



BOROUGH OF NORTH HALEDON

MINUTES / APRIL 18, 2012

Mayor George read the following statement:

This meeting was called pursuant to the provisions of the Open Public Meetings Law. This meeting of April 18, 2012, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 6, 2012, and was advertised in said newspapers on January 12, 2012. This notice was posted on the bulletin board on the same date and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

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

Pastor Michael Johnson led the Prayer and Mayor George asked that everyone remain standing for the Pledge of Allegiance.

ROLL CALL

PRESENT: Mayor Randy George; Council Members: Rocco Luisi, Raymond Melone, Bruce O. Iacobelli, Elaine Vuoncino, Donna Puglisi, and Robert Dyer, Borough Attorney Michael De Marco, Borough Engineer, Joseph Pomante, Deputy Borough Clerk, Angela Russo and Renate Elatab, Municipal Clerk
Also present - Police Chief Robert Bracco and Fire Chief AJ Ricciardi

ABSENT: No one

PUBLIC COMMENTS

Motion by Councilman Iacobelli, seconded by Councilwoman Vuoncino, to open the floor.

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

Mayor George asked if anyone from the public wished to be heard regarding any matter. There was no one.

Motion by Councilman Iacobelli, seconded by Councilwoman Vuoncino, to close the floor.

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

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APPROVAL OF PRIOR MINUTES

Motion by Councilwoman Puglisi, second by Councilman Luisi, to approve the minutes of the Special Meeting of April 4, 2012; and the Work session meeting of April 4, 2012.

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

OFFICIAL REPORTS

Clerk stated that she is in receipt of the following reports:

Mayor George asked for a motion to dispense with the reports of this evening.

Motion by Councilwoman Puglisi, seconded by Councilman Iacobelli, to dispense with the reports for this evening.

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

Building Official's Report	Treasurer's Report
Clerk's Receipts	Tax Collector's Report to the Treasurer
Fire Department Report	Property Maintenance
North Haledon Volunteer Ambulance Report	Recycling Enforcement Officer
Municipal Court Report	Police Department Report

COMMITTEE REPORTS

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

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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

Councilman Iacobelli, invited everyone to the Memorial Day Ceremony, Saturday, May 26th at 10:45 a.m., followed by a light lunch.

Motion by Councilwoman Puglisi, second by Councilman Iacobelli, 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:

Office of the Governor	Re: Savings to North Haledon Taxpayers
Passaic County Board of Health	Re: Exceedence / Carbon Tetrachloride
Vito A. Gagliardi	Re: Certification of MRHS Tax Levy
Code Enforcement Officer	Re: Vacant Property Registration
Malcolm Pirnie	Re: MUA Leak Detection Survey
North Haledon Golden Age Club	Re: Authorization / Parking / May 1

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Vander Plaats Vermeulen	Re: Invitation / May 30 th
Eastern Christian Children's Retreat	Re: Waiving of Permit Fees
T-Mobile	Re: Bid for Cell Tower
Pam Rajkowski	Re: Reimbursement of Fees
Borough of Hawthorne	Re: Opposition / Freeholder Aides
Borough of Hawthorne	Re: Opposition / OPMA & OPRA Changes
City of Clifton	Re: "Do Not Solicit" List / Accident Victims
City of Clifton	Re: Restoration of Energy Taxes to Municipalities

Motion by Councilwoman Vuoncino, 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 #5-2012 **Re: Establishment of a Banquet District**
Public Hearing/Second Reading

Motion by Councilwoman Vuoncino, second by Councilman Iacobelli, 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 AMEND CHAPTER 180, ZONING OF THE CODE OF THE BOROUGH OF NORTH HALEDON ARTICLE XXIV, BANQUET ESTABLISHMENT (BE) DISTRICT

PUBLIC HEARING -

Mayor George asked if anyone from the audience wished to be heard regarding this ordinance:

1. Irene Hempstead, 15 Gionti Place, North Haledon
2. Elizabeth Gerdenetz, 19 Gionti Place, North Haledon

Above are residents within 200' of the Tide Estate – asked for an explanation of aforementioned ordinance. Concerned about buffer between Tides Estate and Gionti Place. Mayor responded.

