



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

WEDNESDAY, JUNE 19, 2013

Mayor George read the following statement:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of June 19, 2013, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 7, 2013, and was advertised in said newspapers on January 10, 2013. These notices were posted on the bulletin board on the same date and have remained continuously posted as the required notices under the Statute. In addition, copies of these notices are and have been available to the public, and are on file in the office of the Municipal Clerk.

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

Pastor Donald Harris lead the Prayer and Mayor George asked that everyone remain standing for the Pledge of Allegiance.

ROLL CALL

Present:

Mayor Randy George.

Council Members: Raymond Melone, Rocco Luisi, Bruce O. Iacobelli, and Elaine Vuoncino

Absent:

Council Members Robert Dyer and Donna Puglisi

Also Present:

Borough Attorney, Michael De Marco

Borough Engineer, Joseph Pomante

Captain Todd Darby, North Haledon Police Department

Chief Robert Flaker, North Haledon Volunteer Ambulance

Administrative Assistant, Dena Ploch

Municipal Clerk, Renate Elatab

DEVIATION / RULES AND PROCEDURES / BY-LAWS OF COUNCIL

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, to deviate from the regular order of business for a presentation by the Borough Planner, Michael Kauker, regarding the

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

The Borough Attorney, Michael De Marco, steps off the dais as his office is located in the area being discussed.

Charles Heydt, Mr. Kauker's Associate, advised that the plan was personal service use focused, i.e., residential and commercial; it included an open space/recreation plan that incorporated nature paths and a pedestrian conductivity plan, and was part of Passaic County's Smart Streets program. Mr. Kauker advised that it was hoped that the Redevelopment Plan might be attractive to developers erecting medical buildings since the Borough wanted to steer away from industrial uses. There were economic incentives for the municipality and grants and tax incentives might be available for developers. The plan incorporated form based zoning and would be driven by the laws of market space.

John Bleeker, 23 Lee Drive, was concerned that although the current Governing Body had made it clear that it would not invoke eminent domain, he was concerned that some future administration may challenge that decision. Mr. Kauker responded that anything was possible. Mr. Bleeker wondered if he would be expected to change his property, to which Mr. Kauker responded that he had the right to continue using his property as in the state it currently was in. Mr. Bleeker advised that it seemed to him that the Redevelopment Plan focused on the Tanis property; Mr. Kauker responded that 37 properties, including the Dvoretzky property, were included in the plan. Mayor George advised that one of the selling points of the plan was that property owners within the area were free to leave their property as was, redevelop it, or join with others in a development project.

Gerry Flach, 4 Harrison Avenue, advised that it was a great idea to incorporate the County's Smart Streets program into the plan.

Mayor George advised that the Borough would be allowed to keep school taxes and 95% of the County taxes for five years, which could be used to build a new municipal building.

The Borough Attorney, Michael De Marco, returned to the dais at 8:47 p.m.

PUBLIC COMMENTS

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

Robert Flaker, Chief of the North Haledon Volunteer Ambulance Corps, introduced two new members, Hugo I and Max Rojas, who will be going to EMT school in the fall. Members of the Governing Body congratulated them.

Edgar Patterson, 16 Morningside Avenue, inquired if the Borough had any information regarding a buyer of the Tanis property; he also discussed the paving of Morningside Avenue in the aftermath of the work done there by the MUA. Mayor George advised that he did not have any information regarding the purchase of the Tanis property. He advised that the Borough Engineer has been in discussions with the MUA regarding the paving of Morningside Avenue.

John Bleeker, 2 Lee Drive, inquired why a full-time person was being approved in the Clerk's office. Mayor George advised that the position is for part-time summer help, who would be scanning files to update the organizing of Borough records. Mr. Bleeker advised that he had heard that the Municipal Clerk would be receiving a stipend for work done for the Municipal Alliance. Mayor George advised that there was no truth to that allegation. Mr. Bleeker inquired why the land transfer with the North Haledon Board of Education was taking so long. Mayor George responded that the New Jersey Department of Education kept requesting additional information, such as a survey and an appraisal of the property, which have been sent to the New Jersey Department of Education for approval. Mr. Bleeker advised that he had questions for Council President Ramond Melone regarding the meeting of the Municipal Investigations Committee held the prior evening.

