



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

WEDNESDAY, APRIL 19, 2017

Mayor George read the OPMA notice into the record.

This meeting is called pursuant to the provisions of the Open Public Meetings Law. Notice of this meeting was emailed to the HERALD NEWS and the HAWTHORNE PRESS on January 19, 2017, and was advertised in said newspapers on January 26, 2017. 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 was called to order at 8:38 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, George Pomianek, Donna Puglisi, Heather Sparano, and Keith Salviano

Borough Attorney Michael De Marco

Deputy Municipal Clerk Dena Ploch

Municipal Clerk Renate Elatab

Also Present:

Chris Battaglia, Treasurer / CFO

Antoinette Muccio, Assistant Treasurer

Chuck Ferraioli, Borough Auditor

From the Fire Department: Chief A.J. Ricciardi, Assistant Chief Anthony Padula, Captain Ryan Graham.

Absent:

Councilman Rocco Luisi.

**DEVIATION / RULES AND PROCEDURES / BY-LAWS OF COUNCIL
PUBLIC HEARING / 2017 MUNICIPAL BUDGET
ADOPTION / COLA ORDINANCE & 2017 MUNICIPAL BUDGET
APPROVAL OF CONSENT AGENDA**

Motion by Council Member Donna Puglisi, second by Council Member Raymond Melone, to deviate from the regular order of business. Upon roll call, all members present voted in the affirmative. Motion carried.

PUBLIC COMMENTS (only on the budget)

Motion by Council Member Donna Puglisi, second by Council Member Heather Sparano, 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 Donna Puglisi, second by Council Member George Pomianek, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

RESOLUTION CA#5-2017

Re: Consent Agenda #5-2017

Motion by Council Member George Pomianek, second by Council Member Donna Puglisi, 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:

Consent Agenda #5-2017

1. Self-Examination of Budget
2. Urging The Legislature To Reduce Local Affordable Housing Burdens And Provide Defined Rules And Relief In Providing Thereof
3. Tenure / Tax Assessor / Tim Henderson
4. Appointment / Special Police Officer Class II / Mohammed Mohammed
5. Approval / Raffle Licenses
6. Benefits for Superintendent of Public Works & Pumping Station Operator Assistant
7. Acceptance of Resignation / Paul Ploch II / DPW Attendant – Recycling Attendant and Road Kill Specialist
8. Appointment / Road Kill Specialist / Franklin Santora
9. Authorization / 5K Rock and Run
10. Authorization / Execution of Contract / North Haledon Police Dispatchers
11. Appointment / Firefighter / Michael Josephs
12. Tax Title Lien Redemption
13. Authorization / Payment of Bills / Issuance of Checks

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

Resolution #78-2017

Re: Self-Examination of Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 THRU 7.5 the Borough of North Haledon has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough of North Haledon meets the necessary conditions to participate in the program for the 2017 budget year, so now therefore

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated.
 - b. Items of appropriation are properly set forth

- c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Resolution #79-2017

Re: Affordable Housing

WHEREAS, municipalities do not have the resources to provide court mandated housing to comply with the Mount Laurel doctrine without proper funding; and

WHEREAS, lawsuits increase housing four-fold through court mandates, and without an affirmative defense, municipalities can do nothing to stop growth and sprawl, costing millions of dollars outside of local budgets; and

WHEREAS, property taxes must be raised to pay the costs associated with court mandates and, therefore, further overburden taxpayers; and

WHEREAS, the cumulative impact of years of unfunded court mandates has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, the expected state population growth of .3 percent does not provide sufficient demand to justify a court-mandated 30 percent housing supply increase, further congesting our state; and

WHEREAS, New Jersey is already the most densely populated state in the country with 1,195 persons per square mile; and

WHEREAS, the quality of life and public welfare in this municipality will be reduced, negatively impacting infrastructure, water and sewer capacities; school class sizes and school services; municipal services such as volunteer and staffed ambulatory services and fire departments, police departments, and traffic; and

