Melrose Avenue and Furnace Avenue Improvements.

Resolution #87-0-11:

Re: Amend 2011 Salary Ordinance

BE IT RESOLVED that the annual salary of Brian Townsend, Tax Assessor, be established at \$35,774.00, effective from April 1 2011 to March 31, 2012, in recognition of the added responsibility of the revaluation of properties in the Borough of Wanaque. Said salary shall revert to \$23,774 on April 1, 2012; and

Resolution #77-0-11:

Re: COPS Grant – School Security

WHEREAS, N.J.S.A. 40A:65-1, *et seq.*, the Uniform Shared Services and Consolidation Act permits joint activities among municipalities and school districts by Contract; and

WHEREAS, the Borough of Wanaque, Wanaque Public Schools and Lakeland Regional High School recognize the value of shared services as a way of reducing local expenses; and

WHEREAS, the COPS Secure our Schools (SOS) grant provides funding to assist with the development of school safety resources; and

WHEREAS, the Borough of Wanaque, Wanaque Public Schools and Lakeland Regional High School wish to enter into a Memorandum of Understanding in order to define the respective rights and obligation of the Borough of Wanaque, Wanaque Public Schools and Lakeland Regional High School regarding the SOS grant;

NOW, THEREFORE BE IT RESOLVED, that the Wanaque Public Schools be and is authorized to enter into a Memorandum of Understanding with the Borough of Wanaque and Lakeland Regional High School in order to obtain COPS Secure our Schools grant funding and define the rights and obligations for all there under.

On entertainment of the Mayor Councilman Pasquariello and Pettet moved a motion to approve the aforementioned consent agenda.

On roll call, all voted yes, except Councilman Cortellessa who abstained from item 9.1 and the Mayor declared the motion carried.

REGULAR REPORTS - PROFESSIONAL REPORTS:

1. Clerk's Receipts for May 2011
2. Police Department Report for May 2011
3. Tax Collector's Report for May 2011 -
4. Municipal Court Report for May 2011 -

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On entertainment of the Mayor, Councilmen Cortellessa and Balunis 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:

Letter from David Lang, 29 Oak Street, Haskell:

Re: Purchase of property Block 426, Lot 25 – Shady Avenue

Referred to the Buildings and Grounds Committee.

Letter from Judge Harold Cook:

Re: Leave of Absence

On entertainment of the Mayor, Councilmen Pasquariello and Cortellessa moved a motion to accept the aforementioned letter.

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

NEW BUSINESS:

Resolution #88-0-11:

Re: Approval of 2011/2012 Liquor License Renewals

On entertainment of the Mayor, Councilmen Pasquariello and Balunis 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 Renewals for the year 2011/2012:

1. The Great Atlantic & Pacific Tea Company, Inc. – t/a A & P Wines & Spirits
2. D.N.P. Enterprises, L.L.C. – t/a Wine 2 Spirits
- \*3. Joseph Agostino – t/a Flip's Bar – Resolution #89-0-11
4. Provision Foods LTD – t/a Tree Tavern – Resolution #90-0-11
- \*5. Il Palazzo, Inc. – t/a Il Palazzo
6. KJK Spirits, Inc. – t/a Crown Liquors
- \*7. Kalari Liquors LLC – t/a Phoenix Club – Resolution #91-0-11
8. Santina and Peter Berta - t/a Berta's Chateau

\*Licenses with resolutions of restrictions/stipulations.

