



BOROUGH OF NORTH HALEDON

APRIL 20, 2011

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of April 20, 2011, was included in a list of meetings notices emailed to the **HERALD NEWS** and the **HAWTHORNE PRESS** on January 7, 2011, and was advertised in said newspapers on January 13, 2011. This notice was posted on the bulletin board on January 7, 2011 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 was called to order at 8:00 p.m. and the Clerk is directed to include this statement in the minutes of this meeting.

Pastor Michael Johnson leads the Prayer and everyone is asked to remain standing for the Pledge of Allegiance.

ROLL CALL

PRESENT: Mayor Randy George, Council Members Rocco Luisi, Raymond Melone, Bruce O. Iacobelli, Elaine Vuoncino, Donna Puglisi (arrived at 8:06), and Robert Dyer Borough Attorney Michael De Marco, Jeff Morris (representing Boswell Engineering), Deputy Borough Clerk Angela Russo, Municipal Clerk Renate Elatab, also present were Police Chief Robert Bracco and Fire Chief A.J. Ricciardi

ABSENT: No One

DEVIATION/RULES AND PROCEDURES/BY-LAWS OF COUNCIL

Motion by Councilwoman Vuoncino, second by Councilman Luisi, to deviate from the regular order of business to have a public hearing on liquor license transfers. **Note:** Michael Pasquale Esq., represented the Borough of North Haledon in these license transfer applications. Borough Attorney Michael De Marco left the dais; Michael Pasquale took the seat of the Borough Attorney on the dais.

Upon roll call all members present voted in the affirmative. Motion carried

RESOLUTION #89-2011

**Re: Person to Person Transfer/ABC Liquor License
Shenanigans, LLC to Sigipia Enterprises, LLC
Sigfredo Botero**

PUBLIC HEARING

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

Mr. Botero was sworn in by Mr. Pasquale. Joe Mecca, Esq., and his client Sigfredo Botero, addressed the Council and Mr. Pasquale, concluded upon review that all was in order with this transfer. Mayor George asked if anyone from the public wished to be heard regarding this transfer. There was no one.

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

Mayor George presented the following resolution –

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1606-33-006-008, heretofore issued to Shenanigans, LLC for premises located at 560 High Mountain Rd, North Haledon, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

NOW THEREFORE BE IT RESOLVED that the Borough of North Haledon Governing Body does hereby approve, effective the 20th day of April 2011, the transfer of the aforesaid Plenary Retail Consumption License to Sigipia Enterprises, LLC and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Sigipia Enterprises, LLC effective the 20th day of April, 2011.”

Councilwoman Puglisi moved the adoption of above resolution. Councilman Iacobelli seconded the adoption of the resolution. Upon roll call all members present voted in the affirmative. Motion carried

RESOLUTION #90-2011

Re: Liquor License Transfer –Sigfredo Botero to Valentino’s Family Restaurant,LLC

PUBLIC HEARING

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

Ralph Fava, Esq., representing Valentino’s Family Restaurant, LLC, addressed the Council. Witnesses Pellegrino Mongillo of North Haledon and Donald Giordano (owners of restaurant) were sworn in by Mr. Pasquale, Esq., and it was concluded upon review that all was in order with this transfer.

Mayor George asked if anyone from the public wished to be heard regarding this transfer. There was no one.

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

Mayor George presented the following resolution –

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1606-33-006-008, heretofore issued to Sigifredo Botero/Sigipia Enterprises, LLC for premises located at 560 High Mountain Rd, North Haledon, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

NOW THEREFORE BE IT RESOLVED that the Borough of North Haledon Governing Body does hereby approve, effective the 20th day of April 2011, the transfer of the aforesaid Plenary Retail Consumption License to Valentino’s Family Restaurant, LLC and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Valentino’s Family Restaurant, LLC effective the 20th day of April, 2011.”

