

Regular Meeting
September 10, 2018

A Regular Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, September 10, 2018 at 8:20 P.M. in the Wanaque Municipal Building.

The Mayor called the meeting to order.

On roll call, the following Council Members responded: Balunis, Cortellessa, Pasquariello, Pettet and Willse. Councilman Leonard was absent. The Mayor declared a quorum. The Borough Attorney and Borough Engineer were present.

The Mayor read the following Sunshine Statement: This is a Regular meeting of the Mayor and Council and adequate notice thereof has been given by advertising the date, time and place of the Regular meetings in the Suburban Trends and the Herald News newspapers and was e-mailed to these papers on November 15, 2017, and a notice thereof has been posted on November 15, 2017 on the bulletin board in the Wanaque Municipal Building, 579 Ringwood Avenue, Wanaque, New Jersey and a copy thereof has been on file in the office of the Municipal Clerk.

Introduction of Ordinance #6-0-18:

Re: Establish the position of Municipal Humane Law Enforcement Officer

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

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

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

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO AMEND CHAPTER 133, ANIMAL CONTROL AND RABIES CONTROL, OF THE BOROUGH CODE TO ESTABLISH THE POSITION OF MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER pass 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 15th day of October 2018, at the Municipal Building in the Borough of Wanaque at 8:00 PM., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance; and

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

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

Introduction of Ordinance #7-0-18:

Re: An Ordinance repealing Chapter 87 of the code of the Borough of Wanaque and creating new Chapter 87 titled Canvassers, Peddlers and Solicitors

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

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

The Clerk took from the table and read by title only as follows: AN ORDINANCE REPEALING CHAPTER 87 OF THE CODE OF THE BOROUGH OF WANAQUE AND CREATING NEW CHAPTER 87 TITLED CANVASSERS, PEDDLERS, AND SOLICITORS.

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

BE IT RESOLVED THAT an Ordinance entitled: AN ORDINANCE REPEALING CHAPTER 87 OF THE CODE OF THE BOROUGH OF WANAQUE AND CREATING NEW CHAPTER 87 TITLED CANVASSERS, PEDDLERS, AND SOLICITORS pass 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 15th day of October 2018, at the Municipal Building in the Borough of Wanaque at 8:00 PM., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance; and

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

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

MINUTES:

August 13, 2018

On entertainment of the Mayor, Councilmen Pasquariello and Pettet 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.

COMMITTEE REPORTS: (Work Meeting)

PUBLIC DISCUSSION:

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

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CONSENT AGENDA:

Resolution #128-0-18:

Re: Authorizing the Mayor and Municipal Clerk to execute the necessary assignment document to effect assignment of the Tax Sale Certificate #16-00006

WHEREAS, N.J.S.A. 54:5-113 authorizes assignment by a municipality of tax sale certificates for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and,

WHEREAS, SLS 1 LLC has presented an offer to purchase, by assignment, Certificate #16-00006 which was issued by the Borough of Wanaque at a tax sale held on September 13, 2017 on Block 240 Lot 8 known as 15 Grove Street, Wanaque NJ and assessed to Peter S. and Sandra K. Bernstein in the amount of \$9,604.60 being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Wanaque hereby authorizes the Mayor and Municipal Clerk to execute the necessary assignment document to effect assignment of the above referenced Certificate of Sale.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector.

Resolution #129-0-18:

Re: Credit Block 262, Lot 9 for the 3rd and 4th Quarter of 2018 and the 1st and 2nd Quarter of 2019 in the amount of \$12,539.50 for owner qualifying for a 100% disabled Veteran exemption

WHEREAS, the owner of Block 262 Lot 9, 31 Schirra Drive, qualifies for a 100% disabled Veteran exemption from tax beginning on December 13, 2017, the date of purchase;

WHEREAS, due to the new billing for 2018, the third and fourth quarter of 2018 along with the first and second quarter of 2019 must be credited;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector shall credit this Block and Lot for the third and fourth quarter of 2018 and the first and second quarter of 2019 in the amount of \$12,539.50.

Resolution #130-0-18:

Re: Refund of Tax overpayments on Block 313.10, Lot 1.00 in the amount of \$3,220.86 and Block 310, Lot 26 in the amount of \$1,911.00

WHEREAS, there exists tax overpayments on the following two block and lots for the 2018 3rd quarter:

Block 313.10 Lot 1.00	10100 Warren's Way	\$3,220.86
Block 310 Lot 26	73 Burnside Place	\$1,911.00

WHEREAS, the homeowners have requested a full refund;

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NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall refund the homeowners as per the certification of the Tax Collector.

