



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

WEDNESDAY, DECEMBER 7, 2016

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 December 7, 2016, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 11, 2016, and was advertised in said newspapers on January 14, 2016. This 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, the meeting was called to order at 8:05 p.m. and the Clerk is directed to include this statement in the minutes of this meeting.

ROLL CALL

Present:

Mayor Randy George

Council Members: Rocco Luisi, Raymond Melone, Donna Puglisi, George Pomianek, Dennis Marco, and Michael Galluccio

Deputy Borough Clerk, Dena Ploch

Municipal Clerk, Renate Elatab

Also Present:

Chief Robert Bracco, members of the North Haledon Police Department, members of the Graduating Bergen County Police Academy Class, and Alex's family and friends.

DEVIATION / RULES AND PROCEDURES / BY-LAWS OF COUNCIL APPOINTMENT AND OATH OF OFFICE / PROBATIONARY POLICE OFFICER

Motion by Council Member Puglisi, second by Council Member Marco, to deviate from the regular order of business for the appointment of Alex Parenta, as a probationary police officer. Upon roll call, all members voted in the affirmative. Motion carried.

Mayor George administers the oath of office to Probationary Police Officer Alex Parenta.

Break for Photos, etc. (8:10 p.m. to 8:18 p.m.)

PUBLIC COMMENTS

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

Bruce Iacobelli, 18 Sturr Street, advised that his family had had a medical emergency, and he wanted to thank Officers Canova and Phillips, as well as the North Haledon Volunteer Ambulance Corps, and ALS for their wonderful response.

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

APPROVAL OF PRIOR MINUTES

Motion by Council Member Luisi, second by Council Member Marco, to approve the minutes of the work session of October 5, 2016, the regular meeting of October 19, 2016, and the work session meeting, the regular council meeting, and the executive council meeting of November 2, and the special meeting of November 10, 2016. Upon roll call, Council Members Galluccio and Marco abstained on the minutes of November 2 and November 10, and Council Member Puglisi abstained from the minutes of October 9. Motion carried.

COMMITTEE REPORTS

DPW / STREETS & ROADS / SEWERS/ BUILDINGS & GROUNDS /
SOLID WASTE / RECYCLING
POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292
RECREATION. Recreation Commission Fund-Raiser will be on January 27 at The Brownstone.
ZONING BOARD OF ADJUSTMENT
NORTH HALEDON VOLUNTEER AMBULANCE
FINANCE
PLANNING BOARD
BOARD OF EDUCATION / LOCAL.
BOARD OF EDUCATION / REGIONAL
BOARD OF HEALTH
FIRE & WATER.
ENGINEERING
LIBRARY
PUBLIC CELEBRATIONS

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

COMMUNICATIONS

Communications below were presented at the Work Session.

Mayor George
Chief Bracco
Mayor George

Re: Police Hire
Re: Police Hire
Re: G. Faber's Letter Dated October 24, 2016

Mayor George
Mayor George
Darryl Siss
Harold Cook
Eastern Christian School
PSE&G

Re: Passaic County 2017 Road Project
Re: Holland Christian Home
Re: Request / Naming of Street
Re: Conveyance of Easement
Re: Homecoming and 5K Race
Re: 2017 Infrastructure Upgrades

Motion by Council Member Puglisi, second by Council Member Marco, that the above communications be received, and that they be placed on file. Upon roll call, all members voted in the affirmative. Motion carried.

OLD BUSINESS / ORDINANCES /

Ordinance #21-2016

Re: Do Not Solicit List

Motion by Council Member Puglisi, 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 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
CHAPTER 442, PEDDLERS, SOLICITORS AND CANVASSERS**

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

Section 1.