Councilwoman Puglisi moved the adoption of above resolution. Councilwoman Vuoncino seconded the adoption of the resolution. Upon roll call all members present voted in the affirmative. Motion carried.

Michael Pasquale, Esq, stepped off the dais and Borough Attorney Michael P. De Marco returned to his seat.

PUBLIC COMMENTS

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

Mayor George asked if anyone from the public wished to be heard:

1. A.J. Richardi, North Haledon Fire Chief – Referring to Ordinance #9-2011 on tonight's agenda, Mr. Ricciardi thanked the Mayor and Council for recognizing the needs of the Fire Department.
2. Chris Scudieri, 209 Comly Road, Lincoln Park, NJ – was told by certain members of former Co. #1 that they were not allowed to attend a social function of Co. #2 after a drill.

Mayor and Council will not discuss without the presence of the complainants. When asked, Chief Ricciardi stated that due to current litigation the Department members feel the necessity to close certain events to firemen who are not members of Co. #2. Mayor advised Mr. Scudieri that the Governing Body has nothing to do with how the members of Co. #2 socialize.

Motion by Councilwoman Puglisi, seconded by Councilwoman Vuoncino 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 Councilwoman Puglisi, second by Councilman Dyer, to approve the minutes of the special meeting of March 2, 2011, the work session meeting of March 2, 2011, the regular meeting of March 16, 2011, and the closed executive meeting of March 16, 2011.

Upon roll call all members present voted in the affirmative. Motion carried

OFFICIAL REPORTS

Clerk stated that she is in receipt of the following reports:

| | |
|-----------------------------------|---|
| Building Official's Report | Tax Collector's Report to the Treasurer |
| Clerk's Receipts | Recycling Enforcement Officer |
| Fire Department Report | Property Maintenance Report |
| No. Haledon Vol. Ambulance Report | Police Department Report |
| Municipal Court Report | |

COMMITTEE REPORTS

Motion by Councilwoman Puglisi, seconded by Councilman Melone to dispense with the committee reports for this evening.

Councilwoman Vuoncino reminded everyone that School Board Elections will be held Wednesday, April 27, 2011, 3 pm – 9 pm.

Upon roll call all members present voted in the affirmative. Motion carried.

DPW / STREETS & ROADS / SEWERS/ BUILDINGS & GROUNDS /
SOLID WASTE / RECYCLING
COUNCILMAN DYER

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

RECREATION
COUNCILWOMAN PUGLISI

ZONING BOARD OF ADJUSTMENT
COUNCILWOMAN PUGLISI

NORTH HALEDON VOLUNTEER AMBULANCE
COUNCILMAN DYER

FINANCE
COUNCILMAN IACOBELLI

PLANNING BOARD
COUNCILMAN DYER

BOARD OF EDUCATION / LOCAL
COUNCILMAN LUISI

BOARD OF EDUCATION / REGIONAL
COUNCILWOMAN VUONCINO

BOARD OF HEALTH
COUNCILMAN IACOBELLI

FIRE & WATER
COUNCILMAN VUONCINO

ENGINEERING
COUNCILMAN DYER

CODIFICATION ADHOC COMMITTEE REPORT
COUNCILWOMAN PUGLISI

LIBRARY
MAYOR RANDY GEORGE

PUBLIC CELEBRATIONS
COUNCILMAN IACOBELLI

BUEHLER ADHOC COMMITTEE
COUNCILMAN IACOBELLI

Motion by Councilwoman Puglisi, second by Councilman Dyer, 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.

