

**MINUTES
REGULAR MEETING
OCTOBER 25, 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 7:48 p.m.

Flag Salute and Invocation

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

Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki - present
Olkowski - Absent

Mayor Mark W. Tomko - present

Borough Attorney Richard Cedzidlo - present

Borough Administrator Victor M. Polce - absent

HEARING OF CITIZENS

Motion to Open the Meeting to the Hearing of Citizens by Dabal, Seconded by Androwis.
Roll Call: All Ayes

Walter Wargacki Jr of 27 Veterans Court asked about hiring process for the Borough Administrator and raised his concerns regarding Mr. Polce and his real-estate business. Mr. Cedzidlo advised Mayor and Council to be cautious in making any comments without a Rice Notice for Mr. Polce.

Mrs. Celina Urbankowski of 29 Pine Street, President of Polish American Council in Northern New Jersey invited the Mayor and Council to the Polish Flag Raising on November 10th at 4PM. She also thanked Wallington Police Chief Mr. Imbruglia for his help.

Kathy Erikson of 5500 Nelkin Drive brought up an issue with the rent increase at the Jasontown Apartments, there is an approximate increase of \$2,039. She asked if there is anything that the Mayor and Council can do to help the renters. Councilman Androwis suggested to refer the matter to the Rent Leveling Attorney and Borough Attorney Cedzidlo said he will call Ms. Erikson. Ms. Erikson also raised concerns with the craters in the road along the apartments and the parking lot near the Motor Vehicle Center. Mayor suggested to contact Code Enforcement officials.

Jonathan Layme of 54 Wagner Avenue raised his concerns regarding his neighbors, who are calling animal control and police and making up stories. He also raised concerns regarding Building Inspector and his decision about pavers on his driveway, he asked for help. Mr. Layme also asked about Police Security for Schools and the voucher that was sent from the Wallington Board of Education; he asked who is paying for the officers.

Matthew Kruk of 234 Mt Pleasant Avenue asked about any progress with the Police Building. Councilman Rachelski said that the Borough is waiting for test results; he also said that the Building is in a bad shape due to poor maintenance of the building. He also asked about insurance claim and funds and how long the project will go on. Councilwoman Dabal stated that there was black mold that was found in 2006 and it was never properly taken care of. Councilwoman Dabal asked Police Chief Imbruglia to explain if the Police utilized any funds from insurance claim and what was it used for. Mr. Kruk asked about the mold and if the mold was in the building while there was public meeting, and if there was any work done in the building. Councilman Rachelski explained mold situation and what is being done in the building.

Mr. Campos of 86 Hathaway Street raised his concerns with the sidewalk on King Street. While the sidewalk was constructed, the construction company raised his driveway to high, he is not able to park his car because it is too high. He called the contractor but did not get any answers. He stated that everyone is talking but there is nothing being done. Councilman Rachelski stated that he called the engineer and was trying to rectify the situation. Mr. Campos insisted on having somebody coming over tomorrow and taking care of the situation. Mayor stated he will call the Borough Engineer tomorrow and will ask him to go there and try to resolve the problem.

Ms. Helena Plaskon of XXXX raised some questions regarding Wallington Board of Education and Special Police officers in School. Ms. Plaskon also raised her questions regarding DOKA. Borough Attorney Mr. Cedzidlo explained facts regarding DOKA and their purchase of Farmland Dairy Property. Ms. Plaskon commented on the Tree Planting event and how great it was.

Walter Wargacki Jr. of 27 Veterans Court asked if the council members are telling Borough Residents about particles in the air and that there is nothing in the air?

Chris Baginski of 73 Roehrs Drive asked if there is any of the Borough's employees working in the police building, will you be heating the building during the winter, isn't the mold growing in warm climate. Mayor Tomko explained that the Building Inspector and Fire Officials are still there, and that he gave orders for vacate the building months ago, but his orders were disregarded. Mr. Baginski asked about the Forensic Audit and if the report is available to the Public. Borough Attorney Cedzidlo explained that the litigation is still ongoing, and it can't be released until the investigation is completed. Mr. Baginski questioned the Five-Year Capital Plan. Councilwoman Dabal stated that the Plan will be posted next week. Councilman Androwis and Rachelski explained Borough's financial situation and challenges the Borough is facing at

this time, like the improvements of the public parks and improvement of Police Building. Mr. Baginski questioned the Borough Audit and the increase in findings. He also questioned State Audit and that the findings have to be addressed by the end of the year. Councilman Rachelski explained that the previous Borough CFO is no longer with the Borough, and that the Council has big plans with the help of new CFO. Mr. Baginski questioned cutting of the tree on Willow Avenue. Councilman Androwis explained the reason.

