

**BOROUGH OF HALEDON**  
**MAYOR AND COUNCIL**  
August 19, 2010

PRAYER  
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon will take place on August 19, 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, Dom Fusco, Heather Kilminster; Borough Attorney Andrew Oddo and Municipal Clerk Allan R. Susen.

Absent: Council President Maha Kandis with prior notice.

**APPROVAL OF MINUTES**

January 14, 2010	Closed Session
January 21, 2010	Closed Session
March 18, 2010	Closed Session
April 1, 2010 (1)	Closed Session
April 1, 2010 (2)	Closed Session
May 6, 2010	Closed Session
March 18, 2010	Regular Meeting
May 20, 2010	Regular Meeting
June 17, 2010	Regular Meeting
July 15, 2010	Regular Meeting
December 3, 2009	Work Session
April 1, 2010	Work Session
May 6, 2010	Work Session
June 10, 2010	Work Session
July 1, 2010	Work Session
August 5, 2010	Work Session

Motion by Tirri seconded by Fusco to approve the minutes listed above.

ROLL CALL  
YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ  
NO: -0-

**PROCLAMATIONS**

Mayor Stampone presented a proclamation to Ms. Keiko Fujimori (A Peruvian Congresswoman/Presidential Candidate) at a reception in Prospect Park.

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

Proclamation presented to Lucas Birch for Eagle Scout Award.

Proclamation for Traffic Safety read by Mayor Stampone as requested by Deputy Chief Kevin Gottheiner.

Mayor Stampone requested Richard Turano Esq. to approach the Mayor and Council regarding the Liquor License Transfer for Belmont Tavern to Irene Cruz.

Richard Turano, Esq., Paterson, I am her on behalf of Irene Cruz, applicant for liquor license transfer – Belmont Tavern that is on resolution #2010-128.

Mayor Stampone asked if they plan to open the business and operate from that location.

Mr. Turano stated that it will be held as a pocket license and when the economy picks up again they plan on opening the business but not so sure if it will be the same location.

Mayor Stampone requested that resolution #2010-128 Liquor License Transfer person to person, Belmont Tavern to Irene A. Cruz be moved to the beginning of the Agenda.

RESOLUTION #2010-128 LIQUOR LICENSE TRANSFER- PERSON TO PERSON,  
BELMONT TRAVERN TO IRENE A. CRUZ  
Motion by Fusco seconded by Kilminster to approve.

WHEREAS, an application has been filed for a person to person transfer of License #1603 33 002 007 heretofore issued to Irene A. Cruz 126 Avenue C Haledon NJ;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title; and

WHEREAS, the applicant has obtained the right to transfer through auction held by the Division of Taxation; and

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Haledon does hereby approve this liquor license transfer effective August 19, 2010

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby directed to endorse the liquor license certificate to the new ownership as follows:

“This license, subject to all its terms and conditions, is hereby transferred to Irene A. Cruz effective August 19, 2010.”

ROLL CALL

YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ

NO: -0-

Mayor Stampone requested resolution #2010-137 Appointment to Manchester Utilities Authority, Dewan Chowdhury to be moved to the beginning of the Agenda.

RESOLUTION #2010-137 APPOINTMENT TO MANCHESTER UTILITIES  
AUTHORITY, DEWAN CHOWDHURY  
Motion by Kilminster seconded by Martinez to approve.

WHEREAS, a vacancy exists on the Manchester Utilities Authority; and

WHEREAS, appointments to the Board are made by the Mayor with the advice and consent of the Borough Council; and

WHEREAS, Mayor Stampone requests the advice and consent of the Haledon Borough Council to appoint Dewan Chowdhury for a term expiring January 31, 2012;

NOW THEREFORE BE IT RESOLVED, the Council of the Borough of Haledon hereby provides their advice and consent to appoint Dewan Chowdhury for the unexpired term ending January 31, 2012.

ROLL CALL

YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ

NO: -0-

Mayor Stampone performed the Oath of Office for Dewan Chowdhury.

**PUBLIC HEARING**

**(Privilege of the floor)**

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

ROLL CALL

YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ

NO: -0-

Mary Mayer, Belmont Ave. – asked about cost of fences that surround property on Belmont Avenue. There is an opening in the fence so the public has access to this property since May. We should have the fence either fixed or removed to save us from the unnecessary cost.

