

REGULAR MEETING
MAYOR AND COUNCIL
JUNE 25, 2018

Mayor Chegwiddden Called the Meeting to Order

Mayor Chegwiddden read the Open Public Meeting Statement

Mayor Chegwiddden requested Roll Call:

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

Flag Salute

Mayor Chegwiddden 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 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 Chegwiddden opened the meeting to the public.

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

Presentation

Chief Fernandez of the Wharton Police Department presented the Mayor and Council with recommendations for re-organizing the Police Department. He has to retire in June of next year and in getting prepared for that, they have been discussing reorganizing the department. The current organization of the department is a Chief, a Lieutenant, 4 Sergeants, 4 Corporals, 8 Police Officers, and 2 Detectives. His proposal includes recommendations for the organizational structure of the department from the consultant who assisted with the accreditation process for the department. A major problem is that they currently do not have enough administrative staff. They are unable to have items like body cameras, because they do not have the appropriate staff to be able to handle the requirements that come with that them. The Attorney General and Prosecutor's Office have been issuing new guidelines, and new laws such as bail reform are a heavy burden for the administrative staff, which is currently just himself and the Lieutenant. The Lieutenant is also responsible for all internal affairs investigations, which are also very time consuming, and are now required to be completed for occurrences even as small as someone complaining that an officer wasn't nice to them when giving them a parking ticket.

His proposed changes for 2018 would be to move a Sergeant into the Detective Bureau and move a Detective onto the road. He would also like to promote two Sergeants in order to help with some of their current staffing issues. This would require having 5 Sergeants instead of the 4 that they currently have, although 1 of the current ones is out on long term disability. This would lead into his recommendations for 2019 which are to split the Lieutenant's job into 2 positions, a Patrol Lieutenant and a Detective Lieutenant. The Detective Lieutenant would be responsible for the Detective Bureau, but he would also be an administrative officer to share in some of those responsibilities that are currently under 1 title.

They also would like to be able to hire Special Officers to assist with certain tasks. The school has discussed hiring a Class III Officer for security, which they will be paying for. Special Officers are usually retired officers who work part time, they do not get pension or benefits. Since we serve both Wharton and Mine Hill, this allows each town to hire Special Officers for their towns as they see fit. They are difficult to find, but this allows them to try if the towns or the schools want them to.

The proposed ordinance change includes a change in language that the Police Department will have a maximum of two Lieutenants, a maximum of five Sergeants, a maximum of 15 police officers, and other Special Class I, Class II, or Class III Special Officers. By including the language of a maximum, it does not require those positions to be filled, but allows for them to be if the Council feels that it is necessary. This does not add additional personnel but allows them to better utilize their existing numbers. More discussion about Special Officers followed.

Councilman Corbett advised that he would like to look more into the financial cost of the proposal. Mr. Rheinhardt will go over it with him prior to the next meeting.

Chief Fernandez advised that he included everything he would eventually like to do in this ordinance so that it doesn't have to be changed again next year, this doesn't lock the Council into making any of his suggested personnel changes, they would need to act on each one as they see fit. If the Council agrees, he would now like to move a Sergeant into the Detective Bureau. They gave a Sergeants test and have a list of potential new Sergeants. He would also like to promote Cpl. Katsigiannis as of July 1st as an Acting Sergeant pending approval of the proposed ordinance change. These movements put a band-aid on some of their problems until they can make the change with the Lieutenants for next year. When Cpl. Arroyo returns from disability he would like to promote him as well, which would complete the 5 Sergeants. The financial cost for the two promotions was discussed with the Finance Committee and would be about \$7500 this year. Mr. Rheinhardt advised that since the department is staffed more adequately this year as a whole, there has been less overtime so they feel comfortable that the difference would cover the cost of the change. Chief Fernandez advised that when a Corporal is in charge of a shift and acting as a Sergeant for more than 4 days they are already getting paid as a Sergeant for that time, which is already happening often.

Chief Fernandez continued outlining the plan for the remainder of the changes through his retirement. Mayor Chegwidden thanked Chief Fernandez for all of his hard work in making sure the department continues to run smoothly once he retires. It is very helpful to have a plan in place to make sure that nothing gets missed and that the department continues to be run well once he retires.

After more discussion Chief Fernandez advised that he is looking to have the ordinance in place if they need it, any changes or promotions would still need to be acted on separately by the Council.

Council President Yeager made a motion to move O-14-18, "An Ordinance Amending Chapter 3, Article II, Section 13B of the Revised General Ordinances of the Borough of Wharton, County of Morris, State of New Jersey," on first reading by title only, which was seconded by Councilwoman Wickenheisser.

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

MOTION CARRIED

Mayor Chegwidden set the date of July 16, 2018 for second and final reading.

Council President Yeager made a motion to approve the 2018 plan for promoting Cpl. Katsigiannis to acting Sergeant and allowing the school to hire a Class III Special Officer, which was seconded by Councilwoman Hayes.

This motion was approved by a voice vote.

Ordinance

Councilman Corbett presented 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 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 Councilwoman Hayes to adopt O-10-18 on second and final reading.

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

MOTION CARRIED

Ordinance

Council President Yeager introduced O-11-18, “An Ordinance Amending the Zoning Ordinance to Provide Affordable Housing Overlay Zones in the Borough of Wharton,” on first reading, by title only.

A motion was made by Council President Yeager and was seconded by Councilman Corbett to adopt O-11-18 on first reading.

