

**BOROUGH OF HALEDON**  
**MAYOR AND COUNCIL**  
November 14, 2013

PRAYER  
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon took place on November 14, 2013 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 January 8, 2013 posted on the bulletin board in the Municipal Building on January 8, 2013 and has remained continuously posted as the required notices under the Statute. In addition, copies of the above notices are and have been available to the public and are on file in the office of the Municipal Clerk.

Proper notice having been given, the Municipal Clerk is directed to include this statement in the minutes of this meeting.

ROLL CALL – Mayor Stampone called the meeting to order at 7:00PM

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

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

**APPROVAL OF MINUTES**

September 5, 2013	Executive Session Meeting Minutes
September 19, 2013	Executive Session Meeting Minutes
October 17, 2013	Executive Session Meeting Minutes

August 15, 2013                      Regular Meeting Minutes

Motion by Almaita seconded by Costa to approve the above meeting minutes.

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

**PUBLIC HEARING**  
**(Privilege of the floor)**

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

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

**\*\*Councilman Johnson arrived at 7:07 PM and Councilman Tirri arrived at 7:06PM\*\***

Joseph Moore, 9 Bushmann – received a letter from the owner of the parking lot stating he no longer wants people to park in his lot (lot located by John Ryle). I think that is a good thing. Loud noise on Friday coming from workers in the back of The Shepherd and The Knucklehead. There was also a man urinating in public.

Mayor Domenick Stampone questioned whether the incidents were reported or not.

Joseph Moore stated that he did not report the incidents to the Police Department because it is an ongoing issue. Traffic is out of control in our neighborhood, commuters are making U-turn in my driveway. Suggested putting one way streets to prevent that from occurring. The Shepherd and The Knucklehead also posted sign advertising beer for \$2.50. Are those signs conforming with Borough Ordinance? Garbage was put out despite sign up advising residents that no garbage pickup on holidays. Was this issue addressed?

Mary Mayer, 635 Belmont Ave- confirmed Joseph Moore's complaint about garbage put out on Belmont Ave. Also observed garbage put out in different areas in town. Feels that the sign put out to let residents know no garbage is a violation, blocking sidewalk.

Motion by Costa seconded by Johnson to close the public hearing.

ROLL CALL

YES: KANDIS, TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

**GOVERNING BODY RESPONSES**

Mayor Domenick Stampone responded by stating:

- The Code Enforcer Jesica Jeminez issued 450 summonses to residents that had their garbage out. The fees range from \$25-\$1,000. In regards to the sign put out to advise residents no garbage pickup – we will refer back to the Borough Ordinance to see if it conforms or not.
- In regards to The Shepherd and The Knucklehead report the incidents to the Police Department. We can put special conditions on the business when the Liquor License renewal is up. Residents can use the Municipal Parking Lot by utilizing the permit parking. Valet parking is also available.

Councilman Johnson we should start fining repeated offenders.

**COMMITTEE REPORTS**

PUBLIC SAFETY COMMITTEE – Rey Martinez, Chair- No report.

Police Liaison – Rey Martinez  
Police Department  
Housing Inspection/Building Maintenance  
Municipal Court

Councilman Johnson reported in the absence of Councilman Martinez. Received email regarding burglaries that are targeting Police Officer's homes. Upset it took this long for it to be brought to our attention. These incidents occurred in the summer, but information was not disseminated. All Officers in Bergen and Passaic County should have been aware.

Chief Mercurio- I received the information today and gave it out as soon as it was received. Reached out to the Prosecutor, but did not hear anything until today.

Councilman Johnson requested that Police Department do checks on Police Officer's homes in the Borough.

Fire Liaison– Michael Johnson  
Fire Department

Councilman Johnson reported that two Fire Fighters were dismissed.

Office of Emergency Management Liaison – Michael Tirri

#### FINANCE COMMITTEE

Mounir Almaita, Chair –finance committee is meeting on November 26, 2013 to go over the budget.

#### ADMINISTRATION AND PERSONNEL

Maha Kandis, Chair – read administrator report.

#### ORDINANCE

Mounir Almaita, Chair –no official report.

#### HEALTH AND WELFARE

Belgica Costa, Chair –Rabies and Flu Clinic had a very good outcome. Next Board of Health meeting is on November 20, 2013.

#### PUBLIC WORKS

Michael Johnson, Chair –no official 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 – absent.

Mayor Domenick Stampone mentioned the Belmont Streetscape Phase II and South Side Road Improvement Bids received.

#### TECHNOLOGY

Maha Kandis, Chair –no official report.

#### SPECIAL EVENTS

Maha Kandis, Chair –no official report.

