



## **BOROUGH OF NORTH HALEDON**

### **COUNCIL MEETING MINUTES**

**WEDNESDAY, AUGUST 9, 2017**

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 is called to order at 7:50 p.m. and the Clerk is directed to include this statement in the minutes of this meeting.

#### **ROLL CALL**

Present:

Mayor Randy George

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

Joseph DeMarco, filling in for the Borough Attorney, Michael De Marco

Borough Engineer, Joseph Pomante (excused)

Deputy Municipal Clerk, Dena Ploch

Municipal Clerk, Renate Elatab

#### **PUBLIC COMMENTS**

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

Joseph Sasso, 75 Feldman Terrace, thanked the members of the Governing Body for approving the redevelopment plan, which changed the density, and will make it possible for The Belmojnt Group to building 50 apartments.

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

## **APPROVAL OF PRIOR MINUTES**

Motion by Council Member Puglisi, second by Council Member Luisi, to approve the minutes of the work session meeting, and the regular meeting of July 12, 2017. Upon roll call, all members voted in the affirmative, with the exception of Council Member Melone, who abstained since he was absent from the July meetings. Motion carried.

## **OFFICIAL REPORTS**

The following reports were submitted to the Municipal Clerk's Office

Building Official's Report  
Clerk's Receipts  
Fire Department 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**

Council Member Puglisi advised that the Police Committee will be meeting with the PBA for negotiations for the next PBA contract.

Council Member Pomianek advised that he and the Mayor had met with the CFO to go over the first half of 2017's finances, and the Borough is in great shape.

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

## COMMUNICATIONS

Communications below were presented at the Work Session Meeting.

Mayor George	Re: Outdoor Burning and Chicken
Board of Health	Re: Outdoor Burning
Board of Chosen Freeholders	Re: \$85,000 Open Space Grant
County Engineer	Re: Replacement of Culverts
Tax Assessor	Re: Tax Exemption / Block 58.03 Lot 1.02
Tax Assessor	Re: Fire House on Belmont Avenue

Motion by Council Member Puglisi, second by Council Member Sparano, that these communications be received, action taken where necessary, and that they be placed on file. Upon roll call, all members voted in the affirmative, with the exception of Council Member Melone, who abstained. Motion carried.

## NEW BUSINESS / ORDINANCES / RESOLUTIONS

**Ordinance #22-2017**

**Re: Amendment / Chapter 102**

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 voted in the affirmative. Motion carried.

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT  
CHAPTER 102 OF THE BOROUGH CODE  
OF THE BOROUGH OF NORTH HALEDON  
PERSONNEL POLICIES**

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

Section 1. **§102** shall be amended and supplemented as follows:

**ARTICLE XV  
OUTSIDE EMPLOYMENT**

**§ 102-54. Policy. Outside Employment.**

Department heads and full time employees are permitted to engage in outside employment under appropriate circumstances. Outside employment may take place provided:

- A. Authorization is obtained prior to date of beginning of outside employment. The employee must submit a request for authorization to engage in outside employment to the Borough Administrator. The request must contain the name and address of the employer and the nature of the work. The Borough Administrator shall respond to the request within one week. If there are any changes to the information submitted on the original request, a new request must be submitted to the Borough Administrator with the updated information.
- B. There is no conflict with the employee's duties. Outside work or employment may not be permitted to interfere with an employee's responsibilities to the Borough; absences from work or tardiness resulting from outside employment will be subject to disciplinary action.
- C. Employees are prohibited from engaging in outside employment activities while on the job and using municipal time, supplies or equipment in the outside employment activities.
- D. The outside employment does not interfere with the employee's ability to perform his/her duties appropriately. The Borough Council may request employees to restrict outside employment if the quality of their municipal work diminishes.
- E. It is clearly recognized and understood that the employee's primary work responsibility is to the Borough of North Haledon. In any instance where a conflict shall arise, the employee shall treat the Borough of North Haledon as their primary employer.
- F. Any employee who holds an interest in, or is employed by any business doing business with the Borough of North Haledon, must submit a written notice of these outside interests to the Borough Administrator.
- G. Nothing herein contained shall prohibit activity on behalf of a labor organization with which the employee may be affiliated.

