



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

WEDNESDAY, JUNE 15, 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 June 15, 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, this meeting was called to order at 7:35 p.m. and the Clerk was directed to include this statement in the minutes of this meeting.

Pastor Don Harris 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, Donna Puglisi (arrived at 7:45 p.m.), George Pomianek, Dennis Marco, and Michael Galluccio

Police Captain Todd Darby

Borough Attorney Michael De Marco

Borough Engineer, Joseph Pomante

Deputy Borough Clerk, Dena Ploch

Renate Elatab, Municipal Clerk

Absent:

Council Member Rocco Luisi

PUBLIC COMMENTS

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

The following members of the public complained about quality of life noise and traffic issues related to Cinco de Mayo: Robert Heaney (30 Springbrook Avenue), Lorna Noonan (23 Springbrook Avenue), Pete Ten Kate (29 Springbrook Avenue), and Ray Worrall (38 Springbrook Avenue). The Borough Attorney advised that the traffic related complaints could not be covered as a condition in the renewal of the liquor license. Mayor George advised that he wanted to obtain a copy of all police reports stemming from complaints regarding Cinco de Mayo. The Borough Attorney was instructed to do a title search to uncover if there is a right of way between Springbrook Avenue and Cinco de Mayo's driveway. The Health Inspector will be dispatched to check for garbage, and if Mr. Worrall wants his complaint of the noisy kitchen fan addressed, he should call the police department and get a decibel reading done.

Before, the following discussion ensued, Councilman Melone recused himself and stepped off the dais. Greg Meese, Esq. (attorney for Verizon Wireless) and Alexander Snyder (from Tilson for Verizon Wireless) appeared with documentation explaining why Verizon had placed the new pole at Sicomac Plaza and why the node could only be placed on that pole. (Mr. Meese also submitted proof of liability insurance and a workman's compensation insurance.) Joe Sasso, 75 Feldman Terrace, advised that the landlord at 5 Sicomac Plaza is going to object in writing to the installation of the new pole and that the owners are still trying to put in a cell tower. Mr. Meese advised that Verizon Wireless had contacted both Foodtown and the owners of 5 Sicomac Plaza regarding the possibility of the installation of a monopole, and that while, Mr. Miniacci had advised that he was not interested, Verizon had never heard back from the owners of 5 Sicomac Plaza; Mr. Meese gave Mr. Sasso his business card and told him to have the owners contact him. Councilwoman Puglisi asked if technology wasn't moving away from cell towers, and Mr. Meese explained that cell towers are still necessary.

Since no one else from the public asked to speak, motion by Council Member Galluccio, second by Council Member Marco, to close the floor to the public. **Councilman Melone returned to the dais.** Upon roll call, all members present voted in the affirmative. Motion carried.

OFFICIAL REPORTS

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

COMMITTEE REPORTS

DPW / STREETS & ROADS / SEWERS/ BUILDINGS & GROUNDS /
SOLID WASTE / RECYCLING

POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292
RECREATION
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 Council Member Melone, second by Council Member Marco, to dispense with reports. Upon roll call, all members present voted in the affirmative. Motion carried.

COMMUNICATIONS

Communications below were distributed at the worksession:

- Installation of Nodes by Verizon Wireless
- Communications from Mayor George re: suggestions for street names and ambulance coverage
- Communications from DPW Superintendent and Administrator re: creation of the position of QPA
- Communications from Borough Attorney (attorney-client privilege)
- Complaints re: Cinco de Mayo

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

OLD BUSINESS / ORDINANCES

ORDINANCE#10-2016

Re: Establishing Position of QPA

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 present voted in the affirmative. Motion carried.

The Mayor reads the Ordinance by title:

**AN ORDINANCE AMENDING CHAPTER 7
ENTITLED ADMINISTRATION OF GOVERNMENT
OF THE CODE OF THE BOROUGH OF NORTH HALEDON
TO ESTABLISH THE POSITION OF QUALIFIED PURCHASING AGENT**

Motion by Council Member Melone, second by Council Member Pomianek, that Ordinance #10-2016 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #10-2016 was adopted on second reading and is hereby declared a passed ordinance in accordance with law.

Mayor George advised that the Borough Administrator, who has a QPA certification, would be designated as the QPA with no additional compensation. Council Members Marco and Puglisi believed that the CFO should be designated as the QPA. Mayor George advised that the CFO had wanted an additional \$10,000 to take on the QPA duties, whereas the Borough Administrator would be doing it at no cost. Councilwoman Puglisi wondered why all purchases were not just made using State contracts and Councilman Marco suggested joining cooperatives. After consulting with the Borough Attorney, Mayor George pulled the ordinance off the agenda.

NEW BUSINESS / ORDINANCE / RESOLUTIONS

Ordinance #15-2016

Re: Sewer Connection Fees

Motion by Council Member Puglisi, second by Council Member Pomianek, 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 479, SEWERS**

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

Section 1. §479-8(D) shall be amended to read as follows:

The fee shall be paid in full to the Borough prior to the issuance of a Certificate of Occupancy for the unit to which it applies. The payment of said sewer connection fee shall be a condition to the issuance of any Certificate of Occupancy. In the event a connection is made without prior payment of the sewer connection fee for any reason, the sewer connection fee shall constitute a first lien upon the benefited property and shall bear interest as set forth in N.J.S.A. 40A:26A-12 and as otherwise provided by

law. This shall be in addition to any violations, penalties or other remedies otherwise provided for.

