



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

WEDNESDAY, JUNE 18, 2014

Mayor George read the OPMA statement into the record.

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of June 18, 2014, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 6, 2014, and was advertised in said newspapers on January 19, 2014. These notices were posted on the bulletin board on the same date and have remained continuously posted as the required notices under the Statute. In addition, copies of these notices are and have been available to the public, and are on file in the office of the Municipal Clerk.

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

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

ROLL CALL

Present:

Mayor Randy George and Mayor for a Day, Elise Reitsma

Council Members: Rocco Luisi, Raymond Melone, Donna Puglisi, Robert Dyer, Dennis Marco, and Michael Galluccio

Also Present:

Borough Auditor, Charles Ferraioli

Treasurer, Laura Leibowitz, and Assistant Treasurer, Heather Barkenbush

Borough Attorney, Michael De Marco

Borough Engineer, Joseph Pomante

Deputy Borough Clerk, Dena Ploch

Renate Elatab, Municipal Clerk

Absent:

Councilman Raymond Melone

DEVIATION / RULES AND PROCEDURES / BY-LAWS OF COUNCIL

RECOGNITION OF GIRL SCOUT BROWNIE TROOP 5594

PRESENTATION REGARDING COLA ORDINANCE BY BOROUGH AUDITOR

Motion by Councilman Marco, second by Councilman Dyer, to deviate from the regular order of business in order to recognize the philanthropy of Girl Scout Brownie Troop 5594 and to hear a presentation by the Borough Auditor regarding the COLA ordinance. Upon roll call, all members present voted in the affirmative. Motion carried.

Presentation of Check by Members of Girl Scout Brownie Troop 5594

Gianna Angelucci
Angela Avolio
Layla Campbell
Chloe Flanagan
Anna Mora
Grace Pagano
Sophia Simone
Alexandra Spalt
Gianna Stipelkovich
Julianna Szwarc
Angelina Zatkos
Amy Spalt and Kristina Stipelkovich (Troop Leaders)

Troop 5594 remitted a check in the amount of \$100.00 to Mayor for a Day, Elise Reitsma. Amy Spalt explained how the troop had made smore pops and chocolate covered pretzels, which they sold on North Haledon Day; they wanted to give back to the community some of the proceeds of their sales and fund-raisers. Mayor George advised that the check will be used to buy a dispenser of dog waste bags at Yahn's Pond.

Presentation Regarding the COLA Ordinance by the Borough Auditor

Mayor George advised that at the last council meeting, a member of the public had alleged that the members of the Governing Body were attempting to introduce an ordinance that would allow them to spend more money that was in the municipal budget and the bond ordinance.

The Borough Auditor advised two items are needed for a budget: legal authorization and cash. He also explained the difference between the tax cap levy, and the appropriations cap. The auditor recommends the adoption of a cap bank every year, which helps with the tax levy for the following year, and is also useful in case an emergency arises throughout the year. The auditor advised that the amount was included in the adopted budget. The Auditor highly recommended that the COLA ordinance be adopted in 2015. Councilman Marco questioned the amount in reserve for uncollected taxes; the Auditor responded that that is a statutory obligation. Councilman Marco also questioned the amount of liability for unused sick time and vacation, and if there was any kind of policy in place. Mayor George advised that usually the employees go out on terminal leave, and that it is extremely rare for the Borough to give retiring employees checks. The Auditor once again commented on the strong bond rating that the Borough had received, and that S&P had given the Borough a AA rating.

Councilman Dyer advised that Pauline Nassimos, the former Police Records Clerk, who was in the audience had graduated from the State Police Academy.

Mayor George thanked Elise Reitsma for joining him on the dais as Mayor for a Day.

APPROVAL OF PRIOR MINUTES

Motion by Councilman Dyer, second by Councilman Marco, to approve the minutes of the regular council meeting of April 16, 2014, and the work session meeting and special meeting of May 7, 2014. Upon roll call, all members present voted in the affirmative. Motion carried.

OFFICIAL REPORTS

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

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

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

COMMITTEE REPORTS

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

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

RECREATION - **PUGLISI**

ZONING BOARD OF ADJUSTMENT - **PUGLISI**

NORTH HALEDON VOLUNTEER AMBULANCE - **DYER**

FINANCE - **DYER**

PLANNING BOARD - **MARCO**

BOARD OF EDUCATION / LOCAL - **LUISI**

BOARD OF EDUCATION / REGIONAL – **GALLUCCIO**

BOARD OF HEALTH – **GALLUCCIO**

FIRE & WATER - LUISI

ENGINEERING - DYER

CODIFICATION ADHOC COMMITTEE REPORT - PUGLISI

LIBRARY - MAYOR GEORGE

Motion by Councilwoman Puglisi, second by Councilman Marco, to dispense with reports, that they 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:

Michael F. Kauker	Re: Revised Redevelopment Plan
Peter Sloomaker	Re: Schedule Change to Redevelopment Process
Sustainable Jersey	Re: Water Conservation Ordinance
Police Chief Robert Bracco	Re: Victoria Stapleton / Off Probation
Fire Chief A.J. Ricciardi	Re: MVA / Assistant Fire Chief Vehicle
Fire Chief A.J. Ricciardi	Re: Proposed Changes to Code Book
North Haledon Fire Department	Re: Request / Banner on High Mountain Road
Public Health Nurse Amelia Bertelloni	Re: Letter of Resignation
Officer Colleen Carver	Re: DVRT Requests
Girl Scout Troop 5594	Re: June 18 th Council Meeting
Congressman Rodney Frelinghuysen	Re: Support of New Jersey Military Bases
NJ DOT	Re: Grant / Sicomac Road / Section 2 / \$170,000
North Haledon Board of Education	Re: 2014-2014 Tax Levy Certification
Manchester Regional High School	Re: 2014-2014 Tax Levy Certification
NJ Building Officials Association	Re: Resolution in Support of Fire Sprinklers in New One- and Two-Family Homes
Mr. and Mrs. Richard Eopechino	Re: Purchase of Borough-Owned Property
Steven I. Marcus	Re: Corner of Squaw Brook and Saw Mill Roads
1235 – 1239 High Mountain Road	Re: Paving of Shared Access Road
Robert Heaney	Re: Springbrook Road
Frank and Marie Loffredo	Re: Dater Street
Crystal Acker	Re: Reimbursement of Marriage License Fee
Amy Hofer	Re: Animal Control

Motion by Councilwoman Puglisi, second by Councilman Marco, 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.

