



BOROUGH OF NORTH HALEDON

COUNCIL MEETING AGENDA

WEDNESDAY, MARCH 18, 2015

Mayor George read the following statement:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of March 18, 2015, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 15, 2015, and was advertised in said newspapers on January 22, 2015. Said notice was posted on the bulletin board on the same date and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

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

Mayor George leads the prayer and asks that everyone remain standing for the Pledge of Allegiance.

ROLL CALL

Present:

Mayor Randy George

Council Members: Raymond Melone, Rocco Luisi, and Michael Galluccio

Borough Attorney, Michael De Marco

Borough Engineer, Joseph Pomante

Borough Planner, Michael Kauker

Deputy Municipal Clerk, Dena Ploch

Municipal Clerk, Renate Elatab

Absent:

Council Members: Robert Dyer, Donna Puglisi, and Dennis Marco

DEVIATION / RULES AND PROCEDURES / BY-LAWS OF COUNCIL

Motion by Council Member Luisi, second by Council Member Melone, to deviate from the regular order of business in order to congratulate Christian Rajkowski, and the members of the NJ Axemen for winning the AABC Jackie Robinson 9u Baseball World Series, and to discuss

the Borough's 2015 Open Space and Farmland Preservation Trust Fund application for the funding of lights on Field 4. Upon roll call, all members present voted in the affirmative. Motion carried.

Mayor George presented Christian Rajkowski with the following proclamation:

WHEREAS,

Christian Rajkowski is a key member of the New Jersey Axemen 9u baseball team; and

WHEREAS,

the talent of the New Jersey Axemen 9u baseball team gave them the opportunity to participate in the American Amateur Baseball Congress World Series in Brownsville, Texas in August 2014; and

WHEREAS,

the New Jersey Axemen 9u baseball team played eight games over six days in the American Amateur Baseball Congress World Series; and

WHEREAS,

the New Jersey Axemen 9u baseball team received a bye into the finals after they went undefeated in pool play; and

WHEREAS,

the New Jersey Axemen 9u baseball team won the American Amateur Baseball Congress World Series in Brownsville; and

WHEREAS,

Coaches Lou Colon, Coach Dan Gilligan, and Coach Glenn Polansky built an elite travel baseball team, while teaching players the nuances of the game of baseball, and developing their emotional and physical strength;

NOW, THEREFORE, BE IT PROCLAIMED

that I, Randy George, Mayor of the Borough of North Haledon, congratulate Christian Rajkowski and the other members of the New Jersey Axemen 9u baseball team, as well as their coaches, on becoming the first New Jersey team to win an American Amateur Baseball Congress title.

PUBLIC COMMENTS ON THE OPEN SPACE GRANT APPLICATION

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

The Borough Engineer advised that the lighting of Field 4 was a continuation in the Borough's efforts to upgrade its recreational fields. The lighting of Field 4 would increase the usability of Field 4. The Borough would be installing energy efficient lights, which would cost the Borough approximately \$1,800 annually.

David Spalt, 159 Overlook Avenue, expressed concern regarding the impact of the lights on the property owners surrounding the field, and wondered if the lights would shine into their bedrooms. The Borough Engineer reassured him that the lights would have a minimal impact on the properties. Mayor George emphasized that the games would not run late, since Field 4, unlike Field 1, is not Green Acres, and is a Little League field.

Bruce Iacobelli, 18 Sturr Street, inquired whether there would be a safety buffer so that the children would not run into the lights. The Borough Engineer advised that the lights in the field would have 8 foot padding on them. Mr. Iacobelli also inquired about the size and the location of the control panel. The Borough Engineer advised that the control panel would be located near the library and would be fenced in and have a roof.

Motion by Councilmember Luisi, second by Councilmember Melone, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

PUBLIC COMMENTS

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

Mr. Iacobelli, 18 Sturr Street, advised that he had been disturbed by an article in the press regarding the Manchester funding formula. He was distressed that property values were being discussed and that the Borough should continue to protect its taxpayers. Mayor George responded that the Borough of North Haledon should only pay to educate its children and that North Haledon should pay the least because it sends the least students. That this was a perfect example of why municipalities under 10,000 should not be forced to merge because no one should be forced to fund other municipalities services. Mayor George further advised that he has offered Haledon and Prospect Park a perfect option: if North Haledon were to leave the school district and enter into a send/receive agreement, Haledon and Prospect Park would receive additional state aid and get North Haledon's assets in the regional school district.

