

**BOROUGH OF HALEDON
MAYOR AND COUNCIL**

October 27, 2016

MOMENT OF SILENCE
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon took place on October 27, 2016 at 7:10PM 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 – Council President Mounir Almaita called the meeting to order at 7:10PM.

Present: Council President Mounir Almaita; Council Members: Rey Martinez, Nereyda Curiel and Michael Johnson. Deputy Municipal Clerk/Borough Assistant Administrator Leena Abaza and Borough Attorney Andrew Oddo.

Absent: Absent with prior notice Mayor Domenick Stampone, Clerk/Administrator Allan R. Susen, Councilwoman Tahsina Ahmed and Councilman Sery was stuck in traffic.

APPROVAL OF MINUTES

July 14, 2016 Regular Meeting Minutes
August 11, 2016 Regular Meeting Minutes
September 22, 2016 Regular Meeting Minutes

September 8, 2016 Work Session Meeting Minutes

Motion by Johnson seconded by Curiel to approve the above meeting minutes.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, JOHNSON

NO: -0-

PUBLIC HEARING

(Privilege of the floor)

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

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, JOHNSON

NO: -0-

No Comments.

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

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, JOHNSON

NO: -0-

GOVERNING BODY RESPONSES

No Response.

COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE – Michael Johnson, Chairperson – I speak to the Deputy Chief once a week to discuss questions, concerns etc. to improve the Police Department. Detective Bureau needs a new vehicle to take home and we are requesting permission from the Governing Body. The Borough recently did a Blue Line ceremony in support of Police Officers nationally. The Blue line starts from the Haledon Ave. /Belmont Ave. intersection to the Municipal Building Complex entrance.

Police Liaison – Michael Johnson
Police Department
Housing Inspection/Building Maintenance
Municipal Court

****Councilman Islam Sery arrived at the meeting at 7:20 pm****

Fire Liaison– Islam Sery- Fire Department is waiting for updates from the State to submit their budget.

Fire Department

Office of Emergency Management Liaison – Tahsina Ahmed-absent.

FINANCE COMMITTEE

Mounir Almaita, Chair –watching the spending.

ADMINISTRATION AND PERSONNEL

Tahsina Ahmed, Chair – absent.

ORDINANCE

Mounir Almaita, Chair –The Handicap Ordinance on the agenda.

HEALTH AND WELFARE

Nereyda Curiel, Chair – Rabies clinic is scheduled for November 14, 2016 and the Flu Clinics are posted on the website.

PUBLIC WORKS

Michael Johnson, Chair –Streets are cleaner this year and now we will begin the leaf pick up season.

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

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CAPITAL PROJECTS

Rey Martinez, Chair – Had a meeting with Clerk/Administrator and Borough Engineer regarding the Belmont Town Center project. We are expecting final design from Borough Engineer in December.

TECHNOLOGY

Islam Sery, Chair –waiting to hear back from paychecks.

SPECIAL EVENTS

Tahsina Ahmed, Chair –

Councilwoman Nereyda Curiel mentioned the Halloween Event for tomorrow.

MAYOR'S REPORT

Absent.

COMMUNICATIONS

1. Letter from Evans Architects AIA regarding Site Plan, A.M. Realty Associates 350 Belmont Avenue and Zabriskie Street, Haledon.
2. Invitation from the Borough of North Haledon to their annual Veterans Day Ceremony that will be held on November 11, 2016.

Motion by Sery seconded by Martinez to accept and file.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY, JOHNSON

NO: -0-

UNFINISHED BUSINESS

Motion by Sery seconded by Johnson that Ordinance #9-22-2016 to be heard in its second and final reading (an Ordinance amending Chapter 205 of the code entitled “Vehicles and Traffic” handicap ordinance)

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY, JOHNSON

NO: -0-

THE CLERK WILL READ THE TITLE

BOROUGH OF HALEDON

ORDINANCE #9-22-2016

**“AN ORDINANCE AMENDING CHAPTER 205 OF THE BOROUGH OF HALEDON
ENTITLED VEHICLES AND TRAFFIC”**

Motion by Johnson seconded by Sery to open the public hearing on Ordinance #9-22-2016

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY, JOHNSON

NO: -0-

No comments.

Motion by Johnson seconded by Sery to close the public hearing on Ordinance #9-22-2016

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY, JOHNSON

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Motion by Johnson seconded by Sery that Ordinance #9-22-2016 be approved and adopted and to authorize the Municipal Clerk to advertise according to law.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY, JOHNSON

NO: -0-

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#2016-193 | AUTHORIZE TEMPORARY SEASONAL WORKERS –
DEPARTMENT OF PUBLIC WORKS |
| RESOLUTION#2016-194 | APPOINTMENT OF KASHONA BROWN AS A FULL TIME
CROSSING GUARD |
| RESOLUTION#2016-195 | AUTHORIZE MAYOR TO SIGN THE PASSAIC COUNTY
2016 OPEN SPACE & FARMLAND PRESERVATION TRUST
FUND AGREEMENT FOR THE BOROUGH OF HALEDON
PROJECT- BELMONT AVENUE TOWN SQUARE PARK |
| RESOLUTION#2016-196 | AUTHORIZE THE CLERK TO ADVERTISE FOR RFP FOR
PROFESSIONAL SERVICES |
| RESOLUTION#2016-197 | AUTHORIZE ALLIED OIL AS VENDOR FOR PURCHASE OF
UNLEADED GASOLINE AND DIESEL |
| RESOLUTION#2016-198 | AUTHORIZE DEER CARCASS REMOVAL AS VENDOR FOR
DISPOSAL/RECYCLING OF MUNICIPAL ROAD CLEAN-UP
MATERIALS |
| RESOLUTION#2016-199 | AUTHORIZE JEN ELECTRIC FOR TRAFFIC SIGNAL
MAINTENANCE |
| RESOLUTION#2016-200 | AUTHORIZE ATLANTIC SALT AS VENDOR FOR
PURCHASE OF SALT |
| RESOLUTION#2016-201 | AUTHORIZE REQUEST TO CONDUCT A TRICKY TRAY-
FLASE (FAIR LAWN ASSOC. FOR SPECIAL EDUCATION) |
| RESOLUTION#2016-202 | RESOLUTION AUTHORIZING REFUND OF 2016 TAXES
GRANTED BY BOROUGH TAX ASSESSOR |
| RESOLUTION#2016-203 | 2015 SALARY ADJUSTMENT FOR ZOE VELEZ, DEPUTY
COURT ADMINISTRATOR |

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RESOLUTION#2016-204 RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF HALEDON, COUNTY OF PASSAIC, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$225,000 OF EMERGENCY NOTES OF THE BOROUGH OF HALEDON; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION OF INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FUTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF NOTES

RESOLUTION#2016-205 RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF HALEDON, COUNTY OF PASSAIC, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$100,000 OF SPECIAL EMERGENCY NOTES OF THE BOROUGH OF HALEDON; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FUTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

Motion by Sery seconded by Johnson to approve.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY, JOHNSON

NO: -0-

RESOLUTION #2016-193 AUTHORIZE TEMPORARY HIRE DEPARTMENT OF PUBLIC WORKS EMPLOYEES

WHEREAS, due to increased work load the DPW Supervisor is requesting temporary Public Works employees; and

WHEREAS, the temporary DPW employees will work from October 27th, 2016 until December 30, 2016 which conforms with the Affordable Care Act and the employment will not include health benefits; and

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

NOW THEREFORE BE IT RESOLVED that the below individuals be hired on a temporary basis;

- Nikia Earl
- Terry Rouse

NOW BE IT FURTHER RESOLVED, the Governing Body of the Borough of Haledon hereby approves the hiring of the above individual for the period of October 27th, 2016 until December 30th, 2016 or an extension by the Governing Body is set; at the hourly rate of \$10.00 effective October 27th, 2016.

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RESOLUTION #2016-194 APPOINTMENT OF KASHONA BROWN AS A FULL TIME CROSSING GUARD

WHEREAS, Deputy Chief Angelo Daniele has submitted a letter recommending Kashona Brown to be appointed as a part time Crossing Guard; and

WHEREAS, Mayor Domenick Stampone requests the advice and consent of the Borough Council to appoint Kashona as a part time Crossing Guard effective immediately at the current hourly rate;

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Haledon that Kashona Brown be appointed to the position of a part time Crossing Guard effective immediately.

RESOLUTION #2016-195 AUTHORIZE MAYOR TO SIGN THE PASSAIC COUNTY 2016 OPEN SPACE & FARMLAND PRESERVATION TRUST FUND AGREEMENT FOR THE BOROUGH OF HALEDON PROJECT- BELMONT AVENUE TOWN SQUARE PARK

WHEREAS, the Borough of Haledon was awarded a \$132, 425.00 from the Passaic County 2016 Open Space & Farmland Preservation Trust Fund for the Belmont Town Square Project; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that Mayor Stampone is hereby authorized to sign the Passaic County 2016 Open Space & Farmland Preservation Trust Fund Agreement for the Borough of Haledon Project Belmont Avenue Town Square Park.

RESOLUTION #2016-196 AUTHORIZE THE CLERK TO ADVERTISE FOR RFP FOR PROFESSIONAL SERVICES

BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the Municipal Clerk is hereby authorized to advertise for RFP for Professional Services.

RESOLUTION #2016-197 AUTHORIZE ALLIED OIL AS VENDOR FOR PURCHASE OF UNLEADED GASOLINE AND DIESEL

WHEREAS, ALLIED OIL was awarded a contract through the Morris County Cooperative Pricing Council contract number #1 for gasoline and contract number 12 for Diesel; and

WHEREAS, the Borough of Haledon is a member of the MCCPC and eligible to use Allied Oil for the purchase of Unleaded Gasoline and Diesel; and

WHEREAS, Allied Oil has been used for the purchase of unleaded gasoline and diesel,

WHEREAS, the Chief Financial Officer has issued a certification of funds for an amount not to exceed \$40,000;

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Haledon authorize the use of Allied Oil for the purchase of unleaded gasoline and diesel through the Morris County Cooperative Pricing Council using the contract #1 for gasoline and contract #12 for diesel.

RESOLUTION #2016-198 AUTHORIZE DEER CARCASS REMOVAL AS VENDOR FOR DISPOSAL/RECYCLING OF MUNICIPAL ROAD CLEAN-UP MATERIALS

WHEREAS, DEER CARCASS REMOVAL was awarded a contract through the Morris County Cooperative Pricing Council contract number #49 for disposal/recycling of Municipal road clean-up materials; and

WHEREAS, the Borough of Haledon is a member of the MCCPC and eligible to use Deer Carcass Removal for the disposal/recycling of Municipal road clean-up materials; and

WHEREAS, Deer Carcass Removal has been used for the disposal/recycling of Municipal road clean-up materials; and

WHEREAS, the Chief Financial Officer has issued a certification of funds for an amount not to exceed \$ 5000.00;

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Haledon authorize the use of Deer Carcass Removal for the disposal/recycling of Municipal road clean-up materials through the Morris County Cooperative Pricing Council using contract #49.

RESOLUTION #2016-199 AUTHORIZE JEN ELECTRIC FOR TRAFFIC SIGNAL MAINTENANCE

WHEREAS, JEN ELECTRIC was awarded a contract through the Morris County Cooperative Purchasing Council for Traffic Signal Maintenance and Repair under contract number 37; and

WHEREAS, the Borough of Haledon is a member of the MCCPC and eligible to use JEN ELECTRIC for repairs and maintenance of traffic signals in the Borough; and

WHEREAS, JEN ELECTRIC was used for various maintenance and repairs totaling \$24,980.00; and

WHEREAS, the Chief Financial Officer has issued a certification of funds for an amount not to exceed \$28,000;

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Haledon authorize the use of JEN ELECTRIC for the maintenance and repair of traffic signals using the MCCPC contract #37.

RESOLUTION #2016-200 AUTHORIZE ATLANTIC SALT AS VENDOR FOR PURCHASE OF SALT

WHEREAS, ATLANTIC SALT was awarded a contract through the Passaic County Cooperative for rock salt contract number SB-15-033; and

WHEREAS, the Borough of Haledon is a member of the PCCP and eligible to use Atlantic Salt for the purchase of Rock Salt; and

WHEREAS, Atlantic Salt has been used for the purchase of Rock Salt,

WHEREAS, the Chief Financial Officer has issued a certification of funds for an amount not to exceed \$ 16000.00;

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Haledon authorize the use of Atlantic Salt for the purchase of rock salt through the Passaic County Cooperative using the contract #SB-15-033.

RESOLUTION #2016-201 AUTHORIZE REQUEST TO CONDUCT A TRICKY TRAY-
FLASE (FAIR LAWN ASSOCIATES FOR SPECIAL
EDUCATION)

WHEREAS, FLASE has applied for a raffle license to hold Tricky Tray; and

WHEREAS, the purpose of this raffle is to support and benefit the Fair Lawn Associates for Special Education for year 2016; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Haledon that the request for a raffle license is hereby approved for Tricky Tray to be held on November 19, 2016 at 276 Belmont Ave., Haledon, NJ 07508.

RESOLUTION #2016-202 RESOLUTION AUTHORIZING REFUND OF 2016 TAXES
GRANTED BY BOROUGH TAX ASSESSOR

WHEREAS, the Tax Collector of the Borough of Haledon has determined that action is required as a result of the 2016 Permanently Disabled Veteran Tax Exemption granted by the Borough Tax Assessor : and

WHEREAS, such action has resulted in an overpayment of 2016 property taxes, and further provides for one hundred percent total property tax exemption, and

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of the tax refund and cancellation which is set forth along with the name and address of the taxpayer.

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer issue a check to Hendrick H. Hummel in the amount of \$4,322.06 to refund the overpayment and that the Tax Collector adjusts his her records accordingly.

Tax Reduction Granted by Borough Tax Assessor

BLOCK	LOT	OWNER & LOCATION	REFUND
18	19	Hummel, Hendrick H. 70 Avenue B	\$4,322.06

RESOLUTION #2016-203 2015 SALARY ADJUSTMENT FOR ZOE VELEZ, DEPUTY
COURT ADMINISTRATOR

WHEREAS, the 2015 salary resolution set the 2015 salary for Zoe Velez at \$34,000; and

WHEREAS, following the approval of the 2015 salary resolution, the Municipal Clerk/Administrator was directed to amend Ms Velez's salary to \$35,000; and

WHEREAS, a resolution of the Governing Body is required for this action; and

WHEREAS, the 2016 Salary Resolution has set Zoe Velez's salary at \$35,700;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that Zoe Velez's 2015 salary shall be approved at \$35,000 and that her 2016 salary is set at \$35,700.

RESOLUTION#2016-204 **RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF HALEDON, COUNTY OF PASSAIC, NEW
JERSEY AUTHORIZING THE ISSUANCE AND SALE OF
UP TO \$225,000 OF EMERGENCY NOTES OF THE
BOROUGH OF HALEDON; MAKING CERTAIN
COVENANTS TO MAINTAIN THE EXEMPTION OF THE
INTEREST ON SAID NOTES FROM FEDERAL INCOME
TAXATION; AND AUTHORIZING SUCH FURTHER
ACTIONS AND MAKING SUCH DETERMINATIONS AS
MAY BE NECESSARY OR APPROPRIATE TO
EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES**

BACKGROUND

WHEREAS, the Local Budget Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law") authorizes, inter alia, municipalities to make emergency appropriations after the adoption of the budget for a purpose which is not foreseen at the time of the adoption thereof, or for which adequate provision was not made therein; and

WHEREAS, the Borough Council of the Borough of Haledon, County of Passaic, New Jersey ("Borough") has duly and finally adopted resolution 2016-153A ("Resolution") appropriating the sum of \$225,000 to pay the cost of extraordinary legal expenses ("Project"), as such expense was not foreseen at the time of the adoption of the 2016 budget; and

WHEREAS, Section 51 of the Local Budget Law, N.J.S.A. 40A:4-51, authorizes the Borough to issue emergency notes to finance the costs of the Project; and

WHEREAS, Section 55 of the Local Budget Law, N.J.S.A. 40A:4-55.16, provides that the Notes may be renewed from time to time; provided, however, at least 1/3 of all such emergency notes, and the renewals thereof, shall mature and be paid in each year, so that all special emergency notes and renewals shall have matured and have been paid not later than the last day of the third year following the date of the emergency resolution; and

WHEREAS, it is the desire of the Borough to issue its emergency notes in the principal amount of up to \$225,000, as further described in Exhibit "A"; and

WHEREAS, pursuant to the Local Budget Law and the Resolution, it is the intent of the Borough Council to hereby authorize, approve and direct the issuance and sale of such emergency notes, to ratify and confirm certain actions heretofore taken by or on behalf of the Borough, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HALEDON, COUNTY OF PASSAIC, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. Pursuant to the Local Budget Law, the issuance of emergency notes of the Borough, to be designated, substantially, "Borough of Haledon, County of Passaic, New Jersey, Emergency Notes of 2016, Series A" ("Notes"), in an aggregate principal amount of up to \$225,000, is hereby authorized, approved, ratified and confirmed.

Section 2. Payment of the Notes shall be provided for by the inclusion of an annual appropriation of at least 1/3 of the total amount appropriated by the Resolution. