

**BOROUGH OF WALLINGTON
BERGEN COUNTY
ORDINANCE NO. 2022-006**

REFUNDING BOND ORDINANCE PROVIDING FOR THE FUNDING OF A \$385,000 EMERGENCY APPROPRIATION FOR TAX APPEALS IN, BY AND FOR THE BOROUGH OF WALLINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$400,000 OF BONDS OR NOTES TO FINANCE SUCH EMERGENCY APPROPRIATION.

WHEREAS, the Borough Council of the Borough of Wallington, in the County of Bergen, New Jersey, pursuant to a resolution adopted on July 22, 2021 (Res. No. 2021-127) in accordance with N.J.S. 40A:4-49, made an emergency appropriation in the amount of \$385,000 to pay tax refunds resulting from property tax appeals; and

WHEREAS, the Borough Council of said Borough has determined that it is in the best interest of the Borough to fund the \$385,000 emergency appropriation, pursuant to the provisions of N.J.S. 40A:2-51, by the adoption of a refunding bond ordinance providing for payment thereof, including expenses, and authorizing the issuance of \$400,000 of bonds or notes of said Borough to finance the funding of said emergency appropriation;

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Wallington, in the County of Bergen, New Jersey, as follows:

Section 1. The Borough of Wallington, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to fund the \$385,000 emergency appropriation for tax appeals previously made pursuant to a resolution adopted by the Borough Council of the Borough on July 22, 2021 (Res. No. 2021-127).

Section 2. The Borough Council of the Borough hereby determines that the Borough is authorized by Section 51(a) of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law") to issue its refunding bonds or notes as hereinafter provided to pay or fund the \$385,000 emergency appropriation set forth in Section 1 hereof.

Section 3. The sum of \$15,000 is hereby appropriated to pay the cost of the issuance of refunding bonds or notes and expenses in connection with the tax appeals, including printing, advertising, accounting and financial and legal expenses therefor permitted by Section 51(b) of the Local Bond Law.

Section 4. To finance the funding of the \$385,000 emergency appropriation and the \$15,000 appropriation for costs in connection therewith (collectively, hereinafter referred to as "purpose"), bonds of said Borough of an aggregate principal amount not exceeding \$400,000 are hereby authorized to be issued pursuant to the Local Bond Law (the "Refunding Bonds"). The Refunding Bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. The Refunding Bonds shall be direct and general obligations of said Borough and said Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within said Borough for the payment of the principal of the Refunding Bonds and the interest thereon without limitation as to rate or amount. The full faith and credit of said Borough shall be and are hereby pledged for the punctual payment of the principal of and interest on the Refunding Bonds. Each Refunding Bond issued pursuant to this ordinance shall recite that it is issued pursuant to the Local Bond Law and shall also recite that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened and to have been performed precedent to and in the issuance of said bond exist, have happened and have been performed, and that said bond, together with all other indebtedness of said Borough, is within every debt and other limit prescribed by the Constitution or statutes of said State. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted, except that the Refunding Bonds shall mature at such time or times, not exceeding 40 years from their date, as may be approved by the Local Finance Board.

Section 5. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$400,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any

time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law and the Local Finance Board. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

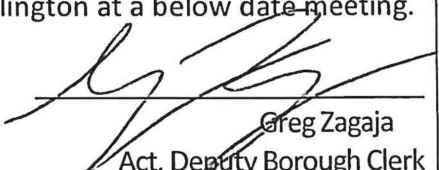
Section 7. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$400,000, but said \$400,000 shall be deducted from gross debt pursuant to Section 52 of the Local Bond Law, and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 8. It is hereby determined and stated that (A) a certified copy of this refunding bond ordinance as passed on first reading shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to the final adoption thereof, together with a complete statement in the form prescribed

by said Director and signed by the chief financial officer of the Borough as to the outstanding tax refund amount to be financed by the issuance of the Refunding Bonds or the notes and (B) no sum need be appropriated hereby as a down payment.

