

AGENDA
RE-ORGANIZATION MEETING
MAYOR AND COUNCIL
JANUARY 3, 2023

Attorney Hirniak to call the meeting to order and to read the Open Public Meeting Statement as follows:

"This is the Annual Re-Organization Meeting of the Mayor and Council of the Borough of Wharton which was advertised in the print media as required by law. A copy of the annual meeting schedule is posted in the Municipal Building."

Swearing in of Mayor and Council Members

Attorney Hirniak to announce that the Morris County Clerk's Office has determined that at the last General Election, William J. Chegwidden was duly elected to the position of Mayor for the Borough of Wharton for a term of four years.

Attorney Hirniak to call William J. Chegwidden to the platform to be sworn in.

Mayor Chegwidden to announce that the Morris County Clerk's Office has determined that at the last General Election, Robert Norton and Paola Vasquez were duly elected to the positions of Council Members for the Borough of Wharton for a term of three years.

Mayor Chegwidden to call both Council Members to the platform to be sworn in.

Mayor Chegwidden to invite the Council Members to address the public.

Roll Call

Mayor Chegwidden to request Roll Call:

Councilman Vincent Binkoski
Councilwoman Sandra Hayes
Councilman Robert Norton
Councilwoman Paola Vasquez
Councilwoman Nicole Wickenheisser
Councilman Thomas Yeager

Flag Salute

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

Election of Council President

Motion by _____ seconded by _____ to elect _____ as Council President for the year 2023.

ROLL CALL VOTE: YEA:	NAY:	ABSENT:	ABSTAIN:
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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.

- Resolutions:
- R-01-23: Meeting Schedule
 - R-02-23: Temporary Budget for 2023
 - R-03-23: Temporary Capital Budget
 - R-04-23: Cash Management Plan for 2023
 - R-05-23: Professionals Resolution- Competitive Contracting
 - R-06-23: Professionals Resolution- Discretionary
 - R-07-23: Authorizing Mayor to Execute Agreement for Risk Management Consultant Services for the Year 2023
 - R-08-23: Approve Agreement Health Benefits Producer
 - R-09-23: Fixing Interest Rate on Delinquent Taxes for 2023
 - R-10-23: Authorizing the Tax Collector and Utility Collector to Cancel Any Balances under \$10.00 as Deemed Necessary
 - R-11-23: Authorizing Returned Check Fee
 - R-12-23: Designating Public Agency Compliance Officer
 - R-13-23: Authorizing Treasurer to Sign and Approve Purchase Orders in the Event the Administrator/CFO is not Available
 - R-14-23: Setting Hourly Fee for Independent Attorneys
 - R-15-23: Liability Search Officer for 2023
 - R-16-23: Tax Search Officer for 2023
 - R-17-23: Authorizing Certain Payments Outside of Scheduled Council Meetings
 - R-18-23: Authorizing Re-Establishment of Petty Cash Funds
 - R-19-23: Designating Official Newspapers for 2023
 - R-20-23: Authorizing Signatures on Borough Checks
 - R-21-23: Establish Bid Threshold
 - R-22-23: Authorizing Mayor, Administrator and Borough Clerk to Execute and Submit Grant Applications if Due Date is Outside of Scheduled Council Meetings
 - R-23-23: Appointment of 2023 Local Emergency Planning Committee
 - R-24-23: Authorizing Required Notice of Tort Claims

R-25-23: Volunteer Appreciation Program for 2023
R-26-23: Authorizing Participation in the Morris County Co-Operative Purchasing Program
R-27-23: Authorizing Participation in the State Co-Operative Purchasing Program
R-28-23: Authorizing Participation in the Somerset County Co-Operative Purchasing Program
R-29-23: Authorizing Participation in the Bergen County Co-Operative Purchasing Program
R-30-23: Authorizing Participation in the Cranford Police Co-Operative Purchasing Program
R-31-23: Authorize Participation in the Sourcewell Co-Operative Purchasing Program
R-32-23: Authorizing Participation in the Educational Services Commission of NJ Co-Operative Purchasing Program
R-33-23: Authorize Participation in OMNIA Co-Operative Purchasing Program
R-34-23: Authorize Participation in NJ Edge Co-Operative Purchasing Program
R-35-23: Appoint Records Custodians

Mayor's Appointments that Require Council Consent

Alternate Police Chaplain- James Gottshall, one-year term to expire 12/31/23

Alternate School Crossing Guards- Christina Dorr, James Winston Jr., and Melissa Phelan one-year terms to expire 12/31/23

Assistant Administrator- Gabrielle Evangelista, one-year term to expire 12/31/23

Assistant Director of Public Works- Thomas Quillinan, one-year term to expire 12/31/23

Assistant to Construction Official- Desinez Ruffo, one-year term to expire 12/31/23

Board of Health Member- Leonor Vasquez, three-year term to expire 12/31/25

Board of Health Secretary- Desinez Ruffo, one-year term to expire 12/31/23

Board of Health Secretary for Licensing- Cheryl Muzzillo, one-year term to expire 12/31/23

Certifying Payroll Officers- Diana Fernandez, Joseph Kovalcik Jr., and Yolanda Dykes one-year terms to expire 12/31/23

Clean Communities Coordinator- Scott Hutchins, one-year term to expire 12/31/23

Community Affairs Coordinator- Cheryl Muzzillo, one-year term to expire 12/31/23

Deputy Borough Clerk- Cheryl Muzzillo and Desinez Ruffo, one-year terms to expire 12/31/23

Deputy Emergency Management Coordinators- David Young and Leon Stickle, one-year terms to expire 12/31/23

Deputy Fire Official- John Webber, one-year term to expire 12/31/23

Deputy Housing and Zoning Officers- Patrick Lavery and Leon Stickle, one-year terms to expire 12/31/23

Deputy Tax Collector- Sandi Critchlaw, one-year term to expire 12/31/23

Deputy Water/Sewer Collector- Diana Fernandez, one-year term to expire 12/31/23

Director of Public Works- Scott Hutchins, one-year term to expire 12/31/23

Electrical Inspector- Gregory Chontow, four-year term to expire 12/31/26

Fire Official- Richard Cloughley, one-year term to expire, 12/31/23

Grant Coordinator- John Manna, one-year term to expire 12/31/23

Matrons- Alice Doblosky, Jen O'Malley-Dorr, Vicky Santana-Stickle, and Bonnie Sullivan, one-year terms to expire 12/31/23

