



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

WEDNESDAY, APRIL 16, 2014

Mayor George read the following statement:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of April 16, 2014, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 6, 2014, and was advertised in said newspapers on January 19, 2014. These notices were posted on the bulletin board on the same date and have remained continuously posted as the required notices under the Statute. In addition, copies of these notices are and have been available to the public, and are 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 was directed to include this statement in the minutes of the meeting.

Pastor Michael Johnson leads the Prayer and Mayor George asks that everyone remain standing for the Pledge of Allegiance. Following the Pledge of Allegiance, Mayor George asked for a moment of silence in the memory of Bob Flaker's father, Peter Flaker, who had passed away earlier that day.

ROLL CALL

Present:

Mayor Randy George

Council Members: Rocco Luisi, Robert Dyer, Donna Puglisi (arrived at 8:10 p.m.), Dennis Marco, and Michael Galluccio

Absent:

Councilman Raymond Melone

Also Present:

Borough Attorney, Michael De Marco

Deputy Municipal Clerk, Dena Ploch

Municipal Clerk, Renate Elatab

PUBLIC COMMENTS

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

Ed Patterson, 16 Morningside Avenue, thanked the Mayor for taking the time to discuss the Redevelopment Plan with him. At this point, Mayor George advised Mr. Petterson that ordinances regarding the Redevelopment Plan were being introduced later in the meeting, and that if he wanted to discuss the Redevelopment Plan, he could do so at that time. Mr. Petterson advised that that was what he wished to do.

Seeing as no one else from the public wished to speak at this time, motion by Councilman Marco, second by Councilman Galluccio, to close the floor to the public. Upon roll call, all members in the present voted in the affirmative. Motion carried.

APPROVAL OF PRIOR MINUTES

Motion by Councilman Dyer, second by Councilman Marco, to approve the minutes of the regular council meeting of March 19, 2014, and the work session meeting of April 2, 2014. Upon roll call, all members present voted in the affirmative, except for Councilman Luisi, who abstained from voting on the minutes of April 2, 2014. Motion carried. (Note: Councilwoman Puglisi had not arrived at the Council Meeting at this time, so her vote is not included in the affirmative votes.)

OFFICIAL REPORTS

The Clerk stated that she was in receipt of the following reports:

Ambulance Report
Building Official's Report
Clerk's Receipts
Court Administrator's Report
Fire Department Report
Police Department Report
Property Maintenance Report
Tax Collector's Report to Treasurer
Treasurer's Report

Motion by Councilman Dyer, second by Councilman Marco, that above reports be received, action taken where necessary, and reports be placed on file. Upon roll call, all members present voted in the affirmative. Motion carried. (Note: Councilwoman Puglisi had not arrived at the Council Meeting at this time, so her vote is not included in the affirmative votes.)

COMMITTEE REPORTS

DPW / STREETS & ROADS / SEWERS/ BUILDINGS & GROUNDS / SOLID WASTE / RECYCLING - MELONE

POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292 - PUGLISI

RECREATION - PUGLISI

ZONING BOARD OF ADJUSTMENT - PUGLISI

NORTH HALEDON VOLUNTEER AMBULANCE - DYER

FINANCE - DYER

PLANNING BOARD - MARCO

BOARD OF EDUCATION / LOCAL - LUISI

BOARD OF EDUCATION / REGIONAL – GALLUCCIO

BOARD OF HEALTH - GALLUCCIO

FIRE & WATER - LUISI

ENGINEERING - DYER

CODIFICATION ADHOC COMMITTEE REPORT - PUGLISI

LIBRARY - MAYOR GEORGE

Mayor George reminded everyone of the Easter Egg Hunt and the Education Foundation Breakfast this coming Saturday.

Motion by Councilman Dyer, second by Councilman Luisi, that above reports be received, action taken where necessary, and reports be placed on file. Upon roll call, all members present voted in the affirmative, with the exception of Councilman Puglisi, who abstained. Motion carried.

COMMUNICATIONS

The Clerk stated that all communications were read in full at the Work Session and were as follows:

Douglas Doyle, Esq.	Re: Schedule of Dates / Redevelopment Process
Douglas Doyle, Esq.	Re: Implementing Plans for Redevelopment
Michael Rubin, Esq.	Re: Legal Fees / NH Ethics Board
NJHIF	Confidential
Joseph B. Fiorenzo	Confidential
New Jersey State PBA	Confidential
North Haledon Board of Health	Re: Submerged Vehicle in Oldham Pond
Property Maintenance Officer	Re: Dumping on Wigwam Avenue
North Haledon Bd. of Education	Re: 2006 Bond Payments
John Kulik	Re: Pumping Station Agreement
Vander Plaats	Re: Invitation
Sustainable Jersey	Re: Award / Small Grant
Michael De Marco	Re: Noise Ordinance

Motion by Councilman Dyer, second by Councilman Marco, that above communications be received, action taken where necessary, and be placed on file. Upon roll call, all members present voted in the affirmative, with the exception of Councilman Puglisi, who abstained regarding the Lakeside Pumping Station agreement.. Motion carried.

UNFINISHED BUSINESS

Ordinance #3-2014

Re: Penalties

Motion by Councilman Dyer, second by Councilman 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

AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE CODE OF THE BOROUGH OF NORTH HALEDON

BE IT ORDAINED by the Borough Council of the Borough of North Haledon as follows:

1. All penalty sections in the various chapters of the Code of the Borough of North Haledon shall provide for the following penalties:
(1) a fine not less than \$100.00 and not exceeding \$2,000.00; (2) imprisonment for a period not exceeding 90 days; (3) a period of community service not exceeding 90 days, or a combination thereof.
2. All other parts of provisions of the Code of the Borough of North Haledon or other ordinance or regulation not specifically amended by this ordinance shall remain in full force and effect.
3. This ordinance shall become effective upon passage and publication as provided by law unless otherwise specifically provided.

