



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

WEDNESDAY, FEBRUARY 18, 2015

Mayor George read the following statement into the record:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of February 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 was called to order at 8:00 p.m. and the Clerk was directed to include this statement in the minutes of this meeting.

Pastor Creange lead the prayer and Mayor George asked that everyone remain standing for the Pledge of Allegiance.

ROLL CALL

Present:

Mayor Randy George

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

Borough Attorney, Michael De Marco

Borough Engineer, Joseph Pomante

Police Captain, Todd Darby

Deputy Municipal Clerk, Dena Ploch

Municipal Clerk, Renate Elatab

Absent:

Councilwoman Donna Puglisi

DEVIATION / RULES AND PROCEDURES / BY-LAWS OF COUNCIL REDEVELOPMENT PLAN

Motion by Council Member Dyer, second by Council Member Luisi, to deviate from the regular order of business in order to have a presentation by Belmont Estates Urban Renewal, LLC

regarding their application to be approved as Redeveloper for the properties designated as Block 30 Lots 13.02, 14, 15, 16, 27, 27.02. Upon roll call, all members present voted in the affirmative. Motion carried.

The Borough Attorney, whose office is located within the Redevelopment Zone, stepped off the dais (8:03 p.m.)

Representing Belmont Estates Urban Renewal, LLC were Mark Semeraro (Attorney), Angelo Onello (Engineer), and Matt Evans (Architect). The following points were made: the development would be owner operated. There would be 34 townhouses, two commercial buildings would be destroyed as well as the house on Joan Place, while the two houses on Belmont Avenue would remain. There was no need for any variances. Plenty of parking (two car garage with extra parking in the driveway) which exceeds RSIS by 38 spots, and green space had been taken into consideration. Roads are 23 feet wide to prevent parking problems such as Lakeside. The difference between this development and Avalon Bay was explained: Avalon Bay was a multi-family apartment building, while this development would consist of single family homes, which would have an autonomous two-hour firewall all the way to the roof plate. Landscaping plan was discussed, but this will ultimately be discussed at the Planning Board level.

The Borough Engineer confirmed that he had been intricately involved since the inception of the project.

Mayor George instructed the Engineer to meet with the Fire Chief and to obtain a letter from him indicating that he concurred with the design and the location of the fire hydrants. Mayor George advised that the developer still needed a letter from the MUA engineer to set up an escrow account for him to review the plans, as well as a letter from the Passaic Valley Sewer Authority, Passaic County Planning Board approval, as well as the results of an environmental study. Mayor George further advised that while the Borough wanted the developer to build 7 COAH units to comply with the 20% for 36 units, the developer could apply to a Superior Court for a waiver proving that compliance would make the project cost prohibitive. Mayor George advised that he had recommended to the developer that he rent the two homes on Belmont Avenue, which, with the 2 for one credit, would help him with his COAH requirement.

PUBLIC COMMENTS ON THE REDEVELOPMENT PLAN

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

Bruce Iacobelli, 18 Sturr Street, raised concerns about the lighting, the entrance and exit, the need for a traffic study, the location of the parking lots, the maintenance of the retention basin, and the absence of sidewalks. Mr. Semararo advised that the developer would maintain the retention basin, while Mr. Anello advised that they felt that sidewalks were not necessary and they were going to apply for a waiver.

Mayor George stated that the questions raised by Mr. Iacobelli would be answered at the Planning Board. He further advised that the Governing Body could not vote on approving the application because the Borough's Redevelopment Attorney was not present, and the lack of a letter of approval from the Fire Chief, as well as signed plans, and a redeveloper's agreement. Mr. Semeraro advised that a resolution could be passed, stating that the approval is subject to all the conditions being met.

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

Motion by Council Member Marco, second by Council Member Dyer, that Belmont Estates Urban Renewal, LLC be approved as a Redeveloper upon the condition that all demands of the Governing Body are met. Upon roll call, all members present voted in the affirmative. Motion carried.

Break from 9:55 p.m. to 10:05 p.m.

Present:

Mayor Randy George

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

Borough Attorney, Michael De Marco

Borough Engineer, Joseph Pomante

Police Captain, Todd Darby

Deputy Municipal Clerk, Dena Ploch

Municipal Clerk, Renate Elatab

Absent:

Councilwoman Donna Puglisi

The Borough Attorney, Michael De Marco returns to the dais.

PUBLIC COMMENTS

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

Bruce Iacobelli, 18 Sturr Street, sought clarification as to how the noise ordinance would be enforced. The Borough Attorney advised that certified noise control officers would be using a calibrated noise gun following very guidelines dictated by the DEP, and that there were no exceptions for a pre-existing condition. Mr. Iacobelli also sought clarification regarding the ADAing of the entrance and bathroom at Buehler's. Mayor George advised that he had a vision to rehabilitate Buehler's into a catering hall which would also be used as a venue for the High Mountain Community Theater Group for dinner shows, etc.

Motion by Council Member Galluccio, second by Council Member Melone, 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 _____, second by _____, to approve the minutes of the regular council meeting of January 21, 2015, and the work session minutes of February 4, 2015. Upon roll call, all members present voted in the affirmative. Motion carried.

OFFICIAL REPORTS

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 Council Member Luisi, second by Council Member Galluccio, 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.

COMMITTEE REPORTS

Motion by Council Member Dyer, second by Council Member Luisi, to dispense with the committee reports. 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:

- | | |
|---------------------------|--|
| Congressman Frelinghuysen | Re: ACA / Volunteer Firemen and EMS |
| DEP | Re: N. Haledon’s Current Noise Ordinance |
| Borough Attorney | Re: Open Burning |
| Borough Attorney | Re: Lakeside |

Motion by Council Member Luisi, second by Council Member Galluccio, that these communications be received, action taken where necessary, and be placed on file. Upon roll call, all members present voted in the affirmative. Motion carried.

UNFINISHED BUSINESS

Ordinance #1-2015

Re: Salary Ordinance

Motion Council Member Luisi, second by Council Member 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 FIXING THE SALARIES AND COMPENSATIONS
OF THE OFFICERS AND EMPLOYEES
OF THE BOROUGH OF NORTH HALEDON, COUNTY OF PASSAIC, NJ
IN THE YEAR 2015**

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

SECTION 1.

The following annual salaries and compensations shall be paid to the following employees of the Borough of North Haledon in the year 2015:

DISPATCHERS

Probationary	33,739.
1 Year	34,796.
2 Years	35,860.
3 Years	37,501.
4 Years	38,930.
5 Years & over	44,055.

SECTION 2

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

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

SECTION 3

The following annual salaries and compensations shall be paid to the following officers and employees of the Borough of North Haledon, County of Passaic, and State of New Jersey for the year – 2015

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

SECTION 4

Municipal Attorney 4,500.00

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

Borough Engineer

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

SECTION 5

Salaries as set forth above shall be retroactive to January 1, 2015 or to date of employment of newly appointed position.

SECTION 6

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

SECTION 7

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

Motion by Council Member Luisi, second by Council Member Melone, that Ordinance #1-2015 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #1-2015 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 #2-2015

Re: Police Department

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

The Clerk presented the following ordinance:

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

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, of the Code of the Borough of North Haledon, shall be and hereby is revised, amended and supplemented by modification and revised as follows:

§107-2. Police Committee

The Council shall appoint a Police Committee to consist of three (3) Councilmen who shall be responsible for duties as assigned by the Mayor and Council. In making the appointments each year the Mayor shall designate one (1) member of Police Committee as the Police Commissioner who shall serve as the Chairman of the Police Committee

§107-5. 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.