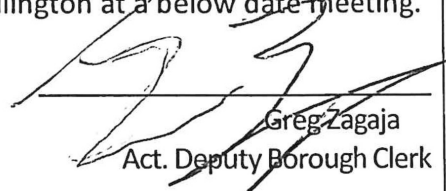
Section 9. This ordinance shall take effect twenty days after the first publication thereof after final passage, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

Introduction/First Reading

Member	Motion	Second	Aye	Nay	Abstain	Certified as a true copy of a Resolution adopted by the Borough Wallington at a below date meeting.  Greg Zagaja Act. Deputy Borough Clerk
Rachelski		X	X			
Ivanicki			X			
Preinfalk			X			
Androwis	X		X			
Balik			X			
Sadecki			X			

Approved: February 10, 2022
BOROUGH OF WALLINGTON

Second Reading/Adoption

Member	Motion	Second	Aye	Nay	Abstain	Certified as a true copy of a Resolution adopted by the Borough Wallington at a below date meeting.  Greg Zagaja Act. Deputy Borough Clerk
Rachelski			X			
Ivanicki	X		X			
Preinfalk			X			
Androwis		X	X			
Balik			X			
Sadecki						

Approved: March 10, 2022
BOROUGH OF WALLINGTON

By: 
Mayor Melissa Dabal

**Classified Ad Receipt
(For Info Only - NOT A BILL)**

Customer: BOROUGH OF WALLINGTON

Ad No.: 0005133773

Address: 24 UNION BOULEVARD & MAPLE AVE
WALLINGTON NJ 07057
USA

Pymt Method Invoice

Net Amt: \$131.40

Run Times: 1

No. of Affidavits: 0

Run Dates: 02/17/22

Text of Ad:

NOTICE OF PENDING ORDINANCE
BOROUGH OF WALLINGTON
COUNTY OF BERGEN
ORDINANCE NO. 2022-006

NOTICE IS HEREBY GIVEN that the following proposed bond ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Wallington, in the County of Bergen, State of New Jersey, held on February 10, 2022, and that said ordinance will be taken up for further consideration for final passage at the meeting of said Borough Council to be held in the Civic Center, 24 Union Boulevard, Wallington, New Jersey, on March 10, 2022, at 6:30 P.M., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same. A copy of this ordinance has been posted on the Bulletin Board upon which public notices are customarily posted in the Civic Center of the Borough, and a copy is available up to and including the time of such meeting to the members of the general public of the Borough who shall request such copies, at the office of the Clerk in said Civic Center in Wallington, New Jersey.

Deputy Borough Clerk
Borough of Wallington
County of Bergen
State of New Jersey

REFUNDING BOND ORDINANCE PROVIDING FOR THE FUNDING OF A \$385,000 EMERGENCY APPROPRIATION FOR TAX APPEALS IN, BY AND FOR THE BOROUGH OF WALLINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$400,000 OF BONDS OR NOTES TO FINANCE SUCH EMERGENCY APPROPRIATION.

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WHEREAS, the Borough Council of said Borough has determined that it is in the best interest of the Borough to fund the \$385,000 emergency appropriation, pursuant to the provisions of N.J.S. 40A:2-51, by the adoption of a refunding bond ordinance providing for payment thereof, including expenses, and authorizing the issuance of \$400,000 of bonds or notes of said Borough to finance the funding of said emergency appropriation;

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Wallington, in the County of Bergen, New Jersey, as follows:

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Section 2. The Borough Council of the Borough hereby determines that the Borough is authorized by Section 51(a) of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law") to issue its refunding bonds or notes as hereinafter provided to pay or fund the \$385,000 emergency appropriation set forth in Section 1 hereof.

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ordinance shall be determined by resolutions to be hereafter adopted, except that the Refunding Bonds shall mature at such time or times, not exceeding 40 years from their date, as may be approved by the Local Finance Board.

Section 5. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$400,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law and the Local Finance Board. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 7. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$400,000, but said \$400,000 shall be deducted from gross debt pursuant to Section 52 of the Local Bond Law, and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 8. It is hereby determined and stated that (A) a certified copy of this refunding bond ordinance as passed on first reading shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to the final adoption thereof, together with a complete statement in the form prescribed by said Director and signed by the chief financial officer of the Borough as to the outstanding tax refund amount to be financed by the issuance of the Refunding Bonds or the notes and (B) no sum need be appropriated hereby as a down payment.