WHEREAS, the lack of affordable housing and rentals is not due to a lack of units, rather it stems from residents paying property taxes that are unaffordable, and increasing by roughly \$700 million annually; and

WHEREAS, the State of New Jersey should relieve the burden of unfunded court mandates and provide statewide parity and predictability in regard to municipal affordable housing obligations; and

WHEREAS, the Assembly is urged to pass Assembly Bill No. 4666 imposing an end-of-year moratorium on all affordable housing litigation; and Assembly Bill No. 4667 establishing the “Affordable Housing Obligation Study Commission” to assist in finding solutions to the affordable housing crisis foisted upon municipalities by the end of the year; and

WHEREAS, it is the responsibility of the State and the Legislature to assist municipalities; and

WHEREAS, the time has come to reasonably address affordable housing needs in New Jersey to preserve the integrity of the state and its quality of life;

NOW THEREFORE BE IT RESOLVED, that the Board of Council of the Borough of North Haledon urge the State and the Legislature to aid municipalities over-burdened by court-mandated affordable housing; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Governor Chris Christie, Lieutenant Governor Kim Guadagno, Department of Community Affairs Commissioner Charles A. Richman, New Jersey Senate President Steve Sweeney, New Jersey Senate Republican Leader Thomas Kean, Jr., New Jersey Assembly Speaker Vincent Prieto, New Jersey Assembly Republican Leader Jon Bramnick, our State Senator Nellie Pou, our Assemblywomen Shavonda Sumter and Benjie Wimberly, and to the New Jersey League of Municipalities.

Resolution #80-2017

Re: Tenure / Tax Assessor

WHEREAS, N.J.S.A. 40A:9-148 states that a municipal tax assessor...shall hold his office for a term of four years from the first day of July next following his appointment; and

WHEREAS, N.J.S.A. states that a Tax Assessor receives tenure upon their second appointment; and

WHEREAS, Tim Henderson was hired on February 4, 2010, and his appointment should have been 2/4/2010 – 6/30/2010, and then 7/1/2010 – 6/30/2014, and he should have received tenure after his second re-appointment;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that Tim Henderson receive tenure retroactive to July 1, 2014

Resolution #81-2017

Re: Appointment / SPO

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Mohammed Mohammed be appointed as Special Police Officer Class II immediately, salary according to Salary and Wages 2017.

Resolution #82-2017

Re: Raffles

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: Mary Help of Christians Academy
Location of Raffle: 659 Belmont Avenue
Date of Raffle: April 29, 2017
Raffle License: BA#1-2017

Name: NHEF
Location of Raffle: Recreation Fields
Date of Raffle: April 23, 2017
Raffle License: RA#10-2017

Name: Wyckoff PTO
Location of Raffle: 1245 Belmont Avenue
Date of Raffle: May 4, 2017
Raffle License: RA#11-2017

Name: UNICO
Location of Raffle: 512 High Mountain Road
Date of Raffle: April 18, 2017
Raffle License: RA#12-2017

Resolution #83-2017

Re: Benefits

WHEREAS, the Borough of North Haledon (hereinafter referred to as the “Borough”) recently concluded negotiations and finalized its agreement (hereinafter referred to as the “Contract”) with the Local 2274 of the American Federation of State, County & Municipal Employees AFL-CIO (hereinafter referred to as the “Union”); and

WHEREAS, the Contract covers the period of time commencing and retroactive to January 1, 2015 through December 31, 2017; and

WHEREAS, the Superintendent of Public Works and the Assistant Pumping Station Operator are not a part of the collective bargaining unit covered by the Contract, but the Governing Body of the Borough of North Haledon recognizes that it has been the past practice of the Borough to grant the Superintendent and the Assistant Pumping Station Operator the same benefits as set forth in its Agreements with the union; and

WHEREAS, the Governing Body of the Borough of North Haledon is desirous of memorializing the benefits for the Superintendent and Assistant Pumping Station Operator;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Board of Council of the Borough of North Haledon that the provisions of Article XVII of the Contract relating to clothing allowance benefits shall equally apply to the Superintendent of Public Works and the Assistant Pumping Operator for the period of, and retroactive to January 1, 2015 through December 31, 2017. Any and all other terms and/ or conditions of employment for the Superintendent of Public Works and the Assistant Pumping Station Operator not specifically amended by this resolution shall remain in full force and effect.

