



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

August 15, 2018

Mayor George read the OPMA into the record:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. Notices of this meeting were emailed to the HERALD NEWS and the HAWTHORNE PRESS on January 8, 2018, and were advertised in said newspapers on January 11, 2018. Said 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, 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 8:32 p.m. and the Clerk was directed to include this statement in the minutes of this meeting.

ROLL CALL

Mayor Randy George

Council Members: Raymond Melone, Rocco Luisi, George Pomianek, Donna Puglisi, Heather Sparano, and Keith Salviano

Borough Attorney, Michael P. De Marco (recused and excused at 8:55 p.m.)

Borough Planner, Michael Kauker

Police Chief, Robert Bracco

Deputy Municipal Clerk, Dena Ploch

Municipal Clerk Renate Elatab

PUBLIC COMMENTS

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

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

OFFICIAL REPORTS

The following reports were submitted to the Municipal Clerk's Office:

Building Official's Report
Clerk's Receipts
Fire Department Report
Municipal Court Report
Police Department Report
Property Maintenance Report
Tax Collector's Report to Treasurer
Treasurer's Report

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 – **MAYOR GEORGE**
FINANCE – **POMIANEK**
PLANNING BOARD - **SALVIANO**
BOARD OF EDUCATION / LOCAL - **LUISI**
BOARD OF EDUCATION / REGIONAL - **POMIANEK**
BOARD OF HEALTH – **SALVIANO**
FIRE & WATER - **LUISI**
ENGINEERING - **POMIANEK**
LIBRARY - **MAYOR GEORGE**
PUBLIC CELEBRATIONS - **MAYOR GEORGE** – North Haledon Day will be on September 8th.

Motion by Council Member Puglisi, second by Council Member Sparano to dispense with the committee reports. Upon roll call, all members present voted in the affirmative. Motion carried.

COMMUNICATIONS

Communications below were presented at the Work Session Meeting.

Mayor George	Re: Speed Limit Ordinance
Mayor George	Re: Draft / Buehler's / CDBG Grant
Albert Zaccone	Re: Buehler's / CDBG Grant
North Haledon Fire Department	Re: Request for Funding
Thompson Hine	Re: Assignment of Cell Tower
Mr. and Mrs. Healey	Re: Police Department

Mr. and Mrs. Grillo

Re: Street Paving

Motion by Council Member Puglisi, second by Council Member Sparano, that the above communications be received, action taken where necessary, and that they be placed on file. Upon roll call, all members present voted in the affirmative. Motion carried.

OLD BUSINESS / ORDINANCES

Ordinance # 15-2018

Re: Amendment / Zoning

Motion by Council Member Puglisi, second by Council Member Luisi, 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 presented the following ordinance:

AN ORDINANCE OF THE BOROUGH OF NORTH HALEDON AMENDING AND SUPPLEMENTING CHAPTER 600, ENTITLED “ZONING”, OF THE CODE OF THE BOROUGH OF NORTH HALEDON

WHEREAS, the Municipal Land Use Law (“MLUL”) of the State of New Jersey, N.J.S.A. 40:55D-1 et seq. grants to municipalities the power to adopt a zoning ordinance relating to the nature and extent of the uses of lands, buildings and structures thereon; and

WHEREAS, the Borough of North Haledon (“Borough”) desires to amend and supplement the zoning code;

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of North Haledon, County of Passaic, State of New Jersey, as follows:

Section 1.

Article I, Chapter 600, Section 2 of the Zoning Code of the Borough of North Haledon, following definitions are added:

BUILDING COVERAGE – That percentage (%) of the plot or lot covered by the principal building and all accessory buildings, including balconies, roof overhangs, chimney walls and other protrusions and exclusive of uncovered porches, terraces and steps.

DRIVEWAY - A defined access surfaced with an acceptable construction material that provides vehicular access from a public right-of-way to a residence, garage or structure which is maintained by the Property Owner. A driveway is not a road, street, boulevard, highway, or parkway.

IMPERVIOUS COVERAGE – That percentage (%) of the plot or lot area covered by impervious surfaces or surfaces that do not allow rainwater to be directly absorbed into the

ground, including, but not limited to, buildings or structures, accessory buildings, generators and generator pads, ground mounted solar panels, HVAC units and pads, parking areas, driveway, any type of athletic courts, patios, decks, pools (both above and in-ground), pool equipment and equipment pads and walkways. Surfaces such as laid stones, slate pavers and timber (laid directly on the ground) with open joints shall constitute 50% of impervious coverage. An open joint shall be any joint which is greater than ½ inch in width. Surfaces such as loos stone, porous pavements and pervious pavers shall constitute 25% of impervious coverage.

