

**REGULAR MEETING  
SEPTEMBER 24, 2015**

Mayor Walter Wargacki calls the meeting to order at 8:05p.m.

Flag Salute and Invocation

Mayor Walter G. Wargacki reads the Public Meeting Notice pursuant to the Sunshine Law

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko - Present

Mayor Walter G. Wargacki - Present

Borough Attorney Richard Cedzidlo - Present

**HEARING OF CITIZENS**

Motion to Open the Meeting to the Hearing of Citizens by Kruk, Seconded By Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

Ms. Donna Hyduk of Johnson Avenue discussed the issue of the Tanker Trucks coming from the Lackawanna /Spring Street Project. Ms. Hyduk stated that it is up to this Council to control the traffic.

Ms. Brenda Kapusta of Alden Street says thank you to the Police Department for the Drop Off Zones.

Ms. Brenda Kapusta is asking why the garbage truck comes so late.  
The Mayor explained the truck broke-down.

Mr. William Mendyk of Azalea Drive asked when the tax bills will be sent.

Mr. William Mendyk asked about the use of surplus funds in the budget.

Mr. William Mendyk asked about the Water Utility and if there is a deficit.

Ms. Diane Carracozza of Miller Street commented on the projection of the increase in students. There are several illegals. What are we doing about this?

Mrs. Dolores Rebecky of Hathaway Street asked about the tax appeals.

Ms. Helena Plaskon of Roehrs Drive asked about putting sod on the restoration.

Ms. Helena Plaskon asked about the positions in the Board of Education.

Mr. Cedzidlo explained the position of liaison.

Motion to Close the Meeting to the Hearing of Citizens by Sinisi, Seconded By Kruk,

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko - Ayes

### **APPROVAL OF MINUTES**

Regular Meeting – April 23, 2015

Regular Meeting – May 21, 2015

Regular Meeting – June 25, 2015

Regular Meeting – July 30, 2015

Regular Meeting – August 20, 2015

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

Brunacki – Abstain (July 30, 2015)

### **COMMUNICATIONS**

From: Bittiger Elias and Triolo P.C.

Re: Submission of Updates on Tax Appeals

From: The Wallington Building Department

Re: Submission of the July and August Monthly Reports

From: Millennium Strategies

Re: Submission of the Monthly Report

From: Wallington Planning Board

Re: Submission of the Agenda

From: Park Row Hose Company No. 3

Re: Notification of acceptance into membership of Karol Bukowski and Ryan Murray and the resignations of Joseph and Matthew Santeramo

From: The Wallington Emergency Squad

Re: Notification of acceptance into membership of Ryan Murray and submission of a letter requesting out of Borough applications.

From: The Wallington Holiday Parade Committee  
Re: Notification of the Annual Holiday Parade

From: Cracovia Manor  
Re: A request for Dance Permits

From: Vince and Charlotte Roccella 282 Hayward Place, 29 Roehrs Drive, and 280 Mt. Pleasant Avenue  
Re: A request for Tree Removal

From: The Wallington Police Department  
Re: Submission of a request for an alternate School Crossing Guard Andrea L. Luberto

From: The Wallington Board of Health  
Re: Notification of the removal of a Handicap sign at 128 Hathaway Street

From: The State of New Jersey Department of Transportation  
Re: Notification of the NJ Complete Streets Summit in New Brunswick

From: The State of NJ Department of Environmental Protection  
Re: Notification of the Withdrawal of a Flood Hazard Application

From: HCR  
Re: Notification of a remediation Action at 2-32 Midland Avenue

From: Kleinfelder  
Re: Notification of a remediation Action at 199 Main Avenue

From: P.S.E.&G.  
Re: Notification of a Public Hearing on rate changes

From: The State of NJ Department of Environmental Protection  
Re: Notification of the FF4 2016 Priority System

From: NJ Transit  
Re: Notification of a Public Hearing for the State Management Plans.

From: The Borough of East Rutherford Planning Board  
Re: Notification of a public hearing on the Oak Street Project

From: The Bergen County League of Municipalities  
Re: A letter opposing the "User-Friendly" Budget

From: Phoenix Advisors, LLC

Re: Submission of the Financial /Operating Filing Financial Statements

From: FEMA

Re: Notification of the Sandy Claims Review Extension until October 15, 2015

From: 55 Kip Center

Re: Notification of the 30<sup>th</sup> Anniversary Celebration

From: From Bergen County

Re: Notification of the Bergen County Zoo Free Day September 27, Caregivers Conference October 15, 2015 and the POW/ MIA Ceremony on September 18 and instructions on displaying the Flag

From: Ms. Rosemary Sandor of 35 Fradkin Street

Re: Submission of a letter of discontent with her water bill

From: Mr. David Hollenbeck of P.S.E.&G.

Re: A Thank you to the Mayor

From: Cracovia Manor

Re: An Invitation to the 80<sup>th</sup> Anniversary Gala on October 17

From: The Wallington Junior Football League Cheerleading Competition Team

Re: A request to hold Street Corner Collections on October 23 and 24<sup>th</sup>.

From: The Wallington – Carlstadt Little League

Re: An invitation to a Celebratory Dinner on October 28, 2015

From: Mrs. Joan Godette of 46 Morrissee Avenue

Re: Submission of a Resume

From: Mr. John McAvinue of 70 Strong Street

Re: Submission of a letter of Protest for a Parking and Towing ticket

From: Mr. Andrew A. Kuo DDS of Flushing, NY

Re: Submission of a letter of Protest for a Parking Ticket

From: Mr. Don Soltis of Armm Avenue

Re: A letter of Concern about Pedestrian Safety

From: The Vazquez Law Firm

Re: Submission of a letter complaining about parking on the 130 block of Paterson Avenue

From: The BCUA

Re: Notification of the 2015 Environmental Awareness Challenge Grant ceremonies on October 16, 2015

From: Congressman Bill Pascrell Jr.

Re: Notification of the 2015 Congressional Health Fair on September 28<sup>th</sup>

From: Lease Advisors

Re: Notification of Phoenix Towers International acquiring T-Mobile Towers

From: NJ League of Municipalities

Re: Updates on the 2015 Convention

From: Sustainable Jersey

Re: Updates on the purchase of electricity on the Open Market

From: Bergen County

Re: A request for a Shared Services Agreement for Road Resurfacing Program

From: The Wallington Elementary PTA.

Re: A request to hold a Halloween Party at the Civic Center on October 23<sup>rd</sup> from 6-8pm

From: Lerch, Vinci & Higgins, LLC

Re: Submission the Report of Audit

From: The Wallington Pulaski Memorial Association

Re: An Invitation to the Annual Wreath laying and Parade held on Sunday, October 4<sup>th</sup>

From: AAA of North Jersey

Re: An Invitation to the 2015 Community Traffic Safety Awards Luncheon

From: The Wallington Board of Health

Re: Submission of Handicapped Parking Committee recommendations

From: The Church of the Most Sacred Heart of Jesus

Re: A request for a raffle permit

From: The DEP

Re: A news release issuing a Drought Watch for three NJ regions

From: Wallington Little League Baseball

Re: A request for a Raffle Permit

From: The Wallington Fire Prevention

Re: A request to use the Civic Center on October 13 at 7p.m.

