



BOROUGH OF NORTH HALEDON

AUGUST 18, 2010

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of August 18, 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.

ROLL CALL

PRESENT: Mayor Randy George, Council Members, Rocco Luisi, Raymond Melone, Bruce O. Iacobelli, Elaine Vuoncino, Donna Puglisi, and Robert Dyer, Borough Attorney Michael De Marco, Borough Engineer Joseph Pomante, Deputy Borough Clerk Angela Russo, Municipal Clerk Renate Elatab and Lt. Todd Darby

ABSENT: No one

DEVIATION / RULES AND PROCEDURES / BY-LAWS OF COUNCIL

Motion by Councilwoman Vuoncino, second by Councilwoman Puglisi, to deviate from the regular order of business in order to allow Mayor George the opportunity to present Patrick J. Roscio, "The Mayor for a Day," with a proclamation.

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

Mayor George explained how seven year old Patrick Roscio won the right to become "Mayor for a Day".

Mayor George presented the following Proclamation:

WHEREAS, Much to the delight of Richard and Jacqueline Roscio, Patrick Joseph Roscio was born on Sunday, March 16, 2003; and

WHEREAS, Patrick Joseph Roscio has a little four-year old brother, Richard; and

WHEREAS, Patrick Joseph Roscio has already earned the Bobcat and Tiger badges as a member of North Haledon Cub Scout Pack 70, and is currently a Wolf Cub; and

WHEREAS, Patrick Joseph Roscio will be going into second grade at Memorial School in North Haledon and especially likes gym, art, music, and math; and

WHEREAS, Patrick Joseph Roscio also likes playing baseball and soccer with the North Haledon Recreation Program; and

WHEREAS, Patrick Joseph Roscio loves trains and has expressed the wish that he could take a train to school in the morning, prompting Mayor Randy George to investigate the feasibility, and the procedure required, to have a train in the Borough of North Haledon; and

WHEREAS, Patrick Joseph Roscio has expressed his wish to be a Building Contractor and if the railroad and train station ever get constructed in the Borough of North Haledon the process will take so long that he may well be the project director;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Board of Council of the Borough of North Haledon welcome Patrick Joseph Roscio as Mayor of the Day 2010, encourage him to continue his involvement in the community, and hope to welcome him back for Youth Week when he attends High Mountain School.

Young Patrick received a standing ovation.

APPROVAL OF PRIOR MINUTES

Motion by Councilwoman Puglisi, second by Councilwoman Vuoncino, to approve the minutes of the work session of July 7, 2010, the special meeting of July 8, 2010, and the regular council meeting of July 21, 2010.

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

PUBLIC COMMENTS

Motion by Councilwoman Puglisi, seconded by Councilwoman Vuoncino to open the floor to the public

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

Mayor asked if anyone from the public wished to be heard on any matter other than Fire Department business.

1. Dennis Epperly, Spring Brook Avenue – asked why Borough switched banking institutions – Mayor explained for better interest rates – Mr. Epperly brought up fire department business after he was asked not to do so at this time - then became belligerent and accusatory at which time the Mayor asked that he be escorted out by Police.

Motion by Councilwoman Puglisi, seconded by Councilwoman Vuoncino to close the floor to the public

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
Clerk's Receipts
Fire Department Report
Haledon Ambulance Report
Municipal Court Report

Treasurer's Report
Tax Collector's Report
Recycling Enforcement Officer
Property Maintenance Report
Police Department Report

Motion by Councilman Iacobelli, seconded by Councilman Melone, to dispense with all committee reports.

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

COMMITTEE REPORTS

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 Councilman Luisi, that above reports be received, and action taken where necessary.

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:

Borough Attorney

Re: Ordinance #22-2010
Swimming Pool Ordinance / Fences
Noise Ordinance

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 2, ARTICLE VIII, VOLUNTEER FIRE DEPARTMENT
DISSOLUTION OF FIRE CO. #1**

Mayor George explained at length circumstances leading up to the adoption of this ordinance stating that this decision did not come lightly, it took three years for this decision to be made. There is only **one** active Class A member left in Co. #1.

Motion by Councilman Iacobelli, seconded by Councilwoman Vuoncino to open the floor to the public. Upon roll call all members present voted in the affirmative. Motion carried.

PUBLIC HEARING

Mayor George asked if anyone from the public wished to be heard regarding this ordinance.

The following residents came forward one at a time, to either object or agree with the provisions of this ordinance. Main concern is public safety.