§107-6. Duties of Police Officers shall be deleted and reserved.

§107-7. Power of Members shall be deleted and reserved.

§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 and promotions in the Police Department shall be by the Mayor and Council.

§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.

§107-14. Probationary Period

The probationary period is one year from the date of completion of the police training course, or if already holding a valid New Jersey Police Training Commission Certification, one year from date of appointment.

§107-15. Special Law Enforcement Officers

Special law enforcement officers in the Borough of North Haledon shall be governed by N.J.S.A. 40A:14-146.8 et seq.

§107-16. Temporary Policemen (Reserved)

§107-17. Eligibility for Promotion

No member of the Police Department shall be eligible for promotion to a position as a sergeant until he/she shall have served five years as a regular police officer.

§107-18. Appointment Based on Competitive Examinations (Reserved)

§107-20. Interference with Duties of Police Officers (Reserved)

§107-21 Detective Bureau

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

§107-24. Medical Insurance Supplement Payments (Reserved)

§107-26. 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.

§107-27. 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.

§107-28. Method for Appointment and Promotions

Eligibility Sworn Officer

- A. The general qualifications for employment with the North Haledon Police Department shall be:
 - 1. Must be a citizen of the United States and a resident of New Jersey;
 - 2. Must possess a high school diploma, or equivalency;

3. Must be of good moral character;
4. Must be at least 18 years old;
5. Must not have been convicted of a crime;
6. Must possess a valid New Jersey driver's license;
7. Possess 60 college credits;
8. Possess a PTC Certification or;
9. Be a Special Police Officer Class II and current Borough employee.

Oral Interviews

1. The department interview shall be conducted by the Chief of Police and/or an officer(s) designated by the Chief of Police and the Borough Police Committee.
2. The candidates will then be ranked and a candidate(s) selected for the background investigation phase.

Preference

- A. A candidate for employment may be given preference in the selection process if such a candidate has previously been certified by the New Jersey Police Training Commission as a law enforcement officer and or a Class II Special Police Officer and is currently serving as a Class II Special Officer in North Haledon.

Background Investigation

- A. A background investigation will be conducted on all candidates (sworn and non-sworn) for all positions prior to appointment that will include at least the following:
 1. A review of the candidate's application to confirm/verify meeting eligibility requirements for the position applied for;
 2. A check of the applicant's driving history, if driving is a requirement of the position;
 3. A fingerprint check for criminal record;

4. Candidates for sworn positions shall be checked against the New Jersey Central Drug and Domestic Violence Registries;
 - a. All candidates for police officer shall be subject to a criminal history check prior to the selection phase paying particular attention to acts of domestic violence, sexual abuse, stalking, elder abuse, or child abuse, including a check of the Domestic Violence Registry to determine the existence of any active restraining orders and to determine if there is a history of domestic violence.
 - b. Police officer Candidates shall be interviewed about any history of acts of domestic violence, sexual assault, stalking, elder abuse, or child abuse and past or present restraining orders and their disposition. Applications for employment to the position of police officer shall be amended to require information on these topics.
 - c. Those police officer candidates with a history of perpetrating acts of domestic violence, sexual assault, stalking, elder abuse or child abuse shall be identified and declared ineligible for employment as police officers.
5. Verification of at least three personal references.

Medical Exam

- A. A medical exam will be conducted on all sworn candidates prior to appointment, but after being given a conditional offer of employment, to certify the general health of each candidate.

Psychological Exam

- A. A psychological fitness examination of each candidate for a sworn position will be conducted by a qualified professional prior to appointment, but after being given a conditional offer of employment (Alternate Route candidate's psychological exams may be used in lieu of the department sending the candidate for examination).

Selection Process Non-Sworn Positions

- A. All vacancies for non-sworn positions will be selected at the sole discretion of the Mayor and Council pursuant to North Haledon Borough policies and procedures. At a minimum the selection process shall include:

1. Advertisement of the position, unless a current North Haledon Borough employee meets the qualifications and submits an application for consideration.
 2. Resume review;
 3. Oral Interview;
 4. Background check consistent with Paragraph IV.
- B. The Chief of Police shall make a recommendation to the Mayor and Council for employment.

Promotion Procedures

- A. The Chief of Police, or his or her designated representative, shall be responsible for coordinating the promotional process pursuant to North Haledon Ordinances.

Promotional Process

- A. Only officers who are members of this Department at the time of the promotional process are eligible for consideration consistent with New Jersey Law.
- B. In order to be eligible for promotion in the promotion process, candidates must meet all the criteria established for such promotion on the date of the vacancy announcement.
- C. Sergeants' Eligibility Requirements: The Candidate must have completed a total of five (5) years in the rank of Officer in the North Haledon Police Department and hold a Bachelor's Degree.
- D. Lieutenants' Eligibility Requirements: The Candidate must hold the rank of Sergeant with the North Haledon Police Department for at least two (2) years.
- E. Captains' Eligibility Requirements:
1. The candidate must hold the rank of Lieutenant with the North Haledon Police Department for at least two (2) years. If no candidates hold the rank of Lieutenant, Sergeants shall be eligible for the position provided they have served three (3) years as a Sergeant.

2. If there is an existing Lieutenant(s) who elects not to participate in the promotional process for Captain the Department may consider Sergeants for the position provided they have at least three (3) years of service as a Sergeant.

Evaluation for Promotion

- A. Candidates for promotion to Sergeant will submit to the following process:
 1. A written test and oral examination provided by the New Jersey State Association of Chiefs' of Police.
 2. Candidates must achieve a written exam score of at least 75%. The written exam will be scored as pass/fail. Candidates passing the written exam will be eligible to take the oral examination administered by the New Jersey State Association of Chiefs of Police. Oral examinations shall be on a pass/fail basis with a passing grade of 75%. Candidates who do not achieve a passing grade are ineligible to move on with the process. Those who pass are not ranked in any order. They are to be shown as passed or failed only.
 3. A review and evaluation of the candidate's personnel file by the Chief of Police and the members of the Police Committee. This review shall include discussions including commendations, employee reviews, discipline record and early intervention summaries.
 4. Due consideration shall be given to the length and merit of service and seniority in accordance with the provisions of N.J.S.A. 40A:14-129, as amended.
 5. The Chief of Police shall provide a recommendation to the Police Committee.
- B. Candidates for promotion to Lieutenant and Captain:
 1. In accordance with N.J.S.A. 40A:14-129, due consideration shall be given to the length and merit of service and to seniority in accordance with N.J.S.A. 40A:14-129, as amended, to any candidate for promotion to Captain. Due consideration shall also be given to the recommendation of the Chief of Police, which shall be based on the aforementioned statutory factors, and a review of the performance of the candidate(s) by the Chief of Police and the members of the Public Safety Committee.

Promotional Announcement

- A. Whenever a vacancy occurs or a need for a test arises for the filling of a position a written announcement shall be made at least ninety (90) days before the start of the process.
 - 1. The announcement shall contain the eligibility requirements;
 - 2. The written announcement shall describe the position available;
 - 3. The written announcement shall contain a description of the process to be used in selecting personnel for the vacancy; and
 - 4. Each officer intending to participate in the process must submit a letter of intent no later than ten (10) days after the announcement to the Chief of Police.

Eligibility List

- A. The Chief of Police shall submit an eligibility list to the Mayor and Council following the promotional process. The Mayor and Council will authorize the Chief of Police to maintain this eligibility list for a period of 36 months, in the event that vacancies fall within that time. The period will start upon the passing of the resolution promoting the officer(s) to the new rank.