Mayor George opened the floor to the public.

Motion by Councilwoman Puglisi, second by Councilman Dyer, to open the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

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

Motion by Councilman Dyer, second by Councilwoman Puglisi, that Ordinance #3-2014 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be

published that Ordinance #3-2014 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.

NOTICE

Notice is hereby given that the above ordinance passed its second and final reading at the regular meeting of the Board of Council of the Borough of North Haledon, which was held on April 16, 2014, at the Municipal Building, 103 Overlook Avenue, North Haledon, NJ and is hereby declared a passed ordinance in accordance with law.

Ordinance #4-2014

Re: Repealing Ordinance #12-2009

Motion by Councilman Dyer, second by Councilwoman Puglisi, 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
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REPEAL ORDINANCE 12-2009**

BE IT ORDAINED by the Mayor and Council of the Borough of North Haledon, County of Passaic, State of New Jersey, that:

Section 1. Ordinance No. 12-2009 be and the same is hereby repealed.

Section 2. All other parts or provisions of the Code of the Borough of North Haledon or any other ordinance or regulation not specifically amended by this Ordinance shall remain in full force and effect.

Section 3. This Ordinance shall take effect upon final adoption and publication as provided by law.

Mayor George opened the floor to the public.

Motion by Councilman Dyer, second by Councilwoman Puglisi, to open the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

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

Motion by Councilman Dyer, second by Councilwoman Puglisi, that Ordinance #4-2014 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #4-2014 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.

NOTICE

Notice is hereby given that the above ordinance passed its second and final reading at the regular meeting of the Board of Council of the Borough of North Haledon, which was held on April 16, 2014, at the Municipal Building, 103 Overlook Avenue, North Haledon, NJ and is hereby declared a passed ordinance in accordance with law.

Ordinance #5-2014

Re: Police Department

Motion by Councilwoman Puglisi, second by Councilman Dyer, 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
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REVISE CHAPTER 2, ARTICLE VII, POLICE DEPARTMENT**

BE IT ORDAINED by the Mayor and Council of the Borough of North Haledon, County of Passaic, State of New Jersey, that:

Section 1. **Chapter 2, Article VII, Police Department**, shall be amended as follows:

§2-40 shall be deleted and replaced with Schedule “A” hereto.

§2-41 shall be amended to delete the reference to the Police Committee in the first sentence and insert in its place “The Governing Body”

Section 2. All other parts or provisions of Chapter 2 of the Code of the Borough of North Haledon or any other ordinance or regulation not specifically amended by this Ordinance shall remain in full force and effect.

Section 3. This Ordinance shall take effect immediately after final adoption and publication as provided by law.

Mayor George opened the floor to the public.

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

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

Motion by Councilwoman Puglisi, second by Councilman Dyer, that Ordinance #5-2014 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #5-2014 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.

NOTICE

Notice is hereby given that the above ordinance passed its second and final reading at the regular meeting of the Board of Council of the Borough of North Haledon, which was held on April 16, 2014, at the Municipal Building, 103 Overlook Avenue, North Haledon, NJ and is hereby declared a passed ordinance in accordance with law.

Ordinance #6-2014

Re: **Fees**

Motion by Councilwoman Puglisi, second by Councilman Galluccio, 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
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REVISE CHAPTER 69, FEES**

BE IT ORDAINED by the Mayor and Council of the Borough of North Haledon, County of Passaic, State of New Jersey, that:

Section 1. Chapter 69, FEES, of the Code of the Borough of North Haledon, shall be and hereby is revised, amended and supplemented by modification so that the same shall read as follows:

1. §69-34 entitled "Use of Community Garden" shall be added and provide:

There shall be an annual fee of \$50.00 per plot for use of the Community Garden.

Section 2. All other parts or provisions of Chapter 69 of the Code of the Borough of North Haledon or any other ordinance or regulation not specifically amended by this Ordinance shall remain in full force and effect.

Section 3. This Ordinance shall take effect immediately upon final adoption and publication as provided by law.

Mayor George opened the floor to the public.

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

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

Motion by Councilman Dyer, second by Councilman Marco, that Ordinance #6-2014 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #6-2014 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.

NOTICE

Notice is hereby given that the above ordinance passed its second and final reading at the regular meeting of the Board of Council of the Borough of North Haledon, which was held on April 16, 2014, at the Municipal Building, 103 Overlook Avenue, North Haledon, NJ and is hereby declared a passed ordinance in accordance with law.

NEW BUSINESS / ORDINANCES / RESOLUTIONS

Ordinance #7-2014

Re: Land Use Procedures

Motion by Councilwoman Puglisi, second by Councilman 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.

NOTE: At this time (8:15 p.m.), the Borough Attorney stepped off the dais, since his office is located within the proposed Redevelopment Zone.

The Clerk presented the following ordinance:

**AN ORDINANCE AMENDING CHAPTER 11, LAND USE PROCEDURES,
ESTABLISHING ADMINISTRATIVE PROCEDURES IN CONNECTION
WITH THE IMPLEMENTATION OF THE REDEVELOPMENT PLAN**

WHEREAS, the Mayor and Council believe that it would further the interests of sustaining and promoting growth and development in North Haledon if the Borough's Land Use Procedures were amended to include a new Article entitled "Implementation of Redevelopment Plans"; and

WHEREAS, it is the purpose of this proposed new Article to establish processes and procedures for the implementation of redevelopment plans adopted by the Borough, notwithstanding the obligation of any individual or entity to comply with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.).

