



## BOROUGH OF NORTH HALEDON

MINUTES - JANUARY 19, 2011

This meeting was called pursuant to the provisions of the Open Public Meetings Law. This meeting of January 19, 2011, was included in a list of meetings notices emailed to the HERALD NEWS and the HAWTHORNE PRESS on January 7, 2011, and was advertised in said newspapers on January 13, 2011. This notice was posted on the bulletin board on January 7, 2011 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 8:00 p.m. and the Clerk was directed to include this statement in the minutes of this meeting.

Mayor George led the prayer and everyone was asked to remain standing for the Pledge of Allegiance.

### ROLL CALL

**PRESENT:** Mayor Randy George, Council Members: Rocco Luisi, Raymond Melone, Bruce O. Iacobelli, Elaine Vuoncino, and Robert Dyer, Borough Attorney Michael De Marco, Deputy Borough Clerk Angela Russo and Municipal Clerk Renate Elatab

**ABSENT:** Councilwoman Puglisi

### DEVIATION/RULES AND PROCEDURES/BY-LAWS OF COUNCIL

Motion by Councilwoman Vuoncino, second by Councilman Iacobelli, to deviate from the regular order of business in order to auction off various DPW items, and have a presentation by Andrew Ely regarding a radio system.

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

### PUBLIC AUCTION

Mayor George read the auction notice into the record, and opened the bidding for:

<b>Western Cement Mixer</b>	<b>Model #CM4</b>	<b>Serial #10552 (no minimum bid)</b>
<b>AEM Asphalt Roller</b>	<b>Model DM-208</b>	<b>(no minimum bid)</b>
<b>1995 GMC Pick-up 4WD</b>	<b>VIN 1GTHK34F2SZ538680</b>	<b>(\$1,000 minimum bid)</b>

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

The Clerk read the resolution by title:

**RESOLUTION #26-2011**                      **Re: Auction / Award / DPW Equipment and Vehicle**

**WHEREAS**, an auction was held this evening and bids were received by the Borough Council of the Borough of North Haledon;

**NOW THEREFORE, BE IT RESOLVED**, that the award was given as follows for the item auctioned:

<u>ITEM:</u>	<u>AMOUNT:</u>	<u>AWARDED TO:</u>
Western Cement Mixer Model #CM4/Serial #10552	\$90.00	Liberty Motors Jersey City, NJ
AEM Asphalt Roller Model DM-208	\$700.00	Liberty Motors Jersey City, NJ
1995 GMC Pick-up 4WD VIN 1GTHK34F2SZ538680	\$2,000.00	Jersey One Auto Sales Jersey City, NJ

Councilman Iacobelli moved the adoption of the foregoing resolution. Councilman Melone seconded the adoption of the resolution. Upon roll call all members present voted in the affirmative. Motion carried.

#### **PUBLIC COMMENTS**

Mayor George opened the floor to the public.

Motion by Councilman Iacobelli, seconded by Councilwoman Vuoncino to open the floor to the public.

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

1. John Bleeker, 23 Lee Drive – made known his feelings regarding the dissolution of Fire Co. #1; tent that housed fire truck; recent auction/sale of fire truck; insurance benefits; purchase of a new ambulance; and LOSAP. Mayor George addressed all of his concerns.
2. Brian Hartley, Assistant Fire Chief, 35 Crestview Terrace – here this evening to answer any questions regarding the January 17, 2011, letter from Chief AJ Ricciardi to the Governing Body regarding LOSAP.

Motion by Councilman Iacobelli, seconded by Councilwoman Vuoncino 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 Councilwoman Vuoncino, second by Councilman Dyer, to approve the minutes of the work session of November 10, 2010, the regular meeting of November 10, 2010, the closed meeting of November 10, 2010, the work session of December 8, 2010, the regular meeting of December 8, 2010, the special meeting of December 13, 2010, and the reconvened meeting on December 29, 2010 (of the adjourned December 8, 2010, regular meeting). Upon roll call all members present voted in the affirmative.

Mayor commended D.P.W., Police Department, and dispatchers for their work during bad weather.

Mayor advised that Haledon Ambulance Corp. had their last meeting and will continue as North Haledon Volunteer Ambulance as of February 1, 2011.

