



## **BOROUGH OF NORTH HALEDON**

### **COUNCIL MEETING MINUTES**

**WEDNESDAY, OCTOBER 18, 2017**

Mayor George read the OPMA statement into the record.

This meeting was called pursuant to the provisions of the Open Public Meetings Law. Notice of this meeting was emailed to the HERALD NEWS and the HAWTHORNE PRESS on January 19, 2017, and was advertised in said newspapers on January 26, 2017. Said 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 9:10 p.m. and the Clerk is directed to include this statement in the minutes of this meeting.

#### **ROLL CALL**

Present:

Mayor Randy George

Council Members: Raymond Melone, Rocco Luisi, George Pomianek, Donna Puglisi, Heather Sparano, and Keith Salviano

Borough Attorney, Michael De Marco

Deputy Municipal Clerk, Dena Ploch

Municipal Clerk, Renate Elatab

Absent:

Councilman Raymond Melone

#### **PUBLIC COMMENTS**

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

Seeing as no one from the public asked to speak, motion by Council Member Puglisi, second by Council Member Luisi, to close the floor to the public. Upon roll call, all members present voted in the affirmative.

## **APPROVAL OF PRIOR MINUTES**

Motion by Council Member Puglisi, second by Council Member Council Member Sparano, to approve the minutes of the work session meeting, and the regular meeting of September 20, 2017, and the special meeting of September 28, 2017. Upon roll call, both Council Members Pomianek and Luisi abstained. Motion carried.

## **OFFICIAL REPORTS**

The following reports were submitted to the Municipal Clerk's Office and presented to members of the Governing Body.

Building Official's Report  
Clerk's Receipts  
Fire Department 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 - **MELONE**  
POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292 - **PUGLISI**  
RECREATION - **PUGLISI**  
ZONING BOARD OF ADJUSTMENT - **PUGLISI**  
NORTH HALEDON VOLUNTEER AMBULANCE – **MAYOR GEORGE**  
FINANCE – **POMIANEK**  
PLANNING BOARD - **SALVIANO**  
BOARD OF EDUCATION / LOCAL - **LUISI**  
BOARD OF EDUCATION / REGIONAL - **POMIANEK**  
BOARD OF HEALTH – **SALVIANO**  
FIRE & WATER - **LUISI**  
ENGINEERING - **POMIANEK**  
LIBRARY - **MAYOR GEORGE**  
PUBLIC CELEBRATIONS - **MAYOR GEORGE**

Motion by Council Member Puglisi, second by Council Member Pomianek, to waive all committee reports. Upon roll call, all members present voted in the affirmative.

## COMMUNICATIONS

Communications below were presented at the Work Session Meeting.

Mayor George	Re: 35 Haring Court
Ed Lipman	Re: Haring Court
Borough Attorney	Re: Wireless Telecommunications Tower / Application at Sicomac Plaza
Borough Attorney	Re: EMS Shared Services Agreement
Borough Attorney	Re: Trial Date / Segreto vs. Borough of NH
OEM	Re: Drill at Dialysis Center
Fire Chief	Re: 9 / 11 Memorial
Franklin Santora	Re: Resignation / Class II SPO
Franklin Santora	Re: Request / Leave of Absence
Municipal Clerk's Office	Re: 2018 Meeting Dates
NJ DEP	Re: Compliance / Green Acres Regulations

Motion by Council Member Puglisi, second by Council Member Luisi, that above communications be received, action taken where necessary, and that they be placed on file.

## OLD BUSINESS / ORDINANCES

**Ordinance #25-2017**

**Re: Amendment / §600-19**

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.

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT  
CHAPTER 600-19 OF THE BOROUGH CODE  
OF THE BOROUGH OF NORTH HALEDON  
ZONING / ACCESSORY USES**

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

Section 1. **§600-19 (1)** shall be amended as follows:

Outdoor dining shall be permitted from May 1 through September 30 of each year.

Section 2. **§600-19 (4)** shall be amended as follows:

All persons occupying the outdoor dining area shall vacate the area no later than 9:30 p.m.

Section 3.

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 4.

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

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

Seeing that no member of the public asked to speak, Motion by Council Member Puglisi, second by Council Member Luisi, 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 #25-2017 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #25-2017 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.

**Ordinance #26-2017**

**Re: Amendment / §600-16**

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.

