



## **BOROUGH OF NORTH HALEDON**

### **COUNCIL MEETING MINUTES**

**WEDNESDAY, MAY 20, 2015**

Mayor George read the following statement into the record:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of May 20, 2015, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 15, 2015, and was advertised in said newspapers on January 22, 2015. This notice was posted on the bulletin board on the same date and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Proper notice having been given, this meeting is called to order at 8:00 p.m. and the Clerk is directed to include this statement in the minutes of this meeting.

Msgr. Ed Kurtyka leads the Prayer and Mayor George asked that everyone remain standing for the Pledge of Allegiance.

### **ROLL CALL**

Present:

Mayor Randy George

Council Members: Rocco Luisi, Raymond Melone, Donna Puglisi, Dennis Marco, and Michael Galluccio

Borough Attorney Michael De Marco

Borough Engineer, Joseph Pomante

Acting Deputy Borough Clerk, Dena Ploch

Renate Elatab, Municipal Clerk

Absent:

Council Member Robert Dyer

### **DEVIATION / RULES AND PROCEDURES / BY-LAWS OF COUNCIL YOUTH WEEK**

Motion by Council Member Council Member Puglisi, second by Council Member Melone, to deviate from the regular order of business in order to observe Youth Week

ROLL CALL: Luisi, Melone, Puglisi, Dyer, Marco and Galluccio

Mayor George welcomes the youth representatives and each official offers a brief summary of the ambitions of his/her designated Youth Week Official.

Mayor Randy George	Claudia Antoci
Councilman Raymond Melone	Adelina Shej
Councilman Rocco Luisi	Kylee DeVries
Councilwoman Donna Puglisi	Kiana Severe
Councilman Robert Dyer	Paula Havlin
Councilman Dennis Marco	Jenna Gleason
Councilman Michael Galluccio	Sarah Manwani
Municipal Clerk Renate Elatab	Andrew Philip
Attorney Michael De Marco	Annaliese Kuipers

## **OFFICIAL REPORTS**

I am in receipt of the following reports:

Building Official's Report  
Clerk's Receipts  
Fire Department Report  
North Haledon Volunteer Ambulance Report  
Municipal Court Report  
Police Department Report  
Property Maintenance Report  
Tax Collector's Report to Treasurer  
Treasurer's Report

## **COMMITTEE REPORTS**

### **DPW / STREETS & ROADS / SEWERS/ BUILDINGS & GROUNDS / SOLID WASTE / RECYCLING**

After a long cold winter that resulted in a late start to the spring the D.P.W. accomplished in a short period of time the following tasks:

- Repairs were made to the numerous pot holes throughout the Borough.
- The numerous recreation fields were prepared for the upcoming season.
- The recreation bathrooms were also prepared and had yearly maintenance preformed in anticipation of the season.
- All Borough streets were swept and the sweeper is scheduled to go out for its much needed repairs.

- All Borough properties were given a spring cleanup, all flower beds were re-mulched and all sprinkler systems were checked and turned on in anticipation of the warm temperatures.
- Additional boxes were constructed for the community garden.
- Flower beds are being planted at the various Borough properties.

**POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292 (No report)**

**RECREATION**

Baseball and softball programs are running smoothly. The tennis program will begin shortly. We are very happy with the installation of our new tennis wall. Specs have already begun for the tennis court lighting. Fall soccer registration will be held in a few weeks.

**ZONING BOARD OF ADJUSTMENT (No report)**

**NORTH HALEDON VOLUNTEER AMBULANCE (No report)**

**FINANCE**

At the April 15<sup>th</sup> Council Meeting Resolution #95-2105 introduced the 2015 Municipal Budget and was passed. The Treasurer reported at the May 6<sup>th</sup> Work Session that there are amendments to the 2015 Budget. The Treasurer notified Mayor George in an email advising that three areas now need to be included in an amended 2015 Budget. This issue will be discussed at the May 20<sup>th</sup> regular scheduled Council Meeting.

**PLANNING BOARD**

The Planning Board has approved the application of 920 Belmont Acquisitions, LLC after months of public meetings and presentations by the applicant's experts. The Planning Board's professionals have reviewed all preliminary site plan and engineering reports and have advised the Planning Board members that the application has met all of the Planning Board and Borough's requirements. The Planning Board also approved three variances that the applicant requested. The 20 acre site also known as the Dworetzky tract will consist of 181 residential units off of Belmont Avenue in the newly designated Redevelopment Zone. Of the 181 residential units 100 would be 2 or 3 story townhouses, 62 townhouses with units stacked on top of the other units and 18 affordable housing units.