Approval of Mayor and Council

- A. The Mayor and Council shall have the final decision on all promotions.

Appeal of Process

- A. Within ten (10) days of the decision of the Mayor and Council on a promotion, a candidate may file a written letter of appeal. Said letter must contain the reason(s) or justification(s) for an appeal and must be submitted to the Chief of Police. The Mayor and Council and the Chief of Police will assess the request, and make a determination of how the request will be addressed on a case-by-case basis.

Section 2. All other parts or provisions of Chapter 107 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 Council Member Dyer, second by Council Member Luisi, that Ordinance #2-2015 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #2-2015 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 #3-2015

Re: Noise Ordinance

Motion by Council Member Dyer, second by Council Member 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 resolution:

**AN ORDINANCE AMENDING CHAPTER 659-5, NOISE AND SOUNDS,
OF THE BOROUGH OF NORTH HALEDON**

I. Declaration of Findings and Policy

WHEREAS excessive sound is a serious hazard to the public health, welfare, safety, and the quality of life; and,

WHEREAS a substantial body of science and technology exists by which excessive sound may be substantially abated; and,

WHEREAS the people have a right to, and should be ensured of, an environment free from excessive sound,

NOW, THEREFORE, BE IT PROCLAIMED THAT it is the policy of the Borough of North Haledon to prevent excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life.

This ordinance shall apply to the control of sound originating from sources within the Borough of North Haledon.

II. Definitions

The following words and terms, when used in this ordinance, shall have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this ordinance have the same meaning as those defined in N.J.A.C. 7:29.

"Construction" means any site preparation, assembly, erection, repair, alteration or similar action of buildings or structures.

"dBC" means the sound level as measured using the "C" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors. The unit

of reporting is dB(C). The "C" weighting network is more sensitive to low frequencies than is the "A" weighting network.

"Demolition" means any dismantling, destruction or removal of buildings, structures, or roadways.

"Department" means the New Jersey Department of Environmental Protection.

"Emergency work" means any work or action necessary at the site of an emergency to restore or deliver essential services including, but not limited to, repairing water, gas, electricity, telephone, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, dredging navigational waterways, or abating life-threatening conditions or a state of emergency declared by a governing agency.

"Impulsive sound" means either a single pressure peak or a single burst (multiple pressure peaks) that has a duration of less than one second.

"Minor Violation" means a violation that is not the result of the purposeful, reckless or criminally negligent conduct of the alleged violator; and/or the activity or condition constituting the violation has not been the subject of an enforcement action by any authorized local, county or state enforcement agency against the violator within the immediately preceding 12 months for the same or substantially similar violation.

"Motor vehicle" means any vehicle that is propelled other than by human or animal power on land.

"Muffler" means a properly functioning sound dissipative device or system for abating the sound on engines or equipment where such device is part of the normal configuration of the equipment.

"Multi-dwelling unit building" means any building comprising two or more dwelling units, including, but not limited to, apartments, condominiums, co-ops, multiple family houses, townhouses, and attached residences.

"Multi-use property" means any distinct parcel of land that is used for more than one category of activity. Examples include, but are not limited to:

1. A commercial, residential, industrial or public service property having boilers, incinerators, elevators, automatic garage doors, air conditioners, laundry rooms, utility provisions, or health and recreational facilities, or other similar devices or areas, either in the interior or on the exterior of the building, which may be a source of elevated sound levels at another category on the same distinct parcel of land; or
2. A building, which is both commercial (usually on the ground floor) and residential property, located above, below or otherwise adjacent to.

"Noise Control Officer" (NCO) means an employee of a local, county or regional health agency which is certified pursuant to the County Environmental Health Act (N.J.S.A. 26:3A2-21 et seq.) to perform noise enforcement activities or an employee of a municipality with a Department-approved model noise control ordinance. All NCOs must receive noise enforcement training as specified by the Department in N.J.A.C. 7:29 and is currently certified in noise enforcement. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

"Noise Control Investigator" (NCI) means an employee of a municipality, county or regional health commission that has a Department-approved model noise control ordinance and the employee has not received noise enforcement training as specified by the Department in N.J.A.C. 7:29. However, they are knowledgeable about their model noise ordinance and enforcement procedures. A Noise Control Investigator may only enforce sections of the ordinance that do not require the use of a sound level meter. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

"Plainly audible" means any sound that can be detected by a NCO or an NCI using his or her unaided hearing faculties of normal acuity. As an example, if the sound source under investigation is a portable or vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The NCO or NCI need not determine the title, specific words, or the artist performing the song.

"Private right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a non-governmental entity.

"Public right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a governmental entity.

"Public space" means any real property or structures thereon that are owned, leased, or controlled by a governmental entity.

"Real property line" means either (a) the vertical boundary that separates one parcel of property (i.e., lot and block) from another residential or commercial property; (b) the vertical and horizontal boundaries of a dwelling unit that is part of a multi-dwelling unit building; or (c) on a multi-use property as defined herein, the vertical or horizontal boundaries between the two portions of the property on which different categories of activity are being performed (e.g., if the multi-use property is a building which is residential upstairs and commercial downstairs, then the real property line would be the interface between the residential area and the commercial area, or if there is an outdoor sound source such as an HVAC unit on the same parcel of property, the boundary line is the exterior wall of the receiving unit). Note- this definition shall not apply to a commercial source and a commercial receptor which are both located on the same parcel of property (e.g., a strip mall).

“Sound production device” means any device whose primary function is the production of sound, including, but not limited to any, musical instrument, loudspeaker, radio, television, digital or analog music player, public address system or sound-amplifying equipment.

“Sound reduction device” means any device, such as a muffler, baffle, shroud, jacket, enclosure, isolator, or dampener provided by the manufacturer with the equipment, or that is otherwise required, that mitigates the sound emissions of the equipment.

"Weekday" means any day that is not a federal holiday, and beginning on Monday at 7:00 a.m. and ending on the following Friday at 6:00 p.m.

"Weekends" means beginning on Friday at 6:00 p.m. and ending on the following Monday at 7:00 a.m.

III. Applicability

(A) This model noise ordinance applies to sound from the following property categories:

1. Industrial facilities;
2. Commercial facilities;
3. Public service facilities;
4. Community service facilities;
5. Residential properties;
6. Multi-use properties;
7. Public and private right-of-ways;
8. Public spaces; and
9. Multi-dwelling unit buildings.

(B) This model noise ordinance applies to sound received at the following property categories:

1. Commercial facilities;
2. Public service facilities;
3. Community service facilities (i.e. non-profits and/or religious facilities)
4. Residential properties;
5. Multi-use properties;
6. Multi-dwelling unit buildings.

(C) Sound from stationary emergency signaling devices shall be regulated in accordance with N.J.A.C. 7:29-1.4, except that the testing of the electromechanical functioning of a stationary emergency signaling device shall not meet or exceed 10 seconds.

IV. Exemptions

(A) Except as provided in IX. and X. below, the provisions of this ordinance shall not apply to the exceptions listed at N.J.A.C. 7:29-1.5.

(B) Sound production devices required or sanctioned under the Americans with Disabilities Act (ADA), FEMA or other government agencies to the extent that they comply with the noise requirement of the enabling legislation or regulation. Devices which are exempted under N.J.A.C. 7:29-1.5 shall continue to be exempted.

(C) Construction and demolition activities are exempt from the sound level limits set forth in tables I and II and III except as provided for in IX. below.