Resolution #84-2017

Re: Resignations / Paul Ploch

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the resignation of Paul Ploch II, DPW Attendant / Recycling Attendant and Road Kill Specialist, be accepted effective April 1, 2017.

Resolution #85-2017

Re: Appointment / Road Kill

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Franklin Santora be appointed as Road Kill Specialist, retroactive to April 7, 2017, salary according to Salary and Wages 2017.

Resolution #86-2017

Re: Authorization / 5K

WHEREAS, the North Haledon Parent Teacher Organization and North Haledon Education Foundation have requested the Borough approval of a race course for the NH Rock & Roll 5K event to be conducted on Sunday, April 23, 2017; and

WHEREAS, the Chief of Police has reviewed the proposed race course and has approved the same; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Board of Council of the Borough of North Haledon that it hereby approves the NH Rock & Roll 5K race course as approved by the Chief of Police.

Resolution #87-2017

Re: Dispatchers' Contract

BE IT RESOLVED, by the Governing Body of the Borough of North Haledon that the Mayor and Clerk be, and they are hereby authorized to execute a contract between the North Haledon Police Dispatchers (Communications Workers of America) and the Borough of North Haledon, contract period beginning January 1, 2016 through December 31, 2020.

Resolution #88-2017

Re: Appointment / Fire Fighter

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Michael Josephs, residing at 54 Michele Court, North Haledon, be appointed Firefighter in the North Haledon Fire Department.

Resolution #89-2017

Re: Lien Redemption

WHEREAS, the bank of the property located at 9 Birchwood Lane also known as Block 58.03 lot 22.041, mailed in to the Tax Collector’s Office on April 11, 2017 a check to redeem Tax Title Certificate 14-00002 dated June 3, 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	\$14,769.46
Premium	\$ 5,600.00

Isaac Moradi
520 Elm St
Kearny, NJ 07032

Resolution #90-2017

Re: Bills and 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.

Ordinance #10-2017

Re: COLA Ordinance

Motion by Council Member Donna Puglisi, second by Council Member Melone, 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:

**CALENDAR YEAR 2017
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0.50% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of North Haledon in the County of Passaic finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.0% increase in the budget for said year, amounting to \$294,230.87 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of North Haledon, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of North Haledon shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$333,294.35, and that the CY 2017 municipal budget for the Borough of North Haledon be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor George advised that the Borough Auditor had explained the reason for adopting this ordinance. By doing so, the Borough was not borrowing money; it simply helps with the following year's budget.

Motion by Council Member Donna Puglisi, second by Council Member Raymond 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 asked to speak, motion by Council Member Donna Puglisi, second by Council Member Raymond Melone, 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 Raymond Melone, that Ordinance #10-2017 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #10-2017 was adopted on second reading and is hereby declared a passed ordinance in accordance with law.

Resolution #91-2017

Re: Adoption / 2017 Municipal Budget

Motion by Council Member George Pomianek, second by Council Member Donna Puglisi, 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:

BE IT RESOLVED by the Board of Council of the Borough of North Haledon, County of Passaic, that the budget hereinbefore set forth is hereby adopted.

The Borough Auditor advised that on the average assessed home, the municipal taxes were going up \$17.63, the local school taxes were going up \$84.93, and the regional high school taxes were going up \$31.84.

Discussion of the purchase of a new fire apparatus ensued. Councilwoman Donna Puglisi advised that it had taken nine minutes for a rescue truck to arrive from Hawthorne, so a resident's recent suggestion to depend on a rescue truck to respond from Paterson to North Haledon instead of purchasing a new fire apparatus would not work. Mayor George advised that the Fire Department would also need to build an additional bay and the Borough would be giving the Fire Department \$50,000 twice, as well as part of the adjacent municipal parking lot. Mayor George also advised that the Fire Chief had suggested that it would be possible to purchase more equipment for the fire apparatus by making a down-payment as well as scheduled payments (rather than paying for the apparatus up front). Mayor George requested that the Borough Auditor, the Borough Attorney and the Fire Chief meet to see if this method of payment would be consistent with New Jersey Public Purchasing statutes.