Motion by Councilmember Melone, second by Luisi, 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 Councilmember Melone, second by Councilmember Luisi, to approve the minutes of the executive committee meeting of January 21, 2015, the work session meeting of February 4, 2015, and the executive committee meeting of February 4, 2015. Upon roll call, all members present voted in the affirmative. Motion carried.

OFFICIAL REPORTS

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

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

Motion by Councilmember Melone, second by Councilmember Luisi, to waive the official reports. Upon roll call, all members present voted in the affirmative. Motion carried.

COMMITTEE REPORTS

POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292. Mayor George mentioned the NHEF/PTO 5K Rock and Run for Education and an Eastern Christian 5K run since the organizers were requesting traffic officers.

PUBLIC CELEBRATIONS. Mayor George reminded everyone of the Easter Egg Hunt, the National Day of Prayer, and the Memorial Day celebration on May 24th.

Motion by Councilmember Melone, second by Councilmember Luisi, that the 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:

Ordinance	Re: Vehicles and Traffic (Snow Removal)
Resolution	Re: Authorization / Settlement / Tax Appeals
Resolution	Re: Rules and Regulations / Care of Individuals with Disabilities
Resolution	Re: Authorization / Ratification of Check
Resolution	Re: Voiding of Check
Resolution	Re: Extending Contract / Recycling
Resolution	Re: Authorization / Application / Tonnage Grant
Resolution	Re: Library Monthly Remittances
Resolution	Re: March Transfers
Resolution	Re: Temporary Budget

NEW BUSINESS / ORDINANCE / RESOLUTIONS

Ordinance #8-2015

Re: Snow Plowing

Motion by Councilmember Melone, second by Councilmember Galluccio, 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 169, VEHICLES AND TRAFFIC

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 169-4 shall be and hereby is revised, amended and supplemented as follows:

- A. “§169-4 State of Emergency” shall amended to “§169-4(a) State of Emergency”
- B. In §169-4(a) the following shall be deleted: “except, whenever snow has fallen and the accumulation is such that it covers the streets, an emergency shall exist, and no vehicle shall be parked on streets in the entire Borough until such time the snow has ceased and the streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic. In the case of snow emergency, permanent-type signs shall be posted prohibiting parking temporarily for plowing.”
- C. §169-4(b) “Interference With Snow Plowing Activity Prohibited” shall be added and shall read as follows: “No vehicle shall be parked on any street in the entire Borough of North Haledon so as to interfere with snow plowing activities conducted by, on behalf of, or at the direction of the Borough of North Haledon.

Section 2.

All other parts or provisions of Chapter 169 of the Code of the Borough of North Haledon or any other ordinance or regulation not specifically amended by this Ordinance shall remain in full force and effect.

Section 3.

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

Motion by Councilmember Melone, second by Councilmember Galluccio, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on April 15, 2015, at 8:00 p.m. or as soon thereafter as the matter can be reached by the Mayor and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with law. Upon roll call, all members present voted in the affirmative. Motion carried.

RESOLUTION CA#4-2015

Re: Consent Agenda #4-2015

Motion by Councilmember Galluccio, second by Councilmember Melone, that the Clerk reads the resolution by title and waive the reading of the resolution in full. Upon roll call, all members present voted in the affirmative. Motion carried.

The Clerk presented the following resolution:

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

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

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

- #70-2015 Voiding of Check / Battaglia Excavation
- #71-2015 Authorization / Settlement / Tax Appeal / Beljal Realty
- #72-2015 Authorization / Settlement / Tax Appeal / Ttenroc Properties
- #73-2015 Authorization / Settlement / Tax Appeal / High Mountain Realty Group, LLC
- #74-2015 Authorization / Settlement / Tax Appeal / Sicomac Realty, LLC
- #75-2015 Authorization / Settlement / Tax Appeal / Anthony DeNova
- #76-2015 Support / A-1109
- #77-2015 Authorization / Ratification of Check #1145 / DeCotiis
- #78-2015 Extending Contract / Recycling
- #79-2015 Authorization / Application / Tonnage Grant
- #80-2015 Tax Reimbursement Certification
- #81-2015 Library Monthly Remittances
- #82-2015 March Transfers
- #83-2015 Temporary Budget
- #84-2015 Replenishment of Postage Meter
- #85-2015 Authorization / Grant Application / GCADA
- #86-2015 Support / Federal Fair Housing Law / NJ Law Against Discrimination
- #87-2015 Window Envelopes / Tax Collector's Office
- #88-2015 Authorization / Auction of Surplus Property