V. Enforcement Officers

(A) Noise Control Officers shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this ordinance and pursue enforcement activities.

(B) Noise Control Investigators shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this ordinance that do not require the use of a sound level meter (i.e., plainly audible, times of day and/or distance determinations) and pursue enforcement activities.

(C) Noise Control Officers and Investigators may cooperate with NCOs and NCIs of an adjacent municipality in enforcing one another's municipal noise ordinances.

VI. Measurement Protocols

(A) Sound measurements made by a Noise Control Officer shall conform to the procedures set forth at N.J.A.C. 7:29-2, except that interior sound level measurements shall also conform with the procedures set forth in VIB of this ordinance and with the definition of "real property line" as contained herein.

(B) When conducting indoor sound level measurements across a real property line the measurements shall be taken at least three feet from any wall, floor or ceiling and all exterior doors and windows may, at the discretion of the investigator, be closed. The neighborhood residual sound level shall be measured in accordance with N.J.A.C. 7:29-2.9(b)2. When measuring total sound level, the configuration of the windows and doors shall be the same and all sound sources within the dwelling unit must be shut off (e.g., television, stereo). Measurements shall not be taken in areas which receive only casual use such as hallways, closets and bathrooms.

VII. Maximum Permissible Sound Levels

(A) No person shall cause, suffer, allow, or permit the operation of any source of sound on any source property listed in III.(A) above in such a manner as to create a sound level that equals or exceeds the sound level limits set forth in Tables I, II or III when measured at or within the real property line of any of the receiving properties listed in Tables I, II or III except as specified in VI(B).

(B) Impulsive Sound

Between 7:00 a.m. and 10:00 p.m., impulsive sound shall not equal or exceed 80 decibels. Between 10:00 p.m. and 7:00 a.m., impulsive sound which occurs less than four times in any hour shall not equal or exceed 80 decibels. Impulsive sound which repeats four or more times in any hour shall be measured as continuous sound and shall meet the requirements as shown in Tables I and II.

**TABLE I
MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS
WHEN MEASURED OUTDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours
Maximum A-Weighted sound level standard, dB	65	50	65

**TABLE II
MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS
WHEN MEASURED INDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property	Commercial facility or non-residential portion of a multi-use
-----------------------------	--	---

			property
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 Hours
Maximum A-Weighted sound level standard, dB	55	40	55

Note: Table II shall only apply when the source and the receptor are separated by a real property line and they also share a common or abutting wall, floor or ceiling, or are on the same parcel of property.

**TABLE III
MAXIMUM PERMISSIBLE OCTAVE BAND
SOUND PRESSURE LEVELS IN DECIBELS**

Receiving Property Category	Residential property, or residential portion of a multi-use property		Residential property, or residential portion of a multi-use property		Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility	Commercial facility or non-residential portion of a multi-use property
	OUTDOORS		INDOORS		OUTDOORS	INDOORS
Octave Band Center Frequency, Hz.	Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB	Octave Band Sound Pressure Level, dB
Time	7 a.m.-10 p.m.	10 p.m.-7 a.m.	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours	24 hours
31.5	96	86	86	76	96	86
63	82	71	72	61	82	72
125	74	61	64	51	74	64
250	67	53	57	43	67	57
500	63	48	53	38	63	53
1,000	60	45	50	35	60	50
2,000	57	42	47	32	57	47
4,000	55	40	45	30	55	45
8,000	53	38	43	28	53	43

Note: When octave measurements are made, the sound from the source must be constant in level and character. If octave band sound pressure level variations exceed plus or minus 2 dB in the bands containing the principal source frequencies, discontinue the measurement.

VIII. Sound Production Devices

No person shall cause, suffer, allow, or permit the operation of any sound production device in such a manner that the sound crosses a property line and raises the total sound levels above the neighborhood residual sound level by more than the permissible sound level limits set forth in Table IV when measured within the residence of a complainant according to the measurement protocol in VI(B) of this ordinance. These sound level measurements shall be conducted with the sound level meter set for "C" weighting, "fast" response.

**TABLE IV
MAXIMUM PERMISSIBLE INCREASE IN TOTAL SOUND LEVELS
WITHIN A RESIDENTIAL PROPERTY**

Week nights 10:00 p.m. - 7:00 a.m. Weekend nights 11:00 p.m and 9:00 a.m.	All other times
3 dB(C)	6 dB(C)

IX. Restricted Uses and Activities

The following standards shall apply to the activities or sources of sound set forth below:

A. Excluding emergency work, power tools, home maintenance tools, landscaping and/or yard maintenance equipment used by a residential property owner or tenant shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.

B. Excluding emergency work, power tools, landscaping and/or yard maintenance equipment used by nonresidential operators (e.g. commercial operators, public employees) shall not be operated on a residential, commercial, industrial or public (e.g. golf course, parks, athletic fields) property between the hours of 6:00 p.m. and 8:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the

limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.

C. All construction and demolition activity, excluding emergency work, shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless such activities can meet the limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in construction and demolition activity shall be operated with a muffler and/or sound reduction device.

D. Motorized snow removal equipment shall be operated with a muffler and/or a sound reduction device when being used for snow removal. At all other times the limits set forth in Tables I, II or III do not apply.

E. All interior and exterior burglar alarms of a building or motor vehicle must be activated in such a manner that the burglar alarm terminates its operation within five (5) minutes for continuous airborne sound and fifteen (15) minutes for intermittent sound after it has been activated. At all other times the limits set forth in Tables I, II or III do not apply.

F. Self-contained, portable, non-vehicular music or sound production devices shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound, operated on a public space or public right-of-way, from such equipment shall not be plainly audible at a distance of 25 feet in any direction from the operator;

G. It shall be unlawful for any property owner or tenant to allow any domesticated or caged animal to create a sound across a real property line which unreasonably disturbs or interferes with the peace, comfort, and repose of any resident, or to refuse or intentionally fail to cease the unreasonable noise when ordered to do so by a Noise Control Officer or Noise Control Investigator. Prima facie evidence of a violation of this section shall include but not be limited to:

- (1) Vocalizing (howling, yelping, barking, squawking etc.) for five (5) minutes without interruption, defined as an average of four or more vocalizations per minute in that period; or,
- (2) Vocalizing for twenty (20) minutes intermittently, defined as an average of two vocalizations or more per minute in that period.

It is an affirmative defense under this subsection that the dog or other animal was intentionally provoked to bark or make any other noise.

X. Motor Vehicles

Violations of each paragraph of this section shall be considered purposeful and therefore non-minor violations.

(A) No person shall remove or render inoperative, or cause to be removed or rendered inoperative or less effective than originally equipped, other than for the purposes of maintenance, repair, or replacement, of any device or element of design incorporated in any motor vehicle for the purpose of noise control. No person shall operate a motor vehicle or motorcycle which has been so modified. A vehicle not meeting these requirements shall be deemed in violation of this provision if it is operated stationary or in motion in any public space or public right-of-way.

(B) No motorcycle shall be operated stationary or in motion unless it has a muffler that complies with and is labeled in accordance with the Federal Noise Regulations under 40 CFR Part 205.

(C) Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at distance of 25 feet in any direction from the operator between the hours of 10:00 p.m. and 8:00 a.m.

(D) Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that is plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m.

XI. Enforcement

(A) Violation of any provision of this ordinance shall be cause for a Notice of Violation (NOV) or a Notice of Penalty Assessment (NOPA) document to be issued to the violator by the Noise Control Officer or Noise Control Investigator.

