



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

June 20, 2018

Mayor George read the OPMA notice 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 is called to order at 10:04 p.m. and the Clerk was directed to include this statement in the minutes of this meeting.

ROLL CALL

Present:

Mayor Randy George

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

Michael Pasquale, sitting in as the Borough Attorney

Deputy Municipal Clerk, Dena Ploch

Municipal Clerk Renate Elatab

PUBLIC COMMENTS

Motion by Council Member Puglisi, second by Council Member Melone, 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 was present, 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.

APPROVAL OF PRIOR MINUTES

Motion by Council Member Melone, second by Council Member Puglisi, to approve the minutes of the work session meeting, and the regular meeting of April 18, and May 16, 2018, and the special meeting of June 6, 2018. Upon roll call, all members present voted in the affirmative, except for Council Members Melone and Luisi, who abstained for the dates that they were absent. Motion carried.

OFFICIAL REPORTS

The following reports were submitted by Municipal Clerk's Office:

Ambulance Report
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**

Motion by Council Member Puglisi, second by Council Member Sparano, that official reports be received, action taken where necessary, and reports be placed on file, and to dispense with committee reports. Upon roll call, all members voted in the affirmative. Motion carried.

Mayor George advised that the food truck event had been a great success; that the vendors were skeptical that the event would attract sufficient people, but that some vendors sold out of food by 2:00 p.m., had to replenish their supplies, and then ran out of food again by 4:00 p.m.

COMMUNICATIONS

Communications below were discussed at the Work Session Meeting.

Attorney-Client Privilege	Re: Opposition to Motion (MPD)
Michael S. Rubin, Esq.	Re: Letter to Planning Board
Archer & Greiner	Re: Verizon vs. Borough of North Haledon
Borough Attorney	Re: Attorney-Client Privilege
Borough Planner	Re: Amendment to Redevelopment Plan
Zoning Board	Re: Impervious Surfaces
Borough Engineer	Re: Zoning Bd Memo / Impervious Surfaces
Darian Wilson	Re: Group Residence for Seniors
Borough Planner	Re: Group Residence for Seniors
NHFD	Re: Request for Rent
Kenneth W. Herbert, Esq.	Re: Leguillow vs. Borough of No. Haledon
PSE&G	Re: Increase in Rates

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

NEW BUSINESS / ORDINANCES / RESOLUTIONS

Ordinance #14-2018

Re: Amendment / Zoning

Motion by Council Member Puglisi, second by Council Member Lusi, that the Clerk read the ordinance by title and waive the reading of the ordinance in full. Upon roll call, all members 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 to comply with State and based on recent case law regarding certain definitions; and

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. Article I, Chapter 600, Section 2 of the Zoning Code of the Borough of North Haledon, specifically the following definitions are hereby replaced and amended as follows:

“Dwelling” shall mean a building or structure or part thereof containing one or more dwelling units.

“Dwelling, One Family” A dwelling designed for occupancy or occupied by one family or housekeeping unit.

“Dwelling Unit” One or more rooms occupied or intended to be used, or designed to be used for living, sleeping, cooking, and eating.

“Family” Any number of individuals related by blood, marriage or legal adoption, living together as a single housekeeping unit and using certain rooms and housekeeping facilities in common. For the purpose of this chapter, foster children placed with families in a dwelling by the New Jersey State Board of Child Welfare or a duly incorporated childcare agency shall be considered as a member or members of a family.

SECTION TWO. Article 1, Chapter 600, Section 2 of the Code of the Borough of North Haledon, New Jersey, is hereby amended and supplemented to include the following definitions as follows:

“Housekeeping Unit” A group of people, regardless of familial relationship, whose members have equal and unlimited access rights to all common areas and common appliances of a dwelling unit, and constitute a single, economic entity, characterized by stability, permanence, and functionality, by maintaining a single-family dwelling unit in common. Any individual occupying either a room or an area that contains a private refrigerator, microwave oven, hot plate, or other similar appliance shall not be deemed a member of the housekeeping unit.

“Habitable Space” Space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

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 Melone, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on July 18, 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 voted in the affirmative. Motion carried.

