



BOROUGH OF NORTH HALEDON

YEAR-END MINUTES

DECEMBER 30, 2010

Mayor George read the following statement:

The adjourned meeting of December 8, 2010, was reconvened on December 30, 2010. Notices of this adjourned meeting were e-mailed to North Jersey Herald and News and The Hawthorne Press on December 9, 2010, and were advertised in said newspapers on December 16, 2010, as the required notices under the Statute. Copies of notices were posted on the bulletin board in the Municipal Building, 103 Overlook Avenue, North Haledon, NJ, and have remained continuously posted, and have also been filed in the office of the Municipal Clerk on aforementioned date.

Proper notice having been given, this meeting is called to order at 7:10 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, Bruce O. Iacobelli (arrived at 8:15 p.m.), Elaine Vuoncino, Donna Puglisi, Borough Attorney Michael De Marco, Municipal Clerk Renate Elatab

ABSENT: Councilman Robert Dyer

PUBLIC COMMENTS

Motion by Councilman Melone, seconded by Councilwoman Puglisi, to open the floor to the public.

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

There was no one

Motion by Councilwoman Puglisi, seconded by Councilwoman Vuoncino, to close the floor to the public.

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

UNFINISHED BUSINESS

None

NEW BUSINESS / ORDINANCES / RESOLUTIONS

RESOLUTION #14 (a) and (b) 2010

Re: Consent Agenda

Motion by Councilwoman Puglisi, second by Councilwoman Vuoncino, that the Clerk read 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

Councilwoman Puglisi read the resolution by title:

CONSENT AGENDA #14(a)-2010

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.

- #282-2010 Authorization/Execution/K Hovnanian Agreement
- #283-2010 Termination/Al Ficca/D.P.W. Employee
- #284-2010 Vacation Carry-Over
- #285-2010 Approval/2010 Clothing Allowance/North Haledon Fire Department
- #286-2010 December 2010 Transfers
- #287-2010 Change Order #1/AJS Associates/Improvements to North Haledon Avenue
- #288-2010 Hazard Mitigation Plan
- #289-2010 Reimbursement of Application Fee/Zoning Board of Adjustment
- #290-2010 Replenishment of Postage Meter Machine
- #291-2010 Property Tax Deductions/Veterans
- #292-2010 Property Tax Deductions/Senior Citizen

CONSENT AGENDA #14(b)-2010

- #293-2010 Borough of North Haledon Free Public Library
- #294-2010 Award of Contract/Diesel Fuel/Allied Oil Company
- #295-2010 Award of Contract/Gasoline/Allied Oil Company
- #296-2010 Authorization of Agreement/City of Paterson/Animal Control Services
- #297-2010 Designation of Public Agency Compliance Officer

- #298-2010 Agreement/Passaic County Senior Transportation/2011
- #299-2010 Certification of Availability of Funds/Contracts Previously Awarded
- #300-2010 Award of Proposal/Tri-State Technical Computer Services, Inc., /
Technology Support Services, E-Mail Hosting Services
- #301-2010 Award of Proposal/Appraisal Systems, Inc./Revaluation of the Borough of
North Haledon
- #302-2010 Award of Proposal/Collection System/D2L Associates
- #303-2010 Award of Proposal/Preventive Maintenance at Molly Ann
Station/Electronic Drives and Control
- #304-2010 Award of Proposal/Molly Ann Pump Station and Lakeside Pump Station/
R& J Control, Inc.
- #305-2010 Award of Proposal/Bond Counsel/Rogut McCarthy, Esq.
- #306-2010 Award of Proposal/Borough Auditor/Ferraioli, Wielkocz, Cerullo and Cuva
- #307-2010 Award of Proposal/Borough Engineer/Boswell Engineer
- #308-2010 Award of Proposal/Borough Attorney/De Marco and De Marco, Esqs.
- #309-2010 Award of Proposal/Planner/Kauker and Kauker, LLC
- #310-2010 Award of Proposal/Special Counsel, M.R.H.S. – Vito Gagliardi, Esq.

