

**MINUTES**  
**REGULAR MEETING**  
**DECEMBER 19, 2019**

This is listed as a courtesy and attempt to inform the public of actions being considered by the Mayor and Council. There may be additions and deletions prior to the Council taking final action. Any action may be taken at any meeting, which includes all work and public sessions.

Mayor Mark W. Tomko calls the meeting to order at 7:30P.M.

Flag Salute and Invocation

Mayor Mark W. Tomko reads the Public Meeting Notice pursuant to the Sunshine Law

Mayor Tomko – Here  
Councilman Rachelski –Here  
Councilman Brunacki –Here  
Councilman Androwis – Here  
Councilwoman Dabal – Here  
Councilwoman Ivanacki – Here

Borough Attorney Richard Malagiere – present  
Borough Administrator Hector Olmo – present

**HEARING OF CITIZENS**

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

Richard Cedzidlo on behalf of Mr. Shah for King Liquor LLC Unit 8, 434 Main Ave: Seeking to Transfer Liquor License to Krauszer's on Locust Avenue (13 Locust Avenue). Mr. Cedzidlo provided many legal arguments on behalf of his client. Councilman Rachelski asked what the new name of the establishment and it was stated that it would retain the name of Krauszer's. Borough attorney Richard Malagiere advised the client that he has an excellent lawyer and that he would need extra time to review both the Borough of Wallington Ordinances and Resolutions pertaining to the move as well as ABC state statutes.

Helena Plaskon, 86 Roehrs Drive: spoke on the following topics; 1) Suggested having the meeting schedule posted in various formats 2) Asked about what is in DOT Grants 3) Congratulated newly appointed Councilman Tomasz Sadecki 5) Raised questions into the Board of Education

allocation of Capital and Spending; Questioned the temporary hiring by the Board of Education of Mrs. Spagone and hire of Mr. Brunacki's secretary at \$40.00/hr. Borough Administrator provided high level description of various projects and how grants work with them. Mr. Olmo also elaborated at a high level of the grant process. Mayor Tomko advised Mrs. Plaskon that some of the issues she is bringing up can only be addressed by the Board of Education. Councilwoman President Dabal provided an overview of the subcommittee meeting with the Board of Education and discussed various issues Mrs. Plaskon is bringing up.

John Rebecky, 269 Hathaway: Explained that the Town council has as much jurisdiction of the Board of Education as "you or I." Wished everyone a Merry Christmas, Happy Holidays, and peace to those who are grieving or sick.

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

### **APPROVAL OF MINUTES**

Regular Meeting October 24, 2019

Regular Meeting November 14, 2019

Caucus/Work Session Meeting December 3, 2019

Councilman Brunacki questioned comments made at the December 3, 2019 meeting concerning the Recreation Budget; Indicated that \$76K is incorrect. He further stated that he spoke to members of the recreation board and neither of them received any request for financials. Councilman Rachelski questioned Councilman Brunacki, on his understanding and origins of funding. Councilwoman President Dabal advised that Councilman Brunacki was incorrect. She explained that in 2017, at two separate council meetings she was present along with Councilmen Rachelski, Brunacki, and Androwis when recreation's financial documents were requested, and were never provided.

Motion by Dabal, Seconded by Rachelski,

Roll Call: Rachelski AYE, Brunacki AYE, Abstain to December 3, 2019, Androwis AYE, Dabal AYE,  
Ivanicki AYE,

### **COMMUNICATIONS**

From: Police Chief

Re: Request Appointment of William Peer to the position of Class III Special Police Officer  
(S.L.E.O. III)

From: South Bergen Municipal JIF  
Re: 2020 Proposed Budget

From: MEL/JIF  
Re: 2020 Cyber Insurance Renewal

From: Agnes Gronostajska  
Re: Resignation from Shade Tree as Secretary

From: Superior Court of NJ  
Re: FY 2020 Wallington Municipal Court Annual Visitation

From: State of NJ DOT  
Re: NJDOT 2020 Municipal Aid Program

From: Bergen County Utilities Authority  
Re: Recycling Update

From: Wallington Recreation  
Re: Letter of Resignation from Alycin Slezak and T.J. Calabrese  
Re: List of the 2020 Meeting dates

