



## **BOROUGH OF NORTH HALEDON**

### **COUNCIL MEETING AGENDA**

**WEDNESDAY, APRIL 20, 2016**

Mayor George read the following statement into the record:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of April 20, 2016, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 11, 2016, and was advertised in said newspapers on January 14, 2016. Said notice was posted on the bulletin board on the same date and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Proper notice having been given, this meeting is called to order at 7:30 p.m. and the Clerk is directed to include this statement in the minutes of this meeting.

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

### **ROLL CALL**

Present:

Mayor Randy George

Council Members: Rocco Luisi, Donna Puglisi, Dennis Marco, Michael Galluccio and George Pomianek

Borough Attorney, Michael De Marco

Police Chief, Robert Bracco

Police Captain, Todd Darby

Financial Manager, Battaglia Associates

Deputy Municipal Clerk, Dena Ploch

Borough Clerk, Renate Elatab

Absent:

Council Member Raymond Melone

## **PUBLIC COMMENTS**

Motion by Council Member Galluccio, second by Council Member Puglisi, 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 Galluccio, second by Council Member Puglisi, 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 Puglisi, second by Council Member Galluccio, to approve the minutes of the regular council meeting of December 2, 2015; the year-end meeting of December 29, 2015; the reorganization meeting of January 4, 2016; the regular meeting of March 16, 2016; and the work session meeting of April 6<sup>th</sup>, 2016. Upon roll call, all members present voted in the affirmative, with the exception of Council Member Pomianek, who abstained on the December 2015 minutes; Council Member Marco, who abstained on the minutes of April 6, 2016; and Council Member Luisi, who abstained on the minutes of December 2, 2015 and April, 6, 2016. Motion carried.

## **OFFICIAL REPORTS**

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

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 - **MARCO**  
BOARD OF EDUCATION / LOCAL - **LUISI**  
BOARD OF EDUCATION / REGIONAL - **GALLUCCIO**  
BOARD OF HEALTH – **GALLUCCIO**  
FIRE & WATER - **LUISI**  
ENGINEERING - **POMIANEK**  
LIBRARY - **MAYOR GEORGE**  
PUBLIC CELEBRATIONS – **GALLUCCIO**

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

## **COMMUNICATIONS**

The Clerk stated that the following communications were presented at the Work Session:

Borough Attorney	Re: Wireless Edge
Borough Attorney	Re: CWA (Attorney Client Privilege)
Borough Attorney	Re: Sewer Connection Fees
Borough Attorney	Re: QPA
Fire Chief	Re: New Fire Apparatus

### Additional Communications

Battaglia Associates / Proposal. Placed on file.

Borough Auditor / Preliminary Audit Findings. Council Member Galluccio inquired if the former employees who had been receiving dental and vision insurance had been removed from the insurance, and Council Member Pomianek inquired whether the Borough had been reimbursed. Dena Ploch, the deputy municipal clerk, answered in the affirmative to both inquiries.

Albert Zaccone / Improvements at American Legion Building. The architect recommended that \$26,585 be put in the budget to complete work that was not covered by the CDBG grant of \$63,563.

Bond Counsel / Bond Anticipation Notes. Notes were purchased by Lakeland Bank at NIR of 1.05%.

Assistant Treasurer / Bills List & Disbursements. Total disbursements from March 17, 2016 through April 15, 2016 were \$392,034.50. (Attached to within minutes.)

Fire Chief / Junior Firefighter. A.J. Ricciardi, the Fire Chief, asked that Brendan Buck be approved as a Junior Firefighter.

Onello Engineering / Naming of Streets / Belmont Estates. The developer wants to name the three streets after his grand-children. This issue will be placed on the May work session agenda for further discussion since the Borough Code states that the Mayor and Council can choose the names of streets.

Borough of Bloomingdale / Opposition / Assembly Bills / PILOT. On agenda for adoption.

Dig-In / \$500.00 Grant. No further action required.

Vander Plaat / Change of Date of Beefsteak. No further action required.

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

### **DEVIATION / RULES AND PROCEDURES / BY-LAWS OF COUNCIL DISCUSSION OF PROPOSAL OF BATTAGLIA ASSOCIATES**

Motion by Council Member Marco, second by Council Member Puglisi, to deviate from the rules and procedures to discuss the proposal submitted by Battaglia Associates.