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

ROLL CALL

YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ

NO: -0-

**GOVERNING BODY RESPONSES**

Mayor Stampone responded. Understands comments regarding the opening in fence. We had to put up the fence because the property was not being redeveloped yet. The Department of Public Works still uses a portion of the property and there is a vermin problem that needs to be taken care of. We will look into repairing the fence until the property is redeveloped which is in progress.

## COMMITTEE REPORTS

### PUBLIC SAFETY COMMITTEE – Rey Martinez, Chairperson

Police Liaison – no official report but we would like to meet at least once a month to discuss any issues or events that come up.

Police Department  
Housing Inspection/Building Maintenance  
Municipal Court

Fire Liaison– Heather Kilminster

Fire Department – report on file.

Office of Emergency Management Liaison – Michael Tirri- no official report.

### FINANCE COMMITTEE

Michael Tirri, Chair – no official report. Mentioned the Business offices being closed due to furlough days.

### ADMINISTRATION AND PERSONNEL

Maha Kandis, Chair – absent.

### ORDINANCE

Dom Fusco, Chair – ordinance “Brush, Weeds, and Noxious Growths” for introduction at next meeting.

### HEALTH AND WELFARE

Heather Kilminster, Chair – no official report but gearing up for flu season.  
No new reported strains of H1N1 Flu.

### PUBLIC WORKS

, Chair – no report.

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

Council Woman Kilminster mentioned she would be willing to take over the Public Works Committee.

### CAPITAL PROJECTS

Rey Martinez, Chair – progress continues on the Belmont Avenue Streetscape II and Roe Street Sewer projects.

### TECHNOLOGY

Maha Kandis, Chair –absent.

### SPECIAL EVENTS

Maha Kandis, Chair –absent.

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

## MAYOR'S REPORT

Letter from Councilman Dan Batelli, resigning from his position effective August 10, 2010 due to personal and family reasons. On August 24, 2010 the Democratic Committee will meet to discuss the vacancy and a decision will be made at a work session held on September 2, 2010.

We will hear back from the State regarding the Transitional aid decision coming in September and then the Borough's budget to be adopted after result. The Tax office sent out the estimated tax bills. Furlough days the Borough's business offices to be closed. The Police Department and Department of Public Works have their own schedule for the furlough days. Furloughs factored into budget, acting under assumption that we will not get aid. We could not do what we need to do without cooperation of workers. We were not in favor to require furlough days to the employees but it was necessary. The Governing Body does appreciate the agreement of employees. The Governing Body has agreed not to take last pay which is equivalent to 25% of their pay. Symbolic but sends message, employees sacrifice and the Governing Body will do the same.

Garbage/recycling receptacles, about a month began notifying public distributing fliers to the homes where a large receptacle was left. Garbage/recycling receptacles should be 32 gallon is maximum. This will be enforced on August 18, 2010. We only received one complaint. The Department of Public Works was thanked for all their work to get the word out to the residents.

## **COMMUNICATIONS**

1. Letter from Mr. and Mrs. Gabriel Bernardo requesting a designated parking space.
2. Letter from resident Joanne N. Van Sickle requesting authorization for a designated Handicap parking for residents that reside at 456 Belmont Avenue, Haledon NJ.
3. Letter from Rehabco Inc. regarding the City of Paterson having its US Department of Housing and Urban development (HUD) 5-Year consolidated Plan & 2010 Action Plan.
4. Memo from Municipal Clerk Allan R. Susen regarding Prospect Park's request to confirm a co-joint agreement with Haledon for disaster planning.
5. Letter from resident John Cosentini requesting the Borough of Haledon to install a "water diversion curb" near his property to eliminate the problem he has when it rains.
6. Letter from resident Mohammed Uddin regarding high water bill.
7. Notice from the Township of Wayne regarding a Public Hearing of the Wayne Planning Board Master Plan Re-Examination report and Master Plan Land use of Element Amendment Adoption.
8. Letter from Haledon Public School regarding available Board Seat Haledon Board of Education.
9. Invitation from the Borough of Prospect Park regarding "Lighting of the Crescent" a ceremony to mark the beginning of the Islamic Holy Month of Ramadan.
10. E-mail from Councilman Batelli to Municipal Clerk Allan R. Susen resigning as a Councilman effective date August 10, 2010.