Morris County Open Space and Farmland Preservation Representative- John Manna, one-year term to expire 12/31/23

Municipal Housing Liaison for COAH- Patrick Lavery, one-year term to expire 12/31/23

Personnel Administrator- Gabrielle Evangelista, one-year term to expire 12/31/23

Planning Board Secretary- Desinez Ruffo, one-year term to expire 12/31/23

Plumbing Inspector- James Gonroski, four-year term to expire 12/31/26

Police Chaplain- Thomas Beirne, one-year term to expire 12/31/23

Recreation Director- Cheryl Muzzillo, one-year term to expire 12/31/23

Recycling Coordinator- Scott Hutchins, one-year term to expire 12/31/23

RVRSA Representative- Glenn Corbett, five-year term to expire 12/31/27

School Crossing Guards- Kathleena Jackson, Jackie Kelly, Deborah Kline, Maureen Macalalag, Stephanie Mertz, Clifford Rollins, Robert Thrower, and Lois Werts, one-year terms to expire 12/31/23

Treasurer- Yolanda Dykes, one-year term to expire 12/31/23

Water/Sewer Clerk- Sandi Critchlaw, one-year term to expire 12/31/23

Water/Sewer Operator- Thomas Quillinan, one-year term to expire 12/31/23

Zoning/Housing Enforcement Official/Road Opening Official – Kevin Lewthwaite, one-year term to expire 12/31/23

Committee Appointments

Alternate Members to Finance Committee - #1 - Councilwoman Wickenheisser and **#2 –**Councilman Norton

Community Relations- (includes Recreation Committee, Celebration Public Events, Regionalization Committee- Shared Services, Senior Citizen Association) – Councilman Norton

Environmental Commission- Consists of Mayor and Council Members

Finance- (includes Insurance, Budget, Personnel, CFO, Street Lighting, Tax Assessor, Tax Collector, Community Development) – Councilwoman Hayes

Finance Committee- Councilwoman Hayes (Chair), Councilwoman Vasquez, and Councilman Yeager

Health/Welfare- (includes Board of Health, Public Assistance, Library) – Councilwoman Vasquez

Personnel Committee- Councilwoman Hayes (Chair), Councilman Binkoski and Councilman Yeager

Public Affairs- (includes Building Inspector, Housing Inspector, Planning Board, Licenses, Zoning Officer, School Sub-Committee) – Councilwoman Wickenheisser

Public Safety- (includes Police Department, Fire Department, First Aid Squad, Municipal Court, Emergency Management, Elections) - Councilman Yeager

Public Works- (includes Parks, Building/Grounds, Sanitation, Maintenance Shop, Engineering, Streets and Roads, Water and Sewer) – Councilman Binkoski

Council Appointments in Accordance with State Statutes:

Council Representative to the Morris County Community Development Revenue Sharing Committee- John Manna, one-year term to expire 12/31/23.

Planning Board Class III Member- Councilwoman Wickenheisser, one-year term to expire 12/31/23

Motion by _____ seconded by _____ to approve all of the items listed on the Consent Agenda.

ROLL CALL VOTE: YEA: NAY: ABSENT: ABSTAIN:

Mayor's Appointments

Alternate Member to the Community Development Revenue Sharing Committee- Sandra Hayes, one-year term to expire 12/31/23

Mayor Representative to the Morris County Community Development Revenue Sharing Committee- Paola Vasquez, one-year term to expire 12/31/23

Planning Board Alternate- Steven Dickinson, two-year term to expire 12/31/24

Planning Board Class 2 Member- Barbara Chiappa, four-year term to expire 12/31/26

Planning Board Class 4 Members- Brian Bosworth and Peter Rathjens, four-year term to expire 12/31/26

Trustees of Library- Charlotte Kelly and Michele Howe, five-year terms to expire 12/31/27

Council Remarks

Councilman Binkoski:

Councilwoman Hayes:

Councilman Norton:

Councilwoman Vasquez:

Councilwoman Wickenheisser:

Councilman Yeager:

Mayor Chegwidden's Remarks

Public Portion

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 _____

R-01-23

**RESOLUTION TO ESTABLISH MAYOR AND COUNCIL MEETING DATES
FOR 2023**

BE IT RESOLVED by the Mayor and Council of the Borough of Wharton, in the County of Morris, State of New Jersey, that the regular meetings of the Mayor and Council for the year 2023 be fixed as follows:

MEETING DATE SCHEDULE

JANUARY: 3- Tuesday (Re-Organization Meeting) and 23
FEBRUARY: 13 and 27
MARCH: 13 and 27
APRIL: 10 and 24
MAY: 8 and 22
JUNE: 12 and 26
JULY: 17
AUGUST: 14
SEPTEMBER: 11 and 25
OCTOBER: 16 and 30
NOVEMBER: 13 and 27
DECEMBER: 4 and 18
JANUARY, 2024: 2- Tuesday (Re-Organization Meeting) and 22

All scheduled meetings shall commence at 7:00 p.m. prevailing time. The public is invited to attend and participate at all regular meetings. Special meetings may be held as required. Notice of any special meeting will be given in accordance with the law.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**_____
WILLIAM J. CHEGWIDDEN,
MAYOR**

**_____
Gabrielle Evangelista,
Borough Clerk**

2023 TEMPORARY BUDGET
BOROUGH OF WHARTON

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2023 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wharton, that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

Current Fund	\$ 3,456,300.00
Water Utility Operating Fund	1,507,950.00
Sewer Utility Operating Fund	815,000.00
Special Garbage District Fund	318,000.00

as temporary appropriations for the year for the purpose identified by the title herein below listed and in the sum set aside such titles:

CURRENT FUND

GENERAL GOVERNMENT:

General Administration:	
Salaries & Wages	\$ 64,000.00
Other Expenses	22,000.00
Mayor and Council:	
Salaries & Wages	20,000.00
Other Expenses	10,000.00
Municipal Clerk:	
Salaries & Wages	13,000.00
Other Expenses	4,000.00
Financial Administration:	
Salaries & Wages	36,000.00
Other Expenses	6,000.00
Other Expenses - Computer Maintenance/Support	15,000.00
Workers' Compensation Insurance	30,000.00
Liability Insurance	44,000.00
Group Insurance for Employees	300,000.00
Tax Assessment Administration:	
Salaries & Wages	12,000.00
Other Expenses	2,000.00

GENERAL GOVERNMENT (cont'd):