(B) Any person who violates any provision of this ordinance shall be subject to a civil penalty for each offense of not more than \$2,000. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense.

(C) Upon identification of a violation of this Ordinance the Noise Control Officer or Noise Control Investigator shall issue an enforcement document to the violator. The enforcement document shall identify the condition or activity that constitutes the violation and the specific provision of this Ordinance that has been violated. It shall also indicate whether the violator has a period of time to correct the violation before a penalty is sought.

(D) If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a minor violation (as defined in Section II of this ordinance) a NOV shall be issued to the violator.

1. The document shall indicate that the purpose of the NOV is intended to serve as a notice to warn the responsible party/violator of the violation conditions in order to provide them with an opportunity to voluntarily investigate the matter and voluntarily take corrective action to address the identified violation.

2. The NOV shall identify the time period (up to 90 days), pursuant to the Grace Period Law, N.J.S.A. 13:1D-125 et seq. where the responsible party's/violator's voluntary action can prevent a formal enforcement action with penalties issued by the (Health Department) It shall be noted that the NOV does not constitute a formal enforcement action, a final agency action or a final legal determination that a violation has occurred. Therefore, the NOV may not be appealed or contested.

(E) If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a non-minor violation the violator shall be notified that if the violation is not immediately corrected a NOPA with a civil penalty of no more than \$2,000 will be issued. If a non-minor violation is immediately corrected a NOV without a civil penalty shall still be issued to document the violation. If the violation occurs again (within 12 months of the initial violation) a NOPA shall be issued regardless of whether the violation is immediately corrected or not.

(F) The violator may request from the Noise Control Officer or Noise Control Investigator, an extension of the compliance deadline in the enforcement action. The Noise Control Officer or Noise Control Investigator shall have the option to approve any reasonable request for an extension (not to exceed 180 days) if the violator can demonstrate that a good faith effort has been made to achieve compliance. If an extension is not granted and the violation continues to exist after the grace period ends, a NOPA shall be issued.

(G) The recipient of a NOPA shall be entitled to a hearing in a municipal court having jurisdiction to contest such action.

(H) The Noise Control Officer or Noise Control Investigator may seek injunctive relief if the responsible party does not remediate the violation within the period of time specified in the NOPA issued.

(I) Any claim for a civil penalty may be compromised and settled based on the following factors:

1. Mitigating or any other extenuating circumstances;

2. The timely implementation by the violator of measures which lead to compliance;
3. The conduct of the violator; and
4. The compliance history of the violator.

XII. Consistency, Severability and Repealer

(A) If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

(B) All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

(C) No provision of this ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this ordinance or from other law.

Mayor George reiterated what had been said in the public portion, namely that certified officers would use calibrated noise guns to measure noise following established guidelines from the DEP. Once the Noise Ordinance was approved, it had to be sent to the DEP for approval before it could become a valid enforceable ordinance in the Borough of North Haledon. Captain Darby was also instructed to inquire whether the Borough could get a discount for multiple officers training.

Motion by Council Member Dyer, second by Council Member Luisi, that Ordinance #3-2015 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #3-2015 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 #4-2015

Re: SCR District

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

The Clerk presented the following ordinance:

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 600, ZONING,
OF THE BOROUGH OF NORTH HALEDON
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 600, ZONING,**

OF THE BOROUGH OF NORTH HALEDON
ARTICLE XXIII, SENIOR CITIZEN RESIDENTIAL (SCR) DISTRICT

§ 600-243 Purpose

- A. The purpose of the Senior Citizen Residential (SCR) District is designed to meet the diverse housing and health care needs of an aging population while allowing zoning flexibility to accommodate the ever changing residential and medical needs for this specific population.
- B. The purpose of this chapter is establish rules, regulations, standards and procedures designed to promote the integrated and logical development of an area within the designated Block 65, Lots 4.03, 7.02, 7.06 and 10.02 on the Borough's Official Tax Maps.

§ 600-244 Definitions

Within the Senior Citizen Residential (SCR) District the following words and terms shall have the definitions hereinafter provided and as regulated by N.J.S.A. 52:27D-330 through 357, known as the Continuing Care Retirement Community Regulation and Financial Disclosure Act.

- A. ASSISTED LIVING FACILITY – A facility licensed by the New Jersey Department of Health and Senior Services which is designed and operated to provide apartment-style housing and congregate dining while assuring that assisted living services are available, as needed, to adult persons unrelated to the proprietor. Each unit in such facility shall offer, at minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance. Assisted living facilities include dementia care facilities, which are facilities designed to accommodate the special needs of elderly persons afflicted with Alzheimer's disease or other related dementias.
- B. CONTINUING CARE RETIREMENT CENTER (CCRC) – An age-restricted facility that provides a continuum of accommodations and care, from independent living and/or "assisted living units" to long-term bed care, and enters into contracts to provide lifelong care in exchange for the payment of monthly fees and entrance fees. CCRC's may contain related social, recreational and dining facilities and health care facilities which may include an outpatient clinic and therapy areas.
- C. NURSING HOMES/LONG TERM CARE – An institution or a distinct part of an institution that is licensed or approved to provide health care under medical supervision for twenty four or more consecutive hour for more than two residents who are not related to the governing authority or its members by marriage, blood, or adoption. This facility will be serviced 24 hours a day by a registered nurse and include medical facilities, meals, housekeeping, social service and physical therapy.

- D. RESIDENTIAL HEALTH CARE FACILITY (RHCF) – An institution or a distinct part of an institution which is licensed by the State of New Jersey Department of Health and Senior Services to provide health care under medical supervision to two or more patients who are not related to the governing authority of the institution or its members by marriage, blood or adoption. This facility is to provide independent living units but include the provisions for meals, social services, medical and/or personal services and emergency care if necessary.

§ 600-245 Permitted Uses

- A. Assisted Living Facilities
- B. Continuing Care Retirement Community (CCRC)
- C. Nursing Homes / Long Term Care Facility
- D. Residential Health Care Facilities

§ 600-246 Accessory Uses

- A. Signs
 - 1. Signs, such as directional signs shall be provided as otherwise regulated in Borough ordinances.
- B. Off-street parking, as otherwise regulated in the Borough ordinances.
- C. Fences and walls, as otherwise regulated in the Borough ordinances.
- D. Active and passive recreational areas, along with structures and necessary features appurtenant thereto.
- E. Accessory uses and structures customarily incidental to permitted uses.

§ 600-247 General Requirements

- A. Site plan approval shall be required for all development (as defined in the Municipal Land Use Law) in the SCR zone.
- B. The site plan review shall consider storm water management but not be limited to the following: solid waste management, lighting, pedestrian and vehicular circulation, parking location and arrangement, building sighting and arrangement, signs, landscaping, open space.
- C. All facilities and utilities shall be built to Borough specifications.

§ 600-248 Occupancy

In the Senior Citizen Residential (SCR) District, occupancy shall be limited to persons sixty five (65) years of age and older. A maximum of twenty percent (20%) of the occupants may be less than sixty five (65) years of age, but no younger than fifty five (55) years of age.

§ 600-249 Density

The maximum density shall be thirteen (13) beds per acre.

§ 600-250 Floor Area Ratio

The Floor Area Ratio shall not exceed 0.25. This calculation shall be made exclusive of any accessory structures.

