



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

WEDNESDAY, MARCH 20, 2013

Mayor George read the following statement:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of March 20, 2013, was included in a list of meetings notices sent to the HERALD NEWS and the HAWTHORNE PRESS on January 7, 2013, and was advertised in said newspapers on January 10, 2013. These notices were posted on the bulletin board on the same date and have remained continuously posted as the required notices under the Statute. In addition, copies of these notices are and have been available to the public, and are on file in the office of the Municipal Clerk.

Proper notice having been given, this meeting is called to order at 8:00 p.m. and the Clerk is directed to include this statement in the minutes of this meeting.

ROLL CALL

Present:

Mayor Randy George.

Council Members: Rocco Luisi, Bruce O. Iacobelli, Elaine Vuoncino, Robert Dyer, and Donna Puglisi

Also Present:

Borough Attorney, Michael De Marco

Borough Engineer, Joseph Pomante

Fire Chief, A. J. Ricciardi

Police Captain Todd Darby

Tax Collector, Maureen Kurzynski

Library Director, Susan Serico

Administrative Assistant, Dena Ploch

Municipal Clerk, Renate Elatab

Absent:

Councilman Raymond Melone

Pastor Trevor Payton lead the Prayer and Mayor George asked that everyone think of former Freeholder Walter Porter, former Councilman Bennett Weil, and both of the families whose children were involved in the motor vehicle accident on High Mountain Road on March 17th. Mayor George also requested that everyone remain standing for the Pledge of Allegiance.

DEVIATION / RULES AND PROCEDURES / BY-LAWS OF COUNCIL

Motion by Councilman Iacobelli, second by Councilwoman Puglisi, to deviate from the regular order of business for the appointment of the Borough Administrator. Upon roll call, all members present voted in the affirmative. Motion carried.

RESOLUTION #85-2013

**Re: Appointment /
Borough Administrator**

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 presented the following resolution:

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Renate Elatab be employed as Borough Administrator retro-active to January 1, 2013 salary in accordance with the Salary and Wages Ordinance for 2013.

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, to approve the foregoing resolution. Upon roll call, all members present voted in the affirmative. Motion carried.

Mayor George administers the oath of office to Renate Elatab.

PUBLIC COMMENTS

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

John Bleeker, 23 Lee Drive, discussed the appointment of the Borough Administrator and the salary of the Administrative Assistant; Councilman Iacobelli, the Finance Chair, explained the \$15,000 savings in her salary. Mr. Bleeker began to discuss health insurance, but was told that since there was on-going litigation, that matter could not be discussed. Mr. Bleeker asked why the March 19th meeting of the Municipal Investigation Committee had been cancelled; the Chair of that Committee, Councilman Iacobelli, advised that the official transcripts had not been received, and therefore there was no need to meet.

Motion by Councilwoman Puglisi, second by Councilwoman Vuoncino, 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 Councilwoman Puglisi, second by Councilwoman Vuoncino, to approve the minutes of the Work Session and Executive Meeting of February 6, 2013; the minutes of the Closed Session Meeting of January 16, 2013, the minutes of the Municipal Investigation Committee and Closed Session meetings of January 23, 2013; the minutes of the Municipal Investigation Committee and Closed Session meetings of January 28, 2013; the Closed Session Meeting of February 6, 2013; the Regular Council Meeting of February 20, 2013; the Work Session

Meeting of March 6, 2013, and the Closed Session Meetings of March 6, 2013. Upon roll call, all members present voted in the affirmative, with the exception of Councilman Dyer, who abstained from voting on the minutes of the Municipal Investigation Committee. Motion carried.

OFFICIAL REPORTS

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

Building Official's Report
Clerk's Receipts
Fire Department Report
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 - **DYER**

POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292 - **PUGLISI**

RECREATION – Councilwoman Puglisi advised that the North Haledon 5th and 6th Grade Travel Basketball Team won the North West Bergen Passaic Girls Basketball League Championship. The members of the team will be recognized at the April 17th Council meeting.