Councilwoman Kandis reported:

- Veterans Day Memorial Service was a success but hoped for more attendance from residents. Thanked the Fire Department, Police Department and the DPW for their assistance&attendance. Thanked Leena Abaza, Deputy Clerk/Assistant Administrator for her assistance.
- The next Event coming up is the Tree Lighting Ceremony. The Rec Center was cleaned up last Saturday.

Boys & Girls Club activities:

- Soccer program is concluded.
- Basket Ball begins in December.

Councilwoman Kandis has requested Boys & Girls Club to give her statistics on the participation of children in the Boys and Girls Club Activities.

Mayor Domenick Stampone commended Councilwoman Kandis on a job well done setting up Veterans Day.

Councilman Almaita stated that he met someone regarding the Rec Center. Would like to make it into a community center.

Councilwoman Kandis replied by stating that it was a consideration but we need community involvement. Getting volunteers is a constant struggle.

Councilman Almaita would like to see a program drafted to operate the Rec Center as a community center.

**MAYOR'S REPORT**

Today the owner of the old Kossuth Street School removed the bell tower. Structural damage caused this to happen. Agreement existed that the bell would be given to the school if removed. This may be the only historic building in the Borough. Original tower was removed without discussion. Would like to look into the historic designation for the building. Requesting Borough Attorney to investigate what designation or protections can be done.

**COMMUNICATIONS**

None.

**OLD BUSINESS**

None.

**NEW BUSINESS**

None.

**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#2013-176 | AUTHORIZE THE MAYOR AND MUNICIPAL CLERK TO SIGN THE SUBROGATION AGREEMENT-NJDEP V. OCCIDENTAL CHEMICAL CORP., ET AL. |
| RESOLUTION#2013-177 | APPROVE APPOINTMENT OF NEW FIREFIGHTERS, FIRE COMPANY #1   |
| RESOLUTION#2013-178 | TRANSFER OF FUNDS-2013 BUDGET APPROPRIATIONS   |
| RESOLUTION#2013-179 | AWARD OF CONTRACT FOR BIRD NETTING/DETERRENT SOLUTION  |

Motion by Johnson seconded by Costa to approve.

ROLL CALL

YES: KANDIS, TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

November 14, 2013

PAGE 5

RESOLUTION #2013-176 AUTHORIZE THE MAYOR AND MUNICIPAL CLERK TO SIGN THE SUBROGATION AGREEMENT – NJDEP V. OCCIDENTAL CHEMICAL CORP., ET AL.

WHEREAS, the Environmental Joint Insurance Fund has provided defense in the above referenced litigation; and

WHEREAS, the EJIF has provided this defense notwithstanding there are approximately 30 years of coverage by other entities; which in most cases have not yet contributed to the defense or settlement; and

WHEREAS, the EJIF seeks to collect these funds;

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Haledon hereby authorizes the Mayor and the Municipal Clerk to sign a Subrogation agreement to authorize the EJIF to proceed and seek reimbursement from the Borough's prior insurance carriers.

RESOLUTION #2013-177 APPROVE APPOINTMENT OF NEW FIREFIGHTERS, FIRE COMPANY #1

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

Fire Company #1  
Kevin McGee  
Riyad Mustafa

RESOLUTION #2013-178 TRANSFER OF FUNDS – 2013 BUDGET APPROPRIATIONS

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 2013 Municipal Budget Appropriation according to N.J.S.A.40A:4-5.8:

From: Finance Clerical S&W	103-105	\$ 4,000.00
From: Engineering O & E	109-201	\$ 5,000.00
From: Liability Insurance O & E	113-301	\$ 5,000.00
From: Fire Dept. O&E	114-501	\$ 3,500.00
From: Dispatchers . S&W	119-101	\$ 5,000.00
From: Sanitation S & W	130-105	\$ 5,000.00
From: Sewer O & E	132-241	\$ 10,000.00
From: Recycling S & W	131-105	\$ 4,000.00
From: Sanitation O & E	130-261	\$ 8,500.00
To: Fire O & E	114-262	\$ 13,000.00

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

To: Finance O & E	103-261	\$ 7,500.00
	November 14, 2013	
	PAGE 6	
To: Police O & E	118-291	\$ 4,500.00
To: Police .O & E	118-261	\$ 7,500.00
To: Street Lighting O & E	141-201	\$10,000.00
To: Annual Audit Misc.O & E	113-302	\$ 7,500.00
Total Transfers:		\$ 50,000.00

RESOLUTION #2013-179 AWARD OF CONTRACT FOR BIRD  
NETTING/DETERRENT SOLUTION

WHEREAS, bids were received to provide Bird Netting/Deterrent Solution by the Municipal Clerk on October 30, 2013; and

