

REGULAR MEETING
MAYOR AND COUNCIL
FEBRUARY 8, 2010

Council President Corbett called the Meeting to Order

Council President Corbett read the Open Public Meeting Statement

Council President Corbett requested Roll Call:

Council President Corbett - Present
Councilman Binkoski – Present
Councilman Gillen – Present
Councilman Hutchins – Present
Councilman Yeager- Present
Councilman Young – Present

Also in attendance were Administrator/CFO Jon Rheinhardt, Borough Clerk Gabrielle Evangelista, and Borough Attorney George Johnson.

Council President Corbett led those in attendance with the salute to the American Flag.

Council President Corbett advised that the Mayor has been detained at a meeting for the Boy Scouts 100th Anniversary but he will be arriving shortly.

Presentation:

Council President Corbett introduced Diane Driscoll from Community Hope to make a presentation.

Ms. Driscoll introduced herself and advised the Council that she is in attendance because her group has applied for Morris County HOME funds to purchase a multi-family home in Wharton for special needs housing. Community Hope serves people with a mental illness and homeless veterans, currently they serve approximately 300 people with housing and other services. They are looking to add more housing to be able to serve more people. She provided the Clerk a folder of information about her group.

Councilman Young asked Ms. Driscoll if there is a specific home they are looking to purchase. She replied that they had applied for a specific home on Ford Avenue but they had some money left over from the 2008-2009 funds so they were able to purchase that home, so she has identified a couple of additional multi family houses that look to be promising. She continued that Wharton is a nice town, it is convenient, safe, and a good place to live.

Councilman Binkoski asked if the housing would be for individuals or families. She replied that it is for single adults.

Attorney Johnson asked if it would be a group home. She replied that they don't use the term; in this case it would be permanent supportive housing. The group home model is one where you put people who need a significant amount of supervision; in this case the people don't need that level of supervision. They do have access 24/7 to crisis counselors if needed but they would only need services periodically. For cleaning they would clean the interior themselves but they do have people who check on a regular basis. The exterior Community Hope would keep up. It's very important to them to take good care of the houses. Councilman Hutchins then asked who would be responsible for mowing the lawn and shoveling the snow. She replied that ultimately Community Hope is responsible for it, sometimes they hire someone locally to do those tasks and sometimes their own maintenance people do it.

Councilman Binkoski asked if Community Hope maintains the ownership of the home. She replied that they do, it would be deed restricted for 30 years as affordable housing.

Councilman Gillen asked if there is an age limit. She replied that they have to be at least 18.

Council President Corbett opened the meeting to the public for questions or comments on this project only.

Jim Gottshall, 44 3rd Street: His wife and he are involved with some groups that help special needs people and he'd like to see more community support to people of all abilities. He'd also like to offer his support for helping with snow shoveling, etc. It would be a great addition to the town.

Patrick Laverty, Housing and Zoning: He would like to offer his support to this project. They are a good organization. Community Hope has some properties in Dover and they do a great job maintaining them and they are wonderful neighbors. Another positive for the town is that these houses work towards our COAH obligations as well.

Council President Corbett advised that there are other group homes in town and they have never been a problem.

Councilman Young asked Ms. Driscoll if they need any active support from the Borough to move ahead. She replied that she just needs the Mayor to sign that they attended the meeting.

Maritsa Cramer, First Aid Squad President: She asked Ms. Driscoll if Community Hope offers any training for First Aid responders because they often get calls to the various group homes and it would be helpful for them to learn how to better interact with some of the residents. Ms. Driscoll replied that they probably would be able to put something together for them.

No one else wishing to be heard, Council President Corbett closed the meeting to the public.

Presentation and Public Hearing:

Council President Corbett introduced Steve Hammond and Joel Minch from Morris County to make a presentation.

Mr. Hammond explained that Morris County maintains about 1000 bridges, one of which is on West Central Ave. in Wharton. The County received a million dollar grant for the reconstruction of this bridge. They are going to show the Council various options for the bridge and they also are going to explain the various options they have for closing either both lanes of travel or just one.

Mr. Minch then explained some background information about the bridge and gave the Council and the Audience some hand outs of the variety of options they have for the bridge. He explained that the last time the bridge was reconstructed in 1979. The bridge is currently listed as structurally deficient, which means that it has issues with its superstructure but can currently carry all legal loads safely at this point. The state inspects structures every two years and has listed the replacement as a priority for the County. The new bridge that will be constructed will have the same span and the same roadway width; the sidewalk will be slightly wider. The main issue for the town to discuss is how the bridge will be constructed. They can close the road entirely and detour traffic around or they can stage the construction. If the bridge can be closed it will take about 4 months, if it needs staged it will most likely take 2-3 months longer.