§442-11. Regulations, shall be amended and shall read as follows:

G. Do Not Solicit List.

- (1) Notwithstanding the provisions of any other section of this chapter, any person or entity owning property within the Borough may register such property on a “do not solicit list.”
- (2) Registration for the “do not solicit list” shall be made as follows:
 - (a) The “do not solicit list” shall be maintained by the Municipal Clerk.
 - (b) The “do not solicit list” shall consist solely of property addresses, and shall include no further identifying information concerning the ownership of each property.
 - (c) The Construction Official shall notify the Municipal Clerk of any change of ownership of property within the borough. The Municipal Clerk shall remove from the “do not solicit list” any property which has changed ownership.

- (3) The Municipal Clerk shall provide a copy of the “do not solicit list” to each and every solicitor to whom a permit is issued. Upon request, the Municipal Clerk shall also make available a copy of the “do not solicit list” to any individual or entity otherwise exempt from the provisions of this chapter which intends to engage in door to door canvassing, soliciting, campaigning, advocacy, education, proselytizing, or handbill distribution.
- (4) Solicitation of any address identified on the “do not solicit list” shall contribute a violation of this chapter. Each and every solicitation at an address identified on the “do not call list” shall constitute a separate violation of this chapter.

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

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

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

Council Member Puglisi advised that she wanted to put her name on the “Do Not Solicit” list.

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

Motion by Council Member Puglisi, second by Council Member Melone, that Ordinance #21-2016 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #21-2016 was adopted on second reading and is hereby declared a passed ordinance in accordance with law. Upon roll call, all members voted in the affirmative. Motion carried.

Ordinance #22-2016

Re: Short Term Rentals

Motion by Council Member Puglisi, 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 voted in the affirmative. Motion carried.

The Clerk presented the following ordinance:

AN ORDINANCE TO CREATE NEW CHAPTER 71, “PROHIBITION OF SHORT TERM RENTAL PROPERTY,” OF THE CODE OF THE BOROUGH OF NORTH HALEDON TO PROHIBIT THE SHORT TERM RENTAL OF RESIDENTIAL DWELLING UNITS WITHIN THE BOROUGH OF NORTH HALEDON

WHEREAS, the New Jersey Legislature has, pursuant to N.J.S.A. 40:52-1(d) and (n), specifically authorized municipal corporations, including the Borough of North Haledon (the “Borough”) to regulate “furnished and unfurnished rented housing or living units and all other places and buildings used for sleeping and lodging purposes, and the occupancy thereof” and the “rental of real property for a term of less than one hundred seventy-five (175) consecutive days for residential purposes by a person having a permanent place of residence elsewhere;” and

WHEREAS, in recent years, there has arisen a proliferation of internet and other media advertising often on websites dedicated to the rental of Dwelling Units for short terms and for a period of less than thirty (30) days (“Short Term Rental”); and

WHEREAS, the Borough’s experience, as well as common experiences, dictates the conclusion that Short Term Rentals frequently result in public nuisance, noise complaints, sanitation issues, overcrowding and illegal parking within the residential neighborhoods of the Borough, and essentially convert residential dwelling units into illegal de-facto hotels, motels, boarding houses and other commercial enterprises, in violation of the Borough’s Zoning and other Codes as well as State statutes; and

WHEREAS, the Borough wishes to deter the cyber-social phenomenon of any Owner renting his/her residential Dwelling Unit(s) on various websites, as well as the listing of Short Term Rental(s) by website businesses, of any Dwelling Unit(s), that constitute an illegal business operating in violation of the Borough’s Zoning Code and other public nuisance ordinances; and

WHEREAS, the Borough additionally wishes to prevent overcrowding, which unlawfully results in the Borough’s occupancy limits to be exceeded; and

WHEREAS, some property owners and/or their agents permit commercial boarding-house type Short Term Rental(s) and overcrowded conditions and other public nuisances, in order to unlawfully create a commercial enterprise and income, in violation of the Borough’s Zoning Code and to maximize their profit(s); and

WHEREAS, problems also frequently associated with such Short Term Rental(s) include overcrowding, excessive noise, unruly behavior, obscene language, fighting, littering, parking of vehicles on lawns, public urination, sanitation issues, poor maintenance of the property and grounds, and violation of trash collection ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of North Haledon, County of Passaic, State of New Jersey, that new Chapter 71, “Prohibition of Short Term Rental Property,” is hereby created as follows:

SECTION 1. Chapter 71. Prohibition of Short Term Rental Property.