Michelle Delaki of 3 Mearlin Court asked about the meeting with DOKA, she would like to find out the date and place. Mayor Tomko answered November 12 at the Wallington High School. Ms. Delaki raised concerns regarding water quality in the Borough. She works in Caldwell and the water quality is so much better compare to Wallington's water. She would like to know the reason why water tastes so bad and who is in charge. Councilman Rachelski explained that the water is coming from Passaic Valley Water and that the Borough had no violation for the quality of water, he also mentioned the plan for improvement of Wallington Avenue water line which is one of the main lines in the borough.

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

APPROVAL OF MINUTES

September 11, 2018 – Caucus/Work Session

September 26, 2018 – Bid Meeting

September 27, 2018 – Regular Meeting

Motion by Brunacki, No second

Councilman Androwis raised his concerns with the Minutes of September 27 and that the corrections were provided.

COMMUNICATIONS

From: Bittiger Elias and Triolo

Re: Submission of Updates

From: Mrs. Janet Nutland of 133 Johnson Ave. and Ms. Marek Gawys of 65 Alden Street

Re: Request for tree removal

From: PSE&G

Re: Notification of a Public Hearing

From: NJ League of Municipalities

Re: ADA Compliance for the Convention and a bus Shuttle Schedule as well as updates

From: The Wallington Planning and Zoning Board

Re: Submission of the Agenda

From: The State of NJ Division of Taxation

Re: Submission of the Certification of the Table of Equalized Valuations

From: The State of NJ Dept. of Environmental Protection

Re: Submission of two new Contaminant Maximum Levels

From: The Passaic Valley Sewerage Commission

Re: Submission of a City of Newark Appeal regarding PVSC Assessment of Third and Fourth Quarter 2018 Uses Charges – Public Hearing

From: The State of NJ Civil Service Commission

Re: Submission of Layoff Notice from the permanent position of Clinical Nurse effective October 22, 2018 and Layoff Notice from the permanent position of Municipal Court Administrator effective October 22, 2018

From: Winnie Banta of Winnie Banta Basralian & Kahn, PC.

Re: Submission of 2019 Bond Counsel Services

From: Job and Job Engineering

Re: Submission of Updates on CJ Estates 23 Wallington Ave.

From: Richard S. Cedzidlo Attorney at Law

Re: Submission of a Rice Notice for Mr. Witold T. Baginski

From: Wallington FD Engine Co. 3

Re: A request to use the Civic Center on Sunday, December 2, 2018 for the Annual Breakfast with Santa Claus

From: The Wallington Municipal Court

Re: Submission of Funds Collected and Remitted by the Court for September 2018

From: Bergen County Department of Parks

Re: Notification of the November 11, 2018 Memorial Activities

From: Mrs. Maureen Oprandy of 4900 Main Avenue and Joan Popowski

Re: Notification of a Rent Increase for Jasontown II Apartments

From: The Grace Episcopal Church Rutherford, NJ

Re: An Invitation to the Tricky Tray on November 16th and 17th

From: The Wallington Board of Education

Re: Submission of a Purchase Order for \$130,000.00 for Police Security

From: Martin R. Kafafian Beattie Padovano, LLC

Re: Submission of an Order to Show Cause for the Open Public Records Act

From: The John F. Kennedy Memorial Library

Re: A request for a Portion of the 2018 Appropriation in the amount of \$20,000.00

From: Mrs. Josephine Kriso 59 Locust Ave.

Re: A request for assistance with a tree

From: New Jersey Clean Communities

Re: A request for Statistical reports

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

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

CONTINUING WITH COMMUNICATIONS

From: Wallington Board of Education

Re: Request # 5 in the amount of \$1,341,665.00

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

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

COMMITTEE REPORTS

COUNCILMAN JOSEPH BRUNACKI

Councilman Brunacki explained adjustments for the parks projects, equipment will be purchased separately, certain areas of the scope were changed.

Board of Health held a Flue Clinic on Monday, October 22nd and there will be also Rabies clinic on November 3rd at the DPW Garage from 1:30 to 3:30 PM

Mayor would like to bring out handicapped parking spots for the Wallingotn Churches; request was referred to the Wallingotn Board of Health and Police Chief.

There will be Trunk on Treat on Sunday, October 28, 2019, its been moved from Saturday because of the weather forecast in case of rain it will be moved to Wallington High School.

COUNCILMAN EUGENIUSZ RACHELSKI

Councilman Rachelski explained water issues with KC Landscaping company, and the problem not being able to obtain the payment. Years of water was stolen from the Borough of Wallington. It was premeditated, and it took special people like Councilwoman Dabal to find out the truth. People of Wallington need to know the existence of corruption in town or lack of the ability to manage the town. Eviction process started.

It was brought to Governing Body's attention that certain properties are undervalued in the assessments. Republican majority will make sure that everyone will pay the same amount and there are no special treatments.

Councilman Rachelski explained program with the High Deductible Plan, how good is for the Borough and the savings that it brings.

COUNCILMAN KHALDOUN ANDROWIS

Councilman Androwis gave his report on police activity:

Moving summonses – 180

Paring summonses – 268

Moving violation stops - 141

Warrant services - 4

Total calls for September -935 calls

Arrests - 11 arrests, shoplifting , possession and DWI

Thank you to the Chief and the guys for doing wonderful job.

Borough held interviews with SLEO officers last week - both candidates are more than qualified, with police background, they will be a big asset to the town. The goal is to hire one more officer.

Motion by Councilman Androwis to request Certification list for Police Officers, Second by Rachelski.

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

Motion by Councilman Androwis to accept a car donated by from Nick's Towing for Wallington Police Department use, Second by Ivanicki.

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

Motion by Councilman Androwis to establish drop-off zones/handicapped parking by the Presbyterian church and Most Sacred Heart Church, Seconded by Rachelski.

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

Capital projects – October 23 advertisement bid was completed for Willow Street and Willow Ave, awaiting results from the Borough Engineer. Governing Body identified additional streets

that there will be grants filed for, and the streets will be done. Streets need improvement particularly Jordan Avenue, Morrissey Avenue and Currie Avenue. Mayor made a statement that the curbs and sidewalks have to be addressed at the same time.

Shade Tree- Borough planting was October 20th, a lot of residents came and there was between 70 and 80 people. There will be more planting of the trees in the spring. Tree ordinance will be changed, committee did a lot of work and Borough Attorney will work on the new ordinance. Aspen Tree will remain as the arborist for the town, he will receive the new list and he will decide whether the tree has to be removed or it is in good condition.

COUNCILWOMAN MELISSA DABAL

Councilwoman Dabal brought up parking sticker program, governing body met with Lodi and Carlstadt. Project is difficult and each of the municipalities has their issues. Moving forward there will be meeting with implementing a parking sticker program. There are the problems with the program:

- Each municipality is using a database list with all the issued CO's, Borough of Wallington doesn't have that.
- Parking sticker ordinance and parking ordinance needs to be amended, there are several conflicts.
- Borough needs to purchase software that will help manage the program. Police Chief is looking into that, looking at Info-Cap.
- Each municipality insists on having a full-time employee to manage the program, having somebody part time will not be helpful.

Councilman Rachelski requested to find out the success rate and criteria by which the program is being done in the other municipalities. Mayor Tomko explained that after the meetings conclusion is that the program is doable, and the Borough should be able to manage it.

Councilwoman Dabal stated that all the municipalities started the program because of the illegal housing, she also said that the parking sticker program did not completely resolve the problem with the illegal apartments. Councilwoman Dabal along with the Mayor, Chief and Borough Administrator will meet with Lodi and discuss starting of the pilot program in the Borough.

COUNCILWOMAN WENDY IVANICKI

Councilwoman Ivanicki stated as of August 24, the Wallington DPW is down two workers, they still maintain taking care of the streets, signs, cutting grass, sewer lift station inspections, painting the blue lines for handicapped spots and replacement of water meters. Department of Public works helped out with the Borough's tree planting event, dug all the holes, ordered all the trees and help with the coordination of the event.

Borough received approval for 23 new lights for darkest designated areas in the Borough. Lights on Locust Avenue and Main Avenue will be repainted and redone.

There was a small problem at the Fire House 201 roof, after the meeting with the Engineer, the problem was resolved but it will take a little longer to complete the project.