Mayor Randy George and Borough Attorney Michael De Marco step off the dais (8:55 p.m.)

Kelly Gallo, from the firm of The Buzak Law Group, LLC, assumes the Attorney's chair on the dais. Council President Raymond Melone turned over the presiding of the meeting to Councilman Bruce Iacobelli, Chairperson of the Municipal Investigations Committee, who advised that copies of the report of the Committee will be released to the public as soon as possible.

Mr. Bleeker advised that he was going to file a complaint against Mayor George with the Court Administrator.

Mayor Randy George and Borough Attorney Michael De Marco return to the dais (8:58 p.m.) Kelly Gallo steps off the dais.

Mr. Bleeker produced a photograph of Mayor George's garage and advised that he was going to see Mr. Cheff regarding the condition of the garage.

Mr. Bleeker produced a photograph of the Pumping Station Operator sitting on the Mayor's motorcycle, with the Mayor's truck visible in the background, and a photograph of something covered by a blue tarp which he alleged was of the Mayor's motorcycle at the Pumping Station. Mr. Bleeker alleged that the Borough mechanic had worked on the mayor's motorcycle. Mayor George responded that the Borough mechanic had never worked on his motorcycle. Mr. Bleeker responded that he would produce witnesses; Mayor George invited those witnesses to come forward.

Mr. Bleeker remarked that Mayor George was quoted in the Hawthorne Press as saying that Mr. Bleeker could not appeal Judge Rothstadt's decision regarding the lawsuit he had filed about the health insurance issue, but that he had filed an appeal on June 5th. Mayor George advised that he never said that and anyone can appeal anything.

Motion by Councilwoman Vuoncino, second by Councilman Luisi, 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 Councilman Iacobelli, second by Councilwoman Vuoncino, to approve the minutes of the Executive Committee Meeting of May 1, 2013, the Regular Council Meeting of May 15,

2013, the Special and Executive Meetings of May 29, and the Work Session of June 5, 2013. Upon roll call, all members present voted in the affirmative. Motion carried.

OFFICIAL REPORTS

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

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

COMMITTEE REPORTS

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

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

RECREATION - **PUGLISI**

ZONING BOARD OF ADJUSTMENT - **PUGLISI**

NORTH HALEDON VOLUNTEER AMBULANCE - **DYER**

FINANCE - **IACOBELLI**

PLANNING BOARD - **LUISI**

BOARD OF EDUCATION / LOCAL - **LUISI**

BOARD OF EDUCATION / REGIONAL - **VUONCINO**

BOARD OF HEALTH - **IACOBELLI**

FIRE & WATER - **VUONCINO**

ENGINEERING - **DYER**

CODIFICATION ADHOC COMMITTEE REPORT - **PUGLISI**

LIBRARY - **MAYOR GEORGE**

PUBLIC CELEBRATIONS - **IACOBELLI**

BUEHLER ADHOC COMMITTEE - IACOBELLI

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, to dispense with reports, that they be received, action taken where necessary, and 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:

| | |
|--|---|
| Borough Attorney | Re: North Haledon Volunteer Fire Co. Schaefer Pyrotechnics vs. No. Haledon NJIF / NJDEP v. Occidental Chemical North Haledon adv. Bonanno Monaghan / No. Haledon Planning Bd. |
| Borough Auditor | Re: Purchase of Property |
| Superior Court of NJ | Re: Change of Venue / Sasso |
| Passaic County Clerk / Board of Elections | Re: Special Election of NJ Senate August 13 th and October 16 th |
| Construction Official | Re: Fees and Use Groups |
| McNerney & Associates | Re: Appraisal of Rec Fields |
| North Haledon Fire Department | Re: Installation of Generator |
| NJIF | Re: Sandy Reimbursements |
| Eugene Rotella | Re: Parking at 581 High Mountain Road |

Motion by Councilwoman Vuoncino, second by Councilman Luisi, 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

None

NEW BUSINESS / ORDINANCES / RESOLUTIONS

| | |
|--------------------------|--|
| Ordinance #7-2013 | Re: Amending Borough Code / Repealing of §4-5 |
|--------------------------|--|

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 Clerk presented the following ordinance:

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

Section 1. The Code of the Borough of North Haledon, shall be and hereby is revised, amended and modified as follows:

- (1) §4-5 of the Code of the Borough of North Haledon is hereby repealed.

