



BOROUGH OF NORTH HALEDON

COUNCIL MEETING AGENDA

WEDNESDAY, OCTOBER 15, 2014

Mayor George read the OPMA notice into the record:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of October 15, 2014, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 6, 2014, and was advertised in said newspapers on January 19, 2014. These notices were posted on the bulletin board on the same date and have remained continuously posted as the required notices under the Statute. In addition, copies of these notices are and have been available to the public, and are on file in the office of the Municipal Clerk.

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

Msgr. Ed Kurtyka lead the prayer and Mayor George asked that everyone stand for the Pledge of Allegiance.

ROLL CALL

Present:

Mayor Randy George

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

Borough Attorney, Michael De Marco

Borough Engineer, Joseph Pomante

Fire Chief, A.J. Ricciardi

Police Chief, Robert Bracco

Deputy Borough Clerk, Dena Ploch

Renate Elatab, Municipal Clerk

Absent:

Councilwoman Donna Puglisi

PUBLIC COMMENTS

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

John Bleeker, 23 Lee Drive, disputed information regarding the money that former fire company no. 1 had spent on Christmas parties printed in a political letter Mayor George had written in May, and advised that he wanted a copy of the documentation, which the Mayor had received from the DCA. Mayor George showed him a copy of said documentation which had been filed by former fire company no. 1 with the DCA, and Mr. Bleeker contended that the information was incorrect. Mr. Bleeker also wanted to discuss health insurance for members of the Governing Body; the Borough Attorney advised that just because Mr. Bleeker was contending that he was not appealing the judge's decision, he had advised that he did not agree with the ruling, and this did not constitute a waiver, and this issue could not be discussed until the 30 days to make a motion to extend the deadline to file an appeal was over. Mr. Bleeker brought up the issue of his ethics complaint which was being heard by the North Haledon Ethics Board, and asked the Council to investigate the Ethics Board and find out what was taking so long; the Borough Attorney counseled the Mayor not to discuss this matter, and advised Mr. Bleeker that he was discussing a confidential matter.

Andrea Wilson, 1273 Belmont Avenue, complained about the loud noise condition from The Tides Estate as a result of the improvements made to the catering place. Mayor George advised that he had had discussions with Tito, who told him that they were going to get drapes to muffle the sound, and that they were still tweaking the sound system, and that the mayor believed that he should get a noise decibel reading machine. Mrs. Wilson advised that she would continue to call the police each time there was a noise complaint, and both Mayor George and Chief Bracco encouraged her to continue to do so.

Joe Sasso, 64 Feldman Terrace, advised that the Zoning Board will be hearing an application for a ATT cell tower in November. Mr. Sasso asked "when did Council meetings become Bleeker's meetings?" Mr. Sasso advised that he is "tired of coming to every meeting and listening to Mr. Bleeker, and then jamming in the rest of the agenda." He also advised that he believed that the fire house should stay there because it may be needed in the future.

Mayor George asked Officer Colleen Carver to thank the North Haledon DVERT team members for everything they do, and reminded her that in September he had issued a proclamation making October Domestic Violence Awareness Month in the Borough of North Haledon.

Sigi Bottero and George Rojas wanted to discuss their liquor license transfer application. **Michael De Marco stepped off the dais (8:40 p.m.)** Mayor George advised that Michael Pasquale would be representing the Borough in this matter, and that a Council meeting had to be scheduled when both Mr. Pasquale and the applicants' attorney could be present. Mayor George and the members of the Governing Body looked at their calendars, while a member of the public contacted Mr. Pasquale, and it was confirmed that a special meeting would be held on October 27th at 7:00 p.m. as long as the applicants had submitted all the necessary documents to Mr. Pasquale.

Motion by Councilman Marco, second by Councilman Galluccio, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Mr. De Marco returned to the dais at 8:52 p.m. Mayor George advised that since a Special Meeting was now scheduled for October 27th, the contract for the 2014 Road Improvement Project (with the bid opening on October 21) and the lease of the new Fire Chief's vehicle could be awarded at that time.

APPROVAL OF PRIOR MINUTES

Motion by Councilman Luisi, second by Councilman Dyer, to approve the minutes of the Work Session Meeting of September 3, 2014, the Regular Council Meeting of September 17, 2014, and the Work Session Meeting of October 1, 2014. Upon roll call, all members present voted in the affirmative. Motion carried.

OFFICIAL REPORTS

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

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

COMMITTEE REPORTS

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

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

RECREATION - **PUGLISI**

ZONING BOARD OF ADJUSTMENT - **PUGLISI**

NORTH HALEDON VOLUNTEER AMBULANCE - **DYER**

FINANCE - **DYER**

PLANNING BOARD - **MARCO**

BOARD OF EDUCATION / LOCAL - **LUISI**

BOARD OF EDUCATION / REGIONAL – **GALLUCCIO**

BOARD OF HEALTH - **GALLUCCIO**

FIRE & WATER – **LUISI**

**ENGINEERING - DYER
CODIFICATION ADHOC COMMITTEE REPORT - PUGLISI**

LIBRARY - MAYOR GEORGE

Motion by Councilman Dyer, second by Councilman Galluccio, to dispense with all reports, and 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.

Since Councilwoman Puglisi was absent, Mayor George announced that the PBA was sponsoring a beefsteak fund-raiser and advised that the Municipal Clerk had tickets for sale for those interested in attending the event.