§ 600-251 Bulk Regulations

- A. Minimum lot area (acreage): 10 acres
- B. Minimum street frontage along a county or municipal road: 150 feet
- C. Minimum lot width: 150 feet
- D. Minimum lot depth: 700 feet
- E. Minimum front yards: 100 feet
- F. Minimum side yards/total side yards: 40 feet / 80 feet
- G. Minimum rear yard: 40 feet
- H. Minimum buffer width: 25 feet
- I. Maximum building height: 3 stories or (45) feet
- J. Maximum building coverage: 10 percent
- K. Maximum impervious surface coverage: 40 percent
- L. Minimum interior driveways shall be not less than twenty (20') feet wide

§ 600-252 Buffer Areas

A buffer area of not less than 25 feet in width shall be provided along the side and rear lot lines. Said buffer area shall be kept in its natural state. Where wooded and natural vegetation is sparse or nonexistent, the area shall be planted to provide a year-round natural screening. Parking areas shall not be located in the required buffer areas, however driveways shall be permissible within the buffer areas.

§ 600-253 Parking Requirements

Sufficient off-street parking shall be required to meet the needs of the residents, employees and guests within the facilities in the Senior Citizen Residential (SCR) District. Said parking

spaces shall be applicable to the following conditions:

- A. A minimum of 0.75 off-street parking spaces must be provided for each bed within all operating facilities in the Senior Citizen Residential (SCR) District.
- B. This parking calculation will meet the needs for residents, employees and guests within the Senior Citizen Residential (SCR) District.
- C. No parking shall be permitted on any driveway or access-way within the Senior Citizen Residential (SCR) District..
- D. All parking shall be confined to the area specifically designated on the site plan for such purpose.
- E. All new parking areas shall be paved and curbed, and provided with an adequate system of storm-water drainage as approved by the Borough Engineer.

§ 600-254 Utilities, Facilities, Landscaping and Circulation

- A. Refuse and recyclable materials shall be serviced by a private hauler as per existing Borough Regulations.
- B. All utility wiring shall be underground. Utility connections for each separate apartment shall be independently or jointly metered as would be appropriate to the form of occupancy/ownership of the living units.
- C. Open space areas shall be attractively landscaped. The landscape plan shall be subject to approval by the Planning Board.
- D. Sidewalks or other suitable means of internal pedestrian circulation shall be provided throughout the development along driveways and between buildings.
- E. All exterior lighting plans shall be reviewed by the Planning Board.

§ 600-255 Common Open Space Implementation Requirements

- A. A minimum of 20% of the total site area shall be set aside as passive open space.
- B. Buffer areas, wetlands and conservation easements shall be eligible as open space as required by this section.
- C. All passive open space shall be connected to residential areas with walkways or other reasonable means of access.

§ 600-256 Circulation and Parking Standards – All internal driveways shall be in accordance with the requirements of the New Jersey *Residential Site Improvement Standards*.

§ 600-257 Developments Subject To Applicable Ordinances – Any development in the

Senior Citizen Residential (SCR) District shall be subject to all applicable ordinances of the Borough of North Haledon. Where there is any conflict between the provisions of this section and the provisions of the Site Plan Ordinance and/or the Land Subdivision Ordinance, the provision of this section shall prevail.

§ 600-258 Date of Effect – This Ordinance shall take effect upon final passage, approval, and publication as required by law.

Motion by Council Member Galluccio, second by Council Member Luisi, that Ordinance #4-2015 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #4-2015 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 #5-2015

Re: Personnel Policies

Motion by Council Member Luisi, second by Council Member 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 102, 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 102, Personnel Policies, shall be amended as follows:

- (1) The last sentence of §102-17 shall be amended to read “The resolution shall specify the reasons for deferral and shall be subject to annual review, and, in addition, this accumulated vacation shall be taken by June 1 of the year following.”

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

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

Motion by Council Member Luisi, second by Council Member Melone, that Ordinance #5-2015 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice

to be published that Ordinance #5-2015 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 #6-2015

Re: Sales

Motion by Council Member Dyer, second by Council Member 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 468, SALES**

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

Section 1. §468-1 Definitions, shall be amended to read as follows:

CASUAL SALE – sales commonly known as “garage sales,” “lawn sales,” “attic sales,” “rummage sales,” “flea market sales” or “estate sales” or any similar casual sale of tangible personal property wherein goods are made available for sale to the public at large.

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

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

Motion by Council Member Dyer, second by Council Member Luisi, that Ordinance #6-2015 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #6-2015 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 #7-2015

Re: Fees

Motion by Council Member Melone, second by Council Member 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 275, FEES**

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 275, FEES, of the Code of the Borough of North Haledon, shall be and hereby is revised, amended and supplemented by modification so that the same shall read as follows:

1. §275-13A(1), (3), (4) and (5) shall be amended to reflect a fee of \$20.00.

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 upon final adoption and publication as provided by law.

Motion by Council Member Melone, second by Council Member Galluccio, that Ordinance #7-2015 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #7-2015 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 / RESOLUTIONS

RESOLUTION CA#3-2015

Re: Consent Agenda #3-2015

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

The Clerk presented the following resolution:

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

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

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

1. Designating Redeveloper & Authorizing Redevelopment Agreement with Belmont Estates Urban Renewal, LLC
2. Support from Local Governing Body Authorizing the Sustainable Jersey Grant Application
3. Acceptance of Proposal / Partners
4. February Transfers
5. Temporary Budget
6. Raffle License Approval/ UNICO / RA#1-2015
7. Tax Title Lien Redemption / 165 Dorothy Drive
8. Tax Title Lien Redemption / 160 Hillside Drive
9. Acceptance of Proposal / Electronic Drives & Controls
10. Ratification of Check / #2182 / Victoria Stapleton
11. Insurance Policies / Lobosco Insurance Group, LLC / Other than Coverages – NJIIF
12. Authorization of Professional Service Agreement Risk Management Consultant – NJIIF
13. Ratification of Check / #2183 / Visual Computing Services, Inc.
14. Tax Overpayment / 19 Overlook Avenue
15. Tax Title Lien Redemption / 15 Thornton Drive
16. Appointment / Probationary Firefighter / Nicholas E. Adesso
17. Award of Contract / 1075 Lighting / Equipment for 2015 Tahoe / Fire Chief Vehicle
18. Rescinding Resolution #42-2015
19. Authorization / CDBG Program / ADAing of Buehlers Entrance and Bathroom
20. Refund / Escrow / Charles Baratta
21. Approval / Change Order #3 / Coppola Services / SCADA Enhancement
22. Authorization / Execution of Agreement / Cooperative Purchasing / HGAC
23. Tax Title Lien Redemption / 56 Walray Avenue

Motion by Council Member Melone, second by Council Member Luisi, to approve the foregoing resolution. Upon roll call, all council members present voted in the affirmative, with the exception of Council Member Dyer and Marco, who voted against number 10 on the consent agenda.

Resolution #46-2015

Re: Sustainable Jersey Grant Application

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Borough of North Haledon strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Borough of North Haledon is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

THEREFORE, the Mayor and Council of the Borough of North Haledon has determined that borough should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of North Haledon, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

Resolution #47-2015

Re: Acceptance of Proposal / Partners

WHEREAS, the Borough of North Haledon is in need of OSHA/ PEOSH regulatory compliance services, and;

WHEREAS, Partner, by letter dated January 22, 2015, submitted a proposal regarding same as evidenced by attachment herein and made a part of the within resolution;

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

The Proposal of Partner, dated January 22, 2015, for regulatory compliance services is hereby accepted and approved, and that payment for attached project shall not exceed \$14,900.00; and

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

CERTIFICATION:

I, Laura Leibowitz, Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in 2015 Insurance.