Discussion on letters #1 and #2. Clerk explained process undertaken each year. Existing locations must have valid handicap authorization from the State resubmitted. This list is combined with new requests and deletions for ordinance revision. Haledon has never assigned handicap street parking to specific individuals. The streets are public parking.

Motion by Kilminster seconded by Fusco to accept and file.

## **ROLL CALL**

YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ

NO: -0-

## **UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**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:

- |                      |  |
|----------------------|--|
| RESOLUTION #2010-121 | APPROVAL OF RAFFLE LICENSE FOR CITIZENS OF ST. MICHAEL'S CHURCH.   |
| RESOLUTION #2010-122 | AUTHORIZATION FOR MUNICIPAL CLERK TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH NJDOT FOR BELMONT AVE. STREETScape PHASE II.  |
| RESOLUTION #2010-123 | APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH NJDOT FOR THE MORRISSEE AVE, JASPER STREET & ALBION AVE (ADDITIONAL) AND VAN DYKE AVENUE-LEGION PLACE PROJECT. |
| RESOLUTION #2010-124 | APPROVE APPOINTMENT OF NEW FIREFIGHTERS-ELLIOT ROSARIO, ANGELO CAMPOS, GEORGE L. REGE & LEELONN WEBB.  |
| RESOLUTION #2010-125 | AUTHORIZE BOROUGH ENGINEER (ALAIMO ENGINEERING) TO PROVIDE THE DESIGN SERVICES FOR MORRISSEE AVENUE, JASPER STREET & ALBION AVENUE IMPROVMENTS IN THE BOROUGH OF HALEDON.                |
| RESOLUTION #2010-126 | AUTHORIZE BOROUGH ENGINEER (ALAIMO ENGINEERING) TO PROVIDE THE DESIGN SERVICES FOR THE ROE STREET RECREATION CENTER IN THE BOROUGH OF HALEDON.   |
| RESOLUTION #2010-127 | AUTHORIZATION TO SUBMIT BLUE LIGHT PERMIT FOR DAVID BERGE TO MOTOR VEHICLE.  |
| RESOLUTION #2010-129 | LIQUOR LICENSE RENEWAL- JIMMY GEEZ SPORTS & GRILL AUGUST 19, 2010 TO JUNE 30, 2011   |
| RESOLUTION #2010-130 | AUTHORIZE PMK/BIRDSALL TO PERFORM ENVIRONMENTAL CONSULTING SERVICES FOR 408 MORRISSEE AVENUE   |
| RESOLUTION #2010-131 | AUTHORIZE PSE&G TO REMOVE DECORATIVE LIGHTING FOR CONSTRUCTION OF BAND SHELL   |

Motion by Fusco seconded by Kilminster to approve.

**ROLL CALL**

YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ

NO: -0-

RESOLUTION #2010-121

REQUEST FOR RAFFLE LICENSE – ON PREMISE  
50/50 RAFFLE – Sr. CITIZEN’S OF ST MICHAEL’S  
CHURCH

WHEREAS, Sr. Citizen’s of ST. Michaels Church has applied for a raffle license to hold an on premise 50/50 raffle; and

WHEREAS, the purpose of this raffle is to support and benefit the children of Sr. Citizen’s of ST. Michael’s Church; and

WHEREAS, the proper application has been completed and the correct fees paid; and

WHEREAS, the Municipal Clerk has reviewed the application and found everything to be in order;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Haledon that the request for a raffle license is hereby approved for an on premise 50/50 to be held on December 4, 2010 at La Neve’s Restaurant, 276 Belmont Ave. Haledon, NJ 07508

RESOLUTION #2010-122 APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BELMONT AVENUE STREETScape (PHASE II) PROJECT.

