

**CAUCUS/WORK SESSION MEETING
SEPTEMBER 11, 2018**

Council President Eugeniusz Rachelski calls the meeting to order at 7:00p.m.

Flag Salute and Invocation

Council President Eugeniusz Rachelski reads the Public Meeting Notice pursuant to the Sunshine Law

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Present

Mayor Mark W. Tomko - Absent

Borough Attorney Richard Cedzidlo - Present

Borough Administrator Victor M. Polce – Present

Motion by Olkowski to limit two minutes to non-residents, Seconded by Rachelski

Roll Call: Rachelski, Androwis, Dabal, Ivanicki, Olkowski – Aye
Brunacki - No

HEARING OF CITIZENS

Motion to Open the Meeting to the Hearing of Citizens by Dabal, Seconded By Androwis,

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski – Aye

Mr. Jonathan Layme of Wagner Avenue stated that he attended the Board of Education Meeting last night and asked about the funds and if the Borough received them.

Councilman Rachelski stated – it is only a credit.

Rich Cedzidlo answered – I am not sure how the funds will be received we have not received a letter from the Board.

Mr. Layme asked about the overpass to the train and the Borough should do it rather than the developer would let us negotiate with the developer.

Councilman Rachelski stated – valid point – all options are on the table. Long period of negotiations. I will keep up with it, I will keep you posted on it.

Mr. Ted Nozka of Pulaski Avenue asked – what is the Resolution on 33 Pulaski?

Councilwoman Dabal stated – we were at your house three times, there is a bench warrant for the owner.

Councilwoman Dabal explained what was done and asked if this answers his question.

Mr. Nozka stated – for the garbage cans in the front of the house.

Councilwoman Dabal stated – the owner will be ticketed every day. I spoke to Mr. LaFiarenza.

Councilman Olkowski stated – after you left this town council addressed the fines and increase.

Mr. Joseph Smith of Fradkin Street addressed Mr. Layme about the issue. It was the Board's opinion to give the money to the town. The Board bought Chrome books and brought back two teachers. Since the municipality has been so supportive in the past we felt we can give it back. Mr. Smith addressed Mr. Layme about the funding.

Mr. Andrew Donaldson of Jordan Avenue asked about the Lucia Place Vacation. Councilman Rachelski stated – the Administrator and the Borough Attorney will visit the appraisals which should be in on Friday. I have confirmation from the Deputy Clerk and who will be contacted.

Mr. Cedzidlo explained the time frame.

Motion to Close the Meeting to the Hearing of Citizens by Dabal, Seconded By Androwis, Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski – Aye

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2018 - 221**

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS the Governing Body of the Borough of Wallington is authorized, pursuant to N.J.S.A. 10:4-12 to exclude the public from that portion of this meeting for purposes of discussing specific matters as permitted by N.J.S.A. 10:4 - 12; and,

WHEREAS, the Governing Body of the Borough of Wallington intends to discuss certain matters which are deemed confidential pursuant to N.J.S.A 10:4-12, in Executive Session:

WHEREAS, at this time the Governing Body of the Borough of Wallington cannot determine the time when the discussion to be held in Executive Session will be made public, but will disclose the minutes of the Executive Session when the need for confidentiality no longer exists

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wallington that this meeting shall be adjourned to an Executive Session (closed session) and the Public will be excluded in order that the Governing Body may discuss the items listed below, and upon reconvening the public meeting will resume. This resolution is authorized and allowed by and pursuant to N.J.S.A 10:4-13

1. Meeting with Robert Simon, Esq to discuss the initial mediation session in the COAH litigation.
2. Meeting with John Szabo from Burgis Associates, Inc to interview for position of COAH planner

7:45p.m.

Motion by Brunacki, Seconded by Dabal

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski – Aye

Mr. Cedzidlo explained the reason for Executive Session.

Motion to Resume Regular Order of Business at 8:10p.m. by Androwis, Seconded by Brunacki

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski – Aye

APPROVAL OF MINUTES

Regular Meeting - July 26, 2018

Executive Session – July 26, 2018

Special Meeting – August 16, 2018

Councilman Brunacki motioned to approve but no second to the motion.

