

**REGULAR MEETING
APRIL 23, 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

Borough Auditor Ralph Picone – Present

Motion to dispense Regular Order of Business for the Public Hearing on the 2015 Budget

By Kruk, Seconded by Sinisi,

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

Motion to Open the Meeting to the Hearing of Citizens relative to the 2015 Budget by Kruk,
Seconded By Sinisi,

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

Mr. William Mendyk of Azalea Drive stated that the budget went up 7.7% since last year. If the surplus of \$582,000 was not used what would the rate be? The rate would be \$95,000 per point.

Over Expenditure on the overall budget \$188,750.00 for the Board of Education
Sheet 4 Surplus \$582,000
\$537,000 Balance left over

Asked about the revenue from the land lease

Safe and Secure Grant:

Click & Ticket, no application

Water Utility deficit

Having issues where the surplus of \$127,000 to fund the water last year.

Municipal Clerk Operating Expenses- up 9%

Legal Clerk Operating Expenses - up 37 % Victor Baginski

Salaries and Wages - down \$18,000

Worker's Compensation - up 39%

Fire Operating Expenses- up \$30,000

Due to Preventive Maintenance going up

Clothing Allowance

The Mayor is having a budget meeting on Tuesday

Salaries and Wages – Streets - up 7%

No Salaries and Wages for Buildings and Grounds

Water – Salaries and Wages - \$141,000

The Mayor explained the usage of the Water plus running the Ambulance during the day has caused increases.

Mr. William Mendyk

Line 15 C - Recreation Salaries and Wages - up 87%

The Mayor explained the issue with the increase in kids in the program

Line 17 - Municipal Court – Salaries and Wages - up 80%

The Mayor explained the additional person.

Breakdown of the Operating Expenses

Bulk of it

Line 39 - Surplus Balance in Water

1,649,093 Balance

1,493,824

Snow Removal is built into the Budget.

The Mayor thanked Mr. Mendyk for keeping us informed.

Motion to Close the Hearing of the Citizens relative to the 2015 Budget by Sinisi, Seconded By Kruk,

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

Motion to resume with regular order of Business

By Brunacki, Seconded by Kruk,

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

HEARING OF CITIZENS

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

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

Mr. William Mendyk asked about increases of Water Rates. Water went up 22%

Mr. Cedzidlo replied that he only drafted the Ordinance.

Diane Carracozza asked how many delinquent taxes are there.

Mr. Baginski explained that the collection rate is at 97.8%.

Linda Kuznic of Halstead Avenue thanked Councilwoman Surowiec for the sink hole on Halstead Avenue.

Helena Plaskon of Roehrs Drive thanked Mr. Mendyk.

The Mayor asked if she was addressing the chair or the Public?

Helena Plaskon asked about the money for the School. The Mayor replied that it is in discussion. Promises were made but not kept.
Garfield - housing received grant for the housing authority. Wallington does not have Public Housing.

Helena Plaskon stated that we do not have any other areas. Mrs. Surowiec is addressing the flooding issue.

Are the EMT's paid?

The Mayor stated that the Fire Department operates the EMS, they get a clothing allowance.

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

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

COMMUNICATIONS

From: State of New Jersey Department of Transportation

Re: Notification of receiving a Fiscal Year 2015 Grant for Alden Street in the amount of \$149,000.00

From: The Bergen County League of Municipalities

Re: Submission of a Resolution Opposing the Municipal "User-Friendly" Budget

From: JM Sorge Inc.