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

Section 3. This Ordinance shall take effect immediately after final adoption and publication as 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 July 10, 2013, 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.

MAYOR GEORGE AND THE BOROUGH ATTORNEY, MICHAEL P. DE MARCO, RECUSE THEMSELVES, AND STEP OFF THE DAIS, AND COUNCIL PRESIDENT, RAYMOND MELONE, TAKES OVER PRESIDING OVER THE COUNCIL MEETING (9:10 p.m.) KELLY GALLO, FROM THE BUZAK LAW GROUP, TAKES ATTORNEY'S SEAT ON THE DAIS

Resolution #151-2013

**Re: Approval of Report /
Municipal Investigations Committee**

Councilman Melone turned over the meeting to Councilman Iacobelli, as Senior Member of the Council.

Councilman Iacobelli presented the following resolution:

**RESOLUTION ACCEPTING THE FINAL REPORT OF THE
MUNICIPAL INVESTIGATORY COMMITTEE,
ACKNOWLEDGING THE COMPLETION OF THE
COMMITTEE'S ROLE AND TASKS AND AUTHORIZING
THE RELEASE OF THE FINAL REPORT TO THE PUBLIC**

WHEREAS, by Resolution #247(a)-2012, adopted on December 17, 2012, the Borough Council of the Borough of North Haledon ("Borough") created a Municipal Investigatory Committee ("Committee") pursuant to N.J.S.A. 40A:60-6b(4) and 40:48- 25 et seq. for the purposes of investigating the use of portable generators, accessories and equipment owned by the Borough or its affiliated entities by elected and appointed officials and employees of the Borough; and

WHEREAS, the Committee undertook and completed its investigation and prepared a final report entitled "Report of Municipal Investigatory Committee of the Borough of North Haledon, Passaic County, New Jersey on the Use of Portable Borough Owned Generators by Mayor

Randy George and Chief of Police Robert Bracco" ("Final Report"), dated June 18, 2013; and

WHEREAS, on June 18, 2013, the Committee approved the Final Report and authorizes its transmittal to the governing body of the Borough in confidential form; and

WHEREAS, the Council desires to accept the Final Report of the Committee, dated June 18, 2013, acknowledge that the Committee has completed its role and tasks as assigned to it under Resolution #247(a)-2012, adopted on December 17, 2012; and

WHEREAS, the Council further desires to authorize the release of the Final Report simultaneous with its acceptance of the Final Report in this Resolution.

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

1. The Borough Council of the Borough of North Haledon ("Council") hereby formally accepts the Final Report of the Committee, dated June 18, 2013 entitled "Report of Municipal Investigatory Committee of the Borough of North Haledon, Passaic County, New Jersey on the Use of Portable Borough Owned Generators by Mayor Randy George and Chief of Police Robert Bracco".
2. It is formally acknowledged that the Committee has completed its roles and tasks as assigned to it in Resolution #247(a)-2012.
3. Simultaneously with the adoption of this Resolution, it is determined that the Final Report shall be released to the public along with the formal transcripts of the testimony of the witnesses interviewed by the Committee in order to produce the Final Report, in accordance with law.
4. This Resolution shall take effect immediately.

Motion by Councilman Luisi, second by Councilwoman Vuoncino, to approve the foregoing resolution. Upon roll call, all members present vote in the affirmative. Motion carried.

MAYOR GEORGE, BOROUGH ATTORNEY MICHAEL DE MARCO, RETURN TO THEIR RESPECTIVE SEATS ON THE DAIS. KELLY GALLO STEPS OF THE DAIS (9:15 p.m.)

RESOLUTION CA#7-2013

Re: Consent Agenda #7-2013

Motion by Councilwoman Vuoncino, second by Councilman Melone, that the Clerk read the resolution by title and waive the reading of the resolution in full. Upon roll call, all members present vote in the affirmative. Motion carried.

The Clerk presented the following resolution by title:

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.

