

BOROUGH OF HALEDON
MAYOR AND COUNCIL
August 30, 2012

PRAYER
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon took place on August 30, 2012 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 notice sent to the North Jersey Herald & the Record on August 23, 2012 posted on the bulletin board in the Municipal Building on August 23, 2012 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 ó Mayor Stampone will call the meeting to order at 7:00PM

Present: Mayor Domenick Stampone, Council President Maha Kandis, Council Members; Mounir Almaita, Michael Tirri, Belgica Costa and Rey Martinez. Borough Municipal Clerk/Acting Administrator Allan R. Susen and Borough Attorney Andrew Oddo.

Absent: Councilman Johnson with prior notice.

PUBLIC HEARING
(Privilege of the floor)

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

ROLL CALL
YES: ALMAITA, TIRRI, KANDIS, COSTA, MARTINEZ
NO:-0-

No comments

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

ROLL CALL
YES: ALMAITA, TIRRI, KANDIS, COSTA, MARTINEZ
NO: -0-

Mayor and Council decided to go into Executive Session.

RESOLUTION #08302012 EXECUTIVE SESSION
Motion by Martinez seconded by Costa to move 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:

- Police Hiring
- Police Promotions

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.

Motion by Tirri seconded by Martinez to reopen public meeting.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA, MARTINEZ

NO: -0-

Motion by Martinez seconded by Kandis to add two resolutions to the agenda.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA, MARTINEZ

NO: -0-

RESOLUTION #2012-162 APPOINTMENT OF REGULAR POLICE OFFICER ó
GEORGE GUZMAN

Motion by Martinez seconded by Tirri to approve.

WHEREAS, Mayor Domenick Stampone requests the advice and consent of the Borough Council to appoint George Guzman to the position of Police Officer effective September 17, 2012 or earlier date at the annual starting salary of \$47,150.00.

NOW THEREFORE BE IT RESOLVED, the Council of the Borough of Haledon hereby provides their advice and consent to appoint George Guzman to the position of Police Officer effective September 17, 2012 or an earlier date at the annual starting salary of \$47,150.00.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA, MARTINEZ

NO: -0-

RESOLUTION #2012-163 PROMOTION TO POLICE SERGEANT

Motion by Martinez seconded Kandis to approve.

WHEREAS, the Mayor and Council of the Borough of Haledon are desirous of authorizing a promotion to Sergeant;

WHEREAS, the intention to do so was done by a job posting in the Department; and

WHEREAS, Mayor Stampone designated a Police Promotions Committee which conducted interviews of all interested applicants; and

WHEREAS, as a result of these interviews, the Police Promotions Committee recommends Angelo Daniele, Steven Cappuccio and Donald Vanderveen to be promoted; and

WHEREAS, based upon that recommendation, Mayor Domenick Stampone requests the advice and consent of the Borough Council to appoint Angelo Daniele, Steven Cappuccio and Donald Vanderveen to the position of Police Sergeant effective September 3, 2012.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Haledon that Angelo Daniele, Steven Cappuccio and Donald Vanderveen be promoted to the position of Police Sergeant effective September 3, 2012.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA, MARTINEZ

NO: -0-

GOVERNING BODY RESPONSES

No comments.

COMMITTEE REPORTS/DEPARTMENT HEAD REPORTS

PUBLIC SAFETY COMMITTEE ó Rey Martinez, Chairperson

Police Liaison ó we are glad to have new Sergeants and our newly hired Police Officer.

Police Department

Housing Inspection/Building Maintenance

Municipal Court

Fire Liaison ó Michael Johnson- absent.

Fire Department

Office of Emergency Management Liaison ó Michael Tirri

The Borough received reimbursement from FEMA for the expense incurred during hurricane Irene. Office of Emergency Management system was activated for water main break. Meeting was held to discuss the procedure that is followed to notify residents. We are looking to improve the emergency management response plan that handles water main breaks.

Mentioned that Haledon had adopted Bay St. Louis after hurricane Katrina. Councilman Tirri requested the Clerk to check if St. Louis needed assistance after Hurricane Issac.