Councilman Melone moved the adoption of the resolutions. Councilwoman Vuoncino seconded the adoption of the resolutions. Upon roll call all members present voted in the affirmative with the exception of Councilwoman Puglisi who abstained on Resolution #282-2010. Motion carried.

RESOLUTION #282-2010 Re: Authorization/Execution of Agreement/KHov.

WHEREAS, K. Hovnanian at North Haledon, LLC, filed a Complaint against the Borough of North Haledon in the Superior Court of New Jersey bearing Docket Number PAS-L-851-10 (hereinafter referred to as the “Litigation”); and

WHEREAS, the Litigation is ongoing; and

WHEREAS, settlement negotiations were conducted, which have resulted in a proposed settlement the terms of which are set forth in the Settlement Agreement attached hereto and made a part hereof as Exhibit “A” (hereinafter referred to as the “Agreement”) ; and

WHEREAS the Agreement is subject to and contingent upon the approval of the governing body of the Borough of North Haledon; and

WHEREAS the Borough of Attorney has recommended the settlement of the Litigation on the terms set forth in the Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Council of the Borough of North Haledon that it hereby approves the settlement of the Litigation on the terms set forth in the Agreement and that Mayor Randy George be and he is hereby authorized and directed to execute the Agreement.

RESOLUTION #283-2010 Re: Termination Al Ficca/DPW Employee

WHEREAS, Alfredo Ficca has heretofore been employed in the Public Works Department of the Borough of North Haledon and has not worked from July 7, 2010 to the present time; and

WHEREAS, in a telephone conversation at the end of July 2010, Alfredo Ficca advised the Treasurer that he had moved to Florida; and

WHEREAS, Alfredo Ficca’s employment with the Borough requires his proximate availability for work here in New Jersey; and

WHEREAS, the Governing Body regards the aforementioned change of residence to Florida, Alfredo Ficca’s cessation of residence in the State of New Jersey, and his failure to appear for work or call to explain his absence of his employment with the Borough of North Haledon in accordance with Article XVIII of the Agreement between the Borough of North Haledon and Council 52, Local 2274 AFL-CIO.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Alfredo Ficca’s employment with the Borough of North Haledon is hereby terminated by reason of his abandonment of his employment; and

BE IT FURTHER RESOLVED that the termination is effective immediately upon adoption of this resolution; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded by the Municipal Clerk to Alfredo Ficca by certified mail, return receipt requested, and by regular mail.

RESOLUTION #284-2010 Re: Vacation Carry-Over

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that as per Chapter 20, Section 20-17 of the Code of the Borough of North Haledon, that permission to carry over vacation time into 2011 be granted as follows:

Michael Debiak	9	days
Renate Elatab	16	days
William Graham	10	days
Pauline Nassimos	6.5	days
K. Sloomaker	10	days

BE IT FURTHER RESOLVED, that Police vacation carry over be approved in accordance with and verified by the Chief of Police.

RESOLUTION #285-2010

Re: 2010 Clothing Allowance/Fire Dept.

WHEREAS, clothing allowance for the year 2010 has been awarded to various volunteer North Haledon firefighters in accordance with Borough Ordinance #30-2009;

NOW, THEREFORE, BE IT RESOLVED that the following firefighters receive a clothing allowance as follows:

Dean Brauch	\$306.68	Tim Lalley	\$583.44
Eric Collins	\$306.68	Brian Lass	\$198.22
Frank Dvorak	\$460.02	Alex Malleto	\$220.66
Brian Faasse	\$261.80	Jim Ormezzano	\$291.72
Donald Foster	\$455.30	Anthony Padula	\$618.88
Joe Foti	\$190.74	Philip Palkewick	\$575.96
Scott Frey	\$306.68	Andrew Ricciardi	\$1,504.14
Jeff Gallager	\$187.00	Keith Schmitt	\$325.38
Ryan Graham	\$709.62	Kevin Schott	\$190.74
Sean Hagedoorn	\$119.68	Louis Schott	\$340.34
Brian Hartley	\$1,090.92	Steve Schott	\$471.24
Alan Hofer	\$280.50	Joe Stately	\$325.38
Ken Jeltema	\$690.92	Antonio Valenti	\$302.94
Mike Kameno	\$344.08	Jeff White	\$340.34

