**BOROUGH OF HALEDON**
**MAYOR AND COUNCIL**
August 18, 2011

PRAYER
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon took place on August 18, 2011 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 6, 2011 posted on the bulletin board in the Municipal Building on January 6, 2011 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 Stampone, Council members; Mounir Almaita, Michael Tirri, Heather Kilminster and Michael Johnson. Borough Municipal Clerk Allan R. Susen and Borough Attorney Andrew Oddo.

Absent: Council President Maha Kandis and Councilman Martinez absent with prior notice.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

**PUBLIC HEARING (Privilege of the floor)**
Motion by Johnson seconded by Tirri to open the public hearing.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

Mr. Block, Morrissee Ave. – is there free time for the Haledon residents to use Roe Street Field as discussed in the Work Session?

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

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

**GOVERNING BODY RESPONSES**

Mayor Stampone – we currently have a policy in place but it may be too restrictive. The Special Events is working on revising the policy so the residents can have more free time on the field.

**COMMITTEE REPORTS**

PUBLIC SAFETY COMMITTEE – Rey Martinez, Chairperson
Police Liaison – absent.
Police Department
Housing Inspection/Building Maintenance
Municipal Court

Fire Liaison– Heather Kilminster
Fire Department
Fire Department requested to have a meeting first week of September.

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

FINANCE COMMITTEE
Mounir Almaita, Chair – no official report.

ADMINISTRATION AND PERSONNEL
Maha Kandis, Chair – absent.

ORDINANCE
Mounir Almaita, Chair –discussing appointments for the Police Department.

HEALTH AND WELFARE
Heather Kilminster, Chair – report posted.

PUBLIC WORKS
Michael Johnson, Chair – Spoke to Councilman Almaita regarding right turn only on Pompton Road and Belmont Ave. We are currently having traffic issues between Church/Belmont. Mayor Stampone advised Councilman Johnson to get the Borough Engineer and the County Engineer involved. We must rely on an Engineer's point of view.

- 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 – absent.

TECHNOLOGY
Maha Kandis, Chair – Mayor Stampone confirmed with Deputy Clerk Leena Abaza that the new website will launch mid September.

SPECIAL EVENTS
Maha Kandis, Chair –

Mayor Stampone reported on 9/11 Memorial Service scheduled for September 9, 2011, candlelight service. The Haledon Police and Fire departments will be there for the ceremony and after the ceremony refreshments will be served. The Band shell will be dedicated to those who perished on September 11.

**MAYOR'S REPORT**

**COMMUNICATIONS**

1. Letter from the City of Paterson Police Department regarding Animal Control Services –shared services agreement.
2. Letter from Jimmy Geez Sports Bar & Grill requesting permission from the Mayor & Council to hold an outside charity event for Smoke & Iron Firefighters MC.
3. Invitation from the Borough of North Haledon to their annual 9/11 Candlelight Service.

Motion by Kilminster seconded by Johnson to accept and file.

ROLL CALL
YES: ALMAITA,TIRRI, KILMINSTER, JOHNSON
NO: -0-

**UNFINISHED BUSINESS**

Motion by Almaita seconded by Tirri that Ordinance #8-4-2011 to be heard in its second and final reading (An Ordinance revising the Borough's "Pay to Play" Ordinance)

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

THE CLERK WILL READ THE TITLE

BOROUGH OF HALEDON
ORDINANCE #8-4-2011
AN ORDINANCE REVISING CHAPTER 44 OF THE CODE OF THE BOROUGH OF HALEDON ENTITLED "PAY TO PLAY"

Motion by Kilminster seconded by Tirri to open the public hearing on Ordinance # 8-4-2011.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

No comments.