Councilwoman Donna Puglisi further advised that she will be meeting with the Superintendent of Public Works to begin the refurbishing of the Council Chambers.

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

PUBLIC COMMENTS

Motion by Council Member Donna Puglisi, second by Council Member Raymond 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 asked to speak, motion by Council Member Donna Puglisi, second by Council Member Raymond Melone, 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 Donna Puglisi, second by Council Member Raymond Melone, to approve the minutes of the work session meeting, executive committee meeting, and regular meeting of March 15, 2017. Upon roll call, all members present voted in the affirmative. Motion carried.

OFFICIAL REPORTS

The Municipal Clerk submitted the following reports to the members of the Governing Body:

Building Official's Report
Clerk's Receipts
Fire Department Report
Ambulance 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**

Section 1. §53-2 shall be amended and shall read as follows:

Unless approved by the members of the Governing Body, and provided that no other qualified individual is willing to accept the subject position after diligent inquiry is made, no member of the Governing Body, nor any member of such Governing Body's member's immediate family, shall be employed for compensation for any activities or programs, under the jurisdiction of the Governing Body or for any activities or programs under the jurisdiction of any board appointed by the Governing Body. The term "employed" for the purpose of this section shall mean either an employee either an employee or a consultant or a contractor. Unless approved by the members of the Governing Body, no appointee to any board, nor a member of such appointee's immediate family, shall be employed for compensation for any activities or programs, under the jurisdiction of the board to which he or she is appointed.

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 after final adoption and publication as provided by law.

Motion by Council Member Donna Puglisi, second by Council Member Raymond 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 asked to speak, motion by Council Member Donna Puglisi, second by Council Member Raymond Melone, 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 Melone, that Ordinance #12-2017 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #12-2017 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.

Councilwoman Sparano returned to the dais.

NEW BUSINESS / ORDINANCES / RESOLUTIONS

Ordinance #13-2017

Re: Bond Ordinance

Motion by Council Member Donna Puglisi, second by Council Member Pomianek, 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:

BOND ORDINANCE PROVIDING FOR THE 2017 CAPITAL IMPROVEMENT PROGRAM BY AND IN THE BOROUGH OF NORTH HALEDON, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING \$2,087,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,750,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF NORTH HALEDON, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of North Haledon, in the County of Passaic, State of New Jersey (the "Borough") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the aggregate sum of \$2,087,500, which sum includes \$87,500 as the aggregate amount of down payments for said improvements required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), and now available therefor by virtue of provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and a New Jersey Department of Transportation Grant in the amount of \$250,000 (the "DOT Grant").

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, and to meet the part of the \$2,087,500 appropriation not provided for by said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,750,000 pursuant to the Local

Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$1,750,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and purposes for the financing of which said debt obligations are to be issued are as follows:

Description	Total Appropriation	Debt Authorization	Down Payment	Useful Life
<p>A. <u>Acquisition of Equipment and Vehicles</u></p> <p>Acquisition of (i) various equipment and vehicles for the Department of Public Works; (ii) various equipment and vehicles for the Police Department; and (iii) an ambulance;</p>	\$485,000	\$461,905	\$23,095	15 years
<p>B. <u>Street Projects</u></p> <p>Various roadway improvements to various roadways all as on file with the Borough Clerk, such roadway improvements shall include, but are not limited to, as applicable, milling, construction, reconstruction, repairing and resurfacing of said roadways, drainage improvements, inlet, manhole and water valve replacements to said roadways and, as applicable, the restoration or construction of or improvements to curbs, sidewalks, traffic line striping, driveway aprons or barrier-free ramps along such roadways and the acquisition and installation of traffic signals,</p>	\$732,500 (including a \$250,000 NJDOT Grant)	\$459,524	\$22,976	15 years