## **OFFICIAL REPORTS**

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

Building Official's Report	Tax Collector's Report to the Treasurer
Clerk's Receipts	Treasurer's Report
Fire Department Report	Recycling Enforcement Officer
Haledon Ambulance Report	Property Maintenance Officer
Municipal Court Report	Police Department Report

## **COMMITTEE REPORTS**

Motion by Councilman Iacobelli, seconded by Councilwoman Vuoncino to dispense with the committee reports. Upon roll call all members present voted in the affirmative. Motion carried.

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

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

RECREATION  
**COUNCILWOMAN PUGLISI**

ZONING BOARD OF ADJUSTMENT  
**COUNCILWOMAN PUGLISI**

HALEDON AMBULANCE  
**COUNCILMAN DYER**

FINANCE  
**COUNCILMAN IACOBELLI**

PLANNING BOARD  
**COUNCILMAN DYER**

BOARD OF EDUCATION / LOCAL  
**COUNCILMAN LUISI**

BOARD OF EDUCATION / REGIONAL  
**COUNCILWOMAN VUONCINO**

BOARD OF HEALTH  
**COUNCILMAN IACOBELLI**

FIRE & WATER  
**COUNCILMAN VUONCINO**

ENGINEERING  
**COUNCILMAN DYER**

CODIFICATION ADHOC COMMITTEE REPORT  
**COUNCILWOMAN PUGLISI**

LIBRARY  
**MAYOR RANDY GEORGE**

PUBLIC CELEBRATIONS  
**COUNCILMAN IACOBELLI**

BUEHLER ADHOC COMMITTEE  
**COUNCILMAN IACOBELLI**

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

## **COMMUNICATIONS**

The Clerk stated that all communications were read in full at the Work Session and were as follows:

Municipal Clerk	Re: 2011 Meeting Dates
Stark & Stark	Re: Parking at Lakeside

- Construction Official Re: Construction Board of Appeals
- Treasurer’s Office Re: Voiding of Check/Fideliants
- Peter Sloomaker Re: “Land Swap”  
Bd. of Ed./Borough of No. Haledon
- Michael Kauker Re: Motion for Stay/Processing/  
Third Round Certification
- FEMA Re: Reimbursement/OEM
- NJ Dept. of Corrections Re: Notifications/Release of Inmates
- NJLM Re: Exemption of Reserve for  
Uncollected Taxes from 2% Cap
- Lois Jobeless Re: Cell Tower
- Donald Samick Re: Leaf Pick-Up & Yahn’s Pond
- Bhatt Re: Tree & Interest on Taxes
- Tax Collector Re: Letter to Bhatt re: Taxes

Motion by Councilwoman Vuoncino, second by Councilman Iacobelli, that these communications be received, action taken where necessary, and be placed on file. Upon roll call all members present voted in the affirmative. Motion carried.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS / ORDINANCES / RESOLUTIONS**

**ORDINANCE #1-2011                      Re:    Salary and Wages - 2011**

Motion by Councilwoman Iacobelli, second by Councilwoman Vuoncino, that the Clerk read the ordinance by title and waive the reading of the ordinance in full.

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

The Clerk read the Ordinance by title:

**AN ORDINANCE FIXING THE SALARIES AND COMPENSATIONS OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF NORTH HALEDON, COUNTY OF PASSAIC, IN THE YEAR 2011**

**BE IT ORDAINED** by the Mayor and Council of the Borough of North Haledon as follows:

**SECTION 1.** The following annual salaries and compensations shall be paid to the following officers and employees of the Borough of North Haledon in the year 2011:

**POLICE DEPARTMENT**

Salaries as set forth below are retro-active to January 1, 2011, for those employees hired prior to 11/20/2001:

Captain	122,090.00
Captain 20 years plus	125,241.00
Lieutenant	114,509.00
Lieutenant 20 years plus	117,661.00
Sergeant	106,931.00
Sergeant 20 years plus	110,083.00
Police Officer 20 years plus	102,522.00
7 years	99,369.00
6 years	93,278.00
5 years	81,176.00
4 years	81,085.00
3 years	74,984.00
2 years	68,890.00
AG Com Pro	64,201.00
AG on Pro	59,512.00
Pre A	45,687.00

**Captain through four (4) years identical to above**

Salaries set forth below are retroactive to January 1, 2011 for those employees hired after November 20, 2001.