Revenue Administration (Tax Collection):	
Salaries & Wages	12,000.00
Other Expenses	3,000.00
Engineering Services and Costs:	
Other Expenses	8,000.00
Legal Services and Costs:	
Other Expenses	25,000.00
Public Buildings and Grounds:	
Salaries & Wages	7,000.00
Other Expenses	10,000.00
Municipal Land Use Law (NJSA 40:55D-1):	
Planning Board:	
Salaries & Wages	4,000.00
Other Expenses	4,000.00
Zoning Board of Adjustment:	
Salaries & Wages	12,000.00

PUBLIC SAFETY:

Aid to Volunteer Fire Company	7,500.00
Fire Department - Building Rent	12,000.00
Police:	
Salaries & Wages	350,000.00
Other Expenses	100,000.00
Dispatchers:	
Other Expenses	5,000.00
Emergency Management Services:	
Salaries & Wages	1,000.00
Other Expenses	800.00

PUBLIC WORKS:

Street and Road Repairs and Maintenance:	
Salaries & Wages	150,000.00
Other Expenses	100,000.00

HEALTH AND HUMAN SERVICES:

Board of Health:	
Salaries & Wages	6,000.00
Other Expenses	25,000.00

RECREATION AND EDUCATION:

Parks and Playgrounds:	
Other Expenses	5,000.00
Recreation:	
Salaries & Wages	5,000.00
Other Expenses	7,000.00
Celebration of Public Events, Anniversary or Holiday	2,000.00
Senior Citizen Van:	
Salaries & Wages	20,000.00
Other Expenses	2,000.00

UTILITIES:

Utilities 75,000.00

UNIFORM CONSTRUCTION CODE:

Construction Official:

Salaries & Wages 39,000.00

Other Expenses 1,500.00

Housing Inspector:

Salaries & Wages 8,000.00

Other Expenses 1,000.00

Fire Safety:

Salaries & Wages 4,000.00

Other Expenses 1,500.00

STATUTORY EXPENDITURES:

Contribution to Social Security System (OASDI) 45,000.00

TOTAL OPERATIONS WITHIN "CAP" 1,636,300.00

OPERATIONS EXCLUDED FROM "CAPS":

Shared Service Agreements:

Municipal Court - Mount Arlington 60,000.00

Police Services - Mine Hill Township 450,000.00

Maintenance of Free Public Library 60,000.00

Capital Improvement Fund 1,250,000.00

TOTAL CURRENT FUND \$ 3,456,300.00

WATER UTILITY OPERATING FUND

Salaries and Wages \$ 120,000.00

Other Expenses 350,000.00

Contribution to Social Security System (OASI) 10,000.00

Capital Improvement Fund 1,000,000.00

Debt Service:

NJEIT Loan Payment 27,950.00

TOTAL WATER UTILITY OPERATING FUND \$ 1,507,950.00

SEWER UTILITY OPERATING FUND

Salaries and Wages \$ 85,000.00

Other Expenses 320,000.00

Contribution to Social Security System (OASI) 10,000.00

Capital Improvement Fund 400,000.00

TOTAL SEWER UTILITY OPERATING FUND \$ 815,000.00

SPECIAL GARBAGE DISTRICT FUND

Salaries and Wages	\$	100,000.00
Other Expenses		160,000.00
Group Insurance		38,000.00
Contribution to Social Security System (OASI)		20,000.00
		<hr/>
TOTAL SPECIAL DISTRICT GARBAGE FUND	\$	<u>318,000.00</u>

Date: January 3, 2023
ATTEST:

BOROUGH OF WHARTON

Gabrielle Evangelista, Borough Clerk

WILLIAM J. CHEGWIDDEN, MAYOR

**RESOLUTION AUTHORIZING THE 2023 TEMPORARY CAPITAL BUDGET
FOR THE BOROUGH OF WHARTON**

WHEREAS, the Borough of Wharton desires to constitute the 2023 Temporary Capital Budget of said municipality by inserting therein Various Capital Projects enumerated in Section 1.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wharton, in the County of Morris, State of New Jersey as follows:

Section 1. The 2023 Temporary Capital Budget of the Borough of Wharton is hereby constituted by the adoption of a schedule to read as follows:

Project	Method of Financing				
	Est. Costs	Budget Appr.	Capital Impr. Fund	Capital Surplus	General Bonds
Various Capital Projects	1,000,000.		1,000,000.		
Various Water Capital Projects	1,000,000.		1,000,000.		
Various Sewer Capital Projects	400,000.		400,000.		

Section 2. The Borough Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for the 2023 Temporary Capital Budget, to be included in the 2023 Permanent Capital Budget as adopted.

Adopted: January 3, 2023

ATTEST:

BOROUGH OF WHARTON

Gabrielle Evangelista,
Borough Clerk

WILLIAM J. CHEGWIDDEN,
MAYOR

R-04-23

RESOLUTION ADOPTING A CASH MANAGEMENT PLAN

WHEREAS, P.L. 1983, Chapter 8, Local Fiscal Affairs Law, N.J.S.A. 40A:5-14 requires that each municipality designate a Cash Management Plan for the deposit of local unit's monies; and

WHEREAS, the Cash Management Plan for the Borough of Wharton is attached hereto and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wharton, that they hereby adopt the attached Cash Management Plan.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**_____
WILLIAM J. CHEGWIDDEN,
MAYOR**

**_____
Gabrielle Evangelista,
Borough Clerk**

CASH MANAGEMENT PLAN OF THE BOROUGH OF WHARTON, COUNTY OF MORRIS, STATE OF NEW JERSEY

I. STATEMENT OF PURPOSE

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain Public funds of the Borough of Wharton, (the “Borough”) pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to ensure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments. All investments shall be made on a competitive basis insofar as practicable.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

- A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough:

• Current Fund	• Grant Fund	• General Capital
• Other Trust Funds	• Escrow Accounts	• Water Operating
• Water Capital	• Sewer Operating	• Sewer Capital
• Special District	• Dedicated Trust	• Library

III. DESIGNATION OF OFFICIALS OF THE BOROUGH AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN

The Chief Financial Officer of the Borough or their Designee the “Designated Official(s)” is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan and shall thereafter be relieved of any liability for loss of such moneys due to insolvency or closing of any depository designated by, or the decrease in value of any investment authorized, by the Cash Management Plan. Prior to making any such Deposits or any Permitted Investments, such official of the Borough is directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such official.

