

**MINUTES  
REGULAR MEETING  
NOVEMBER 8, 2018**

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 7:45p.m.

Flag Salute and Invocation

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

Roll Call: Rachelski, Androwis, Dabal – present  
Brunacki, Ivanicki, Olkowski – absent

Mayor Mark W. Tomko – present

Borough Attorney Richard Cedzidlo- present

Borough Administrator Victor M. Polce – present

**HEARING OF CITIZENS**

Motion to Open the Meeting to the Hearing of Citizens by Dabal, Seconded By Adnrowis,  
Roll Call: Rachelski, Androwis, Dabal –Ayes

Mrs. Helena Plaskon of 86 Roehrs Drive raised concerns regarding Do Not Enter sign on Alden Street and Mt. Cedar Avenue; she received a ticket. She spoke to Chief Imbruglia about the sign. Mrs. Plaskon is requesting to add time limit and that Alden Street should be open to the local traffic. Mayor advised Mr. Plaskon to refer her questions and suggestions to Police Department and Municipal Court.

Mr. Martin Kafafian from Beattie Padovano asked about absents of Councilman Olkowski. Borough Attorney Cedzidlo explain that the Mayor and Council is not answering any questions and if Mr. Kafafian has any problems he can just file a lawsuit.

Mr. Kafafian brought up published notice about meeting with DOKA at the Wallington High School on Monday, November 12, and that the Mayor and Council endorses the meeting and that the official action might be taken and that the DOKA is sewing the Borough of Wallington and the use of the property. Borough Attorney explain the meeting notice publication and that he needs more time to do legal research regarding written objection to the meeting that was received by my office on November 8<sup>th</sup>, just a while before the meeting.

Ms. Jane Gurdak of 76 Halstead raised concerns about the water bill she received. She raised concerns about her new water meter that was installed and that there is no reason for the water bill to be so high. Employee of the Public works came back and check the meter with no results. Mayor Tomko suggested that the Public Works employee should go to Ms. Gurdak's house and check the water meter once again or replace it with the new one.

Motion to Close the Meeting to the Hearing of Citizens by Androwis Seconded By Rachelski,  
Roll Call: Rachelski, Androwis, Dabal – Ayes

### **APPROVAL OF MINUTES**

September 11, 2018 – Caucus/Work Session

September 26, 2018 – Bid Meeting

September 27, 2018 – Regular Meeting

October 23, 2018- Bid Meeting

Councilman Androwis stated that he is waiting for Recording of the September 27<sup>th</sup>, Meeting from Borough Clerk Baginski.

No action taken on approval

### **COMMUNICATIONS**

From: Summit Risk Services

Re: Notification of Denial of Coverage

From: South Bergen Municipal Joint Insurance Fund

Re: Update on new meeting date Tuesday, November 20, 2018

From: The Council of Irish Associations of Greater Bergen County, Inc

Re: Invitation to attend evening for a celebration of Irish culture in Northern New Jersey

From: Bergen County Board of Chosen Freeholders

Re: Notification of Polish Independence Day & Flag raising ceremony on Monday, November 19, 2018

From: Bergen County Board of Chosen Freeholders

Re: Notification of Turkish Independence Day & Flag Raising Ceremony on Wednesday, November 7, 2018

From: Mrs. Agnieszka Gugala of 30 Miller Street  
Re: A Request for tree removal

From: State of New Jersey Department of Transportation  
Re: Grant notification for the New Jersey Department of Transportation Fiscal Year 2019 Local Freight Impact Fund

From: Loccke, Correia & Bukosky  
Re: A Request to continue the PBA negotiations

From: Mod Space  
Re: Submission of the Lease Renewal

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

From: County of Bergen Department of Public Works  
Re: Submission of 2018-2020 Snow Plowing Agreement

From: Ms. Janet Gurdak of 72 Halstead Avenue  
Re: A Request for assistance with her water bill

From: Wallington Park Row Hose Co. 3  
Re: Notification of Acceptance into membership of Daniel Jastrzebski of 146 Anderson Avenue

