



## **BOROUGH OF NORTH HALEDON**

### **COUNCIL MEETING MINUTES**

**WEDNESDAY, JUNE 21, 2017**

Mayor George read the OPMA notice into the record:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. Notice of this meeting was emailed to the HERALD NEWS and the HAWTHORNE PRESS on January 19, 2017, and was advertised in said newspapers on January 26, 2017. Said notice was posted on the bulletin board on the same date and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Proper notice having been given, this meeting was called to order at 9:34 p.m. and the Clerk was directed to include this statement in the minutes of this meeting.

#### **ROLL CALL**

Present:

Mayor Randy George

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

Borough Attorney, Michael De Marco

Borough Engineer, Joseph Pomante (was excused from meeting at 9:36 p.m.)

Deputy Clerk, Dena Ploch

Municipal Clerk, Renate Elatab

Absent:

Raymond Melone

#### **PUBLIC COMMENTS**

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

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

### **APPROVAL OF PRIOR MINUTES**

Motion by Council Member Puglisi, second by Council Member Pomianek, to approve the minutes of the meeting of May 17, 2017. Upon roll call, all members present voted in the affirmative. Motion carried.

### **OFFICIAL REPORTS**

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

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

### **COMMITTEE REPORTS**

DPW / STREETS & ROADS / SEWERS/ BUILDINGS & GROUNDS / SOLID WASTE / RECYCLING - **MELONE**  
POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292 - **PUGLISI**  
RECREATION - **PUGLISI**  
ZONING BOARD OF ADJUSTMENT - **PUGLISI**  
NORTH HALEDON VOLUNTEER AMBULANCE – **MAYOR GEORGE**  
FINANCE – **POMIANEK**  
PLANNING BOARD - **SALVIANO**  
BOARD OF EDUCATION / LOCAL - **LUISI**  
BOARD OF EDUCATION / REGIONAL - **POMIANEK**  
BOARD OF HEALTH – **SALVIANO**  
FIRE & WATER - **LUISI**  
ENGINEERING - **POMIANEK**  
LIBRARY - **MAYOR GEORGE**  
PUBLIC CELEBRATIONS - **MAYOR GEORGE**

Motion by Council Member Puglisi, second by Council Member Sparano, to dispense with the Committee reports. Upon roll call, all members present voted in the affirmative. Motion carried.



NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of North Haledon, in the County of Passaic, State of New Jersey (the "Borough") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the aggregate sum of \$100,000. Pursuant to the provisions of N.J.S.A. 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is required as this bond ordinance authorizes obligations for environmental infrastructure projects which are funded by a loan from the New Jersey Environmental Infrastructure Trust.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, and to meet the \$100,000 appropriation negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$100,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$100,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and purposes for the financing of which said debt obligations are to be issued are the planning and design of a Small System Asset Management Plan for the sanitary sewer and stormwater systems including all work, materials, appurtenances and equipment necessary for or incidental thereto.

a. The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$100,000.

b. The aggregate estimated cost of said improvements and purposes is \$100,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Passaic make a loan, contribution or grant-in-aid to the Borough for the improvements authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Passaic. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Passaic shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply however, with respect to any contribution or grant in aid received by the Borough as a result of using such funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all

matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk of the Borough and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake

as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

b. The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 20 years.

c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$100,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

d. An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2 . No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the Borough, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$100,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of

Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

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

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

Mayor George advised that the Borough would not be incurring debt as a result of this bond ordinance, and that the funds would be used to inspect the force main at the Molly Ann Pumping Station and possibly prepare a I & M plan.

Motion by Council Member Puglisi, second by Council Member Pomianek, that Ordinance #16-2017 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #16-2017 was adopted on second reading and is hereby declared a passed ordinance in accordance with law. Upon roll call, all members present voted in the affirmative. Motion carried.

**Ordinance #17-2017**

**Re: LOSAP**

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

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT  
THE CODE OF THE BOROUGH OF NORTH HALEDON**

## CHAPTER 76, LENGTH OF SERVICE AWARD PROGRAMS

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

Section 1. **Attachment 2, Schedule B, B. Ambulance Calls Run** shall be amended and shall read as follows:

- 25 – 50 calls per year – 15 points
- 51 – 100 calls per year – 20 points
- 101 – 150 calls per year – 25 points
- 151 – 200 calls per year – 30 points
- 201 – 250 calls per year – 35 points
- Over 250 calls per year – 40 points

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

Section 3. This Ordinance shall take effect immediately after final adoption and publication as provided by law.