1. Approval / Change Order No. 1 / 2011 Road Improvement Project
2. Receipt of Audit
3. Liquor License Renewals/ Consumption
4. Liquor License Renewals/ Distribution
5. Resolution / Voiding of Check / Electro Battery
6. Appointment / PT Help / Municipal Clerk's Office
7. Support / PSE&G Strong
8. Chapter 159 / Clean Communities
9. Chapter 159 / CDBG Grants
10. Chapter 159 / Passaic Open Space Grants
11. Award of Contract / DeBlock Environmental Services
12. Award of Contract / VCS Software
13. Award of Contract / Aegis System
14. Award of Professional Legal Services / Docket No. PAS-L-4011-12
15. Acceptance of Proposal / North Haledon Redevelopment Plan / Michael F. Kauker
16. Ratification of Check #1940 / MB Financial Services
17. Certification of Availability of Funds / Mercedes Benz Financial Services
18. Tax Title Lien Redemption / Outside Lien Holder
19. Authorization / Receipt of Bids / Firefighter Personal Escape Systems
20. Authorization / Monthly Remittances / North Haledon Public Library
21. Refund / Permit / Mary Help of Christians
22. Window Envelopes / Treasurer's Office
23. Replenishment of Postage Meter
24. Tax Title Lien Redemption / Thornton Drive
25. Approval / Raffle License / Fidelians

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, to adopt the foregoing resolution. Upon roll call, all members present voted in the affirmative. Motion carried.

Resolution #152-2013

Re: Approval / Change Order / AJM

WHEREAS the Borough Council of the Borough of North Haledon awarded a contract to AJM Contractors, Inc. for the 2011 Road Improvement Program via Resolution #148-2012, dated July 5, 2012, in the amount of \$784,308.00; and

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

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

NOW, THEREFORE, BE IT PROCLAIMED, by the Borough Committee of the Borough of North Haledon that Change Order No. 1 is hereby authorized in the amount of -\$154,060.57 for a combined total contract of \$628,247.43.

Resolution #153-2013

Re: Receipt of Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the Governing Body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Borough Council of the Borough of North Haledon, hereby states that they have complied with N.J.A.C. 5:30-6.5 and do hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution #154-2013

Re: Liquor License Renewals / Consumption

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses have been received and Notices of Intention have been placed in a newspaper by the Director which is circulated in Passaic County and no written objections were received by the Municipal Clerk, the full license fees of One Thousand Four Hundred (\$1,400.00) Dollars have been received and State Fee

of Two Hundred (\$200.00) Dollars have been received and will be forwarded to the State and the investigations and inspections were made and reported upon, the results thereof show no reason why said license should not be renewed.

NOW THEREFORE BE IT RESOLVED that the following Plenary Retail Consumption Licenses be renewed as of the 19th day of June 2013, effective the 1st day of July, 2013:

PLENARY RETAIL CONSUMPTION LICENSES

| | |
|---|-----------------|
| Morzetta, LLC, 371 High Mt. Rd. | 1606-33-007-006 |
| Staiano Family, LLC t/a GiuseppeRestaurant, 5 Sicomac Rd. | 1606-33-008-008 |
| Tides Enterprises t/a The Tides Estate 1245 Belmont Ave. | 1606-33-009-002 |
| Valentino's Family Restaurant, LLC, 560 High Mt. Rd. | 1606-33-006-008 |

BE IT FURTHER RESOLVED that the Clerk be and she is hereby authorized to issue said renewals for the year 2013-2014 with the date of issuance as of the first day of July, 2013.

Resolution #155-2013

Re: Liquor License Renewal / Distribution

WHEREAS, an application for renewal of a Plenary Retail Distribution License has been received for ANIK LIQUORS, INC. t/a Grand Opening Liquors, License #1606-44-005-008, and a Notice of Intention has been placed in a newspaper by the Director, which is circulated in Passaic County, and no written objections were received by the Municipal Clerk, the full license fee of One Thousand Eight Hundred (\$1,800.00) Dollars has been received and State Fee of Two Hundred (\$200.00) Dollars has been received and will be forwarded to the State and the investigations and inspections were made and reported upon, the results thereof show no reason why said license should not be renewed.