COMMUNICATIONS

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

State of New Jersey	Re: Best Practices Worksheet CY 2014
NH Board of Health	Re: Salary of Borough Nurse
NH Free Public Library	Re: Request for Refund
DPW Foreman	Re: Uniforms
AFSCME	Re: DPW Contract Negotiations
NH Fire Chief	Re: Equipment for Old and New Vehicle
Fuchs EMS	Re: Letter Submitted by Chief R. Flaker
Andrea Wilson	Re: Updating Noise Ordinance
Sokol, Behot & Fiorenzo	Re: Bleeker v. Borough of North Haledon (confidential)
Buglione, Hutton & DeYoe	Re: Sasso v. North Haledon Planning Bd (confidential)
Borough Attorney	Re: PBA Negotiations (confidential)

Motion by Councilman Luisi, second by Councilman Marco, that above 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

Ordinance #20-2014 Re: **AMENDING CHAPTER 20 / PERSONNEL**

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

The Clerk presented the following ordinance:

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

TO AMEND CHAPTER 20, 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. Chapter 20, Personnel Policies, shall be amended as follows:

- (1) §20-1C. It is the responsibility of each employee to notify his or her department head and the Borough Administrator without delay if he or she will be absent from or delayed in reaching his or her assigned post. Failure to report when absent is a serious offense which cannot be tolerated and may lead to disciplinary action or dismissal by the Borough Council.
- (2) §20-16C. All such vacation leaves shall be taken at a time approved by the department head, and in the case of department heads, with the approval of the Borough Administrator. The Borough Administrator shall be notified in advance of all such vacation leaves.

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

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

Motion by Councilman Dyer, second by Councilman Marco, 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 wished to speak, motion by Councilman Galluccio, second by Councilman Luisi, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Motion by Councilman Dyer, second by Councilman Luisi, that Ordinance #20-2014 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #20-2014 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 #21-2014

Re: **REPEALING §110-22
DISPOSAL OF PAINT CANS**

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

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH HALEDON TO REPEAL §110-22**

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

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

- (1) §110-22 of the Code of the Borough of North Haledon is hereby repealed.

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

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

Motion by Councilman Galluccio, second by Councilman Marco, 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 wished to speak, motion by Councilman Luisi, second by Councilman Galluccio, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Motion by Councilman Luisi, second by Dyer, that Ordinance #21-2014 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #21-2014 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 #22-2014

Re: **ADOPTION OF CODE BOOK**

Motion by Councilman Dyer, second by Councilman Melone, 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 ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE BOROUGH OF NORTH HALEDON, COUNTY OF PASSAIC, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES

BE IT ORDAINED AND ENACTED by the Mayor and Council of the Borough of North Haledon, County of Passaic, State of New Jersey, as follows:

§ 1-1. Adoption of Code.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Borough of North Haledon of a general and permanent nature adopted by the Mayor and Council of the Borough of North Haledon, as revised, codified and consolidated into chapters and sections by General Code, and consisting of Chapters 1 through 600, together with an Appendix, are hereby approved, adopted, ordained and enacted as the “Code of the Borough of North Haledon,” hereinafter known and referred to as the “Code.”

§ 1-2. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

§ 1-3. When effective.

This ordinance shall take effect immediately upon passage and publication according to law.

§ 1-4. Copy of Code on file.

A copy of the Code in loose-leaf form has been filed in the office of the Borough Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Borough of North Haledon by impressing thereon the Seal of the Borough, as provided by law, and such certified copy shall remain on file in the office of the Clerk of the Borough, to be made available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-5. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the “Code of the Borough of North Haledon” shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

§ 1-6. Publication; filing.

The Clerk of the Borough of North Haledon, pursuant to law, shall cause this Adopting Ordinance to be published, in the manner required, in a newspaper of general circulation in the Borough. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-7. Code book to be kept up-to-date.

It shall be the duty of the Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the book containing the Code required to be filed in his or her office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

§ 1-8. Sale of Code book.

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk, or an authorized agent of the Borough (General Code), upon the payment of a fee authorized by the Borough. The Clerk shall also arrange for procedures for the periodic supplementation of the Code.

§ 1-9. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Borough of North Haledon to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to one or more of the following: a fine of not more than \$1,250, imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

§ 1-10. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-11. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-12. Inconsistent ordinances repealed.

- A. Except as provided in § 1-13, Ordinances saved from repeal, below, all ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Borough of North Haledon which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

B. Repeal of specific ordinances. The Mayor and Council of the Borough of North Haledon has determined that the following ordinances are no longer in effect and hereby specifically repeals the following legislation:

- (1) Former Chapter 49, Car Washes, of the 1990 Code.
- (2) Former Chapter 101, Library, of the 1990 Code.
- (3) Former Chapter 124, Peace and Good Order, Art. I, of the 1990 Code.

§ 1-13. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-12 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to August 6, 2014.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Borough's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.

§ 1-14. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the Mayor and Council that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.
- B. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)
- C. Nomenclature changes. Throughout Chapter 538, Swimming Pools, and Chapter 600, Zoning, "Building Inspector" is changed to "Construction Official."
- D. In accordance with Ord. No. 5-2008, adopted 7-16-2008, the Code has been revised to be gender-neutral.

Motion by Councilman Dyer, second by Councilman 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 wished to speak, motion by Councilman Luisi, second by Councilman Dyer, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Motion by Councilman Melone, second by Councilman Luisi, that Ordinance #22-2014 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #22-2014 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.

NEW BUSINESS / ORDINANCES / RESOLUTIONS

Ordinance #23-2014

Re: REVISING CHAPTER 107 / POLICE

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

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH HALEDON TO REVISE CHAPTER 107, POLICE**

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

Section 1. **Chapter 107, Police Department**, shall be amended to read as follows:

§107-1. Establishment

There is hereby established a Police Department of the Borough of North Haledon, in the County of Passaic and State of New Jersey and shall be known as the North Haledon Police Department.