Section 9. This ordinance shall take effect twenty days after the first publication thereof after final passage, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

THE RECORD 5133773

Fee: \$131.40

FEB 17, 2022

North Jersey Media Group

PO Box 23430
Green Bay, WI
54305-3430

WALLINGTON BOROUGH O
24 UNION BOULEVARD & MAPLE AVE
WALLINGTON, NJ 07057
ATTN: Hector Olmo

This is not an invoice

Acct: 396330

Order #	Advertisement/Description	# Col x # Lines	Rate Per Line	Cost
0005133773	NOTICE OF PENDING ORDINANCE BOROUGH OF WALLINGTON COUNTY OF BERGEN ORDINANCE NO 202	2 col x 146 lines		\$131.40
		Affidavit of Publication Charge	0	\$0.00
		Tearsheet Charge	0	\$0.00
		Net Total Due:		131.40

Issues Dated: 02/17/2022

Check #: _____

Date: _____

CERTIFICATION BY RECEIVING AGENCY
I, HAVING KNOWLEDGE OF THE FACTS, CERTIFY AND DECLARE THAT THE GOODS HAVE BEEN RECEIVED OR THE SERVICES RENDERED AND ARE IN COMPLIANCE WITH THE SPECIFICATIONS OR OTHER REQUIREMENTS, AND SAID CERTIFICATION IS BASED ON SIGNED DELIVERY SLIPS OR OTHER REASONABLE PROCEDURES OR VERIFIABLE INFORMATION.

SIGNATURE: _____

TITLE: _____ DATE: _____

CERTIFICATION BY APPROVAL OFFICIAL
I CERTIFY AND DECLARE THAT THIS BILL OR INVOICE IS CORRECT, AND THAT SUFFICIENT FUNDS ARE AVAILABLE TO SATISFY THIS CLAIM. THE PAYMENT SHALL BE CHARGEABLE TO:


APPROPRIATION ACCOUNT(S) AND AMOUNTS CHARGED: P.O. # _____

SIGNATURE: _____

TITLE: _____ DATE: _____

CLAIMANT'S CERTIFICATION AND DECLARATION
I DO SOLEMNLY DECLARE AND CERTIFY UNDER THE PENALTIES OF THE LAW THAT THIS BILL OR INVOICE IS CORRECT IN ALL ITS PARTICULARS; THAT THE GOODS HAVE BEEN FURNISHED OR SERVICES HAVE BEEN RENDERED AS STATED HEREIN; THAT NO BONUS HAS BEEN GIVEN OR RECEIVED BY ANY PERSON OR PERSONS WITHIN THE KNOWLEDGE OF THIS CLAIMANT IN CONNECTION WITH THE ABOVE CLAIM; THAT THE AMOUNT HEREIN STATED IS JUSTLY DUE AND OWING; AND THAT THE AMOUNT CHARGED IS A REASONABLE ONE.

Date: 02/23/2022 Federal ID #: 061032273

Signature:  Official Position: Clerk

Kindly return a copy of this bill with your payment so that we can assure you proper credit.

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COUNTY OF BERGEN
ORDINANCE NO. 2022-006

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Deputy Borough Clerk
Borough of Wallington
County of Bergen
State of New Jersey

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THE RECORD 5133773
Fee: \$131.40
FEB 17, 2022

MINUTES
CAUCUS/WORK SESSION
THURSDAY MARCH 10, 2022 at 6:30PM

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

Flag Salute and Invocation

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

Mayor Dabal – Present
Councilman Rachelski – Present
Councilwoman Ivanicki – Here
Councilwoman Preinfalk – Here
Councilman Balik – Here
Councilman Androwis – 6:43PM
Councilman Sadecki - Excused

Borough Attorney Richard Allen – Here
Borough Administrator Michael Kazimir –Here

HEARING OF CITIZENS

No one wished to be heard

ENGINEER'S REPORT

Provided an over view of the monthly engineer's report. Update was provided with regarding the meeting with FEMA on the three-bank stabilization and drainage damage as a result of Hurricane IDA. A discussion took place regarding involving Bergen county, the growing and gradual collapse in the area of Stein ave and Main Street; This eventually will undermine the county road. A discussion took place on financing a growing hazard in need of stabilization. Councilman Rachelski emphasized that it is a horrible situation and the best-case situation we will be in the hole for \$900K. Borough Administrator advised that he passes the site daily and its progressing and will eventually collapse the road. There is also a condition on children walking to school and how this is growing into an immanent hazard. Borough Attorney provided legal background and his experience on legal requirements on the part of the county and borough. A discussion took place on crosswalks, the lack of a mid-cross walk and it's not safe to curtain off the area near Main and Stein. Borough engineer described at a high level the three areas of the river embankment and their geographical locations. Borough engineer then described regulations for striped cross walks and how they need to be ADA compliant. DEP permitting was approved for the Library and the destruction of the existing building to

