

BOROUGH OF HALEDON
MAYOR AND COUNCIL
March 24, 2016

MOMENT OF SILENCE
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon took place on March 24, 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 and Islam Sery. Municipal Clerk/Borough Administrator Allan R. Susen.

Absent: Absent with prior notice is Councilwoman Tahsina Ahmed and Councilman Johnson.

PUBLIC HEARING
(Privilege of the floor)

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

ROLL CALL
YES: MARTINEZ, CURIEL, ALMAITA, SERY
NO: -0-

Joseph Moore, 9 Bushmann Ave. – wanted again to review Buschmann Ave. issues. There has been a great improvement in noise problem. One incident with noise was on St. Patrick's Day. Requesting the Police Department to continue to watch behind the bar for congregating and noise.

Mr. Moore also mentioned residential permit parking – hoping that it continues to move forward. Does not believe that if there are six cars coming from one home that all six will ask for permit. Mr. Moore believes permit parking will assist with the littering in that area. Also discussed one way traffic in the area.

Ed Yegan, Buschmann Ave. – on March 17, 2016 (St. Patrick's Day) was awakened by a crowd that was on sidewalk near the bar; the noise lasted around ½ hour. On March 21, 2016 at 11:40PM was awakened again by loud music. Gentleman was in car, went outside and asked to lower music. Asked if coming to council meeting is wasting their time, what has been done to correct. Asked the bar to hire additional staff to patrol outside to keep noise down. Asked for signs to be put up stating no U turns on private property.

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

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

GOVERNING BODY RESPONSES

Mayor Stampone stated that coming to the meetings to address issues are not a wasted of time. The Police Department uses their discretion on whether to issue a ticket or not. Everyone that has attended the meeting has been taken seriously and permit parking is being considered.

Council President Mounir Almaita – feels the pain, understands. The Ordinance Committee is working on permit parking in that area. Encouraged Police Department to speak with owner of The Shepherd and The Knucklehead.

Councilman Islam Sery – Lt. Daniele did sit with the owner of The Shepherd and The Knucklehead and has come to understanding of resident complaints. Has improved somewhat and he will continue implement changes to reduce problems.

INTRODUCTION OF 2016 MUNICIPAL BUDGET

RESOLUTION #2016-062 AUTHORIZING THE HALEDON MUNICIPAL BUDGET TO BE READ BY TITLE ONLY

Motion by Almaita second by Martinez 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, SERY

NO: -0-

RESOLUTION#2016-063

INTRODUCTION OF THE 2016 MUNICIPAL BUDGET

Motion by Almaita second by Martinez to approve.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

This resolution will be spread in full at the end of these meeting minutes

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RESOLUTION #2016-063A

AUTHORIZING INCREASE IN DEFERRED
REGIONAL HIGH SCHOOL TAXES

Motion by Almaita second by Sery to approve.

WHEREAS, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred Regional High School Taxes must authorize any increase in the deferral of any additional amounts, and

WHEREAS, the Governing Body has decided that an increase in Deferred Regional High School Taxes is in the best interest of the Borough at this time,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the following Deferred Regional High School Taxes is hereby increased for the year ended December 31, 2015 as follows:

	<u>Deferred Regional High School Taxes</u>
Amount Deferred 12/31/15	2,386,618.50
Amount Deferred 12/31/14	<u>2,155,009.00</u>
	<u>231,609.50</u>

BE IT FURTHER RESOLVED by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

Council President Almaita mentioned the Borough is in excellent financial shape and the budget is below 2% CAP.

COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE – Michael Johnson, Chairperson

Police Liaison – Michael Johnson-absent.

Police Department

Housing Inspection/Building Maintenance

Municipal Court

Fire Liaison– Islam Sery- no official report.

Fire Department

Office of Emergency Management Liaison – Tahsina Ahmed-absent.

FINANCE COMMITTEE

Mounir Almaita, Chair –no official report. Referred to introduction of budget.

ADMINISTRATION AND PERSONNEL

Tahsina Ahmed, Chair – absent.

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

ORDINANCE

Mounir Almaita, Chair –

Introduction of ordinance for road openings.

HEALTH AND WELFARE

Nereyda Curiel, Chair – no official report.

PUBLIC WORKS

Michael Johnson, Chair –absent.

- 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 –

Mentioned last Friday was the ground breaking ceremony for Belmont Streetscape Phase III. Congressman Bill Pascrell, Borough Engineer, Freeholder Terry Duffy, press. Beginning of next phase were present.

Mayor Stampone requested that local owners to take some responsibility in enhancing the front of their businesses by painting, landscaping and fixing the lighting.

TECHNOLOGY

Islam Sery, Chair –no official report.

