

**MINUTES
REGULAR MEETING**

August 20, 2020 AT 6:30 PM

**The meeting will be open to the public following social distancing guidelines and the
Governor's Executive Order of a maximum of 25 occupants.**

You will also be able to listen to the meeting by calling into (978) 990-5000 Access code 623528

Mayor Melissa Dabal calls the meeting to order at 6:35p.m.

Flag Salute and Invocation

Mayor Dabal read the Public Meeting Notice pursuant to the Sunshine Law

Mayor Dabal – Present
Councilman Rachelski – Here
Councilwoman Preinfalk – Excused
Councilman Orzechowski – Here
Councilman Sadecki - Here
Councilwoman Ivanicki – Excused
Councilman Androwis – Present

Borough Attorney Richard Malagiere – Present
Borough Administrator Hector Olmo – Excused

HEARING OF CITIZENS

Motion to Open the Meeting to the Hearing of Citizens by Sadecki, Seconded by Orzechowski,
Roll Call: Rachelski AYE, Orzechowski AYE, Sadecki AYE, Androwis AYE.

Catherine Blumenschein, 8 Lilac Lane: June 22 three letters were sent to the Mayor, Borough Administrator, Tax Collector, and on July 28 I hand delivered copies of the letter to Agnes and I have not heard anything back and have not seen anything on the communications. Mayor Dabal advised she reviewed the correspondence with the Borough Administrator and the process is to forward any communication by an attorney to the Borough Attorney. Borough Attorney Richard Malagiere advised that he did not receive anything in the last ten days, and is not delinquent in any response. A copy of the correspondence was provided over to the Borough Attorney. Borough Attorney further added that he received an unsigned correspondence from Howard Law LLP; He does not recall seeing the letter or correspondence that was directed to Borough Administrator Olmo.

Catherine Sinisi, 10 Lilac Lane: It was brought to my attention that Helena Plaskon has made complaints about her and her dog walking; Borough Attorney asked Mrs. Sinisi if she was served with any official summons and if she was not, suggested she say nothing further.

Celina Urbankowski, 29 Pine Street: Stated in effect that she has received multiple e-mails from H. Plaskon and some of the e-mails can be interpreted as harassment. How can this issue be addressed, and doesn't understand the need for such e-mails? Mayor Dabal advised that a public official can't do anything to block correspondence, but you as a residence can block her e-mail address.

John Rebecky, 269 Hathaway St: As chairman of the zoning board I take my job and role very seriously. I received a phone call from a third party, who I believe was used as an unwitting pawn, who asked about a zoning application. I advised her that the nature of the call is unusual, unethical, and immediately hung up the phone call. I want this to be on record and I am not in this position to give favors and do not want anyone to place me in amorally conflicting position. My decisions on the board are part of the board and not my view point alone.

Motion to Open the Meeting to the Hearing of Citizens by Sadecki, Seconded by Androwis,
Roll Call: Rachelski AYE, Orzechowski AYE, Sadecki AYE, Androwis AYE.

COMMUNICATIONS

From: Wallington Building Department
Re: July 2020 Cash Receipts Audit Report

From: Bergen County Freeholders
Re: Bond Ordinance for various Departments of Planning and Engineering in the amount of \$2,343,500.00 for Capital Improvements

From: Bergen County Utilities Authority
Re: August 2020 Recycling Update

From: Department of Community Affairs DLGS Local Finance Notice
Re: 2020/SFY 2020 Extension State Aid Recapitulation and Payment Schedules

From: Wallington Youth Soccer League
Re: Permission to hold Annual Beefsteak & Prize Raffle Fundraiser October 17,2020

From: Wallington Youth Soccer League
Re: Application for Raffle License

From: Church of the Most Sacred Heart of Jesus
Re: Application for Raffle License

From: State of NJ DOT
Re: Transportation Alternative Set-Aside Program.

From: NJ League of Municipalities
Re: 2020 League Conference CANCELLATION- to be a Virtual Conference

From: Neglia Engineering Associates
Re: August 2020- Report

From: Russo & Associates
Re: Workers Compensation payroll for 2019 actual payroll.

From: Neglia Engineering Associates
Re: Estimate for Boundary and Topographical map of Mt. Pleasant Avenue.