Chris Battaglia advises that in his first month he had been very busy updating the Finance Office. He advised that accounting records had been kept on manual ledgers, and handwritten in 13 column ledger books; some of the jobs he has completed include setting up a chart of accounts and reconciling the accounts in Edmunds, streamlining the accounts payable, created a budget date base for police work. There will no longer be any blank purchase orders; he would like to discuss pre-paying certain bills with the auditor to avoid recurring late fees. Mr. Battaglia will also get proposal from pay-roll companies, and may suggest switching at a later date.

Both Council Members Marco and Pomianek spoke of future savings under the Battaglia proposal.

**Mayor George gave Chris Battaglia the oath of office as CFO / Treasurer.**

### **OLD BUSINESS / ORDINANCES**

**Ordinance #5-2016**

**Re: Salary Ordinance**

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 FIXING THE SALARIES AND COMPENSATIONS OF THE OFFICERS  
AND EMPLOYEES OF THE BOROUGH OF NORTH HALEDON, COUNTY OF PASSAIC,  
IN THE YEAR 2016**

**BE IT ORDAINED** by the Mayor and Council of the Borough of North Haledon as follows:

**SECTION 1.** The following annual salaries and compensations shall be paid to the following officers and employees of the Borough of North Haledon in the year 2016:

**POLICE DEPARTMENT**

Salaries as set forth below are retro-active to January 1, 2016, for those employees hired prior to 01/01/2016:

Captain	140,135
Captain 20 years plus	143,202
Lieutenant	131,435
Lieutenant 20 years plus	135,052
Sergeant	122,736
Sergeant 20 years plus	126,353
Police Officer 20 years plus	117,675
7 years	114,056
6 years	107,064
5 years	100,061
4 years	93,069
3 years	80,485
2 years	69,603
AG Com Pro <2 yrs	58,868
AG on Pro	51,415
Pre A	45,190

Salaries set forth below are retroactive to January 1, 2016 for those employees hired after 01/01/2016.

7 years	105,060
6 years	98,838
5 years	93,636
4 years	83,232
3 years	72,828
2 years	62,424
Academy Grad. (probationary <2)	52,020
Academy Grad. (on probation)	44,737
Pre-Academy	41,616

**Police Education Allowance Prorated to Date of Degree**

AA	1,500.00
BA	3,000.00
MA	5,000.00

**Detective** 2,500.00

**BE IT ORDAINED**, by the Mayor and Council of the Borough of North Haledon as follows:

**SECTION 2**

Manner of payment as well as longevity benefits and payments shall be made in accordance with Chapter 20 of the Code of the Borough of North Haledon and contractual agreements.

**BE IT ORDAINED**, by the Mayor and Council of the Borough of North Haledon as follows:

**SECTION 3**

The following annual salaries and compensations shall be paid to the following officers and employees of the Borough of North Haledon, County of Passaic, and State of New Jersey for the year – 2016

**BE IT FURTHER ORDAINED**, by the Mayor and Council of the Borough of North Haledon as follows:

**SECTION 4**

**Municipal Attorney** 4,500.00

In addition to the salary provided herein for the Borough Attorney, the Borough Attorney shall be compensated at a fee of \$150.00 per hour for such professional services as are rendered by him other than for attendance at meetings and work sessions of the Governing Body and upon submission of vouchers to be approved by the Board of Council.

**Borough Engineer**

The Borough Engineer shall be compensated for such professional services as are required by him as per proposal on file in the Clerk’s office and upon submission of vouchers to be approved by the Board of Council.

**SECTION 5**

Salaries as set forth above shall be retroactive to January 1, 2016 or to date of employment of newly appointed position.

**SECTION 6**

Manner of payment as well as longevity benefits and payments shall be made in accordance with Chapter 20 of the Code of the Borough of North Haledon and contractual agreements.

## **SECTION 7**

This ordinance shall take effect immediately upon final passage and publication as required by law.

Motion by Council Member Galluccio, second by Council Member Marco 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.

