

REGULAR MEETING
MAYOR AND COUNCIL
JULY 16, 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- Absent, Excused
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.

Presentation

The Municipal Alliance presented representatives from the American Legion, the Wharton Historical Society, the St. Mary's Church Food Pantry, the Wharton United Community Church Food Pantry, and the Wharton Public Schools each with a donation from the proceeds from the 2018 carnival. Everyone thanked Ms. Ghebreal for the donations. Mayor Chegwidden also thanked Ms. Ghebreal for all of the work she has done in growing the Municipal Alliance.

Resolution

The Borough's Redevelopment Attorney, Matthew Jessup, and the Borough's Planner, Jessica Caldwell, were both in attendance to discuss the Resolution designating an area in need of redevelopment. Mr. Jessup explained that there is a long process needs to be followed with this. He stressed that as the Borough requested, this would be a non-condemnation designation which means that the Borough would not be allowed to use eminent domain to gain any of the parcels within the redevelopment area. Thus far, a Redevelopment Area Study has been prepared and made public and the Planning Board has met and reviewed the Study and has recommended by Resolution that the Council designate this area as one in need of redevelopment. The Planning Board meeting was advertised and notice was provided to property owners within the potential area. The meeting was open to the public and a public hearing was conducted. The next step is for the Council to consider the Resolution below that designates the area as one in need of redevelopment. Following that the next step would be to direct the Planner to create a Redevelopment Plan, which creates the zoning for the area.

Ms. Caldwell then advised how the study was conducted and how the blocks and lots were chosen. They looked at a variety of items such as utilization, layout and design, underutilization in terms of parking areas, zoning violations, police reports, dilapidation, and maintenance issues and reviewed all of this against the 8 criteria for redevelopment. All of the lots met at least two of the criteria examined.

Mayor Chegwidden advised that this came out of the strategic plan that was created with the public last year. At the Planning Board meeting, there were little to no comments, the property owners were just concerned about condemnation, which they were told is not allowed under this type of redevelopment. If they want to sell their property to a redeveloper, it is totally voluntary. Ms. Caldwell advised that no one raised concerns, just questions on timing, etc.

Councilman Corbett clarified that the area in question is North Main St. Mayor Chegwidden advised that it is North Main St. from Central Ave. to Fern Ave.

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

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

Councilwoman Wickenheisser introduced R-100-18, “Resolution of the Borough of Wharton, County of Morris, New Jersey, Designating Block 1317, Lots 1 through 22 within the Borough as a Non-Condensation Area in Need of Redevelopment under the Local Redevelopment and Housing Law and Directing the Planning Board to Prepare a Redevelopment Plan.”

A motion was by Councilwoman Wickenheisser and was seconded by Councilman Corbett to adopt R-100-18.

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

Ordinance

Council President Yeager presented O-11-18, “An Ordinance Amending the Zoning Ordinance to Provide Affordable Housing Overlay Zones in the Borough of Wharton,” 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.

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

Councilwoman Hayes presented 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 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 Councilwoman Hayes and was seconded by Council President Yeager to adopt O-12-18 on second and final reading.

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

Councilman Corbett presented O-13-18, "An Ordinance Authorizing the Mayor to Sign an Agreement with the Wharton Borough Fraternal Order of Police," on second reading, by title only.

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

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

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

Council President Yeager presented O-14-18, "An Ordinance Amending Chapter 3, Article III, Section 13B of the Revised General Ordinances of the Borough of Wharton, County of Morris, State of New Jersey," on second reading, by title only.

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

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

A motion was made by Council President Yeager and was seconded by Councilman Corbett to adopt O-14-18 on second and final reading.

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

Councilman Corbett presented R-101-18, "Resolution Authorizing the Settlement of a Certain Tax Appeal in the Borough of Wharton."

A motion was made by Councilman Corbett and was seconded by Councilwoman Hayes to adopt R-101-18.

