



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

WEDNESDAY, MAY 18, 2016

Mayor George read the following statement into the record:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of May 18, 2016, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 11, 2016, and was advertised in said newspapers on January 14, 2016. This notice was posted on the bulletin board on the same date and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Proper notice having been given, this meeting was called to order at 7:30 p.m. and the Clerk was directed to include this statement in the minutes of this meeting.

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

ROLL CALL

Present:

Mayor Randy George

Council Members: Rocco Luisi, Donna Puglisi, George Pomianek, Dennis Marco, and Michael Galluccio

Borough Attorney Michael De Marco

Borough Engineer, Joseph Pomante

Police Chief Robert Bracco and Police Captain Todd Darby

Deputy Borough Clerk, Dena Ploch

Renate Elatab, Municipal Clerk

Absent:

Council Member Raymond Melone

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

Motion by Council Member Galluccio, second by Council Member Puglisi, to deviate from the regular order of business in order to observe Youth Week. Upon roll call, all members present voted in the affirmative. Motion carried.

Mayor George welcomes the youth representatives and each official offers a brief summary of the ambitions of his/her designated Youth Week Official. (Bios made part of the within minutes).

Mayor Randy George
Councilman Raymond Melone
Councilman Rocco Luisi
Councilwoman Donna Puglisi
Councilman George Pomainek
Councilman Dennis Marco
Councilman Michael Galluccio
Municipal Clerk Renate Elatab
Attorney Michael De Marco

Shania Li
Pauline Kung
Macie Loustan
Nicole Foster
Bella Duval
Amanda Parks
Emma Letizia
Emily Hewitt
Mackenzie Cavagnaro

OFFICIAL REPORTS

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

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

COMMITTEE REPORTS

DPW / STREETS & ROADS / SEWERS/ BUILDINGS & GROUNDS / SOLID WASTE / RECYCLING.

After a relatively mild winter, the D.P.W. accomplished the following tasks:

- Repairs were made to pot holes throughout the Borough.
- The recreation fields were prepared for the spring sports season.
- The recreation bathrooms were also prepared and had their yearly maintenance performed in preparation of the spring sports season.
- The Borough streets were swept with the sweeper.

- All Borough properties were given a spring cleanup, all flower beds were re-mulched and replanted, and all sprinkler systems were checked and turned on in preparation of the warm temperatures.
- Three mulch boxes were set up for the community garden.

POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292. No report.

RECREATION. No report.

ZONING BOARD OF ADJUSTMENT. No report.

NORTH HALEDON VOLUNTEER AMBULANCE. The North Haledon Volunteer Ambulance Corps and met with members of the North Haledon Governing Body in the evening of Thursday May 12th to discuss the lack of coverage and response for ambulance calls and communication from the squad. It was decided to meet again and discuss different possibility to increase the response volume.

FINANCE. At a special council meeting on May 4, Resolution #102-2016 approved the 2016 Municipal Budget. A bond ordinance providing for various capital improvements, including street improvements, new traffic lights, and DPW equipment passed first reading. An ordinance to exceed the municipal budget appropriation limit and establish a cap bank also passed first reading. There will be a special meeting on June 1, for a public hearing on the budget and ordinances, which will then go to vote for second and final reading and adoption.

PLANNING BOARD. No report.

BOARD OF EDUCATION / LOCAL. The Local School Board's user friendly budget is available on its website. Upon the recommendation of the Superintendent, the Board approved the following positions of employment: (1) Mrs. Dena Allen, nurse; and (2) Martin Mariani, custodian. Mr. Louis Colli and Mrs. Michelle Manning were appointed as members of the Board of Education. The search for a business administrator continues. The Superintendent met with two more candidates. The Schools recently had their water tested for lead. The maximum permitted lead level is 0.015 mg/l. The water from both schools tested below the maximum permitted level. High Mountain School was less than 0.001 mg/l and Memorial School was less than 0.002 mg/l.