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT  
CHAPTER 600-16 OF THE BOROUGH CODE  
OF THE BOROUGH OF NORTH HALEDON  
ZONING / PERMITTED USES IN B-1 BUSINESS DISTRICT**

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

Section 1. **§600-16 Permitted Uses in B-1 District** shall be supplemented as follows:

(3) Children's Recreational Facility up to and including children no older than 14 years.

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 immediately after final adoption and publication as provided by law.

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

Seeing that no member of the public asked to speak, Motion by Council Member Puglisi, second by Council Member Luisi, 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 #26-2017 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #26-2017 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.

**Ordinance #27-2017**

**Re: Amendment / 275-5**

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.

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT  
CHAPTER 275-5 OF THE BOROUGH CODE  
OF THE BOROUGH OF NORTH HALEDON  
FEES**

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

Section 1. **§ 275-5 Alcoholic Beverages** shall be amended as follows:

A. Annual License Fee

**Effective Year – 2018 - Plenary Retail Distribution License**

Two Thousand dollars (\$2,000.00)

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 twenty (20) days after final adoption and publication as provided by law.

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

Seeing that no member of the public asked to speak, Motion by Council Member Puglisi, second by Council Member Luisi, 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 #27-2017 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #27-2017 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.

**Ordinance #28-2017**

**Re: Revision / Chapter 169-32**

Motion by Council Member Luisi, second by Council Member Sparano, 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.

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT  
THE BOROUGH CODE OF THE BOROUGH OF NORTH HALEDON  
TO REVISE CHAPTER 169-32  
SCHEDULE II: PARKING PROHIBITED CERTAIN HOURS**

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

Section 1. Section 169-32, SCHEDULE II: PARKING PROHIBITED CERTAIN HOURS, 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. §169-32 shall be amended to add the following:

<u>Name of Street</u>	<u>Side</u>	<u>Time</u>	<u>Location</u>
Springbrook Avenue	Both	6:00 p.m.–11:00 p.m.	From the south side of the driveways at 23

and 24 Springbrook Avenue and extending southbound until the end of the street.

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 immediately upon final adoption and publication as provided by law.

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

Seeing that no member of the public asked to speak, Motion by Council Member Puglisi, second by Council Member Luisi, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Motion by Council Member Luisi, second by Council Member Salviano, that Ordinance #28-2017 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #28-2017 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 / RESOLUTIONS**

### **RESOLUTION CA#11-2017**

**Re: Consent Agenda #11-2017**

Motion by Council Member Puglisi, second by Council Member Luisi, 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:

### **Consent Agenda #11-2017**

**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. Acceptance of Resignation / Franklin Santora / Class II SPO
2. Granting LOA / Santora / FT Dispatcher
3. Appointment / Probationary Police Officer / Franklin Santora
4. Appointment / SPO / Tim McDonough
5. Shared Services Agreement / EMS
6. Tax Title Lien Redemption
7. Tax Appeals
8. Appointment / Leaf Collectors
9. Award of Contract / Rock Salt and Liquid Calcium Chloride
10. Tax Appeals / Benevenga
11. Payment of Bills / Issuance of Checks
12. Acceptance of Proposal / Appraisal / 22 Spruce Lane
13. Support / Sustainable Open Space, Farmland, Historic Preservation / Stewardship Funding for New Jersey

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

**Resolution #172-2017**

**Re: Acceptance of Resignation /  
SPO Santora**

**BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that the resignation of Franklin Santora, Special Police Officer, be accepted effective immediately.

**Resolution #173-2017**

**BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that in accordance with Borough Ordinance “Chapter 102-26” Personnel, that the request of Franklin Santora, for a leave of absence not to exceed 9 months, as requested in his letter dated October 18, 2017 (attached) is hereby granted.

**Resolution #174-2017**

**Re: Appointment / Santora  
Probationary Police Officer**

**BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that Franklin Santora be appointed as a Probationary Police Officer, effective immediately, with salary in accordance with Salaries and Wages 2017.

**Resolution #175-2017**

**Re: Appointment / SPO  
Tom McDonough**



**BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that Tim McDonough be appointed as a SPO Class II, effective immediately, with salary in accordance with Salaries and Wages 2017.