Resolution 89-0-11:

Re: Joseph Agostino – Flip's Bar

WHEREAS, Plenary Retail Consumption License No. 1613-32-017-003 was issued to Joseph Agostino by the Borough of Wanaque, permitting the on premises consumption of alcoholic beverages and other activities as are set forth and more fully described in N.J.S.A. 33:1-12 for premises located at 18 Railroad Avenue, Wanaque, New Jersey, said premises being commonly known and designated as "Flip's"; and

WHEREAS, the Mayor and Council of the Borough of Wanaque did recommend certain restrictions be placed on the conduct of the operation of the applicant's premises and license, as a condition of renewal, and the applicant Joseph Agostino having consented to the imposition of such restrictions;

NOW, THEREFORE BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, NEW JERSEY, as follows:

1. Plenary Retail Consumption License No. 1613-32-017-003 issued by the Borough of Wanaque to Joseph Agostino for premises located at 18 Railroad Avenue, Wanaque, New Jersey, is hereby renewed through June 30, 2012 with the following restrictions:

a) The licensee Joseph Agostino, or his designee, shall notify the Wanaque Police Department of any disturbances, breaches of the peace, assaults, or of any other conduct detrimental to the public peace and well-being, both within the licensed premises or areas adjacent thereto.

b) The licensee Joseph Agostino, or his designee, shall undertake whatever measures as are necessary or required to control and prevent drinking of alcoholic beverages on the porch or stoop of the licensed premises or in areas immediately adjacent thereto.

c) The licensee Joseph Agostino, or his designee, shall continuously patrol and police the licensed premises so as to keep it clean, free from debris, discarded bottles or cans, and other trash or rubbish.

d) The licensee Joseph Agostino, or his designee, shall establish and institute procedures designed to prohibit fights, brawls, arguments, shouting and disturbing noises, both within the licensed premises and areas immediately adjacent thereto so as to promote public health and safety, especially during late evening and early morning hours and on weekends.

Resolution 90-0-11:

Re: Michael Ryan – Tree Tavern

WHEREAS, Plenary Retail Consumption License No. 1613-32-010-002 was issued to Provisions Foods LTD (Michael Ryan) by the Borough of Wanaque, permitting the on premises consumption of alcoholic beverages and other activities as are set forth and more fully described in N.J.S.A. 33:1-12 for premises located at 17 Park Street, Wanaque, New Jersey, said premises being commonly known and designated as "Tree Tavern"; and

WHEREAS, the Mayor and Council of the Borough of Wanaque did recommend certain restrictions be placed on the conduct of the operation of the applicant's premises and license, as a condition of renewal, and the applicant Michael Ryan having consented to the imposition of such restrictions;

NOW, THEREFORE BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, NEW JERSEY, as follows:

1. Plenary Retail Consumption License No. 1613-32-010-002 issued by the Borough of Wanaque to Provision Foods LTD (Michael Ryan) for premises located at 17 Park Street, Wanaque, New Jersey, is hereby renewed through June 30, 2012 with the following restrictions:

a) The hours and days of outside operation would be limited to Friday, Saturday and Sunday 2:00 P.M. until 9:00 P.M.

b) No entertainment outside, this should include live entertainment as well as electronically produced or amplified, i.e. Radio, C.D. or any recording. The licensee or his designee shall establish and institute procedures to prohibit fights, brawls, arguments, shouting and disturbing noises.

c) The licensee, or his designee, shall be responsible for noise and crowd control. The Wanaque Police Department shall be advised of any pre-arranged gathering that will consist of more than fifty (50) outside guests.

e) The licensee, or his designee shall continuously police and patrol the licensed premises so as to keep it clean, free from debris, discarded bottles or cans, and other trash or rubbish.

f) The licensee, or his designee, shall notify the Wanaque Police Department of any disturbances, breaches of peace, assaults, or of any other conduct detrimental to public peace and well being.