From: The Wallington Board of Health  
Re: Notification to remove the handicap sign at 9 Koster Street

From: Neglia Engineering Associates  
Re: Submission of Voucher No. 1 for payment to Cifelli & Son General Const Inc, for King Street Sidewalk and Curb Improvements

From: Neglia Engineering Associates  
Re: Submission of Voucher No. 1 for payment to Dee En Electric for Civic Center Generator Project

From: Neglia Engineering Associates  
Re: Submission of a monthly report



From: Neglia Engineering Associates

Re: Submission of Bid postponement and rescheduling for Mt. Pleasant Playground and Crescent Park Improvement

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

Roll Call: Rachelski, Androwis, Dabal – Ayes  
Brunacki, Ivanicki, Olkowski – absent

### **CONTINUING WITH COMMUNICATIONS**

From: Wallington Board of Education

Re: Request # 6 in the amount of \$1,341,665.00

Motion to pay subject to fund availability by Rachelski, Seconded by Dabal,

Roll Call: Rachelski, Androwis, Dabal – Ayes  
Brunacki, Ivanicki, Olkowski – absent

### **COMMITTEE REPORTS**

**COUNCILMAN EUGENIUSZ RACHELSKI-** stated that the KC Landscaping did not pay the Water bill in the amount of \$40,000 and also that the eviction action is pending on KC Landscaping

**COUNCILMAN KHALDOUN ANDROWIS-** gave a report on calls made by the Wallington Police Department, there were 151 moving violations, 355 parking violations, several arrests. Officer Deck received Officer of the Year award, Air Marshal David Popek and members of EMS and Fire Department from Knights of Columbus on October 27<sup>th</sup>. It was a very successful event.

Willow Avenue bid was accepted by one company and helpfully work will start soon the latest by early spring of 2019. Borough also will be working on Jordan Avenue, Currie and at some point, maybe Morrissey and Spring Street, waiting for grants from DOT.

Shade tree commission – next meeting is on December 8<sup>th</sup>, members will be discussing several items and the ordinance, members would like to sit down with Borough Attorney Cedzidlo and ask for advice.

**COUNCILWOMAN MELISSA DABAL** – no report

**MAYOR'S REPORT** – no report

**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.

**RESOLUTION NO. 2018 - 253**

**MAYOR AND COUNCIL RESOLUTION TO ENTER A GRANT AGREEMENT**

**BE IT RESOLVED**, that the Mayor and Council of Borough of Wallington wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$127,200.00 in 2018 Community Development Block Grant funds for Curie Avenue Roadway Improvements

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorizes Mayor Mark Tomko to be a signatory for the aforesaid grant agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorizes Borough Administrator, Victor Polce to sign all County vouchers submitted in connection with the aforesaid project; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council recognizes that Borough of Wallington is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

This resolution was adopted by the Mayor and Council of Borough of Wallington at a meeting on November 8, 2018

Motion by Rachelski, Seconded Dabal

Roll Call: Rachelski, Androwis, Dabal – present

Brunacki, Ivanicki, Olkowski – absent

**RESOLUTION NO. 2018 – 254**

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Wallington, State of New Jersey do hereby review the following liquor licenses for the 2018-2019 said licenses being subject to all legal requirements as required by law:

0265-44-016-007

Four Star LLC

Blue Ridge Wine and Liquors

168 Main Avenue

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

**RESOLUTION NO. 2018 – 255**

**RESOLUTION FOR PERSON TO PERSON TRANSFER**

**WHEREAS**, an application has been filed for a person-to-person transfer of Plenary Retail Distribution License 0265-44-016-007, heretofore issued to Four Star, LLC for premises located at 168 Main 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 Statutes, 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 November 8 ,2018 the transfer of the aforesaid Plenary Retail Distribution License to Shiv Balgobin 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 Shiv Balgobin, effective November 8, 2018.”