PUBLIC COMMENTS

Amelia Bertelloni has been a member of the North Haledon Board of Health for over forty years; and

WHEREAS,

Amelia Bertelloni does not remember the exact date of her appointment as Public Health Nurse, but remembers that Councilman Oscar Iacobelli suggested to her that she apply for that position when the current Public Health Nurse resigned; and

WHEREAS,

Amelia Bertelloni received a Master's Degree in Public Health from Farleigh Dickinson University, was a Head Nurse in the Emergency Room in Barnert Hospital before becoming the Director of the Emergency Room at Chilton Hospital; and

WHEREAS,

By letter dated May 18, 2014, Amelia Bertelloni, MPA, RN, submitted a letter of resignation to William Faasse, President of the North Haledon Board of Health;

NOW, THEREFORE, BE IT PROCLAIMED

that I, Randy George, Mayor of the Borough of North Haledon, direct the North Haledon Board of Health to accept the resignation of Amelia Bertelloni, MPA, RN, with deepest regret, and wish her many years of happy retirement, enjoying the close company of her brother and mother, who both also live in the Wanaque Reserve.

Proclamation

Re: Celebrating New Jersey's 350th

WHEREAS,

On June 24, 1664, a new colony named "New Jersey" was established by the Duke of York, who later became James II, King of England; and

WHEREAS,

The State of New Jersey was the first state to recognize the Bill of Rights; and

WHEREAS,

The first organized baseball game was played in New Jersey in 1846, and the first college football game was played between Princeton and Rutgers in 1869; and

WHEREAS,

One of the world's most famous inventors, Thomas Edison, developed the first movie, the first phonograph, and the first light bulb in New Jersey; and

WHEREAS,

New Jersey is also home to the first boardwalk in the world, which was built in Cape May in 1868; and

WHEREAS,

New Jersey is the location of national symbols such as Ellis Island, the Statue of Liberty, the Monmouth Battleground and Washington's Headquarters;

NOW, THEREFORE, BE IT PROCLAIMED

that I, Randy George, Mayor of the Borough of North Haledon, urge the residents of North Haledon to continue to celebrate the values of innovation, diversity, and liberty which make New Jersey the special state it is.

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

Ordinance #13-2014

Re: SCR District

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

The Clerk presented the following ordinance:

**AN ORDINANCE TO AMEND CHAPTER 180, ZONING CODE,
OF THE BOROUGH OF NORTH HALEDON, ARTICLE XXIII
SENIOR CITIZEN RESIDENTIAL (SCR) DISTRICT**

§ 180-243 Purpose

- A. The purpose of the Senior Citizen Residential (SCR) District is designed to meet the diverse housing and health care needs of an aging population while allowing zoning flexibility to accommodate the ever changing residential and medical needs for this specific population.
- B. The purpose of this chapter is establish rules, regulations, standards and procedures designed to promote the integrated and logical development of an area within the designated Block 65, Lots 4.03, 7.02, 7.06 and 10.02 on the Borough's Official Tax Maps.

§ 180-244 Definitions

Within the Senior Citizen Residential (SCR) District the following words and terms shall have the definitions hereinafter provided and as regulated by N.J.S.A. 52:27D-

330 through 357, known as the Continuing Care Retirement Community Regulation and Financial Disclosure Act.

- A. ASSISTED LIVING FACILITY – A facility licensed by the New Jersey Department of Health and Senior Services which is designed and operated to provide apartment-style housing and congregate dining while assuring that assisted living services are available, as needed, to adult persons unrelated to the proprietor. Each unit in such facility shall offer, at minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance. Assisted living facilities include dementia care facilities, which are facilities designed to accommodate the special needs of elderly persons afflicted with Alzheimer’s disease or other related dementias.

- B. CONTINUING CARE RETIREMENT CENTER (CCRC) – An age-restricted facility that provides a continuum of accommodations and care, from independent living and/or “assisted living units” to long-term bed care, and enters into contracts to provide lifelong care in exchange for the payment of monthly fees and entrance fees. CCRC’s may contain related social, recreational and dining facilities and health care facilities which may include an outpatient clinic and therapy areas.

- C. NURSING HOMES/LONG TERM CARE – An institution or a distinct part of an institution that is licensed or approved to provide health care under medical supervision for twenty four or more consecutive hour for more than two residents who are not related to the governing authority or its members by marriage, blood, or adoption. This facility will be serviced 24 hours a day by a registered nurse and include medical facilities, meals, housekeeping, social service and physical therapy.

- D. RESIDENTIAL HEALTH CARE FACILITY (RHCF) – An institution or a distinct part of an institution which is licensed by the State of New Jersey Department of Health and Senior Services to provide health care under medical supervision to two or more patients who are not related to the governing authority of the institution or its members by marriage, blood or adoption. This facility is to provide independent living units but include the provisions for meals, social services, medical and/or personal services and emergency care if necessary.

§ 180-245 Permitted Uses

- A. Assisted Living Facilities
- B. Continuing Care Retirement Community (CCRC)
- C. Nursing Homes / Long Term Care Facility
- D. Residential Health Care Facilities

§ 180-246 Accessory Uses

- A. Signs
 - 1. Signs, such as directional signs shall be provided as otherwise regulated in Borough ordinances.
- B. Off-street parking, as otherwise regulated in the Borough ordinances.
- C. Fences and walls, as otherwise regulated in the Borough ordinances.
- D. Active and passive recreational areas, along with structures and necessary features appurtenant thereto.
- E. Accessory uses and structures customarily incidental to permitted uses.

§ 180-247 General Requirements

- A. Site plan approval shall be required for all development (as defined in the Municipal Land Use Law) in the SCR zone.
- B. The site plan review shall consider storm water management but not be limited to the following: solid waste management, lighting, pedestrian and vehicular circulation, parking location and arrangement, building sighting and arrangement, signs, landscaping, open space.
- C. All facilities and utilities shall be built to Borough specifications.