Resolution #131-0-18:

Re: Refund of Tax overpayments on Block 478, Lot 6 in the amount of \$3,763.65 and Block 437, Lot 5 in the amount of \$953.58 due to County Board Judgments

WHEREAS, there exists tax overpayments on the following two block and lots due to a County Board Judgment:

Block 478 Lot 6	1456 Ringwood Avenue	\$3,763.65
Block 437 Lot 5	1097 Ringwood Avenue	\$ 953.58

WHEREAS, the owners have requested a full refund of the overpayments;
NOW, THEREFORE, BE IT RESOLVED that the Treasurer shall issue checks to the homeowners as per the certification of the Tax Collector.

Resolution #132-0-18:

Re: Authorizing the Borough Attorney to execute a Stipulation of Settlement for a Tax Court Appeal for OMNI II, LLC, 25 Fifth Avenue, Haskell

WHEREAS, OMNI II, LLC filed a Tax Appeal involving tax years 2013 through 2017 for Nursing Home premises located at 25 5th Avenue, identified on the Borough's Tax Map as Block 412, Lot 3 and;

WHEREAS, that Tax Court case was settled and a Judgment was entered for the aforesaid tax years and included as part of the Resolution and Judgment that the assessment for tax year 2018 would be in the amount of \$6,500,000.00, and;

WHEREAS, notwithstanding the Stipulation of Settlement and Judgment heretofore entered, the assessment for said parcel, for 2018 was in the amount of \$6,600,000.00, a \$100,000.00 difference and;

WHEREAS, the assessment is requirement to be corrected in order to conform to the previous Stipulation of Settlement and Judgment,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wanaque, County of Passaic and State of New Jersey as follows:

The Borough Attorney, Anthony Fiorello, Esq., is hereby authorized to execute a Stipulation of Settlement in connection with a Tax Court appeal pending in the New Jersey Tax Court, under Docket No: 006802-2018 in the form and manner annexed hereto.

Resolution #133-0-18:

Re: Authorizing approval to submit and execute a 2019 New Jersey Department of Transportation Grant Application for Road Resurfacing

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2019 Road Resurfacing project

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NOW, THEREFORE, BE IT RESOLVED that Council of Borough of Wanaque formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Wanaque Borough-00102 to the New Jersey Department of Transportation on behalf of the Borough of Wanaque.

BE IT FURTHER RESOLVED that Mayor Daniel Mahler and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Wanaque and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
On this 10th day of September, 2018

Resolution #134-0-18:

Re: Authorizing an amended agreement between the Borough of Wanaque and Saint Francis Church for the use of the gym and related facilities located at 868 Ringwood Avenue, Haskell, New Jersey

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

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

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

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

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

Resolution #135-0-18:

Re: Authorizing the purchase of a Hurst Rescue Tool by State Line Fire and Safety, Inc. through a State Contract in the amount of \$11,929.75

AUTHORIZING THE PURCHASE OF HURST RESCUE TOOL BY STATE LINE FIRE & SAFETY, INC THOROUGH STATE CONTRACT #A80968, T#0790 IN THE TOTAL AMOUNT OF \$11,929.75

WHEREAS, the Fire Department is in need of the Hurst Rescue Tool Item # SC358E2 for rescue operations

WHEREAS, State Line Fire & Safety, Inc. has been awarded a contract by the State of New Jersey (State Contract #A80968, T#0790) for the purchase of Hurst product line; and

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WHEREAS, State Line Fire & Safety, Inc. has provided a quote, attached to and made part of this Resolution, under the above referenced contract to purchase Hurst Rescue Tool SC358E2 in the amount of \$11,929.75.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Wanaque does hereby authorize State Line Fire & Safety, Inc. to provide in accordance with the attached price quote dated August 20, 2018 in the amount of \$11,929.75; and

BE IT FURTHER RESOLVED that the cost of said Hurst Rescue Tool shall be charged to the Budget account 8-CU-01-123-263

Resolution #136-0-18:

Re: Authorizing the purchase of a John Deere Utility Vehicle for the Fire Department through a Cooperative Purchasing Contract in the amount of \$16,338.63

AUTHORIZING THE PURCHASE OF A JOHN DEERE UTILITY VHECILE FOR THE WANAQUE BOROUGH FIRE DEPARTMENT THROUGH THE SOURCEWELL COOPERATIVE PURCHASING CONTRACT NJPA 27910 IN THE AMOUNT OF \$16,338.63

WHEREAS, the Wanaque Borough Fire Department has determined there is a need for the purchase of a utility vehicle to assist in response to remote areas within the Borough; and

WHEREAS, the Borough of Wanaque is a member of the Sourcewell Cooperative Purchasing Group (formerly the NJPA Cooperative Pricing Agreement); and

WHEREAS, John Deere & Company have a contract to provide utility vehicles through the Sourcewell Cooperative Purchasing Group; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Wanaque does hereby authorize the purchase of a John Deere utility vehicle from John Deere & Company through the Sourcewell Cooperative Purchasing Group in the amount of \$16,338.63; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in budget account 8-CU-01-123-263.