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

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

Motion by Council Member Puglisi, second by Council Member Luisi, that Ordinance #17-2017 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #17-2017 was adopted on second reading and is hereby declared a passed ordinance in accordance with law. Upon roll call, all members present voted in the affirmative. Motion carried.

### **Ordinance #18-2017**

**Re: Speed Limits / Borough Roads**

Motion by Council Member Luisi, second by Pomianek, 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 AND SUPPLEMENTING § 169-46 OF THE CODE OF THE BOROUGH OF NORTH HALEDON BY**

## **ESTABLISHING SPEED LIMITS ON VARIOUS BOROUGH ROADS**

**WHEREAS**, the Borough Engineer prepared and submitted two speed studies, one for Passaic County roads, and one for various Borough roads, dated April 2017, consisting of summarized recommendations plus appendices; and

**WHEREAS**, the speed studies recommend that the following changes be considered to the posted speed limits along each road:

1. Overlook Avenue – from Belmont Avenue to High Mountain Road: reduce from 35 mph to 30 mph.  
  
Note: the Borough Engineer recommends that the existing school zone for High Mountain School shall remain a 25 mph speed limit zone during school hours.
2. Linda Vista Avenue – from High Mountain Road to North Haledon Avenue: reduce from 35 mph to 30 mph.
3. Squaw Brook Road – from Belmont Avenue to High Mountain Road: reduce From 35 mph to 30 mph.
4. Sicomac Road – from High Mountain Road to Borough limits with Wyckoff: Reduce from 35 mph to 30 mph.

**WHEREAS**, the Borough of North Haledon finds it in the interest of public safety to establish the speed limits recommended by the Borough Engineer; and

**WHEREAS**, the Borough Engineer has submitted and certified that all of the legislative requirements, pursuant to N.J.S.A. 39:4-8(b) and criteria set forth by the New Jersey Department of Transportation, Bureau of Traffic Engineering Investigations, have been met; and

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

**Section 1. Speed Limits.** The speed limits shall be as set forth above.

**Section 2. Penalties.** Every person convicted of a violation of any provision of this ordinance or any supplement there to shall be subject to any penalty as expressly provided by New Jersey Statute.

**Section 3. Severability.** If any provision of this ordinance or the application of this ordinance is held invalid, the remainder of the ordinance shall not be affected and shall remain in full force.

**Section 4. Repealer.** 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.

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

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

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

Motion by Council Member Luisi, second by Council Member Pomianek, that Ordinance #18-2017 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #18-2017 was adopted on second reading and is hereby declared a passed ordinance in accordance with law. Upon roll call, all members present voted in the affirmative, except for Council Member Puglisi, who voted against the ordinance. Motion carried.

#### **NEW BUSINESS / ORDINANCES / RESOLUTIONS**

**Ordinance #19-2017**

**Re: Amendment / Chapter 180**

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

The Clerk presented the following ordinance:

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

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

Section 1. Chapter 180-19 A (C) 4, is hereby amended to read as follows:

Persons occupying the outdoor café shall not be allowed to order food and/or beverages that will not be consumed by 9:00 p.m. No one is authorized to occupy the outdoor dining area after 9:00 p.m. and will be considered in violation of this ordinance.

Section 2.

Any establishment violating or failing to comply with any of the provisions of this Ordinance shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II, General Penalty. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues to occur.

Section 3.

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

Motion by Council Member Puglisi, second by Council Member Luisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on July 12, 2017, at 7:30 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.

**Ordinance #20-2017**

**Re: Non-Resident Student Enrollment**

Motion by Council Member Puglisi, second by Council Member Pomianek, 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 PROHIBITING  
INELIGIBLE NON-RESIDENT STUDENT ENROLLMENT**

**WHEREAS**, the members of the Governing Body of the Borough of North Haledon recognize that enrollment of non-resident students causes a financial burden on the property tax payers of the Borough of North Haledon;

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

Section 1. It shall be unlawful for any parent or guardian to assist, aid, abet, allow, permit, suffer, or encourage a minor to register or enroll in the North Haledon Local Schools System when the minor is ineligible to attend as a result of the minor's non-resident status.

Section 2. It shall be unlawful for any person to knowingly permit his or her name, address, or other residence-designating documentation to be utilized in the registration or enrollment of any non-resident student in the Borough of North Haledon Local Schools System unless previous approval has been granted by the North Haledon Superintendent of Schools or his or her designee.

Section 3. Any person violating or failing to comply with any of the provisions of this Ordinance shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II, General Penalty. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues to occur.