From: Job and Job Borough Engineers

Re: Submission of Updates on the Hathaway Street Water Main Replacement, Barrier – Free Curb Program, the Improvement of Main Avenue Section 4, and Submission of Change Order No. 3 for the 2012/2013 Water Main Replacement Program, and updates on the Alden Street Section 2 Project

Motion to refer the previous Communications to the proper Agencies by Brunacki, Seconded by Kruk,

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

### **CONTINUING WITH COMMUNICATIONS**

From: Wallington Board of Education

Re: Request # 4 in the amount of \$1,271,000.00

Motion to pay subject to fund availability by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

### **COMMITTEE REPORTS**

#### **PARKS & ENVIRONMENT / INSURANCE – S. ROBIE**

Councilwoman Robie stated that there will be a meeting held in September about the Mt. Pleasant Avenue Park Improvement Project.

Councilwoman Robie reported that the FEMA deadline extension is until October 15, 2015.

Councilwoman Robie reported that the Board of Education did a study on the future need of the schools.

#### **FINANCE / LEGAL –R. KRUK**

Councilman Kruk reported that the 2014 Audit report is in. Bills have been reviewed.

Councilman Kruk reported that the Trunk or Treat will take place on Friday, October 30 at the Little League Field at 6:00p.m.

Councilman Kruk reported that there will be a dinner party held on Wednesday, October 28 at the Fiesta honoring the girls Softball team.

#### **POLICE – J. BRUNACKI**

Councilman Brunacki reported that the Police Department handled 1097 incidents last month.

Councilman Brunacki reported that the accreditation is continuing.

#### **BUILDING & GROUNDS / PUBLIC WORKS – C. SINISI**

Councilman Sinisi reported that the roof on the Library is done.

Councilman Sinisi reported that the swings at the Mt. Pleasant Little League Park are fixed.

Councilman Sinisi reported that the floors in the Squad building have been cleaned.

Councilman Sinisi reported that the inmates will be in town next month.

Councilman Sinisi reported that he has been in contact with the Army Corps of Engineers to come into town to speak to the residents at the Civic Center.

Councilman Sinisi reported that the The Fire Department responded to Jersey City to honor a group of bicyclists from Maryland to Massachusetts.

#### **CODE ENFORCEMENT- K. SUROWIEC**

Councilwoman Surowiec reported that properties were given warnings about property maintenance and cleaning up.

Councilwoman Surowiec reported that properties have been inspected for illegals. Violations have been reported.

Councilwoman Surowiec reported that there will be a Flu Shot Clinic on October 8<sup>th</sup> between 6:30p.m. and 9:30p.m.

Councilwoman Surowiec reported that there will be a Rabies Clinic on November 7<sup>th</sup> between 1:00p.m. and 3:30p.m.

#### **FIRE / SENIOR SERVICES – M. TOMKO**

Councilman Tomko reported that the Library roof is fixed. The Library was closed for a few days, but that's only part of the problem, need to address the situation.

Councilman Tomko reported that on October 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> National Fallen Fire Fighters will have a service at Emit's Field in Maryland.

Councilman Tomko reported that the Fire Prevention Program will be held on October 13.

Councilman Tomko reported that the Inspection at No. 1 Fire House will be on October 10<sup>th</sup>.

Councilman Tomko brought up using the auxiliary Fire Department for Traffic response due to downed wires or fires Fire Committee will get together to discuss taking in out of towners for continuous borders.

The Mayor stated that the total roof cost from the Bergen County Community Development Grant is \$74,000.00.

### **MAYOR'S REPORT**

The Mayor advised that the meeting with the County Executive was cancelled.

The Mayor stated that September is a National Hunger Month.

The Mayor stated that he and the Police Chief helped bag at the Shop Rite.

2016 State Aid Project Hathaway Street Main to Locust Avenue.

Motion by Kruk, Seconded by Sinisi

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

The Mayor stated that he received a call from the County about Handicap Curb Cuts on Main /Locust Avenue. Company pulled from Paramus.

### **ATTORNEY'S REPORT**

Mr. Cedzidlo introduced two Ordinances: 12 and 13 as per requests of the Police Department for the accreditation. Changes 81:4 Sub Section C. Ordinance 13 changes the Mayor appointment titles.

### **RESOLUTIONS**

The following Resolutions can be approved “En Mass” by Consent Agenda. These items are either routine in nature (i.e. raffle license, payment of bills, etc.) or discussed and unanimously approved in the Work Session meeting.

## **BOROUGH OF WALLINGTON COUNTY OF BERGEN, NEW JERSEY RESOLUTION NO. 2015 – 118**

**WHEREAS**, James and Mary Filippone own property located at 11 Chestnut Street, Block 65.09, Lot 5.02, and,

**WHEREAS**, James and Mary Filippone made an payment in the amount of \$1,389.59 for Second Quarter Property Taxes, (May 2014), in the amount of \$1,389.59 and Corelogic Tax Services also made an overpayment of \$1,389.59 for Second Quarter Property Taxes, (May 2014), in the amount of \$1,389.59.

**WHEREAS**, both parties have been contacted and have agreed that James and Mary Filippone are due the refund of the overpayment.



**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Wallington shall refund the amount of \$1,389.59 to James and Mary Filippone, 11 Chestnut Street, Wallington, NJ 07057 and the Tax Collector shall adjust her books accordingly.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 119**

**WHEREAS**, Toni Day owns property located at 90 Union Boulevard, Block 32.02, Lot 14, and,

**WHEREAS**, Toni Day received a County Board Judgment in the amount of \$516.20 for the year 2013 and her mortgage company paid the taxes in full resulting in a credit in the amount of \$516.20.

**WHEREAS**, Ms. Day has been contacted and would like the refund of the overpayment of \$516.20.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Wallington shall refund the amount of \$516.20 to Toni Day, 90 Union Boulevard, Wallington, NJ 07057 and the Tax Collector shall adjust her books accordingly.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 120**

**WHEREAS**, Arthur & Marzena Rycyk own property located at 46 Mt. Cedar Avenue, Block 49.10, Lot 23, and,

**WHEREAS**, Arthur & Marzena Rycyk received a County Board Judgment in the amount of \$441.20 for the year 2013 and their mortgage company paid the taxes in full resulting in that credit in the amount of \$441.20.

**WHEREAS**, Arthur & Marzena Rycyk has been contacted and would like the refund of the overpayment of \$441.20.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Wallington shall refund the amount of \$441.20 to Arthur & Marzena Rycyk, 46 Mt. Cedar Avenue, Wallington, NJ 07057 and the Tax Collector shall adjust her books accordingly.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 121**

**WHEREAS**, Steven Rich & Associates gave the Borough of Wallington a check for \$960.00 to cover the costs of 8 hours of traffic control for work done in Wallington.

Steven Rich & Associates has requested a refund of \$360.00 since the job did not need 8 hours of Police Security.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Wallington, to refund the amount of \$360.00.