**BOARD OF EDUCATION / LOCAL.**

Principals Tait and Giancaspro are switching positions. Effective July 1, 2015, Ms. Tait will be the principal of Memorial School and Mr. Giancaspro will be the principal of High Mountain School. The Board will adopt its budget at a special meeting on May 14, 2015. Upon the recommendation of the Superintendent, the Board approved the resignations of teachers Mr. Benjamin Carapezza and Mrs. Nina Bradford. The Board settled a lawsuit with WNBC for \$2,015.26 in connection with a dispute over the Board's response to an Open Public Records Act request for documents about the time it takes to evacuate school buildings.

**BOARD OF EDUCATION / REGIONAL (No report)**

**BOARD OF HEALTH**

The members of the Board of Health discussed raising the fee for dog licenses in 2015. The free blood pressure clinic continues to be held on the first Monday of every month. The Board of Health usually meets on the fourth Monday of every month. There were 5 marriage license applications and 20 requests for certified copies of vital records requests filed with the Registrar, located in the office of the Municipal Clerk, but which is, according to New Jersey statute, a duty of the Board of Health.

**FIRE & WATER**

The Fire Department is planning an event that will be open to the public. The purpose of the event is to show residents all of their equipment and how it operates. It will also provide the Council with an opportunity to make informed decisions about approving future equipment requests. The police and volunteer ambulance departments may also participate. A date has not yet been set.

**ENGINEERING (No report)**

**LIBRARY**

The North Haledon Free Public Library offers programs and activities for residents of all ages. Programs for children include baby play time, toddler, preschool and after-school story times, science workshops, a summer reading club and Family Night @ the Library events. Activities for adults include a book discussion group, computer instruction, craft workshops, movies and trips to shows such as the Radio City Christmas Spectacular. An Open House will be held this coming Friday, May 22<sup>nd</sup>, from 1:00 p.m. to 5:00 p.m. to honor Miss Kathy and Miss Fran, who will be retiring. You are invited to stop in for coffee and cake to say “good bye” to them.

**PUBLIC CELEBRATIONS**

The Public Events Committee has planned another year of exciting events and activities for borough residents. The annual Egg Hunt held in April was one of the most successful ever, drawing over 300 participants. Earlier this month, approximately 50 hikers enjoyed Breakfast on the Mountain. This coming Saturday, we will be honoring those who “gave their all” for this nation with a Memorial Day Ceremony at 11:00 a.m. Also: do not forget the Car Show this coming Sunday. North Haledon Day will be held Saturday, October 3. This year’s event promises to be bigger and better than ever! In addition to a variety of food vendors and displays by local businesses and non-profits, there will be rides and other activities for children, a car show, contests, health screenings, music, a craft fair featuring over 40 vendors showcasing their handiwork and of course, the spectacular fireworks to close out the day. So mark your calendar and plan on joining your neighbors and friends for a wonderful fun-filled day.

Motion and second that above reports be received, action taken where necessary, and reports be placed on file. Upon roll call, all youth members voted in the affirmative. Motion carried.

**COMMUNICATIONS**

The Clerk stated that communications below were read in full at the Work Session.

Tax Assessor	Re: Quote for Litigation
Albert Zacone	Re: Proposal for ADA Improvements
Borough Clerk	Re: Sale of Municipal Assets
Borough Attorney	Re: No. Haledon Fire Co. 1 vs. Borough
Board of Health	Re: Fees / Pet Licenses
Treasurer	Re: Amendment to 2015 Budget
Chief of Police	Re: Auction of Police Vehicle
SPO James Donnelly	Re: Letter of Resignation
County Board of Taxation	Re: 2015 Preliminary Equalization Table
Department of Education	Re: Tax Levies / Manchester
NJ Builders Association	Re: Mount Laurel Matters
Wireless Edge	Re: DEP / DLUR Application
“North Haledon Resident”	Re: Junk Yard Behind Van’s Auto Body
DeBliet’s Pharmacy	Re: Disposition of Recyclables

Motion and second that the above communication be received, action taken where necessary, and be placed in file. Upon roll call, all youth members voted in the affirmative. Motion carried.

## **NEW BUSINESS / PROCLAMATIONS**

### **PROCLAMATION**

**Re: Support Click It or Ticket**

#### **WHEREAS,**

a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

#### **WHEREAS,**

use of a safety belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

#### **WHEREAS,**

the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

#### **WHEREAS,**

the State of New Jersey will participate in the nationwide Click It or Ticket safety belt mobilization from May 18 – May 31, 2015 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

#### **WHEREAS,**

the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate in the state from the current level of 88.29% to 90%; and

#### **WHEREAS,**

a further increase in safety belt usage in New Jersey will save lives on our roadways;

**NOW, THEREFORE,**

be it resolved that the Governing Body of the Borough of North Haledon declares its support for the Click It or Ticket seat belt mobilization both locally and nationally from May 18 to May 31, 2015, and pledges to increase awareness of the mobilization and the benefits of seat belt use.

