

BOROUGH OF HALEDON
MAYOR AND COUNCIL
January 20, 2011

PRAYER
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon took place on January 20, 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 December 22, 2010 posted on the bulletin board in the Municipal Building on December 22, 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 Stampone, Council President Maha Kandis, Council members; Mounir Almaita, Michael Tirri and Heather Kilminster. Borough Attorney Andrew Oddo and Deputy Clerk Leena Abaza.

Absent: Rey Martinez with prior notice, Michael Johnson was running late and Municipal Clerk Allan R. Susen attending a conference.

PUBLIC HEARING
(Privilege of the floor)

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

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

Mr. Block, 337 Morrissee Ave- requested the Fire Department to be included in the Passaic County Energy agreement with the Borough. What are the customary procedures for the EMS Service Agreement with the City of Paterson- can this be explained? Is Paterson going to use our ambulance?

Mr. Maselli, Oxford Street- on December 15, 2010, my wife fell and we called 911. We could not get an ambulance and it took the Police Department forty five minutes to respond. My question is, why wasn't an ambulance dispatched and why did it take forty five minutes for a Police Officer to respond? Spoke to Municipal Clerk Allan R. Susen to make a formal complaint after the incident. My wife could have died because of the fact that an ambulance was not dispatched. Can someone explain why certain services are not provided?

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

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

Councilman Johnson arrived at 7:15 PM**

GOVERNING BODY RESPONSES

Mayor Stampone responded – Volunteer Ambulance Service is still in place. The Volunteer Ambulance Service always had a problem covering all the calls that come in; that is why we did an EMS Service Agreement with Paterson. The City of Paterson is able to offer us 24/7 Emergency Medical Service. We are glad to hear your wife is doing well. I do not know why the Police Department did not respond in a timely manner but I can look into it. The Volunteer EMS service was great but unreliable. The Emergency Medical Service Agreement that we signed with the City of Paterson, if you have insurance coverage they will pay for the transportation to the nearest hospital. We are giving them the ambulance that we have. We are very hopeful that this EMS agreement with the City of Paterson will fulfill our obligations towards our residents by providing a better EMS service.

Regarding Mr. Block's question concerning the Fire Department being able to enter the Co-op Electricity Agreement between the Borough and Passaic County, I am not sure they can. We will look into to that.

Councilman Tirri- The Fire Department is considered a separate entity.

Mr. Block- the Borough does pay for half the building.

Mayor Stampone responded by stating we would be glad to look into the matter.

COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE – Rey Martinez, Chairperson

Police Liaison – Absent.

Police Department

Housing Inspection/Building Maintenance

Municipal Court

Fire Liaison– Heather Kilminster-meeting with Fire Chief and Assistant Chief to make changes to the Fire Ordinance the part that involve Fire inspections. Also some changes to the disciplinary procedures for the Fire Department.

Office of Emergency Management Liaison – Michael Tirri

OEM activity due to the snow storm. Tomorrow we are expecting another snow storm.

The Department of Public Works did a great job cleaning the roads in the town during the last snow storm.

FINANCE COMMITTEE

Mounir Almaita, Chair – We had a meeting this month with the State regarding the Transitional Aid. The State did say we need to cut down our expenses to stay within the 2% Cap.

ADMINISTRATION AND PERSONNEL

Maha Kandis, Chair – no official report.

ORDINANCE

Mounir Almaita, Chair – No official report. Referred to the Fire Department changing the ordinance regarding the disciplinary process.

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HEALTH AND WELFARE

Heather Kilminster, Chair – no official report.

PUBLIC WORKS

Michael Johnson, Chair – A few fire hydrants out of service. Department of Public Works did a great job with the roads during the snow storm. The residents are still pushing snow into the street.

- 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. Mayor Stampono advised some activity on Belmont Ave. due to the Walgreen project.