Motion by Council Member Marco, second by Council Member Luisi, that Ordinance #5-2016 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #5-2016 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 #6-2016**

### **Re: Amending Construction Office Fees**

Motion by Council Member Puglisi, second by Council Member Puglisi, 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 TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH HALEDON TO REVISE CHAPTER 275, FEES**

**BE IT ORDAINED** by the Mayor and Council of the Borough of North Haledon, County of Passaic, State of New Jersey, that:

Section 1. Chapter 275, FEES, of the Code of the Borough of North Haledon, shall be and hereby is revised, amended and supplemented by modification so that the same shall read as follows:

1. §275-9 A shall be amended to read as follows:

Pursuant to Chapter 240, Construction Codes, Uniform, the fee schedule set forth in N.J.A.C. 5:23-4.20, as may be amended from time to time, is incorporated herein by reference, and the fees set forth therein shall apply, except that the fee for a basic permit shall be in the amount of \$75.00 and the fee for a demolition permit shall be in the amount of \$100.00.

Section 2. All other parts or provisions 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.

Section 3. This Ordinance shall take effect immediately upon final adoption and publication as provided by law.

Motion by Council Member Puglisi, second by Council Member Marco, 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 Galluccio, 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 #6-2016 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #6-2016 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 #7-2016**

**Re: Conveyance of Record Title**

Motion by Council Member Puglisi, second by Council Member Marco, 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:

**ORDINANCE AUTHORIZING THE CONVEYANCE OF RECORD TITLE  
TO A FIVE-FOOT STRIP OF REAL PROPERTY  
LOCATED IN LOT 13.02 IN BLOCK 30  
NORTH HALEDON, NEW JERSEY**

**WHEREAS**, on August 15, 2012, the Borough Council adopted Resolution No. 171-2012 designating Block 30, Lots 9, 11, 12, 12.01, 13, 13.01, 13.02, 14, 15, 16, 27 and 27.02, and Block 31, Lots 10, 10.04, 11, 11.02, 11.03, 11.04 and 12 on the tax maps of the Borough of North Haledon as an area in need of redevelopment which has come to be known as the Belmont Avenue Redevelopment Area; and

**WHEREAS**, thereafter a redevelopment plan entitled “Belmont Avenue Redevelopment Plan, North Haledon, New Jersey” (the “Plan”) was prepared by Kauker and Kauker, LLC for the Borough of North Haledon, and was the subject of public discussion at Borough Council meetings held on May 21, 2014, June 25, 2014 and July 9, 2014 after which, on July 9, 2014, the Borough Council (1) introduced an ordinance that would adopt the Plan and (2) adopted a resolution directing the Planning Board to review the Plan and transmit to the Borough Council a



report containing the Planning Board's recommendations concerning the Plan pursuant to the requirements of N.J.S.A. 40A:12A-7; and

**WHEREAS**, on August 6, 2014, the Borough Council received the Planning Board's findings and recommendations regarding the Plan and the Borough Council adopted Resolution #142-2014 to address Planning Board's recommendations regarding the Plan; and

**WHEREAS**, on August 6, 2014 the Borough Council held its second and final reading and adopted Ordinance #16-2014 which adopted the Plan, dated May 20, 2014, and last revised August 6, 2014; and

**WHEREAS**, Belmont Estates Urban Renewal, LLC is a limited liability company duly organized and existing pursuant to N.J.S.A. 42:2C-1 et seq. and N.J.S.A. 40A:20-1 et seq; and

**WHEREAS**, Belmont Estates Urban Renewal, LLC made an application to the Borough to be designated as the Redeveloper of Block 30, Lots 13.02, 14, 15, 16, 27 and 27.02 for the purpose of developing the Property into a residential project consisting of thirty-four (34) townhouse residential units and two (2) rehabbed single-family residences; and

**WHEREAS**, Belmont Estates Urban Renewal, LLC has been designated the redeveloper by Resolution #165-2015 of the Borough of North Haledon which was duly adopted on July 8, 2015; and

**WHEREAS**, Belmont Estates Urban Renewal, LLC filed an application seeking Preliminary and Final Site Plan Approval and Variance Relief with the North Haledon Planning Board which was approved on February 25, 2016; and

**WHEREAS**, Belmont Estates Urban Renewal, LLC is in need of the five-foot strip of land to aid in its planning, undertaking, construction and operation of the five-foot strip of land; and

**WHEREAS**, Ideal Farms, Inc. conveyed to the Borough of North Haledon by way of Indenture on July 12, 1967, a five-foot strip of land running along the easterly side of Belmont Avenue which was intended for highway widening; and

