

BOROUGH OF HALEDON
MAYOR AND COUNCIL
April 15, 2010

PRAYER
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon will take place on April 15, 2010 at 7:00PM in the Council Chambers of the Haledon Municipal Complex located at 510 Belmont Avenue, Haledon, New Jersey.

This meeting was called pursuant to the provisions of the Open Public Meetings Law. Notice of this meeting was included in a list of meetings notice sent to the Hawthorne Press, the North Jersey Herald & News and the Record on January 7, 2010 posted on the bulletin board in the Municipal Building on January 7, 2010 and has remained continuously posted as the required notices under the Statute. In addition, copies of the above 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, the Municipal Clerk is directed to include this statement in the minutes of this meeting.

ROLL CALL – Mayor Stampone called the meeting to order at 7:00PM

Present: Mayor Domenick Stampone; Council members Rey Martinez, Michael Tirri, Dom Fusco, Dan Batelli and Maha Kandis; Borough Attorney Andrew Oddo and Municipal Clerk Allan R. Susen.

Absent: Councilwoman Kilminster will be late to the meeting.

PUBLIC HEARING
(Privilege of the floor)

Motion by Fusco seconded by Martinez to open the public hearing.

ROLL CALL
YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI
NO: -0-

No Comments from the Public.

Motion by Martinez seconded by Fusco to close the public hearing.

ROLL CALL
YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI
NO: -0-

GOVERNING BODY RESPONSES

No Response from Governing Body.

COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE – Rey Martinez, Chairperson

Police Liaison – no report.

Police Department

Housing Inspection/Building Maintenance

Municipal Court

Fire Liaison– Heather Kilminster

Fire Department - no report.

Office of Emergency Management Liaison – Michael Tirri

No report.

FINANCE COMMITTEE

Michael Tirri, Chair –No official report. Finance committee is meeting weekly until budget is passed. The Committee is reviewing the budget to find more cost savings. Haledon Day will not be held this year. The Governor is not issuing any aid to the Municipalities this year. A small town like Haledon counts on the Aid from the State. The State did not pass it's budget yet after the State adopts their budget we will adopt ours. We will continue to cut costs as much as possible. A meeting is set with the air conditioning company due to the fact the air conditioning unit has not work properly ever since it was purchased.

ADMINISTRATION AND PERSONNEL

Maha Kandis, Chair – Read report.

ORDINANCE

Dom Fusco, Chair –no report.

HEALTH AND WELFARE

Heather Kilminster, Chair – no report.

PUBLIC WORKS

Daniel Batelli, Chair –read report.

- Water Department & Utility Management
- Department of Public Works
- Streets & Roads
- Public Land, Parks & Building Maintenance
- Sanitation & Waste Services
- Clean Streets
- Recycling

CAPITAL PROJECTS

Rey Martinez, Chair – no report.

Please shut off or set to vibrate all cell phones and other communication devices

TECHNOLOGY

Maha Kandis, Chair –Meeting Scheduled with PCI to enhance Borough website.

RECREATION

Maha Kandis, Chair – Met with Joseph Lynch from the Boys and Girls Club (B.G.C) to improve communication between the Borough and the BGC. Softball/Baseball schedule was received from the BGC and put on the calendar used to schedule usage of Braen Field.

COMMUNICATIONS

1. Letter from Schenck, Price, Smith & King, LLP on behalf of Haledon Emergency Ambulance Association responding to Municipal Clerk Allan R. Susen regarding LOSAP Benefits.
2. Letter from Deputy Chief Kevin Gottheiner regarding Towing Ordinance #11-12-2009.
3. Passaic County Board of Taxation Resolution.
4. Resolution from the Haledon Land Use Board (Planning Board) approving the 2010 Zoning Map and referring the map to the Governing Body.
5. Letter from Kenneth Albert with changes to the zoning map and summary document.
6. Invitation from Passaic County Prosecutor's Office to attend the 13th annual Candlelight Vigil held on Sunday, April 25, 2010.
7. Letter from New Hope community Ministries regarding the up coming New Hope Festival.

