

**REGULAR MEETING  
JULY 30, 2015**

Mayor Walter Wargacki calls the meeting to order at 8:00p.m.

Flag Salute and Invocation

Council President Mark Tomko reads the Public Meeting Notice pursuant to the Sunshine Law

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

Mayor Walter G. Wargacki - Absent

Borough Attorney Richard Cedzidlo - Present

**HEARING OF CITIZENS**

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

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

Ms. Diane Carracozza of Miller Street stated that there is a lot of construction going on. She asked who does the inspections. She was advised that the Building Inspector does the inspection. Ms. Diane Carracozza commented: Good Old boys.

Ms. Helena Plaskon of 86 Roehrs Drive stated that when she was running she had a problem with dog feces but it stopped.

Mrs. Celina Urbankowski of 29 Pine Street asked about Tax Appeals.

Mr. Eugene Rachelski of 108 Alden Street stated that there is nothing in the Budget about tax Appeal Monies.

Mrs. Helena Plaskon stated that she was the only loser in a tax appeal.

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

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

**Hearing of Citizens for the Purpose of a Public Comment on the 2015 Open Space Grant for the Improvements to the Mt. Pleasant Avenue Park.**

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

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

Ms. Celina Urbankowski of 29 Pine Street asked about the grant. What is it for?

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

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

Robie, Brunacki - Absent

### **APPROVAL OF MINUTES**

Re-Organization Meeting – January 3, 2015

Regular Meeting – January 22, 2015

Regular Meeting – February 26, 2015

Motion by Kruk, Seconded by Surowiec

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

Robie, Brunacki - Absent

### **COMMUNICATIONS**

From: Russo & Associates, LLC

Re: Submission of the Worker's Compensation Payroll

From: The Wallington Emergency Squad

Re: Notification of the retirement of Mark Wyzykowski after 27 years and the acceptance of Robert Policht and Anna Burdzy into their membership

From: NJ Transit

Re: Submission of the 2015 Federal Financial Assistance

From: The NJ General Assembly Gary S. Schaer 36<sup>th</sup> District

Re: Submission of Proposed Assembly Bill 3929

From: PSE&G

Re: Submission of a Notice of a Public Hearing on Rate Changes

From: Ms. Karen Zupanovich 33 Lester Street

Re: A request for tree removal

From: NJ League of Municipalities

Re: Submission of Updates on recent Policy Changes

From: Michael Augustowicz, Bergen County Community Advocate

Re: A request for assistance with Ms. Judy Bata of 100 Mercer Street

From: Bergen County Utilities Authority

Re: Notification of the 2015 Environmental Awareness Challenge Grant recipients.

From: Bergen County Senior Service  
Re: Notification of the Annual Senior Picnic to be held on September 9<sup>th</sup> at Van Saun Park

From: Wallington Superintendent of Schools Mr. James Albro  
Re: Submission of the School District's Emergency Management Plan and a request for assistance with Whitehall Associates in preparing a study for future needs.

From: The Wallington Building Inspector  
Re: Submission of the Monthly report

From: Millennium Strategies  
Re: Submission of the Monthly Report

From: PSE&G Foundation  
Re: Submission of information on being prepared for emergencies

From: The State of NJ Department of Environmental Protection  
Re: Notification of a suspected discharge of Hydraulic Oil at Lackawana Street and Spring Street, a No Further Action letter for 240 Pulaski Avenue, and notification of the Safe Choice Products.

From: Bittiger Elias and Triolo P.C.  
Re: Submission of Updates on Various Tax Appeals

From: D.J. Egarian & Associates, Inc  
Re: Submission of a flood hazard area verification for C.J. Estate and a treatment Works Approval for Jersey Street Development.

From: Bergen County Surrogates Office  
Re: Notification of available services through the Surrogate Office

From: NJ GCA Association  
Re: Submission of a letter of Protest in the Prohibition of the sale of Tobacco to 19 and 20 year old adults

From: The Bergen County Executive James Tedesco  
Re: An Invitation to a concert Series at the Wortendyke Barn in Park Ridge, NJ and Information on the 2015 funding for the Bergen County Open Space Trust fund

From: Matthew J. Trella Attorney at Law  
Re: Submission of a Tax Appeal for Girdhari Realty, LLC.