Re: Notification of an Environmental Investigation at 375 Paterson Avenue

From: The New Jersey General Assembly Robert J. Auth

Re: Submission of a Bill Sponsored by Assemblyman Auth called The Transparent Tax Act of 2015

From: Tru Green

Re: Submission of a list of Chemicals used for fertilizing

From: The Dubis and Dabal Family

Re: Submission of a Thank you card

From: Millennium Strategies

Re: Submission of the Monthly Report

From: The Wallington Building Inspector

Re: Submission of the Monthly Report

From: The Bergen County Department of Planning and Economic Development

Re: Notification of an Open Space Meeting on April 23, 2015

From: The State of New Jersey Department of Transportation
Re: Notification of ineligibility for the Safe Routes to School Program

From: The Wallington Pulaski Memorial Association
Re: A request for a Journal Ad

From: D.J. Egarian and Associates, Inc.
Re: Submission of a Treatment Works Approval Application

From: Bittiger Elias & Triolo P.C. Tax Appeals Attorney
Re: Submission of the Monthly Report

From: 174 Maple Avenue, 5 Main Avenue, 85 Midland Avenue LLC, 79 Midland Avenue LLC, 203 Paterson Avenue LLC, 5 Locust Avenue, 1 Parkway, 278 Hayward Place, 42 Lester Street, Mt. Pleasant Village Investments, 90 Mercer Street, Farmland Dairies, 54 Lester Street, 260 Maple Avenue, 15 Spring Ct, 11 Spring Street, 92 Tuttle Street, 45-47 Hathaway Street, 190 Main Avenue, 108 Wallington Avenue, 450 Main Avenue, Jasontown II Associates, 520 Main Street, 132 Alden Street, 23 Chestnut Street, The Wallington Group LLC, 551 Main Avenue,
Re: Submission of a Tax Appeal

From: The Wallington Fire Department
Re: Notification of the Annual Memorial Service on April 25, 2015, 5:30p.m.

From: The Wallington LOSAP Committee
Re: Submission of the 2014 LOSAP Certification

From: Job and Job Engineering
Re: Submission of updates on Hathaway Street Water Main Replacement

Motion to refer the previous Communications to the proper Agencies by Robie, Seconded by Kruk,
Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko - Ayes

CONTINUING WITH COMMUNICATIONS

From: The Wallington Board of Education
Re: Request # 11 in the amount of \$ 1,211,000.00

Motion to pay subject to fund availability by Kruk, Seconded by Brunacki,
Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko - Ayes

COMMITTEE REPORTS

PARKS & ENVIRONMENT / INSURANCE – S. ROBIE

Councilwoman Robie spoke to someone from FEMA to speak to the residents.
She will be speaking to them weekly until a date can be established.

Under Board of Education

Councilwoman Robie reported that the Board of Education changed the time of their meeting.

Councilwoman Robie reported that Jefferson School garbage is not picked up daily.

FINANCE / LEGAL –R. KRUK

Councilman Kruk reported that he had a meeting with the Budget Committee to further discuss cuts.

Under Recreation

Councilman Kruk reported that the Summer Recreation program began yesterday. The Little League Opening day was on the past Saturday.

Councilman Kruk thanked the Fire Department and the Police Department for all their help. Councilman Kruk reported that the Little League are hooked up with five towns trying to make things work.

POLICE – J. BRUNACKI

Councilman Brunacki reported that the Police handled 726 incidents and 6 arrests for the month.

Councilman Brunacki reported that he attended the DARE graduation program.

BUILDING & GROUNDS / PUBLIC WORKS – C. SINISI

Councilman Sinisi reported that we will proceed with the roof replacement for the Library.

Councilman Sinisi reported that the drop off zones and the curbs at 201 had been painted.

Councilman Sinisi suggested to get prices for window replacement for Engine Co 202

Councilman Sinisi requested prices for the Scuba doors and Civil Center Doors.

Councilman Sinisi reported that the elevator is working properly.

CODE ENFORCEMENT- K. SUROWIEC

Councilwoman Surowiec reported that the Building Department issued 25 permits, handled 26 building inspections.

Councilwoman Surowiec reported that the Shop Rite Opening will take place on May 20.

Under Board of Health

The Blood Screening Program will take place on Friday, May 1st and Saturday, May 2nd.

