

**REGULAR MEETING**  
**MAYOR AND COUNCIL**  
**FEBRUARY 27, 2017**

**Opening Items**

Mayor Chegwidden called the Meeting to Order.

Mayor Chegwidden read the Open Public Meeting Statement.

**Roll Call**

Mayor Chegwidden requested Roll Call:

Council President Binkoski – Present  
Councilman Corbett – Present  
Councilwoman Hayes- Present  
Councilwoman Veres- Present  
Councilwoman Wickenheisser- Present  
Councilman Yeager- Present

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

**Flag Salute**

Mayor Chegwidden led those in attendance with 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, 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 opened the meeting to the public.

The owners of 3 limo/taxi companies from Dover came to appeal to the Mayor and Council to change the rules about allowing taxi pick up in Wharton. Right now taxis are only allowed to drop a passenger off in Wharton that have been picked up elsewhere. Dover has recently changed their laws, allowing each company a certain number of limos which is what normally provide service for Wharton so they are having trouble responding to the number of calls that they get with the laws as the currently stand. Chief Fernandez advised the Mayor and Council on issues that occurred with allowing taxi companies in town in the past. After a discussion involving various Council Members, Mayor Chegwidden, Chief Fernandez, and the business owners, it was decided that the Council will need time to consider this issue and also to see if there is even a way to adjust the Ordinances in a way that is both legal and satisfactory.

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

**Ordinance**

Councilman Corbett presented O-02-17, “Bond Ordinance Providing for the Improvement of the Water Supply and Distribution System in and by the Borough of Wharton, in the County of Morris, New Jersey, Appropriating \$745,000 Therefor

and Authorizing the Issuance of \$420,000 Bonds or Notes of the Borough for Financing Such Appropriation,” 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 Corbett and was seconded by Council President Binkoski to adopt O-02-17 on second and final reading.

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

Ordinance

Councilwoman Hayes introduced O-03-17, “An Ordinance Fixing the Salary of Certain Officers and Employees of the Borough of Wharton County of Morris, State of New Jersey,” on first reading by title only.

A motion was made by Councilwoman Hayes and was seconded by Councilman Corbett to adopt O-03-17 on first reading.

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

Mayor Chegwidden set the date of March 13, 2017 for second and final reading.

Resolutions

Council President Binkoski introduced R-42-17, “Resolution Consenting to the Transfer of Block 903 Lots 2 and 2.03 and the Assignment by Realty Associates of Interest in the Redevelopment Agreement as Amended to Wharton Investors, LLC.”

A motion was by Council President Binkoski and was seconded by Councilman Yeager to adopt R-42-17.

Wendy Berger, attorney for the seller, thanked the Borough for working with them throughout the years.

Joel Bergstein, President of Lincoln Equities Group, the contract purchasers, advised that he has already met with Mayor Chegwidden and Mr. Rheinhardt and they are looking forward to becoming members of the community.

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

Councilman Yeager introduced R-43-17, “Resolution to Approve Extension of Redevelopment Agreement.”

A motion was made by Councilman Yeager and was seconded by Councilman Corbett to adopt R-43-17.

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

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.

**Approval of Bills:** All bills referred to the finance committee to be paid if found correct.

**Approval of Minutes from February 6, 2017 Meeting**

**Resolutions:** R-44-17: Approve Municipal Alliance Contracts with Premiere Outdoor Movies and Screenagers  
R-45-17: Tax Year 2018 Reassessment Program  
R-46-17: Approve Tax Sale Redemption TSC 2014-016  
R-47-17: Approve Grant Application and Execution of Grant Contract with NJDOT  
R-48-17: Amend R-150-16

**Approve Blue Light Permit Application for Victor Cruz-Gil and Kyle Kepler**

A motion was made by Council President Binkoski and was seconded by Councilwoman Hayes 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. RVRSA Meeting Agenda
2. Morris County Planning Board Minutes

Mr. Johnson gave the Mayor and Council an update on the RVRSA case with Jersey City. He attended court this morning about a motion for summary judgement and a cross motion for summary judgement. The Judge reserved decision. He believes that a trial won't be starting until the fall at the earliest. He has discussed with the various town attorneys about setting up a schedule for their attendance in court so the towns do not have to pay 7 separate attorneys, who are on the same side, to attend each day of hearings. This would require consent of the Mayor and Council when the time comes.