Councilman Olkowski advised of an error to be corrected on page 7 of July 26 minutes. It should read Councilman Olkowski thanked Councilwoman Ivanicki.

Motion by Olkowski, Seconded by Brunacki,

Roll Call: Brunacki, Rachelski, Dabal, Olkowski – Aye

Androwis, Ivanicki – Abstain (July 26 minutes)

COMMUNICATIONS

From: The Wallington Fire Prevention Bureau

Re: Submission of Violations for the Civic Center

From: The Land Conservancy of New Jersey

Re: Submission of a letter for Flood Plans for Local Towns

From: From the Maple Avenue Residents

Re: Submission of a letter requesting the DPW to sweep the Storm Drains

From: The New Jersey League of Municipalities

Re: Submission of updates on State issues

From: Kipp Allen, LLP

Re: Submission of letter relative to 52 Van Dyke

From: The Wallington Municipal Court

Re: Submission of a monthly report

From: Wallington Police Chief

Re: A request for College reimbursement and back pay

From: The Wallington Youth Soccer League, Inc.
Re: A request to use the Civic Center on September 5, 2018

From: The Wallington Lions Club
Re: A request to use the Civic Center on September 30, 2018

From: Bergen County Community Development
Re: Notification of the Annual Application Workshop on September 14, 2018

From: The State of New Jersey Civil Service
Re: Submission of a letter relative to the contemplated Borough Layoffs

From: The State of New Jersey Office of the Attorney General
Re: Submission of Guidance Regarding Municipal Prosecutor's Discretion in Prosecuting Marijuana and other criminal offenses

From: The Bergen County Department of Public Works Operations Division
Re: Submission of the 2018 – 2020 Snow Plowing Agreements

From: Neglia Engineering
Re: Submission of a voucher for \$17,596.32 and an Engineers Certificate

From: The Wallington Building Department
Re: Submission of the Monthly Report

From: Loccke, Correia & Bukosky
Re: Notification from the Wallington PBA No. 321 about Hazardous Material Exposure to Public Employees

From: Mayor Mark W. Tomko
Re: Submission of a letter of request to be copied on all matters within the Borough

From: Mr. Ray Dynes Superintendant of Public Works
Re: Submission of a letter in reference to the Spring Street Sewer Station

From: Mr. Richard Cedzidlo Borough Attorney
Re: Submission of an Engagement Letter of Joseph H. Burgis, P.P., AICP and Submission of a letter to Galaxy Sanitation

From: The New Jersey League of Municipalities
Re: Submission of updates for the Annual Conference

From: Bittiger, Elias & Triolo Tax Appeals Attorneys
Re: Submission of Updates

From: Councilman Brunacki
Re: Submission of updates on the Crescent Road and Mt. Pleasant Park Project

From: The Wallington Police Department
Re: A request for two additional Crossing Guard Alternates – Donna Rock and Nicholas O'Neill

From: The Home School Organization of Wallington High School
Re: A request for a Raffle License

From: G. Environmental GECP Inc.
Re: Notification of Environmental Work being performed at 41 Locust Avenue

From: The New Jersey League of Municipalities
Re: Notification of Pre-Registration for Municipal Delegates

From: Neglia Engineering
Re: Submission of the Monthly Report

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

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye

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. 2018 - 213

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, Jasontown II Associates, has filed a tax appeal with respect to the assessed valuation of the real property commonly known as 11-21 Midland Avenue, Block 71, Lot 3, 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 interest 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 Jasontown II Associates; and

WHEREAS, the Mayor and Council has received the advice of its Special Tax Counsel with respect to this tax appeal. 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/or 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 she 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 interest of the Borough of Wallington to reach an economic and businesslike resolution of the tax appeal for calendar year 2014, 2015, 2016, 2017 and 2018 filed by Jasontown II Associates with respect to the real property located at 11-21 Midland Avenue, Block 71, Lot 3, 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 Jasontown II Associates that the Mayor and Council is authorizing its counsel to settle are as follows:
 1. For tax years 2014, 2015, 2016 and 2017, the Complaints shall be withdrawn by Jasontown II Associates as a condition of the settlement.
 2. For tax year 2018, the original assessment for Block 71, Lot 3 was Land - \$7,480,000.00; Improvements - \$12,742,000.00 for a total assessment of \$20,222,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2018 as follows: Land - \$7,480,000.00; Improvements \$12,492,000.00; for a total of \$19,972,000.00
- a. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within 60 days of the date of entry of the Tax Court judgment.
- b. 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 _____, Seconded by _____