NOW THEREFORE BE IT RESOLVED that the following Plenary Retail Distribution License for ANIK LIQUORS, INC., t/a Grand Opening Liquors for the year 2013-2014 be renewed as of this 19th day of June 2013, effective as of the first day of July, 2013.

BE IT FURTHER RESOLVED that the Clerk be and she is hereby authorized to issue said renewal for the year 2013-2014 with the date of issuance as of the first day of July, 2013.

Resolution #156-2013

Re: Voiding Check / Electro Battery Systems

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that check #7910, payable to Electro Battery Systems, in the amount of \$99.31, dated May 16, 2013, be authorized to be voided due to the fact that a duplicate payment was made.

Resolution #157-2013

Re: PT Summer Help / Clerk's Office

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Maureen Saitta be employed as Part-time Clerical Help in the office of the Municipal Clerk, salary in accordance with the Salary and Wages Ordinance for 2013.

Resolution #158-2013

Re: Support / PSE&G Strong

WHEREAS, the State of New Jersey has experienced a series of extreme weather events over the last two years, including but not limited to: Hurricane Irene, the October 2011 snowstorm, Super Storm Sandy and an accompanying Nor'easter; and

WHEREAS, Borough of North Haledon was impacted by said extreme weather events, including, but not limited to, power outages; and

WHEREAS, Public Service Electric and Gas Company ("PSE&G") provides the Borough of North Haledon with electric and gas service; and

WHEREAS, said extreme weather events severely damaged PSE&G infrastructure, including but not limited to: flooded electrical substations due to storm surges, downed power lines and poles due to high winds and fallen trees, and the destruction of gas meters due to contact with water; and

WHEREAS, said damages to the PSE&G infrastructure contributed to the Borough of North Haledon's power outages; and

WHEREAS, the New Jersey Board of Public Utilities ("BPU") issued an order on January 23, 2013 directing the State's electric and gas utilities, including PSE&G, to implement certain recommendations in the areas of: "Preparedness efforts", "Communications", "Restoration and response", "Post event", and "Underlying infrastructure issues"; and

WHEREAS, PSE&G submitted an infrastructure filing on February 20, 2013 entitled "Energy Strong"; and

WHEREAS, "Energy Strong" proposes an investment of \$3.9B worth of infrastructure projects over a 10-year period to enhance PSE&G's electrical and gas system, including but not limited to: fortifying electrical stations, replacing and modernizing cast iron gas mains, deploying smart grid technologies, improving pole distribution systems, creating more redundancies, undergrounding of electricity lines, and protecting gas metering stations; and

WHEREAS, Borough of North Haledon would benefit from the proposed investments in the "Energy Strong" filing;

NOW THEREFORE BE IT RESOLVED, that the Borough of North Haledon formally declares its support for PSE&G's "Energy Strong" program.

Resolution #159-2013

Re: Chapter 159 / Clean Communities

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of North Haledon, in the County of Passaic, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$15,529.50 which is now available from Clean Communities Account, State of New Jersey, Department of Treasury.

BE IT FURTHER RESOLVED that the like sum of \$15,529.50 is hereby appropriated under the caption Solid Waste.

Resolution #160-2013

Re: Chapter 159 / CDBG Grants

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of North Haledon, in the County of Passaic, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$155,000 which is now available from the County of Passaic, Planning Board.

BE IT FURTHER RESOLVED that the like sum of \$155,000 is hereby appropriated under the caption ADA Compliance – American Legion Post 428.

Resolution #161-2013

Re: Chapter 159 / Open Space Grants

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of North Haledon, in the County of Passaic, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$147,500 which is now available from the County of Passaic, Planning Board.

BE IT FURTHER RESOLVED that the like sum of \$147,500 is hereby appropriated under the caption Yahn's Pond Rehabilitation.

Resolution #162-2013

Re: Award of Contract / DeBlock

BE IT RESOLVED that the Municipal Clerk is hereby authorized to execute a contract with De Block Environmental Services licensed operations coverage and maintenance service

to the North Haledon Collection system (attached hereto and made part of the within minutes) in the sum not to exceed \$3,000 per month, which includes the existing operator services.