### Council Reports

**Council President Binkoski:** He attended a public safety meeting and a meeting for the court. He attended a community development meeting. Tonight he attended Sheriff Gannon's event and learned about what is happening at the County.

**Councilman Corbett:** His RVRSA meeting was cancelled due to weather.

**Councilwoman Hayes:** She worked at the Kids First Lotsa Pasta fundraiser. She doesn't have results yet, as they aren't meeting until later this week. She also attended Sheriff Gannon's event.

**Councilwoman Veres:** She attended the Library Board meeting on February 21<sup>st</sup> where they approved their budget. They asked her to note that they have been getting special attention from the DPW and are very pleased with that.

**Councilwoman Wickenheisser:** She attended the St. Clare's Community Advisory Committee meeting. They gave them updates on new machinery, a new laboratory, new ambulances, and a new Neurosurgery department. She would like to thank Sgt. Kranz and Officer Ploth for their recent help with her son who was having a medical emergency.

**Councilman Yeager:** He also worked at the Kids First Lotsa Pasta fundraiser. He attended the Morris County League of Municipalities meeting.

Mayor Chegwidden's Report

Problems continue at the recycling center. He has discussed possible solutions with the DPW director and Mr. Rheinhardt. Right now they are considering closing the center when it gets full until the DPW can empty the containers. But it can't continue the way it is now. People dump tires, construction material, and other non-recyclable items. The police were recently patrolling it every half hour and in between people still came and illegally dumped things. Other potential solutions discussed include hiring a part time attendant for the weekend and increasing the camera coverage of the area. More discussion about what can be done followed. They are going to try the signs first, and continue to work on other solutions.

Mayor Chegwidden continued that he also attended the Morris County League of Municipalities meeting where one of the issues discussed was the recent bail reform. He asked Chief Fernandez to give an overview of the issue. Chief Fernandez advised, that this was a result of a constitutional amendment that means that bail doesn't really exist anymore; when someone is arrested they are incarcerated if they reach a certain score on a scale decided by an equation by the courts. What winds up happening is people are having "mini trials" prior to going to jail. A recent arrest was made at 4 a.m. and it was 2 p.m. before they were able to transport them, which causes all kinds of extra costs from both overtime and taking care of the person who was arrested. More discussion about this followed. Also discussed at the MCLM meeting was water infrastructure. He was happy to report that we have been taking care of ours well.

Mayor Chegwidden continued that he attended the public safety meeting which went well. He attended the Habitat for Humanity dinner last weekend, where he was complimented on the rehab program that we have done in cooperation with them. They want to use us as a model for other towns to create similar programs. He attended the Blue and Gold ceremony from Cub Scouts to Boy Scouts. He attended the Fire Department Clambake. Coming up this weekend, is the FOP Irish Fest. The contract purchasers from transfer that was approved earlier in the meeting are interested in redeveloping the property. Finally, he asked Mr. Rheinhardt to analyze the amount of money from Federal Community Development Block Grants throughout the years. Over the past 10 years we have received 3,243,685 in federal funding for both infrastructure and roads.

Open to the Public

Mayor Chegwidden opened the meeting to the public.

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

Adjournment

No further business to attend to this evening Councilman Corbett, made a motion to adjourn this meeting. This was seconded by Council President Binkoski. This motion was approved by a voice vote.

February 27, 2017

ATTEST:

\_\_\_\_\_  
Gabrielle Evangelista,  
Borough Clerk

BOROUGH OF WHARTON

\_\_\_\_\_  
WILLIAM J. CHEGWIDDEN,  
MAYOR