FIRE / SENIOR SERVICES – M. TOMKO

Under Library

Councilman Tomko reported that 1,800 people used the Library last month.

Councilman Tomko reported that the librarians are going through the old books.

Councilman Tomko reported that the computers are being used daily.

Councilman Tomko reported that they are having some heat issues.

Councilman Tomko thanked the attorney for sending a letter to the County about signals for the Fire Department and Park Row and Main Avenue.

Councilman Tomko reported that there will be a Memorial Service at No.1 Fire House this Saturday. Special Service will be held for Firefighter Ventura and Barnas.

Councilman Tomko reported that a garage fire was contained on Halstead Street.

MAYOR'S REPORT

The Mayor reported that he attended a Community Development Meeting. Thanked James Furtak and Kathy Polten for attending for the past 10 and 20 years.

The Mayor reported thank you cards to Joseph Ivanicki and Valdimir Smolensky have been sent.

Motion to Notify Millennium to Apply for a Bullet Vests by Brunacki, Seconded by Kruk
Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko - Ayes

Budget Meeting on Tuesday at 3:00pm

Start the process to hire a Police Officer. Pre-Employment Package.

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

ATTORNEY'S REPORT

Mr. Cedzidlo reported of a trial before Judge Meehan. No answer yet.

Mr. Cedzidlo reported that Judge Bonnie Mizdol has been elevated to Assignment Judge. Congratulations to her. Wallington should be proud to have three Judges.

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 – 61**

WHEREAS, Jersey Development Street, LLC has applied to the Department of Environmental Protection for a Treatment Works Approval Permit;

WHEREAS, The Borough of Wallington has consented to the Application which has been reviewed by Job & Job Consulting Engineers representing the Borough of Wallington and has deemed to be in order;

BE IT FURTHER RESOLVED, that Walter G. Wargacki, Mayor of The Borough of Wallington, is hereby authorized to sign as the authorized representative of the Governing Body.

Motion by Tomko, Seconded by Surowiec

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

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2015 - 62**

**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, Host Phase II has filed a tax appeal with respect to the assessed valuation of the real property commonly known as 86 Alden Street, Block 52, Lot 1002, 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 Goal Investments, 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 appeal for calendar year 2009, 2010, 2011, 2012, 2013 and 2014 filed by Host Phase II with respect to the real property located at 86 Alden Street, Block 52, Lot 1002, 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 Host Phase II that the Mayor and Council is authorizing its counsel to settle are as follows:
 - 1. For tax years 2009 and 2010, the original assessment was Land - \$204,700.00; Improvements - \$256,100.00; for a total assessment of \$460,800.00. The County Tax Board Judgment was Land - \$204,700.00; Improvements - \$256,100.00 for a total assessment of \$460,800.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment declaring the property exempt from taxation.
 - 2. For tax years 2011, 2012 and 2013, the original assessment was Land - \$190,500.00; Improvements - \$266,600.00; for a total assessment of \$457,100.00. The County Tax Board Judgment was Land - \$190,500.00; Improvements - \$266,600.00 for a total assessment of \$457,100.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment declaring the property exempt from taxation.
 - 3. For tax year 2014, the original assessment was Land - \$147,700.00; Improvements - \$232,200.00; for a total assessment of \$378,900.00. The County Tax Board Judgment was Land - \$147,700.00; Improvements - \$232,200.00 for a total assessment of \$378,900.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment declaring the property exempt from taxation.
- d) The parties agree that the taxpayer shall be entitled to statutory interest pursuant to N.J.S.A. 54:3-27.2 in addition to the tax overpayment refund due as a result of the settlement set forth herein. However, the parties further agree that such interest and refund due to Host Phase II shall be reduced by the appropriate amount due to the Borough of Wallington for interest and penalty on unpaid taxes

commencing with the 4th Quarter 2011 and continuing through present date. Based on the above calculations, the net amount due to Host Phase II is \$20,801.11.

