BOROUGH OF HALEDON
MAYOR AND COUNCIL
February 17, 2011

PRAYER
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon took place on February 17, 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 5, 2011 posted on the bulletin board in the Municipal Building on January 5, 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 President Maha Kandis, Council members; Mounir Almaita and Heather Kilminster. Borough Municipal Clerk Allan R. Susen and Borough Attorney Andrew Oddo.

Absent: Councilman Michael Tirri with prior notice. Councilman Michael Johnson and Councilman Rey Martinez were running late.

PROCLAMATIONS

Mayor Stampone read a proclamation for:
Read Across America

PUBLIC HEARING
(Privilege of the floor)
Motion by Almaita seconded by Kandis to open the public hearing.

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER
NO: -0-

No comments

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

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

Councilman Martinez arrived at 7:03

GOVERNING BODY RESPONSES

No Comments.

COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE – Rey Martinez, Chairperson

Police Liaison – We have a meeting scheduled for this Tuesday at 6PM. There was a fire on February 6, 2011. Thanked the Police Department for all their assistance.

Police Department
Housing Inspection/Building Maintenance
Municipal Court

Fire Liaison– Heather Kilminster- Read regular report. Mentioned the Fire Department digging is out Fire Hydrants covered in snow. Encouraged residents to lend a helping hand with that and do the same. Councilman Martinez mentioned the fire February 6, 2011 on Tilt Street. The fire began on the third floor. Prospect Park Fire Department, Wayne Fire Department, Paterson Fire Department all came to assist our Fire Department with this fire.

Office of Emergency Management Liaison – Michael Tirri –absent.

FINANCE COMMITTEE

Mounir Almaita, Chair – We are working on budget reviewing line by line and trying to find ways to bring in revenue and cut costs.

ADMINISTRATION AND PERSONNEL

Maha Kandis, Chair – We will discuss Administration and personnel in closed session.

ORDINANCE

Mounir Almaita, Chair – We have a meeting scheduled for the first week of March.

HEALTH AND WELFARE

Heather Kilminster, Chair – welcomed new members that have just come on to the Board of Health and look forward to working with them.

PUBLIC WORKS

Michael Johnson, Chair – no report

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

CAPITAL PROJECTS

Rey Martinez, Chair – We have meeting next week looking to save money by using solar energy.

TECHNOLOGY

Maha Kandis, Chair – We are continuing with Department heads with their layouts for their departments on the website.

SPECIAL EVENTS

Maha Kandis, Chair –Committee met and we set dates for events. I assigned each member to be responsible for an event. Our main focus is the upcoming events. Street Fair is coming up we are looking into participating.

We are receiving requests for Field usage and most leagues are asking for extended dates. We might take a look at the Borough Policy for the Usage of the Field and amend it a bit. Sheriff's Labor Assistance Program to return after snow has melted.

Councilman Johnson arrived at 7:12 PM

MAYOR'S REPORT

Mayor Stampone briefly mentioned the numerous potholes on Pompton Road and he did contact the County. No action taken by the County to fix the potholes on Pompton Road.

COMMUNICATIONS

1. Invitation from Council President Aslon Goow City of Paterson inviting the Mayor and Council to the African American Flag Raising Ceremony on Tuesday, February 1, 2011.
2. Resignation letter from Marylou Zambri resigning her position on the Board of Health.
3. Letter from William Pollinger regarding J&M v. Borough of Haledon.
4. Letter from Vice Principal Christine Dell'Aglio regarding Read Across America Day requesting volunteers to read to the children at Haledon Public School.

Motion by Almaita seconded by Martinez to accept and file.

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

UNFINISHED BUSINESS
None.

NEW BUSINESS

Motion by Martinez seconded by Almaita to add two ordinances to the Agenda.

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

Motion by Kilminster seconded by Kandis to introduce Ordinance #2-17-2011 (Establishing a Redevelopment Plan, Old Municipal Complex)

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

CLERK WILL READ THE TITLE:

BOROUGH OF HALEDON
ORDINANCE #2-17-2011
AN ORDINANCE ESTABLISHING A REDEVELOPMENT PLAN AND DESIGNATING THE BOROUGH COUNCIL OF THE BOROUGH OF HALEDON TO ACT AS THE REDEVELOPMENT AGENCY FOR THE HALEDON TOWN CENTER REDEVELOPMENT AREA-2, AND FURTHER ESTABLISHING A SERVICE BUSINESS REDEVELOPMENT PROJECT AND ESTABLISHING THE HALEDON TOWN CENTER-2 (TC-2) ZONE IN THE BOROUGH OF HALEDON

Motion by Kilminster 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 April 21, 2011.