§ 180-248 Occupancy

In the Senior Citizen Residential (SCR) District, occupancy shall be limited to persons sixty five (65) years of age and older. A maximum of twenty percent (20%) of the occupants may be less than sixty five (65) years of age, but no younger than fifty five (55) years of age.

§ 180-249 Density

The maximum density shall be thirteen (13) beds per acre.

§ 180-250 Floor Area Ratio

The Floor Area Ratio shall not exceed 0.25. This calculation shall be made exclusive of any accessory structures.

§ 180-251 Bulk Regulations

- A. Minimum lot area (acreage): 10 acres
- B. Minimum street frontage along a county or municipal road: 150 feet
- C. Minimum lot width: 150 feet
- D. Minimum lot depth: 700 feet
- E. Minimum front yards: 100 feet
- F. Minimum side yards/total side yards: 40 feet / 80 feet
- G. Minimum rear yard: 40 feet
- H. Minimum buffer width: 25 feet
- I. Maximum building height: 3 stories or (45) feet
- J. Maximum building coverage: 10 percent
- K. Maximum impervious surface coverage: 40 percent
- L. Minimum interior driveways shall be not less than twenty (20') feet wide

§ 180-252 Buffer Areas

A buffer area of not less than 25 feet in width shall be provided along the side and rear lot lines. Said buffer area shall be kept in its natural state. Where wooded and natural vegetation is sparse or nonexistent, the area shall be planted to provide a year-round natural screening. Parking areas shall not be located in the required buffer areas, however driveways shall be permissible within the buffer areas.

§ 180-253 Parking Requirements

Sufficient off-street parking shall be required to meet the needs of the residents, employees and guests within the facilities in the Senior Citizen Residential (SCR) District. Said parking spaces shall be applicable to the following conditions:

- A. A minimum of 0.75 off-street parking spaces must be provided for each bed within all operating facilities in the Senior Citizen Residential (SCR) District.

- B. This parking calculation will meet the needs for residents, employees and guests within the Senior Citizen Residential (SCR) District.
- C. No parking shall be permitted on any driveway or access-way within the Senior Citizen Residential (SCR) District..
- D. All parking shall be confined to the area specifically designated on the site plan for such purpose.
- E. All new parking areas shall be paved and curbed, and provided with an adequate system of storm-water drainage as approved by the Borough Engineer.

§ 180-254 Utilities, Facilities, Landscaping and Circulation

- A. Refuse and recyclable materials shall be serviced by a private hauler as per existing Borough Regulations.
- B. All utility wiring shall be underground. Utility connections for each separate apartment shall be independently or jointly metered as would be appropriate to the form of occupancy/ownership of the living units.
- C. Open space areas shall be attractively landscaped. The landscape plan shall be subject to approval by the Planning Board.
- D. Sidewalks or other suitable means of internal pedestrian circulation shall be provided throughout the development along driveways and between buildings.
- E. All exterior lighting plans shall be reviewed by the Planning Board.

§ 180-255 Common Open Space Implementation Requirements

- A. A minimum of 20% of the total site area shall be set aside as passive open space.
- B. Buffer areas, wetlands and conservation easements shall be eligible as open space as required by this section.
- C. All passive open space shall be connected to residential areas with walkways or other reasonable means of access.

§ 180-256 Circulation and Parking Standards – All internal driveways shall be in accordance with the requirements of the New Jersey *Residential Site Improvement Standards*.

§ 180-257 Developments Subject To Applicable Ordinances – Any development in the Senior Citizen Residential (SCR) District shall be subject to all applicable ordinances of the Borough of North Haledon. Where there is any conflict between the provisions of this section and the provisions of the Site Plan Ordinance and/or the Land Subdivision Ordinance, the provision of this section shall prevail.

§ 180-258 Date of Effect – This Ordinance shall take effect upon final passage, approval, and publication as required by law.

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 June 18, 2014 and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on July 9, 2014, 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.

Motion by Councilwoman Puglisi, second by Councilman Dyer, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on July 9, 2014, at 8:00 p.m. or as soon thereafter as the matter can be reached by the Mayor and Council, and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with the law. Upon roll call, all members present voted in the affirmative. Motion carried.

Ordinance #14-2014

Re: Sewer Connection Fees

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

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REVISE CHAPTER 141, SEWERS**

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

Section 1. In §141-7.1 both references to “\$7,335 (Seven Thousand Three Hundred Thirty Five)” shall be deleted and “\$8,875.00 (Eight Thousand Eight Hundred Seventy Five)” shall be inserted in its place.

Section 2. All other parts or provisions of Chapter 141 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 Councilwoman Puglisi, 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 9, 2014, at 8:00 p.m. or as soon thereafter as the matter can be reached by the Mayor and Council, and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with the law. Upon roll call, all members present voted in the affirmative. Motion carried.

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 June 18, 2014 and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on July 9, 2014, 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

Re: Noise Ordinance

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

The Clerk presented the following ordinance:

**AN ORDINANCE AMENDING CHAPTER 203-5, NOISE AND SOUNDS,
OF THE BOROUGH OF NORTH HALEDON**

**AN ORDINANCE AMENDING CHAPTER 203-5, NOISE AND SOUNDS,
OF THE BOROUGH OF NORTH HALEDON**

I. Declaration of Findings and Policy

WHEREAS excessive sound is a serious hazard to the public health, welfare, safety, and the quality of life; and,

WHEREAS a substantial body of science and technology exists by which excessive sound may be substantially abated; and,

WHEREAS the people have a right to, and should be ensured of, an environment free from excessive sound,

NOW, THEREFORE, BE IT PROCLAIMED THAT it is the policy of **the Borough of North Haledon** to prevent excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life.

This ordinance shall apply to the control of sound originating from sources within **the Borough of North Haledon**.

II. Definitions

The following words and terms, when used in this ordinance, shall have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this ordinance have the same meaning as those defined in N.J.A.C. 7:29.

"Construction" means any site preparation, assembly, erection, repair, alteration or similar action of buildings or structures.

"dBC" means the sound level as measured using the "C" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors. The unit of reporting is dB(C). The "C" weighting network is more sensitive to low frequencies than is the "A" weighting network.

"Demolition" means any dismantling, destruction or removal of buildings, structures, or roadways.

"Department" means the New Jersey Department of Environmental Protection.

