

Work Meeting  
October 7, 2013

A Work Meeting of the Mayor and Council of the Borough of Wanaque was held on Monday, October 7, 2013, at 7:00 P.M. in the Wanaque Municipal Building.

The Mayor called the meeting to order.

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

The Mayor read the following Sunshine Statement: This is a Work 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, 2012, and a notice thereof has been posted on December 28, 2012 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:

September 9, 2013.

PROCLAMATION: Put the Brakes on Fatalities Day – October 10, 2013

ORDINANCES: None.

COMMITTEE REPORTS:

Councilman Balunis:

Councilman Balunis read the resolution dedicating the street as Bill Van Wilpe Way and November 11<sup>th</sup> at 11:00 A.M. is the dedication of the street. The Wanaque First Aid Squad statistics for July was ninety five calls, August was eighty eight calls, September was seventy five calls. There were seven hundred hours per month average and seven thousand fifteen calls for the year to date of volunteer hours. The food pantry building at the back of the First Aid building the Eagle Scouts are going to paint the building and doors and also cut the brush as their project and it should be done on October 19<sup>th</sup>.

Councilman Cortellessa:

Councilman Cortellessa said in lieu of the report I have the following. We are going to meet with Arrow to improve their look and some other buildings in town. The property at 815 Ringwood Avenue is getting worse. On Hagstrom Boulevard the special needs house they are doing a lot of construction. The Doty Road parking lot and other places need beautification. We'll make reports for the water department and keep them.

Councilman Pasquariello:

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Councilman Pasquariello reported the police are grateful that Anthony Mulé was hired and he started the academy in September and will finish in February. The report from the police department was read. There will be a “coffee with the cops” tomorrow here from 10:00 A.M. – 12:00 P.M. And there is the purchase of a police vehicle a Ford SUV on the agenda.

Councilman Pettet:

Councilman Pettet reported there are no Ordinances. Regarding 918 Ringwood Avenue the Ordinance should be adequate for enforcement and there are committee meetings coming up.

Councilman Willse:

Councilman Willse reported I have no fire department statistics but there is a Flea Market next Saturday being run by the Auxiliary.

The Borough Administrator explained the Budget Surplus Policy. We hope to generate surplus over the next few years and keep the debt rating for surplus for the next several years. The surplus use keeps the tax rate down. The impact on the ratings will be to maintain the 8.3 rating. We need to establish a policy of what the State wants and keep us moving forward. The goal is to be nine hundred thousand dollars for three years possibly four years and for permanent bonding you need ten percent in the bank.

The Borough Engineer reported the Department of Transportation project Wanaque Avenue and Butler Place project is completed. Fourth Avenue is completed and we will have the final reimbursement.

The Borough Administrator said Monroe Street and Jefferson Street is moving quickly and the residents have been cooperative. On Ringwood Avenue the curbs and sidewalks are being done and we hope it will be paved by the end of the year. Cloudy water has been reported by some residents. An air pocket probably got in the pipes when they did the work and it should be cleaned out today. The picnic went well. Regarding Bill Van Wilpe Way it is an honorary naming of the street and not an official naming and we will keep the street names.

The Borough Attorney said we were served a complaint by Pulte to release the bond and the asbuilts need approval.

The Borough Administrator said the insurance is to cover that. The best practice checklist the discussion certifies the requirement and the process is done and most questions are completed. There are some we can't address due to being a small Municipality. The questions are different each year. There were more purchasing questions last year and we have to adopt a surplus budget policy now instead of next year.

PUBLIC DISCUSSION:

The Mayor opened the Public Discussion.

Katie Wellins, 24 Park Avenue, Haskell said I attended a school function and after was approached by a resident of Mar Del Manor. I am concerned about the level of supervision and

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it needs to change. There is a lack of supervision and monitoring and the forty residents are unstable and have issues and are lacking judgment to be there. How can the town allow this dangerous situation. The situation has escalated and there is no monitoring that interventions or medications have been done. I'm concerned for the safety of the children at the school and I'm hoping the town can provide safety for the town. There should be someone overseeing the facility and a gentleman has been removed from the facility but there are still residents there that are not being monitored. You should take steps to do something for safety. The State says the town approves the facility.