The refund shall be made payable from the Trust Account to: Steven Rich & Associates, 222 Delawanna Avenue, Clifton, NJ 07014.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 - 122**

**RESOLUTION AUTHORIZING THE SETTLEMENT OF A  
TAX APPEAL AND AUTHORIZING THE EXECUTION  
AND DELIVERY OF A STIPULATION OF SETTLEMENT  
TO BE FILED WITH THE TAX COURT OF NEW JERSEY**

**WHEREAS**, Kenneth Bogush, James Bogush and John Bogush, Jr. have filed a tax appeal with respect to the assessed valuation of the real property commonly known as 108 Wallington Avenue, Block 23, Lot 35, located within the Borough of Wallington; and

**WHEREAS**, the Mayor and Council of the Borough of Wallington, County of Bergen, has determined that it is in the best interests of the citizens of the Borough of Wallington to enter into a settlement agreement in full and final settlement of the tax appeal filed by Kenneth Bogush, James Bogush and John Bogush, Jr.; and

**WHEREAS**, the Mayor and Council has received the advice of its Special Tax Counsel with respect to these tax appeals. The Special Tax Counsel for the Borough of Wallington has represented that he has made such examination of the value and proper assessment of the property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the property as he deemed necessary and appropriate for the purpose of enabling him to enter into this Stipulation and to fairly advise the Mayor and Council of the Borough of Wallington of the consequences of the settlement and the possible outcomes if the appeal proceeded to trial. The Special Tax Counsel for the Borough of Wallington also represented that he consulted with the assessor of the Borough of Wallington and that he has concurred with the settlement;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Wallington does hereby make the following findings:

- a) that it is in the best interests of the Borough of Wallington to reach an economic and businesslike resolution of the tax appeal for calendar year 2014 filed by Kenneth Bogush, James Bogush and John Bogush, Jr. with respect to the real property located at 108 Wallington Avenue, Block 23, Lot 35, Wallington New Jersey;
- b) that the proposed settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law;
- c) the terms of the tax appeal filed by Kenneth Bogush, James Bogush and John Bogush, Jr. that the Mayor and Council is authorizing its counsel to settle are as follows:
  - 1. For tax year 2014, the original assessment was Land - \$195,000.00; Improvements - \$260,000.00; for a total assessment of \$455,000.00. The County Tax Board Judgment was Land - \$195,000.00; Improvements - \$260,000.00 for a total assessment of \$455,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court

Judgment for calendar year 2014 as follows: Land - \$195,000.00; Improvements - \$215,000.00; for a total of \$410,000.00.

2. For tax years 2015 and 2016, unless there has been a change in value or municipal-wide revaluation or reassessment adopted for tax years 2016 and 2017, the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to and a final disposition of this case and the entire controversy and of any actions pending or hereafter instituted by the parties concerning the assessment on the property referred to herein for said Freeze Act years. No Freeze Act years shall be the basis for application of the Freeze Act for any subsequent years.

- d) Paul M. Elias, Esq. is hereby directed to enter into the Stipulation of Settlement which he reviewed with the Mayor and Council of the Borough of Wallington pertaining to this matter and that he cause the same to be filed with the Tax Court of New Jersey.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 - 123**

**RESOLUTION AUTHORIZING THE SETTLEMENT OF A  
TAX APPEAL AND AUTHORIZING THE EXECUTION  
AND DELIVERY OF A STIPULATION OF SETTLEMENT  
TO BE FILED WITH THE TAX COURT OF NEW JERSEY**

**WHEREAS**, Kenneth Bogush, James Bogush and John Bogush, Jr. have filed a tax appeal with respect to the assessed valuation of the real property commonly known as 190 Main Avenue, Block 39, Lot 2, located within the Borough of Wallington; and

**WHEREAS**, the Mayor and Council of the Borough of Wallington, County of Bergen, has determined that it is in the best interests of the citizens of the Borough of Wallington to enter into

a settlement agreement in full and final settlement of the tax appeal filed by Kenneth Bogush, James Bogush and John Bogush, Jr.; and

**WHEREAS**, the Mayor and Council has received the advice of its Special Tax Counsel with respect to these tax appeals. The Special Tax Counsel for the Borough of Wallington has represented that he has made such examination of the value and proper assessment of the property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the property as he deemed necessary and appropriate for the purpose of enabling him to enter into this Stipulation and to fairly advise the Mayor and Council of the Borough of Wallington of the consequences of the settlement and the possible outcomes if the appeal proceeded to trial. The Special Tax Counsel for the Borough of Wallington also represented that he consulted with the assessor of the Borough of Wallington and that he has concurred with the settlement;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Wallington does hereby make the following findings:

- a) that it is in the best interests of the Borough of Wallington to reach an economic and businesslike resolution of the tax appeals for calendar years 2014 and 2015 filed by Kenneth Bogush, James Bogush and John Bogush, Jr. with respect to the real property located at 190 Main Avenue, Block 39, Lot 2, Wallington New Jersey;
- b) that the proposed settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law;
- c) the terms of the tax appeals filed by Kenneth Bogush, James Bogush and John Bogush, Jr. that the Mayor and Council is authorizing its counsel to settle are as follows:
  1. For tax years 2014 and 2015, the original assessment was Land - \$169,000.00; Improvements - \$1,265,100.00; for a total assessment of \$1,434,100.00. The County Tax Board Judgment was Land - \$169,000.00; Improvements - \$1,265,100.00 for a total assessment of \$1,434,100.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar years 2014 and 2015 as follows: Land - \$169,000.00; Improvements - \$1,133,300.00; for a total of \$1,302,300.00.
  2. For tax years 2016 and 2017, unless there has been a change in value or municipal-wide revaluation or reassessment adopted for tax years 2016 and 2017, the provisions of N.J.S.A. 54:51A-8

(Freeze Act) shall be applicable to and a final disposition of this case and the entire controversy and of any actions pending or hereafter instituted by the parties concerning the assessment on the property referred to herein for said Freeze Act years. No Freeze Act years shall be the basis for application of the Freeze Act for any subsequent years.

- d) Paul M. Elias, Esq. is hereby directed to enter into the Stipulation of Settlement which he reviewed with the Mayor and Council of the Borough of Wallington pertaining to this matter and that he cause the same to be filed with the Tax Court of New Jersey.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 124**

**RESOLUTION AUTHORIZING THE SETTLEMENT OF A  
TAX APPEAL AND AUTHORIZING THE EXECUTION  
AND DELIVERY OF A STIPULATION OF SETTLEMENT  
TO BE FILED WITH THE TAX COURT OF NEW JERSEY**

**WHEREAS**, J & L Properties, Inc. has filed tax appeals with respect to the assessed valuation of the real property commonly known as 65 Wallington Avenue, Block 16, Lot 11, located within the Borough of Wallington; and

**WHEREAS**, the Mayor and Council of the Borough of Wallington, County of Bergen, has determined that it is in the best interests of the citizens of the Borough of Wallington to enter into a settlement agreement in full and final settlement of the tax appeals filed by J & L Properties, Inc.; and

**WHEREAS**, the Mayor and Council has received the advice of its Special Tax Counsel with respect to these tax appeals. The Special Tax Counsel for the Borough of Wallington has represented that he has made such examination of the value and proper assessment of the property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the property as he deemed necessary and appropriate for the purpose of enabling him to enter into this Stipulation and to fairly advise the Mayor and Council of the Borough of Wallington of the consequences of the settlement and the possible outcomes if the appeal proceeded to trial. The Special Tax Counsel for the Borough of Wallington also represented that he consulted with the assessor of the Borough of Wallington and that he has concurred with the settlement;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Wallington does hereby make the following findings:

a) that it is in the best interests of the Borough of Wallington to reach an economic and businesslike resolution of the tax appeals for calendar years 2011, 2012, 2013, 2014 and 2015 filed by J & L Properties, Inc. with respect to the real property located at 65 Wallington Avenue, Block 16, Lot 11, Wallington New Jersey;

b) that the proposed settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law;

c) the terms of the tax appeals filed by J & L Properties, Inc. that the Mayor and Council is authorizing its counsel to settle are as follows:

1. For tax year 2011, the original assessment was Land - \$200,000.00; Improvements - \$900,000.00; for a total assessment of \$1,100,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2011 as follows: Land - \$200,000.00; Improvements - \$900,000.00; for a total of \$1,100,000.00.

