

MINUTES
CAUCUS WORK SESSION MEETING
September 8, 2020 AT 6:00 PM

Mayor Melissa Dabal calls the meeting to order at 5:59 p.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 – Here
Councilman Orzechowski – Here
Councilman Sadecki - Here
Councilwoman Ivanicki – Present
Councilman Androwis – 6:09P

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

HEARING OF CITIZENS

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

Karolina Zyla, 26 Armm Ave, Adam Buguski, 30 Armm Ave & P. Szamborski, 4 Armm Ave: Three separate residents raised concerns over the lack of maintenance of the salvage company on Paterson Ave. Specifically, three main concerns: The first are how cars and parts are being stored and how they are creating an eyesore in their back yard, despite investing money into new fencing. The second is the lack of mosquito, insect, and vermin control with tires and parts creating a breeding area and hiding area for pests. The third a complete lack of grounds maintenance: Trees and bushes are over grown on the property. Ultimately, there is an environmental concern over water run off from the property, odors of chemicals, and overgrown trees collapsing.

Mayor Dabal is aware of the situation; She reported to the property and took pictures from the yards of residents who invited the mayor and asked for help of the unsightly stacked cars and

garbage. Alternative are being canvassed as to what the available alternatives are to remediate the issues.

Mike Chirlo, 64 Jordan Ave: Thanked the Mayor and Council for Paving Jordan Ave. A short discussion took place on a change in the ordinance. Borough Administrator provided a short description and what properties would be impacted. Immediately after a short discussion took place on the industrial property behind his residence with EPA permits.

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

APPROVAL OF MINUTES

Regular Meeting July 23,2020

Regular Meeting August 20,2020

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

COMMUNICATIONS

From: Bergen County Utilities Authority

Re: Recycling Update

From: Wallington Building Department

Re: August 2020 Cash Receipts Audit report

From: Neglia Engineering

Re: September 2020 Report

From: Neglia Engineering

Re: Proposal for Engineering & Construction Management for Hathaway St Sewer Improvement

From: Governor Murphy's Office

Re: Legislation Authorizing Municipalities & Counties to Issue Coronavirus Relief Bonds

From: Bergen County Superintendent of Election
Re: Voter Registration Deadline for General Election

From: Wallington Board of Health
Re: Removal of Handicapped sign at 18 Bond Street

From: NJ Dept. of Health
Re: EO No. 20-183 Indoor Dining Service Protocols

From: Group of Parents
Re: Concerns at Samuel Nelkin County Park

Motion to refer the previous Communications to the proper Agencies
by Rachelski, Seconded by Ivanicki,
Roll Call: Rachelski AYE, Preinfalk AYE, Orzechowski AYE, Sadecki AYE, Ivanicki AYE, Androwis
AYE.

ENGINEERS REPORT

Provided an overview of the Engineers report. Went into great detail on Hathaway Street: Described the standardized process as guided by the Mayor and Council is to video the sewer pipes prior to paving so there is no non-value-added rework and waste. During this process prior to paving Hathaway it was identified that the main sewer pipe is severely compromised and needs to be replaced. Mr. Juzmeski pointed out that this loss of integrity can be seen on Hathaway as the settling of the ground is visible on the street. The depth of the pipe will create added complexity.

Mayor Dabal advised that this was discussed a long time ago and it was never taken care of; ten years ago, this was a problem. The borough engineer concurred and advised that the pipe could have been relined at a fraction of the cost with longitudinal cracks, but this is not currently an option due to the severe loss of structural integrity. A discussion ensued on various scenarios with the risk of complete pipe collapse.

A short discussion took place on the status of paving streets and the replacement of a water main. An open issue on Union Boulevard and Hathaway with regard to a tripping hazard is being looked at. A discussion took place between the borough engineer, borough attorney, and borough engineer on the firehouse roofs. The mayor asked about the status of the garbage specifications for the new garbage bid, and the lack of proper standards and penalties in the old one.

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. 2020-151

WHEREAS, the Borough of Wallington received check number 10244 from Kensington Vanguard National Land Services, LLC in the amount of \$3,286.56 on April 15, 2019, and,

WHEREAS, this check should have been sent to the previous property owner of 4 Azalea Drive East, Wallington, NJ 07057 Block 53.02 Lot 53; K. Jovanoska but was not.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Wallington that a refund in the amount of \$3,286.56 is approved.

BOROUGH OF WALLINGTON RESOLUTION 2020-152

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> |
|------------------------------|------------------------------------|--------------------------|
| 0265-33-029-002 | Polish People Home 196 Main Ave | Cracovia Manor |
| 0265-33-032-006 | Tatra Haus LLC. 115 Main Ave | Tatra Haus |
| 0265-33-013-003 | Donna Sikora 166 Maple Ave | Edwards Bar & Liquors |

Motion to approve Resolutions “En Mass” by Preinfalk, Seconded by Ivanicki,
Roll Call: Rachelski AYE, Preinfalk AYE, Orzechowski AYE, Sadecki AYE, Ivanicki AYE, Androwis AYE.