Motion by Batelli seconded by Martinez to accept and file.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI

NO: -0-

UNFINISHED BUSINESS

Motion by Fusco seconded by Martinez that Ordinance # 3-18-2010 to be heard in its second and final reading (Ordinance to Amend Chapter 346 Titled "Stormwater")

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI

NO: -0-

THE CLERK WILL READ THE TITLE:

BOROUGH OF HALEDON
ORDINANCE #3-18-2010
ORDINANCE TO AMEND CHAPTER 346
OF THE CODE OF THE BOROUGH OF HALEDON TITLED
"STORMWATER" INCLUDING SECTIONS 32-38 "FERTILIZER"
TO COMPLY WITH STATE OF NEW JERSEY MUNICIPAL STORMWATER
REGULATIONS PROGRAM

Motion by Tirri seconded by Fusco to open the public hearing on Ordinance # 3-18-2010.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI

NO: -0-

No comments.

Motion by Batelli seconded by Martinez to close the public hearing on Ordinance # 3-18-2010.

ROLL CALL
YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI
NO: -0-

Motion by Fusco seconded by Martinez that Ordinance #3-18-2010 be approved and adopted and to authorize the Municipal Clerk to advertise according to law.

ROLL CALL
YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI
NO: -0-

Motion by Fusco seconded by Martinez that Ordinance # 4-1-2010 to be heard in its second and final reading (Ordinance to exceed the Municipal Budget Appropriations limits and to establish a Cap Bank)

ROLL CALL
YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI
NO: -0-

THE CLERK WILL READ THE TITLE:

BOROUGH OF HALEDON
ORDINANCE #4-1-2010
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND
TO ESTABLISH A CAP BANK

Motion by Martinez seconded by Batelli to open the public hearing on Ordinance # 4-1-2010.

ROLL CALL
YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI
NO: -0-

No Comments.

Motion by Fusco seconded by Martinez to close the public hearing on Ordinance # 4-1-2010.

ROLL CALL
YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI
NO:-0-

Motion by Martinez seconded by Batelli that Ordinance #4-1-2010 be approved and adopted and to authorize the Municipal Clerk to advertise according to law.

ROLL CALL
YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI
NO: -0-

DEPARTMENTAL REPORTS ARE POSTED ON THE BULLETIN BOARD

RESOLUTIONS

CONSENT AGENDA

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

WHEREAS, the Mayor and Council of the Borough of Haledon are not desirous of removing any resolution from the Consent Agenda;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Haledon, that the following resolutions on the Consent Agenda are hereby approved:

- RS2010-067 AUTHORIZATION TO APPROVE THE AMENDMENT TO 457 (b) DEFERRED COMPENSATION PLAN.
- RS2010-068 APPROVE TEMPORARY BUDGET APPROPRIATION FOR THE MUNICIPAL BUDGET..
- RS2010-069 APPROVE THE REQUEST FOR TAG DAY, HALEDON FIRE DEPARTMENT.
- RS2010-070 AUTHORIZE APPLICATION FOR A PASSAIC COUNTY COMMUNITY BLOCK GRANT – PLAYGROUND
- RS2010-071 AUTHORIZE MAYOR STAMPONE TO SIGN MEMORANDUM OF UNDERSTANDING WITH PASSAIC COUNTY REGARDING THE 2009 COMMUNITY BLOCK GRANT FOR IMPROVEMENTS TO THE HALEDON RECREATION CENTER

Motion by Fusco seconded by Martinez to approve.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI

NO: -0-

RESOLUTION #2010-067 AUTHORIZATION TO APPROVE AMENDMENT TO 457 (b) DEFERRED COMPENSATION PLAN

WHEREAS, the Borough of Haledon by resolution previously adopted a Deferred Compensation Plan (hereinafter referred to as the “Plan”) for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Economic Growth and Tax Relief Reconciliation Act of 2001, the 2005 final regulations issued under the Uniformed Services Employment and Reemployment Rights Act of 1994, the Pension Protection Act of 2006, final Treasury Regulation §1.457-4, the Heroes Earnings Assistance and Relief Tax Act of 2008 , and the Worker, Retiree and Employer Recovery Act of 2008 amended sections of the Internal Revenue Code (the “Code”) and the rules and/or regulations issued thereunder affecting Section 457 Deferred Compensation Plans (cumulatively referred to as the “Acts and Regulations”);