71-1. Findings.

The Borough Council of the Borough of North Haledon, hereby finds and adopts, as if set forth more fully herein, the fact assertions of the “Whereas” clauses of this Ordinance, as its findings of fact.

71-2. Short Term Rental Property Prohibited Uses.

- A. Notwithstanding anything to the contrary in the Borough Code, it shall be unlawful for an Owner, lessor, sub-lessor, any other person(s) or entity(ies) with possessory or use right(s) in a Dwelling Unit, their principals, partners or shareholders, or their agents, employees, representatives and other person(s) or entity(ies), acting in concert or a combination thereof, to receive or obtain actual or anticipated consideration for soliciting, advertising, offering, and/or permitting, allowing, or failing to discontinue the use or occupancy of any Dwelling Unit, as defined herein, for a period of thirty (30) days or less.

- B. Nothing in this Ordinance will prevent formation of an otherwise lawful occupancy of a Dwelling Unit for a rental period of more than thirty (30) days.

71-3. Definitions.

ADVERTISE or ADVERTISING

Any form of solicitation, promotion, and communication for marketing, used to solicit, encourage, persuade, or manipulate viewers, readers, or listeners into contracting for goods and/or services in violation of this Ordinance, as same may be viewed through various media including, but not limited to, newspapers, magazines, flyers, handbills, pamphlets, commercials, radio, direct mail, internet websites, or text or other electronic messages for the purpose of establishing occupancies or uses of rental property, for Consideration, which are prohibited by this Ordinance.

CONSIDERATION

Soliciting, charging, demanding, receiving or accepting any legally recognized form of consideration including a promise or benefit, a quid-pro-quo, rent, fees, other form of payment, or thing of value.

DWELLING UNIT

Any structure, or portion thereof, whether furnished or unfurnished, which is occupied in whole or in part, or intended, arranged or designed to be occupied, for sleeping, dwelling, cooking, gathering and/or entertaining, as a residential occupancy, by one or more persons. This definition includes an apartment, condominium, building, co-operative, converted space, or portions thereof, that is offered to use, made available for use, or is used for accommodations, lodging, cooking, sleeping, gathering and/or entertaining of Occupants and/or guest(s), for consideration, for a period of thirty (30) days or less.

HOUSEKEEPING UNIT

Constitutes a family-type situation, involving one-or more persons, living together that exhibit the kind of stability, permanency and functional lifestyle equivalent to that of a traditional family unit, as further described in the applicable reported and unreported decisions of the New Jersey Superior Court.

OCCUPANT

Any individual using, inhabiting, living, gathering, entertaining, being entertained as a guest, or sleeping in a Dwelling Unit, or portion thereof, or having other permission or possessory right(s) within a Dwelling Unit.

OWNER

Any person(s) or entity(ies), association, limited liability company, corporation, or partnership, or any combination, who legally use, possess, own, lease, sub-lease or license (including an operator, principal, shareholder, director, agent, or employee, individually or collectively) that has charge, care, control, or participates in the expenses and/or profit of a Dwelling Unit pursuant to a written or unwritten agreement, rental, lease, license, use, occupancy agreement or any other agreement.

PERSON

An individual, firm, corporation, association, partnership, limited liability company, association, entity, and any person(s) and/or entity(ies) acting in concert or any combination therewith.

RESIDENTIAL OCCUPANCY

The use of a Dwelling Unit by an Occupant(s).

71-4. Permitted Uses

The residential occupancy of an otherwise lawful and lawfully occupied Dwelling Unit for a period of thirty (30) days or less by a person who is a member of the Housekeeping Unit of the Owner, without Consideration, such as house guests, is permitted.