ORDINANCES

2020-014 2nd 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 Open the Meeting to the Hearing of the Citizens relative to Ordinance No. 2020-014
by Rachelski, Seconded by Androwis,
Roll Call: Rachelski AYE, Preinfalk AYE, Orzechowski AYE, Sadecki AYE, Ivanicki AYE, Androwis AYE.

Marc Liebman ESQ, Represents Umdash USA LTD: Advised that this ordinance was challenged and invalidated; Likewise, the passage of this ordinance will again be challenged and be invalidated. There is a pending civil rights claim on the borough and, this ordinance can be described as defacto spot zoning. All of this litigation can be resolved. The passing of this ordinance will only drive up your legal expenses.

Mike Chirlo, 64 Jordan Ave: Described a commercial property in the borough that is creating dust and residue with multiple trucks creating traffic. Doesn’t understand how a property can be remediated when soil gets hauled around and mixed around. Mr. Chirlo described various environmental issues on various properties that will be remediated by the ordinance change. Ordinances need to be in place to protect residences and the council should protect us. Businesses that disrupt our lives need to be held accountable. Thanked the Mayor and Council for passing the ordinance.

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

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

OLD BUSINESS

Mayor Dabal asked about the town wide garage sale and shredding event: Town Wide Garage Sale and shredding is set for September 26 with a rain date of September 27. Borough administrator advised that the DPW superintendent has requested Alternate side to start up again; The date of September 28 was directed as the reinstatement. Parks will start being opened up by the end of this week.

Numerous complaints are coming in for 17 Strong Street: Borough Administrator stated in effect that summonses have been issued.

NEW BUSINESS

Mayor Dabal: There is a need for a Wallington Facebook page. Advised that there is a lot of false and misleading information. This way if there are any questions residents can come to our official Facebook Page.

Borough Administrator provided a summary of known statistics on COVID infections in the borough of Wallington. At this juncture, depending what report you are looking at, we have 9 active cases. Mr. Olmo also spoke about executive order 103 & 104 and changes made to the civic center for the senior center. No clear direction has been provided when the center will re-open.

Councilwoman Ivanicki asked questions regarding an electrical panel at the 201 firehouse. Borough Administrator described the situation, and it appears there is an underlining problem that needs to be identified.

Borough Attorney, Richard Malagiere, requested the Mayor and Council to authorize him to claim the performance bond.

BOROUGH OF WALLINGTON RESOLUTION NO. 2020-153

WHEREAS, the Borough of Wallington (“Wallington”) required replacement of the roof of the firehouse located at 67 Union Boulevard and Park Row (“Park Row Firehouse”); and

WHEREAS, Wallington awarded the contract for such services Roof Management Inc. (“Roof Management”) in accordance with the Local Public Contract Law N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, Roof Management posted a surety bond, Bond No. 602-106549-3 regarding the project as required under the Public Bond Act N.J.S.A. 2A:44-143 *et seq.*; and

WHEREAS, Roof Management did not provide a warranty under the terms of the contract;
and

WHEREAS, the Mayor and Council of Wallington wish to authorize the borough attorney to claim the bond in accordance with the contract and applicable statutes

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of Wallington hereby authorizes the Law Offices of Richard Malagiere, P.C. to claim Bond No. 602-106549-3 related to incomplete work for roof replacement at the Park Row Firehouse in accordance with the contract and applicable statutes.

Motion to approve resolution 2020-153 by Ivanicki, Seconded by Rachelski,

Roll Call: Rachelski AYE, Preinfalk AYE, Orzechowski AYE, Sadecki AYE, Ivanicki AYE, Androwis AYE.

EXECUTIVE SESSION:

Motion to enter the Meeting into EXECUTIVE session by Ivanicki, Seconded by Sadecki,

Roll Call: Rachelski AYE, Preinfalk AYE, Orzechowski AYE, Sadecki AYE, Ivanicki AYE, Androwis AYE.

Borough Attorney framed the discussion: Status into Litigation Measures

Motion to exit Executive Session & resume meeting by Ivanicki, Seconded by Preinfalk,

Roll Call: Rachelski AYE, Preinfalk AYE, Orzechowski AYE, Sadecki AYE, Ivanicki AYE, Androwis AYE.

ADJOURNMENT

Motion to adjourn at 7:49P by Preinfalk, Seconded by Orzechowski,

Roll Call: Rachelski AYE, Preinfalk AYE, Orzechowski AYE, Sadecki AYE, Ivanicki AYE, Androwis AYE.

Respectfully Submitted By:

Greg Zagaja

Acting Deputy Clerk