MAXIMUM IMPERVIOUS COVERAGE – The total percentage (%) of impervious coverage as calculated by adding the Building Coverage plus the Impervious Coverage. See Zoning Attachment 1, “Borough of North Haledon Zoning Area and Limiting Schedule”, as amended.

Section 2.

Article IX, Chapter 600, Section 31, Sub-Section A of the Zoning Code of the Borough of North Haledon, following definitions are added:

(5) Impervious Coverage shall not exceed thirty-five (35%) percent of the total front yard area. For lots having more than one (1) front yard, the total front yard areas shall not be combined for the purpose of calculating this provision.

(6) The parking of vehicles on lawns or non-driveway areas is expressly prohibited in all residential zones.

(7) All driveways must be paved with one of the following materials: concrete, asphalt, brick pavers, porous pavements, decorative crushed stone or gravel.

Section 3.

Article XVII, Chapter 600, Section 85 of the Zoning Code of the Borough of North Haledon, specifically the following definition is hereby deleted in its entirety:

TOTAL SITE COVERAGE

Section 4.

Article XVII, Chapter 600, Section 92, Sub-Section D of the Zoning Code of the Borough of North Haledon, is hereby amended as follows:

(2) Maximum impervious coverage: 30%

Section 5.

Article XVIII, Chapter 600, Section 118 of the Zoning Code of the Borough of North Haledon, specifically the following definition is hereby deleted in its entirety:

TOTAL SITE COVERAGE

Section 6.

Article XVII, Chapter 600, Section 121, Sub-Section D of the Zoning Code of the Borough of North Haledon, is hereby amended as follows:

- (2) Maximum impervious coverage: 50%

Section 7.

Article XX, Chapter 600, Section 170 of the Zoning Code of the Borough of North Haledon, specifically the following definition is hereby deleted in its entirety:

TOTAL SITE COVERAGE

Section 8.

Article XX, Chapter 600, Section 177, Sub-Section D of the Zoning Code of the Borough of North Haledon, is hereby amended as follows:

- (2) Maximum impervious coverage: 30%

Section 9.

Article XVI, Chapter 600, Section 197, Sub-Section K of the Zoning Code of the Borough of North Haledon, is hereby amended as follows:

- K. Maximum impervious coverage shall be 50%.

Section 10.

Article XXII, Chapter 600, Section 209, Sub-Section K of the Zoning Code of the Borough of North Haledon, is hereby amended as follows:

- K. Maximum impervious coverage shall be 45%.

Section 11.

A copy of this Ordinance is hereby transmitted to the Borough's Planning Board ("Planning Board") for its report and recommendation pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. and the Planning Board hereby has thirty-five (35) days to submit a report and if it fails to do so, then the Borough Council may proceed to adopt this Ordinance.

Section 12.

All Ordinances of the Borough which are inconsistent with the provisions of this Ordinance are

hereby repealed as to the extent of such inconsistency.

Section 13.

If any section, subsection clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of the Ordinance.

Section 14.

This Ordinance shall take effect as provided by law.

Council Member Puglisi thanked the Borough Engineer and the members of the Zoning Board for working so hard to keep people from being allowed to park on their lawns.

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

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

Motion by Council Member Puglisi, second by Council Member Luisi, that Ordinance #15-2018 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #15-2018 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.

Ordinance # 17-2018

Re: Humane Law Enforcement Officer

Motion by Council Member Puglisi, second by Council Member Luisi, 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 presented the following ordinance:

**AN ORDINANCE SUPPLEMENTING CHAPTER 7
OF THE CODE OF THE BOROUGH OF NORTH HALEDON
TO ESTABLISH THE POSITION OF
MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER**

BE IT ORDAINED by the Mayor and Council of the Borough of North

Haledon, County of Passaic and State of New Jersey, as follows:

Section 1. Chapter 7 of the Code of the Borough of North Haledon is hereby supplemented by the addition of the following:

ARTICLE 19: Municipal Humane Law Enforcement Officer

A. Office established.

There is hereby created the office of Municipal Humane Law Enforcement Officer for the Borough of North Haledon.

B. Appointment and term.

The Mayor, upon recommendation of the Chief of Police, shall appoint, with the advice and consent of the Council, a Municipal Humane Law Enforcement Officer for a term of one (1) year commencing January 1 and terminating December 31 in each year or the unexpired portion thereof.

