

BOROUGH OF NORTH HALEDON



MARCH 17, 2010

This meeting was called pursuant to the provisions of the Open Public Meetings Law. This meeting of March 17, 2010, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 6, 2010, and was advertised in said newspapers on January 14, 2010. This notice was posted on the bulletin board on January 6, 2010 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 8:00 p.m. and the Clerk was directed to include this statement in the minutes of this meeting.

Mayor George led the Prayer and asked that everyone remain standing for the Pledge of Allegiance.

Mayor called for a moment of silence for borough resident Jim Halloran, who passed away tragically earlier this week.

ROLL CALL

PRESENT: Mayor Randy George, Council Members: Rocco Luisi, Raymond Melone, Bruce O. Iacobelli, Elaine Vuoncino, and Robert Dyer (arrived at 8:31 p.m.), Borough Attorney Michael De Marco, Borough Engineer Joseph Pomante, Deputy, Borough Clerk Angela Russo, and Municipal Clerk Renate Elatab. Also present was Lt. Todd Darby

ABSENT: Councilwoman Donna Puglisi

PUBLIC COMMENTS

Motion by Councilman Iacobelli, seconded by Councilman Melone, to open the floor to the public

Upon roll call all members present voted in the affirmative. Motion carried.

Mayor George asked if anyone wished to be heard on any matter. There was no one.

Motion by Councilman Iacobelli, seconded by Councilman 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 Councilman Iacobelli, second by Councilwoman Vuoncino, to approve the minutes of the work session of February 3, 2010, the regular council meeting of February 17, 2010, and the executive meeting of February 17, 2010.

Upon roll call all members present voted in the affirmative. Motion carried.

OFFICIAL REPORTS

Clerk stated that she is in receipt of the following reports:

Building Official's Report	Treasurer's Report
Tax Collector's Report to the Treasurer	Recycling Enforcement Officer
Clerk's Receipts	Property Maintenance Report
Fire Department Report	Police Department Report
Haledon Ambulance Report	Municipal Court Report

COMMITTEE REPORTS

Motion by Councilman Iacobelli, seconded by Councilman Melone to dispense with the reports for this evening.

Upon roll call all members present voted in the affirmative. Motion carried.

DPW / STREETS & ROADS / SEWERS/ BUILDINGS & GROUNDS /
SOLID WASTE / RECYCLING
COUNCILMAN DYER

POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292
COUNCILWOMAN PUGLISI

RECREATION
COUNCILWOMAN PUGLISI

ZONING BOARD OF ADJUSTMENT
COUNCILWOMAN PUGLISI

HALEDON AMBULANCE
COUNCILMAN DYER

FINANCE
COUNCILMAN IACOBELLI

PLANNING BOARD
COUNCILMAN DYER

BOARD OF EDUCATION / LOCAL
COUNCILMAN LUISI

BOARD OF EDUCATION / REGIONAL
COUNCILWOMAN VUONCINO

BOARD OF HEALTH
COUNCILMAN IACOBELLI

FIRE & WATER
COUNCILMAN VUONCINO

ENGINEERING
COUNCILMAN DYER

CODIFICATION ADHOC COMMITTEE REPORT
COUNCILWOMAN PUGLISI

LIBRARY
MAYOR RANDY GEORGE

PUBLIC CELEBRATIONS
COUNCILMAN IACOBELLI

BUEHLER ADHOC COMMITTEE
COUNCILMAN IACOBELLI

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, that above 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 all communications were read in full at the Work Session and were as follows:

Michael P. De Marco

Re: Request for Attorney Fees/Hosny

Michael P. De Marco	Re: Cell Phone Tower Ordinance
John Segreto	Re: Fire Co. 1 v. Borough of No. Haledon
John Segreto (01/21/2010)	Re: Thomas Behnke
John Segreto (02/12/2010)	Re: Thomas Behnke
Michael P. De Marco	Re: Behnke Hearing
A.J. Ricciardi, Fire Chief	Re: Brandon Hoogerhyde
A.J. Ricciardi, Fire Chief	Re: Clearance / Active Duty
Anthony Rainone	Re: Mark Van v. Borough of No. Haledon
Councilwoman Donna Puglisi	Re: Use of Parking Lot/Seniors
Pasquale Maisano	Re: Reduction of Bond
Alan D. Singer	Re: Zoning/Retail Thrift Shop/ECSA
Dept. of Labor	Re: Violations / Police Department
T-Mobile / Omnipoint	Re: Consent Letter / Update of Utilities
Foodtown	Re: Parking Permission
NJLM	Re: COAH
NJLM	Re: Resolution/ Reform Interest Arbitration
City of Clifton	Re: Resolution/ Amendment/Open Public Records Act
John A. Spizziri, Sr., Esq.	Re: Wester Subdivision Application
Michael P. De Marco	Re: Wester Subdivision Application
NJAPDA	Re: April/ Parkinson's Disease Awareness Month
Insurance Management & Consulting	Re: Health Insurance/Borough Employees

Motion by Councilman Iacobelli, second by Councilman Melone, 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.

PROCLAMATIONS

Mayor George presented the following proclamation:

GIRL SCOUT WEEK

WHEREAS, March 8-14, 2010 marks Girl Scout Week as designated by Girl Scouts of the USA, a movement founded in 1912 by Juliette Gordon Low in Savannah, Georgia; and

WHEREAS, throughout its long and distinguished history, Girl Scouting has inspired more than 50 million girls and women to strive for the highest ideals of courage, confidence and character; and

WHEREAS, through Girl Scouts, girls grow strong, gain self-confidence, develop leadership skills and learn the lifelong lesson of contributing back to their communities; and

WHEREAS, Girl Scouting helps girls achieve their potential by increasing awareness of opportunities existent in the fields of math, science, sports, technology and other professional pursuits; and

WHEREAS, more than 3.8 million Girl Scouts nationwide, including in excess of 100,000 in the State of New Jersey, join in celebrating and rejoicing in this great American tradition.