WHEREAS, the apparent low bidder was J.C Ehrlich Co, Inc. located at 500 Spring Ridge Drive Reading PA 19610; and

WHEREAS, Doug Morgan the Department of Public Works Supervisor his letter dated November 12, 2013 recommends the Borough award the project to J.C Ehrlich Co. Inc.; and

WHEREAS, the Borough Chief Financial Officer, Maryann Brindisi; has issued a certification of funds for an amount not to exceed \$21,885.00; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that J.C. Ehrlich Co. Inc. be awarded the contract for Bird Netting/Deterrent Solution project for the contract price of \$21, 885.00; 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 J.C Ehrlich Co. Inc. in a form to be approved by the Borough Attorney for Bird Netting/Deterrent Solution project.

Motion by Johnson seconded by Kandis to add two resolutions.

ROLL CALL

YES: KANDIS, TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

RESOLUTION #2013-180 AUTHORIZE ORDER #1 FOR THE BELMONT AVENUE  
STREETSCAPE PHASE II FEDERAL  
PROJECT#FSB00S(588) CON NJDOT PROJECT#7003307  
Motion by Johnson seconded by Kandis to approve.

WHEREAS, the Borough of Haledon awarded a contract to 4 Clean-up Inc. P.O Box 5098 North Bergen, NJ for the Belmont Ave. Streetscape Phase II Project; and

WHEREAS, Nordan Murphy of the Alaimo Group has recommended that the Borough modify the original contract amount of \$537,377.60 for Change Order #1 decreasing the contract price by \$7,700.00; 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;

November 14, 2013

PAGE 7

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

1. A credit in the amount of \$25,300.00 for the deletion of base contract pay item #23 (cast iron tree grates).
2. Supplemental Item 1S in the amount of \$17,600.00 for the supply and installation of recycled plastic tree grates, in lieu of the cast iron tree grates. The Borough of Haledon has requested in the Contractor to supply recycled plastic tree grates in lieu of cast iron tree grates for the following reasons: the recycled product has a significantly lower material cost than cast iron; recycled plastic tree grates are lighter than the cast iron tree grates, reducing labor and equipment necessary for future maintenance; the proposed recycled plastic is made from 100% recycled materials.
3. The modifications of the contract to provide for a change order reducing the contract price by \$7,700.00 for an amended contract amount of \$529,677.60.
4. The written concurrence by 4 Clean-up 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.
5. 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.
6. 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.

ROLL CALL

YES: KANDIS, TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

RESOLUTION #2013-181 AUTHORIZE TEMPORARY DEPARTMENT OF PUBLIC WORKS EMPLOYEES

Motion by Johnson seconded by Costa to approve.

WHEREAS, due to increased work load during the leaf pick up season, there is a need for temporary help in the Department of Public Works;

WHEREAS, funding for these employees is included in the Recycling and Clean Communities Grants received by the Borough; and

WHEREAS, the Supt. of Public Works is requesting the following individual to work on a temporary seasonal basis for less than 29 hours a week for the leaf season:

- Daniel DeJesus

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Haledon hereby approves the hiring of the above names individual for the period of November 18, 2013 to December 13, 2013, unless extended by the Governing Body at the hourly rate of \$10.00 effective November 18, 2013.

ROLL CALL

YES: KANDIS, TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

November 14, 2013  
PAGE 8

RESOLUTION #2013-182 APPROVE BILLS LIST, November 14, 2013  
Motion by Almaita seconded by Kandis to approve.

WHEREAS, the attached bills have been submitted for payment; and

WHEREAS, the Chief Financial Officer has attached his certification of availability of funds stating that the Bills list for November will not constitute an over expenditure of any Ordinance or Line Item;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the attached payments are hereby approved and payment made when the funds of the Borough are sufficient to meet them.

TOTAL BILLS LIST FOR November 14, 2013 WITH PREPAIDS IS:

CURRENT:	\$6,177,497.15
WATER (MUA):	<u>\$ 44,768.44</u>
TOTAL:	\$6,222,265.59

ROLL CALL

YES: KANDIS, TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

The Mayor and Council decided to go into Executive Session.

RESOLUTION #11142013 EXECUTIVE SESSION  
Motion by Kandis seconded by Johnson 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:

- Pending Litigation- Mercuro vs. Haledon

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: KANDIS, TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

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

ROLL CALL

YES: KANDIS, TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

November 14, 2013  
PAGE 9

**ADJOURN**

Motion by Johnson seconded by Costa to adjourn.

ROLL CALL

YES: KANDIS, TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

Respectfully submitted:

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