Section 4. This Ordinance shall take effect upon final adoption and publication as provided by law.

Motion by Council Member Puglisi, second by Council Member Luisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on July 12, 2017, at 7:30 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.

**Ordinance #21-2017**

**Re: Conveyance / Easement**

Motion by Council Member Puglisi, second by Council Member Pomianek, 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;

**ORDINANCE AUTHORIZING THE CONVEYANCE OF RECORD TITLE  
TO A FIFTY (50) FOOT EASEMENT LOCATED IN LOT 10.04 IN BLOCK 31  
NORTH HALEDON, NEW JERSEY**

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

**WHEREAS**, thereafter a redevelopment plan entitled “Belmont Avenue Redevelopment Plan, North Haledon, New Jersey” (the “Plan”) was prepared by Kauker and Kauker, LLC for the Borough of North Haledon, and was the subject of public discussion at Borough Council meetings held on May 21, 2014, June 25, 2014 and July 9, 2014 after which, on July 9, 2014, the Borough Council (1) introduced an ordinance that would adopt the Plan and (2) adopted a resolution directing the Planning Board to review the Plan and transmit to the Borough Council a

report containing the Planning Board's recommendations concerning the Plan pursuant to the requirements of N.J.S.A. 40A:12A-7; and

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

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

**WHEREAS**, the Borough of North Haledon is the record owner of a fifty (50) foot easement located in lot 10.04 in block 31, which was granted to the Borough by William Paterson University by Deed dated April 11, 1998 and recorded in the office of the Passaic County Clerk on May 21, 1998 in Deed Book N155 at page 189, *et seq.*, and

**WHEREAS**, as set forth above, the above-described easement is located within the Belmont Avenue Redevelopment Area; and

**WHEREAS**, The Belmont Group, LLC, is the owner of adjacent real property and is in need of the above-described easement; and

**WHEREAS**, the Borough of North Haledon does not need the above-described easement for public use and is unable to widen Belmont Avenue because Belmont Avenue is a County Road, not a municipal road; and

**WHEREAS**, the Borough of North Haledon has determined that the above-described easement cannot be used advantageously for public purposes; and

**WHEREAS**, the Borough of North Haledon has determined that the grant of the above-described easement to The Belmont Group, LLC is in the best interest of aiding in the planning, undertaking, construction or operation of the redevelopment project, which is advantageous to the public, and

**WHEREAS**, the Borough of North Haledon is permitted by way of private sale to convey the above-described easement of land to The Belmont Group, LLC pursuant to N.J.S.A. 40A:12-13, *et seq.*, and

**WHEREAS**, the legal description of the above-described easement is attached hereto as Schedule "A;" and

**WHEREAS**, the Borough of North Haledon will grant the above-described easement to The Belmont Group, LLC, in exchange for One Dollar (\$1.00) and other good and valuable consideration; and

**WHEREAS**, the Belmont Group, LLC shall be responsible for all costs associated with the preparation of the closing documents and filing fees; now, therefore, be it

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of North Haledon that the Mayor and Municipal Clerk are authorized to convey title to the easement described in Schedule hereto to The Belmont Group, LLC substantially on the terms and conditions set forth in this Ordinance and to the execute and deliver any and all documents for said purposes.

Motion by Council Member Puglisi, second by Council Member Luisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on July 12, 2017, at 7:30 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.

**RESOLUTION CA#7-2017**

**Re: Consent Agenda #7-2017**

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

The 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. Acceptance of Resignation / Ethics Board / Roy Heerema
2. Liquor License Renewals / Distribution
3. Liquor License Renewals / Consumption
4. Authorization / Off Probation / Sean Hagedoorn

5. Receipt of Audit
6. Schedule of Taxes / Local School Taxes
7. Schedule of Taxes / Regional
8. North Haledon Library Remittances
9. Appointment / Part-time dispatcher / Anthony Vaccaro
10. Appointment / Part-time dispatcher / Zachary Hine
11. Acceptance of Proposal / Emergency Generator
12. Approval / Lien Placed on Property / 78 Hillside Drive
13. Approval / Lien Placed on Property / 140 Ahnert Road
14. Refund / Building Permit / Mary Help of Christians Academy
15. Award of Contract / Diesel & Gasoline
16. Authorization / Purchase of a Fire Apparatus / HGAC Purchasing Program
17. Authorization / Purchase of Police Vehicles
18. Appointment / Green Team Member / John Maguire
19. Award of Contract / Ballentine Drive Phase 2
20. Authorization / Purchase of DPW Vehicle / Ford F450
21. Authorization / LOSAP Payments
22. Authorization / Sale of Notes Authorized by Ordinance #16-2017
23. Approval / Change Order / Ballentine Drive Section 1
24. Payment of Bills / Issuance of Checks
25. Designation as Redeveloper / The Belmont Group
26. Appointment / PT Records Clerk / Municipal Clerk's Office

**Resolution #102-2017**

**Re: Resignation / Roy Heerema**

**BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that the resignation of Roy Heerema, Ethics Board, be accepted effective immediately.

