

AGENDA
MAYOR AND COUNCIL
DECEMBER 6, 2021

Mayor Chegwidden to Call the Meeting to Order.

Mayor Chegwidden to read the Open Public Meeting Statement.

Mayor Chegwidden to request Roll Call:

Roll Call

Mayor Chegwidden to request Roll Call:

Council President Wickenheisser
Councilman Binkoski
Councilwoman Hayes
Councilman Norton
Councilwoman Vasquez
Councilman Yeager

Flag Salute

Mayor Chegwidden to lead those present in the Salute to the American Flag.

Open to the Public

In accordance with Local Ordinance O-18-03, “Persons making public comment at the first public portion shall be limited to five (5) minutes. During the second public portion repetitive, irrelevant or excessive public comment in the interest of permitting all members of the public time to speak on any governmental issue and completing the public business within a reasonable period of time”.

Mayor Chegwidden to open the meeting to the public. If you wish to be heard, please stand, stating your name and address.

Mayor Chegwidden to close the meeting to the public.

Ordinance

Councilman Binkoski to present O-17-21, “An Ordinance Amending Chapter 330 of the Revised General Ordinances of the Borough of Wharton, County of Morris, State of New Jersey,” on second reading, by title only.

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

Mayor Chegwidden to close the meeting to the public.

Motion by _____ seconded by _____ to adopt O-17-21 on second and final reading.

ROLL CALL VOTE:	YEA	NAY	ABSENT
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Ordinance

Council President Wickenheisser to present O-18-21, “An Ordinance Amending Chapter 247 of the Revised General Ordinances of the Borough of Wharton, County of Morris, State of New Jersey,” on second reading, by title only.

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

Mayor Chegwidden to close the meeting to the public.

Motion by _____ seconded by _____ to adopt O-18-21 on second and final reading.

ROLL CALL VOTE:	YEA	NAY	ABSENT
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Resolution

Councilwoman Vasquez to introduce R-146-21, “Resolution Authorizing 2022 Community Development Block Grant Application.”

Mayor Chegwidden to open the meeting to the public for questions or comments on this resolution only.

Mayor Chegwidden to close the meeting to the public.

Motion by _____ seconded by _____ to adopt R-146-21.

ROLL CALL VOTE:	YEA	NAY	ABSENT
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Resolution

Councilman Yeager to introduce R-147-21, “Resolution Authorizing Appointment.”

Motion by _____ seconded by _____ to adopt R-147-21.

ROLL CALL VOTE:	YEA	NAY	ABSENT
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Discussion with Possible Action

- Updates to municipal parking lot ordinance

Consent Agenda

The following items are considered to be routine and non-controversial by the Mayor and Council and will be approved by one motion. There will be no separate discussion of these items unless a council member or citizen so requests, in which case, the item will be removed from the Consent Agenda and considered in a normal sequence on the agenda.

<p>Approval of Bills: Approve all bills referred to the Finance Committee</p> <p>Resolutions: R-148-21: Tax Sale Redemption TSC 2020-016 R-149-21: Tax Sale Redemption TSC 2020-004 R-150-21: Tax Sale Redemption TSC 2017-019 R-151-21: Budget Transfers R-152-21: Payout Guerra R-153-31: Approve Change Order 1- Improvements to Municipal Building and Library Parking Lots R-154-21: Prof. Service Contract Change- Memorial Park</p> <p>Motion by _____ seconded by _____ to approve all items listed on the Consent Agenda.</p> <p>ROLL CALL VOTE: YEA: NAY: ABSENT: ABSTAIN:</p>
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Correspondence

- Notice RVRSA
- Monthly Reports Clerk and Construction

Council Reports

**Council President Wickenheisser:
Councilman Binkoski:
Councilwoman Hayes:
Councilman Norton:
Councilwoman Vasquez:
Councilman Yeager:**

Mayor Chegwidden's Report

Open to the Public

In accordance with Local Ordinance O-18-03, "The Mayor or Council President shall have the discretion to terminate any repetitive, irrelevant or excessive public comment in the interest of permitting all members of the public time to speak on any governmental issue and completing the public business within a reasonable period of time."

Mayor Chegwidden to open the meeting to the public, if you wish to be heard, please stand stating your name and address.

Mayor Chegwidden to close the meeting to the public.

Adjournment

Motion to adjourn by _____ seconded by _____

**AN ORDINANCE AMENDING CHAPTER 330, SECTION 20 H1 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF WHARTON, COUNTY OF
MORRIS, STATE OF NEW JERSEY**

BE IT ORDAINED by the Governing Body of the Borough of Wharton that Chapter 330, Section 20 H1 is hereby amended as follows:

§ 330-20. Billing and collecting.