"Emergency work" means any work or action necessary at the site of an emergency to restore or deliver essential services including, but not limited to, repairing water, gas, electricity, telephone, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, dredging navigational waterways, or abating life-threatening conditions or a state of emergency declared by a governing agency.

"Impulsive sound" means either a single pressure peak or a single burst (multiple pressure peaks) that has a duration of less than one second.

"Minor Violation" means a violation that is not the result of the purposeful, reckless or criminally negligent conduct of the alleged violator; and/or the activity or condition constituting the violation has not been the subject of an enforcement action by any authorized local, county or state enforcement agency against the violator within the immediately preceding 12 months for the same or substantially similar violation.

"Motor vehicle" means any vehicle that is propelled other than by human or animal power on land.

"Muffler" means a properly functioning sound dissipative device or system for abating the sound on engines or equipment where such device is part of the normal configuration

of the equipment.

"Multi-dwelling unit building" means any building comprising two or more dwelling units, including, but not limited to, apartments, condominiums, co-ops, multiple family houses, townhouses, and attached residences.

"Multi-use property" means any distinct parcel of land that is used for more than one category of activity. Examples include, but are not limited to:

1. A commercial, residential, industrial or public service property having boilers, incinerators, elevators, automatic garage doors, air conditioners, laundry rooms, utility provisions, or health and recreational facilities, or other similar devices or areas, either in the interior or on the exterior of the building, which may be a source of elevated sound levels at another category on the same distinct parcel of land; or
2. A building, which is both commercial (usually on the ground floor) and residential property, located above, below or otherwise adjacent to.

"Noise Control Officer" (NCO) means an employee of a local, county or regional health agency which is certified pursuant to the County Environmental Health Act (N.J.S.A. 26:3A2-21 et seq.) to perform noise enforcement activities or an employee of a municipality with a Department-approved model noise control ordinance. All NCOs must receive noise enforcement training as specified by the Department in N.J.A.C. 7:29 and is currently certified in noise enforcement. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

"Noise Control Investigator" (NCI) means an employee of a municipality, county or regional health commission that has a Department-approved model noise control ordinance and the employee has not received noise enforcement training as specified by the Department in N.J.A.C. 7:29. However, they are knowledgeable about their model noise ordinance and enforcement procedures. A Noise Control Investigator may only enforce sections of the ordinance that do not require the use of a sound level meter. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

"Plainly audible" means any sound that can be detected by a NCO or an NCI using his or her unaided hearing faculties of normal acuity. As an example, if the sound source under investigation is a portable or vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The NCO or NCI need not determine the title, specific words, or the artist performing the song.

"Private right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a non-governmental entity.

"Public right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a governmental entity.

"Public space" means any real property or structures thereon that are owned, leased, or controlled by a governmental entity.

"Real property line" means either (a) the vertical boundary that separates one parcel of property (i.e., lot and block) from another residential or commercial property; (b) the vertical and horizontal boundaries of a dwelling unit that is part of a multi-dwelling unit building; or (c) on a multi-use property as defined herein, the vertical or horizontal boundaries between the two portions of the property on which different categories of activity are being performed (e.g., if the multi-use property is a building which is residential upstairs and commercial downstairs, then the real property line would be the interface between the residential area and the commercial area, or if there is an outdoor sound source such as an HVAC unit on the same parcel of property, the boundary line is the exterior wall of the receiving unit). Note- this definition shall not apply to a commercial source and a commercial receptor which are both located on the same parcel of property (e.g., a strip mall).

"Sound production device" means any device whose primary function is the production of sound, including, but not limited to any, musical instrument, loudspeaker, radio, television, digital or analog music player, public address system or sound-amplifying equipment.

"Sound reduction device" means any device, such as a muffler, baffle, shroud, jacket, enclosure, isolator, or dampener provided by the manufacturer with the equipment, or that is otherwise required, that mitigates the sound emissions of the equipment.

"Weekday" means any day that is not a federal holiday, and beginning on Monday at 7:00 a.m. and ending on the following Friday at 6:00 p.m.

"Weekends" means beginning on Friday at 6:00 p.m. and ending on the following Monday at 7:00 a.m.

III. Applicability

(A) This model noise ordinance applies to sound from the following property categories:

1. Industrial facilities;
2. Commercial facilities;
3. Public service facilities;
4. Community service facilities;
5. Residential properties;
6. Multi-use properties;
7. Public and private right-of-ways;

8. Public spaces; and
9. Multi-dwelling unit buildings.

(B) This model noise ordinance applies to sound received at the following property categories:

1. Commercial facilities;
2. Public service facilities;
3. Community service facilities (i.e. non-profits and/or religious facilities)
4. Residential properties;
5. Multi-use properties;
6. Multi-dwelling unit buildings.

(C) Sound from stationary emergency signaling devices shall be regulated in accordance with N.J.A.C. 7:29-1.4, except that the testing of the electromechanical functioning of a stationary emergency signaling device shall not meet or exceed 10 seconds.

IV. Exemptions

- (A) Except as provided in IX. and X. below, the provisions of this ordinance shall not apply to the exceptions listed at N.J.A.C. 7:29-1.5.
- (B) Sound production devices required or sanctioned under the Americans with Disabilities Act (ADA), FEMA or other government agencies to the extent that they comply with the noise requirement of the enabling legislation or regulation. Devices which are exempted under N.J.A.C. 7:29-1.5 shall continue to be exempted.
- (C) Construction and demolition activities are exempt from the sound level limits set forth in tables I and II and III except as provided for in IX. below.

V. Enforcement Officers

- (A) Noise Control Officers shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this ordinance and pursue enforcement activities.
- (B) Noise Control Investigators shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this ordinance that do not require the use of a sound level meter (i.e., plainly audible, times of day and/or distance determinations) and pursue enforcement activities.
- (C) Noise Control Officers and Investigators may cooperate with NCOs and NCIs of an adjacent municipality in enforcing one another's municipal noise ordinances.

VI. Measurement Protocols

(A) Sound measurements made by a Noise Control Officer shall conform to the procedures set forth at N.J.A.C. 7:29-2, except that interior sound level measurements shall also conform with the procedures set forth in VIB of this ordinance and with the definition of "real property line" as contained herein.