WHEREAS, the property owner is willing to accept the foregoing adjustment in full and final settlement of its pending tax appeal;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Council of the Borough of North Haledon that it hereby approves the settlement of the foregoing Tax Appeal as stated above and the Borough Tax Assessor and Borough Attorney are hereby authorized to take all action necessary and to execute all necessary documents to effectuate the same including, but not limited to the attached Stipulation of Settlement.

Resolution #73-2015

Re: Tax Appeal / High Mtn. Realty Group

WHEREAS, a certain tax appeal was filed by High Mountain Realty Group, LLC affecting the real property known as 15 Sicomac Road and designated on the tax maps of the Borough of North Haledon as Block 70, Lot 1, which tax appeal is now pending in the Tax Court of the State of New Jersey for the 2012, 2013, and 2014 tax years; and

WHEREAS, it is the recommendation of the Tax Assessor of the Borough of North Haledon that the aforementioned Tax Appeal be resolved amicably by adjusting the total assessment of the aforementioned property for said tax year as set forth in the attached Stipulation of Settlement; and

WHEREAS, the property owner is willing to accept the foregoing adjustment in full and final settlement of its pending tax appeal;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Council of the Borough of North Haledon that it hereby approves the settlement of the foregoing Tax Appeal as stated above and the Borough Tax Assessor and Borough Attorney are hereby authorized to take all action necessary and to execute all necessary documents to effectuate the same including, but not limited to the attached Stipulation of Settlement.

Resolution #74-2015

Re: Tax Appeal / Sicomac Realty, LLC

WHEREAS, a certain tax appeal was filed by Sicomac Realty, LLC affecting the real property known as 33 Sicomac Road and designated on the tax maps of the Borough of North Haledon as Block 70, Lot 20, which tax appeal is now pending in the Tax Court of the State of New Jersey for the 2012, 2013, and 2014 tax years; and

WHEREAS, it is the recommendation of the Tax Assessor of the Borough of North Haledon that the aforementioned Tax Appeal be resolved amicably by adjusting the total assessment of the aforementioned property for said tax year as set forth in the attached Stipulation of Settlement; and

WHEREAS, the property owner is willing to accept the foregoing adjustment in full and final settlement of its pending tax appeal;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Council of the Borough of North Haledon that it hereby approves the settlement of the foregoing Tax Appeal as stated above and the Borough Tax Assessor and Borough Attorney are hereby authorized to take all action necessary and to execute all necessary documents to effectuate the same including, but not limited to the attached Stipulation of Settlement.

Resolution #75-2015

Re: Tax Appeal / Anthony De Nova

WHEREAS, a certain tax appeal was filed by Anthony DeNova affecting the real property known as 18 Woodland and designated on the tax maps of the Borough of North Haledon as Block 67.06, Lot 1, which tax appeal is now pending in the Tax Court of the State of New Jersey for the 2011, 2012, 2013, and 2014 tax years; and

WHEREAS, it is the recommendation of the Tax Assessor of the Borough of North Haledon that the aforementioned Tax Appeal be resolved amicably by adjusting the total assessment of the aforementioned property for said tax year as set forth in the attached Stipulation of Settlement; and

WHEREAS, the property owner is willing to accept the foregoing adjustment in full and final settlement of its pending tax appeal;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Council of the Borough of North Haledon that it hereby approves the settlement of the foregoing Tax Appeal as stated above and the Borough Tax Assessor and Borough Attorney are hereby authorized to take all action necessary and to execute all necessary documents to effectuate the same including, but not limited to the attached Stipulation of Settlement.