Section 2.

All other parts or provisions of Chapter 479 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 Melone, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on July 13, 2016, at 7:30 p.m. or as soon thereafter as the matter can be reached by the Mayor and Council and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with law. Prior to the vote, Councilwoman Puglisi advised that she wanted the Construction Office to set up some kind of procedure to guarantee that no certificate of occupancy is issued without the receipt of the sewer connection fee. Upon roll call, all members present voted in the affirmative. Motion carried.

RESOLUTION CA#7-2015

Re: Consent Agenda #7-2015

Motion by Council Member Melone, second by Council Member Marco, 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. Authorization / Execution of Agreement / Valley Medical Group
2. Authorization / Payment of Bills / Issuance of Checks
3. Liquor License Renewals / Consumption
4. Liquor License Renewals / Distribution
5. Schedule of Taxes / Local School Board
6. Schedule of Taxes / Regional School District
7. Approval / Refund / One Path
8. Supporting Assembly Bill A268
9. Receipt of Audit
10. Authorization / Execution of Developers Agreement / Block 65, Lots 3 and 17.01
11. Library Payments

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

Resolution #120-2016

Re: Valley Medical Group

WHEREAS, alcohol and drug testing services are required by the Borough of North Haledon in connection with workplace alcohol and drug testing; and

WHEREAS, a written proposal dated May 23, 2016 has been received from Valley Medical Group to provide alcohol and drug testing services for 24 consecutive months; and

WHEREAS, said services fall under the exception provisions of the Local Public Contracts Law in that they are professional services;

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

1. Valley Health Medical Group be and hereby is retained to perform alcohol and drug testing services subject to the execution of a contract in a form satisfactory to the Borough Attorney and subject to also the following;
2. The compensation for said services shall be at the rates set forth in accordance with the written proposal and contract hereby incorporated by attachment into this agreement.
3. The need for said services is to provide for proper alcohol and drug testing in connection with workplace alcohol and drug testing and the duration of such services will be for 24 consecutive months.
4. A copy of the within resolution and the executed contract shall be on file in the office of the Borough Clerk and shall be available for public inspection

BE IT FURTHER RESOLVED, that the Borough Clerk is authorized and directed to cause notice to be published in the newspaper once in accordance with the provisions of the statute.

Resolution #121-2016

**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; and

WHEREAS, Finance Manager of the Borough of North Haledon has certified to the Governing Body that there are funds legally appropriated and available in the current operating budget for the payment of said bills and that said payment will not result in the disbursement of public monies or in the encumbering of same in excess of the appropriation for said purpose;

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.

Resolution #122-2016

**Re: Liquor License Renewals /
Consumption**

BE IT RESOLVED that the following Plenary Retail Consumption Licenses be renewed as of the 15th day of June 2016, effective the 1st day of July, 2016:

PLENARY RETAIL CONSUMPTION LICENSES

| | |
|---|-----------------|
| J.F.V Enterprises, LLC | 1606-33-007-007 |
| Roberto Caterers, Inc., 778 Belmont Avenue | 1606-33-001-004 |
| Staiano Family, LLC t/a Giuseppe Restaurant, 5 Sicomac Road | 1606-33-008-008 |
| Tides Enterprises t/a The Tides Estate, 1245 Belmont Ave. | 1606-33-009-002 |
| 3114 Hospitality Group, LLC, 560 High Mountain Road | 1606-33-006-011 |

BE IT FURTHER RESOLVED that the Clerk be and she is hereby authorized to issue said renewals for the year 2016-2017 with the date of issuance as the first day of July, 2016.

Resolution #123-2016

**Re: Liquor License Renewal /
Distribution**

BE IT RESOLVED that the Plenary Retail Distribution License Number 1606-44-005-008 belonging to ANIK LIQUORS, INC., t/a Grand Opening Liquors, be renewed for the year 2016-2017, effective as of the first day of July, 2016.

BE IT FURTHER RESOLVED that the Clerk be and she is hereby authorized to issue said renewal for the year 2016-2017 with the date of issuance as the first day of July, 2016.