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

MOTION CARRIED

Mayor Chegwidden set the date of July 16, 2018 for second and final reading.

Ordinance

Councilwoman Hayes introduced O-12-18, “An Ordinance to Provide for the Collection of Development Fees in Support of Affordable Housing as Permitted by the New Jersey Fair Housing Act,” on first reading, by title only.

Councilman Binkoski asked if this is telling us we have to do that, or that we can do that? Mr. Rheinhardt advised that this a part of our settlement agreement and we have to do this.

A motion was made by Councilwoman Hayes and was seconded by Council President Yeager to adopt O-12-18 on first reading.

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

MOTION CARRIED

Mayor Chegwidden set the date of July 16, 2018 for second and final reading.

Ordinance

Councilman Binkoski introduced O-13-18, “An Ordinance Authorizing the Mayor to Sign an Agreement with the Wharton Borough Fraternal Order of Police,” on first reading, by title only.

Councilman Corbett asked for a brief overview of the changes in the contract. Mr. Rheinhardt advised that other than some wording clarification it is 2% on the guide.

A motion was made by Councilman Binkoski and was seconded by Council President Yeager to adopt O-13-18 on first reading.

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

MOTION CARRIED

Mayor Chegwiddden set the date of July 16, 2018 for second and final reading.

Resolution

Councilwoman Wickenheisser introduced R-88-18, “Resolution Adopting Prequalification Regulations in Connection with Bids for the Restoration and Rehabilitation of the Lock and Lock Tender’s House at Lock 2 East of the Morris Canal.”

The Borough’s architect for this project, Margaret Hickey, explained the reasoning for prequalifying bidders for this project. They are soon going to bid the restoration of the Lock Tender’s house and more of the Lock 2 East which is being funded by the NJDOT. They are utilizing the NJDCA’s pre-qualification process so we can get a good but narrow pool of bidders who actually have restoration experience.

Mayor Chegwiddden opened the meeting to the public for questions or comments on this Resolution only.

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

A motion was made by Councilwoman Wickenheisser and was seconded by Councilman Binkoski to adopt R-88-18.

ROLL CALL VOTE: YEA-5 NAY-0 ABSENT-1 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 6/11/18

**Resolutions: R-89-18: Tax Sale Redemption TSC 2017-007
R-90-18: Liquor License Renewals
R-91-18: Tax Sale Redemption TSC 2017-005
R-92-18: Municipal Alliance FY2019
R-93-18: Requesting Approval of Items of Revenue and Appropriation- Clean Communities Grant
R-94-18: Requesting Approval of Items of Revenue and Appropriation- Alcohol Education and Rehab Fund
R-95-18: Refund Tax Overpayment Block 1804 Lot 1
R-96-18: Tax Sale Redemption TSC 2016-007
R-97-18: Approve Alliance Contract Premiere Outdoor Movies
R-98-18: Public Auction
R-99-18: Supporting Proposed Legislation to Make 2% Cap on Interest Arbitration Awards for Police and Fire**

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

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

MOTION CARRIED

Correspondence

- Monthly Report Treasurer
- Letter from Senator Booker re: CDBG
- RVRSA Meeting Minutes

Council Reports

Council President Yeager: The Housing and Zoning Officer gave him some updates about new items that he has been completing this year. The first is the registration of vacant or abandoned properties and the second is the DPW is hanging door hangers on properties that need to take care of cutting their grass as they see them around town. He attended the Boys State graduation and would like to thank the American Legion for sponsoring 5 Wharton residents to attend.

Councilman Binkoski: The new wall and sidewalk on Robert Street looks nice and was done professionally. Our guys did a great job connecting the park to the rest of town, it's also a nice safety feature.

Councilman Corbett: On 6/13 he attended the RVRSA meeting. The closing statements were finally given in the Jersey City case on 6/5. Their attorney thinks the judge will decide by the end of August.

Councilwoman Hayes: On 6/11 they had a Finance Committee meeting. On 6/12 she attended negotiations with the FOP, which went smoothly. She thanks everyone for that.

Councilwoman Veres: Absent.

Councilwoman Wickenheisser: The Municipal Alliance will be having a movie night at Robert Street Park on 6/29. Also mark your calendars for Canal Day on 8/18.

Mayor Chegwiddden's Report: The Planning Board is continuing to work with CCKK and will have them at July's meeting. They also have a meeting on Thursday to go over the redevelopment plan for the center of town. He attended the Dinosaur event at the Library, which was a lot of fun. He attended the opening of the expansion of the food pantry at Wharton United Community Church. He thanks them for being a help to the community. There are a lot of people who need them, they serve about 50 families.

Open to the Public

Mayor Chegwiddden opened the meeting to the public.

Chief Fernandez: He knows that the redevelopment of Memorial Park is in its infancy but would like to know if we think that it may be ready for Memorial Day of next year. If it is, he would like to book a band from the Police fund for the celebration. It is possible, but we're really not sure yet. Weather may be an issue, so it is probably best to wait at this point.

Fire Chief, Gary Cole: He asked about the requirements for having a flag at the Fire Department when it is serving as a polling place. Ms. Evangelista advised that there has to be a flag within a certain number of feet of the polling place and their flag on the flagpole out front should be sufficient, but she will confirm that for him prior to the next election.

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

Adjournment

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

June 25, 2018

ATTEST:

**Gabrielle Evangelista,
Borough Clerk**

BOROUGH OF WHARTON

**WILLIAM J. CHEGWIDDEN,
MAYOR**