begin within the next 2 months. Provided update on pre-construction meeting with the roof project. An update on lighting, the addition of new over head lighting, new street scape lighting, and some street scape lights that need to be fixed. A discussion took place on the planned street scape for Union Boulevard and Locust Ave; Lighted Christmas decorations need brackets and a discussion took place on the process for adding these brackets for existing poles and streetscape lighting. Mayor Dabal asked a status on a property that periodically floods by the river that can double as additional parking. Borough engineer provided a background on his communication with the state; It is possible for 10 to 15 additional parking spaces in this area that is desperately needed. Borough engineer advised that we are facing escalation costs that can add up to 25% greater than what was bid and awarded due to the rising cost of oil.

APPROVAL OF MINUTES

February 10, 2022

Motion to approve minutes by Androwis, Seconded by Balik,

Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

UCOMMUNICATIONS

From: Wallington Board of Health

Re: Removal of Handicap Signs; 23 Brooke Ave & 209 Hathaway St.

From: Park Row Hose Company #3

Re: Accepted as member Hector Ortigoza

From: Neglia Engineering

Re: March 2022 Engineers Report

Re: PSE&G: Requested additional lighting by the Borough

Re: Proposal for Professional Surveying Services: Tax Map Maintenance Services

Re: Proposal Surveying, Engineering & Construction: FEMA Bank Stabilization and

Improvements at Hathaway Street Park, Main Avenue (High School) and Main Avenue and Stein

Re: NJDEP Land Use Permit for Library

Re: Proposal for Surveying, Engineering & Construction: NJDOT MA 22 for Union and Locust Streetscape

From: Bergen County Division of Community Development

Re: Block Grant Application

From: Borough Attorney
Re: Gift Agreement

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

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
COUNTY OF BERGEN
RESOLUTION # 2020-077**

**RESOLUTION APPOINTING PETER WOJCIK AS A POLICE OFFICER FOR THE
BOROUGH OF WALLINGTON PURSUANT TO A LOCAL TO LOCAL
INTERGOVERNMENTAL TRANSFER, SUBJECT TO APPROVAL OF THE CIVIL
SERVICE COMMISSION**

WHEREAS, the Mayor and Council have determined that it is necessary to hire a Police Officer to serve the Borough and that Peter Wojcik would be available and is a qualified candidate to serve as a Wallington Police Officer through an inter-governmental transfer.

WHEREAS, the Intergovernmental Transfer Program through New Jersey Civil Service Commission provides the opportunity for eligible New Jersey state and local government employees with permanent civil service status to transfer between local to local employment jurisdictions while maintaining their permanent status, and

WHEREAS, this program promotes more efficient public service by allowing civil service jurisdictions to share talented and experienced individuals with other governmental sectors, and

WHEREAS, all parties involved in the transfer (the transferring employee, the sending jurisdiction, the receiving jurisdiction, and the New Jersey Civil Service Commission) must agree to the transfer for it to be completed. A transfer is not valid until approved by the Civil Service Commission.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Wallington as follows:

1. The Borough Administrator is authorized to take any and all necessary actions (including the execution and delivery of Civil Service Form DPF-722 appointing authority position vacancy request; Civil Service Form DPF-721 inter-governmental transfer agreement, Civil Service Form DPF-742 CAMPS leave, separation and transfer form; and DPF-743 CAMPS new hire and inter-governmental transfer form) necessary to process the local to local transfer of Peter Wojcik from his position as a Palisades Interstate Park Commission Police Officer to a Borough of Wallington Police Officer.

2. The hiring of Peter Wojcik as a Wallington Police Officer shall be effective on March 24, 2022, subject to approval of the Civil Service Commission, and because of his experience, is hired at a third (3) step Police Officer salary of \$52,135.00 in accordance with the current P.B.A. Local 321 Contract.