3 years	70,121.00
2 years	60,639.00
Academy Grad. (probationary)	51,288.00
Academy Grad. (on probation)	44,794.00
Pre-Academy	39,371.00

**Police Education Allowance Prorated to Date of Degree**

AA	1,500.00
BA	3,000.00
MA	5,000.00
<b>Detective</b>	<b>2,500.00</b>

**BE IT ORDAINED**, by the Mayor and Council of the Borough of North Haledon as follows:

**SECTION 2**

**DEPARTMENT OF PUBLIC WORKS**

Salaries as set forth above shall be retroactive to January 1, 2011 or to date of employment of newly appointed position.

**POST 01/01/93 HIRES**

Mechanic Probationary	34,524.83
First Year	36,983.14
Second Year	39,442.77
Third Year	41,898.43
Fourth Year	47,514.00
Fifth Year	48,545.24
Sixth Year	49,873.01
Seventh Year	51,052.53
Auto Mechanic	55,732.18
Foreman	55,742.77

**PRIOR TO 01/01/93 HIRES**

Mechanic Seventh Year	51,052.53
Auto Mechanic	55,732.18
Foreman	55,742.77

**SECTION 3**

Manner of payment as well as longevity benefits and payments shall be made in accordance with Chapter 20 of the Code of the Borough of North Haledon and contractual agreements.

**BE IT ORDAINED**, by the Mayor and Council of the Borough of North Haledon as follows:

**SECTION 4.**

The following annual salaries and compensations shall be paid to the following officers and employees of the Borough of North Haledon, County of Passaic, and State of New Jersey for the year – 2011

**BE IT FURTHER ORDAINED**, by the Mayor and Council of the Borough of North Haledon as follows:

**SECTION 5**

**Municipal Attorney** 4,500.00

In addition to the salary provided herein for the Borough Attorney, the Borough Attorney shall be compensated at a fee for \$150.00 per hour for such professional services as are rendered by him other than for attendance at meetings and work sessions of the Governing Body and upon submission of vouchers to be approved by the Board of Council.

**Borough Engineer**

The Borough Engineer shall be compensated for such professional services as are required by him as per proposal on file in the Clerk's office and upon submission of vouchers to be approved by the Board of Council.

**SECTION 6**

Salaries as set forth above shall be retroactive to January 1, 2011 or to date of employment of newly appointed position.

**SECTION 7**

Manner of payment as well as longevity benefits and payments shall be made in accordance with Chapter 20 of the Code of the Borough of North Haledon and contractual agreements.

**SECTION 8**

This ordinance shall take effect immediately upon final passage and publication as required by law.

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on February 16, 2011, at 8:00 p.m. or as soon thereafter as the matter can be reached by the Mayor and Council and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with law. Upon roll call all members present voted in the affirmative. Motion carried.

**NOTICE**

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 January 19, 2011, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on February 16, 2011, at the Municipal Building, 103 Overlook Avenue, 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 #2011-2**

**Re: CONSENT AGENDA**

The Mayor presented the following resolution:

**WHEREAS**, the Mayor and Board of Council of the Borough of North Haledon has reviewed the Consent Agenda consisting of various proposed resolutions; and

**WHEREAS**, the Mayor and Board of Council of the Borough of North Haledon is not desirous of removing any resolution for individual action from the agenda;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of North Haledon that the following resolutions on the consent agenda are hereby approved and adopted.

- #27-2011 Board of Education/Local/Current Expense
- #28-2011 Board of Education/Debt Service/Local
- #29-2011 Board of Education/Regional/Current
- #30-2011 Replenishment of Postage Meter Machine
- #31-2011 Ratification of Check #1588/Network Solutions
- #32-2011 Voiding of Check #1545/Fidelians of America
- #33-2011 Authorization/Execution of Developer's Agreement/Lita/Block 68, Lot 4.05
- #34-2011 Change Order No.2 and Final/2010 Road Improvement Program
- #35-2011 Authorization/Execution of Agreement/Munidex, Inc./Pets and Vital Statistics
- #36-2011 Authorization/Execution of Agreement/Police Dispatchers
- #37-2011 Tax Appeal/Block 61, Lot 1.01
- #38-2011 Appropriation Reserves Transfer
- #39-2011 2011 Additional Temporary Appropriations
- #40-2011 Authorization/Execution of Maintenance Contract/PierCon Solutions/Radio System
- #41-2011 Authorization/Release of Letter of Credit/Performance Bond/Pascack Hills
- #42-2011 Authorization/Auction/Lease of Borough-Owned Property

Prior to voting on this resolution, Mayor George invited Andrew Ely of PierCon Solutions, Lincoln Park, NJ to come forward to answer any questions the Governing Body might have with regards to Resolution #40-2011. Mayor George gave a summation of the purchase. Mr. Ely has been working closely with Chief of Police and Lt. Darby. Question and answer period took place.