RESOLUTION CA#7-2018

Re: Consent Agenda #7-2018

Motion by Council Member Puglisi, second by Council Member Luisi, that the Clerk reads the resolution by title and waive the reading of the resolution in full. Upon roll call, all members 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. Buy Back Unused Time
2. Approval / Raffle License / NHEF
3. Library Remittances
4. Liquor License Renewals / Distribution
5. Liquor License Renewals / Consumption
6. Appointment / Jaclyn Conte / PT Clerical Help DPW
7. Appointment / PT Dispatcher / John DeBlasio
8. Appointment / PT Dispatcher / Michele Dockray
9. Tax Title Lien Foreclosure
10. Approval / Change Order
11. Receipt of Audit
12. Schedule of Taxes / Regional School Taxes
13. Schedule of Taxes / Local School Taxes
14. Acceptance of Proposal / Valley Health System – Work Place Connection
15. Acceptance of Proposal / 2018 Dodge Durango
16. Acceptance of Proposal / Glass Energy
17. Appointment / Probationary Fireman / Michael Sciscilo
18. Authorization / Payment of Bills / Issuance of Checks
19. Appointment / Class II SPO / Joseph Trommelen

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

Resolution #109-2018

Re: Buy Back / Unused Time

WHEREAS, the following employee(s) has accumulated unused hours from previous years as an employee with the Borough of North Haledon; and

WHEREAS, it has been requested by said employee(s) that he 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>
John Scrivens	40 Hours of Sick Time	\$1,348.76
Keith Sloomaker	40 Hours of Vacation	\$1,894.88
Jim Booth	80 Hours of Sick Time	\$4,195.03

Resolution #110-2018

Re: Approval / Raffle License

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: NHEF
Location of Raffle: 103 Overlook Avenue
Date of Raffle: May 27, 2018
Raffle License: RA#12-2018

Resolution #111-2018

Re: Library Remittances

WHEREAS, the Board of Library Trustees of the Borough of North Haledon Free Public Library requests payment for library purposes;

NOW THEREFORE BE IT RESOLVED that the Treasurer is hereby authorized to make payments to the Library according to the following schedule:

July 2018	\$38,931.16
August 2018	\$38,931.17
September 2018	\$38,931.17

BE IT FURTHER RESOLVED that said payments be charged to the 2018 Budget Appropriation Account Maintenance of the Free Public Library.

Resolution #112-2018

**Re: Renewal /
Liquor License / Distribution**

BE IT RESOLVED that the Plenary Retail Distribution License Number 1606-44-005-009 belonging to ANIK LIQUORS, INC., t/a Grand Opening Liquors, be renewed for the year 2018-2019, effective as of the first day of July, 2018.

BE IT FURTHER RESOLVED that the Clerk be and she is hereby authorized to issue said renewal for the year 2018-2019 with the date of issuance as the first day of July, 2018.

Resolution #113-2018

**Re: Renewals /
Liquor Licenses / Consumption**

BE IT RESOLVED that the following Plenary Retail Consumption Licenses be renewed as of the 20th day of June 2018, effective the 1st day of July, 2018:

PLENARY RETAIL CONSUMPTION LICENSES

J.F.V Enterprises, LLC, 371 High Mountain Road	1606-33-007-007
Roberto Caterers, Inc., 778 Belmont Avenue	1606-33-001-004
Staiano Family, LLC t/a Giuseppe Restaurant, 5 Sicomac Road	1606-33-008-009
The Tides, Inc. t/a The Tides Estate, 1245 Belmont Avenue	1606-33-009-003

passage of this resolution.

Account: C-04-17-013-200

Amount: NTE \$1,155.75

Signed: Chris Battaglia, CFO

Resolution #119-2018

Re: Receipt of Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the Governing Body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit: R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Borough Council of the Borough of North Haledon, hereby states that they have complied with N.J.A.C. 5:30-6.5 and do hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution #120-2018

Re: Schedule of Taxes / MRHS

WHEREAS, the North Haledon Board of Education has requested that the sum of \$10,903,803.00 including Debt Service, 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>Debt Service</u>	<u>General Fund</u>	<u>Pmt. Date</u>
July 2018	\$302,400.00	\$785,333.00	07/10/2018
August 2018		\$785,333.00	08/10/2018
September 2018		\$785,333.00	09/10/2018
October 2018		\$785,333.00	10/12/2018
November 2018		\$785,333.00	11/10/2018
December 2018		\$785,333.00	12/10/2018
January 2019	\$1,177,400.00	\$785,333.00	01/10/2019
February 2019		\$785,333.00	02/10/2019
March 2019		\$785,333.00	03/10/2019
April 2019		\$785,333.00	04/11/2019
May 2019		\$785,333.00	05/10/2019
June 2019		\$785,340.00	06/10/2019

