

BOROUGH OF HALEDON
MAYOR AND COUNCIL
November 11, 2010

PRAYER
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon took place on November 11, 2010 at 7:30PM at the Recreation Center located at 83 Roe Street, Haledon, New Jersey.

This meeting was called pursuant to the provisions of the Open Public Meetings Law. Notice of change of location and time of this meeting was included in a notice sent to the Hawthorne Press, the North Jersey Herald & News and the Record on October 28, 2010 posted on the bulletin board in the Municipal Building on October 28, 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, Michael Tirri and Michael Johnson; Borough Attorney Andrew Oddo and Municipal Clerk Allan R. Susen.

Absent: Councilwoman Kilminster with prior notice was not able to attend due to a work commitment.

PUBLIC HEARING
(Privilege of the floor)

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

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

Mary Mayer, Belmont Ave – very angry over the garbage situation in the Borough. Did come to last meeting and mentioned this problem. The residents are still putting out the garbage on holidays. It was Veteran's Day and a lot of people still put out their garbage. One of the things that might resolve this problem is for the Borough to provide the residents with a calendar it will help remind them that when there is no garbage collection. Realizes that it is an expense for the Borough to have a calendar but thinks it is worth it.

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

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO:-0-

GOVERNING BODY RESPONSES

Mayor Stampone responded we did speak about this in the previous meeting we are going to have a calendar for the residents. Council President Maha will research the making of this calendar. We might try to get the local businesses to sponsor the making of the calendar. There is a possibility that it will be a flyer rather than a calendar.

Council President Kandis said she will research the making of the flyer and try her best to make it available to the residents as soon as possible.

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Councilman Tirri will speak to the Sheriff's Department to get ideas and see if they will sponsor the calendar.

COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE – Rey Martinez, Chairperson

Police Liaison –

Police Department- looking into the traffic situation referred to new ordinance that is on the Agenda Ordinance #11-11-2010.

Housing Inspection/Building Maintenance

Municipal Court

Fire Liaison– Heather Kilminster

Fire Department

Office of Emergency Management Liaison – Michael Tirri

FINANCE COMMITTEE

Michael Tirri, Chair –Mentioned the memo Acting Borough Administrator Allan R. Susen regarding freezing budgets. Borough Administrator and I will review all the purchases to make sure only the necessities are purchased.

ADMINISTRATION AND PERSONNEL

Maha Kandis, Chair – read report from Acting Borough Administrator.

Mayor Stampone mentioned the new soccer goals purchased (not with taxpayer money) – but permit fees for outside teams using the field.

ORDINANCE

Dom Fusco, Chair –no official report.

HEALTH AND WELFARE

Heather Kilminster, Chair – no official report.

PUBLIC WORKS

Michael Johnson, Chair –no official report. Spoke briefly on the water main break on Central Ave. Water was entering a resident's home and the Department of Public works took care of it. Mayor Stampone mentioned that there was a problem with response time and will follow up with Superintendent Angelo Passafaro.

- 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 – Moving forward with the Walgreen project, addressing traffic issues.

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TECHNOLOGY

Maha Kandis, Chair – we are continuing to work on upgrading the Borough's website with Passaic County Technical Institute.

SPECIAL EVENTS

Maha Kandis, Chair –

Soccer program winding down, November 6th was the season end party. November 19, 2010 registration for the Baseball program ends.

The recreation building will be painted this weekend by the Boys and Girls Club. Halloween Parade and dance was successful thanks to the Haledon Police Department and Department of Public Works assistance with set up. Holiday Tree Lighting ceremony will be held on December 3, 2010. The rest of the Holiday events are being planned and will be finalized at the next committee meeting.

MAYOR'S REPORT

Very Excited about Walgreens project that is in progress. Another area that will be redeveloped is the Former Municipal Building site. We will meet with the bidders for that project and come to a decision soon. Another site that people are showing interest in is the old Chase Bank site. We are looking forward to renewed interest in the Haledon Business District to bring in new businesses and create more employment opportunities. We received an Open Space Trust Grant for \$75,000 to upgrade the children's playground at Braen Memorial Park. The improvements will cost total approximately \$1.2 million.

COMMUNICATIONS

1. Thank you card from Maria Lisi family to the Mayor and Council for sending flowers due to the passing of Maria Lisi.
2. Letter from resident Fakrul Hussain who resides at 342 Mason Ave complaining about the cracks in the sidewalk.
3. Letter from the management company for the heights of Haledon requesting a change in the ordinance regulating no parking on Heights Drive.
4. Invitation from Subway to the Mayor & Council to attend the ribbon cutting.

Motion by Tirri seconded by Martinez to accept and file.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

UNFINISHED BUSINESS

None.

NEW BUSINESS

Motion by Tirri seconded by Martinez to introduce Ordinance 11-11-2010 (Amend handicapped parking section and Church Street one way from Belmont Ave to Haledon Ave left turns prohibited section of Vehicles and Traffic).