(B) When conducting indoor sound level measurements across a real property line the measurements shall be taken at least three feet from any wall, floor or ceiling and all exterior doors and windows may, at the discretion of the investigator, be closed. The neighborhood residual sound level shall be measured in accordance with N.J.A.C. 7:29-2.9(b)2. When measuring total sound level, the configuration of the windows and doors shall be the same and all sound sources within the dwelling unit must be shut off (e.g., television, stereo). Measurements shall not be taken in areas which receive only casual use such as hallways, closets and bathrooms.

VII. Maximum Permissible Sound Levels

(A) No person shall cause, suffer, allow, or permit the operation of any source of sound on any source property listed in III.(A) above in such a manner as to create a sound level that equals or exceeds the sound level limits set forth in Tables I, II or III when measured at or within the real property line of any of the receiving properties listed in Tables I, II or III except as specified in VI(B).

(B) Impulsive Sound

Between 7:00 a.m. and 10:00 p.m., impulsive sound shall not equal or exceed 80 decibels. Between 10:00 p.m. and 7:00 a.m., impulsive sound which occurs less than four times in any hour shall not equal or exceed 80 decibels. Impulsive sound which repeats four or more times in any hour shall be measured as continuous sound and shall meet the requirements as shown in Tables I and II.

**TABLE I
MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS
WHEN MEASURED OUTDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property	Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility
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TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours
Maximum A-Weighted sound level standard, dB	65	50	65

**TABLE II
MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS
WHEN MEASURED INDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility or non-residential portion of a multi-use property
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 Hours
Maximum A-Weighted sound level standard, dB	55	40	55

Note: Table II shall only apply when the source and the receptor are separated by a real property line and they also share a common or abutting wall, floor or ceiling, or are on the same parcel of property.

**TABLE III
MAXIMUM PERMISSIBLE OCTAVE BAND
SOUND PRESSURE LEVELS IN DECIBELS**

Receiving Property Category	Residential property, or residential portion of a multi-use property	Residential property, or residential portion of a multi-use property	Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility	Commercial facility or non-residential portion of a multi-use property
	OUTDOORS	INDOORS	OUTDOORS	INDOORS
Octave	Octave Band	Octave Band	Octave Band	Octave Band

Band Center Frequency, Hz.	Sound Pressure Level, dB		Sound Pressure Level, dB		Sound Pressure Level, dB	Sound Pressure Level, dB
	7 a.m.-10 p.m.	10 p.m.-7 a.m.	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours	24 hours
Time						
31.5	96	86	86	76	96	86
63	82	71	72	61	82	72
125	74	61	64	51	74	64
250	67	53	57	43	67	57
500	63	48	53	38	63	53
1,000	60	45	50	35	60	50
2,000	57	42	47	32	57	47
4,000	55	40	45	30	55	45
8,000	53	38	43	28	53	43

Note: When octave measurements are made, the sound from the source must be constant in level and character. If octave band sound pressure level variations exceed plus or minus 2 dB in the bands containing the principal source frequencies, discontinue the measurement.

VIII. Sound Production Devices

No person shall cause, suffer, allow, or permit the operation of any sound production device in such a manner that the sound crosses a property line and raises the total sound levels above the neighborhood residual sound level by more than the permissible sound level limits set forth in Table IV when measured within the residence of a complainant according to the measurement protocol in VI(B) of this ordinance. These sound level measurements shall be conducted with the sound level meter set for "C" weighting, "fast" response.

**TABLE IV
MAXIMUM PERMISSIBLE INCREASE IN TOTAL SOUND LEVELS
WITHIN A RESIDENTIAL PROPERTY**

Week nights 10:00 p.m. - 7:00 a.m. Weekend nights 11:00 p.m and 9:00 a.m.	All other times
3 dB(C)	6 dB(C)

IX. Restricted Uses and Activities

Note: This section is optional; any numbered paragraph may be adopted in its entirety.

The following standards shall apply to the activities or sources of sound set forth below:

- A. Excluding emergency work, power tools, home maintenance tools, landscaping and/or yard maintenance equipment used by a residential property owner or tenant shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., on weekdays and 8:00 p.m. and 10:00 a.m. on weekends, unless such activities can meet the applicable limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.
- B. Excluding emergency work, power tools, landscaping and/or yard maintenance equipment used by nonresidential operators (e.g. commercial operators, public employees) shall not be operated on a residential, commercial, industrial or public (e.g. golf course, parks, athletic fields) property between the hours of 6:00 p.m. and 8:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 10:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.
- C. All construction and demolition activity, excluding emergency work, shall not be performed between the hours of 6:00 p.m. and 8:00 a.m. on weekdays, or between the hours of 4:00 p.m. and 10:00 a.m. on weekends and federal holidays, unless such activities can meet the limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in construction and demolition activity shall be operated with a muffler and/or sound reduction device.
- D. Motorized snow removal equipment shall be operated with a muffler and/or a sound reduction device when being used for snow removal. At all other times the limits set forth in Tables I, II or III do not apply.
- E. All interior and exterior burglar alarms of a building or motor vehicle must be activated in such a manner that the burglar alarm terminates its operation within five (5) minutes for continuous airborne sound and ten (10) minutes for intermittent sound after it has been activated. At all other times the limits set forth in Tables I, II or III do not apply.
- F. Self-contained, portable, non-vehicular music or sound production devices shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between

the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound, operated on a public space or public right-of-way, from such equipment shall not be plainly audible at a distance of 25 feet in any direction from the operator;

G. It shall be unlawful for any property owner or tenant to allow any domesticated or caged animal to create a sound across a real property line which unreasonably disturbs or interferes with the peace, comfort, and repose of any resident, or to refuse or intentionally fail to cease the unreasonable noise when ordered to do so by a Noise Control Officer or Noise Control Investigator. Prima facie evidence of a violation of this section shall include but not be limited to:

- (1) Vocalizing (howling, yelping, barking, squawking etc.) for five (5) minutes without interruption, defined as an average of four or more vocalizations per minute in that period; or,
- (2) Vocalizing for twenty (20) minutes intermittently, defined as an average of two vocalizations or more per minute in that period.

It is an affirmative defense under this subsection that the dog or other animal was intentionally provoked to bark or make any other noise.