SPECIAL EVENTS

Tahsina Ahmed, Chair –

Councilwoman Curiel mentioned the Easter Egg Hunt Event.

MAYOR'S REPORT

No Report.

COMMUNICATIONS

1. Letter from Mr. Charles Esmail who resides at 32 Roe Street Field regarding Roe Street Field (baseball field).
2. Thank you card from the Tartaglia Family regarding the flower arrangement that was sent by the Mayor and Council for the passing of Mrs. Josephine Tartaglia.
3. Letter from the City of Paterson regarding the Great Falls Hydroelectric Project.
4. Letter from Mr. Michael Urena regarding his interest in the Borough's vacant property adjacent to his property on Tilt Street.

Motion by Sery seconded by Alkaita to accept and file.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

UNFINISHED BUSINESS

None.

NEW BUSINESS

Motion by Martinez seconded by Sery to read the introduction of Ordinance #3-24-2016 ("Ordinance to Exceed the Municipal Budget Appropriation Limits and to establish a cap bank")

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY,

NO: -0-

The Clerk will read the title:

BOROUGH OF HALEDON
ORDINANCE #3-24-2016

"ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK"

Motion by Martinez seconded by Sery to approve and authorize the Municipal Clerk to advertise in the next available issue of the Herald News for a public hearing to take place on April 14, 2016.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

Motion by Alkaita second by Martinez to add an ordinance #3-24-2016A to the agenda.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

Motion by Alkaita seconded by Martinez to read the introduction of Ordinance #3-24-2016A ("Ordinance to Amend Chapter 351 of the Code of the Borough of Haledon Entitled Streets and Sidewalks" amending Street Opening section)

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO:-0-

The Clerk will read the title:

BOROUGH OF HALEDON
ORDINANCE #3-24-2016A
“ORDINANCE TO AMEND CHAPTER 351 OF THE CODE OF THE BOROUGH OF
HALEDON ENTITLED STREETS AND SIDEWALKS

Motion by Almaita seconded by Sery to approve and authorize the Municipal Clerk to advertise in the next available issue of the Herald News for a public hearing to take place on April 14, 2016.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

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#2016-064 | RESOLUTION AUTHORIZING REDUCTION OF THE PERFORMANCE BOND IN THE DEVELOPER'S AGREEMENT FOR THE AMA ADULT MEDICAL DAYCARE |
| RESOLUTION#2016-065 | RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND FOR THE CENTRAL SPANISH CONGREGATION OF JEHOVAH'S WITNESSES |
| RESOLUTION#2016-066 | RESOLUTION APPROVING RELEASE OF THE STANDBY LETTER OF CREDIT FOR LANXESS CORPORATION |
| RESOLUTION#2016-067 | ACCEPT RESIGNATION OF SPECIAL POLICE OFFICER- ALESSIO ESPOSITO |
| RESOLUTION#2016-068 | ACCEPT RESIGNATION OF SPECIAL POLICE OFFICER- MEAGAN AKINS |
| RESOLUTION#2016-069 | ACCEPT RESIGNATION OF VICE PRESIDENT OF THE BOARD OF HEALTH- DANA FASHAH |
| RESOLUTION#2016-070 | ACCEPT RESIGNATION OF BOARD OF HEALTH MEMBER- CINDY REYES |
| RESOLUTION#2016-071 | RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER-39 HARRIS STREET, HALEDON NJ 07508 |

Motion by Almaita seconded by Sery to approve all resolutions except resolution#2016-072.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO:-0-

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RESOLUTION#2016-064 RESOLUTION AUTHORIZING REDUCTION OF THE PERFORMANCE BOND IN THE DEVELOPER'S AGREEMENT FOR THE AMA ADULT MEDICAL DAYCARE

WHEREAS, the developer has submitted an updated request for the reduction of the performance bond posted for the AMA Adult Medical Daycare; and

WHEREAS, the Borough Engineer Nordan Murphy, P.E has reviewed the submitted request and has completed site inspections 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:	\$1,795.00
Performance Bond Amount (120% of construction cost):	\$2,154.00
90% Surety:	\$1,938.60
10% Cash:	\$215.40

NOW THEREFORE BE IT FURTHER RESOLVED, the Governing Body of the Borough of Haledon authorizes the reduction of the performance bond for the AMA Adult Medical Day Care as recommended by the Borough Engineer; and

BE IT FURTHER RESOLVED, the performance bond will remain in place until the project is complete. Upon project completion a maintenance bond will be required. The developer must maintain an adequate escrow account to cover any professional service fees related to the review of the as-built survey, future inspections and related professional consulting services.