RESOLUTION #286-2010

Re: December Transfers – 2010

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

ELECTIONS	OE	\$99.68
FINANCE	SW	\$1,100.00
TAX ASSESSMENT	OE	\$300.00
PLANNING BOARD	OE	\$500.00
CONSTRUCTION	OE	\$1,600.00
STREETS & ROADS	SW	\$15,000.00
FIRE LIFE HAZARD	OE	\$160.00
PUBLIC BUILDINGS AND GROUNDS	OE	\$1,300.00
SWIMMING POOL	SW	\$330.00
TAX COLLECTION	OE	\$300.00
CONSTRUCTION	SW	\$447.50
FIRE LIFE HAZARD	SW	\$212.80
SNOW REMOVAL	OE	\$5,200.00
RECYCLING	SW	\$1,500.00
RECYCLING	OE	\$681.43
FINANCE	OE	\$200.00
ZONING	OE	\$100.00
POLICE	OE	\$2,000.00
		\$31,031.41

TO

WATER	OE	\$6,816.00
AMBULANCE	OE	\$1,000.00
STREETS & ROADS	OE	\$8,000.00
SEWER	OE	\$900.00
CLERK	OE	\$3,000.00
GASOLINE	OE	\$2,000.00
CLERK	SW	\$0.33
POLICE	SW	\$8,500.00
SOCIAL SECURITY	OE	\$815.00
BOND INTEREST	OE	\$0.08
		\$31,031.41

RESOLUTION #287-2010 Re: Change Order #1/AJS Associates

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Change Order #1 for captioned project in the sum of an increase of \$13,272.00 (copy of same attached hereto and made a part of the within resolution) be and the same is hereby approved.

RESOLUTION #288-2010 Re: Adoption/Hazard Mitigation Plan

WHEREAS the Borough of North Haledon is vulnerable to damages from natural hazard events which pose a threat to public health and safety and could result in property loss and economic hardship; and

WHEREAS a Multi-Jurisdictional Hazard Mitigation Plan (the Plan) has been developed through the work of the Passaic County Office of Emergency Management and interested parties within the Borough of North Haledon; and

WHEREAS the Plan recommends hazard mitigation actions that will protect people and property affected by natural hazards in the Borough of North Haledon, which will reduce future public, private, community and personal costs of disaster response and recovery; and that will reinforce the Borough of North Haledon’s leadership in emergency preparedness efforts;

WHEREAS the Disaster Mitigation Act of 2000 (P.L. 106-390) (DMA 2000) and associated Federal regulations published under 44 CFR Part 201 require the Borough of North Haledon to formally adopt a Hazard Mitigation Plan subject to the approval of the Federal Emergency Management Agency to be eligible for federal funds for hazard mitigation projects and activities;

WHEREAS public meetings were held to receive comment on the Plan as required by DMA 2000;

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

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

CERTIFICATION

I, Laura Leibowitz, CFO/Treasurer of the Borough of North Haledon do certify that funds are available for the aforementioned in Account # 0-01-43-490-205.

RESOLUTION #291-2010 Re: Property Tax Deductions – Veterans

WHEREAS, the following property owners have applied to the Borough of North Haledon for a Veteran’s Property Tax Deduction or a Widow of a Veteran Deduction; and

WHEREAS, each applicant has been found eligible and entitled to said deduction of the year 2010.

NOW THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized and directed to grant these deductions for the year 2010 and that the Treasurer be authorized to issue checks to the following property owners for the respective amounts:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
15	21.01	Neil Frascogna	21 Harrison Ave	\$250.00
65.01	8.05	John Dickinson	116 Romaine Road	\$250.00

RESOLUTION #292-2010 Re: Property Tax Deductions – Senior Citizens

WHEREAS, the following property owners have applied to the Borough of North Haledon for a Senior Citizen Property Tax Deduction or a Disabled Persons Deduction; and

WHEREAS, each applicant has been found eligible and entitled to said deduction of the year 2010.

NOW THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized and directed to grant these deductions for the year 2010 and that the Treasurer be authorized to issue checks to the following property owners for the respective amounts:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
24	14.03	Edward Rosato	168 Terrace Avenue	\$250.00
61.07	32	Kee S. & Yuk L. Wong	39 Arrow Terrace	\$250.00

RESOLUTION # 293-2010 Re: North Haledon Free Public Library

WHEREAS, the Board of Library Trustees of the Borough of North Haledon Free Public Library request 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:

Jan. 2011	\$41,448.41
Feb. 2011	\$41,448.42
Mar. 2011	\$41,448.42

BE IT FURTHER RESOLVED that said payments be charged to the 2011 Budget Appropriation Account Maintenance of the Free Public Library.

RESOLUTION #294-2010 Re: Award of Contract Diesel Fuel/Allied Oil Co.

WHEREAS, a proposal was solicited for Diesel Fuel under State Contract #A65046, for the years 2011, 2012, 2013, proposal attached hereto and made a part of this resolution.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that it hereby awards the contract for Diesel Fuel to Allied Oil Company effective January 1, 2011 for a period of three (3) years, expiring December 31, 2013.

BE IT FURTHER RESOLVED, that funds are available for the aforementioned as evidenced by CFO/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 2011 Diesel Fuel Budget.

RESOLUTION #295-2010 Re: Award of Contract/Gasoline/Allied Oil

WHEREAS, a proposal was solicited for Diesel Fuel under State Contract #A65046, for the years 2011, 2012, 2013, proposal attached hereto and made a part of this resolution.

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that it hereby awards the contract for Diesel Fuel to Allied Oil Company effective January 1, 2011 for a period of three (3) years, expiring December 31, 2013.

BE IT FURTHER RESOLVED, that funds are available for the aforementioned as evidenced by CFO/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 2011 Gasoline Budget.

RESOLUTION #296-2010

Re: Agreement/Animal Control Services 2011

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that the Borough of North Haledon enter into agreement with the City of Paterson to utilize the existing Animal Control Services in accordance with copy of agreement attached hereto and made a part of the within resolution for the year 2011;

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to execute said agreement and that the Treasurer be and she is hereby authorized to issue payment to the City of Paterson in accordance with agreement attached.

RESOLUTION #297-2010

Re: Public Agency Compliance Officer

BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon that Renate Elatab be and she is hereby designated Public Agency Compliance Officer (Affirmative Action) for the Borough of North Haledon for the year 2011.

RESOLUTION #298-2010

**Re: Agreement/
Passaic County Paratransit Program 2011**

WHEREAS, the Borough of North Haledon is desirous of renewing a contract with the County of Passaic for Senior Citizens Transportation; and

WHEREAS, the County's Paratransit Program requires a resolution authorizing an agreement be entered into between the County of Passaic and the Borough of North Haledon.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Haledon that a contract be entered into with the County of Passaic, terms and conditions as incorporated in the resolution as adopted by the Board of Chosen Freeholders.

RESOLUTION #299-2010

Re: Certification of Availability of Funds

WHEREAS, the following contracts had been awarded prior to January 1, 2011 and at time of award, certification of availability of funds was included; and

WHEREAS, the following contracts require certification of availability of funds for the year 2011;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Haledon that following is certification of Chief Financial Officer that funds are available for said contracts:

CERTIFICATION

Pursuant to N.J.S.A. 40A:4-57, as Chief Financial Officer, I herewith certify that there will be adequate funds available in the 2011 Budget for:

1. Paterson Board of Health
2. Suburban Disposal (Scavenger Service)
3. Smentkowski (Recycling)
4. Setcon Industries, Inc.
5. Atlantic Salt, Inc.
6. Ford Motor Credit Co., Bank of America, Public Capital Corp., CNH Capital (Monthly Leases)

CERTIFICATION

I, Laura Leibowitz, Treasurer/CFO of the Borough of North Haledon do hereby certify that funds will be available for the aforementioned in the 2011 Budget.

RESOLUTION #300-2010 Re: Award of Proposal/Tech Support/Tri-State

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the proposal submitted by captioned and dated December 10, 2010 for Technology Support Services for the Calendar Year 2011 (proposal submitted hereto and made a part of the within resolution) in the sum not to exceed \$26,000.00 be accepted.

BE IT FURTHER RESOLVED, funds are available for the aforementioned as evidenced by CFO/Treasurer following.

CERTIFICATION

I, Laura Leibowitz, CFO/Treasurer of the Borough of North Haledon do hereby certify that funds were available for the aforementioned in account Clerk's Contract 2011.

RESOLUTION #301-2010 Re: Award of Contract/Reval/Appraisal Systems Inc.

WHEREAS, there exists a need for professional services; namely, the Borough's Tax Revaluation, in accordance with N.J.S.A. 40A:9-139 in the Borough of North Haledon, County of Passaic, State of New Jersey; and

WHEREAS, the Borough of North Haledon is desirous of accepting the proposal as submitted by Appraisal Systems, Inc., (copy of which is attached hereto and made a part of the within resolution) for the year 2011; and

WHEREAS, it has been determined that the proposal as accepted by the Borough of North Haledon will exceed \$26,00.00 and that a copy of the Business Entity Disclosure Certification (in compliance with law) is attached and made of part of the within resolution; and

WHEREAS, the term of the contract will be for one year commencing January 1, 2011 through December 31, 2011;

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contract for Professional Services without competitive bids will be available for public inspection.

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

1. The Mayor and Clerk are hereby authorized and directed to execute agreement (proposal) with Appraisal Systems, Inc.
2. This contract is awarded without competitive bidding as “Professional Services” in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because this contract is for services rendered and/or performed by persons authorized by law to practice a recognized profession that is regulated by law.

A notice of this action shall be printed once in the HAWTHORNE PRESS.

RESOLUTION #302-2010 Re: Award/D2L Collection System

WHEREAS, there may be a need from time to time for the Borough to retain the services of D2L Associates, Inc., former operator of the Pump Station; and

WHEREAS, D2L has submitted a proposal for maintenance service and operations consulting service to the North Haledon Collection System;

NOW THEREFORE BE IT RESOLVED pursuant to the provisions of N.J.S.A. 40A:11-5, that the extraordinary unspecifiable services of D2L Associates, Inc. are hereby engaged to perform maintenance and consulting services as well as replacement of pumps as needed in accordance with proposal in accordance with proposal rates attached hereto and made a part of the within resolution;

Pursuant to the provisions of the statute the Borough Council makes the following determinations:

1. Supporting reasons for the award of the contract are the need for emergency service coverage, maintenance service and operational consulting service of the North Haledon sewerage collection system and the contractor has the requisite license.
2. The duration of the contract shall be through December 31, 2011.
3. The services to be rendered are extraordinary unspecifiable services and the total amount of the contract is indeterminate at the present time, but the payment shall be at hourly rates in accordance with the provisions of the contract between the parties and the written proposal attached hereto;

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

BE IT FURTHER RESOLVED by the Borough Council of the Borough of North Haledon that following is certification of Chief Financial Officer that funds are available for said contract:

CERTIFICATION

I, Laura Leibowitz, CFO/Treasurer of the Borough of North Haledon do certify that funds are available for the aforementioned in Account # 2011 Sewer Budget.

**RESOLUTION #303-2010 Re: Award/Electronic Drives and Controls/
Molly Ann Pump Station**

WHEREAS, Electronic Drives and Controls has submitted a written proposal to provide Variable Frequency Drive Preventive Maintenance at Molly Ann Pump Station for the period of January 1, 2011 through December 31, 2011; and

WHEREAS, the proposal submitted as attached hereto and made a part of the within resolution shows a cost for semi-annual inspection and service of \$1,390.00 per inspection and Maintenance Service of \$2,780.00 per year;

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, CFO/Treasurer of the Borough of North Haledon do certify that funds are available for the aforementioned in Account # 2011 Sewer Budget.

RESOLUTION #304-2010 Re: Award/R & J Control/Pump Station

WHEREAS, R. & J. Control has submitted a written proposal dated December 6, 2010, to provide a semi-annual Preventive Maintenance Program for the generators at two Pumping Stations, namely Molly Ann Pump and Lakeside; and

WHEREAS, the proposal submitted as attached hereto and made a part of the within resolution shows the cost for semi-annual service per call.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of North Haledon that the contract be awarded to R. & J. Control Inc., 58 Harding Avenue, Dover, N. J. 07801, in accordance with the attached proposal and that the Clerk be authorized to accept said proposal.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of North Haledon that following is certification of Chief Financial Officer that funds are available for said contract:

CERTIFICATION

I, Laura Leibowitz, CFO/Treasurer of the Borough of North Haledon do certify that funds are available for the aforementioned in Account 2011 Sewer Budget.

RESOLUTION #305-2010 Re: Award of Contract/Bond Counsel

WHEREAS, a written fee agreement for the year 2011 has been received from Rogut McCarthy, PC for services to be rendered as Bond Counsel; and

WHEREAS, the services are professional services within the meaning of the Local Public Contracts Law; and

WHEREAS, funds have been provided and will from time to time be provided in bonding ordinances which will cover the costs of the fees;

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

the firm of Rogut McCarthy PC is hereby retained to serve as Bond Counsel effective this 1st day of January, 2011;

the said firm is retained without competitive bidding because the services are professional services;

the firm of Rogut McCarthy shall be paid in accordance with the fee contained in the agreement which is incorporated by reference herein as though fully set forth;

a copy of this resolution and the agreement are on file in the Office of the Municipal Clerk, and a notice of the retaining of said firm shall be published in the official newspaper within 10 days of adoption of the resolution;

the agreement will be in effect for the year 2011 or until such time as either party gives written notice to the other of termination.

The anticipated fees will likely exceed \$26,000.00 and a copy of the Business Entity Disclosure Certification (in compliance with law) is attached and made a part of the within resolution.

RESOLUTION # 306-2010 Re: Award of Contract/Auditor/Ferraioli

WHEREAS, there exists a need for professional services; namely, Borough Auditor in the Borough of North Haledon, County of Passaic, State of New Jersey; and

WHEREAS, a written fee agreement for the year 2011 has been received from Ferraioli, Wielkocz, Cerullo & Cuva, for services to be rendered as Borough Auditor; and

WHEREAS, funds are available as evidenced by Temporary Budget previously adopted by resolution; and

WHEREAS, the Borough of North Haledon is desirous of accepting the proposal as submitted by the Auditor (copy of which is attached hereto and made a part of the within resolution) for the year 2011; and

WHEREAS, it has been determined that the proposal as accepted by the Borough of North Haledon will exceed \$26,000.00 and that a copy of the Business Entity Disclosure Certification (in compliance with law) is attached and made of part of the within resolution; and

WHEREAS, the term of the contract will be for one year commencing January 1, 2011 through December 31, 2011;

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contract for Professional Services without competitive bids will be available for public inspection.

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

The Mayor and Clerk are hereby authorized and directed to execute agreement (proposal) with Ferraioli, Wielkocz, Cerullo & Cuva, 16 Pompton Avenue, P. O. Box 259, Pompton Lakes, NJ 07442.

This contract is awarded without competitive bidding as “Professional Services” in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because this contract is for services rendered and/or performed by persons authorized by law to practice a recognized profession that is regulated by law.

A notice of this action shall be printed once in the HAWTHORNE PRESS

RESOLUTION #307-2010 Re: Award/Boswell Engineering

WHEREAS, there exists a need for professional services, namely Borough Engineer, and

WHEREAS, a written fee agreement for the year 2011 has been received from Boswell McClave Engineering to be rendered as Borough Engineer; and

WHEREAS, funds have been provided for said purpose in the 2011 Temporary Budget and will be provided for in the 2011 Budget; and

WHEREAS, the Borough of North Haledon is desirous of accepting the proposal as submitted by the Engineer (copy of which is attached hereto and made a part of the within resolution) for the year 2011; and

WHEREAS, it has been determined that the proposal as accepted by the Borough of North Haledon will exceed \$26,000.00 and that a copy of the Business Entity Disclosure Certification (in compliance with law) is attached and made of part of the within resolution.

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

The compensation for said services shall be in accordance with said agreement attached hereto. This contract is awarded without competitive bidding as “Professional Services” in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because this contract is for services rendered and/or performed by persons authorized by law to practice a recognized profession that is regulated by law.

A notice of this action shall be printed once in the HAWTHORNE PRESS.

RESOLUTION #308-2010 Re: Award/Borough Attorney/De Marco Esq.

WHEREAS, there exists a need for professional services; namely, Borough Attorney in accordance with N.J.S.A. 40A:9-139 in the Borough of North Haledon, County of Passaic, State of New Jersey; and

WHEREAS, funds are available as evidenced by Temporary Budget previously adopted by resolution; and

WHEREAS, the Borough of North Haledon is desirous of accepting the proposal as submitted by the Attorney (copy of which is attached hereto and made a part of the within resolution) for the year 2011; and

WHEREAS, it has been determined that the proposal as accepted by the Borough of North Haledon will exceed \$26,000.00 and that a copy of the Business Entity Disclosure Certification (in compliance with law) is attached and made of part of the within resolution; and

WHEREAS, the term of the contract will be for one year commencing January 1, 2011 through December 31, 2011; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contract for Professional Services without competitive bids will be available for public inspection.

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

1. The Mayor and Clerk are hereby authorized and directed to execute agreement (proposal) with Michael P. DeMarco, Esq.
2. This contract is awarded without competitive bidding as “Professional Services” in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because this contract is for services rendered and/or performed by persons authorized by law to practice a recognized profession that is regulated by law.

A notice of this action shall be printed once in the HAWTHORNE PRESS.

RESOLUTION #309-2010 **Re: Award of Contract/Kauker & Kauker/Planner**
(Attached to minutes)

RESOLUTION #310-2010 **Re: Award of Proposal/Special Counsel, M.R.H.S.**

WHEREAS, a written agreement for the year 2011 has been received from Porzio, Bromberg & Newman, for services to be rendered as Special Counsel for the matter of Manchester Regional High School withdrawal; and

WHEREAS, the services are professional services within the meaning of the Local Public Contracts Law; and

WHEREAS, funds have been provided for said purpose in the 2009 Temporary Budget and will be provided for in the 2011 Budget; and

WHEREAS, the Borough of North Haledon is desirous of accepting the proposal as submitted by the Special Counsel (copy of which is attached hereto and made a part of the within resolution) for the year 2011; and

WHEREAS, it has been determined that the proposal as accepted by the Borough of North Haledon will exceed \$26,000.00 and that a copy of the Business Entity Disclosure Certification (in compliance with law) is attached and made of part of the within resolution; and

WHEREAS, the term of the contract will be for one year commencing January 1, 2011 through December 31, 2011

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contract for Professional Services without competitive bids will be available for public inspection.

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

1. The compensation for said services shall be in accordance with said agreement attached hereto.
2. This contract is awarded without competitive bidding as “Professional Services” in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because this contract is for services rendered and/or performed by persons authorized by law to practice a recognized profession that is regulated by law.

A notice of this action shall be printed once in the HAWTHORNE PRESS.

CERTIFICATION OF AVAILABILITY OF FUNDS

The Clerk read the Certification of Availability of Funds into the record.

RESOLUTION #311-2010

Re: Payment of Approved Claims

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

2009 BILLS

CURRENT FUND -RESERVES.....\$ 125.26

2010 BILLS

CURRENT FUND-OTHER EXPENSES 65,272.42

2010 BILLS

FEDERAL/STATE GRANT FUND..... 3,720.00

TRUST FUND II..... 18,877.59

PREPAID TRUST FUND II..... 550.00

DOG LICENSE TRUST ACCOUNT..... 316.00

CAPITAL FUND..... 107,841.98

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 \$314,178.65 paid in the month December be approved.

Councilman Melone 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

Beginning February 1st, tickets will be given to residents, who have not renewed their dog's license for the 2011 year.

ADJOURNMENT

Motion by Councilwoman Puglisi, seconded by Councilman Melone to adjourn the meeting. Upon roll call all members present voted in the affirmative. Motion carried.

Mayor George declared the meeting duly adjourned at 8:17 p.m.

Renate Elatab, Municipal Clerk

Approved at meeting of January 19, 2011