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 Luisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on September 20, 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 voted in the affirmative. Motion carried.

**Ordinance #23-2017**

**Re: Amendment / Chapter 82**

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 voted in the affirmative. Motion carried.

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT  
CHAPTER 82 OF THE BOROUGH CODE  
OF THE BOROUGH OF NORTH HALEDON  
LIBRARY BOARD OF TRUSTEES**

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

Section 1. **§82-1. Membership** shall be amended as follows:

There shall be seven members on the Library Board of Trustees, one of whom shall be the Mayor and one of whom shall be the Superintendent of local schools or his/her alternate. Five members shall be appointed by the Mayor with the advice and consent of the Council.

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, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on September 20, 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 voted in the affirmative. Motion carried.

**Ordinance #24-2017**

**Re: Amendment / Chapter 102**

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

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT  
CHAPTER 102 OF THE BOROUGH CODE  
OF THE BOROUGH OF NORTH HALEDON  
PERSONNEL POLICIES**

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

Section 1.     **§102-22. Terminal Leave Prior to Retirement** shall be amended as follows:

Non-union employees hired prior to October 1, 2017 may use as terminal leave on days preceding his/her retirement date unused sick leave accumulated as per §102-21 A.

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 Luisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on September 20, 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 voted in the affirmative. Motion carried.

**RESOLUTION CA#9-2017**

**Re: Consent Agenda #9-2017**

Motion by Council Member Puglisi, second by Council Member Sparano, that the Clerk read the resolution by title and waive the reading of the resolution in full. Upon roll call, all members 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. Approval / Raffle Licenses
2. Support Of The Valley Hospital’s Submission Of A Certificate Of Need Application To Relocate The Valley Hospital To Paramus, New Jersey
3. Acceptance of Proposal / Boswell Engineering / Yahn’s Pond Playground
4. Appointment / Gloria Counsellor / Public Events Committee
5. Approval / Payment of Bills / Issuance of Checks
6. Tax Overpayment
7. Resolution Authorizing Amendment Of Ownership, Maintenance And Inspection Agreement
8. Resolution Authorizing Application for Subdivision of Borough-Owned Property

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

**Resolution #136-2017**

**Re: Approval / Raffle Licenses**

**BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that the following Raffle Licenses be approved as submitted, providing all rules and regulations of Legalized Games of Chance are adhered to:

Name: Real Dog Rescue  
 Location of Raffle: 1245 Belmont Avenue  
 Date of Raffle: October 4, 2017  
 Raffle License: RA#20-2017 & 21-2017

Name: UNICO  
 Location of Raffle: 103 Overlook Avenue

Date of Raffle: September 30, 2017  
Raffle License: RA#22-2017

**Resolution #137-2017**

**Re: Support / Valley Hospital /  
Relocation to Paramus**

**WHEREAS**, The Valley Hospital, through its award-winning clinical care, exceptional service and numerous community health programs, contributes greatly to the health and wellness of our community; and

**WHEREAS**, In order to continue providing its vital programs and services and meet the long-term healthcare needs of our community, The Valley Hospital must be able to adapt to changes in healthcare and modernize; and

**WHEREAS**, The Valley Hospital's plans to build a modern, state-of-the-art hospital in Paramus, New Jersey will ensure that our residents have access to high quality healthcare for many years to come; and

**WHEREAS**, The Valley Hospital in Paramus, New Jersey will be built with single-patient rooms to enhance the privacy, safety and comfort of its patients; and

**WHEREAS**, The Valley Hospital in Paramus, New Jersey will incorporate the best practices in creative, innovative and sustainable healthcare facility design, such as flexibility and the use of advanced technology, in order to enhance patient care and service; and

**WHEREAS**, The Valley Hospital, as a not-for-profit hospital since its inception in 1951, gives back to its community, providing more than \$97 million in Community Benefit and uncompensated care dollars in 2015, including \$5.6 million for community health programs, services and essential health information and preventive education; and

**WHEREAS**, The Valley Hospital, as the second largest employer in Bergen County, will be a significant driver of economic activity, create construction jobs and permanent jobs, and support local businesses in our area and throughout the region.