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

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Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, that Ordinance #5-2012 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #5-2012 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 with the exception of Councilman Melone who abstained. 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 April 18, 2012, 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

PROCLAMATION

Re: Alcohol Awareness Month

Councilwoman Puglisi presented the following proclamation:

WHEREAS, alcohol is a primary factor in the leading causes of death for young persons ages 10-21; and

WHEREAS, almost 100,000 persons die each year from alcohol related causes; drinking and driving crashes, other accidents, falls, fires alcohol-related homicides and suicides; and

WHEREAS, approximately 15 million current drinkers in the United States are dependent on alcohol; and

WHEREAS, adolescents use alcohol more than tobacco or illicit drugs; and

WHEREAS, young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21; and

WHEREAS, alcohol is involved in fifty percent of criminal assault, traffic, theft, fraud, vandalism, and sex crime cases in the juvenile justice system. Older friends and siblings are the primary source by which underage youth obtain alcohol. Providing alcohol to minors is against the law, and that together we should work to keep it out of their hands, and

WHEREAS, it is imperative that we join with others in advancing efforts to strengthen the enforcement of our underage drinking laws, and build partnerships among local agencies, elected officials, law enforcement, businesses, schools, and communities to prevent underage drinking and alcoholism,

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NOW, THEREFORE, BE IT PROCLAIMED that I, Randy George, Mayor of the Borough of North Haledon, do hereby proclaim that April 2012 is Alcohol Awareness Month in the Borough of North Haledon.

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

PROCLAMATION

Re: National Donate Life Month

Mayor George presented the following proclamation:

WHEREAS, every human life has matchless value, and during National Donate Life Month, we reaffirm our commitment to raising awareness about organ donation and the importance of making the decision to donate. We also express our appreciation to those who have donated organs, tissue, and marrow.

WHEREAS, over 100,000 of Americans, over 4,500 in New Jersey, are currently on the waiting list for an organ transplant and thousands more need life enhancing tissue transplants. I urge all New Jersey residents to register with the state's donor registry; say yes to organ and tissue donation on their driver's license; and share their decision with family and friends. By taking these steps, New Jerseyans can help save lives. My Administration is committed to strengthening organ and tissue donation programs and to increase the number of organs available for transplantation in order to save lives. The kindness and generosity of donors reflect the compassionate spirit of our state.

WHEREAS, during National Donate Life Month, we celebrate the life-saving work of medical professionals and researchers and the many others whose actions reflect our commitment to a brighter tomorrow. Individuals can visit www.DonateLifeNJ.org to learn more about organ and tissue donation and how they can give the gift of life.

NOW, THEREFORE, BE IT PROCLAIMED that I, Randy George, Mayor of the Borough of North Haledon, by virtue of the authority vested in me by the citizens of North Haledon, do hereby proclaim April 2012 as Donate Life Month in the Borough of North Haledon, and call upon health care professionals, volunteers, educators, government agencies, faith-based and community groups, and private organizations to help raise awareness of the urgent need for organ and tissue donors throughout the State of New Jersey.

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

RESOLUTION #5-2012

Re: Consent Agenda

Motion by Councilman Iacobelli, second by Councilwoman Puglisi, that the Clerk reads the resolution by title and waive the reading of the resolution in full.

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

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.