- e) 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 Tomko, Seconded by Surowiec

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

Robie, Sinisi – Nay

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2015-63**

NOW THEREFORE BE IT RESOLVED by the **Borough of Wallington**:

1. The Bergen County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on **April 13, 2015** by the Bergen County Office of Emergency Management is hereby adopted as an official plan of the Name of Municipality; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
1. The **Borough of Wallington** departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
1. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the **Borough of Wallington**, and this resolution shall not be interpreted so as to mandate any such appropriations.
1. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Bergen County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

PASSED by the **Borough of Wallington**, this ____ day of _____, 2015.

Motion by Tomko, Seconded by Surowiec

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

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2015 – 64**

WHEREAS, Tax Court of New Jersey County: Bergen issued a Civil Action Judgment for Advanced Housing: Host Phase II, 86 Alden Street, Wallington, New Jersey 07057, Block 52, Lot 10.02, as per Docket No. 017956-2009 reducing the 2009 property tax assessment from \$460,800.00 to \$0.00, making it exempt from taxation and, by Docket No. 017267-2010 reducing the 2010 property tax assessment from \$460,800.00 to \$0.00, making it exempt from taxation and, by Docket No. 018352-2011 reducing the 2011 property tax assessment from \$457,100.00 to \$0.00 making it exempt from taxation and, Docket No. 014906-2012 reducing the 2012 property tax assessment from \$457,100.00 to \$0.00, making it exempt from taxation and Docket No. 018040-2013 reducing the 2013 property tax assessment from \$457,100.00 to \$0.00, making it exempt from taxation and, Docket No. 015014-2014 reducing the property tax assessment from \$378,900.00 to \$0.00, making it exempt from taxation.

WHEREAS, Advanced Housing: Host Phase II paid taxes from the First Quarter 2009 to the Third Quarter 2011 in the amount of \$23,189.96 plus interest of \$4,733.79 for a total of \$27,923.75. The refund shall be reduced by interest owed to the Borough of Wallington in the amount of \$7,122.65 therefore resulting in a refund to Advanced Housing: Host Phase II in the amount of \$20,801.10.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wallington, that a refund in the amount of \$20,801.10 is approved and the Tax Collector shall adjust her books accordingly.

The refund check shall be made payable to: Advanced Housing: Host Phase II and sent to Advanced Housing: Host Phase II., 100 Hollister Road, Teterboro, NJ 07608.

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

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2015 – 65**

WHEREAS, the following Property Owners listed below prepaid their 2015 Second Quarter Property Taxes and requested a refund due to the fact that they received a Homestead Benefit in the 2015 Second Quarter.

WHEREAS, this payment in the amount listed below resulted in an overpayment as follows:

Rys, Wojciech & Maria	29 Reservoir Avenue	\$	353.85
Sudol, Jan & Emilia	23 Orchard Street	\$	493.87

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wallington shall refund the amount to the above referenced property owner and the Tax Collector shall adjust her books accordingly.

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

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2015 - 66**

**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, Bailey Park, LLC has filed a tax appeal with respect to the assessed valuation of the real property commonly known as 42 Lester Street, Block 13, Lot 25, 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 Bailey Park, 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 2011, 2012, 2013 and 2014 filed by Bailey Park, LLC with respect to the real property located at 42 Lester Street, Block 13, Lot 25, 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 Bailey Park, LLC that the Mayor and Council is authorizing its counsel to settle are as follows:
 - 1. For tax year 2011, the original assessment was Land - \$185,000.00; Improvements - \$357,600.00; for a total assessment of \$542,600.00. The County Tax Board Judgment was Land - \$185,000.00; Improvements - \$357,600.00 for a total assessment of \$542,600.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2011 as follows: Land - \$185,000.00; Improvements - \$265,000.00; for a total of \$450,000.00.
 - 2. For tax year 2012, the original assessment was Land - \$185,000.00; Improvements - \$357,600.00; for a total assessment of \$542,600.00. The County Tax Board Judgment was Land - \$185,000.00; Improvements - \$357,600.00 for a total assessment of \$542,600.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2012 as follows: Land - \$185,000.00; Improvements - \$265,000.00; for a total of \$450,000.00.
 - 3. For tax year 2013, the original assessment was Land - \$185,000.00; Improvements - \$357,600.00; for a total assessment of \$542,600.00. The County Tax Board Judgment was Land - \$185,000.00; Improvements - \$357,600.00 for a total assessment of \$542,600.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court