Councilman Iacobelli moved the adoption of the aforementioned resolution. Councilwoman Vuoncino seconded the adoption of the resolution. Upon roll call all members present voted in the affirmative. Motion carried.

**CONSENT AGENDA RESOLUTIONS**

**RESOLUTION #27-2011**

**Re: Bd. Of Education/Local District/Current**

**WHEREAS**, the Board of Education has requested that the sum of \$647,356.68 other than Debt Service, be placed in the hands of the Treasurer of School Monies within the next thirty (30) days to meet obligations of said Board.

**NOW, THEREFORE BE IT RESOLVED**, that the Treasurer is hereby authorized to disburse the sum of \$647,356.68 other than Debt Service, as needed by the 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 2010-2011.

**RESOLUTION #28-2011                      Re:    Bd. of Education/Local District/Debt Service**

**WHEREAS**, the Board of Education has requested that the sum of \$955,840.37 for Debt Service, be placed in the hands of the Treasurer of School Monies within the next thirty (30) days, to meet obligations of said Board.

**NOW THEREFORE, BE IT RESOLVED**, that a check be drawn to the order of the Board of Education, Local School District, for the sum of \$955,840.37, for Debt Service, to be charged against Local School District Tax for the year 2010-2011.

**RESOLUTION #29-2011                      Re:    Bd. Of Education/Regional/Current**

**WHEREAS**, the Board of Education has requested that the sum of \$955,840.37 for Debt Service, be placed in the hands of the Treasurer of School Monies within the next thirty (30) days, to meet obligations of said Board.

**NOW THEREFORE, BE IT RESOLVED**, that a check be drawn to the order of the Board of Education, Local School District, for the sum of \$955,840.37, for Debt Service, to be charged against Local School District Tax for the year 2010-2011.

**RESOLUTION #30-2011                      Re:    Replenishment of Postage Meter Machine**

**BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that the Treasurer be and she is hereby authorized to issue a check payable to the United States Postal Service for the replenishment of the postage meter machine in the amount of \$400.00; 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 Municipal Clerk's Postage OE.

**RESOLUTION #31-2011                      Re:    Ratification of Check/Network Solutions**

**BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that payment made to Network Solutions in the sum of \$34.99, dated January 5, 2011, check #1588 be and the same is hereby ratified and approved.

**RESOLUTION #32-2011                      Re:    Voiding of Check #1545**

**BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that Check #1545 payable to Fidelians of America in the amount of \$2,524.00 and dated August 20, 2010 be voided.

**BE IT FURTHER RESOLVED**, that the amount of \$2,524.00 be credited to the Current Account.

**RESOLUTION #33-2011                      Re:    Execution of Developer's Agreement  
    Liman Lita – Block 68, Lot 4.05**

**WHEREAS**, a Developer's Agreement has been prepared by the Planning Board Attorney in connection with the Liman Lita subdivision for property located at 57 Romaine Road, North Haledon New Jersey, also known as Block 68, Lot 4.05;

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that the Mayor and Clerk be and are hereby authorized to execute said Developer's Agreement subject to the receipt and approval thereof by the Planning Board Attorney of the required bond and escrows.

**RESOLUTION #34-2011                      Re:    Change Order No2 & Final/  
    2010 Road Improvement Program**

**BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that Change Order No.2 & Final for captioned project in the sum of an increase of \$48,484.49, copy of same **attached hereto and made a part of the within resolution**, be and the same is hereby approved.

**RESOLUTION #35-2011                      Re:    Authorization/Execute Agreement/  
    Munidex Software Pets and Vital Statistics**

**BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that the Municipal Clerk enter into an agreement with Munidex, Inc., 174 Route 17 North, Rochelle Park, NJ 07662, for the 2011 Software Maintenance Contract for Pets and Vital Statistics, in accordance with copy of agreement **attached hereto and made part of the within resolution** for the year 2011;

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized and directed to execute said agreement and that the Treasurer be and she is hereby authorized to issue payment to Munidex, Inc., in accordance with agreement attached;

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

**CERTIFICATION**

I, Laura Leibowitz, CFO/Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in account # 1-27-330-211 & Dog License Trust

**RESOLUTION #36-2011                      Re:    Execute Memorandum of Agree/Dispatchers**

**BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that the Mayor and Municipal Clerk are hereby authorized to execute Memorandum of Agreement, attached hereto and made a part of the within resolution, between the Borough of North Haledon (Police Dispatchers) and Communications Workers of America.