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

CERTIFICATION

I, Laura Leibowitz, Treasurer / CFO, do hereby certify that funds are available for the aforementioned in 3-01-26-300-300-295.

Resolution #163-2013

Re: Award of Contract / VCS

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the proposal submitted by captioned and dated February 13, 2013 for purchase of a 4000 Biometric Time Clock and software (proposal submitted hereto and made a part of the within resolution).

BE IT FURTHER RESOLVED, funds are available for the aforementioned as evidenced by CFO/Treasurer following.

CERTIFICATION:

I, Laura Leibowitz, Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in the 2013 Capital Budget.

Resolution #164-2013

Re: Award of Contract / Aegis Risk Group

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the proposal submitted by captioned and dated April 17, 2013 for the 2013 Health, Safety and Environmental Regulatory Compliance Services (proposal submitted hereto and made a part of the within resolution).

BE IT FURTHER RESOLVED, funds are available for the aforementioned as evidenced by CFO/Treasurer following.

CERTIFICATION:

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

Resolution #165-2013

Re: Award of Professional Services

WHEREAS, the Borough of North Haledon is desirous of retaining Joseph B. Fiorenzo, Esq., of the law firm of Sokol, Behot and Fiorenzo for the purpose of providing legal advice and representing the Defendant, Borough of North Haledon and Laurence B. Orloff, Esq., of the law firm of Orloff, Lowenbach, Stifelman & Siegal, P.A. for the purpose of providing legal advice and representing the Defendants, Randy George, Raymond Melone, Donna Puglisi, Rocco Luisi and Elaine Vuoncino in connection with the appeal filed by John Bleeker in the above-referenced matter; and

WHEREAS, the anticipated fees will likely exceed the bid threshold and a copy of the appropriate Business Entity Disclosure Certification (N.J.S.A.19:44A-20.8) shall be filed with Office of the Municipal Clerk as a condition to the award of the subject contract; and

WHEREAS, the appropriate Political Contribution Disclosure Form (N.J.S.A. 19:44A-20.26) shall be filed in the office of the Municipal Clerk as a condition to the award of Contract; and

WHEREAS, said services fall under the exception provision of the Local Public Contracts Law in that they are professional services.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that subject to the conditions set forth above, Joseph B. Fiorenzo, Esq., of the law firm of Sokol, Behot & Fiorenzo shall be and hereby is retained to the represent the Borough of North Haledon in the appeal filed by John Bleeker in the matter of Bleeker vs. Borough of North Haledon et al, Docket No. PAS-L-4011-12., and that Laurence B. Orloff, Esq., of the law firm of Orloff, Lowenbach, Stifelman & Siegal, P.A. shall be and hereby is retained to represent Randy George, Raymond Melone, Donna Puglisi, Rocco Luisi and Elaine Vuoncino in the appeal filed by John Bleeker in the matter of Bleeker vs. Borough of North Haledon et al, Docket No. PAS-L-4011-12.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute said agreement and that the Clerk be and she is hereby authorized and directed to cause the appropriate notice to be published in the newspaper once in accordance with the provisions of law.

Resolution #166-2013

Re: Award of Professional Services

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the proposal submitted by captioned and dated March 13 for the Borough of North Haledon Redevelopment Plan Project (proposal submitted hereto and made a part of the within resolution) in an amount not to exceed \$25,000 be accepted; and

BE IT FURTHER RESOLVED, that funds are available for the aforementioned as evidenced by CFO/ Treasurer following.

CERTIFICATION

I, Laura Leibowitz, CFO/ Treasurer of the Borough of North Haledon, do hereby certify that funds are available in Reserve for Master Plan and 2013 Budget.

Resolution #167-2013

Re: Ratification of Check

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that check #1940 in the amount of \$16,386.51, dated June 10, 2013, drawn to the order of Mercedes-Benz Financial Services, USA LLC, be hereby ratified; and

BE IT FURTHER RESOLVED, that funds were available for the aforementioned as evidenced by the CFO/Treasurer certification following:

CERTIFICATION

I, Laura Leibowitz, CFO/Treasurer of the Borough of North Haledon, do hereby certify that funds were available for the aforementioned in Streets and Roads and Recycling OE.