From: The Irwin Law Firm  
Re: Submission of a Tax Appeal for 79 Midland Avenue, LLC, and 85 Midland Avenue, LLC

From: Job and Job Engineering  
Re: Submission of  
Updates on the 2012/2013 Water Main Replacement Program

Updates on the Hathaway Street Water Main Replacement  
Updates on the Barrier Free Curb Program

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

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

### **CONTINUING WITH COMMUNICATIONS**

From: Wallington Board of Education  
Re: Request # 2 in the amount of \$1,271,000.00

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

### **COMMITTEE REPORTS**

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

Absent – No report

Ms. Celina Urbankowski of 29 Pine Street asked about the grant. What is it for?

#### **FINANCE / LEGAL –R. KRUK**

Councilman Kruk reported that the budget was approved and dispensed.

Councilman Kruk reported that the Summer Program ends with a BBQ next Thursday.

Councilman Kruk reported that the Little League Girls Softball are in the States Championship in Northfield, New Jersey. Let's keep our fingers crossed.

#### **POLICE – J. BRUNACKI**

No report - Absent

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

Councilman Sinisi asked to schedule with DPW, within the next two weeks, to take down the overhangs at 201 Fire House. The Company did not like the European Overhangs.

Councilman Sinisi reported that Mr. Albro submitted his emergency plan for his buildings, some issues need to be addressed and approved by the fire official.

Councilman Sinisi wished and congratulated Officer Wyzykowski for his 27 years of service in the EMS.

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

No report

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

### **UNDER LIBRARY**

Councilman Tomko reported the following: 1400 people used the library last month, 41 new residents signed up for the library, and 80 children have attended the story hour.

Councilman Tomko reported that Preventive Maintenance is being continued on the vehicles. Councilman Tomko stated that grants are being researched for support.

Councilman Tomko reported that two new members joined the EMS. Training is an issue. DPW is supplementing the issue.

### **COUNCIL PRESIDENT’S REPORT**

Councilman Tomko introduced Assembly Bill which prohibits the use of lite frame construction. It is cheaper but not better. More discussion is needed on this topic.

### **ATTORNEY’S REPORT**

No report.

### **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. 2015-95**

**WHEREAS**, the Bergen county Open Space, Recreation, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

**WHEREAS**, the Borough of Wallington desires to further the public interest by obtaining a matching grant of \$\_\_\_\_\_ from the County Trust Fund for new equipment and improvements for the Mt. Pleasant Playground; and

**WHEREAS**, the Mayor and Council has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

**WHEREAS**, as part of the application process, the governing body held a public hearing on July 30, 2015 to receive comments prior to the submission of this application; and,

**WHEREAS**, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

**WHEREAS**, the Borough of Wallington is willing to use the county Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the county of Bergen for new equipment and improvements to the Mt. Pleasant Playground; and

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

1. That it is hereby authorized to submit the above completed project application to the County of Bergen by the deadline of \_\_\_\_\_, \_\_\_\_\_, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Borough of Wallington has secured, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Borough of Wallington is committed to providing a dollar for dollar cash match for the project; and,
4. That the Borough of Wallington agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project; and,
5. That this resolution shall take effect immediately.

Motion by Kruk, Seconded by Surowiec

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

Robie, Brunacki - Absent

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 - 96**

**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 Ind Dev 2 Assoc has filed tax appeals with respect to the assessed valuation of the real property commonly known as 450 Main Avenue, Block 70.01, Lot 4.01, 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 Wallington Ind Dev 2 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 2008, 2009, 2010, 2011, 2012, 2013, 2014 and 2015 filed by Wallington Ind Dev 2 Assoc with respect to the real property located at 450 Main Avenue, Block 70.01, Lot 4.01, 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;

Motion by Kruk, Seconded by Surowiec

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

Robie, Brunacki - Absent

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 –97**

**WHEREAS**, Maryla Kaminski owns property located at 81 Strong Street, Block 52, Lot 18, and,

**WHEREAS**, Maryla Kaminski made a payment in the amount of \$1,803.45 for Second Quarter Property Taxes, (May 2014), and Wells Fargo also made a payment of \$1,803.45 for Second Quarter Property Taxes, (May 2014), resulting in an overpayment in the amount of \$1,803.45.