WHEREAS, the Borough of Haledon is requesting funding from the New Jersey Department of Transportation Local Aid for Centers of Place Program.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Haledon formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as COP-2011-Haledon Borough-00023 to the New Jersey Department of Transportation on behalf of the Borough of Haledon.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Haledon and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION #2010-123

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH NEW JERSEY DEPARTMENT FOR THE MORRISSEE AVENUE, JASPER STREET & ALBION AVENUE (ADDITIONAL) AND VAN DYKE AVENUE-LEGION PLACE PROJECT.

WHEREAS, the Borough of Haledon is requesting funding from the New Jersey Department of Transportation Municipal Aid Program.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Haledon formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-Haledon Borough-00342 to the New Jersey Department of Transportation on behalf of the Borough of Haledon.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Haledon and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION #2010-124 APPROVE APPOINTMENT OF NEW FIREFIGHTERS,  
COMPANY #1 & 2

BE IT RESOLVED, by the Mayor and Council of the Borough of Haledon that the following individuals be accepted as probationary members of the Haledon Fire Department and they are authorized to sign the Borough Roll:

Fire Company #1  
Leelonn Webb

Fire Company #2  
Angelo Campos  
Elliot Rosario  
George Rege

RESOLUTION #2010-125 AUTHORIZE BOROUGH ENGINEER (ALAIMO GROUP)  
TO PROVIDE DESIGN SERVICES FOR MORRISSEE  
AVENUE, JASPER STREET & ALBION AVENUE  
IMPROVEMENTS.

WHEREAS, Alaimo Group has submitted a proposal for Design Services for Morrissee Avenue, Jasper Street & Albion Avenue Improvements for the Borough of Haledon; and

WHEREAS, the Municipal Clerk of the Borough of Haledon has advised the Mayor and Council it is in the best of interest to the Borough to accept the proposal at the price of \$51,000 from the Alaimo Group; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Haledon to authorize the Alaimo Group to provide the Design Services for Morrissee Avenue, Jasper Street & Albion Avenue improvements;

RESOLUTION #2010-126 AUTHORIZE BOROUGH ENGINEER (ALAIMO GROUP)  
TO PROVIDE DESIGN SERVICES FOR ROE STREET  
RECREATION CENTER BOROUGH OF HALEDON.

WHEREAS, Alaimo Group has submitted a proposal for Design Services for Roe Street Recreation Center of the Borough of Haledon; and

WHEREAS, the Municipal Clerk of the Borough of Haledon has advised the Mayor and Council it is in the best of interest to the Borough to accept the proposal at the price of \$29,000 from the Alaimo Group; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Haledon to authorize the Alaimo Group to provide the Design Services for Roe Street Recreation Center of the Borough of Haledon;

RESOLUTION #2010-127 APPROVE REQUEST FOR BLUE LIGHT PERMIT

WHEREAS, a blue light permit application has been submitted for approval by David Berge; and

WHEREAS, David Berge is a member of the Haledon Fire Department Company #1; and

WHEREAS, the Chief of the Fire Department, Tom Baker has signed the application; and

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Haledon that the Mayor is hereby authorized to sign the aforementioned blue light permit application.

RESOLUTION #2010-129                      LIQUOR LICENSE RENEWAL – JIMMY GEEZ  
SPORTS & GRILL AUGUST 19, 2010 TO JUNE 30,  
2011

WHEREAS, application were made in proper form for the liquor license renewals by all licensees for the ensuing fiscal year 2010-2011 to be effective August 19, 2010; and

WHEREAS, the intent to do so was made public by the Alcoholic Beverage Control Commission by way of advertisement in local newspapers; and

WHEREAS, no objection to the issuance of any of the licensees has been received by the Municipal Clerk of the Borough of Haledon; and

WHEREAS, tax clearance certificates have been received for each licensee listed below; and

WHEREAS, investigations conducted by the Police Department, Fire Subcode Official and Sanitary Inspector of the Borough of Haledon revealed not violations or valid reason for denial of any of the applications;

NOW THEREFORE BE IT RESOLVED, that a copy of this resolution, certified by the Municipal Clerk to be a true copy thereof, be sent to the Commissioner of Alcoholic Beverage Control, the State Treasury Department Beverage Tax Division and that the license renewals be and are hereby granted to each of the Following applicants:

Jimmy Geez Sports & Grill                      436 Belmont Avenue                      1603-33-020-004