Description	Total Appropriation	Debt Authorization	Down Payment	Useful Life
signage and bicycle corrals, as required, throughout the Borough; traffic light upgrades and installation of lighting;				
<u>C. Acquisition of Fire Equipment and Vehicle</u> Acquisition of a rescue truck and various fire equipment for the Fire Department;	\$775,000	\$738,095	\$36,905	15 years
<u>D. Property Improvement</u> Improvement/ upgrades to various municipal buildings; and	\$70,000	\$66,667	\$3,333	15 years
<u>E. Technology</u> Various information technology upgrades.	\$25,000	\$23,809	\$1,191	5 years
Grand Total:	\$2,087,500	\$1,750,000	\$87,500	

The appropriations set forth above also include all work, materials, appurtenances and equipment necessary for or incidental thereto.

a. The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,750,000.

b. The aggregate estimated cost of said improvements and purposes is \$2,087,500.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Passaic make a loan, contribution or grant-in-aid to the Borough (excluding the DOT Grant) for the improvements authorized hereby and the

same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Passaic. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Passaic shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply however, with respect to any contribution or grant in aid received by the Borough as a result of using such funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date

of delivery thereof. The Chief Financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk of the Borough and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

b. The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 14.86 years.

c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a

complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,750,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

d. An aggregate amount not exceeding \$87,500 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2 . No reimbursement allocation

will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the Borough, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$1,750,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

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 May 17, 2017, 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 #14-2017

Re: Zoning Map

Motion by Council Member George Pomianek, 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 ADOPTING THE LAND USE AND ZONING DISTRICT MAP
OF THE BOROUGH OF NORTH HALEDON
AS REVISED BY BOSWELL ENGINEERING THROUGH DECEMBER 31, 2016**

WHEREAS, the Mayor and Council of the Borough of North Haledon have adopted a Zoning Ordinance as part of the Borough Code and, have, from time to time, amended and modified the same so as to revise the boundaries of zoning districts within the Borough of North Haledon; and

WHEREAS, the Borough Engineer, Boswell Engineering, has created a Land Use and Zoning District Map depicting all zoning district boundaries within the Borough of North Haledon as of December 31, 2016; and

WHEREAS, the Mayor and Council now wish to adopt the Zoning Map as prepared by the Borough Engineer as the official Zoning Map of the Borough of North Haledon and authorize execution of the title block of the same by the Mayor and the Municipal Clerk;

NOW, THEREFORE, BE IT ORDAINED that the Land Use and Zoning Map prepared by Boswell Engineering, depicting all existing zoning districts through December 31, 2016, be and is hereby declared to be the official Zoning Map of the Borough of North Haledon and the Mayor and Clerk are hereby authorized to execute the title block made part of the map as and for the act of the Borough of North Haledon.

This ordinance shall take effect after final adoption and publication as provided by law.

Motion by Council Member George Pomianek, second by Council Member Keith Salviano, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on May 17, 2017, 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 #15-2017

Re: Salary Ordinance

Councilwoman Sparano stepped off the dais.

Motion by Council Member Raymond Melone, second by Council Member Keith Salviano, 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
ORDINANCE #1-2017 FIXING THE SALARIES AND COMPENSATIONS
OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF
NORTH HALEDON, IN THE YEAR 2017**

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, County of Passaic, and State of New Jersey for the year 2017:

MAYOR	5,100.00
COUNCIL MEMBERS	3,511.00
CHIEF OF POLICE	169,358.00
ADMINISTRATOR	21,438.00
MUNICIPAL CLERK	75,546.00
MUNICIPAL HOUSING ADMINISTRATOR	13,121.00
QUALIFIED PURCHASING AGENT	10,000.00
DEPUTY BOROUGH CLERK	50,609.00
ADMIN. ASST./CLERK'S OFFICE	38,943.00
TAX COLLECTOR	75,610.00
TAX SEARCH OFFICER	950.00