**WHEREAS**, both parties have been contacted and have agreed that Maryla Kaminski are due the refund of the overpayment.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Wallington shall refund the amount of \$1,803.45 to Maryla Kaminiski, and mailed to her at 3857 Lawrence Road, Seaford, NY 11758 and the Tax Collector shall adjust her books accordingly.

c) the terms of the tax appeals filed by Wallington Ind Dev 2 Assoc that the Mayor and Council is authorizing its counsel to settle are as follows:

- 1. For tax year 2008, the tax appeal has been withdrawn.
- 2. For tax years 2009, 2010, 2011, 2012 and 2013, the original assessment was Land - \$1,382,000.00; Improvements - \$4,118,000.00; for a total assessment of \$5,500,000.00. 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 - \$1,372,000.00; Improvements - \$3,975,200.00; for a total of \$5,347,200.00.

3. For tax years 2014 and 2015, the tax appeals have been withdrawn.
- 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 Surowiec  
Roll Call: Kruk, Sinisi, Surowiec, Tomko – Ayes  
Robie, Brunacki – Absent

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 98**

**WHEREAS**, Angela Trombetta paid the Wallington Summer Recreation \$100.00 cash for her child, Autumn Pasquaye to attend the Summer Program, but her child could not attend because of personal reasons.

Angela Trombetta has requested to be reimbursed for the Summer Recreation Program fee of \$100.00;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Wallington, to refund the amount of \$100.00.

The refund shall be made payable from the Recreation Trust Account to: Angela Trombetta, 106 Miller Street, Wallington, NJ 07057.

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

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 - 99**

**WHEREAS**, on July 16, 2015, the bid opening was held with respect to the lease of real property for the co-location of wireless telecommunications antennas and support facilities on the water tank and property located at Reservoir Avenue, Wallington, New Jersey, also known as Block 65.10, Lot 29.02 in the Borough of Wallington; and

**WHEREAS**, one bid was received, opened and read; and



**WHEREAS**, upon review of the bid submitted, the Mayor & Council of the Borough of Wallington has been advised by the borough attorney that all documents submitted by the one bidder complied with the requirements contained in the Notice to Bidders and other documents prepared by the borough attorney at the direction of the Mayor & Council of the Borough of Wallington; and

**WHEREAS**, the Mayor & Council of the Borough of Wallington has determined that the Borough of Wallington will be best served by awarding the contract to the only bidder, McKay Brothers, LLC.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Wallington, that the award for the lease of real property for the co-location of wireless telecommunications antennas and support facilities on the water tank and property located at Reservoir Avenue, Wallington, New Jersey, also known as Block 65.10, Lot 29.02 in the Borough of Wallington is hereby awarded to McKay Brothers, LLC for the bid amount of \$27,500.00 per annum during the initial year of the Lease Agreement and an increase of 3% over the previous year for each subsequent year for the duration of the lease as described in the specifications for this bid;

**BE IT FURTHER RESOLVED**, that the award of this contract is contingent upon the successful bidder signing a Lease Agreement in a form acceptable to the borough attorney and borough engineer and the successful bidder complying with all other requirements of the borough attorney and borough engineer regarding the aforesaid lease.

Motion by Kruk, Seconded by Surowiec

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

Robie, Brunacki – Absent

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 - 100**

**WHEREAS**, on July 14, 2015, the bid opening was held for work to be performed to replace and/or repair the roof located at the John F. Kennedy Memorial Free Public Library; and

**WHEREAS**, one (1) bid was received, opened and read; and

**WHEREAS**, upon review of the bids submitted, it is the opinion of BlueLine Architecture, L.L.C., who was employed by the Borough of Wallington for the purposes of preparing the specifications for said project, that the Borough would best be served by awarding the Contract to the only bidder, A.E. Logan, Inc. d/b/a Complete Roof Systems.