BOARD OF EDUCATION / REGIONAL. Advanced Placement exams and Senior Boards were administered this week. Tuesday, May 17th National Honor Society inductions are at 7pm. The National Honor Society has elected Stephen Sole as President for the 2nd year. The National Honor Society members chaperoned Haledon Public School 7th grade trip Thursday, May 19th Spanish Honor Society inductions are at 7pm. Tuesday, May 24th is the MRHS Spring Concert. Thursday, May 26th the Senior Prom will be held. On Saturday, May 28th the MRHS Drum line will perform at the North Haledon Memorial Day ceremony. Personnel, Finance and Education items moved as per agenda.

BOARD OF HEALTH. No report.

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

ENGINEERING. The Borough has been advised that PSE&G is planning on replacing various gas main throughout the Borough. The purpose of the replacement is to upgrade the existing low-pressure gas system with new high pressure transmission facilities which will fortify the PSE&G's system throughout the Borough. To date the contractor Ferreira Construction Co., Inc. has mobilized and will begin working on municipal roadways in the coming days. PSE&G has confirmed that the restoration of those roadways which have been paved in the last 5 years will be milled and repaved from curb to curb in the area of the gas replacement.

Lights at Tennis Court. Currently Boswell and the Contractor are working through the shop drawing submittals as well as the initial coordination with PSE&G to have the electrical service upgraded. The lighting equipment is expected within the next 6-8 weeks.

The Contractor is currently working along Ballentine Drive. To date the contractor has completed the drainage improvements and is currently working on the curb installation. Boswell is working with the Contractor and PSE&G to coordinate the paving of the Borough's 2015 Road Improvement Program roadways which is anticipated to be completed late summer/early fall 2016.

LIBRARY. The North Haledon Free Public Library offers programs and activities for residents of all ages. Programs for children include baby play time, toddler, preschool and after-school story times, science workshops and a summer reading club. Activities for adults include a book discussion group, computer instruction, craft workshops, movies, and trips to shows at Radio City Music Hall and well as other New York area attractions.

The library is open 64 hours per week year-round. New York Times Best Sellers, current fiction and non-fiction, magazines, newspapers, audiobooks, DVDs, CDs and downloadable eBooks, magazines and audiobooks are available to North Haledon library card holders. Residents may also take advantage of the library's PCs with Internet access and free Wi-fi.

All residents are encouraged to stop in and check the library out!

PUBLIC CELEBRATIONS. No report.

Motion by Council Member Pomianek, second by Council Member Puglisi, 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 Municipal Clerk stated that the communications below were read in full at the Work Session.

Mayor George	Re: North Haledon Volunteer Ambulance Corps
Borough Attorney	Re: T-Mobile and Wireless Edge
Borough Attorney	Re: Wizard's Pub Hearing
Chief Robert Bracco	Re: Nuisance Ordinance
DPW Foreman	Re: Complaint from resident of 76 Wigwam Road
Mark Semeraro	Re: Naming of Streets in Belmont Estates
Mary Help of Christians	Re: Request / Waiver of Driveway Permit Fee

Motion by Council Member Melone, second by Council Member Pomainek, that the above communication be received, action taken where necessary, and be placed in file. Upon roll call, all members present voted in the affirmative. Motion carried.

NEW BUSINESS / PROCLAMATIONS

PROCLAMATION

Re: Historic Preservation Month

WHEREAS,

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

WHEREAS,

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

WHEREAS,

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

NOW, THEREFORE,

be it resolved that, I, Randy George, Mayor of the Borough of North Haledon, do recognize National Historic Preservation Month and hereby proclaim May 2016 as National Historic Preservation Month.