**BOROUGH OF WALLINGTON
BERGEN COUNTY
RESOLUTION NO. 2022-078**

WHEREAS, the Borough of Wallington requested a proposal from Borough Engineer Neglia Engineering (“Neglia”) for GPS mapping for the New Jersey Water Quality Accountability Act, Preparation of Uniform Bid Specification for the Borough of Wallington, Bergen County, New Jersey; and

WHEREAS, As per the New Jersey Water Quality Accountability Act (N.J.S.A. 58:31-1 et. seq.), the Borough must locate each water valve and hydrant within the public water system using global positioning system (GPS) technology to determine the geographic location of each asset. This includes the location of up to 190 hydrants and 630 main line and hydrant water valves.;

WHEREAS, Neglia submitted a proposal to Wallington which it has deemed satisfactory which is attached to this resolution; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, in accordance with the attached proposal, the Borough of Wallington approves the following:

1. On a lump sum basis for a cost of **Five Thousand Three Hundred Fifty-Six Dollars and Zero Cents (\$5,356.00)** representing Surveying/Geospatial Services related to the creation of a GIS database that will comply with the New Jersey Water Quality Accountability Act.
2. The Borough Administrator is authorized to execute a contract with Neglia for this purpose consistent with the foregoing.

**BOROUGH OF WALLINGTON
BERGEN COUNTY
RESOLUTION NO. 2022-079**

WHEREAS, the Borough of Wallington requested a proposal from Borough Engineer Neglia Engineering (“Neglia”) for preparation of Uniform Bid Specification for the Borough of Wallington, Bergen County, New Jersey for MS4 Outfall Pipe Mapping, in accordance with the New Jersey Water Stormwater Accountability Act; and

WHEREAS, in order to comply with the MS4 regulations, the Municipal Separate Storm Sewer System (MS4) is a conveyance or system of conveyances owned or operated by a municipality that carries stormwater that ultimately discharges to water of the state (including both surface water and groundwater) as defined in N.J.A.C. 7:14A-1.2; and

WHEREAS, Neglia submitted a proposal to Wallington which it has deemed satisfactory which is attached to this resolution; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, in accordance with the attached proposal, the Borough of Wallington approves the following:

1. On a lump sum basis for a cost of **Nine Thousand Five Hundred Fifty Dollars and Zero Cents (\$9,550.00)** representing Professional Services for surveying and GIS data mapping, including field and office tasks, related to the location and mapping of up to 25 outfall pipe locations.
2. On a time and material basis in accordance with our attached schedule of fees for an estimated cost of **Two Hundred Dollars and Zero Cents (\$200.00)** representing reimbursable expenses.
3. The Borough Administrator is authorized to execute a contract with Neglia for that purpose consistent with the foregoing.

**BOROUGH OF WALLINGTON
BERGEN COUNTY
RESOLUTION NO. 2022-080**

WHEREAS, the Borough of Wallington requested a proposal from Borough Engineer Neglia Engineering (“Neglia”) for NJDOT MA-22 Union Boulevard & Locust Avenue – Phase I preparation of “streetscape” improvements, Preparation of Uniform Bid Specification for the Borough of Wallington, Bergen County, New Jersey; and

WHEREAS, The Borough has received a NJDOT Municipal Aid Grant for the 2022 Fiscal Year in the amount of \$236,000. The streetscape improvements include curb, sidewalk, handicap ramps, patterned sidewalk, decorative street lights, street trees, tree grates, driveway aprons, trash receptacles and benches; and

WHEREAS, Neglia submitted a proposal to Wallington which it has deemed satisfactory which is attached to this resolution; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, in accordance with the attached proposal, the Borough of Wallington approves the following:

1. On a lump sum basis for a cost of **Twenty-Three Thousand Four Hundred Eighty-Four Dollars and Zero Cents (\$23,484.00)** representing Professional Services for surveying, engineering design, bidding and contract preparation.
2. One a **time and material** basis in accordance with the attached schedule of fees representing Construction Management services.
3. On a time and material basis for a cost of **Five-Hundred Dollars (\$500.00)** for Reimbursable Expenses.
4. The Borough Administrator is authorized to execute a contract with Neglia for that purpose consistent with the foregoing.