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

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Clerk will read the title:

BOROUGH OF HALEDON
ORDINANCE#11-11-2010
AN ORDINANCE AMENDING CHAPTER 205 OF THE CODE OF THE BOROUGH OF
HALEDON ENTITLED VEHICLES AND TRAFFIC

Motion by Martinez seconded by Fusco to approve and authorize the Municipal Clerk to advertise in the next available issue of the Herald News for a public hearing to take place on December 16, 2010.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

Motion by Fusco seconded by Kandis to introduce Ordinance 11-11-2010A (Pay to Play Ordinance)

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

Clerk will read the title:

BOROUGH OF HALEDON
ORDINANCE #11-11-2010A
AN ORDINANCE ESTABLISHING CHAPTER 44 OF THE CODE OF THE BOROUGH OF
HALEDON ENTITLED "PAY TO PLAY"

Motion by Tirri seconded by Fusco to approve and authorize the Municipal Clerk to advertise in the next available issue of the Herald News for a public hearing to take place on December 16, 2010.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO:-0-

Motion by Martinez seconded by Johnson to introduce Ordinance 11-11-2010B (Police Salary Ordinance)

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

Clerk will read the title:

BOROUGH OF HALEDON
ORDINANCE#11-11-2010B
AN ORDINANCE FIXING THE ANNUAL SALARIES OF THE MEMBERS OF THE
HALEDON POLICE DEPARTMENT FOR THE YEARS 2010-2015 AND PROVIDING
FOR THE COST THEREOF

Motion by Martinez seconded by Johnson to approve and authorize the Municipal Clerk to advertise in the next available issue of the Herald News for a public hearing to take place on December 16, 2010.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

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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#2010-172 LIQUOR LICENSE TRANSFER- PERSON TO PERSON, CAROL A. BURKE ADMINISTRATOR ESTATE OF DOHERTY TO BODY SHOT LLC.
- RESOLUTION#2010-173 AUTHORIZE PATRICK HARTIGAN TO BECOME A FULL TIME CROSSING GUARD REPLACING SHANNON JACKSON.
- RESOLUTION#2010-174 AUTHORIZE MUNICIPAL CLERK TO ADVERTISE FOR QUALICATIONS – PROFESSIONAL SERVICES UNDER THE FAIR AND OPEN PROCESS
- RESOLUTION#2010-175 AUTHORIZE MUNICIPAL CLERK TO SIGN 2010 OPEN SPACE & FARMLAND PRESERVATION TRUST FUND AGREEMENT: BOROUGH OF HALEDON, PROJECT KNOWN AS ROE STREET FIELD.
- RESOLUTION#2010-176 GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT.
- RESOLUTION #2010-177 GOVERNING BODY ACKNOWLEDGING TERMS OF THE MEMORANDUM OF UNDERSTANDING – TRANSITIONAL AID
- RESOLUTION #2010-178 REFUND OF TAX OVERPAYMENT SUCCESSFUL TAX APPEAL.

Motion by Martinez seconded by Johnson to approve.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

- RESOLUTION #2010-172 LIQUOR LICENSE TRANSFER – PERSON TO PERSON, CAROL A. BURKE ADMINISTRATOR ESTATE OF DOHERTY TO BODY SHOT LLC.

WHEREAS, an application has been filed for a person to person transfer of License #1603-33-023-005 heretofore issued to Body Shot, LLC 252 Mulberry Way, Franklin Lakes 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

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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 November 11, 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 Body Shot, LLC effective November 11, 2010.”

RESOLUTION #2010-173 AUTHORIZE PATRICK HARTIGAN TO BECOME A FULL TIME CROSSING GUARD REPLACING SHANNON JACKSON

WHEREAS, Deputy Chief Kevin Gottheiner has submitted a letter of recommendation for Patrick Hartigan to be appointed as a full time Crossing Guard replacing Shannon Jackson; and

WHEREAS, Mayor Domenick Stampone requests the advice and consent of the Borough Council to appoint Patrick Hartigan as a full time Crossing Guard effective immediately at the current hourly rate;

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Haledon that Patrick Hartigan becomes a full time Crossing Guard effective immediately.

RESOLUTION #2010-174 AUTHORIZE MUNICIPAL CLERK TO ADVERTISE FOR QUALIFICATIONS – PROFESSIONAL SERVICES UNDER THE FAIR AND OPEN PROCESS

BE IT RESOLVED, by the Governing Body of the Borough of Haledon, that the Municipal Clerk is hereby authorized to advertise for qualification for professional services under the fair and open process.

RESOLUTION #2010-175 AUTHORIZE MUNICIPAL CLERK TO SIGN 2010 OPEN SPACE & FARMLAND PRESERVATION TRUST FUND AGREEMENT: BOROUGH OF HALEDON, PROJECT KNOWN AS ROE STREET FIELD.