C. Powers and duties.

The Municipal Humane Law Enforcement Officer shall exercise the following powers and duties, including but not limited to:

- i. Enforcement of all animal welfare and animal cruelty laws and ordinances;
- ii. Investigate and sign complaints concerning any violation of animal welfare or animal cruelty laws or ordinances;
- iii. Act as an officer for the detection, apprehension and arrest of offenders against the animal welfare and animal cruelty laws and ordinances; and,
- iv. Enforce and abide by the provisions of N.J.S.A. 4:22-1, et seq.; and,
- v. Such other powers and duties required under ordinance or at law.

D. Firearm authority.

The Municipal Humane Law Enforcement Officer shall be authorized to possess, carry and

use a firearm while enforcing the laws and ordinances enacted for the protection of animals, provided that such Officer qualifies and maintains all certification and training requirements required by law.

Section 2. Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

Section 3. Severability. If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The Governing Body of the Borough of North Haledon declares that it would have passed the Ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date. This Ordinance shall take effect immediately upon passage and publication according to law.

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

Barbara Conte, 1116 Belmont Avenue, was concerned that the MHLEO would love animals and not be afraid of them. Mayor George advised that her concerns would be addressed in the training they would receive.

Seeing as no one else from the public asked to speak, motion by Council Member Puglisi, second by Council Member Luisi, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Motion by Council Member Puglisi, second by Council Member Luisi, that Ordinance #17-2018 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #17-2018 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, except for Council Member Pomianek, who objected to the ordinance on several grounds. Motion carried.

NEW BUSINESS / ORDINANCES / RESOLUTIONS

Ordinance # 18-2018

Re: Amendment / Zoning

Motion by Council Member Puglisi, second by Council Member Luisi, 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 presented the following ordinance:

**AN ORDINANCE OF THE BOROUGH OF NORTH HALEDON
AMENDING AND SUPPLEMENTING CHAPTERS 538 AND 600
OF THE CODE OF THE BOROUGH OF NORTH HALEDON**

WHEREAS, the Municipal Land Use Law (“MLUL”) of the State of New Jersey, N.J.S.A. 40:55D-1 et seq. grants to municipalities the power to adopt a zoning ordinance relating to the nature and extent of the uses of lands, buildings and structures thereon; and

WHEREAS, the Borough of North Haledon (“Borough”) desires to amend and supplement the Zoning Code as follows:

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of North Haledon, County of Passaic, State of New Jersey, as follows:

SECTION ONE. §538-14 of the Zoning Code of the Borough of North Haledon, is hereby amended as follows:

- A. No swimming or bathing pool shall be constructed or installed in any front yard as the term “front yard” is defined in Chapter 600, Zoning, of the Code of the Borough of North Haledon. In the case of a corner lot, as the term “corner lot” is defined in Chapter 600, Zoning, no swimming or bathing pool shall be constructed or installed nearer to the side street line than the minimum number of feet required for the width of the side yard of the street side of such lot. In no event shall any swimming or bath pool be constructed or installed nearer than 20 feet to any property line in any zone.

SECTION TWO. §600-of the Code of the Borough of North Haledon, New Jersey, is hereby amended as follows:

- H. (2) They shall be located not closer than 20 feet to any property line.

SECTION THREE. A copy of this Ordinance is hereby transmitted to the Borough's Planning Board ("Planning Board") for its report and recommendation pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. and the Planning Board hereby has thirty-five (35) days to submit a report and if it fails to do so, then the Borough Council may proceed to adopt this Ordinance.

SECTION FOUR. All Ordinances of the Borough which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION FIVE. If any section, subsection clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of the Ordinance.

SECTION SIX. This Ordinance shall take effect as provided by law.

Motion by Council Member Puglisi, second by Council Member Luisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on September 19, 2018, at 7:30 p.m. or as soon thereafter as the matter can be reached by the Mayor and Council and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with law. Upon roll call, all members present voted in the affirmative. Motion carried.