COMMUNICATIONS

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

| | |
|-------------------------|----------------------------------|
| Vito Gagliardi | Re: MRHS Funding Formula |
| Michael P. De Marco | Re: North Haledon Fire Co. 1 |
| Michael P. De Marco | Re: Tattersall vs. North Haledon |
| Tim Henderson | Re: Tattersall & Rykkogel |
| Michael P. De Marco | Re: Deed Agreements |
| State of New Jersey | Re: Approval of Tax Map |
| COAH | Re: Letter to Homeowners |
| Michael P. De Marco | Re: Response to COAH Letter |
| Michael J. Pasquale | Re: Liquor License Transfers |
| Construction Department | Re: Chicken |
| Tim Henderson | Re: Inspectors / Revaluation |

Tim Henderson Re: Proposed Work Schedule / Revaluation
Tim Henderson Re: Letter to Residents re: Revaluation
Passaic County & Tim Henderson Re: County Taxes
Local & Regional School Boards Re: Tax Levies / 2011 – 2012 School Years
Local Finance Board Re: Library Tax Levy Law
Hydook Mantashian Re: Easement / Hold Harmless Agreement
J. Rutkowski Re: Permission to Solicit

Motion by Councilwoman Puglisi, second by Councilman Dyer, that these communications be received, action taken where necessary, and be placed on file. Upon roll call all members present voted in the affirmative. Motion carried.

UNFINISHED BUSINESS

ORDINANCE #3-2011 Re: Hours of Operation
Public Hearing/Second Reading

Motion by Councilman Iacobelli, 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 Mayor read the Ordinance by title:

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF NORTH
HALEDON, CHAPTER 180 “ZONING” TO LIMIT THE HOURS OF OPERATION OF
BUSINESSES IN ALL ZONES**

PUBLIC HEARING

Mayor George asked if anyone in the audience wished to be heard regarding this ordinance. There was no one.

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

Motion by Councilwoman Puglisi, seconded by Councilman Iacobelli, that Ordinance #3-2011 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #3-2011 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 a Regular Meeting of the Mayor and Board of Council of the Borough of North Haledon which was held on April 20th, 2011, at the Municipal Building, 103 Overlook Avenue, North Haledon, N.J., and is hereby declared a passed ordinance in accordance with law.

**ORDINANCE #4-2011
Public Hearing/Second Reading**

Re: Construction Board of Appeals

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, 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 Mayor read the Ordinance by title:

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH HALEDON TO REVISE CHAPTER 55, CONSTRUCTION CODES, UNIFORM

PUBLIC HEARING

Mayor George asked if anyone in the audience wished to be heard regarding this ordinance. There was no one.

Motion by Councilman Iacobelli, seconded by Councilwoman Vuoncino to close the floor to the public. Upon roll call all members present voted in the affirmative. Motion carried.

Motion by Councilwoman Puglisi, seconded by Councilman Iacobelli that Ordinance #4-2011 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #4-2011 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 a Regular Meeting of the Mayor and Board of Council of the Borough of North Haledon which was held on April 20th, 2011, at the Municipal Building, 103 Overlook Avenue, North Haledon, N.J., and is hereby declared a passed ordinance in accordance with law.

ORDINANCE #5-2011

Re: Borough Code / Police Department

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 Mayor read the Ordinance by title:

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH HALEDON TO REVISE CHAPTER 2, ADMINISTRATION AND GOVERNMENT

Mayor George asked if anyone in the audience wished to be heard regarding this ordinance. There was no one.

Motion by Councilwoman Puglisi, seconded by Councilwoman Vuoncino to close the floor to the public.

Upon roll call all members present voted in the affirmative. Motion carried.

Motion by Councilman Iacobelli, second by Councilwoman Puglisi, that Ordinance #5-2011 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #5-2011 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 a Regular Meeting of the Mayor and Board of Council of the Borough of North Haledon which was held on April 20th, 2011, at the Municipal Building, 103 Overlook Avenue, North Haledon, N.J., and is hereby declared a passed ordinance in accordance with law.