FINANCE COMMITTEE

Mounir Alkaita, Chair ó No official report.

ADMINISTRATION AND PERSONNEL

Maha Kandis, Chair ó No official report. There will be a report submitted by Borough Administrator at the upcoming work session.

ORDINANCE

Mounir Alkaita, Chair óreferenced the ordinances on the agenda.

HEALTH AND WELFARE

Belgica Costa, Chair ó No official report.

PUBLIC WORKS

Michael Johnson, Chair ó Mayor Stampone commended the new DPW Superintendent from Hawthorne.

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

Councilman Martinez left the meeting at 7:35PM

CAPITAL PROJECTS

Rey Martinez, Chair ó No official report.

TECHNOLOGY

Maha Kandis, Chair ó No official report.

SPECIAL EVENTS

Maha Kandis, Chair ó Haledon Social Event had a very good turnout. It was a family event and everyone that attended had a wonderful time. Thanks to Russel Bleeker who donated the. Special thanks to the Department of Public Works and to the horse mounted Police for their assistance. The following are the upcoming events:

- 9/11 Memorial Service Ceremony @ Band shell.
- Art Show in October or November.
- Halloween Parade will be held the last Saturday in October.

The Boys and Girls Club Summer Camp ended last Friday but before school starts they will have a short holiday camp. The Boys and Girls Club will begin registrations for fall sports.

MAYOR'S REPORT

The Walgreens is finally completed and will open by September 21, 2012. The opening of Walgreens in the Borough will create 20 new jobs.

The Centennial Book is now available to purchase at the Municipal Clerk's Office.

COMMUNICATIONS

1. Resolution from the City of Clifton supporting the employment initiative program of the New Jersey Employer Support Guard and Reserves
2. Resignation from Barry Dooley as First Captain of Haledon Fire Company #1.
3. Invitation from the Borough of Prospect Park to their annual Candle Light Vigil and Group (Freedom) walk in remembrance of those who lost their lives on September 11, 2001.
4. Invitation to the Grand Opening of the Haledon Pork Store, Deli & Catering on September 15th, 2012.
5. Thank you to Municipal Clerk/Acting Borough Administrator Allan R. Susen from Abelardo Austria who resides at 8 Hoxsey Place.
6. Letter of commendation for Roy Sconfienza a job well done at the Recycling Center from resident that resides at 56 Ave B.

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7. Resolution from the Township of West Milford requesting that the members of the State Senate Reject S-1451 in its current form and allow for constructive comment and dialogue from Municipal elected and appointed officials before considering amendments to the Open Public Meetings Act.
8. Letter from Manchester Regional High School Business Administrator requesting two crossing guards on Central Avenue.

Mayor Stampone agrees with Police Department regarding Manchester Regional High School's request for crossing guards on Central Ave, it is a dangerous route, request will be denied.

We urge Manchester Regional High School to provide busing.

Motion by Tirri seconded by Costa to accept and file.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

GENERAL DISCUSSION

- Outdoor Café Application for The Shepherd and The Knucklehead Pub (Passaic County Engineer office ófirst application for outdoor café received by County)

UNFINISHED BUSINESS

Motion by Alkaita seconded by Tirri that Ordinance #7-19-2012 to be heard in its second and final reading (An Ordinance to Amend the Revised General Ordinances of the Borough of Haledon by adding a new section to Chapter 205, "Parking in Municipal Building Parking Lot")

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

THE CLERK WILL READ THE TITLE

BOROUGH OF HALEDON

ORDINANCE #7-19-2012

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF HALEDON BY ADDING A NEW SECTION TO CHAPTER 205,
"PARKING IN MUNICIPAL BUILDING PARKING LOT"

Motion by Tirri seconded by Alkaita to open the public hearing on Ordinance #7-19-2012.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

NO COMMENTS.

Motion by Alkaita seconded by Tirri to close the public hearing on Ordinance #7-19-2012.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

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

Mayor Stampone explained that this ordinance provides for limited permit parking in Borough parking lot. Should alleviate parking problems for apartment building and residents in area.