The Mayor said I spoke to the Police Chief and Administrator and the facility has been there for several years. The town did not approve the facility. The facility used to be for senior citizens. There are thirty four non senior citizens and they are picked up at 8:00 A.M. to go to a work study until 4:00 P.M. every week day. Only four people are left there every day and they are senior citizens. The manager is at the facility and the medications are being dispensed. The zoning approval, Board of Health and Fire Code issues the town has control over. It is unfortunate it is located next to a school. The last two years they have not had incidents of breaking into the school. Some residents have Alzheimers and they walked into the school and were escorted out and the police were there. There are no high risk people there. There are mostly medium risk and a few low risk. We spoke about Megans Law and there are no residents there that are listed under that law. Four individuals there were involved in panhandling and they were removed from the facility. A gentleman that was panhandling and sleeping in the gazebo was moved out and the gentleman who approached you was removed. They have to wait thirty days to remove them and they need State approval. There were only two complaints in the past year made from there and there have also been ambulance requests there.

Chris Wellins, 24 Park Avenue, Haskell said what is the zoning for the school according to the State.

Chief Norton said the Attorney General decides that.

Chris Wellins said the people are homeless or have behavioral problems and it is licensed as a healthcare facility. The manager says it's a boarding house. How is it listed. The one gentleman verbally abused my wife and he has had to have several weeks without medication or changes in his medications but he is gone now. News 12 asked if there is security there and the manager said there is not any security there. I want some level of security for my family as a taxpayer. The level of behavior is inappropriate and what are the childrens rights or adults rights. We spoke to the legislator and the investigator asked questions and they are not operating the same as forty years ago.

The Mayor said we are looking into the Department of Community Affairs to see how the license is listed.

Chris Wellins said if this happened to you or your family would this place be here. Do we have to go through politics to close him down. I picked my daughter up today and the residents were there but they were out front and smoking. They were not in the back. The children should be safe when they go to school.

Councilman Cortellessa said we should go to the owner to provide physical security.

Councilman Leonard arrived at 7:50 P.M.

Councilman Pettet said we should go to the owner to see if anything can be done.

Councilman Cortellessa said as a good neighbor knowing there is a school there he should provide security.

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The Mayor said if they are not complying with the Health Ordinance, Zoning Ordinances and Fire Code it is the Borough but the County Welfare and the State monitor the facility and the manager reports to them.

Councilman Cortellessa said we should go to the County and demand that additional measures be put in place.

The Borough Attorney said years ago the Wanaque Convalescent Center had a meeting regarding the Aids patients and the zoning approval was that they have the right to be there. The Ordinance for it to be for a nursing home would require them to be supervised. We have to research that and see if it is required. We are in the process of putting housing for residents with disabilities and we have to make sure the Ordinance is in compliance with that and that there is a provision for some supervision.

Chris Wellins said the manager told me the residents have health issues and are at the liquor store.

The Police Chief said the calls during this last week have turned out to be false and the heightened alert has caused people not from Mar Del Manor but other people to be accused and the residents have a right to be there also.

Chris Wellins said we need to see action not people randomly walking and approaching kids and asking for money. We have rights also. This is next to the school and we should do what we can to do something about it.

Councilman Leonard said is the State statute to override all zoning laws and can they put anyone there.

The Borough Attorney said with regard to the State they said you have no power to decide who goes in there and the State controls that.

Councilman Cortellessa said we should check the license, have a security guard there, put up a stockade fence and speak to the manager. He has already gotten rid of some residents.

The Borough Administrator said it is an open facility. The residents can come and go anywhere. We can possibly create a policy not to be out front.

The Borough Attorney said whether it is physical or mental disabilities and they get enough cases they can go to the County Welfare and say they are not complying with the laws.

Chris Wellins said on the websites it says they are different types of facilities and there are no photos of the facility. That is a lot of false advertising there. All the websites have been published in 2008 when the manager took over the facility and they just say care given to the elderly.

John DiMeglio said sometime from 1983 to 1987 the Planning Board approved it for senior citizens and at that time Tom DiLaura owned it.

The Borough Attorney said it is probably a B1 zoning and if it were to come up now a six foot fence and security would all be conditions of approval of the resolution and they would have to enact an Ordinance or Resolution. The supervisor can't stop them from doing what they have approval of. They can look into doing something additional or they can coexist with it being next to a school and we can look into checking the restrictions. The zones are an inherently beneficial use.

The Mayor said we can ask for more restrictions from the State.

Melissa Molnar, 25 Storms Avenue, Haskell said I have lived in town for years and have never seen a facility run so poorly. It if is owned by the County and the State how does Megans law and the sexual predator law work.

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The Mayor said they rate them high risk, low risk and undetermined medium risk and there is no one there listed under Megans law.

The Police Chief said no one there is registered.

Bridget Pasznik, 3 Margaret Court, Haskell said why are they allowed to be there if they are low risk and other ratings we don't want any risk. I moved from Clifton and want a safe town. A resident was gawking at the children and we don't feel safe.

The Borough Attorney said people need to put the incident on a report and then they can address it. It would be a case of nuisance of the way the facility is being run.