**BOROUGH OF WALLINGTON
BERGEN COUNTY
RESOLUTION NO. 2022-083**

WHEREAS, the Borough of Wallington (“Wallington” or the “Borough”) has determined the need to add additional supplementary overhead street lighting for the safety and well-being of its citizens; and

WHEREAS, Wallington requested the Borough Engineer, Neglia Engineering, to make a request to the utility, PSE&G, for a proposed cost of the addition of supplementary overhead

street lighting; and

WHEREAS, The Borough Council approved the addition of supplemental overhead streetlighting.

THEREFORE, BE IT RESOLVED, the Borough Council hereby authorizes The Borough Administrator to take any and all necessary actions to approve of same.

**BOROUGH OF WALLINGTON
BERGEN COUNTY
RESOLUTION NO. 2022-084**

**RESOLUTION TO ENTER A GRANT AGREEMENT FOR FY21 BERGEN COUNTY COMMUNITY
DEVELOPMENT BLOCK GRANT**

BE IT RESOLVED, that the Mayor and Council of the Borough of Wallington wish to enter into a grant agreement with the County of Bergen for the purpose of using \$146,025 in FY21 Community Development Block Grant funds for roadway improvements to Parkview Drive from Maple Avenue to Wallington Avenue in the Borough of Wallington.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Borough Administrator Mike Kazimir to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Borough Administrator Mike Kazimir to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognize that the 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.

**BOROUGH OF WALLINGTON
BERGEN COUNTY
RESOLUTION NO. 2022-085**

**A RESOLUTION AUTHORIZING THE BOROUGH TO ACCEPT
THE GIFT OF A GOLF CART FOR USE BY THE FIRE DEPARTMENT**

WHEREAS the Wallington Fire Department is the current owner of a golf cart which is used to assist in fire operations; and

WHEREAS the Fire Department has had difficulty obtaining insurance on the golf cart and therefore has requested the assistance of the Borough in obtaining such insurance coverage; and

WHEREAS the Borough could obtain such insurance as part of the Borough's fleet of vehicles; and

WHEREAS the Fire Department desires to retain future rights to the golf cart if in the future the Borough determines to dispose of it.

NOW THEREFORE BE RESOLVED by the Mayor and Council of the Borough of Wallington as follows:

1. The Borough will accept ownership of the golf cart as provided in the attached Gift Agreement.
2. The Borough Administrator is authorized to sign the attached Gift Agreement on behalf of the Borough.

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN
RESOLUTION NO. 2022-086**

**A RESOLUTION APPOINTING HECTOR ORTIGOZA AS A
FIREFIGHTER IN THE BOROUGH OF WALLINGTON**

WHEREAS, the Borough of Wallington has established a Fire Department pursuant to Article 3 of Chapter 49 of the Borough Code; and

WHEREAS, Hector Ortigoza have applied for membership as a Firefighter of the Park Row Hose Company #3; and

WHEREAS, Hector's application has been reviewed and approved by the Fire Department and have passed a physical.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Wallington as follows:

1. Hector Ortigoza are hereby appointed as a Firefighter for the Wallington Fire Department subject to their compliance with all rules, regulations of the Wallington Fire Department and compliance with all condition's precedent to their membership.

Resolution 2022-081 and 2022-082 were removed from consent agenda and "tabled" for future consideration and action.

Motion to approve "EnMass" by Androwis, Seconded by Preinfalk,
Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

ORDINANCES

2022 - 006 2nd Reading by Title Only: Refunding bond ordinance providing for the funding of a \$385,000 emergency appropriation for tax appeals; Authorizing the issuance of \$400,000 of bonds of notes to finance such emergency appropriation.

Motion to Open the Meeting to the Hearing of the Citizens relative to Ordinance No. 2022-006 by Rachelski, Seconded by Androwis,

Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

Councilman Rachelski described the tax appeal and circumstances surrounding the events that lead to this. Borough Administrator advised that it was determined to be a 3-year term; Borough administrator provided additional insight.

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

Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

Motion to Adopt Ordinance No. 2022-006 by Ivanicki, Seconded by Androwis,

Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

2022 - 007 1st Reading by Title Only: An ordinance to amend and supplement chapter 157 of the code of the Borough of Wallington; Chapter 157 of the Code contains an error in the fees to be charged for the Building Sub Code portion of the construction permit fee; and "Construction".

Borough Attorney provided a description of the ordinance, the error that has been on the books, and why this needs to be adjusted.