From: Rogut McCarthy LLC
Re: Determination and Award Certification for Bond Anticipation Notes and Emergency Notes

From: Bergen County Freeholders
Re: Ordinances on First Reading

From: Neglia Engineering Associates
Re: Recommendation of Contract Award for 2020 Roadway Improvements (NJDOT & CDBG Funded) Various Street and Morrissee Avenue Phase I

From: Bergen County Department of Taxation
Re: 2020 3rd Quarter Estimated Taxes for Tax Bill and Open Space Taxes

From: Governor's Council on Alcoholism and Drug Abuse
Re: Strategic Plan for Funding Municipal Alliances

From: Chris Sinisi
Re: In Person Voting

From: Paul Kaufman, Esq.
Re: Application of UMDASCH REAL ESTATE USA LTD; Preliminary and Final Site Plan

Motion to refer the previous Communications to the proper Committees or Agencies

CONTINUING WITH COMMUNICATIONS

From: Wallington Board of Education
Re: Request #3 in the amount of \$1,422,633.00

Motion to pay subject to fund availability
Motion by Rachelski, Seconded by Androwis,
Roll Call: Rachelski AYE, Orzechowski AYE, Sadecki AYE, Androwis AYE.

COMMITTEE REPORTS

COUNCILMAN EUGENIUSZ RACHELSKI

We are working on additional ways to save money and grow revenues; Contacted two companies for adding a billboard on 125 River road. There may be some issues with DOT regulations. Assisting Councilman Sadecki as he spearheads an effort to divide up the latex property and lease it in the same way we leased 125 River road while maintaining operational control of the property. Tom is a professional surveyor and through no cost to the town has conducted extensive mapping of the property. Something needs to be done with the old police building; a design and build concept may be more cost effective. We are in process of replacing all the lights with energy efficient lights with zero cost to the town; This is in contrast to a previous proposal with an up-front cost of \$300K and forecasted savings of \$100K, but our actuals indicated out total cost was \$90K

COUNCILWOMAN SUSANNE PREINFALK

None - Excused

COUNCILMAN TOMASZ ORZECOWSKI

Recreation board has requested Covid -19 protocols and prevention for their programs; New Programs such as table tennis are also on the horizon. Numerous summonses will be issued by the end of the month. Mayor Dabal has said that the feedback she has received from districts 1 and 2 is excellent; Numerous renovations are taking place and there is a revitalization going on Wallington Avenue and Locust Avenue.

COUNCILMAN TOMASZ SADECKI

Provided a summary of zoning applications and thanked John Rebecky for his professionalism and judgement. Conducted a professional survey of the latex property; Looking at maintaining a wooded area while optimizing a safe use of the property to gain revenue while maintaining operational control.

COUNCILWOMAN WENDYSU IVANICKI

None-Excused

Mayor Dabal provided a summary of the DPW report. Thanked them for all their hard work. Need two new pickup trucks as they are nearing the end of their useful life. Need to start up alternate side parking as the streets are getting very dirty. Sewer line under Hathaway Street needs to be replaced.

COUNCILMAN KHALDOUN ANDROWIS

Thank god that there was no loss of life as a result of the tropical storm; Multiple trees were downed, but no major damage to town property. Received an agenda for the insurance meeting, it largely contains items for Covid-019 and Tropical storm related issues. Advised the mayor that multiple residents approached him on excessive rates of speed on Alden and Park Row; requested consideration for a tabletop speed bump. Mayor Dabal advised that one is going to be placed on Park Row. The anticipated cost is approximately \$17K turn key and this needs to be justified by facts and data.

MAYOR'S REPORT

The police chief provided a detailed report; Mayor Dabal highlighted three key arrests and thanked the officers for their diligent efforts. Mayor Dabal received multiple texts, e-mails, and phone calls reference a Facebook page post that was placed by a representative from UMDASH. Mayor Dabal advised that the post is misguided, and a resident advised her that it was unprofessional and it appears that UMDASH wants to bully their way into getting what they want.

ATTORNEY'S REPORT

Need to go into closed session in regards to litigation.