Resolution #48-2015

Re: February 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	
TAX COLLECTION	OE	\$2,200.00
ELECTIONS	OE	\$1,200.00
FIRE PREVENTION	SW	\$1,439.00

POLICE	SW	\$6,629.68
DIESEL FUEL	OE	\$1,447.85
OTHER INSURANCE	OE	<u>\$10,000.00</u>
		\$22,916.53
		TO
MASTER PLAN	OE	\$2,307.50
ENGINEERING	OE	\$1,000.00
PUBLIC BUILDINGS	OE	\$17,750.00
TELEPHONE	OE	\$450.00
WATER	OE	\$1,181.03
PUBLIC DEFENDER	OE	<u>\$228.00</u>
		\$22,916.53

Resolution #49-2015

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.

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

Municipal Clerk OE	\$20,000.00
Board of Adj. OE	\$2,000.00
Court OE	\$500.00
Group	\$200,000.00
Workmen's Comp	\$45,000.00
Surety Bonds	\$1,000.00
Other Insurance	\$90,000.00
Recreation	\$2,000.00
Fire OE	\$10,000.00
Police OE	\$20,000.00
Police Car	\$10,000.00
Fire Life Hazard OE	\$300.00
Streets & Roads OE	\$75,000.00
Recycling OE	\$5,000.00
Public Buildings & Grounds	\$5,000.00
Sewers OE	\$30,000.00
Telephone	\$10,000.00
Total	\$525,800.00

Resolution #50-2015

Re: Approval of UNICO Raffle License

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

Name:	UNICO
Location of Raffle:	42 Linda Vista Avenue
Date of Raffle:	February 17 – June 12
Raffle License:	#1-2015

Resolution #51-2015

**Re: Tax Title Lien Redemption /
165 Dorothy Drive**

WHEREAS, the bank of the owner of the property located at 165 Dorothy Drive, also known as Block 31 Lot 67.16 mailed to the Tax Collectors Office on February 4, 2015 a check to redeem Tax Title Certificate 13-00003 dated July 16, 2014; and

WHEREAS, the payment was issued to the Borough of North Haledon, and same was deposited in the current account

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be and she is hereby authorized to issue a check to the following:

BLOCK 31 LOT 67.16	Redemption \$ 5,435.76
	Premium \$17,900.00

K.C.C. Promised Lands LLC
2560 Route 22 East, #175
Scotch Plains, NJ 07076

Resolution #52-2015

**Re: Tax Title Lien Redemption /
160 Hillside Drive**

WHEREAS, the bank of the owner of the property located at 160 Hillside Drive, also known as Block 71 Lot 56 mailed to the Tax Collector's Office on February 4, 2015 a check to redeem Tax Title Certificate 13-00009 dated July 16, 2014; and

WHEREAS, the payment was issued to the Borough of North Haledon, and same was deposited in the current account

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be and she is hereby authorized to issue a check to the following:

BLOCK 71 LOT 56	Redemption \$ 948.95
	Premium \$1,900.00

Clemente Enterprises, LLC
PO Box 141
Wyckoff, NJ 07481

Resolution #53-3015

**Re: Acceptance of Proposal /
Electronic Drives & Controls**

WHEREAS, Electronic Drives and Controls has submitted a written proposal to provide Variable Frequency Drive Preventive Maintenance at Molly Ann Pumping Station and the Lakeside Pumping Station for the period of January 1, 2015 through December 31, 2015; and

WHEREAS, the proposal submitted as attached hereto and made a part of the within resolution shows a cost of \$3,585.00;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Haledon that the contract be awarded to Electronic Drives and Controls, 17 Eastmans Road, Parsippany, New Jersey in accordance with the attached proposal and that the Clerk be authorized to accept said proposal.

BE IT FURTHER RESOLVED pursuant to the provisions of N.J.S.A. 40A:11-5, that the extraordinary unspecifiable services of Electronic Drives and Controls are hereby engaged to perform maintenance and inspection services as needed in accordance with proposal attached hereto and made a part of the within resolution;

BE IT FURTHER RESOLVED that the Clerk is hereby authorized to execute an appropriate contract.

CERTIFICATION:

I, Laura Leibowitz, Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in 2015 Sewer OE.

Resolution #54-2015

**Re: Ratification of Check #2182 /
Victoria Stapleton**

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that check #2182 in the amount of \$5,000.00, dated February 6, 2015, drawn to the order of Victoria Stapleton, 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 2015 Insurance.

Resolution #55-2015

Re: Insurance Policies

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the following policies be and the same are hereby awarded to Lobosco Insurance Group, LLC for the period of 1/1/2015 through 12/31/2017:

Fireman's Accident, Group Accident / Crossing Guards and Special Police, Public Official Bonds, including Public Employees Blanket Bond, and Flood

BE IT FURTHER RESOLVED, that this award is made in accordance with N.J.S.A. 40A:11-5(1), contract awards for extraordinary, unspecifiable services without public advertising for bids and N.J.S.A. 40A:11-15(6), Insurance Contracts can be awarded for period of not more than three (3) years:

BE IT FURTHER RESOLVED, that the Clerk cause the appropriate notice to be published in the Borough's Official Newspaper.

Resolution #56-2015

Re: Professional Services Agreement / NJIIF

WHEREAS, there exists a need for professional services for the Borough of North Haledon for a Risk Management Consultant for New Jersey Intergovernmental Insurance Fund; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq. requires that the resolution authorizing Professional Services without competitive bids must be publically advertised; and

WHEREAS, the Borough of North Haledon desires to enter into an agreement with Joseph Lobosco & Sons as the Risk Management Consultant for New Jersey Intergovernmental Insurance Fund (copy of agreement attached hereto and made a part of the within resolution) and

WHEREAS, the term of the agreement shall be for a period of three (3) years as permitted by N.J.S.A. 40A-11-15(6); and

WHEREAS, Joseph Lobosco & Sons has submitted a Business Entity Disclosure Certification in compliance with law; (attached hereto and made a part of the within resolution)

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of North Haledon that they Mayor and Municipal Clerk are hereby authorized and directed to execute the Professional Services Agreement and that a true copy of said agreement shall be available for inspection in the office of the Municipal Clerk and that the Clerk be and she shall cause the appropriate notice be published of the award of this contract in accordance with law in the Hawthorne Press.

Resolution #58-2015

Re: Ratification of Check / VCS

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that check #2183 in the amount of \$5,000.00, dated February 9, 2015, drawn to the order of Visual Computing Services, 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 A&E OE 2015.

Resolution #59-2015

Re: Tax Overpayment / 19 Overlook Avenue

WHEREAS, the homeowner paid the 1st quarter taxes for Block 30 Lot 6.01 and,

WHEREAS, the taxes for the 1st quarter were also paid by the bank and,

WHEREAS, it leaves an overpayment on the taxes for the year 2015,

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check for the following amount and the same to be charged to current taxes 2015.

Corelogic Real Estate Tax Service Block 30 Lot 6.01 \$1,568.00
1 Corelogic Way
Westlake, NJ 76262

Resolution #60-2015

**Re: Tax Title Lien Redemption /
15 Thornton Drive**

WHEREAS, the bank of the owner of the property located at 15 Thornton Drive, also known as Block 51 Lot 21, mailed to the Tax Collector's Office on February 9, 2015a check to redeem Tax Title Certificate 13-00005 dated July 16, 2014; and

WHEREAS, the payment was issued to the Borough of North Haledon, and same was deposited in the current account;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be and she is hereby authorized to issue checks to the following:

BLOCK 51 LOT 21	Redemption	\$5,451.53
	Premium	\$25,500.00

TWR as CST for Ebury Fund 1NJ LLC
PO Box 37695
Baltimore, MD 21297-3695

Resolution #60-2015

**Re: Appointment / Probationary Firefighter
Nicholas E. Adesso**

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that Nicholas E. Adesso, 15 North 15th Street, Hawthorne, NJ 07506, be appointed a Probationary Firefighter to the North Haledon Volunteer Fire Department.