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

**RESOLUTION NO. 2018 – 256**

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER  
FOR UNEMPLOYMENT COMPENSATION INSURANCE TRUST FUND**

**WHEREAS**, permission is required of the Director of Local Government Services for approval as a Dedication by Rider of certain revenues received by a municipality when the revenue is not subject to a reasonable accurate estimate in advance; and

**WHEREAS**, a Dedication by Rider for Unemployment Compensation Insurance



(N.J.S.A. 43:21-3 et seq.) has been approved under blanket provisions by the Local Finance Board,

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Unemployment Compensation Trust fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

**NOW, THEREFORE, BE IT RESOLVED**, the Governing Body of the Borough of Wallington, County of Bergen, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Borough of Wallington Unemployment Compensation Insurance Trust fund.
2. The Borough Clerk of the Borough of Wallington, County of Bergen, is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Motion by Rachelski, Seconded Dabal

Roll Call: Rachelski, Androwis, Dabal – present

Brunacki, Ivanicki, Olkowski – absent

#### **RESOLUTION NO. 2018 – 257**

#### **BOROUGH OF WALLINGTON EMERGENCY RESOLUTION — NJS 40A::4-48**

**WHEREAS**, an emergency has arisen with respect to Salaries and Wages for the Health Department and Municipal Court and, no adequate provision was made in the 2018 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 \$ 55,000 and three (3) percent of the total operating appropriations in the budget for 2017 is \$305,914 and

**WHEREAS**, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2018,

**NOW, THEREFORE, BE IT RESOLVED**, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for:

Health Department Salaries and Wages	\$30,000
Municipal Court Salaries and Wages	<u>\$25,000</u>

With a total amount of \$55,000

2. That said emergency appropriation shall be provided for in full in the 2019 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Service

**CERTIFICATION FOR EMERGENCY APPROPRIATION FORM  
CHIEF FINANCIAL OFFICER**

This statement must be prepared in duplicate by the chief financial officer and filed with the municipal clerk **prior to the adoption** of the emergency resolution.

The duplicate must be filed with the Director of the Division of Local Government Services together with the emergency resolution

**Please answer all questions:**

Purpose of emergency appropriation:

To cover Salaries and Wages for Health Department and Municipal Court for employees laid off in connection with the Borough moving to shared services contracts. A delay in authorization from Civil Service did not allow the Borough to remove these individuals from payroll and the final payroll date was October 22, 2017.

Date of occurrence: June 1, 2018

Have any contracts been awarded or purchase orders placed in connection with this  
Emergency appropriation? No

Date June 1, 2018

Chief Financial Officer: Judith Tutela

Municipality: Borough of Wallington

No Action on Resolution

**RESOLUTION NO. 2018 – 258**

Approving the Transfer of Funds for 2018

WHEREAS, there exist certain budget expenditures with funds available in excess of the amounts approved in the 2018 budget of the Borough of Wallington; and



WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of such funds during the last two months of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wallington, County of Bergen that the following transfers be made within the 2018 Municipal

Budget:

	Transfers in	Transfers out
General Administration S&W	2,000	
Municipal Clerk S&W	21,000	
Financial Admin S&W	3,700	
Financial Admin OE	20,000	
Rev Admin (Collection of Taxes) OE	2,000	
Assessment Admin OE	24,000	
Legal OE	85,000	
Engineer OE	22,000	
Planning Board OE	5,600	
Construction Code Official S&W		3,000
Parking Sticker Program S&W		5,000
Construction Code Official OE	2,000	
Parking Sticker Program OE		10,000
Rent Leveling Board S&W	100	
Liability (SBJIF)		176,060
Workmens Comp (SBJIF)		180,000
Health Benefit Waiver	28,000	
Fire OE		3,000
EMS OE	3,000	

Streets & Roads S&W	40,000	
Solid Waste Collection	1,000	
Buildings&Grounds	10,000	
Board of Health S&W	35,000	
Board of Health OE	5,000	
Senior Citizen OE		5,000
Celebration of Public Events	5,000	
Street Lighting	7,000	
Municipal Court S&W	27,000	
Municipal Court OE	15,000	
Maintenance of Public Liabrary	16,000	
Shared Service Health	2,000	
Green Acres Loan	660	
	<hr/> 382,060	<hr/> 382,060
	<hr/> <hr/>	<hr/> <hr/>