2. For tax years 2012 and 2013, the original assessment was Land - \$200,000.00; Improvements - \$900,000.00; for a total assessment of \$1,100,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar years 2012 and 2013 as follows: Land - \$200,000.00; Improvements - \$850,000.00; for a total of \$1,050,000.00.

3 For tax years 2014 and 2015, the original assessment was Land - \$195,000.00; Improvements - \$1,005,000.00; for a total assessment of \$1,200,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar years 2014 and 2015 as follows: Land - \$195,000.00; Improvements - \$855,000.00; for a total of \$1,050,000.00.

d) Paul M. Elias, Esq. is hereby directed to enter into the Stipulation of Settlement which he reviewed with the Mayor and Council of the Borough of Wallington pertaining to this matter and that he cause the same to be filed with the Tax Court of New Jersey.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Surowiec, Tomko – Ayes  
Sinisi – Nay

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 - 125**

**RESOLUTION AUTHORIZING THE SETTLEMENT OF A  
TAX APPEAL AND AUTHORIZING THE EXECUTION  
AND DELIVERY OF A STIPULATION OF SETTLEMENT  
TO BE FILED WITH THE TAX COURT OF NEW JERSEY**

**WHEREAS**, Wallington Medical Plaza Assoc. have filed a tax appeal with respect to the assessed valuation of the real property commonly known as 42 Locust Avenue, Block 40, Lot 1, located within the Borough of Wallington; and

**WHEREAS**, the Mayor and Council of the Borough of Wallington, County of Bergen, has determined that it is in the best interests of the citizens of the Borough of Wallington to enter into a settlement agreement in full and final settlement of the tax appeal filed by Wallington Medical Plaza Assoc.; and

**WHEREAS**, the Mayor and Council has received the advice of its Special Tax Counsel with respect to these tax appeals. The Special Tax Counsel for the Borough of Wallington has represented that he has made such examination of the value and proper assessment of the property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the property as he deemed necessary and appropriate for the purpose of enabling him to enter into this Stipulation and to fairly advise the Mayor and Council of the Borough of Wallington of the consequences of the settlement and the possible outcomes if the appeal proceeded to trial. The Special Tax Counsel for the Borough of Wallington also represented that he consulted with the assessor of the Borough of Wallington and that he has concurred with the settlement;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Wallington does hereby make the following findings:

- a) that it is in the best interests of the Borough of Wallington to reach an economic and businesslike resolution of the tax appeals for calendar years 2010, 2012 and 2013 filed by Wallington Medical Plaza Assoc. with respect to the real property located at 42 Locust Avenue, Block 40, Lot 1, Wallington New Jersey;
- b) that the proposed settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law;



- c) the terms of the tax appeals filed by Wallington Medical Plaza Assoc. that the Mayor and Council is authorizing its counsel to settle are as follows:
  - 1. For tax years 2010, 2012 and 2013, the original assessment was Land - \$275,500.00; Improvements - \$1,732,900.00; for a total assessment of \$2,008,400.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar years 2010, 2012, 2013 as follows: Land - \$275,500.00; Improvements - \$1,324,500.00; for a total of \$1,600,000.00.
- d) Paul M. Elias, Esq. is hereby directed to enter into the Stipulation of Settlement which he reviewed with the Mayor and Council of the Borough of Wallington pertaining to this matter and that he cause the same to be filed with the Tax Court of New Jersey.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Surowiec, Tomko – Ayes  
Sinisi – Nay

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 126**

**RESOLUTION AUTHORIZING THE SETTLEMENT OF A  
TAX APPEAL AND AUTHORIZING THE EXECUTION  
AND DELIVERY OF A STIPULATION OF SETTLEMENT  
TO BE FILED WITH THE TAX COURT OF NEW JERSEY**

**WHEREAS**, Wallington Plaza, LLC has filed a tax appeal with respect to the assessed valuation of the real property commonly known as 375 Paterson Avenue, Block 44, Lot 53.01, located within the Borough of Wallington; and

**WHEREAS**, the Mayor and Council of the Borough of Wallington, County of Bergen, has determined that it is in the best interests of the citizens of the Borough of Wallington to enter into a settlement agreement in full and final settlement of the tax appeal filed by Wallington Plaza, LLC; and

**WHEREAS**, the Mayor and Council has received the advice of its Special Tax Counsel with respect to these tax appeals. The Special Tax Counsel for the Borough of Wallington has represented that he has made such examination of the value and proper assessment of the property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the property as he deemed necessary and appropriate for the purpose of

enabling him to enter into this Stipulation and to fairly advise the Mayor and Council of the Borough of Wallington of the consequences of the settlement and the possible outcomes if the appeal proceeded to trial. The Special Tax Counsel for the Borough of Wallington also represented that he consulted with the assessor of the Borough of Wallington and that he has concurred with the settlement;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Wallington does hereby make the following findings:

- a) that it is in the best interests of the Borough of Wallington to reach an economic and businesslike resolution of the tax appeals for calendar years 2009 and 2010 filed by Wallington Plaza, LLC with respect to the real property located at 375 Paterson Avenue, Block 53.01, Lot 44, Wallington New Jersey;
- b) that the proposed settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law;
- c) the terms of the tax appeals filed by Wallington Plaza, LLC that the Mayor and Council is authorizing its counsel to settle are as follows:
  - 1. For tax year 2009, the original assessment was Land - \$4,100,000.00; Improvements - \$12,400,000.00; for a total assessment of \$16,500,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2009 as follows: Land - \$4,100,000.00; Improvements - \$11,650,000.00; for a total of \$15,750,000.00.
  - 2. For tax year 2010, the original assessment was Land - \$4,100,000.00; Improvements - \$12,400,000.00; for a total assessment of \$16,500,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2010 as follows: Land - \$4,100,000.00; Improvements - \$10,600,000.00; for a total of \$14,700,000.00.
- d) Paul M. Elias, Esq. is hereby directed to enter into the Stipulation of Settlement which he reviewed with the Mayor and Council of the Borough of Wallington pertaining to this matter and that he cause the same to be filed with the Tax Court of New Jersey.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**BOROUGH OF WALLINGTON**

**COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 127**

**RESOLUTION AUTHORIZING THE SETTLEMENT OF A  
TAX APPEAL AND AUTHORIZING THE EXECUTION  
AND DELIVERY OF A STIPULATION OF SETTLEMENT  
TO BE FILED WITH THE TAX COURT OF NEW JERSEY**

**WHEREAS**, Morningside at Wallington LLC has filed tax appeals with respect to the assessed valuation of the real property commonly known as 551 Main Avenue, Block 71, Lot 35.01, located within the Borough of Wallington; and

**WHEREAS**, the Mayor and Council of the Borough of Wallington, County of Bergen, has determined that it is in the best interests of the citizens of the Borough of Wallington to enter into a settlement agreement in full and final settlement of the tax appeals filed by Morningside at Wallington, LLC; and

**WHEREAS**, the Mayor and Council has received the advice of its Special Tax Counsel with respect to these tax appeals. The Special Tax Counsel for the Borough of Wallington has represented that he has made such examination of the value and proper assessment of the property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the property as he deemed necessary and appropriate for the purpose of enabling him to enter into this Stipulation and to fairly advise the Mayor and Council of the Borough of Wallington of the consequences of the settlement and the possible outcomes if the appeal proceeded to trial. The Special Tax Counsel for the Borough of Wallington also represented that he consulted with the assessor of the Borough of Wallington and that he has concurred with the settlement;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Wallington does hereby make the following findings:

- a) that it is in the best interests of the Borough of Wallington to reach an economic and businesslike resolution of the tax appeals for calendar years 2008, 2009, 2010, 2011, 2012, 2013, 2014 and 2015 filed by Morningside at Wallington, LLC with respect to the real property located at 551 Main Avenue, Block 71, Lot 35.01, Wallington New Jersey;
- b) that the proposed settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law;

c) the terms of the tax appeals filed by Morningside at Wallington, LLC that the Mayor and Council is authorizing its counsel to settle are as follows:

1. For tax year 2008, the original assessment was Land - \$1,183,000.00; Improvements - \$3,320,500.00; for a total assessment of \$4,503,500.00. The County Tax Board Judgment was Land - \$1,183,000.00; Improvements - \$3,320,500.00 for a total assessment of \$4,503,500.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2008 as follows: Land - \$1,183,000.00; Improvements - \$3,320,500.00; for a total of \$4,503,500.00.
2. For tax years 2009, 2010, 2011, 2012 and 2013, the original assessment was Land - \$1,183,000.00; Improvements - \$3,320,500.00; for a total assessment of \$4,503,500.00. The County Tax Board Judgment was Land - \$1,183,000.00; Improvements - \$3,320,500.00 for a total assessment of \$4,503,500.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar years 2009, 2010, 2011, 2012 and 2013 as follows: Land - \$1,098,500.00; Improvements - \$2,919,400.00; for a total of \$4,017,900.00.
3. For tax years 2014 and 2015, the original assessment was Land - \$1,098,500.00; Improvements - \$2,919,400.00; for a total assessment of \$4,017,900.00. The County Tax Board Judgment was Land - \$1,098,500.00; Improvements - \$2,919,400.00 for a total assessment of \$4,017,900.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar years 2014 and 2015 as follows: Land - \$1,098,500.00; Improvements - \$2,919,400.00; for a total of \$4,017,900.00.
4. For tax years 2016 and 2017, unless there has been a change in value or municipal-wide revaluation or reassessment adopted for the tax years 2016 and 2017, the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to and a final disposition of this case and the entire controversy and of any actions pending or hereafter instituted by the parties concerning the assessment on the property referred to herein for said Freeze Act years. No Freeze Act years shall

be the basis for application of the Freeze Act for any subsequent years.

- d) Paul M. Elias, Esq. is hereby directed to enter into the Stipulation of Settlement which he reviewed with the Mayor and Council of the Borough of Wallington pertaining to this matter and that he cause the same to be filed with the Tax Court of New Jersey.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Surowiec, Tomko – Ayes

Sinisi – Nay

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 128**

**BE IT RESOLVED**, that the Mayor and Council of Wallington wish to enter into a grant agreement with the County of Bergen for the purpose of using \$65,000.00 in 2016 Community Development Block Grant funds for Anderson Avenue Roadway Improvement on Anderson Avenue.

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorizes Walter G. Wargacki to be a signatory for the aforesaid grant agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council recognizes that Wallington is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

This resolution was adopted by the Mayor and Council of Wallington at a meeting on September 24, 2015

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 129**

**WHEREAS**, the Borough of Wallington had issued Specifications prepared by the Borough Engineer, Kenneth Job, P.E., with respect to the 2012/2013 Water Main Replacement Program; and

**WHEREAS**, the Borough of Wallington previously awarded a Contract to perform the said work in accordance with the said Specifications to John Garcia Construction; and

**WHEREAS**, when the contractor attempted to undertake the work at certain streets in the Borough of Wallington, it was discovered that the existing Union Boulevard Water Main between Wallington Avenue and Hathaway Street is significantly undersized and requires additional material, equipment and labor, beyond those covered under the Specifications; and

**WHEREAS**, the Borough Engineer, Kenneth Job, P.E., has recommended to the Mayor & Council that it authorize a Change Order running in favor of John Garcia Construction Co. to compensate the contractor for the said additional material and labor.

**NOW, THEREFORE, BE IT RESOLVED BY** the Mayor and Council of the Borough of Wallington, County of Bergen, State of New Jersey that

1. Based upon the recommendation of the Borough Engineer, Kenneth Job, P.E., Change Order #3 running in favor of John Garcia Construction Co., 183 Friar Lane, Clifton, New Jersey 07103 be and the same is hereby approved. A copy of the said Change Order dated September 14, 2015 and signed on September 15, 2015 is attached hereto and is incorporated herein by reference. The Mayor & Council of the Borough of Wallington hereby specifically approves a change of the Original Contract amount of \$1,176,319.58 to the new Contract amount as set forth in Change Order #3 of \$1,252,659.58.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 130**

**SHARED SERVICE AGREEMENT**

**County Road Resurfacing**

The County of Bergen and Borough of Wallington agree to the following procedures and conditions in connection with the County's Road Resurfacing Program:

1. **Prerequisites.** As a prerequisite to and in consideration of the County's scheduling of road resurfacing with the Municipality, the Municipality agrees to:
  - a. Inspect the conditions of all curb ramps and crosswalk locations, make any repairs/replacements before the road is scheduled for resurfacing, and identify any locations at which the Municipality requests the County to install asphalt berms.

- b. Inspect all sanitary sewer manholes and frames and either:
    - i. verify that the manholes and frames are in good condition; or
    - ii. for any manhole frames that requires replacement, notify the County's representative. The County will provide the labor, at no cost to the Municipality, to replace the manhole frame(s) provided that the Municipality supplies the frames a minimum of seven calendar days in advance of the County's schedule for the commencement of road milling.
  
- 2. **ADA Compliance.** NJDOT and Federal ADA regulations require compliance with the Americans with Disabilities Act (ADA) at all altered crosswalk locations along the resurfaced county roads which have public sidewalks. Once constructed, the Municipality is responsible for the maintenance of all curb ramps and detectable warning surfaces as N.J.S.A. 27:16-8 limits the County's maintenance responsibility to improved road areas between the curb lines.
  
- 3. **Funding of ADA Compliance.** The County of Bergen has established engineering design and capital improvement cooperatives for the funding of ADA design and construction. As a prerequisite to the County's scheduling of road resurfacing with the Municipality, the municipality must first comply with the following:
  - a. ADA Engineering Design Grant Program – Freeholder Resolution No. 676-12. The Municipality must execute a Design Grant Program agreement and the Municipal Engineer must:
    - i. work with County personnel to identify and qualify and quantify the curb ramp locations that require replacement prior to resurfacing; and
    - ii. design the proposed improvements and certify the ADA improvements are in full compliance with ADA regulations, including ensuring that ramps are set at the proper grade to prevent pooling of water; and
    - iii. inspect the completed ADA improvements and certify full compliance with ADA regulations upon completion of curb ramp construction and prior to reimbursement by the County.
  
  - b. ADA Cooperative Concrete Construction – Freeholder Resolution 677-12. The Municipality must first:
    - i. Either enter into a Concrete Construction Contract with the successful bidder of the County's ADA Cooperative Concrete Construction bid or, if the Municipality can obtain lower pricing, hire its own contractor.
    - ii. be responsible for all costs outside the scope of the countywide curb ramp construction contract, including work beyond the ramp limits directed by the Municipality and any local police protection.