PROCLAMATION

Re: National Military Awareness Month

WHEREAS,

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

WHEREAS,

the sacrifices that such members of the United States Armed Forces and of the family members that

support them, have preserved the liberties that have enriched this nation making it unique in the world community; and

WHEREAS,

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

WHEREAS,

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

NOW, THEREFORE,

I, Randy George, Mayor of the Borough of North Haledon of Passaic County, NJ do hereby proclaim the period May 1, through June 14, 2016 as a special time to show appreciation for our Military and proclaim it as

NATIONAL MILITARY APPRECIATION MONTH

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

PROCLAMATION

Re: Older Americans Month

WHEREAS,

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

WHEREAS,

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

WHEREAS,

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

WHEREAS,

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

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

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

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

NOW, THEREFORE, I, Mayor Randy George, do hereby proclaim May 2016 to be Older Americans Month in the Borough of North Haledon and urge every resident to take time this month to honor our older adults, and the professionals, family members, and volunteers who care for many of them; this recognition and involvement will enrich our entire community's quality of life.

PROCLAMATION

Re: EMS Week

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

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

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

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

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

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

NOW, THEREFORE, I, Randy George, Mayor of the Borough of North Haledon, in recognition of this event do hereby proclaim the week of May 15-21, 2016, as

EMERGENCY MEDICAL SERVICES WEEK

in the Borough of North Haledon

Motion by Council Member Galluccio, second by Council Member Marco, to concur with the Mayor's proclamations. Upon roll call, all members present voted in the affirmative. Motion carried.

Mayor George congratulates and thanks the Youth Week members for their participation in Youth Week and invites them to stay for the rest of the meeting. The Borough officials resume their positions on the dais.

OFFICIAL APPROVAL OF ACTIONS TAKEN BY YOUTH WEEK MEMBERS

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

PUBLIC COMMENTS

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

Karen Nurminen, 41 Dykers Farm Road, asked if the fire trucks could go around the Borough around Christmas time and throw out candy canes to the children. Consensus was that no candy could be thrown, but the Mayor will suggest to the Fire Department that they have Santa drive around the borough and waive at the children.

Peter Ten Kate, 29 Spring Brook Avenue, discussed the problems he and his neighbors were having because of Cinco de Mayo. A letter signed by the residents of Spring Brook Avenue will be on the June work session agenda.

Kimberly German, 69 Hillside Drive, asked if the pot holes on Glen Place could be fixed. The Mayor advised that he would ask the DPW to fill in the holes.

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

APPROVAL OF PRIOR MINUTES

Motion by Council Member Puglisi, second by Council Member Galluccio, to approve the minutes of the regular council meeting of April 20, 2016; the special meeting of May 4, 2016, and the work session meeting of May 4, 2016. Upon roll call, all members present voted in the affirmative. Motion carried.

OLD BUSINESS / ORDINANCE

ORDINANCE#8-2016

Re: Amendment / Chapter 600

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

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REVISE CHAPTER 600, ZONING**

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

Section 1. §600-11(H) shall be added and shall be read as follows:

Nursery schools, pre-schools, and day-care facilities.

Section 2. All other parts or provisions of Chapter 600 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.

PUBLIC HEARING

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

Judith Ziegler, 208 Squaw Brook Road, asked for clarification regarding the notice she had received. Mayor George responded that the purpose of the ordinance was just to make the pre-schools, nursery schools, etc. a permitted use, but there was no plan to build any additional such schools near any of the residents who had received a notice.

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 #8-2016 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #8-2016 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#9-2016 (OFF)

Re: Sewer Connection Fees

ORDINANCE#10-2016

Re: Establishing Position of QPA

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

The Mayor reads the Ordinance by title:

**AN ORDINANCE AMENDING CHAPTER 7
ENTITLED ADMINISTRATION OF GOVERNMENT
OF THE CODE OF THE BOROUGH OF NORTH HALEDON
TO ESTABLISH THE POSITION OF QUALIFIED PURCHASING AGENT**

WHEREAS, the Local Public Contracts Law provides that the position of Qualified Purchasing Agent must be created by Ordinance; and

WHEREAS, the Local Public Contracts Law provides that once the Qualified Purchasing Agent position has been created and the Qualified Purchasing Agent has been appointed, the Governing Body of the contracting unit may establish the bid threshold to be up to the higher threshold amount adjusted by the Governor pursuant to N.J.S.A. 40A:11 –3(e); and

WHEREAS, the Mayor and Council of the Borough of North Haledon desire to establish the position of Qualified Purchasing Agent by ordinance to avail themselves of the higher bid threshold amount;

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

Section A

Chapter 7, Article II, §7-15 (1). Other Offices, of the Code of the Borough of North Haledon is hereby amended by creating a new Office, Qualified Purchasing Agent, as set forth below:

Chapter 7, Article II, §7-15 (1) (t) Qualified Purchasing Agent.