IV. DESIGNATION OF DEPOSITORIES.

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

- Lakeland Bank
- Santander Bank
- Investors Savings Bank
- Provident Bank
- State of New Jersey Cash Management Fund
- Valley National Bank
- North Fork Bank
- Kearny Bank
- PNC Bank
- TD Bank
- Capital One Bank
- Citizens Bank
- Malvern Federal Savings Bank
- County of Morris Local Government Investment Program

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Borough referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

- None at this time

VI. AUTHORIZED INVESTMENTS

- A. Except as otherwise specifically provided for herein, the Designated Official(s) is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:
- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
 - (2) Government money market mutual funds;

VI. AUTHORIZED INVESTMENTS. (Cont'd.)

- (3) Any obligation that a federal agency or federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
 - (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
 - (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
 - (6) Local government investment pools;
 - (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or
 - (8) Agreements for the repurchase of fully collateralized securities if:
 - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
 - (b) the custody of collateral is transferred to a third party;
 - (c) the maturity of the agreement is not more than 30 days;
 - (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17:9-41); and
 - (e) a master repurchase agreement providing for the custody and security of collateral is executed.
- B. Any investments not purchased and redeemed directly from the issuer, government money market mutual fund, local government investment pool, or the State of New Jersey Cash Management Fund, shall be purchased and redeemed through the use of a national or State bank located within this State or other financial intermediary through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1997, c.93 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

For purposes of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

VI. AUTHORIZED INVESTMENTS. (Cont'd.)

- (a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940," 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec.270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; in which direct investment may be made pursuant to paragraphs (1) and (3) of subsection (a) of this section and
- (c) which has:
 - (i) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940", 5 U.S.C. sec.80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.
- (d) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value.

Local Government Investment Pool. An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities. Same as Money Market;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and

VI. AUTHORIZED INVESTMENTS (Cont'd.)

- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

Any official involved in the designation of depositories or in the authorization for investments as permitted pursuant to section 8 of P.L. 1977, c.396 (C.40A:5-15.1), or any combination of the preceding, or the selection of an entity seeking to sell an investment to the local unit who has a material business or personal relationship with that organization shall disclose that relationship to the governing body of the local unit and to the Local Finance Board or a county or municipal ethics board, as appropriate.

VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to ensure that such Permitted Investments are either received by the Borough or by a third-party custodian prior to or upon the release of the Borough’s funds.

To assure that all parties with whom the Borough deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

VIII. REPORTING REQUIREMENTS

On the first day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of the Borough a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Borough as Deposit or Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.

VIII. REPORTING REQUIREMENTS (Cont'd)

- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Borough.

IX. TERM OF PLAN

This Plan shall be in effect from January 1, 2023 to December 31, 2023. Attached to this Plan is a resolution of the governing body of the Borough approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Borough, the Designated Official(s) is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

**RESOLUTION AUTHORIZING THE AWARD OF FAIR AND OPEN
CONTRACTS FOR THE BOROUGH OF WHARTON**

WHEREAS, the Borough of Wharton has a need for professional auditing services, engineering services, legal services, and planning consultants as fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.1 et. seq.; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the professional services may exceed \$17,500; and

WHEREAS, Azzolini & Benedetti LLC; CHA Consulting Inc.; Dorsey & Semrau, LLC; J Caldwell and Associates; King, Moench, Hirniak, & Mehta, LLC; McManimon, Scotland, & Baumann, LLC; Nisivoccia LLP; Trimboli, & Prusinowski, LLC; and Van Cleef Engineering Associates LLC, have completed and submitted Business Entity Disclosure Certifications; and

WHEREAS, the above-mentioned professionals have also submitted Affirmative Action Certificates of Participation and Acknowledgment of NJAC/NJSA Exhibit A; and

WHEREAS, the certification by the Chief Financial Officer that funds are available is contingent upon the adoption of the 2023 temporary budget and the 2023 municipal budget.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Wharton, in the County of Morris, State of New Jersey authorizes the Mayor and Borough Clerk to continue with the five year contracts authorized in 2022 through the competitive contracting process with the businesses listed below as described herein;

1. Azzolini & Benedetti LLC of Florham Park, New Jersey as the Borough Planning Board Attorney, Alan Zakin as the principal attorney.
2. CHA Consulting Inc. of Parsippany, New Jersey as the Borough's Water, Sewer, and Planning Board Engineering firm, Chris Borinski as the principal engineer.
3. J Caldwell and Associates of Newton, New Jersey as the Borough's Planner, Jessica Caldwell as the principal Planner.
4. King, Moench, Hirniak, & Mehta, LLP of Morris Plains, New Jersey as the Borough's attorney, Roman Hirniak as principal attorney.

5. **McManimon, Scotland, & Baumann, LLC of Roseland, New Jersey as the Borough's Redevelopment Attorney and Bond Counsel, Matthew Jessup as principal attorney.**
6. **Nisivoccia LLP., of Mt. Arlington, New Jersey as the Borough's Auditing Firm, Raymond Sarinelli as principal representative.**
7. **Van Cleef Engineering Associates, LLC, of Lebanon, New Jersey as the Borough's General Engineer, David Battaglia as principal engineer.**

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Wharton, in the County of Morris, State of New Jersey authorizes the Mayor and Borough Clerk to enter into a one year contract through the competitive contracting process with the business listed below as described herein;

1. **Trimboli & Prusinowski, LLC of Florham Park, New Jersey as the Borough's Labor Attorney, Steve Trimboli as principal attorney.**

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Wharton, in the County of Morris, State of New Jersey authorizes the Mayor and Borough Clerk to enter into a one year contract through the alternate procurement process with the business listed below as described herein;

1. **Dorsey & Semrau, LLC of Boonton, New Jersey as the Borough Special Counsel for property tax appeals and Conflict Counsel, Fred Semrau as principal attorney.**

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**_____
WILLIAM J. CHEGWIDDEN,
MAYOR**

**_____
Gabrielle Evangelista,
Borough Clerk**

R-06-23

**RESOLUTION AUTHORIZING THE AWARD OF DISCRETIONARY
CONTRACTS FOR THE BOROUGH OF WHARTON**

WHEREAS, the Borough of Wharton has a need for information technology consulting services, landscape architect services, architectural services, printing services, and water/wastewater supplies; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of each of these services for the year may exceed \$17,500; and

WHEREAS, Nisivoccia Consulting, John Morgan Thomas Landscape Architects, Fox Architects, Mako Heating and Air Conditioning, Inc, Castle Printing, JamFam Productions, and USA Blue Book, have completed and submitted Business Entity Disclosure Certifications; and

WHEREAS, the above-mentioned companies have also submitted Affirmative Action Certificates of Participation and Acknowledgment of NJAC/NJSA Exhibit A; and

WHEREAS, the certification by the Chief Financial Officer that funds are available is contingent upon the adoption of the 2023 temporary budget and the 2023 municipal budget.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Wharton, in the County of Morris, State of New Jersey authorizes the Mayor, Borough Clerk, and Borough Administrator to utilize the businesses listed above as described herein.