Resolution #76-2015

Re: Support / A-1109

WHEREAS, the implementation of Assembly Bill A-1109 (also called “Stephen Komninos’ Law”) would improve protections for individuals with developmental disabilities by providing increased transparency of investigations conducted in connection with an allegation of abuse, neglect or exploitation of individuals with developmental disabilities; and

WHEREAS, Assembly Bill A-1109 was created to honor the memory of Stephen Komninos, an individual with developmental disabilities who died at the age of 22 while under the care of a private licensed facility for persons with developmental disabilities in Haddonfield, New Jersey; and

WHEREAS, the adoption of Assembly Bill A-1109 provides for six bi-monthly unannounced site visits to be conducted at any facility that houses individuals with developmental disabilities, including but not limited to any public or private agency, organization, or institution providing care to the developmentally disabled; and

WHEREAS, upon adoption of Assembly Bill A-1109, the Commission of Human Services or the commissioner’s designee is required to designate members of the public to serve as advocates for individuals with developmental disabilities and staff members of the public to

serve as advocates for individuals with developmental disabilities, and staff members from the Special Response Unit in the Department of Human Services to participate in the bi-monthly unannounced visits. A member of a law enforcement agency would also participate in the visits, which would be conducted to determine if the patients/residents of said organization are being subject to abuse, neglect or exploitation by a caregiver; and

WHEREAS, this Bill also requires the Commissioner or his/her designee to provide written notification to the guardian or an authorized family member of an individual with a developmental disability receiving services from the Division of Developmental Disabilities, of any injury to the individual with a development disability, as soon as possible, but no later than one hour after the occurrence of the injury; and

WHEREAS, a State developmental center and any private licensed facility for individuals with developmental disabilities are to bi-annually host an event in order to provide an opportunity for parents and guardians to share experiences about their family members and wards; and

WHEREAS, Assembly Bill A-1109 also amends Public Law 2010, c.5 (C.30:6D-73, et seq.) which established the Central Registry of Offenders Against Individuals with Developmental Disabilities (Central Registry) in DHS to prevent those caregivers who are identified as offenders against individuals with developmental disabilities from working with such individuals in the future; and

WHEREAS, this Bill further amends the current law to change from a disorderly persons offense to a fourth degree crime the failure of a case manager or supervisor to report an incident and makes it a third degree, rather than a fourth degree crime, if the unreported incident results in death; and

WHEREAS, the confidentiality provisions of the Central Registry law would further be amended to permit records and reports of any investigation to be provided to a guardian or other person responsible for the welfare of the individual with a developmental disability; and

WHEREAS, the adoption of Assembly Bill A-1109 is in the best interests of the Borough of North Haledon, its residents and their families.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that the Borough supports the adoption of A-1109, which would implement stricter rules and regulations for organizations that house and care for individuals with developmental disabilities; and

BE IT FURTHER RESOLVED, that we urge our State Senator and our representatives in the General Assembly to join as co-sponsors of A-1109; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the Honorable Governor Chris Christie, our District Representatives and the New Jersey State League of Municipalities.

Resolution #77-2015

Re: Ratification of Check / DeCotiis

BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon that check #1145 in the amount of \$19,037.60, dated February 26, 2015, drawn to the order of Decotiis, Fitzpatrick & Cole, 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, Treasurer of the Borough of North Haledon do hereby certify that funds are and/or will be made available for aforementioned in Legal OE 2015.

Resolution #78-2015

Re: Extension of Recycling Contract

WHEREAS, the Borough of North Haledon previously entered into a recycling disposal contract dated April 12, 2010; and

WHEREAS, the Borough of North Haledon has commenced rebidding prior to the expiration of the contract term; and

WHEREAS, Smentkowski and the Borough of North Haledon have reached a mutual agreement that Smentkowski will perform recycling disposal services for the Borough of North Haledon at according to the same price and terms as the contract specify for the last year of the contract; and

Whereas, NJSA 40A:11-15 permits municipalities to extend their contracts by mutual agreement of the parties to the contract when a contracting unit has commenced rebidding prior to the time the contract expires or when the award of a contract is pending at the time the contract expires; and

Now therefore, be it resolved by the Mayor and Council of the Borough of North Haledon as follows:

1. The contract between the Borough of North Haledon and Smentkowski dated April 12, 2010 is hereby extended on a month to month basis according to the terms, conditions and price of the existing contract for the year 2015 which is terminable upon one month's notice to either party except that when the Borough awards a contract, this month to month agreement shall and will terminate at midnight of the day prior to the commencement of service by the successful bidder/ contractor
2. A copy of this resolution shall be forwarded to Smentkowski.