More discussion about whether or not to close the bridge entirely or just one lane followed. This discussion included the Fire Chief and the First Aid Squad President. Mr. Hammond advised that a decision does not need to be reached this evening about what they would like to do.

Council President Corbett opened the meeting to the public for questions or comments on this project only.

Rick Bencivenga: He is a mailman in that area of town and his concern with closing both lanes would be the traffic created on Main Street and Dewey Avenue, because traffic already gets backed up there at rush hours.

Councilman Binkoski advised that with the construction on Route 46 and Route 15 that intersection becomes even more backed up.

More discussion about what to do about closing lanes ensued.

Helen Bencivenga, 39 Fern Ave: She asked if the bridge is being replaced for looks or because it is in disrepair, because if it is disrepair they have to replace it. Councilman Corbett replied that it is in disrepair so they are not trying to decide whether or not the work needs to be done, just if they are going to close both lanes or just one lane during the construction.

No one else wishing to be heard, Council President Corbett closed the meeting to the public.

Mr. Minch then advised the Council on the different styles of bridges the County could put in.

Discussion:

1. Fern Ave. Parking

Council President Corbett gave some background about this issue- The Council has been struggling with the problem of debris in the roadway on Fern Ave. Some people have attributed it to the recyclers but they have followed them on occasion and it hasn't been them. They have also swept the street right after the recycling was picked up and still there was debris after that. Obviously there are people who are not having this issue, basically everyone in attendance today from Fern Ave. are the people who pick up after themselves and are not the problem. They are looking for a way to address the issue. This is why the letter was sent to residents on Fern Ave. so they could get people to come to a meeting to discuss what should be done. One suggestion that had come up previously was to limit the hours of parking on the street so that the street sweeper can go and clean during those times. Another suggestion was to ban parking on the street entirely. The Council has not reached any decisions; they just wanted to get input from the residents on how to address the problem.

Council President Corbett then opened the meeting to the public for questions or comments on this topic only.

Lila Soderlund, 50 Fern Ave: She thinks that a ban on parking would cause an undue burden on residents with large families. She has 5 drivers in her family but only has enough room in her driveway for 4 vehicles. She does not want to have to park the other car far away for safety reasons and for the possibility of vandalism. She has noticed that a lot of the debris falls out of recycling containers due to wind and rain. When it rains it also flows down Church Street. She suggests closing the streets during a designated time for cleaning and if people persist on parking there they can be ticketed and towed which is another form of revenue for the town. More discussion with Ms. Soderlund continued.

Don Soderlund, 50 Fern Ave: There is already a critical shortage of parking in that area of town. He agrees with Ms. Soderlund. He thinks that banning parking completely is overkill. In the past couple of years they have been told that there were going to be schedules for when the street sweepers are coming and they haven't seen them yet. He also thinks that having the No Parking Section end at Third Ave. instead of the entire street seems arbitrary.

Councilman Hutchins advised that the reason they said what they said was because they knew it would get residents to attend the meeting so they could have dialogue. If they just said they were proposing a schedule and you agreed with it, they wouldn't see people here. They apologize for the method but it did get people to come out to discuss the matter so they can come to some agreement and decision as to what would be appropriate for the area. As Council President Corbett said, they haven't made a decision. Council President Corbett advised that one of the suggestions was to ban parking; no one said that is what they were going to do.

Linda Bencivenga, 41 Fern Ave: She is not sure when the recycling guys were followed but they do make a mess. She has cleaned it up many times. If they are a little more careful it would help the debris problem. The other problem is that Fern Ave. has many multi family homes most of which are renters. If you can't force the renters to pick up after themselves the home owner isn't going to.

Council President Corbett advised that the notices that were sent out were sent to both the owners and the renters. He continued that he understands that the recycling causes some of the trash, but the street is often dirty not on recycling days or after it's been cleaned. Some of the debris is trash that is not recyclable materials either. He understands that no one in attendance are the ones who are causing the problems.

Dean Mertz, 44 Fern Ave: She understands what Council President Corbett is saying but they feel like they as the owners are being penalized. Why can't letters be sent to the renters explaining their responsibility to take care of the homes. More discussion with Ms. Mertz continued.

Council President Corbett advised that they are not looking down on anyone; they want to improve all of Fern for all of the residents. They are looking to make the rest of the Street as nice as their properties.