**Resolution #103-2017**

**Re: Liquor License Renewal / Distribution**

**BE IT RESOLVED** that the Plenary Retail Distribution License Number 1606-44-005-009 belonging to ANIK LIQUORS, INC., t/a Grand Opening Liquors, be renewed for the year 2017-2018, effective as of the first day of July, 2017.

**BE IT FURTHER RESOLVED** that the Clerk be and she is hereby authorized to issue said renewal for the year 2017-2018 with the date of issuance as the first day of July, 2017.

**Resolution #104-2017**

**Re: Liquor License Renewals / Consumption**

**BE IT RESOLVED** that the following Plenary Retail Consumption Licenses be renewed as of the 21<sup>st</sup> day of June 2017, effective the 1<sup>st</sup> day of July, 2017:

**PLENARY RETAIL CONSUMPTION LICENSES**

J.F.V Enterprises, LLC, 371 High Mountain Road	1606-33-007-007
Roberto Caterers, Inc., 778 Belmont Avenue	1606-33-001-004
Staiano Family, LLC t/a Giuseppe Restaurant, 5 Sicomac Road	1606-33-008-009
Tides Enterprises t/a The Tides Estate, 1245 Belmont Avenue	1606-33-009-003

**BE IT FURTHER RESOLVED** that the Clerk be and she is hereby authorized to issue said renewals for the year 2017-2018 with the date of issuance as the first day of July, 2017.

**Resolution #105-2017** **Re: Sean Haagedorn / Off Probation**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of North Haledon that Sean Hagedoorn, having successfully completed his one-year probationary period is hereby taken off probation effective immediately, salary in accordance with 2017 Salary and Wages Ordinance.

**Resolution #106-2017** **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 2016 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 #107-2017**

**Re: Local School / Taxes**

**WHEREAS**, the North Haledon Board of Education has requested that the sum of \$10,691,619.00 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>Debt Service</u>	<u>General Fund</u>	<u>Pmt. Date</u>
July 2017	\$318,700.00	\$769,934.00	07/10/2017
August 2017		\$769,934.00	08/10/2017
September 2017		\$769,934.00	09/10/2017
October 2017		\$769,934.00	10/12/2017
November 2017		\$769,934.00	11/10/2017
December 2017		\$769,939.00	12/10/2017
January 2018	\$1,133,700.00	\$769,934.00	01/10/2018
February 2018		\$769,934.00	02/10/2018
March 2018		\$769,934.00	03/10/2018
April 2018		\$769,934.00	04/11/2018
May 2018		\$769,934.00	05/10/2018
June 2018		\$769,940.00	06/10/2018

**NOW, THEREFORE BE IT RESOLVED**, that the Treasurer be, and she is hereby authorized to disburse the sum of \$10,691,619.00, 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 2017-2018

**Resolution #108-2017**

**Re: Regional School / Taxes**

**WHEREAS**, the Board of Education of the Passaic County Manchester Regional High School of Haledon, North Haledon and Prospect Park has requested that the sum of \$2,566,568.02 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 2017	\$213,880.67	07/15/2017
August 2017	\$213,880.67	08/15/2017
September 2017	\$213,880.67	09/15/2017
October 2017	\$213,880.67	10/15/2017
November 2017	\$213,880.67	11/15/2017
December 2017	\$213,880.65	12/15/2017
January 2018	\$213,880.67	01/15/2018
February 2018	\$213,880.67	02/15/2018
March 2018	\$213,880.67	03/15/2018
April 2018	\$213,880.67	04/15/2018
May 2018	\$213,880.67	05/15/2018
June 2018	\$213,880.67	06/15/2018

**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 2017-2018.

**Resolution #109-2017**

**Re: Library 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 2017	\$36,532.50
August 2017	\$36,532.50
September 2017	\$36,532.50

**BE IT FURTHER RESOLVED** that said payments be charged to the 2017 Budget Appropriation Account Maintenance of the Free Public Library.

**Resolution #110-2017**

**Re: Appointment / PT Dispatcher**

**BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that Anthony Vaccaro be appointed as a part-time dispatcher retroactive to June 16, 2017, with salary in accordance with Salaries and Wages 2017.