Resolution 91-0-11:

Re: Kalari Liquors, LLC – Phoenix Club

WHEREAS, Plenary Retail Consumption License No. 1613-32-014-003 was issued to Kalari Liquors LLC by the Borough of Wanaque, permitting the on premises consumption of alcoholic beverages and other activities as are set forth and more fully described in N.J.S.A. 33:1-12 for premises located at 1093 Ringwood Avenue, Haskell, New Jersey, said premises being commonly known and designated as "Phoenix Club"; and

WHEREAS, the Mayor and Council of the Borough of Wanaque did recommend certain restrictions be placed on the conduct of the operation of the applicant's premises and license, as a condition of renewal, and the applicant Kalari Liquors LLC having consented to the imposition of such restrictions;

NOW, THEREFORE BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, NEW JERSEY, as follows:

1. Plenary Retail Consumption License No. 1613-32-014-003 issued by the Borough of Wanaque to Kalari Liquors LLC for premises located at 1093 Ringwood Avenue, Haskell, New Jersey, is hereby renewed through June 30, 2012 with the following restrictions:

a) The licensee Kalari Liquors LLC, or his designee, shall notify the Wanaque Police Department of any disturbances, breaches of the peace, assaults, or of any other conduct detrimental to the public peace and well-being, both within the licensed premises or areas adjacent thereto.

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b) The licensee Kalari Liquors LLC, or his designee, shall undertake whatever measures as are necessary or required to control and prevent drinking of alcoholic beverages on the porch or stoop of the licensed premises or in areas immediately adjacent thereto.

c) The licensee Kalari Liquors LLC, or his designee, shall continuously patrol and police the licensed premises so as to keep it clean, free from debris, discarded bottles or cans, and other trash or rubbish.

g) The licensee Kalari Liquors LLC, or his designee, shall establish and institute procedures designed to prohibit fights, brawls, arguments, shouting and disturbing noises, both within the licensed premises and areas immediately adjacent thereto so as to promote public health and safety, especially during late evening and early morning hours and on weekends. This also applies to live entertainment including Karaoke would only be permitted until 1:00 A.M. every night. If no violations or noise complaints in one (1) year the restriction would be revisited during the license renewal in 2012.

On roll call, all voted yes on the aforementioned Liquor License Renewals with the exception of number 8, and the Mayor declared the motion carried.

On entertainment of the Mayor, Councilmen Balunis and Cortellessa moved a motion to approve number 8 of the aforementioned Liquor License Renewals.

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

July and August Business Meetings. – 7:00 PM

Closed Session: Litigation/Negotiation/Personnel

None.

UNFINISHED BUSINESS: None.

RESOLUTIONS:

Resolution #74-0-11:

Re: Passaic County Open Space Application – Tennis Court Refurbishment at Back Beach

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

BE IT RESOLVED that the Borough Administrator be and he is hereby authorized and directed to submit an application to the Passaic County Open Space and Farmland Preservation Trust Fund for the renovation of the Back Beach Tennis Court.

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

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FINANCE REPORT: Vouchers – Payrolls:

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.

On entertainment of the Mayor, Councilmen Pettet and Cortellessa moved a resolution approving the following payrolls:

**FINANCE REPORT**  
Mayor & Council Meeting June 13, 2011

The Finance Committee has examined and approved the following and recommends warrants be issued for their payment when funds of the Borough of Wanaque are sufficient to meet them.

**VOUCHERS:**

Current Operating Prepaid 2011	\$ 11,268.36
Current Operating 2010	\$ 875.82
Current Operating 2011	\$ 231,536.98
Water Operating Prepaid	\$ 1,362.01
Water Operating 2011	\$ 36,403.45
Sewer Operating 2011	\$ 3,653.71
Escrow	\$ 375.00
General Capital	\$ 6,913.13
Water Capital	\$ 500.00
Recreation Trust	\$ 13,458.80
Animal Trust	\$ 29.40

**Voucher Total:** \$ 306,373.66

**Payroll:**

PR #10	p/e 5/20/11	\$ 185,674.94
PR #11	p/e 6/03/11	\$ 188,777.27

**Payroll Total:** \$ 374,452.21

**Grand Total:** \$ 680,825.87

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ADJOURNMENT:

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

On roll call, all voted yes, and the Mayor declared the motion carried; meeting adjourned at 8:35 P.M.

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Katherine J. Falone, RMC, CMC  
Municipal Clerk