TECHNOLOGY

Maha Kandis, Chair – Allan and I are continuing to work with Passaic County Tech on the Borough Website upgrade. Meetings will be scheduled next week to follow up with the Department Heads to get their input on the upgrades needed for the website.

SPECIAL EVENTS

Maha Kandis, Chair –the Special Events Committee continues to discuss upcoming events. We need more volunteers, we are asking the parents if they can volunteer some time. Pending repairs for the Recreation center that we are also slowly working on. Mentioned the new appointment to the Special Events Committee, Yasmin Bagh.

MAYOR'S REPORT

The Borough's budget this year will be a challenge due to the 2% Cap that the State has enforced on the Municipalities. One of our major problems is our budget relies on State Aid and the State is no longer offering aid to the Municipalities. So having a 2% Cap makes it even more difficult for a small town like Haledon to operate on a smaller budget. Haledon is a small town with big town problems. If the residents do not agree to a tax increase we will need to take drastic measures to maintain the 2% Cap. We are hopeful this year will be better.

COMMUNICATIONS

1. Letter Michael Moscatello advising the Borough of his leave of absence.

Motion by Kilminster seconded by Alkaita to accept and file.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, KILMINSTER, JOHNSON

NO: -0-

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

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

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#2011-021 AUTHORIZE REQUEST TO CONDUCT AN OFF PREMISE
50/50 RAFFLE, VERITANS CLUB.
- RESOLUTION#2011-022 TRANSFER OF FUNDS-2010 WATER OPERATING
BUDGET APPROPRIATIONS RESERVES.
- RESOLUTION#2011-023 APPOINTMENT OF VICTOR D'AMBROSIO TO THE MUA
BOARD.
- RESOLUTION#2011-024 AVENUE C AND GROVE STREET IMPROVEMENTS
CURRENT ESTIMATE #1 AND CHANGE ORDER#1
- RESOLUTION#2011-025 TRANSFER OF FUNDS-2010 BUDGET APPROPRIATION
RESERVES
- RESOLUTION#2011-026 THE BOROUGH OF HALEDON ACKNOWLEDGING THE
AWARD OF CONTRACT TO HESS CORPORATION FOR
THE PASSAIC COUNTY ENERGY COOPERATIVE
PRICING SYSTEM
- RESOLUTION#2011-027 APPOINT YASMIN BAGH TO THE HALEDON SPECIAL
EVENTS COMMITTEE
- RESOLUTION #2011-028 AUTHORIZE JURISDICTION AGREEMENT BETWEEN
THE BOROUGH OF HALEDON AND PASSAIC COUNTY

Motion by Almata seconded by Tirri to approve.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, KILMINSTER, JOHNSON

NO:-0-

- RESOLUTION #2011-021 AUTHORIZE REQUEST TO CONDUCT AN OFF PREMISE
50/50 RAFFLE, VERITANS CLUB ON MAY 19, 2011

WHEREAS, Veritans Club has applied for a raffle license to hold an off premise 50/50 raffle;
and

WHEREAS, the purpose of this raffle is to support and benefit Camp Veritans for year 2011;
and

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

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

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Haledon that the request for a raffle license is hereby approved for an off premise 50/50 to be held on May 19, 2011 at Camp Veritans, Pompton Road, Haledon, NJ 07508.

RESOLUTION #2011-022 TRANSFER OF FUNDS-2010 WATER OPERATING
BUDGET APPROPRIATIONS 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 reserves according to N.J.S.A. 40A:4-5.8:

From:

Water Operating O & E \$ 5,200.00
401-208

To: Water Operating S&W \$ 5,000.00
401-101
Water Operating O & E \$ 200.00
402-201

RESOLUTION #2011-023 APPOINTMENT OF VICTOR D'AMBROSIO –
MANCHESTER UTILITY AUTHORITY

WHEREAS, Mayor Stampone requests the advice and consent of the Borough Council to appoint Victor D'Ambrosio to the Manchester Utility Authority for a five year term effective February 1, 2011;

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Haledon that they hereby provide their advice and consent to appoint Victor D'Ambrosio to the Manchester Utility Authority effective February 1, 2011.