Motion by Preinfalk, Seconded by Ivanicki,

Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

2022 - 008 1st Reading by Title Only: An ordinance to amend and supplement Chapter 365 of the code of The Borough of Wallington to clarify the definition of a commercial vehicle.

Mayor Dabal described some of the conditions in town occurring with commercial vehicles parking in town.

Motion by Balik, Seconded by Preinfalk,

Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

LIST OF BILLS AND SUPPLEMENTAL LIST OF BILLS

<u>Bill List Current Account March 10, 2022</u>			
<u>Vendor</u>	<u>INV#</u>	<u>Amount</u>	
Action Data Services	22-00172	\$	3,820.93
ATD Highway Products	22-00149	\$	895.25
Bergen County Technical School	22-00147	\$	440.00
Bergen County Utilities	22-00156	\$	26,575.00
Bruno Associates	22-00165	\$	3,166.66
Clean Enterprises Co	22-00170	\$	1,278.74
Crystan Florist & Greenhouse	22-00176	\$	125.00
De Lage Landen	22-00163	\$	278.25
Edmunds Givtech	22-00136	\$	1,203.20
Edmunds Givtech	22-00137	\$	20,400.00
Feldman Brothers Electrical	22-00139	\$	553.01
Gates Flag & Banner	22-00133	\$	150.00
Interstate Batteries	22-00140	\$	341.85
Various Invoices	22-00148	\$	1,589.40
JFK Memorial Library	22-00145	\$	25,322.65
1st Quarter Payment JFK	22-00146	\$	25,000.00
Knickem-Dead Pest	22-00132	\$	600.00
Lorco Petroleum	22-00152	\$	125.00
McGuire Reporting	22-00178	\$	275.00
JAN/FEB Planning BD	22-00179	\$	550.00
Michael DEC LLC	22-00155	\$	100.00
Michael DEC LLC	22-00160	\$	100.00
MR. K'sGarage	21-01489	\$	786.50
Nicks Towing Service	22-00162	\$	270.00
PSE&G	22-00157	\$	1,012.32
PSE&G	22-00164	\$	6.55
PSE&G	22-00168	\$	829.78

PAC TOOL & Supply Co.	22-00171	\$	255.53
PRO COPY	22-00158	\$	161.51
Public Works Assoc.	22-00150	\$	75.00
Quadient INC	22-00044	\$	170.93
Rainbow Cleaners	22-00141	\$	125.00
RIO Supply	22-00174	\$	3,550.00
SHOTMEYER BROS	22-00161	\$	1,172.34
US VOIP	22-00169	\$	953.36
<u>US VOIP</u>	22-00177	\$	<u>953.36</u>

Motion to Pay List of Bills provided funds are available by Preinfalk, Seconded by Rachelski,
Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

OLD BUSINESS

Councilwoman Preinfalk spoke about the lack of demand for art banners. There are some issues with the content on the website that needs to be addressed. Borough Administrator advised that he will look into it.

Borough attorney described a case that is reaching the supreme court regarding free speech, flags, and messaging on governmental property. Councilman Androwis brought up fair and equal application; Rutherford put up a rainbow flag but refused to raise a pro life flag. Borough administrator advised to be smart to avoid litigation. Borough attorney provided further insight into the supreme court case and the differential treatment of how some groups were permitted and others were not. Private groups coming in to place a message will invite other groups to place their messages and will lead to a poor precedent.

NEW BUSINESS

Councilwoman Ivanicki advised that the Ukrainian church requested sleeping bags, boots, and military backpacks.

Borough Administrator Michael Kazimir thanked the mayor and council. It has been an interesting first couple of days. Provided various chain of custody challenges that FEMA requested regarding solid waste directly attributable to Hurricane Ida. Councilman Rachelski requested that we need you to be the guy to manage this stuff and oversee all the various projects we have. Greg handled everything for this meeting, agenda, resolutions, and ordinances.

Councilman Androwis brought up the need to meet with the prosecutor and judge on their challenges and what we can do to help.

Motion to go into Executive session by Rachelski, Seconded by Balik,

Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

Mayor Framed Executive session for personnel matters and update on Litigation.

Motion to get out of Executive by Preinfalk, Seconded by Androwis,

Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

A brief discussion took place on the wording necessary and the existing communication made with the local shop steward approving the hire of a new DPW worker, his skills and experience, and his starting salary.

