

REGULAR MEETING
MAYOR AND COUNCIL
JUNE 11, 2018

Mayor Chegwidden Called the Meeting to Order

Mayor Chegwidden read the Open Public Meeting Statement

Mayor Chegwidden requested Roll Call:

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

Flag Salute

Mayor Chegwidden led those in attendance with the salute to the American Flag.

Mayor Chegwidden advised that he asked the Fire Chiefs to attend because he received a call from someone in Avalon Bay about a situation over the weekend when the fire alarm went off for over an hour, which they were blaming the town for, when he knows it wasn't our fault. He asked the Chiefs to give a breakdown of what happened and how it can be corrected. Deputy Chief Dorr advised that first and foremost resetting and silencing alarms is not the Fire Department's responsibility; it is the responsibility of the property owner or property manager. The FD will respond to the alarm, check the property to see if it's an active alarm or false alarm, and if they can, they will assist the property owner with resetting the alarm. However, ultimately, it is not their responsibility to reset the alarm.

In this case, they have met with Avalon Bay probably eight times over the past two years. At these meetings, the FD was informed that all necessary keys would always be in the Knox Box and during this particular event, they were not. The key to the mechanical room where the main alarm panel is located was not in the Knox Box. There were several issues that happened with the call in question. First, the subpanel of the alarm was malfunctioning, it got an alarm and before it could be reset it got a second alarm in a different stairwell. Once there are two alarms in a subpanel there is no way to reset it unless through the main panel, which they couldn't access. They sent out crews to assess and make sure there was no actual emergency and had to call maintenance for the building because the only other option would be to break down the door.

In their meetings, they had been told by the property managers that maintenance would never be more than 15 minutes away. When they called maintenance, they were told that they were 30-40 minutes away. They were also told that there would always be someone onsite all the time, which they found out 32 minutes after being on scene, that there was someone from property management on site but she was corralling her dogs and couldn't get to the lobby for 30 minutes. When she did get into the lobby she couldn't get into the key box to get them a key to the mechanical room. The maintenance worker who was driving in was eventually able to talk her through getting into the key box and when they finally got in, she didn't know how to reset the alarm, so Deputy Chief Dorr had to do it. Chief Cole went over and spoke with them this morning and they told him that they would contact him to put the correct key into the Knox Box, but at this point, they have not yet so they still do not have access to the room that they would need to in order to assist them with silencing the alarm.

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 opened the meeting to the public.

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

Discussion Items

- **Littering Ordinance:** Councilman Corbett brought up some issues with the handbill section of the ordinance. After some discussion, DPW Director Scott Hutchins advised that the purpose of updating this ordinance was the allow the Police to write tickets to deal with some issues that continue to happen, particularly illegal dumping at the recycling center, as well as any other illegal dumping situations. We used a sample ordinance from another town that may have been having issues with this, if we are not, then lets just remove that section. Everyone agreed. Councilman Binkoski brought up a question about the wording about the collection of large items. We will address these issues and bring the ordinance back for another discussion.
- **Ordinances for Affordable Housing Overlay Zones and Collection of Development Fees in Support of Affordable Housing:** Attorney Johnson advised that these ordinances are in order to bring us up to date on our obligations under COAH. Mayor Chegwidden advised that these are a part of what we agreed to do with the Court. Attorney Johnson continued that we are adopting these two ordinances in pursuant to the Court Order that was agreed to. The overlay zones include the shopping center on North Main Street with Rite Aid and an area across the street from there. Councilman Corbett advised that this means that if those areas ever get redeveloped into housing, they would have to include an affordable housing component. Mayor Chegwidden advised that we have to do this, but it does make it difficult for people who want to come in and build here because it almost prices them out of the market in towns like ours. We’re already an affordable place to live, so it makes it difficult. More discussion about this followed. These ordinances will be on the next agenda.

Ordinance

Councilwoman Hayes presented O-09-18, “An Ordinance to Provide for a Water Utility Capital Project Enumerated within for the Borough of Wharton, County of Morris and to Provide for the Funding Thereof,” on second reading, by title only.

She advised that the planning, design, and engineering for this project will be done in 2018, but the actual work will be done in 2019. Mr. Rheinhardt advised that this is because part of this project involves a water main that would need to bump out into Main Street and the County has a moratorium on roads that they have paved for 3 years.

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 Councilwoman Hayes and was seconded by Councilman Corbett to adopt O-09-18 on second and final reading.