Roll Call: Brunacki ____, Rachelski ____, Androwis ____, Dabal ____, Ivanicki ____, Olkowski ____

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2018 - 214**

**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, FMJ LLC has filed a tax appeal with respect to the assessed valuation of the real property commonly known as 23 Chestnut Street, Block 65.08, Lot 3, 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 interest 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 FMJ LLC; and

WHEREAS, the Mayor and Council has received the advice of its Special Tax Counsel with respect to this tax appeal. 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/or 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 she 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 interest of the Borough of Wallington to reach an economic and businesslike resolution of the tax appeal for calendar years 2014, 2015, 2016 and 2017 filed by FMJ LLC with respect to the real property located at 23 Chestnut Street, Block 65.08, Lot 3, 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; the terms of the tax appeal filed by FMJ LLC that the Mayor and Council is authorizing its counsel to settle are as follows:

1. For tax year 2013, the original assessment was Land - \$320,000.00; Improvements - \$1,880,000.00 for a total assessment of \$2,200,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2013 as follows: Land - 320,000.00; Improvements \$1,480,000.00; for a total of \$1,800,000.00.
 2. For tax year 2014, the original assessment was Land - \$320,000.00; Improvements - \$1,480,000.00 for a total assessment of \$1,800,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2014 as follows: Land - 320,000.00; Improvements \$1,380,000.00; for a total of \$1,700,000.00.
 3. For tax year 2015, the original assessment was Land - \$320,000.00; Improvements - \$1,480,000.00 for a total assessment of \$1,800,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2015 as follows: Land - 320,000.00; Improvements \$1,380,000.00; for a total of \$1,700,000.00.
 4. For tax year 2016, the original assessment was Land - \$320,000.00; Improvements - \$1,480,000.00 for a total assessment of \$1,800,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2016 as follows: Land - 320,000.00; Improvements \$1,280,000.00; for a total of \$1,600,000.00
 5. For tax year 2017, the original assessment was Land - \$320,000.00; Improvements - \$1,480,000.00 for a total assessment of \$1,800,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2017 as follows: Land - 320,000.00; Improvements \$1,280,000.00; for a total of \$1,600,000.00
- c. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within 60 days of the date of entry of the Tax Court judgment.
- 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 _____, Seconded by _____

Roll Call: Brunacki ___, Rachelski ___, Androwis ___, Dabal ___, Ivanicki ___, Olkowski ___

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2018 - 215**

**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, IStar Bowling Centers I LP has filed a tax appeal with respect to the assessed valuation of the real property commonly known as 299 Paterson Avenue, Block 49.18, Lot 5, Block 49.18, Lot 8 and Block 49.18, Lot 9 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 interest 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 IStar Bowling Centers I LP; and

WHEREAS, the Mayor and Council has received the advice of its Special Tax Counsel with respect to this tax appeal. 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/or 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 she 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 interest of the Borough of Wallington to reach an economic and businesslike resolution of the tax appeal for calendar year 2016, 2017 and 2018 filed by IStar Bowling Centers I LP with respect to the real property located at 299 Paterson Avenue, Block 49.18, Lot 5, Block 49.18, Lot 8 and Block 49.18, Lot 9, 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 IStar Bowling Centers I LP that the Mayor and Council is authorizing its counsel to settle are as follows:

1. For tax years 2016 and 2017, the Complaints shall be withdrawn by IStar Bowling Centers I LP as a condition of the settlement.
 2. For tax year 2018, the original assessment for Block 49.18, Lot 8 was Land - \$557,200.00; Improvements - \$1,092,800.00 for a total assessment of \$1,650,000.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2018 as follows: Land - 557,200.00; Improvements \$945,000.00; for a total of \$1,502,200.00
 3. For tax year 2018, the original assessment for Block 49.18, Lot 5 was Land - \$518,000.00; Improvements - \$51,300.00 for a total assessment of \$569,300.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2018 as follows: Land - \$518,000.00; Improvements \$51,300.00; for a total of \$569,300.00
 4. For tax year 2018, the original assessment for Block 49.18, Lot 9 was Land - \$128,500.00; Improvements - \$0.00 for a total assessment of \$128,500.00. The Tax Counsel for the Borough of Wallington is authorized to request a Tax Court Judgment for calendar year 2018 as follows: Land - \$128,500.00; Improvements \$0.00; for a total of \$128,500.00
- d. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within 60 days of the date of entry of the Tax Court judgment.
- 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 _____, Seconded by _____

Roll Call: Brunacki ____, Rachelski ____, Androwis ____, Dabal ____, Ivanicki ____, Olkowski ____

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2018 – 216**

WHEREAS, Bergen County Board of Taxation issued a Memorandum of Judgment for Domino Center LLC, 111 Lester Street, Wallington, New Jersey 07057, Block 8, Lot 5, as per Appeal No. 65-1800108L reducing the 2018 property tax assessment from \$989,700.00 to \$800,000.00 and,

WHEREAS, the reduction in 2018 property tax assessment is \$189,700.00 or \$5,599.95

in 2018 property tax and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wallington, that a refund in the amount of \$5,599.95 is approved and the Tax Collector shall adjust her books accordingly.

The refund check shall be made payable to: "Bertone Piccini LLP" and sent Joseph A. Pojanowski, III, Esq., Bertone Piccini LLP, 777 Terrace Avenue, Suite 201, Hasbrouck Heights, NJ 07604.

Dated: 9/27/18

Motion by _____, Seconded by _____
Roll Call: Brunacki ____, Rachelski ____, Androwis ____, Dabal ____, Ivanicki ____, Olkowski ____

NOTE: PREVIOUS RESOLUTIONS WERE NOT APPROVED

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2018 - 217**

RESOLUTION FOR PERSON TO PERSON TRANSFER

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption License 0265-33-025-007, heretofore issued to BEST SZECHUAN, LLC for premises located at 209 Paterson Avenue, Wallington, New Jersey.

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current term;

WHEREAS, the applicant is qualified to be licensed according to all standard established by the Title 33 of the New Jersey Statues, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED that the Borough of Wallington Governing Body does hereby approve, effective September 11, 2018, the transfer of the aforesaid Plenary Retail Consumption License to KING'S GARDEN & BAR RESTAURANT LLC and does hereby direct the Borough Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: "This License, subject to all its terms and conditions, is hereby transferred to KING'S GARDEN & BAR RESTAURANT LLC effective September 11, 2018."

Motion by Rachelski, Seconded by Olkowski
Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski – Aye

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2018 - 218**

RESOLUTIONS PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.K. 1948)

WHEREAS: N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS: Said Director may also approve the insertion of any item of appropriation for equal amount;

SECTION 1

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wallington hereby requests the Director of the Division of Local Government Services to approve the insertion of any item of revenue in the budget of the year 2018 in the sum of **\$102,500.00** which item is now available as a revenue from the Community Development Block Grant 2016 for Mt Pleasant Park Project received from the County of Bergen, State of New Jersey.

SECTION 2

BE IT FURTHER RESOLVED THAT A LIKE SUM OF **\$102,500.00** be and the same is hereby appropriated under the caption of:

CURRENT FUND **\$102,500.00 0**

BE IT FURTHER RESOLVED, that the above is the result of funds available under said program to the Borough of Wallington for the year 2018.

Dated: 09/11/18

Motion by Rachelski, Seconded by Olkowski

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski – Aye

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2018 - 219**

RESOLUTIONS PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.K. 1948)

WHEREAS:

N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS:

Said Director may also approve the insertion of any item of appropriation for equal amount;

SECTION 1

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wallington hereby requests the Director of the Division of Local Government Services to approve the insertion of any item of revenue in the budget of the year 2018 in the sum of **\$218,000.00** which item is now available as a revenue from the NJ DOT Municipal Aid for the 2018 Road Program received from the NJ Department of Transportation, State of New Jersey.