**WHEREAS**, the Borough of North Haledon does not need the five-foot strip of land for public use and is unable to widen Belmont Avenue because Belmont Avenue is a County road, not a municipal road; and

**WHEREAS**, the Borough of North Haledon has determined that the five-foot strip of land cannot be used advantageously for the purposes for which it was acquired; and

**WHEREAS**, the Borough of North Haledon has determined that the grant of the five-foot strip of land to Belmont Estates Urban Renewal, LLC is in the best interest of aiding and cooperating in the planning, undertaking, construction or operation of the redevelopment project, which is advantageous to the public, and

**WHEREAS**, the Borough of North Haledon is permitted by way of private sale to convey the five-foot strip of land to Belmont Estates Urban Renewal, LLC pursuant to N.J.S.A. 40A:12-13, et seq., and

**WHEREAS**, the legal description of the five-foot strip is as follows:-

**Description of 5' Wide Strip of Land  
Lot 13.02 in Block 30  
Borough of North Haledon, Passaic County, New Jersey**

All that certain lot, piece of parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of North Haledon, County of Passaic, State of New Jersey; being more particularly described as follows:

Beginning at the point of intersection of the northeasterly right of way line of Belmont Avenue (C.R. 675) (width varies) and the division line between Lot 13.02 and 13.01 in Block 30. Said point having New Jersey State Plane Coordinate (NAD83) values of N 772,760.3935, E 577,895.9406; running thence,

The following three (3) courses through Belmont Avenue:

1. **South 79° 19' 19" West**, a distance of **5.00 feet** to a point; thence,
2. **North 09° 55' 14" West**, a distance of **251.64 feet** to a point; thence,
3. **North 80° 04' 46" East**, a distance of **5.00 feet** to a point; thence,
4. Along the northeasterly right of way line of Belmont Avenue, **South 09° 55' 14" East**, a distance of **251.58 feet** to the point and place of Beginning.

Said strip of land containing 1,257 s.f. (0.029 Acres) being the same strip of land conveyed to the Borough of North Haledon from Ideal Farms, Inc. in deed dated July 18, 1967 and filed in the County of Passaic Clerks office on October 30, 1967 as Tract 1 in Deed Book H85, Page 633.

Description prepared in accordance with plan entitled, "Boundary and Topographic Survey of Property Situated at Tax Lots 13.02, 14-16, 27 & 27.02 in Block 30, Borough of North Haledon, Passaic County, New Jersey," prepared by Solstice Surveying and dated 02/11/16; and

**WHEREAS**, the Borough of North Haledon will grant the five-foot strip of land to Belmont Estates Urban Renewal, LLC in exchange for One Dollar (\$1.00) and other good and valuable consideration; and

**WHEREAS**, Belmont Estates Urban Renewal, LLC shall be responsible for all costs associated with the preparation of the closing documents and filing fees; now, therefore, be it

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of North Haledon that the Mayor and Municipal Clerk are authorized to convey title to the five-foot strip of land described above to Belmont Estates Urban Renewal, LLC substantially on the terms and conditions set forth in this Ordinance and to the execute and deliver any and all documents for said purposes.

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. Seeing as no one from the public asked to speak, motion by Council Member Galluccio, second by Council Member Puglisi, 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 #7-2016 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #7-2016 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.

## **NEW BUSINESS / ORDINANCES / RESOLUTIONS**

**Ordinance #8-2016**

**Re: Zoning Ordinance**

Motion by Council Member Puglisi, second by Council Member Marco, 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 TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH HALEDON TO REVISE CHAPTER 600, ZONING**

**BE IT ORDAINED** by the Mayor and Council of the Borough of North Haledon, County of Passaic, State of New Jersey, that:

Section 1. §600-11(H) shall be added and shall be read as follows:

Nursery schools, pre-schools, and day-care facilities.

Section 2. All other parts or provisions of Chapter 600 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.

Section 3. This Ordinance shall take effect immediately after final adoption and publication as provided by law.

Motion by Council Member Puglisi, second by Council Member Marco, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on May 18, 2016, 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.