Adopted: January 3, 2023

ATTEST:

**Gabrielle Evangelista,
Borough Clerk**

BOROUGH OF WHARTON

**WILLIAM J. CHEGWIDDEN,
MAYOR**

R-07-23

**RESOLUTION AUTHORIZING THE APPOINTMENT OF A RISK
MANAGEMENT CONSULTANT**

WHEREAS, the Borough of Wharton has resolved to join both the Morris County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, the Bylaws of said Funds require that each Municipality appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders competitive bidding impractical.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Wharton does hereby appoint Giovanni Mancini of Treadstone Risk Management of Morristown, New Jersey as its Risk Management Consultant in accordance with the Fund's Bylaws; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute the Risk Management Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5(1)(a)(i).

BE IT FURTHER RESOLVED that the Risk Management Consultant will receive a total of \$13,000 annual compensation for the services required.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

RESOLUTION APPROVING AGREEMENT WITH HEALTH BENEFITS PRODUCER

WHEREAS, the Borough of Wharton is a member town of the North Jersey Municipal Employee Benefits fund; and

WHEREAS, the bylaws of the fund require the fund Program Manager to perform certain consulting, field and marketing service to Fund members; and

WHEREAS, recognizing that members may have existing relationships with a licensed broker/consultant, the member may appoint, subject to approval of the Fund and Program Manager, that another firm perform the portion of the professional consulting services normally provided by the Program Manager to the member municipality as detailed in the “Producers Agreement” attached hereto; and

WHEREAS, the Executive Committee of the North Jersey Municipal Employee Benefits Fund determines annually the fee payable to producers based on the Municipality’s assessment which expenditure represents reasonable compensation for the services required and is included in the assessment for this fund; and

WHEREAS, the judgmental nature of the Consultant’s duties renders comparative bidding impractical.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wharton does hereby appoint P.I.A. Security Programs A Division of World Insurance Associates, LLC. as it’s Producer for the term of January 1, 2023 through December 31, 2023; and requests that the Fund authorize a sub-contract between the Funds Program manager and the Producer as Named herein.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute the consultant’s agreement annexed hereto and to cause a notice of decision to be published according to N.J.S.A. 40A: 11-5(1) (a) (I).

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**_____
WILLIAM J. CHEGWIDDEN,
MAYOR**

**_____
Gabrielle Evangelista,
Borough Clerk**

R-09-23

Resolution Fixing the Rate of Interest to be Charged on Delinquent Taxes or Assessments

WHEREAS, NJSA 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, NJSA 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% to be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wharton, Morris County, State of New Jersey as follows:

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after the due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after the due date and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency.

2. Effective January 1, 2023, and every first day of January thereafter, there will be a ten (10) day grace period of quarterly tax payments made by cash, check or money order.

3. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the due date as set forth in paragraph one of this resolution.

4. This resolution shall be published in its entirety once in an official newspaper of the Borough of Wharton.

5. A certified copy of this resolution shall be provided by the Borough Clerk to the Tax Collector and the Borough Auditor.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

R-10-23

**RESOLUTION TO AUTHORIZE CANCELLATION OF UNDERPAYMENTS
AND/OR OVERPAYMENTS UNDER \$10.00**

WHEREAS, State Statutes permit the tax collector and the utility collector to cancel underpayments and/or overpayments under \$10.00; and

WHEREAS, from time to time, the tax department and the utility department have balances under \$10.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the tax collector and the utility collector be authorized to cancel balances under \$10.00 as deemed necessary in accordance with the State Statutes.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

R-11-23

RESOLUTION AUTHORIZING A SERVICE CHARGE ON RETURNED CHECKS

WHEREAS, N.J.S.A. 40:5-19 has been enacted to allow a municipality the authority to impose a service charge to be added on an account where payment by check or other written instrument was returned for insufficient funds; and

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Wharton, County of Morris, State of New Jersey hereby authorizes the Tax Collector, Utility Collector, and any other Borough Official to charge the aforementioned fee at a rate of \$20.00 per check or other written instrument for all checks returned for insufficient funds during the current fiscal year, and,

BE IT FURTHER RESOLVED, that the Tax Collector, Utility Collector, or any other Borough Official may require future payments to be tendered in certified check, cashier's check, or cash, and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Chief Financial Officer, Treasurer, Tax Collector, Utility Collector, and the Municipal Auditor.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

R-12-23

RESOLUTION DESIGNATING A PUBLIC AGENCY COMPLIANCE OFFICER

WHEREAS, P.L. 1975 c.127 (NJAC 17:27) mandates that the governing body of a municipal corporation shall, by resolution, designate a Public Agency Compliance Officer (PACO) with regards to the Affirmative Action Laws.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wharton, in the County of Morris, State of New Jersey that the Borough Administrator be designated as the Public Agency Compliance Officer for the Borough of Wharton for the year 2023.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

R-13-23

**RESOLUTION AUTHORIZING TREASURER TO SIGN PURCHASE ORDERS
IN ADMINISTRATOR/CFO'S ABSENCE**

WHEREAS, from time-to-time, the Administrator/CFO is not available; and

WHEREAS, from time-to-time purchase orders must be signed and approved in order to ensure that business of the Borough continues.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wharton that the Treasurer is hereby authorized to sign and approve purchase orders in the event that the Administrator/CFO is not available.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

R-14-23

RESOLUTION TO ESTABLISH INDEPENDENT ATTORNEY FEES

WHEREAS, this governing body has the need to hire independent attorneys in certain situations as required by law.