Motion was made by Androwis and Seconded by Rachelski to Hire Thomas Kruk as a DPW worker subject to Local 560 approval.

Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN
RESOLUTION # 2020-087**

**RESOLUTION APPOINTING THOMAS KRUK AS A DPW WORKER FOR THE
BOROUGH OF WALLINGTON**

WHEREAS, the Borough Administrator of the Borough of Wallington has advised the Mayor & Council that the Department of Public Works is severely understaffed; and

WHEREAS, the Borough Administrator received numerous resumes and conducted several interviews at the direction of the Mayor & Council of the Borough of Wallington; and

WHEREAS, the Borough Administrator and the Hiring Committee has recommended to the Mayor & Council of the Borough of Wallington that they hire Thomas Kruk, for a full-time position with the Department of Public Works; and

WHEREAS, the Borough Administrator met with the local union shop steward to discuss the skills and experience of Mr. Thomas Kruk. The Local shop steward, Teamsters Local Union No. 560, recognized and accepted Mr. Kruk's skills and experience; and

WHEREAS, the Local shop steward, Teamsters Local Union No. 560, gave the go-ahead to assign the starting salary for Mr. Thomas Kruk commensurate with his skills and experience; and

WHEREAS, the Mayor & Council of the Borough of Wallington finds that it is in the best interests for the borough to function in a manner to serve the needs of the citizens of the Borough of Wallington to hire a new full-time employee to the Department of Public Works (DPW).

NOW, THEREFORE, BE IT RESOLVED, by the Mayor & Council of the Borough of Wallington, County of Bergen, State of New Jersey, that

1. The Borough Administrator is authorized to take any and all necessary actions to process the appointment of Mr. Thomas Kruk in accordance with this Resolution and Civil Service requirements.
2. Mr. Thomas Kruk be and is hereby appointed as a full-time employee of the DPW effective upon (a) compliance with all Civil Service requirements; and (b) receipt by the Borough of written confirmation from the Local 560 and the Local 560 Shop Steward for that union representing the Wallington DPW workers evidencing the consent of both to the terms of this hire, including the salary for Thomas Kruk, notwithstanding the terms of the CBA.
3. Notwithstanding anything in the CBA to the contrary, the starting salary for Mr. Thomas Kruk shall be \$54,000 per annum paid pursuant to the provisions of the Union Contract.
4. All other benefits for Thomas Kruk will be paid or made available pursuant to the provisions of the Union Contract.
5. Future salary and benefits shall be in accord with the Union Contract

Borough attorney described the necessary action required to enforce the lease at 125 River road and recoup delinquent payments.

Motion to Authorize the Borough Administrator and Borough Attorney to take action to enforce the lease and take action to recoup delinquent payments by Ivanicki, Seconded by Balik, Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

**BOROUGH OF WALLINGTON
COUNTY OF BERGEN
RESOLUTION NO. 2022-088**

WHEREAS, the Borough of Wallington (“Wallington”) is the owner of real property located at Block 1, Lot 1 in Wallington known as 125 River Drive (the “Property”); and

WHEREAS, by Resolution 2020-131 dated June 25, 2020, Wallington accepted the bid of Wilenta Carting, Inc. to lease the Property; and

WHEREAS, by Resolution 2021-058 Wallington allowed Wilenta to assign the Lease to a Pallet Solutions, LLC Wallington; and

WHEREAS, Wallington has been provided with corporate documentation that establishes that Wilenta and Pallet Solutions, LLC are owned by the same person; and

WHEREAS, Wilenta and or Pallet Solutions have failed to make required lease payments for March, 2022, February 2022, January 2022, December 2021, and November 2021.; and

WHEREAS, in addition to the Wilenta and of Pallet Solutions have an outstanding balance totaling \$30,000 for Water rent.

WHEREAS, Wallington desires to collect the delinquent lease and water utility payments.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of Wallington authorize the Borough Administrator and Borough Attorney to take action against both Wilenta Carting and Pallet Solutions to recover all delinquent lease and water utility payments.

ADJOURNMENT

Motion to adjourn at 10:58 PM by Androwis, Seconded by Ivanicki,

Roll Call: Rachelski AYE, Ivanicki AYE, Preinfalk AYE, Androwis AYE, Balik AYE.

Respectfully Submitted
Grzegorz Zagaja
Deputy Clerk