Resolution #124-2016

Re: Taxes / Local School District

WHEREAS, the North Haledon Board of Education has requested that the sum of \$10,435,585.00 including Debt Service, be placed in the hands of the Treasurer of School Monies monthly to meet obligations of said Board, to be disbursed as follows:

| <u>Month of:</u> | <u>Debt Service</u> | <u>General Fund</u> | <u>Pmt. Date</u> |
|------------------|---------------------|---------------------|------------------|
| July 2016 | | \$1,294,008.29 | 07/10/2016 |
| August 2016 | \$688,763.50 | \$647,004.14 | 08/10/2016 |
| September 2016 | | \$647,004.14 | 09/10/2016 |
| October 2016 | | \$647,004.14 | 10/12/2016 |
| November 2016 | | \$647,004.14 | 11/10/2016 |
| December 2016 | | \$647,004.14 | 12/10/2016 |
| January 2017 | | \$754,838.17 | 01/10/2017 |
| February 2017 | \$688,763.50 | \$754,838.17 | 02/10/2017 |
| March 2017 | | \$754,838.17 | 03/10/2017 |
| April 2017 | | \$754,838.17 | 04/11/2017 |
| May 2017 | | \$754,838.17 | 05/10/2017 |
| June 2017 | | \$754,838.17 | 06/10/2017 |

NOW, THEREFORE BE IT RESOLVED, that the Treasurer be, and she is hereby authorized to disburse the sum of \$10,435,585.00, including Debt Service, pending availability of funds, as needed by the North Haledon School District in accordance with the provisions of R.S. 54:4-75 and related statutes, to be charged against Local District School Tax for the year 2016-2017

Resolution #125-2016

Re: Taxes / Regional School District

WHEREAS, the Board of Education of the Passaic County Manchester Regional High School of Haledon, North Haledon and Prospect Park has requested that the sum of \$2,414,361.00 be placed in the hands of the Treasurer of School Monies monthly to meet obligations of said Board, to be disbursed as follows:

| <u>Month of:</u> | <u>General Fund</u> | <u>Payment Date</u> |
|------------------|---------------------|---------------------|
| July 2016 | \$201,196.75 | 07/15/2016 |
| August 2016 | \$201,196.75 | 08/15/2016 |
| September 2016 | \$201,196.75 | 09/15/2016 |
| October 2016 | \$201,196.75 | 10/15/2016 |
| November 2016 | \$201,196.75 | 11/15/2016 |
| December 2016 | \$201,196.75 | 12/15/2016 |
| January 2017 | \$201,196.75 | 01/15/2017 |
| February 2017 | \$201,196.75 | 02/15/2017 |
| March 2017 | \$201,196.75 | 03/15/2017 |
| April 2017 | \$201,196.75 | 04/15/2017 |
| May 2017 | \$201,196.75 | 05/15/2017 |

June 2017

\$201,196.75

06/15/2017

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to disburse the sums aforementioned, as needed by the regional school district in accordance with the provisions of R.S. 54:4-75 and related statutes, to be charged against Manchester Regional District School Tax for the year 2016-2017.

Resolution #126-2016

Re: Refund / One Path

WHEREAS, One Path paid for a permit at the Construction Office for the installation of wireless security system for the owners of 16 Gionti Place; and

WHEREAS, the property owner cancelled the project after they took out the permit; and

WHEREAS, by letter, One Path requested a refund;

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

Resolution #127-2016

Re: Support / A-268

WHEREAS, Assemblywoman Betty Lou DeCroce and Assemblyman Anthony M. Bucco have introduced legislation in the State Assembly that would direct the Commission of Education to establish a program to provide grants to school districts to implement a substance abuse prevention program for eighth grade students; and

WHEREAS, the North Haledon Municipal Alliance works tirelessly to educate its residents, including students about the dangers of substance abuse; and

WHEREAS, the North Haledon Police Department strives to prevent drug abuse, and educate residents about the dangers of substance abuse and provide resources for the prevention, rehabilitation and recovery; and

WHEREAS, despite the continued efforts of each of these groups individually and combined, substance abuse continues to escalate amongst the youth in our community and throughout this nation; and

WHEREAS, every resource that is made available to prevent substance abuse has the potential to save lives, reduce crime and provide hope for a bright future.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Council of the Borough of North Haledon in the County of Passaic, hereby urge the New Jersey State Assembly to support Bill A-268; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the the Borough's legislative representatives, the bill's sponsors, the North Haledon Municipal Alliance, the North Haledon Board of Education and the remaining fifteen municipalities located in Passaic County.

Resolution #128-2016

Re: Receipt of Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the Governing Body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit: R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Borough Council of the Borough of North Haledon, hereby states that they have complied with N.J.A.C. 5:30-6.5 and do hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution #129-2016

Re: Developer's Agreement

WHEREAS, a Developer's Agreement has been prepared by the Borough Attorney in connection with the subdivision for a property located on Sicomac Road and Graham Avenue, known as Block 65, Lots 3 and 17.01;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Mayor and Clerk be and hereby authorized to execute said developer's agreement subject to the receipt of the required bond and escrows.

Resolution #130-2016

Re: Library Remittances

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

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

| | |
|----------------|-------------|
| July 2016 | \$35,945.42 |
| August 2016 | \$35,945.42 |
| September 2016 | \$35,945.41 |

BE IT FURTHER RESOLVED that said payments be charged to the 2016 Budget Appropriation Account Maintenance of the Free Public Library.

DISCUSSION

Mayor George reported on the POW / MIA Chair Dedication Ceremony by the members of Rolling Thunder at the American Legion Hall on Saturday, June 11th. He once again reminded the council members of the upcoming street dedication ceremonies scheduled for September 3, and November 13, 15, and 17.

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 9:45 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Council Meeting of July 13, 2016