WHEREAS, the Municipal Clerk received the Open Space & Farmland Preservation Trust Fund Agreement and seeks authorization from the Governing Body to sign this agreement;

THEREFOR BE IT RESOLVED, that the Governing Body authorizes the Municipal Clerk to sign the 2010 Open Space & Farmland Preservation Trust Fund Agreement: Borough of Haledon, Project Known as Roe Street Field.

RESOLUTION #2010-176 GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

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

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

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

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.50, a regulation requiring that governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

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

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

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

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

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

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

RESOLUTION #2010-177

GOVERNING BODY ACKNOWLEDGING TERMS
OF THE MEMORANDUM OF UNDERSTANDING –
TRANSITIONAL AID

WHEREAS, the Borough of Haledon is the recipient of Transitional Aid funding from the State of New Jersey; and

WHEREAS, as part of the funding acceptance, the Borough of Haledon agreed to follow a Memorandum of Understanding (MOU) with the State of New Jersey; and

WHEREAS, the Memorandum of Understanding establishes certain rules, conditions and oversight by the Division of Local Government Services; and

WHEREAS, the MOU requires a resolution approved by the Governing Body acknowledging the terms of the MOU;

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Haledon hereby acknowledges the terms of the Memorandum of Understanding and authorizes the Municipal Clerk to forward a certified copy to the Director of the Division of Local Government Services.

RESOLUTION #2010-178 REFUND OF TAX OVERPAYMENT SUCCESSFUL TAX APPEAL

WHEREAS, an overpayment has been made by the property owner as a result of a successful Tax Appeal for 2010 taxes on block 47 Lot 36, better known as 48 Tilt Street, Haledon, New Jersey.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be and is hereby authorized to issue a check in the amount of \$ 1,272.52 to:

Joe Varoqua
48 Tilt Street
Haledon, NJ 07508

RESOLUTION #2010-179 APPROVE BILLS LIST, November 11, 2010
Motion by Kandis 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 November 11, 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 November 11, 2010 WITH PREPAIDS IS:

CURRENT:	\$ 2,675,868.05
WATER (MUA):	<u>\$ 23,869.48</u>
TOTAL:	\$ 2,699,737.53

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

Motion by Johnson seconded by Martinez to recess.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

Motion by Martinez seconded by Johnson to reopen the meeting.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

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

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

RESOLUTION #2010-180 AUTHORIZE TRANSFER OF VEHICLES BETWEEN
HALEDON POLICE DEPARTMENT AND HALEDON FIRE
DEPARTMENT

Motion by Martinez second by Fusco to approve.

WHEREAS, Deputy Chief Gottheiner is suggesting that units 102 and 105; which have been used to their fullest by the Police Department, be transferred to the Haledon Fire Department; and

WHEREAS, the Deputy Chief feels unit 102 can be repaired to working order to fill the needs of the Haledon Fire Chief; and

WHEREAS, unit 105 is beyond repair and can be used for fire training purposes;

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Haledon hereby concur with the recommendation of Deputy Chief Gottheiner and transfer units 102 and 105 to the Haledon Fire Department for the purposes stated above.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

RESOLUTION #2010-181 APPOINT SPECIAL POLICE OFFICER, CLASS II –
ANTULIO NEGRON

Motion by Martinez second by Johnson to approve.

WHEREAS, Deputy Chief Gottheiner is requesting Antulio Negrón be appointed a Class II Special Police Officer; and

WHEREAS, this appointment is made by the Mayor with the advice and consent of the Borough Council; and

WHEREAS, Mayor Stampone hereby requests the advice and consent of the Haledon Borough Council to appoint Antulio Negrón to the position of Special Police Officer, Class II; and

WHEREAS, Mr. Negrón is authorized to perform only unpaid volunteer work until this appointment is approved by the Division of Local Government Services under the terms of the Memorandum of Understanding;

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Haledon hereby provides their advice and consent to appoint Antulio Negrón to the position of Special Police Officer, Class II for unpaid volunteer work until this appointment is approved by the Division of Local Government Services under the terms of the Memorandum of Understanding.

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ROLL CALL

YES: TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

ABSTAIN: FUSCO

The Mayor and Council decided to go into Executive Session.

RESOLUTION #11-11-2010 EXECUTIVE SESSION

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

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

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:

- Personnel (Andrew Oddo advised the Mayor and Council that a Rice Notice was not needed)

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, MARTINEZ, JOHNSON

NO: -0-

Upon returning from closed session a motion was made by Kandis seconded by Martinez to re-open public meeting.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

ADJOURN

Motion by Johnson seconded by Martinez to adjourn.

ROLL CALL

YES: FUSCO, TIRRI, KANDIS, MARTINEZ, JOHNSON

NO: -0-

Respectfully submitted:

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

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