

BOROUGH OF HALEDON
MAYOR AND COUNCIL
July 15, 2010

PRAYER
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon will take place on July 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 President Maha Kandis; Council members Rey Martinez, Dom Fusco, Heather Kilminster; Borough Attorney Andrew Oddo and Municipal Clerk Allan R. Susen.

Absent: Councilman Tirri was running late and Councilman Batelli is absent with prior notice.

PUBLIC HEARING
(Privilege of the floor)

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

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

Karen Coletta, 32 Kossuth Street had a question in regards to the hearing officer for the Mercuro's hearing. There is a resolution on the agenda authorizing an agreement for the Richard Cushing. How can that be on the agenda tonight when we had a hearing session yesterday?

Karen Fischer, Kossuth Street – spoke on grant funds received for POD. A difibulator has been purchased. On that note she suggested to the Mayor and Council that personnel in the building should get CPR and difibulator training. With the difibulator we also purchased a wheel chair. We are advised to place the deliberator in the interior lobby of the Municipal Building Complex.

Councilman Tirri arrived at 7:07 PM

Motion by Fusco seconded by Kandis to close the public hearing.
ROLL CALL
YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ
NO:-0-

GOVERNING BODY RESPONSES

Mayor Stampone was glad we to hear that we received a difibulator. Mayor Stampone agreed that employees should get CPR and defibulator training.

The resolution on the agenda tonight for the Hearing officer is just renewing the existing agreement.

COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE – Rey Martinez, Chairperson

Police Liaison – no official report.

Police Department

Housing Inspection/Building Maintenance

Municipal Court

Fire Liaison– Heather Kilminster read fire report.

Fire Department

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

FINANCE COMMITTEE

Michael Tirri, Chair – spoke on transitional aid application. Read regular report.

ADMINISTRATION AND PERSONNEL

Maha Kandis, Chair – read regular report

Reviewing draft of personnel manual.

ORDINANCE

Dom Fusco, Chair – no report.

HEALTH AND WELFARE

Heather Kilminster, Chair – Will meet with Karen Fisher regarding the difibulator training.

PUBLIC WORKS

Daniel Batelli, Chair – absent.

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

Mayor Stampone requested Municipal Clerk Allan R. Susen to reach out to Councilman Batelli regarding Councilman Batelli's meeting attendance.

Mayor Stampone spoke about the flyer regarding garbage receptacles. The garbage receptacles have a weight limit of 32 gallons and this will be enforced mid August.

CAPITAL PROJECTS

Rey Martinez, Chair – no report.

TECHNOLOGY

Maha Kandis, Chair –no report.

SPECIAL EVENTS

Maha Kandis, Chair –

Special Events Committee continues to work on Haledon Day event. Haledon Day will hopefully be held on September 25, 2010. The Special Events Committee rescheduled their meeting on July 12, 2010 to July 20, 2010. Roe Street Field usage by residents is being reviewed. Council has a draft of the plan. Clean up of the recreation center was finally completed by using the Sheriff Labor Assistance Program.

Boys and Girls Club held end of season barbeque which was a successful event. They are running the summer camp now. Need volunteers to establish commissioners for various sports programs.

Mayor Stampone spoke a bit on transitional aid application. We are no longer receiving discretionary aid. The State is implementing a 2% cap. This action will cause employment changes. We are keeping unions involved and informed.

We will hold an Eagle Scout ceremony here at the Municipal Building Complex, August 4, 2010.

COMMUNICATIONS

1. Letter from the Board of Chosen Freeholders Office of Bruce James thanking Mayor Stampone for the Passaic County Open Space Trust Fund application and notice of the approved grant for \$200,000.00 to continue improvements of Roe Street Athletic Field.
2. Letter from the American Labor Museum/Botto House National Landmark requesting permission to hold 19th Annual Labor Day Parade to be held on Sunday September 5, 2010 at 1:30 PM.
3. Letter from Thomas B. Hanrahan & Associates LLC regarding the Mercurio v. Borough of Haledon Civil Action. Atty client privilege item re Anydy
4. Notice of a public hearing Township of Wayne Planning Board housing element and fair share plan.
5. Letter from Nordan Murphy regarding Construction Management and Inspection Services Roe Street Area Sanitary Sewer Rehabilitation, dated June 25, 2010.
6. Letter from Christopher A. Gray Esquire, regarding Heather Kilminster vs. Borough of Haledon, et al.
7. Notice from New Jersey Transit regarding a public hearing being held Wednesday July 28, 2010.
8. Invitation from Eagle Court of Honor holding a ceremony honoring Lucas Birch on Wednesday, August 4, 2010.
9. Letter from the Haledon Health Department regarding the contract with the Paterson Health Department.
10. Letter from the Department of Health and Senior Services of the State of New Jersey regarding the elimination of Public Health Priority Funding.

