



BOROUGH OF NORTH HALEDON

MINUTES

OCTOBER 20, 2010

This meeting was called pursuant to the provisions of the Open Public Meetings Law. This meeting of October 20, 2010, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 6, 2010, and was advertised in said newspapers on January 14, 2010. This notice was posted on the bulletin board on January 6, 2010 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 8:00 p.m. and the Clerk was directed to include statement above in the minutes of the meeting.

Msgr. Ed Kurtyka led the Prayer and the Mayor asked that everyone remain standing for the Pledge of Allegiance.

ROLL CALL

PRESENT: Mayor Randy George, Council Members Rocco Luisi (arrived at 8:07 p.m.), Bruce O. Iacobelli, Elaine Vuoncino, Donna Puglisi, and Robert Dyer, Borough Attorney, Michael De Marco, Borough Engineer, Joseph Pomante, Tax Assessor, Timothy Henderson, Deputy Borough Clerk, Angela Russo, and Municipal Clerk, Renate Elatab. Also present was Lt. Todd Darby

ABSENT: Councilman Raymond Melone

DEVIATION / RULES AND PROCEDURES / BY-LAWS OF COUNCIL

Motion by Councilman Iacobelli, second by Councilwoman Puglisi, to deviate from the regular order of business in order to discuss proposals for the up-coming Tax Revaluation.

Upon roll call all members present voted in the affirmative. Motion carried.

APPRAISAL SYSTEMS – Ernest F. Del Guercio, Sr. and Rick Del Guercio, representing Appraisal Systems.

REALTY APPRAISALS CO. – Neil Rubenstein and Mark Duda, representing Realty Appraisals, Co.

CERTIFIED VALUATIONS – Cindy Sullivan and Tom De Korte, representing Certified Valuations.

Mayor and Council conducted interviews with the representatives. Tim Henderson, Borough Tax Assessor was present for the interviews. Mayor and Council will discuss awarding the proposal for the Tax Revaluation at November's work session.

At this time Mayor asked Joe Pomante, Borough Engineer, to step forward to answer questions regarding some of the resolutions on the Consent Agenda. After answering questions, the Borough Engineer was excused.

PUBLIC COMMENTS

Mayor George asked if anyone from the audience wished to be heard.

1. Michael Espie, 992 Belmont Avenue - asked for help with water run-off and noise from trucks, which started after Belmont Avenue was paved by the County three years ago. The Mayor will contact Passaic County. Mr. Espie also asked if the property owner across the street from him had been instructed to maintain his property; he also inquired about an ordinance controlling commercial vehicles, and complained about his neighbor who hangs laundry on the front porch and in the front yard. Mayor George responded to his concerns.
2. John Bleeker, 23 Lee Drive - discussed the Mayor's letter to the residents dated August 19, 2010; he is opposed to Ordinance #27-2010 on this evening's agenda for introduction. He is opposed to the auction of the 1999 Pierce Pumper; it is one of the newer fire trucks and Mr. Bleeker doesn't believe the Borough will be able to collect what the truck is worth. Mr. Bleeker also discussed Fire Co. #2's name change and the ISO report from 2005.

Motion by Councilman Iacobelli, seconded by Councilwoman Vuoncino, 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 Councilman Iacobelli, second by Councilman Dyer, to approve the minutes of the Regular Council Meeting of September 15, 2010, the Special Council Meeting of October 6, 2010, the Work Session Meeting of October 6, 2010, and the Executive Council Meeting of October 6, 2010. 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
Haledon Ambulance Report
Municipal Court Report

Treasurer's Report
Tax Collector's Report to the Treasurer
Recycling Enforcement Report
Property Maintenance Report
Police Department Report

COMMITTEE REPORTS

Motion by Councilwoman Puglisi, seconded by Councilman Iacobelli to dispense with the committee reports for this evening. Upon roll call all members present voted in the affirmative. Motion carried

Councilman Iacobelli reminded everyone to attend the Veterans Day ceremony at the American Legion Hall on November 11th at 11:00 a.m.