**NOW, THEREFORE, BE IT RESOLVED BY** the Mayor and Council of the Borough of Wallington, County of Bergen, State of New Jersey that the Contract is hereby awarded to A.E. Logan, Inc. d/b/a Complete Roof Systems, with a bid amount in the total amount of \$74,000.00, pursuant to the bid submitted; and

**BE IT FURTHER RESOLVED** that Blueline Architecture, L.L.C. and the Financial Officer for the Borough has certified that funds are available as the bid quotation is within the Bergen County Community Development Grant cumulative in the amount of \$79,500.00; and

**BE IT FURTHER RESOLVED** that the borough attorney is hereby directed to prepare a Contract; and

**BE IT FURTHER RESOLVED** that the Bid Guarantee and Surety Certificates should be reviewed by the Risk Manager for the Borough of Wallington to confirm the validity of the Certificate of Surety submitted by the successful bidder; and

**BE IT FURTHER RESOLVED** that the Borough Administrator and the Mayor of the Borough of Wallington are hereby authorized to sign such further Contracts and other documents as necessary to effect the terms and conditions of the Bid Award and this Resolution.

Motion by Kruk, Seconded by Surowiec

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

Robie, Brunacki – Absent

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 101**

**GRANTEE AUTHORIZING RESOLUTION**

**BE IT RESOLVED**, that the Mayor and Council of Borough of Wallington wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$72,000.00 matching grant award from the 2014 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled “Mt. Pleasant Playground Improvements” located in Mt. Pleasant Park at 157 Mt. Pleasant Avenue in Block 64.02, Lot 4, on the tax maps of the Borough of Wallington;

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorize (NAMES(s) OF PERSON(s)) to be a signatory to the aforesaid Contract; and,

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about July 15, 2017; and,

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and,

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund’s requirements.

This resolution was adopted by the Mayor and Council of Borough of Wallington at a meeting on **(DATE)**.

Motion by Kruk, Seconded by Surowiec

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

Robie, Brunacki – Absent

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 - 102**

**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 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 PA Contracting, Inc., 105 Davis Avenue, Kearny, New Jersey 07032. 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 PA Contracting Inc. 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 Kruk, Seconded by Surowiec

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

Robie, Brunacki – Absent

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015-103**

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Wallington, State of New Jersey do hereby renew the following liquor licenses for the 2015-2016 said licenses being subject to all legal requirements as required by law:

<u><b>LICENSE NUMBER</b></u>	<u><b>LICENSE HOLDER</b></u>	<u><b>TRADE NAME</b></u>
0265-33-034-004	GLENNS STEAKHOUSE INC 250 Main Avenue	GLENNS STEAKHOUSE, INC
0265-32-005-007	SEWERYN, LLC 32 Locust Avenue	COUGAR
0265-33-028-004	AMF BOWLING CENTERS, INC 299 Paterson Avenue	AMF BOWLING CENTERS, INC
0265-33-009-003	POLKA DOT REST INC 77 Maple Avenue	POLKA DOT RESTAURANT
0265-33-007-009	HEADQUARTERS TAVERN 63 Union Blvd.	HEADQUARTERS TAVERN
0265-33-032-005	OFFSIDEZ SPORTS BAR 115 Main Avenue	KASTAR, LLC

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

**BOROUGH OF WALLINGTON  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION NO. 2015-104**

**WHEREAS**, on Wednesday, July 22, 2015, bids were received for the Hathaway Street Water Main Replacement; and

**WHEREAS**, six (6) bids were received, opened and read; and

**WHEREAS**, the Borough Engineer has found the bids to be mathematically accurate; and

**WHEREAS**, the bids submitted by Montana Construction Corp., Inc. and Reivax Contracting Corp. did not comply with the procedural/submittal requirements of the Bid Specifications by the failure to provide a Certified Financial Statement; and

**WHEREAS**, under the provisions of the State of New Jersey Local Public Contracts Law, the failure to provide a Certified Financial Statement is not considered a "fatal flaw"; and

**WHEREAS**, Montana Construction Corp., Inc. and Reivax Contracting Corp. were the fifth and sixth highest bidders on the project; and

**WHEREAS**, requiring the post-bid submittal of a Certified Financial Statement serves no practical purpose; and

**WHEREAS**, under the provisions of the Bid Specifications, the failure to provide Certified Financial Statement would be considered a "minor informality", which the Governing Body has the authority to "waive"; and