NOW, THEREFORE, BE IT RESOLVED that these attorneys be hired at an hourly rate not to exceed \$160.00 per hour.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**WILLIAM J. CHEGWIDDEN,
MAYOR**

**Gabrielle Evangelista,
Borough Clerk**

R-15-23

RESOLUTION TO DESIGNATE OFFICIAL FOR LIABILITY SEARCHES

BE IT RESOLVED by the Mayor and Council of the Borough of Wharton, in the County of Morris, State of New Jersey that the Borough Clerk be and is hereby designated as the official to make Liability Searches of the Borough of Wharton for the year 2023.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

R-16-23

RESOLUTION DESIGNATING OFFICIAL FOR TAX SEARCHES

BE IT RESOLVED by the Mayor and Council of the Borough of Wharton, in the County of Morris, State of New Jersey that the Tax Collector is hereby designated as the official to make the Tax Searches of the Borough of Wharton for the year 2023.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**_____
WILLIAM J. CHEGWIDDEN,
MAYOR**

**_____
Gabrielle Evangelista,
Borough Clerk**

**RESOLUTION AUTHORIZING CERTAIN STATUTORY PAYMENTS OF CLAIMS AND
OTHER CLAIMS REGULAR IN NATURE**

WHEREAS, all claims of payment by the Borough of Wharton, County of Morris, State of New Jersey, are required to be first submitted to the Borough Council for consideration before payment, and

WHEREAS, due to the nature of certain claims and timing of the particular meeting involved, certain claims should be paid when presented which are statutory and regular in nature, rather than held for the next council meeting.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Wharton that the Chief Financial Officer and Treasurer have the following authority:

- 1) The Borough of Wharton does hereby approve the payment between meetings of the following encumbered claims for payment, when the same are presented to the Borough:
 - a. Payroll obligations
 - b. Required payments to the Board of Education
 - c. Required County tax payments to the County Treasurer
 - d. Banks for investment purposes, internal transfers, and debt service obligations
 - e. Utility Payments
 - f. Postage
 - g. Insurance Costs
 - h. State of New Jersey – Application Fees, Permit Fees, Marriage License Fees, State Surcharges, DEP Fees and License Fees
 - i. Reissue of lost or mutilated checks after stop payment has been enforced.
 - j. Ten percent (10%) Bid Bond Returns (Clerk's office)
 - k. Payments necessary to all vendors that require compliance with the 2006 Prompt Payment Law, Chapter 96, whereby the Borough shall pay the bill not more than 30 calendar days after the billing date to avoid billable late charges.
 - l. All other bills that require payment outside of Council approval must contain the signature of approval from at least one Finance Committee member.

- 2) The Chief Financial Officer is hereby authorized and directed to prepare the proper vouchers for payment of the above recited accounts when same is properly presented to him/her for payment, and thereafter said claim shall be transcribed on the next scheduled Bill list to be approved by the Mayor and Council.

- 3) A certified copy of this resolution shall be forwarded to the Chief Financial Officer.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

R-18-23

RESOLUTION AUTHORIZING RE-ESTABLISHMENT OF PETTY CASH FUNDS

WHEREAS, the Borough Clerk, Police Chief, and the Public Works Director have permission from the State of New Jersey, Division of Local Government Services to maintain petty cash funds; and

WHEREAS, in accordance with the law, all petty cash funds must be turned over to the Administrator/CFO of the Borough at the end of each year in the same amount as was originally issued.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wharton that the Administrator/CFO is hereby authorized to re-establish the petty cash funds for the year 2023 as follows:

Administrator, Joseph Kovalcik Jr.	\$500.00
Borough Clerk, Gabrielle Evangelista	\$250.00
Director of Public Works, Scott Hutchins	\$100.00
Police Chief, David Young	\$300.00

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

R-19-23

**RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER OF THE
BOROUGH OF WHARTON FOR 2023**

BE IT RESOLVED by the Mayor and Council of the Borough of Wharton, in the County of Morris, State of New Jersey that the Star Ledger of Newark, New Jersey, New Jersey is hereby designated as the official newspaper of the Borough of Wharton and the Daily Record of Parsippany, New Jersey is hereby designated as the second official newspaper for the Borough of Wharton for matters pertaining to the Borough of Wharton through December 31, 2023.

BE IT FURTHER RESOLVED that the Borough's official web page (www.whartonnj.com) is hereby also designated at the official site for posting required legal notices.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**_____
WILLIAM J. CHEGWIDDEN,
MAYOR**

**_____
Gabrielle Evangelista,
Borough Clerk**

R-20-23

RESOLUTION AUTHORIZING SIGNATURES ON BOROUGH CHECKS

BE IT RESOLVED by the Mayor and Council of the Borough of Wharton that the following Borough Officials are hereby authorized to sign checks or withdrawal slips where a combination of three principal signatures are required:

Mayor - William J. Chegwiddden

Borough Clerk – Gabrielle Evangelista

Chief Financial Officer – Joseph Kovalcik, Jr.

BE IT FURTHER RESOLVED that signature cards with the signatures of the persons authorized to sign be forwarded to all Borough Depositories.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**_____
WILLIAM J. CHEGWIDDEN,
MAYOR**

**_____
Gabrielle Evangelista,
Borough Clerk**

R-21-23

**RESOLUTION TO AUTHORIZE AN INCREASE OF THE BID THRESHOLD TO
\$44,000**

WHEREAS, in accordance with Finance Notice LFN 2011-27, the State of New Jersey has adjusted the bid threshold for awarding contracts pursuant to the Local Public Contract Law and has given local contracting units the ability to increase the bid threshold up to \$44,000 with a Qualified Purchasing Agent; and

WHEREAS, the Borough has appointed Katelin Lorito Qualified Purchasing Agent in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS, the Borough desires to take advantage of the increased bid threshold and quotation threshold.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Wharton that it does hereby authorize the increase of bid threshold to \$44,000 in accordance with N.J.A.C. 5:34-5 et seq.