ADMINISTRATOR REPORT

None-Excused

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 RESOLUTION NO. 2020-144

CLOSEOUT RESOLUTION FOR THE

2017MA Road Program – Jacob Street & Franklin Avenue - Voucher No. 4 & Final

Be it resolved by the Mayor and Council of the Borough of Wallington, Bergen County, New Jersey that the contract for **2017 Road Program** was constructed by **Smith Sondy Paving, 150 Anderson Avenue, Wallington, NJ 07057**, in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer. The said construction is hereby accepted and final payment in the amount of **Twenty Thousand Seven Hundred Ninety-Two Dollars and Fourteen Cents (\$20,792.14)** is hereby approved.

This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

I hereby certify that funds are available _____

Treasurer / CFO

BOROUGH OF WALLINGTON RESOLUTION NO. 2020-145

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2020-June 2025

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Wallington, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society

amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to act to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through 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 hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Wallington Municipal Alliance grant for fiscal year 2021 in the amount of:

DEDR \$ 3579.47

Cash Match \$ 894.87

In-Kind \$ 2684.60

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**BOROUGH OF WALLINGTON
RESOLUTION NO. 2020-146**

AWARD OF CONTRACT

BE IT RESOLVED by the Mayor and Council of the Borough of Wallington, Bergen County, New Jersey upon the recommendation of the Borough Engineer, Michael J. Neglia, P.E., P.P., P.L.S., that the Contract for the:

2020 ROADWAY IMPROVEMENTS PROGRAM
VARIOUS STREETS AND MORRISSEE AVENUE PHASE 1 (NJDOT AND CDBG)
BOROUGH OF WALLINGTON
BERGEN COUNTY, NEW JERSEY

Be awarded to Smith-Sondy Asphalt Construction, 150 Anderson Avenue, Wallington, New Jersey in the amount of **Four-Hundred Seventy-Five Thousand, One Hundred Four Dollars and Seventy-Five Cents (\$475,104.75) for the Base Bid A and Base Bid B.** This Resolution to take effect upon certification of this Resolution by the Borough's Chief Finance Officer that sufficient funds are available.

Dated: _____

Certified: _____
Chief Finance Officer

**BOROUGH OF WALLINGTON
BERGEN COUNTY, STATE OF NEW JERSEY
RESOLUTION NO. 2020-147**

**FORM OF EMERGENCY RESOLUTION REQUIRING APPROVAL OF THE
DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES –
NJS 40A:4-49 (Over 3% limitation)**

WHEREAS, an emergency has arisen with respect to Legal Expenses And, no adequate provision was made in the 2020 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$385,000 and three (3) percent of the total operating appropriations in the budget for 2019 is \$335,612 and

WHEREAS, the foregoing appropriation together with prior appropriations exceeds three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2020,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-49, petition be made to the Director of the Division of Local Government Services for permission to exceed the statutory limitation of 3 percent for the creation of an appropriation for the purpose set forth in the preamble in accordance with the following:

1. An emergency appropriation is hereby made for Legal Expense in the amount of \$200,000.
2. That said emergency appropriation shall be provided for in full in the 2020 budget, within CAPS, pursuant to NJS 40A:4-53.3c (1)
3. That an Emergency Note not in excess of the above amount be authorized pursuant to NJS 40A:4-51
4. That such note shall be executed by Judith Tutela, CMFO and by Hector Olmo, Business Administrator.
5. That such note shall be dated before December 31, 2020 and shall be payable on or before December 31, 2021.

6. That the statement required by the Local Finance Board has been filed with the Clerk and a copy transmitted to the Director of the Division of Local Government Services
7. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

**BOROUGH OF WALLINGTON
BERGEN COUNTY, STATE OF NEW JERSEY
RESOLUTION NO. 2020-148**

FORM OF EMERGENCY RESOLUTION REQUIRING APPROVAL OF THE
DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES –
NJS 40A:4-49 (Over 3% limitation)

WHEREAS, an emergency has arisen with respect to Solid Waste Collection And, no adequate provision was made in the 2020 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$385,000 and three (3) percent of the total operating appropriations in the budget for 2019 is \$335,612 and

WHEREAS, the foregoing appropriation together with prior appropriations exceeds three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2020,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-49, petition be made to the Director of the Division of Local Government Services for permission to exceed the statutory limitation of 3 percent for the creation of an appropriation for the purpose set forth in the preamble in accordance with the following:

1. An emergency appropriation is hereby made for Solid Waste Collection in the amount of \$185,000.
2. That said emergency appropriation shall be provided for in full in the 2020 budget, within CAPS, pursuant to NJS 40A:4-53.3c (1)
3. That an Emergency Note not in excess of the above amount be authorized pursuant to NJS 40A:4-51
4. That such note shall be executed by Judith Tutela, CMFO and by Hector Olmo, Business Administrator.
5. That such note shall be dated before December 31, 2020 and shall be payable on or before December 31, 2021.
6. That the statement required by the Local Finance Board has been filed with the Clerk and a copy transmitted to the Director of the Division of Local Government Services
7. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

**BOROUGH OF WALLINGTON
RESOLUTION 2020-149**

BE IT RESOLVED that Mayor and Council of the Borough of Wallington, State of New Jersey, do hereby renew the following liquor license for the 2020-2021 said license being subject to all legal requirements as required by law:

<u>License Number</u>	<u>License Holder</u>	<u>Trade Name</u>
0265-33-009-003	Polka Dot Rest. Inc 77 Maple Ave	Polka Dot
0265-44-036-005	King Liquors LLC. 434 Main Ave Unit #8	King Liquors
0265-32-017-005	Honoris Causa LLC. 375 Paterson Ave	Shoprite Wine and Spirits

Motion to approve Resolutions "En Mass" by Sadecki, Seconded by Androwis,
Roll Call: Rachelski AYE, Orzechowski AYE, Sadecki AYE, Androwis AYE.

ORDINANCES

2020-014 1st Reading by Title Only: An Ordinance to amend Chapter 365-23 and 24
"Zoning" of the Code of The Borough of Wallington, State of New Jersey

Motion to Introduce Ordinance No. 2020-014 by Rachelski, Seconded by Sadecki,
Roll Call: Rachelski AYE, Orzechowski AYE, Sadecki AYE, Androwis AYE.

LIST OF BILLS AND SUPPLEMENTAL LIST OF BILLS

<u>Bill List Current Account August 20, 2020</u>				
<u>Vendor</u>		<u>Check #</u>		<u>Amount</u>
NJ Restaurant Equip		24956	\$	2,800.00
Hector Olmo		24957	\$	2,112.80
Hector Olmo		24957	\$	-
Hector Olmo		24957	\$	20.85
Paul Stolarz		24958	\$	50.23

David Corrigan, ESQ	24959	\$	5,100.00
Williams Scotsman	24960	\$	1,851.00
Comcast	24961	\$	38.58
Comcast	24962	\$	(1,163.36)
Comcast	24962	\$	-
Comcast	24962	\$	1,163.36
Verizon	24963	\$	1,163.36
Comcast	24964	\$	244.57
Verizon	24965	\$	149.81
The Lincoln National Life	24966	\$	90,765.15
Automotive Brake Company	24967	\$	338.17
Michael Marciniak	24968	\$	75.55
Rainbow Cleaners	24969	\$	40.00
Micro Strategies	24970	\$	495.00
NJ Emergency Vehicles	24971	\$	5,988.84
NJ Fire Equipment COMP	24972	\$	-
NJ Fire Equipment COMP	24972	\$	2,992.58
NJ Fire Equipment COMP	24972	\$	1,500.00
P.S.E.&G	24973	\$	8,596.44
P.S.E.&G	24973	\$	-
P.S.E.&G	24973	\$	6,605.40
Advanced Enterprises	24974	\$	15,431.20
Mary Baumann, CSR	24975	\$	639.50
Mary Baumann, CSR	24976	\$	150.00
Air & Gas Technologies	24977	\$	330.00
ACTION DATA SERVICES	24978	\$	346.83
ACTION DATA SERVICES	24979	\$	44.60
Amazon Capital SVS	24980	\$	1,074.92
Amazon Capital SVS	24981	\$	(82.38)
Amazon Capital SVS	24981	\$	-
Amazon Capital SVS	24981	\$	82.38
North Jersey Media Group	24982	\$	(403.45)
North Jersey Media Group	24982	\$	-
North Jersey Media Group	24982	\$	403.45
JFK Memorial Library	24983	\$	25,000.00
BITTIGER ELIAS & TRIOLO	24984	\$	1,632.50