Motion by Almaita seconded by Kandis that Ordinance #7-19-2012 be approved and adopted and to authorize the Municipal Clerk to advertise according to law.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

NEW BUSINESS

Motion by Almaita seconded by Costa to read the introduction of Ordinance #8-30-2012 (Fee Ordinance)

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

The Clerk will read the title:

BOROUGH OF HALEDON
ORDINANCE #8-30-2012
FEE ORDINANCE

Motion by Almaita seconded by Tirri 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 20, 2012.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

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 #2012-143 CONCUR WITH ELECTION OF KRIS MOSER, 2ND
LIEUTENANT FIRE DEPARTMENT, COMPANY #2
- RESOLUTION #2012-144 APPROVE NEW FIREFIGHTER APPLICATIONS; RICHARD
GENBERG, ANTONIO VALENTI, CARLOS CHONG,
BRENDA ALVAREZ, GEYSYKA ARAUJO
- RESOLUTION#2012-145 REAPPOINTMENT OF THE DEPUTY CLERK LEENA
ABAZA
- RESOLUTION#2012-146 AUTHORIZING THE SIGNATURE OF THE COPS GRANT
AWARD DOCUMENT
- RESOLUTION#2012-147 RESOLUTION AUTHORIZING REFUND FOR TAX
OVERPAYMENTS TO BAC TAX SERVICES
CORPORATION

RESOLUTION#2012-148 TAX TITLE LIEN REDEMPTION/OUTSIDE LIEN HOLDER-
344 WEST CLINTON STREET, HALEDON NEW JERSEY
07508

RESOLUTION#2012-149 TAX REIMBURSEMENT CERTIFICATION

Motion by Almata seconded by Tirri to approve.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

RESOLUTION #2012-143 CONCUR WITH ELECTION OF KRIS MOSER, 2ND
LIEUTENANT FIRE DEPARTMENT, COMPANY #2

BE IT RESOLVED, Mayor Stampone requests the consent of the Borough Council to confirm the election of Kris Moser as 2nd Lieutenant to Fire Company #2 for an expiration term date of December 31, 2012;

RESOLUTION #2012-144 APPROVE NEW FIREFIGHTER APPLICATIONS

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

Fire Company #1

Antonio Valenti

Richard Genberg

Brenda Alvarez

Geysyka Araujo

Fire Company #2

Carlos Chong

RESOLUTION #2012-145 AUTHORIZATION TO REAPPOINT DEPUTY CLERK

WHEREAS, Mayor Domenick Stampone requests the advice and consent of the Borough Council to reappoint Leena Abaza as the Deputy Clerk in the Borough of Haledon for a one year term effective September 8, 2012; and

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Haledon that they hereby provide their advice and consent to reappoint Leena Abaza as the Deputy Clerk to the Borough of Haledon effective September 8, 2012.

RESOLUTION #2012-146 AUTHORIZATION FOR THE MAYOR AND MUNICIPAL
CLERK TO SIGN THE OFFICE OF COMMUNITY
ORIENTED POLICING SERVICES GRANT AWARD
DOCUMENT

BE IT RESOLVED, that the Mayor and Municipal Clerk are authorized to sign the Office of Community Oriented Policing Services Grant Award document to officially accept the grant award;

RESOLUTION #2012-147 RESOLUTION AUTHORIZING REFUND FOR TAX
OVERPAYMENTS TO BAC TAX SERVICES
CORPORATION

WHEREAS, the Tax Collector's Office has received tax payments from BAC Tax Services Corporation, formerly Countrywide Tax Services, and Wells Fargo Tax Services for the following listed property and amounts listed below; and

<u>Property/Location</u>	<u>Year</u>	<u>Amount</u>
15 North 12 th Street, Block 103, Lot 9	2007	\$1,587.99
	2008	\$3,268.32
	2009	\$3,390.77
	2010	\$6,945.00
	2011	\$5,484.72
	<u>2012</u>	<u>\$3,718.24</u>
	Total	<u>\$24,395.04</u>

WHEREAS, BAC Tax Services Corporation has requested a refund since Wells Fargo Tax Services is the responsible party for making tax payments for the property listed herein; and

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer issue a check to BAC Tax Services Corporation in the amount of \$24,395.04 to refund the overpayments and that the Tax Collector adjust his/her records accordingly.

