

BOROUGH OF HALEDON
MAYOR AND COUNCIL
April 28, 2016

MOMENT OF SILENCE
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon took place on April 28, 2016 at 7PM 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, 2016 posted on the bulletin board in the Municipal Building on January 8, 2016 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 Domenick Stampone called the meeting to order at 7PM.

Present: Mayor Domenick Stampone; Council President Mounir Almaita; Council Members: Rey Martinez, Nereyda Curiel, Islam Sery, Tahsina Ahmed and Michael Johnson. Municipal Clerk/Borough Administrator Allan R. Susen and Borough Attorney Andrew Oddo.

Absent: -0-

Mayor Domenick Stampone acknowledged the following dignitaries that were present:

- Yvette Roland from Assemblyman Wimberly's Office.
- Jerry Gamble, former Police Chief of Haledon Police Department.
- Robert Franco, former Deputy Chief of Haledon Police Department.
- The Passaic County Undersheriff.
- All members of the Haledon Police Department (including Officers and Special Police)

HALEDON POLICE DEPARTMENT PROMOTIONS

RESOLUTION#2016-088 PROMOTION TO POLICE DEPUTY CHIEF- ANGELO DANIELE
Motion by Johnson second by Martinez to approve.

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

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 to be promoted; and

WHEREAS, the amount and effective date of any salary adjustment will be approved at a future date by Borough Council by means of a contract between Angelo Daniele and the Borough of Haledon;

NOW THEREFORE BE IT RESOLVED, based upon the Police Promotions Committee recommendation, Mayor Domenick Stampone requests the advice and consent of the Borough Council to appoint Angelo Daniele to the position of Police Deputy Chief effective immediately.

BE IT FURTHER RESOLVED, by the Council of the Borough of Haledon that Angelo Daniele be promoted to the position of Deputy Chief effective immediately.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, AHMED, SERY, JOHNSON

NO: -0-

Mayor Domenick Stampone invited Lt. Angelo Daniele forward in front of the dais. Lt. Daniele was sworn in as Deputy Chief of Haledon Police Department by Mayor Stampone.

Deputy Chief Angelo Daniele gave a speech thanking the Mayor and Council for their confidence and support. He also thanked all the members of Haledon Police Department for their hard work and dedication. Thanked his friends and family that were present for their love and support especially his brother Joseph. Deputy Chief Daniele stated this moment is a priceless moment.

Ms. Yvette Roland presented Angelo with a proclamation from the NJ State Assembly.

2016 MUNICIPAL BUDGET

RESOLUTION#2016-089 AUTHORIZING THE HALEDON MUNICIPAL BUDGET TO BE READ BY TITLE ONLY

Motion by Martinez seconded by Sery to approve.

WHEREAS, N.J.S.A 40A:4-8 provides that the budget may be read by title only at the time of the public hearing, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been delivered to the Haledon Public Library, posted in the Municipal Building Complex, with copies available to any persons requesting same, and

WHEREAS, the Municipal Clerk will provide the Governing Body a copy of the affidavit from the library of such delivery;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Haledon Governing Body of Passaic County State of New Jersey that the 2016 Municipal Budget be read by title only.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, AHMED, SERY, JOHNSON

NO: -0-

RESOLUTION#2016-089A BOROUGH OF HALEDON NJ SELF- EXAMINATION OF BUDGET RESOLUTION AS REQUIRED BY THE DCA

Motion by Sery second by Johnson to approve.

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Haledon has been declared eligible to participate in the program by the Division of Local Government

Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2016 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Haledon that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school Purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will Permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, AHMED, SERY, JOHNSON

NO: -0-

2016 MUNICIPAL BUDGET PUBLIC HEARING

Motion by Ahmed seconded by Johnson open public hearing on 2016 Municipal Budget.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, AHMED, SERY, JOHNSON

NO: -0-

- Mr. Charles Ferraioli will speak to the Governing Body regarding the 2016 Municipal Budget
- Mayor Stampone asked Council President Alkaita to introduce the Municipal Auditor Mr. Charles Ferraioli regarding the Municipal budget.

Mr. Charles Ferraioli reported the following:

- Budget under by \$320,000- under levy 356,000.
- Tax levy average will see decrease of \$19.00 in the Borough and County. Schools will increase it to a 1.30%, Borough and Manchester Regional High School.

Mayor Stampone stated we are under cap. Small communities can be efficient. Consolidate some of the positions in the Borough, for instance Clerk/Administrator is combined. Ratables, older community like Haledon have depressed property values. Despite, we have a good budget. Thanked Finance chair, committee and the auditor.