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

Motion by Martinez seconded by Johnson to introduce Ordinance #2-17-2011A (Traffic Signal at intersection of Belmont Avenue, Mangold St. and King Street)

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

CLERK WILL READ THE TITLE:

BOROUGH OF HALEDON
ORDINANCE #2-17-2011A
AN ORDINACE AMENDING CHAPTER 205
OF THE CODE OF THE BOROUGH OF HALEDON ENTITLED VEHICLES AND TRAFFIC TO ADD A TRAFFIC SIGNAL AT THE INTERSECTION OF BELMONT AVENUE, MANGOLD STREEET AND KING STREET IN THE BOROUGH OF HALEDON

Motion by Almaita seconded by Kandis 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 March 17, 2011.

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, 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 2011-032	REFUND OF A TAX OVERPAYMENT- 57 LEONHARD DRIVE
RESOLUTION 2011-033	TAX TITLE LIEN REDEMPTION/OUTSIDE LIEN HOLDER- 407 HALEDON AVENUE, NEW JERSEY 07508
RESOLUTION 2011-034	AUTHORIZE CANCELLATION OF CHECKS- BOROUGH OF HALEDON CURRENT FUND ACCOUNT
RESOLUTION 2011-035	TAX TITLE LIEN REDEMPTION/OUTSIDE LIEN HOLDER- 271 BELMONT AVENUE, HALEDON, NEW JERSEY 07508
RESOLUTION 2011-036	TRANSFER OF FUNDS-2010 BUDGET APPROPRIATION RESERVES
RESOLUTION 2011-037	APPROVE APPOINTMENT OF NEW FIRE FIGHTER FIRE CO#1-ROBERT PETAROS
RESOLUTION 2011-038	AUTHORIZE CHANGE OF ORDER #2 ROE STREET AREA SEWER IMPROVEMENTS
RESOLUTION 2011-039	AUTHORIZE CURRENT ESTIMATE #2 & FINAL ROE STREET AREA SEWER IMPROVEMENTS
RESOLUTION 2011-040	AUTHORIZE TOWING LICENSE FOR J & M TOWING 2011
RESOLUTION 2011-041	AUTHORIZE FULL TIME STATUS OF DEPUTY MUNICIPAL CLERK

Motion by Kilminster seconded by Kandis to approve.

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

RESOLUTION #2011-032 REFUND OF A TAX OVERPAYMENT - 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 82.04 Lot 11, better known as 57 Leonhard Drive, Haledon, New Jersey.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be and is hereby authorized to issue a check in the amount of $ 3,347.73 to:

George & Elaine Pivirotto
57 Leonhard Drive
Haledon, NJ 07508

RESOLUTION #2011-033 TAX TITLE LIEN REDEMPTION/ OUTSIDE LIEN HOLDER- 407 HALEDON AVENUE, NEW JERSEY 07508

WHEREAS, First Jersey Title Services, Inc. is redeeming Tax Title Lien Certificate # 10-00007, better known as Block 90 Lot 16, 407 Haledon Avenue, Haledon, New Jersey, which was sold to Empire Tax Fund II, LLC, P.O. Box 503, Purchase, NY 10577;

WHEREAS, subject to verification and receipt of a check to be deposited in the current account of the BOROUGH OF HALEDON for said redemption from Jersey Title Services, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be and is hereby authorized to issue a check in the amount of $ 88,137.94 to:

Empire Tax Fund II, LLC
P.O. Box 503
Purchase, NY 10577

For Tax Title Lien Redemption.