RESOLUTION #2012-148 TAX TITLE LIEN REDEMPTION/ OUTSIDE LIEN
HOLDER- 344 WEST CLINTON STREET, HALEDON, NEW
JERSEY 07508

WHEREAS, CoreLogic Tax Services, LLC is redeeming Tax Title Lien Certificate # 10-00011, better known as Block 106 Lot 10.02 Qualifier C0001, 344 West Clinton Street, Haledon, New Jersey, which was sold to Rothman Realty 1 LLC, 411 Grand Avenue, Englewood, NJ 07631.

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 CoreLogic Tax Services, LLC.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be and is hereby authorized to issue a check out of the Current Fund Account in the amount of \$ 38,632.84 and a check out of Trust Fund Account in the amount of \$ 1,100.00 to:

Rothman Realty 1 LLC 4
411 Grand Avenue,
Englewood, NJ 07631

For Tax Title Lien Redemption.

RESOLUTION #2012-149 TAX REIMBURSEMENT CERTIFICATION

WHEREAS, The Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED, by the Borough of Haledon that the Borough of Haledon hereby certifies a submission of expenditure for taxes paid pursuant to P.L 2007, chapter 311, in 2011 in the amount of \$8,143.26. Documentation supporting this submission is available at the Municipal Clerk's office located at 510 Belmont Ave Haledon, New Jersey 07508.

And shall be maintained for no less than five years from this date.

Tax reimbursement certified by: Mary Ann Brindisi

Name of Official: Mary Ann Brindisi

Title of Official: Chief Financial Officer

Date: August 23, 2012

RESOLUTION #2012-131 RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE
SUBURBAN ESSEX MUNICIPAL JOINT INSURANCE
FUND

Motion by Almaita seconded by Costa to approve.

WHEREAS, the Borough of Haledon is a member of the Suburban Essex Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2012 unless earlier renewed by agreement between the Governing Body and the Fund; and

WHEREAS, the board desires to renew said membership;

NOW THEREFORE, be it as follows:

1. The Borough of Haledon agrees to renew its membership in the Suburban Essex Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverage's and operating procedures thereof as presently existing or as modified from time by lawful act of the fund.

2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Suburban Essex Municipal Joint Insurance Fund evidencing the board's intention to renew its membership.

Mayor

Attest

Date

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

RESOLUTION#2012-132 LIQUOR LICENSE RENEWAL- AUGUST 30, 2012 TO JUNE 30, 2013- CELEBRITIES CAFÉ
Motion by Tirri second by Alkaita to approve.

WHEREAS, an application was made in proper form for the liquor license renewal by all licensee for the ensuing fiscal year 2012-2013 to be effective August 30, 2012; 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:

MTM Enterprises Inc. (Celebrities Café)

1603-33-017-006

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

Council President Kandis found the Police Chief's report regarding the Celebrities Café lacking and not detailed. Would like the Chief to explain what action was taken to have the owner take responsibility of the continuous complaints coming in from residents regarding the behavior of the clients of Celebrities (in terms of noise and loitering).

Chief of Police - Interviewed owner in my office and went over liquor license law with owner. This particular owner has installed sound proofing, machine to prove ID's.

Council President Kandis stated that she is concerned about teen parties.

Chief of Police Mercurio explained that he did address that topic in the meeting with the owner of Celebrities.

Mayor Stampone also stated he did meet with the owner to go over the concern of the Council. Mr. Murrans was very accommodating and understood that action needs to be taken to address the issues. We look forward to the new business plans that Celebrities will be implementing.

RESOLUTION#2012-150 REFUND OF A TAX OVERPAYMENT-330 HOBART AVENUE
Motion by Almaita seconded by Tirri to approve.