**Resolution #111-2017**

**Re: Appointment / PT Dispatcher**

**BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that Zachary Hine be appointed as a part-time dispatcher retroactive to June 14, 2017, with salary in accordance with Salaries and Wages 2017.

**Resolution #112-2017**

**Re: Acceptance of Proposal /  
Emergency Generator**

**WHEREAS**, the Borough of North Haledon is in need of an emergency generator; and

**WHEREAS**, according to NJSA40A:11-12 a contract can be awarded without advertising when the contracting unit has solicited and received quotations for which a State Contract has been issued and the lowest responsible quotation is at least 10% less than the price the contracting unit would be charged for the identical items under the State Contract; and

**WHEREAS**, Davis Carburetor, by letter dated March 29, 2017 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 Davis Carburetor & Electric, dated March 29, 2017 for a in connection with the above is hereby accepted and approved.

Payment of the Generac Generator shall be in the amount of \$56,000.00.

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

**Resolution #113-2017**

**Re: Lien / 78 Hillside Drive**

**WHEREAS**, the property known and designated as Block 71 Lot 37.01 (78 Hillside Drive) has been the subject of many complaints, as said property has had no lawn maintenance; and

**WHEREAS**, proper notice has been provided to the bank that owns said property to have said property cleaned up, as this was in violation of a Borough Ordinance, and the owner has not complied with the request; and

**WHEREAS**, in accordance with the §455-9 of the Borough Code, the Borough may take action deemed necessary to remedy said conditions when an owner fails to do so, and the costs of said remedies shall be a principal lien against the property upon which said costs were incurred; and

**WHEREAS**, the condition of said lot had become a health hazard and safety hazard, and it was necessary for the Borough of North Haledon to have said property cleaned up; and

**NOW, THEREFORE BE IT RESOLVED** By the council of the Borough of North Haledon that it hereby directs the Receiver of Taxes to place a lien against the aforementioned property, in the amount of \$200.00, plus all legal fees associated with filing the lien, and such lien shall become and form part of the taxes levied upon such property; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the owner of the property or their agent.

**Resolution #114-2017**

**Re: Lien / 140 Ahnert Road**

**WHEREAS**, the property known and designated as Block 69 Lot 8 (140 Ahnert Road) has been the subject of many complaints, as said property has had no lawn maintenance and there is a dead tree that has fallen in yard; and

**WHEREAS**, proper notice has been provided to owners of said property to have said property cleaned up, as this was in violation of a Borough Ordinance, and the owner has not complied with the request; and

**WHEREAS**, in accordance with the §455-9 of the Borough Code, the Borough may take action deemed necessary to remedy said conditions when an owner fails to do so, and the costs of said remedies shall be a principal lien against the property upon which said costs were incurred; and

**WHEREAS**, the condition of said lot had become a health hazard and safety hazard, and it was necessary for the Borough of North Haledon to have said property cleaned up; and

**NOW, THEREFORE BE IT RESOLVED** By the council of the Borough of North Haledon that it hereby directs the Receiver of Taxes to place a lien against the aforementioned property, in the amount of \$1300.00, plus all legal fees associated with filing the lien, and such lien shall become and form part of the taxes levied upon such property; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the owner of the property or their agent.

**Resolution #115-2017**

**Re: Refund / Building Permit / MHCA**

**WHEREAS**, Mary Help of Christians Academy located at 659 Belmont Avenue, North Haledon, paid a total of \$282.00 for the application for air condition work; and

**WHEREAS**, the Mary Help of Christians Academy is requesting reimbursement of said fee since the Borough waives fees associated with construction projects for non-profit organizations in the Borough of North Haledon;

**NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that the Treasurer be and he is hereby authorized to issue a check in the amount of \$285.00, the Borough's share of construction permit fees, to Mary Help of Christians Academy.

**Resolution #116-2017**

**Re: Award of Contract / Gasoline and Diesel**

**BE IT RESOLVED** that the Municipal Clerk is hereby authorized to execute a contract with Allied Oil, LLC, 25 Old Camplain Road, Hillsborough, NJ 08844, for gasoline under New Jersey State Contract No. A80914, and diesel under New Jersey State Contract No. A82770 for the term of 5 years.