**RESOLUTION #37-2011                      Re:    Tax Appeal/Barbara Marcus**

**WHEREAS**, the property listed below filed an assessment appeal with the Tax Court of New Jersey; and

**WHEREAS**, the Tax Court reduced their assessment therefore reducing their taxes for the years 2009 and 2010; and

**WHEREAS**, the 2009 and 2010 taxes were already paid.

**NOW, THEREFORE BE IT RESOLVED**, that the Treasurer by authorized to issue a check in the amount listed below to be charged against Tax Appeals 2009 and 2010.

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSMENT REDUCTION</u>	<u>TAXES</u>
61	1.01	\$149,400. to \$139,400.	2009 \$8,655.35 2010 \$9,100.04

Barbara Marcus  
274 Squaw Brook Road

Refund for 2009 is \$620.90  
Refund for 2010 is \$652.79

**RESOLUTION #38-2011                      Re:    Appropriation Reserves Transfer**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of North Haledon that the Treasurer be and she is hereby authorized to make the following transfers:

	FROM	
FIRE PREVENTION	SW	\$1,400.00
AMBULANCE	OE	\$1,400.00
TIPPING FEES	OE	\$5,000.00
LEGAL	OE	\$221.00
		\$8,021.00
	TO	
CLERK	OE	\$600.00
SEWER	OE	\$450.00
DIESEL	OE	\$100.00
ENGINEERING	OE	\$6,650.00
PUBLIC DEFENDER	SW	\$221.00
		\$8,021.00

**RESOLUTION #39-2011                      Re:    Additional Temporary Appropriations – 2011**

**WHEREAS**, N.J.S.A. 49A: 4-19 provides that where contracts, commitments or payments are to be made prior to the final adoption of the 2011 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time herein provided; and

**WHEREAS**, Chapter 3 P.L. 1984 allows the municipality to adopt additional temporary appropriations equal to 1/12 of the total appropriations made for all purposes in the budget for the 2010 fiscal year excluding in both instances appropriations made for the interest and debt redemption charges, capital improvement fund and public assistance.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of North Haledon, that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial for her records:

CLERK	OE	10,000.00
FINANCE	OE	5,000.00
TAX COLLECTION	OE	1,000.00
BD. OF ADJUSTMENT	OE	2,600.00
FIRE LIFE HAZARD	OE	500.00
STREETS AND ROADS	OE	15,000.00
RECYCLING	OE	40,000.00
POLICE	OE	<u>10,000.00</u>
		84,100.00

**RESOLUTION #40-2011                      Re:    Execute Agreement/PierCon Solutions/Radios OEM**

**BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that the Municipal Clerk enter into an Equipment Maintenance and Service Restoration Contract with PierCon Solutions, 63 Beaver Brook Road, Lincoln Park, NJ 07035, for the maintenance of

North Haledon's OEM-VHF two-way radios, attached hereto and made part of the within resolution for the year 2011;

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized and directed to execute said agreement and that the Treasurer be and she is hereby authorized to issue payment to PierCon Solutions, in accordance with contract attached;

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

**CERTIFICATION**

I, Laura Leibowitz, CFO/Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in account # OEM-Other Expenses

**RESOLUTION #41-2011                      Re:    Release of Performance Bond Letter of Credit  
Pascack Hills Property**

**WHEREAS**, Pascack Hills Properties, has requested the release of its Performance Bond and;

**WHEREAS**, the Borough Attorney, by letter dated December 29, 2010 (attached hereto) has reviewed all correspondence relating to aforementioned and concurred with the recommendation of the Borough Engineer following; and

**WHEREAS**, the Borough Engineer has reviewed said request and by correspondence dated December 29, 2010,(attached hereto) takes no exception to the release of the Letter of Credit portion of the Performance Bond (Boiling Springs Savings Bank #171 - \$128,239.00), provided the following stipulations are met:

1. The developer shall post a 2-year 15% maintenance bond in the amount of \$17,811.00 in a form acceptable to the Borough.
2. The Borough shall retain the cash portion of the performance bond (\$14,249.00).
3. All fees and escrow balances have been paid and are current.

**NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of North Haledon that the Clerk be and she is hereby authorized to release the Performance Bond

**RESOLUTION #42-2011                      Re:    Authorization/Advertise for Auction  
Leasing of Borough Owned Property**

**BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that the Clerk be and she is hereby authorized to advertise the auction of the Leasing of Borough-owned property on Willowbrook Court, know as Block 18, Lot 2.02.

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**CERTIFICATION OF AVAILABILITY OF FUNDS**

The Mayor read the Certification into the record. **(Attached to Minutes)**

**RESOLUTION #43-2011                    Re:    Payment of Approved Claims**

**WHEREAS**, claims from the following funds have been presented to the Mayor and Board of Council for payment:

<b>2010 BILLS</b>	
CURRENT FUND -RESERVES.....	\$ 24,467.23
<b><u>2011 BILLS</u></b>	
CURRENT FUND-OTHER EXPENSES .....	\$ 36,253.45
<b><u>2011 BILLS</u></b>	
<b>PREPAID BILLS - CURRENT FUND - OTHER EXPENSES.....</b>	<b>\$ 81,738.23</b>
TRUST FUND II.....	\$ 19,266.25
DOG LICENSE TRUST ACCOUNT.....	\$ 500.00
CAPITAL FUND.....	\$ 9,375.00

**NOW, THEREFORE, BE IT RESOLVED** that the Treasurer is hereby authorized to pay these claims, as funds are available.

**BE IT FURTHER RESOLVED** that the total payrolls in the amount of \$314,178.65 paid in the month December be approved.

Councilman Iacobelli moved the adoption of the resolution. Councilwoman Vuoncino seconded the adoption of the resolution.

**DISCUSSION**

Auction / Lease of Cell Tower Property – Mayor advised the ten (10) year cell tower lease has expired. We are now working on a month to month basis. T-Mobile owns the lattice tower and would like to lease again; however, by law we must either go out for Auction or Sealed Bids since the original lease was fixed at ten (10) years. Mayor explained that a cell tower is needed at its present location. Attorney Michael De Marco recommended the Borough obtain a new lease by Auction. He will work with the Borough Engineer on specs for the lease of municipal property for the purpose of hosting a cell phone tower. He recommended four or six five year terms rather than a ten year fixed lease. Mayor advised that the Borough Engineer was asked to get information to make the tower less intrusive.

Councilwoman Vuoncino asked about new website. Mayor responded.

**CLOSED EXECUTIVE SESSION – was requested at this time: 9:15 p.m.**

**RESOLUTION #44-2011**

**Re: Closed Executive Session**

**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 exists;

**WHEREAS**, the Mayor and Council wish to discuss:

**LITIGATION**

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.

Councilman Iacobelli moved the adoption of the foregoing resolution. Councilwoman Vuoncino seconded the motion. Resolution duly adopted.

Meeting reconvened at 9:38 p.m.

Motion by Councilman Iacobelli, seconded by Councilwoman Vuoncino to close the Executive session. Upon roll call all members present voted in the affirmative. Motion carried

**ROLL CALL**

**PRESENT:** Mayor Randy George  
Council Members: Raymond Melone, Rocco Luisi, Elaine Vuoncino, Robert Dyer, and Bruce Iacobelli, Borough Attorney Michael De Marco, Municipal Clerk Renate Elatab

**ABSENT:** Councilwoman Donna Puglisi

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, to follow Borough Attorney's advice by taking legal action and have Borough Attorney represent the Borough of North Haledon and file a notice of appeal. Borough Attorney will also prepare a court order to be executed by members of Company 2, who are entitled to LOSAP benefits per Judge Rothstadt's ruling, turning down LOSAP.

Mayor George reiterated that LOSAP had been approved and enacted to recruit and maintain active **emergency** personnel.



Mayor George advised that Sgt. Schottanes was retiring; his last day of work will be February 3<sup>rd</sup>, but he will not be off the books until October, and no one will be hired while he is still on the payroll.

**ADJOURNMENT**

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

Mayor George declared the meeting duly adjourned at 9:42 p.m.

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Renate Elatab, Municipal Clerk

Approved at Meeting of February 16<sup>th</sup>, 2011