Resolution #137-0-18:

Re: Appoint Edward Schroeder as Police Detective/School Resource Officer effective September 10, 2018

BE IT RESOLVED that upon the recommendation of Police Chief Robert Kronyak that Edward Schroeder is hereby appointed as a Police Detective/School Resource Officer effective September 10, 2018 at an annual salary of \$124,773.39.

Letter from the Fire Chief:

Re: Add Michael Rubino to Company No. 1 effective immediately

Application for Raffle License:

Re: Saint Francis of Assisi Church – RA:999

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Resolution #138-0-18:

Re: Authorizing the issuance of purchase orders in compliance with Pay to Play Law for HVAC Building Maintenance and Repair

RESOLUTION RE: AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS IN COMPLIANCE WITH N.J.S.A. 19:44A-20 ET SEQ. (N.J. PAY TO PLAY LAW) FOR VARIOUS SERVICES

WHEREAS, the Borough of Wanaque has a need to acquire various goods and services as non-fair and open contracts in compliance with N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Borough of Wanaque has provided a list of vendors that may exceed cumulative payments in the amount of \$17,500 for the Borough of Wanaque 2018; and

WHEREAS, the following vendor(s) have executed a certification that certifies that the business entity has not made a contribution that would bar them from receiving purchase orders in excess of \$17,500, and the business entity will report to the Election Law Enforcement Commission any contribution that would violate N.J.S.A. 19:44-20.4 et seq. (New Jersey Pay to Play Law) for Borough of Wanaque 2018.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Wanaque does hereby authorize the Borough of Wanaque Interim Business Administrator to issue purchase orders to the following vendor(s) for the various goods and services described below; and

<u>Vendor Name</u>	<u>Description of Services</u>
1.Lightning Mechanical	HVAC Building Maintenance & Repair

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

Adopted this 10th day of September 2018
and certified to be a true copy of the original

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

On roll call, all voted yes, except Councilman Cortellessa who abstained on 9.3 and the Mayor declared the motion carried.

REGULAR REPORTS - PROFESSIONAL REPORTS:

On entertainment of the Mayor, Councilmen Pasquariello and Cortellessa 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:

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Appointment of Planning Board member and Board of Adjustment member:

The Mayor appointed Charles Strobel to the Planning Board – Expires December 31, 2021.

On entertainment of the Mayor, Councilmen Pasquariello and Pettet moved a motion to appoint Bridget Pasnizk to the Board of Adjustment to fill an unexpired four year term expiring December 31, 2020 and Lawrence Malone to fill an unexpired two year term expiring December 31, 2019 as an Alternate #2.

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

Closed Session:

Re: Litigation/Negotiation/Personnel

None.

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

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

On entertainment of the Mayor, Councilmen Pettet and Pasquariello moved a motion to approve Alaimo Group to proceed with the 2017 road program.

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

UNFINISHED BUSINESS:

Status Report - Lakeside Manor
Reported on at the Work Meeting.

RESOLUTIONS: None.

PUBLIC DISCUSSION: (Work Meeting)

FINANCE REPORT: Vouchers - Payrolls

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

VOUCHERS

2017 Current	\$	300.00
Pre-Paid Current	\$	2,174.83
Current	\$	193,730.63
Pre-Paid Water Operating	\$	14,409.47
Water Operating	\$	69,303.21
Sewer Operating	\$	796.94

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Escrow	\$	8,642.96
Pre-Paid Recreation Trust	\$	1,372.00
Recreation Trust	\$	1,852.19
Animal Trust	\$	28.20
General Capital Trust	\$	12,033.75
Open Space	\$	625.16
Other Trust	\$	227.12
Voucher Total:	\$	305,496.46

PAYROLL:

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

PR #17	08/24/2018	\$ 232,223.74
PR #18	09/07/2018	\$ 267,953.12
	Payroll Total:	\$ 458,277.16
	Grand Total:	\$ 763,773.62

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

Daniel Mahler
Mayor

ADJOURNMENT:

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

On roll call, all voted yes except Councilman Willse who voted no and the Mayor declared the motion carried; meeting adjourned at 8:30 P.M.

Katherine J. Falone, RMC, CMC
Municipal Clerk