71-5. Advertising prohibited.

It shall be unlawful to advertise, solicit or promote by any means actions in violation of this Ordinance.

71-6. Enforcement; Violations and penalties.

- A. The provisions of this Ordinance shall be enforced by the Zoning Official, Fire Official and/or other Sub-Code or Code Official, as their jurisdiction may arise, including other persons designated by the Borough Council to issue municipal civil infractions directing alleged violators of this Ordinance to appear in court or to file civil complaints.
- B. A violation of this Ordinance is hereby declared to be a public nuisance, a nuisance per se, and is hereby further found and declared to be offensive to the public health, safety and welfare.
- C. Any person found to have violated any provision of this Ordinance, without regard to intent or knowledge, shall be liable for the maximum civil penalty, upon adjudicated violation or admission, of a fine not exceeding \$1,250. Each day of such violation shall be a new and separate violation of this Ordinance.
- D. The penalty imposed herein shall be in addition to any and all other remedies that may accrue under any other law, including, but not limited to, eviction proceedings and/or injunction, reasonable attorney's fees or other fees and costs, in the Borough's Municipal Court or the Superior Court of New Jersey in the vicinage of Passaic County, or in such other Court, or tribunal of competent jurisdiction, by either summary disposition or by zoning or construction code municipal proceeding.

71-7. Severability.

If any portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Ordinance but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 2. Except as hereby amended, all other sections of the Code of the Borough of North Haledon shall remain in full force and effect.

SECTION 3. This Ordinance shall take effect upon final passage and publication according to law.

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

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

Motion by Council Member Puglisi, second by Council Member Luisi, that Ordinance #22-2016 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #22-2016 was adopted on second reading and is hereby declared a passed ordinance in accordance with law. Upon roll call, all members voted in the affirmative. Motion carried.

NEW BUSINESS / RESOLUTIONS

RESOLUTION CA#13-2016

Re: Consent Agenda #13-2016

Motion by Council Member Puglisi, 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 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. Tax Overpayment
2. Acceptance of Resignation / Alexander Manna
3. Replenishment of Postage Meter
4. Approval / Cancellation / Outstanding Checks
5. Authorization / Submission of Strategic Plan / North Haledon Municipal Alliance
6. Refund / Construction Permit / Grace Bible Church
7. Acceptance of Proposal / Snow Plowing / De-Icing Services / Guido and Sons
8. Performance Bond Reduction / Block 65 Lots 3, 17 & 17.01
9. 2016 General Capital Cancellations
10. Support Senate Bill S-2254 / Assembly Bill A-3821
11. Acceptance of Resignation / SPO and P-T Dispatcher / Alex Parenta
12. Appointment / Police Officer / Alex Parenta
13. Authorization / Payment of Bills / Issuance of Checks

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

Resolution #194-2016 (a) Re: Tax Overpayment

WHEREAS, the Title Company paid 4th quarter taxes for 2016; and

WHEREAS, the taxes for the 4th quarter were also paid by the bank; and

WHEREAS, this leaves an overpayment on the taxes for the 4th quarter of 2016,

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be and he is hereby authorized to issue a check for the following amount, and that the same to be charged to Current Taxes 2016.

| | | |
|---------------------------|----------------------|-------------|
| Corelogic | Block 63.01 Lot 4.04 | \$ 1,944.00 |
| Refund Department | | |
| PO Box 961250 | | |
| Fort Worth, TX 76161-9858 | | |

Resolution #194-2016 (b) Re: Resignation / Alexander Manna

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the resignation of Alexander La Manna, Dispatcher, be accepted effective November 1, 2016.

Resolution #195-2016 Re: Replenishment of Postage Meter

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Treasurer be and she is hereby authorized to issue a check payable to the United States Postal Service for the replenishment of postage meter in the sum of \$1,000.00.