**Ordinance #9-2016**

**Re: Sewer Connection Fees**

Motion by Council Member Marco, second by Council Member Puglisi, 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 TO FURTHER AMEND AND SUPPLEMENT  
THE CODE OF THE BOROUGH OF NORTH HALEDON  
TO REVISE CHAPTER 479, SEWERS**

**BE IT ORDAINED** by the Mayor and Council of the Borough of North Haledon, County of Passaic, State of New Jersey, that:

Section 1. §479-8(D) shall be amended to read as follows:

The fee shall be paid in full to the Borough prior to the connection to the sewer system. The payment of said sewer connection fee shall be a condition to the issuance of any permit to connect to the sewer system. In the event a connection is made without prior payment of the sewer connection fee for any reason, the sewer connection fee shall constitute a first lien upon the benefited property and shall bear interest as set forth in N.J.S.A. 40A:26A-12 and as otherwise provided by law. This shall be in addition to any violations, penalties or other remedies otherwise provided for.

Section 2. All other parts or provisions of Chapter 479 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.

Section 3. This Ordinance shall take effect immediately after final adoption and publication as provided by law.

Motion by Council Person Marco, second by Council Person Luisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on May 18, 2016, 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. Council Member Puglisi wanted it on the record that she wanted some kind of process to be put in place so that the Borough was not cheated out of the sewer connection fees. Upon roll call, all members present voted in the affirmative. Motion carried.

**Ordinance #10-2016**

**Re: Creating Position of QPA**

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 AMENDING CHAPTER 7  
ENTITLED ADMINISTRATION OF GOVERNMENT  
OF THE CODE OF THE BOROUGH OF NORTH HALEDON  
TO ESTABLISH THE POSITION OF QUALIFIED PRUCHASING AGENT**

**WHEREAS**, the Local Public Contracts Law provides that the position of Qualified Purchasing Agent must be created by Ordinance; and

**WHEREAS**, the Local Public Contracts Law provides that once the Qualified Purchasing Agent position has been created and the Qualified Purchasing Agent has been appointed, the Governing Body of the contracting unit may establish the bid threshold to be up to the higher threshold amount adjusted by the Governor pursuant to N.J.S.A. 40A:11 –3(e); and

**WHEREAS**, the Mayor and Council of the Borough of North Haledon desire to establish the position of Qualified Purchasing Agent by ordinance to avail themselves of the higher bid threshold amount;

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

Section A

Chapter 7, Article II, §7-15 (1). Other Offices, of the Code of the Borough of North Haledon is hereby amended by creating a new Office, Qualified Purchasing Agent, as set forth below:

Chapter 7, Article II, §7-15 (1) (t) Qualified Purchasing Agent.

- A. The Qualified Purchasing Agent is required to possess a valid Qualified Purchasing Agent Certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs.
- B. The Qualified Purchasing Agent shall have, on behalf of the Mayor and Council of the Borough of North Haledon, the authority, responsibility, and accountability for: the purchasing activity pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., to prepare public advertising for and to receive bids and requests for proposals for the provision of goods, services, and construction contracts; to award contracts pursuant to New Jersey law in accordance with the regulations, forums, and procedures promulgated by state regulatory agencies; the establishment and enforcement of any and all local purchasing policies adopted by the Governing Body; the purchasing and claims approval authority of the Borough Purchasing Officer set forth by Ordinance; and the conduct of any activities as may be necessary or appropriate to the purchasing function of the Borough of North Haledon.
- C. Upon appointing a Qualifying Purchasing Agent pursuant to N.J.S.A. 40A:11-9, the Borough may take advantage of the higher bid threshold (currently, \$40,000.00, with a quote threshold of 15% or \$6,000.00, pursuant to N.J.S.A. 40A:11-3(a), as such threshold may be adjusted from time to time pursuant to N.J.S.A. 40A:11-3(e), but may at its discretion go to bid at a lower amount to encourage greater competition among bidders.

Section B

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section C

If any section, subsection, paragraph, phrase or sentence of this ordinance is, for any reason, declared to be unconstitutional or invalid, such section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section D

This ordinance shall take effect immediately upon final publication as provided by law.

Motion by Council Member Puglisi, second by Council Member Pomianek, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on May 18, 2016, 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, with the exception of Council Member Marco, who abstained. Motion carried.