Resolution #168-2013

Re: Certification of Availability of Funds

WHEREAS, the following contract has been awarded prior to January 1, 2013, and at the time of the award, certification of availability of funds was included; and

WHEREAS, the following contract requires certification of availability of funds;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Haledon that funds are available for said contracts

CERTIFICATION

Pursuant to N.J.S.A. 40A:4-57, as Chief Financial Officer, I herewith certify that there will be adequate funds available in the 2013 Budget for:

1. Mercedes Benz Financial Services

CERTIFICATION

I, Laura Leibowitz, Treasurer/CFO of the Borough of North Haledon, do hereby certify that funds will be available for the aforementioned in the 2013 Budget.

Resolution #169-2013

Re: Tax Title Lien Redemption

WHEREAS, the owner of the property located at 33 Grandview Drive, also known as Block 59 lot 13.06, came to the Tax Office on June 5, 2013, with a check to redeem Tax Title Certificate 4-00012 dated April 24, 2013; 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:

| | | |
|--------------------|------------|-------------|
| BLOCK 59 LOT 13.06 | Redemption | \$11,142.80 |
| | Premium | \$16,500.00 |

US Bank Cust for Phoenix
2 Liberty Place- TLGS
50 South 16th St. Suite 1950
Philadelphia, PA 19102

Resolution #170-2013

**Re: Authorization / Receipt of Bids /
Firefighter Personal Escape Systems**

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 firefighter personal escape systems. Bids to be received in the Council Chambers, 103 Overlook Avenue, North Haledon, by the Municipal Clerk on behalf of the Mayor and Council.

Resolution #171-2013

**Re: Authorization / Monthly Remittances
North Haledon Public Library**

WHEREAS, the Board of Library Trustees of the Borough of North Haledon Free Public Library requests payment for library purposes.

NOW THEREFORE BE IT RESOLVED that the Treasurer is hereby authorized to make payments to the Library according to the following schedule:

| | |
|----------------|-------------|
| July 2013 | \$36,946.50 |
| August 2013 | \$36,946.50 |
| September 2013 | \$36,946.50 |

BE IT FURTHER RESOLVED that said payments be charged to the 2013 Budget Appropriation Account Maintenance of the Free Public Library.

Resolution #172-2013

Re: Waiving of Permit Fees / MHCA

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the fee of \$75.00 for construction permits for the electrical inspection on the pool be waived and that the Construction Official be notified of same by certified copy of this resolution.

Resolution #173-2013

Re: Window Envelopes / Treasurer's Office

BE IT RESOLVED that the Treasurer be and she is hereby authorized and directed to issue a check in the amount of \$1,124.20 to the U.S. Postal Service for four boxed of 500 Forever stamped window envelopes, and same to be charged to

CERTIFICATION:

I, Laura Leibowitz, CFO/Treasurer of the Borough of North Haledon, do certify that funds are available for the aforementioned in 3-01-20-130-215.

Resolution #174-2013

Re: Replenishment of Postage Meter

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 postage meter in the sum of \$500.00.

CERTIFICATION

I, Laura Leibowitz, Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in 3-01-20-120-205.

Resolution #175-2013

Re: Tax Title Lien Redemption

WHEREAS, the owner of the property located at 15 Thornton Drive, also known as Block 51 lot 21, came to the Tax Office on June 19, 2013, with a check to redeem Tax Title Certificate 7-00011 dated April 18, 2012

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

BE IT FURTHER RESOLVED that the total payrolls in the amount of \$ 372,615.65 paid in the month of May be approved.

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, to approve the foregoing resolution. Upon roll call, all members present voted in the affirmative. Motion carried.

DISCUSSION

Mayor George suggested that the members of the Governing Body to discuss the placement of signs for casual (aka garage) sales at the next work session.

Councilman Iacobelli suggested that the members of the Governing Body to enact an ordinance that would allow the Borough to send a DPW crew to do necessary property maintenance work on properties in foreclosure and then bill the bank. Since this is not a matter of health or public safety, the Borough Attorney will look into this matter and report back at the next work session.

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 9:25 p.m.

Copies of the report of the Municipal Investigations Committee were made available to the members of the public immediately following the adjournment of the Council meeting.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Meeting of July 17, 2013