NOW, THEREFORE, BE IT ORDAINED that the Mayor & Council of the Borough of North Haledon hereby amends Chapter 11 “Land Use Procedures” adding a new Article entitled “IMPLEMENTATION OF REDEVELOPMENT PLANS” and a new Appendix entitled “Redevelopment Application” as follows:

**ARTICLE VII
IMPLEMENTATION OF REDEVELOPMENT PLANS**

11-40 Implementation of Redevelopment Plans

All redevelopment plans shall be implemented by the Borough acting as redevelopment entity, unless the Borough Council selects another Redevelopment Entity.

11-41 Phasing of Redevelopment Plans

The clearance, replanning, conservation, development, rehabilitation or redevelopment of a redevelopment or rehabilitation area may be accomplished in one or more phases or sub-phases as determined by the Borough Council or Redevelopment Entity.

11- 52 Establishment of Redevelopment Review Committee

There is hereby established a Redevelopment Review Committee (RRC) to assist the Borough Council in implementing redevelopment plans.

11-53 Members of the Redevelopment Review Committee

The RRC shall consist of the following Borough representatives:

- Mayor or designee
- Two Borough Council representatives
- Borough Planner
- Borough Engineer
- Borough Redevelopment Attorney
- Any other individual(s) or entities designated to participate by the Mayor because a particular expertise may be required concerning a specific application.

11-54 Application Form

Any individual or entity seeking designation as the redeveloper of a parcel of land within a rehabilitation area or redevelopment area for which a redevelopment plan has been adopted shall submit the form of application located in Appendix A and entitled “Redevelopment Application” to the Borough Clerk, along with the required application fee. The Borough Clerk shall not forward an application to the RRC unless the application form has been fully completed and the application fee has been paid.

11-55 Duties of RRC

- a. The RRC shall review completed applications, investigate the qualifications of the applicants, make inquiries concerning the proposed project to determine if the proposed project complies with the redevelopment plan and provide a recommendation to the Borough Council as to whether or not the application should be accepted or rejected.
- b. The RRC is authorized to meet with the applicant to obtain information that it deems necessary to formulate a recommendation to the Borough Council.
- c. In the event that the RRC meets with the applicant, then the RRC shall among other duties:
 - i. Acquaint the applicant with the substantive and procedural requirements of the Borough's Redevelopment Plan.
 - ii. Exchange information with the applicant concerning the relationship of the proposed development with the applicable elements of the Redevelopment Plan, Borough Master Plan, Land Use Ordinance or other applicable Borough regulations.
 - iii. Inform the applicant of any public sources of information that may aid the applicant in preparing its formal submittal to the Borough and its Planning Board.
 - iv. Review the condition of existing service facilities, the impact of the proposed development on those facilities and improvements that may be necessary or required to accommodate the proposed development and the area affected by the proposed development.
 - v. Identify Borough policies or regulations that create opportunities for, or pose significant constraints on the proposed project (including but not limited to flood, fire, traffic, parking, public safety, environmental, historic preservation, property maintenance, or availability of utilities).
 - vi. Consider opportunities to increase development benefits and mitigate undesirable project consequences.
 - vii. Provide input concerning the general design of the proposed development in an effort to expedite the review and approval process.
- d. The RRC shall upon request provide insight and clarity to the Borough's Redevelopment Attorney during the negotiation of the redevelopment agreement.
- e. The RRC may also be called upon to provide insight and clarity to the Borough's professionals and staff during the administration of any redevelopment agreement.
- f. The RRC shall meet in person to discharge the duties set forth herein and make periodic reports to the Borough Council of its activities.

- g. The RRC shall conduct a compliance review of each proposed project prior to the submission of a site plan and/or subdivision application to the Planning Board. The compliance review shall consist of a review of the following documents:
 - i. The executed redevelopment agreement, including any amendments
 - ii. Site plan drawing including general dimensions;
 - iii. Building elevation and/or perspective drawing that includes proposed building height(s);
 - iv. Typical floor plan(s) including overall dimensions;
 - v. Project description that includes lot size, number of floors, proposed use or uses and any known waiver (i.e. buffer or setback) or variance requests;
 - vi. Each drawing or plan should include appropriate notes, as applicable concerning the following items: ingress/egress and circulation, lighting, landscaping, utilities, storm water management, parking and open space.
 - vii. The redeveloper shall provide the RRC with seven (7) copies of the foregoing documents but the RRC may request that additional copies of these documents be provided by the redeveloper prior to scheduling the RRC if a determination is made to have other individuals or entities participate in the RRC because of a particular expertise that may be required concerning a specific application.

- h. The RRC shall determine whether or not the proposed project is consistent with the redevelopment plan and redevelopment agreement governing the project. The redeveloper may not make application to the Planning Board unless the RRC has indicated in writing that the proposed project is consistent with the redevelopment plan and redevelopment agreement governing the project. No planning board application by the Redeveloper shall be deemed complete unless it includes a consistency determination issued by the RRC within 45 days of the filing of the application with the Planning Board.

11-56 Legal Effect of RRC Participation

Reviews by the RRC and any statements or recommendations made during the RRC meeting(s) by the Borough or its representatives shall not have a binding legal effect on the Borough Council, Planning Board, Zoning Board of Adjustment or any Borough representative participating in the RRC. The Borough Council is the sole entity that can designate an applicant as a redeveloper, or authorize the execution of a redevelopment agreement or hear an appeal by a redeveloper of any adverse recommendation made by the RRC.