NEW BUSINESS / ORDINANCES / RESOLUTIONS

ORDINANCE #6-2011

Re: North Haledon Volunteer Ambulance

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, 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 Mayor read the Ordinance by title:

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH HALEDON TO REVISE CHAPTER 2, ADMINISTRATION OF GOVERNMENT

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 Administration of Government, of the Code of the Borough of North Haledon, shall be and hereby is revised, amended and supplemented by modification so that §2-94 shall be added and read as follows:

1. §2-94. Establishment/Membership. Effective February 1, 2011, there is hereby established and recognized in and for the Borough of North Haledon, a volunteer emergency medical service, which shall consist of the North Haledon Volunteer Ambulance, Inc. and the members thereof. The North Haledon Volunteer Ambulance, Inc., and its members shall be authorized to provide volunteer emergency medical services for the residents of the Borough of North Haledon.

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.

Motion by Councilman Iacobelli, 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 18, 2011, 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

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on April 20, 2011, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on May 18, 2011, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

ORDINANCE #7-2011

Re: Revision / Code / Chapter 113, Noise

Motion by Councilman Dyer, second by Councilman Iacobelli, 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 Mayor read the Ordinance by title:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REVISE CHAPTER 113, NOISE**

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 113, NOISE, 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. § 113-5(B)(6) Construction and demolition: operation or permitting the operation of any tools or equipment used in construction, drilling, earthmoving, excavating or demolition work at any time other than between the hours of 8:00 a.m. and 6:00 p.m. on weekdays; between the hours of 10:00 a.m. and 6:00 p.m. on Saturdays, except for emergency work or by special variance issued by the Mayor and Council pursuant to Section 113-7 and provided that such equipment is equipped with a proper muffler.

Section 2. All other parts or provisions of Chapter 113 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 Councilman Dyer, second by Councilwoman Vuoncino, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on May 18, 2011, 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 with the exception of Councilman Melone who voted **NO**. Motion carried

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on April 20, 2011, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on May 18, 2011, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

ORDINANCE #8-2011

Re: Amendment / Salary Ordinance

Motion Councilman Iacobelli, second by Councilwoman Vuoncino, 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 Mayor read the Ordinance by title:

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED
“AN ORDINANCE FIXING THE SALARIES AND COMPENSATIONS
OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF NORTH HALEDON
IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY IN THE YEAR 2011”**

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

SECTION 1

DISPATCHERS

| | | |
|---|---|-----------------|
| Trainee (first six weeks of employment) | - | \$7.25 per hour |
| Probationary | | \$31,169.00 |
| 1 Year | | \$32,146.00 |
| 2 years | | \$33,129.00 |
| 3years | | \$34,645.00 |
| 4 years | | \$35,966.00 |
| 5 years & Over | | \$40,700.00 |

SECTION 2

Salaries as set forth above are retro-active to January 1, 2011 or in the case of new employees in the year 2011, shall take effect at date of employment.

SECTION 3

Manner of payment as well as longevity benefits and payments shall be made in accordance with Chapter 20, of the Code of the Borough of North Haledon and contractual agreements.

SECTION 4

This ordinance shall take effect immediately upon final passage and publication as required by law.

Motion by Councilwoman Vuoncino, 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 18, 2011, 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.

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on April 20, 2011, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on May 18, 2011, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

ORDINANCE #9-2011

**Re: Unexpended Bond Ordinances Balances
Fire Chief's Vehicle**

Motion by Councilman Dyer, second by Councilwoman Vuoncino, 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 Mayor read the Ordinance by title:

**CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$39,181.23
FOR THE ACQUISITION OF A FIRE CHIEF'S VEHICLE,
INCLUDING ORIGINAL APPARATUS AND EQUIPMENT,
IN, BY AND FOR THE BOROUGH OF NORTH HALEDON, IN THE COUNTY OF
PASSAIC, AND TO TRANSFER UNEXPENDED BOND ORDINANCES BALANCES
AND REAPPROPRIATE SAME TO FINANCE SUCH APPROPRIATION**

WHEREAS, the Borough Council of the Borough of North Haledon, in the County of Passaic, New Jersey now finds and determines that \$39,181.23 in aggregate funded appropriation balances constituting unexpended bond proceeds of the Borough's 2005 and 2009 General Improvement Bonds are not necessary for the purposes for which such bonds were issued and that it is in the Borough's best interest to use said moneys for costs of the acquisition of a fire chief's vehicle, including original apparatus and equipment,