§107-2. Composition

The North Haledon Police Department shall consist of a Chief and such Captains, Lieutenants Sergeants, police officer, civilian dispatchers, other civilian and clerical assistants as may be determined to be needed by the Mayor and Council.

§107-3. Purpose of the Police Department

The North Haledon Police Department shall preserve the public peace; protect life and property; detect, arrest and prosecute offenders of the laws of New Jersey and the ordinances of the Borough of North Haledon; direct and control traffic; provide attendance and protection during emergencies; make appearances in court; cooperate with all other law enforcement agencies; and provide training for the efficiency of its members.

§107-4. Designation of Appropriate Authority

In accordance with N.J.S.A. 40A:14-118, the Mayor and Council are hereby designated as the appropriate authority and are hereby vested with the powers and duties of an appropriate authority as delegated by law.

§107-5. Duties of Chief of Police

- A. It shall be the duty of the Chief of Police to cause the public peace to be preserved and to see to it that all laws and ordinances effective in the borough are enforced and whenever any violation thereof shall come to his knowledge or be reported to him, he shall cause the requisite complaint to be made and see that evidence is procured for the successful prosecution of the offender or offenders.
- B. He shall cause the police officers under him to obey the police rules prescribed by the Police Committee and see that they perform their duties promptly efficiently and faithfully.
- C. He shall in case of tumult riot insurrection or threatenings thereof take command in person of the police officers and direct their movements and operations in the discharge of their respective duties
- D. He shall cause to be kept and made all such records registers books and reports concerning the affairs property and operations of the Department as may be prescribed by and in the manner and at the times required by the police rules
- E. He shall by order determine the beats tours and nature of duty of the patrolmen with such special instructions, as he may deem proper.
- F. All details of importance to the Police Department for any special or particular duty or service shall be made by the Chief of Police or pursuant to his order.

- G. At the end of each year the Chief of Police shall cause to be made out and presented to the Mayor and Council at its first regular meeting thereafter a report of the operations of the Department during the year with such statistics and suggestions as he may deem advisable concerning the government and discipline of the force.

§107-6. Police Committee

- A. The Mayor and Council shall appoint a Police Committee to consist of three (3) Councilmen who shall be responsible for the supervision of the Police Department. In making the appointments each year the Mayor and Council shall designate one (1) member of Police Committee as the Police Commissioner who shall serve as the Chairman of the Police Committee
- B. The Police Committee shall formulate policies to be implemented in the Police Department and shall from time to time meet with the Police Chief to receive his reports and recommendations concerning policies to be implemented.
- C. The Chief of Police shall implement the policies of the Police Committee and the Governing Body and shall be in charge of the day-to-day operations of the Department members and property subject to the direction of the Mayor and Council and the Police Committee. In the absence of the Police Chief the Police Commissioner shall designate a qualified member of the Police Department to serve as Acting Chief during the absence or disability of the Police Chief.

§107-7. Duties and Responsibilities of Personnel

The duties and responsibilities of the employees of the North Haledon Police Department shall be those set forth by law and as prescribed by the Department's Written Directive System established by the Chief of Police.

§107-8. Outside Employment

Full time members of the Police Department shall not engage in any business or occupation except upon application to the Chief of Police. In determining whether to permit other employment of a full time member of the Police Department, the Chief of Police shall provide a form of application and shall consider the nature and extent of outside employment and whether it would interfere with the performance of duties by the police officer as required of them by the Department.

§107-9. Appointments and Promotions

All appointments to and promotions in the Police Department shall be by the Mayor and Council.

§107.10. Method for Appointment Promotion to Sergeant

- A. This section shall provide the procedures to be utilized for the appointment of police officers to the Police Department of the Borough of North Haledon and shall further provide the procedures to be utilized for the promotion of police officers to the position of Sergeant in the Police Department of the Borough of North Haledon.

- B. Each candidate for appointment to the Police Department shall have the qualifications required by the provisions of the statutes of the State of New Jersey and shall have the further following qualifications:
1. Be a citizen of the United States and a resident of the State of New Jersey;
 2. Be between the ages of eighteen 18 and thirty-five 35 years of age;
 3. Be a high school graduate or equivalent;
 4. Shall have a height and weight appropriate to the performance of the duties of a police officer;
 5. Be of good reputation and sound moral character and not convicted of any criminal offense;
 6. Be a holder of a valid New Jersey driver s license;
 7. Be able to read write and speak the English language well and intelligently;
 8. If discharged from military service must have an honorable discharge or separation
 9. Must as an applicant supply a certified copy of the following documents to be submitted with his application
 - a. High school diploma or equivalency certificate;
 - b. Birth certificate;
 - c. Doctor s certificate that the applicant is physically able to take vigorous physical or gymnastic examination;
 - d. Authority to obtain information;
 - e. Military discharge or separation papers, if applicable.
- C. All candidates for promotion to the position of Sergeant shall have those qualifications required by the state statutes of the State of New Jersey and shall submit to such examination as is provided by the within chapter.
- D. All candidates for appointment to the Police Department shall complete such application as shall be required by the Police Committee Those applicants who meet the qualifications provided by statute shall be permitted to take a written examination at a time prescribed by the Police Committee and as administered by the New Jersey Chiefs of Police Association Upon the completion of the written tests the Chiefs of Police Committee shall advise the Police Committee of the names and score of all applicants

Any applicant who has failed to attain a grade of seventy five percent 75% or better shall be disqualified from further participation in the testing and appointive process Those applicants who have attained a score of seventy five percent 75% or better shall be subject to a medical examination to be conducted by the North Haledon police physician or such other physician as has been selected by the Police Committee.