WHEREAS, the Employer desires its Plan to conform with the changes in the Code and Treasury regulations brought about by the Acts and Regulations;

WHEREAS, the Employer desires to adopt a restated Plan that conforms with the changes in the Code and Treasury regulations resulting from the Acts and Regulations;

WHEREAS, such revised Plan shall supersede the previously adopted Plan;

NOW, THEREFORE BE IT RESOLVED that the Employer hereby adopts a revised Plan 76-PD-Lincoln-120709.

BE IT FURTHER RESOLVED that The Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent, has agreed to continue to be the provider of the Deferred Compensation Program for employees and elected officials; and

BE IT FURTHER RESOLVED that the Lincoln National Life Insurance Company and Lincoln Financial Group it's agent, will continue to provide, for the benefit of the participants the Multi-Fund Variable Annuity contract; and

BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent, in the selection of a provider pursuant to N.J.A.C. 5:37 - 5.7.

BE IT FURTHER RESOLVED that the Finance Director or Business Administrator is authorized to execute an Administrative Services Agreement with the Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, (12-SA-Lincoln-072595) and such other agreements as are necessary to implement the Deferred Compensation Program. It is implicitly understood that there is to be no cost or contribution by the Employer to the program; and

BE IT FURTHER RESOLVED that the Finance Director or Business Administrator is authorized to serve as the "Administrator" of the plan, represent the Employer, and execute individual deferred compensation agreements with each said employee; and

BE IT FURTHER RESOLVED by the Employer that the Clerk forward a certified true copy of this resolution to the Finance Director or Business Administrator; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services at P.O. Box 803; Trenton, NJ 08625-0803.

Executed this April day of 15, 2010, by:

The Mayor of the Borough of Haledon

Mayor Domenick Stampone

And

The Borough Municipal Clerk/Acting Administrator

Allan R. Susen RMC/CMC

RESOLUTION #2010-068 TEMPORARY EMERGENCY BUDGET APPROPRIATIONS

WHEREAS, an emergent condition has arisen with respect to adoption of the 2010 Municipal Budget and N.J.S.A. 40A: 4-20 provides for an emergency temporary appropriation until the adoption of the 2010 Municipal Budget, and

WHEREAS, the total Temporary Budget including this resolution will total \$2,985,181.33

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S.A. 40A:4-20:

A temporary appropriation be made for the 2010 Temporary Budget in the amount of \$229,629.33.

RESOLUTION #2010-069 REQUEST TO CONDUCT TAG DAY – HALEDON FIRE DEPARTMENT

WHEREAS, a request has been made by the Haledon Fire Department to hold a Tag Day on Saturday, May 15, 2010 between 8:00AM and 3:00PM with a rain date of June 12, 2010; and

WHEREAS, solicitation is requested to take place in the roadway at the following locations:

- Haledon Ave. (West Haledon Ave.) and Belmont Ave.
- West Broadway and Chamberlain Avenue

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Haledon that the request by the MRHS Project Graduation is hereby approved with the following conditions.

1. Since the locations are on County roadways, this request must be forwarded to the Passaic County Board of Chosen Freeholders for a concurring resolution. The Board of Chosen Freeholders will require an application and if approved will require the approval based on certain contingencies.
2. Children are not permitted to solicit in the roadway. Solicitation is to be conducted by adults only.
3. Everyone soliciting donations in the roadway must wear proper safety vests and the roadway must be properly signed and coned to alert drivers to slow down and be aware of the presence of individuals in the roadway.
4. The “tag day” may be conducted at the following locations only:
 - Haledon Ave. (West Haledon Ave.) and Belmont Ave.
 - West Broadway and Chamberlain Avenue

BE IT FURTHER RESOLVED that the Municipal Clerk is to provide a copy of this resolution to the Haledon Police Department and the Passaic County Board of Chosen Freeholders.