**Resolution #117-2017**

**Re: Authorization /  
Purchase of Fire Apparatus**

**WHEREAS**, by virtue of passage of resolution 66-2015, the Borough of North Haledon has authorized qualified purchasing through the Houston-Galveston Area Council purchasing program (“HGAC”); and

**WHEREAS**, the Fire Department has requested the purchase of one (1) TE06- an Enforcer Pumper Tank from Pierce Manufacturing through HGAC; and

**WHEREAS**, the Fire Department has verified that this vehicle/equipment is not included on any bid that has been awarded by the State of New Jersey; and

**WHEREAS**, the Fire Department has verified that Pierce Manufacturing, is an authorized dealer for TE06;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of North Haledon, New Jersey, that the above mentioned purchase and payment therefor are hereby authorized, the purchase price of such equipment is to not exceed \$769,596.52 and that the Mayor, Borough Clerk, and CFO are hereby authorized to take all necessary and appropriate actions to effectuate such purchase and payment

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

**Resolution #118-2017**

**Re: Authorization /  
Purchase of Police Vehicles**

**WHEREAS**, the Borough of North Haledon requested quotes for the purchase of two (2) 2017 Police Utility All Wheel Drive vehicles, and

**WHEREAS**, Route 23 AutoMall submitted the lowest responsible responsive quote in the amount of \$36,535.00 each, for a total amount of \$73,070.00; and

**WHEREAS**, Route 23 AutoMall is qualified vendor (SB-14-001) pursuant to the provisions of the Local Public Contracts Law;

**NOW, THEREFORE, BE IT RESOLVED**, by the members of the Borough Council that the quote for the two (2) 2017 Police Interceptor Utility, All Wheel Drive vehicles, is hereby accepted; and

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

**Resolution #119-2017**

**Re: Appointment / Green Team**

**BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that John Maguire be appointed as a green team member, effective immediately.

**Resolution 120-2017**

**Re: Award of Contract /  
Ballentine Drive II**

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

**WHEREAS**, on June 15, 2017, eleven (11) bids were received and the three low bids are as follows:

	<u>BID AMOUNT</u>
New Prince Concrete Construction 215 Ellen Terrace Hackensack, NJ 07601	\$214,513.14
D&L Paving 681 Franklin Avenue Nutley, NJ 07110	\$224,045.94
Marini Brothers Construction Co. 9 Lafayette Street Hackensack, NJ 07601	\$229,405.00

**WHEREAS**, the lowest bid was submitted by New Prince Construction in the amount of \$214,513.14; and

**WHEREAS**, the Borough Engineer by letter dated June 15, 2017(**attached hereto**), recommended the award of the low bidder New Prince Concrete Construction, 215 Ellen Terrace, Hackensack, NJ 07601; and

**WHEREAS**, the Borough Attorney, by letter dated June 20, 2017 (**attached hereto**), has opined as to the legal sufficiency of the lower bid and has found same to be sufficient.

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

In accordance with the recommendations of the Borough Engineer and the Borough Attorney, New Prince Concrete Construction is hereby awarded the contract for Road Improvements Ballentine Drive Phase II

The Mayor and Borough Clerk are hereby authorized and directed to execute a contract subject to the receipt of a Performance Bond.

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

**Resolution #121-2017**

**Re: Purchase / Ford F450**

**BE IT RESOLVED** that the Municipal Clerk is hereby authorized to execute a contract with Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034, for the purchase of one (1) 2017 Ford F450, under New Jersey State Contract No. A88215 at the purchase amount of \$69,267.00.

**BE IT FURTHER RESOLVED**, that funds ARE available for the aforementioned as evidenced by **Certification of Treasurer following**.

**Resolution #122-2017**

**Re: Authorization / LOSAP Payments**

**BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that the Treasurer be and she is hereby authorized to issue payment to individuals below for amounts listed below, as per an audit performed by the Borough Auditor:

<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>2015</u>	<u>2016</u>	<u>TOTAL</u>
BOONSTRA	CHAD	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
BRAUCH	DEAN	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
DANSEN	NICK	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
FAASSE	BRIAN	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
GRAHAM	RYAN	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
HARDING	NICHOLAS	\$ 1,150.00	\$ -	\$ 1,150.00
HOFER	ALAN	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
HOOK	DANIEL	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
KAMENO	MICHAEL	\$ -	\$ 1,150.00	\$ 1,150.00
LALLEY	TIMOTHY	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
ORMEZZANO JR	JAMES	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
PADULA III	ANTHONY	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
PALKEWICK	PHILIP	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
RICCIARDI	ANDREW	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
SCHOTT	KEVIN	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
SCHOTT	LEWIS	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
SCHOTT	STEVEN	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00
URSETTI	TOM	\$ 1,150.00	\$ 1,150.00	\$ 2,300.00

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<b>TOTAL CONTRIBUTION</b>	<b>\$ 19,550.00</b>	<b>\$ 19,550.00</b>	<b>\$ 39,100.00</b>
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**BE IT FURTHER RESOLVED**, that funds are available for the aforementioned as evidenced by **Certification of Treasurer following**.