- A. The Qualified Purchasing Agent is required to possess a valid Qualified Purchasing Agent Certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs.
- B. The Qualified Purchasing Agent shall have, on behalf of the Mayor and Council of the Borough of North Haledon, the authority, responsibility, and accountability for: the purchasing activity pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., to prepare public advertising for and to receive bids and requests for proposals for the provision of goods, services, and construction contracts; to award contracts pursuant to New Jersey law in accordance with the regulations, forums, and procedures promulgated

by state regulatory agencies; the establishment and enforcement of any and all local purchasing policies adopted by the Governing Body; the purchasing and claims approval authority of the Borough Purchasing Officer set forth by Ordinance; and the conduct of any activities as may be necessary or appropriate to the purchasing function of the Borough of North Haledon.

- C. Upon appointing a Qualifying Purchasing Agent pursuant to N.J.S.A. 40A:11-9, the Borough may take advantage of the higher bid threshold (currently, \$40,000.00, with a quote threshold of 15% or \$6,000.00, pursuant to N.J.S.A. 40A:11-3(a), as such threshold may be adjusted from time to time pursuant to N.J.S.A. 40A:11-3(e), but may at its discretion go to bid at a lower amount to encourage greater competition among bidders.

Section B

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section C

If any section, subsection, paragraph, phrase or sentence of this ordinance is, for any reason, declared to be unconstitutional or invalid, such section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section D

This ordinance shall take effect immediately upon final publication as provided by law.

Motion by Council Member Council Member Puglisi, second by Council Member Luisi, that Ordinance #10-2016 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #10-2016 was adopted on second reading and is hereby declared a passed ordinance in accordance with law.

After a lengthy discussion it was agreed to hold the hearing on the adoption of the ordinance for 30 days.

NEW BUSINESS / RESOLUTIONS

RESOLUTION CA#6-2015

Re: Consent Agenda #6-2015

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

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 Overpayment / Block 58.02 Lot 9
2. Approval / Waiving of Permit Fees / Mary Help of Christians Academy
3. Shared Services / MUA / Lien Sale
4. Authorization / Payment of Bills & Issuance of Checks
5. Award of Contract / Antenna for Police Radios
6. Tax Title Lien Redemption
7. Emergency / Repairs to Pumping Station
8. Designating Redeveloper and Authorizing Redevelopment Agreement with Belmont Estates Urban Renewal LLC
9. Agreement / CDBG Grant
10. Acceptance of Proposal / ADP
11. Acceptance of Proposal / Boswell Engineering / Ballentine Drive II
12. Appointment / Temporary Road Kill Specialist / Paul Ploch
13. Appointment / Class II Special / John Trommelen

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

Resolution #105-2016 Re: Tax Overpayment

WHEREAS, the title company paid a partial 4th quarter of 2015 for block 58.02 lot 9 and also paid 1st quarter of 2016 and,

WHEREAS, the taxes for the 4th of 2015 and 1st of 2016 were also paid by the old owner's bank and,

WHEREAS, this leaves an overpayment on the taxes for the year 2015 and 2016.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check for the following amount and the same to be charged to current taxes 2015 and 2016 taxes.

Techno Title	Block 53.02 Lot 9	108.86 - 2015
27 East Main St		<u>2,885.31 - 2016</u>
2 nd floor	Total	2,994.17

Little Falls, NJ 07424

Resolution #106-2016

Re: Waiving of Permit Fees

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the fees for the construction permits for the repaving segments of the driveway and parking lot be waived and that the Construction Official be notified of same by certified copy of this resolution.