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

Section 1. It is hereby determined, pursuant to N.J.S.A. 40A:2-39, that the funded appropriation balances constituting unexpended bond proceeds in the following ordinances are no longer needed for the purposes for which the bonds were issued and that it is in the best

interest of the Borough to transfer and reappropriate such funded appropriations for a capital purpose in accordance with Section 2 hereof:

| <u>Ord. No.</u> | <u>Adoption Date</u> | <u>Project Description</u> | <u>Amount of Funded Appropriation to be Transferred and Reappropriated</u> |
|-------------------------------------|-----------------------------------|--|--|
| <u>2005 BONDS</u> | | | |
| 5-2002 | 4/3/02 | Purpose (A) Acquisition of various fire equipment | \$ 1,954.50 |
| <u>2009 BONDS</u> | | | |
| 9-2004 | 6/2/04 | Purpose (A) Acquisition of various fire equipment | \$ 122.61 |
| 2-2005, as amended by 22-2007 | 4/20/05, as am. on 12/12/07 | Purpose (H) Acquisition of various fire equipment | \$ 1,190.12 |
| 6-2007, as amended by 22-2007 | 4/18/07, as am. on 12/12/07 | Purpose (A) Acquisition of various fire equipment | \$35,914.00 |
| | | | <u>\$39,181.23</u> |

Section 2. The Borough is hereby authorized to acquire a fire chief's vehicle, including original apparatus and equipment, in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor. The sum of \$39,181.23 is hereby appropriated from the funded appropriation balances transferred and re-appropriated in accordance with Section 1 hereof to the payment of the cost of the improvement authorized in this Section 2.

Section 3. Said improvement is a lawful capital improvement of the Borough having a period of usefulness of at least five years. Said improvement shall be made and undertaken as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 4. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 5. This ordinance shall take effect at the time and in the manner provided by law.

Motion by Councilman Iacobelli, second by Councilman Luisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on May 18, 2011, 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.

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on April 20, 2011, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on May 18, 2011, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

ORDINANCE #10-2011

Re: Keeping of Fowl

Motion by Councilwoman Puglisi, second by Councilwoman Vuoncino, 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 Mayor read the Ordinance by title:

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH HALEDON TO REVISE CHAPTER 195, ARTICLE I, KEEPING OF FOWL

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 195, Article I, Keeping of Fowl, 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:

a. §§ 195-2 - 195-8 shall be deleted.

b. § 195-2 shall now shall read as follows:

No live fowl shall be kept within the Borough of North Haledon.

c. § 195-3 shall now shall read as follows:

Any person who violates or neglects to comply with any provision of this chapter shall, upon conviction thereof, be liable for a penalty not to exceed \$2,000.00 for each violation; or for a term of imprisonment not to exceed ninety (90) days; or a period of community service not to exceed ninety (90) days.

Section 2. All other parts or provisions of Chapter 195 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 Councilwoman Vuoncino, second by Councilman Luisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on May 18, 2011, 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.

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on April 20, 2011, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on May 18, 2011, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

ORDINANCE #11-2011

Re: Cap Bank

Motion by Councilman Iacobelli, second by Councilman Vuoncino, 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 Mayor read the Ordinance by title:

**CALENDAR YEAR 2011
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 2.0% 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 2011 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 1.5% increase in the budget for said year, amounting to \$113,370.23 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 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.

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 2011 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 \$264,530.53, and that the CY 2011 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.

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on May 18, 2011, 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.

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on April 20, 2011, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on May 18, 2011, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

RESOLUTION #91-2011

Re: 2011 Municipal Budget – Introduction and Approval

Motion by Councilwoman Puglisi, second by Councilwoman Vuoncino, 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 Mayor presented the following resolution by title:
(attached to minutes)

Councilwoman Puglisi moved the adoption of the resolution. Councilwoman Vuoncino seconded the adoption of the resolution

Discussion – Borough Auditor Chuck Ferraioli stepped forward; hand-outs were passed to Governing Body; each page was reviewed and discussed. Auditor advised we have brought debt down; now paying off more on principal. Auditor stated our budgets have been consistent.

Mayor George explained the bottom line – no lay-offs thanks to how we keep an eye on budget – our employees agreed to zero increase for passed two years – thanks to department heads who have been very conservative about spending. Further we have a reasonable tax increase, one of the lowest around.

Auditor left at this time.

All members present voted in the affirmative. Motion carried

RESOLUTION #5-2011 Re: Consent Agenda

The Mayor 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;

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.

- #92-2011 Board of Education/Local/Current
- #93-2011 Board of Education/Regional/Current
- #94-2011 Replenishment of Postage Meter Machine
- #95-2011 Additional Temporary Appropriations – 2011
- #96-2011 Bond Anticipation Note – 2011
- #97-2011 Appointment/Part-time Police Dispatcher/Anthony Rossmell
- #98-2011 Raffle License #4-2011 Approval/Fidelians of America
- #99-2011 Postage/Window Envelopes/Treasurer's Office
- #100-2011 Tax Reimbursement Certification
- #101-2011 Authorization/Execution of Hold Harmless Agreement/Hydoon Mantashian
- #102-2011 Authorization/Execution of Agreement/North Haledon Volunteer Ambulance, Inc.
- #103-2011 Authorization of Agreement/Execution of Agreement NJSACOP/Written Test
- #104-2011 Authorization of Agreement/Execution of Agreement NJSACOP/Oral Test
- #105-2011 Authorization to Receive Bids/Repairs to Holding Tank
- #106-2011 Authorization/Increase in Deferred School Taxes for Local School Taxes
- #107-2011 Authorization/Tax Appeal Settlement/Ryfkogel & Tattersall

Councilman Iacobelli moved the adoption of the resolution. Councilwoman Vuoncino seconded the adoption of the resolution.

Mayor advised, with reference to Resolution #107-2011, both parties signed agreement that they will not appeal taxes for a least three (3) more years.

Further, Mayor advised the North Haledon Volunteer Ambulance, Inc., agreement mirrors the old agreement. This is a good fair agreement and Mayor commended members of ambulance squad for their cooperation. New ambulance should arrive next Monday.

Do not know if tax bills will be estimated; it depends on the State.

Upon roll call all members present voted in the affirmative. Motion carried.

CONSENT AGENDA RESOLUTIONS

RESOLUTION #92-2011

Re: Board of Education/Local/Current

WHEREAS, the Board of Education has requested that the sum of \$647,356.66 other than Debt Service, be placed in the hands of the Treasurer of School Monies within the next thirty (30) days to meet obligations of said Board.

NOW, THEREFORE BE IT RESOLVED, that the Treasurer is hereby authorized to disburse the sum of \$647,356.66 other than Debt Service, as needed by the school district in accordance with the provisions of R.S. 54:4-75 and related statutes, to be charged against Local District School Tax for the year 2010-2011.

RESOLUTION #93-2011

Re: Board of Education/Regional/Current

WHEREAS, the Board of Education of the Passaic County Manchester Regional High School of Haledon, North Haledon and Prospect Park has requested the sum of \$243,936.02 other than Debt Service be placed in the hands of the Treasurer of School Monies for said district within the next thirty (30) days, in accordance with the statutes relating thereto,

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to disburse the sum of \$243, 936.02, other than Debt Service, as needed by the school district in accordance with the provisions of R.S. 54:4-75 and related statutes, to be charged against Manchester Regional District School Tax for the year 2010-2011.