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

POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292
COUNCILWOMAN PUGLISI

RECREATION
COUNCILWOMAN PUGLISI

ZONING BOARD OF ADJUSTMENT
COUNCILWOMAN PUGLISI

HALEDON AMBULANCE
COUNCILMAN DYER

FINANCE
COUNCILMAN IACOBELLI

PLANNING BOARD
COUNCILMAN DYER

BOARD OF EDUCATION / LOCAL
COUNCILMAN LUISI

BOARD OF EDUCATION / REGIONAL
COUNCILWOMAN VUONCINO

BOARD OF HEALTH
COUNCILMAN IACOBELLI

FIRE & WATER
COUNCILMAN VUONCINO

ENGINEERING
COUNCILMAN DYER

CODIFICATION ADHOC COMMITTEE REPORT
COUNCILWOMAN PUGLISI

LIBRARY
MAYOR RANDY GEORGE

PUBLIC CELEBRATIONS
COUNCILMAN IACOBELLI

BUEHLER ADHOC COMMITTEE
COUNCILMAN IACOBELLI

Motion by Councilman Iacobelli, second by Councilman Luisi, 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

COMMUNICATIONS

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

Borough Attorney M. De Marco	Re: Reversion / 811 Belmont Avenue
Borough Attorney M. De Marco	Re: Request for Accounting / Co. 1
Borough Attorney M. De Marco	Re: Missed Stop / Smentkowski
Smentkowski	Re: Letter from Borough Attorney
Borough Attorney M. De Marco	Re: Walter Poppe / Prime Design
Borough Attorney	Re: Shenanigans Liquor License
Borough Attorney	Re: Judge Rothstadt Decision / NH Fire Co. 1 vs. Borough of No. Haledon
Borough Attorney	Re: Letter to Judge Rothstadt
Borough Attorney	Re: Carbone v. Borough of North Haledon

Chief of Police	Re: Traffic at Local Schools
Chief of Police	Re: Appointment / F. Santora / Crossing Guard
Construction Official	Re: Change of Fee Schedule
Zoning Review Officer	Re: Chicken / Lattera Property
Vito A. Gagliardi	Re: Interdistrict PS Choice Program Act
North Haledon Fire Department Co. 2	Re: Accounts (on file in Clerk's office)
Fire Chief	Re: Purchase / New Vehicle
Fire Chief	Re: Sale of Engine 1
North Haledon Free Public Library	Re: 2011 Library Allocation
Haledon Ambulance	Re: Invitation / October 16 / Buehlers
Samick	Re: Yahn's Pond
Dykstra	Re: Buehler's Pool
Mayor George	Re: Letter to Frank Dykstra
Vanderpoel	Re: Hanging Laundry
Harrison	Re: Working on Property on Weekends
Stojakovic	Re: Fire Department
Checinski	Re: Use of Parking Lot / Trunk or Treat
Spizziri	Re: Wester Subdivision
Rossi	Re: Return / Remaining Escrow
Franklin Lakes	Re: Ordinance / Impervious Coverage
Rotts 'n Pups Rescue	Re: Doggy Halloween Party
RBARI	Re: Cancellation / Mutts Marathon
NJLM	Re: Proper Perspective on Pension Problems Declining Property Values / Local Budgets

NJEV	Re: Bid / Ambulance
Municipal Clerk	Re: Bid Results / Ambulance
Appraisal Systems	Re: Proposal / North Haledon Revaluation (in drawers)
Realty Appraisal Co.	Re: Proposal / North Haledon Revaluation (in drawers)
Certified Valuations	Re: Proposal / North Haledon Revaluation (in drawers)
Municipal Clerk	Re: RFP Results / Tax Revaluation

Motion by Councilwoman Vuoncino, second by Councilwoman Puglisi, 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 #25-2010 **Re: Mid-Block Crossing / Squaw Brook Road**
Public Hearing/Second Reading

Motion by Councilman Iacobelli, second by Councilwoman Puglisi, 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 read the Ordinance by title:

**AN ORDINANCE TO FURTHER AMEND
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REVISE CHAPTER 169 VEHICLES AND TRAFFIC
ESTABLISHING A MID-BLOCK CROSSWALK AT SQUAW BROOK ROAD**

PUBLIC HEARING

Mayor George asked if anyone from the audience wished to be heard on this ordinance. There was no one.

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, to close the public hearing.

Upon roll call all members present voted in the affirmative. Motion carried.

Motion by Councilman Iacobelli, seconded by Councilman Luisi, that Ordinance #25-2010 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #25-2010 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.

NOTICE

Notice is hereby given that the above ordinance passed its second and final reading at a Regular Meeting of the Mayor and Board of Council of the Borough of North Haledon which was held on October 20, 2010, at the Municipal Building, 103 Overlook Avenue, North Haledon, N.J., and is hereby declared a passed ordinance in accordance with law.