Resolution #107-2016

Re: Shared Services / MUA

WHEREAS, the Borough of North Haledon strives to use shared services agreements for the effective and efficient delivery of services where possible; and,

WHEREAS, the State of New Jersey encourages it's municipalities to enter into shared services agreements as per the State of New Jersey's "Best Practices" initiative; and,

WHEREAS, the Manchester Utilities Authority and the Borough of North Haledon seek to participate in an Shared Services Agreement in order to save tax payer dollars and/or provide services more efficiently; and,

WHEREAS, the Tax Collector recommends that the Borough of North Haledon enter into an Shared Services Agreement to assist the Authority in its collections as and for significantly delinquent account; and

WHEREAS, the Authority is prepared to pay for the cost of North Haledon's Tax Collector to perform the required services in the interest of the welfare of its ratepayers, who includes residents of the Borough of North Haledon; and

NOW BE IT FURTHER RESOLVED that the Borough of North Haledon agrees to enter into this shared services agreement as described in the Shared Service Agreement as follows but not limited to:

1. (a) North Haledon's Tax Collector shall prepare and conduct a utility lien sale as and for the Authority's delinquent accounts for ratepayers located in North Haledon. The Authority shall provide the Tax Collector with any and all information in order to conduct the sale. The sale shall take place in June of 2016 or as soon thereafter as possible.

(b) The total lump sum cost to the Authority for this service is \$1,500.00 and shall be due and payable to North Haledon upon completion of any and all utility lien services.

(c) The initial term of this Agreement shall be upon the completion of any and all services required to complete the June of 2016 (or as soon thereafter as possible) utility lien sale.

(d) The Borough of North Haledon, as an agent for the Authority, shall assume all responsibility for its Tax Collector to provide the agreed upon utility lien services to the

Authority as and through its Employment Contract with its Tax Collector. This Agreement in no way creates an Employer/Employee relationship between the Authority and the North Haledon Tax Collector. The North Haledon Tax Collector shall continue to be paid by the Borough of North Haledon as and for her services. The payment between the Borough of North Haledon and the Authority as referenced in paragraph 1 (b) is separate and apart from any compensation paid to the North Haledon Tax Collector by North Haledon.

2. This Agreement represents the entire agreement between the parties and cannot be changed or modified orally. This Agreement may be supplemented, amended or revised only by a writing, which is signed by all of the parties hereto.

3. If one or more of the provisions of this Agreement are determined to be contrary to law, then such provision or provisions shall be deemed severable from the remaining provisions and shall not affect the validity of the other provisions of this Agreement.

4. Failure to insist upon strict compliance with any of the terms, covenants, or conditions of this Agreement at any one time shall not be deemed a waiver of such term, covenant, or condition at any other time nor shall any waiver or relinquishment of any right or power herein at any time be deemed a waiver or relinquishment of the same or any other right or power at any other time.

5. Unless otherwise specified, all notices required under the terms of this Agreement shall be given by mailing such notices by certified or registered mail, return receipt requested, to the address of the parties. Notices to the Borough of North Haledon shall be sent to the Municipal Clerk of the Borough. Notices to the Authority shall be sent to the Chairman of the Authority.

NOW BE IT FURTHER RESOLVED that the Mayor and the Borough Administrator are hereby authorized to sign the Shared Service Agreement.

Resolution #108-2016

Re: Authorization / 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; and

WHEREAS, Finance Manager of the Borough of North Haledon has certified to the Governing Body that there are funds legally appropriated and available in the current operating budget for the payment of said bills and that said payment will not result in the disbursement of public monies or in the encumbering of same in excess of the appropriation for said purpose;

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 #109-2016

**Re: Award of Contract /
Structure of Antenna**

WHEREAS, the Borough of North Haledon advertised for bids for captioned, pursuant to the Local Public Contracts Law; and

WHEREAS, on May 13, 2016, one bid was received as follows:

DN Tanks, Inc	\$6,000.00 – Engineering Services
11 Teal Road	<u>\$37,000.00 – Materials / Labor</u>
Wakefield, MA 01880	\$43,000.00 – Total

WHEREAS, the only bid was submitted by DN Tanks, Inc. in the amount of \$43,000.00; and

WHEREAS, the Borough Engineer by email dated May 13, 2016 (attached hereto), recommended the award of the low bidder DN Tanks, 11 Teal Road, Wakefield, MA; and

WHEREAS, the Borough Attorney, by letter dated May 18, 2016 (attached hereto), has opined as to the legal sufficiency of the lower bid and has found same to be sufficient.