Motion by Kilminster seconded by Tirri to close the public hearing on Ordinance # 8-4-2011.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO:-0-

Motion by Almaita seconded by Tirri that Ordinance #8-4-2011 be approved and adopted and to authorize the Municipal Clerk to advertise according to law.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

Motion by Almaita seconded by Tirri to add Resolution #2011-111A Capital Budget Amendment.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

RESOLUTION #2011-111A CAPITAL BUDGET AMENDMENT
Motion by Tirri seconded by Kilminster to approve.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

***This resolution will be spread in full following the Meeting Minutes**

**NEW BUSINESS**

Motion by Kilminster seconded by Johnson to read the introduction of Ordinance 8-18-2011 (Bond Ordinance for various improvements)

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

The Clerk will read the title:

BOROUGH OF HALEDON
ORDINANCE 8-18-2011

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF HALEDON, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF $875,000 THEREFOR, INCLUDING AN AGGREGATE AMOUNT OF $625,000 GRANTS EXPECTED TO BE RECEIVED, AND AUTHORIZING THE ISSUANCE OF $875,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF.

Motion by Kilminster seconded by Almaita 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 September 15, 2011

ROLL CALL
YES: ALMAITA,TIRRI, KILMINSTER, JOHNSON
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 #2011-111 | AUTHORIZE CHANGE ORDER FOR THE REMOVAL OF LEAD IMPACTED SOIL AT RECREATION CENTER |
| RESOLUTION #2011-112 | LIQUOR LICENSE RENEWAL FOR CASA DI CALABRIA |
| RESOLUTION #2011-113 | GOVERNING BODY REQUESTING AN EXTENSION OF TIME TO COMPLETE THE ROE STREET PARKING LOT IMPROVEMENT. |
| RESOLUTION #2011-114 | AUTHORIZE AMERICAN FREEZE DRY TO RESTORE OLD TAX BOOKS. |
| RESOLUTION #2011-115 | AUTHORIZE REPAIRS ON THE FUEL PUMPS LOCATED BEHIND MUNICIPAL COMPLEX. |
| RESOLUTION #2011-116 | APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SOUTHSIDE AVENUE PROJECT |
| RESOLUTION #2011-117 | PROFESSIONAL SERVICE CONTRACT-ALAIMO ENGINEERING |
| RESOLUTION #2011-118 | AUTHORIZE PROFESSIONAL SERVICE AGREEMENT-PIA |
| RESOLUTION#2011-119 | PROFESSIONAL SERVICE CONTRACT- MCMANIMON & SCOTLAND, BOND COUNSEL |
| RESOLUTION#2011-120 | AUTHORIZE EXTRAORDINARY UNSPECIFIABLE SERVICE-MILLENIUM STRATEGIES |
| RESOLUTION#2011-121 | PROFESSIONAL SERVICE CONTRACT- CHARLES FERRAIOLI AUDITING SERVICES |
| RESOLUTION#2011-122 | PROFESSIONAL SERVICE SPECIAL COUNSEL MRHS LITIGATION |
| RESOLUTION#2011-123 | PROFESSIONAL SERVICE AGREEMENT- LINCOLN FINANCIAL |
| RESOLUTION#2011-124 | AUTHORIZE PROFESSIONAL SERVICE AGREEMENT-BOROUGH ATTORNEYANDREW ODDO |
| RESOLUTION#2011-125 | AUTHORIZE AGREEMENT FOR SPECIAL LEGAL COUNSEL; FLORIO, PERRUCCI, STEINHARDT & FADER |
| RESOLUTION#2011-126 | AUTHORIZE RICHARD CUSHING TO SERVE AS HEARING OFFICER |
| RESOLUTION #2011-127 | REQUEST TO CONDUCT TAG DAY- HALEDON FIRE DEPARTMENT |

Motion by Tirri seconded by Kilminster to approve.

ROLL CALL
YES: ALMAITA,TIRRI, KILMINSTER, JOHNSON
NO: -0-

Councilwoman Kilminster wanted Councilman Johnson to be recognized for providing the Police Officers that were laid off (from Paterson Police Department) with health benefits through the Bergan Regional Hospital. Councilman Johnson and Councilwoman Kilminster both worked diligently to provide the Police Officers health benefits for them and their families through the Clinic in Bergan Regional Hospital.