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

MOTION CARRIED

Ordinance

Councilman Corbett advised that he noticed that the report on trails included along the Canal to the recycling center which no one wants included. Mr. Rheinhardt advised that this is only for the mountain, not that area.

Councilman Corbett introduced O-10-18, “An Ordinance to Provide for General Capital Projects Enumerated within for the Borough of Wharton, County of Morris, and to Provide for the Funding Thereof,” on first reading, by title only.

A motion was made by Councilman Corbett and was seconded by Council President Yeager to adopt O-10-18 on first reading.

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

MOTION CARRIED

Mayor Chegwiddden set the date of June 25, 2018 for second and final reading.

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 5/21/18

Resolutions: R-85-18: Approve Refund Tax Overpayment Block 1309 Lot 1
R-86-18: Approve Refund Tax Overpayment Block 1606 Lot 12
R-87-18: Cancel Sewer Charge for Account #0738

A motion was made by Council President Yeager and was seconded by Councilwoman Hayes to approve all items listed on the Consent Agenda.

ROLL CALL VOTE: YEA-5 NAY-0 ABSENT-1 ABSTAIN- 0

MOTION CARRIED

Correspondence

- Morris County Planning Board Minutes
- RVRSA Public Hearing Notice
- Monthly Reports Clerk, Construction

Council Reports

Council President Yeager: He attended the American Legion open house, which was a nice event. He'd also like to congratulate their Color Guard on their success in Wildwood. He attended the Memorial Day parade. He attended Wharton Pride Clean Community Day and assisted Councilwoman Hayes with her project. It was a great day with a lot of volunteers. He also attended two Tenancy Review meetings.

Councilman Binkoski: The completion of Wabash and the other roads nearby all look great. Congratulations to Mayor Chegwiddden, Council President Yeager, and Councilwoman Wickenheisser on their Primary Election victories. He also attended the American Legion's 90th Anniversary and the Memorial Day parade. The Memorial Park Committee had their first meeting. They came up with some good ideas and there will be some good things happening there. He met with Lt. Young to discussed police training and active shooter preparedness for the schools. It was

good to hear that the Lieutenant considers us to be very prepared. We do drills every year and go into the schools to work on this. He was able to help out at the carnival a bit, everyone does a great job running that. He worked one of the doors and it was very well attended.

Councilman Corbett: He recently toured the site of the proposed 9/11 Memorial and would like to make a motion to approve hiring a landscape architect to review the site. Mayor Chegwidden asked if there was a cost involved with that. Councilman Corbett advised that there will be some cost attached to it. Mayor Chegwidden advised that when they did Memorial Park the Republican Club and Jack Birmingham took on the cost of that. Councilman Corbett advised that this is just to look at it for ideas, not for construction of anything. Councilman Binkoski asked what would be the estimated cost? Mr. Rheinhardt said that we could save money by having him look into it while he is already here for the Trails Project. He suggests approving no more than 10 hours. Councilwoman Veres seconded the motion.

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

MOTION CARRIED

Councilman Corbett continued that he attended the West Central Pub's 30th Anniversary. The Finance Committee will be meeting soon. He attended the carnival. Congratulations to Mayor Chegwidden, Council President Yeager, and Councilwoman Wickenheisser on their Primary Election victories. He also attended the American Legion 90th Anniversary. It was a very good event. Congratulations to the Legion's Color Guard, Ladies Auxiliary, and the Riffle Squad on their first-place finishes. The testimony in the RVRSA/Jersey City trial is complete. The judge's decision is expected in the fall.

Councilwoman Hayes: She'd like to congratulate the American Legion on their 90th anniversary and West Central Pub for being open for 30 years. She attended Wharton Pride Clean Community Day and she had a great team working with her. She thanks the DPW for all of their help and Patty Craven for running the day. She attended the Memorial Day parade. Along with Council President Yeager, she attended the scholarship dinner and gave away the Republican Club scholarship. There was one from the Kids First Foundation, one from the Municipal Alliance, one from the Fire Department, one from the Ladies Auxiliary, and one from the FOP. Wharton groups were well represented. Congratulations to all of the scholarship winners. She also worked at the carnival and thanks Ms. Ghebreal for putting it together.

Councilwoman Veres: She also attended the American Legion's 90th anniversary event as well as the Memorial Day parade. She volunteered at the carnival and thanks Ms. Ghebreal for putting it together.