Diane Vaccaro, John Bleeker, Mary Grace Cinquino, Cathy Kincaid, Bruce S. Flystra (was rude to Mayor George and was escorted out of the building), Mike Josephs, Steven Bolster, Wilma Decker, Ken Brower, Paul Valenti, AJ Ricciardi, Antonio Valenti, Chris Scudieri, Jack Decker, Russ Graham

Mayor assured residents that he is recommending not closing the firehouse on Belmont Ave. but dissolving Fire Co. #1 due to low membership and the firehouse will remain open for one year for an evaluation by the Fire Chief. Mayor invited anyone who wishes to become a volunteer firefighter in the Borough to please attend meetings and drills at the Firehouse on High Mountain Road.

When requested Fire Chief A. J. Ricciardi read the status of eight members of Fire Co. #1 Mayor asked members of Co. #2 to consider changing its name to North Haledon Fire Department, so any former members of Co. #1 wouldn't feel uncomfortable joining at Co. #2. For the record Mayor is not trying to have Jack Decker removed as an instructor at the Passaic County Fire Academy, but supports him in his work at the County Fire Academy.

Motion by Councilman Iacobelli, seconded by Councilman Dyer, to close the floor to the public. Upon roll call all members present voted in the affirmative. Motion carried.

Motion by Councilman Iacobelli, seconded by Councilwoman Vuoncino, that Ordinance #23-2010 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #23-2010 was adopted on second reading and is hereby declared a passed ordinance in accordance with law.

Discussion – Each Council member spoke in support of this ordinance.

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

NOTICE

Notice is hereby given that the above ordinance passed its second and final reading at the Regular Meeting of the Mayor and Board of Council of the Borough of North Haledon which was held on August 18, 2010, at the Municipal Building, 103 Overlook Avenue, North Haledon, N.J., and is hereby declared a passed ordinance in accordance with law.

NEW BUSINESS / ORDINANCES / RESOLUTIONS

ORDINANCE #24-2010

**Re: Repeal Ordinance #20-2006 /
Squaw Brook Road Traffic Pattern**

Motion Councilman Iacobelli, second by Councilman Dyer, 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 REPEAL ORDINANCE #20-2006**

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

Section 1. The Code of the Borough of North Haledon shall be and is hereby revised, amended, and modified as follows:

(1) Ordinance #20-2006 is hereby repealed.

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.

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

Motion by Councilman Iacobelli, Second by Councilman Dyer, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on September 1, 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.

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 August 18, 2010, and will be considered for final passage after public hearing at a Special Meeting of the Mayor and Council to be held on September 1, 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 #9-2010

Re: CONSENT AGENDA

The Mayor presented the following resolution:

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.

- 195-2010 Board of Education / Local / Current
- 196-2010 Board of Education/Regional Current
- 197-2010 Replenishment of Postage Meter Machine
- 198-2010 Ratification of Check/July Payment/Bd. Of Ed. Regional – Current Expense
- 199-2010 Ratification of Check/Window Envelopes – Tax Office
- 200-2010 Ratification of Check/VIP Special Services, LLC
- 201-2010 Authorization/Execution of Agreement/
Army Corps of Engineers/Molly Ann’s Brook Watershed
- 202-2010 Authorization/Execution of Interlocal Agreement/Township of Fairfield
- 203-2010 Certification of Annual Audit – 2009
- 204-2010 Acceptance of Corrective Action Plan – 2009 Audit Year
- 205-2010 Rescinding of Resolution #176-2010
- 206-2010 Acceptance of Proposal/Boswell Engineering – Graham Avenue, Section I
- 207-2010 Award of Bid/2011 Ford 350 Regular Cab for DPW
- 208-2010 Authorization/Execution of Agreement/Right of Way Permit/Cell
Site/Willowbrook Court
- 209-2010 Tax Overpayment/Fideliants of America
- 210-2010 Postage – US Postal Service
- 211-2010 Authorization of Payment of Lien Claims to Trinity Electric, Drucks, and RD
Mechanical

Councilman Iacobelli moved the adoption of the resolution.

Councilwoman Puglisi seconded the adoption of the resolution

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

RESOLUTION #195-2010 Re: Bd. Of Education/Local/Current

WHEREAS, the Board of Education has requested that the sum of \$554,877.14 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 \$554,877.14 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 2010-2011.

RESOLUTION #196-2010 Re: Bd. Of Education/Regional/Current

WHEREAS, the Board of Education of the Passaic County Manchester Regional High School of Haledon, North Haledon and Prospect Park has requested the sum of \$243,936.02 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 \$243, 936.02, 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 2010-2011.

RESOLUTION #197-2010 Re: Replenishment of Postage Meter Machine

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 \$600.00; and

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 funds are available for the aforementioned in Municipal Clerk's Postage OE

RESOLUTION #198-2010 Re: Ratification of Check/July Payment/ MRHS

BE IT RESOLVED, by the Borough Council that the issuance of check #1527 by the Treasurer in the amount of \$243,936.02 (Two hundred forty three thousand nine hundred thirty six dollars and two cents) to Manchester Regional High School Board of Education representing the July payment be and the same is hereby ratified and approved.