Adopted: January 3, 2023

BOROUGH OF WHARTON

WILLIAM J. CHEGWIDDEN,
MAYOR

ATTEST:

Gabrielle Evangelista,
Borough Clerk

R-22-23

RESOLUTION AUTHORIZING GRANT SUBMITTALS

WHEREAS, on occasion, a grant application is offered with specific deadlines for submission; and

WHEREAS, said deadlines do, at times, occur untimely with scheduled Mayor and Council meetings.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wharton that the Mayor, Administrator, Grant Coordinator, and Borough Clerk are hereby authorized to execute and submit grant applications on behalf of the Borough of Wharton.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**WILLIAM J. CHEGWIDDEN,
MAYOR**

**Gabrielle Evangelista,
Borough Clerk**

R-23-23

**RESOLUTION APPOINTING THE 2023 LOCAL EMERGENCY PLANNING
COMMITTEE**

**WHEREAS, it is mandated that each municipality appoint a Local
Emergency Planning Committee.**

**NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the
Borough of Wharton that the attached list of names, working titles and their
representing group be appointed as the Borough of Wharton's 2023 Local
Emergency Planning Committee.**

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**_____
WILLIAM J. CHEGWIDDEN,
MAYOR**

**_____
Gabrielle Evangelista,
Borough Clerk**

R-24-23

**RESOLUTION ADOPTING A FORM REQUIRED TO BE USED FOR THE
FILING OF NOTICES OF TORT CLAIMS AGAINST THE BOROUGH OF
WHARTON IN ACCORDANCE WITH N.J.S.A. 59:8-6**

WHEREAS, the New Jersey Tort Claims Act, N.J.S.A. 59:8-6, provides that a public entity may adopt a form to be completed by claimants seeking to file a Notice of Tort Claim against the public entity; and

WHEREAS, the Borough of Wharton is a public entity covered by the provisions of the New Jersey Tort Claims Act; and

WHEREAS, the Borough of Wharton deems it advisable, necessary and in the public interests to adopt a Notice of Tort Claim form in the form attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wharton assembled in public session on the third day of January, 2023, that the attached Notice of Tort Claim form be and hereby is adopted as the official Notice of Tort Claim form for the Borough of Wharton; and

BE IT FURTHER RESOLVED that all persons making claims against the Borough of Wharton pursuant to the New Jersey Tort Claims Act, N.J.S.A. 59:8-1 et. seq., be required to complete the form herein adopted as a condition of compliance with the notice requirements of the New Jersey Tort Claims Act.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

RESOLUTION AUTHORIZING VOLUNTEER APPRECIATION PROGRAM

WHEREAS, the Governing Body of the Borough of Wharton are greatly appreciative of the volunteers who serve as members of the Wharton Fire Department; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wharton that due to the dedicated, unselfish and devoted time and effort that said volunteers give to the citizens of Wharton; a Volunteer Appreciation Program is hereby created.

BE IT FURTHER RESOLVED that the "Volunteer Appreciation Program" for the Fire Department Members will provide the following to current members who meet the goals established by the Wharton Fire Department provided that said Department report eligible volunteers to the Borough Administrator no later than December 1 of every year:

1. Annual Volunteer Incentive to be paid at the second meeting in December. Amount to be set by Resolution in December.
2. Stickers for Trash Removal
3. Garage Sale Permits
4. Animal Licensing Fees

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

**RESOLUTION AUTHORIZING PARTICIPATION IN THE MORRIS COUNTY
CO-OPERATIVE PURCHASING PROGRAM**

WHEREAS, the Borough of Wharton, pursuant to N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-11, may by resolution and without advertising for bids, purchase any goods or services under the Morris County Co-Operative Purchasing Program for any county contracts entered into on behalf of the participating agencies; and

WHEREAS, the Borough of Wharton has the need on a timely basis to purchase goods or services utilizing Morris County Co-Operative contracts; and

WHEREAS, the Borough of Wharton intends to enter into contracts with Morris County Co-Operative Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current Morris County Co-Operative contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wharton authorizes the Borough Administrator to purchase certain goods or services from approved Morris County Co-Operative Contract Vendors, pursuant to all conditions of the individual Morris County Co-Operative contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Wharton pursuant to N.J.A.C. 5:30-5.4, the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Wharton and the Morris County Co-Operative Contract Vendors shall be from January 1, 2023 to December 31, 2023.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**_____
WILLIAM J. CHEGWIDEN,
MAYOR**

**_____
Gabrielle Evangelista,
Borough Clerk**

**RESOLUTION AUTHORIZING PARTICIPATION IN THE STATE OF NEW JERSEY
COOPERATIVE PURCHASING PROGRAM**

WHEREAS, the Borough of Wharton, pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.29, may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Wharton has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Borough of Wharton intends to enter into contracts with State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wharton authorizes the Borough Administrator to purchase certain goods or services from those approved New Jersey State Contract Vendors, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Wharton pursuant to N.J.A.C. 5:30-5.4, the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Wharton and the State Contract Vendors shall be from January 1, 2023 to December 31, 2023.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

**RESOLUTION AUTHORIZING PARTICIPATION IN THE SOMERSET
COUNTY COOPERATIVE PURCHASING PROGRAM**

WHEREAS, the Borough of Wharton, pursuant to N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-11, may by resolution and without advertising for bids, purchase any goods or services under the Somerset County Co-Operative Purchasing Program for any county contracts entered into on behalf of the participating agencies; and

WHEREAS, the Borough of Wharton has the need on a timely basis to purchase goods or services utilizing Somerset County Co-Operative contracts; and

WHEREAS, the Borough of Wharton intends to enter into contracts with Somerset County Co-Operative Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current Somerset County Co-Operative contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wharton authorizes the Borough Administrator to purchase certain goods or services from those approved Somerset County Co-Operative Contract Vendors, pursuant to all conditions of the individual Somerset County Co-Operative contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Wharton pursuant to N.J.A.C. 5:30-5.4, the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Wharton and Somerset County Co-Operative Contract Vendors shall be from January 1, 2023 to December 31, 2023.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**WILLIAM J. CHEGWIDDEN,
MAYOR**

**Gabrielle Evangelista,
Borough Clerk**

**RESOLUTION AUTHORIZING PARTICIPATION IN THE BERGEN COUNTY
COOPERATIVE PURCHASING PROGRAM**

WHEREAS, the Borough of Wharton, pursuant to N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-11, may by resolution and without advertising for bids, purchase any goods or services under the Bergen County Co-Operative Purchasing Program for any county contracts entered into on behalf of the participating agencies; and

WHEREAS, the Borough of Wharton has the need on a timely basis to purchase goods or services utilizing Bergen County Co-Operative contracts; and

WHEREAS, the Borough of Wharton intends to enter into contracts with Bergen County Co-Operative Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current Bergen County Co-Operative contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wharton authorizes the Borough Administrator to purchase certain goods or services from those approved Bergen County Co-Operative Contract Vendors, pursuant to all conditions of the individual Bergen County Co-Operative contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Wharton pursuant to N.J.A.C. 5:30-5.4, the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Wharton and the Bergen County Co-Operative Contract Vendors shall be from January 1, 2023 to December 31, 2023.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