RESOLUTION #2011-034 AUTHORIZE CANCELLATION OF CHECKS- BOROUGH OF HALEDON CURRENT FUND ACCOUNT;

WHEREAS, the following checks from the Borough of Haledon/ Current Fund Account are stale dated and outstanding;

AND WHEREAS, the Haledon Finance Office would like to have these checks voided and cancelled in the amount of $ 1,209.08;

THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Haledon that the Acting Administrator be and is hereby authorized to void and cancel these checks in the amount of $ 1,209.08:

Check #	Amount
18039	385.00
18196	240.63
18606	261.18
18982	150.00
19195	4.85
19275	167.42
Total	$ 1,209.08

RESOLUTION #2011-035 TAX TITLE LIEN REDEMPTION/ OUTSIDE LIEN BELMONT AVENUE, HALEDON, NEW JERSEY 07508

WHEREAS, John Bleeker is redeeming Tax Title Lien Certificate # 10-000016, better known as Block 117 Lot 3, 271 Belmont Avenue, Haledon, New Jersey, which was sold to 72 Oak Street Holdings, LLC., P. O. Box 653, Montvale, NJ 07645.

WHEREAS, subject to verification and receipt of a check to be deposited in the current account of the BOROUGH OF HALEDON for said redemption from John Bleeker.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be and is hereby authorized to issue a check in the amount of $ 20,049.55 to:

72 Oak Street Holdings, LLC.
P. O. Box 653
Montvale, NJ 07645

For Tax Title Lien Redemption.

RESOLUTION #2011-036 TRANSFER OF FUNDS-2010 BUDGET APPROPRIATION RESERVES

Be it resolved, by the Mayor and Board of Council of the Borough of Haledon, that the Treasurer be and is hereby authorized to make the following transfers of the 2010 Budget Appropriations according to N.J.S.A. 40A:4-5.8:

From:	Admin,&Exec. O & E 101-201 101-207	$ 2,500.00 2,500.00
From:	Recycling S & W 131-105	$ 5,000.00
To:	Legal O & E 107-201	$ 10,000.00

RESOLUTION #2011-037 APPROVE APPOINTMENT OF NEW FIREFIGHTERS, COMPANY #1 -ROBERT PETAROS

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
Robert Petaros

RESOLUTION #2011-038 AUTHORIZE CHANGE ORDER #2, ROE STREET AREA SEWER IMPROVEMENTS

WHEREAS, the Borough of Haledon awarded a contract to Allstate PowerVac., Inc. of 928 E. Hazelwood Avenue, Rahway, NJ 07055 for the Roe Street Area Sanitary Sewer Main Rehabilitation Project; and

WHEREAS, Nordan Murphy of Alaimo Group has recommended in his correspondence dated Feb. 2, 2011 that the Borough modify the award for a change order decreasing the contract price by $85,639.33; and

WHEREAS, the Borough has concurred in the recommendation of Mr. Murphy 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 $85,639.33 for an amended contract amount of $603,260.67 be approved.
2. The written concurrence by Allstate PowerVac, Inc. to the modification shall be obtained in the form of Change Order No. 2, 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 #2011-039 AUTHORIZE CURRENT ESTIMATE #2 & FINAL PAYMENT TO ALLSTATE POWERVAC, INC.

WHEREAS, the Borough of Haledon awarded a contract to Allstate PowerVac., Inc. of 928 E. Hazelwood Avenue, Rahway, NJ 07055 for the Roe Street Area Sanitary Sewer Main Rehabilitation Project; and

WHEREAS, Nordan Murphy of Alaimo Group has recommended in his correspondence dated Feb. 2, 2011 that the Borough authorize final payment to Allstate Power-Vac in the amount of $240,046.11; and

WHEREAS, the Chief Financial Officer has provided a certification of funds;

NOW THEREFORE BE IT RESOLVED, the Borough Council hereby concurs with the recommendation of Mr. Murphy and authorizes final payment to Allstate Power-Vac.

RESOLUTION #2011-040 APPROVE TOWING LICENSES FOR J& M TOWING 2011

WHEREAS, an application has been received for towing license for the year 2011 from:

- J&M Towing

WHEREAS, the application has been reviewed and an investigation has been completed by the Haledon Police Department; and

WHEREAS, the application has been found to be in compliance with Chapter 369 and its amendments of the Code of the Borough of Haledon;

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Haledon, that the Municipal Clerk is hereby authorized to issue towing license to aforementioned in accordance with Chapter 369 of the Code of the Borough of Haledon for the period of February 17, 2011 to December 31, 2011.