RESOLUTION #2011-111 AUTHORIZE CHANGE ORDER #1, REMOVAL OF LEAD IMPACTED SOIL AT THE RECREATION CENTER

WHEREAS, the Borough of Haledon awarded a contract to TTI Environmental, Inc. of 611 Industrial Way West, Eatontown, NJ for the Removal of Lead Impacted Soil at the Recreation Center; and

WHEREAS, Michael Heumiller of Birdsall Services Group in his Change Order dated July 20, 2011 has recommended that the Borough modify the award for a change order decreasing the contract price by $8,240.10; and

WHEREAS, the Borough has concurred in the recommendation of Mr. Heumiller and has determined that this Resolution should be adopted subject to the conditions hereinafter, stated;

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

1. The modification of the contract to provide for a change order decreasing the contract price by $8,240.10 for an amended contract amount of $22,521.90 be approved.
2. The written concurrence by TTI Environmental, Inc. to the modification shall be obtained in the form of Change Order No. 1, a copy of which is attached hereto and incorporated herein by reference.
3. It is hereby determined that this Change Order does not expand the size, nature or scope of the project as it was originally described in the bid specifications. The work could not reasonably be effectuated by a separately bid contract without unduly disrupting the basic work or imposing adverse cost consequences.
4. The Contractor waives all claims for extensions of time and all claims for damages of whatsoever kind, either direct or indirect as well as any claim for impacted loss of profits of whatsoever kind related to this Change Order.

RESOLUTION #2011-112 LIQUOR LICENSE RENEWALS – AUGUST 18, 2011 TO JUNE 30, 2012

WHEREAS, an application was made in proper form for the liquor license renewal by all licensee for the ensuing fiscal year 2011-2012 to be effective August 18, 2011; 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 certificate has been received for the 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 application;

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 the following applicant:

Calabria Restaurant Inc. 1603-33-016-005

RESOLUTION #2011-113 REQUEST TIME EXTENSION FOR COMPLETION OF THE ROE STREET PARKING LOT IMPROVEMENT

WHEREAS, the Roe Street Parking Lot Improvement was awarded to SCS Contracting, Inc. on June 16, 2011; and

WHEREAS, this project is funded by a 2008-2009 and a 2009-2010 Community Development Block Grant; and

WHEREAS, the Borough requires a time extension beyond the August 31, 2011 deadline to complete this project;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that a time extension be granted beyond the August 31, 2011 deadline for completion of the Roe Street Parking Lot Improvement.

RESOLUTION #2011-114 AUTHORIZE AMERICAN FREEZE DRY OPERATIONS TO RESTORE TAX RECORD BOOKS

WHEREAS, tax record books were left in storage at the old municipal complex located at 407 Belmont Avenue; and

WHEREAS, these records are permanent records required to be maintained by the Borough; and

WHEREAS, American Freeze Dry Operations submitted a proposal to restore the books at a price not to exceed $15,320.00;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the Municipal Clerk is hereby authorized to have American Freeze Dry Operations, Inc. restore the tax record books at a price not to exceed $15,320.00

RESOLUTION #2011-115 AUTHORIZE QUARRY LICENSE FOR STONE INDUSTRIES

WHEREAS, Chapter 283 of the Borough Code requires a business entity conducting quarrying activities to apply and be granted a Quarry License; and

WHEREAS, Stone Industries has applied and completed an application for quarrying; and

WHEREAS, Michael Cristaldi of Alaimo Engineering has reviewed the application and in his letter dated August 2, 2011 indicates the application submitted by Stone Industries is in compliance with Chapter 283 of the Borough Code; and

WHEREAS, Mr. Cristaldi further recommends the Governing Body approve the license application subject to receipt of a performance bond in the amount of $1,159, 062 for the future rehabilitation of the site in accordance with the Rehabilitation Plan contained in the application; and

WHEREAS, Mr. Cristaldi also recommends the application be approved subject to legal review by the Borough Attorney;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the application for a Quarry License submitted by Stone Industries is hereby approved subject to receipt of a performance bond and legal review by the Borough Attorney as stated above.

RESOLUTION #2011-116 APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SOUTHSIDE AVENUE 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-2012-Haledon Borough-00070 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.

