



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

WEDNESDAY, DECEMBER 3, 2014

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of December 5, 2014, was included in a list of meetings notices sent to THE HERALD NEWS and THE HAWTHORNE PRESS on January 6, 2014, and was advertised in said newspapers on January 19, 2014. These notices were posted on the bulletin board on the same date and have remained continuously posted as the required notices under the Statute. In addition, copies of these notices are and have been available to the public, and are on file in the office of the Municipal Clerk.

Proper notice having been given, this meeting is called to order at 8:59 p.m. and the Clerk was directed to include this statement in the minutes of this meeting.

Present:

Mayor Randy George

Council Members: Rocco Luisi, Robert Dyer, Donna Puglisi, and Michael Galluccio

Borough Engineer Joseph Pomante

Borough Attorney, Michael P. De Marco

Police Chief, Robert Bracco

Deputy Municipal Clerk, Dena Ploch

Municipal Clerk Renate Elatab

Absent:

Council Members: Raymond Melone and Dennis Marco

APPROVAL OF PRIOR MINUTES

Motion by Council Member Puglisi, second by Council Member Galluccio, to approve the minutes of the Regular Council Meeting of October 15, 2014, and the Work Session Meeting and Regular Council Meeting of November 3, 2014. Upon roll call, all members present voted in the affirmative. Motion carried.

PUBLIC COMMENTS

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

Since no one from the public wished to speak, motion by Council Member Puglisi, second by Council Member Galluccio, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

OFFICIAL REPORTS

The Clerk stated that she was in receipt of the following reports:

Building Official's Report
Clerk's Receipts
Property Maintenance Report
Tax Collector's Report to Treasurer
Court Administrator's Report

Motion by Council Member Puglisi, 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.

COMMITTEE REPORTS

DPW / STREETS & ROADS / SEWERS/ BUILDINGS & GROUNDS / SOLID WASTE / RECYCLING - **MELONE**

POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292 - **PUGLISI**

RECREATION - **PUGLISI**

ZONING BOARD OF ADJUSTMENT - **PUGLISI**

NORTH HALEDON VOLUNTEER AMBULANCE - **DYER**

FINANCE - **DYER**

PLANNING BOARD - **MARCO**

BOARD OF EDUCATION / LOCAL - **LUI SI**

BOARD OF EDUCATION / REGIONAL – **GALLUCCIO**

BOARD OF HEALTH - **GALLUCCIO**

FIRE & WATER – **LUI SI**

ENGINEERING - **DYER**

LIBRARY - **MAYOR GEORGE**

Motion by Council Member Dyer, second by Council Member Puglisi, to waive the committee reports. Upon roll call, all members present voted in the affirmative. Motion carried. Council Member Puglisi advised that she would be having surgery in the beginning of 2015 and that if PBA negotiations were not concluded, she would have to ask someone to take over for her.

COMMUNICATIONS

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

Borough Attorney	Re: Stipulations of Settlement
Planning Board	Re: Foodtown Renovations
PBA Attorney	Re: PBA Negotiations
T-Mobile	Re: Lease at Cell Tower
Steven Brizek	Re: Municipal Court Judgeship
Deputy Treasurer	Re: October Payment of Claims
Standards and Poor	Re: Bond Rating
Manchester Utilities Authority	Re: Rate Increases
Passaic County Planning Board	Re: 2015 Grant Applications
Power Home Remodeling Group	Re: Request for Refund
Christopher Miras	Re: Letter of Resignation

Motion by Council Member Puglisi, second by Council Member 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.

NEW BUSINESS / RESOLUTIONS

RESOLUTION CA#13-2014

Re: Consent Agenda #13-2014

Motion by Council Member Puglisi, second by Council Member Luisi, 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.

The Clerk presented the following resolution:

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

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

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

1. Tax Overpayment / Lereta
2. Acceptance of Proposal / 2015 Chevrolet Tahoe / Fire Department
3. Refund / Permit Fee / Power Home

WHEREAS, the property owner cancelled the project after Power Home Remodeling Group took out a permit, and

WHEREAS, by letter dated November 12, 2014, Power Home Remodeling Group requested a refund;

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 Power Home Remodeling Group in the amount of \$75.00.