SECTION 2

BE IT FURTHER RESOLVED THAT A LIKE SUM OF **\$218,000.00** be and the same is hereby appropriated under the caption of:

CURRENT FUND **\$218,000.00**

BE IT FURTHER RESOLVED, that the above is the result of funds available under said program to the Borough of Wallington for the year 2018.

Dated: 9/11/18

Motion by Rachelski, Seconded by Olkowski

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski – Aye

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2018 - 220**

**RESOLUTIONS PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF
REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSANT TO
N.J.S. 40A:4-87 (CHAPTER 159, P.K. 1948)**

WHEREAS:

N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS:

Said Director may also approve the insertion of any item of appropriation for equal amount;

SECTION 1

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wallington hereby requests the Director of the Division of Local Government Services to approve the insertion of any item of revenue in the budget of the year 2018 in the sum of **\$36,880** which item is now available as a revenue from the SAFER Grant FY 2016 for Recruitment and Retention of Volunteer Firefighter received from FEMA, US Department of Human Services.

SECTION 2

BE IT FURTHER RESOLVED THAT A LIKE SUM OF **\$36,880** be and the same is hereby appropriated under the caption of:

CURRENT FUND **\$36,880.00**

BE IT FURTHER RESOLVED, that the above is the result of funds available under said program to the Borough of Wallington for the year 2018.

Dated: 9/11/18

Motion by Rachelski with the exception of Resolution 2018 – 213, 214, 215 and 216 we need further explanations need feedback, Seconded by Olkowski

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski – Aye

ORDINANCES

Ordinance 2018 - 10 1st Reading

An Ordinance to Authorize the Undertaking of Various Curb and Sidewalk Improvements on King Street in by and for the Borough of Wallington, in the County of Bergen, State of New Jersey, to Appropriate the Sum of \$500,000.00 to pay the cost thereof, to make a down payment, to appropriate a Federal Grant, to Authorize the issuance of Bonds to Finance such appropriation and to provide for the issuance of Bond Anticipation Notes in anticipation of the issuance of such Bonds

Motion to Introduce Ordinance 2018 – 10 by Olkowski, Seconded by Ivanicki

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye

LIST OF BILLS AND SUPPLEMENTAL LIST OF BILLS

CURRENT ACCOUNT

22162	WALLINGTON BOARD OF EDUCATION	\$466,944.00
22163	WALLINGTON BOARD OF EDUCATION	\$466,944.00
22164	WALLINGTON BOARD OF EDUCATION	\$466,944.00
22165	NJMVC	\$60.00
22166	WALLINGTON BOARD OF EDUCATION	\$109.00
22167	W.B. MASON COMPANY, INC.	\$259.63

22168	W.B. MASON COMPANY, INC.	\$1,111.87
22169	OMG NATIONAL	\$917.00
22170	NORTH JERSEY MEDIA GROUP INC.	\$51.25
22171	VERIZON	\$153.59
22172	READY REFRESH	\$107.89
22173	ACTION DATA SERVICES INC.	\$71.96
22174	ACTION DATA SERVICES INC.	\$534.71
22175	EXCLUSIVE ACCOUNTING SERVICE	\$30.22
22176	ACTION DATA SERVICES INC.	\$296.06
22177	MUNIDEX, INC.	\$1,485.56
22178	COMCAST	\$150.84
22179	NJ ADVANCED MEDIA	\$52.70
22180	KNOX COMPANY	\$3,352.00
22181	DE LAGE LANDEN	\$278.25
22182	WALLINGTON PLUMBING & HEATING	\$22.89
22183	VERIZON	\$76.15
22184	RICHARD S. CEDZIDLO	\$4,103.00
22185	ATD HIGHWAY PRODUCTS LLC	\$978.75
22186	ONE CALL CONCEPTS, INC.	\$37.50
22187	NORHT JERSEY MEDIA GROUP INC.	\$38.25
22188	SOUTH JERSEY ENERGY	\$8,041.11
22189	VERIZON WIRELESS	\$71.62
22190	HOME DEPOT CREDIT SERVICES	\$492.50
22191	VERIZON	\$1,115.69
22192	LERCH, VINCI & HIGGINGS	\$115.00
22193	CIVICPLUS	\$5,167.00
22194	AMERICAN HOSE & HYDRAULIC CO.	\$54.50
22195	P.S.E.&G.	\$43.77
22196	JOHNNY ON THE SPOT INC	\$498.40
22197	HEDIGER'S FUEL OIL	\$870.73
22198	NORTH JERSEY MEDIA GROUP INC.	\$33.25
22199	WALLINGTON BOARD OF EDUCATION	\$105.00
22200	WALLINGTON BOARD OF EDUCATION	\$105.00
22201	MCI	\$211.84
22202	VERIZON	\$35.60
22203	CHRIS AND BUD LAWNMOWER INC	\$89.90
22204	ASPEN A TREE MANAGEMENT CO INC.	\$2,450.00
22205	ASPEN A TREE MANAGEMENT CO INC.	\$7,750.00
22206	RAINBOW CLEANERS	\$430.00
TOTAL BILL LIST		\$1,442,791.98
 WATER ACCOUNT		
63137	PASSAIC VALLEY WATER COMM.	\$96,237.23
63138	PASSAIC VALLEY WATER COMM.	\$745.00