RESOLUTION #2010-130      AUTHORIZE PMK/BIRDSALL TO PERFORM  
ENVIRONMENTAL CONSULTING SERVICES

WHEREAS, the PMK Group; a unit of Birdsall Service Group has submitted a proposal to provide environmental consulting services to perform Groundwater Investigation activities in the area of 408 Morrissee Avenue; and

WHEREAS, the Groundwater Investigation activities associated with potential groundwater impacts identified at 408 Morrissee Avenue; and

WHEREAS, the PMK Group will prepare contract documents; provide bid support, contract administration and monitoring; as well as act as the regulatory liaison and project manager; and

WHEREAS, the Chief Financial Officer has issued a certification of funds for an amount not to exceed \$9,000;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the PMK Group be authorized to perform environmental consulting services for Groundwater investigation activities at 408 Morrissee Avenue and that the Mayor and Municipal Clerk are hereby authorized to execute an agreement in a form to be approved by the Borough Attorney.

RESOLUTION #2010-131: AUTHORIZE PSE&G TO REMOVE DECORATIVE LIGHTING FOR CONSTRUCTION OF BAND SHELL

WHEREAS, a Band Shell at Roe Street Field/Braen Memorial is to be constructed; and

WHEREAS, there is a need to remove two decorative lighting poles, which PSE&G will remove at no cost; and

WHEREAS, Stone industries has agreed to install two new lighting fixtures to provide sufficient lighting for the walkway area; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon authorizes PSE&G to remove the decorative lighting and for Stone Industries to provide sufficient lighting for the walkway area.

Borough Attorney Andrew Oddo explained that following resolutions authorize defense of Governing Body and Administrator when acting in regular course of duties.

Resolutions are listed separately to avoid conflicts certain Governing Body members may have an issue with individual resolution content.

Councilman Fusco– what if they decide to leave, does Borough still indemnify?

Borough Attorney Andrew Oddo- yes current of former could be covered.

RESOLUTION #2010-132 AUTHORIZING DEFENSE- VOLPE VS. THE BOROUGH OF HALEDON.

Motion by Tirri seconded by Martinez to approve.

WHEREAS, a lawsuit has been instituted by Gerald Volpe against several defendants including the Borough of Haledon and Domenick Stampone which lawsuit is pending in the Superior Court of New Jersey, Law Division, Passaic County; and

WHEREAS, a lawsuit has been instituted by Louis Mercurio against several defendants including the Borough of Haledon and Domenick Stampone, which lawsuit is pending in the United States District Court, District of New Jersey; and

WHEREAS, the Borough of Haledon has adopted Chapter 13 of the Code of the Borough of Haledon titled, "Defense and Indemnification" which authorizes the Governing Body of the Borough of Haledon to provide for the indemnification and legal defense of any civil action brought against any present or former official, employee, or appointee from an act or omission falling within the scope of their public duties; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that it hereby authorizes and approves the indemnification and defense of Domenick Stampone in connection with lawsuits filed by Gerald Volpe and Louis Mercurio subject to the terms and conditions of Chapter 13 of the Code of the Borough of Haledon; and

BE IT FURTHER RESOLVED, that the Council President, Borough Administrator, Borough Clerk and Borough Attorney are hereby authorized to take any and all necessary action to effect the terms of this Resolution.

ROLL CALL

YES: FUSCO, TIRRI, MARTINEZ

ABSTAIN: KILMINSTER

NO: -0-

August 19, 2010

PAGE 11

RESOLUTION#2010-133 AUTHORIZING DEFENSE OF KILMINSTER-MERCURO  
VS. HALEDON.  
Motion by Tirri seconded by Martinez to approve.

WHEREAS, a lawsuit has been instituted by Louis Mercurio against several defendants including the Borough of Haledon and Heather Kilminster, which lawsuit is pending in the United States District Court, District of New Jersey; and

WHEREAS, the Borough of Haledon has adopted Chapter 13 of the Code of the Borough of Haledon titled, "Defense and Indemnification" which authorizes the Governing Body of the Borough of Haledon to provide for the indemnification and legal defense of any civil action brought against any present or former official, employee, or appointee from an act or omission falling within the scope of their public duties; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that it hereby authorizes and approves the indemnification and defense of Heather Kilminster subject to the terms and conditions of Chapter 13 of the Code of the Borough of Haledon; and

BE IT FURTHER RESOLVED, that the Mayor, Borough Administrator, Borough Clerk and Borough Attorney are hereby authorized to take any and all necessary action to effect the terms of this Resolution.