TAX ASSESSOR	19,814.00
PART-TIME CFO / TREASURER	32,400.00
ASSISTANT TREASURER	63,020.00
SUPERINTENDENT OF PUBLIC WORKS	101,832.00
CLERICAL ASST/POLICE DEPT.	41,727.00
OPERATOR/PUMP STATION/PART TIME	16,647.00
OPERATOR/PUMP STATION/PART TIME	19,147.00
ASST. OPERATOR/PUMP STATION	45,065.00
PLANNING BOARD SECRETARY	6,577.00
PLANNING BOARD CLERK-PER SPECIAL MEETING	30.00
PLANNING BOARD ATTORNEY	3,642.00
ZONING BOARD OF ADJUSTMENT/ SECRETARY	4,727.00
ZONING BD. SPECIAL MEETING	30.00
ZONING BOARD ATTORNEY	2,706.00
MUNICIPAL JUDGE	15,763.00
MUNICIPAL COURT ADMINISTRATOR	66,741.00
DEPUTY COURT ADMINISTRATOR	40,700.00
PROSECUTOR	17,297.00
PUBLIC DEFENDER/PER APPEARANCE	150.00
CONSTRUCTION CODE OFFICIAL	51,947.00
PLUMBING & ELECTRICAL SUB-CODE OFFICIAL	21,102.00
FIRE SUB-CODE OFFICIAL	11,019.00
ZONING REVIEW OFFICER	1,364.00
CODE ENF.-PROP MNT.-ZONING ENFORCEMENT	69,574.00
LAND USE ACT ADMINISTRATOR	1,364.00
TECHNICAL ASST. CONSTRUCTION OFFICE	35,633.00
REGISTRAR OF VITAL STATISTICS	1,793.00
DEPUTY REGISTRAR OF VITAL STATISTICS	769.00
FIRE OFFICIAL	7,432.00
OEM COORDINATOR	7,500.00
ASST. OEM COORDINATOR	5,000.00
REGISTERED ENVIRONMENTAL HEALTH SPEC.	16,000.00
PUBLIC HEALTH NURSE	13,850.00
SECRETARY/BOARD OF HEALTH	7,822.00
RECYCLING COORDINATOR	4,515.00
ROAD KILL SPECIALIST	3,438.00 – 5,000.00

HOURLY

RECYCLING ATTENDANT/ENFORCEMENT OFFICER	12.00 – 30.00
DEPUTY TAX COLLECTOR	15.00 – 20.00
DPW PART-TIME LABORER	12.00 – 20.00
SPECIAL POLICE OFFICER	14.00 -- 20.00

FIRE INSPECTOR	14.00 --20.00
CLERICAL ASSISTANT	14.00 – 20.00
PART-TIME DISPATCHER	12.00-16.00
CROSSING GUARD	14.00-18.00
DEPUTY COURT ADM. / VIOLATIONS CLERK	15.00-18.00

Motion by Council Member Raymond Melone, second by Council Member Keith Salviano, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on May 17, 2017, 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. Motion by Council Member George Pomianek, second by Council Member Donna Puglisi, 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.

Councilwoman Sparano returned to the dais.

DISCUSSION

Councilman Raymond Melone brought up the tax-exempt status of former Fire Company No. 1. It is a known fact that the hall is rented out several times a week. Mayor George advised that he has been in touch with the Attorney General’s office, the New Jersey Department of Consumer Affairs, the Governor and Lieutenant Governor, and the IRS for seven years, and no one has responded to his complaint except for the IRS which stated that they were going to launch an investigation but that he would not be informed of the findings of the investigation. Mayor George further advised that he is going to ask the Tax Assessor to charge the former fire company back taxes for as long as he can go back.

EXECUTIVE SESSION (in 9:50 p.m.)

Motion by Councilman Salviano, second by Council Member Pomianek, to go into Executive Session to discuss a personnel matter. Upon roll call, all members present voted in the affirmative. Motion carried.

EXECUTIVE SESSION (out 10:48 p.m.)

ADJOURNMENT

Motion by Council Member Donna Puglisi, second by Council Member George Pomianek, 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 10:49 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Council Meeting of May 17th, 2017