X. Motor Vehicles

Note: This section is optional; any numbered paragraph may be adopted in its entirety.

Violations of each paragraph of this section shall be considered purposeful and therefore non-minor violations.

(A) No person shall remove or render inoperative, or cause to be removed or rendered inoperative or less effective than originally equipped, other than for the purposes of maintenance, repair, or replacement, of any device or element of design incorporated in any motor vehicle for the purpose of noise control. No person shall operate a motor vehicle or motorcycle which has been so modified. A vehicle not meeting these requirements shall be deemed in violation of this provision if it is operated stationary or in motion in any public space or public right-of-way.

(B) No motorcycle shall be operated stationary or in motion unless it has a muffler that complies with and is labeled in accordance with the Federal Noise Regulations under 40 CFR Part 205.

(C) Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at distance of 25 feet in any direction from the operator between the hours of 10:00

p.m. and 8:00 a.m.

(D) Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that is plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m.

XI. Enforcement

(A) Violation of any provision of this ordinance shall be cause for a Notice of Violation (NOV) or a Notice of Penalty Assessment (NOPA) document to be issued to the violator by the Noise Control Officer or Noise Control Investigator.

(B) Any person who violates any provision of this ordinance shall be subject to a civil penalty for each offense of not more than \$3,000. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense.

(C) Upon identification of a violation of this Ordinance the Noise Control Officer or Noise Control Investigator shall issue an enforcement document to the violator. The enforcement document shall identify the condition or activity that constitutes the violation and the specific provision of this Ordinance that has been violated. It shall also indicate whether the violator has a period of time to correct the violation before a penalty is sought.

(D) If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a minor violation (as defined in Section II of this ordinance) a NOV shall be issued to the violator.

1. The document shall indicate that the purpose of the NOV is intended to serve as a notice to warn the responsible party/violator of the violation conditions in order to provide them with an opportunity to voluntarily investigate the matter and voluntarily take corrective action to address the identified violation.

2. The NOV shall identify the time period (up to 90 days), pursuant to the Grace Period Law, N.J.S.A. 13:1D-125 et seq. where the responsible party's/violator's voluntary action can prevent a formal enforcement action with penalties issued by the (Health Department). It shall be noted that the NOV does not constitute a formal enforcement action, a final agency action or a final legal determination that a violation has occurred. Therefore, the NOV may not be appealed or contested.

(E) If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a non-minor violation the violator shall be notified that if the violation is not immediately corrected a NOPA with a civil penalty of no more than \$3,000 will be issued. If a non-minor violation is immediately corrected a

NOV without a civil penalty shall still be issued to document the violation. If the violation occurs again (within 12 months of the initial violation) a NOPA shall be issued regardless of whether the violation is immediately corrected or not.

(F) The violator may request from the Noise Control Officer or Noise Control Investigator, an extension of the compliance deadline in the enforcement action. The Noise Control Officer or Noise Control Investigator shall have the option to approve any reasonable request for an extension (not to exceed 180 days) if the violator can demonstrate that a good faith effort has been made to achieve compliance. If an extension is not granted and the violation continues to exist after the grace period ends, a NOPA shall be issued.

(G) The recipient of a NOPA shall be entitled to a hearing in a municipal court having jurisdiction to contest such action.

(H) The Noise Control Officer or Noise Control Investigator may seek injunctive relief if the responsible party does not remediate the violation within the period of time specified in the NOPA issued.

(I) Any claim for a civil penalty may be compromised and settled based on the following factors:

1. Mitigating or any other extenuating circumstances;
2. The timely implementation by the violator of measures which lead to compliance;
3. The conduct of the violator; and
4. The compliance history of the violator.

XII. Consistency, Severability and Repealer

(A) If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

(B) All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

(C) No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

Motion by Councilwoman Puglisi, second by Councilman Dyer, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on July 9, 2014, at 8:00 p.m. or as soon thereafter as the matter can be reached by the Mayor and Council, and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with the law.

A discussion regarding decibel levels ensued. Councilman Luisi wanted information to help him better understand what the decibel levels really meant. Councilmembers Puglisi and Dyer rescinded their motions, and the ordinance was tabled. Councilwoman requested that the decibel meter be re-calibrated.

Ordinance #15-2014

Re: Fire Department

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

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REVISE CHAPTER 2, ARTICLE VIII, VOLUNTEER FIRE DEPARTMENT**

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

Section 1. Chapter 2, Article VIII, Volunteer Fire Department, 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. §2-55 shall be amended to provide that the North Haledon Volunteer Fire Department shall consist of the present North Haledon Volunteer Fire Department and the members thereof.
2. §2-56 shall be amended to provide: To become eligible for active membership in the Fire Department, or any unit thereof, the person desiring to become a member shall be a citizen of the United States and either: (1) a resident of the Borough of North Haledon for at least three (3) months preceding his or her application for membership; (2) a resident of a town that geographically borders the Borough of North Haledon, i.e., the Borough of Haledon, the Township of Wayne, the Borough of Hawthorne, the Borough of Franklin Lakes and the Township of Wyckoff, for at least three (3) months preceding his or her application for membership; or (3) is and has been employed within the Borough of North Haledon for at least three (3) months preceding his or her application for membership and is at all times physically present within the Borough of North Haledon during his or her work period. The person shall be at least eighteen (18) years of age and no more than forty (40) years of age and shall submit with his or her application for membership a certificate from a Physician or Licensed Health Care Professional

(PLHCP) approved by the Governing Body of the Borough of North Haledon as to his or her physical fitness and ability to perform the duties of a volunteer fireman. The PLHCP shall follow the examination guidelines prescribed by the Public Employees Occupational Safety and Health Respiratory Protection Standard, 29 CFR 1910.134. All applicants for active membership in the Fire Department shall provide proof of satisfaction of the requirements set forth herein to the Borough Clerk.