- #82-2012 Creation of Legislation to Permit a "Do Not Solicit" List for Accident Victims
- #83-2012 Opposition / OPRA & OPMA Changes
- #84-2012 Opposition / Freeholders Hiring of Aides
- #85-2012 Restoration / Energy Taxes
- #86-2012 Replenishment of Postage Meter
- #87-2012 Refund / John Casalapro / Certified List of Property Owners
- #88-2012 Probationary Firefighter / Abraham Zaydan
- #89-2012 Raffle Approval / Fidelians of America / Texas Hold'em
- #90-2012 Property Tax Deductions / Veterans
- #91-2012 Reimbursement of Fees / Rajkowski
- #92-2012 Bond Anticipation Notice
- #93-2012 Tax Reimbursement Certification
- #94-2012 Ratification of Check / US Postal Service
- #95-2012 Ratification of Check / North Haledon Veterinary Care
- #96-2012 Part Time Dispatcher / Stefanie Murillo
- #97-2012 Authorization / Receipt of Bids / Cell Tower
- #98-2012 Authorization / Disposal of Surplus Property
- #99-2012 Additional Temporary Appropriations
- #100-2012 County of Passaic Open Space and Farmland Preservation Grant Application/
Yahn's Pond
- #101-2012 County of Passaic Community Block Grant Application / American Legion
Building & Municipal Building
- #102-2012 Approval / A-2454 / Altering Unemployment Insurance Eligibility Requirements
- #103-2012 Authorization / Spending of Funds Already Allocated to Sewer Department

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 #82-2012 Re: Creation of Legislation/Do Not Solicit

WHEREAS, police, fire and ambulance reports are generally and readily obtainable pursuant to P.L. 2001 c.404 (N.J.S.A. 47:1A-1, et seq.), the Open Public Records Act ("OPRA"), immediately following automobile accidents and other accidents; and

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WHEREAS, victims are often in a vulnerable state immediately following such accidents and incidents; and

WHEREAS, the practice of direct mail solicitation of victims by lawyers, chiropractors, and health care providers has been growing at a rapid rate; and

WHEREAS, the selection of an attorney or health care provider is an important decision to a person who has been injured in an accident; and

WHEREAS, the Mayor and Municipal Council of the Borough of North Haledon believe the solicitation of accident victims through information contained in accident reports constitutes a serious infringement on the privacy rights of individuals, particularly in light of the volume of accident report disclosure requests being received in connection with direct mail solicitations by lawyers, chiropractors and healthcare providers; and

WHEREAS, the Legislature should be urged to adopt legislation that would significantly limit the ability to solicit accident victims through direct mail advertising by establishing a "Do Not Solicit List" that would provide accident victims with the option to register their names on such a list to prevent anyone from soliciting them by direct mail subsequent to any accident involving personal injury; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon, that the state legislators be and hereby are urged to pass legislation that would significantly limit the ability to solicit accident victims through direct mail advertising by establishing a "Do Not Solicit List" that would provide accident victims with the option to register their names on such a list to prevent anyone from soliciting them by direct mail subsequent to any accident involving personal injury; and

BE IT FURTHER RESOLVED, that a copy of the within resolution be sent to Governor Chris Christie, NJ Senator Nellie Pou, NJ Assemblywoman Shavonda E. Sumter, NJ Assemblyman Benjie E. Wimberly, Office of Attorney Ethics, Committee on Attorney Advertising, Board of Chiropractic Examiners, and to the Municipal Clerks of all Passaic County Municipalities.

RESOLUTION #83-2012

Re: Opposition/OPRA – OPMA Changes

WHEREAS, the Senate State Government Committee has considered S-1451 and S-1452 which would, respectively, make major changes to the New Jersey Open Public Meetings Act,(OPMA), and the New Jersey Open Public Records Act, (OPRA); and

WHEREAS, the changes to each body of law will represent additional cost by way of unfunded mandate, make the business of government more cumbersome, more unable to meet the demands of the electronic world and more unable to act in a responsive manner as form is elevated above substance; and

WHEREAS, the proposed changes to OPMA include a restrictive and cumbersome process for adding a matter to a printed agenda, while no similar limitation is imposed upon State government; greatly inhibits or even prohibits the ability of the governing body to act upon matters brought up by members of the public if not on a pre-printed agenda; and requires enlarged openness in government without taking into account the legitimate privacy interests of individuals; and

WHEREAS, the proposed changes to OPRA would require the posting on the website of the municipality all materials recently acted upon within 30 days and all old materials, an undefined term, posted on the website within 60 days, a provision with potentially significant cost without concomitant benefit; permits the requestor of information to choose the medium for communication of requested information even when the same is readily available on the municipal website; and fails to provide funding to the municipalities for these unfunded mandates; and

WHEREAS, the Borough of North Haledon and its elected officials support the notion of open government but recognize the need to balance the same against the privacy rights of individuals working in and with government, the practical reality encountered in everyday life that sometimes requires departure from strict and inflexible rules and the need to balance access to public records with the potentially onerous costs placed upon government agencies, particularly in terms of manpower;

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of North Haledon, hereby opposes the changes to legislation proposed in these two bills in their current form and asks the Senate to reconsider the same in light of the comments thereto made by the New Jersey League of Municipalities and the New Jersey Clerk's Association which reflect the feelings of the people "in the trenches" who are called upon every day to meet the requirements imposed by such rules and regulations.

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Senate of the State of New Jersey and Senator Nellie Pou, as well as the Governing Bodies of all Passaic County and contiguous municipalities.

RESOLUTION #84-2012

Re: Opposition to Freeholders Hiring Aids

WHEREAS, the Passaic County Board of Chosen Freeholders has proposed the hiring of aides to the members of the Board at a cost that would exceed \$20,000 per year, per Freeholder; and

WHEREAS, the Board of Chosen Freeholders established no job description for such individuals, no qualification for individuals applying for such positions and no compelling reason for the creation of these jobs in these austere economic times; and

WHEREAS, the absence of job descriptions and at least minimal qualifications can lead to favoritism, nepotism and even cronyism in the hiring process; and

WHEREAS, there is great chance that the duties of such individuals will include legitimate purpose, such as legislative assistance, and improper purpose, such as campaign coordination, again leading to possible misuse of office and public funds; and

WHEREAS, the Governing Body of the Borough of North Haledon finds there are enough red flags and enough potential for abuse that the Freeholder Board should reject this proposal, absent a clearly demonstrated and articulated need, proper job descriptions delineating in detail the terms and conditions of employment and a hiring protocol that will ensure fairness to applicants;

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of North Haledon hereby opposes the hiring of aides by the Freeholder Board, absent the ability to address the concerns raised in the body of this resolution

RESOLUTION #85-2012 Re: Restoration of Municipal Energy Taxes

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, while the State may need to have the right to over-ride the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policy makers should not exercise that right automatically; and

WHEREAS, while that right should be the exception, it has become the rule; and

WHEREAS, by using tactics such as reducing CMPTRA, which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, from \$72 million in State Fiscal Year 2005, to \$505 million in State Fiscal Year 2011, the State's diversion of Energy Taxes has continued to grow; and

WHEREAS, in 2008, 2009 and 2010 (SFY 2009, 2010 and 2011), funding for municipal revenue replacement was slashed by about \$26 million in 2008 and \$32 million in 2009, followed by losses of about \$271 million in 2010; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use for these resources, which were always intended to fund local programs and services;

NOW THEFORE BE IT RESOLVED, by the Mayor and Governing Body of the Borough of North Haledon, that we join with the League of Municipalities in calling for the immediate restoration of funding diverted from Energy Taxes intended for local use; and

BE IT FURTHER RESOLVED, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this

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important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; and

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

RESOLUTION #86-2012 **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 postage meter in the sum of \$2,000.00;

BE IT FURTHER RESOLVED that funds were available for the aforementioned as evidenced by certification of Treasurer following:

CERTIFICATION:

I, Laura Leibowitz, CFO/ Treasurer of the Borough of North Haledon, do certify that funds are available for the aforementioned in (\$800.00)2-01-43-490-490-205 & (\$1,200.00) 2-01-20-120-120-205.

RESOLUTION #87-2012 **Re: Refund/Certified List/Casalaspro**

WHEREAS, John Casalaspro requested a certified list of properties 200feet from his property; and

WHEREAS, the property owner paid the Construction Department \$25.00 for the 200feet list and also paid the Clerk's Office \$25.00;

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 to John Casalaspro in the sum of \$25.00.

RESOLUTION #88-2012 **Re: Probationary Fireman/Abraham Zaydan**

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that Abraham Zaydan, be appointed Probationary Firefighter to the North Haledon Fire Department.

RESOLUTION #89-2012 **Re: Raffle Approval/Fideliants of America**

BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon that Raffle License Application RA#5-2012 Texas Hold-Em, Fideliants of America, to be held on May 4, 2012 at 219 Manchester Avenue, North Haledon, be approved as submitted providing all rules and regulations of the Legalized Games of Chance Control are adhered to.

RESOLUTION #90-2012 **Re: Property Tax Deduction/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

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WHEREAS, each applicant has been found eligible and entitled to said deduction for the year 2011,

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be authorized to grant these deductions for the year 2011 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>
37	19	Brian Murray	144 North Haledon Ave	250.00

RESOLUTION #91-2012 **Re: Refund/Soil Movement Fee/Rajkowski**

WHEREAS, Pam Rajkowski is eligible for reimbursement of \$250.00 of the \$500.00 soil movement filing fee for captioned property; and

WHEREAS, the property owner did not remove soil from their property and accordingly filed an exemption form; and

WHEREAS, the property owner also has \$137.50 remaining in an escrow account as confirmed by the Treasurer; and

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 to Pam Rajkowski in the sum of \$387.50.

RESOLUTION #92-2012 **Re: Bond Anticipation Notice – 2012**
(attached to minutes)

RESOLUTION #93-2012 **Re: Tax Reimbursement Certification**

WHEREAS, the Recycling Enhancement Act P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is a levied upon the owner or operator of every solid waste facility (with certain exceptions), a recycling tax of \$3.00 /per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection or provides for regular solid waste collection service under contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for the recycling program

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311 in-2011, in the amount of \$11,342.52. Documentation supporting this submission is available at 103 Overlook Avenue, North Haledon, and shall be maintained for no less than five years from this date.

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RESOLUTION #94-2012 Re: Ratification of Check #1763/NH Vet

BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon that check #1763 in the amount of \$321.00, dated March 20, 2012, and drawn to the order of North Haledon Veterinary Care, be and the same is hereby ratified.

BE IT FURTHER RESOLVED that funds were available for the aforementioned as evidenced by certification of Treasurer following:

CERTIFICATION:

I, Laura Leibowitz, CFO/ Treasurer of the Borough of North Haledon, do certify that funds are available for the aforementioned in 2-01-27-330-330-201

RESOLUTION #95-2012 Re: Ratification of Check #1770/US Postal Serv.

BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon that check #1763 in the amount of \$600.00, dated March 29, 2012, and drawn to the order of US Postal Service, be and the same is hereby ratified.

BE IT FURTHER RESOLVED that funds were available for the aforementioned as evidenced by certification of Treasurer following:

CERTIFICATION:

I, Laura Leibowitz, CFO/ Treasurer of the Borough of North Haledon, do certify that funds are available for the aforementioned in 2-01-20-120-120-205.

RESOLUTION #96-2012 Re: Appointment/PT Dispatcher/Murillo

BE IT RESOLVED by the Mayor and Board of Council of the Borough of North Haledon that Stephany Murrillo be appointed as Part Time Dispatcher effective April 19, 2012; salary in accordance with the Salary and Wages Ordinance for 2011.

RESOLUTION #97-2011 Re: Advertise and Receive Bids/Cell Tower

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 the receipt of bids for a new cell tower. Bids to be received in the Council Chambers, 103 Overlook Avenue, North Haledon by the Municipal Clerk on behalf of the Mayor and Council.

RESOLUTION #98-2012 Re: Authorizing Disposal of Surplus Property

WHEREAS, the Borough of North Haledon is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough of North Haledon is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the members of the Governing Body of the Borough of North Haledon, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:

1999 Ford Pick-Up, VIN 1FTSF31F4XED05140, Odometer reading: 87,105
and liftgate and plow
2006 Ford Police Interceptor, Odometer reading: 115,697
2007 Ford Police Interceptor, Odometer reading: 113,231
2002 Chevrolet Blazer, VIN 1GNDDT13W2K234434, Odometer reading: 45,427
2006 Carolina Skiff, Serial No. EKHF2149D606, and Yamaha engine, Venture trailer
and Garmin 3000 depth finder
- (5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough of North Haledon reserves the right to accept or reject any bid submitted.

RESOLUTION #99-2012

Re: Add'l Temporary Appropriations

WHEREAS, N.J.S.A. 40-A: 4-19 provides that where contracts, commitments or payment are to be made prior to the final adoption of the 2008 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time herein provided; and

WHEREAS, CHAPTER 3. P.L.1984 allows the municipality to adopt additional temporary appropriations equal to ½ of the total appropriations made for all purposes in the budget for the 2008 fiscal year excluding in both instances, appropriations made for the interest and debt redemption charges, Capital Improvement fund and Public Assistance.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon, that the following additional appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records.

CLERK	SW	\$40,000.00
COMPUTER		
UPGRADES	OE	\$2,000.00
FINANCE	SW	\$30,000.00
TAX COLLECTION	SW	\$18,000.00
TAX ASSESSOR	SW	\$7,000.00
LEGAL	OE	\$10,000.00
CONST. OFFICIAL	SW	\$45,000.00

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POLICE	SW	\$570,000.00
GROUP INSURANCE	OE	\$150,000.00
POLICE	OE	\$25,000.00
AMBULANCE	OE	\$5,000.00
FIRE-OSHA	OE	\$10,000.00
ENGINEERING	OE	\$25,000.00
PLANNING BOARD	SW	\$2,000.00
BD. OF ADJUSTMENT	SW	\$2,000.00
BD OF HEALTH	SW	\$10,000.00
BD OF HEALTH	OE	\$2,000.00
SPECIAL EVENTS	OE	\$15,000.00
STREETS & ROADS	SW	\$180,000.00
MUNICIPAL		
PROSECUTOR	SW	\$5,000.00
SEWER	SW	\$29,000.00
RECYCLING	SW	\$18,000.00
LIBRARY	OE	\$160,000.00
RECREATION	OE	\$5,000.00
SOCIAL SECURITY	OE	\$50,000.00
SANITATION	OE	\$92,000.00
SNOW REMOVAL	OE	\$5,000.00
PUBLIC BUILDINGS	OE	\$10,000.00
HYDRANTS	OE	\$5,000.00
GASOLINE	OE	\$10,000.00
DIESEL FUEL	OE	\$15,000.00
STREET LIGHTS	OE	\$30,000.00
TELEPHONE	OE	\$10,000.00
WATER TESTING	OE	\$500.00
ELECTRICITY	OE	\$50,000.00
PVSC	OE	\$100,000.00
PERS	OE	\$242,036.00
PFRS	OE	\$470,087.00
MUNICIPAL COURT	SW	\$35,000.00
MUNICIPAL COURT	OE	\$6,000.00
		\$2,495,623.00
COAH	OE	\$5,000.00
BOND PRINCIPAL	OE	\$250,000.00
BOND INTEREST	OE	\$118,000.00
NOTE INTEREST	OE	\$46,333.25
		\$414,333.25

RESOLUTION #100-2012

Re: Authorization/Open Space Application

WHEREAS the Borough of North Haledon desires to apply for and obtain a grant from the County of Passaic Open Space and Farmland Preservation Trust Fund for further rehabilitation of Yahn's Pond;

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NOW, THEREFORE, BE IT RESOLVED that the Borough of North Haledon does hereby authorize the application of such a grant; the execution of the grant agreement when received; and does further authorize the expenditure of funds pursuant to the terms of said agreement.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the agreement and any other documents necessary in connection therewith.

RESOLUTION #101-2012 Re: PCCBG Application

WHEREAS the Borough of North Haledon desires to apply for and obtain a grant from the County of Passaic Community Block Grant the ADAing of the American Legion Building and the Municipal Building;

NOW, THEREFORE, BE IT RESOLVED that the Borough of North Haledon does hereby authorize the application of such a grant; the execution of the grant agreement when received; and does further authorize the expenditure of funds pursuant to the terms of said agreement.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the agreement and any other documents necessary in connection therewith.

RESOLUTION #102-2012 Re: Support of A-2452

WHEREAS, R.S. 43:21-4 defines "seasonal industry or occupation" as an industry or occupation which, because climatic conditions make it impractical or impossible to do otherwise, customarily operates only during a regularly recurring 28-week period or periods of less than 26-weeks of work in a calendar year; and

WHEREAS, many municipal seasonal jobs in the State are offered for only 10 to 12 weeks in a given year such as beach taggers, recreation personnel, seasonal laborers and lifeguards due to the short summer season; and

WHEREAS, there should be no expectation by an employee who has applied for a seasonal job that when the season ends that there would be continued employment, in fact, that individual consciously made the choice to apply for and accept a seasonal job rather than seeking year-round employment; and

WHEREAS, when the length of employment is clearly defined by the public entity as a seasonal job with a specific beginning and ending date, this seasonal job should not be included in unemployment calculations for individuals working other jobs during the unemployment period of eligible benefits; and

WHEREAS, unlike private employers, municipalities and other public entities are unique in that unemployment claims arising from seasonal employment require the expenditure of taxpayers funds to pay unemployment claims for these individuals thereby burdening the already overwhelmed taxpayer in the State New Jersey; and

WHEREAS, in many cases municipalities and other public entities pay claims quarterly and do not pay into the unemployment compensation fund due to budgetary constraints and the high cost of unemployment insurance; and

WHEREAS, these unexpected quarterly payments have forced some municipalities to do special emergency appropriations just to pay this year's claims thereby affecting next year's municipal budget which by all accounts will be equally as difficult as the present year's ; and

WHEREAS, Assemblywoman Amy Handlin and Assemblyman Sean Kean have introduced A-2454, which would prohibit all seasonal workers for receiving unemployment insurance benefits during a period between two successive seasons if the worker has a reasonable assurance that the worker will perform those services in the second of such seasons;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of North Haledon urges the legislature to approve A-2454 as swiftly as possible, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Commissioner of the Department of Labor, the Lieutenant Governor and the Governor of State of New Jersey, and the League of Municipalities.

RESOLUTION #103-2012 Re: Spend Funds Allocated for Sewer Dept.

WHEREAS, Michael Debiak, Sewer Operator, has requested funds for the repairs at the Pump Station as follows:

Electric drive replacement	\$15,100.08
Electric drive installations	10,000.00
Comminutor replacement and installation	41,862.00
Pump repairs	16,864.70 ; and

WHEREAS, funds have been allocated for this purpose in past budgets.

NOW THEREFORE, BE IT RESOLVED, that the Municipal Clerk and Treasurer/CFO are hereby authorized and directed to take such actions as are necessary to effectuate the purpose of this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

The Clerk read the Certification into the record.

RESOLUTION #104-2012 Re: Payment of Approved Claims

The Mayor presented the following resolution:

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

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2011 BILLS

CURRENT FUND -RESERVES.....\$168.47

2012 BILLS

CURRENT FUND-OTHER EXPENSES 208,086.46

2012 BILLS

PREPAID BILLS - CURRENT FUND - OTHER EXPENSE..... 799,414.39

FEDERAL/STATE GRANT FUND..... 2,948.66

TRUST FUND II..... 17,160.00

DOG LICENSE TRUST ACCOUNT..... 1,000.00

CAPITAL FUND..... 113,315.61

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 \$475,156.96 paid in the month of March be approved.

Councilman Iacobelli moved the adoption of the resolution.
Councilwoman Puglisi seconded the adoption of the resolution.

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

Reminder – Special Meeting Wednesday, April 25th at 8:00 p.m. to discuss the budget.

ADJOURNMENT

Motion by Councilman Iacobelli, second 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 8:24 p.m.

Renate Elatab, Municipal Clerk

Angela Russo, Deputy Clerk

Approved at Meeting of _____ May 16, 2012 _____