Advanced Enterprises	24985	\$	11,177.60
IDM Medical	24986	\$	109.00
Joseph Smentkowski INC	24987	\$	29,500.00
Joseph Smentkowski INC	24987	\$	-
Joseph Smentkowski INC	24987	\$	12,500.00
Borough of Carlstadt	24988	\$	1,800.00
MUNIDEX	24989	\$	1,817.40
ONE CALL CONCEPTS	24990	\$	25.74
Drager Safety Diagnostics	24991	\$	120.00
RIDGEHURST AUTO PARTS	24992	\$	-
RIDGEHURST AUTO PARTS	24992	\$	130.14
RIDGEHURST AUTO PARTS	24992	\$	134.85
W.B. Mason	24993	\$	85.98
Verizon Wireless	24994	\$	71.62
Home Depot Credit Services	24995	\$	759.51
Chris & BUD LAWNMOWER	24996	\$	321.33
Borough of Rutherford	24997	\$	375.71
ALL SHRED SERVICES	24998	\$	100.00
Comcast	24999	\$	244.61
PROCOPY INC	25000	\$	1,099.50
GULFEAGLE Supply	25001	\$	792.00
Advanced Enterprises	25002	\$	10,159.20
Bruno ASSOCIATES	25003	\$	5,833.32
Burgis Associates	25004	\$	2,131.25
Burgis Associates	25005	\$	3,250.00
W.B. Mason	25006	\$	22.73
C&C Tire INC	25007	\$	80.50
Interstate Batteries	25008	\$	255.90
Bergen County Clerk	25009	\$	5,674.67
ALL American Sewer Service	25010	\$	1,490.00
North Jersey Media Group	25011	\$	-
North Jersey Media Group	25011	\$	39.73
North Jersey Media Group	25011	\$	40.20
ALL American Sewer Service	25012	\$	475.00
Borough of Carlstadt	25013	\$	1,800.00
Garbarini & Co. P.C. CPAs	25014	\$	1,800.00
De Lage Landen	25015	\$	251.75

Witmer Associates	25016	\$	3,957.00
MCI	25017	\$	83.46
The Law Offices OF Richard Malagiere	25018	\$	25,305.67
The Law Offices OF Richard Malagiere	25019	\$	1,833.00
Language Line Services	25020	\$	10.20
Verizon Wireless	25021	\$	341.70
Verizon Wireless	25022	\$	804.46
NJ Advanced Media	25023	\$	383.02
ACTION DATA SERVICES	25024	\$	2,160.52
ACTION DATA SERVICES	25025	\$	271.30
AGL Welding Supply	25026	\$	45.72
P.S.E.&G	25027	\$	50.14
LORCO PETROLEUM SERVICES	25028	\$	150.00
NJ State League	25029	\$	200.00
County Of Bergen	25030	\$	665,577.00
County Open Space Trust Fund	25031	\$	28,543.30
Richard Cedzidlo	25032	\$	3,750.00
Advanced Enterprises	25033	\$	8,356.00
Seagrave Sales & Service	25034	\$	1,716.88
Wallington Board Of Education	25035	\$	474,211.00
Wallington Board Of Education	25036	\$	474,211.00
Wallington Board Of Education	25037	\$	474,211.00
Amazon Capital SVS	25038	\$	82.38
North Jersey Media Group	25039	\$	403.45
<u>Total Bill List</u>		<u>\$</u>	<u>2,436,705.32</u>
<u>Bill List Water Account August 20, 2020</u>			
<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	
AMAZON CAPITAL SVS	63484	\$	(421.60)
PASSIAC VALLEY WATER COMM	63490	\$	1,656.00
Pawel Rapacz	63491	\$	250.00
ALSTAR SEATING	63492	\$	458.00
Grainger	63493	\$	178.92

