



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

November 7, 2018

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 8:35 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, Bruce O. Iacobelli

Borough Attorney, Michael P. De Marco

Borough Engineer, Joseph Pomante

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 voted in the affirmative. Motion carried.

Hitesh Bhatt, 87 Sturr Street, congratulated the winners and losers in the election. Mr. Bhatt stated that the new owner of 535 High Mountain Road had reassessed all the owners in the building, and wanted to make sure that the "property owner was not given any slack." Mr. Bhatt stated that he had observed that the local streets did not have center lines, and he believed that the Borough was opening itself up to liability by not having them. The Borough Engineer stated that according to the MUTCD a center line was not required on the local streets, and the cost of striping and re-striping would raise taxes. Mayor George asked the Borough Engineer to present the members of the Governing Body with the pros and cons of installing center line striping.

Council Member Puglisi stated that where she lives cars are always parked on the side of the road, so drivers would be continuously driving over the center line. Mr. Bhatt stated that it was time to tear down the municipal building. Mayor George stated that preliminary plans for a new municipal building have already been drawn up, and he hopes that funds from the PILOT program will be used to build a new municipal building at no cost to taxpayers. Mr. Bhatt suggested that perhaps there were some grant possibilities. Council Member Iacobelli wanted the record to reflect that he took exception to the statement made by Mr. Bhatt that he had rolled his eyes at something that Mr. Bhatt had said; he had no idea what he was talking about.

Nino Manna, 6 Haring Court, congratulated the re-elected officials and the losers. He stated that he was appalled by a suggestion that Council Member Pomianek had made when he suggested that he and a group of his friends clean up an area that Nino had complained about at the previous council meeting; Nino stated that he had asthma and could not do it. Mayor George stated that the area he had complained about was on private property, and he was going to instruct the Property Maintenance Officer to issue a notice of violation. Nino stated that the intersection of High Mountain Road and Terrace Avenue was bad; Mayor George stated that he had never received a complaint before, but that he was going to notify the Chief of Police of his statement. Nino asked if artificial ice had been purchased. He was told that no ice had been purchased because the basketball court had not yet been built, and the Borough was still waiting for approval from the NJDEP. Nino gave updates on boy scout activities; when he announced the clam chowder sale, Mayor George asked him to make sure that there was more white clam chowder because they always run out. Mayor George congratulated Nino on being elected Student Council President; when Council Member Puglisi asked him about the election results, he stated that he did not get the results of the election, and Council Member Puglisi asked how he knew that he had won. Mayor George stated that he is happy that Nino attends council meetings and wishes him well.

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

APPROVAL OF PRIOR MINUTES

Motion by Council Member Puglisi, second by Council Member Luisi, to approve the minutes of the work session meeting, and the regular meeting of October 17, 2018. Upon roll call, all members voted in the affirmative, except for Council Member Iacobelli, who abstained. Motion carried.

OFFICIAL REPORTS

The following reports were submitted to the Municipal Clerk's Office, and members of the Governing Body:

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**

No reports were made except for Council Member Salviano, who reported on the flu clinic and the rabies clinic.

COMMUNICATIONS

Communications below were presented at the Work Session Meeting.

Heather Sparano	Re: Letter of Resignation
No. Haledon Republican Co. Committee	Re: Filling of Vacancy
Hitesh Bhatt	Re: Borough Projects
Kids Therapy Fund	Re: Refund / Permit Fees
County Traffic Engineer	Re: Speed Limit on County Streets

Motion by Council Member Puglisi, second by Council Member Salviano, that these 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.

OLD BUSINESS / ORDINANCE

Ordinance # 20-2018

Re: Speed Ordinance

Motion by Council Member Puglisi, second by Council Member Salviano, 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 TO FURTHER AMEND AND SUPPLEMENT
THE CODE OF THE BOROUGH OF NORTH HALEDON
TO AMEND §169-46, SCHEDULE XVI, SPEED LIMITS**

Name of Street	mph	Location
High Mountain Road	25	Borough Limits with Haledon to North Haledon Avenue
High Mountain Road	35	North Haledon Avenue to Franklin Lakes Border
Squaw Brook Road	25	High Mountain Road to North Haledon Avenue
Squaw Brook Road	35	North Haledon Avenue to Wyckoff Border
Belmont Avenue	25	Borough Limits with Haledon to Squaw Brook Road
Belmont Avenue	35	Squaw Brook Road to High Mountain Road
North Haledon Avenue	25	High Mountain Road to Borough Limits with Hawthorne

In accordance with the Statutory Default speed limit values as defined in N.J.S.A. 39:1-1. All other parts or provisions of §169-46 of the Code of the Borough of North Haledon or any other ordinance or regulation not specifically amended by this Ordinance shall remain in full force and effect.

