



BOROUGH OF NORTH HALEDON

MARCH 16, 2011

Mayor George read the Open Public Meetings Notice. This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of March 16, 2011, was included in a list of meetings notices emailed to the HERALD NEWS and the HAWTHORNE PRESS on January 7, 2011, and was advertised in said newspapers on January 13, 2011. This notice was posted on the bulletin board on January 7, 2011 and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Proper notice having been given, this meeting was called to order at 8:00 p.m. and the Clerk was directed to include this statement in the minutes of this meeting.

Mayor Randy George led the Prayer and everyone was asked to remain standing for the Pledge of Allegiance.

ROLL CALL

PRESENT: Mayor Randy George, Council Members: Rocco Luisi, Raymond Melone, Bruce O. Iacobelli, Elaine Vuoncino, and Robert Dyer (arrived at 8:05 p.m.). Borough Attorney, Michael De Marco; Borough Engineer, Joseph Pomante; Deputy Borough Clerk, Angela Russo; and Municipal Clerk, Renate Elatab.

ABSENT: Councilman Donna Puglisi

DEVIATION/RULES AND PROCEDURES/BY-LAWS OF COUNCIL

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, to deviate from the regular order of business to discuss 2011 Road Improvement Projects with residents of lower Central Avenue and Sicomac Road. Upon roll call all members present voted in the affirmative. Motion carried.

PUBLIC COMMENTS

Motion by Councilman Luisi, seconded by Councilwoman Vuoncino to open the floor to the public. Upon roll call all members present voted in the affirmative. Motion carried.

Mayor George and Borough Engineer Joseph Pomante briefly explained road improvements proposed to lower Central Avenue. Ariel photos of lower Central Avenue and Sicomac Road

were shown. Project is expected to begin late summer. Mayor George explained plans are in preliminary stage and invited Central Avenue residents to come forward to discuss any issues or concerns they might have.

The following residents came forward to discuss their concerns which included drainage, trees/bushes along curb line, curb replacement, driveway aprons, time frame, etc.

1. Jack Decker – 108 Central Avenue
2. James Corbo – 1090 Belmont Avenue
3. Rob Havlin – 81 Central Avenue
4. Anthony Kelnhofer – 121 Central Avenue

Mr. Pomante and Mayor addressed all residents' concerns.

Mr. Pomante outlined proposed improvements to Sicomac Road explaining it will be done in two sections, High Mountain Road to Ahnert Ave, possibly Pleasantview Drive, will be the first section. Mayor George invited anyone wishing to discuss Sicomac Road improvements to come forward at this time.

1. Scott Luckman – 66 Sicomac Road – discussed water run-off on his property

Motion by Councilwoman Vuoncino, seconded by Councilman Melone, to close the floor to the public. Upon roll call all members present voted in the affirmative. Motion carried.

APPROVAL OF PRIOR MINUTES

Motion by Councilman Melone, second by Councilwoman Vuoncino, to approve the minutes of the work session meeting of February 2, 2011 and the regular meeting of February 16, 2011.

Upon roll call all members present voted in the affirmative, with the exception of Councilman Iacobelli, who abstained on voting on the minutes of the February 2nd work session meeting. Motion carried.

Mayor George invited Ismail Yaldiz, 212 Linda Vista Avenue, to come forward. Mr. Yaldiz parks his commercial truck in the municipal lot next to the municipal building. He was previously advised that he will not be permitted to park his truck in the lot much longer and was advised to seek an alternate location. Mr. Yaldiz stated that he is seeking employment elsewhere and would like permission to park the commercial vehicle in the lot through June 30th.

Councilman Iacobelli made a motion to allow Ismail Yaldiz to park his commercial in the municipal lot next to the municipal building until June 30th, 2011; seconded by Councilwoman Vuoncino. 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
N.H. Volunteer Ambulance Report
Municipal Court Report

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

COMMITTEE REPORTS

Motion by Councilman Dyer, seconded by Councilman Iacobelli, to waive Committee Reports.

Councilwoman Vuoncino advised Manchester Regional High School's budget is on file in the Clerk's office.

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

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

NORTH HALEDON VOLUNTEER 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 Dyer, 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:

Chief of Police	Re: Sergeants' Test
Chief of Police	Re: Ordinance Amending Chapter 2 / Borough Code
Municipal Clerk	Re: Ismail Yaldiz / Authorization to Park in Municipal Lot
Municipal Clerk	Re: Former Fire Company 1 / Telephone Bill
Jennie Bergstrom	Re: Letter of Resignation / Construction Dept.
North Haledon School District	Re: Authorization / Banner on High Mountain Road
North Haledon Co-op Nursery	Re: Authorization / Banner on High Mountain Road
Borough of Hawthorne	Re: Return of Cost Savings / PVSC

Saint Paul's K of C Re: Authorization /Parking in Municipal Lot
Edith Halloran Re: Authorization / Parking in Municipal Lot
Antonina Morzetta Re: Snow Plowing / Summons

Motion by Councilman Iacobelli, second by Councilman Dyer, 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 #2-2011 Re: Amendment/Limousine Ordinance
Public Hearing/Second Reading

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 Mayor read the Ordinance by title:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REVISE CHAPTER 161, LIMOUSINES AND LIVERY SERVICES**

PUBLIC HEARING

Mayor George asked if anyone from the public wished to be heard regarding this ordinance. There was no one. Motion by Councilman Iacobelli, seconded by Councilwoman, to close the floor to the public. Upon roll call all members present voted in the affirmative. Motion carried.

Motion by Councilwoman Vuoncino, seconded by Councilman Melone, that Ordinance #2-2011 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #2-2011 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 the Regular Meeting of the Mayor and Board of Council of the Borough of North Haledon which was held on March 16, 2011, 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 / PROCLAMATIONS / RESOLUTIONS

ORDINANCE #3-2011

Re: Revision to Chapter 2/Police Department

Motion by Councilman Iacobelli, 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 vote in the affirmative. Motion carried

The Mayor read the Ordinance by title:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REVISE CHAPTER 2, ADMINISTRATION AND GOVERNMENT**

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 2, Article VII, Police Department, shall be amended as follows:

- a. In the first (1st) line of §2-40B the word “candidate” shall be deleted and replaced with the word “applicant.”
- b. §2-40B(4) shall be deleted.
- c. In the first (1st) line of §2-40D the word “candidates” shall be deleted and replaced with the word “applicants.”
- d. In the eighth (8th) line of §2-40D the word “Committee” shall be deleted and replaced with the word “Association.”
- e. §2-40D shall further reflect that the same was amended by Ordinance No. 5-2008 §15.
- f. §2-40E(2) shall be deleted.
- g. In the second (2nd) line of §2-40E(3) the word “applicant” shall be deleted and replaced with the word “candidate.”
- h. In the seventh (7th) line of §2-40E(3), the word “applicant” shall be deleted and replaced with “candidate or applicant as the case may be.”
- i. In the ninth (9th) line of §2-40E(3), the word “candidates” shall be deleted and replaced with “candidates or applicants as the case may be.”
- j. In the seventeenth (17th) and eighteenth (18th) lines of §2-40E(3), the word “applicant” shall be deleted and replaced with “candidate.”
- k. In the eighteenth (18th) line of §2-40E(3), the words “length and” shall be deleted.
- l. In the twenty-first (21st) line of §2-40E(3) the word “applicant” shall be deleted and replaced with the word “candidate.”
- m. In the twenty-sixth (26th) line of §2-40E(3) the word “applicants” shall be deleted and replaced with the word “candidates.”
- n. In the fifth (5th) line of §2-40G, the word “appointment” shall be deleted and the words “promotion or appointment as the case may be” shall be inserted in its place.
- o. In the eighth (8th) line of §2-40G, the word “appointment” shall be deleted and the words “promotion or appointment as the case may be” shall be inserted in its place.

- p. In the ninth (9th) line of §2-40G, the word “applicants” shall be deleted and the words “candidates or applicants as the case may be” shall be inserted in its place.
- q. In the second (2nd) line of §2-40I, the word “applicants” shall be deleted and the words “candidates or applicants as the case may be” shall be inserted in its place.
- r. In the fourth (4th) line of §2-40I, the word “applicant” shall be deleted and the words “candidate or applicant as the case may be” shall be inserted in its place.
- s. In the fifth (5th) line of §2-40I, the word “applicant” shall be deleted and the words “candidate or applicant as the case may be” shall be inserted in its place.
- t. In the tenth (10th) line of §2-40I, the words “or promotional” shall be inserted after the word “appointive.”
- u. §2-40K shall be added and shall read as follows:
All candidates for promotion who meet the qualifications provided by State Statute shall be permitted to take a written examination given by and at a time prescribed by the New Jersey Chiefs of Police association. Upon completion of the written test, the Chiefs of Police association shall advise the Police Committee of the names and scores of all candidates. Any candidate who has failed to attain a test grade of seventy-five percent (75%) or better shall be disqualified from further participation in that testing and promotional process. For the purpose of this section, the grade of the candidate shall be the actual mathematical quantification of the score without any rounding of any kind whatsoever. Those candidates that have attained a score of seventy-five percent (75%) or better shall be subject to an oral interview to be conducted by the New Jersey Chiefs of Police association. Upon completion of the oral interviews, the Chiefs of Police association shall advise the Police Committee of the results of the oral interview.
- v. In this first (1st) line of §2-40E, the words “or candidates as the case may be” shall be inserted after the word “applicants.”
- w. In the tenth (10th) line of §2-40E, the words “or candidate as the case may be” shall be inserted after the word “applicant.”
- x. In this twelfth (12th) line of §2-40E, the words “or candidates as the case may be” shall be inserted after the word “applicants.”

Section 2. All other parts or provisions of Chapter 2 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 Councilman Iacobelli, seconded by Councilwoman Vuoncino, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on April 20, 2011, 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.

Police Chief Robert Bracco advised Council this ordinance clarifies existing ordinance.

Discussion – Council members’ comments were taken into consideration by Borough Attorney. Amendments were made to ordinance prior to its re-introduction.

Councilman Iacobelli withdrew his original motion, and introduced Ordinance #3-2011 as amended. Councilwoman Vuoncino seconded the motion.

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 March 16, 2011, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on April 20, 2011, 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 #4-2011

Re: Hours of Operation

Motion by Councilman Iacobelli, 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 Mayor read the Ordinance by title:

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF NORTH
HALEDON CHAPTER 180 “ZONING”
TO LIMIT THE HOURS OF OPERATION OF BUSINESSES IN ALL ZONES**

WHEREAS, the Borough Council of the Borough of North Haledon recognizes the clear and legitimate public interest in protecting and preserving the peace, privacy and repose of the residents of North Haledon; and

WHEREAS, the Borough Council of the Borough of North Haledon also recognizes a strong public interest in protecting the health, safety and welfare of the Borough’s residents, law enforcement officers, emergency response volunteers and business owners ; and

WHEREAS, the prohibition of business activities during the late night and early morning hours will reduce the possibility of criminal activity and loitering within the Borough; and

WHEREAS, the Borough Council of the Borough of North Haledon recognizes as a significant goal of the municipality, the preservation of North Haledon’s “small town” charm and

character and identifies the prohibition of business operations during late night and early morning hours as a means to achieving such goal; and

WHEREAS, the Borough Council of the Borough of North Haledon has concluded that the implementation of this ordinance within the Borough of North Haledon, will provide for the benefit, health, safety and general welfare of the residents of the Borough of North Haledon.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of North Haledon that Chapter 180, Zoning is hereby amended to add a new section 180-29C to the Code of the Borough of North Haledon as follows:

SECTION 1 - Section 180-29C shall be added to the Code of the Borough of North Haledon and shall read as follows:

No business, commercial or industrial establishment to which the public is invited shall be open between the hours of 2:00 a.m. and 5:00 a.m., Eastern Standard Time.

SECTION 2 - If any section, subsection or part of this ordinance is adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not impair or invalidate the remainder of this ordinance.

SECTION 3 – The remaining portion of Chapter 180, Zoning, shall remain in full force and effect except as modified hereunder.

SECTION 4 - This Ordinance shall take effect upon final passage and publication as required by law.

Motion by Councilwoman Vuoncino, 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 April 20, 2011, 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.

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 March 16, 2011, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on April 20, 2011, 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 #5-2011

Re: Construction Board of Appeals

Motion by Councilman Iacobelli, 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 Mayor read the Ordinance by title:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO REVISE CHAPTER 55, CONSTRUCTION CODES, UNIFORM**

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 55, Construction Codes, Uniform**, shall be amended as follows:

- a. §55-2, Construction Board of Appeals, shall be and hereby is repealed.

Section 2. All other parts or provisions of Chapter 55 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 Councilwoman Vuoncino, Second by Councilman Melone, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on April 20, 2011, 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 March 16, 2011, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on April 20, 2011, 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.

PROCLAMATION

Re: Youth Art Month

Mayor George presented the following proclamation:

YOUTH ART MONTH 2011

WHEREAS, art education contributes powerful educational benefits to all elementary, middle and secondary students, including the following:

- Art education develops students' creative problem –solving and critical thinking abilities;
- Art education teaches sensitivity to beauty, order, and other expressive qualities.
- Art education gives students deeper understanding of multi-cultural values and beliefs.
- Art education reinforces and brings to life what students learn in other subjects, and
- Art education interrelates student learning in art production, art history, art criticism and aesthetics, and

WHEREAS, our national leaders have acknowledged the necessity of including arts experiences in all students' education,

WHEREAS, support should be given to art teachers as they attempt to strengthen art education in their schools and communities.

NOW, THEREFORE, BE IT PROCLAIMED, that, I, Randy George, Mayor of the Borough of North Haledon , do hereby proclaim March 2011

YOUTH ART MONTH

and urge all citizens to take an interest in and give full support to quality school art programs for children and youth.

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

RESOLUTION #2011-4

Re: Consent Agenda

The Mayor 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;

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.

- #69-2011 Board of Education/Local/Current Expense
- #70-2011 Board of Education/Regional/Current
- #71-2011 Replenishment of Postage Meter Machine
- #72-2011 Borough of North Haledon Free Public Library
- #73-2011 2011 Additional Temporary Budget
- #74-2011 Appropriation Reserves Transfer
- #75-2011 Execution of Agreement/Lakeside Pump Station

- #76-2011 Notary Commission/Linda Dearani
- #77-2011 Acceptance of Resignation/Technical Assistant/Jennie Bergstrom
- #78-2011 Appointment/Part-time Dispatcher/Police Department/Robert Flaker
- #79-2011 Ratification of Payment/D & L Paving Contractors, Inc.
- #80-2011 Request Return of Cost Savings from the Passaic Valley Sewerage Commission
- #81-2011 Authorization to Release Certain Executive Session Minutes
- #82-2011 Appointment/Municipal Clerk
- #83-2011 Authorization/Execution of Hold Harmless Agreement/Tria
- #84-2011 Authorization/Execution of Dispatcher's Agreement/01/01/2011 thru 12/31/2015
- #85-2011 Authorization/Execution/Interlocal Agreement/Hawthorne Municipal Pool
- #86-2011 Resolution Authorizing Payment to Helen Ryfkogel in the Amount of \$411.25

With reference to Resolution #82-2011, Councilman Iacobelli commended Ms. Elatab on the remarkable job she is doing. Mayor George concurred.

Councilman 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.

CONSENT AGENDA RESOLUTIONS

RESOLUTION #69-2011 Re: Board of Education/Local/Current

WHEREAS, the Board of Education has requested that the sum of \$647,356.66 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 \$647,356.66 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 #70-2011 Re: Board of Education/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 #71-2011 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 \$250.00; 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 #72-2011 Re: North Haledon Free Public Library

WHEREAS, the Board of Library Trustees of the Borough of North Haledon Free Public Library request their second quarter payments for Library purposes.

April	\$37,696.25
May	\$37,696.25
June	\$37,696.25

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

**RESOLUTION #73-2011 Re: Temporary Budget – 2011
(attached to minutes)**

RESOLUTION #74-2011 Re: Appropriation Reserves Transfer

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:

	FROM	
TAX ASSESSMENT	OE	\$80.00
BOARD OF ADJUSTMENT	OE	\$150.00
STREETS & ROADS	SW	\$280.00
RECYCLING	SW	\$500.00
RECYCLING	OE	\$200.00
TELEPHONE	OE	\$1,000.00
ELECTRICITY	OE	\$5,000.00
		\$7,210.00
	TO	
STREET LIGHTING	OE	\$6,792.58
SNOW REMOVAL	OE	\$417.42
		\$7,210.00

RESOLUTION #75-2011 Re: Execution of Agreement/Lakeside Pump Station

WHEREAS, the aforementioned Community is a qualified community pursuant to the definitions established in N.J.S.A.40:67-23.2; and

WHEREAS, N.J.S.A. 40:67-23.8 authorizes the Borough to provide services that will primarily serve public purposes to residents of the Community; and

WHEREAS, the Borough determines that the operation, maintenance, and repair of the Community's sewer pump station will primarily serve public purposes;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Board of Council of the Borough of North Haledon that Mayor Randy George be and he is hereby authorized to execute the Pump Station Agreement attached hereto as "Exhibit A".

BE IT FURTHER RESOLVED, that the resolution shall take effect immediately upon adoption according to law.

RESOLUTION #76-2011 Re: Notary Commission/Linda Dearani

WHEREAS, Linda Dearani's Notary Commission expires on June 6, 2011; and

WHEREAS, renewal applications must be accompanied by a check in the amount of \$25.00.

NOW, THEREFORE BE IT RESOLVED, that the Treasurer be and she is hereby authorized to issue a check in the amount of \$25.00 payable to the Secretary of State.

CERTIFICATION

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

RESOLUTION #77-2011 Re: Acceptance of Resignation/Jennie Bergstrom

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the resignation of Jennie Bergstrom as a Technical Assistant in the Construction Office be accepted with deep regret, effective March 1, 2011.

RESOLUTION #78-2011 Re: Appointment/P-T Dispatcher/Robert Flaker

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Robert Flaker be appointed as a Part-time Police Dispatcher retroactive to February 21, 2011, salary in accordance with the 2011 Salary and Wages Ordinance.

RESOLUTION #79-2011 Re: Ratify Payment/ D & L Paving Contractors

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that check #1521 in the sum of \$48,484.48 and dated February 23, 2011, drawn to the order of D & L Paving Contractors, Inc., be and the same is hereby ratified.

RESOLUTION #80-2011 Re: Passaic County Sewerage Comm. Return Cost Savings to Municipalities

WHEREAS, Passaic Valley Sewerage Commissioners (“PVSC”) operate a sewage treatment system that serves, and is funded via user charges paid by, forty-eight municipalities in Passaic, Bergen, Essex and Hudson Counties; and

WHEREAS, from 2005 until 2011, the amounts assessed by the PVSC to the municipalities served by the system have increased approximately 50%; and

WHEREAS, the Governor of New Jersey and the current Executive Director of the PVSC have taken recent actions to reduce salaries, eliminate unnecessary employees, and otherwise eliminate waste and mismanagement within the organization, and

WHEREAS, these actions should save the PVSC millions of dollars annually; and

WHEREAS, the PVSC established assessments to be charged to the municipalities served by the system for 2011 before the recent actions to effect savings; and

WHEREAS, yet additional savings may found as the review of the organization’s operations continues; and

WHEREAS, municipalities throughout New Jersey, including those served by the PVSC, are struggling to live within a 2% tax levy cap;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of North Haledon, that the Passaic Valley Sewerage Commissioners should take whatever steps are necessary to put a tally on the savings realized by the cost-cutting actions thus far, apportion that savings among the municipalities served by the system, reduce the 2011 assessments accordingly, and issue the revised billing before the date by which municipalities must approve their 2011 budgets;

BE IT FURTHER RESOLVED that the PVSC continue its efforts to improvement management and eliminate waste in order to provide further relief to the municipalities for 2012 and beyond;

BE IT FURTHER RESOLVED that the Governor and the Legislature of the State of New Jersey take whatever actions may be reasonable and/or necessary to ensure that the PVSC can and does take the actions requested in this resolution;

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Governor Chris Christie, Senator John Girgenti, Assemblywoman Nellie Pou, Assemblywoman Elise

Evans, the Secretary of the New Jersey Senate, the Clerk of the New Jersey Assembly, the New Jersey State League of Municipalities, the New Jersey Conference of Mayors and the Clerks of all municipalities served by the PVSC.

RESOLUTION #81-2011 Re: Release of Certain Executive Session Minutes

WHEREAS, the Borough Council of the Borough of North Haledon, as permitted by the Open Public Meetings Act (NJSA10:46 et seq.), conducts meetings closed to the public on matters of:

<u>DATE</u>	<u>TYPE</u>	<u>SUBJECT</u>
10/25/2004	Attorney/Client Privilege	Disciplinary Hearing
11/22/2004	Attorney/Client Privilege	Disciplinary Hearing
11/02/2005	Personnel Matter	Disciplinary Hearing
02/01/2006	Attorney/Client Privilege	Litigation
06/07/2006	Attorney/Client Privilege	Litigation
06/14/2006	Attorney/Client Privilege	Litigation
09/06/2006	Personnel Matters	Attorney Advice
10/04/2006	Attorney/Client Privilege	Litigation
04/02/2008	Personnel Matters	Contract Negotiations
04/16/2008	Personnel Matters	Contract Negotiations
05/21/2008	Attorney/Client Privilege	Litigation
09/17/2008	Attorney/Client Privilege	Litigation
11/05/2008	Personnel Matters	Contract Negotiations
03/04/2009	Personnel Matters	Contract Negotiations
04/01/2009	Personnel Matters	Contract Negotiations
04/15/2009	Personnel Matters	Pending Litigation
08/06/2009	Personnel Matters	Contract Negotiations
08/19/2009	Personnel Matters	Contract Negotiations
09/16/2009	Personnel Matters	Contract Negotiations
01/20/2010	Personnel Matters	On-going Litigation
02/17/2010	Personnel Matters	Contract Negotiations
03/17/2010	Personnel Matters	Contract Negotiations
04/07/2010	Personnel Matters	On-going Litigation/ Contract Negotiations
05/05/2010	Personnel Matters	Contract Negotiations
06/16/2010	Personnel Matters	Litigation

WHEREAS, also in accordance with the Open Public Meetings Act, minutes of closed sessions must be released to the public at such time as the need for confidentiality no longer exists; and

WHEREAS, minutes of closed sessions involving such matters as set forth above have been determined by the Borough Attorney to meet the criteria for release to the public;

NOW THEREFORE, BE IT RESOLVED, by the Borough Clerk of the Borough of North Haledon, County of Passaic and State of New Jersey that the Executive Session Meetings heretofore held on the foregoing subjects be and they are hereby released to the public.

RESOLUTION #82-2011 Re: Re-Appointment/Renate Elatab/Muni. Clerk

BE IT RESOLVED, by the Mayor and Board of Council of the Borough of North Haledon that Renate Elatab be and she is hereby re-appointed as Municipal Clerk effective April 11, 2011, salary in accordance with the Salaries and Wages Ordinance.

RESOLUTION #83-2011 Re: Execution of Hold Harmless Agree./Tria

WHEREAS, Nicholas Tria, 340 Manchester Avenue, applied to the construction office for a pool permit; and

WHEREAS, as part of the application Mr. Tria proposes to install perimeter pool fencing, a part of which will encroach into easements owned by the Borough, and

WHEREAS, the Borough Engineer, as evidenced by attached letter, does not object to the installation of fencing provided approval is granted by the Governing Body.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of North Haledon that the Mayor and/or Clerk are hereby authorized to execute the attached Hold Harmless Agreement.

RESOLUTION #84-2011 Re: Execution of Dispatcher's Agreement 01/01/2011

BE IT RESOLVED, by the Governing Body of the Borough of North Haledon that the Mayor and Clerk be, and they are hereby authorized to execute a contract between the Police Dispatchers (Communications Workers of America) and the Borough of North Haledon, contract period retroactive January 1, 2011 through December 31, 2015

**RESOLUTION #85-2011 Re: Execution of Interlocal Agreement/Hawthorne
Municipal Pool**

WHEREAS North Haledon's swimming facility known as Buehlers will not be open this year; and

WHEREAS the Borough of Hawthorne is willing and able to permit the usage of its municipal pool by residents of North Haledon and their guests; and

WHEREAS such an arrangement would be beneficial to the Borough of North Haledon by providing an alternate swimming facility; and

WHEREAS, N.J.S.A. 40:48-5 authorizes a municipality to contract with any public or private entity for provision of any service which the municipality itself could provide directly; and

WHEREAS, N.J.S.A. 40:8A-1 *et seq.*, the Interlocal Services Act, provides a mechanism for making such contracts between local units of the State of New Jersey; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Council of the Borough of North Haledon that Mayor Randy George be and he is hereby authorized and directed to execute such an Interlocal Service Agreement.

RESOLUTION #86-2011 Re: Authorization/Payment to Helen Ryfkogel

WHEREAS, Jan Ryfkogel and Helen Ryfkogel previously executed a Deed of Limited Easement wherein it conveyed to the Borough of North Haledon a right of way for the limited purposes of laying, maintaining and operating drainage pipes on the Ryfkogel Property to be used for the collection and direction of stormwater; and

WHEREAS, pursuant to the aforementioned Deed of Limited Easement, the Borough of North Haledon agreed to repair any damage caused by it to the Ryfkogel Property, which included, the replacement of any sod, shrubs or trees damaged as a result of the Borough's activities within the easement for a period of two (2) years from the date the Borough's construction activities commenced, i.e., September 21, 2011; and

WHEREAS, Helen Ryfkogel has submitted a claim relating to two (2) shrubs that died as a result of the Borough's excavation activities within the aforementioned right of way; and

WHEREAS, the Borough Engineer has investigated this claim and determined that the same is accurate and that the reasonable replacement cost of the aforementioned two (2) shrubs is \$411.25;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Council of the Borough of North Haledon that it hereby approves the claim of Helen Ryfkogel to the extent described herein, and that the Borough's Chief Financial Officer be and she is hereby authorized and directed to make payment to Helen Ryfkogel, in the amount of \$411.25 in full and final satisfaction of said claim.

CERTIFICATION OF AVAILABILITY OF FUNDS

The Mayor presented the following resolution.

RESOLUTION #87-2011 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 -RESERVES.....\$ 151,292.66

2011 BILLS

CURRENT FUND-OTHER EXPENSES 9,199.73

2011 BILLS

PREPAID BILLS - CURRENT FUND - OTHER EXPENSE..... 253,179.71

TRUST FUND II..... 904.50

DOG LICENSE TRUST ACCOUNT..... 500.00

CAPITAL FUND..... 9,997.34

DEVELOPER’S ESCROW BANK OF AMERICA..... 217.50

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 \$ 350,825.35 paid in the month of February be approved.

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

DISCUSSION - Mayor advised Council re: recycling company’s violations. Mayor thanked volunteers from Fire Department and Ambulance Squad for their service to the community.

A Closed Executive Session was called at 8:58 p.m.

RESOLUTION #88-2011 Re: Closed Executive Session

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:

POSSIBLE 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.

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.

Meeting reconvened at 9:00 p.m.

ROLL CALL

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

ABSENT: Councilwoman Donna Puglisi

Motion was made by Councilman Iacobelli, seconded by Councilwoman Vuoncino, to authorize the Borough Attorney to take all necessary action to resolve the claim against Performance Bond No. B21877075 issued by Gulf Insurance Company for various deficiencies at Kara Homes/ Hearstone Estates and to pay all outstanding engineering fees.

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

ADJOURNMENT

Motion by Councilman Luisi, seconded by Councilwoman Vuoncino, to adjourn the meeting

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

Mayor George declared the meeting duly adjourned at 9:05 p.m.

Respectfully submitted,

Renate Elatab
Municipal Clerk

Angela Russo
Deputy Borough Clerk

March 16, 2011 -- Minutes

Approved at meeting of _____ April 20, 2011 _____