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

1. In accordance with the recommendations of the Borough Engineer and the Borough Attorney, DN Tanks, Inc is hereby awarded the contract for the design, fabrication, installation of an antenna mounting structure on the Hawthorne Water Tower.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute a contract subject to the receipt of a Performance Bond.

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

CERTIFICATION:

I, Chris Battaglia, CFO of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in C-04-14-110-002.

Resolution #110-2016

Re: Tax Title Lien Redemption

WHEREAS, the owner of the property located at 987 Belmont Avenue, also known as Block 31 Lot 10.04, came in to the Tax Collector's Office on April 25, 2016, with a check to redeem Tax Title Certificate 14-00009 dated June 03, 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 \$65,033.19

MTAG CUST FOR EMPIRE VII NJ PO
PO BOX 2096
HICKSVILE, NY 11802

Resolution #111-2016

**Re: Amendment /
Redevelopment Agreement**

WHEREAS, on August 15, 2012, the Borough Council adopted Resolution No. 171-2012 designating Block 30, Lots 9, 11, 12, 12.01, 13, 13.01, 13.02, 14, 15, 16, 27 & 27.02 and Block 31, Lots 10, 10.04, 11, 11.02, 11.03, 11.04 & 12 on the tax maps of the Borough of North Haledon as an area in need of redevelopment which has come to be known as the Belmont Avenue Redevelopment Area; and

WHEREAS, thereafter a redevelopment plan entitled “Belmont Avenue Redevelopment Plan, North Haledon, New Jersey” (the “Plan”) was prepared by Kauker and Kauker, LLC for the Borough of North Haledon, and was the subject of public discussion at Borough Council meetings held on May 21, 2014, June 25, 2014 and July 9, 2014 after which, on July 9, 2014 the Borough Council (1) introduced an ordinance that would adopt the Plan and (2) adopted a resolution directing the Planning Board to review the Plan and transmit to the Borough Council a report containing the Planning Board’s recommendations concerning the Plan pursuant to the requirements of N.J.S.A. 40A:12A-7; and

WHEREAS, on August 6, 2014, the Borough Council received the Planning Board’s findings and recommendations regarding the Plan and the Borough Council adopted Resolution #142-2014 to address Planning Board’s recommendations regarding the Plan; and

WHEREAS, on August 6, 2014, the Borough Council held its second and final reading and adopted Ordinance #16-2014 which adopted the Plan, dated May 20, 2014 and last revised August 6, 2014; and

WHEREAS, on July 8, 2015, the Borough Council adopted Resolution #165-2015 which provided that:

“**WHEREAS**, by application dated November 11, 18, 2014 (the “Application”) attached hereto as **Exhibit A**, Belmont Estates Urban Renewal, LLC (the “Developer”) made application to the Borough to be designated as the Redeveloper of Block 30, Lots 13.02, 14, 15, 16, 27 27.02 (the “Property”) for the purpose of developing the Property into a residential project consisting of twenty-five (5) buildings and a total of thirty-four (34) townhouse residential units and two (2) rehabbed single family residences (the “Proposed Project”); and”

WHEREAS, such Resolution paragraph should have read as follows:

“WHEREAS, by application dated November 11, 18, 2014 (the “Application”) attached hereto as **Exhibit A**, Belmont Estates Urban Renewal, LLC (the “Developer”) made application to the Borough to be designated as the Redeveloper of Block 30, Lots 13.02, 14, 15, 16, 27 27.02 (the “Property”) for the purpose of developing the Property into a residential project consisting of four (4) buildings and a total of thirty-four (34) townhouse residential units and two (2) rehabbed single family residences (the “Proposed Project”); and”