ZONING BOARD OF ADJUSTMENT - **PUGLISI**

NORTH HALEDON VOLUNTEER AMBULANCE - **DYER**

FINANCE - **IACOBELLI**

PLANNING BOARD - **LUISI**

BOARD OF EDUCATION / LOCAL - **LUISI**

BOARD OF EDUCATION / REGIONAL - **VUONCINO**

BOARD OF HEALTH - **IACOBELLI**

FIRE & WATER - **VUONCINO**

ENGINEERING - **DYER**

CODIFICATION ADHOC COMMITTEE REPORT - **PUGLISI**

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 2.0% 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 2013 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 1.5% increase in the budget for said year, amounting to \$127,053.39 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 herein above 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 2013 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 \$296,457.91, and that the CY 2013 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.

Motion by Councilwoman Vuoncino, second by Councilwoman Puglisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on April 17, 2013, 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 20, 2013, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on April 17, 2013, 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 #4-2013

Re: Salary Ordinance

Motion Councilman Iacobelli, second by Councilwoman Puglisi, that the Clerk read the ordinance by title and waive the reading of the ordinance in full. Upon roll call, all members present voted in the affirmative. Motion carried.

The Clerk presented the following ordinance:

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT
ORDINANCE #1-2013 FIXING THE SALARIES AND COMPENSATIONS
OF THE OFFICERS AND EMPLOYEES
OF THE BOROUGH OF NORTH HALEDON, COUNTY OF PASSAIC,
IN THE YEAR 2013**

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 2013

MAYOR	5,000.00
COUNCIL MEMBERS	3,442.00
CHIEF OF POLICE	146,461.62
ADMINISTRATOR	20,000.00
MUNICIPAL CLERK	60,818.89
ASSESSMENT SEARCH OFFICER	829.00
MUNICIPAL HOUSING ADMINISTRATOR	12,240.00
ELECTION OFFICIAL	1,457.00
DEPUTY BOROUGH CLERK	49,304.78
ADMIN. ASST./CLERK'S OFFICE 1	34,884.00
ADMIN. ASST./CLERK'S OFFICE 2	34,000.00
TAX COLLECTOR	56,213.25
TAX SEARCH OFFICER	885.38
TAX ASSESSOR	18,485.00
MUNICIPAL TREASURER	59,674.91

CHIEF FINANCIAL OFFICER	12,891.55
ASSISTANT TREASURER	43,565.99
SUPERINTENDENT OF PUBLIC WORKS	90,106.11
CLERICAL ASST/POLICE DEPT.	35,165.25
OPERATOR/PUMP STATION	73,484.41
ASST. OPERATOR/PUMP STATION	37,142.28
PLANNING BOARD CLERK	5,202.00
PLANNING BOARD CLERK-PER SPECIAL MEETING	30.00
PLANNING BD. ATTORNEY-RETAINER	3,500.00
ZONING BOARD OF ADJUSTMENT/ SECRETARY	3,475.98
ZONING BD. SPECIAL MEETING	30.00
ZONING BD. ATTORNEY-RETAINER	2,600.00
MUNICIPAL JUDGE	14,706.00
MUNICIPAL COURT ADMINISTRATOR	52,701.00
DEPUTY COURT/VIOLATIONS CLERK	35,165.00
PROSECUTOR	11,136.00
PUBLIC DEFENDER/PER APPEARANCE	150.00
CONSTRUCTION CODE OFFICIAL	48,466.00
PLUMBING & ELECTRICAL SUB-CODE OFFICIAL	19,687.00
FIRE SUB-CODE OFFICIAL	10,279.00
ZONING REVIEW OFFICER	1,272.00
CODE ENF.-PROP MNT.-ZONING ENFORCEMENT	64,910.91
LAND USE ACT ADMINISTRATOR	1,272.00
TECHNICAL ASST. CONSTRUCTION OFFICE	28,462.08
REGISTRAR OF VITAL STATISTICS	1,672.00
DEPUTY REGISTRAR OF VITAL STATISTICS	717.00
FIRE OFFICIAL	6,933.00
OEM COORDINATOR	2,147.00
ASST. OEM COORDINATOR	857.00
REGISTERED ENVIRONMENTAL HEALTH SPEC.	14,537.00
PUBLIC HEALTH NURSE	12,921.00
SECRETARY/BOARD OF HEALTH	6,364.00
RECYCLING COORDINATOR	4,212.00
SECRETARY ETHICS BOARD	208.00
SECRETARY ETHICS BD/PER SPECIAL MEETING	30.00
ROAD KILL SPECIALIST	3,272.00