Resolution #79-2015

Re: Application / Tonnage Grant

WHEREAS, the Mandatory Source Separation and Recycling Act, PL 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent of the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2015 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of North Haledon to the efforts undertaken by the municipality and the requirements contained in the recycling Act and recycling regulation; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates William Graham to ensure that the application is properly filed;

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution #80-2015

Re: Tax Reimbursement Certification

WHEREAS, the Recycling Enhancement Act P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is a levied upon the owner or operator of every solid waste facility (with certain exceptions), a recycling tax of \$3.00 /per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection or provides for regular solid waste collection service under contract awarded

pursuant to the “Local Public Contracts Law”, the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for the recycling program

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311, in 2014, in the amount of \$10,714.17. Documentation supporting this submission is available at 103 Overlook Avenue, North Haledon, and shall be maintained for no less than five years from this date.

Resolution #81-2015

Re: Library Monthly Remittances

WHEREAS, the Board of Library Trustees of the Borough of North Haledon Free Public Library requests payment for library purposes.

NOW THEREFORE BE IT RESOLVED that the Treasurer is hereby authorized to make payments to the Library according to the following schedule:

April 2015	\$36,434.92
May 2015	\$36,434.92
June 2015	\$36,434.91

BE IT FURTHER RESOLVED that said payments be charged to the 2015 Budget Appropriation Account Maintenance of the Free Public Library.

Resolution #82-2015

Re: March Transfers

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

		FROM	
FINANCE	OE		700.00
TAX COLLECTOR	SW		750.00
RECYCLING	SW		5,150.00
POLICE	SW		<u>3,783.45</u>
			9,683.45
		TO	
WATER	OE		220.00
MANCHESTER FEASIBILITY	OE		8,313.45
AUDIT	OE		1,000.00
CLERK	OE		<u>150.00</u>
			9,683.45

Resolution #83-2015

Re: Temporary Budget

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 2015 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 2014 fiscal year excluding in both instances appropriations made for the interest and debt redemption charges, capital improvement fund and public assistance.

Mayor & Council SW	\$6,733.65
Municipal Clerk	\$45,453.19
Computer Repairs	\$5,000.00
Finance SW	39,414.38
Finance OE	\$7,375.47
Assessment of Taxes	\$4,949.44
Collection of Taxes	\$19,549.43
Planning Board SW	\$1,392.83
Bd. Of Adj. SW	\$930.83
Municipal Court SW	\$26,754.79
Group Insurance	\$277,497.83
Surety Bonds	\$1,000.00
Other Insurance	\$90,000.00
Police SW	\$400,000.00
Police OE	\$20,000.00
Const. Official SW	\$40,000.00
Emer. Management SW	804.30
Streets & Roads SW	\$224,965.65
Streets & Roads OE	\$75,000.00
Recycling SW	\$20,000.00
Sewers SW	\$19,856.29
Board of Health	\$10,571.14
Board of Health	\$10,000.00
Senior Citizens	\$2,000.00
Gasoline	\$10,000.00
Diesel	\$5,000.00
Electricity	\$34,650.00
Telephone	\$20,000.00
Street Lighting	\$10,000.00
Water Testing	\$100.00
Social Security	\$52,106.25
Library	\$112,859.78
Feasibility MRHS	\$10,000.00
PVSC	\$98,747.36

DEDR	\$ 16,792.00
Cash Match	\$ 4,198.00
In-Kind	\$ 12,594.00

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution #86-2015

Re: Federal Fair Housing Law

WHEREAS, The Borough of North Haledon supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of Borough of North Haledon to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Borough of North Haledon further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Municipal Council of the Borough of North Haledon do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the Borough of North Haledon will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the Borough of North Haledon shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Resolution #87-2015

Re: Window Envelopes

BE IT RESOLVED that the Treasurer be and she is hereby authorized and directed to issue a check in the amount of 2,081.85 (TWO THOUSAND EIGHTY ONE DOLLARS AND EIGHTY-FIVE CENTS) to U.S. Stamped Envelope Agency for post-paid envelopes, and same to be charged to Collection of Taxes, O.E.