- E. Those applicants who have attained a passing grade on the written examination and have passed the medical examination shall then be subject to an oral evaluation and selection process to be conducted by the Police Committee They shall be interviewed at a time designated by the Police Committee for an oral evaluation. The members of the Police Committee together with the Chief of Police shall participate in the oral evaluation and they shall make such inquiries of the applicant as in the opinion of the Police Committee are relevant for the purpose of evaluating the relative merit and fitness of the applicants. In conducting the oral evaluation and selection the Police Committee shall use the following selection criteria
1. Their evaluation of the responses and demeanor of the applicant during the oral interview.
 2. The relative seniority of the applicants.
 3. A review of the personnel file and the past performance of the applicant in the case of an application for promotion the recommendation of the Chief of Police the test scores of the written examination and the impression and opinion of the Police Committee of the relative capacity competence and fitness of each applicant Upon the completion of the oral evaluation process the Police Committee shall make an evaluation of the several candidates and shall make a recommendation to the entire Mayor and Council as to the person or persons whom they recommend for appointment or promotion as the case may be In evaluating the respective candidates for promotion the Police Committee shall give due consideration to all of the criteria provided in the chapter to length and merit of service and where it is determined that more than one (1) applicant is equal in length and merit of service, preference shall be given according to seniority in service. In the event that the Police Committee determines that an applicant for promotion has superior merit and qualification and capacity to assume command responsibilities the Police Committee may recommend such person for promotion notwithstanding that such person is junior in seniority in service to other applicants.
- F. Before the Mayor and Council shall give consideration to the appointment or promotion of the person recommended by the Police Committee such person shall undergo a psychological test and evaluation by a psychologist selected by the Police Committee.
- G. The Mayor and Council shall give due consideration to the recommendation of the Police Committee and the results of the psychological testing and evaluation and shall in the exercise of its sound discretion make an appropriate appointment In exercising its sound

discretion the Mayor and Council shall not be bound by the recommendation of the Police Committee and may make the appointment based upon its determination of the most suitable of the applicants who have passed the written test and completed the evaluation process.

- H. In connection with applications for appointment as police officers the Chief of Police shall administer appropriate physical tests to determine the physical capacity of the applicant to perform the duties of a police officer. The physical test shall be administered only to those of the applicants who have passed the written test as hereinabove provided Any applicant who fails the physical test shall not be permitted to further participate in the examination and selection process.
- I. Upon completion of the written tests a list shall be maintained by the Police Committee of all applicants who passed the test. The list shall be maintained listing the name of the applicant and the grade received by each applicant and shall be listed in accordance with the numerical score on the test. A separate test list shall be maintained for each rank. The list shall be dated by the Police Committee as of the date of its preparation and the list shall be valid and remain in effect for a period of thirty six 36 months therefrom In any appointive process for the indicated rank within a period of thirty six 36 months from the date of the list the written list shall be used for the written test procedures and no further written testing shall be required while the list is in effect.
- J. The governing body may directly appoint to the Police Department without the necessity of any written examination any person who is then presently serving as a Special Law Enforcement Officer and who has received a Class II Certification or PTC Certification no longer than two 2 years prior to the date of application Such direct appointment shall be permitted notwithstanding the existence of an eighteen 18 month list or at thirty six 36 month list as heretofore provided in the Ordinances of the Borough of North Haledon and such provisions are expressly declared to be subordinate to the provisions of this subsection.

§107-11. Rules and Regulations

The appropriate authority shall, from time to time as may be necessary, adopt and amend the rules and regulations for the government and discipline of the Police Department and employees thereof. Said rules and regulations may fix and provide for the enforcement of such rules and regulations and the enforcement of penalties for the violation of such rules and regulations. All employees of the Police Department shall be subject to such rules and regulations and penalties.

§107-12. Disciplinary Proceedings

All disciplinary proceedings shall be in accordance with the requirements of statute.

§107-13. Reserved

§107-14. Collective Bargaining

The governing body shall be authorized from time to time to enter into collective bargaining agreements with the eligible members of the Police Department. No provisions shall be in derogation of any ordinance of the borough nor any state statute.

§107-15. Probationary Period

All appointees to the Police Department shall serve a one year probationary period. During the one year period no probationary appointee shall acquire any tenured rights.

§107-16. Special Law Enforcement Officers

A. Definitions: The definitions which are set forth in the Special Law Enforcement Officers Act supplementing Chapter 14 of Title 40A of the New Jersey Statutes are hereby incorporated by reference as if fully set forth herein

B. Appointments and qualifications

1. No person may be appointed as a special law enforcement officer unless the person:
 - a. Is a resident of this state during the term of appointment;
 - b. Is able to read write and speak the English language well and intelligently and has a high school diploma or its equivalent;
 - c. Is sound in body and of good health;
 - d. Is of good moral character;
 - e. Has not been convicted of any offense involving dishonesty or which would make him unfit to perform the duties of his office;
 - f. Has successfully undergone the same psychological testing that is required of all full time police officers if any.
2. Every applicant for the position of special law enforcement officer appointed shall have fingerprints taken which fingerprints shall be filed with the Division of State Police and the Federal Bureau of Investigation.
3. No person appointed to serve as a special law enforcement officer shall be permitted to serve as such in any other local unit nor shall any permanent regularly appointed full time police officer of any local unit be appointed as a special law enforcement officer in any local unit. No public official with responsibility for setting law enforcement policy or exercising authority over the budget of the borough or supervision of the Police Department shall be appointed as a special law enforcement officer.