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 funds are available for the aforementioned in District School payable.

RESOLUTION #199-2010 Re: Ratification/Window Envelopes/Tax Office

BE IT RESOLVED, by the Borough Council that the issuance of check #1522 by the Treasurer in the amount of \$1,846.60 (One thousand eight hundred forty six dollars and sixty cents) payable to Stamp Fulfillment Services for post-paid window envelopes/tax office be and the same is hereby ratified and approved.

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 funds are available for the aforementioned in account 01-20-145-145-201

RESOLUTION #200-2010 Re: Ratification Check/VIP Special Services

BE IT RESOLVED, by the Borough Council that check #1531 issued by the Treasurer in the amount of \$7,831.25 (Seven thousand eight hundred thirty one dollars and twenty-five cents) payable to VIP Special Services, LLC, for repair to the Squaw Brook Road guardrail damaged in storm, is hereby ratified and approved.

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 funds are available for the aforementioned in Reserve for FEMA

RESOLUTION #201-2010 Re: Agreement/US Army Corps of Engineers/Molly Ann's Brook Watershed

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the Borough of North Haledon enter into an agreement with The US Army Corps of Engineers for services in accordance with agreement attached hereto and made a part of the within resolution;

BE IT FURTHER RESOLVED, that the Mayor and Borough Engineer are hereby authorized and directed to execute said agreement.

RESOLUTION #202-2010 Re: Interlocal Agreement/Township of Fairfield

WHEREAS, the Township of Fairfield has a need for a Certified Technical Assistant in its Building department for the purpose of processing various permit applications; and

WHEREAS, the Borough of North Haledon is able and willing to provide such a Certified Technical Assistant to the Township of Fairfield; and

WHEREAS, N.J.S.A. 40:48-5 authorizes a Municipality to contract with any public or private entity for provision of any service which the municipality itself could provide directly; and

WHEREAS, N.J.S.A. 40:8A-1 *et seq.*, the Interlocal Services Act, provides a mechanism for making such contracts between local units of the State of New Jersey; and

WHEREAS, the Borough of North Haledon already has in place certified technical assistance in its building department sufficient to process various permit applications,

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 and directed to execute the attached Interlocal Service Agreement for the Provision of a Certified Technical Assistant.

RESOLUTION #203-2010

Re: Certification of Audit – 2009

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

WHEREAS, the Annual Report of Audit for the year 2009 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

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

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

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

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

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of

New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

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

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

RESOLUTION #204-2010

Re: Accept. Corrective Action Plan 2009

WHEREAS, in accordance with Local Finance Notice #92-15, a corrective action plan must be prepared as part of the annual audit; and

WHEREAS, the Chief Financial Officer of the Borough of North Haledon, has prepared said plan which is attached hereto and made a part of the within resolution; and

WHEREAS, said report requires approval by the Governing Body.

NOW THEREFORE, BE IT RESOLVED, that the corrective action plan as attached hereto be and the same is hereby accepted and approved by the Governing Body of the Borough of North Haledon, County of Passaic, State of New Jersey; and

BE IT FURTHER RESOLVED, that the Clerk be and she is hereby directed to send a certified copy of this resolution upon adoption to the Division with attachment and shall keep on file in the Clerk's Office, a copy of said plan, which shall be available to the public.

RESOLUTION #205-2010

Re: Rescinding Resolution #176-2010/Squaw Brook Road Curbs and Sidewalks

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that Resolution #176-2010 pertaining to captioned matter be and the same is hereby rescinded as said proposal was approved on August 6th, 2009/Resolution #189-2009.

RESOLUTION #206-2010

**Re: Accept. Proposal/Boswell Engineering
Graham Avenue Rehabilitation**

WHEREAS, the Borough of North Haledon is in need of engineering services, in particular for the preparation of construction plans and specifications for the above referenced local aid project; and

WHEREAS, Boswell Engineering, by letter dated December 8, 2009, submitted a proposal regarding same as evidenced by attachment herein and made a part of the within resolution;

WHEREAS, following is certification of Treasurer noting availability of funds;

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

1. The proposal of Boswell McClave Engineering, dated December 8, 2009, for engineering services in connection with the above is hereby accepted and approved. The compensation for said services shall not exceed \$59,600.00.