RESOLUTION CA#9-2018

Re: Consent Agenda 9-2018

Motion by Council Member Puglisi, second by Council Member Sparano, 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; and

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. Approval / Raffle Licenses
2. Tax Overpayment / Restore
3. Tax Overpayment / Stuber
4. Change Order / CMS Services
5. Appointment / Probationary Firefighter / Zacharie Westra
6. Authorization / Agreement / NHFD
7. Liquor License Renewal / Consumption
8. Cancellation / Portions of Capital Balance
9. Change Order / Ballentine Drive 2
10. Change Order / Ballentine Drive 3
11. Acceptance of Proposal / Basketball Court
12. Acceptance of Proposal / Building Envelope Inspection
13. Award of Contract / 2018 Road Improvement Project
14. Buy Back Time
15. Consent / Lease Assignment / Wireless Edge of K2 Towers
16. Payment of Bills / Issuance of Checks
17. Rescinding Resolution #120-2018
18. Approval / Schedule of Taxes / MRHS

Motion by Council Member Puglisi, second by Council Member Salviano, to approve the foregoing resolution. Upon roll call, all members present voted in the affirmative. Motion carried

Resolution #142-2018

Re: Approval / Raffle Licenses

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that the following Raffle Licenses be approved as submitted, providing all rules and regulations of Legalized Games of Chance are adhered to:

Name: UNICO
 Location of Raffle: 103 Overlook Avenue
 Date of Raffle: September 8, 2018
 Raffle License: RA#17-2018

Name: Wayne Hills Football
 Location of Raffle: 1245 Belmont Avenue
 Date of Raffle: October 14, 2018
 Raffle License: RA#18-2018 & 19-2018

Resolution #143-2018

Re: Tax Overpayment

WHEREAS, the property listed below is exempt as of January 1, 2018; and

WHEREAS, the owner of the property paid the 1st quarter taxes;

WHEREAS, this payment therefore leaves an overpayment for the year 2018;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check for the following amount and the same to be charged to Current Taxes 2018.

Block 58.02 Lot 1.07 \$3,050.00
Property location- 24 Gemeinhardt Place

Restore Church a Non-Profit Corporation
202 Squaw Brook Rd
North Haledon, N.J. 07508

Resolution #144-2018

Re: Tax Overpayment

WHEREAS, the property below became exempt as of 2017 and,

WHEREAS, the property below also received a homestead rebate; and

WHEREAS, these facts therefore leave an overpayment for the year 2018.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check for the following amount and the same to be charged to Current Taxes 2018.

Block 68.02 Lot 1.08 \$687.48

Mr. and Mrs. D. Stuber
65 Grant Drive
North Haledon, NJ 07508

Resolution #145-2018

Re: Change Order / CMS

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Change Order #1 for work performed and materials furnished for the catch basin and inlet repairs project in the sum of a plus increase of \$2,900.00, payable to CMS Services, (copy of same attached hereto and made a part of the within resolution) be and the same is hereby approved.

CERTIFICATION

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

Account: C-04-17-013-200

Amount: NTE \$2,900.00

Signed: Chris Battaglia, Chief Financial Officer

Resolution #146-2018

Re: Appointment / Z. Westra / NHFD

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that Zacharie Westra of 227 North Haledon Avenue, North Haledon, be appointed Probationary Firefighter to the North Haledon Volunteer Fire Department.

Resolution #147-2018

Re: Authorization / Agreement / Addition to NHFD

WHEREAS, on April 18, 2018, the Governing Body of the Borough of North Haledon adopted Ordinance 11-2018, appropriating \$100,000.00 for an addition to the Fire Department Building; and

WHEREAS, an agreement has been prepared in a form acceptable to both parties; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Municipal Clerk be, and they are hereby authorized and directed to execute the agreement; and

BE IT FURTHER RESOLVED that the Treasurer be and he is hereby authorized to issue a check in the amount of \$100,000.00 to the North Haledon Fire Department for the purpose of contributing to the addition to the North Haledon Fire Department.

CERTIFICATION

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

Account: C-04-18-011-501

Amount: NTE \$100,000.00

Signed: Chris Battaglia, Chief Financial Officer

Resolution #148-2018

Re: Renewals / Liquor License

BE IT RESOLVED that the Plenary Retail Consumption License Number 1606-33-006-012, belonging to 3114 Hospitality Group, LLC, be renewed for the years 2017-2018, and 2018-2019.

BE IT FURTHER RESOLVED that the Clerk be and she is hereby authorized to issue said renewal for the year 2018-2019.