NOW THEREFORE, I, Randy George, Mayor of the Borough of North Haledon, do hereby recognize March 8-14, 2010 as Girl Scout Week in Borough of North Haledon.

Motion by Councilman Iacobelli, second by Councilman Vuoncino, to concur with the Mayor's proclamations.

Upon roll call all members present voted in the affirmative. Motion carried

Mayor George presented the following proclamation:

WHEREAS Parkinson's Disease is a progressive disorder of the central nervous system, affecting more than one and a half million people in the United States; and

WHEREAS The American Parkinson’s Disease Association, Inc., founded in 1961, has sought to “Ease the Burden and Find the Cure” for this disease through research, patient and family services, education and sponsorship of 53 chapters, 62 information and referral centers, and almost 1,000 support groups throughout the United States; and

WHEREAS the world, the nation, and the Borough of North Haledon observe April as Parkinson’s Disease Awareness Month; and

WHEREAS the Borough of North Haledon recognizes the efforts of the New Jersey Chapter of the American Parkinson’s Disease Association to raise funds and promote awareness to fight Parkinson’s Disease, thereby improving the quality of life for those living with the disease.

NOW, THEREFORE, I, Randy George, Mayor of the Borough of North Haledon, in recognition of the valuable and determined efforts of the American Parkinson’s Disease Association, Inc. to the residents of the State of New Jersey and the United States, do hereby proclaim April as Parkinson’s Disease Awareness Month in the Borough of North Haledon.

Motion by Councilman Iacobelli, second by Councilman Vuoncino, to concur with the Mayor’s proclamations.

Upon roll call all members present voted in the affirmative. Motion carried

UNFINISHED BUSINESS

NONE

NEW BUSINESS / ORDINANCES / RESOLUTIONS

ORDINANCE #3-2010

Re: Amendment/Recycling Ordinance

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, 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 read the Ordinance by title:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 110 OF THE CODE OF THE BOROUGH OF NORTH HALEDON TO REVISE CHAPTER 110 NEWSPAPER COLLECTION AND RECYCLING

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 110, NEWSPAPER COLLECTION AND RECYCLING, of the Code of the Borough of North Haledon, shall be and hereby is revised, amended and modified as follows:

§110-5 shall be deleted and replaced with the following:

Any person who violates § 110-2 shall, upon conviction thereof, be punishable by a fine of fifty dollars (\$50.00) for the first offense, one hundred dollars (\$100.00) for the second offense and for all other offenses by a fine of at least one hundred dollars (\$100.00) but not more than one thousand dollars (\$1,000.00) or no more than ninety (90) days in jail, or both, for each and every offense.

Section 2. All other parts or provisions of Chapter 110 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 Councilman Melone, second by Councilwoman Vuoncino, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on April 21, 2010, at 8:00 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

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on March 17, 2010, and will be considered for final passage after public hearing at the regular Meeting of the Mayor and Council to be held on April 21, 2010, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

ORDINANCE #4-2010

Re: Charitable Clothing Bins

Motion by Councilman Iacobelli, second by Councilman 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 read the Ordinance by title:

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 130
OF THE CODE OF THE BOROUGH OF NORTH HALEDON
PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE
PLACEMENT OF CLOTHING BINS WITHIN THE BOROUGH**

WHEREAS, the Governing Body of the Borough of North Haledon has determined that the Borough Code of the Borough of North Haledon should be supplemented to regulate charitable clothing bins; and

WHEREAS, N.J.S.A. 40:48-2.60 et seq. sets forth the regulations for the placement, use and licensing of charitable clothing bins.

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

Chapter 131 of The Code of the Borough of North Haledon shall provide as follows:

CLOTHING BINS

Section 1. Purpose.

The purpose of this chapter is to regulate the placement, use, and licensing of charitable clothing bins.

Section II. Permit required.

Notwithstanding any other provision to the contrary, no person shall place, use or employ a donation clothing bin, for solicitation purposes, unless they have obtained a permit for a period of one year, issued by the Governing Body.

Section III. Issuance of a permit.

A. An application for a permit shall include the following information:

- 1) The location where the bin would be situated, as precisely as possible;
- 2) The manner in which any clothing or other donations collected via the bin would be used, sold or dispersed, and the method by which the proceeds of collected donations would be allocated or spent;
- 3) The name and telephone number of the bona fide office of the applicant and of any entity which may share or profit from any clothing or other donations collected via the bin, as well as the name of and twenty-four (24) hour per day telephone number for an emergency contact representative for the applicant;

- 4) The schedule of pick-ups removing the articles from the bins, which can be no less often than once per week, and the name and telephone number of the person to be notified if the bin is overflowing prior to the scheduled date of pick-up; and
 - 5) Written consent from the property owner, or the owner's authorized representative, to place the bin on his/her property.
- B. The Governing Body shall not grant an application for a permit to place, use, or employ a donation clothing bin if it is determined that the placement of the bin could constitute a safety hazard. Such hazards shall include, but are not limited to, the placement of a donation clothing bin in parking spaces, in any area that interferes with pedestrian or vehicular traffic, or any place which stores large amounts of, or sells, fuel or other flammable liquids or gases.
- C. The fee for such application for the permit shall be \$25.00 (\$10.00 for each additional bin) unless the bin is owned by an organization registered with the Attorney General as a charitable organization.