From: Bittiger Elias & Triolo P.C.  
Re: Case Management Spreadsheet

From: Wallington Truck Co. #1  
Re: Appoint of Andrew Donaldson as a new member

From: Tax Assessor Barbara Potash  
Re: Update on the Boroughs Tax Ratio's

From: Senator Paul Sarlo  
Re: Information on the DOT Municipal Aid Grant

From: Borough of East Rutherford  
Re: Notice of Public Hearing on Ordinances 2019-18 and 2019-19

From: Wallington Building Department  
Re: November 2019 Cash Receipts Audit report

From: State of NJ Dept of Corrections  
Re: Municipal Inspection report

From: Passaic Valley Water Commission  
Re: 2020 Budget Report and Water Rate Increase

From: Richard S. Cedzidlo  
Re: Request for Transfer of Plenary Retail Distribution Liquor License

Motion to refer the previous Communications to the proper Agencies

Motion by Brunacki, Seconded by Androwis,

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

### **CONTINUING WITH COMMUNICATIONS**

From: Wallington Board of Education  
Re: Request #7 in the amount of \$1,372,269.00

Motion to pay subject to fund availability

Motion by Dabal, Seconded by Androwis,

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

### **COMMITTEE REPORTS**

#### **COUNCILMAN EUGENIUSZ RACHELSKI**

“We are trying to clean up an accounting and organizational mess for months, years, and maybe perhaps decades.” Provided an over view of reconciliation issues and need for the Borough to invest into Edmunds software. Thanked Councilwoman Ivanicki’s diligent research into Edmunds. Councilman Rachelski elaborated that the software is flexible, easy to work with, and drives accountability to department heads. He estimates that there will be annual savings of 20K – 30K just in water. Provided an example of KC’s how we couldn’t account for 60-75% of Water usage.

#### **COUNCILMAN JOSEPH BRUNACKI**

Provided summons statistics for the previous month. Advised that TJ Calabrese & Alison Slezak both resigned from recreation. Wished everyone a great Holiday Season and reiterated that Recreation is in charge for finding a replacement for a New Summer Rec. supervisor.

#### **COUNCILMAN KHALDOUN ANDROWIS**

Shade tree: a couple new requests. Multiple trees need trimming and list is growing. New planting initiatives are being planned for 2020. Advised that the Shade Tree Secretary resigned and thanked her for all her efforts. Provided high level overview of 2019 capital projects. No major claims for insurance. Multiple businesses were inspected by the Health Department. Councilman Androwis emphasized a need to address the intersections of Main & Midland and Paterson & Main. Stated that there have been major issues with cars flipping. Pointed out that there will be a need for an easement and other necessary costs. Councilman Rachelski pointed out that the issue with addressing this is cost. Councilwoman Ivanicki stated that this should have been addressed 10 years ago. Councilman Rachelski pointed out that the Borough of Wallington is waiting for various approvals from the State and a minimal amount of engineering was completed for this to date. Lastly, Councilman Rachelski pointed out that it's unlikely these projects will be tackled until 2021.

#### **COUNCILWOMAN MELISSA DABAL**

Thanked Councilwoman Ivanicki with all her efforts for bringing in Edmunds to Wallington. Councilwoman President Dabal described numerous issues with the existing system specifically the way in which tax payer's dollars were being documented and tracked. Waiting for construction bond grant for the Library and described that considering the totality of the circumstances and issues related to our library, our chances for being awarded this grant are very good and expect to gain insight in about 6 months.

#### **COUNCILWOMAN WENDYSU IVANICKI**

Thanked Borough Administrator Hector Olmo and DPW Superintendent Ray Dynes. 34 lights in town were replaced and Ray is currently fixing a salt truck that broke down during the snow squall. Briefly talked about beatification committee.

#### **MAYOR'S REPORT**

Spoke about meeting in Garfield with Congressman Pascrell and Governor Murphy about domestic Terrorism. Described NJ as one of the top States of the Nation. Wallington Fire Department acted swiftly and prevented a major fire at Maple Ave. Thanked everyone that he worked with in town and wished everyone a Safe and Happy Holiday season

#### **ATTORNEY'S REPORT**

Invited the Mayor and Council to offer a settlement and release agreement of Lawsuit concerning Victor Polce.