RESOLUTION#2016-065 RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND FOR THE CENTRAL SPANISH CONGREGATION OF JEHOVAH'S WITNESSES

WHEREAS, the developer has submitted a request for the release of the performance bond posted for the Central Spanish Congregation of Jehovah's witnesses; and

WHEREAS, the Borough Engineer Nordan Murphy, P.E has reviewed the submitted request and has inspected the installed improvements; and

WHEREAS, the Borough Engineer has recommended releasing the performance bond under the following conditions:

1. Payment of any outstanding escrow fees for professional services.
2. The developer posting a maintenance guarantee for a period of two years in the amount of \$3, 313.65 (15% of the original estimated construction cost).
3. \$800.00 is to be retained in the escrow account for the final inspection which is to be completed prior to release of the two year maintenance bond.

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Haledon authorizes the release of the performance bond for the Central Spanish Congregation of Jehovah's Witnesses as recommended by the Borough Engineer.

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RESOLUTION#2016-066 RESOLUTION APPROVING RELEASE OF THE STANDBY
LETTER OF CREDIT FOR LANXESS CORPORATION

WHEREAS, the developer has submitted a request for the release of the Standby Letter of Credit posted for the soil removal permit for 8 Hoxsey Place; and

WHEREAS, the Borough Engineer Nordan Murphy, P.E has confirmed the installation of the permeable barrier, the associated work and the repaving of Hoxsey Place; and

WHEREAS, the Borough Engineer has recommended releasing the Standby Letter under the following conditions:

1. Payment of any outstanding escrow fees for professional services.
2. The developer posting a maintenance guarantee for a period of two years in the amount of \$5,250.00 (15% of the original estimated construction cost for the milling and repaving of Hoxsey Place)

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Haledon authorizes the release of the Standby Letter for the Lanxess Corporation as recommended by the Borough Engineer.

RESOLUTION #2016-067 ACCEPT RESIGNATION OF SPECIAL POLICE OFFICER
CLASS II- ALESSIO ESPOSITO

BE IT RESOLVED, the Governing Body of the Borough of Haledon hereby accepts with regret the resignation of Alessio Esposito as Special Police Officer Class II effective March 4, 2016.

RESOLUTION #2016-068 ACCEPT RESIGNATION OF SPECIAL POLICE OFFICER
CLASS II- MEAGAN AKINS

BE IT RESOLVED, the Governing Body of the Borough of Haledon hereby accepts with regret the resignation of Meagan Akins as Special Police Officer Class II effective March 8, 2016.

RESOLUTION #2016-069 ACCEPT RESIGNATION OF DANA FASHAH, AS VICE
PRESIDENT OF BOARD OF HEALTH

BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the resignation of Dana Fashah is hereby accepted with regret effective March 1, 2016.

RESOLUTION #2016-070 ACCEPT RESIGNATION OF CINDY REYES, AS MEMBER
OF THE BOARD OF HEALTH

BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the resignation of Cindy Reyes is hereby accepted with regret effective March 16, 2016.

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RESOLUTION#2016-071 RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER – 39 HARRIS STREET, HALEDON, NJ 07508.

WHEREAS, At the Municipal Tax Sale held on December 11th 2015, a Lien was sold on Block 89, Lot 28.01, also known as 39 Harris Street, Haledon, NJ 07508 for 2014 Tax/water and

WHEREAS, This Lien known as Tax Sale Certificate #15-00014, sold to US Bank Cust. For Pro Cap 4, Firstrust Bank, 50 South 16th Street, Suite 2050, Philadelphia, PA19102, in the amount of \$25,421.75 with interest

WHEREAS, Property owner has effected redemption of Certificate # 15-00014 in the amount of \$39,913.31 as of March 28th, 2016.

NOW THEREFORE, BE IT RESOLVED, That the CFO/Treasurer be authorized to issue one check from the Current Account in the amount of \$39,913.31, payable to US Bank Cust for Pro Cap 4, Firstrust Bank, 50 South 16th Street, Philadelphia, Pa, 19102, for the redemption of Certificate # 15-00014

RESOLUTION#2016-061 BILLS LIST – March 24, 2016
Motion by Almaita second by Martinez to approve.

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

WHEREAS, the Chief Financial Officer has attached his certification of availability of funds stating that the Bills list for March 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 March 24, 2016 WITH PREPAIDS IS:

CURRENT:	\$813,946.72
WATER (MUA):	<u>\$ 12,039.85</u>
TOTAL:	\$825,986.57

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

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RESOLUTION #03242016

EXECUTIVE SESSION

Motion by Almaita second by Curiel.

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:

- Potential litigation- property taxes.

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: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

Motion by Martinez second by Sery to reopen the public portion of the meeting.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

RESOLUTIONS FROM OTHER MUNICIPALITIES FOR CONSIDERATION:

NONE.

ADJOURN

Motion by Martinez seconded by Sery to adjourn.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO:-0-

Respectfully submitted:

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