No Action on Resolution

#### **RESOLUTION NO. 2018 – 259**

**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 previously passed a resolution and ordinance authorizing the hiring of such officers to serve the health, welfare and safety of the citizens of Wallington and particularly the children;

**NOW, THEREFORE, BE IT RESOLVED BY** the Mayor and Council of the Borough of Wallington, that based upon the recommendation of Chief Carmello Imbruglia that Mr. Mark Lepinski and Mr. Thomas Johnston be immediately hired as SLEO III police officers

Certification of Funds

The Chief Finance Officer certifies that sufficient funds are available to pay for the services described above from Account No.

---

CFO

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

**RESOLUTION NO. 2018-260**

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:

MT. PLEASANT PLAYGROUND &

CRESCENT ROAD PARK IMPROVEMENTS

(OPEN SPACE AND CDBG GRANTS)

BOROUGH OF WALLINGTON

BERGEN COUNTY, NEW JERSEY

Be awarded to Picerno-Giordano Construction in the amount of Three Hundred Thirty Thousand Three Hundred Thirty-Six Dollars and Fifty Cents (\$330,336.50) for Base Bid A (Mt. Pleasant Park) and Base Bid B (Crescent Road Park). This Resolution to take effect upon certification of this Resolution by the Borough's Chief Finance Officer that sufficient funds are available



Motion to approve pending approval of funds by CFO and finance chair by Rachelski,  
Seconded Dabal,

Roll Call: Rachelski, Androwis, Dabal – Ayes

Brunacki, Ivanicki, Olkowski – absent

### **ORDINANCES**

#### **Ordinance 2018 – 12 2<sup>nd</sup> Reading**

An ordinance to Amend Chapter 40 Entitled Ethics

Motion to table Ordinance NO. 2018-12 to next month's meeting by Dabal, Seconded by  
Adnrowis,

Roll Call: Rachelski, Androwis, Dabal – Ayes

Brunacki, Ivanicki, Olkowski – absent

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

22445 PARTY TIME RENTALS	\$1,935.00
22446 BILL CAFFREY	\$250.00
22447 BRIAN ROSAS	\$191.91
22448 MR. K'S GARAGE	\$445.00
22449 PAUL STOLARZ	\$119.14
22450 U.S. POSTAL SERVICE	\$308.50
22455 STAPLES BUSINESS ADVANTAGE	\$388.88
22456 STAPLES BUSINESS ADVANTAGE	\$1,285.23
22457 STAPLES BUSINESS ADVANTAGE	\$554.15
22458 ANDREW SOVA	\$50.00
22459 DR. PETRONE	\$170.00
22460 PASSAIC METAL & BUILDING	\$374.72
22461 WALLINGTON ENGINE CO#202	\$14,791.90
22462 WALLINGTON EMERGENCY SQUAD	\$22,293.50
22463 RICHARD S. CEDZIDLO	\$5,015.00
22464 NORTH JERSEY MEDIA GROUP INC.	\$382.50
22465 EXCLUSIVE ACCOUNTING SERVICE	\$8.62
22466 EXCLUSIVE ACCOUNTING SERVICE	\$62.36
22467 ACTION DATA SERVICE INC.	\$270.27
22468 ACTION DATA SERVICE INC.	\$35.98
22469 CLARKE CATON HINTZ	\$1,558.00
22470 HARP	\$1,187.50
22471 VERIZON	\$139.34
22472 MCI	\$136.81
22473 MODSPACE	\$1,542.50
22474 ANDREA LUBERTO	\$310.00
22475 WALLINGTON TRUCK CO. #1	\$12,966.68