**Resolution #176-2017**

**Re: Shared Services / EMS**

**WHEREAS, N.J.S.A. 40A:65-1 et seq.**, known as the "Uniform Shared Services and Consolidation Act," was enacted to facilitate and improve the use of shared and consolidated services among municipalities and other local government entities, so that services may be provided efficiently and effectively; and

**WHEREAS,** the State of New Jersey permits municipalities to enter into Shared Services Agreements without reference to public contracting laws as a way to reduce costs of municipal government ; and

**WHEREAS,** Borough of North Haledon is periodically in need of emergency medical services for their respective residents, students, employees, faculty, invitees, guests, visitors, independent contractors and /or any and all other person/persons not specifically referred to yet upon ; and

**WHEREAS,** the City of Paterson and Borough of North Haledon wish to enter into an Interlocal Services Agreement pursuant to which the City would provide Emergency Medical and/or Fire Services to North Haledon , when requested : and

**WHEREAS:** based on the foregoing premises and the mutual promises and covenants contained herein, the parties agree as follows:

1. Services to be Performed
  - a. Paterson shall, upon request, provide emergency medical or fire services to the Borough of North Haledon.
  - b. Patients serviced by Paterson will be taken to the nearest suitable medical facility. However, whenever possible, patients will be given a choice of destination medical centers located in Paterson or Wayne New Jersey. Paterson will also consider patients' requests to be taken to medical facilities located in other municipalities if it does not compromise the health of the patient.
2. Costs – Paterson shall provide the series described in this agreement at no expense to the Borough of North Haledon. Paterson shall bill customers using its emergency medical services within the Borough of North Haledon through customary billing procedures ; and

**WHEREAS:** Paterson Fire Chief Michael Pastorino has forwarded the attached Agreement with a request that the Paterson City Council consider approving the attached Agreement ; and

**WHEREAS:** the Borough of North Haledon shall be required to provide liability insurance and indemnification in a form approved by the Paterson City Council, Paterson Business Administrator, and Corporation Counsel of the City of Paterson ; and

**WHEREAS:** The City Council wishes to approve this application to enter into Shared Service Agreements.

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The Mayor and Borough Clerk are hereby authorized to enter into a Shared Services Agreement with the Borough of North Haledon for the provision of EMT and/or Fire Department services as set forth in the Agreement attached.
2. All documents must be approved as to form by the Law Department.
3. All financial matters in connection with this Agreement must be conducted by and/or approved by the Paterson Director of Finance.
4. These Emergency Services Agreements must be approved as to facts by the Director of the Paterson Fire Department.

**Resolution #177-2017**

**Re: Tax Title Lien Redemption**

**WHEREAS,** the bank of the property located at 140 Ahnert Road, also known as Block 69 Lot 9, mailed in to the Tax Collector's Office on September 21, 2017 a check to redeem Tax Title Certificate 14-00003 dated June 3, 2015, 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 Treasurer be and she is hereby authorized to issue a check to the following:

Redemption \$62,358.10  
Premium \$49,100.00

Isaac Moradi  
520 Elm St  
Kearny, NJ 07032

**Resolution #178-2017**

**Re: Tax Appeals**

**WHEREAS**, the properties listed below filed an assessment appeal with the Tax Court of New Jersey, and,

**WHEREAS**, the Tax Court reduced their assessment therefore reducing their taxes for the year 2012, 2013, 2014, 2015, 2016

**WHEREAS**, all their taxes were already paid,

**NOW, THEREFORE, BE IT RESOLVED** that the Treasurer be authorized to issue checks in the amount listed below and to be charged against Tax Appeals.

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSMENT REDUCTION</u>		<u>REFUND to be issued as a check</u>
58.05	1.01	20,800.00	for 2012	534.35
58.05	1.01	20,800.00	for 2013	567.84
58.05	1.01	20,800.00	for 2014	566.38
58.05	1.01	20,800.00	for 2015	578.24
58.05	1.01	20,800.00	for 2016	<u>583.86</u>
Total				2830.67

McKirdy, Riskin, Olson & DellaPelle Attorney's at Law  
136 South St  
PO Box 2379  
Morristown, N.J. 07962-2379

**Resolution #179-2017**

**Re: Appointment / Leaf Collectors**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of North Haledon that the following individuals be employed as temporary full time employees for the Department of Public Works, effective October 23, 2017, salary in accordance with the Salary and Wages Ordinance for 2017.