Resolution #61-2015

Re: Award of Contract / Fire Chief Vehicle

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

WHEREAS, on February 13, 2015, one bid was received;

WHEREAS, the low bid was submitted by 10-75 Emergency Lighting LLC. in the amount of \$28,500.00; and

WHEREAS, the Fire Chief by letter dated February 16, 2015 (attached hereto), recommended the award of the low bidder 10-75 Emergency Lighting LLC, 14 First Avenue, Unit 3 Haskell, NJ 07420; and

WHEREAS, the Borough Attorney, by email dated February 13, 2015 (attached hereto), has opined as to the legal sufficiency of the lower bid and has found same to be sufficient.

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

1. In accordance with the recommendations of the Fire Chief and the Borough Attorney, 10-75 Emergency Lighting is hereby awarded the contract for the purchase of equipment for 2015 Chevrolet Tahoe Fire Chief's Vehicle.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute a contract subject to the receipt of a Performance Bond.

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

CERTIFICATION

I, Laura Leibowitz CFO/Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in Ordinance #11-2014

Resolution #62-2015

Re: Rescinding Resolution #42-2015

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Resolution #42-2015 as adopted by the Governing Body on January 21, 2015 authorizing an application to the Passaic County CDBG grant for repairs to the roof at the American Legion Building is hereby rescinded.

Resolution #63-2015

Re: CDBG Grant Application / Buehler's

BE IT RESOLVED, that the Board of Council of the Borough of North Haledon authorize an application to the Passaic County Community Development Block Grant (CDBG) Program for ADAing of the entrance and bathrooms at Buehler's Cultural Center described in the proposal. If awarded CDBG funds, the Borough of North Haledon shall implement the activities in a manner to ensure compliance with all applicable federal, state, local laws and regulations.

Resolution #64-2015

Re: Refund / Baratta Escrow

WHEREAS, Charles Baratta requested release of balance in Engineering Escrow for 62 Dietrich Lane; and

WHEREAS, all engineering bills have been satisfied and there remains a balance of \$500.00 in the Engineering Escrow Account.

WHEREAS, a request was made by Charles Baratta to release said escrow money; and

NOW THEREFORE BE IT RESOLVED, that the Treasurer be and she is hereby authorized to issue a check payable to Charles Baratta in the amount of \$500.00.

Resolution #65-2015

Re: Approval / Change Order #3 / Coppola

WHEREAS, the Borough Council of the Borough of North Haledon awarded a contract to Coppola Services for the rehabilitation of the Molly Ann Pumping Station via Resolution #64-2014, dated March 19, 2014, in the amount of \$267,000.00; and

WHEREAS, subsequent to the award of said contract, the Borough Engineer recommended and the Borough Council approved Change Order #1 via Resolution #205-2014, dated December 3, 2014, in the amount of \$14,526.75, effectively amending the original contract amount to \$281,526.75; and

WHEREAS, subsequent to the award of said contract, the Borough Engineer recommended and the Borough Council approved Change Order #2 via Resolution #35-2015, dated January 21, 2015, in the amount of \$23,304.48, effectively amending the original contract amount to \$304,831.23; and

WHEREAS, the Borough Engineer has recommended a third change order in accordance with NJAC5:34-4.4, entitled Change Order #3, in the amount of \$3,088.31; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Change Order #3, in the amount of \$3,088.31 is hereby authorized causing the original contract amount to be amended to \$307,919.54.

CERTIFICATION

I, Laura Leibowitz, Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in Ordinance #11-2014.

Resolution #66-2015

Re: H-GAC Cooperative Purchasing

WHEREAS, the Houston-Galveston Area Council was created to conduct a voluntary cooperative pricing system with municipalities, counties, states, school districts, emergency medical services, volunteer fire departments, etc.; and

WHEREAS, the purpose of the H-GAC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Borough of North Haledon desires to enter into an Agreement with the H-GAC;

NOW, THEREFORE, BE IT RESOLVED by the Board of Council of the Borough of New Jersey, County of Passaic, State of New Jersey as follows:

1. The Board of Council of the Borough of North Haledon hereby authorizes the execution of an agreement with the Houston-Galveston Area Council.
2. The Municipal Clerk of the Borough of North Haledon is hereby directed to submit a copy of this resolution along with an executed agreement to the Houston-Galveston Area Council

3. This resolution shall take effect immediately upon passage according to law.

Resolution #67-2015

**Re: Tax Title Lien Redemption /
56 Walray Avenue**

WHEREAS, the bank of the owner of the property located at 56 Walray Avenue, also known as Block 24.02 Lot 8.03 mailed to the Tax Collector’s Office on February 9, 2015 a check to redeem Tax Title Certificate 13-00002 dated July 16, 2014; and

WHEREAS, the payment was issued to the Borough of North Haledon, and same was deposited in the current account

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be and she is hereby authorized to issue a check to the following:

BLOCK 24.02 LOT 8.03	Redemption \$2,804.30
	Premium \$4,300.00

US Bank Cust for BV001 Trust
50 South 16th Street
Suite 2050
Philadelphia, PA 19102-2513

CERTIFICATION OF AVAILABILITY OF FUNDS

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

Resolution #68-2015

Re: Payment of Approved Claims

Mayor George reads the Payment of Claims 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 -RESERVES.....\$ 109,132.06

2015 BILLS

CURRENT FUND-OTHER EXPENSES\$83,774.14

GENERAL LEDGER.....\$ 29,625.00

2014 BILLS

PREPAID BILLS - CURRENT FUND - OTHER EXPENSE.....\$ 2,499,478.98

FEDERAL/STATE GRANT FUND.....\$ 4,707.92

TRUST FUND II.....\$ 11,113.00

DOG LICENSE TRUST ACCOUNT.....\$ 2,368.00

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 \$337,994.95 paid in the month of January be approved.

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

DISCUSSION

Mayor George advised that after discussion with members of the Recreation Commission, he suggested that the Borough apply for an Passaic County Open Space Grant for the lighting of Field #4. (Since this had not been discussed at the work session this could not go on the consent agenda.) A public hearing will be held at the regularly scheduled Council Meeting on March 18, and the Clerk will have a notice published in the newspaper and also have a notice sent out to the 200 foot list.

The Clerk presented the following resolution:

WHEREAS the Borough of North Haledon desires to apply for and obtain a grant from the County of Passaic Open Space and Farmland Preservation Trust Fund for Ballfield #4 Lighting Improvement;

NOW, THEREFORE, BE IT RESOLVED that the Borough of North Haledon does hereby authorize the application of such a grant; the execution of the grant agreement when received; and does further authorize the expenditure of funds pursuant to the terms of said agreement.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the agreement and any other documents necessary in connection therewith.

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

Motion by Council Member Melone, second by Council Member Dyer, to go into Executive Session to discuss contract negotiations.

EXECUTIVE SESSION (in 10:10 p.m.)

EXECUTIVE SESSION (out 10:28 p.m.)

Roll Call

Mayor Randy George

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

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 10:29 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Council Meeting of May 29, 2015