Motion by Kilminster seconded by Martinez to accept and file.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0-

UNFINISHED BUSINESS

Motion by Martinez seconded by Kilminster that Bond Ordinance #7-1-2010 be heard in its second and final reading (Various Capital Improvements of the Borough of Haledon)

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0-

THE CLERK READ THE TITLE:

BOROUGH OF HALEDON
BOND ORDINANCE #7-1-2010

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF HALEDON, IN THE COUNTY OF PASSAIC, NEW JERSEY APPROPRIATING THE AGGREGATE AMOUNT OF \$1,350,000 THEREFOR, INCLUDING \$160,000 COMMUNITY DEVELOPMENT BLOCK GRANTS EXPECTED TO BE RECEIVED AND \$381,000 DEPARTMENT OF TRANSPORTATION GRANTS EXPECTED TO BE RECEIVED, AND AUTHORIZING THE ISSUANCE OF \$1,330,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Motion by Tirri seconded by Martinez to open the public hearing on Ordinance # 7-1-2010.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0-

Motion by Kilminster seconded by Fusco to close the public hearing on Ordinance # 7-1-2010.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0-

Motion by Kilminster seconded by Martinez that Ordinance #7-1-2010 be approved and adopted and to authorize the Municipal Clerk to advertise according to law.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0-

Motion by Martinez seconded by Fusco that Ordinance #7-1-2010A heard in its second and final reading (An Ordinance amending Chapter 205 of the code of the Haledon entitled Vehicles and Traffic)

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0-

THE CLERK READ THE TITLE:

BOROUGH OF HALEDON
ORDINANCE #7-1-2010A

AN ORDINANCE AMENDING CHAPTER 205 OF THE CODE OF THE BOROUGH OF HALEDON ENTITLED VEHICLES AND TRAFFIC

Motion by Kilminster seconded by Fusco to open the public hearing on Ordinance # 7-1-2010A.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0-

Motion by Kilminster seconded by Fusco to close the public hearing on Ordinance # 7-1-2010A.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0-

Motion by Kilminster seconded by Fusco that Ordinance #7-1-2010A be approved and adopted and to authorize the Municipal Clerk to advertise according to law.

ROLL CALL

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

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:

RESOLUTION #2010-112	AUTHORIZATION TO APPROVE AMUSEMENT GAME LICENSES-JULY 15, 2010 TO JULY 14, 2011.
RESOLUTION #2010-113	AUTHORIZATION TO APPROVE LIQUOR LICENSE RENEWALS – JULY 15, 2010 TO JUNE 30,2011
RESOLUTION #2010-114	RESOLUTION DENOUNCING ARIZONA’S NEW IMMIGRATION LAW AND CALLING ON THE FEDERAL GOVERNMENT TO IMPLEMENT COMPREHENSIVE IMMIGRATION REFORM.
RESOLUTION #2010-115	AUTHORIZE AGREEMENT FOR SPECIAL LABOR COUNSEL
RESOLUTION #2010-116	AUTHORIZE AGREEMENT FOR HEARING OFFICER

Motion by Martinez seconded by Kandis to approve.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0-

RESOLUTION #2010-112 APPROVE AMUSEMENT GAME LICENSES-JULY 15, 2010 TO JULY 14, 2010

WHEREAS, Chapter 64 of the Code of the Borough of Haledon requires the licensing of distributors and proprietors for the distributing and operation of amusement game devices in the Borough of Haledon; and

WHEREAS, said license has a one year term from July 15 to July 14 of the proceeding year; and

WHEREAS, the Clerk has obtained updated applications from the distributors and proprietors listed below and found everything to be in order and in compliance with the Borough ordinance;

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Haledon that the distributor and proprietor amusement game device licenses applied for by those individuals and entities listed below are hereby approved and that the Municipal Clerk is hereby authorized to issue license for the license year of July 15, 2010 to July 14, 2011

<u>Licensee</u>	<u>Address</u>	<u>License type</u>	<u>License fee</u>
Millennium Amusements	44 East Railway Ave. Paterson, NJ	distributor	\$300.00
James Garruto (Jimmy Geez)	436 Belmont Ave., Haledon	proprietor	\$50.00
The Shepherd & the Knucklehead	529 Belmont Ave., Haledon	proprietor	\$50.00
Underdog	4-6-8 Church St., Haledon	proprietor	\$50.00

RESOLUTION #2010-113 LIQUOR LICENSE RENEWALS – JULY 15, 2010 TO JUNE 30, 2011

WHEREAS, applications were made in proper form for the liquor license renewals by all licensees for the ensuing fiscal year 2010-2011 to be effective July 15, 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:

Haledon Fire Company No#2	522-524 W Broadway	1603-33-007-001
Underdog LLC	4-6-8 Church Street	1603-33-010-010

RESOLUTION #2010-114 RESOLUTION DENOUNCING ARIZONA'S NEW
IMMIGRATION LAW AND CALLING ON THE FEDERAL
GOVERNMENT TO IMPLEMENT COMPREHENSIVE
IMMIGRATION REFORM

WHEREAS, America, a nation of immigrants, is the greatest example of freedom and liberty in the world; and

WHEREAS, the legislature of Arizona and the Governor of Arizona recently signed into law Arizona Senate Bill 1070 which requires law enforcement to question people about their immigration status and arrest individuals if they have a "reasonable suspicion" that they are in the country illegally; and

