

MAYOR AND COUNCIL  
SPECIAL MEETING  
JANUARY 27, 2026

BOROUGH OF WANAQUE  
579 RINGWOOD AVE.  
WANAQUE, NJ 07465  
7 p.m.



*BOROUGH OF WANAQUE*  
*NEW JERSEY*



Council Chambers  
579 Ringwood Avenue  
Wanaque, N.J. 07465

# BOROUGH OF WANAUKE

## Special Council Meeting

### AGENDA

Phone: (973) 839-3000  
Website: [www.wanaqueborough.com](http://www.wanaqueborough.com)  
January 27, 2026 – 7:00 p.m.

**MAYOR**  
Daniel Mahler

**BOROUGH COUNCIL**  
Robert Pettet – Council President  
Thomas Balunis  
Dominick Cortellessa  
Robert Kronyak Jr.  
Donald Pasquariello  
Edward Leonard

#### CALL TO ORDER

*Mayor Daniel Mahler, Presiding*

- Pledge of Allegiance to the Flag
- Roll Call
- Sunshine Statement

#### EXECUTIVE SESSION

*Borough Council*

- Litigation matter.

#### APPROVAL OF MINUTES

*Borough Council*

- None.

#### PUBLIC HEARING AND ADOPTION OF ORDINANCES

*Borough Council*

- None.

#### RESOLUTIONS CONSENT AGENDA

*Borough Council*

*All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action. The following resolutions on the Consent Agenda are hereby approved (Resolution # 2026-64)*

**RESOLUTION # 2026-64** Resolution authorizing Legal Indemnification to transfer certain property regarding Lakeside Manor

#### OPEN PUBLIC COMMENT ON CONSENT AGENDA RESOLUTIONS

*General Public*

*Members of the public are invited to comment at this time on any resolution*



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**PROFESSIONAL REPORT** **Borough Attorney/Administrator**

- None.

**NEW BUSINESS** **Borough Council**

- None.

**FINANCE REPORT** **Councilman Pettet**

- None.

**PUBLIC COMMENT** **General Public**

*Members of the public are invited to comment at this time on any issues, whether or not on the agenda. The Passaic County format to be followed for the Public Session*

**ADJOURNMENT**

Additional items may be added to this agenda. Final action may be taken on all matters listed or added to this agenda. This agenda was prepared as of January 27, 2026, with all available information as of this date.

Leena Abaza, RMC, CMC, CMR  
Municipal Clerk

**HEARING ASSISTANCE IS AVAILABLE UPON REQUEST**



**BOROUGH OF WANAQUE  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY**



**RESOLUTION # 2026-64**

**A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDEMNIFICATION AGREEMENT FROM THE BOROUGH OF WANAQUE TO THE VIEW AT LAKESIDE 1 URBAN RENEWAL COMPANY, LLC**

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**WHEREAS #1, The View at Lakeside 1 Urban Renewal Company, LLC** applied to the Planning Board of the Borough of Wanaque (the "Board") for preliminary and final major site plan approval covering the below described Premises pursuant to Borough of Wanaque Ordinance 10-0-2024, entitled:

“ORDINANCE OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN AMENDMENT FOR THE PROPERTIES COMMONLY KNOWN AS BLOCK 200.20 LOTS 1 THROUGH 48 ON THE TAX MAP OF THE BOROUGH OF WANAQUE, AND AMENDING ORDINANCE #12-0-2023 WHICH AMENDED ORDINANCE #9-0-2023 AND THE PRECEDING ORDINANCE #3-0-17 BY ADDING CERTAIN ADDITIONAL PROVISIONS”; and

**WHEREAS #2,** pursuant to Resolution #62-0-2025 of the Borough of Wanaque Council, adopted on January 13, 2025, the View at Lakeside I Urban Renewal Company, LLC, (“Lakeside I”) was designated as redeveloper of the Premises; and

**WHEREAS #3,** on February 19, 2025, the Borough and the View at Lakeside I entered into a Redevelopment Agreement specifying the terms and conditions of the transfer of the Premises from the Borough to the View at Lakeside I; and

**WHEREAS #4,** the View at Lakeside I filed a completed site plan and subdivision for a consolidation of the Property to one uniform parcel-Block 200, Lot 8.09, which was not appealed; and

**WHEREAS #5,** the Borough initiated a condemnation proceeding to acquire the Property for the redevelopment project and the Superior Court entered Final Judgment and Order in favor of the Borough on December 9, 2025, which confirmed that the Borough had the right to condemn the Property for a public purpose; and



**BOROUGH OF WANAUQUE  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY**



WHEREAS #6, the Defendants requested a stay of the Order by the Superior Court, which was denied, this Order was the subject of an Emergent Appeal to the Appellate Court, which was also denied inasmuch as the court indicated the matter was a monetary issue, thereafter the Defendant filed an Appeal to the Appellate Division challenging the procedure followed by the Borough leading up to the condemnation action.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF WANAUQUE MAYOR AND COUNCIL, that the Mayor, Borough Attorney, Borough Special Counsel (redevelopment and litigation), Economic Development Consultant and Borough Administrator are hereby authorized to sign, deliver and effectuate without limitation an Indemnification and Liability Agreement (and hold harmless) to and in favor of the View at Lakeside I Urban Renewal, LLC, as Redeveloper and purchaser of the property (managed by the Trematore Group), in a form materially the same as is on file with the Office of the Borough Clerk; the form of indemnification may include:**

**Indemnification and Hold Harmless provisions.**

The Borough shall, to the fullest extent permitted by law, indemnify, defend, and hold harmless the Redeveloper, its officers, directors, employees, and agents (the "Indemnified Parties") from and against any and all claims, losses, damages, liabilities, costs, and expenses (including reasonable attorneys' fees and expert costs) arising out of or resulting from:

- The Pending Appeal: Any ruling by the Appellate Division or Supreme Court of New Jersey that vacates, reverses, or modifies the Final Judgment or the Declaration of Taking.
- Title Defects: Any challenge to the Borough's title or right of possession based on the underlying condemnation process, including claims related to "bona fide negotiations" or the "turn square corners" doctrine.
- Restoration of Possession: Any judicial order requiring the restoration of possession or title to the prior owners (J&S Group, Inc. or Wanaque Realty Corp.).

**Duty to Defend provision.**

In the event any third party commences an action against the Redeveloper challenging its right to develop or occupy the Property due to the Pending Appeal, the Borough shall, at its sole cost and expense, provide a legal defense for the Redeveloper using counsel reasonably acceptable to the Redeveloper.



**BOROUGH OF WANAUQUE  
COUNTY OF PASSAIC  
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**RECORD OF COUNCIL VOTE**

Councilman	Motion	Second	Yes	No	Abstain	Absent		Councilman	Motion	Second	Yes	No	Abstain	Absent
Balunis								Leonard						
Cortellessa								Pasquariello						
Kronyak								Pettet						

I hereby certify that the above resolution was passed by the Mayor & Council of the Borough of Wanaque at the Special Meeting held on January 27, 2026.

ATTEST:

\_\_\_\_\_  
Leena Abaza, RMC, CMC, CMR  
Municipal Clerk

\_\_\_\_\_  
Daniel Mahler  
Mayor

This resolution, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.