**NOW THEREFORE BE IT RESOLVED**, that The Mayor and Council of North Haledon, New Jersey hereby express their full support for The Valley Hospital's Submission of a Certificate of Need Application to Relocate The Valley Hospital to Paramus, New Jersey; and be it further; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, that The Mayor and Council of North Haledon, New Jersey hereby urge The New Jersey Department of Health to approve The Valley Hospital's Certificate of Need Application to Relocate The Valley Hospital to Paramus, New Jersey; and be it further

**NOW THEREFORE BE IT FURTHER RESOLVED**, that a copy of this resolution be sent to The New Jersey Department of Health.



**Resolution #138-2017**

**Re: Resolution Number Not Used**

**Resolution #139-2017**

**Re: Acceptance of Proposal /  
Boswell Engineering / Yahn's Pond**

**WHEREAS**, the Borough of North Haledon is in need of engineering services, in particular for Yahn's Pond Playground Rehabilitation; and

**WHEREAS**, Boswell Engineering, by letter dated July 19, 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 Boswell McClave Engineering, dated July 19, 2017 for engineering services in connection with the above is hereby accepted and approved.

Compensation for said services shall not exceed \$23,050.00.

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

**CERTIFICATION**

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

C-04-17-013-400 Property Improvements	NTE \$25,000.00
Account	Amount

Chris Battaglia, Chief Financial Officer

**Resolution #140-2017**

**Re: Appointment / PEC**

**BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that Gloria Counsellor be appointed as a member of the North Haledon Public Events Committee, effective immediately.

**Resolution #141-2017**

**Re: Approval / Bills and 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 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 Municipal Clerk / Borough Administrator, be and are hereby authorized to sign checks in payment of the bills set forth in the attached schedule.

**Resolution #142-2017**

**Re: Tax Overpayment**

**WHEREAS**, two properties were deleted and,

**WHEREAS**, the taxes were paid for the first two quarters of 2017,

**WHEREAS**, the overpayment was transferred to the existing lot,

**WHEREAS**, this therefore leaves an overpayment for the first three quarters of 2017.

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue a check for the following amount and the same to be charged to Current Taxes 2017.

Block 30 Lot 14.01    \$25,295.15

J & D Belmont Ave Associates LLC  
190 Main St.  
Suite 201  
Hackensack, NJ 07601

**Resolution #143-2017**

**Re: Woodland Estates /  
HOA & Detention Basin**

**WHEREAS**, on September 19, 2003, the Borough of North Haledon (the “Borough”) and Woodland Estates of North Haledon Homeowners’ Association, Inc. (the “Association”), entered into an Ownership, Maintenance and Inspection Agreement (the “Agreement”); and

**WHEREAS**, the Association was formed for the ownership and maintenance of a certain storm water detention system consisting of a detention basin servicing seven (7) detached single family residential units; and

**WHEREAS**, the aforementioned detention basin is located on the real property commonly known as 59 Bogert Drive, North Haledon, New Jersey and designated on the tax maps of the Borough of North Haledon as Block 65, Lot 44, which property is owned by Michael Westra and Sandra Westra; and

**WHEREAS**, Michael Westra and Sandra Westra have expressed a willingness to assume sole ownership of the detention basin and each and every responsibility and obligation of the Association under the Agreement and have requested that the Borough approve the same; and

**WHEREAS**, in view of the request of Michael Westra and Sandra Westra as set forth above, the Association has requested to be released from all obligations under the Agreement;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Board of Council of the Borough of North Haledon that the Mayor and Borough Attorney are hereby authorized to take all action necessary and to execute all necessary documents for the following purposes:

1. Entering into and executing an Amendment to the Ownership, Maintenance and Inspection Agreement dated September 19, 2003 whereby: (A) Michael Westra and Sandra Westra for themselves and their successors in title to the real property commonly known as 59 Bogert Drive, North Haledon, New Jersey and designated on the tax maps of the Borough of North Haledon as Block 65, Lot 44 assume sole ownership of the aforementioned detention basin and agree to assume and personally undertake at their sole cost and expense each and every obligation of the Association under the Ownership, Maintenance and Inspection Agreement dated September 19, 2003; and (2) releasing the Association of each and every obligation of the Association under the Ownership, Maintenance and Inspection Agreement dated September 19, 2003.