**RESOLUTION CA#5-2016**

**Re: Consent Agenda #5-2016**

Motion by Council Member Puglisi, second by Council Member Marco, that the Clerk reads 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. Appointment / Chris Battaglia / CFO
2. Acceptance of Proposal / Battaglia Associates, LLC
3. Tax Title Lien Redemption / 56 Walray Avenue
4. Tax Title Lien Redemption / 26 Thornton Drive
5. Tax Overpayment / Gambino
6. Authorization / Payment of Bills / Issuance of Checks
7. Authorization / Request for Bids / Police Radio Antennas
8. Appointment / Junior Firefighter / Brendan Buck
9. Property Tax Deduction / Senior Citizen
10. Property Tax Deduction / Veteran
11. Opposition / A-326 and A-1475
12. Use of Poles by Verizon

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

**Resolution #88-2016**

**Re: Appointment / Chris Battaglia / CFO**

**BE IT RESOLVED** by the Borough Council of the Borough of North Haledon that Chris Battaglia be appointed as CFO effective immediately, at an annual salary of 20,000.00.

**Resolution #89-2016**

**Re: Acceptance of Proposal / Battaglia Associates, LLC**

**WHEREAS**, the Borough of North Haledon is in need of financial management services; and

**WHEREAS**, Battaglia Associates, LLC, by letter dated April 12, 2016 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 Battaglia Associates, dated April 12, 2016, for financial management services is hereby accepted and approved.

**Resolution #90-2016**

**Re: Tax Title Lien Redemption**

**WHEREAS**, the bank of the owner of the property located at 56 Walray Avenue, also known as Block 24.02 lot 8.03, mailed to the Tax Collector’s Office on March 28, 2016, a check to redeem Tax Title Certificate 14-00005 dated June 03, 2015, and

**WHEREAS**, the payment was issued to the Borough of North Haledon, and same was deposited in the current account;

**NOW, THEREFORE, BE IT RESOLVED** that the Treasurer be and she is hereby authorized to issue a check to the following:

Redemption	\$4,393.31
Premium	\$ 100.00
Total	\$4,493.31

Clemente Enterprises, LLC  
PO Box 141  
Wyckoff, NJ 07481

**Resolution #91-2016**

**Re: Tax Title Lien Redemption**

**WHEREAS**, the bank of the owner of the property located at 26 Thornton Drive, also known as Block 53 lot 10, mailed to the Tax Collector’s Office on March 28, 2016, a check to redeem Tax Title Certificate 13-00006 dated July 16, 2014, and



**WHEREAS**, the payment was issued to the Borough of North Haledon, and same was deposited in the current account;

**NOW, THEREFORE, BE IT RESOLVED** that the Treasurer be and she is hereby authorized to issue a check to the following:

Redemption	\$956.43
Premium	\$ 1,700.00
Total	\$2,656.43

Clemente Enterprises, LLC  
PO Box 141  
Wyckoff, NJ 07481

**Resolution #92-2016**

**Re: Tax Overpayment**

**WHEREAS**, the property is exempt for 2016 and; and

**WHEREAS**, the property got a homestead rebate; and

**WHEREAS**, this therefore leaves an overpayment for the year 2016;

**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 2016.

Block 66.05 Lot 20 \$943.05

Russell Gambino  
360 Saw Mill Rd  
North Haledon, NJ 07508

**Resolution #93-2016**

**Re: Authorization / 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; and

**WHEREAS**, Finance Manager of the Borough of North Haledon has certified to the Governing Body that there are funds legally appropriated and available in the current operating budget for the payment of said bills and that said payment will not result in the disbursement of public monies or in the encumbering of same in excess of the appropriation for said purpose;



**WHEREAS**, municipalities such as the Borough of North Haledon seek various ways and resources to provide incentives for developers to invest in the infrastructure and proceed with redevelopment projects; and

**WHEREAS**, one of the few tools and resources available is what is known as a “Payments in Lieu of Taxes” (PILOT) whereby the developer and/or landowner make(s) payments to the municipality by way of an annual service charge in lieu of taxes; and

**WHEREAS**, the annual service charge benefits the municipality with additional funding in excess of a conventional ratables and provides an incentive to developers who seek to provide redevelopment in a community; and

**WHEREAS**, certain municipalities that have engaged in PILOT programs and redevelopment plans have found the correlation with the overall appreciation of residential value and revitalization of communities; and