**PROCLAMATION**

**Re: Bicycle Month**

**WHEREAS,**

in 1956 the League of American Wheelmen designated the month of May as National Bicycle Month; and

**WHEREAS,**

Bicycling is not only a recreational activity, but also an aerobic and toning exercise suitable for one's fitness and health regimen, as well as an energy, cost-cutting and environmentally friendly method of transportation;

**NOW, THEREFORE,**

be it resolved that, I, Randy George, Mayor of the Borough of North Haledon, do hereby proclaim May as Bicycle Month in the Borough of North Haledon, and that I encourage all residents to recognize the importance of bicycle safety and to take part in bicycling activities during the month of May, as well as throughout the entire year.

**PROCLAMATION**

**Re: Historic Preservation Month**

**WHEREAS,**

National Historic Preservation Month is being celebrated in the month of May in communities across the United States, co-sponsored by the National Trust for Historic Preservation; and

**WHEREAS,**

historic preservation is an effective tool for sustaining development, revitalizing neighborhoods, fostering local pride, and maintaining community character; and

**WHEREAS,**

historic preservation encourages community reinvestment, saving resources and promoting socially, culturally, and economically rich communities; historic preservation fosters a culture of reuse and maximizes a life cycle of all resources through conservation;

**NOW, THEREFORE,**

be it resolved that, I, Randy George, Mayor of the Borough of North Haledon, do recognize National Historic Preservation Month and hereby proclaim May 2015 as National Historic Preservation Month.

**PROCLAMATION**

**Re: National Military Awareness Month**

***WHEREAS,***

The freedom and security that citizens of the United States enjoy today are direct results of the bloodshed and continued vigilance given by the United States Armed Forces over the history of our great nation; and

***WHEREAS,***

the sacrifices that such members of the United States Armed Forces and of the family members that support them, have preserved the liberties that have enriched this nation making it unique in the world community; and

***WHEREAS,***

the United States Congress, in two thousand and four, passed a resolution proclaiming May as National Military Appreciation Month, calling all Americans to remember those who gave their lives in defense of freedom and to honor the men and women of all of our Armed Services who have served and are now serving our Country, together with their families; and

***WHEREAS,***

the months of May and June were selected for this display of patriotism because during these months, we celebrate Victory in Europe (VE) Day, Military Spouse Day, Loyalty Day, Armed Forces Day/Week, National Day of Prayer, Memorial Day, Navy Day, Army Day and Flag Day;

***NOW, THEREFORE,***

I, Randy George, Mayor of the Borough of North Haledon do hereby proclaim the period May 1, through June 14, 2015 as a special time to show appreciation for our Military and proclaim it as

**NATIONAL MILITARY APPRECIATION MONTH**

in the Borough of North Haledon and encourage all citizens to join me in showing our gratitude by the appropriate display of flags and ribbons during the designated period.

**PROCLAMATION**

**Re: National Military Awareness Month**

***WHEREAS,***

the older citizens in the Borough of North Haledon are among our most “treasured resources,” united by historical experiences, strengthened by diversity, and interpreting events through varied perspectives and backgrounds to bring wisdom and insight to our community; and

***WHEREAS,***

increasing numbers of adults are reaching retirement age and remain strong and active for longer than ever before; and

**WHEREAS,**

the older adults in the Borough of North Haledon deserve recognition for the contributions they have made and continue to make to the culture, economy, and character of our community and our nation; and

**WHEREAS,**

Borough of North Haledon can provide that recognition and respect by improving the quality of life for older Americans by:

Increasing their opportunities to remain active and engaged in community life;

Providing individualized services and support systems to maintain the dignity, independence, and self-determination of older Americans;

Combating ageist attitudes by honoring the past, present, and future contributions of older Americans.

**NOW, THEREFORE,**

I, Mayor Randy George, do hereby proclaim May 2015 to be Older Americans Month in the Borough of North Haledon and urge every resident to take time this month to honor our older adults, and the professionals, family members, and volunteers who care for many of them; this recognition and involvement will enrich our entire community's quality of life.

**PROCLAMATION**

**Re: Lyme Disease**

**WHEREAS,**

Lyme disease is an infectious disease caused by a bacteria called Borellia Burgdorferi, and Lyme disease and other tick-borne diseases are under-reported across the nation; and

**WHEREAS,**

Ticks, the hosts of Lyme disease, are carried by mice, rabbits, squirrels, deer, birds, and other animals; and

**WHEREAS,**

Traditional methods of removing ticks are dangerous and can increase the risk of acquiring the infection. Ticks can be so small and hard to detect that many people who contract Lyme disease do not know they were bitten, and lack of recognition, diagnosis, and treatment can result in permanent physical damage, leaving many Lyme patients permanently disabled; and

**WHEREAS,**

Lyme disease mimics many other diseases and often patients are misdiagnosed with more familiar conditions

**NOW, THEREFORE,**

I, Randy George, Mayor of the Borough of North Haledon, do hereby proclaim May 2015 as Lyme Disease Awareness Month in the Borough of North Haledon and encourage all residents to become better educated about Lyme disease and how to protect themselves from this infection.