HOURLY

RECYCLING ATTENDANT/ENFORCEMENT OFFICER	12.00 – 30.00
DEPUTY TAX COLLECTOR	13.00 – 16.00
DPW PART-TIME LABORER	12.00 – 18.60
SPECIAL POLICE OFFICER	14.00

FIRE INSPECTOR	14.00
CLERICAL ASSISTANT	15.00 – 18.00
PART-TIME DISPATCHER	12.42 – 14.00
CROSSING GUARD	14.00

Motion by Councilwoman Puglisi, second by Councilman Luisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on April 17, 2013, 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 20, 2013, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on April 17, 2013, 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 #5-2013

Re: Salary Ordinance

Motion 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 presented the following ordinance:

**AN ORDINANCE ESTABLISHING MERIT INCREASES
FOR OFFICERS AND EMPLOYEES OF THE BOROUGH OF NORTH HALEDON
IN THE YEAR 2013**

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

SECTION 1.

The following officers and employees of the Borough of North Haledon, County of Passaic, and State of New Jersey shall be paid the following merit increases to their base salaries for the year 2013

CHIEF OF POLICE	10,000.00
MUNICIPAL CLERK	5,000.00
ADMIN. ASST./CLERK'S OFFICE 1	10,000.00
TAX COLLECTOR	5,000.00
MUNICIPAL TREASURER	5,000.00

ASSISTANT TREASURER	5,000.00
POLICE RECORDS CLERK	5,000.00
PROSECUTOR	5,000.00

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 17, 2013, 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 20, 2013, and will be considered for final passage after public hearing at the Regular Meeting of the Mayor and Council to be held on April 17, 2013, 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 CA#4-2013

Re: Consent Agenda #4-2013

Motion by Councilwoman Vuoncino, second by Councilwoman 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:

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon that the following resolutions on the consent agenda are hereby approved and adopted.

1. 2013 Municipal Budget
2. Acceptance of Retirement / Scanlan / Authorization of Lump Sum Payment
3. Authorization / Auction of Surplus Property
4. Supporting Sustainable State Funding For Preservation And Stewardship Of Open Space, Parks, Farmland, And Historic Sites In New Jersey
5. Opposition / S -2364 / Early Voting
6. Appointment / PT Recycling Attendant / Paul Ploch
7. Tax Reimbursement Certification
8. Tax Title Lien Redemption
9. Payments / Payroll

10. Temporary Budget
11. March Transfers
12. Voided Check #7641 / MCAA / \$30.00
13. North Haledon Library / Monthly Remittances
14. Bond Release / ELM Group
15. Authorizing Increase In Deferred School Taxes For Local School Taxes

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, to adopt the foregoing resolution. Upon roll call, all members present voted in the affirmative. Motion carried.

Resolution #86-2013

**Re: Introduction /
2013 Municipal Budget**

Resolution attached hereto and made part of the within minutes.