3. §2-57 **Probationary period** shall be amended to provide: The applicant shall be investigated by the Chief of the Fire Department and the Membership Committee thereof and a background check shall be conducted by the Chief of Police of the Borough of North Haledon or his designee. Upon the approval of the Chief of the Fire Department, the applicant shall serve a probationary period of at least three (3) months but no more than eighteen (18) months as a volunteer fireman. During the probationary period, the applicant shall perform at least sixty percent (60%) of the fire duties of all members of the Fire Department, which duties shall consist of actual attendance and duties at fires and drills and must complete the training requirements of Title 5, Chapter 73 of the New Jersey Administrative Code, Standards for the Fire Service Training and Certification, and any and all other requirements as may be prescribed by the North Haledon Fire Department. After serving the probationary period to the satisfaction of the Chief of the Fire Department and the Membership Committee thereof, the Chief of the Fire Department shall submit the application, together with a certification that the applicant has completed his or her probationary period in a satisfactory manner, to the Governing Body of the Borough of North Haledon for its approval.

4. §2-61 Officers shall be amended to provide as follows:

The officers of the Fire Department shall consist of a Chief and one (1) Assistant Chief. The Chief and the Assistant Chief shall be elected by the Fire Department. The line officers of the Fire Department shall consist of a Captain, 1st Lieutenant, and 2nd Lieutenant. All officers and line officers shall be required to attend all officers meetings and drills, unless excused from attendance for good cause by the Chief of the Department.

5. §2-62 Terms of office of Chief and Assistant Chief shall be amended to provide as follows:

The Chief and Assistant Chief shall hold office for a period of three (3) years and shall resume their respective duties on January 1 following their respective election and their confirmation by the Mayor and Council

6. §2-63 Eligibility for office of Chief and Assistant Chief shall be amended to provide as follows:

No member shall be eligible for the office of Assistant Chief unless he or she has been an active member of the North Haledon Volunteer Fire Department for at least five (5) years and has held the position of 2nd Lieutenant or 1st Lieutenant for one (1) year and the

position of Captain for one (1).

No member shall be eligible for the office of Chief unless he or she has held the office of Assistant Chief for a period of three (3) years. Notwithstanding, any active member who has held the office of Assistant Chief or Chief for two (2) or more years prior to the effective date of this Ordinance shall be eligible for the office of Chief.

In addition to the foregoing, all candidates for the office of Chief and Assistant Chief shall satisfy all eligibility criteria set forth in any and all New Jersey State Statutes, Administrative Regulations and other applicable law.

7. §2-63A Nominations and Elections shall be amended to provide as follows:

All nominations for the office of Chief and Assistant Chief shall be made at a special meeting of the Fire Department in the month of November. The Department shall conduct its election for the offices of Chief and Assistant at a Department meeting called for that purpose on or before the second Monday of December. Only active firefighters shall be permitted to vote. For purposes of this Ordinance, "active firefighters" shall be defined as those members of the Fire Department who respond to emergency service calls and have made a minimum of 20% of the fire calls in the current year.

8. §2-65 shall be entitled "Drills and Training" and shall amended to provide:

The Chief shall, at least once a week, conduct on a Department level suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, salvage, a study of the buildings in the borough, fire prevention, water supplies and all other matters generally considered essential to good firematics and safety of life and property from fire.

9. §2-73A shall be amended to provide "Willful disobedience of orders, failure to comply with the North Haledon Fire Department Standard Operating Procedures or Standard Operating Guidelines."

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 upon final adoption and publication as provided by law.

Motion by Councilwoman Puglisi, 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 9, 2014, at 8:00 p.m. or as soon thereafter as the matter can be reached by the Mayor and Council, and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with the law. Upon roll call, all members present voted in the affirmative. Motion carried.

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 June 18, 2014 and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on July 9, 2014, 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 CA#7-2014

Re: Consent Agenda #7-2014

Motion by Councilwoman Puglisi, second by Councilman 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 Title Lien Redemption
2. Chapter 159 / Clean Communities
3. Liquor License Consumption Renewals
4. Liquor License Distribution Renewal
5. Board of Education / Regional / Remittances
6. Board of Education / Local / Remittances
7. Acceptance of Proposal / Access NJ /
8. Library Monthly Remittances
9. Records Clerk Off Probation
10. Support of New Jersey Military Bases
11. Support of Fire Sprinklers in New Construction (removed from consent agenda)
12. Reimbursement / Marriage License Application Fee

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

Resolution #106

Re: Tax Title Lien Redemption

WHEREAS, the owner of the property located at 94 Overlook Ave. also known as Block 18 lot 4.18 came to the tax office on June 10, 2014 with a check to redeem Tax Title Certificate 2-00012 dated April 24, 2013.

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

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

BLOCK 18 LOT 4.18

Redemption \$17,586.10
Premium \$15,600.00

Isaac Moradi
520 Elm St
Kearny, NJ 07032

Resolution #107-2014

Re: Consumption Liquor Licenses Renewals

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 18th day of June 2014, effective the 1st day of July, 2014:

PLENARY RETAIL CONSUMPTION LICENSES

Morzetta, LLC, 371 High Mt. Rd.	1606-33-007-006
Staiano Family, LLC t/a Giuseppe Restaurant, 5 Sicomac Rd.	1606-33-008-008
Tides Enterprises t/a The Tides Estate 1245 Belmont Ave.	1606-33-009-002
Robert Caterers t/a Papa Joe's, 778 Belmont Avenue	1606-33-001-004

BE IT FURTHER RESOLVED that the Clerk be and she is hereby authorized to issue said renewals for the year 2014-2015 with the date of issuance as the first day of July, 2014.

Resolution #108-2014

Re: Consumption Liquor License Renewal

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 2014-2015 be renewed as of this 18th day of June 2014, effective as of the first day of July, 2014.

BE IT FURTHER RESOLVED that the Clerk be and she is hereby authorized to issue said renewal for the year 2014-2015 with the date of issuance as the first day of July, 2014.

Resolution #109-2014

Re: Board of Ed / Regional / Remittances

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 \$3,043,766.00 other than Debt Service be placed in the hands of the Treasurer of School Monies monthly to meet obligations of said Board, to be disbursed as follows:

<u>Month of:</u>	<u>General Fund</u>	<u>Payment Date</u>
July 2014	\$253,647.17	07/15/2014
August 2014	\$253,647.17	08/15/2014
September 2014	\$253,647.17	09/15/2014
October 2014	\$253,647.17	10/15/2014
November 2014	\$253,647.17	11/15/2014
December 2014	\$253,647.17	12/15/2014
January 2015	\$253,647.17	01/15/2015
February 2015	\$253,647.17	02/15/2015
March 2015	\$253,647.17	03/15/2015
April 2015	\$253,647.17	04/15/2015
May 2015	\$253,647.17	05/15/2015
June 2015	\$253,647.17	06/15/2015

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to disburse the sums aforementioned, as needed by the regional 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 2014-2015.