Section IV. Permit renewal.

An expiring permit for a donation clothing bin may be renewed on an annual basis upon payment of the \$25.00 (\$10.00 for each additional bin) unless the fee is waived for a charitable organization. The application shall include the following information:

- A. The location where the bin is situated, as precisely as possible, and, if applicant intends to move it, the new location where the bin would be situated after the renewal is granted;
- B. The manner in which the entity has used, sold or dispersed any clothing or other donations collected via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the entity anticipates it may make in these processes during the period covered by the renewal;
- C. The name, and telephone number of the bona fide office of the applicant and any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal;
- D. The schedule of pick-ups removing the articles from the bins, which can be no less often than once per week, and the name and telephone number of the person to be notified if the bin is overflowing prior to the date of pick-up; and
- E. Written consent from the property owner, or the owner's authorized representative, to place the bin on his/her property.

Section V. Display of information on bin.

The following information shall be clearly and conspicuously displayed on the exterior of the donation clothing bin:

- A. The permit number and expiration date; and
- B. The information required to be displayed on the bin as set forth in N.J.S.A. 40:48-2.61.

Section 6. Complaints.

- A. The Code Enforcement Official shall receive and investigate, within thirty (30) days, any complaints from the public about a clothing bin.
- B. Whenever it appears to the Code Enforcement Official that a person or entity has engaged in, or is engaging in any act or practice in violation of this ordinance, the entity who placed the bin shall be issued a warning, stating that if the violation is not rectified, or if a hearing before the Governing Body is not requested within forty-five (45) days, the clothing bin will be seized or removed at the expense of the entity who placed the bin, and any clothing or other donations collected via the bin will be sold at public auction or otherwise disposed of. In addition to any other means used to notify the person or entity who placed the bin, such warning shall be affixed to the exterior of the bin itself. In the event that the entity who placed the bin does not rectify the violation or request a hearing within forty-five (45) days of the posting of the warning, the Code Enforcement Official may order the bin seized, remove it, or have it removed at the expense of the entity who placed the bin, and sell it at public auction or otherwise dispose of any clothing or other donations collected via the bin. Any proceeds from the sale of the donations collected via the bin shall be paid to the Chief Financial Officer of the Borough.

Section 7. Penalties.

In addition to any other penalties or remedies authorized by law, any person or entity who violates any provision of this ordinance shall be a) subject to a penalty of up to twenty thousand dollars (\$20,000.00) for each violation pursuant to N.J.S.A. 40:48-2.60 et seq. An action in the Municipal Court or the Superior Court may be commenced as a summary proceeding under the Penalty Enforcement Law of 1999. Any penalty moneys collected therefrom shall be paid to the Chief Financial Officer of the Borough. An entity violating this Chapter shall be deemed ineligible to place, use, or employ a donation clothing bin for solicitation purposes pursuant to N.J.S.A. 40:48-2.61 et seq. An entity disqualified from placing, using, or employing a donation clothing bin by violating the provisions of N.J.S.A. 40:48-2.60 et seq. may apply to the Governing Body to have eligibility restored. The Governing Body may restore the eligibility of an entity who a) acts within the public interest; and b) demonstrates that they have made a good faith effort to comply with the provisions of N.J.S.A. 40:48-2.60 et seq. and all other applicable laws and regulations and has no fraudulent intentions.”

Section 8. Non-Charitable Clothing Bins

Non-Charitable clothing bins shall be prohibited within the Borough of North Haledon and no permits shall be issued therefore.

If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Motion by Councilwoman Vuoncino, second by Councilman Iacobelli, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on April 21, 2010, at 8:00 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

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on March 17, 2010, and will be considered for final passage after public hearing at the regular Meeting of the Mayor and Council to be held on April 21, 2010, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

ORDINANCE #5-2010

Re: Amendment Chapter 69/Fees

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, 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 read the Ordinance by title:

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH HALEDON TO REVISE AND SUPPLEMENT CHAPTER 69, FEES

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

1. Chapter 69, FEES, of the Code of the Borough of North Haledon, shall be and hereby is revised, amended and supplemented by the addition of the following section:

CLOTHING BINS

- A. Annual License Fee

\$25.00

\$10.00 each additional bin

2. This Ordinance shall take effect upon final passage and publication in accordance with the provisions of law.

Motion by Councilwoman Vuoncino, second by Councilman Melone, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on April 21, 2010, at 8:00 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.

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on March 17, 2010, and will be considered for final passage after public hearing at the regular Meeting of the Mayor and Council to be held on April 21, 2010, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

ORDINANCE #6-2010

**Re: Amendment/Borough Code
Tax Collector & Tax Assessor**

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, 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 read the Ordinance by title:

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2
OF THE CODE OF THE BOROUGH OF NORTH HALEDON
ADMINISTRATION OF GOVERNMENT**

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 2, ADMINISTRATION OF GOVERNMENT, shall be and hereby is revised, amended and supplemented by modification to include the following:

a. §2-14 C. shall be added and shall read as follows:

There shall be an office of Tax Collector consisting of a Tax Collector. The Borough Tax Collector shall be appointed by the Mayor with the advice and consent of the Council for a term of four (4) years. The Tax Collector shall be qualified in accordance with the requirements of N.J.S.A. 40A:9-145.7 as may be amended and/or supplemented. The Borough Tax Collector shall perform each and every duty as are provided by law and assigned from time to time by the Governing Body.

b. §2-14 D. shall be added and shall read as follows:

There shall be an Office of Tax Assessor, consisting of a Tax Assessor, who shall be appointed by the Mayor, with the advice and consent of the Council for a term of four (4) years. The Tax Assessor shall hold a Tax Assessor Certificate as provided in N.J.S.A. 54:1-35 et seq., and shall perform each and every duty as are provided by law and assigned from time to time by the Governing Body.