4. **Crosswalks, Striping, and Parking Stalls.** After resurfacing, the County will restripe the roadways, installs traffic markings and symbols, and replace crosswalks and parking stalls, subject to the following:
- a. The County will mark, where appropriate, the center line, edge lines, and other longitudinal markings on County roads. The County will be responsible for maintaining these markings. However, the Municipality shall be responsible for repairing or replacing any such markings subsequently damages or removed by the Municipality or the Municipality's contractors.
  - b. The County will install thermoplastic traffic markings and symbols across the County road and across the intersecting municipal road at municipal intersections with traffic signals, and will replace crosswalk markings only if the crosswalks terminate at curb ramps that comply with ADA regulations. Once installed, the Municipality is responsible for the maintenance, repair, and replacement of these markings and symbols across both the County Road and across the intersecting municipal road unless it is a signalized intersection under County jurisdiction.
  - c. The County will replace parking stall markings along the resurfaced County roads as directed by the Municipality. The Municipality shall be responsible for ensuring compliance with the Manual on Uniform Traffic Control Devices, and shall defend, indemnify, and hold the County harmless for any violation thereof. Once installed, the Municipality shall be responsible for maintenance, repair, and replacement of these markings.
  - d. If the Municipality plans a streetscape project, the County recommends using stamped or imprinted crosswalks and that these crosswalks be completed after the roadway is resurfaced. Crosswalks made from raised materials such as pavers or other type of concrete blocks and headers, or very thick layers of extruded thermoplastic materials, are not recommended. Should the Municipality install crosswalks of this type, then it is the Municipality's responsibility to maintain them at all times.
5. **Intersections with Municipal Roads.** Pursuant to N.J.S.A. 27:16-8, the County is only responsible for maintaining County roads between the curb lines. Where no curb exists on a County road, the term curb line refers the edge of pavement. At intersections, the curb line refers to the imaginary line created by extending the curb or edge of pavement of the County road across the intersection with the municipal road. By executing this agreement, the Municipality agrees and acknowledges that the County does not own, control, maintain, or have any duty to maintain, any portion of the right of way beyond the curb line of the County road, including any right of way that may extend onto a municipal road, except as may otherwise be provided in a formal agreement or resolution of the County Planning Board. The County will, at the Municipality's request, and solely as a courtesy to the Municipality, pave into an intersecting municipal road to meet the prior paving joint or to ensure a smooth pavement transition as directed by the



municipality's authorized representative, and, subject to Paragraph 4, "Crosswalks, Striping, and Parking Stalls" above, install traffic markings and symbols and replace crosswalk markings on a municipal road at the intersection with a County road. The Municipality agrees that, notwithstanding this courtesy extended by the County, it is solely the Municipality's responsibility to improve, maintain, and control the intersecting municipal road beyond the curb line of the County road, and that the County is not exercising ownership, control, or accepting any maintenance obligation over any portion of the municipal road by virtue of such paving or other improvements on the municipal road beyond the curb line of the County Road. In consideration for the County agreeing to pave into or make other improvements on the intersecting municipal road, the Municipality hereby agrees to indemnify, defend, save harmless, and release the County, its officers, employees, agents, and contractors, from and against any and all claims, demands, actions, suits, judgments, costs, charges, fees, damages and expenses, including reasonable attorney's fees, which may arise or result from a condition of the intersecting municipal road beyond the curb line of the County Road, including attorney's fees and costs incurred in any appeal.

6. **Asphalt Berms.** As a courtesy to the Municipality for the sole purpose of directing surface water away from adjacent properties, when repaving a County road with no existing curbs or sidewalks, the County may, at the request of the Municipality and where directed by the municipality's authorized representative, construct asphalt berms at the edge of the County road pavement, within the public right of way, during the primary lay-down of road surface. The Municipality agrees, in consideration for the County's efforts and costs in construction of such berms, that the Municipality shall thereafter assume all responsibility for maintenance, repair, and replacement for the berms and that the County shall not be required to maintain, repair, or replace any such berm the County has constructed. The Municipality hereby agrees to indemnify, defend, save harmless, and release the County, its officers, employees, agents, and contractors, from and against any and all claims, demands, actions, suits, judgments, costs, charges, fees, damages and expenses, including reasonable attorney's fees, which may arise or the County may incur as a result of the County's construction of asphalt berms as directed by Municipality. This provision shall extend to the County regardless of the structure or workmanship of the County constructed asphalt berms, and shall expressly include any claim that the berm, howsoever it is maintained, is a dangerous condition under the New Jersey Tort Claims Act.
7. **Traffic Control.** The County uses NJDOT monies to fund the resurfacing program. NJDOT rules require that the contractor set up and maintain a proper and safe work zone with property trained flagmen at each work location. NJDOT does not permit the use of funds to pay for uniformed police officers may be required for safe traffic control.
  - a. The Municipality shall provide uniformed police officers, and be solely responsible for the cost thereof, in the following circumstances:
    - i. When intersecting roadways cannot be fully closed to traffic during installation of underground traffic signal conduit; installation of underground storm-water drainage systems; installation of new overhead

traffic signal hardware or removal of existing traffic signal hardware; work is being performed within 100' of a signalized intersection; pavement milling operations; final paving operations; and signal "turn-on."

ii. When requested by the County Division of Engineering or Department of Public Works.

b. Nothing herein shall prohibit the Municipality from assigning Municipal uniformed police officers for additional protection on its own initiative, over and above the contractor's responsibilities, at the Municipality's sole cost and expense.

c. The Municipality agrees that the aforementioned traffic control procedure shall apply to all future work by the County of Bergen, and its contractors, performing work that is a County responsibility within public right-of-ways of County roads.

8. **Road Opening Permits.** The Municipality agrees that once a County road is resurfaced, the Municipality will procure a road opening permit for any Municipality controlled project or Municipal utility company project. The Municipality agrees to meet all requirements and specifications the restoration of the County's roads.

9. **Terms Defined:** Unless otherwise apparent from the context, the terms used herein shall have the meanings set forth in the 2009 edition of the Manual on Uniform Traffic Control Devices for Streets and Highways ("MUTCD"), including its 2012 revisions.

10. **Approval.** This Agreement has been approved by the governing bodies of the County and the Municipality, pursuant to N.J.S.A. 40A:65-5.

**IN WITNESS WHEREOF**, the parties have executed this Agreement to be effective as of the dates signed below.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 - 131**

STATE OF NEW JERSEY )

: ss.:

COUNTY OF BERGEN )

I, WITOLD T. BAGINSKI, Borough Clerk of the Borough of Wallington, in the County of Bergen, in the State of New Jersey, DO HEREBY CERTIFY that I have compared the foregoing copy of a resolution with the resolution adopted by the Borough Council of the Borough of Wallington, in the County of Bergen, at a meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, and said copy is a true copy of said resolution and of the whole thereof, and that at the time said meeting was held, said governing body was composed of \_\_\_\_\_ members, of whom \_\_\_\_\_ attended said meeting and \_\_\_\_\_ of said members voted for the resolution and \_\_\_\_\_ of said members voted against the resolution.