Resolution #196-2016 Re: Cancellation of Outstanding Checks

WHEREAS, there are a number of checks which have been outstanding from prior years; and

WHEREAS, said checks can no longer be cashed; and

WHEREAS, it is the desire of the Chief Financial Officer that the following checks be canceled:

| <u>CURRENT FUND</u> | |
|---------------------|---------------|
| <u>CHECK</u> | |
| <u>NUMBER</u> | <u>AMOUNT</u> |
| 9446 | \$ 100.00 |
| 9728 | \$ 268.50 |
| 9729 | \$ 433.18 |
| 9742 | \$ 361.58 |
| 10066 | \$ 20.00 |
| 10918 | \$ 60.00 |

| | | |
|-------|----|--------|
| 10944 | \$ | 91.15 |
| 2098 | \$ | 100.00 |
| 2299 | \$ | 50.00 |
| 2318 | \$ | 858.95 |

\$ 2,343.36

GRANT FUND

| <u>CHECK</u> | | |
|---------------|---------------|--|
| <u>NUMBER</u> | <u>AMOUNT</u> | |

| | | |
|------|----|--------|
| 2050 | \$ | 214.92 |
| 2210 | \$ | 168.21 |

\$ 383.13

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Haledon, that, the Borough's Chief Financial Officer is hereby authorized to cancel the checks listed above in the amounts specified.

Resolution #197-2016

Re: North Haledon Municipal Alliance

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough Council of the Borough of North Haledon, County of Passaic, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Passaic;

NOW, THEREFORE, BE IT RESOLVED by the Borough of North Haledon, County of Passaic, State of New Jersey, hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the North Haledon Municipal Alliance Grant for the period of July 1, 2017 to June 30, 2018 (FY2018) in the amount of:

| | | |
|------------|----|-----------|
| 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 #198-2016

Re: Refund / Grace Bible Church

WHEREAS, Grace Bible Church located at 369 High Mountain Road, North Haledon, paid a total of \$168.00 for the application for the installation of a hot water heater; and

WHEREAS, the Grace Bible Church is requesting reimbursement of said fee since the Borough waives fees associated with construction projects for non-profit organizations in the Borough of North Haledon;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Treasurer be and he is hereby authorized to issue a check in the amount of \$166.00, the Borough's share of construction permit fees, to Grace Bible Church.

Resolution #199-2016

Re: Acceptance of Proposal / Snow Plowing

WHEREAS, proposals were requested by the Governing Body and received for captioned matter; and

WHEREAS, proposals as solicited are attached hereto and made a part of the within resolution; and

WHEREAS, it is the recommendation of William Graham, Supt., DPW (attached) to accept the proposal of Guido and Sons, 54 Pettee Avenue, North Haledon, NJ;

BE IT RESOLVED, that said proposal (attached) be accepted as submitted; and

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that it hereby awards the contract for snow plowing services effective immediately, 2016 for a period of three (3) years, expiring December 31, 2019.

Resolution #200-2016

Re: Reduction in Performance Bond

WHEREAS, the Developer of Block 65 – Lots 3, 17 & 17.01 has requested a reduction in the amount of his Performance Bond; and

WHEREAS, the Borough Engineer has reviewed said request and by correspondence dated November 29, 2016, (attached hereto) has recommended the reduction in the Performance Bond from \$120,000.00 to \$43,443.00;

NOW, THEREFORE, BE IT RESOLVED that the Performance Bond for Block 65 – Lots 3, 17 & 17.01 be reduced to \$43,443.00.