NOW, THEREFORE, BE IT RESOLVED that Resolution #165-2015 shall be deemed amended (Nunc Pro Tunc) to reflect the following corrected paragraph:

“WHEREAS, by application dated November 11, 18, 2014 (the “Application”) attached hereto as **Exhibit A**, Belmont Estates Urban Renewal, LLC (the “Developer”) made application to the Borough to be designated as the Redeveloper of Block 30, Lots 13.02, 14, 15, 16, 27 27.02 (the “Property”) for the purpose of developing the Property into a residential project consisting of four (4) buildings and a total of thirty-four (34) townhouse residential units and two (2) rehabbed single family residences (the “Proposed Project”); and”

BE IT FURTHER RESOLVED that the balance of Resolution #165-2015 shall remain in full force and effect.

Resolution #112-2016

Re: Agreement / CDBG Grant

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, provides federal funds to Passaic County to carry out eligible community development activities; and

WHEREAS, the Borough of North Haledon (hereinafter referred to as the “Municipality”) agrees to participate in eligible activities to be carried out under the Passaic County Urban County Entitlement Community Development Block Grant Program; and

WHEREAS, the Mayor of the Municipality is authorized to execute this Cooperation Agreement, and

WHEREAS, Passaic County and the Municipality agree to cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities, and

WHEREAS, All parties to this Cooperation Agreement will take all actions necessary to assure compliance with Passaic County’s Urban County certification under section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. Further, all parties will comply with section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975 and with other applicable laws. The Urban County will not provide funding for activities in, or in support of, any cooperating unit of general local

government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with the County's fair housing certification. Noncompliance by a unit of general local government included in an Urban County may constitute noncompliance by the County that can, in turn, provide cause for funding sanctions or other remedial actions by the U.S. Department of Housing and Urban Development; and

WHEREAS, this agreement shall be in effect for the three year program period: Federal Fiscal Years 2017, 2018 and 2019, and remains in effect until the CDBG funds and program income received (with respect to activities carried out during the three-year qualification period) are expended and the funded activities completed, and that the County and Municipality cannot terminate or withdraw from the Cooperation Agreement while it remains in effect. The agreement shall remain in effect until expressly terminated by one of the parties hereto but said termination may only occur at the end of each three year Urban County requalification period; and

WHEREAS, the County has the authority to carry out activities which shall be funded from annual Community Development Block Grant funding appropriations: the County has final responsibility for selecting projects, preparing the Five Year Plan, as required by HUD, and preparing annual Action Plans; and

WHEREAS, by executing this Cooperation Agreement, the Municipality understands the following:

1. It may not apply for grants under the Small Cities New Jersey State CDBG Program for appropriations for fiscal years during the period in which it participates in the Passaic County Urban County CDBG Program;
2. This agreement shall remain in effect until the CDBG funds and income received with respect to the three year qualification period are expended and the funded activities completed;
3. The County and the Municipality may not terminate or withdraw from this agreement while this agreement remains in effect as above;
4. The Municipality has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations;
5. The Municipality has a policy of enforcing applicable State and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of nonviolent civil rights demonstrations within its jurisdiction.
6. The Municipality shall be prohibited from receiving Urban County funding for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with its fair housing certification,
7. The Municipality, pursuant to 24 CFR 570.501(b), is subject to the same requirements applicable to sub-recipients, including the requirement of a written agreement as described in 24 CFR 570.503, and

WHEREAS, the Municipality shall comply with all applicable laws, ordinances, and codes of the State and Local governments, and shall commit no trespass on any private property in performing any of the work embraced by this Cooperation Agreement, and.