RESOLUTION #2010-070 AUTHORIZE APPLICATION FOR A PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT

At a meeting held on April 15, 2010, the Mayor and Council of the Borough of Haledon adopted the following resolution:

The Mayor and Council for the Borough of Haledon authorizes the application for and use of funds from the Passaic County Community Development Block Grant Program for the renovation and reconstruction of the Children’s Park at Roe Field. The total cost for demolitions, construction and purchase of new equipment is estimated to be \$191,280.00. Engineering and design fees in the amount of \$20,000.00 will be borne by the Borough of Haledon. The Borough of Haledon will implement this project in a manner to ensure compliance with all applicable federal, state, and local laws and regulations.

RESOLUTION #2010-071 AUTHORIZE MAYOR STAMPONE TO SIGN
MEMORANDUM OF UNDERSTANDING WITH PASSAIC
COUNTY REGARDING THE 2009 COMMUNITY BLOCK
GRANT FOR IMPROVEMENTS TO THE HALEDON
RECREATION CENTER

WHEREAS, the Borough of Haledon was awarded a \$100,000 FY2009 Community
Development Block Grant with Passaic County for improvements to the Haledon Recreation;
and

WHEREAS, the County of Passaic requires a Memorandum of Understanding be executed by
the Mayor for financing the above mentioned project;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon
that Mayor Stampone is hereby authorized to sign the Memorandum of Understanding with
Passaic County for improvements to the Haledon Recreation Center which includes
improvements to the parking lot, ADA Accessible walkways and entrance ramps.

RESOLUTION #2010-072 APPROVE BILLS LIST, April 15, 2010
Motion by Tirri seconded by Fusco to approve.

WHEREAS, the attached bills have been submitted for payment; and

WHEREAS, the Chief Financial Officer has attached his certification of availability of funds
stating that the Bills list for April 15, 2010 will not constitute an over expenditure of any
Ordinance or Line Item;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon
that the attached payments are hereby approved and payment made when the funds of the
Borough are sufficient to meet them.

TOTAL BILLS LIST FOR April 15, 2010 WITH PREPAIDS IS:

CURRENT:	\$ 725,062.46
WATER (MUA):	<u>\$ 25,178.84</u>
TOTAL:	\$ 750,241.30

ROLL CALL
YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI
NO: -0-

Motion by Martinez seconded by Kandis to add three more resolutions.

ROLL CALL
YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI
NO: -0-

RESOLUTION #2010-073 A RESOLUTION TO AFFIRM THE BOROUGH OF HALEDON'S
CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS,
APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES,
VOLUNTERS, INDEPENDENT CONTRACTORS, AND
MEMBERS OF THE PUBLIC THAT COME INTO CONTACT
WITH MUNICIPAL EMPLOYEES, OFFICIALS AND
VOLUNTEERS
Motion by Martinez seconded by Fusco to approve resolution.

WHEREAS, it is the policy of (The Borough of Haledon) to treat the public, employees, prospective
employees, appointees, volunteers and contractors in a manner consistent with all applicable civil

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Rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Haledon has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Governing Body of the Borough of Haledon that:

Section 1: No official, employee, appointee or volunteer of the Borough of Haledon by whatever title known, or any entity that is in any way a part of the Borough of Haledon shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough's business or using the facilities or property of the Borough.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity that receives authorization or support in any way from the Borough to provide services that otherwise could be performed by the Borough.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any

person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough in order for the public to be made aware of this policy and the Borough's commitment to the implementation and enforcement of this policy.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI

NO: -0-

RESOLUTION #2010-074 RESOLUTION AMENDING PERSONNEL POLICIES AND PROCEDURES

Motion by Martinez seconded by Fusco to approve resolution.

WHEREAS, it is the policy of the Borough of Haledon to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Borough of Haledon maintains a policies and procedures manual to effectuate the efficient and consistent treatment of all employees and further, to ensure that employees and prospective employees are treated in a manner consistent with the laws and regulations cited above; and

WHEREAS, the Municipal Excess Liability Joint Insurance Fund (hereinafter, the MEL), for which the Borough of Haledon is a member, requires the update of the Borough of Haledon's Policies and Procedures Manual to ensure compliance and adherence to recent changes to federal and State laws and regulations and through recent court case rulings.