WHEREAS, an overpayment has been made by the mortgage company, Superior Mortgage for 4th Installment of 2011 taxes on block 48 Lot 12, better known as 330 Hobart Avenue, Haledon, New Jersey.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be and is hereby authorized to issue a check in the amount of \$ 2,220.07 to:

Superior Mortgage
1387 Route 539
Suite 2A
Tuckerton, NJ 08087

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

Borough Attorney Andy Oddo explained how overpayments can occur due to tax appeals.

RESOLUTION#2012-151 RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH OF HALEDON AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 825 FOR THE HIRING OF TEMPORARY EQUIPMENT OPERATORS BY THE COUNTY OF PASAIC ON AN "AS NEEDED" BASIS
Motion by Almaita seconded by Costa to approve.

WHEREAS, the Borough of Haledon has the need to employ temporary workers on as needed basis; and

WHEREAS, the International Union of Operating Engineers, Local 825, AFL-CIO (the "Union") has agreed to make qualified temporary employees available to the Borough on an as needed basis; and

WHEREAS, Borough and the Union are desirous of entering into an agreement whereby the Borough may utilize the services of temporary employees through the Union on an as needed basis; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that it hereby approves the Memorandum of Understanding attached to and incorporated into this agreement by reference; and

BE IT FURTHER RESOLVED, that the value of this agreement shall not exceed \$17,500.00 in a calendar year; and

BE IT FURTHER RESOLVED, that the Mayor, Borough Administrator, Borough Clerk and Borough Attorney are hereby authorized to take any and all necessary action to the effect the terms of this Resolution including but not limited to the execution of the agreement.

Mayor Stampone explained this is an agreement with the Union which hires a pool of temporary workers. The Borough is under no obligation to hire. Passaic County did adopt this resolution also.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

RESOLUTION#2012-152 APPOINTMENT OF SPECIAL POLICE CLASS I
Motion by Alkaita seconded by Tirri to approve.

WHEREAS, Deputy Chief of Police Kevin Gottheiner has recommended the following Special Police Class Officers, Class I appointments in his letter dated August 15, 2012:

Special Police Officer, Class I	Ewelina Kot
	Jake Rutkowski
	Stephanie Santiago
	April Latona
	Semir Celoski
	Xiomara Marin
	Joseph Fahy
	Michael Bastante
	Victor Malave

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 the above individuals 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 appointment; and

BE IT FURTHER RESOLVED, that this appointment 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, KANDIS, COSTA

NO: -0-

RESOLUTION#2012-153 ACCEPT RESIGNATION OF SPECIAL POLICE OFFICER
CLASS II, JAMES HAYER
Motion by Alkaita seconded by Costa to approve.

BE IT RESOLVED, the Governing Body of the Borough of Haledon hereby accepts with regret the resignation James Hayer as Special Police Officer effective July 28, 2011.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

RESOLUTION#2012-154 AUTHORIZE AN APPRAISAL FOR MUNICIPAL AUCTION
OF PROPERTY TO ADJACENT LAND OWNERS
Motion by Almaita seconded by Tirri to approve.

WHEREAS, 30 Tilt Street is a vacant lot that is non-conforming parcel of vacant land that the Borough is considering for auction to the adjacent land owners; and

WHEREAS, an official report will be prepared in full compliance with all applicable Appraisal Guidelines and USPAP regulations that are currently in effect by Scott Holzhauer Real Estate for Appraisal & Advisory Services;

THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Haledon authorize the Borough Attorney to process the necessary documentation for the Municipal Auction of 30 Tilt Street to Adjacent Land owners.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

RESOLUTION#2012-155 AWARD OF CONTRACT FOR IMPROVEMENTS TO
CHILDREN'S PLAYGROUND ROE STREET FIELD
Motion by Almaita seconded by Tirri to approve.