RESOLUTION #2011-041 AUTHORIZE FULL TIME STATUS, DEPUTY MUNICIPAL CLERK LEENA ABAZA

WHEREAS, it has become evident that due to increased work load in the Municipal Clerk/Administrator's office the part time position of Deputy Municipal Clerk is required to become full time; and

WHEREAS, the Borough of Haledon is currently under a Memorandum of Understanding with the Department of Community Affairs, Local Government Services, requiring approval of this status change; and

WHEREAS, a request was submitted to the State with the Borough being notified January 31, 2011 the request was approved;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that Leena Abaza, Deputy Municipal Clerk shall hereby be authorized full time status effective March 1, 2011 at the annual salary of $35,000

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

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

RESOLUTION #2011-042 EMERGENCY TEMPORARY RESOLUTION-PRIOR TO ADOPTION OF THE BUDGET N.J.S.A 40A:4-20 TO BE FUNDED BY A BOND ORDINANCE
Motion by Almaita seconded by Kilminster to approve.

WHEREAS, an emergent condition has arisen with respect to unexpected expenses and no adequate provision was made in the 2011 temporary budget for the aforesaid purpose, and N.J.S.A 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2011 pursuant to the provisions of N.J.SA 40A:4-20 (Chapter 96, P.L 1951 as amended) including this resolution total $50, 000 and will be funded by a bond ordinance.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members therefore affirmatively concurring) that in accordance with N.J.S.A 40A:4-20

The following Temporary Emergency Appropriation is hereby made:

Various Sewer Improvements

That two certified copies of this resolution be filed with the Director of Local Government Services .

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

RESOLUTION #2011-043 BOARD OF HEALTH APPOINTMENTS
Motion by Martinez seconded Johnson to approve.

WHEREAS, Mary Lou Zambri and Mary Martinez have rendered their resignations from the Haledon Board of Health; and

WHEREAS, Mayor Domenick Stampone requests the advice and consent of the Borough Council to make the following appointment filling the Board vacancies:

Loren Salas term expiring December 31, 2012
Tahsina Ahmed term expiring December 31, 2012

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Haledon that the resignations of MaryLou Zambri and Mary Martinez are hereby accepted with regret; and

BE IT FURTHER RESOLVED, the Borough Council hereby provides their advice and consent to appoint Loren Salas and Tahsina Ahmed as regular Board of Health members for a term expiring December 31, 2013.

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

RESOLUTION #2011-44 APPROVE BILLS LIST, FEBRUARY 17, 2011
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 February 17, 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 February 17, 2011 WITH PREPAIDS IS:

CURRENT:	$ 2,155,487.89
WATER (MUA):	$ 24,561.60
TOTAL:	$ 2,180,049.49

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

Mayor and Council decided to into Executive Session.

RESOLUTION #02-17-2011 EXECUTIVE SESSION
Motion Kilminster Seconded by Martinez to go into Executive Session.

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

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

- Contract Negotiations
- Personnel Matters

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, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

Motion by Martinez seconded by Johnson to reopen public session of meeting.

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

****Mayor Stampone left suddenly at 7:45 PM during closed session due to a family emergency****

Motion by Almaita seconded by Martinez to add Resolution 2011-045 to the Agenda.

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

RESOLUTION #2011-045 AUTHORIZE TERMINATION OF CECILIO RODRIGUEZ
Motion by Almaita seconded by Johnson.

WHEREAS, Cecilio Rodriguez was hired as a part time employee in the Haledon DPW; and

WHEREAS, the Borough was advised that Mr. Rodriguez is capable of performing his full duties as an employee of the DPW; and

WHEREAS, In light of his ability to perform his full work duties Cecilio Rodriguez was instructed by his supervisor, Angelo Passafaro to return to his originally hired duties including solid waste collection; and

WHEREAS, Mr. Rodriguez refused to perform these duties and refused to return to work; and

WHEREAS, on January 19, 2011 a letter was hand delivered to Mr. Rodriguez at his home again notifying him the Borough expected him to return to full duty work based on his ability to perform his full work duties; and

WHEREAS, Mr. Rodriguez was again notified in a letter dated February 11, 2011 that since he had not reported to work despite the Borough's previous communications the Acting Administrator would recommend his termination;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that based on Mr. Cecilio Rodriguez's refusal to report to work and perform duties as assigned, his employment with the Borough of Haledon is hereby terminated effective February 17, 2011.

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

ADJOURN

Motion by Johnson seconded by Almaita to adjourn.

ROLL CALL
YES: ALMAITA, KANDIS, KILMINSTER, MARTINEZ, JOHNSON
NO: -0-

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