Judgment for calendar year 2013 as follows: Land - \$185,000.00; Improvements - \$265,000.00; for a total of \$450,000.00.

4. For tax year 2014, the original assessment was Land - \$125,000.00; Improvements - \$329,500.00; for a total assessment of \$454,500.00. The County Tax Board Judgment was Land - \$125,000.00; Improvements - \$329,500.00 for a total assessment of \$454,500.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2014 as follows: Land - \$125,000.00; Improvements - \$325,000.00; for a total of \$450,000.00.

5. For tax year 2015, the parties understand that the assessment for 2015 Tax Year will be set as follows and taxpayer will file an appeal with the Bergen County Board of Taxation to effect said Settlement. Stipulations of Settlement will then be executed by both parties and filed with the Bergen County Board of Taxation accordingly for Judgment:

Land	\$125,000.00
Improvements	<u>\$315,000.00</u>
Total	\$440,000.00

The parties expressly agree that, in accordance with N.J.S.A. 54:3-26, the Stipulation of Settlement filed with the Bergen County Board of Taxation, in the event it is not further appealed, shall be conclusive and binding upon the municipal assessor and the taxing district for the assessment year and for the assessment year succeeding the year covered by the judgment unless a revaluation or reassessment has been implemented in the subsequent year or unless changes in value of the property have occurred after the assessment date.

- d) Paul 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 Tomko, Seconded by Surowiec

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

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2015 - 68**

WHEREAS, the County of Bergen and the Borough of Wallington entered into the ADA Cooperative Curb Ramp Construction Grant Program agreement in 2012; and

WHEREAS, Kenneth Job, P.E., prepared an Engineer's Cost Estimate and submitted it for review by the County of Bergen and the said estimate was approved and the County of Bergen confirmed the availability of funds in the amount of \$128,594.28 for the construction of curb ramps along Main Avenue, Locust Avenue and Paterson Avenue; and

WHEREAS, the Borough of Wallington is desirous of awarding a contract to a contractor that will stay within the curb ramp project limits approved by the County of Bergen

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

1. The Borough of Wallington hereby awards the contract for the construction of curb ramps along Main Avenue, Locust Avenue and Paterson Avenue to Concrete Construction Corporation located at 24 Pink Street, Hackensack, New Jersey. The said contract shall be awarded upon the bid and estimates furnished by the said company in response to the specifications prepared by the County of Bergen and the Engineer's Cost Estimate prepared by Job & Job Engineering;

2. The Borough Attorney is hereby authorized to prepare a Construction Contract for signature by the Borough of Wallington and the authorized representative of Concrete Construction Corporation. Upon execution of said Construction Contract, the Borough Administrator and/or Borough Engineer shall submit a County Voucher for reimbursement of 50% of the Engineer's Cost Estimate;

3. The Borough Administrator, the Borough Attorney and the Borough Engineer are hereby authorized to execute such other and further documents necessary to comply with the agreement entered into with the County of Bergen and to qualify for the reimbursement of funds from the County of Bergen as provided for in said agreement.

Motion by Tomko, Seconded by Surowiec

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

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2015 – 69**

WHEREAS, THE BOROUGH OF WALLINGTON received payment from CoreLogic Tax Services to redeem Tax Sale Certificate Number 12-002 2011; 9 Doris Lane, Wallington, New Jersey, Block 10, Lot 1, C0032 in the amount of \$2,905.45.