Section 2. All other parts or provisions of Chapter 2 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 Councilman Iacobelli, second by Councilwoman Vuoncino, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on April 21, 2010, at 8:00 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

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on March 17, 2010, and will be considered for final passage after public hearing at the regular Meeting of the Mayor and Council to be held on April 21, 2010, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

ORDINANCE #7-2010

Re: Amendment / Chapter 150

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, 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 read the Ordinance by title:

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH HALEDON TO REVISE CHAPTER 150 STREETS AND SIDEWALKS

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 150, STREETS AND SIDEWALKS, of the Code of the Borough of North Haledon, shall be and hereby is revised, amended and modified as follows:

§150-4 shall be deleted and replaced with the following:

Any person, firm or corporation violating any of the provisions of this Article shall, upon conviction thereof, be punishable by a fine of fifty dollars (\$50.00) for the first offense, one hundred dollars (\$100.00) for the second offense and for all other offenses by a fine of at least one hundred dollars (\$100.00) but not more than one thousand dollars (\$1,000.00) or no more than ninety (90) days in jail, or both, for each and every offense. Each and every day in which said violation exists shall constitute a separate violation.

Section 2. All other parts or provisions of Chapter 150 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 Councilman Luisi, second by Councilwoman Vuoncino, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on April 21, 2010, at 8:00 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.

NOTICE

Notice is hereby given that the above ordinance was introduced and passed first reading at the Regular Meeting of the Mayor and Council of the Borough of North Haledon on March 17, 2010, and will be considered for final passage after public hearing at the regular Meeting of the Mayor and Council to be held on April 21, 2010, at the Municipal Bldg., 103 Overlook Ave., North Haledon, NJ at 8:00 p.m., or shortly thereafter at which time anyone interested therein or affected thereby will be given an opportunity to be heard.

RESOLUTION #76-2010

Re: Temporary Capital Budget

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, 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 read the resolution by title:

ADOPTION OF 2010 TEMPORARY CAPITAL BUDGET

WHEREAS, the Borough of North Haledon desires to constitute the 2010 Capital Budget of said municipality by inserting therein the following projects.

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

Section 1. The 2010 Temporary Capital Budget of the Borough of North Haledon is hereby constituted by the adoption of the schedule to read as follows:

**Temporary Capital Budget
of the Borough of North Haledon
County of Passaic, New Jersey
Projects Scheduled for 2010
Method of Financing**

<u>Project</u>	<u>Estimated Costs</u>	<u>Grants</u>	<u>Other Funds</u>	<u>Capital Improvement in Mun. Budget</u>	<u>Capital Surplus</u>	<u>Bonds</u>
Various Capital Improvements	\$1,255,000	\$230,000		\$50,000		975,000

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community of Affairs, State of New Jersey, within three days after the adoption of this project for the 2010 Temporary Capital Budget, to be included in the 2010 Capital Budget as approved.

Councilman Iacobelli moved the adoption of the resolution.

Councilwoman Vuoncino seconded the adoption of the resolution.

Upon roll call all members present voted in the affirmative. Motion carried.

RESOLUTION #2010-4

Re: Consent Agenda

WHEREAS, the Mayor and Board of Council of the Borough of North Haledon has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Board of Council of the Borough of North Haledon is not desirous of removing any resolution for individual action from the agenda;

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.

- 77-2010 Board of Education / Local / Current
- 78-2010 Board of Education / Regional / Current
- 79-2010 Replenishment of Postage Meter Machine
- 80-2010 Borough of North Haledon Free Public Library
- 81-2010 2010 Additional Temporary Appropriations
- 82-2010 Appointment / Municipal Alliance / Timothy Lalley
- 83-2010 Authorization / Execution of Agreement / Lakeside Pump Station
- 84-2010 Window Envelopes / Tax Office
- 85-2010 Release of Performance Bond / Acceptance of Maintenance Bond/ Stag Run
- 86-2010 Authorization / Request for Proposals /Collection, Removal, Disposal of Recyclables / April through July, 2010
- 87-2010 Base Annual Salary and Insurance Benefits / Chief of Police
- 88-2010 Support / Legislation to Amend OPRA
- 89-2010 Support / Legislation to Reform Interest Arbitration
- 90-2010 Appointment Part-Time Police Dispatcher / Peter Maraldo
- 91-2010 Ratification of Payment / Oriental Trading Company

Mayor responded to questions asked regarding #83-2010 and #91-2010

Councilman Iacobelli moved the adoption of the resolution.

Councilwoman Vuoncino seconded the adoption of the resolution.

Upon roll call all members present voted in the affirmative. Motion carried.

CONSENT AGENDA RESOLUTONS

RESOLUTION #77-2010 Re: Board of Education/Local/Current

WHEREAS, the Board of Education has requested that the sum of \$622,458.33 other than Debt Service, be placed in the hands of the Treasurer of School Monies within the next thirty (30) days, to meet obligations of said Board,

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer is hereby authorized to disburse the sum of \$622,458.33 other than Debt Service, as needed by the school district in accordance with the provisions of R.S. 54:4-75 and related statutes, to be charged against Local District School Tax for the year 2009-2010.