**IN WITNESS WHEREOF**, I have hereunto set my hand and have affixed the corporate seal of said Borough, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 - 132**

**WHEREAS**, the Borough of Wallington has an existing Shared Service Agreement with the City of Garfield with respect to sharing the services of a Municipal Court Administrator; and

**WHEREAS**, both the Borough of Wallington and the City of Garfield have determined that it is in the best interest of both municipalities to dissolve the said Shared Service Agreement and for the Borough of Wallington to hire its own permanent Municipal Court Administrator through an open recruitment process pursuant to the Rules of Court of the State of New Jersey; and

**WHEREAS**, it is the desire of the Mayor & Council of the Borough of Wallington to immediately start the process of posting the position as required by law and in hiring a qualified, full-time Municipal Court Administrator.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor & Council of the Borough of Wallington that:

1. Resolution #10-379 entitled "Shared Service Agreement Resolution" be and the same is hereby declared to be null and void and of no effect with the following exception.

2. Ms. Krystyna Moskal, the Court Administrator who is shared by both the Wallington Municipal Court and the Municipal Court of the City of Garfield, shall continue to serve part-time to the Borough of Wallington until a successor is qualified and appointed to operate the Wallington Municipal Court in accordance with the statutory requirements until such time as a candidate is hired by the Borough of Wallington to act as the full-time Wallington Municipal Court Administrator.

3. The Borough Administrator and/or Borough Attorney are hereby authorized to immediately take the necessary steps to fill the vacancy created by the adoption of this Resolution. This shall include, but is not limited to, the posting of the job description and requirements as required by law and compliance with Rule 1:34-3 and any other rule or statute which governs the process.

4. The Borough Administrator and/or Borough Attorney shall provide notice of all procedures followed by the Borough of Wallington to Ms. Brendis Montijo-Wrigley, Municipal Division Manager, Superior Court of New Jersey, Bergen Vicinage.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 133**

**WHEREAS**, a Bergen County Community Development grant of \$ \_\_\_\_\_ has been proposed by the Borough of Wallington for the Improvement of the Little League Bathrooms in the municipality of Wallington, and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

**WHEREAS**, the aforesaid project is in the best interest of the people of Wallington, and

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of Wallington hereby confirms endorsement of the aforesaid project, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Motion by Kruk, Seconded by Robie

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**ORDINANCES**

**Ordinance 2015-11** 2nd Reading

An Ordinance to amend Chapter 307 of the code of the Borough of Wallington

Motion to Open the Meeting to the Hearing of the Citizens relative to Ordinance

No. 2015-11 by: Kruk, Seconded by Brunacki

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

Mr. William Mendyk asked why.

Mrs. Diane Carracozza asked what is it.

Motion to Close the Meeting to the Hearing of Citizens by: Kruk, Seconded by Sinisi,  
Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

Motion to Adopt Ordinance No. 2015-11 by Sinisi, Seconded by Kruk  
Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**Ordinance 2015-12 1<sup>st</sup> Reading**

An Ordinance to Amend Chapter 81 “Police Department” of the Code of the Borough of Wallington

Motion to Introduce Ordinance 2015-12 by Brunacki, Seconded by Kruk,  
Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**Ordinance 2015-13 1<sup>st</sup> Reading**

An Ordinance to Amend Chapter 85 “Department of Public Safety” of the Code of the Borough of Wallington

Motion to Introduce Ordinance 2015-13 by Brunacki, Seconded by Kruk,  
Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**Ordinance 2015-14 1<sup>st</sup> Reading**

An Ordinance to Authorize the Undertaking of Various Park Improvements

Motion to Introduce Ordinance 2015-14 by Brunacki, Seconded by Kruk,  
Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**LIST OF BILLS AND SUPPLEMENTAL LIST OF BILLS**

17957	DANIEL G. KEOUGH TRUSTEE	\$2,306.67
17958	WALLINGTON BOARD OF EDUCATION	\$423,666.00
17959	WALLINGTON BOARD OF EDUCATION	\$423,666.00
17960	WALLINGTON BOARD OF EDUCATION	\$423,668.00
17961	KATES NUSSBBAUM RAPONE	\$20,801.10
17962	U.S. POSTAL SERVICE	\$1,196.55
17963	DESTIN II AUTO PARTS	\$844.43
17964	SHAWN KUDLACIK	\$157.22
17965	COUNTY OF BERGEN	\$588,343.86
17966	COUNTY OPEN SPACE TRUST FUND	\$6,026.18
17967	AGL INHALATION THERAPY CO.	\$103.55
17968	VENTURA'S FUEL OIL LLC	\$714.38
17969	TREASURER-STATE OF NEW JERSEY	\$1,130.00

17970	ROGO FASTENER CO INC	\$140.33
17971	FIREFIGHTER ONE LLC	\$1,543.60
17972	DRAGER SAFETY DIAGNOSTICS INC	\$409.00
17973	LERCH, VINCI & HIGGINS	\$115.00
17974	DE LAGE LANDEN	\$315.00
17975	DE LAGE LANDEN	\$54.00
17976	VERIZON	\$210.42
17977	PROCOPY INC.	\$714.00
17978	VERIZON WIRELESS	\$776.67
17979	NJLM	\$605.00
17980	DIRECT ENERGEY BUSINESS	\$7,903.02
17981	COMCAST	\$129.43
17982	PAYROLL FORMS.COM	\$76.08
17983	AGL WELDING SUPPLY CO. INC	\$36.22
17984	FIRE APPARATUS SERVICES, LLLC	\$3,866.08
17985	DART COMPUTER SERVICES, INC.	\$396.00
17986	CRISTI CLEANING SERVICE CORP	\$3,950.00
17987	ARLINE GALEVICH	\$314.70
17988	JOSEPH SMENTKOWSKI INC	\$23,607.25
17989	ONE CALL CONCEPTS, INC	\$28.52
17990	FIREFIGHTER ONE LLC	\$144.00
17991	ESI-ADVANCED ENTERPRISES	\$31,807.77
17992	EDWARD SKORUPA	\$314.70
17993	ALL AMERICAN SEWER SERVICE	\$75.00
17994	ESI-ADVANCED ENTERPRISES	\$29,084.56
17995	ATD HIGHWAY PRODUCTS LLC	\$52.00
17996	FELDMAN BROTHERS ELECTRICAL	\$90.29
17997	PAC TOOL & SUPPLY CO.	\$204.73
17998	ICE AGE	\$263.22
17999	ICE AGE	\$276.60
18000	BITTIGER ELIAS & TRIOLO PC	\$1,742.50
18001	BITTIGER ELIAS & TRIOLO PC	\$817.00
18002	AGL INHALATION THERAPY CO.	\$106.74
18003	FORD CREDIT DEPT 67-434	\$26,845.22
18004	ANNA TENCZA	\$314.70
18005	IRENE BARNAS	\$314.70
18006	RITA V LASIW	\$314.70
18007	JOYCE POPEK	\$30.00
18008	MARYANN PALMER	\$30.00
18009	ROBYN FEDERICO	\$30.00
18010	SHERRY ELRAYES	\$30.00