11-57 Selection of One or More Redevelopers

The Borough Council or Redevelopment Entity may select one or more redevelopers to undertake projects in a redevelopment or rehabilitation area. Prior to the designation of a redeveloper to undertake a project, the Borough Council or Redevelopment Entity shall determine that the redeveloper possesses rights to the property to be developed, or a reasonable plan and timeline for obtaining rights to the property to be developed, as well as the experience, financial capability, and

technical expertise to undertake the proposed project in the redevelopment or rehabilitation area. The redeveloper may demonstrate its experience, financial capability and technical expertise to the Borough Council or Redevelopment Entity by providing evidence of its prior experience in constructing projects of similar size or scope, through evidence of the prior experience of its retained professionals and/or staff at executing projects of similar size or scope, through the provision of statements of net worth, annual financial reports or commitments from lenders, or demonstrated prior experience obtaining project financing for projects of similar size or scope, through the retention of knowledgeable, experienced professionals, such as architects, engineers, planners, attorneys and financial advisors that have experience with projects of similar size or scope. The foregoing listing is provided by way of example and not as a limitation upon the inquiry that the Borough Council or Redevelopment Entity may choose to undertake to make a determination that the redeveloper possesses the experience, financial capability, and technical expertise to undertake and complete a project in a redevelopment or rehabilitation area.

11-58 Requirement that Applicants Enter into Funding Agreement

After the Clerk deems the Redevelopment Application complete and forwards the application to the RRC for review the applicant must execute a funding agreement with the Borough, in a form acceptable to the RRC that requires the posting of funds to be held in trust for the payment of the Borough's out of pocket costs and expenses in connection with the review of the application, negotiation of the redevelopment agreement, administration of the redevelopment agreement, and ongoing participation of the RRC, including but not limited to the Borough's reasonable professional engineering, planning, legal and financial advisory services. The Mayor is authorized to execute the funding agreement with the applicant upon approval of the form of funding agreement by the RRC.

11-59 Negotiation of One or More Redevelopment Agreements

In the event that the Borough or Redevelopment Entity selects one or more redevelopers to undertake projects in the redevelopment or rehabilitation area, it shall require the redeveloper to execute a redevelopment agreement. The redevelopment agreement shall comply with the requirements of the LRHL and other applicable laws. The redevelopment agreement may authorize the continuation of the Funding Agreement described in Section 11-58 or authorize the execution of a new funding agreement and the termination of the existing funding agreement. No redevelopment agreement shall be executed by the Borough unless execution of the redevelopment agreement has been authorized by resolution adopted by the Borough Council.

11-60 Rights of Existing Property Owners in Rehabilitation Area

Existing owners of property in a redevelopment or rehabilitation area are encouraged to undertake the redevelopment or rehabilitation of their property in accordance with an adopted redevelopment plan. The Borough Council or Redevelopment Entity may consider designating existing owners of property as redevelopers of their property provided that the property owner demonstrates that it has

the experience, financial capability, and technical expertise to undertake and complete the proposed project.

11-61 Competitive Selection Process

The Borough Council or Redevelopment Entity may, but is not required to undertake a competitive selection process for the designation of a redeveloper or redevelopers for project(s) in an area in need of redevelopment or area in need of rehabilitation. The determination to undertake a competitive selection process may be made in the sole discretion of the Borough Council or Redevelopment Entity from time to time to foster or spur redevelopment.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Mayor George opened the floor to the public.

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

Ed Patterson, 16 Morningside Avenue, recommended that no action be taken at this time regarding the redevelopment plan. He expressed concern about the maintenance of rental units vs. owner-occupied units, and the possibility of increased traffic on Belmont Avenue. Councilwoman Puglisi advised Mr. Petterson that she agreed with him. Mayor George advised that the two ordinances that are being introduced did not address Mr. Petterson's concerns. Mr. Petterson believed that the Borough was starting the process without residents knowing about the issue. Mayor George advised that residents were properly legally noticed, there had been an article about this issue in the Hawthorne Press – "unfortunately we do not have much clout with The Record unless it comes to my use of the generator" (to which Mr. Petterson replied "enough already about the Ice Cream Bakery"). Mr. Petterson once again thanked Mayor George for taking the time to speak to him in his office because he did not like speaking in public, and others may feel like him. Mayor George recommended to Mr. Petterson that he get his neighbors to speak up.

Jerry Flach, 4 Harrison Avenue, wanted reassurances that "green procedures" and environmentally sound planning would be considered in the redevelopment process. She confirmed to Councilwoman Puglisi that grants are available for developers that want to build "green." She concurred that the redevelopment plan made sense to spur economic growth. Mayor George advised that developers were leaning towards residential development, and referred to Benny Della Cerra's commercial building which still did not have one possible tenant. Mayor George further advised that the County

and the Planning Board would require a traffic study. He outlined the application review process (Redevelopment Review Committee, Borough Council, and Planning Board), and reiterated that the Borough does not have the legal authority to dictate to developers whether they build rental units or owner-occupied units. Mayor George explained that the two ordinances which were being introduced at this meeting will simply allow the Borough to collect money from the developers.

Mayor George advised that Mr. Sasso had discussed a plan with him which included some open space on his property, and that he had suggested to Mr. Sasso that he donate it as such, so that it remained open space in perpetuity.

Jerry Flach discussed the work of Habitat for Humanity and how they may be able to help the Borough of North Haledon with its Mount Laurel obligations in the redevelopment process. Mayor George discussed how occupants of the low income units at Lakeside were struggling with high association fees and that some unscrupulous banks had approved second mortgages on those units.

Motion by Councilwoman Puglisi, second by Councilman Marco, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Motion by Councilman Galluccio, second by Councilman Marco, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on May 7, 2014, 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.