RESOLUTION #78-2010 Re: Board of Education/Regional/Current

WHEREAS, the Board of Education of the Passaic County Manchester Regional High School District of Haledon, North Haledon and Prospect Park has requested the sum of \$238,796.07 other than Debt Service be placed in the hands of the Treasurer of School Monies for said district within the next thirty (30) days, in accordance with the statutes relating thereto,

NOW, THEREFORE BE IT RESOLVED, that the Treasurer be authorized to disburse the sum of \$238,796.07, other than Debt Service, as needed by the school district in accordance with the provisions of R.S. 54:4-75 and related statutes, to be charged against Manchester Regional District School Tax for the year 2009-2010.

RESOLUTION #79-2010 Re: Replenishment of Postage Meter

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Treasurer be and she is hereby authorized to issue a check payable to the United States Postal Service for the replenishment of the postage meter machine in the amount of \$400.00.

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

CERTIFICATION

I, Laura Leibowitz, CFO/Treasurer of the Borough of North Haledon do certify that funds are available for the aforementioned in Account #

RESOLUTION #80-2010 Re: North Haledon Free Public Library

WHEREAS, the Board of Library Trustees of the Borough of North Haledon Free Public Library request their second quarter payments for Library purposes

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

April	\$40,273.50
May	\$40,273.00
June	\$40,273.00

BE IT FURTHER RESOLVED that said payments be charged to the 2010 Budget Appropriation Account “Maintenance of the Free Public Library”

RESOLUTION #81-2010 Re: 2010 Additional Temporary Budget

WHEREAS, N.J.S.A. 49A: 4-19 provides that where contracts, commitments or payments are to be made prior to the final adoption of the 2008 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time herein provided; and

WHEREAS, said temporary appropriations are limited to 26.25 per cent of the total appropriations in the 2007 Budget, exclusive of any appropriations made for, Debt Service and Capital Improvement Fund in the said 2007 Budget, that limitation being \$2,234,739.66.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon, that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial for her records:

Mayor and Council SW	6,733.65
Municipal Clerk SW	37,865.63
OE	9,043.13
Elections SW	367.50
OE	1,312.50
Ethics SW	52.50
Ethics OE	6.56
Finance SW	32,274.11
OE	2,741.81
Registration of Bonds	840.00
Auditor OE	11,812.50
Assessment of Taxes	4,572.49
OE	401.62
Collection of Taxes	16,233.26
OE	2,884.73
Legal SW	1,181.25
Legal OE	15,750.00
Engineering	5,250.00
Land Use Admin.	321.04
Planning Board SW	1,312.50
OE	2,060.63
Prep. Of Master Plan	0.00
COAH	3,937.50
Bd of Adjust SW	877.01
OE	1,181.25
Municipal Court SW	26,227.16

Court OE	1,456.88
Public Defender SW	611.36
Insurance	0.00
Group	211,050.00
Workmen’s Comp	34,125.00
Surety Bonds	3,000.00
Recreation	2,800.00
Unemployment Insurance	0.00
Fire OE	20,606.25
Fire Alarm OE	78.75
Police SW	29,875.35
OE	19,474.88
Uniform Allowance	6,711.60
Police Car	13,292.94
Prosecutor	2,809.80
Const. Official SW	43,421.96
OE	1,379.44
Zoning SW	321.04
Zoning Enforcement	0.00
Electrical Sub-code	4967.29
Fire Sub Code	2593.24
Fire Prevention	971.25
Fire Life Hazard SW	1,749.30
OE	472.50
Emergency Management SW	758.10
OE	525.00
Streets & Roads SW	197,314.95
OE	60,957.75
Sanitation OE	63,000.00
Tipping Fees	91,875.00
Recycling SW	11,369.14
Recycling OE	23,782.50
Public Bldgs. & Grounds	16,785.30
Buehlers Cultural Center	131.25
Sewers SW	28,818.53
OE	13,833.75
Bd of Health	9,962.14
OE	1,415.14
Paterson Health Contract	1,687.35
Recreation	7,218.75
Senior Citizens	1,443.75
Senior Rent	1,312.50
Swimming Pool SW	6,422.06

OE	3,097.50
Special Events	9,397.50
Bond Reissue Fees	0.00
Volunteer Ambulance	2,625.00
Gasoline	16,012.50
Diesel	13,912.50
Electricity	40,425.00
Telephone	14,700.00
Hydrants	12,206.25
Street Lighting	25,707.68
Water	4,830.00
Water Testing	131.25
Social Security	45,990.00
Library	131,541.00
Feasibility MRHS	3,150.00
Prior Years Bills	0.00
PVSC	92,892.77
PERS	0.00
PFRS	0.00

1,542,140.33

Payment of Notes	405,935.00
Principal on Bonds	74,467.50
Interest on Bonds	45,000.00

2,067,542.83

RESOLUTION #82-1010 Re: Appointment – Tim Lalley/Muni. Alliance

WHEREAS, there exists an open seat on the North Haledon Municipal Alliance;

NOW, THEREFORE, BE IT RESOLVED, that Mayor Randy George hereby appoints Timothy Lalley to serve on the Board of the North Haledon Municipal Alliance as member of the public-at-large, term to expire December 31, 2010.