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 funds are available for the aforementioned in account C-04-55-011-001-906

RESOLUTION #207-2010

Re: Award of Contract/2011 Ford F350

WHEREAS, the Borough of North Haledon advertised for the receipt of bids for one (1) 2011 Ford F350 Pick-up or approved equal pursuant to the Local Public Contracts Law for the Department of Public Works; and

WHEREAS, the contract will be awarded through a fair and open process pursuant to N.J.S.A. 19:44-20.4 et. Seq., and

WHEREAS, on August 11, 2010 at 10:00 a.m., three bids were received as follows:

| | |
|--|--------------|
| Fords National Automart Inc./Motors Fleet 900 Highway 35, Ocean, NJ 07712 | \$23, 946.00 |
| Maplecrest Ford, Inc. 102 E. Main Street, PO Box 178, Mendham, NJ 07945 | \$24,655.00 |
| Winner Ford 250 Haddonfield Berlin Rd., Cherry Hill, NJ | \$24, 769.00 |

WHEREAS, the Borough Attorney has advised the Municipal Clerk that the low bidder, Fords National Automart, Inc./Motors Fleet’s bid is legally sufficient and they may be awarded the contract, and the Superintendent/DPW has agreed;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of North Haledon that the Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with Fords National Automart Inc/Motors Fleet for the purchase of one (1) 2011 Ford F350 Pick-Up 4 x 4; and

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 funds are available for the aforementioned in c-04-55-011-001-902

RESOLUTION #208-2010 Re: Author./Right of Way Permit/Cell Site

WHEREAS, the Borough of North Haledon (hereinafter referred to as the “Borough”) has entered into a Lease Agreement dated November 9, 2000 with Omnipoint Communications, Inc. (hereinafter referred to as “Omnipoint”) for the real property that is described on the tax map of the Borough of North Haledon as Block 18, Lot 2.02 (hereinafter referred to as the “Master Lease Agreement”); and

WHEREAS, pursuant to Paragraph 5 of the Master Lease Agreement, the communications tower located on the aforementioned real property may be leased by Omnipoint to other parties, subject to the written consent of the Borough; and

WHEREAS, AT&T Mobility is desirous of adding T-1s (telephone lines) and, in connection therewith, is required to install a MESA cabinet owned by Verizon; and

WHEREAS, the Borough has been requested to execute the attached Right of Way Permit - Cell Site; and

WHEREAS the attached Right of Way Permit - Cell Site has been reviewed by the Borough Engineer and Borough Attorney, who find the same acceptable subject to the Borough being named as an additional insured on the contractor’s insurance certificate; that all required utilities mark out the affected area prior to construction and the Borough being provided with the confirmation number; and that the Borough’s Department of Public Works and Sewer Department being provided with at least forty-eight (48) hours notice prior to the commencement of construction activities;

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 and directed to execute the attached Right of Way Permit - Cell Site upon satisfaction of the following conditions:

WHEREAS, the amount of the lien of Trinity Electric is \$15,000.00, RD Mechanical \$11,000.00, and Drucks, Inc. \$2,844.00; and

WHEREAS, the Borough Attorney has recommended the satisfaction of the aforementioned liens from the amounts that may otherwise be due to Poppe;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of North Haledon that it hereby approves the satisfaction of the liens of Trinity Electric, RD Mechanical, and Drucks, Inc., and that the Borough’s Chief Financial Officer be and she is hereby authorized and directed to make payment to Trinity Electric in the amount of \$15,000.; RD Mechanical in the amount of \$11,000. and Drucks Inc., in the amount of \$2,844. from the amounts on hand and dedicated for the new Department of Public Works Garage project.

CERTIFICATION OF AVAILABILITY OF FUNDS

The Clerk read the Certification of Availability of Funds.
(Attached to minutes)

RESOLUTION #212-2010 Re: Payment of Approved Claims

The Clerk presented the following resolution:

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

2010 BILLS

CURRENT FUND-OTHER EXPENSES\$ 167,696.33

2010 BILLS

PREPAID BILLS - CURRENT FUND - OTHER EXPENSE..... 2,027.701.10

TRUST FUND II..... 13, 598.40

SUMMER CAMP TRUST..... 1,182.11

DOG LICENSE TRUST ACCOUNT..... 621.46

CAPITAL FUND..... 33,025.21

MUNICIPAL ALLIANCE..... 103.46

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 \$329,096.07 paid in the month July be approved.

Councilman Iacobelli moved the adoption of the Resolution.
Councilwoman Puglisi seconded the adoption of the Resolution.
Upon roll call all members present voted in the affirmative. Motion carried.

DISCUSSION

Special Meeting: September 1, 2010 / Second Reading / Ordinance #24-2010

North Haledon Avenue – Special Meeting scheduled for Wednesday, August 25th at 9:00 a.m.
Meet at Covenant Christian Reformed Church, North Haledon Avenue to walk the site.

ADJOURNMENT

Motion by Councilman Iacobelli, second by Councilman Melone, to adjourn the meeting.
Upon roll call all members present voted in the affirmative. Motion carried

Mayor George declared the meeting duly adjourned at 11:29 p.m.

Renate Elatab
Municipal Clerk

Angela Russo
Deputy Municipal Clerk

APPROVED AT MEETING OF _____ September 15, 2010 _____