Resolution #87-2013

Re: Scanlan/ Retirement

WHEREAS, Patrol Officer John Scanlan has submitted his letter of retirement dated March 4, 2013 with an effective date of May 1, 2013; and

WHEREAS, John Scanlan has accumulated 203.75 hours for which he is entitled to be paid \$12,165.91;

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of North Haledon that:

- 1) John Scanlan's letter of retirement dated March 4, 2013 with an effective date of May 1, 2013 is hereby accepted with deepest regret, thanks and appreciation for his many years of service to the Borough of North Haledon and its citizens.
- 2) \$12,165.91 is hereby authorized to be paid to John Scanlan in one lump sum as compensation for 203.75 hours for which he is entitled to be paid, to be paid within 30 days of the effective date of retirement which said payment is made with the express understanding that upon payment, there shall be no entitlement to further compensation or benefits by the Borough of North Haledon and the letter of retirement shall be deemed irrevocable. The payment of the above sum is subject to the treasurer certifying as to the availability of funds.

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 Police S & W 2013.

Resolution #88-2013

Re: Authorization / Auction

WHEREAS, the Borough of North Haledon is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough of North Haledon is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the members of the Governing Body of the Borough of North Haledon, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract.
- (2) The sale will be conducted online and the address of the auction site is GovDeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:
 - 1989 International Dump Truck, S1800 4X4, VIN# 1HTLFTVROKH669378; no odometer reading
 - 2008 Ford Police Interceptor, VIN# 2FAHP71V88X138826; odometer broken, exceeding 102,000 miles
- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough of North Haledon reserves the right to accept or reject any bid submitted.

Resolution #89-2013

**Re: Support of State Funding for
Preservation and Stewardship of
Open Space, Parks, Historic Sites**

WHEREAS, New Jersey has a long and successful history of preserving open space, parks, farmland, and historic sites; and

WHEREAS, the Green Acres Program has helped to preserve over 650,000 acres of land and supported more than 1,100 park development projects over the past 50 years; the State Agricultural Development Committee has preserved 200,000 acres of farmland over the past 30 years; and the Historic Trust has preserved 477 historic sites over the past 45 years; and

WHEREAS, all remaining funds for these programs under the Green Acres, Water Supply and Floodplain Protection, Farmland and Historic Preservation Bond Act of 2009 will be fully allocated by the end of 2012; and

WHEREAS, Borough of North Haledon has been a direct beneficiary of, and partner to, these critical state preservation programs; and

WHEREAS, substantial unmet needs remain for additional land and water protection, park development, and farmland and historic preservation, for the health and welfare of our communities and residents; and

WHEREAS, it is imperative that a long-term, dedicated source of funding be established in order to:

- sustain open space, farmland, and historic preservation programs beyond the 2009 Bond Act
- improve and ensure proper stewardship of parks, preserved lands, and historic sites
- provide equitable access to quality parks and recreation in urban, suburban, and rural areas
- match and leverage local, county, and private funds for these purposes
- protect drinking water supplies, water quality, and alleviate costly flood damages
- preserve fish and wildlife habitat and provide public access for hunting and fishing
- revitalize cities and towns
- protect our quality of life and economic prosperity.

NOW, THEREFORE, BE IT RESOLVED on this 20th day of March, 2013, by the Borough of North Haledon in Passaic County, State of New Jersey, that:

1. Borough of North Haledon supports establishment of a long-term, dedicated source of state funding for these purposes.
2. A certified copy of this resolution be served upon Governor Chris Christie, Senator Nellie Pou, Assemblyman Benjie E. Wimberly, and Assemblywoman Shavonda E. Sumter, the Freeholders of the County of Passaic, NJ Keep It Green, and the New Jersey State League of Municipalities.

Resolution # 90-2013

Re: Opposition / Early Voting

WHEREAS, Senate Bill S-2364 and Assembly Bill A3553 propose to create a system of early voting in the State of New Jersey; and

WHEREAS, the goal of accommodating voters in pursuit of greater participation in the democratic process is a worthy goal; and

WHEREAS, these bills would in reality increase workloads, add more costs to the election process, and ultimately serve to confuse voters more than it would accommodate their needs; and

WHEREAS, these bills would require for each primary and general election a public facility, except a public school, located in each municipality in an area of a high concentration of population to be open and available to registered voters starting 15 days before an election for early polling, possibly conflicting with if not pushing out other important uses for these buildings, causing inconvenience to residents; and