Motion by Alkaita seconded by Ahmed to close the public hearing on 2016 Municipal Budget.

ROLL CALL

YES: MARTINEZ, CURIEL ALMAITA, AHMED, SERY, JOHNSON

NO: -0-

ADOPTION OF 2016 MUNICIPAL BUDGET

RESOLUTION #2016-89B ADOPTION OF 2016 HALEDON MUNICIPAL BUDGET

Motion by Alkaita seconded by Sery to adopt.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, AHMED, SERY, JOHNSON

NO: -0-

** This resolution is spread in full at the end of these meeting minutes**

COMMITTEE REPORT

PUBLIC SAFETY COMMITTEE – Michael Johnson, Chairperson

Police Liaison – Michael Johnson

Police Department

Housing Inspection/Building Maintenance

Municipal Court

Councilman Johnson stated it is a big night with Lt. Daniele's promotion. He has shown himself being capable and worthy.

Councilman Johnson also mentioned the Police Department's apprehension of two individuals in shooting case. Residents had cameras on their homes which assisted in solving the case.

Mayor Stampone mentioned Angelo Daniele is home grown, started at lowest position. Thanked Councilman Johnson and the Public Safety Committee.

Fire Liaison– Islam Sery

Fire Department

Councilman Islam Sery mentioned a requisition is needed for repair to Thermal image camera.

Office of Emergency Management Liaison – Tahsina Ahmed- no official report.

FINANCE COMMITTEE

Mounir Alkaita, Chair –

Excited, first time seen reduction in taxes.

ADMINISTRATION AND PERSONNEL

Tahsina Ahmed, Chair – no official report.

ORDINANCE

Mounir Almaita, Chair –no official report.

HEALTH AND WELFARE

Nereyda Curiel, Chair -

The Board of Health is working on Haledon Day.

PUBLIC WORKS

Michael Johnson, Chair – we need to schedule a meeting. Mentioned Pompton Road to Circle Ave. no left turn from 7am-9am and 4pm to 6pm. Mayor Stampone requested a door to door survey to be considered.

- 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 –

Mayor Stampone mentioned saw activity at old Municipal Complex.

Department of Public Works Superintendent Douglas Morgan stated that they are monitoring the wells.

TECHNOLOGY

Islam Sery, Chair –

Online tax payments will be in effect June 1, 2016.

SPECIAL EVENTS

Tahsina Ahmed, Chair –

Council President Mounir Almaita mentioned the YMCA has ideas for security at REC Building. He mentioned he liked the way they are running the Rec programs. The Rec Baseball Rec program starts this Saturday. The YMCA has a couple ideas for senior programs they also suggested.

MAYOR'S REPORT

Mentioned he is joined by his son Gabriel, take your child to work day.

COMMUNICATIONS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

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#2016-090 AUTHORIZE THE MAINTENANCE AGREEMENT WITH TRANE INC. AND THE BOROUGH OF HALEDON FOR THE HVAC SYSTEM IN THE MUNICIPAL BUILDING COMPLEX
- RESOLUTION#2016-091 AUTHORIZE THE CONTROLS AGREEMENT WITH TRANE INC. AND THE BOROUGH OF HALEDON FOR THE HVAC SYSTEM IN THE MUNICIPAL BUILDING COMPLEX
- RESOLUTION#2016-092 APPROVAL OF THE RECYCLING MANDATORY SOURCE RECYCLING GRANT APPLICATION
- RESOLUTION#2016-093 AUTHORIZE CHANGE ORDER#1 FOR THE TILT STREET PARK IMPROVEMENT PROJECT
- RESOLUTION#2016-094 APPOINTMENT TO THE HALEDON BOARD OF HEALTH
- RESOLUTION#2016-095 RESOLUTION AUTHORIZING REFUND OF PREMIUM PAYMENT TO OUTSIDE LIEN HOLDER-32 HALSEY AVENUE, HALEDON NEW JERSEY 07508
- RESOLUTION#2016-096 RESOLUTION AUTHORIZING REFUND OF PREMIUM PAYMENT TO OUTSIDE LIEN HOLDER-105 ROCKLEDGE TERRACE, HALEDON NEW JERSEY 07508
- RESOLUTION#2016-097 RESOLUTION AUTHORIZING REDUCTION OF THE PERFORMANCE BOND FOR BEAZER HOMES CORP.

Motion by Ahmed seconded by Martinez to approve.