**Resolution #123-2017**

**Re: Authorization / Sale of Notes**

**WHEREAS**, the Borough of North Haledon (the “Local Unit”), in the County of Passaic, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install a project consisting of the planning and design of a Small System Asset Management Plan (the “Project”), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the “Environmental Infrastructure Financing Program”) of the New Jersey Environmental Infrastructure Trust (the “Trust”);

**WHEREAS**, the Local Unit has determined to temporarily finance the acquisition, construction, renovation or installation of the Project prior to the closing with respect to the Environmental Infrastructure Financing Program, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the Trust (the “Construction Loan”) to the Local Unit, pursuant to the Construction Financing Program of the Trust (the “Construction Financing Program”);

**WHEREAS**, in order to (i) evidence and secure the repayment obligation of the Local Unit to the Trust with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Program, it is the desire of the Local Unit to issue and sell to the Trust the “Note Relating to the Construction Financing Program of the New Jersey Environmental Infrastructure Trust” in an aggregate principal amount of up to \$100,000 (the “Note”);

**WHEREAS**, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the Trust pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), and other applicable law; and

**WHEREAS**, Section 28 of the Local Bond Law allows for the sale of the Note to the Trust, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the Trust without any public offering, all under the terms and conditions set forth therein.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Local Unit as follows:

**Section 1.** In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by bond ordinance #16-2017 of the Local Unit, which bond ordinance is entitled “BOND ORDINANCE PROVIDING FOR THE PLANNING AND DESIGN OF A SMALL SYSTEM ASSET MANAGEMENT PLAN BY AND IN THE BOROUGH OF HALEDON, IN

THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF” and was finally adopted by the Local Unit at a meeting duly called and held on June 21, 2017, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

**Section 2.** The Chief Financial Officer of the Local Unit (the “Chief Financial Officer”) is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

**Section 3.** Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

**Section 4.** The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$100,000;
- (b) the maturity of the Note shall be as determined by the Trust;
- (c) the interest rate of the Note shall be as determined by the Trust;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered “CFP-17-1”;
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

**Section 5.** The Note shall be substantially in the form attached hereto as Exhibit A.

**Section 6.** The law firm of Wilentz, Goldman & Spitzer, P.A. is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust for the Construction Financing Program, to arrange for same.

**Section 7.** The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Secretary of the Local Unit, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the Trust and its representatives, agents, counsel and advisors, to be executed in connection with

the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Program.

**Section 8.** This resolution shall take effect immediately.

**Section 9.** Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, David Zimmer, Executive Director of the Trust, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

**Resolution #124-2017**

**Re: Approval / Change Order  
Ballentine Drive I**

**BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that Change Order #1 and Final for Work Performed and Material Furnished in the Ballentine Drive Section 1 and 2015 Road Improvement Program in the sum of a plus increase of \$23,782.46, payable to New Prince Concrete Construction, (copy of same attached hereto and made a part of the within resolution) be and the same is hereby approved.

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

**Resolution #125-2017**

**Re: Payments of Bills /  
Issuance of Checks**

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

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

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

**Resolution #126-2017**

**Re: Designation of Redeveloper /  
The Belmont Group**

**WHEREAS**, on August 15, 2012, the Borough Council adopted Resolution No. 171-2012 designating Block 30, Lots 9, 11, 12, 12.01, 13, 13.01, 13.02, 14, 15, 16, 27 & 27.02 and Block 31,

Lots 10, 10.04, 11, 11.02, 11.03, 11.04 & 12 on the tax maps of the Borough of North Haledon as an area in need of redevelopment which has come to be known as the Belmont Avenue Redevelopment Area; and

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

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

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

**WHEREAS**, The Belmont Group, LLC (the “Redeveloper”) is the owner of Block 31, Lot 10.04 (the “Property”) and has requested that it be made the designated Redeveloper of the Property to construct a project consistent with the Redevelopment Plan for the Property (the “Proposed Project”); and

**WHEREAS**, the Redeveloper filed an Application (**Exhibit A** hereto) and paid the requisite application fee to the Borough; and