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 account Collection of Taxes, O.E.

Resolution #88-2015

Re: Auction of Surplus Property

WHEREAS, the Borough of North Haledon is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough of North Haledon is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract.
- (2) The sale will be conducted online and the address of the auction site is GovDeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:
 - 2001 Ford Crown Victoria, VIN 2FAFP71WX1X151070, 84,191 miles
 - 2003 Dodge Durango, VIN 1D4HS48N83F5955172, 48,200 miles
 - 2008 Ford Police Interceptor, VIN 2FAHP71VX8X138827, 100,000+ miles
 - 2010 Ford Police Interceptor, VIN 2FABP7BV3AX108823, 100,000 + miles
 - 1988 Atlas Copco Portable Air Compressor, Model XAS 85, 175 CFM, mounted hosereel, 497 HRS
 - American Road 2003 ALC 17 Leaf Collector, VIN 1A9YC182X3M274002, 17 cubic yard hopper w/ electric brake, hydraulic boom arm, twin disc power take off

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Borough of North Haledon reserves the right to accept or reject any bid submitted.

Resolution #89-2015

Re: Refund / Permit Fees / De Luca

WHEREAS, Rosa DeLuca paid for a permit at the Construction Office for a roofing job at 102 Overlook Avenue, and

WHEREAS, the property owner cancelled the project after she took out a permit, and

WHEREAS, by letter, Rosa Deluca requested a refund;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Treasurer be and she is hereby authorized to issue a check to Rosa Deluca in the amount of \$75.00.

Resolution #90-2015

Re: Interlocal Agreement / MUA

WHEREAS, the Borough of North Haledon strives to use shared service agreements for the effective and efficient delivery of services where possible; and,

WHEREAS, the State of New Jersey encourages it’s municipalities to enter into shared service agreements as per the State of New Jersey’s “Best Practices” initiative; and,

WHEREAS, the Manchester Utilities Authority and the Borough of North Haledon seek to participate in an Interlocal Services Agreement in order to save tax payer dollars and/or provide services more efficiently; and,

WHEREAS, the Tax Collector recommends that the Borough of North Haledon enter into an Interlocal Services Agreement to assist the Authority in its collections as and for significantly delinquent account; and

WHEREAS, the Authority is prepared to pay for the cost of North Haledon's Tax Collector to perform the required services in the interest of the welfare of its ratepayers, who includes residents of North Haledon; and

NOW BE IT FURTHER RESOLVED that the Borough of North Haledon agrees to enter into this shared service as described in the Interlocal Service Agreement as follows but not limited to:

1. (a) North Haledon's Tax Collector shall prepare and conduct a utility lien sale as and for the Authority's delinquent accounts for ratepayers located in North Haledon. The Authority

shall provide the Tax Collector with any and all information in order to conduct the sale. The sale shall take place in April of 2015 or as soon thereafter as possible.

(b) The total lump sum cost to the Authority for this service is \$3,000.00 and shall be due and payable to North Haledon upon completion of any and all utility lien services.

(c) The initial term of this Agreement shall be upon the completion of any and all services required to complete the April of 2015 (or as soon thereafter as possible) utility lien sale.

(d) North Haledon, as an agent for the Authority, shall assume all responsibility for its Tax Collector to provide the agreed upon utility lien services to the Authority as and through its Employment Contract with its Tax Collector. This Agreement in no way creates an Employer/Employee relationship between the Authority and the North Haledon Tax Collector. The North Haledon Tax Collector shall continue to be paid by North Haledon as and for her services. The payment between North Haledon and the Authority as referenced in paragraph 1 (b) is separate and apart from any compensation paid to the North Haledon Tax Collector by North Haledon.

2. This Agreement represents the entire agreement between the parties and cannot be changed or modified orally. This Agreement may be supplemented, amended or revised only by a writing, which is signed by all of the parties hereto.

3. If one or more of the provisions of this Agreement are determined to be contrary to law, then such provision or provisions shall be deemed severable from the remaining provisions and shall not affect the validity of the other provisions of this Agreement.