WHEREAS, Tax Sale Certificate Number #12-002 2011 is held by US Bank Cust for Pro Cap II, LLC (Third Party Lien Holder), and,

WHEREAS, the Third Party Lien Holder, US Bank Cust for Pro Cap II, LLC paid a premium in the amount of \$200.00 for Tax Sale Certificate Number 12-002 2011.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wallington, that the Redemption be approved in the amount of \$3,105.45 (\$2,905.45 Tax Title Lien Redemption and \$200.00 Premium). The Borough Treasurer will issue a check made payable to: US Bank Cust for ProCap II, LLC in the amount of \$3,105.45 and the Tax Collector shall adjust her books accordingly.

The payment should be mailed to: US Bank Cust for ProCap II, LLC, 50 S 16th Street, Suite 1950, Philadelphia, PA 19102.

Motion by Tomko, Seconded by Surowiec

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

ORDINANCES

ORDINANCE NO. 2015-6 Second Reading

An Ordinance to Exceed the Municipal Budget Cost of Living Allowance and to Establish a Cap Bank

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

No. 2015-6 by: Tomko, Seconded by Sinisi,

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

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

Motion to Adopt Ordinance No. 2015-6 by Robie, Seconded by Brunacki
Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

LIST OF BILLS AND SUPPLEMENTAL LIST OF BILLS

CURRENT ACCOUNT

17380	TREASURER STATE OF NEW JERSEY	\$33,722.00
17384	MAUREEN BARON	\$36.00
17385	THOMAS BRYNCZKA	\$63.63
17386	P.S.E & G.	\$15,344.44
17387	MCI	\$82.48
17388	VERIZON	\$1,027.05
17389	RICHARD S. CEDZIDLO	\$1,817.31
17390	YONNY GOMEZ	\$400.00
17391	TILCON NEW YORK INC	\$273.38
17392	TRUEGREEN	\$925.00
17393	STORR TRACTOR COMPANY	\$208.74
17394	BITTIGER ELIAS & TRIOLO PC	\$5,487.50
17395	BITTIGER ELIAS & TRIOLO PC	\$2,063.00
17396	ELEAN ENTERPRISES CO. INC.	\$1,211.65
17397	ESI-ADVANCED ENTERPRISES	\$13,936.84
17398	FIREFIGHTER ON LLC	\$800.00
17399	FIREFIGHTER ON LLC	\$1,345.50
17400	KUIKEN BROTHERS	\$1,051.86
17401	LIFESAVERS INC.	\$208.32
17402	NEWARK ASPHALT CORP.	\$395.06
17403	MCNERNEY & ASSOCIATES, INC.	\$150.00
17404	VERIZON	\$193.55
17405	ANDREA SOLLITTO	\$150.00
17406	VENTURA'S FUEL OIL LLC	\$1,087.39
17407	VERIZON WIRELESS	\$830.62
17408	DIRECT ENERGEY BUSINESS	\$2,143.80
17409	MGL PRINTING SOLUTIONS	\$207.00
17410	J.F.K. MEMORIAL LIBRARY	\$60,000.00
17411	KENCOR INC.	\$97.00
17412	MILLENNIUM STRATEGIES	\$2,500.00
17413	MGL PRINTING SOLUTIONS	\$976.00
17414	GTBM/Info-Cop	\$2,700.00