WHEREAS, this Arizona law threatens the basic notions of decency, justice, and fairness which are essential elements of the American way of life; and

WHEREAS, Arizona's law is formulated on a policy of profiling rather than just and equal process; and

WHEREAS, Arizona's law infringes upon the civil rights of individuals and families across the United States; and

WHEREAS, President Obama has described Arizona's law by calling it "misguided"; and

WHEREAS, Arizona's law is indicative of the need for comprehensive immigration reform by the Federal Government; and

WHEREAS, for more than a decade our nation has pursued an enforcement- only approach to immigration- an exercise in futility and cruelty which has squandered resources and created a climate of fear in immigrant communities, but has not brought us any closer to a solution for the immigration problems facing our nation; and

WHEREAS, the nation needs and deserves comprehensive immigration reform which will stop current practices which have divided families across the nation and which will provide a clear path to citizenship; and

WHEREAS, studies have shown that comprehensive immigration reform can play a vital role in revitalizing our struggling economy; and

WHEREAS, immigration reform must respect clear boundaries between federal immigration enforcement, local law enforcement, and the enforcement of labor laws; and

WHEREAS, immigration reform transcends party lines, and requires input from all elected officials without regard to political affiliation.

RESOLUTION #2010-115 AUTHORIZE AGREEMENT FOR SPECIAL LABOR
COUNSEL

WHEREAS, bids were received for Special Legal Counsel for Police Disciplinary matters by the Municipal Clerk on July 13, 2010; and

WHEREAS, the Borough has received proposals from the law firm of Florio Perrucci Steinhardt & Fader, L.L.C to represent the Borough in this matter; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the firm of Florio Perrucci Steinhardt & Fader, L.L.C is hereby selected to represent the Borough of Haledon in the Lou Mercuro disciplinary matter.

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BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign an agreement in a form to be approved by Borough Attorney Andrew Oddo.

RESOLUTION #2010-116 AUTHORIZE AGREEMENT FOR HEARING OFFICER

WHEREAS, bids were received for Hearing Officer for Police Disciplinary matters by the Municipal Clerk on July 13, 2010; and

WHEREAS, the Borough has received proposals from Richard P. Cushing, Esq. the law firm of Gebhardt & Kiefer, P.C. to represent the Borough in this matter; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that Richard P. Cushing, Esq. the firm of Gebhardt & Kiefer, P.C. is hereby selected to represent the Borough of Haledon in the Lou Mercurio disciplinary matter.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign an agreement in a form to be approved by Borough Attorney Andrew Oddo.

Motion by Martinez seconded by Fusco to add two resolutions to the Agenda.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0-

RESOLUTION #2010-117 AUTHORIZING THE BOROUGH OF HALEDON TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

Motion by Martinez seconded by Fusco to approve.

WHEREAS, N.J.S.A 40A:11-11 (5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing for its administration; And

WHEREAS, the County of Passaic, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods \and services;

WHEREAS, on July 15, 2010 the governing body of the Borough of Haledon, County of Passaic, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

TITLE

This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Haledon.

AUTHORITY

Pursuant to the provisions of N.J.S.A 40A:11-11 (5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

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

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0

RESOLUTION #2010-118 AWARD OF CONTRACT – AVENUE C AND GROVE STREET IMPROVEMENTS

Motion by Martinez seconded by Kandis to approve.

WHEREAS, bids were received for the Avenue C and Grove Street Improvement Project by the Municipal Clerk on July 9, 2010; and

WHEREAS, the apparent low bidder was A.J.M. Contractors, Inc. of Clifton, NJ; and

WHEREAS, Nordan Murphy, P.E. representing the Borough Engineer Alaimo Engineering in his letter dated July 13, 2010 recommends the Borough award the project to A.J.M. Contractors, Inc.; and

WHEREAS, the Borough Chief Financial Officer, Maryann Brindisi; has issued a certification of funds for an amount not to exceed \$200,041.00; and

WHEREAS, this certification is subject to the estoppel period of Bond Ordinance 7-1-2010

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that A.J.M. Contractors, Inc. be awarded the Avenue C and Grove Street Improvement for the contract price of \$200,041.00 and

BE IT FURTHER RESOLVED, that this award is subject to approval of the New Jersey Department of Transportation and Borough Attorney review; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk subject to the above mentioned items are hereby authorized to execute a contract with A.J.M. Contractors, Inc. in a form to be approved by the Borough Attorney for the Avenue C and Grove Street Improvement Project.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0

RESOLUTION #2010-119 APPROVE BILLS LIST, July 15, 2010

Motion by Kilminster seconded by Martinez 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 July 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 July 15, 2010 WITH PREPAIDS IS:

CURRENT:	\$ 1,032,768.32
WATER (MUA):	<u>\$ 35,260.86</u>
TOTAL:	\$ 1,068,029.18

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ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0

ADJOURN

Motion by Fusco seconded by Martinez to adjourn.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, KILMINSTER, MARTINEZ

NO: -0

Respectfully submitted:

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