ROLL CALL

YES: MARTINEZ, CUIEL, ALMAITA, AHMED, SERY, JOHNSON

NO: -0-

RESOLUTION #2016-090 AUTHORIZE THE MAINTENANCE AGREEMENT WITH
TRANE INC. AND THE BOROUGH OF HALEDON FOR
THE HVAC SYSTEM IN THE MUNICIPAL BUILDING
COMPLEX

WHEREAS, a maintenance agreement has been submitted by Trane Inc. to control and maintain the HVAC system at the Municipal Building Complex; and

WHEREAS, the term of this maintenance agreement is April 1, 2016 to March 31, 2017 at the annually cost of \$7, 116.00; and

WHEREAS, Chief Financial Officer MaryAnn Brindisi has issued a certification of funds for an amount not to exceed \$7, 116.00;

WHEREAS, the Governing Body authorize the Mayor to sign this maintenance agreement:

THEREFORE BE IT RESOLVED, by the Governing Body that the Mayor and the Municipal Clerk are authorized to sign the maintenance agreement submitted by Trane Inc.

RESOLUTION #2016-091 AUTHORIZE THE CONTROLS AGREEMENT WITH
TRANE INC. AND THE BOROUGH OF HALEDON FOR
THE HVAC SYSTEM IN THE MUNICIPAL BUILDING
COMPLEX

WHEREAS, a controls agreement has been submitted by Trane Inc. to control and maintain the HVAC system at the Municipal Building Complex; and

WHEREAS, the term of this controls agreement is April 1, 2016 to March 31, 2017 at the annually cost of \$3,986.00; and

WHEREAS, Chief Financial Officer MaryAnn Brindisi has issued a certification of funds for an amount not to exceed \$3, 986.00;

THEREFORE BE IT RESOLVED, by the Governing Body that the Mayor and the Municipal Clerk are authorized to sign the maintenance agreement submitted by Trane Inc.

RESOLUTION #2016-092 APPROVAL OF THE RECYCLING MANDATORY SOURCE
RECYCLING GRANT APPLICATION

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 2015 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

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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 Doug 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.

RESOLUTION #2016-093 AUTHORIZE CHANGE ORDER #1 FOR THE TILT STREET PARK IMPROVEMENT PROJECT

WHEREAS, the Borough of Haledon awarded a contract to DTS Services, LLC, 65 Royal Avenue Hawthorne NJ for the Tilt Street Park Improvement Project; and

WHEREAS, Nordan Murphy of the Alaimo Group has recommended that the Borough modify the contract amount of \$94,246.00 by Change Order #1 increasing the contract price by \$10,145.00 to reflect the new contract price of \$104,391.00 (the increase was originally \$15,145.00 but there is a \$5,000.00 reduction that brought the increase to \$10,145.00); and

WHEREAS, Chief Financial Officer Mary Ann Brindisi has issued a certification of funds for an amount not to exceed \$10,145.00; 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;

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

1. Field quantity adjustments for various items of base contract work resulting in a cumulative credit amount of \$5,000.00.
2. Supplemental Pay Items:
 - a. Supplemental Pay Item 1S in the amount of \$795 for the removal and replacement of an additional tree. The small tree did not have a full canopy and was in poor health due to being underneath the canopy of larger trees. The work included the removal of the tree and rootball, removal of the existing planter, and includes the planting of a replacement tree.
 - b. Supplemental Pay Item 2S in the amount of \$2,100.00 for the removal and replacement of a clogged section of existing storm sewer pipe. The existing pipe was an unmarked utility and was plugged with root matter and debris. It was found that the pipe collected stormwater runoff from an unknown source. The existing section of the pipe was removed and replaced.
 - c. Supplemental Item 3S in the amount of \$6,200.00 for the demolition of the existing well, including removal of all existing equipment in the building and disconnection of all utilities serving the well house.
 - d. Supplemental Item 4S in the amount of \$6,050.00 for the installation of new fence along the east side of the property. The price is for the installation of either solid vinyl fence or board-on-board wood fence.
3. The written concurrence by DTS Services LLC 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.

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4. 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.
5. 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 #2016-094 APPOINTMENT TO THE HALEDON BOARD OF HEALTH

WHEREAS, Mayor Domenick Stampone requests the advice and consent of the Borough Council to appoint the below individual as a member to the Board of Health:

Nicole Renee Espinosa Term expiring: 12/31/2018

NOW THEREFORE BE IT RESOLVED, the Council of the Borough of Haledon hereby provide their advice and consent to appoint the above individuals to the Haledon Board of Health for the terms expiring stated above.