	U.S. Post Office	63494		\$	350.00
	U.S. Post Office	63495		\$	350.00
	U.S. Post Office	63496		\$	350.00
	US Voip	63497		\$	943.11
	PAC TOOL & SUPPLY	63498		\$	420.19
	American Water Works ASSN	63499		\$	90.00
	PASSIAC VALLEY WATER COMM	63500		\$	86,039.07
	AMAZON CAPITAL SVS	63501		\$	279.96
	AMAZON CAPITAL SVS	63502		\$	199.00
	AMAZON CAPITAL SVS	63503		\$	(450.00)
	AMAZON CAPITAL SVS	63503		\$	-
	AMAZON CAPITAL SVS	63503		\$	450.00
	Advantage Computer	63504		\$	800.00
	Ridgehurst Auto Parts	63505		\$	855.20
	PAC TOOL & SUPPLY	63506		\$	200.36
	Grainger	63507		\$	200.00
	American Wear	63508		\$	512.40
	American Wear	63509		\$	375.20
	MCKESSON MEDICAL	63510		\$	456.42
	AMAZON CAPITAL SVS	63511		\$	450.00
	<u>Total Bill List</u>			\$	94,992.23
	<u>Bill List General Capital August 20, 2020</u>				
	<u>Vendor</u>	<u>Check #</u>		<u>Amount</u>	
	Smith-Sondy Asphalt Const. Co.	401019		\$	20,792.14
	<u>Total Bill List</u>			\$	20,792.14
	<u>Bill List Trust Account August 20, 2020</u>				
	<u>Vendor</u>	<u>Check #</u>		<u>Amount</u>	
	AMA Trading, LLC	30057		\$	7,242.24

	AMA Trading, LLC	30057	\$	-
	AMA Trading, LLC	30057	\$	2,000.00
	NJ Firemans Home	30058	\$	100.00
	Mary Baumann, CSR	30059	\$	50.00
	Mary Baumann, CSR	30060	\$	50.00
	<u>Total Bill List</u>		\$	<u>9,442.24</u>

Motion to Pay List of Bills Subject to Fund Availability by Rachelski, Seconded by Orzechowski,
Roll Call: Rachelski AYE, Orzechowski AYE, Sadecki AYE, Androwis AYE.

OLD BUSINESS

Councilman Rachelski asked about the parking spaces issue in the area of Union and Park View. Mayor Dabal advised that a meeting needs to take place with the Chief of Police and Borough administrator and there may be a need to change the ordinance.

Councilman Androwis asked if there was any update on the lighting in the county park. Mayor Dabal advised that this process was moving forward and it was suddenly brought to a halt due to Covid-19. A short discussion took place on where additional street lights are needed

NEW BUSINESS

Executive Session

Motion to enter the Meeting into EXECUTIVE session by Sadecki, Seconded By Rachelski,
Roll Call: Rachelski AYE, Preinfalk AYE, Orzechowski AYE, Sadecki AYE, Ivanicki AYE, Androwis AYE.

Borough attorney framed the discussion: Potential to act after executive concerning litigation

Motion to exit EXECUTIVE session & resume meeting by Orzechowski, Seconded by Androwis,
Roll Call: Rachelski AYE, Orzechowski AYE, Sadecki AYE, Androwis AYE.

Borough attorney invited a motion, based on discussions that took place in executive session, to authorize The Law Office of Richard Malagiere to Defend the Borough of Wallington, from Litigation brought by New Wallington Homes LLC along with the JIF assigned attorneys.

**BOROUGH OF WALLINGTON
RESOLUTION NO. 2020-150**

WHEREAS, New Wallington Homes, LLC and Morningside at Wallington, LLC has brought suit against the Borough of Wallington ("Wallington") and Wallington Planning Board ("Planning Board"); and

WHEREAS, this lawsuit is currently pending before the United States District Court for the District of New Jersey under the docket 2:20-CV-08178-CCC-ESK; and

WHEREAS, the lawsuit was tendered to Wallington's insurance carrier and a defense will be provided; and

WHEREAS, Wallington desires the Law Offices of Richard Malagiere, P.C. to represent both Wallington and Planning Board on any and all uninsured claims in the above-referenced lawsuit

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of Wallington authorizes the Law Offices of Richard Malagiere, P.C. to represent the Borough of Wallington and Wallington Planning Board in the matter of New Wallington Homes, LLC et al v. Borough of Wallington, et al. in connection with any and all uninsured claims.

Motion to approve Resolution 2020-150 by Sadecki, Seconded by Androwis,
Roll Call: Rachelski AYE, Orzechowski AYE, Sadecki AYE, Androwis AYE.

ADJOURNMENT

Motion to adjourn at 8:17P.M. by Orzechowski, Seconded by Androwis,
Roll Call: Rachelski AYE, Orzechowski AYE, Sadecki AYE, Androwis AYE.

Respectfully Submitted:
Gregory Zagaja
Acting Deputy Clerk