22476 C & K PRINTING CO.	\$49.80
22477 C & K PRINTING CO.	\$49.80
22478 WALLINGTON HOSE COMPANY #203	\$15,200.04
22479 JOSEPH SMENTKOWSKI INC	\$38,250.00
22480 SOUTH JERSEY ENERGY	\$27.51
22481 ACTION DATA SERVICE INC.	\$35.98
22482 ACTION DATA SERVICE INC.	\$286.48
22483 EXCLUSIVE ACCOUNTING SERVICE	\$21.60
22484 EXCLUSIVE ACCOUNTING SERVICE	\$1,058.45
22485 C & C TIRE, INC.	\$635.36
22486 ALL AMERICAN SEWER SERVICE	\$4,950.00
22487 CRYSTAL FLORIST & GREENHOUSE	\$125.00
22488 C & K PRINTING CO.	\$196.00
22489 ALL AMERICAN SEWER SERVICE	\$175.00
22490 DART COMPUTER SERVICES, INC	\$500.00
22491 ALL AMERICAN SEWER SERVICE	\$75.00
22492 ACTION DATA SERVICE INC.	\$213.70
22493 ACTION DATA SERVICE INC.	\$847.93
22494 NJ CONFERENCE OF MAYORS	\$475.00
22495 READY REFRESH	\$111.19
22496 VERIZON	\$270.00
22497 MUNIDEX, INC.	\$1,521.44
22498 JOHNNY ON THE SPOT INC	\$498.40
22499 VERIZON	\$1,148.34
22500 YONNY GOMEZ	\$125.00
22501 MGL PRINTING SOLUTIONS	\$413.00
22502 CENTER FOR EDUCATION	\$124.95
22503 ASSOCIATED APPRAISAL GROUP	\$3,345.00
22504 BOROUGH OF CARLSTADT	\$1,800.00
22505 BOROUGH OF CARLSTADT	\$1,800.00
22507 BOROUGH OF CARLSTADT	\$1,440.00
22508 AGL WELDING SUPPLY CO., INC.	\$39.12
<b>TOTAL BILL LIST</b>	<b>\$142,582.58</b>

#### **WATER ACCOUNT**

63171 STAPLES BUSINESS ADVANTAGE	\$812.17
63172 STAPLES BUSINESS ADVANTAGE	\$1,174.70
63173 STAPLES BUSINESS ADVANTAGE	\$1,395.92
63174 DART COMPUTER SERVICES, INC	\$1,282.50
63175 PASSAIC VALLEY WATER COMM.	\$745.00
<b>TOTAL BILL LIST</b>	<b>\$5,410.29</b>
	<b>\$5,410.29</b>

#### **GENERAL CAPITAL**

400917 NORTH JERSEY MEDIA GROUP INC.	\$73.00
400918 NORTH JERSEY MEDIA GROUP INC.	\$146.50
400919 NORTH JERSEY MEDIA GROUP INC.	\$157.75
<b>TOTAL BILL LIST</b>	<b>\$377.25</b>

<b><u>TRUST - DOG</u></b>	
1207 NJ DEPARTMENT OF HEALTH	\$7.80

Motion to Pay List of Bills by Dabal, Seconded by Androwis,  
 Roll Call: Rachelski, Androwis, Dabal – Ayes  
 Brunacki, Ivanicki, Olkowski – absent

**OLD BUSINESS-** No Old Business

### **NEW BUSINESS**

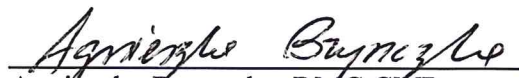
Councilwoman Dabal made a motion to serve Borough Clerk Baginski with the Rice Notice for December 11<sup>th</sup> meeting to discuss the issue with the phone stipend Seconded by Rachelski.  
 Roll Call: All Ayes

Councilwoman Dabal made a motion to serve Borough Clerk Baginski with the Rice Notice to discuss what action if any council will take as to the issues outlined in the rice notice which was previously served for October 25<sup>th</sup> Meeting Seconded by Rachelski.  
 Roll Call: All Ayes

Councilman Rachelski asked for the advice regarding DOKA meeting, whether there should be a separation of the council and the meeting. Borough Attorney Cedzidlo explain the meeting advertisement and that the Council didn't take any action.

### **ADJOURNMENT**

Motion to adjourn at 8:10 pm by Dabal, Seconded by Androwis,  
 Roll Call: Rachelski, Androwis, Dabal – Ayes

  
 Agnieszka Brynczka, RMC CMR  
 Deputy Borough Clerk