James Cooley	21 Garden Terrace	North Arlington NJ 07031
Stefano Caruso	179 Third Ave	Hawthorne, NJ 07506

**Resolution #180-2017**

**Re: Award of Contract /  
De-Icing Products**

**WHEREAS**, the County of Passaic through Cooperative Pricing System had solicited bids for Rock Salt and Liquid Calcium Chloride on September 27, 2017 in accordance with the N.J.S.A. 40A:11-1 and

**WHEREAS**, the Borough of North Haledon is desirous of taking advantage of awarding a contract to the lowest complying bidder being Detroit Salt Company, of Detroit, Michigan for Rock Salt and Peckham Materials Corp. of Athens, NY for Liquid Calcium Chloride; and

**WHEREAS**, the Borough of North Haledon desires to participate with the County of Passaic with the Cooperative Pricing System for Rock Salt and Liquid Calcium Chloride in accordance with the contract was entered into with the County of Passaic and Detroit Salt Company and Peckham Material Corp. and the Borough of North Haledon.

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that it hereby authorizes award of contract to Detroit Salt Company for \$50.98/per ton, contract period to run December 1, 2017 to November 30, 2018; and Peckham Material Corp. for Liquid Calcium Chloride at \$0.994 per gallon, contract period to run December 1, 2017 through November 30, 2018.

**Resolution #181-2017**

**Re: Tax Appeals / Benevenga**

**WHEREAS**, the property listed below filed an assessment appeal with the Tax Court of New Jersey, and,

**WHEREAS**, the Tax Court reduced its assessment, therefore reducing its taxes for the year 2012, 2013, 2014

**WHEREAS**, all their taxes were already paid,

**NOW, THEREFORE, BE IT RESOLVED** that the Treasurer be authorized to issue a check in the amount listed below and to be charged against Tax Appeals.

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSMENT REDUCTION</u>	<u>REFUND to be issued as a check</u>
36.05	13	10,000 for 2012	256.90
36.05	13	10,000 for 2013	273.00
36.05	13	10,000 for 2014	272.30

McKirdy, Riskin, Olson & DellaPelle Attorney's at Law  
136 South St  
PO Box 2379  
Morristown, N.J. 07962-2379

Block 36.05 Lot 13 Alesandro & Domenica Benevenga

**Resolution #182-2017**

**Re: Payment of Bills**

**WHEREAS** certain bills which are contained on the bills list which is attached hereto and incorporated herein have been submitted to the Borough of North Haledon for payment; and

**WHEREAS**, pursuant to N.J.S.A. 40A:5:16, it has been certified to the Governing Body that the goods and services for which said bills were submitted have been received by or rendered to the Borough of North Haledon;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Council of the Borough of North Haledon that the Mayor, Assistant Treasurer, and Administrator, be and are hereby authorized to sign checks in payment of the bills set forth in the attached schedule.

**Resolution #183-2017**

**Re: Acceptance of Proposal / Appraisal**

**WHEREAS** the Borough of North Haledon is in need of a real property appraisal in connection with the sale of 22 Spruce Lane, also known as Block 58.03, Lot 12.05, in the Borough of North Haledon;

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

The professional services of Oliver Appraisals be approved in connection with the above matter. The compensation for said services shall not exceed the fee of \$375.00.

**Resolution #184-2017**

**Re: Support / Funding of Open Space**

**WHEREAS**, New Jersey's population demands an ample water supply provided by adequate open space to support our quality of life; and

**WHEREAS**, Open Space in the form of parkland, family farms, historic and cultural sites, recreational areas and natural watershed areas is vital to our economy, planned growth, protection of property values, water quality, and safety and urban, suburban and rural quality of life; and

**WHEREAS**, continued, plentiful and sustained funding is vital to a strategic Open Space program to bolster and enhance private, municipal, county, other state and federal Open Space funding programs; and

**WHEREAS**, provisions for stewardship to properly care for parks, preserved lands, and historic sites is an important component of Open Space efforts; and

**WHEREAS**, New Jersey's Payment In Lieu of Taxes program (PILOT) should be restored to full funding because it encourages municipalities to host state and non-profit preserved open space;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of North Haledon, County of Passaic, supports sustainable, continuing funding for Open Space in New Jersey.

**Mayor George recuses himself from the Executive Session, and Council President George Pomianek takes over the running of the meeting**

**EXECUTIVE SESSION (in: 9:25 p.m. – out: 9:58 p.m.)**

Motion by Council Member Puglisi, second by Council Member Salviano, to go into Executive

Session to discuss Contract Negotiations. Upon roll call, all members present voted in the affirmative. Motion carried.

## **ADJOURNMENT**

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

Council President declared the meeting duly adjourned at 10:00 p.m.

Respectfully Submitted,

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Renate Elatab, Municipal Clerk

Approved at Council Meeting of January 24, 2018