**PROCLAMATION**

**Re: EMS Week**

**WHEREAS**, emergency medical service is a vital public service; and

**WHEREAS**, the members of emergency medical services teams are ready to provide life-saving care to those in need 24 hours a day, seven days a week; and

**WHEREAS**, access to quality emergency care drastically improves the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, the emergency medical services systems consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

**WHEREAS**, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

**WHEREAS**, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating an Emergency Medical Services Week.

**NOW, THEREFORE**, I, Randy George, Mayor of the Borough of North Haledon, in recognition of this event, do hereby proclaim the week of May 17 – 23, 2015, as:

**EMERGENCY MEDICAL SERVICES IN THE BOROUGH OF NORTH HALEDON**

With the theme, **EMS Strong**, I encourage the community to observe this week with appropriate programs, ceremonies and activities.

Mayor George congratulated and thanked the Youth Week members for their participation in Youth Week and invited them to stay for the rest of the meeting.

The Borough officials resume their positions on the dais.

**OFFICIAL APPROVAL OF ACTIONS TAKEN BY YOUTH WEEK MEMBERS**

Motion by Council Member Puglisi, second by Council Member Marco, to concur with all the actions taken by the Youth Week Council Members. Upon roll call, all members present voted in the affirmative. Motion carried.

**ADDITIONAL COMMUNICATIONS**

**Borough Auditor**  
**920 Belmont Avenue Acquisitions**  
**920 Belmont Acquisitions**

**Re: Revised Tax Rate**  
**Re: “Prayer for Relief” / Superior Court**  
**Re: Summary Evaluation**

**DEVIATION / RULES AND PROCEDURES / BY-LAWS OF COUNCIL  
920 BELMONT AVENUE ACQUISITION, LLC  
AND A BUDGET AMENDMENT**

Motion by Council Member Marco, second by Council Member Puglisi, to deviate from the regular order of business in order to discuss correspondence received from 920 Belmont Avenue Acquisition, LLC. and a budget amendment. Upon roll call, all members present voted in the affirmative. Motion carried.

The Borough Planner, Michael Kauker, was present for the discussion of two communications received from 920 Belmont Acquisition, LLC. regarding the construction of Mount Laurel units. Mayor George advised that 920 Belmont Avenue Acquisitions should be on the same page as the Borough.

The Borough Auditor was present for the discussion of the budget amendment requests submitted by the Treasurer. Mayor George advised that both amendment requests were due to the inability of the State to do its job correctly: \$20,000 had to be added to the municipal budget for planner and legal fees because COAH hadn't done their job, and \$9,000 in retro-active pension payments to PFRS was also the fault of the State. Mayor George reiterated the importance of the anticipated revenue from the PILOT programs in the redevelopment plan.

**ORDINANCE #9-2015**

**Re: Cap Bank**

Motion by Council Member Puglisi, second by Council Member Luisi, that the Clerk read the ordinance by title and waive the reading of the ordinance in full. Upon roll call, all members present voted in the affirmative. Motion carried.

The Clerk presented the following ordinance:

**CALENDAR YEAR 2015  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of North Haledon in the County of Passaic finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of

the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 2.0% increase in the budget for said year, amounting to \$180,216.90 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Borough Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of North Haledon, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of North Haledon shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$315,379.58, and that the CY 2015 municipal budget for the Borough of North Haledon be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor George opened the floor to the public.

Motion by Council Member Puglisi, second by Council Member Marco, to open the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Seeing as no one in the public wished to speak, motion by Council Member Puglisi, second by Council Member Marco, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Motion by Council Member Puglisi, second by Council Member Luisi, that Ordinance #9-2015 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #9-2015 was adopted on second reading and is hereby declared a passed ordinance in accordance with law. Upon roll call, all members present voted in the affirmative. Motion carried.

## **PUBLIC HEARING ON THE BUDGET**

Mayor George opened the floor to the public.

Motion by Council Member Puglisi, second by Council Member Galluccio, to open the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Seeing as no one in the public wished to speak, motion by Council Member Puglisi, second by Council Member Marco, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

### **RESOLUTION #111-2015**

**Re: Budget Amendment**

Mayor George read the budget amendment resolution (attached hereto and made part of the within minutes) into the record.

### **RESOLUTION TO AMEND THE 2015 MUNICIPAL BUDGET**

Motion by Council Member Puglisi, second by Council Member Melone, to approve the foregoing resolution. Upon roll call, all members present voted in the affirmative. Motion carried.