Ordinance #8-2014

Re: Fees and Funding Mechanisms

Motion by Councilwoman Puglisi, second by Councilman Dyer, 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 AMENDING CHAPTER 69, FEES,
ESTABLISHING APPLICATION/ADMINISTRATIVE FEES
AND FUNDING MECHANISMS TO DEFRAY THE BOROUGH'S COSTS
FOR IMPLEMENTING THE REDEVELOPMENT PLAN**

WHEREAS, the Mayor and Council believe that it would further the interests of sustaining and promoting growth and development in North Haledon if the Borough's Fee ordinance was amended to include fees related to the implementation of redevelopment plans by the Borough; and

NOW, THEREFORE, BE IT ORDAINED that the Mayor & Council of the Borough of North Haledon hereby amends Chapter 69 "Fees" adding a new fees follows:

CHAPTER 69 FEES

69-35 Redevelopment Application Fee

Any individual or entity seeking designation as the redeveloper of a parcel of land within a rehabilitation area or redevelopment area for which a redevelopment plan has been adopted shall obtain the "Redevelopment Application "from the Borough Clerk and pay the non-refundable application fee of \$200 per total number of units to be constructed, to be paid in full upon the submission of a Redevelopment Application to the Borough Clerk.

69-36 Redevelopment Funding Agreement

After the Clerk deems the Redevelopment Application complete the applicant must execute a funding agreement with the Borough, in a form acceptable to the Borough's Attorney that requires the posting of funds to be held in trust for the payment of the Borough's out of pocket costs and expenses in connection with the review of the redevelopment application, negotiation of the redevelopment agreement, administration of the redevelopment agreement, and ongoing participation of the Borough's Redevelopment Review Committee (RRC) including but not limited to the Borough's reasonable professional engineering, planning, legal and financial advisory services. The amount of the initial escrow deposit shall be \$15,000 (representing \$5,000 for legal, \$5,000 for engineering and \$5,000 for planning professionals), however the RRC may require that the escrow be replenished by a larger amount of money based upon the RRC's assessment of the size and complexity of the proposed project.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Motion by Councilwoman Puglisi, second by Councilman Dyer, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on May 7, 2014, 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.

The Borough Attorney returned to the dais at 8:40 p.m.

Ordinance #9-2014

Re: Water Conservation

Motion Councilwoman Puglisi, second by Councilman Dyer, 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 SUPPLEMENTING
THE CODE OF THE BOROUGH OF NORTH HALEDON BY ADDING CHAPTER 153,
OUTDOOR LANDSCAPE WATER CONSERVATION GUIDELINES**

WHEREAS, the water supplies within the Borough of North Haledon should be protected to afford the greatest beneficial use to Borough of North Haledon citizens and businesses, which depend on adequate water supplies for their livelihood, health, welfare, and economic production; and

WHEREAS, the water resources associated with the Borough of North Haledon have been threatened in the past due to drought conditions; and

WHEREAS, there exists a need to ensure water is available for uses essential to the health, welfare and safety of the Borough of North Haledon and for averting or lessening the impact of any water shortage; and

WHEREAS, taking steps to ensure clean, wholesome, and adequate water supplies is a high priority in protecting the health, safety, and welfare of Borough of North Haledon citizens;

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Borough of North Haledon has the power to adopt ordinances necessary and proper for the protection of persons and property, and the preservation of the public health, safety and welfare;

BE IT ORDAINED by the Borough of North Haledon Committee of the Borough of North Haledon in Passaic County as follows:

Section 1. The Code of the Borough of North Haledon shall be amended by the addition of Chapter 153, entitled, “Outdoor Landscape Water Conservation Ordinance”, to read as follows:

I. Water Use Restrictions

Restrictions on outdoor landscape water use apply to all users in Borough of North Haledon at all times regardless of source of supply (e.g. public water supplies, well or ground water, lakes, streams, or ponds) unless expressly exempt in *V. Exemptions*. Such water use shall conform to the following Outdoor Landscape Water Use Restrictions:

- A. Lawn watering with a hose or hose-end sprinkler
 - 1. May only be done two days per week

- a. Properties may only water 2 days a week to coincide with trash pickup days;
Tuesday and Fridays
 2. Watering shall only be conducted between the hours of 6:00 a.m. and 9:00 a.m. or between 5:00 p.m. and 8:00 p.m.;
 3. The watering of any single area shall not exceed thirty minutes per day;
 4. Flowers and shrubs may be watered as needed with a hand-held hose equipped with an automatic shut-off nozzle;
 5. No hose or hose-end watering shall be permitted when it is raining.
- B. Irrigating lawns and landscapes with automatic irrigation systems equipped with a conventional irrigation controller (this includes all systems that do not have a “SMART” controller as defined in section I.C)
1. May only be done two days per week
 - a. Properties may only irrigate 2 days a week to coincide with trash pickup days;
Tuesday’s and Friday’s
 2. Irrigation shall only be conducted between the hours of 12:00 midnight and 10:00 a.m.
 3. Operation of any irrigation zone equipped with spray (mist) heads shall not exceed 15 minutes per zone. Operation of any irrigation zone equipped with rotary sprinkler heads shall not exceed 50 minutes per zone.
- C. Irrigation with systems equipped with a SMART controller
1. To qualify for this provision, the SMART controller must have met the minimum requirements of IA-SWAT protocol testing. Lists of climate-based and sensor based controllers that have successfully completed the protocol testing can be found at <http://www.irrigation.org/SWAT/Industry/ia-tested.asp>
 2. The property owner must register the SMART controller with the municipality
 - a. The municipality will issue a yard placard which the owner must display signifying that the property is irrigated with a SMART controller
 3. The SMART controller must be programmed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to NJSA 45:5AA-3.
 - a. The SMART controller must be programmed to irrigate between the hours of 12:00 midnight and 10:00 am;

- b. Proper sprinkler head data and accurate soil/plant/irrigation information must be entered;
- c. The SMART controller programming data shall be posted at the controller;
- d. The WaterSense Partner must make a minimum of two site visits after the initial programming to adjust and fine tune the irrigation schedule.

D. Irrigation systems programmed and monitored by an irrigation manager

- 1. The property owner must designate a qualified person who will be the irrigation manager and register that person with the municipality with defining qualifications.
 - a. The municipality will issue a yard placard which the owner must display signifying that the property is irrigated by an irrigation manager.
- 2. The irrigation manager must be an EPA WaterSense Partner or show evidence of successfully completing one of the approved courses listed below:
 - a. Rutgers University Continuing Education Course, *Irrigation Systems: Scheduling*
 - b. Irrigation Association's online course, *Landscape Irrigation Scheduling*.
 - c. A comparable course offered by a recognized continuing education facility or professional association.
- 3. A property specific irrigation program shall be developed by the irrigation manager based on plant variety, soil type, exposure, slope, precipitation rate, and irrigation efficiency.
- 4. Weekly adjustments shall be made to the irrigation schedule based on current evapotranspiration (ET) rates or weather conditions.
- 5. If it is found that an irrigation manager does not follow any of the terms prescribed in this ordinance, they may be disqualified from acting as a properties irrigation manager.

E. All automatic irrigation systems:

- 1. Shall be equipped with an operational automatic rain sensor device, which disables the system when a predetermined amount of rainfall has occurred. Each rain sensor device shall be capable of and programmed to interrupt the automatic irrigation cycle when $\frac{1}{4}$ inch of rain has fallen.
- 2. Any work performed on a system as a result of any inspection made by the homeowner or a professional must be in compliance with the Landscape Irrigation Contractor Certification Act of 1991 (NJSA 45:5AA-3).

3. Flowers and shrubs irrigated with drip or micro irrigation may be watered as needed.

F. All new irrigation systems must comply with the following:

1. The system must be installed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to NJSA 45:5AA-3.
2. New Jersey Irrigation Best Management Design Practices are listed below. More information on these practices can be found in the Outdoor Landscape Water
3. Conservation Model Ordinance Best Practices Guide located on the Borough of North Haledon's web site:
 - a. designing a system that insures sufficient operating pressure at the sprinkler head;
 - b. dividing irrigated areas into hydro-zones of turf and plants with similar water requirements;
 - c. creating zoning systems according to exposure;
 - d. considering the soil type so the sprinkler irrigation precipitation rate is compatible with the soil infiltration rate or dividing the zone runtimes into multiple short cycles;
 - e. providing separate control of sloped areas;
 - f. preventing sprinkler heads from overthrowing onto driveways, roads, and sidewalks;
 - g. providing for separate irrigation for parkway strips between curbs and sidewalks that minimizes overthrow onto walks, pavement, and other impervious surfaces;
 - h. using pressure regulating technology as necessary to ensure sprinkler heads operate within the manufacturer's recommended range. The pressure regulation may be:
 - i. a pressure regulation device at the point of connection;
 - ii. pressure regulation at each remote control valve;
 - iii. pressure regulation at the sprinkler head;
 - iv. a combination of the above.
 - i. irrigating all flowers and shrubs with drip and/or micro-irrigation;
 - j. including check valves in low sprinkler heads to prevent low-point drainage;
 - k. having a pressure regulating device and wye strainer on each drip/micro control valve.
3. System must have a SMART controller capable of estimating or measuring depletion of available plant soil moisture and operating the irrigation system only to replenish the water as needed while minimizing excess water use.
 - a. The SMART controller must be an EPA WaterSense labeled SMART controller and listed on their website http://www.epa.gov/watersense/product_search.html and select irrigation controllers from the drop down menu.

- b. The SMART controller must be programmed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to NJSA 45:5AA-3.
 - i. Proper sprinkler head data and accurate soil/plant/irrigation information must be entered;
 - ii. The SMART controller programming data shall be posted at the controller;
 - iii. The WaterSense partner must make a minimum of two site visits after the initial programming to adjust and fine tune the irrigation schedule.
- G. Upon the Declaration of Water Emergency by the Borough of North Haledon additional restrictions may be imposed and shall supersede the restrictions in this ordinance.
- H. State of New Jersey requirements shall supersede those identified in this Section when more stringent than those identified in this ordinance.

II. Violations

- A. Violations include knowingly or recklessly watering or irrigating or permitting irrigation of lawn or landscape on owned, leased, or managed property that results in the following:
 - 1. Watering during any form of precipitation;
 - 2. Water leaking from any irrigation equipment;
 - 3. Water puddling on landscape or impervious surfaces;
 - 4. Water run-off from irrigated property;
 - 5. Irrigating on days not permitted in this ordinance;
 - 6. Irrigating at hours not permitted in this ordinance.
- B. Violators of these guidelines and requirements are subject to fines and penalties according to the law;
- C. All water users in Borough of North Haledon are responsible for preventing the above violations. Specific information with regard to identifying and preventing such violations can be found in the Outdoor Landscape Water Conservation Model Ordinance's Best Management Practices for Irrigating Landscapes located on the Borough of North Haledon web site.

III. Enforcement of Water Conservation Guidelines

The water use restrictions and automatic rain sensor requirement imposed pursuant to this section shall be enforced by the local authorized official. Whenever a local authorized official shall find a violation of the water use restrictions, regardless of the source of the water (public supply or private source), such authorized official shall issue a written warning and explain the penalties for a second and third offense, as provided in subsection IV. The local authorized official shall keep such records as may be reasonable and necessary for the purpose

of determining the persons and businesses who have been warned upon a first offense. The local authorized official is hereby empowered to write summons for the violation of the water use restrictions imposed pursuant to this section.

IV. Penalties

After a warning for a first offense in accordance with subsection III above, any person or business that thereafter violates the water use restrictions imposed pursuant to this section shall be subject to the penalty provisions according to the law.