Tonya Camago, 34 Fern Ave: She is a renter on Fern Ave. They have personalized parking in their duplex. A lot of the people who park on the street are people who are going to restaurants and bars in the area. People who don't live in Wharton or don't live on the street park on the street and then walk by, drop garbage and they don't care about their vehicles. She has been renting there for 18 years and has watched it change. She agrees with setting a time for no parking so the street sweepers can come by, but banning it would burden everyone including the people who live on the side streets.

Linda Bencivenga, 41 Fern Ave: She thinks that whatever day the recycling gets picked up would be a good day for setting no parking and allowing the street sweepers to come to clean up the mess from recycling. More discussion with Ms. Bencivenga continued.

Daisy Negron, 84 Fern Ave: She has lived on Fern Ave. for her entire life. She has picked up packs of cigarettes and cases of beer left on the road. She has fought with some of tenants who live near her to pick up after themselves. She has called the police, who come but there is still an issue about them dropping trash.

More discussion about the trash issue continued with the Council and the residents in attendance. During that discussion Mayor Chegwiddden arrived at 8:15 PM.

Councilman Binkoski advised that since he is the liaison to the Housing and Zoning Department, he will pass along some of the issues this discussion brought up for enforcement.

More discussion about some of the issues on Fern Ave. continued with the Mayor, Council, and residents who were in attendance. Some of the things discussed were parking, trash, street lighting, and drug dealing. The outcome was that parking will not be banned, it will most likely be a no parking during one specific day. Also the Housing and Zoning Department will work on enforcing some rules about trash. For the drug dealing Mayor Chegwidden advised that the Prosecutor's Office has just started a new task force to focus on problem areas so he will pass along the information to them. Council President Corbett thanked all of the residents for coming and for their comments.

No one else wishing to be heard, Mayor Chegwidden closed the meeting to the public.

Ordinance:

Councilman Young introduced O-01-10, "An Ordinance to Provide for General Capital Projects Enumerated Within for the Borough of Wharton, County of Morris and to Provide for the Funding Therefor," on second reading by title only.

Mayor Chegwidden opened the meeting to the public for questions or comments on this ordinance only.

No one wishing to be heard, Mayor Chegwidden closed the meeting to the public.

A motion was made by Councilman Young and was seconded by Councilman Binkoski to adopt O-01-10 on second and final reading.

ROLL CALL VOTE: YEA-6 NAY-0 ABSENT-0 ABSTAIN- 0	MOTION CARRIED
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Ordinance:

Council President Corbett to introduce O-02-10, "Bond Ordinance Appropriating \$590,000, and Authorizing the Issuance of \$360,000 Bonds or Notes of the Borough, for Various Improvement or Purposes Authorized to be Undertaken by the Borough of Wharton, in the County of Morris, New Jersey" on first reading by title only.

A motion was made by Council President Corbett and was seconded by Councilman Young to adopt O-02-10 on first reading.

ROLL CALL VOTE: YEA-6 NAY-0 ABSENT-0 ABSTAIN- 0	MOTION CARRIED
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Mayor Chegwidden set the meeting of March 8, 2010 for second and final reading.

Consent Agenda:

The following items are considered to be routine and non-controversial by the Mayor and Council and were approved by one motion.

Approval of Bills: All bills referred to the finance committee to be paid if found correct.
Resolutions: R-41-10: NJSEM Appointments
R-42-10: Interlocal Street Sweeping for Mount Arlington
R-43-10: Interlocal Street Sweeping for Mine Hill
R-44-10: Authorize Mayor to Sign CDBG Agreement
R-45-10: Approve Tax Sale Redemption TSC- 09-03

R-46-10: Urging Elimination of 4% Levy Cap
R-47-10: Professional Services Locke 2 East Engineering

Approve minutes from 1/18/10

Approve Fire Fighter Application for William Steiner

Approve Blue Light Permit Application for Andrea Bias

Approve Red Light Permit Application for Gary Cole

A motion was made by Council President Corbett and was seconded by Councilman Hutchins to approve all of the items listed on the Consent Agenda.

ROLL CALL VOTE: YEA-6 NAY-0 ABSENT-0 ABSTAIN- 0

MOTION CARRIED

Correspondence:

- 1. Letter from Morris County League of Municipalities rec'd January 25, 2010**
- 2. Minutes from Morris County Planning Board rec'd January 25, 2010.**
- 3. Minutes from RVRSA rec'd January 25, 2010.**
- 4. Monthly Reports from Clerk and Construction.**

Council Reports:

Council President Corbett: He attended the reorganization of the public works board on January 21. On January 28 he attended the Borough's holiday party at Scerbo's which was a great time. He'd like to thank everyone involved with putting it together. On January 30 he attended the First Aid Squad dinner which was great and he'd like to thank them for the invitation to that event. He also attended the meeting with the Prosecutor's Office to discuss their new initiative.