### **RESOLUTION #95-2015**

**Re: Second Reading / Adoption  
2015 Municipal Budget**

Motion by Council Member Puglisi, second by Council Member Melone, that the Clerk read the resolution by title and waive the reading of the resolution in full. Upon roll call, all members present voted in the affirmative. Motion carried.

The Clerk presented the following resolution (attached hereto and made part of the within minutes):

### **ADOPTION OF THE 2015 MUNICIPAL BUDGET**

Motion by Council Member Puglisi, second by Council Member Luisi, to approve the foregoing resolution. Upon roll call, Council Members Luisi, Melone, and Puglisi voted in the affirmative. Council Members Marco and Galluccio voted in the negative. The Borough Attorney advised that the resolution should be tabled.

Council Member Puglisi asked Council Members Galluccio and Marco why they had voted to introduce the budget, but then voted against adopting it, since the only thing that had changed was the budget amendment which they had both approved. Council Member Galluccio responded that he had voted in the affirmative to introduce the budget, but that he could not vote to approve it. Mayor George advised that Council Member Marco had a pet peeve with the health insurance for elected officials. Mayor George asked the Borough Auditor what the

consequences would be if the Borough did not adopt a budget. The Borough Auditor advised that the Local Finance Board would then establish a budget, but that that would certainly not benefit the Borough.

## **PUBLIC COMMENTS**

Motion by Council Member Puglisi, second by Council Member Marco, to open the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Seeing as no one in the public wished to speak, motion by Council Member Puglisi, second by Council Member Galluccio, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

## **APPROVAL OF PRIOR MINUTES**

Motion by Council Member Puglisi, second by Council Member Marco, to approve the minutes of the work session meeting of March 4, 2015, the work session meeting of April 1, 2015, the regular meeting of April 15, 2015, the closed session meeting of April 15, 2015, the work session meeting of May 6, 2015, and the closed session meeting of May 6, 2015. Upon roll call, all members present voted in the affirmative, with the exception of Council Member Galluccio, who abstained from voting on the May 6, 2015, minutes. Motion carried.

## **OLD BUSINESS / ORDINANCE**

### **ORDINANCE#10-2015**

**Re: Bond Ordinance**

Motion by Council Member Puglisi, second by Council Member Marco, that the Clerk read the ordinance by title and waive the reading of the ordinance in full. Upon roll call, all members present voted in the affirmative. Motion carried.

The Clerk presented the following ordinance:

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND IN THE BOROUGH OF NORTH HALEDON, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING \$1,250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF NORTH HALEDON, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:**

SECTION 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of North Haledon, in the County of Passaic, State of New Jersey (the "Borough") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the aggregate sum of \$1,250,000, which sum includes a Department of Transportation Grant in the amount of \$250,000 (the "DOT Grant") and \$50,000 as the aggregate amount of down payments for said improvements required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), and now available therefor by virtue of provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, and to meet the part of the \$1,250,000 appropriation not provided for by said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$950,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$950,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and purposes for the financing of which said debt obligations are to be issued are as follows:

Description	Total Authorization	Debt Authorization	Down Payment	Useful Life
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Description	Total Authorization	Debt Authorization	Down Payment	Useful Life
<p>A. Various improvements and upgrades to municipal facilities and improvements to various roadways all as on file with the Borough Clerk, such road improvements shall include, but are not limited to, as applicable, milling, construction, reconstruction, repairing and resurfacing of said roadways, drainage improvements, inlet, manhole and water valve replacements to said roadways and, as applicable, the restoration or construction of or improvements to curbs, sidewalks, traffic line striping, driveway aprons or barrier-free ramps along such roadways and the acquisition and installation of traffic signals, and signage, as required, throughout the Borough (such road improvements include a \$250,000 DOT Grant); and</p>	\$750,000	\$475,000	\$25,000	15 years
<p>B. Acquisition of various equipment for the fire department and police department, acquisition of a power lift stretcher, acquisition of a DPW truck and the refurbishment of a street sweeper, acquisition of various computers and IT equipment and installation of the Ice Rink.</p>	\$500,000	\$475,000	\$25,000	5 years
<p>.</p> <p>.</p>				
Grand Total:	<u>\$1,250,000</u>	<u>\$950,000</u>	<u>\$50,000</u>	

The appropriations set forth above also include all work, materials, appurtenances and equipment necessary for or incidental thereto.

a. The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$950,000.

b. The aggregate estimated cost of said improvements and purposes is \$1,250,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Passaic make a loan, contribution or grant-in-aid to the Borough for the improvements authorized hereby (excluding the DOT Grant) and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Passaic. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Passaic shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply however, with respect to any contribution or grant in aid received by the Borough as a result of using such funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk of the Borough and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

b. The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10 years.

c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$950,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

d. An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2 . No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the Borough, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be

issued in an amount not to exceed \$950,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion by Council Member Puglisi, second by Council Member Marco, that Ordinance #10-2015 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #10-2015 was adopted on second reading and is hereby declared a passed ordinance in accordance with law. Upon roll call, all members present voted in the affirmative. Motion carried.