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

Barbara Conte, 1116 Belmont Avenue, asked if the adoption of this ordinance would mitigate the rumble strips. Mayor George advised that that was what the Borough was hoping.

Jennifer Cook, 63 Squaw Brook Road, complained that people were speeding at the top of Squaw Brook Road. Mayor George advised that he will have the speed trailer placed at that location.

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

Motion by Council Member Pomianek, second by Council Member Melone, that Ordinance #20-2018 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #20-2018 was adopted on second reading and is hereby declared a passed ordinance in accordance with law. Upon roll call, Council Member Iacobelli abstained, Council Member Puglisi voted in the negative, and the remaining Council Members voted in the affirmative. Motion carried.

NEW BUSINESS / RESOLUTIONS

RESOLUTION CA#12-2018

Re: Consent Agenda#12-2018

Motion by Council Member Puglisi, second by Council Member Melone, that the Clerk read 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. Award of Contract / 2019 F350 / NHPD
2. Buy Back Time Amendment
3. Rescinding Resolution #15-2018
4. Acceptance of Proposal / Kauker & Kauker
5. Bond Reduction / Sun Properties
6. Buy Back Time
7. Change Order / Ace Security
8. Award of Contract / Rock Salt and Liquid Calcium Chloride
9. Authorization / Payment of Bills / Issuance of Checks
10. 2018 Transfers
11. Refund / Permit Fees
12. Approval / Sale of Surplus Property

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

Resolution #188-2018

Re: Purchase / 2019 Ford F350

BE IT RESOLVED that the Municipal Clerk is hereby authorized to execute a contract with Route 23 Automall, 1301 Route 23, Butler, NJ 07450, for the purchase of one (1) 2019 Ford F350 under New Jersey State Contract No. 40321 at a total amount of \$49,442.00.

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-04-18-011-102

Amount: NTE \$49,441.00

Signed: Chris Battaglia, Chief Financial Officer

Resolution #189-2018

Re: Buy Back Time / Amendment

WHEREAS, employees can receive payment for accumulated unused hours from previous years as an employee with the Borough of North Haledon; and

WHEREAS, Robert Ormezzano requested to buy back time for the October 17, 2018 Mayor and Council Meeting;

WHEREAS, Robert Ormezzano has reached his 20 year milestone in which his amount to be paid was miscalculated;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon that Robert Ormezzano is hereby approved to receive the amended amount of plus \$156.39.

Resolution #190-2018

Re: Rescinding / Res. #15-2018

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Resolution #15-2018 as adopted by the Governing Body on January 2, 2018 is hereby rescinded.

Resolution #191-2018

**Re: Award of Contract /
Borough Planner**

WHEREAS, there exists a need for planning services in connection with affordable housing, the Master Plan, and redevelopment matters in the Borough of North Haledon; and

WHEREAS, such specialized planning services can only be provided by recognized planners, and the firm of Kauker & Kauker can provide such specialized legal services; and

WHEREAS, the firm of Kauker & Kauker has submitted a proposal dated December 26, 2017 (attached hereto) for a cost currently estimated not to exceed \$22,500.00; and

WHEREAS, the firm of Kauker & Kauker has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of has not made any reportable contributions to a candidate or candidate committee in the Borough of North Haledon in the previous one-year, and that this contract will prohibit the firm of from making any reportable contributions through the term of the contract; and

WHEREAS, the Governing Body of the Borough of North Haledon pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of North Haledon in the County of Passaic, State of New Jersey as follows:

1. The firm of Kauker & Kauker is hereby retained as Borough Planner in accordance to the terms of this proposal submitted to the Borough;
2. This contract is awarded without competitive bidding as “Professional Services” in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because this contract is for services rendered and/or performed by persons authorized by law to practice a recognized profession that is regulated by law.
3. A copy of this resolution as well as the proposal shall be placed on file in the Office of the Municipal Clerk.

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: 8-01-21-190-900

Amount: NTE \$22,500.00

Signed: Chris Battaglia, Chief Financial Officer

Resolution #192-2018

Re: Bond Reduction

WHEREAS, the Developer of Block 23 – Lot 13.06 has requested a reduction in the amount of his Performance Bond; and

WHEREAS, the Borough Engineer has reviewed said request and by correspondence dated October 23, 2018, (attached hereto) has recommended the reduction in the Performance Bond from \$198,524.40 to \$19,836.00;

NOW, THEREFORE, BE IT RESOLVED that the Performance Bond for Block 23 – Lot 13.06 be reduced to \$19,836.00.