H. Water rates, fees and charges. The following rates shall prevail and continue until changed, altered or amended by ordinance of the Borough Council.

1. Domestic, laundromat, industrial and lawn hydrants.

- (a) Effective **January 1, 2022**, the domestic rate per 100 cubic feet shall be **\$4.28**.
- (b) Where there are multiple units, the minimum rate for such multiple units shall be the minimum rate of a single service meter multiplied by the number of units.
- (c) Effective **January 1, 2022**, the laundromat rate per 100 cubic feet shall be **\$4.28** for the first 1,350 ccf; thereafter the rate is **\$4.49** per 100 cubic feet.
- (d) Effective **January 1, 2022**, the industrial rate per 100 cubic feet is **\$4.28** for the first 1,350 ccf; thereafter the rate is **\$4.49** per 100 cubic feet. Both industrial rates are based upon the rate charged to the Borough by the Morris County Municipal Utilities Authority.
- (e) Lawn hydrant per quarter, in addition to metered water use: \$25.

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed only to the extent of such inconsistency.

This ordinance shall take effect on the noted effective dates after final passage and publication as required by law.

First Reading: November 22, 2021
Second Reading: December 6, 2021

ATTEST:

Gabrielle Evangelista,
Borough Clerk

BOROUGH OF WHARTON

WILLIAM J. CHEGWIDDEN,
MAYOR

AN ORDINANCE AMENDING CHAPTER 247 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WHARTON, COUNTY OF MORRIS, STATE OF NEW JERSEY

BE IT ORDAINED by the Governing Body of the Borough of Wharton that Chapter 247, Section 5- Sewer Service Rate Schedule is hereby amended as follows:

§ 247-5. Sewer service rate schedule.

A. The annual rate is set at \$355 per single unit. The annual service charge is calculated on an equivalent dwelling unit (EDU) basis except where the actual sewer gallonage allocation is known or in the case of negotiated rates. The sewer rate shall be payable in quarterly installments as set forth in Subsection B.

(1) Where the actual allocated gallonage is known, the annual service charge for establishments or properties shall be established by dividing the total number of gallons per day allocated by the two-hundred-twenty-five-gallons-per-day usage rate assigned to a single unit to obtain the applicable EDU. The number of EDUs then will be multiplied by the annual fee for a single unit.

(2) All existing negotiated rates shall be modified to reflect the change in the annual sewer rate.

(3) For all other others, the rate is to be calculated as set forth in the existing schedule in this section entitled "Sewer Service Billing Rate Schedule Equivalent Dwelling Units."

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed only to the extent of such inconsistency.

This ordinance shall take effect on the noted effective dates after final passage and publication as required by law.

First Reading: November 22, 2021

Second Reading: December 6, 2021

ATTEST:

**Gabrielle Evangelista,
Borough Clerk**

BOROUGH OF WHARTON

**WILLIAM J. CHEGWIDDEN,
MAYOR**

R-146-21

RESOLUTION AUTHORIZING 2022
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, the Morris County Department of Community Development awards annual grants to municipalities who participate in the Community Development Block Grant Program; and

WHEREAS, the Governing Body of the Borough of Wharton has decided to submit an application for Library Improvements in the Improvements category; and

WHEREAS, the Governing Body opened their regularly scheduled meeting of December 6, 2021 to the public for comments on the above listed project with no opposition.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wharton that the Mayor, Borough Clerk, and Borough Administrator are hereby authorized to execute said grant application and submit it to the Morris County Community Development.

Adopted: December 6, 2021

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

R-147-21

RESOLUTION AUTHORIZING APPOINTMENT

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wharton that the following employee is hereby confirmed effective January 1, 2022:

Sheryl Cramer: Police Records Clerk at an annual salary of \$50,000 for a one year term to expire 12/31/22.

Adopted: December 6, 2021

BOROUGH OF WHARTON

ATTEST:

**WILLIAM J. CHEGWIDDEN,
MAYOR**

**Gabrielle Evangelista,
Borough Clerk**

R-148-21

RESOLUTION

WHEREAS, the Borough of Wharton held the annual tax sale on December 16, 2020; and

WHEREAS, the tax office has received funds sufficient to redeem TSC #2020-016, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the proper officer is hereby authorized to refund, payable to LSG TL Holdings LLC, the sum of \$82,648.35 (\$50,000.00 premium, \$32,648.35 redemption).