**WHEREAS**, the Redeveloper also executed a funding agreement dated June 19, 2017 (attached hereto as **Exhibit B**) agreeing to pay the Borough’s out of pocket costs and expenses (including but not limited to the Borough’s reasonable professional engineering, planning, legal and financial advisory services) in connection with the review of the application, negotiation of the redevelopment agreement, administration of the redevelopment agreement, and ongoing participation of the Borough’s Redevelopment Review Committee (“RRC”); and

**WHEREAS**, the Borough’s RRC has held meetings with the Redeveloper to review the Application, investigate the Redeveloper’s qualifications to undertake the project, determine whether the Proposed Project complies with the Plan so that the RRC can make a recommendation to the

Borough Council concerning (1) the Redeveloper's application, and (2) whether the Proposed Project is consistent with the Plan; and

**WHEREAS**, the Application includes the following information:

1. Ownership interests in the Redeveloper
2. Qualifications and Prior Experience of Members of the Redeveloper's project team (including Harold Cook, Esq., (legal representative), Alex J. Zepponi of Entec Engineering & Technical Resources (Engineer/Planner), Joseph Sasso (Project Manager), and an Architect to be later designated.
3. An itemization of the elements of the estimated cost of the Proposed Project in the amount of \$12 million.
4. Information from concerning the Redeveloper's equity investors; and
5. Site Plan drawings for the Proposed Project to enable the RRC to undertake its consistency determination; and

**WHEREAS**, the Borough's redevelopment attorney and engineer have each provided the RRC with advice and counsel in connection with the foregoing; and

**WHEREAS**, the RRC through its meetings with the Redeveloper and its review and evaluation of the information supplied by the Redeveloper and the advice and counsel it has received from the Borough's redevelopment attorney, and its engineer has indicated to the Borough Council the following:

1. That the RRC recommends that the Borough Council accept the application of The Belmont Group, LLC to be designated as the Redeveloper of the Property because the Redeveloper has demonstrated that it has the financial capability, prior experience, and technical expertise through its project team to undertake and complete the Proposed Project; and
2. That the RRC has reviewed the site plans provided by the Redeveloper and determined that the Proposed Project complies with the Plan; and
3. That the RRC will require the Redeveloper to negotiate and execute a redevelopment agreement for execution by the Mayor; and

**WHEREAS**, the Borough Council has reviewed the application of the Redeveloper, heard the presentation made by the Redeveloper at the Borough Council meeting on June 21, 2017, and acknowledges the recommendations of the RRC concerning the qualifications the Redeveloper and the consistency of the Proposed Project with the Plan.

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

1. The aforementioned recitals are incorporated herein as though fully set forth.
2. The Borough Council hereby accepts the Application of The Belmont Group, LLC (“Redeveloper”) to be designated as the Redeveloper of Block 31, Lot 10.04 and The Belmont Group, LLC is hereby designated the Redeveloper of Block 31, Lot 10.04 which is property located within the Belmont Avenue Redevelopment Plan.
3. The Borough Council hereby acknowledges the acceptance of the application fee and execution of the Funding Agreement which was approved by the RRC.
4. The Borough Council hereby acknowledges the recommendation of the RRC concerning the general consistency of the proposed project with the Belmont Avenue Redevelopment Plan.
5. The Borough Council hereby designates The Belmont Group, LLC the Redeveloper of the Proposed Project.
6. The Borough Council hereby directs the Borough’s Redevelopment Attorney to negotiate a redevelopment agreement with the Redeveloper and the Mayor is hereby authorized to execute such redevelopment agreement with the Redeveloper.
7. This Resolution shall take effect immediately.

**Resolution #127-2017**

**Re: Appointment / PT Records Clerk  
Office of the Municipal Clerk**

**BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that Susan Inturrisi be appointed as part-time records administrator, effective July 1, 2017.

**DISCUSSION**

Council Member Salviano inquired whether it would be possible to have a “Touch a Truck” event at North Haledon Day. Council Member Puglisi raised the issue of possible liability for the Borough; the Municipal Clerk will follow up with the Borough’s insurance carrier.

Council Member Salviano suggested that the Borough host a picnic for its employees at 1:00 p.m. on the Friday before Labor Day. Mayor George advised that he will look into it.

Mayor George advised that he had discussed having more events for the general public, including adults, with the Recreation Department. Council Member Puglisi said that she would look into planning bus trips and concerts. Council Member Salviano offered to look into the possibility of building a band shell, exact location to be determined, in the Borough.

## **ADJOURNMENT**

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

Mayor George declared the meeting duly adjourned at 9:58 p.m.

Respectfully Submitted,

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Renate Elatab, Municipal Clerk

Approved at Council Meeting of July 12, 2017