63139	P.S.E.&G.	\$460.00
63140	VERIZON	\$715.48
63141	US VOIP	\$930.58
63142	RIO SUPPLY, INC	\$82.00
63143	CENTRAL SUPPLY INC.	\$469.35
TOTAL BILL LIST		\$99,639.64

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye
 Motion to Pay List of Bills by Dabal, Seconded by Androwis,

COMMITTEE REPORTS

Councilwoman Dabal stated – there has been resurgence of the Parking Sticker Program. I have looked into the minutes books from 2010 till present. The Parking Sticker Program – Ordinances are in full effect since 2010 but nothing has been done.

So – Councilwoman Dabal continued to explain a date line of the Parking Sticker Program. The Police are looking at a program with Info-Cop.

Councilman Olkowski stated – great and informative.

Councilman Rachelski stated – that was informative.

Councilman Brunacki making progress on the Parks September 21st Bid Opening for the project.

Councilman Olkowski stated – spoke about the King Street Project it will start October 1st.

Councilwoman Ivanicki stated – The Fire House on September 4th with the Mayor and representatives at the Fire House – the project will start next week.

Councilman Rachelski stated – the DPW will take care of inside.

OLD BUSINESS

Councilman Olkowski stated – I spoke to the Grant Writer about the Water Main Project will need scope and design for the Project. Need Funds.

Neglia Report was given at this time. Jeff Rantzer read the report to the Council.

Councilman Rachelski questioned the resolution for the architectural services for 54 Union Blvd.

BOROUGH OF WALLINGTON COUNTY OF BERGEN, NEW JERSEY RESOLUTION NO. 2018 - 222

WHEREAS, the Mayor and Council of the Borough of Wallington has determined that it is necessary to appoint a committee to oversee the renovations at the police station;

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

1) The following persons shall serve as the committee to oversee the renovations proposed for the Police Station located at 54 Union Boulevard, Wallington, NJ: Councilman Khaldoun Androwis; Mayor Mark Tomko; Councilman Joseph Brunacki; the Borough Administrator and Chief Carmello Imbruglia.

Motion by Rachelski, Seconded by Dabal

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye

Councilwoman Ivanicki questioned the 48 Hours and the List of Bills. Very vague in description.

NEW BUSINESS

BOROUGH OF WALLINGTON COUNTY OF BERGEN, NEW JERSEY RESOLUTION NO. 2018 - 223

WHEREAS, recent legislation has enabled municipalities to establish the position of Class Three Special Law Enforcement Officer (SLEO III) for the purpose of serving as school security officers under the control and supervision of the Chief of Police; and

WHEREAS, The Mayor and Council of the Borough of Wallington has determined that this will serve the health, welfare and safety of the citizens of Wallington.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the Borough of Wallington, that the Borough Attorney is hereby directed to draft an Ordinance to establish the position of SLEO III officers with the assistance of the Chief of Police.