4. Before any special law enforcement officer is appointed the Chief of Police or in the absence of the Chief other chief law enforcement officer of the borough shall ascertain the eligibility and qualifications of the applicant and report these determinations in writing to the borough.
5. Any person who at any time prior to his appointment had served as a duly qualified fully trained full time officer in any municipality of this state and who was separated from that prior service in good standing shall be eligible to serve as a special law enforcement officer consistent with guidelines promulgated by the Commission and state statutes.

C. Training and classifications

1. No person may commence his duties as a special law enforcement officer unless he has successfully completed a training course approved by the Police Training Commission and no special law enforcement officer may be issued a firearm unless he has successfully completed the basic firearms course approved by the Police Training Commission for permanent regularly appointed police and semiannual requalification examinations as required by state law. There shall be two 2 classifications for special police officers' training standards for each classification shall be prescribed by the Police Training Commission by rule or regulation training may be in a Police Training Commission approved academy or in any other training program which the Commission may determine appropriate. The classifications shall be based upon the duties to be performed by the special law enforcement officer as follows:
 - a. Class One Officers of this class shall be authorized to perform routine traffic detail spectator control and similar duties Class One officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses violations of municipal ordinances and violations of Title 39 of the Revised Statutes. The use of a firearm by an officer of this class is strictly prohibited and no Class One officer shall be assigned any duties, which may require the carrying or use of a firearm.
 - b. Class Two Officers of this class shall be authorized to exercise full powers and duties similar to those of a permanent regularly appointed full time police officer. The use of a firearm by an officer of this class may be authorized only after the officer has been fully certified as successfully completing training as prescribed by the Police Training Commission.

D. Uniforms

1. Every special law enforcement officer prior to the commencement of his duties shall be furnished with a uniform, which shall identify the officer's function. The uniform shall include a hat and appropriate badges, which shall bear an identification number or nametag and the name of the borough. The uniform shall also include an insignia approved by the Police Training Commission, which

clearly indicates the officer's status as a special law enforcement officer and the type of certification issued pursuant to state law. All special law enforcement officers prior to the commencement of duties shall be in uniform properly displaying the appropriate insignia.

E. Fees

1. Each special law enforcement officer shall pay a fee as shall be fixed from time to time by resolution of the governing body for equipment and uniforms supplied by the governing body. Special law enforcement officers shall not be compensated for time spent in training.

F. Terms; firearms public safety duties supervision rules and regulations

1. Special law enforcement officers may be appointed for terms not to exceed one 1 year and the appointments may be revoked for cause after adequate hearing unless the appointment is for four 4 months or less in which event the appointment may be revoked without cause or hearing. Nothing herein shall be construed to require reappointment upon the expiration of the term. The special law enforcement officers so appointed shall not be members of the police force of the borough and their powers and duties as determined pursuant to this chapter shall cease at the expiration of the term for which appointed.
2. No special law enforcement officer may carry a firearm except while engaged in the actual performance of the officer's official duties and when specifically authorized by the Chief of Police or in the absence of the Chief other chief law enforcement officer of the borough to carry a firearm and provided that the officer has satisfactorily completed the basic firearms course required by the Police Training Commission for regular police officers and semiannual requalification examinations as required for permanent regularly appointed full time officers in the borough. A special law enforcement officer shall be deemed to be on duty while he is performing the public safety functions on behalf of the borough pursuant to this chapter and state statutes and when he is receiving compensation if any from the borough at the rates or stipends as may be established by ordinance. A special law enforcement officer shall not be deemed to be on duty for purposes of this chapter while performing private security duties for private employers, which duties are not assigned by the Chief of Police or in the absence of the Chief other chief law enforcement officer of the borough or while receiving compensation for those duties from a private employer. A special law enforcement officer may however be assigned by the Chief of Police or in the absence of the Chief other chief law enforcement officer to perform public safety functions for a private entity if the Chief of Police or other chief law enforcement officer supervises the performance of the public safety functions. If the Chief of Police or other chief law enforcement officer assigns the public safety duties and supervises the performance of those duties then notwithstanding that the borough is reimbursed for the cost of assigning a special law enforcement officer at a

private entity the special law enforcement officer shall be deemed to be on duty. Any firearm utilized by a special law enforcement officer shall be returned at the end of the officer's workday to the officer in charge of the stationhouse unless the firearm is owned by the special law enforcement officer and was acquired in compliance with a condition of employment established by the borough. No such special officer shall carry a revolver or similar weapon when off duty.

3. A special law enforcement officer shall be under the supervision and direction of the Chief of Police or in the absence of the Chief other chief law enforcement officer of the Borough and shall perform his duties only in the borough unless in fresh pursuit of any person pursuant to Chapter 156 of Title 2A of the New Jersey Statutes.
4. The officer shall comply with the rules and regulations applicable to the conduct and decorum of the permanent regularly appointed police officers of the borough as well as any rules and regulations applicable to the conduct and decorum of special law enforcement officers.

G. Authorization to exercise certain powers subject to limitations

1. The Chief of Police or in the absence of the Chief other chief law enforcement officer of the borough may authorize law special enforcement officers when on duty to exercise the same powers and authority as permanent regularly appointed police officers of the borough including but not limited to the carrying of firearms and the power of arrest subject to the ordinances of the borough governing the Police Department subject to the rules and regulations of the Police Department and consistent with the certification and other requirements of the Special Law Enforcement Officers Act.