WHEREAS, bids were received for the Improvements to Children's Park at Roe Street Field Project by the Municipal Clerk on August 9, 2012; and

WHEREAS, the apparent low bidder was Giordano Contracting LLC 500 Hoiles Drive, Kenilworth NJ 07033; and

WHEREAS, Nordan Murphy, P.E. representing the Borough Engineer Alaimo Engineering in his letter dated August 13, 2012 recommends the Borough award the project to Giordano Contracting LLC; and

WHEREAS, the Borough Chief Financial Officer, Maryann Brindisi; has issued a certification of funds for an amount not to exceed \$173,995.00; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that Giordano Contracting LLC be awarded the Improvements to Children's Park Roe Street Field for the contract price of \$173,995.00; and

BE IT FURTHER RESOLVED, that this award is subject to approval the Borough Attorney; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk subject to the above mentioned items are hereby authorized to execute a contract with Giordano Contracting LLC in a form to be approved by the Borough Attorney for the Improvements Children's Playground Project.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

RESOLUTION#2012-156 AUTHORIZE ALAIMO GROUP TO PERFORM DESIGN SERVICES FOR IMPROVEMENTS TO ROE STREET ATHLETIC FIELD
Motion by Tirri seconded by Alkaita to approve.

WHEREAS, the Alaimo Group has submitted a proposal to provide design services for Roe Street Field Athletic Field; and

WHEREAS, the design services includes design and construction management portion of project; and

WHEREAS, the Alaimo Group will prepare contract documents; provide bid support, contract administration and monitoring; field surveying of site and preparation of base plan; preparation of site plan and construction detail as well as act as the regulatory liaison and project manager; and

WHEREAS, the Chief Financial Officer has issued a certification of funds for an amount not to exceed \$29,000;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the Alaimo Group be authorized to perform design services for improvements to Roe Street Field Athletic Field that the Mayor and Municipal Clerk are hereby authorized to execute an agreement in a form to be approved by the Borough Attorney.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

RESOLUTION#2012-157 AUTHORIZE ALAIMO GROUP TO PERFORM DESIGN SERVICES FOR DEMOLITION AND RECONSTRUCTION OF THE OLD VIOLATIONS BUREAU
Motion by Alkaita seconded by Kandis to approve.

WHEREAS, the Alaimo Group has submitted a proposal to provide design services for the demolition and reconstruction of the old Violations Bureau; and

WHEREAS, the design services includes design and construction management portion of project; and

WHEREAS, the Alaimo Group will prepare contract documents; provide bid support, contract administration and monitoring; field surveying of site and preparation of base plan; preparation of site plan and construction detail as well as act as the regulatory liaison and project manager; and

WHEREAS, the Chief Financial Officer has issued a certification of funds for an amount not to exceed \$26,000;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the Alaimo Group be authorized to perform design services for demolition and reconstruction of the violations bureau that the Mayor and Municipal Clerk are hereby authorized to execute an agreement in a form to be approved by the Borough Attorney.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

RESOLUTION#2012-158 AUTHORIZE CONTRACT AMENDMENT REQUESTS FOR
THE OLD VACANT MUNICIPAL BUILDING SITE
REMEDIATION PROJECT
Motion by Almaita seconded by Kandis to approve.

WHEREAS, the Borough of Haledon awarded a contract to Birdsall Service Group 65 Jackson Drive Cranford New Jersey 07016 for the remediation project at the old vacant Municipal Building Site; and

WHEREAS, Daniel Swayze from BSG has recommended in his correspondence dated June 18, 2012 that the Borough process the following modifications to the original contract award of \$43,550.00:

1. Contract Amendment Request #1 increasing contract price by \$9,500 dated May 15, 2012 (additional and confirmatory ground water sampling)
2. Credit in the amount of \$12,500.00 dated December 7, 2011 (Item 3 & Item 4 not performed at this time and budget reallocated)
3. Contract Amendment Request #2 increasing contact price by \$19,450 (delineation and additional ground water sampling needed)

WHEREAS, the above changes recommended by Bsg will change the contract price to \$60,000; and