The Mayor said we have two complaints on file but we cannot do anything with them if the complaints are not verified.

Bridget Pasznik said the residents are not working from 8:00 A.M. to 4:00 P.M. there and the school there is dark at night and we are concerned. Can we have a special police officer at trunk or treating for the children for Halloween.

The Police Chief said yes we will have them there.

Melissa Santora, 22 Greenwood Avenue, Haskell said why are the residents out and about partially dressed. That is assisted living there and there should be a person at the front desk that would have to sign them out.

The Police Chief said the woman you are referring to is not a resident at Mar Del Manor.

Melissa Santora said the facility is not assisted living and they do not monitor the people living there.

Helena Aumenta, 26 Fifth Avenue, Haskell said there are no problems with the Lakeland Health Care Center but with Mar Del Manor I witnessed a man urinating against the building and a woman and a man outside were looking at the children and then they jumped back. The school said they were working with the police department and why did the police not see what I'm seeing. The manager has been there and there has been no one out there. I was told it was a State run facility by the school board. The children play out there every day and the children should not have to watch people urinating against the building. We need to keep our children safe.

Eileen Maldonato, 8 Jenkins Avenue, Haskell said I spoke to my son about Mar Del Manor and my son's friend was approached by the residents and was asked to buy their stuffed animals and was also asked for money while they were waiting for the school bus and it is getting darker in the morning and I am concerned.

James Jones, 6 Wuester Lane, Haskell said I witness a lot of what goes on with the residents from Mar Del Manor and we need guidance as to what is reportable and if there is retaliation what could we do.

The Police Chief said there is no real answer.

James Jones said what do I do if I am asked for a ride and they are trying to get money out of my car.

The Borough Attorney said that would be a nuisance report.

James Jones said what do we do.

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The Borough Attorney said take pictures and make a report. If there are enough incidents with it being next to a school you can get the school board involved.

The Police Chief said just to remind you to make legitimate reports and not false complaints as that is criminal and we do patrol the schools.

Councilman Leonard said so they would call the non-emergency number and see a police officer to file a complaint and they can do that.

The Police Chief said yes.

Helena Aumenta, 26 Fifth Avenue, Hasekll said we should get more police for each school.

The Mayor closed the Public Discussion.

CONSENT AGENDA:

Resolution #134-0-13:

Re: Credit to account for Tax overbilling on Block 240, Lot 7.01 for the year 2013 and the 1<sup>st</sup> and 2<sup>nd</sup> Quarter of 2014 due to an Assessor's Appeal in the amount of \$11,668.05 for 2013 and \$5,834.03 for the first half of 2014

Resolution #135-0-13:

Re: Establish a Budget Surplus Policy

Payment to County of Passaic:

Re: 4<sup>th</sup> Quarter Taxes for the year 2013 in the amount of \$1,932,806.09

Payment to County of Passaic:

Re: Open Space Taxes for the 4<sup>th</sup> Quarter Year 2013 in the amount of \$26,954.41

Resolution #136-0-13:

Re: Current Estimate #3 – UniMak LLC – Borough Hall Construction

Resolution #137-0-13:

Re: Current Estimate #2 – John Garcia and Son – Monroe Street Jefferson Street Sewer Replacement

Resolution #138-0-13:

Re: Permanent Appointment – Kathleen Gallanthen – Municipal Court Administrator

Resolution #139-0-13:

Re: Approve Change Order #1 – Borough Hall Construction – Electrical Conduit - \$542.94

Resolution #142-0-13:

Re: Halloween Curfew

Application for Seasonal Merchandise Permit:

Re: John Capparelli (Tyger LLC), 21 Pawnee Avenue, Oakland

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REGULAR REPORTS - PROFESSIONAL REPORTS:

1. Clerk's Receipts for September 2013 -
2. Police Department Report for September 2013 -
3. Tax Collector's Report for September 2013 -
4. Municipal Court Report for September 2013 -

COMMUNICATIONS: None.

NEW BUSINESS:

Review of Best Practices Checklist:

Closed Session:

Re: Litigation/Negotiation/Personnel

Resolution #143-0-13 – Easement Agreement – Joyce Thompson – 13 Toquet Street

UNFINISHED BUSINESS: None.

RESOLUTIONS:

Resolution #140-0-13:

Re: Honoring joint name of Conklintown Road from Ringwood Avenue to Chestnut Street  
Bill Van Wilpe Way

Resolution #141-0-13:

Re: Purchase of Police Vehicle

FINANCE REPORT:

ADJOURNMENT:

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

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

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Katherine J. Falone, RMC, CMC  
Municipal Clerk

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