H. Hours

1. Except as provided in Subsection H 3 of this section no special law enforcement officer may be employed for more than twenty 20 hours per week by the borough except that special law enforcement officers may be employed by the borough for those hours as the governing body may determine necessary in accordance with the limits prescribed below.
 - a. Without limitation as to hours during periods of emergency.
 - b. In addition to not more than twenty 20 hours per week including duties assigned pursuant to the provisions of Section 2-46F of this chapter a special law enforcement officer may be assigned for not more than twenty 20 hours per week to provide public safety and law enforcement services to a public entity.

- c. As provided in Subsection F 2 of this section² for hours to be determined at the direction of the Chief of Police.
2. Notwithstanding any provision of this chapter to the contrary special law enforcement officers may be employed only to assist the law enforcement unit but may not be employed to replace or substitute for full time regular police officers or in any way diminish the number of full time officers employed by the borough.
3. The borough may designate one 1 special law enforcement officer to whom the limitations on hours employed set forth in Subsection H of this section shall not be applicable.

I. Limitations

1. The following limitations upon the number and category of special law enforcement officers, which may be employed, shall apply:
 - a. Class One - Ten 10.
 - b. Class Two - Five 5.

J. Residence

1. Special law enforcement officers shall not be required to maintain their residence in the Borough of North Haledon.

K. Assignment at private entities

1. In addition to performing public safety functions on behalf of the borough a special law enforcement officer may be assigned by the Chief of Police or in the absence of^{4e} the Chief other chief law enforcement officer to perform public safety functions for a private entity if the Chief of Police or other chief law enforcement officer supervises performance of the public safety functions notwithstanding that the borough is reimbursed for the cost of assigning a special law enforcement officer at a private entity. Such officer shall be deemed to be on duty under such circumstances as an employee of the borough and shall be paid directly by the borough. In no event shall such officer be paid directly by the private entity. In no event shall a special law enforcement officer be assigned to perform public safety functions for a private entity unless the private entity prior to such assignment provides a certificate of insurance acceptable to the borough for liability insurance in an amount of not less than one million dollars 1,000,000.00 naming the special law enforcement officer as an additional insured and agrees to pay the borough the fee required as provided in Chapter 69 Fees.
2. Upon the determination by the Chief to make an assignment pursuant to the authority of the within section the Chief shall for administrative purpose submit a

written report to the Borough Administrator indicating the name of the officer assigned the date and times the location of the assignment and the company or person requesting the assignment.

3. Private entities, upon receipt of time sheets for work performed by a special law enforcement officer shall immediately issue a check payable to the Borough of North Haledon to reimburse the borough for said assignment in accordance with Chapter 69 Fees and the Borough Treasurer shall immediately upon receipt of said check include the hours of work performed for payroll purposes in the next scheduled payroll.

§107-17.(Reserved)

§107-18. Eligibility for Promotion

No member of the Police Department shall be eligible for promotion to a position as an officer until he shall have served three 3 years as a regular patrolman.

§107-19. Appointments Based on Competitive Examinations

The aforesaid written oral and physical examinations shall where more than one (1) candidate applies for appointment at the same time be competitive as between said applicants and appointments shall be made from among those who have successfully passed the examination

§107-20. Oath of Office

Every member of the Police Department before entering upon the performance of his duties shall take and subscribe an oath or affirmation to bear true faith and allegiance to the government established in this state under the authority of the People to support the Constitution of the State of New Jersey and to faithfully impartially and justly discharge and perform all the duties of his office which oath or affirmation shall be filed with the Borough Clerk.

107-21.(Reserved)

107-22. Detective Bureau

The Detective Bureau shall consist of those members of the Police Department who have been so assigned by the Police Chief.

§107-23. Appointment of Candidates From Other Law Enforcement Agencies

The governing body may directly appoint to the Police Department without the necessity of submitting to any written examination any person who is then presently serving as a full time police officer with any other municipal county or state police department or law enforcement agency or who is a graduate of a police academy specifically dedicated to training of full time police officers No written test shall be required of such person except that the governing body in its discretion may require of such person compliance with such provisions of Section 2 40 of the North Haledon Code as the governing body deems appropriate.

§107-24.1. Fees

A fee schedule as provided in Chapter 69 Fees is hereby provided

§107-24.2. Medical Insurance Supplemental Payments

- A. When a retired employee is seeking to have his or her medical insurance premium supplemented by payments from the Borough the retired employee shall be required to prepare and submit documentation as hereinafter provided.
1. A letter specifically requesting the payment to be received which letter shall be submitted to the governing body no later than forty five 45 days prior to December 1 of the year of the expected payment The letter must indicate the address to which the check is to be sent.
 2. If the retiree is not employed the retiree shall submit a signed and witnessed affidavit stating that the retiree is not employed and has not been employed during the year for which the requested payment is made.
 3. Copies of the retiree's W 2 forms are to be submitted. If the retiree contends that he or she did not receive any W 2 forms the retiree shall submit a signed and witnessed affidavit to that effect.
 4. If the retiree is employed the retiree shall submit a signed and witnessed affidavit from the retiree employer which shall indicate the fact of employment the time of employment the nature of the employment and a detailed description of the type and extent of benefits of medical insurance which is provided by the employer to the retiree or in the event that there is no medical insurance a statement similarly in affidavit form from the employer and the retiree that the employer does not provide medical insurance benefits to the retiree and further that the retiree did not waive his or her rights to any medical insurance coverage nor did the retiree bargain for medical insurance benefits of the employer less than those benefits generally available to employees of the employer.
 5. If any other member of the family of the retiree has medical insurance coverage, which includes the retiree, a copy of that policy shall be submitted.
 6. If a retiree is engaged in a business or commercial activity in which the retiree has a proprietary interest of any kind the retiree shall provide a statement describing the business or activity and the retiree s relationship thereto.
 7. In the event that any further information is required by the governing body in order to determine eligibility no check shall issue until the information is furnished to the governing body.
 8. Upon review of the request for payment and upon satisfactory submission of any further information requested by the governing body and upon a determination by the governing body that the retiree is entitled to the requested supplemental payment the governing body shall by formal resolution approve the request for supplemental payment and a check shall be remitted to the retiree pursuant to and in accordance with the determination made by resolution of the governing body.