17415	GOVDELIVERY , INC	\$2,700.00
17416	GRAINGER	\$334.79
17417	HOME DEPOT CREDIT SERVICES	\$674.49
17418	INDUSTRIAL PARTS CO.	\$476.25
17419	JOSEPH SMENTKOWSKI INC	\$23,607.25
17420	DAVIS CARB & ELECTRIC	\$360.35
17421	ESI-ADVANCED ENTERPRISES	\$13,301.80
17422	E-ZPASS	\$81.00
17423	C & C TIRE, INC	\$74.00
17424	CHRIS AND BUD LAWNMOWER INC	\$200.00
17425	C & K PRINTING CO.	\$1,521.15
17426	C & K PRINTING CO.	\$232.20
17427	BERGEN MUN EMP BENFT FUND	\$154,708.00
17428	BITTIGER ELIAS & TRIOLO PC	\$2,266.40
17429	BITTIGER ELIAS & TRIOLO PC	\$4,175.81
17430	BILL'S FLORIST	\$80.00
17431	ALARMAX DISTRIBUTORS, INC.	\$14.90
17432	AMERICAN HOSE & HYDRAULIC CO	\$1,481.77
17433	ATD HIGHWAY PRODUCTS LLC	\$375.00
17434	EXCLUSIVE ACCOUNTING SERVICE	\$249.30
17435	ACTION DATA SERVICES INC.	\$295.31
17436	EXCLUSIVE ACCOUNTING SERVICE	\$70.98
17437	ACTION DATA SERVICES INC.	\$292.33
17438	AGL WELDING SUPPLY CO., INC	\$33.48
17439	AGL INHALATION THERAPY CO	\$203.92
17440	STAPLES BUSINESS ADVANTAGE	\$69.41
17441	ANDREA SOLLITTO	\$120.00
17442	MARTIN S. CEDZIDLO, ESQ.	\$1,330.00
17443	MARTIN S. CEDZIDLO, ESQ.	\$1,930.00
17444	VAN DINE'S FOUR WHEEL	\$2,358.39
17445	MARIA A. REDA, CMFO	\$455.00
17446	VAN DINE'S FOUR WHEEL	\$187.70
17447	VERIZON	\$31.31
17448	UNITED PARCEL SERVICE	\$15.27
17449	TREASURER STATE OF NEW J	\$425.00
17450	RICHARD S. CEDZIDLO	\$3,570.40
17451	MARTIN S. CEDZIDLO, ESQ.	\$2,360.00
17452	THE BERGEN/PASSAIC COUNTY	\$50.00
17453	COMMERCIAL KITCHEN CLEANING	\$200.00
17454	TREASURER STATE OF NJ	\$507.00
17455	MARLIN BUSINESS BANK	\$978.74

17456	GTBM/Info-Cop	\$987.84
17457	HEDIGER'S FUEL OIL	\$920.06
17458	BOB MCCLOSKEY INSURANCE	\$5,690.00
17459	VERIZON WIRELESS	\$131.74
17460	MID-BERGEN REG. HEALTH COMM.	\$680.00
17461	MID-BERGEN REG. HEALTH COMM.	\$4,095.25
17462	PHOENIX ADVISORS, LLC	\$950.00
17463	PASSAIC VALLEY SEWERAGE COMM.	\$163,375.24
17464	MILLENNIUM STRATEGIES	\$2,500.00
17465	STAPLES BUSINESS ADVANTAGE	\$221.03
17466	SCHMIDT & SON CO	\$1,852.50
17467	STAPLES BUSINESS ADVANTAGE	\$374.84
17468	MARIOLA MLEKICKI	\$900.00
TOTAL BILL LIST		\$556,512.32

GENERAL CAPITAL ACCOUNT

400670	WINNER FORD	\$45,549.00
400671	TRIUSS INC	\$3,750.00
400672	KENCOR INC.	\$33,568.00
400673	JOB & JOB CONSULTING	\$5,009.78
400674	JOB & JOB CONSULTING	\$2,517.50
400675	JOB & JOB CONSULTING	\$9,583.00
400676	VAN DINE'S FOUR WHEEL	\$11,500.00
TOTAL BILL LIST		\$111,477.28