Certified as a true copy of the Resolution adopted by the Council
On this 18TH day of August, 2011

_____
Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____ _____

RESOLUTION #2011-117 PROFESSIONAL SERVICE CONTRACT – ALAIMO ENGINEERING

WHEREAS, the Borough of Haledon requires the services of an engineer for the Borough of Haledon; and

WHEREAS, such service is exempt from bidding pursuant to NJSA 40A:11-5(1); and

WHEREAS, the Borough of Haledon in compliance with P.L. 2004, c. 19 solicited proposals under the "fair and open" process on December 1, 2010; and

WHEREAS the firm of Alaimo Engineering has submitted a proposal to conduct said service; and

WHEREAS, the employee rate schedule is included in the proposal ranging from $52.00 to $175.00 per hour based upon the professional category;

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Haledon that the Mayor and Municipal Clerk are hereby authorized to sign an agreement with Alaimo Engineering for the period ending Dec. 31, 2011 in a form to be approved by the Borough Attorney;

RESOLUTION #2011-118 AUTHORIZE PROFESSIONAL SERVICE AGREEMENT – PROFESSIONAL INSURANCE ASSOCIATES, RISK MANAGEMENT

WHEREAS, the Borough of Haledon requires the services of a Risk Management Consultant for the Borough of Haledon; and

WHEREAS, such service is exempt from bidding pursuant to NJSA 40A:11-5(1); and

WHEREAS, the Borough of Haledon in compliance with P.L. 2004, c. 19 solicited proposals under the "fair and open" process on December 1, 2010; and

WHEREAS, Frank Covelli of the firm Professional Insurance Associates has submitted a proposal to conduct said service; and

WHEREAS, the fee for this service is equal to 6% of the Municipality's annual assessment as promulgated by the Suburban Essex Joint Insurance Fund;

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Haledon that the Mayor and Municipal Clerk are hereby authorized to sign an agreement with Frank Covelli of the firm Professional Insurance Associates for the period ending Dec. 31, 2011 in a form to be approved by the Borough Attorney;

RESOLUTION #2011-119 PROFESSIONAL SERVICE CONTRACT – MCMANIMON & SCOTLAND, BOND COUNSEL

WHEREAS, the Borough of Haledon requires the services of a Bond Counsel for the Borough of Haledon; and

WHEREAS, such service is exempt from bidding pursuant to NJSA 40A:11-5(1); and

WHEREAS, the Borough of Haledon in compliance with P.L. 2004, c. 19 solicited proposals under the "fair and open" process on December 1, 2010; and

WHEREAS, the firm of McManimon and Scotland has submitted a proposal to conduct said service; and

WHEREAS, the rate schedule for Bond Counsel services is included in the submitted proposal;

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Haledon that the Mayor and Municipal Clerk are hereby authorized to sign an agreement with McManimon & Scotland for the period ending Dec. 31, 2011 in a form to be approved by the Borough Attorney;

RESOLUTION #2011-120 AUTHORIZE EXTRAORDINARY UNSPECIFIABLE SERVICE – MILLENIUM STRATEGIES, GRANT WRITER

WHEREAS, the Borough of Haledon requires the services of a Grant Writer for the Borough of Haledon; and

WHEREAS, such service is exempt from bidding pursuant to NJSA 40A:11-5(1); and

WHEREAS, the Borough of Haledon in compliance with P.L. 2004, c. 19 solicited proposals under the "fair and open" process on December 1, 2010; and

WHEREAS, Millenium Strategies has submitted a proposal to conduct said service; and

WHEREAS, the annual fee for this service is $60,000;

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Haledon that the Mayor and Municipal Clerk are hereby authorized to sign an agreement with Millenium Strategies for the period ending Dec. 31, 2011 in a form to be approved by the Borough Attorney;

RESOLUTION #2011-121 PROFESSIONAL SERVICE CONTRACT – CHARLES FERRAIOLI, AUDITING SERVICES

WHEREAS, the Borough of Haledon requires the services of an Auditor for the Borough of Haledon; and

WHEREAS, such service is exempt from bidding pursuant to NJSA 40A:11-5(1); and

WHEREAS, the Borough of Haledon in compliance with P.L. 2004, c. 19 solicited proposals under the "fair and open" process on December 1, 2010; and

WHEREAS, Charles Ferraioli of the firm Ferraioli, Wielkotz, Cerullo, and Cuva has submitted a proposal to conduct said service; and

WHEREAS, the fee for the annual audit is $38,000; and

WHEREAS, other financial services will be billed at the hourly rate of the personnel assigned ranging from $60.00 to $160.00 per hour; and