Resolution #204-2014

Re: Acceptance of Proposal / Boswell

WHEREAS, the Borough of North Haledon is in need of a preparation of construction plans and specifications for the tennis court lighting improvements; and

WHEREAS, Boswell Engineering, by letter dated November 14, 2014, submitted a proposal regarding same as evidenced by attachment herein and made a part of the within resolution;

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

The Proposal of Boswell Engineering, dated November 14, 2014, for the preparation of construction plans and specifications for the tennis court lighting improvements; is hereby accepted and approved, and that total payment for said project shall not exceed \$29,000.00; 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 Open Space Grant.

Resolution #205-2014

Re: Approval / Change Order / Molly Ann Pumping Station

WHEREAS the Borough Council of the Borough of North Haledon awarded a contract to Coppola Services for the rehabilitation of the Molly Ann Pumping Station via Resolution #64-2014, dated March 19, 2014, in the amount of \$267,000.00; and

WHEREAS, the Borough Engineer has recommended a change order in accordance with NJAC 5:34-4.4; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Council of the Borough of North Haledon that Change Order No. 1 is hereby authorized in the amount of \$14,526.75 for a combined total contract of \$281,526.75.

CERTIFICATION:

I, Laura Leibowitz, Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in Capital Fund – Ordinance #11-2014.

Resolution #206-2014

Re: Award of Contract / Winter Products

WHEREAS, the County of Passaic through Cooperative Pricing System solicited and received bids for rock salt, snow grits, magnesium chloride pellets, calcium chloride and liquid calcium chloride in accordance with the N.J.S.A. 40A:11-1 and

WHEREAS, the Borough of North Haledon is desirous of taking advantage of awarding a contract to the lowest complying bidders (copy of bid tabulation attached hereto) being Atlantic Salt Company, Eastern Concrete Morris County Cooperative, Summit Paper Co., Reed & Perrine Morris County Cooperative, and Peckham Materials Corp.; and

WHEREAS, the Borough of North Haledon desires to participate with the County of Passaic with the Cooperative Pricing System for rock salt, snow grits, magnesium chloride pellets, calcium chloride and liquid calcium chloride in accordance with the contract which will be entered into with the County of Passaic and Atlantic Salt Company, Eastern Concrete Morris County Cooperative, Summit Paper Co., Reed & Perrine Morris County Cooperative, and Peckham Materials Corp. and the Borough of North Haledon;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Haledon that it hereby authorizes award of contracts for rock salt to Atlantic Salt Company for \$65.00/per ton, for magnesium chloride pellets to Summit Paper Co. for \$35/bag, and for liquid calcium chloride to Peckham Materials Corp. at \$6.934 per gallon. Calcium chloride can be purchased through Reed & Perrine Morris County Cooperative. All contract periods are to run from December 1, 2014 through November 30, 2015.

Resolution #207-2014

Re: Authorization / Receipt of Bids / Conversion / New Fire Chief's Vehicle

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 the conversion of the new fire chief's vehicle on behalf of the Mayor and Council.

Resolution #208-2014

Re: Approval / Stipulation of Settlement / Joyce Della Cerra Trust

WHEREAS, the Joyce Della Cerra Trust filed appeals with the Tax Court of the State of New Jersey for tax years 2013 and 2014 on the property located at 197 Graham Avenue, Block 65 Lot 9.01; and

WHEREAS, the parties have agreed to a reduction in the assessments for 2013 and 2014 from a total of \$908,700 to a total of \$850,000 and,

WHEREAS, the Borough Tax Assessor and Borough Attorney agree with the reductions in value for 2013 and 2014 in accordance with the settlement; and

WHEREAS, the settlement results in a tax refund for tax year 2013 in the amount of \$1,602.51 and for tax year 2014 in the amount of \$1,598.40 for a total of \$3,200.91, which will be made payable to the plaintiff's attorney in this matter upon issuance of the judgments; and

WHEREAS, the Mayor and Council for the Borough of North Haledon have determined that it is in the best interests of the Borough to adjust the assessments for the aforesaid property for tax years 2013 and 2014 in accordance with the settlement,

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

1. The tax assessments on the property located at 197 Graham Avenue, Block 65 Lot 9.01, be reduced to \$850,000 for 2013 and 2014.
2. The Borough Tax Collector is hereby authorized to issue a refund in the amount of \$3,200.91 to the plaintiff's attorney upon issuance of the judgments.
3. This resolution should take effect immediately or as otherwise provided by law.