**WHEREAS**, PILOT programs provide additional general revenue to a municipality and have contributed to reducing the overall local property tax burden in communities; and

**WHEREAS**, presently 95% of revenue from a PILOT program goes directly to the local municipal general fund to stabilize and reduce local property; and

**WHEREAS**, if A326 and A1475 are approved it would result in a 50% loss of revenue for any PILOT programs in municipalities such as North Haledon Borough, who seek to revitalize and redevelop its community and accordingly jeopardizes the financial stability and incentives and redevelopment of projects in communities such as North Haledon Borough that are presently considering qualifying projects within the community; and

**WHEREAS**, A1475 and A326 jeopardize the ability of the Borough of North Haledon to successfully achieve such redevelopment for its residents, for the overall benefit of the community as well as the overall aesthetics, value and financial wherewithal of the community; and

**WHEREAS**, Assembly Bill A326 and A1475 if approved would require municipalities that are part of a regional school districts, such as North Haledon Borough, to share the annual revenue generated by redevelopment projects with the county and regional schools, causing a significant reduction in anticipated municipal revenues for these projects.

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

1. The Members of the Board of Council of the Borough of North Haledon hereby oppose Assembly Bill A1475 and A326, which would require municipalities to share payments received in lieu of taxes with county and

school districts.

2. The Members of the Board of Council of the Borough of North Haledon oppose such legislation for the reasons stated herein in this resolution.
3. A copy of this resolution shall be sent to all municipalities within Passaic County and the contiguous municipalities and all State representatives.

**Resolution #99-2016**

**Re: Use of Poles / Verizon**

**WHEREAS**, New York SMSA Limited Partnership d/b/a Verizon Wireless, (“Verizon Wireless”), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and,

**WHEREAS**, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may jointly use such poles erected within the public right of way in the Borough of North Haledon; and,

**WHEREAS**, the New Jersey law permits such joint use provided that there is the consent of the relevant municipality;

**NOW, THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF NORTH HALEDON, COUNTY OF PASSAIC, STATE OF NEW JERSEY THAT:**

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to jointly use poles erected by parties that have the lawful right to maintain poles within the public right-of-way located at 5 Sicomac Avenue, in the Borough of North Haledon, State of New Jersey, subject to the following:
  - A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State and Local laws regarding safety requirements related to the use of the aforementioned public right-of-way.
  - B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Borough of North Haledon.
  - C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Borough of North Haledon, its officers, agents and servant from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the aforementioned public right-of-way, except to the extent resulting from the

acts or omissions of the Borough of North Haledon.

- D. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Borough of North Haledon as an additional insured.
- E. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
- F. Notwithstanding any provision contained herein, neither the Borough of North Haledon nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
- G. This instrument shall be adopted on behalf of the Borough of North Haledon by the Borough Council of the Borough of North Haledon and attested to by the Borough of North Haledon Clerk who shall affix the Borough of North Haledon Seal thereto.
- H. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is jointly using.

## **DISCUSSION**

Budget Process – Introduction at Special Meeting on May 4<sup>th</sup>  
Second Reading, Public Hearing and Adoption on June 1<sup>st</sup>

Youth Week - May 18th

Mayor George advised that there had been a problem with parking at The Tides the night of the NHPTO Tricky Tray and that three vehicles which had been parked in the Belmont Bakery parking lot had been towed. Councilwoman Puglisi believed that the Planning Board resolution prohibited valet parking off the premises. Chief Bracco advised that these were private citizens who had parked in the Belmont Bakery and on the surrounding streets and that the Police Department does not have the authority to restrict persons from legally parking on streets. He advised that the Prosecutor, David Stanziale, has recommended that the Borough adopt a nuisance ordinance, which he will bring to May's work session meeting for discussion. Mayor George advised that he would check with the Fire Official regarding the maximum permitted occupancy at the Tides. Mayor George stressed that he did not want to put The Tides out of business, but that The Tides should not be allowed to interfere with the quality of life of its neighbors.

The Borough Engineer will look into the possibility of amending the agreement of the land transfer from Buehler's so that a cell tower can be placed there.

## **ADJOURNMENT**

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

Mayor George declared the meeting duly adjourned at 8:46 p.m.

Respectfully Submitted,

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Renate Elatab, Municipal Clerk

Approved at Council Meeting of May 18, 2016