WHEREAS, the required review of the Length of Service Award Program will be billed at a cost of $1,800.00; and

WHEREAS, other fees are listed below:

- Secondary Market Disclosure: $ 2,500.00
- Bond Anticipation Note work: $ 8,000.00
- Permanent bond financing: $23,000.00

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Haledon that the Mayor and Municipal Clerk are hereby authorized to sign an agreement with Charles Ferraioli of the firm Ferraioli, Wielkotz, Cerullo, and Cuva for the period ending Dec. 31, 2010 in a form to be approved by the Borough Attorney;

RESOLUTION #2011-122 PROFESSIONAL SERVICE AGREEMENT – SPECIAL COUNSEL FOR MANCHESTER REGIONAL HIGH SCHOOL FUNDING LITIGATION

WHEREAS, the Borough of Haledon requires the services of a Special Counsel for the Manchester Regional High School funding litigation; and

WHEREAS, such service is exempt from bidding pursuant to NJSA 40A:11-5(1); and

WHEREAS, the Borough of Haledon in compliance with P.L. 2004, c. 19 received proposals under the "fair and open" process on December 1, 2010; and

WHEREAS, Keith Barrack has submitted a proposal to conduct said service; and

WHEREAS, the hourly rate for all legal work for year 2011 is $150.00;

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Haledon that the Mayor and Municipal Clerk are hereby authorized to sign an agreement with, Keith Barrack for the period ending Dec. 31, 2011 in a form to be approved by the Borough Attorney.

RESOLUTION #2011-127 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, October 8, 2011 between 8:00AM and 4:00PM with a raindate of October 15, 2011 ; 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
- Church St./Haledon Ave

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
    - Church St./Haledon Ave.

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 #2011-128 APPOINTMENT OF SPECIAL POLICE-CLASS I
Motion by Johnson seconded by Almaita to approve

WHEREAS, Deputy Police Chief Kevin Gottheiner has recommended the following appointments in his letter dated August 16, 2011:

| | |
|---|---|
| Special Police Officer, Class I | Angelo DiPaola, Jr. |
| Special Police Officer, Class I | Thurston Johnson |
| Special Police Officer, Class I | Daniel Salvati |

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 Angelo DiPaola, Jr., Thurston Johnson and Daniel Salvati to the position of Special Police Officer, Class I;

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: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

Motion Kilminster seconded by Almaita to add four resolutions to the agenda.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

RESOLUTION #2011-129 AUTHORIZE THE RENEWAL OF THE ACCESS AGREEMENT WITH OPTIMUM LIGHTPATH
Motion Kilminster seconded Johnson to approve.

WHEREAS, the access agreement between the Borough of Haledon and Optimum Lightpath has expired; and

WHEREAS, the Municipal Clerk Allan R. Susen has advised the Governing Body to renew this agreement for the term of August 1, 2011 to July 31, 2014;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the Municipal Clerk is authorized to execute the agreement renewing the access contract with Optimum Lightpath for the term period mentioned above.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

RESOLUTION #2011-130 AUTHORIZE CONTRACT WITH PORT AUTHORITY OF NEW YORK AND NEW JERSEY FOR TRANSFER OF A PIECE OF STEEL FROM THE FORMER WORLD TRADE CENTER STRUCTURE
Motion by Kilminster seconded by Johnson to approve.

WHEREAS, the Port Authority of New York and New Jersey (Port Authority) through an order from the United States District Court, Southern New York is permitted to transfer full and complete legal ownership of steel from the former World Trade Center structure destroyed by terrorists on September 11, 2001; and

WHEREAS, the Borough of Haledon, a municipality of many faiths, creeds and nationalities; requested a piece of steel as a memorial for its residents to always remember the heroes that lost their lives in the devastation resulting from the airliners crashing into the World Trade Center buildings; and

WHEREAS, the Borough of Haledon and its residents are honored to have been selected to be custodian of a piece of steel, identified as I-0003j; from the former World Trade Center; and

WHEREAS, acceptance of the steel artifact requires the Borough to execute an agreement with the Port Authority;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the Mayor and Municipal Clerk are hereby authorized to execute an agreement with the Port Authority for acceptance of a piece of steel from the former World Trade Center structure.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

RESOLUTION #2011-131 APPROVE APPOINTMENT OF NEW FIREFIGHTERS, COMPANY #2-JEFFREY FLAKER, KEVIN PATINO, AND JOSHUA ESPINAL
Motion by Kilminster seconded by Johnson to approve.