NOW, THEREBY, BE IT RESOLVED by the Governing Body of the Borough of Haledon that amendments for the 2010-2011 year; a summary is attached hereto, are hereby incorporated into the revised Personnel Policies and Procedures Manual and hereby adopted.

BE IT FURTHER RESOLVED that as with past revisions to the Manual, these personnel policies and procedures revisions shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Governing Body of the Borough of Haledon.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough of Haledon's Risk Management Consultant, PIA, Inc. for their review and filing with the MEL in accordance with the requirements set forth by the Fund.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI

NO: -0-

RESOLUTION #2010-075 REQUEST PERMISSION FROM THE PASSAIC COUNTY BOARD OF CHOSEN FREEHOLDERS TO CONDUCT A STREETFAIR/CAR SHOW ON BELMONT AVENUE
Motion by Martinez seconded by Fusco to approve resolution.

WHEREAS, the Haledon PBA has requested to conduct a Streetfair/Car Show on May 31, 2010 from 7AM to 7PM; and

WHEREAS, it is requested to conduct the event on Belmont Avenue from Tilt Street to Henry Street; and

WHEREAS, the Mayor and Council of the Borough of Haledon hereby support the request subject to the approval of Passaic County officials since Belmont Avenue is a County roadway; and

WHEREAS, the Haledon PBA is also requesting to hang a banner across Belmont Avenue near the Church Street intersection advertising the event; and

WHEREAS, the Mayor and Council also approve this request subject to the necessary County approvals; and

WHEREAS, the Mayor and Council will also require the necessary certificates of insurance, hold harmless agreements, and any required permits necessary to be received from the event coordinator and vendors involved in the event;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the Municipal Clerk hereby forwards a certified copy of this resolution to the Passaic County Board of Chosen Freeholders for their consideration and approval.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, BATELLI

NO: -0-

*** Councilwoman Kilminster arrived at 7:30 PM***

The Mayor and Council decided to go into Executive Session.

RESOLUTION #04152010

EXECUTIVE SESSION

Motion by Tirri seconded by Martinez to go into Executive Session.

WHEREAS, 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 exist; and

WHEREAS, the Mayor and Council wish to move to executive session to discuss the following matters:

- Negotiations with PBA
- Contract Negotiations for Special Labor Counsel

WHEREAS, minutes will be taken during the closed session and once the confidential matter has been resolved, then the minutes will be made available to the public;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Haledon will hereby move to closed session and that the public will be excluded from this meeting in accordance with the Open Public Meetings Act.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ, BATELLI

NO: -0-

The Mayor and Council moved to Executive Session.

Upon returning motion by Batelli seconded by Kandis to re-open public session of meeting.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ, BATELLI
NO: -0-

Motion by Kilminster seconded by Kandis to add one more resolution.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ, BATELLI
NO: -0-

RESOLUTION #2010-076 AUTHORIZE AGREEMENT FOR SPECIAL LABOR
COUNSEL

Motion by Martinez seconded by Kandis to approve resolution.

WHEREAS, the Mayor and Council have recently been notified by Borough Attorney Andrew Oddo, that he must recuse himself from representing the Borough in the Lou Mercurio disciplinary matter; and

WHEREAS, the Borough has received proposals from the law firms of Florio, Steinhardt, & Fader LLC to represent the Borough in this matter; and

WHEREAS, a certification of funds for an amount not to exceed 17,000 has been issued by the Borough Chief Financial Officer;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the firm of Florio, Steinhardt & Fader LLC are hereby selected to represent the Borough of Haledon in the Lou Mercurio disciplinary matter.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ, BATELLI
NO: -0-

ADJOURN

Motion by Batelli seconded by Kandis to adjourn.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ, BATELLI
NO: -0-

Respectfully submitted:

Allan R. Susen, RMC/CMC
Municipal Clerk/Acting Administrator