Adopted: December 6, 2021

BOROUGH OF WHARTON

ATTEST:

**WILLIAM J. CHEGWIDDEN,
MAYOR**

**Gabrielle Evangelista,
Borough Clerk**

R-149-21

RESOLUTION

WHEREAS, the Borough of Wharton held the annual tax sale on December 16, 2020; and

WHEREAS, the tax office has received funds sufficient to redeem TSC #2020-004, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the proper officer is hereby authorized to refund, payable to Christiana T C/F CE1/Firsttrust, the sum of \$7,696.76.

Adopted: December 6, 2021

BOROUGH OF WHARTON

ATTEST:

**WILLIAM J. CHEGWIDDEN,
MAYOR**

**Gabrielle Evangelista,
Borough Clerk**

R-150-21

RESOLUTION

WHEREAS, the Borough of Wharton held the annual tax sale on November 28, 2017; and

WHEREAS, the tax office has received funds sufficient to redeem TSC #2017-019, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the proper officer is hereby authorized to refund, payable to US Bank as Custodian for Actlien Holding Inc, the sum of \$1,297.69.

Adopted: December 6, 2021

BOROUGH OF WHARTON

ATTEST:

**WILLIAM J. CHEGWIDDEN,
MAYOR**

**Gabrielle Evangelista,
Borough Clerk**

R-151-21

RESOLUTION

WHEREAS, various bills have been presented for payment; and

WHEREAS it is determined by the Chief Financial Officer that there is a need to transfer funds to cover bills presented for payment in the respective appropriation reserve accounts;

WHEREAS, N.J.S. 40A:4-58 provides for the transfer of funds during the last two months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wharton that the following transfers be made between the Budget Appropriations as follows:

Current Fund				
FROM			TO	
A/C #	Description	Amount	A/C #	Description
23-220	Group Insurance	\$15,000	26-290	Streets and Roads, O/E

Adopted: December 6, 2021

BOROUGH OF WHARTON

ATTEST:

**_____
WILLIAM J. CHEGWIDDEN,
MAYOR**

**_____
Gabrielle Evangelista,
Borough Clerk**

R-152-21

RESOLUTION

WHEREAS, effective November 30, 2021, Joseph Guerra resigned from his employment as a Patrolman; and

WHEREAS, in accordance with the Wharton Borough Fraternal Order of Police Collective Bargaining Agreement, he is entitled to be paid for accumulated vacation, sick, and compensatory time that he has accrued and not used.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wharton that Joseph Guerra be issued a check in the amount of \$18,559.40 representing the total of the following:

- 1. The amount of \$8,121.02 for 222.25 hours of unused accumulated sick time.**
- 2. The amount of \$6,428.12 for 175.92 hours of unused compensatory time.**
- 3. The amount of \$4,010.27 for 109.75 hours of unused accumulated vacation time.**

Adopted: December 6, 2021

BOROUGH OF WHARTON

ATTEST:

**WILLIAM J. CHEGWIDDEN,
MAYOR**

**Gabrielle Evangelista,
Borough Clerk**

R-153-21

RESOLUTION AUTHORIZING CONSTRUCTION CHANGE ORDER

WHEREAS, the Mayor and Council of the Borough of Wharton, County of Morris, awarded a contract on May 24, 2021 to Reivax Contractors for Improvements to Municipal Building and Library Parking Lot in the amount of \$718,425.00, and

WHEREAS, the contractor has submitted Change Order No. 1 in the amount of \$44,105.57 and

WHEREAS, as a result of the change order the contract will be amended to \$762,530.57.

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Wharton that the change order is authorized according to Change Order No. 1 as presented and the revised contract amount is \$762,530.57

Adopted: December 6, 2021

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

R-154-21

RESOLUTION

WHEREAS, the Mayor and Council of the Borough of Wharton, County of Morris, awarded a professional services contract on February 4, 2019, to John Morgan Thomas Landscape Architects, P.C. for Wharton Memorial Park in an amount not to exceed \$39,840.00; and

WHEREAS, the Borough of Wharton had a need for additional Professional Landscape Architectural services relating to said project; and

WHEREAS, the contractor has submitted additional bills in the amount of \$837.66; and

WHEREAS, as a result the contract will be amended to not exceed \$40,677.66.

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Wharton that the change for the increase in the contract is authorized and the revised contract amount is \$40,677.66.

Adopted: December 6, 2021

ATTEST:

**Gabrielle Evangelista,
Borough Clerk**

BOROUGH OF WHARTON

**WILLIAM J. CHEGWIDDEN,
MAYOR**