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

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

Motion by Councilman Dyer, second by Councilman Luisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on November 5, 2014, at 8:00 p.m. or as soon thereafter as the matter can be reached by the Mayor and Council, and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with the law. Upon roll call, all members present voted in the affirmative. Motion carried.

RESOLUTION CA#11-2014

Re: Consent Agenda #11-2014

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

The Clerk presented the following resolution:

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

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

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 of Raffle License(s)
2. Approval of Bingo License
3. Replenishment of Postage Meter
4. Appointment / Part-time Dispatcher / Christopher R. Miras
5. Ratification of Check / Tahan / Ahnert Avenue
6. Approval / Change Order / PRM
7. Ratification of Check /Hudson Essex Passaic Soil Conservation
8. Authorization / Disbursement of Funds / Kara Homes
9. Approval / Grant Application / NJDOT / Ballentine Drive Road Improvements
10. Surplus Policy
11. Appointment/Full-time Temporary Leaf Collectors
12. Concurrence with Board of Health / Salary of Borough Nurse
13. Approval / Return of Remaining Balance of Library Check #1008 to North Haledon Free Public Library
14. Award of Contract / Commercial Recreation Specialists

Resolution #176-2014

**Re: Ratification of Check /
Tahan / Ahnert Avenue**

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that check #1542 in the amount of \$481.50, dated September 19, 2014, drawn to the order of Mark Tahan, be hereby ratified; and

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

CERTIFICATION

I, Laura Leibowitz, CFO/Treasurer of the Borough of North Haledon, do hereby certify that funds were available for the aforementioned in General Capital Buildings and Grounds.

Resolution #177-2014

Re: Approval / Change Order / PRM

WHEREAS the Borough Council of the Borough of North Haledon awarded a contract to New Prince Concrete Construction for the 2013 Road Improvement Program via Resolution #258-2013, dated December 11, 2013, in the amount of \$574,400.56; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Board of Council of the Borough of North Haledon that Change Order No. 1 is hereby authorized in the amount of -\$23,068.63 for a combined total contract of \$551,331.93.

Resolution #178-2014

**Re: Ratification of Check /
Hudson Essex Passaic Soil Conservation**

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that check #1541 in the amount of \$775.00, dated September 19, 2014, drawn to the order of Hudson Essex Passaic Soil Conservation, be hereby ratified; and

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

CERTIFICATION

I, Laura Leibowitz, CFO/Treasurer of the Borough of North Haledon, do hereby certify that funds were available for the aforementioned in 2014 Capital Road Program.

Resolution #179-2014

**Re: Authorization / Disbursement of Funds /
Kara Homes**

WHEREAS, Kara at North Haledon, LLC ("Kara") previously posted a cash bond with the Borough of North Haledon, which is in the current amount of \$21, 146.23; and

WHEREAS, the Borough of North Haledon has been authorized to retain the aforementioned cash bond of \$21,146.23 by the attorney for the re-organized debtors of Kara to

reimburse the Borough of North Haledon for costs incurred in connection with remediating certain defaults of Kara of the terms of the Developer's Agreement between Kara and the Borough of North Haledon; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Council of the Borough of North Haledon that it hereby approves the retention of Kara's cash bond in the amount of \$21,146.23 and the Borough's Chief Financial Officer is hereby authorized to take all necessary and appropriate actions to effectuate the same.

Resolution #180-2014

Re: Approval / Grant Application / NJDOT / Ballentine Drive Road Improvements

NOW, THEREFORE BE IT RESOLVED, that the Council of North Haledon formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015 - Ballentine Drive Improvements - 00504 to the New Jersey Department of Transportation on behalf of Borough of North Haledon.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of North Haledon, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution #181-2014

Re: Surplus Policy

WHEREAS, the Borough of North Haledon has had an average surplus of \$889,038 for the past five years; and

WHEREAS, the Borough of North Haledon has utilized an average of \$732,695 in the succeeding year's budget for the past five years; and

WHEREAS, the average unused surplus balance for the past five years is \$156,343; and

WHEREAS, the policy of the Borough of North Haledon has been to leave at least \$156,000 of surplus for the succeeding year;

NOW, THEREFORE, BE IT RESOLVED that the Borough of North Haledon will try to increase the surplus balance to \$200,000 in future years.

Resolution #182-2014

Re: Appointment / Full-Time Temporary Leaf Collectors

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that the following individuals be employed as temporary full time employees for the Department of Public Works, retroactive October 21, 2014, salary in accordance with the Salary and Wages Ordinance for 2014.