NEW BUSINESS / ORDINANCES / RESOLUTIONS / PROCLAMATIONS

Mayor George presented the following proclamation:

NATIONAL BREAST CANCER AWARENESS MONTH

WHEREAS, October has been National Breast Cancer Awareness Month since 1995, and

WHEREAS, National Breast Cancer Awareness Month remains dedicated to increasing public knowledge about the importance of early detection of breast cancer diagnosis and treatment; and

WHEREAS, Since National Breast Cancer Awareness Month's inception, mammography use has doubled, and breast cancer death rates have declined; and

WHEREAS, Many women still do not utilize mammography at regular intervals, although mammograms are still the best available method of detecting breast changes that may be cancer, long before physical symptoms can be seen or felt; and

WHEREAS, Breast cancer rates could decline further if all women age 40 and older received mammograms at regular intervals.

NOW THEREFORE, BE IT PROCLAIMED that I, Randy George, Mayor of the Borough of North Haledon, do hereby proclaim October as National Breast Cancer Awareness Month, and urge all women and their families in the Borough of North Haledon to get the facts about mammography, and join in celebrating all successes and memorializing the lost battles.

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, to concur with the Mayor's proclamation. Upon roll call all members present voted in the affirmative. Motion carried.

Mayor George presented the following proclamation:

OCTOBER 21, 2010 / LIGHTS ON AFTERSCHOOL DAY

WHEREAS, the citizens of North Haledon stand firmly committed to quality afterschool programs and opportunities because they:

- Provide safe, challenging, engaging and fun learning experiences to help children and youth develop their social, emotional, physical, cultural and academic skills.
- Support working families by ensuring their children are safe and productive after the regular school day ends.
- Build stronger communities by involving our students, parents, business leaders and adult volunteers in the lives of our young people, thereby promoting positive relationships among children, youth, families and adults.
- Engage families, schools and diverse community partners in advancing the welfare of our children.

WHEREAS, The Boys & Girls Club of Hawthorne has provided significant leadership in the area of community involvement in the education and well-being of our youth, grounded in the principle that quality afterschool programs are key to helping our children become successful adults.

WHEREAS, *Lights On Afterschool*, a national celebration of afterschool programs on October 21 promotes the critical importance of quality afterschool programs in the lives of children, their families and their communities.

WHEREAS, more than 28 million children in the U.S. have parents who work outside the home, and 15.1 million children have no place to go after school.

WHEREAS, many afterschool programs across the country are facing funding shortfalls so severe that they are being forced to close their doors and turn off their lights.

THEREFORE BE IT RESOLVED that the Mayor and Borough Council do hereby proclaim October 21, 2010, as "*Lights On Afterschool Day*";

BE IT FURTHER RESOLVED that this governing body enthusiastically endorses *Lights On Afterschool* and commits our community to engage in innovative afterschool programs and activities that ensure the lights stay on and the doors stay open for all children after school.

Motion by Councilwoman Puglisi, second by Councilman Dyer, to concur with the Mayor's proclamation. Upon roll call all members present voted in the affirmative. Motion carried.

ORDINANCE #26-2010

Re: Fee Changes / Construction Department

Motion by Councilwoman Puglisi, second by Councilwoman Vuoncino, 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 read the Ordinance by title:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REVISE CHAPTER 69**

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 69, 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. §69-7 shall be deleted and replaced with the following:

Pursuant to Chapter 55 Construction Codes, Uniform, the fee schedule set forth in N.J.A.C. 5.23-4.20, and as may be amended from time to time, is incorporated herein by reference and the fees set forth therein shall apply.

2. §69-33 Driveways, fences and sheds shall be added and shall read as follows:

The following fees shall be charged for the following permits:

<u>Type</u>	<u>Fee</u>
Driveway	\$30.00
Fence	\$75.00
Shed consisting of 100 square feet or less	\$100.00

Section 2. All other parts or provisions of Chapter 69 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 Councilwoman Puglisi, second by Councilman Iacobelli, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on November 10, at 8:00 p.m. or as soon thereafter as the matter can be reached by the Mayor and Council and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with law.

Upon roll call all members present voted in the affirmative. Motion carried.