WHEREAS, these bills require retraining of poll workers and dramatically increased hours, as well as chain of custody requirements to protect the voting process, despite the fact that recruiting and training polls workers is already a difficult process; and

WHEREAS, these bills would increase costs to municipalities, including overtime pay for workers; and

WHEREAS, although these bills allow municipalities to request reimbursement for extra costs and provide an appropriation, the appropriation does not outline a specific amount nor dedicated funding, only that which the State Treasurer and the Director of the Division of Budget and Accounting deem necessary, and they do not outline the procedure for a municipality whose reimbursement request is denied; and

WHEREAS, the opportunity for "Early Voting" already exists in the State of New Jersey through the Vote by Mail ballot process.

NOW, THEREFORE, BE IT RESOLVED that governing body of the Borough of North Haledon in the County of Passaic does hereby oppose S2364 and A3553; and

BE IT FURTHER RESOLVED, the governing body of the Borough of North Haledon does hereby call upon its representatives in the State Legislature to oppose the adoption of this bill; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to the Office of the Governor, Senate President Sweeney, Senators Gill and Whelan, sponsors of S2364, Speaker Oliver, Assemblymen Wisniewski, Diegnan, Benson, Conaway, and Coughlin, sponsors of A3553, our State Senator and Assembly representatives, the County Board of Elections, and the New Jersey League of Municipalities.

Resolution #91-2013

Re: Appointment / PT Recycling Attendant

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that Paul Ploch II be employed as Part-time Recycling Attendant for brush/branch disposal, effective April 1, 2013 salary in accordance with the Salary and Wages Ordinance for 2013.

Resolution #92-2013

Re: Tax Reimbursement Certification

WHEREAS, the Recycling Enhancement Act P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is a levied upon the owner or operator of every solid waste facility (with certain exceptions), a recycling tax of \$3.00 /per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection or provides for regular solid waste collection service under contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for the recycling program

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311 in 2012, in the amount of \$10,747.77. Documentation supporting this

submission is available at 103 Overlook Avenue, North Haledon, and shall be maintained for no less than five years from this date.

Resolution #93-2013

Re: Tax Title Lien Redemption

WHEREAS, the owner of the property located at 591 High Mt Rd also known as Block 34.01 lot 4 came to the tax office on March 4, 2013, with a check to redeem Tax Title Certificate 09-00003 dated April 14, 2009; 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 checks to the following:

BLOCK 34.01 LOT 4	Redemption	\$30,156.63
	Premium	\$7,000.00

Plymouth Park Tax Services
P.O. Box 2288
Morristown, N.J. 07962-2288

Resolution #94-2013

Re: Payments / Payroll

WHEREAS, Atlantic Stewardship is no longer paying the cost of our payroll services; and

WHEREAS, the Borough of North Haledon will now have to pay for the payroll services; and

WHEREAS, the payroll services will automatically be debited from the current account every pay period; and

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that the Treasurer be and she is hereby authorized to issue payment to Paychex in the amount not to exceed \$15,600.00;

BE IT FURTHER RESOLVED that funds are available for the aforementioned as evidenced by the Certification of the Treasurer following:

CERTIFICATION

I, Laura Leibowitz CFO/Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in 3-01-20-130-130-211.

Resolution #95-2013

Re: 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 2013 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 26.40 percent of the total appropriations in the 2013 Budget, exclusive of any appropriations made for Debt Service and the Capital Improvement Fund in the said 2013 Budget, that limitation being \$1,420,252.25.

NOW, THEREFORE, BE IT PROCLAIMED 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 Officer for her records.