Resolution #209-2014

**Re: Approval / Stipulation of Settlement /
547 High Mountain Road, LLC**

WHEREAS, 547 High Mountain Road LLC filed appeals with the Tax Court of the State of New Jersey for tax years 2012 and 2013 on the property located at 547 High Mountain Road, Block 18.01 Lot 12; and

WHEREAS, the parties have agreed to a reduction in the assessments from \$1,029,500 to \$915,000 for 2012 and \$900,000 for 2013; and

WHEREAS, the Borough Tax Assessor and Borough Attorney agree with the reductions in value for 2012 and 2013 in accordance with the settlement and,

WHEREAS, the settlement results in a tax refund for tax year 2012 in the amount of \$2,941.51 and for tax year 2013 in the amount of \$3,535.35 for a total of \$6,476.86, which will be made payable to the plaintiff's attorney in this matter upon issuance of the judgments; and

WHEREAS, the Mayor and Council for the Borough of North Haledon have determined that it is in the best interests of the Borough to adjust the assessments for the aforesaid property for tax years 2012 and 2013 in accordance with the settlement;

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

1. The tax assessments on the property located at 547 High Mountain Road, Block 18.01 Lot 12, be reduced to \$915,000 for 2012 and \$900,000 for 2013.
2. The Borough Tax Collector is hereby authorized to issue a refund in the amount of \$6,476.86 to the plaintiff's attorney upon issuance of the judgments.
3. This resolution should take effect immediately or as otherwise provided by law.

Resolution #210-2014

**Re: Approval / Stipulation of Settlement /
Rotella**

WHEREAS, Eugene and Joyce Ann Rotella filed an appeal with the Tax Court of the State of New Jersey for tax year 2012 on the property located at 581 High Mountain Road, Block 34.01 Lot 3; and

WHEREAS, the parties have agreed to a reduction in the assessments from \$999,900 to \$900,000 for 2012 which will also carry to 2013 via the Freeze Act; and

WHEREAS, the Borough Tax Assessor and Borough Attorney agree with the reductions in value for 2012 and 2013 in accordance with the settlement; and

WHEREAS, the settlement results in a tax refund for tax year 2012 in the amount of \$2,566.43 and for tax year 2013 in the amount of \$2,727.27 for a total of \$5,293.70, which will be made payable to the plaintiff's attorney in this matter upon issuance of the judgment; and

WHEREAS, the Mayor and Council for the Borough of North Haledon have determined that it is in the best interests of the Borough to adjust the assessments for the aforesaid property for tax years 2012 and 2013 in accordance with the settlement;

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

1. The tax assessment on the property located at 581 High Mountain Road, Block 34.01 Lot 3, be reduced to \$900,000 for 2012 and also for 2013 via the Freeze Act.
2. The Borough Tax Collector is hereby authorized to issue a refund in the amount of \$5,293.70 to the plaintiff's attorney upon issuance of the judgment.
3. This resolution should take effect immediately or as otherwise provided by law.

Resolution #211-2014

Re: Approval / December Transfers

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
BD. OF ADJUSTMENT	OE	\$513.61
GROUP INSURANCE	OE	\$6,000.00
UNIFORM ALLOWANCE	OE	\$2,830.00
VOLUNTEER AMBULANCE	OE	\$3,000.00
FIRE ALARM	OE	\$395.00
BUEHLER CULTURAL CENTER	OE	\$65.25
BOARD OF HEALTH	OE	\$2,000.00
SPECIAL EVENTS	OE	\$2,622.00
TIPPING FEES	OE	\$25,000.00
SOCIAL SECURITY	OE	<u>\$9,662.56</u>
		\$52,088.42

TO

MUNICIPAL COURT	OE	\$500.00
LIBRARY	OE	\$1.00
WATER	OE	\$680.00
TAX ASSESSMENT	OE	\$25.81
PLANNING BOARD	OE	\$221.61
JUDGEMENTS	OE	\$50,000.00
ETHICS	SW	\$538.00
RECREATON	OE	\$121.99
INTEREST ON BONDS	OE	<u>\$0.01</u>
		\$52,088.42

Resolution #212-2014

Re: Replenishment of Postage Meter

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 \$500.00.

CERTIFICATION

I, Laura Leibowitz, Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in A & E Postage 4-01-20-120-205.

Resolution #213-2014

Re: Appointment / Junior Fire Fighter

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Nicholas J. Dansen, residing at 36 Walray Avenue, North Haledon, be appointed Junior Firefighter in the North Haledon Fire Department.

Resolution #214-2014

Re: Authorization / Disbursements / Funds Estate of Dorothy Petrakakis

WHEREAS, Dorothy Petrakakis died a resident of the Borough of North Haledon; and

WHEREAS, upon her death the Police Department of the Borough of North Haledon located \$6,771.00 at the home of the decedent located at 51 School Street, North Haledon, NJ; and

WHEREAS, the Police Department of the Borough of North Haledon delivered the aforementioned sum of \$6,771.00 to the Treasurer of the Borough of North Haledon, who duly deposited the same into the Trust Fund II; and

WHEREAS, demand has been made on behalf of the Estate of Dorothy Petrakakis by its attorney, Patrick C. De Marco, Esq. for the release of the aforementioned \$6,771.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Council of the Borough of North Haledon that the Borough's Chief Financial Officer is hereby authorized to disburse the sum of \$6,771.00 belonging to the Estate of Dorothy Petrakakis to its attorney, Patrick C. De Marco, Esq., by way of check made payable to "De Marco & De Marco Attorney Trust Fund."

Resolution #215-2014

**Re: Approval / Clothing Allowance /
North Haledon Fire Department**

WHEREAS, clothing allowance for the year 2013 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:

Chad Boonstra	\$1,020.06
Dean Brauch	769.22
Brian Faasse	458.24
Ryan Graham	880.20
Nick Harding	268.50
Alan Hofer	433.18
Dan Hook	655.14
Mike Kameno	440.34
Tim Lalley	784.02
Jim Ormezzano	747.98
Anthony Padula	1,130.08
Philip Palkewick	955.62
Andrew Ricciardi	1,599.40
Kevin Schott	325.78
Louis Schott	361.58
Steve Schott	547.74
Tom Ursetti	622.92

CERTIFICATION OF AVAILABILITY OF FUNDS

Mayor George reads the Certification of Availability of Funds into the record.

Resolution #216-2014

Re: Payment of October Claims

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

2014 BILLS

CURRENT FUND-OTHER EXPENSES\$ 149,315.94

2014 BILLS

PREPAID BILLS - CURRENT FUND - OTHER EXPENSE.....	\$ 110,281.93
FEDERAL/STATE GRANT FUND.....	\$ 3,476.77
PREPAID FEDERAL STATE GRANT.....	\$ 2,500.00
TRUST FUND II.....	\$ 2,136.00
DOG LICENSE TRUST ACCOUNT.....	\$ 1,000.00
CAPITAL FUND.....	\$ 139,317.50
PREPAID MUNICIPAL ALLIANCE.....	\$ 126.00

NOW, THEREFORE, BE IT RESOLVED that the Treasurer is hereby authorized to pay these claims, as funds are available.

BE IT FURTHER RESOLVED that the total payrolls in the amount of \$ 355,927.47 paid in the month of October be approved.

Resolution #217-2014

Re: Payment of Claims

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

2014 BILLS

CURRENT FUND-OTHER EXPENSES\$152,008.48

2014 BILLS

PREPAID BILLS - CURRENT FUND - OTHER EXPENSE.....	\$ 95,068.95
FEDERAL/STATE GRANT FUND.....	\$ 7,936.33
TRUST FUND II.....	\$ 5,036.00
DOG LICENSE TRUST ACCOUNT.....	\$ 1,525.00
CAPITAL FUND.....	\$ 62,124.04

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 \$ 360,222.72 paid in the month of November be approved.

Motion by Council Member Puglisi, second by Council Member Galluccio, to approve the two foregoing payment of claims resolutions. Upon roll call, all members present voted in the affirmative. Motion carried.

DISCUSSION

Reminder – **Monday, December 29, 2014 – 7:00 p.m.**

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 9:12 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Council Meeting of December 29, 2014