WATER ACCOUNT

62475	NJMVC	\$60.00
62476	NJMVC	\$60.00
62477	P.S.E.&G.	\$778.67
62478	VERIZON	\$323.99
62479	PASSAIC VALLEY WATER COMM.	\$111,530.52
62480	RICHMOND BUILDING OF NJ CORP	\$1,748.00
62481	RIO SUPPLY, INC	\$1,500.00
62482	AMERICAN WEAR	\$168.00
62483	FRANK'S TRUCK CENTER, INC.	\$406.33
62484	C & C TIRE, INC.	\$1,004.88
62485	C & K PRINTING CO.	\$118.90
62486	BCPWA	\$75.00
62487	AMERICAN WEAR	\$210.00
62488	WATER WORKS SUPPLY COMPANY	\$5,214.22
62489	US VOIP	\$944.36

62490	WALLINGTON PLUMBING & HEATING	\$281.49
62491	KAROL BUKOWSKI	\$139.99
62492	VERIZON	\$324.82
62493	STAPLES BUSINESS ADVANTAGE	\$161.74
62494	PASSAIC VALLEY WATER COMM.	\$192.00
TOTAL BILL LIST		\$125,242.91
TRUST ACCOUNT - ZONING BOARD		
2487	JOB AND JOB CONSULTING ENGINEERS	\$961.83
TRUST ACCOUNT - DOG		
1167	NEW JERSEY DEPARTMENT OF HEALTH	\$48.00
<u>SUPPLEMENTAL CURRENT ACCOUNT</u>		
17469	ALL AMERICAN SEWER SERVICE	\$75.00
17470	ALL AMERICAN SEWER SERVICE	\$1,340.00
17471	POLICE TRAFFIC OFFICER'S	\$200.00
17472	WALLINGTON PLUMBING & HEATING	\$2,166.88
17473	VERIZON WIRELESS	\$351.53
17474	NJSACOP	\$60.00
17475	VAN METER & ASSOCIATES, INC	\$170.00
17476	GOVDELIVERY, INC	\$2,700.00
17477	PALLISADES SALES CORPORATION	\$565.00
17478	STAPLES BUSINESS ADVANTAGE	\$81.00
17479	STAPLES BUSINESS ADVANTAGE	\$38.93
17480	NJ-ZPASS	\$51.50
17481	REGAL SAMP & SIGN	\$7.00
17482	DART COMPUTER SERVICES, INC	\$675.00
17483	P.S.E.& G.	\$6,867.76
17484	EXCLUSIVE ACCOUNTING SERVICE	\$70.98
17485	ACTION DATA SERVICES INC.	\$285.21
17486	POLAND SPRING	\$75.13
17487	COMCAST	\$138.26
17488	DE LAGE LANDEN	\$315.00
17489	DE LAGE LANDEN	\$54.00
17490	DART COMPUTER SERVICES, INC	\$342.00
17491	WINNER FORD	\$27,521.09
17492	THE TERRE CO OF NEW JERSEY	\$31.50
TOTAL BILL LIST		\$44,182.77

Motion to Pay List of Bills by Kruk, Seconded by Brunacki,
Roll Call: Robie, Kruk, Brunacki, Surowiec, Tomko – Ayes
Sinisi – Nay – (Check No. 17412)

OLD BUSINESS

Councilman Sinisi stated that two years ago we did a Re-evaluation which was supposed to stop the appeals. We are getting too many of them. Do not understand why.

Street Sweeper – under Contract need to put out a bid

Motion to bid out Street Sweeping

The Mayor stated that the protocol is to discuss issues in a Work Session.

NEW BUSINESS

Councilman Sinisi thanked our Attorney for writing letters to the County.

Mr. Cedzidlo explained the letters about signals for the Fire Department and for Crosswalks at Paterson and Johnson Avenue.

Mr. Cedzidlo brought up the issue of Street Sweeping on the Hill about rotating streets by days.

Councilman Sinisi replied that he has seen the issues.

ADJOURNMENT

Motion to adjourn at 9:05 pm by Brunacki, Seconded by Kruk,
Roll Call: Robie, Kruk, Brunacki, Sinisi, Surowiec, Tomko – Ayes

Witold T. Baginski, RMC
Borough Administrator/Clerk