2013 March

Municipal Clerk SW	\$20,000.00
OE	\$5,000.00
Finance SW	\$20,000.00
Registration / Bonds	\$700.00
Collection of Taxes	\$10,000.00
Legal OE	\$10,000.00
Engineering	\$10,000.00
OE	\$500.00
Municipal Court SW	\$14,000.00
Fire OE	\$10,000.00
Police SW	\$200,000.00
OE	\$25,000.00
Police Car	\$10,000.00
Const. Official SW	\$15,000.00
OE	\$500.00
Streets & Roads SW	\$150,000.00
Streets & Roads OE	\$25,000.00
Sanitation OE	\$50,000.00
Recycling OE	\$10,000.00
Bldgs. & Grounds	\$15,000.00
Sewers SW	\$15,000.00
Sewers OE	
Bd of Health	\$10,000.00
Gasoline	\$50,000.00
Diesel	\$10,000.00
Library	\$110,840.00
PERS	\$172,074.00
PFRS	\$401,638.25
	1,370,252.25
Capital Improvement	50,000.00
	1,420,252.25

Resolution #96-2013

Re: March Transfers

BE IT RESOLVED by the Mayor and Borough Council of the Borough of North Haledon that the Treasurer be and she is hereby authorized to make the following transfers:

		FROM
DIESEL FUEL	OE	\$10,000.00
TIPPING FEES	OE	<u>\$10,000.00</u>
		\$20,000.00
		TO
ZONING BD. OF ADJUSTMENT	OE	\$3,300.00
ENGINEERING	OE	<u>\$16,700.00</u>
		<u>\$20,000.00</u>

Resolution #97-2013

Re: Voided Check

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that check #7641 payable to Municipal Court Administrators Association (MCAA), in the amount of \$30.00 dated February 21, 2013, be authorized to be voided.

Resolution #98-2013

**Re: North Haledon Public Library /
Monthly Remittances**

WHEREAS, the Board of Library Trustees of the Borough of North Haledon Free Public Library requests payment 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 2013	\$36,946.50
May 2013	\$36,946.50
June 2013	\$36,946.50

BE IT FURTHER RESOLVED that said payments be charged to the 2013 Budget Appropriation Account Maintenance of the Free Public Library.

Resolution #99-2013

Re: Bond Release / ELM Group

WHEREAS, by letter dated March 7, 2013, a request has been made by the developer of the captioned project to release Maintenance Bond posted with the Borough; and

WHEREAS, Borough Engineer has recommended the release of Cash Maintenance Bond, as the site has been inspected and found to be in order, providing all outstanding escrows and fees have been paid.

NOW, THEREFORE, BE IT RESOLVED, that the CFO/Treasurer be and she is hereby authorized and directed to issue a check payable to ELM Group in the amount of \$500.00.

CERTIFICATION

I, Laura Leibowitz CFO/Treasurer of the Borough of North Haledon do hereby certify that funds are available for the aforementioned in Developers' Escrow.

Resolution #100-2013

Re: Deferred School Taxes

WHEREAS, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any additional amounts, and

WHEREAS, the Governing Body has decided that an increase in Deferred School Taxes is in the best interest of the Borough of North Haledon at this time,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the following Deferred School Taxes be hereby increased for the year ended December 31, 2012 as follows:

	<u>Local School Taxes</u>	<u>Regional High School Taxes</u>
Amount Deferred 12/31/2012	4,859,573.50	1,466,510.16
Amount Deferred 12/31/2011	<u>4,726,857.00</u>	<u>1,466,509.94</u>
	<u>132,716.50</u>	<u>.22</u>

BE IT FURTHER RESOLVED by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

CERTIFICATION OF AVAILABILITY OF FUNDS

The Clerk reads the Certification of Availability of Funds.

Resolution #101-2013

Re: Payment of Approved Claims

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 presented the following resolution:

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

CURRENT FUND -RESERVES.....	\$ 24,496.58
<u>2013 BILLS</u>	
CURRENT FUND-OTHER EXPENSES	\$ 180,685.02
GENERAL LEDGER.....	\$ 2,430.00
<u>2013 BILLS</u>	
PREPAID BILLS - CURRENT FUND - OTHER EXPENSE.....	\$ 96,794.21
FEDERAL/STATE GRANT FUND.....	\$ 5,217.00
TRUST FUND II.....	\$ 885.00
DOG LICENSE TRUST ACCOUNT.....	\$ 1,102.00
CAPITAL FUND.....	\$ 8,514.10

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 \$ 355,841.51 paid in the month of February be approved.