18011	GOLDENBERG, MACKLER, SAYEGH	\$75.00
18012	WALTER BEDNARZ	\$629.40
18013	MCNERNEY & ASSOCIATES, INC.	\$850.00
18014	VIVIAN DESBIENS	\$314.70
18015	ANTHONY ROCK JR	\$314.70
18016	THEODORE STANKIEWICZ	\$314.70
18017	LORRAINE KLAMERUS	\$314.70
18018	THOMAS CILIENTO	\$314.70
18019	JOSEPH J RYS	\$629.40
18020	WILLIAM MASTROBERTE	\$314.70
18021	FRANK CLEMENS	\$629.40
18022	FRED SURDYKA JR	\$629.40
18023	BARBARA WARGACKI	\$30.00
18024	DINNA TOMKO	\$30.00
18025	MARY VAN ECK	\$87.50
18026	P.S.E.&G.	\$15,798.82
18027	NORTH JERSEY MEDIA GROUP INC.	\$436.94
18028	EXCLUSIVE ACCOUNTING SERVICE	\$280.22
18029	ACTION DATA SERVICES INC.	\$299.79
18030	NEW JERSEY STATE LEAGUE	\$49.00
18031	U.S. POSTAL SERVICE	\$908.75
18032	HOME DEPOT CREDIT SERVICES	\$1,002.50
18033	READY REFRESH	\$117.89
18034	MARY MAURICI	\$30.00
18035	NEW JERSEY DIVISION OF ALCOH. BEV. CONT.	\$72.00
18036	RICHARD S. CEDZIDLO	\$4,163.00
18037	RICHARD S. CEDZIDLO	\$1,817.31
18038	BERGEN MUN EMP BENFT FUND	\$163,324.00
18039	COMCAST	\$128.76
18040	MCI	\$86.82
18041	EXCLUSIVE ACCOUNTING SERVICE	\$70.98
18042	ACTION DATA SERVICES INC.	\$291.21
18043	MUNIDEX, INC.	\$1,641.44
18044	VERIZON WIRELESS	\$131.74
18045	MARLIN BUSINESS BANK	\$63.72
18046	TCTA OF BERGEN COUNTY	\$27.00
18047	VERIZON	\$1,117.05
18048	VERIZON	\$210.54
18049	VERIZON WIRELESS	\$319.78
18050	AGL WELDING SUPPLY CO. INC	\$124.93
18051	MILLENNIUM STRATEGIES	\$2,500.00

18052	PRECISION ELECTRIC MOTOR	\$318.23
18053	JOSEPH BOHNARCZYK	\$314.70
18054	MARIE PLUCINSKY	\$314.70
18055	JENNIE KAVA	\$629.40
<b>TOTAL BILL LIST</b>		<b>\$2,232,772.21</b>

**WATER ACCOUNT**

62582	US VOIP	\$882.11
62583	CENTRAL SUPPLY INC.	\$714.16
62584	NEWARK ASPHALT CORP.	\$565.86
62585	WATER WORKS SUPPLY COMPANY	\$6,682.83
62586	RIO SUPPLY, INC	\$3,000.00
62587	AMERICAN WEAR	\$339.00
62588	PASSAIC VALLEY WATER COMM.	\$192.00
62589	PASSAIC VALLEY WATER COMM.	\$82,520.20
62590	PASSAIC VALLEY WATER COMM.	\$77,598.62
62591	P.S.E.&G.	\$746.06
<b>TOTAL BILL LIST</b>		<b>\$173,240.84</b>

**GENERAL CAPITAL**

400719	JOB & JOB CONSULTING	\$4,513.88
400720	US TEL, INC.	\$611.00
400721	JOB & JOB CONSULTING	\$462.50
400722	JOB & JOB CONSULTING	\$626.50
400723	JOHN GARCIA CONSTRUCTION CO.	\$41,134.69
400724	REGIONAL COMMUNICATIONS, INC.	\$116.50
400725	JOHN GARCIA CONSTRUCTION CO.	\$76,773.34
400726	JOHN GARCIA CONSTRUCTION CO.	\$58,799.97
400727	JOB & JOB CONSULTING	\$2,787.87
400728	JOB & JOB CONSULTING	\$2,706.00
400729	JOB & JOB CONSULTING	\$1,144.00
400730	JOB & JOB CONSULTING	\$436.00
<b>TOTAL BILL LIST</b>		<b>\$190,112.25</b>

**TRUST -PLANNING BOARD**

2515	MARTIN S CEDZIDLO	\$500.00
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**TRUST - DOG**

1171	NEW JERSEY DEPARTMENT OF HEALTH-DOG LICENSE	\$13.80
1172	NEW JERSEY DEPARTMENT OF HEALTH-DOG LICENSE	\$32.40



**SUPPLEMENTAL BILL LIST**

18057	PHYSIO CONTROL	\$983.40
18058	ACE LOCK & KEY SHOP	\$33.38
18059	MARIOLA MLEKICKI	\$150.00
18060	PROGRESSIVE BRICK COMPANY	\$1,090.42
18061	GRAINGER	\$110.37
18062	MARIA A. REDA, CMFO	\$312.50
18063	PHYSIO CONTROL	\$618.00
18064	FIRE AND SAFETY SERVICES, LTD	\$338.83
18065	ANDREA SOLLITTO	\$60.00
18066	CAMPBELL FOUNDRY COMPANY	\$389.00
18067	CAMPBELL FOUNDRY COMPANY	\$1,004.50
18068	RIDGEHURST AUTO PARTS	\$604.07
18069	RIDGEHURST AUTO PARTS	\$947.48
18070	PAC TOOL & SUPPLY CO.	\$148.22
18071	COMPLETE SAW SERVICE, INC.	\$264.20
18072	INTERSTATE BATTERIES	\$192.90
18073	INTERSTATE BATTERIES	\$175.90
18074	THOMSON REUTERS-WEST	\$1,557.39
18075	THOMSON REUTERS-WEST	\$820.69
18076	ACTION DATA SERVICES INC.	\$318.16
18077	EXCLUSIVE ACCOUNTING SERVICE	\$70.98
18078	RIDGEHURST AUTO PARTS	\$103.24
18079	VERIZON	\$63.93
18080	RAINBOW CLEANERS	\$40.00
18081	THOMSON REUTERS-WEST	\$601.34
18082	MARIOLA MLEKICKI	\$150.00
18083	UNITED PARCEL SERVICE	\$29.42
18084	FIREFIGHTER ONE LLC	\$3,220.20
18085	P.S.E.&G.	\$14,283.79
<b>TOTAL BILL LIST</b>		<b>\$28,682.31</b>

**SUPPLEMENTAL BILL LIST - WATER ACCOUNT**

62593	NEWARK ASPHALT CORP.	\$1,179.66
62594	CAMPBELL FOUNDRY COMPANY	\$224.25
62595	RIDGEHURST AUTO PARTS	\$453.30
62596	RIDGEHURST AUTO PARTS	\$561.96
62597	P.S.E.&G.	\$947.79
62598	US VOIP	\$882.11
<b>TOTAL BILL LIST</b>		<b>\$4,249.07</b>

**SUPPLEMENTAL BILL LIST - GENERAL CAPITAL**

400747	TRIOUS INC	\$140,890.00
400748	ALL SERVICE	\$2,790.00
400749	JOB & JOB CONSULTING	\$10,528.63
400750	JOB & JOB CONSULTING	\$2,603.00
400751	JOB & JOB CONSULTING	\$667.25
400752	JOB & JOB CONSULTING	\$497.00
<b>TOTAL BILL LIST</b>		<b>\$157,975.88</b>

Motion to Pay List of Bills by Kruk, Seconded by Brunacki,

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

Brunacki – Nay (Check No. 17986)

Sinisi – Nay (Check No. 18060, 17986, 18051)

Mayor – Aye (breaks the tie Check No. 17986)

**OLD BUSINESS**

**NEW BUSINESS**

Councilwoman Surowiec – Police

Sat – Prescription take back

Motion to Meet with Carlstadt by Tomko, Seconded by Sinisi

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

**ADJOURNMENT**

Motion to adjourn at 9:15p.m. by Brunacki, Seconded by Kruk,

Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

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Witold T. Baginski, RMC  
Borough Administrator/Clerk