RESOLUTION#2016-095 RESOLUTION AUTHORIZING REFUND OF PREMIUM
PAYMENT TO OUTSIDE LIEN HOLDER – 32 HALSEY
AVENUE, HALEDON, NEW JERSEY 07508

WHEREAS, At the Municipal Tax Sale held on December 11TH 2015, a lien was sold On Block 85, lot 1.03, also known as 32 Halsey Avenue.

WHEREAS, this lien, known as Tax Sale Certificate # 15-00005, sold to US Bank Cust for Pro Cap 4, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102

WHEREAS, Redemption has been made, a Current Account check has been issued to the Lien Holder in the amount of \$442.21.

NOW THEREFORE, BE IT RESOLVED, that the CFO/Treasurer be authorized to Issue one check from the Trust Account in the amount of \$ 800.00, payable to US Bank as Custodian for: Pro Cap Fund 4, US Bank Global Corporate Trust, 50 South 16th Street, Suite 2050, Philadelphia, PA. 19102

RESOLUTION#2016-096 RESOLUTION AUTHORIZING REFUND OF PREMIUM
PAYMENT TO OUTSIDE LIEN HOLDER –105
ROCKLEDGE TERRACE, HALEDON, NEW JERSEY 07508

WHEREAS, At the Municipal Tax Sale held on December 4TH 2014, a lien was sold On Block 12, lot 4, - C1.5 - - also known as 105 Rockledge Terrace

WHEREAS, this lien, known as Tax Sale Certificate # 14-00003, sold to US Bank Cust for BVOO1 Trst&Crdtrs, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102 in the amount of \$161.49

WHEREAS, Redemption has been made by RWSP Realty, LLC in the amount of \$3,652.48

NOW THEREFORE, BE IT RESOLVED, that the CFO/Treasurer be authorized to Issue one check from the Current Account in the amount of \$ 3,652.48, payable to US Bank as Custodian for: BVOO1 Trust and Creditors, 50 South 16th Street, Suite 2050, Philadelphia, PA. 19102

RESOLUTION#2016-097 RESOLUTION AUTHORIZING REDUCTION OF THE PERFORMANCE BOND IN THE DEVELOPER'S AGREEMENT FOR GATHERINGS AT HALEDON, BEAZER HOMES

WHEREAS, the developer has submitted a request for the reduction of the performance bond posted for the Gatherings at Haledon, Beazer Homes; and

WHEREAS, the Borough Engineer Nordan Murphy, P.E has reviewed the submitted request dated November 30, 2015, completed site inspections and reviewed available records to determine the percentage of the project that remains to be completed for the above project; and

WHEREAS, the Borough Engineer has recommended reducing the performance bond to reflect the following:

Construction Cost Estimate for remaining work and for as-built survey:	\$ 845,542.80
Retainage for Submission of As-Built Drawings:	\$ 198,353.88
Performance Bond Amount (120% of construction cost + As-Built Retainage):	\$1,213,005.24
90% Surety:	\$1,091,704.72
10% Cash:	\$ 121,300.52
Inspection fees:	\$ 42,277.14

NOW THEREFORE BE IT RESOLVED, any bond reduction is conditioned upon the following:

1. Completion of the park improvements identified in paragraph 18 of the developer's Agreement.
2. The Developer needs to address to the satisfaction of the Governing Body the schedule for completion of the remaining portions of the development.

BE IT FURTHER RESOLVED, the Governing Body of the Borough of Haledon authorizes the reduction of the performance bond for The Gatherings, Beazer Homes as recommended by the Borough Engineer and stated above; and

BE IT FURTHER RESOLVED, the performance bond will remain in place until the project is complete. The developer must also resolve outstanding administrative issues as stated in the January 13, 2016 communication from Nordan Murphy of the Alaimo Group that relate to final completion and acceptance of the project prior to the final release of the performance bond.

RESOLUTION #2016-098 APPROVE BILLS LIST, April 28, 2016.
Motion by Johnson seconded by Sery 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 April 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 April 28, 2016 WITH PREPAIDS IS:

CURRENT:	\$192, 285.57
WATER (MUA):	<u>\$ 12, 725.65</u>
TOTAL:	\$205, 011.22

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, AHMED, SERY, JOHNSON

NO: -0-

ADJOURN

Motion by Johnson seconded by Sery to adjourn.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, AHMED, SERY, JOHNSON

NO: -0-

Respectfully submitted:

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