RESOLUTION #94-2011

Re: Replenishment of Postage Meter Machine

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Treasurer be and she is hereby authorized to issue a check payable to the United States Postal Service for the replenishment of the postage meter machine in the amount of \$400.00; 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 Municipal Clerk's Postage OE

RESOLUTION #95-2011

Re: Temporary Budget 2011

WHEREAS, N.J.S.A. 49A:4-19 provides that where contracts, commitments or payments are to be made prior to the final adoption of the 2011 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time herein provided; and

WHEREAS, said temporary appropriations are limited to 26.25 percent of the total appropriations in the 2010 Budget, exclusive of any appropriations made for Debt Service and the Capital Improvement Fund in the said 2010 Budget, that limitation being \$2,113,382.54.

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Council of the Borough of North Haledon that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records.

| | |
|--------------------|---------------------------|
| Municipal Clerk OE | \$2,000.00 |
| Workmens' Comp | \$40,000.00 |
| Const. Official SW | \$25,000.00 |
| Streets & Roads OE | \$5,000.00 |
| Board of Health OE | \$500.00 |
| Hydrants | \$20,000.00 |
| Social Security | <u>\$50,000.00</u> |
| | 142,500.00 |

RESOLUTION #96-2011
(attached to minutes)

Re: Bond Anticipation Note – 2011

RESOLUTION #97-2011

Re: appointment/PT Dispatcher/Rossmell

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Anthony Rossmell be appointed as a Part-time Police Dispatcher retroactive to April 4, 2011, salary in accordance with the 2011 Salaries and Wages Ordinance.

RESOLUTION #98-2011

Re: Raffle Approval/Fidelians of America

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Raffle License of Fidelians of America RA #4-2011, Texas Hold'Em (on premise) to be held May 6, 2011, Manchester Avenue, North Haledon, NJ, be approved as submitted providing all rules and regulations of Legalized Games of Chance are adhered to.

RESOLUTION #99-2011

Re: Postage Window Envelopes

BE IT RESOLVED that the Treasurer be authorized to issue a check in the amount of \$1,060.60 to the Philatelic Fulfillment Service Center for 2,000 post-paid 44 cents window envelopes,.

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 Account #1-01-20-130-130-215, Financial Administration Postage - 2011.

RESOLUTION #100-2011

Re: Tax Reimbursement Certification

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is a levied upon the owner or operator of every solid waste facility (with certain exceptions), a recycling tax of \$3.00/per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED, by the Borough of North Haledon that the Borough of North Haledon hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311 in 2010 in the amount of \$11,255.04. Documentation supporting this submission is available at the Office of the Municipal Clerk, 103 Overlook Avenue, North Haledon and shall be maintained for no less than five years from this date.

RESOLUTION #101-2011

Re: Execute Hold Harmless Agreement

WHEREAS, Hydoon Mantashian, 10 Cedar Court, North Haledon, NJ, applied to the construction office for a pool permit; and

WHEREAS, as part of the application, Mr. Mantashian proposes to install perimeter pool fencing, a part of which will encroach into easements owned by the Borough; and

WHEREAS, the Borough Engineer does not object to the installation of fencing provided approval is granted by the Governing Body.

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of North Haledon that the Mayor and/or Clerk are hereby authorized to execute the attached Hold Harmless Agreement.

RESOLUTION #102-2011

Re: Execute Agreement/North Haledon Volunteer Ambulance, Inc.

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Borough of North Haledon enter into an agreement with North Haledon Volunteer Ambulance, Inc., in accordance with copy of Agreement **attached hereto** and made a part of the within resolution.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized and directed to execute said agreement.

RESOLUTION #103-2011

Re: Execute Agreement/NJSACOP/Written

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Borough of North Haledon enter into an agreement with NJSACOP/Written Test, in accordance with copy of Agreement **attached hereto** and made a part of the within resolution.

BE IT FURTHER RESOLVED, that the Mayor and/or Municipal Clerk are hereby authorized and directed to execute said agreement.