4. Failure to insist upon strict compliance with any of the terms, covenants, or conditions of this Agreement at any one time shall not be deemed a waiver of such term, covenant, or condition at any other time nor shall any waiver or relinquishment of any right or power herein at any time be deemed a waiver or relinquishment of the same or any other right or power at any other time.

5. Unless otherwise specified, all notices required under the terms of this Agreement shall be given by mailing such notices by certified or registered mail, return receipt requested, to the address of the parties. Notices to North Haledon shall be sent to the Municipal Clerk of the Borough. Notices to the Authority shall be sent to the Chairman of the Authority.

NOW BE IT FURTHER RESOLVED that the Mayor and the Borough Administrator are hereby authorized to sign the Interlocal Service Agreement.

Resolution #91-2015

Re: Deferred School Taxes

WHEREAS, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any additional amounts, and

WHEREAS, the Governing Body has decided that an increase in Deferred School Taxes is in the best interest of the Borough of North Haledon at this time,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the following Deferred School Taxes be hereby increased for the year ended December 31, 2014 as follows:

	Local School Taxes
Amount Deferred 12/31/2014	5,114,608.50
Amount Deferred 12/31/2013	<u>5,022,912.50</u>
	<u>91,696.00</u>

BE IT FURTHER RESOLVED by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

CERTIFICATION OF AVAILABILITY OF FUNDS

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

Resolution #92-2015

Re: Payment of Claims

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

2014 BILLS

CURRENT FUND -RESERVES.....\$ 69,051.68

2015 BILLS

CURRENT FUND-OTHER EXPENSES\$139,978.22

GENERAL LEDGER.....\$ 369.10

2014 BILLS

PREPAID BILLS - CURRENT FUND - OTHER EXPENSE.....\$ 120,879.60

FEDERAL/STATE GRANT FUND.....\$ 4,823.78

DOG LICENSE TRUST ACCOUNT.....\$ 1,300.00

CAPITAL FUND.....\$ 10,970.22

DEVELOPERS ESCROW BANK OF AMERICA.....\$ 7,632.50

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 \$ 364,248.67 paid in the month of February be approved.

EXECUTIVE SESSION (in 9:20 p.m.)

Motion by Councilmember Luisi, second by Councilmember Galluccio, to go into Executive Session for attorney / client privilege. Upon roll call, all members present voted in the affirmative. Motion carried.

EXECUTIVE SESSION (out 9:40 p.m.)

ROLL CALL

Present:

Mayor Randy George

Council Members: Raymond Melone, Rocco Luisi, and Michael Galluccio

Borough Attorney Michael De Marco

Borough Planner, Michael Kauker

Municipal Clerk Renate Elatab

Resolution #93-2015

Re: Actions by Borough Attorney & Planner

WHEREAS, on March 10, 2015, the Supreme Court of the State of New Jersey issued its decision in the matter of In re Adoption of Third Round Regulations, N.J.A.C. 5:96 and 5:97, by the Council on Affordable Housing, Docket No. 67,126 ; and

WHEREAS, pursuant to said decision, it is the recommendation of the Borough Attorney and Borough Planner that the Borough, *inter alia*, file a declaratory judgment action with the trial court seeking the appropriate relief and that in connection therewith the Borough Planner perform all necessary services, including crafting a fair share plan and compliance mechanism; and

WHEREAS, the Governing Body of the Borough of North Haledon has determined, based upon the aforementioned recommendations of the Borough Attorney and Borough Planner that it is in the best interests of the Borough to take the actions set forth above;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Council of the Borough of North Haledon that it hereby authorizes the Borough Attorney to file a declaratory judgment action seeking all relief deemed appropriate by the Borough Attorney in accordance with the decision of the New Jersey Supreme Court in In re: Adoption of Third Round Regulations, N.J.A.C. 5:96 and 5:97, by the Council on Affordable Housing, Docket No. 67,126 and, that upon acceptance of a proposal to be submitted by the Borough Planner, Michael Kauker, that the Borough Planner be authorized to render the services necessary in connection with said declaratory judgment action, including crafting a fair share plan and compliance mechanism.

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 9:41 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Council Meeting of April 15, 2015