Motion by Councilman Iacobelli, second by Councilwoman Vuoncino, to approve the foregoing resolution. Upon roll call, all members present voted in the affirmative. Motion carried.

DISCUSSION

Walk Through Dates:

Pumping Station – Saturday, April 6, 2013, at 10:00 a.m.

Ahnert Avenue – Saturday, April 20, 2013, at 10:30 a.m.

EXECUTIVE SESSION (8:45 p.m.)

Resolution #102-2013

Re: Executive Session

Motion by Councilman Iacobelli, second by Councilman Luisi, that the Clerk reads the resolution by title and waive the reading of the resolution in full. Upon roll call, all members present voted in the affirmative. Motion carried.

The Clerk presented the following resolution:

WHEREAS, 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:

ON-GOING LITIGATION

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.

Motion by Councilman Iacobelli, second by Councilman Luisi, to approve the foregoing resolution. Upon roll call, all members present voted in the affirmative. Motion carried.

OUT OF EXECUTIVE SESSION (8:55 p.m.)

Present:

Mayor Randy George.

Council Members: Rocco Luisi, Bruce O. Iacobelli, Elaine Vuoncino, Robert Dyer, and Donna Puglisi

Resolution #103-2013

Re: Passaic River Litigation

Motion by Councilman Iacobelli, second by Councilwoman 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:

WHEREAS, certain claims have been asserted against the Borough of North Haledon, as a Third-Party Defendant, in the action entitled New Jersey Department of Environmental Protection v. Occidental Chemical Corporation, et al, bearing Docket No. ESX-L-9868-05, pending in the Superior Court of New Jersey, Law Division, Essex County (the "Litigation") regarding alleged environmental contamination at the Newark Bay Complex; and

WHEREAS, certain Third-Party Defendant municipalities and municipal utilities authorities, including the Borough of North Haledon, are members of a group known as the Municipal Joint Defense Group in the Litigation; and

WHEREAS, the Municipal Joint Defense Group, on behalf of its members, engaged in settlement negotiations with the State of New Jersey ("State Plaintiffs") towards the resolution of the Litigation through the entry of a Consent Judgment; and

WHEREAS, the parties have substantially settled the Litigation and are negotiating the final details of the Consent Judgment; and

WHEREAS, the terms of the settlement require the Borough of North Haledon to execute/sign off on the Consent Judgment prior to the Consent Judgment being lodged and disclosed for publication in the New Jersey Register; and

WHEREAS, the terms of the settlement require the Borough of North Haledon to pass a resolution authorizing its participation in the settlement and authorizing the appropriation of the payment of the sum of \$95,000 representing the Settlement Funds as that term is defined by the Consent Judgment on or before March 23, 2013, or authorize the State of New Jersey to deduct the \$95,000 from State Aide; and

WHEREAS, a copy of the Consent Judgment is in the Clerk's office and is incorporated by reference hereto.

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

1. The Borough is hereby authorized and directed to sign the signature pages of the Consent Judgment, which will be adopted in substantially the form contained in the draft copy on file, and thereafter immediately transmit the said original signature pages to Peter J. King, Esq., of King & Petracca, 51 Gibraltar Drive, Suite 1D, Morris Plains, New Jersey 07950-1254.

2. The Borough hereby authorizes payment of the \$95,000 settlement amount, when due, in the manner provided for in the Consent Judgment.
3. Notwithstanding the above authorizations, nothing contained within this resolution shall preclude or prevent the Borough from pursuing recovery and reimbursement for the whole or any portion of the Settlement Funds from any insurance carrier(s) identified now or in the future.
4. This resolution shall take effect immediately.

Motion by Councilman Iacobelli, second by Councilman Luisi, to approve the foregoing resolution. Upon roll call, all members present voted in the affirmative. Motion carried.

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 8:58 p.m.