Councilman Binkoski: He also attended the Borough Holiday Party and the First Aid Squad Dinner. He attended the School Board meeting. He had an opportunity to talk to Dr. Palestis about a lot of things and he is doing a really good job as superintendent. He wants to bring attention back to R-46-10 which was approved in the Consent Agenda because it has a lot of good points.

Councilman Gillen: On January 20 he attended the Rockaway River Watershed Cabinet meeting. They are going to be partnering with Rutgers agricultural experimental station to help with monitoring the rivers. He also attended the Holiday Party which was a good time. He also attended the Prosecutor's meeting.

Councilman Hutchins: He'd also like to thank the First Aid Squad for inviting him to their party. It was a good time. He also attended the Prosecutor's meeting. He's looking forward to working with them on that project. He also went to a meeting about the ice skating event.

Councilman Yeager: He attended the Library Board meeting. This year there are Co-Presidents, Jackie Sheplak and Laura Steiger. He also attended the Prosecutor's meeting and the First Aid Squad dinner.

Councilman Young: Skating on the Canal is going to be on the 13th. It should be cold enough. They are working on the budget- on the first draft there is only a small increase of 1 ½% but unfortunately revenues are down from last year which will cause some issues. Both of the Union contracts are up this year so the Mayor needs to decide who he wants to represent the Borough in the negotiations. Mayor Chegwiddden then recommended the Finance Committee.

Mayor Chegwiddden's Report: He'd like to thank everyone who put together the Holiday Party which was a great event. He also attended the First Aid Dinner and thanks them for the invitation. The Morris County Intelligence League was a good meeting. He appreciates everyone attending the meeting held by the Prosecutor's Office. He attended the Wharton Library's winter Olympics which was very fun. There were 50+ kids in attendance. The reason he was late to today's meeting was that he went to Dover for the Mine Hill, Wharton, and Dover Boy Scouts and Cub Scouts celebration of 100 years of Scouting in America. He'd like to thank Council President Corbett for filling in for him.

Council President Corbett then introduced and read into the record R-48-10 "Resolution Authorizing Renewal of Letter of Credit," he then made a motion to approve the resolution which was seconded by Councilman Binkoski

ROLL CALL VOTE: YEA-6 NAY-0 ABSENT-0 ABSTAIN- 0	MOTION CARRIED
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Mayor Chegwiddden opened the meeting to the public.

John Manna, 41 Luxemburg Ave: Ramsey Outdoors donates their kayaks for Canal Day and they want to have a clinic during the summer on weekends. Everyone agreed that's a great idea but they need to check on insurance to make sure it will be covered. He also would like the Council to lower the food permit for Canal Day to \$25 like they usually do. A motion was made by Council President Corbett to approve the change which was seconded by Councilman Yeager.

ROLL CALL VOTE: YEA-6 NAY-0 ABSENT-0 ABSTAIN- 0	MOTION CARRIED
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No one else wishing to be heard Mayor Chegwiddden closed the meeting to the public.

Councilman Binkoski advised the Council that the Pub Crawl will be on March 27. Every year they ask if they can waive the fee for the banners. Everyone agreed to waive the fee.

Council President Corbett made a motion to adopt, Resolution R-49-10 to close the meeting to the public for discussion on Litigation which was seconded by Councilman Young.

ROLL CALL VOTE: YEA-6 NAY-0 ABSENT-0 ABSTAIN- 0	MOTION CARRIED
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A motion was made by Council President Corbett and was seconded by Councilman Yeager to reconvene to an open meeting.

ROLL CALL VOTE: YEA-6 NAY-0 ABSENT-0 ABSTAIN- 0	MOTION CARRIED
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No further business to attend to this evening, Council President Corbett made a motion to adjourn this meeting. This was seconded by Councilman Hutchins.

ROLL CALL VOTE: YEA-6 NAY-0 ABSENT-0 ABSTAIN- 0	MOTION CARRIED
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February 8, 2010

ATTEST:

Gabrielle Evangelista,
Borough Clerk

BOROUGH OF WHARTON

WILLIAM J. CHEGWIDDEN,
MAYOR