Councilwoman Wickenheisser: She thanks everyone who came out and voted last week. She also attended the American Legion's 90th anniversary event, which was well attended and a very nice event. She also participated in the Memorial Day parade. She also attended the Tenancy Review Committee meetings. She also worked on the carnival and thanks Ms. Ghebreal and the Police Department for all of their hard work putting this event together. It can be crazy, but it is worth it to raise so much money for programs at the school.

Mayor Chegwidden's Report: He also attended the American Legion's 90th anniversary event and the Memorial Day parade. The parade and services were well attended and he thanks all of the organizations that participated from the Wharton Schools and Morris Hills, the Boy Scouts and Girl Scouts, the Police and DPW for their involvement, and those who do the programs. Those two events made for a great weekend. They had a meeting with CCKK and they are continuing to work with them on remediating the problems at their site. There is another Planning Board meeting with them tomorrow. He attended the Memorial Park Committee meeting, they looked at the landscape of the park and came up with some ideas that

they will bring back to the Council in the future. They also discussed refurbishing some of the monuments there and he knows that the FOP and Legion are planning on working together again on fixing and redesigning the Vietnam memorial which is falling apart. He attended the LEAD Graduation at the school and hopes the kids learned from the program. He attended the carnival, which was a great event. He noticed that a lot of the volunteers were people who had kids that were no longer in school. He thinks it's great that they still are giving back. He thanks Ms. Ghebreal and Cpl. Arroyo for all of their work on the carnival. He wishes West Central Pub well on their 30th anniversary and hopes they have another 30 years. They got one of the bridges painted on Wharton Pride Clean Community Day and the DPW is going to take care of the rest. The DPW is also working on a new retaining wall and adding sidewalks into Robert Street. The street will also be paved. This addresses an important safety issue for kids who are walking to the park. He also congratulates Council President Yeager and Councilwoman Wickenheisser on their Primary Election wins. He also congratulates the American Legion Color Guard for their 13th first place win. As of right now all of our road projects, except for Baker Ave. are complete. He thanks the Council for setting the financing up right away, because it makes us first on the contractor's list. He recently had a resident ask about making New Irondale Road no parking because of truck traffic on the road. Councilwoman Hayes advised that when a similar request was made for Hance, they didn't want to do that to the residents. He suggests asking Chief Fernandez to look into it and let him give a recommendation. He is also going to talk to the Chief about the cross-walks on East Dewey Ave. He spoke with a resident who was hit in the one by Avalon Bay. The Police Department has added the crosswalk sign over there and he suggests adding another sign in some of the additional crosswalks on that road. We can also petition the County to add some rumble strips. Councilman Corbett suggested we could also ask them to change the entire road to a 25-mph speed limit.

Councilwoman Hayes asked for an update on the Main Street extension. Mr. Rheinhardt advised that they had final plan review and the County is waiting for permits to come back from the NJDEP. They are still hoping to have it bid and awarded in 2018 with some construction happening this year and it being completed in 2019.

Councilman Corbett advised that there are 500 pinwheels up at the school as an indication of the 5,000 underaged drivers who die each year in drunk driving accidents. The Municipal Alliance and FOP put that together.

Open to the Public

Mayor Chegwidden opened the meeting to the public.

Melissa Phelan, 53 Crater Ave: Ms. Phelan advised the parking on Hance is still a problem. She's surprised there hasn't been an accident yet. There's one house who seems to have multiple cars that park on the road. Councilwoman Hayes advised that, that street was recently made no parking on one side and we can't penalize people with large families. Ms. Phelan advised that she doesn't want to penalize anyone. A large part of the problem is when a car is parked close to Main St. and someone is trying to turn off of Main St. Councilwoman Veres advised that a similar situation happens on St. Mary's St. Mayor Chegwidden suggested looking into making it no parking from here to the corner to address that. Another option would be making it a one-way street, which has been discussed previously. We can ask Chief Fernandez to look into all of these issues. We also need to encourage the property owner to trim the bushes on the corner to help with sight lines.

Robin Ghebreal: Ms. Ghebreal thanked the Mayor and all of the Council people who volunteered at the carnival. Last year they made \$21,000 after paying all of the related bills and this year they made \$25,000 so we did better than last year even with a rainy Sunday.

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

Adjournment

A motion was made by Councilman Binkoski and was seconded by Councilman Corbett to close this meeting.

June 11, 2018

ATTEST:

**Gabrielle Evangelista,
Borough Clerk**

BOROUGH OF WHARTON

**WILLIAM J. CHEGWIDDEN,
MAYOR**