RESOLUTION #83-2010 Re: Execution of Agreement/Lakeside Pump Station

WHEREAS, the Community is a qualified community pursuant to the definitions established in N.J.S.A. 40:67-23.2; and

WHEREAS, N.J.S.A. 40:67-23.8 authorizes the Borough to provide services that will primarily serve public purposes, to residents of the Community ; and

WHEREAS, the Borough determines that the operation, maintenance and repair of the Community’s sewer pump station will primarily serve public purposes;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Council of the Borough of North Haledon that Mayor Randy George, be and he is hereby authorized to renew the Pump Station Agreement attached hereto for a period of ninety (90) days from the date of execution.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #84-2010 Re: Window Envelopes – Tax Office

BE IT RESOLVED, that the Treasurer be and she is hereby authorized and directed to issue a check in the amount of \$2,108.60 (TWO THOUSAND ONE HUNDRED EIGHT DOLLARS AND SIXTY CENTS) to U.S. Stamped Envelope Agency for post-paid envelopes, and same to be charged to Collection of Taxes, O.E.

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

CERTIFICATION

I, Laura Leibowitz, Treasurer of the Borough of North Haledon, do hereby certify that that funds are available for the aforementioned in Account: Collection of Taxes, O.E.

RESOLUTION #85-2010 Re: Release of Performance Bond/Stag Run

WHEREAS, request has been made by Joseph Sasso, JV Stone Assoc., LLC for release of Performance Bond #3138 – Valley National Bank for captioned project; and

WHEREAS, the Borough Engineer by copy of letter dated January 13, 2010, (attached hereto, has recommended the release of said Bond provided all outstanding issues as outlined in his letter attached are met.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Performance Bond as aforementioned be released upon receipt of cash Maintenance Bond in the sum of \$61,012.50

RESOLUTION #86-2010 Re: RFP/Collection and Disposal of Recyclables

WHEREAS, Scuffy Carting, LLC (“Scuffy”) provided recyclable collection, removal, and disposal services under a contract with the Borough of North Haledon; and

WHEREAS, the Borough of North Haledon received a letter informing the Borough of North Haledon that effective February 1, 2010, Scuffy Carting, LLC. had conveyed its assets to Future Sanitation, Inc.; and

WHEREAS, on February 17, 2010, the Borough of North Haledon was informed that Future Sanitation had concluded that it did not wish to purchase Scuffy’s contract with the Borough of North Haledon, had no objection to the Borough contracting with another provider; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of North Haledon does hereby find that there exists an emergency situation in the Borough of North Haledon affecting the public health, safety and welfare, due to the absence of a contract with a company to perform the collection and disposal of recyclables in the Borough of North Haledon; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of North Haledon hereby authorizes the Borough Clerk to advertise a request for proposals for the curbside pick-up, collection and disposal of recyclable material for the balance of the term covered by the Borough’s contract with Scuffy.

RESOLUTION #87-2010 Re: Benefits of Chief of Police

WHEREAS, the Borough of North Haledon (hereinafter referred to as the “Borough”) recently concluded negotiations and finalized its agreement with the PBA Local No. 292 (hereinafter referred to as the “Contract”); and

WHEREAS, the Contract covers the period of time commencing, and retroactive to, January 1, 2009 through December 31, 2013; and

WHEREAS, the Chief of Police is not part of the collective bargaining unit covered by the Contract, but rather, and pursuant to Article I of the Contract, is expressly excluded therefrom; and

WHEREAS, Article VI(A) of the Contract establishes the base annual salaries for all members of the collective bargaining unit and Article XV establishes the insurance benefits for all members of the collective bargaining unit during the term of the Contract; and

WHEREAS the Governing Body of the Borough of North Haledon recognizes that it has been the past practice of the Borough to grant the Chief of Police the same salary increase and insurance benefits as set forth in its Agreement with the PBA Local No. 292; and

WHEREAS the Governing Body of the Borough of North Haledon is desirous of memorializing the salary increase and insurance benefits for the Chief of Police,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Board of Council of the Borough of North Haledon that the provisions of Article VI(A) of the Contract relating to salary increases and Article XV of the Contract relating to insurance benefits shall equally apply to the Chief of Police for the period of, and retroactive to, January 1, 2009 through December 31, 2013. Any and all other terms and/or conditions of employment of the Chief of Police not specifically amended by this Resolution shall remain in full force and effect.

RESOLUTION #88-2010 Re: Amend Open Public Records Act

WHEREAS, Governor Donald T. DiFrancesco signed the Open Public Records Act (OPRA), N.J.S.A. 47A:1A-1 et seq., into law on January 8, 2002 to increase public access to state government records, stating that the bill is about access and what open government should be: Government of the people; and

WHEREAS, Governor DiFrancesco stated at the bill signing that the bill was not perfect, and acknowledged the hard work and negotiations between the legislators and the many interested parties, including the New Jersey League of Municipalities, that went into the compromise; and

WHEREAS, elected and appointed municipal officials recognize the importance and virtue of access to public records for all citizens, as it encourages openness and transparency in government and increases confidence in the operation of government; and

WHEREAS, along with transparency of government comes the responsibility to safeguard citizens' reasonable expectation of privacy; and

WHEREAS, the law granting access to public records also created a 13-member Privacy Study Commission whose mission was to study the privacy issues raised by the collection, processing, use, and dissemination of information by public agencies in light of the recognized need for openness in government, and to recommend specific measures, including legislation, the commission may deem appropriate to deal with these issues and to safeguard the privacy rights of individuals; and

WHEREAS, in the course of its study, the commission reviewed the current and proposed means used for the collection, processing, use and dissemination of information by state and local government agencies; and

WHEREAS, the Privacy Study Commission studied three (3) specific areas: the disclosure of home addresses and telephone numbers, commercial use of public information held by public agencies and the impact of technology on privacy concerns; and

WHEREAS, although Municipal Officials and Municipal Clerks have embraced OPRA and support the fundamental purpose of OPRA, compliance with OPRA is a problem for municipalities due to conflicting decisions, requestors testing both the Records Custodian and OPRA, and a loss of efficiency and out-of-pocket costs to municipalities; and