## **NEW BUSINESS / ORDINANCES / RESOLUTIONS**

### **ORDINANCE #11-2015**

**Re: Salary Ordinance**

Motion by Council Member Puglisi, second by Council Member Melone, that the Clerk read the ordinance by title and waive the reading of the ordinance in full. Upon roll call, all members present voted in the affirmative. Motion carried.

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT  
ORDINANCE #1-2015 FIXING THE SALARIES AND COMPENSATIONS  
OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF  
NORTH HALEDON, IN THE YEAR 2015**

**BE IT ORDAINED**, by the Mayor and Council of the Borough of North Haledon as follows:

### **SECTION 1.**

The following annual salaries and compensations shall be paid to the following officers and employees of the Borough of North Haledon, County of Passaic, and State of New Jersey for the year 2015:

MAYOR	5,000.00
COUNCIL MEMBERS	3,442.00
CHIEF OF POLICE	159,391.00
ADMINISTRATOR	20,604.00
MUNICIPAL CLERK	67,805.00
MUNICIPAL HOUSING ADMINISTRATOR	12,610.00
DEPUTY BOROUGH CLERK	46,240.00
ADMIN. ASST./CLERK'S OFFICE	35,027.00
TAX COLLECTOR	63,061.89
TAX SEARCH OFFICER	912.03
TAX ASSESSOR	19,044.00
MUNICIPAL TREASURER	66,628.00
CHIEF FINANCIAL OFFICER	13,281.00
ASSISTANT TREASURER	50,033.00
SUPERINTENDENT OF PUBLIC WORKS	97,877.00
CLERICAL ASST/POLICE DEPT.	30,300.00
OPERATOR/PUMP STATION/PART TIME	16,000.00
ASST. OPERATOR/PUMP STATION	43,314.00
PLANNING BOARD CLERK	5,359.00
PLANNING BOARD CLERK-PER SPECIAL MEETING	30.00
PLANNING BD. ATTORNEY-RETAINER	3,500.00
ZONING BOARD OF ADJUSTMENT/ SECRETARY	3,581.000
ZONING BD. SPECIAL MEETING	30.00
ZONING BD. ATTORNEY-RETAINER	2,600.00
MUNICIPAL JUDGE	15,150.00
MUNICIPAL COURT ADMINISTRATOR	59,343.00
PROSECUTOR	16,624.00
PUBLIC DEFENDER/PER APPEARANCE	150.00
CONSTRUCTION CODE OFFICIAL	49,929.00
PLUMBING & ELECTRICAL SUB-CODE OFFICIAL	20,281.81
FIRE SUB-CODE OFFICIAL	10,590.00
ZONING REVIEW OFFICER	1,310.00
CODE ENF.-PROP MNT.-ZONING ENFORCEMENT	66,871.00
LAND USE ACT ADMINISTRATOR	1,310.00
TECHNICAL ASST. CONSTRUCTION OFFICE	31,846.00
REGISTRAR OF VITAL STATISTICS	1,722.00
DEPUTY REGISTRAR OF VITAL STATISTICS	738.00
FIRE OFFICIAL	7,143.00
OEM COORDINATOR	2,211.90
ASST. OEM COORDINATOR	882.74
REGISTERED ENVIRONMENTAL HEALTH SPEC.	14,976.00
PUBLIC HEALTH NURSE	13,311.00

SECRETARY/BOARD OF HEALTH	6,556.00
RECYCLING COORDINATOR	4,339.00
SECRETARY ETHICS BOARD	214.00
SECRETARY ETHICS BD/PER SPECIAL MEETING	30.00
RECORDING CLERK ETHICS BD / PER MEETING	150.00
ROAD KILL SPECIALIST	3,370.00

**HOURLY**

RECYCLING ATTENDANT/ENFORCEMENT OFFICER	12.00 – 30.00
DEPUTY TAX COLLECTOR	15.00 – 18.00
DPW PART-TIME LABORER	12.00 – 18.60
SPECIAL POLICE OFFICER	14.00-16.00
FIRE INSPECTOR	14.00-16.00
CLERICAL ASSISTANT	14.00 – 18.00
PART-TIME DISPATCHER	12.00-15.00
CROSSING GUARD	14.00-16.00
DEPUTY COURT ADM. / VIOLATIONS CLERK	15.00-18.00

Motion by Council Member Puglisi, second by Council Member Melone, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on June 17, 2015, at 8:00 p.m. or as soon thereafter as the matter can be reached by the Mayor and Council, and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with the law. Upon roll call, all members present voted in the affirmative. Motion carried.

**RESOLUTION CA#6-2015**

**Re: Consent Agenda #6-2015**

Motion by Council Member Puglisi, second by Council Member Melone, that the Clerk reads the resolution by title and waive the reading of the resolution in full. Upon roll call, all members present voted in the affirmative. Motion carried.