ROLL CALL

YES: FUSCO, TIRRI, MARTINEZ

ABSTAIN: KILMINSTER

NO: -0-

RESOLUTION#2010-134 AUTHRIZING DEFENSE OF TIRRI- MERCURO VS.  
BOROUGH OF HALEDON.  
Motion by Kilminster seconded by Martinez to approve.

WHEREAS, a lawsuit has been instituted by Louis Mercurio against several defendants including the Borough of Haledon and Michael Tirri, which lawsuit is pending in the United States District Court, District of New Jersey; and

WHEREAS, the Borough of Haledon has adopted Chapter 13 of the Code of the Borough of Haledon titled, "Defense and Indemnification" which authorizes the Governing Body of the Borough of Haledon to provide for the indemnification and legal defense of any civil action brought against any present or former official, employee, or appointee from an act or omission falling within the scope of their public duties; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that it hereby authorizes and approves the indemnification and defense of Michael Tirri subject to the terms and conditions of Chapter 13 of the Code of the Borough of Haledon; and

BE IT FURTHER RESOLVED, that the Mayor, Borough Administrator, Borough Clerk and Borough Attorney are hereby authorized to take any and all necessary action to effect the terms of this Resolution.

ROLL CALL

YES: KILMINSTER, MARTINEZ

ABSTAIN: FUSCO, TIRRI

NO: -0-

RESOLUTION#2010-135 AUTHORIZING DEFENSE OF MARTINEZ-MERCURO VS.  
THE BOROUGH OF HALEDON.  
Motion by Kilminster seconded by Tirri to approve.

WHEREAS, a lawsuit has been instituted by Louis Mercurio against several defendants including the Borough of Haledon and Rey Martinez, which lawsuit is pending in the United States District Court, District of New Jersey; and

WHEREAS, the Borough of Haledon has adopted Chapter 13 of the Code of the Borough of Haledon titled, "Defense and Indemnification" which authorizes the Governing Body of the Borough of Haledon to provide for the indemnification and legal defense of any civil action brought against any present or former official, employee, or appointee from an act or omission falling within the scope of their public duties; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that it hereby authorizes and approves the indemnification and defense of Rey Martinez subject to the terms and conditions of Chapter 13 of the Code of the Borough of Haledon; and

BE IT FURTHER RESOLVED, that the Mayor, Borough Administrator, Borough Clerk and Borough Attorney are hereby authorized to take any and all necessary action to effect the terms of this Resolution.

ROLL CALL  
YES: FUSCO, TIRRI, KILMINSTER  
ABSTAIN: MARTINEZ  
NO: -0-

RESOLUTION#2010-136 AUTHORIZING DEFENSE OF SUSEN-MERCURO VS. THE  
BOROUGH OF HALEDON.  
Motion by Kilminster seconded by Fusco to approve.

WHEREAS, a lawsuit has been instituted by Louis Mercurio against several defendants including the Borough of Haledon and Allan Susen, which lawsuit is pending in the United States District Court, District of New Jersey; and

WHEREAS, the Borough of Haledon has adopted Chapter 13 of the Code of the Borough of Haledon titled, "Defense and Indemnification" which authorizes the Governing Body of the Borough of Haledon to provide for the indemnification and legal defense of any civil action brought against any present or former official, employee, or appointee from an act or omission falling within the scope of their public duties; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that it hereby authorizes and approves the indemnification and defense of Allan Susen subject to the terms and conditions of Chapter 13 of the Code of the Borough of Haledon; and

BE IT FURTHER RESOLVED, that the Mayor, Deputy Clerk and Borough Attorney are hereby authorized to take any and all necessary action to effect the terms of this Resolution.

ROLL CALL  
YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ  
NO: -0-

Mayor Stampone understood that the Library is not included. Would like to add to the resolution to request the Library to take the furlough days also.