Resolution #201-2016

Re: 2016 General Capital Cancellations

WHEREAS balances exist on the General Capital balance sheet; and

WHEREAS these balances are unencumbered; and

WHEREAS the Mayor and Council wish to cancel said Capital Ordinances;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon, that the following General Capital Accounts are hereby canceled:

IMPROVEMENT AUTHORIZATIONS

| <u>ORDINANCE</u> | <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|------------------|--|---------------|
| 1996-10 | IMPROVEMENTS TO SQUAW BROOK RD | \$ 4,280.37 |
| 2007-21 | ACQUISITION OF REAL PROPERTY | \$ 3,818.49 |
| 2008-17 | VARIOUS IMPROVEMENTS | \$ 74,914.04 |
| 2010-11 | VARIOUS IMPROVEMENTS | \$ 968.33 |
| 2011-09 | ACQUISITION OF FIRE CHIEF VEHICLE | \$ 19.21 |
| 2011-12 | ACQUISITION OF FIRE DEPT EQUIPMENT | \$ 37.00 |
| 2012-07 | ACQUISITION OF FIRE DEPT EQUIPMENT | \$ 118.00 |
| 2012-07 | IMPROVEMENTS TO BORO PROPERTY | \$ 4,476.17 |
| 2012-07 | ACQUISITION OF AMBULANCE EQUIPMENT | \$ 689.05 |
| 2012-07 | RECREATION IMPROVEMENTS | \$ 10,609.50 |
| 2013-06 | ACQUISITION OF FIRE DEPT EQUIPMENT | \$ 78.28 |
| 2013-06 | IMPROVEMENTS TO BORO PROPERTY | \$ 4,308.69 |
| 2013-06 | ACQUISITION OF VARIOUS EQUIPMENT | \$ 373.00 |
| 2013-06 | ACQUISITION OF RECREATION EQUIPMENT | \$ 960.71 |
| 2013-11 | IMPROVEMENTS TO BUILDINGS | \$ 23.58 |
| 2014-11 | ACQUISITION OF POLICE DEPARTMENT EQUIPMENT | \$ 2,500.00 |
| 2014-11 | ACQUISITION OF EMERGENCY MGMT EQUIPMENT | \$ 10,000.00 |
| 2014-11 | ACQUISITION OF AMBULANCE EQUIPMENT | \$ 211,150.00 |
| 2014-11 | IMPROVEMENTS TO SICOMAC AND VARIOUS ROADS | \$ 75,000.00 |
| 2014-11 | REHAB OF MOLLY ANN PUMP STATION | \$ 108,272.70 |
| 2014-11 | CONSTRUCTION DEPT SUV | \$ 92.75 |
| 2014-11 | LIGHTNING DETECTOR SYSTEM | \$ 823.20 |

OTHER RESERVES

| | | |
|---------|------------------------------------|----------------|
| 2008-17 | GRANT RECEIVABLE - LINDA VISTA AVE | \$ (74,914.04) |
| | RESERVE FOR TECHNICAL ENHANCEMENTS | \$ 96.53 |
| | RESERVE FOR WATER IMPROVEMENTS | \$ 293.46 |

| | |
|---------------|----------------------|
| TOTAL: | \$ 438,989.02 |
|---------------|----------------------|

TOTAL CANCELED TO FUND BALANCE: \$ 432,208.65
TOTAL CANCELED TO DCTFT UNFUNDED: \$ 6,780.37

Resolution #202-2016

Re: Support S-2254 & A-3821

WHEREAS, the Borough of North Haledon supports the provision of affordable housing in a reasonable, rational and achievable way, consistent with economic realities and sound planning; and

WHEREAS, pursuant to the March 2015 New Jersey Supreme Court order which transferred oversight of the Fair Housing Act (FHA) to the courts, hundreds of municipalities filed declaratory judgment actions to voluntarily comply with their State imposed affordable housing requirements; and

WHEREAS, in February, the Ocean County Superior Court included a distinct “gap period” analysis retroactively over an additional 16 year period, separate and apart from the normal 10 year present and prospective need; and

WHEREAS, the Appellate Division recently in a unanimous decision overturned the February Ocean County Superior Court decision and held that municipalities are only responsible to address the ten year present and prospective need, not any “gap period” number; and