Generator project at the Wallington Civic Center started.

Councilman Rachelski asked a question regarding the bidding process and rejection. Borough Attorney Cedzidlo explained that the bid can be rejected based on the past performance.

COUNCILMAN BRYAN OLKOWSKI - absent

MAYOR'S REPORT

Fire prevention – first week of October and school inspections went very well. The Department was busy with a lot of mutual aid requests. Ladder Company truck was out for preventive maintenance program. I called and left message with the Passaic County about replacement of the street lights on Market street bridge and clean up on the Gregory Bridge. I am not getting any response, so I will have to go to the office and make a complain in person.

ATTORNEY'S REPORT

There is two resolution on the agenda previously tabled, 2018-213 and 2018-2014. His recommendation was to table the resolutions.

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 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
- 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 to table by Brunacki, Seconded by Dabal,
Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki
Olkowski – absent

Resolution 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:

- c) 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;
- d) 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;

f) the terms of the tax appeal filed by FMJ LLC that the Mayor and Council is authorizing its counsel to settle are as follows:

3. 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.

4. 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.

5. 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.

6. 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

7. 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

g) 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.

- h) 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 to table by Brunacki, Seconded by Dabal,
Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki
Olkowski- Absent

Resolution 2018 –246

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S FY19 MUNICIPAL AID PROGRAM

WHEREAS, the New Jersey Department of Transportation (NJDOT) has funds available for road projects through its FY19 Municipal Aid Program; and

WHEREAS, this application would provide funding for surface enhancements along Jordan Avenue, from Paterson Avenue to Van Dyke Street; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Wallington formally approves the grant application for the above-stated project.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Jordan Ave-00718 to the New Jersey Department of Transportation on behalf of the Borough of Wallington.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Wallington, and that their signature constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Motion by Rachelski, Seconded by Bruncki,
Roll Call: Brunacki, Rachelski , Androwis, Dabal, Ivanicki
Olkowski- Absent

Resolution 2018 –247

WHEREAS, William & Wanda Czopek own property located at 49 Franklin Avenue, Block 70.01, Lot 43, and,

WHEREAS, William & Wanda Czopek made an overpayment of taxes in the amount of \$513.40 for 2018 Property Taxes (\$9,560.26 payment – \$9,046.86 actual taxes = \$513.40).

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wallington shall refund the amount of \$513.40 to William & Wanda Czopek, 49 Franklin Avenue, Wallington, NJ 07057 and the Tax Collector shall adjust her books accordingly.

Motion by Rachelski, Seconded by Bruncki,
Roll Call: Brunacki, Rachelski, Androwis, Dabal, Ivanicki
Olkowski- Absent

Resolution 2018 –248

RESOLUTION FOR PERSON TO PERSON TRANSFER

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption License 0265-33-043-004, heretofore issued to JANTAR BAR, INC for premises located at 62 Wallington 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 October 25 2018, the transfer of the aforesaid Plenary Retail Consumption License to EXPRESS GOLD, 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 EXPRESS GOLD, LLC effective October 25, 2018.”

Motion by Rachelski, Seconded by Bruncki,

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

Resolution 2018 – 249

WHEREAS, the Borough provides medical, prescription and vision benefits to its eligible employees and dependents through the BMED; and

WHEREAS, under the legislative requirements set forth by P.L. 2011 c 78 (commonly known as Chapter 78), municipalities are encouraged to offer alternate health benefit plans that provide options to employees afforded such benefits in accordance with the cost contribution requirements set forth by the legislation; and

WHEREAS, The Borough's Health Benefits Consultant has performed due diligence in designing and pricing several alternate plan designs that provide alternative methods of benefit delivery at costs lower than the existing base plan of the Borough; and

WHEREAS, more specifically, the Health Benefits Consultant has presented plan designs that include:

PPO 20/35 Plan;

EPO 15/25,

EPO 20/35 Plan and a

HDHP 3000 High Deductible (HSA) Plan

that collectively, provide cost-effective alternative plan designs for consideration by employees looking to contain/reduce their contributions, based upon their personal and family needs.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Wallington , County of Bergen, State of New Jersey, hereby endorses and authorizes the offering of the alternate plans for eligible employees to consider in determining the health plan best suited for their needs; and

BE IF FURTHER RESOLVED that the borough Benefits Consultant and Borough Administration are hereby authorized to coordinate these offerings as a part of the Borough's Employee Health Benefits Program and will effectuate an enrollment in alternate plans within the open Enrollment Period in 2018 for an effective date of January 1, 2019; and

BE IF FURTHER RESOLVED that the Mayor and Council hereby approve an incentive program for eligible employees opting to change their current coverage to the HDHP 3000 High Deductible (HSA) Plan to provide payment of \$3000 for single and \$6,000 for family coverage to establish, or provide additional funds, to a health Savings Account for the benefit of the employee each year such option is exercised.