**RESOLUTION AUTHORIZING PARTICIPATION IN THE CRANFORD POLICE
COOPERATIVE PURCHASING PROGRAM**

WHEREAS, the Borough of Wharton, pursuant to N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-11, may by resolution and without advertising for bids, purchase any goods or services under the Cranford Police Co-Operative Purchasing Program for any county contracts entered into on behalf of the participating agencies; and

WHEREAS, the Borough of Wharton has the need on a timely basis to purchase goods or services utilizing Cranford Police Co-Operative contracts; and

WHEREAS, the Borough of Wharton intends to enter into contracts with Cranford Police Co-Operative Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current Cranford Police Co-Operative contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wharton authorizes the Borough Administrator to purchase certain goods or services from those approved Cranford Police Co-Operative Contract Vendors, pursuant to all conditions of the individual Cranford Police Co-Operative contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Wharton pursuant to N.J.A.C. 5:30-5.4, the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Wharton and Cranford Police Co-Operative Contract Vendors shall be from January 1, 2023 to December 31, 2023.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

**RESOLUTION AUTHORIZING PARTICIPATION IN THE SOURCEWELL
COOPERATIVE PURCHASING PROGRAM**

WHEREAS, the Borough of Wharton, pursuant to N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-11, may by resolution and without advertising for bids, purchase any goods or services under the Sourcewell Co-Operative Purchasing Program for any county contracts entered into on behalf of the participating agencies; and

WHEREAS, the Borough of Wharton has the need on a timely basis to purchase goods or services utilizing Sourcewell Co-Operative contracts; and

WHEREAS, the Borough of Wharton intends to enter into contracts with Sourcewell Co-Operative Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current Sourcewell Co-Operative contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wharton authorizes the Borough Administrator to purchase certain goods or services from those approved Sourcewell Co-Operative Contract Vendors, pursuant to all conditions of the individual Sourcewell Co-Operative contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Wharton pursuant to N.J.A.C. 5:30-5.4, the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Wharton and the Sourcewell Co-Operative Contract Vendors shall be from January 1, 2023 to December 31, 2023.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

RESOLUTION AUTHORIZING PARTICIPATION IN THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Borough of Wharton, pursuant to N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-11, may by resolution and without advertising for bids, purchase any goods or services under the Educational Services Commission of New Jersey Co-Operative Purchasing Program for any county contracts entered into on behalf of the participating agencies; and

WHEREAS, the Borough of Wharton has the need on a timely basis to purchase goods or services utilizing Educational Services Commission of New Jersey Co-Operative contracts; and

WHEREAS, the Borough of Wharton intends to enter into contracts with Educational Services Commission of New Jersey Co-Operative Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey Co-Operative contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wharton authorizes the Borough Administrator to purchase certain goods or services from those approved Educational Services Commission of New Jersey Co-Operative Contract Vendors, pursuant to all conditions of the individual Educational Services Commission of New Jersey Co-Operative contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Wharton pursuant to N.J.A.C. 5:30-5.4, the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Wharton and the Educational Services Commission of New Jersey Co-Operative Contract Vendors shall be from January 1, 2023 to December 31, 2023.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

**RESOLUTION AUTHORIZING PARTICIPATION IN THE OMNIA
COOPERATIVE PURCHASING PROGRAM**

WHEREAS, the Borough of Wharton, pursuant to N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-11, may by resolution and without advertising for bids, purchase any goods or services under the OMNIA Co-Operative Purchasing Program for any county contracts entered into on behalf of the participating agencies; and

WHEREAS, the Borough of Wharton has the need on a timely basis to purchase goods or services utilizing OMNIA Co-Operative contracts; and

WHEREAS, the Borough of Wharton intends to enter into contracts with OMNIA Co-Operative Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current OMNIA Co-Operative contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wharton authorizes the Borough Administrator to purchase certain goods or services from those approved OMNIA Co-Operative Contract Vendors, pursuant to all conditions of the individual OMNIA Co-Operative contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Wharton pursuant to N.J.A.C. 5:30-5.4, the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Wharton and the OMNIA Co-Operative Contract Vendors shall be from January 1, 2023 to December 31, 2023.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

WILLIAM J. CHEGWIDDEN,
MAYOR

Gabrielle Evangelista,
Borough Clerk

**RESOLUTION AUTHORIZING PARTICIPATION IN THE NJ EDGE
COOPERATIVE PURCHASING PROGRAM**

WHEREAS, the Borough of Wharton, pursuant to N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-11, may by resolution and without advertising for bids, purchase any goods or services under the NJ Edge Co-Operative Purchasing Program for any county contracts entered into on behalf of the participating agencies; and

WHEREAS, the Borough of Wharton has the need on a timely basis to purchase goods or services utilizing NJ Edge Co-Operative contracts; and

WHEREAS, the Borough of Wharton intends to enter into contracts with NJ Edge Co-Operative Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current NJ Edge Co-Operative contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Wharton authorizes the Borough Administrator to purchase certain goods or services from those approved NJ Edge Co-Operative Contract Vendors, pursuant to all conditions of the individual NJ Edge Co-Operative contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Wharton pursuant to N.J.A.C. 5:30-5.4, the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Borough of Wharton and the NJ Edge Co-Operative Contract Vendors shall be from January 1, 2023 to December 31, 2023.

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**WILLIAM J. CHEGWIDDEN,
MAYOR**

**Gabrielle Evangelista,
Borough Clerk**

R-35-23

**RESOLUTION AUTHORIZING THE APPOINTMENT OF RECORDS
CUSTODIANS**

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Wharton that the following appointments are hereby confirmed:

- **Sheryl Cramer as Sub Records Custodian for purposes of Police Department OPRA Requests under N.J.S.A. 47:1A-1.**
- **Desinez Ruffo as Sub Records Custodian for purposes of Building Department and Planning Board OPRA Requests under N.J.S.A. 47:1A-1.**
- **Cheryl Muzzillo as Alternate Records Custodian under N.J.S.A. 47:1A-1.**
- **Joseph Kovalcik, Jr. as Alternate Records Custodian under N.J.S.A. 47:1A-1.**

Adopted: January 3, 2023

BOROUGH OF WHARTON

ATTEST:

**_____
WILLIAM J. CHEGWIDDEN,
MAYOR**

**_____
Gabrielle Evangelista,
Borough Clerk**