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on October 20 2010, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on November 10, 2010, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

**ORDINANCE
Taken off**

Re: Capital Ordinance

ORDINANCE #27-2010

**Re: Regulating Hanging Laundry/
Peace and Good Order**

Motion by Councilman Iacobelli, second by Councilman Dyer, 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 read the Ordinance by title:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REVISE CHAPTER 124, PEACE AND GOOD ORDER**

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 124, PEACE AND GOOD ORDER, 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. §124-11(A) shall be added and shall read as follows:

No person shall hang or air laundry within the front yard, as that term is defined in §180-2 of the Code of the Borough of North Haledon, of any lot within the Borough of North Haledon.

Section 2. All other parts or provisions of Chapter 124 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 Councilman Iacobelli, second by Councilman Dyer, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final

passage on November 10, at 8:00 p.m. or as soon thereafter as the matter can be reached by the Mayor and Council and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with law.

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on October 20 2010, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on November 10, 2010, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

ORDINANCE
Taken off

Re: Construction Work / Weekends

RESOLUTION #11-2010

Re: CONSENT AGENDA

The Mayor presented the following resolution:

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

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

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

- #228-2010 Board of Education / Local / Current
- #229-2010 Board of Education / Regional Current
- #230-2010 Replenishment of Postage Meter Machine
- #231-2010 Appointment / Franklin Santora / Crossing Guard
- #232-2010 Change Order No. 2 and Final / New Prince Construction /
Squaw Brook Road Rehabilitation
- #233-2010 Acceptance of 2008 Dodge Charger / Passaic County Sheriff's Department
- #234-2010 Ratification of Check / New Jersey League of Municipalities / Registration Fee
- #235-2010 Return of Escrow Deposit / Wester Minor Subdivision / Block 59, Lot 17
- #236-2010 Return of Escrow Monies / Cleo Rossi / 72 Ridge Road / Block 23.02, Lot 1.13
- #237-2010 Authorization Payment of Final Release to Prime Design Custom Millwork /
New D.P.W. Garage / Poppe

- #238-2010 Change Order No. 1 and Final / Barcia Brothers Fence Co./ Rehabilitation of Ballfield No.1
- #239-2010 Change Order No. 2 and Final / Cifelli and Son General Construction / Willowbrook Court and Brookview Drive
- #240-2010 Appointments / Temporary Full-Time Employment D.P.W. / Leaf Collectors
- #241-2010 Change Order No.1 / D & L Paving Contractors, Inc. / 2010 Road Improvements
- #242-2010 Award of Contract – 2010 Modular Ambulance
- #243-2010 Authorization / Sale of Engine No. 1
- #244-2010 Release of Maintenance Bond/Summit Pointe Townhouses
- #245-2010 Release of Performance Bond/Dietrich Lane Subdivision (Heitman)

Councilman Iacobelli moved the adoption of the resolution. Councilman Dyer seconded the adoption of the resolution. Upon roll call all members present voted in the affirmative. Motion carried.

CONSENT AGENDA RESOLUTIONS

RESOLUTION #228-2010 Re: Board of Ed/Local/Current

WHEREAS, the Board of Education has requested that the sum of \$554,877.14 other than Debt Service, be placed in the hands of the Treasurer of School Monies within the next thirty (30) days to meet obligations of said Board.

NOW, THEREFORE BE IT RESOLVED, that the Treasurer is hereby authorized to disburse the sum of \$554,877.14 other than Debt Service, as needed by the 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 2010-2011.

RESOLUTION #229-2010 Re: Board of Ed/Regional/Current

WHEREAS, the Board of Education of the Passaic County Manchester Regional High School of Haledon, North Haledon and Prospect Park has requested the sum of \$243,936.02 other than Debt Service be placed in the hands of the Treasurer of School Monies for said district within the next thirty (30) days, in accordance with the statutes relating thereto,

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to disburse the sum of \$243, 936.02, other than Debt Service, as needed by the 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 2010-2011.

RESOLUTION #330-2010 Re: Replenishment of Postage Meter Machine

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 the postage meter machine in the amount of \$400.00; 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 Municipal Clerk's Postage OE

RESOLUTION #231-2010 Re: Appointment/Franklin Santora/Crossing Guard

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Franklin Santora be appointed a School Crossing Guard retroactive to October 1, 2010, salary in accordance with the 2010 Salaries and Wages Ordinance.

RESOLUTION #232-2010 Re: Change Order No. 2 and Final/Squaw Brook Rd Rehabilitation – New Prince Concrete Constr.

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Change Order No. 2 and final for captioned project in the sum of \$7,970.00 (copy of same attached hereto and made a part of the within resolution) be and the same is hereby approved.

RESOLUTION #233-2010 Re: Acceptance of a 2008 Dodge Charger/Sheriff

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the donation of a 2008 Dodge Charger VIN # 2B3KA 43H68 H1750 67 from the Passaic County Sheriff's Department be and is hereby accepted.

RESOLUTION #234-2010 Re: Ratify Check/NJ League of Municipalities

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that check #1556 in the sum of \$50.00, dated September 21, 2010, drawn to the order of New Jersey League of Municipalities for Registration Fee for Louis Giordano at the Convention in November, be and the same is hereby ratified.

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 Board of Health OE

RESOLUTION #235-2010 Re: Return of Escrow Deposit/Wester Minor Subdivision

WHEREAS, Arthur & Brian Wester have previously applied for a Minor Subdivision application for captioned property; and

WHEREAS, the property owners, through their attorney John A. Spizziri, Sr., Esq., have withdrawn their application and have requested the return of any escrow monies; and

WHEREAS, the Borough Treasurer has advised that all outstanding invoices have been satisfied and there remains left in their escrow account the sum of \$238.75.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Treasurer be and she is hereby authorized to issue a check in the amount of \$238.75 payable to applicant's attorney trust account.

RESOLUTION #236-2010 Re: Return of Escrow Deposit/72 Ridge Road

WHEREAS, Cleo Rossi, owner of captioned property has requested the return of escrow monies; and

WHEREAS, the Borough Treasurer has advised that all outstanding invoices have been satisfied;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the balance of escrow in the sum of \$434.75 is authorized to be paid to Cleo Rossi and that the CFO/Treasurer be authorized to issue the check

RESOLUTION #237-2010 Re: Payment of Lien Claims/Prime Design Inc.

WHEREAS, Prime Design, Inc. was a subcontractor of Poppe Contracting, Inc., in connection with the new Department of Public Works Garage project; and

WHEREAS, Prime Design, Inc. has claimed that certain amounts are due and owing to them for material supplied in connection with the aforementioned project; and

WHEREAS, Prime Design, Inc. signed a Final Release in the amount of \$980.00, which is the final amount owed to them; and

WHEREAS, the Borough Attorney has recommended the satisfaction of the aforementioned as the amount that may otherwise be due to Poppe Contracting, Inc.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Council of the Borough of North Haledon that it hereby approves the satisfaction of the final release to Prime Design, Inc., in the amount of \$980.00 and that the Borough's Chief Financial Officer be and she is hereby authorized and directed to make payment to Prime Design, Inc. in the amount \$980.00 from the amounts on hand and dedicated for the new Department of Public Works Garage project.

**RESOLUTION #238-2010 Re: Change Order No.1 and Final/Rehab of
Ball field No. 1/Barcia Brothers**

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Change Order No. 1 and final for captioned project in the sum of \$4,310.00 (copy of same attached hereto and made a part of the within resolution) be and the same is hereby approved.

RESOLUTION #239-2010 **Re: Change Order No. 2 and Final/Willow Brook Ct. Brookview Dr./Cifelli & Son General Constr.**

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Change Order No. 2 and final for captioned project in the sum of minus \$22,544.15 (copy of same attached hereto and made a part of the within resolution) be and the same is hereby approved.

RESOLUTION #240-2010 **Re: Appointments/Temporary Help/DPW Leaves**

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the following individuals be employed as temporary full time employees for the Department of Public Works, effective October 25, 2010, salary in accordance with the Salary and Wages Ordinance for 2010.

James A. Cooley 10 Planten Avenue Prospect Park, NJ 07508

Justin D. Ficca 126 Frederick Avenue Hawthorne, NJ 07506

RESOLUTION #241-2010 **Re: Change Order No. 1/D & L Paving 2010 Road Improvement Program**

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Change Order No. 1, for captioned project in the sum of an increase of \$44,730.00 (copy of same attached hereto and made a part of the within resolution) be and the same is hereby approved.