2. Executing and recording said Amendment as a restriction against the real property commonly known as 59 Bogert Drive, North Haledon, New Jersey and designated on the tax maps of the Borough of North Haledon as Block 65, Lot 44, which shall run with said land forever.
3. Executing and recording all documents necessary to release the following properties from the obligations under the Ownership, Maintenance and Inspection Agreement dated September 19, 2003: 55 Bogert Drive, 56 Bogert Drive, 60 Bogert Drive, 61 Bogert Drive, 64 Bogert Drive, 167 Graham Avenue, North Haledon, New Jersey.
4. All other action reasonably necessary for the purpose of carrying out the purpose and intent of this Resolution.

**Resolution #144-2017**

**Re: Application / Sub-Division**

**WHEREAS**, the Borough of North Haledon is the record owner of real property described on the Borough's tax maps as Lot 3, Block 35 (the "Property"); and

**WHEREAS**, the Property is adjacent to property owned by the North Haledon Fire Department; and

**WHEREAS**, the North Haledon Fire Department has proposed a building addition for which additional property is necessary; and

**WHEREAS**, the Borough is willing to convey to the North Haledon Fire Department a portion of the Property, which will permit the North Haledon Fire Department to complete its proposed building addition; and

**WHEREAS**, such a conveyance of property by the Borough to the North Haledon Fire Department is permitted by the Local Lands and Buildings Law, however, subdivision approval is required.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Board of Council of the Borough of North Haledon that the Mayor, Borough Attorney and Borough Engineer are hereby authorized to file and pursue an application for subdivision approval of the Property and obtain said approval and to take all action necessary in connection therewith.

**EXECUTIVE SESSION (in: 8:52 p.m. – out: 8:56 p.m.)**

Motion by Council Member Pomianek, second by Council Member Salviano, to go into Executive Session to discuss Pending Litigation. Upon roll call, all members voted in the affirmative. Motion carried.

**Resolution #145-2017**

**Re: Authorization / Execution / Separation Agreement / General Release**

The Clerk presented the following resolution:

**WHEREAS**, the Borough of North Haledon is provided with insurance coverage through the NJIIF; and

**WHEREAS**, the Borough of North Haledon and NJIIF on behalf of its insured, and the Employee have reached an agreement on the termination of the Employee's employment and desire and intend to memorialize same by execution of an Agreement;

**NOW, THEREFORE, BE IT RESOLVED** by the Members of the Board of Council that Eric J. Nemeth, Esq., General Counsel, NJIIF, be authorized to execute said agreement on behalf of its insured, the Borough of North Haledon.

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

**DISCUSSION**

Mayor George advised that he had attended the viewing of Owen Kleiwerda, where the family had commended the professionalism of the North Haledon Police Department, Fire Department, and Ambulance in a most difficult situation. The Police Department will be providing an escort tomorrow.

League of Municipalities: Atlantic City – November 14 – 16, 2017. Mayor George reminded the council members of the League of Municipalities annual meeting and advised that, while the Borough does not pay for the hotel for council members, the Borough does pay the registration

fee, and reminded all council members to let the Municipal Clerk know if they wanted themselves and their spouses to be registered.

Best Practices. Members of the Governing Body were given a copy of the 2017 FY worksheet, and were advised that the Borough's score this year is 84%, which means that no State aid will be withheld.

Council Member Puglisi advised that the new floor for the Council Chambers had come in, and that she was also having a photograph of the Squaw Brook Hotel framed so that it could be hung on the wall.

Council Member Sparano advised that work was progressing on Restaurant Week leading up to North Haledon Day, and that there will be different and more restaurants participating this year.

## **ADJOURNMENT**

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

Mayor George declared the meeting duly adjourned at 9:05 p.m.

Respectfully Submitted,

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Renate Elatab, Municipal Clerk

Approved at Council Meeting of September 20, 2017