RESOLUTION #2011-024 AUTHORIZE CHANGE ORDER #1 AND CURRENT
ESTIMATE #1 – AVENUE C AND GROVE STREET
IMPROVEMENTS

WHEREAS, the Borough of Haledon awarded a contract to AJM Contractors, Inc. of Clifton, New Jersey for the Avenue C and Grove Street Improvement Project; and

WHEREAS, Alaimo Engineering has recommended in their correspondence dated December 13, 2010 that the Borough modify the award for a change order decreasing the contract price by \$7,930.52; and

WHEREAS, the Borough has concurred in the recommendation of Nordan Murphy of the Alaimo Group and has determined that this Resolution should be adopted subject to the conditions hereinafter, stated; and

WHEREAS, Mr. Murphy has also recommended that Current Estimate #1 in the amount of \$179,848.80 be paid to the Contractor in accordance with the contractor's submitted estimate, subject to availability of funds and submittal of all required documentation; and

WHEREAS, the Municipal Clerk reports that subsequent to the above recommendation, a claim has been filed by one of the subcontractors requesting the Borough withhold enough money for payment due subcontractor Arnold's Roads, Inc. in the amount of \$40,145.50; and

WHEREAS, this matter has been referred to the Borough Attorney and the Alaimo Group for clarification of the Borough's responsibility;

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 \$7,930.52 for an amended contract amount of \$192,110.42 be approved.
2. The written concurrence by AJM Contractors 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; and

BE IT FURTHER RESOLVED, the Governing Body hereby authorizes payment of current estimate #1 subject to Attorney review and direction regarding the claim filed by Arnold's Roads Inc.

RESOLUTION #2011-025 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: Sanitation. O & E	\$ 31,000.00	
130-299		
From: Prescription Eyeglasses O & E	\$ 5,000.00	
113-285		
From: Dental Insurance O & E	\$ 5,000.00	
113-282		
From: Board Health Contractual O&E	\$ 1,500.00	
134-201		
From: Insurance/Eye Glasses O & E	\$ 3,000.00	
113-285		
From: Cel.Public Events O & E	\$ 8,000.00	
136-201		
From: Other Insurance O & E	\$ 1,000.00	
142-201		
From: Recreation O & E	\$ 2,000.00	
137-232		
From: Fire O & E	\$ 2,500.00	
114-501		
From: Fire Alarm S&W	\$ 1,200.00	
115-101		
From: Police S & W	\$ 1,800.00	
118-101		
To: P.U.L. Unleaded O & E	\$ 3,000.00	
140-206		
To: Street Lighting O & E	\$ 4,000.00	
142-201		
To: Buildings & Grounds O & E	\$ 55,000.00	
110-234		

RESOLUTION #2011-026 THE BOROUGH OF HALEDON ACKNOWLEDGING THE
AWARD OF CONTRACT TO HESS CORPORATION FOR
THE PASSAIC COUNTY ENERGY COOPERATIVE
PRICING SYSTEM

WHEREAS, the Borough of Haledon entered the Passaic County Energy Cooperative Pricing System; and

WHEREAS, the County of Passaic awarded the Electric Supply Service Agreement to the Hess Corporation; and

WHEREAS, this agreement covers the PSE&G- LPLS and GLP accounts at the price of \$.0967/kwh; and

WHEREAS, the Borough of Haledon's preliminary calculations show a projected annual percentage savings range from 15% to 26%;

THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Haledon acknowledge the award of contract mentioned above to Hess Corporation; and authorize participation in the Electric Supply Service Agreement.

RESOLUTION #2011-027 APPOINT YASMIN BAGH TO THE HALEDON SPECIAL EVENTS COMMITTEE

WHEREAS, Mayor Stampone requests the advice and consent of the Borough Council to appoint Yasmen Bagh to the Special Events Committee effective January 20, 2011 ;

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Haledon here by provide their advice and consent to appoint Yasmen Bagh to the Haledon Special Events Committee for the term expiring December 31, 2012.

RESOLUTION #2011-028 AUTHORIZE A JURISDICTIONAL AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND THE BOROUGH OF HALEDON FOR THE INSTALLATION OF A TRAFFIC LIGHT AT THE INTERSECTION OF BELMONT AVENUE, MANGOLD STREET AND KING STREET IN THE BOROUGH OF HALEDON

WHEREAS, the Borough of Haledon and the County of Passaic are desirous of having improvements made at the intersection of Belmont Avenue, Mangold Street and King Street in the Borough of Haledon in accordance with a Traffic Signal Plan prepared by Dolan and Dean Consulting Engineers, LLC, 792 Chiming Rock Road, Suite B, Martinsville, New Jersey 08836 (the Traffic signal Plan"), a copy of which is attached to the Jurisdictional Agreement as Exhibit A; and

WHEREAS, the Governing Body of the Borough of Haledon and the County of Passaic are desirous of memorializing the jurisdictional responsibilities of each party; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that it hereby approves and authorizes the attached Jurisdictional Agreement, included herein by reference, between the Borough of Haledon and the County of Passaic; and

BE IT FURTHER RESOLVED, that the Mayor, Administrator and Borough Attorney are authorized to take any and all action necessary to further the intent of this Resolution and the execution of the attached Agreement; and

RESOLUTION #2011-029 APPROVE BILLS LIST, JANUARY 20, 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 January 20, 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 January 20, 2011 WITH PREPAIDS IS:

CURRENT:	\$ 723,500.47
WATER (MUA):	<u>\$ 32,624.81</u>
TOTAL:	\$756,125.28

ROLL CALL

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

The Mayor and Council decided to go into Closed Session.

RESOLUTION #01202011

EXECUTIVE SESSION

Motion by Almaita seconded by Tirri to go into Closed 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:(choose one or more of the following)

1. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

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, KANDIS, KILMINSTER, JOHNSON
NO:-0-

Motion by Almaita seconded by Kilminster to open public session of meeting.

ROLL CALL

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

Mayor Stampone mentioned that Council President Kandis had to leave due to personal matter. *

Motion by Alkaita seconded by Tirri to add a resolution to the Agenda.

ROLL CALL

YES: ALMAITA, TIRRI, KILMINSTER, JOHNSON

NO: -0-

RESOLUTION #2011-030 AUTHORIZE A SEPARATION AGREEMENT BETWEEN
THE BOROUGH OF HALEDON AND MOHAMED ABAZA

Motion by Alkaita seconded by Kilminster to approve the
Retirement Agreement for Mohamed Abaza.

WHEREAS, the Borough of Haledon employs Mohamed Abaza as a Sergeant in its Police Department; and

WHEREAS, Mohamed Abaza has indicated a desire to resign from his position of employment due to retirement; and

WHEREAS, the Governing Body of the Borough of Haledon is desirous of memorializing the terms related to his retirement including compensation for accrued, unused, paid time off from work and a release of any and all potential claims against the Borough of Haledon; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that it hereby approves a Separation Agreement between the Borough of Haledon and Mohamed Abaza in a form attached to this Resolution and included herein by reference; and

BE IT FURTHER RESOLVED, that the Mayor, Administrator and Borough Attorney are authorized to take any and all action necessary to further the intent of this Resolution and the execution of the attached Agreement; and

BE IT FURTHER RESOLVED, that Mohamed Abaza has not yet approved and executed the attached Agreement so that the Agreement shall remain confidential until Mohamed Abaza accepts and executes the Agreement or the need for the confidentiality of the Agreement otherwise expires.

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