**WHEREAS**, the low bid in the amount of \$129,965.25, was submitted by John Garcia Construction Co., Inc.; and

**WHEREAS**, upon review of the bids submitted, the Borough Engineer has determined that John Garcia Construction Co., Inc. is the lowest responsible bidder;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Wallington that they hereby determine that the failure on the part of Montana Construction Corp., Inc. and Reivax Contracting Corp. to provide a Certified Financial Statement is a "minor informality"; and

**BE IT FURTHER RESOLVED THAT** this "minor informality" be and is hereby waived; and

**BE IT FURTHER RESOLVED** that the Contract for the Hathaway Street Water Main Replacement be awarded to John Garcia Construction Co., Inc., the lowest responsible bidder for the bid amount of \$ 129,965.25; and

**BE IT FURTHER RESOLVED** the Chief Financial Officer has certified that funds are available from Account #\_\_\_\_\_ of the \_\_\_\_\_ fund in the amount not to exceed \$129,965.25; and

**BE IT FURTHER RESOLVED** that the Borough Attorney be and is hereby directed to prepare the Contract for same; and

**BE IT FURTHER RESOLVED** that the bid deposits of the three lowest bidders be held by the Borough Clerk until execution of the Contract.

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

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 105**

**WHEREAS**, Tax Court of New Jersey County: Bergen issued a Civil Action Judgment for Bailey Park, LLC 42 Lester Street, Wallington, New Jersey 07057, Block 13, Lot 25, as per Docket No. 018377-2011 reducing the 2011 property tax assessment from \$542,600.00 to \$450,000.00, and, by Docket No. 017309-2012 reducing the 2012 property tax assessment from \$542,600.00 to \$450,000.00, and, by Docket No. 017586-2013 reducing the 2013 property tax assessment from \$542,600.00 to \$450,000.00 and, Docket No. 014990-2014 reducing the 2014 property tax assessment from \$454,500.00 to \$450,000.00.

**WHEREAS**, the reduction in 2011 property tax assessment is \$92,600.00 or \$1,919.60 in 2011 property tax; the reduction in 2012 property tax assessment is \$92,600.00 or \$1,975.16 in 2012 property tax; the reduction in 2013 property tax assessment is \$92,600.00 or \$2,042.76 in 2013 property tax; and the reduction in 2014 property tax assessment is \$4,500.00 or \$116.82 in 2014 property tax.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Wallington, that a refund in the amount of \$6,054.34 (\$1,919.60 in 2011 property taxes; \$1,975.16 in 2012 property taxes; \$2,042.76 in 2013 property taxes and \$116.82 in 2014 property taxes) is approved and the Tax Collector shall adjust her books accordingly.

The refund check shall be made payable to: “Feinstein Raiss Kelin & Booker, LLC” and sent to Gary D. Gordon, Esq., 290 West Mt. Pleasant Avenue, Suite 1340, Livingston, NJ 07039

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

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015 – 105**

**WHEREAS**, Tax Court of New Jersey County: Bergen issued a Civil Action Judgment for Bailey Park, LLC 42 Lester Street, Wallington, New Jersey 07057, Block 13, Lot 25, as per Docket No. 018377-2011 reducing the 2011 property tax assessment from \$542,600.00 to \$450,000.00, and, by Docket No. 017309-2012 reducing the 2012 property tax assessment from \$542,600.00 to \$450,000.00, and, by Docket No. 017586-2013 reducing the 2013 property tax assessment from \$542,600.00 to \$450,000.00 and, Docket No. 014990-2014 reducing the 2014 property tax assessment from \$454,500.00 to \$450,000.00.

**WHEREAS**, the reduction in 2011 property tax assessment is \$92,600.00 or \$1,919.60 in 2011 property tax; the reduction in 2012 property tax assessment is \$92,600.00 or \$1,975.16 in 2012 property tax; the reduction in 2013 property tax assessment is \$92,600.00 or \$2,042.76 in 2013 property tax; and the reduction in 2014 property tax assessment is \$4,500.00 or \$116.82 in 2014 property tax.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Wallington, that a refund in the amount of \$6,054.34 (\$1,919.60 in 2011 property taxes; \$1,975.16 in 2012 property taxes; \$2,042.76 in 2013 property taxes and \$116.82 in 2014 property taxes) is approved and the Tax Collector shall adjust her books accordingly.

The refund check shall be made payable to: "Feinstein Raiss Kelin & Booker, LLC" and sent to Gary D. Gordon, Esq., 290 West Mt. Pleasant Avenue, Suite 1340, Livingston, NJ 07039

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

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION # 2015-106**

**WHEREAS**, the Borough of Wallington has entered into a Three – Year cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A: 8A-1 et seq. and Title I of the Housing and Community Development Act of 1974; and

**WHEREAS**, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1 through June 30.

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body hereby appoints Kathy Polten as its representative to participate on the Community Development Regional Committee; and

**BE IT RESOLVED**, that Richard Sedor be appointed as the alternate representative.

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

**BOROUGH OF WALLINGTON  
COUNTY OF BERGEN, NEW JERSEY  
RESOLUTION NO. 2015-107**

**WHEREAS**, the Borough of Wallington has entered into a Three – Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A: 8A-1 et seq. And Title I of the Housing and Community Development Act of 1974; and

**WHEREAS**, said Agreement requires that one Municipal Representative be appointed by the Mayor of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1 through June 30.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor hereby appoints

James Furtak As its representative to participate on the Community Development Regional Committee; and

**BE IT FURTHER RESOLVED**, that Witold T. Baginski be appointed as the alternate representative.

Motion by Kruk, Seconded by Surowiec

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

Robie, Brunacki – Absent

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

**CURRENT ACCOUNT**

17746	ATTORNEY TRUST FUND OF	\$1,298.00
17747	KIM WORTHINGTON	\$1,640.02
	JOANNE	
17748	WALSH	\$500.00
17749	NATALIE RADAN	\$150.50
17750	NATIONAL SCHOOL PRODUCTS	\$279.08
17751	CHARACTER ED TOOLS	\$82.95
17752	SCHOOL SPECIALTY	\$158.53
17753	RESEARCH PRESS	\$87.90
17754	POSITIVE PROMOTIONS, INC.	\$108.31
17755	CREATIVE PRODUCT SOURCING	\$1,105.15
17756	WALLINGTON BOARD OF EDUCATION	\$424,157.00
17757	WALLINGTON BOARD OF EDUCATION	\$424,157.00
17758	WALLINGTON BOARD OF EDUCATION	\$424,158.00
17759	U.S. POST OFFICE	\$441.00
17760	NATALIE RADAN	\$54.44
17761	BARRY BLAUVELT	\$599.00
17762	NJMVC	\$60.00
17763	IRENE BARNAS	\$314.70
17764	HEDIGER'S FUEL OIL	\$2,094.24
17765	R.R. DONNELLEY	\$441.00
17766	FIREFIGHTER ONE LLC	\$1,699.80
17767	GOLDBERG, MACKLER, SAYEGH	\$112.50
17768	RUDERMAN, HORN & ESMERADO PC	\$570.00
17769	ESI-ADVANCED ENTERPRISES	\$19,801.19



17770	KENCOR INC.	\$97.00
17771	STAPLES BUSINESS ADVANTAGE	\$132.18
17772	STORR TRACTOR COMPANY	\$336.96
17773	LAWMEN SUPPLY	\$4,089.75
17774	CRISTI CLEANING SERVICE CORP	\$3,950.00
17775	BITTIGER ELIAS & TRIOLO PC	\$3,217.30
17776	WALLINGTON PLUMBING & HEATING	\$1,086.98
17777	DART COMPER SERVICE, INC.	\$1,383.75
17778	DART COMPER SERVICE, INC.	\$336.00
17779	JOSEPH SMENTKOWSKI INC.	\$23,607.25
17780	ICE AGE	\$467.97
17781	GTBM/INFO-COP	\$934.92
17782	JOB & JOB CONSULTING	\$711.00
17783	P.S.E.&G.	\$167.34
17784	MARTIN S. CEDZIDLO, ESQ.	\$1,430.00
17785	MARTIN S. CEDZIDLO, ESQ.	\$1,730.00
17786	VERIZON WIRELESS	\$131.74
17787	HOME DEPOT CREDIT SERVICES	\$888.92
17788	J.F.K. MEMORIAL LIBRARY	\$48,534.00
17789	GRAINGER	\$29.95
17790	VERIZON	\$193.55
17791	DE LAGE LANDEN	\$54.00
17792	MID-BERGEN REG. HEALTH COMM.	\$4,095.25
17793	COMCAST	\$128.76
17794	J.R. HYCEE CONVEYOR CO.,	\$1,564.00
17795	SUPERIOR DISTRIBUTORS	\$18.72
17796	ALL AMERICAN SEWER SERVICE	\$75.00
17797	VERIZON WIRELESS	\$341.52
17798	VERIZON WIRELESS	\$776.59
17799	NEWARK ASPHALT CORP.	\$254.03
17800	TREASURER-STATE OF NEW JERSEY	\$85.00
17801	ACTION DATA SERVICES INC.	\$615.33
17802	EXCLUSIVE ACCOUNTING SERVICE	\$323.77
17803	DE LAGE LANDEN	\$315.00
17804	AGL INHALATION THERAPY CO.	\$134.64
17805	MARIT TROPHIES & ENGRAVING	\$230.00
17806	STATE LINE FIRE & SAFETY	\$3,162.00
17807	POLAND SPRING	\$86.79
17808	VERIZON	\$31.99
17809	GOVDELIVERY, INC	\$2,700.00
17810	BOROUGH OF WALLINGTON	\$23.24
17811	EXCLUSIVE ACCOUNTING SERVICE	\$895.75

17812	SUSAN A. FURNARI, D.ED.	\$700.00
17813	THE SHERWIN-WILLIAMS CO	\$58.17
17814	JOHN S. HOGAN, BC CLERK	\$6,909.19
17815	AM CONSULTANTS	\$850.00
17816	CAR KINGS	\$129.95
17817	CAR KINGS	\$1,323.13
17818	BUYWISE AUTO PARTS	\$958.97
17819	THOMSON REUTERS-WEST	\$139.65
17820	BITTIGER ELIAS & TRIOLO PC	\$4,212.50
17821	SUPERIOR DISTRIBUTORS	\$161.63
17822	PAC TOOL & SUPPLY CO.	\$243.62
17823	MARIA A. REDA, CMFO	\$463.75
17824	KONRAD PLEWA	\$599.00
17825	JOSH ARONOWITZ	\$599.00
17826	P.S.E.&G.	\$6,586.30
17827	RICHARD S. CEDZIDLO	\$1,817.31
17828	KUIKEN BROTHERS	\$49.08
17829	ALL-SHRED SERVICE	\$100.00
17830	THE ROGERS GROUP, LLC	\$3,250.00
17831	ANDREA SOLLITTO	\$120.00
17832	NADIA BRUNSTEIN	\$175.00
17833	LIFESAVERS INC.	\$1,226.77
17834	SIRCHIE FINGER PRINT	\$494.53
17835	CITY OF CLIFTON	\$2,040.25
17836	MARLIN BUSINESS BANK	\$748.37
17837	AGL INHALATION THERAPY CO.	\$106.74
17838	AGL WELDING SUPPLY CO., INC,	\$36.22
17839	RUTGERS, THE STATE UNIVERSITY	\$802.00
17840	RICHARD S. CEDZIDLO	\$2,850.00
17841	TREASURER-STATE OF NEW JERSEY	\$675.00
17842	FIRE AND SAFETY SERVICES, LTD	\$7,298.84
17843	PASSAIC VALLEY SEWERAGE COMM.	\$163,375.24
17844	GANN LAW BOOKS	\$424.00
17845	TROPHY KING	\$55.00
17846	P.S.E.&G.	\$6,684.70
17847	MCI	\$86.59
17848	WALLINGTON FIRE DEPARTMENT	\$5,000.00
17849	VENTURA GLASS CO., INC.	\$350.00
17850	ACTION DATA SERVICES INC.	\$1,343.59
17851	EXCLUSIVE ACCOUNTING SERVICE	\$249.30
17852	STAPLES BUSINESS ADVANTAGE	\$507.02
17853	PROCOPY INC.	\$714.00