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

Fire Company #1
Jeffrey Flaker

Fire Company #2
Kevin Patino
Joshua Espinal

RESOLUTION #2011-132 AUTHORIZE PAYMENT OF UNUSED LEAVE TO RETIRED EMPLOYEES
Motion by Almaita seconded by Johnson to approve.

WHEREAS, Angelo Passafaro, Mohamad Abaza, and Steven VanHook retired from or will have retired during 2011 from their employment with the Borough of Haledon; and

WHEREAS, each of the employees served sufficient years to qualify for payment of unused leave time; and

WHEREAS, the following amounts shall be paid to each employee subject to verification of the unused leave time:

| Employee | Retirement | Dollar Amount |
|---|---|---|
| Angelo Passafaro | Oct 1, 2011 | $ 72,063.81 |
| Mohamed Abaza | March 1, 2011 | $120,819.08 |
| Steven VanHook | March 1, 2011 | $ 46,575.00 |

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that checks are authorized for payment to Mohamed Abaza and Steven VanHook as soon as verification of the dollar amount indicated above is complete; and

BE IT FURTHER RESOLVED, that the Governing Body hereby authorizes payment to Angelo Passafaro for his unused leave time as of his retirement date, October 1, 2011 (subject to verification) for an amount not to exceed $72,063.81 as soon as administratively possible following his retirement date.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

RESOLUTION #2011-133 APPROVE BILLS LIST, August 18, 2011
Motion by Almaita seconded by Tirri 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 18, 2011 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 18, 2011 WITH PREPAIDS IS:

| | |
|---|---|
| CURRENT: | $ 1,264,092.03 |
| WATER (MUA): | $ 22,809.21 |
| TOTAL: | $ 1,286,901.24 |

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

Mayor and Council decided to go into Executive Session.

**RESOLUTION #08182011 EXECUTIVE SESSION**
Motion by Almaita seconded by Tirri 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:

- Contract negotiation-Redevelopment Area.

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: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

Motion by Almaita seconded by Johnson to add one more resolution to the agenda.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

RESOLUTION #2011-134 RESCISION OF AWARD OF REDEVELOPMENT RIGHTS
Motion by Almaita seconded by Johnson to approve.

WHEREAS, on October 15, 2009 the Borough of Haledon adopted a Resolution establishing a Haledon Town Center Redevelopment Area;

WHEREAS, the Borough of Haledon advertised a request of qualification/solicitation of interest on March 25, 2010, as amended April 5, 2010, with sealed responses received on April 28, 2010; and

WHEREAS, by way of Resolution of December 16, 2010, the Borough of Haledon designated Louis N. Polidori as the Redeveloper of the subject property; and

WHEREAS, the sale of the property from the Borough of Haledon to Louis N. Polidori was to be in "as is" condition, at a sale price of not less than $230,000 and include the demolition, clearance and clean up of the property; and

WHEREAS, the Borough of Haledon, through its representatives, and Louis N. Polidori, represented by counsel and pro se, engaged in substantive negotiations toward agreeing upon the terms of the sale of the property, including but not limited to, sale price and responsibility of site preparations but to date have been unable to mutually agree upon acceptable terms; and

WHEREAS, the subject property is in a state of disrepair and its redevelopment has stagnated due to the parties' inability to agree upon acceptable terms and the Borough of Haledon is desirous to commence the redevelopment of the subject property without further delay; and

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Haledon hereby rescinds the award of redevelopment rights to Louis N. Polidori as awarded by way of Resolution dated December 16, 2010 due to the parties' inability to mutually agree upon acceptable terms for the sale of the property designated for redevelopment as the Haledon Town Center; and

BE IT FURTHER RESOLVED, that the Borough Clerk is authorized to take any and all action necessary to readvertise the redevelopment project.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

**ADJOURN**
Motion by Kilminster seconded by Johnson to adjourn.

ROLL CALL
YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON
NO: -0-

Respectfully submitted:

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