WHEREAS, the New Jersey Supreme Court has, for the stated purposes of, “...*judicial economy and efficiency based on the large number of actions involved. The Court makes no findings as to the reasonable probability of success on the merits, irreparable harm, or the relative hardship to the parties,*” agreed to hear an appeal of the Appellate Division ruling in late November; and

WHEREAS the Fair Housing Act (FHA) and existing case law, requires that “present and prospective fair share of the housing need in a given region ... shall be computed for a 10- year period.” [N.J.S.A. 52:27D-307(c)]; and

WHEREAS, the “gap issue” arises out of the inability of the New Jersey Council on Affordable Housing to promulgate third round regulations from 1999 to the present or make any final determination as to state and regional housing need, as well as constant litigation by certain groups; and

WHEREAS, any retroactive “gap” obligations could have significant and unfunded impacts on municipalities, may double count households under both present and prospective need, and will likely result in forcing municipalities and their property taxpayers to subsidize development; and

WHEREAS, this issue needs a resolution which provides both certainty and an achievable path forward so municipalities can proceed with planning for and implementing their affordable housing obligations;

WHEREAS, Senate Bill S-2254, sponsored by Senators Greenstein and Bateman, and Assembly Bill A-3821, sponsored by Assemblymen DeAngelo and Benson, re-affirm the language and legislative intent of the Fair Housing Act, so as to preclude significant unfair impacts and instead further progress toward a more rational statewide housing policy, including

reasonable and achievable obligations for municipalities, facilitate municipal compliance and the actual provision of affordable housing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon, that

The Borough of North Haledon strongly urges New Jersey Legislators to immediately reaffirm the language and legislative intent of the Fair Housing Act (FHA) and expressly clarify that the municipal affordable housing share is the sum of present and prospective need for the enumerated ten year period.

The Borough of North Haledon supports Senate Bill S-2254 and Assembly Bill A-3821.

Copies of this resolution be distributed to the Governor, the Lieutenant Governor, the President of the New Jersey Senate, the Speaker of the New Jersey General Assembly, the Legislative Sponsors, State Senator Nellie Pou and Assemblywoman Shavonda Sumter and Assemblyman Benjie Wimberly, Senator Jeff Van Drew, Senator Ronald Rice, Assemblyman Jerry Green and Assemblywoman Mila Jasey, the New Jersey League of Municipalities and the New Jersey Conference of Mayors.

Resolution #203-2016

**Re: Acceptance of Resignation /
SPO and PT Dispatcher / A. Parenta**

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the resignation of Alex Parenta as a Class II Special and Part-Time Dispatcher be accepted effective immediately.

Resolution #204-2016

**Re: Appointment / Alex Parenta /
Probationary Police Officer**

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Alex Parenta be appointed as a probationary police officer effective December 8, 2016, with salary in accordance with Salaries and Wages 2016.

Resolution #205-2016

Re: Payment of Bills / Issuance of Checks

WHEREAS certain bills which are contained on the bills list which is attached hereto and incorporated herein have been submitted to the Borough of North Haledon for payment; and

WHEREAS, pursuant to N.J.S.A. 40A:5:16, it has been certified to the Governing Body that the goods and services for which said bills were submitted have been received by or rendered to the Borough of North Haledon;

NOW, THEREFORE, BE IT RESOLVED by the Board of Council of the Borough of North Haledon that the Mayor, Assistant Treasurer, and Administrator, be and are hereby authorized to sign checks in payment of the bills set forth in the attached schedule.

Mayor George thanked all the Council Members for working together for the betterment of the town. He said that it had been a privilege serving with Council Member Marco and Council Member Galluccio, and while they had agreed to disagree on some issues, Council Member Marco's strong support had helped move the redevelopment plan along, and Council Member Galluccio had always looked at things from a human perspective. Mayor George advised that election had been very interesting, and that both Council Members will be missed. Council Member Marco advised that they will continue to be active, that he will become more involved in Squaw Brook Run, and that he had recently been named co-chair of the North Haledon Democratic Organization.

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 8:30 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Council Meeting of December 27, 2016