WHEREAS, Municipal Officials and Municipal Clerks believe that OPRA needs to be reformed to create standardization in providing records to the public while protecting citizens' reasonable expectation of privacy and to prevent individuals, attorneys and businesses from profiting from the provisions of OPRA where they have no legitimate interest in the records they are requesting.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of North Haledon, that the Governor and State Legislature are urged to review the provisions of OPRA and consult with Municipal Officials, Municipal Clerks, the Government Records Council, the New Jersey Press Association and the New Jersey League of Municipalities to reform OPRA to:

1. Adoption of the following recommendations of the Privacy Study Commission:

- a. Home telephone numbers, including cell phone numbers, should not be disclosed.
 - b. Individuals should be permitted to opt-out of disclosure of their home addresses.
 - c. E-mail addresses provided by individuals to government entities should be accorded the same protection as telephone numbers, and remain confidential.
 - d. Exemption from access from the commercial use of information should be contained in legislation, regulations or by Executive Order.
 - e. Consideration of the proposition that when the secondary or derivative use of a public record is a commercial/profit-making use, the commercial user should be expected to contribute to the cost of recovery of developing and maintaining such records.
2. Amending the current fee schedule to a uniform per page rate and clarifying the term “actual costs” for Special Service Charge to include the cost of labor.
 3. When agencies adopt regulations exempting certain records from disclosure, those agencies need to recognize the impact of technology on the ability to search records and make the regulations comprehensive enough to ensure that the adopted regulation cannot be circumvented by technology.
 4. The Governor should immediately fill the two vacant public seats on the Government Records Council in order to best protect the interest of all parties involved in the proper implementation of the OPRA statute.
 5. Clear authorization for the Records Custodian to bill for time spent organizing data, researching documents or translating documents to a different medium. An example is scanning documents to provide them electronic copies. Records Custodians should not be required to create a document that is not typically maintained by the municipality.
 6. A distinction should be made between those who seek a record for their own personal use and those who intend to make a secondary commercial use of the information, as recommended by the Privacy Study Commission.
 7. The municipality should be entitled to receive a seven (7) day extension for any large or complicated requests. Currently, the requestor must agree. This particularly affects small municipalities with a small or part-time staff.
 8. The requestor should be required to pick up their records within a week so that the Records Custodian does not have to keep them indefinitely. If the records are not picked up within one week, the request should be considered fulfilled.

9. Direct the Government Records Council or Office of Administrative Law as to when attorney's fees should be awarded to requestors under OPRA to limit the award of Attorney's fees to situations where there was a willful violation of OPRA that resulted in the requestor failing to receive a legitimately requested document.
10. Create regulations to prevent a requestor from repeatedly using OPRA to request the same documents as this creates an unnecessary and unreasonable burden on the taxpayers of the community who must underwrite the costs of these repeated responses.
11. Documents which are already available to the public on a municipality's website should be excluded from OPRA.
12. The Government Record Council should have mandatory mediation for all complaints. Currently, mediation takes place only where both parties agree.

BE IT FURTHER RESOLVED, copies of this resolution shall be forwarded to the Commissioner of the Department of Community Affairs, the Government Records Council, the members of the New Jersey State Legislature that represent the Borough of North Haledon, the Governor of the State of New Jersey, Passaic County Municipal Clerks and the Municipal Clerks' Association of New Jersey.

RESOLUTION #89-2010

Re: Legislation to Reform Interest Arbitration

WHEREAS, the interest arbitration process was intended to fairly and adequately give all due consideration to the interest and welfare of the taxpaying public and support local government aims by arriving at award decisions that are equitable to all involved parties, including municipalities and Police and Fire Department personnel; and

WHEREAS, the New Jersey Employer-Employee Relations Act, adopted in 1968, was amended in 1977 to provide for interest arbitration as the statutorily imposed terminal step in the collective bargaining process for police and fire personnel as defined by the Act; and

WHEREAS, the Police and Fire Interest Arbitration Reform Act (L.1995, c. 425) was signed into law by Governor Christine Todd Whitman and became effective on January 10, 1996; and

WHEREAS, in 2005, the League of Municipalities' Arbitration Reform Committee suggested a number of Legislative reforms to the Interest Arbitration Process among the changes proposed by the Reform Committee were that: (1) the Arbitrator may not award salary increases in excess of the expenditure cap (N.J.S.A. 40A:4-45 et seq.); (2) the Arbitrator's Award may provide for salary increases limited to the budget cap imposed by the State of New Jersey and/or any lawful adjustment adopted by the public employer; and (3) the Arbitrator's award may provide for salary increases limited to the percentage established by the State or the lawful adjustment adopted by the public employer, as may be appropriate, on a department line basis; and

WHEREAS, in 2007 the Police and Fire Interest Arbitration statute was amended to add a new ninth factor of the 4% Tax Levy Cap which resulted in 4 of the 9 statutory factors in Interest Arbitration addresses the employer's fiscal situation; and

WHEREAS, municipalities are bound by strict fiscal controls embodied in the expenditure limit and tax levy caps and it is the norm rather than the exception for state approved arbitrators to award raises for police salaries at rates that exceed the annual caps; and

WHEREAS, binding arbitration awards in excess of the caps forces municipalities to cut other critically needed municipal services, in order to fund salary increases, compounded by pension increases, to police and fire personnel, and cost for police and fire services continue to spiral at an unacceptable rate; and