WHEREAS, the Borough has concurred in the recommendation of Mr. Swayze 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 the above changes will increase the contract price to \$60,000 as opposed to the original contract price of \$43,550.00 be approved.
2. The written concurrence by Birdsall Service Group to the modification shall be obtained in the form of Contract Amendment #1, Credit issued and Contract Amendment #2 a copy of which is attached hereto and incorporated herein by reference.
3. It is hereby determined that the above modifications 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. Birdsall Service Group 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 the above modifications.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

RESOLUTION#2012-159 AUTHORIZE THE MAYOR AND MUNICIPAL CLERK TO SIGN THE US ARMY CORPS OF ENGINEER'S RIGHT OF ENTRY FOR CONSTRUCTION MOLLY ANN'S BROOK FLOOD CONTROL PROJECT
Motion by Alkaita seconded by Costa to approve.

WHEREAS, the Department of the Army is requesting right of entry for 75 Roe Street, Haledon NJ Block 106, lot 35 & 26 for the Molly Ann's Brook Flood Control Project; and

WHEREAS, three copies of the right of entry along with the highlighted tax map and the Army Corps Access plan to the site for rehabilitation has been submitted for signatures to authorize this right of entry;

THEREFORE BE IT RESOLVED, the Governing Body authorizes the Mayor and Municipal Clerk to sign the right of entry for the above project.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

RESOLUTION#2012-160 ACCEPT RESIGNATION FROM BARRY DOOLEY AS FIRST CAPTAIN OF HALEDON FIRE COMPANY #1
Motion by Alkaita seconded by Tirri to approve.

BE IT RESOLVED, the Governing Body of the Borough of Haledon hereby accepts with regret the resignation Barry Dooley as First Captain Fire Company #1 effective July 23, 2012

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

RESOLUTION#2012-161 AUTHORIZE MUNICIPAL CLERK TO ADVERTISE FOR RFP ó ENGINEERING SERVICES BELMONT AVE STREET SCAPE PHASE II
Motion by Alkaita seconded by Tirri to approve.

BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the Municipal Clerk is hereby authorized to advertise for RFP Engineering Services for Belmont Street Scape Phase II.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO:-0-

Motion by Alkaita seconded by Kandis to add resolution to agenda.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO:-0-

RESOLUTION #2012-164 APPOINT PART TIME POLICE DISPATCHER
Motion by Kandis seconded by Tirri to approve.

WHEREAS, Deputy Chief Kevin Gottheiner in his letter dated August 27, 2012 requested the appointment of Michele Young as a part time police dispatcher; and

WHEREAS, the Deputy Chief has expressed the need to have an additional part time dispatcher to assist with scheduling difficulties; and

WHEREAS, the appointment of this additional part time police dispatcher will not increase costs but will relieve scheduling problems;

NOW THEREFORE BE IT RESOLVED, that Mayor Domenick Stampone requests the advice and consent of the Borough Counsel to appoint Michele Young as a part time police dispatcher effective August 17, 2012; and

BE IT FURTHER RESOLVED that the Borough Council hereby concurs with the appointment of Michele Young as a part time police dispatcher effective August 17, 2012.

ROLL CALL

YES: TIRRI, KANDIS, COSTA

ABSTAIN: ALMAITA

Mayor Stampone questioned if the dispatcher position was advertised.

Deputy Chief Gotthiener stated the dispatcher position was not advertised.

Mayor Stampone requested to postpone taking action on the resolutions to hire part dispatchers until the September 6, 2012 work session meeting.

RESOLUTION #2012-164A RESOLUTION RECINDING MOTION

WHEREAS, Mayor Stampone requests the Borough Council to rescind the motion on resolution #2012-164 and to defer action until the September 6, 2012 work session meeting;

NOW THEREFORE BE IT RESOLVED the Borough Council authorizes the rescinding of resolution #2012- 164 and action to be taken at work session meeting on September 6, 2012.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO:-0-

RESOLUTION #2012-165 APPOINT PART TIME POLICE DISPATCHER
Motion by Kandis seconded by Alkaita to table to the next meeting on September 6, 2012.