Resolution #193-3018

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>
Kevin Toomes	80 Hours of Sick	\$2,799.31
Joseph Stately	80 Hours of Sick	\$2,982.82
Keith Sloomaker	40 Hours of Vacation	\$1,894.88
David Scheller	80 Hours of Sick	\$2,697.51
John Scrivens	40 Hours of Sick	\$1,348.76
Kenneth Bergstrom	40 Hours of Vacation	\$1,348.76
Russell Walters	80 Hours of Sick	\$1,892.27
James Greig	80 Hours of Sick	\$2,006.35
Mark VanDyk	80 Hours of Sick	\$1,892.27

Resolution #194-2018

Re: Change Order

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Change Order #2 for work performed and material furnished for security updates to North Haledon Schools in the sum of a plus increase of \$380.00, payable to Ace Security, (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-04-18-011-205

Amount: NTE additional \$380.00

Signed: Chris Battaglia, Chief Financial Officer

Resolution #195-2018

Re: Award of Contract / Winter Products

WHEREAS, the County of Passaic through Cooperative Pricing System had solicited bids for Rock Salt 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 bidder being the Detroit Salt Company for Rock Salt and Chemical Equipment Labs for Liquid Calcium Chloride; and

WHEREAS, the Borough of North Haledon desires to participate with the County of Passaic with the Cooperative Pricing System for Rock Salt and Liquid Calcium Chloride in accordance with the contract that was entered into with the County of Passaic and the Detroit Salt Company and Chemical Equipment Labs 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 an award of contract to the Detroit Salt Company for \$55.37/per ton, contract period to run December 1, 2018 to November 30, 2019; and Chemical Equipment Labs for Liquid Calcium Chloride at \$1.75 per gallon, contract period to run December 1, 2018 through November 30, 2019.

Resolution #196-2018

**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 #197-2018

Re: Budget Transfers

WHEREAS, certain appropriations were required and provided for during the calendar year 2018 and will require additional sums for expenditures to the end of 2018; and

WHEREAS, other appropriations reflect that balances do exist as of the end of the year 2018; and

WHEREAS, it is provided per N.J.S.A. 40A:4-58 that municipalities may make transfers from appropriations having excesses to those requiring additional sums.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of North Haledon that the list of transfers herein and below be and they are authorized to be made upon records of appropriations in the keeping of the CFO as per the amounts listed herein, provided this resolution is adopted by not less than 2/3 vote of the full membership of the Governing Body as required by Statute.

<u>ACCOUNT</u>	<u>FROM</u>	<u>TO</u>
POLICE S&W	\$ 35,000.00	
OTHER INSURANCE PREMIUMS	\$ 20,000.00	
MANCHESTER REGIONAL HS FEASIBILITY STUDY	\$ 25,000.00	
FIRE O/E	\$ 27,158.49	
MUNICIPAL CLERK O/E		\$ 20,000.00
PREPARATION OF COAH APPLICATION		\$ 11,000.00
RECYCLING O/E		\$ 30,000.00
PUBLIC BUILDINGS AND GROUNDS O/E		\$ 35,000.00
PASSAIC VALLEY SEWERAGE COMMISSION		\$ 6,273.53
PUBLIC EMPLOYEE RETIREMENT SYSTEM		\$ 4,611.19
POLICE AND FIRE RETIREMENT SYSTEM		\$ 273.77
TOTAL	\$ 107,158.49	\$ 107,158.49

Resolution #198-2018

Re: Refund / Construction Permit

WHEREAS, the Kids' Therapy Fund, paid a total of \$225.00 for construction permits to create an ADA bathroom for the Nilsson Family home; and

WHEREAS, the Kids Therapy Fund is requesting reimbursement of said fees since the Borough waives fees associated with construction projects for non-profit organizations in the Borough of North Haledon;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Treasurer be and he is hereby authorized to issue a check in the amount of \$225.00 to reimburse the Kids Therapy Fund for the construction permits.

Resolution #199-2018

Re: Sale 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:

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:

1980 Hahn Pumper, Serial No. HCP2118128044, 30,423 miles

(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.

DISCUSSION

Mayor George thanked the voters for their strong vote of confidence; it was a sounding victory, and a referendum on him. He also congratulated Bruce Iacobelli on being chosen to fill the vacancy. Council Member Iacobelli thanked everyone for the members of the Governing Body for their support.

Council Member Puglisi stated that there had been some confusion for voters, who had to vote by provisional ballot because last year they had requested a mail-in ballot. Council Member Puglisi inquired what had happened to the trailers adjacent to Mr. Pjeternekaj’s property. Mayor George stated that the Property Maintenance Officer had mailed a notice of violation, but that he had to follow the process. Council Member Puglisi asked that the Property Maintenance Officer mail her a copy of the notice of violation.

Mayor George reminded everyone of the Veterans Day Ceremony on Sunday, November 11, at 11:00 a.m.

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 9:24 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Duly adopted at the Council Meeting of December 12, 2018