Motion by Androwis, Seconded by Rachelski

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye

BOROUGH OF WALLINGTON COUNTY OF BERGEN, NEW JERSEY RESOLUTION NO. 2018 - 224

WHEREAS, the Mayor and Council of the Borough of Wallington has determined that it is advisable to appoint alternate crossing guards to cover posts in case of an absence;

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

1) Ms. Donna Rock and Mr. Nicholas O' Neill be and are hereby appointed as alternate crossing guards.

Motion by Androwis, Seconded by Rachelski

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2018 - 225**

WHEREAS, the Mayor and Council of the Borough of Wallington has been advised there is an issue with respect to back pay which may be owed to Chief Carmello Imbruglia; and

WHEREAS, the Mayor and Council of the Borough of Wallington would like to appoint a committee to review the claim of Chief Imbruglia;

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

1) The following persons shall be appointed as a committee to meet with Chief Carmello Imbruglia to review his claim for back pay; the Borough Administrator, the Chief Financial Officer, Councilman Khaldoun Androwis and Councilwoman Melissa Dabal.

Motion by Androwis, Seconded by Rachelski

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2018 - 226**

WHEREAS, the Mayor and Council of the Borough of Wallington has determined that it in the best interests of the citizens of Wallington that the department of public works delineate all approved handicap spots by painting the same with blue paint as provided for in the borough ordinance;

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

1) The Borough Administrator shall instruct the department of public works to delineate all approved handicap spaces within the Borough of Wallington by painting the same blue as provided for in the borough ordinance.

Motion to Androwis, Seconded by Olkowski

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2018 - 227**

WHEREAS, the Mayor and Council of the Borough of Wallington has determined that it is necessary to revise and update the Shade Tree Ordinance;

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

1) The following committee shall meet to review and to make recommendations to Mayor and Council regarding revising the Shade Tree Ordinance: the borough attorney; the borough administrator; Councilman Joseph Brunacki; Councilman Khaldoun Androwis; Ms. Aneta Wygonik; and a representative from Aspen Tree.

Motion by Androwis, Seconded by Rachelski

Discussion - Councilman Olkowski said that we need to educate the residents.

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye

Motion by Olkowski stated - at the last Council Meeting we were to look at Chapter 380 violations and penalties the fines are paid but not enough. Not less than \$50.00 not more than \$1,000.00. We need to look at changing the Ordinance.

Councilwoman Dabal suggested looking at particular section and investigate before moving forward.

Councilman Olkowski withdrew Motion.

Motion by Olkowski for a committee to be set up - Dabal, Mayor, Olkowski, Seconded by Dabal

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye

Councilman Olkowski asked the Borough Attorney to look for the separation of the positions of CFO, Borough Clerk, ect..

Councilman Olkowski advised of a CDBG Workshop. The Borough Administrator will be going on Friday.

Motion by Olkowski, Seconded by Rachelski

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye

Councilman Brunacki commented regarding the DOKA Project, asking for a meeting with DOKA have the Borough Administrator set up a meeting.

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN, NEW JERSEY
RESOLUTION NO. 2018 - 230**

WHEREAS, The Mayor and Council of the Borough of Wallington has deemed it necessary to hire a planner to assist the borough with its Affordable Housing obligations and to assist the borough attorney in the pending COAH lawsuit.

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the Borough of Wallington, that:

1. Burgis Associates, Inc., 25 Westwood Avenue, Westwood, New Jersey is hereby hired to provide professional planning services to the borough of Wallington in connection with its Fair Share Plan and all related Affordable Housing matters. It shall further provide planning services to the borough in the litigation pending in the Superior Court New Jersey, Bergen County entitled IMO Borough of Wallington for a Judgment of Compliance and Repose; Docket No. BER. - L- 6285 - 15. Burgis Associates, Inc. shall be compensated at the rates set forth in its proposal dated August 28, 2018 attached hereto and made part hereof.

Certification of Funds

The Chief Finance Officer certifies that sufficient funds are available to pay the lump sum for the services detailed in the proposal dated in the Account No.

Motion by Rachelski, Seconded by Dabal

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye

Mr. Cedzidlo stated – bring in Tax Appeal Attorney for the next meeting.

Mr. Baginski brought up Convention Badges and the need to notify the office due to the discount offered.

ADJOURNMENT

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

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki, Olkowski - Aye