WHEREAS, Deputy Chief Kevin Gottheiner in his letter dated August 27, 2012 requested the appointment of Timothy Lindberg as a part time police dispatcher; and

WHEREAS, the Deputy Chief has expressed the need to have an additional part time dispatcher to assist with scheduling difficulties; and

WHEREAS, the appointment of this additional part time police dispatcher will not increase costs but will relieve scheduling problems;

NOW THEREFORE BE IT RESOLVED, that Mayor Domenick Stampone requests the advice and consent of the Borough Counsel to appoint Timothy Lindberg as a part time police dispatcher effective August 17, 2012; and

August 30, 2012

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BE IT FURTHER RESOLVED that the Borough Council hereby concurs with the appointment of Timothy Lindberg as a part time police dispatcher effective August 17, 2012.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO:-0-

RESOLUTION #2012-166 APPROVAL OF THE RECYCLING MANDATORY SOURCE RECYCLING GRANT APPLICATION

Motion by Alkaita seconded by Tirri to approve.

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, C. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to , making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for calendar year 2011 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Governing Body of the Borough of Haledon to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Haledon, County of Passaic, that the Borough of Haledon hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Douglas Morgan to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO:-0-

RESOLUTION #2012-167 AUTHORIZE SUBMISSION OF 2013 DEDR MUNICIPAL ALLIANCE GRANT

Motion by Alkaita seconded by Costa to approve.

WHEREAS, the Governing Body of the Borough of Haledon, County of Passaic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Governing Body further recognizes that is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Governing Body has applied for funding to the Governor's Council on alcoholism and Drug Abuse through the County of Passaic;

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

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Haledon, County of Passaic, and State of New Jersey hereby recognizes the following:

1. The Governing Body does hereby authorize submission of an application for the Haledon Municipal Alliance grant for calendar year 2013 in the amount of:
 - Alliance DEDR Allocation: \$16,959.00
 - Cash Match: \$ 4,240.00
 - In-Kind Match: \$12,719.00

Total Alliance Budget	\$33,918.00
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2. The Governing Body acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO:-0-

RESOLUTION #2012-168 BILLS LIST ó August 30, 2012
Motion by Kandis 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 30, 2012 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 30, 2012 WITH PREPAIDS IS:

CURRENT:	\$1,520,396.55
WATER (MUA):	<u>\$ 24,885.46</u>
TOTAL:	\$1,545,282.01

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

Motion by Alkaita seconded by Costa to reopen public portion of the meeting.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

Edward Deanne, 20 Post St ó there was an article in the Record that spoke of Police Chief legal fees, \$302,000. Assuming 2012 budget is approved is this expense in the budget? Concern is how are the tax payers of Haledon going to pay for this? There are also two pending lawsuits- the Kilminster lawsuit and the Chris Lemay lawsuit. What is the cause of all these lawsuits and when should I move out of Haledon?

Joe Moore, 9 Buschmann Ave. ó The Shepherd and The Knucklehead clients are still blocking driveways and are still parking in front of the stop sign. Buschmann Ave problems revolve around handicap parking. If the handicap parking can be assigned for individuals instead of open to public. Still looking to see if legal to have spaces assigned rather than open to any handicap person.

Even though the Borough has authorized Valet parking it is not being utilized ó what happened? Concerned about The Shepherd and The Knucklehead outdoor café, where will it be?

Mayor Stampone advised Mr. Moore to check with the Construction Department. In regards to the Municipal Budget that was adopted in the spring. Emergency expenses will be done by emergency appropriation. Councilwoman Kilminster finished her term back in January.

RESOLUTION #08302012A

EXECUTIVE SESSION

Motion by Almaita seconded by Kandis to approve.

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:

- Litigation matters- Kilminster
- Litigation matters- Mercurio

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, COSTA

NO: -0-

Motion by Tirri seconded by Kandis to reopen the public portion of meeting.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

ADJOURN

Motion by Kandis seconded by Costa to adjourn.

ROLL CALL

YES: ALMAITA, TIRRI, KANDIS, COSTA

NO: -0-

Respectfully submitted:

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