WHEREAS, the state approved interest binding arbitration process is inconsistent with the State cap laws and is unfair to municipalities attempting to control property taxes through fiscal responsibility; and

WHEREAS, interest arbitration should be reform to provide that the cost of living and the employer's ability to pay should be given greater weight and the total costs of the arbitrator's award, including steps and cost of living (COLA) increases, should not exceed the cost of living; and

WHEREAS, arbitrators should be required to evaluate and analyze the total cost of the salaries and benefits, including step increases, and must provide a detailed line item analysis and explanation of the costs in the award; and

WHEREAS, arbitrators must also evaluate and analyze the overall compensation received by the bargaining unit, including vacations, longevity, holidays, excused leave, medical and pension benefits; and

WHEREAS, arbitrators should be required to live in New Jersey and the process of selecting the arbitrators and the length of time the Arbitration process takes needs to be reviewed;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of North Haledon, in the county of Passaic, State of New Jersey hereby urges the New Jersey State Legislature to pass legislation containing substantial reforms to the binding arbitration process; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Senator John A. Girgenti, Assemblywoman Nellie Pou, Assemblywoman Eleese Evans, the New Jersey State League of Municipalities, and the Office of the Governor.

RESOLUTION #90-2010 Re: Appointment/Part-time Dispatcher/P. Maraldo

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Peter Paul Maraldo be and he is hereby appointed as a Part-time Dispatcher for the North Haledon Police Department, retroactive to March 5, 2010, salary in accordance with the 2010 Salary and Wages Ordinance.

**RESOLUTION #91-2010 Re: Ratification/Oriental Trading/Halloween
Party Supplies**

BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that check #5026 in the amount of \$187.74 and dated March 12, 2010 drawn to the order of Oriental Trading Company for Halloween Party Supplies, be and the same is hereby ratified.

BE IT FURTHER RESOLVED, that funds were available for the aforementioned as evidenced by certification of Treasurer following.

CERTIFICATION

I, Laura Leibowitz, Treasurer of the Borough of North Haledon, do hereby certify that that funds are available for the aforementioned in Account: Special Events OE

CERTIFICATION OF AVAILABILITY OF FUNDS

The Mayor read the Certification of Availability of Funds into the record (attached to minutes).

RESOLUTION #92-2010 Re: Payment of Approved Claims

The Mayor presented the following resolution:

WHEREAS, claims from the following funds have been presented to the Mayor and Board of Council for payment:

2009 BILLS

CURRENT FUND -RESERVES.....\$ 35,522.51

2010 BILLS

CURRENT FUND-OTHER EXPENSES 133,050.17

2010 BILLS

PREPAID BILLS - CURRENT FUND - OTHER EXPENSE..... 78,500.62

FEDERAL/STATE GRANT FUND..... 7,900.00

TRUST FUND II..... 4,277.00

DOG LICENSE TRUST ACCOUNT..... 646.00

CAPITAL FUND..... 8,102.42

MUNICIPAL ALLIANCE..... 1,125.00

PREPAID MUNICIPAL ALLIANCE..... 187.74

NOW, THEREFORE, BE IT RESOLVED that the Treasurer is hereby authorized to pay these claims, as funds are available.

BE IT FURTHER RESOLVED that the total payrolls in the amount of \$318,768.05 paid in the month February be approved.

Councilman Iacobelli moved the adoption of the resolution
Councilwoman Vuoncino seconded the adoption of the resolution

Upon roll call all members present voted in the affirmative. Motion carried

DISCUSSION – FIRE REPORT - Councilwoman Vuoncino advised Governing Body of results of Fire Committee meeting called pursuant to Fire Chief Ricciardi's letter of February 28, 2010. Minutes of Fire Committee meeting and Fire Chief's letter are attached. Borough Attorney sent a cease and desist letter to individual.

Borough Attorney will prepare written recommendations regarding disciplinary hearing that took place March 10, 2010, to be discussed at next work session.

Discussion ensued - send a letter to Fire Chief recommending background checks as Standard Operating Procedure for probationary firefighters. In addition, probationary firefighters are not to be taken off probation until approved by Mayor and Council. Borough Attorney will send letter to Fire Chief.

RESOLUTION #93-2010 **Re: Closed Session**

The Mayor presented the following resolution:

WHEREAS, Section 6 of the Open Public Meetings Act, P.L. 1975, Chapter 231, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exists;

WHEREAS, the Mayor and Council wish to discuss:

CONTRACT NEGOTIATIONS

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then minutes can be made public;

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

Councilman Iacobelli moved the adoption of the resolution.
Councilwoman Vuoncino seconded the adoption of the resolution.

Upon roll call all members present voted in the affirmative. Motion carried

Closed Session was called at 8:41 p.m.

Meeting reconvened at 8:48 p.m.

ROLL CALL

PRESENT: Mayor Randy George, Council Members: Rocco Luisi, Raymond Melone, Bruce O. Iacobelli, Elaine Vuoncino, and Robert Dyer, Borough Attorney Michael De Marco, and Municipal Clerk Renate Elatab.

ABSENT: Councilwoman Donna Puglisi

Motion by Councilman Iacobelli, seconded by Councilman Luisi, to close the executive session.

Upon roll call all members present voted in the affirmative. Motion carried

ADJOURNMENT

Motion by Councilman Iacobelli, second by Councilman Luisi, to adjourn the meeting.

Upon roll call all members present voted in the affirmative. Motion carried

Mayor George called this meeting duly adjourned at 8:49 p.m.

Renate Elatab
Municipal Clerk

Angela Russo
Deputy Borough Clerk

APPROVED AT MEETING OF _____ April 21, 2010 _____