RESOLUTION #242-2010 **Re: Award of Contract/2010 PL Custom Ford E-450 Medallion Type III Ambulance**

WHEREAS, pursuant to public advertising, bids were received by the Borough of North Haledon on October 6, 2010 at 11:00 a.m., for a 2010 Custom Modular Ambulance; and

WHEREAS, New Jersey Emergency Vehicles (NJEV, LLC), 2201 Atlantic Avenue, Suite 2, Manasquan, NJ 08736, was the sole bidder; and

WHEREAS, the bid documents have been reviewed by the Borough Attorney as to legal sufficiency and his recommendation of award in attached hereto and made a part hereof;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the bid received from New Jersey Emergency Vehicles, 2201 Atlantic Avenue, Suite 2, Manasquan, NJ 08736 in the amount of **\$172,381.00** is hereby awarded.

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 2010 Capital Budget

RESOLUTION #243-2010 Re: Advertise for Auction of 1999 Pierce Quantum Fire Truck

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Clerk be and she is hereby authorized to advertise for an auction to be held at the Regular Meeting on November 10, 2010 at 8:00 p.m., for the auction of a 1999 Pierce Quantum Pumper Fire Truck.

RESOLUTION #244-2010 Re: Release of Maintenance Bond/Summit Pointe

WHEREAS, the Borough Engineer has advised that a final inspection has been made and all improvements are acceptable for captioned project and has recommended the release of the Maintenance Bond as evidenced by communication 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 the Maintenance Bond held by the Borough is hereby returned.

RESOLUTION #245-2010 Re: Release of Performance Bond/Dietrich Lane Subdivision (Heitman)

WHEREAS, a request has been made by Ronald P. Groseibl, Esq., on behalf of George Heitman, to release Performance Bond posted with the Borough; and

WHEREAS, the Borough Engineer, by letter dated October 18, 2010 (attached hereto), has recommended that the Performance Bond posted with the Borough.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Performance Bond in the amount of \$55,632.00 (reduced by resolution #107-2002 to \$6,882.00) is hereby released.

CERTIFICATION OF AVAILABILITY OF FUNDS

The Mayor read the Certification of Availability of Funds. (Attached hereto)

RESOLUTION #246-2010 Re: Payment of Approved Claims

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

2010 BILLS

CURRENT FUND-OTHER EXPENSES\$ 170,698.45

2010 BILLS

PREPAID BILLS - CURRENT FUND - OTHER EXPENSE.....\$ 74,500.69

FEDERAL/STATE GRANT FUND.....\$ 2,487.58

TRUST FUND II.....\$ 1,655.00

PREPAID TRUST FUND II.....\$ 350.00

SUMMER CAMP TRUST.....\$ 97.70

DOG LICENSE TRUST ACCOUNT.....\$ 500.00

CAPITAL FUND.....\$ 331,024.46

MUNICIPAL ALLIANCE.....\$ 250.00

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 \$ 500,936.95 paid in the month September be approved.

Councilmen Iacobelli moved the adoption of the resolution. Councilwoman Vuoncino seconded the adoption of the resolution. Upon roll call all members present voted in the affirmative. Motion carried

DISCUSSION – Mayor and Council thanked Detective Dave Parenta for landscaping the front of the Police Station.

EXECUTIVE SESSION convened at 10:25 p.m.

RESOLUTION #247-2010 Re: Closed Executive Session

The Mayor presented the following resolution:

WHEREAS, Section 6 of the Open Public Meetings Act, P.L. 1975, Chapter 231, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exists:

WHEREAS, the Mayor and Council wish to discuss:

LITIGATION

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then minutes can be made public;

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this Meeting.

Councilmen Iacobelli moved the adoption of the resolution. Councilwoman Vuoncino seconded the adoption of the resolution. Upon roll call all members present voted in the affirmative. Motion carried

GENERAL MEETING reconvened at 10:35 p.m.

ROLL CALL

PRESENT: Mayor Randy George, Council Members Rocco Luisi, Bruce O. Iacobelli, Elaine Vuoncino, Donna Puglisi, and Robert Dyer, Borough Attorney Michael De Marco, Municipal Clerk Renate Elatab.

ABSENT: Councilman Raymond Melone

The Borough of North Haledon does not desire to institute any lawsuit at this time, and will just continue to defend itself from the lawsuits of North Haledon Fire Company No.1. The Borough is waiting for the judge's decision in the LOSAP lawsuit, which will be rendered once he has studied the briefs submitted by both attorneys.

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 10:37 p.m.

Renate Elatab
Municipal Clerk

Angela Russo
Deputy Municipal Clerk

Approved at Meeting of November 10, 2010