Resolution #149-2018

Re: Cancellation / Capital Balances

WHEREAS, balances exist on the General Capital balance sheet; and

WHEREAS, these balances are unencumbered; and

WHEREAS, the Mayor and Council wish to cancel portions of said Capital Ordinances;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon, that the following General Capital Account is hereby canceled:

IMPROVEMENTS AUTHORIZATIONS

<u>ORDINANCE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
2017-13	STREET PROJECTS	\$25,000.00

GRANTS RECEIVABLE

<u>ORDINANCE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
2017-13	NJ-DOT BALLENTINE DRIVE SECTION 3	\$25,000.00

Resolution #150-2018 **Re: Change Order / Ballentine Dr. 2**

WHEREAS, the Borough Council of the Borough of North Haledon awarded a contract to Boswell Engineering the design and construction inspection for the **Ballentine Drive Section II Road Improvements** project via Resolution #115-2016, copied herein, in the amount of \$47,000.00; and

WHEREAS, Boswell Engineering has successfully completed the project in an effective/efficient manner resulting a balance remaining of contract funds that have not been expended in the execution of the project scope; and

WHEREAS, Boswell Engineering recommends that a final credit change order in the amount of \$ 191.41 be returned to the Borough's Capital fund for utilization on future infrastructure project.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Credit Change Order #1 and Final, in the amount of \$ 191.41 is hereby authorized causing the original contract amount to be amended (decreased) from \$47,000.00 to an amended final contract amount of \$ 46,808.59.

CERTIFICATION

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the

resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

Amount: Reduction of \$191.41

Signed: Chris Battaglia, Chief Financial Officer

Resolution #151-2018

Re: Change Order / Ballentine Dr. 3

WHEREAS, the Borough Council of the Borough of North Haledon awarded a contract to Boswell Engineering for the design, and construction inspection for the **Ballentine Drive Section 3 Road Improvements** project via Resolution #34-2017, in the amount of \$48,050.00; and

WHEREAS, Boswell Engineering has successfully completed the project in an effective/efficient manner resulting a balance remaining of contract funds that have not been expended in the execution of the project scope; and

WHEREAS, Boswell Engineering recommends that a final credit change order in the amount of \$ 2,314.79 be returned to the Borough's Capital Fund for utilization on future infrastructure project.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Credit Change Order #1 and Final, in the amount of \$2,314.79 is hereby authorized causing the original contract amount to be amended (decreased) from \$47,000.00 to an amended final contract amount of \$ 45,734.79.

CERTIFICATION

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

Amount: Reduction of \$2,314.79

Signed: Chris Battaglia, Chief Financial Officer

Resolution #152-2018

**Re: Acceptance of Proposal /
Basketball Court**

WHEREAS, the Borough of North Haledon is in need of engineering services, in particular for a Basketball Court at the Recreation Fields; and

WHEREAS, Boswell Engineering, by letter dated July 26, 2018 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 McClave Engineering, July 26, 2018 for engineering services in connection with the above is hereby accepted and approved.

Compensation for said services shall not exceed \$10,250.00 for construction plans, \$4,500.00 for environmental permitting, and \$14,500.00 for construction inspection, for a total not to exceed \$29,250.00.

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

CERTIFICATION

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

Account: C-04-18-011-401

Amount: NTE \$29,250.00

Signed: Chris Battaglia, Chief Financial Officer

Resolution #153-2018

**Re: Acceptance of Proposal /
Inspection Services**

WHEREAS, the Borough of North Haledon is in need of engineering services, in particular for building envelope inspection services; and

WHEREAS, Boswell Engineering, by letter dated July 26, 2018 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 McClave Engineering, July 26, 2018 for engineering services in connection with the above is hereby accepted and approved.

Compensation for said services shall not exceed \$5,475.00.

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

CERTIFICATION

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

Account: 8-01-20-162028

Amount: NTE \$5m475,00

Signed: Chris Battaglia, Chief Financial Officer

Resolution #154-2018

**Re: Award of Contract /
2018 Road Improvement Project**

WHEREAS, the Borough of North Haledon advertised for bids for captioned, pursuant to the Local Public Contracts Law; and

WHEREAS, on August 14, 2018, eight (8) bids were received and the three low bids are as follows:

	<u>BID AMOUNT</u>
New Prince Concrete Construction 215 Ellen Terrace Hackensack, NJ 07601	\$476,392.64
Crossroads Pavement Maintenance 81 Franklin Avenue Nutley, NJ 07110	\$511,651.75
DLS Contracting 228 Franklin Avenue Nutley, NJ 07110	\$514,401.80

WHEREAS, the lowest bid was submitted by New Prince Concrete Construction in the amount of \$476,392.64

WHEREAS, the Borough Engineer by letter dated August 15, 2018 (attached hereto), recommended the award to the low bidder, New Prince Concrete Construction; and

WHEREAS, the Borough Attorney, by letter dated August 15, 2018 found same to be sufficient.