17854	REGIONAL COMMUNICATIOS, INC.	\$1,062.63
17855	TREASURER-STATE OF NEW JERSEY	\$581.00
17856	TREASURER-STATE OF NEW JERSEY	\$148.00
17857	TREASURER-STATE OF NEW JERSEY	\$1,830.00
17858	BOROUGH OF WALLINGTON	\$23.24
17859	S & A SCREEN PRINTING	\$475.00
17860	A & S MARKETING	\$1,662.06
17861	STAPLES BUSINESS ADVANTAGE	\$314.53
17862	MILLDNNIUM STRATEGIES	\$2,500.00
17863	BERGEN COUNTY TREASURY	\$8,501.25
17864	VERIZON	\$26.73
17865	MCI	\$86.75
17866	ASPEN TREE SERVICE, INC.	\$1,275.00
17867	ASPEN TREE SERVICE, INC.	\$170.00
<b>TOTAL BILL LIST</b>		<b>\$1,656,608.85</b>

**WATER ACCOUNT**

62538	U.S. POST OFFICE	\$49.00
62539	WATER WORKS SUPPLY COMPANY	\$47.40
62540	WATERISAC	\$249.00
62541	TREASURER-STATE OF NEW JERSEY	\$790.00
62542	RAYMOND DYNES	\$63.09
62543	WATER WORKS SUPPLY COMPANY	\$3,004.35
62544	ADVANTAGE COMPUTER	\$800.00
62545	WATER WORKS SUPPLY COMPANY	\$2,384.87
62546	P.S.E.&G.	\$682.77
62547	STAPLES BUSINESS ADVANTAGE	\$126.92
62548	PROCOPY INC.	\$347.55
62549	PASSAIC VALLEY WATER COMM.	\$86,796.73
62550	PASSAIC VALLEY WATER COMM. AW DIRECT	\$228.00
62551	INC	\$317.97
62552	US VOIP	\$945.78
62553	WATER WORKS SUPPLY COMPANY	\$891.63
62554	STAPLES BUSINESS ADVANTAGE	\$249.37
62555	WATER WORKS SUPPLY COMPANY	\$4,323.78
62556	STAPLES BUSINESS ADVANTAGE	\$490.80
62557	VERIZON	\$648.66
62558	RIO SUPPLY, INC	\$1,560.00
62559	WATER WORKS SUPPLY COMPANY	\$1,470.03
62560	AMERICAN WEAR	\$213.00
<b>TOTAL BILL LIST</b>		<b>\$106,680.70</b>

<b><u>GENERAL CAPITAL ACCOUNT</u></b>		
400705	JOB & JOB CONSULTING	\$2,179.12
400706	JOB & JOB CONSULTING	\$4,330.25
400707	JOB & JOB CONSULTING	\$1,752.38
400708	JOB & JOB CONSULTING	\$1,720.25
400709	JOB & JOB CONSULTING	\$1,310.82
400710	JOB & JOB CONSULTING	\$560.00
<b>TOTAL BILL LIST</b>		<b>\$11,852.82</b>

<b><u>TRUST ACCOUNT - DOG</u></b>		
1170	NJ DEPARTMENT OF HEALTH	\$102.00

<b><u>TRUST ACCOUNT - PLANNING BOARD</u></b>		
2505	MARTIN S. CEDZIDLO, ESQ.	\$500.00
2506	MARTIN S. CEDZIDLO, ESQ.	\$500.00
2507	MARTIN S. CEDZIDLO, ESQ.	\$500.00

<b><u>TRUST ACCOUNT - RECREATION</u></b>		
1177	WORLD OF WINGS	\$805.00
1178	SUMMER REC PROGRAM	\$679.00

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

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

Sinisi – Nay (Check No. 17862 and 17774)

Robie, Brunacki - Absent

**OLD BUSINESS** – No Old Business

**NEW BUSINESS** - No New Business

**ADJOURNMENT**

Motion to adjourn at 8:30 by Kruk, Seconded by Sinisi,

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

Robie, Brunacki - Absent