Resolution #110-2014

Re: Board of Ed / Local / Remittances

WHEREAS, the North Haledon Board of Education has requested that the sum of \$10,229,127.00 including Debt Service, be placed in the hands of the Treasurer of School Monies monthly to meet obligations of said Board, to be disbursed as follows:

<u>Month of:</u>	<u>General Fund</u>	<u>Debt Service</u>	<u>Tax Levy</u>	<u>Pmt. Date</u>
July 2014	\$721,576.75	\$410,103.00	\$1,131,9679.75	07/12/2013
August 2014	\$721,576.75		\$721,576.75	08/10/2013
September 2014	\$721,576.75		\$721,576.75	09/10/2013
October 2014	\$721,576.75		\$721,576.75	10/12/2013
November 2014	\$721,576.75		\$721,576.75	11/10/2013
December 2014	\$721,576.75		\$721,576.75	12/10/2013
January 2015	\$721,576.75	\$1,160.103.00	\$1,881.679.750	01/10/2014
February 2015	\$721,576.75		\$721,576.75	02/10/2014
March 2015	\$721,576.75		\$721,576.75	03/10/2014
April 2015	\$721,576.75		\$721,576.75	04/11/2014
May 2015	\$721,576.75		\$721,576.75	05/10/2014
June 2015	\$721,576.75		\$721,576.75	06/10/2014

NOW, THEREFORE BE IT RESOLVED, that the Treasurer be, and she is hereby authorized to disburse the sum of \$10,229,127.00, including Debt Service, as needed by the

North Haledon 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 2014-2015.

Resolution #111-2014

Re: Acceptance of Proposal / Access NJ

WHEREAS, the Borough of North Haledon is in need of a records management identification, organization, and destruction system, and;

WHEREAS, Access NJ, by letter dated April 15, 2014, 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 Access NJ, dated April 15, 2014, for records management identification, organization, and destruction system and is hereby accepted and approved, and that payment for attached project shall not exceed \$6,288.02; 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 2014 A & E Budget.

Resolution #112-2014

Re: Library Monthly Remittances

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 2014	\$35,828.58
August 2014	\$35,828.59
September 2014	\$35,828.58

BE IT FURTHER RESOLVED that said payments be charged to the 2014 Budget Appropriation Account Maintenance of the Free Public Library.

Resolution #113-2014

Re: Records Clerk Off Probation

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that Victoria Stapleton, having successfully completed her six-month probationary period is hereby taken off probation effective immediately, salary in accordance with 2013 Salary and Wages Ordinance.

Resolution #114-2014

Re: Support of NJ Military Bases

WHEREAS Joint Base McGuire-Dix-Lakehurst, Picatinny Arsenal, Naval Weapons Station Earle, the 177th Air National Guard Wing in Atlantic City, the Cape May Coast Guard Training Center are major federal assets in the state of New Jersey; and

WHEREAS, the Rutgers Economic Advisory Service, R/ECON™ recently conducted a study which measured and modeled the economic contribution to the state's economy of our military installations; and

WHEREAS, the Rutgers Economic Advisory Service determined that, in net, the federal government spent nearly \$4.8 billion within the state, which generates over 45,600 jobs that pay about \$2.6 billion and add about \$3.8 billion of wealth to state residents; and

WHEREAS, the \$4.8 billion in annual federal spending results in \$9.6 billion in net business revenues; and

WHEREAS, of this total, \$6.5 billion is net wealth was added in the form of Gross Domestic Product by the State; and

WHEREAS, of this GDP total, over \$4.0 billion is in the form of labor income that supports an estimated 73,234 jobs, a number greater than the combined employment of the State's communications and chemical industries; and

WHEREAS, all New Jersey military installations make significant individual and collective contributions to the capabilities of our Armed Forces and our national security; and

WHEREAS, maintaining and expanding this military core is nearly as critical for its continued economic welfare as it is to the State's homeland security missions; and

WHEREAS, in an era of Federal fiscal austerity, policy-makers in our Nation's Capital will be asked to consider proposals to reduce defense spending and the size of our uniformed services;

NOW, THEREFORE, BE IT RESOLVED that the Governor and the State Senate and Assembly should take immediate steps to protect these valuable military assets, in recognition of their vital importance to our Nation's and our State's security; and

BE IT FURTHER RESOLVED that the Borough of North Haledon joins with the New Jersey League of Municipalities in calling on our State leaders to work in concert to promote the preservation, growth and development of our New Jersey military facilities.

Resolution #115-2014

Re: Refund / Marriage License Application Fee

WHEREAS, Crystal Aker and Russell Snell applied for a marriage license in the Borough of North Haledon; and

WHEREAS, both applicants addresses are 7 Arapahoe Drive, Unit 3, Vernon, NJ, and in order to apply in North Haledon one of them must live in the Borough of North Haledon; and

WHEREAS, Crystal Aker is requesting reimbursement of said fee since she applied in the wrong municipality;

NOW THEREFORE, 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 in the amount of \$28.00 to Crystal Aker.

Resolution #116-2014

Re: Ratification of Check

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

The Clerk presented the following resolution:

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that check #1540 in the amount of \$237,936.25, dated June 2, 2014, drawn to the order of New Prince Construction, 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 C-04-55-613-904.

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

Resolution #117-2014

Re: Chapter 159

Motion by Councilwoman Puglisi, second by Councilman Dyer, 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, 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

Resolution #119

Re: Executive Session

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

WHEREAS, Section 6 of the Open Public Meetings Act, P.L. 1975, Chapter 231, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

WHEREAS, the members of the Governing Body wish to discuss:

PERSONNEL

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then minutes can be made public;

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

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

EXECUTIVE SESSION (9:30 p.m.)

OUT OF EXECUTIVE SESSION (10:20 p.m.)

Present:

Mayor Randy George

Council Members: Rocco Luisi, Donna Puglisi, Robert Dyer, Dennis Marco, and Michael Galluccio

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 10:21 p.m.