WHEREAS, the Municipality shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin, handicap or familiar status. The Municipality shall take affirmative action to ensure that applicant for employment are employed, and that employees are treated during employment without regard to their race, color, religion, sex, national origin, handicap or familiar status. Such action shall include, but not limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff/termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Municipality shall post in conspicuous places, available to employee and applicants for employment, notices to be provided by the Government setting forth the provisions of this nondiscrimination clause. The Municipality shall incorporate the foregoing requirements of this paragraph (a) in all its contractors for such work to incorporate such requirements in all of its contractors for such requirements in all subcontractors for program work, and

WHEREAS, the Municipality is subject to the requirements of Title VI of the Civil Rights Act of 1964, and Title VIII of the Civil Rights Act of 1968. (P.L. 88-352) and HUD regulations with respect thereto including the regulations under 24 CFR Part I. In the sale, or lease, or other transfer of land acquired, cleared, or improved with the assistance provided under this Agreement, the Municipality shall cause or require a covenant running with the land to be inserted in the deed or lease for such transfer, prohibiting discrimination upon the basis of race, color, religion, sex, or national origin in the sale, lease or rental, or in the use or occupancy of such land or any improvements erected thereon, and providing that the sub grantee and the United States are beneficiaries of and entitled to enforce such covenant. The Municipality in undertaking its obligation in carrying out the program assisted hereunder agrees to take such measures as are necessary to enforce such covenant and shall not itself so discriminate and

WHEREAS, the County and the Municipality agree to comply with the Consolidated and Further Continuing Appropriations Act, 2016, Pub. L 114-113 which states that a unit of local government may not sell, trade or otherwise transfer for all or any portion of such funds to a metropolitan city, urban county, unity of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the aforesaid activities are in the best interest of the Borough of North Haledon; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of North Haledon that the Mayor is authorized to execute the Urban County CDBG Cooperation Agreement with the County of Passaic to participate in the Passaic County Urban County Entitlement Community Development Block Grant Program for Federal Fiscal Years 2017, 2018 and 2019; and

BE IT FUTHER RESOLVED, that this resolution shall take effect immediately upon its enactment, as provided by law.

Resolution #113-2016

Re: Acceptance of Proposal / ADP

WHEREAS, the Borough of North Haledon is in need of payroll services; and

WHEREAS, quotes were submitted for said services, by ADP and ADS; and

WHEREAS, ADP submitted a quote that was lower than both ADS and the current payroll company, Paychex, regarding same 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 ADP, dated April 27, 2016, for payroll services is hereby accepted and approved, for a two year period beginning July 11, 2016; and

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

CERTIFICATION:

I, Chris Battaglia, CFO of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in 6-01-20-130-304.

Resolution #114-2016

**Re: Acceptance of Proposal /
Boswell Engineering**

WHEREAS, the Borough of North Haledon is in need of engineering services, in particular for the Ballentine Drive Section II Road Improvement; and

WHEREAS, Boswell Engineering, by letter dated May 13, 2016, submitted a proposal regarding same 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 Boswell McClave Engineering, dated May 13, 2016, for engineering services in connection with the above is hereby accepted and approved.

Compensation for said services shall not exceed \$17,000.00 for the design phase and \$30,000.00 for the construction phase, for a total not to exceed \$47,000.00.

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

CERTIFICATION

I, Chris Battaglia, CFO of the Borough of North Haledon, do hereby certify that funds are available for the aforementioned in C-02-41-140-016.

Resolution #115-2016

**Re: Temporary Appointment /
Road Kill Specialist**

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Paul Ploch II be appointed as temporary road kill specialist retro-active to May 1, 2016, with salary in accordance with Salaries and Wages.

Resolution #116-2016

**Re: Appointment / SPO
John Trommelen**

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Joseph Trommelen be appointed as Class II Special effective to May 31, 2016, with salary in accordance with Salaries and Wages.

Motion by Council Member Galluccio, second by Council Member Marco, to go into Executive Session to discuss contract negotiations and pending litigation. Upon roll call, all members present voted in the affirmative. Motion carried.

EXECUTIVE SESSION (in 8:50 p.m. – out 9:05 p.m.)

ROLL CALL

Present:

Mayor Randy George

Council Members: Luisi, Pomianek, Puglisi, Marco, Galluccio

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 9:10 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Duly approved at Council Meeting of June 15, 2016