BE IF FURTHER RESOLVED that the incentive payment to eligible employees opting for the high deductible plan as set forth above shall be funded through the Borough's cost savings resulting from the difference between the current plan premium and the lower premium for the high deductible plan option; and

BE IF FURTHER RESOLVED a certified copy of this Resolution shall be forwarded to the Borough CFO, Auditor and Sirocco Group, 777 Terrace Ave, Hasbrouck Heights, NJ 07604 Benefits Consultant to the Borough.

Motion by Rachelski, Seconded by Bruncki,
Roll Call: Brunacki, Rachelski , Androwis, Dabal, Ivanicki
Olkowski- Absent

ORDINANCES

Ordinance 2018 – 11 2nd Reading

An Ordinance Amending and Supplementing Chapter 107 of the Code of Borough of Wallington, County of Bergen, State of New Jersey, in Order to Revise the Rules and Regulations of the Police Department to Add the Position of Class Three Special Law Enforcement Officers

Motion to Open the Meeting to the Hearing of the Citizens relative to Ordinance No. 2018 – 11 by Brunacki, Seconded by Androwis,

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

No One wished to be heard

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

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

Motion to Adopt Ordinance No. 2018 –11 by Brunacki, Seconded by Androwis,

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

Ordinance 2018 – 12 1st Reading

An Ordinance to Amend Chapter 40 Entitled Ethics

Motion to Introduce Ordinance 2018 – 12 by Dabal, Seconded by Brunacki,

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

LIST OF BILLS AND SUPPLEMENTAL LIST OF BILLS

| | | |
|-------|--------------------------|-------------|
| | BERGEN COUNTY FIRE | |
| 22408 | PREVENTION | \$60.00 |
| | BERGEN COUNTY FIRE | |
| 22409 | PREVENTION | \$35.00 |
| 22410 | GTBM/INFO-COP | \$7,064.88 |
| 22411 | KENCOR INC. | \$117.00 |
| 22412 | GENERAL CODE | \$1,195.00 |
| 22413 | ALERT - ALL CORP | \$333.50 |
| 22414 | CITY OF CLIFTON | \$4,330.00 |
| 22415 | JOSEPH SMENTKOWSKI | \$38,250.00 |
| 22416 | W.B. MASON COMPANY, INC. | \$507.88 |

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|-------|--------------------------|-------------|
| 22417 | GTBM/INFO-COP | \$1,341.48 |
| | EXCLUSIVE ACCOUNTING | |
| 22418 | SERVICE | \$8.62 |
| | ACTION DATA SERVICES | |
| 22419 | INC. | \$35.98 |
| | EXCLUSIVE ACCOUNTING | |
| 22420 | SERVICE | \$62.36 |
| | ACTION DATA SERVICES | |
| 22421 | INC. | \$249.36 |
| 22422 | W.B. MASON COMPANY, INC. | \$629.90 |
| 22423 | PAYFLEX SYSTEMS USA, INC | \$33.00 |
| 22424 | ANGELO'S PIZZA & PASTA | \$105.00 |
| | NEGLIA ENGINEERING | |
| 22425 | ASSOC. | \$4,055.00 |
| | NEGLIA ENGINEERING | |
| 22426 | ASSOC. | \$6,720.00 |
| | BERGEN COUNTY | |
| 22427 | TREASURY | \$8,501.25 |
| | PASSAIC COUNTY POLICE | |
| 22428 | ACADEMY | \$40.00 |
| | EXCLUSIVE ACCOUNTING | |
| 22429 | SERVICE | \$233.70 |
| | MID-BERGEN REG. HEALTH | |
| 22430 | COMM. | \$4,345.50 |
| | HOME DEPOT CREDIT | |
| 22431 | SERVICES | \$1,864.53 |
| | TREASURER STATE OF NEW | |
| 22432 | JERSEY | \$258.00 |
| | TREASURER STATE OF NEW | |
| 22433 | JERSEY | \$258.00 |
| | BITTIGER ELIAS & TRIOLO | |
| 22434 | PC | \$1,925.00 |
| 22435 | VERIZON | \$36.83 |
| 22436 | RAINBOW CLEANERS | \$205.00 |
| 22437 | PROCOPY INC. | \$357.00 |
| 22438 | VERIZON WIRELESS | \$705.87 |
| 22439 | BRUNO ASSOCIATES INC | \$2,000.00 |
| 22440 | VERIZON WIRELESS | \$314.54 |
| 22441 | COMCAST | \$150.84 |
| 22442 | P.S.E.&G. | \$13,313.22 |
| 22443 | ADVANCED ENTERPRISES | \$24,766.98 |
| 22444 | DE LAGE LANDEN | \$278.25 |