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 Account # 01-225-240-240-271

RESOLUTION #104-2011

Re: Execute Agreement/NJSACOP/Oral

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Borough of North Haledon enter into an agreement with NJSACOP/Oral Test, in accordance with copy of Agreement **attached hereto** and made a part of the within resolution.

BE IT FURTHER RESOLVED, that the Mayor and/or Municipal Clerk are hereby authorized and directed to execute said agreement.

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 Account # 101-25-240-240-271

RESOLUTION #105-2011

**Re: Advertise to Receive Bids
Holding Tank Cracks**

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 repair of Holding Tank Cracks, bids to be received by the Municipal Clerk on behalf of the Mayor and Council.

RESOLUTION #106-2011

**Re: Increase in Deferred School Taxes
for Local School**

WHEREAS, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any additional amounts, and

WHEREAS, the Governing Body has decided that an increase in Deferred School Taxes is in the best interest of the Borough of North Haledon at this time,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the following Deferred School Taxes be hereby increased for the year ended December 31, 2010 as follows:

| | Local School Taxes | Regional High School Taxes |
|----------------------------|-----------------------------------|---|
| Amount Deferred 12/31/2010 | 4,595,480.50 | 1,463,616.13 |
| Amount Deferred 12/31/2009 | <u>4,446,234.50</u> | <u>1,432,776.42</u> |
| | <u>149,246.00</u> | <u>30,839.71</u> |

BE IT FURTHER RESOLVED by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

RESOLUTION #107-2011

Re: Tax Appeal Settlements

WHEREAS, Tax Appeals have previously been filed with regard to the below mentioned properties before the Tax Court of New Jersey for the 2010 tax year; and

WHEREAS, a proposed settlements have been negotiated by the Borough Attorney ; and

WHEREAS, the Tax Assessor, Tim Henderson, has recommended that the terms of the proposed settlements be accepted.

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

| | | |
|-----------------------------------|----------------------------|---------------------|
| Ryfkogel/ Block 59, Lot 39 | ORIGINAL ASSESSMENT | \$286,100.00 |
| Year - 2010 | REDUCED ASSESSMENT | \$265,000.00 |
| Street Address: | 27 BRIARWOOD WAY | |

| | | |
|-------------------------------------|-----------------------------|---------------------|
| Tattersall//Block 59, Lot 46 | ORIGINAL ASSESSMENT | \$230,000.00 |
| Year – 2010 | REDUCED ASSESSMENT | \$215,000.00 |
| Street Address: | 22 HEARTHSTONE DRIVE | |

BE IT FURTHER RESOLVED, that the Borough Attorney and the Borough Tax Assessor are authorized to execute a Stipulation of Settlement and to take such other and further action as may be required to effectuate the above.

CERTIFICATION OF AVAILABILITY OF FUNDS

The Mayor read the Certification of Availability of Funds.
(attached to minutes)

RESOLUTION #108-2011 **Re: Payment of Approved Claims**
(attached to minutes)

Councilman Iacobelli moved the adoption of the resolution. Councilwoman Vuoncino seconded the adoption of the resolution.

Upon roll call all members present voted in the affirmative. Motion carried.

DISCUSSION

Special Meeting May 4th has been scheduled to introduce Bond Ordinance 2011.
Tax Revaluation Letter to Residents will go our on Borough stationary.
Capital Budget was discussed in detail – will discuss further at May work session.
Easter Egg Hunt was a complete success.

Frank Coscio, Esq., attorney for North Haledon Volunteer, Inc., asked for clarification of Ordinance process and thanked Mayor and Council, Attorney and Municipal Clerk for their help.

ADJOURNMENT

Motion by Councilman Iacobelli, seconded by Councilwoman Vuoncino to adjourn the meeting

Upon roll call all members present voted in the affirmative. Motion carried.

Mayor George declared the meeting duly adjourned at 9:37 p.m.

Renate Elatab, Municipal Clerk

Angela Russo, Deputy Borough Clerk

Approved at meeting of May 18, 2011