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

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

Approval of Minutes from 6/25/18

Resolutions:

- R-102-18: Liquor License Renewals**
- R-103-18: Approve Job Description- Building Sub Code**
- R-104-18: Approve Job Description- Plumbing Sub Code**
- R-105-18: Approve Job Description- Construction Official**
- R-106-18: Approve Job Description- Electrical Sub Code**
- R-107-18: Approve Job Description- Fire Sub Code**

R-108-18: Tax Sale Redemption TSC 2016-019
R-109-18: Cancel Unexpended Grant Balance
R-110-18: 2019 Reassessment Contract
R-111-18: Municipal Alliance 2018 Supplemental Agreement
R-112-18: Prof. Services- Landscape Architect for Irondale Mountain Trails-Morris County Trail Grant
R-113-18: Requesting Approval of Items of Revenue and Appropriation- Municipal Alliance

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

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

MOTION CARRIED

Discussion

- **Allowing clothing collection bins at the recycling center- Fire Chief, Gary Cole requested on behalf of the Fire Department that the Mayor and Council consider approving a charitable clothing bin at the Recycling Center. The company that owns the bins shares a portion of the proceeds from the collected items with a non-profit which would be the Fire Department. They ask if they could possibly be placed at the Recycling Center. Now that there is either someone working there or the gates are locked, this would help to address issues that often plague these donation bins. They feel that this would be a good opportunity for residents to be able to donate unwanted clothing locally, with the knowledge that it benefits an organization in their town. They have a set time for pickups each week so they don't get overfilled and will come more often if necessary. More discussion including Mr. Marks from the Fire Department followed. Mr. Rheinhardt and Mr. Johnson will review the proposed contract and insurance requirements with the company since they would be placed on Borough owned property. If everything is in order, everyone agreed to do a 3-month evaluation and see how it goes. Mr. Hutchins advised that he would like to be able to choose the placement location of the bins if approved.**
- **Amending traffic ordinance for the Wharton Schools- Police Chief, Anthony Fernandez explained the Police Department's proposal for trying to fix some of the traffic issues at the Wharton Public Schools. Since the traffic laws relating to school zones have changed again, there has been discussion about how to best address these issues. They considered 4 way stops as one option, but the preferred option was to make certain streets one-way during school hours. There are also some updates to the areas where stopping and standing are allowed as well as some updates to parking rules on certain streets. This will actually return the rules to how they were successfully working years ago. The changes that were made were due to the State changing their laws, not a lack of success. They would like to get this in place prior to school starting in September. Mayor Chegwidden asked the Superintendent of the Wharton Schools, Chris Herdman, if he had any comments on the proposed changes. Mr. Herdman advised that the Chief and Lieutenant attended a meeting of the Board of Education to discuss the proposal and they feel this will make a big difference with the traffic flow. The Chief and Lieutenant will also attend Back to School Night to help educate the parents on the new rules. More discussion followed about defining stopping and standing, the exact locations of where they are making the one-way regulations applicable, and how to address potential parking issues that may arise. The Chief will make any necessary adjustments prior to the second reading of the Ordinance.**

Council President Yeager made a motion to approve O-15-18, "An Ordinance Amending Chapter 315, Article II, Section 9 and Article III

Section 18 of the Revised General Ordinances of the Borough of Wharton, County of Morris, State of New Jersey,” on first reading by title only. Councilwoman Wickenheisser seconded the motion.

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

MOTION CARRIED

Mayor Chegwidden set the date of August 13, 2018 for second and final reading.

Chief Fernandez also brought up that as a part of their accreditation, the Police Department utilizes an app. for applicants who are applying to be a full-time law enforcement officer. This app. charges a fee for its services, and many other agencies also charge a fee for the town in order to offset some of the costs involved. Some of the costs that the town pays for include the medical exam and psychological exam. This would also help to eliminate some of the applicants that apply just to apply. Two rounds ago they received 130 applications and because of their rules had to interview almost all of them. Even the County charges for taking the test, and that’s for just trying to get into the academy. Our applicants are all already working either as Special Officers or as regular Police Officers. After a short discussion everyone agreed upon a fee of \$55, which is less than some departments charge. Everyone agreed that the Clerk can look into making this change to the Ordinance for the next meeting.