**TOTAL BILL
LIST**

\$124,688.47

WATER ACCOUNT

| | | |
|-------|--------------------------|----------|
| | AMERICAN HOSE & | |
| 63164 | HYDRAULIC CO | \$205.12 |
| 63165 | W.B. MASON COMPANY, INC. | \$480.87 |

| | | |
|-------------------|----------------------|-------------|
| 63166 | P.S.E.&G. | \$1,299.22 |
| 63167 | VERIZON | \$450.46 |
| 63168 | U.S. POST OFFICE | \$1,050.00 |
| 63169 | U.S. POST OFFICE | \$6.70 |
| | PASSAIC VALLEY WATER | |
| 63170 | COMM. | \$69,800.20 |
| TOTAL BILL | | |
| LIST | | \$73,292.57 |

| | | |
|------------------------|--------------------|------------|
| GENERAL CAPITAL | | |
| | NEGLIA ENGINEERING | |
| 400909 | ASSOC. | \$880.00 |
| | NEGLIA ENGINEERING | |
| 400910 | ASSOC. | \$820.00 |
| | NEGLIA ENGINEERING | |
| 400911 | ASSOC. | \$160.00 |
| | NEGLIA ENGINEERING | |
| 400912 | ASSOC. | \$100.00 |
| | NEGLIA ENGINEERING | |
| 400913 | ASSOC. | \$934.18 |
| | NEGLIA ENGINEERING | |
| 400914 | ASSOC. | \$350.00 |
| | NEGLIA ENGINEERING | |
| 400915 | ASSOC. | \$90.00 |
| 400916 | BERGEN COUNTY SOIL | \$1,075.00 |
| TOTAL BILL | | |
| LIST | | \$4,409.18 |

| | | |
|-------------------------------|--------------------|------------|
| TRUST ACCOUNT - ZONING | | |
| | NEGLIA ENGINEERING | |
| 2787 | ASSOC | \$160.00 |
| | NEGLIA ENGINEERING | |
| 2790 | ASSOC | \$820.00 |
| | NEGLIA ENGINEERING | |
| 2788 | ASSOC | \$505.82 |
| | NEGLIA ENGINEERING | |
| 2790 | ASSOC | \$2,118.04 |
| TOTAL BILL | | |
| LIST | | \$3,603.86 |

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

OLD BUSINESS - No Old Business

NEW BUSINESS

Motion by Councilwoman Dabal to authorize Borough Deputy Clerk Agnieszka Brynczka to be the fourth signatory, two signatures of four should be bonding, Second by Brunacki.

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

Motion by Councilman Rachelski to install security cameras, pending availability of funds, at the Civic Center, Seconded by Dabal.

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

Motion by Councilwoman Dabal to authorize Personnel Committee to meet after January 1, 2019 and discuss salaries increase for Fire Official and Registrar, Second by Ivanicki.

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

Borough Attorney advised that Neglia Engineers attended bid opening for road improvement program for Willow Avenue, Spring Street and Spring Court. Two low bids were submitted by Smith Soudy Asphalt. Neglia recommendation is to accept low bids submitted by Smith Soudy Asphalt in the amount of \$391,578.40 be accepted in the base bid alternate bid A.


Motion by Dabal, Seconded by Androwis.

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

ADJOURNMENT

Motion to adjourn at 9:20 PM by Brunacki, Seconded by Androwis,

Roll Call: All Ayes


Agnieszka Brynczka
Deputy Borough Clerk