James Cooley
Jim Greig

21 Garden Terrace
615 High Mountain Rd.

North Arlington N.J. 07031
North Haledon, NJ 07508

Resolution #183-2014

Re: Concurrence with NH Board of Health / Salary of Borough Nurse

WHEREAS, on September 22, 2014, the North Haledon Board of Health voted to pay the new Borough Nurse, Carla Rizzo-Parenta, the same salary as the former Borough Nurse, Amelia Bertelloni,

NOW, THEREFORE, BE IT RESOLVED by the Board of Council of the Borough of North Haledon to concur with the recommendation of the North Haledon Board of Health that the new Borough Nurse be paid the same salary as the former Borough Nurse, salary in accordance with the Salary and Wages Ordinance for 2014.

Resolution #184-2014

Re: Approval / Return of Balance / NH Public Library Check No. 1008 to NH Public Library

WHEREAS, on September 4, 2013, as per Ordinance #14-2013, the North Haledon Free Public Library remitted a check in the amount of \$39,000 for the construction of a new front entranceway at the Library; and

WHEREAS, the North Haledon Public Library by letter dated September 26, 2014 has advised that the Board of Library Trustees is in the process of re-evaluating plans for improvements to the Library; and

WHEREAS, in the same letter dated September 26, 2014, the Board of Library Trustees requested the return of the balance of the funds it had remitted, cognizant that \$157.00 would be deducted as Engineering fees; and

WHEREAS, the CFO has confirmed that there is a remaining balance of \$38,843.00;

NOW, THEREFORE, BE IT RESOLVED by the Board of Council of the Borough of North Haledon to return the remaining balance of \$38,843.00 to the North Haledon Public Library.

CERTIFICATION

I, Laura Leibowitz, CFO/Treasurer of the Borough of North Haledon, do hereby certify that funds were available for the aforementioned in General Capital Fund.

Resolution #185-2014

Re: Award of Contract / Commercial Recreation Specialists / Lightning Warning System

BE IT RESOLVED that the Municipal Clerk is hereby authorized to accept the proposal of Commercial Recreation Specialists, for the purchase of a Lightning Warning System, under New Jersey State Contract No. A81431, at the contract price of \$28,176.80.

BE IT FURTHER RESOLVED, that funds are available for the aforementioned as evidenced by Certification of 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 C-04-55-411-001-911.

CERTIFICATION OF AVAILABILITY OF FUNDS

Mayor George read the Certification of Availability of Funds into the record.

Resolution #186-2014

Re: Payment of Approved Claims

Mayor George read the resolution into the record.

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

2014 BILLS

CURRENT FUND-OTHER EXPENSES	\$ 143,420.94
GENERAL LEDGER.....	\$ 5,800.00

2014 BILLS

PREPAID BILLS - CURRENT FUND - OTHER EXPENSE.....	\$ 110,281.93
FEDERAL/STATE GRANT FUND.....	\$ 3,476.77
PREPAID FEDERAL STATE GRANT.....	\$ 2,500.00
TRUST FUND II.....	\$ 2,136.00
DOG LICENSE TRUST ACCOUNT.....	\$ 1,000.00
CAPITAL FUND.....	\$ 139,137.50
PREPAID MUNICIPAL ALLIANCE.....	\$ 126.00

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 \$355,927.47 paid in the month of September be approved.

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

DISCUSSION

Sustainable Jersey Certification – Bronze Status. Mayor George thanked the members of the North Haledon Green Team for working so hard to achieve bronze level certification. A luncheon to recognize this achievement will be held on November 18th in Atlantic City in connection with the New Jersey League of Municipalities.

Conversion of new Fire Chief’s vehicle and radio equipment & Request for Matching Funds. Bond Counsel confirmed that the Borough could purchase the equipment for the conversion of the new fire chief’s vehicle within the parameters of the 2014 bond ordinance. The Fire Chief confirmed that funds were available to cover the lease payments for the remainder of 2014.

Chief Ricciardi also submitted documents regarding his request for matching funds for the federal grant for purchase of self-contained breathing apparatus.

Lightning Warning System. Mayor George wrote a letter to the North Haledon Board of Education requesting permission to install a warning siren and strobe light on the roof of High Mountain School.

Health Insurance Benefits. Councilman Marco advised that he was “tired of the legal ping pong” and wanted to repeal Ordinance #11-1992, and that he was making a motion to have an ordinance drafted to no longer provide the mayor and council members with health insurance. There was no second. Mayor George advised that the Borough was still in pending litigation, and that this issue would be discussed after the 30 days to make a motion to extend the deadline for an appeal had passed. Councilman Luisi advised that he did not want this issue discussed because his attorney was not present and reiterated the issue of the possibility of Mr. Bleeker requesting an extension of the deadline to file an appeal. The Borough Attorney advised that this issue could be discussed at a future work session, and reiterated that if the Borough provides the New Jersey State Health Benefits Plan insurance to its employees, it cannot treat elected officials differently, and that he did not believe that he could draft an ordinance which contradicted the Appellate Division’s decision, and that he would consult with Mr. Fiorenzo, who had represented the Borough in this case. The Borough Attorney opined that due to pending litigation, it could be a legal liability to continue this discussion. Mayor George advised that he would speak to the attorneys and perhaps this issue could be discussed with both attorneys after the 30 days have elapsed.

Fire Chief’s Vehicle and Matching Funds for Federal Grant. Councilman Dyer expressed his concern that a new fire chief’s vehicle was getting priority over the purchase of air packs, and that he wanted to make sure that the Borough would not lose the grant. The Fire Chief explained that because the Assistant Fire Chief’s personal vehicle was not equipped with a radio system, he could not use it to respond to fire calls. He advised that he was not sure when the matching funds had to be received, and that he would provide that answer before the next council meeting.

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 9:33 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Meeting of December 3, 2014