Further resolved that request Library follow lead of rest of Borough to follow suit and contribute as other employees have.

RESOLUTION #2010-138 AUTHORIZE THE FURLOUGH OF CERTAIN EMPLOYEES  
OF THE BOROUGH OF HALEDON  
Motion by Kilminster seconded by Tirri to approve.

WHEREAS, the Borough of Haledon is faced with a serious financial condition caused by the loss of revenues, including but not limited to State aid; and

WHEREAS, the Governing Body of the Borough of Haledon has considered all cost savings measures to minimize the economic impact on tax payers while also preserving its valuable workforce that provides necessary services to the residents of the Borough of Haledon; and

WHEREAS, the Administration of the Borough of Haledon is recommending a furlough plan that includes a five day furlough of certain union and non union employees; and

WHEREAS, the affected employee unions and non union employees understand the economic crisis facing the Borough and have consequently agreed to accept the furlough days; and

NOW THEREFORE BE IT RESOLVED, that certain employees of the Borough of Haledon as determined by the Borough Administrator will receive five furlough days which are days off from work without compensation during the remainder of 2010; and

BE IT FURTHER RESOLVED, in order to effectuate the planned furlough, Borough business offices will be closed on August 20, August 27, September 3, September 17, and September 24, 2010; and

BE IT FURTHER RESOLVED, the Borough Administrator and/or Department Heads will schedule furlough days for affected employees; and

BE IT FURTHER RESOLVED, that the Borough Administrator shall negotiate and memorialize any necessary agreements with representatives of the Borough's employee unions concerning payroll deductions, overtime and any other aspects concerning the implementation of thee planned furloughs; and

BE IT FURTHER RESOLVED, individual employees that serve a furlough day as per the terms and conditions of their contractual agreement shall be eligible and have their overtime calculated according to the collective bargaining agreement between the parties as if a full forty (40) hour week had been worked; and

BE IT FURTHER RESOLVED, that the Mayor, Borough Administrator/Clerk and Borough Attorney are hereby authorized to take any and all necessary action to effect the terms of this Resolution; and

BE IT FURTHER RESOLVED that the Governing Body recommends that the Haledon Public Library Board of Trustees follow in this cost saving effort;

ROLL CALL

YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ

NO: -0-

Councilwoman Kilminster thanked the Borough employees for taking the furlough days it is a gesture that is greatly appreciates.

Motion by Martinez seconded by Kilminster to add one resolution.

ROLL CALL

YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ

NO: -0-

RESOLUTION #2010-139 APPOINTMENT OF SPECIAL POLICE  
Motion by Martinez seconded Kilminster to approve.

WHEREAS, Deputy Police Chief Kevin Gottheiner has recommended the following appoints in his letter dated August 17, 2010:

Special Police Officer, Class I	James Hayer
Special Police Officer, Class I	Timothy Lindberg
Special Police Officer, Class II	James Len, Jr.

WHEREAS, this position is an appointment by the Mayor with the advice and consent of the Borough Council according to Chapter 48-6 of the Code of Haledon; and

WHEREAS, Mayor Stampone requests the advice and consent the of Council to appoint James Hayer and Timothy Lindberg to the position of Special Police Officer, Class I and James Len, Jr. to the position of Special Police Officer, Class II;

NOW THEREFORE BE IT RESOLVED, by Council of the Borough of Haledon that they hereby consent to the above Special Police appointments; and

BE IT FURTHER RESOLVED, that these appointments be effective immediately and that they shall expire at the end of the current calendar year and may be revoked without cause or hearing.

ROLL CALL  
YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ  
NO: -0-

RESOLUTION #2010-140 APPROVE BILLS LIST, August 19, 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 August 19, 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 August 19, 2010 WITH PREPAIDS IS:

CURRENT:	\$ 3,346,080.11
WATER (MUA):	\$ <u>34,505.00</u>
TOTAL:	\$ 3,380,585.11

ROLL CALL  
YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ  
NO: -0-

**ADJOURN**

Motion by Kilminster seconded by Martinez to adjourn.

ROLL CALL

YES: FUSCO, TIRRI, KILMINSTER, MARTINEZ

NO: -0-

Respectfully submitted:

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