Motion by Rachelski, Seconded by Androwis,

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

#### **ADMINISTRATOR REPORT**

Commended the DPW with the amount of work they do with what they have. Described work being done to the Salt Spreader.

#### **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.

##### **Resolution 2019 – 203**

A Resolution to authorize the Borough Administrator to submit Request for Qualifications for Real Estate Consultant to provide a lease of Borough Property.

##### **Resolution 2019– 204**

A Resolution to authorize the refund of \$3,286.56 for a "double payment" of taxes for the 4<sup>th</sup> quarter 2018.

##### **Resolution 2019– 205**

A Resolution to authorize the Tax Collector adjust his books to correct delinquent taxes for 48 Fradkin Place for 2<sup>nd</sup> Quarter 2017.

##### **Resolution 2019– 206**

A Resolution to set the time and place for the 2019 Sine Die Meeting and the 2020 Reorganization Meeting

##### **Resolution 2019– 207**

A resolution to enter into an agreement to extend for 1 (One) year with JSI Inc to provide Sanitation services for the FY2020.

##### **Resolution 2019– 208**

A Resolution to authorize the tax Collector remove the property 172 Anderson Avenue from the Delinquent tax List.

##### **Resolution 2019– 209**

A Resolution to authorize the tax Collector to credit 52 Morrissee Avenue \$169.71 for his Homestead Rebate.

##### **Resolution 2019– 210**

A Resolution to authorize the tax Collector to redeem Tax Sales Certificate 14-001 for 104 Wallington Avenue in the amount of (\$5,671.65 for certificate and \$1,100.00 Premium).

**Resolution 2019– 211**

A Resolution to authorize the tax Collector to postpone till April 2020 the Tax Sale due to many issues that are remaining from the previous Tax Collector.

**Resolution 2019– 212**

A Resolution to award the purchase under State Contract of the new Accounting, Tax Collecting, Water Collecting software from Edmunds GovTech.

**Resolution 2019– 213**

A Resolution to award the purchase under state contract the new computers, software and accessory for the Borough Hall, DPW, Police Department and Health Dept. to Palisades Sales Corporation.

**Resolution 2019– 214**

A Resolution to award the purchase under state contract the new computers and accessory for the police vehicles to GTBM Corporation.

**Resolution 2019– 215**

A Resolution authorizing 2019 Budget Transfers.

**Resolution 2019-216**

A resolution approving Liquor License 0265-33-038-003 to Rosebud Enterprise Inc.

Motion by Rachelski, Seconded by Androwis,

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

**Resolution 2019-217**

A resolution to appoint Special Law Enforcement Officer, Class III.

Motion by Rachelski, Seconded by Androwis,

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

## **ORDINANCES**

**2019- 011      2nd Reading by Title Only:** An Ordinance requiring residential pools not in use to require a pool cover. To prevent public health issues as breeding of insect and pests

Motion by Rachelski, Seconded by Androwis,

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

Motion to Open the Meeting to the Hearing of the Citizens relative to Ordinance #2019 – 011 by Androwis, Seconded by Rachelski,

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

John Rebecky, 269 Hathaway: This is a Good Ordinance! This will also help prevent children from drowning.

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

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

Motion to Adopt Ordinance No. 2019-011 by Rachelski, Seconded by Androwis,

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

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

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

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

## **OLD BUSINESS**

## **EXECUTIVE SESSION**

Motion by Androwis, Seconded by Brunacki,

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

Motion out of Executive Session by Brunacki, Seconded by Androwis,



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

**NEW BUSINESS**

A discussion took place on the time of the re organization meeting and “sine die” meeting.

A Motion to Amend **Resolution 2019-206** to 11AM by Dabal, Seconded by Ivanicki

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

**ADJOURNMENT**

Motion to adjourn to “sine die” at 8:59 PM by Brunacki, Seconded by Androwis,

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

Respectfully Submitted By:

Grzegorz Zagaja

Acting Deputy Clerk