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

In accordance with the recommendations of the Borough Engineer and the Borough Attorney, New Prince Concrete Construction is hereby awarded the contract for the 2018 Road Improvement Program; and

The Mayor and Borough Clerk are hereby authorized and directed to execute a contract subject to the receipt of a Performance Bond.

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

CERTIFICATION

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

Account	C-04-16-012-220	\$65,550.00	Amount:	NTE \$476,392.64
	C-04-16-012-230	6,500.00		
	C-04-17-013-200	101,761.14		
	C-04018-011-302	302,581.50		

Signed: Chris Battaglia, Chief Financial Officer

Resolution #155-2018

Re: Buy Back Time

WHEREAS, the following employees have accumulated unused hours from previous years as an employee with the Borough of North Haledon; and

WHEREAS, it has been requested by said employees that they receive payment for such hours;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon that the following employee is hereby approved to receive buy back as stated below:

<u>Employee</u>	<u>Amount of Hours</u>	<u>Compensation</u>
Robert Bracco	80 Sick Hours	\$7,520.41

Resolution #156-2018

**Re: Assignment of Lease Agreement
Wireless Edge to K2 Towers**

WHEREAS, the Borough of North Haledon has entered into a Lease Agreement on April 16, 2014 with Wireless Edge for the real property that is described on the Tax Map of the Borough of North Haledon as Block 18, Lot 2.02; and

WHEREAS, pursuant to Paragraph 6 of the Master Lease Agreement, a tenant may not assign the lease without obtaining prior consent of Landlord, which consent shall not be unreasonably withheld, conditioned or delated;

WHEREAS, a written request was made on July 20, 2018, that pursuant to Paragraph 6 of the lease, the Borough consent to the transfer by the execution of a Landlord Estoppel Certificate, Consent and Agreement;

NOW, THEREFORE BE IT RESOLVED, that the Municipal Clerk be and she is hereby authorized to execute the Agreement pursuant to Paragraph 6 of the Lease Agreement entered into on April 16, 2014 by and between the Borough of North Haledon and Wireless Edge.

Resolution #157-2018

**Re: Payment of Bills /
Issuance of Checks**

WHEREAS certain bills which are contained on the bills list which is attached hereto and incorporated herein have been submitted to the Borough of North Haledon for payment; and

WHEREAS, pursuant to N.J.S.A. 40A:5:16, it has been certified to the Governing Body that the goods and services for which said bills were submitted have been received by or rendered to the Borough of North Haledon;

NOW, THEREFORE, BE IT RESOLVED by the Board of Council of the Borough of North Haledon that the Mayor, Assistant Treasurer, and Administrator, be and are hereby authorized to sign checks in payment of the bills set forth in the attached schedule.

Resolution #158-2018

Re: Rescinding Resolution #120-2018

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Resolution #120-2018 as adopted by the Governing Body on June 20, 2018 is hereby rescinded.

Resolution #159-2018

Re: Schedule of Taxes / MRHS

WHEREAS, the Board of Education of the Passaic County Manchester Regional High School of Haledon, North Haledon and Prospect Park has requested that the sum of \$2,332,978.00 be placed in the hands of the Treasurer of School Monies monthly to meet obligations of said Board, to be disbursed as follows:

<u>Month of:</u>	<u>General Fund</u>	<u>Payment Date</u>
July 2018	\$194,414.83	07/15/2018
August 2018	\$194,414.83	08/15/2018
September 2018	\$194,414.83	09/15/2018
October 2018	\$194,414.83	10/15/2018

November 2018	\$194,414.83	11/15/2018
December 2018	\$194,414.85	12/15/2018
January 2019	\$194,414.83	01/15/2019
February 2019	\$194,414.83	02/15/2019
March 2019	\$194,414.83	03/15/2019
April 2019	\$194,414.83	04/15/2019
May 2019	\$194,414.83	05/15/2019
June 2019	\$194,414.85	06/15/2019

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to disburse the sums aforementioned, as needed by the regional 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 2018-2019.

DISCUSSION – Amendment to Redevelopment Ordinance

The Borough Attorney recused himself and was excused from the Council Meeting

The Borough Planner, Michael Kauker, advised that the Master Plan was being amended, as a consequence of a proposed amendment to the redevelopment plan. He advised that the current Master Plan is inconsistent with the proposed amendment to the redevelopment plan, which allows a new land-use category. Mayor George advised that the amendment to the Master Plan has to first be approved by the Planning Board, and only applies to 15 acre lots.

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 9:07 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Council Meeting of September 19, 2018