The Clerk presented the following resolution:

**WHEREAS**, the Mayor and Board of Council of the Borough of North Haledon have reviewed the Consent Agenda consisting of various proposed resolutions; and

**WHEREAS**, the Mayor and Board of Council of the Borough of North Haledon are not desirous of removing any resolution for individual action from the agenda; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of North Haledon that the following resolutions on the consent agenda are hereby approved and adopted.



Block 58.06 Lot 11.03	\$2,299.25
	<u>\$2,443.35</u>
Total	\$4,742.60

Spiotti & Esposito, P.C. Attorney Trust Account  
165 Passaic Ave  
Suite 103-A  
Fairfield, NJ 07004

**Resolution #114-1015**

**Re: Tennis Court Lighting**

**BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that the Clerk be and she is hereby authorized to advertise for the receipt of bids for tennis court lighting on behalf of the Mayor and Council.

**Resolution #115-2015**

**Re: Pascack Hills Properties /  
Release of Bonds**

**WHEREAS**, the Borough Council of the Borough of North Haledon entered into a Developer's Agreements with Pascack Hills Properties, LLC on May 17, 2006 for the construction of residential units at a 3-Lot subdivision along Manchester Avenue commonly known as house nos. 332,340 and 348; and

**WHEREAS**, pursuant to the Developer's Agreement, a performance bond was posted by the Developer, Pascack Hills Properties, LLC in the amount of \$142,488.00 comprised of \$14,249.00 in the form of cash and \$128,239.00 in the form of a letter of credit; and

**WHEREAS** pursuant to the North Haledon Planning Board Resolution of Approval adopted on December 9, 2004 required that the Developer, Pascack Hills Properties, LLC repave that portion of Manchester Avenue directly in front of the newly constructed dwellings from curb to curb and that said Resolution of Approval from the North Haledon Planning Board was made part of the Developer's Agreement which was executed by the Borough Council on May 17, 2006; and

**WHEREAS**, on December 16, 2010 the Developer requested and was subsequently granted the release of a portion of his performance bond (Letter of Credit) provided the Borough retain the cash portion of the original performance bond in the amount of \$14,249.00 along with a two-year maintenance guarantee in the form of a cash payment in the amount of \$17,811.00 as a guarantee that the roadway repaving work at Manchester Avenue would be completed; and

**WHEREAS**, the Borough of North Haledon currently has \$32,063.87, representing principal and interest held in escrow for the purpose of guaranteeing the completion of the repaving of Manchester Avenue as outlined in the North Haledon Planning Board Resolution of Approval

**WHEREAS**, the Developer did not repave Manchester Avenue in a timely fashion and the Borough Engineer was directed by the Governing Body to complete same as part of the 2013 Road Improvement Program with the intent of utilizing the Developer's funds to offset the costs incurred by the Borough in completing same, and;

**WHEREAS**, the Borough Engineer did execute the repaving of Manchester Avenue in July of 2014 at a total cost of \$17,336.47

**WHEREAS**, the Borough Engineer recommends that \$17,336.47 be deducted from the maintenance guarantees currently held by the Borough of North Haledon and that the remaining balance be returned to the Developer; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that the CFO/Treasurer is hereby directed to return \$14,727.40 to the Developer, Pascack Hills Properties, LLC and the remaining \$17,336.47 be retained by the Borough of North Haledon to offset Borough funds utilized to repave the specified portion of Manchester Avenue. The CFO/Treasurer is further directed to account for said funds as a return to the Improvement Authorization of the 2013 Capital Budget.

**Resolution #116-2015**

**Re: Acceptance of Proposal /  
McNerney & Associates**

**WHEREAS** the Borough of North Haledon is in need of a real property appraisal in connection with the sale of Block 29, Lot 9 within the Borough of North Haledon;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of North Haledon as follows:

1. The professional services of McNerney & Associates, Inc. be approved in connection with the above matter.
2. The compensation for said services shall be \$2,500 for the appraisal report, in addition a rate of \$125 per hour for any time expended to be part of litigation, not to exceed \$4,375.

**BE IT FURTHER RESOLVED** that the funds are available for the aforementioned by certification of the Treasurer/CFO following.

**CERTIFICATION**

I, Laura Leibowitz, CFO/Treasurer, do hereby certify that the funds are available for the aforementioned in Legal OE.

**Resolution #117-2015**

**Re: ADA Improvements / Buehler's**





(4) A list of the surplus property to be sold is as follows:

- 2005 Dodge Durango, VIN 1S4HB48N35F533505, 106,000 miles

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Borough of North Haledon reserves the right to accept or reject any bid submitted.