Correspondence

- Morris County Planning Board Minutes
- Notice of Amendment of Master Plan Roxbury
- Letter from Division of Rate Counsel re: Morris Area Energy Cooperative Program
- Letter from Assemblyman Bucco re: FY2018 NJ State Budget
- Monthly Report Clerk and Construction

Council Reports

Council President Yeager: He attended the Planning Board meeting where they discussed the Redevelopment Area. They also voted on the CCKK property. He attended the Finance Committee meeting, which Councilman Corbett will be reporting on.

Councilman Binkoski: Absent

Councilman Corbett: On 7/9 he attended the Finance Committee meeting of the RVRSA. The finances are in much better shape than last year, but they are caring a \$4 million receivable from Jersey City that they haven’t paid and depends on the results of the court case. Both parties have submitted their findings of fact and conclusions of law in the court case and are hoping that judge decides prior to his clerk leaving. He was listening to the radio and heard about a proposal to impose a user fee on water of 10 cents per 1000 gallons to allegedly be used to repair failing water systems. First, we already pay a water tax. Second, they are saying that it would only be \$34 per user, but we have a very large water user in town that this would be a lot more money for them. He thinks that we should notify our representatives that we do not agree with this. Also, we have maintained our water system so we would be subsidizing towns that have not. The Finance Committee met with Mr. Rheinhardt and the Borough’s Auditor to discuss the Borough’s financial position and whether or not we should be paying off our water debt. He was concerned because when he was first elected, the Borough was broke. The year prior to his election, they had to get a special appropriation from the State to balance the budget, because they had lost so much tax revenue from the closing of large businesses in town. They managed to get themselves back on financial track, but he was concerned about repaying those loans, rather than saving the money. The Auditor, Mr. Sarinelli, advised them that the Borough is in spectacularly good

financial shape and that there is no issue with paying off those loans and that we should do so. Every other town in the County would love to be in our position. Even if there is a downturn in the economy we are well in position to withstand even a recession.

Councilwoman Hayes: No Report.

Councilwoman Veres: On 6/19 she attended the Library Board meeting. There are a lot of things happening at the library. They are doing canoeing at the Canal, having Elvis visit, and the Community Food Bank is doing free lunch for kids again this summer. The Mayor advised that he recently attended the opening of the new food pantry at Wharton United Community Church at St. John's and he advised the people in attendance about the lunch program. He continued that the Library really puts on some great programs, Kim Ridgeway does a great job over there.

Councilwoman Wickenheisser: No Report.

Mayor Chegwidden's Report: He thinks that CCKK is finally settled. They've learned a lot about rockery at the Planning Board meetings. All of the walls that were put up illegally will be coming down. They are going to be working with us on this and will be providing a schedule on when this will be taking place. He'd like to thank the DPW for their great work on cleaning up the corner by Hot Rods. It looks like a totally different area, they did a fantastic job. They have been doing a lot around town, including the brick on Main St. and the wall on Robert St., and many roads. The gas company has worked with us on paving W. Sterling St. and E. Central from Lafayette to Michigan. It's a great system that we have worked out with them. Mr. Rheinhardt advised the when the gas company disturbs a road, they are only responsible for paving half of it. We work with them and calculate the remaining liner footage so that the complete road can be paved. Letters have been sent to residents on St. Mary's St. about the plan for water main replacement needing to be postponed until next year because there are water mains that protrude into Main St. which was paved by the County two years ago. Similar to us, they have a moratorium on disturbing roads that have been recently paved that we have to abide by. There is a great article in the current Skylands Magazine about Canal Day that he'd like to bring to everyone's attention.

Open to the Public

Mayor Chegwidden opened the meeting to the public.

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

Adjournment

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

July 16, 2018

ATTEST:

Gabrielle Evangelista,
Borough Clerk

BOROUGH OF WHARTON

WILLIAM J. CHEGWIDDEN,
MAYOR