NOW, THEREFORE BE IT RESOLVED, that the Treasurer be, and he is hereby authorized to disburse the sum of \$10,903,803.00, including Debt Service, as needed by the North Haledon School District in accordance with the provisions of R.S. 54:4-75 and related statutes, to be charged against Local District School Tax for the year 2018-2019

Resolution #121-2018

Re: Schedule of Taxes / Local Schools

WHEREAS, the North Haledon Board of Education has requested that the sum of \$10,903,803.00 including Debt Service, 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>Debt Service</u>	<u>General Fund</u>	<u>Pmt. Date</u>
July 2018	\$302,400.00	\$785,333.00	07/10/2018
August 2018		\$785,333.00	08/10/2018
September 2018		\$785,333.00	09/10/2018
October 2018		\$785,333.00	10/12/2018
November 2018		\$785,333.00	11/10/2018
December 2018		\$785,333.00	12/10/2018
January 2019	\$1,177,400.00	\$785,333.00	01/10/2019
February 2019		\$785,333.00	02/10/2019
March 2019		\$785,333.00	03/10/2019
April 2019		\$785,333.00	04/11/2019

May 2019	\$785,333.00	05/10/2019
June 2019	\$785,340.00	06/10/2019

NOW, THEREFORE BE IT RESOLVED, that the Treasurer be, and he is hereby authorized to disburse the sum of \$10,903,803.00, including Debt Service, as needed by the North Haledon School District in accordance with the provisions of R.S. 54:4-75 and related statutes, to be charged against Local District School Tax for the year 2018-2019

Resolution #122-2018 **Re: Alcohol and Drug Testing Services**

WHEREAS, alcohol and drug testing services are required by the Borough of North Haledon in connection with workplace alcohol and drug testing; and

WHEREAS, a written proposal dated May 25, 2018 has been received from Valley Medical Group to provide alcohol and drug testing services from July 1, 2018 – July 1, 2020; and

WHEREAS, said services fall under the exception provisions of the Local Public Contracts Law in that they are professional services;

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

1. Valley Health Medical Group be and hereby is retained to perform alcohol and drug testing services subject to the execution of a contract in a form satisfactory to the Borough Attorney and subject to also the following;
2. The compensation for said services shall be at the rates set forth in accordance with the written proposal and contract hereby incorporated by attachment into this agreement.
3. The need for said services is to provide for proper alcohol and drug testing in connection with workplace alcohol and drug testing and the duration of such services will be for 24 consecutive months.
4. A copy of the within resolution and the executed contract shall be on file in the office of the Borough Clerk and shall be available for public inspection

BE IT FURTHER RESOLVED, that the Borough Clerk is authorized and directed to cause notice to be published in the newspaper once in accordance with the provisions of the statute.

Resolution #123-2018 **Re: Lease / Durango / PD**

BE IT RESOLVED that the Municipal Clerk is hereby authorized to execute a contract with Beyer Chrysler Dodge, 200 Ridgedale Avenue, Morristown, NJ 07960, for the lease of one (1) 2018 Dodge Durango AWD under New Jersey State Contract No. A88731 at a total amount of \$30,870.50.

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: 8-01-25-241-051

Amount: NTE \$9,743.30
(for 2018 portion)

Signed: Chris Battaglia, Chief Financial Officer

Resolution #124-2018

Re: Glass Energy Proposal

WHEREAS, the Borough of North Haledon is in need of safety glass film, specifically for High Mountain School and Memorial School; and

WHEREAS, Glass Energy submitted proposals on May 29, 2018 regarding same as evidenced by **attachments 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 proposals of Glass Energy, of May 29, 2018 for the installation of safety glass film in connection with the above are hereby accepted and approved.

Compensation for said services shall not exceed \$25,216.62.

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-04-18-011-205

Amount: NTE \$25,216.62

Signed: Chris Battaglia, Chief Financial Officer

Resolution #125-2018

Re: Probationary Fireman

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that Michael G. Sciscilo, residing at 786 Belmont Avenue, North Haledon N.J., be appointed as Probationary Firefighter to the North Haledon Volunteer Fire Department.

Resolution #126-2018

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 #127-2018

Re: Class II SPO

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Joe Trommelen be appointed as a Class II Special effective immediately, with salary in accordance with Salaries and Wages 2018.

DISCUSSION

Councilwoman Donna Puglisi invited the members of the Governing Body to the grand opening of the band shell in Elmwood Park.

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 10:12 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Council Meeting of July 18, 2018