**Resolution #124-2015**

**Re: Library Lighting Project**

**BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that the Clerk be and she is hereby authorized to advertise for the receipt of bids for a library lighting project on behalf of the Mayor and Council.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

Mayor George reads the Certification of Availability of Funds into the record.

**Resolution #125-2015**

**Re: Payment of Approved Claims**

Mayor George reads the Payment of Claims Resolution into the record.

**WHEREAS**, claims from the following funds have been presented to the Mayor and Board of Council for payment:

**2014 BILLS**

CURRENT FUND -RESERVES.....\$ 3,523.88

**2015 BILLS**

CURRENT FUND-OTHER EXPENSES .....\$183,552.29

**2014 BILLS**

PREPAID BILLS - CURRENT FUND - OTHER EXPENSES.....\$ 2,429,690.00

FEDERAL/STATE GRANT FUND.....\$ 8,964.39

DOG LICENSE TRUST ACCOUNT.....\$ 1,000.00

CAPITAL FUND.....\$ 45,923.39

DEVELOPERS ESCROW BANK OF AMERICA.....\$ 48,201.13

**NOW, THEREFORE, BE IT RESOLVED** that the Treasurer is hereby authorized to pay these claims, as funds are available.

**BE IT FURTHER RESOLVED** that the total payrolls in the amount of \$ 325,610.95 paid in the month of April be approved.

Motion by Council Member Marco, second by Council Member Luisi, to approve the foregoing resolution. Upon roll call, all members present voted in the affirmative. Motion carried.

Motion by Council Member Luisi, second by Council Member Melone, to go into Executive Session to discuss anticipated litigation, personnel, and contract negotiations. The Borough Attorney advised that official action may be taken. Upon roll call, all members present voted in the affirmative. Motion carried.

**EXECUTIVE SESSION (in 9:22 p.m.) for pending litigation and personnel**

**EXECUTIVE SESSION (out 10:37 p.m.)**

Roll Call

Present: Mayor Randy George and Council Members: Raymond Melone, Rocco Luisi, Donna Puglisi, Dennis Marco, and Michael Galluccio

Also Present: Police Chief Robert Bracco and the Records Clerk Victoria Stapleton

**Official Discussion / Salary of Police Records Clerk**

Mayor George advised that he had been the impetus for setting the salary of the Records Clerk at \$30,000, but that he should have made it \$35,000, and that \$35,000 had been in the approved budget. He recommended giving her a raise of \$5,000 that is not what she wants, but that is what he recommends. This raise is not setting a precedent with the unions, because unlike, the unions, there are no steps for administration.

Council Member Puglisi advised that Council Members had expressed their opposition to stipends – the unions would be watching – here we are talking about a raise of over 17%, while other negotiations are considering 1% or 2% raises.

Council Member Marco believed that such a big increase would cause internal problems. The members of the Governing Body had already shown compassion by giving her the \$5,000 for her insurance waiver up front instead of waiting until the end of the year.

Council Member Luisi told the Records Clerk that the salary was too low, but that he was not inclined to offer her \$5,000 if she was not going to be happy either way, and that her request had placed the members of the Governing Body in a bind.

Council Member Melone advised that although the Records Clerk had asked for \$40,000, he did not believe that \$35,000 was unreasonable and wanted to make a motion to raise the salary to \$35,000.

Councilman Galluccio stated that the raise would cause a problem, but that the Records Clerk could not live on \$30,000, and that he supported Mayor George's recommendation.

Mayor George reiterated that employees were different and that the union members have the protection from their union and salary steps. He had not taken into account that the other

secretaries in administration make over \$35,000. He wanted to encourage members of the Governing Body to recognize that \$30,000 was too low, and that he thought \$35,000 was fair.

Motion by Council Member Melone, second by Council Member Galluccio, to increase the salary of the Records Clerk by \$5,000. Upon roll call, Council Members Puglisi and Marco voted in the negative, while Council Members Galluccio, Luisi, and Melone voted in the affirmative. Motion carried.

Motion by Council Member Puglisi, second by Council Member Melone, to go into executive session to discuss contract negotiations. Upon roll call, all members present voted in the affirmative. Motion carried.

**EXECUTIVE SESSION (in 10:55 p.m.)**

**Mayor George recuses himself from further discussion at the Executive Session and leaves the meeting at 11:12 p.m.**

**EXECUTIVE SESSION (out 11:16 p.m.)**

Roll Call

Present: Council Members Raymond Melone, Rocco Luisi, Donna Puglisi, Dennis Marco, and Michael Galluccio

**ADJOURNMENT**

Motion by Council Member Galluccio, second by Council Member Council Member Marco, to adjourn the meeting. Upon roll call, all members present voted in the affirmative. Motion carried.

The Borough Attorney declared the meeting duly adjourned at 11:18 p.m.

Respectfully Submitted,

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Renate Elatab, Municipal Clerk

Approved at Council Meeting of July 8, 2015