V. Exemptions

Restrictions in Section 1 above do not apply to the following:

- A. Outdoor water use from rain water harvesting, gray water, or reclaimed water are exempt from the provisions of the ordinance. Use of gray or reclaimed water must have an approved NJPDES permit issued through the NJDEP.
- B. Outdoor water use for commercial farms producing harvestable crops, commercial nurseries, sod farms and golf courses are exempt from the provisions of the ordinance.
- C. Outdoor irrigation necessary for one day only where treatment with an application of chemicals require immediate watering to preserve an existing landscape or to establish a new landscape.
- D. Outdoor irrigation necessary for the establishment of newly sodded lawns or landscaping within the first 21 consecutive days of planting.
- E. Visually supervised operation of an irrigation system by a person in compliance with the New Jersey Landscape Irrigation Contractor Certification Act of 1991 (NJSA 45:5AA-1) and at the minimum rate necessary in order to check system condition and effectiveness.

Motion by Councilwoman Puglisi, second by Councilman Dyer, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on May 7, 2014, 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 law. Upon roll call, all members present voted in the affirmative. Motion carried.

RESOLUTION CA#4-2014

Re: Consent Agenda #5-2014

Motion by Councilman Dyer, second by Councilman Galluccio, 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.

1. Tax Title Lien Redemption / Municipal Lien
2. Rescinding Resolution #66-2014
3. Approval / Raffle Licenses / Make a Wish Foundation
4. Refund / Senior Deduction
5. Appointment / Part-time Employment / Recycling Center
6. Lakeside Pumping Station Agreement
7. Bond Anticipation Note
8. Approval / NHPD Rules and Regulations
9. Approving / Fees / Ethics Board
10. Approval / Change Order / General Code
11. Tax Title Lien Redemption / Outside Lien
12. Acceptance of Proposal / LIME Energy
13. Authorization / Auction of Municipally Owned Property
14. Authorization / Execution of Agreement / Cooperative Pricing System / Disposal of Municipal Solid Waste
15. Refund / Taxes / 100% Disabled Veteran
16. Authorization / Execution of Cell Tower Agreement
17. Authorization / Execution of Cell Tower Agreement

Resolution # 70-2014

Re: Tax Title Lien Redemption

WHEREAS, the owner of the property located at 920 Belmont Avenue, also known as Block 30 Lot 12.01, came to the Tax Collector's Office on March 19, 2014, with a check in the amount of \$211,269.73 to redeem Tax Title Certificate 09-0005 dated April 15, 2009; and

WHEREAS, the payment was issued to the Borough of North Haledon, and same was deposited in the current account;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Municipal Clerk be authorized to sign the certificate as cancelled so the owner may file it with Passaic County to release the lien.

Resolution #71-2014

Re: Rescinding Resolution #66-2014

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Resolution #66-2014 as adopted by the Governing Body on March 19, 2014 pertaining to captioned matter be and the same is hereby rescinded.

Resolution #72-2014

Re: Approval / Raffle License

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that the following Raffle License be approved as submitted providing all rules and regulations of Legalized Games of Chance are adhered to.

Name:	Make a Wish Foundation
Location of Raffle:	Recreation Fields
Date of Raffle:	May 26, 2014
Raffle License:	#3-2014

Resolution #73-2014

Re: Refund / Senior Deduction

WHEREAS, the State Auditor ruled that homeowner below exceeded the income limit for 2007 -2010; and

WHEREAS, the homeowner paid the senior deduction back to the Borough; and

WHEREAS, the State Auditor had made an error as homeowner did not exceed the income limit;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be and she is hereby authorized to issue a check to refund the amount paid back to the Borough in error to:

Mrs. D. Gordon \$1,000.00
44 Morningside Ave
North Haledon, NJ 07508

Resolution #74-2014

Re: Appointment / Recycling Attendant

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Edward Verhulst be employed as Recycling Attendant retro-active to March 31, 2014, salary in accordance with Salary Ordinance 2013.

Resolution #75-2014

Re: Lakeside Pumping Station Agreement

WHEREAS, the aforementioned community is a qualified community pursuant to the definitions established in N.J.S.A.40:67-23.2; and

WHEREAS, N.J.S.A. 40:67-23.8 authorizes the Borough to provide services that will primarily serve public purposes to residents of the Community; and

WHEREAS, the Borough determines that the operation, maintenance, and repair of the Community's sewer pump station will primarily serve public purposes;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Board of Council of the Borough of North Haledon that Mayor Randy George be and he is hereby authorized to execute the Pump Station Agreement attached hereto as "Exhibit A".

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption according to law.

Resolution #76-2014

Re: Bond Anticipation Note

WHEREAS, the Borough of North Haledon, in the County of Passaic, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$5,198,500 bond anticipation note, dated March 28, 2014 and payable March 27, 2015 (the "Note"); and

WHEREAS, the Borough desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Haledon, in the County of Passaic, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Municipal Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2014.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2014.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however,

said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2014 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

Resolution #77-2014

Re: Approval / NHPD Rules & Regulations

WHEREAS, the Borough of North Haledon (hereinafter referred to as the “Borough”) recently conducted an examination of the Rules and Regulations for the North Haledon Police Department; and

WHEREAS, said examination was conducted with the assistance and advice of the Rodgers Group, which was retained for said purpose; and

WHEREAS, it has been recommended to the Governing Body that it adopt the attached Rules and Regulations for the North Haledon Police Department and that the same replace and supersede in all respects the existing the Rules and Regulations,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Council of the Borough of North Haledon that the attached Rules and Regulations for the North Haledon Police Department be adopted and that the same replace and supersede in all respects the existing Rules and Regulations.

Resolution #78-2014

Re: Approval / Fees / Ethics Board

WHEREAS, Borough of North Resolution #36-2014 authorized payment not to exceed \$3,000.00 for legal services to A. Michael Rubin, Esq. for the North Haledon Ethics Board; and

WHEREAS, by a letter dated March 25, 2014, A. Michael Rubin submitted a request for \$2,000.00 for additional legal expenses; and

WHEREAS, by letter dated February 18, 2014, A. Michael Rubin, Esq. advised that Renate Elatab had been appointed by the North Haledon Ethics Board as Recording Clerk for the Board, and that pursuant to N.J.S.A. 40A:9-22.20 the Board requested the Governing Body to appropriate necessary funds to compensate Ms. Elatab for these necessary services; and

WHEREAS, the North Haledon Ethics Board hired Ms. Elatab at the fee of \$150.00 per meeting;

NOW, THEREFORE, BE IT RESOLVED THAT funds be made available as requested by the North Haledon Ethics Board.

CERTIFICATION:

I, Laura Leibowitz, Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in Legal OE and Ethics S&W.

Resolution #79

Re: Approval / Change Order / General Code

WHEREAS the Borough Council of the Borough of North Haledon awarded a contract to General Code for Codification of North Haledon Borough Ordinances, dated October 19, 2006, in the amount of \$20,150.00; and

WHEREAS, the Municipal Clerk / Borough Administrator has filed with the Mayor and Board of Council of the Borough of North Haledon a written request for a change order in accordance with NJAC 5:34-4.4 prior to the adoption of the resolution; and

WHEREAS, the Borough Attorney has reviewed the information, and NJAC 5:34-4 and recommends that the Board of Council adopt this resolution as for form and procedure.

NOW, THEREFORE, BE IT PROCLAIMED, by the Borough Committee of the Borough of North Haledon that Change Order No. 1 is hereby authorized in the amount of 13,370.00.

CERTIFICATION:

I, Laura Leibowitz, Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in Clerk OE 2014.

Resolution #80-2014

Re: Tax Title Lien Redemption / Outside Lien

WHEREAS, the owner of the property located at 920 Belmont Avenue, also known as Block 30 Lot 12, came to the Tax Collector's Office on March 24, 2014, with a check to redeem Tax Title Certificate 3-00012, dated April 24, 2013.

WHEREAS, the payment was issued to the Borough of North Haledon, and same was deposited in the current account;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be and she is hereby authorized to issue a check to the following:

BLOCK 30 LOT 12	Redemption	\$19,105.42
	Premium	\$6,700.00
DGP Capital LLC		
12-24 River Rd		
Fairlawn, NJ 07410		

Resolution #81-2014

Re: Acceptance of Proposal / LIME Energy

WHEREAS, the Borough of North Haledon is desirous to improve the energy efficiency of its buildings; and

WHEREAS, the Borough of North Haledon held discussions with Lime Energy, a participating contractor with NJ Clean Energy Program "Direct Install;" and

WHEREAS, Lime Energy, by letter dated April 4, 2014, submitted a proposal regarding same for the American Legion Building, as evidenced by attachment herein and made a part of the within resolution;

WHEREAS, by letter dated April 8, 2014, Albert F. Zaccone, Architect Planner, suggested that the Borough approve the project proposal submitted by Lime Energy in its continuing efforts to move toward energy efficient design, construction, and maintenance, as evidenced by attachment herein and made a part of the within resolution;

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

The Proposal of Lime Energy, dated April 4, 2014, for energy efficiency is hereby accepted and approved, and that payment for attached project shall not exceed \$9,426.67; and

BE IT FURTHER RESOLVED, that funds are available for the aforementioned as evidenced by Certification of Treasurer following:

CERTIFICATION:

I, Laura Leibowitz, Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in Bldgs & Grounds.

Resolution #82-2014

Re: Auction of Municipal Property

WHEREAS, the Borough of North Haledon is the owner of certain surplus property which is no longer needed for public use; and

NOW THEREFORE, BE IT RESOLVED by the members of the Governing Body of the Borough of North Haledon, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract.
- (2) The sale will be conducted online and the address of the auction site is GovDeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:
 - ARS Barracuda Bicycle AR3100820
 - Fuji Reigis Bicycle SI522714
 - Magna Unk Bicycle 95TD229765
 - Roadmaster Mountain Spirit SNFSD1BH5408
 - Pacific Blaze Bicycle HM0282463
 - Rallye Pretty Lady Bicycle 99TD618375
 - Diamond Back Viper Bicycle AGF03D055605
 - Mongoose Strike Bicycle AY125351

-Rallye Trailfinder Bicycle M980387839

(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 #83-2014

**Re: Authorization / Agreement
Cooperative Pricing System
Disposal of Solid Waste**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Borough of Hawthorne, hereinafter referred to as the “Lead Agency ” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, the Governing Body of the Borough of North Haledon, County of Passaic, State of New Jersey, duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

This resolution shall be known, and may be cited as the Cooperative Pricing Resolution of the Borough of North Haledon.

BE IT FURTHER RESOLVED that pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor be, and he is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

BE IT FURTHER RESOLVED that the Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

Resolution #84-2014

Re: Refund / Taxes / Disabled Veteran

WHEREAS, on February 19, 2014, the Department of Veteran Affairs identified Mr. Russell Gambino as 100% permanently disabled; and

WHEREAS, the homeowner paid the February 2014 taxes in the amount of \$2,336.00; and

WHEREAS, the homeowner was also billed for May of 2014;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be and she is hereby authorized to issue a check to refund the amount from February 19th through March 31, 2014, and that the Mayor and Council cancel the taxes for May \$2,336.00 and the remainder of the year.

DISCUSSION

Mayor George thanked all the professionals, but especially Michael Kauker and Douglas Doyle, for their help and guidance in getting the Redevelopment Plan ordinances ready for introduction.

Mayor George invited everyone to Breakfast on the Mountain on Sunday, May 4th. He advised that everyone is to meet at the William Paterson Parking lot at 8:30 a.m.

Councilwoman Puglisi advised that she had heard from the PBA attorney regarding contract negotiations. She further advised that work was progressing on the codification; she thanked Mayor George and the Municipal Clerk for coming in on a Saturday morning to work on it with her.

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 8:52 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Council Meeting of June 18, 2014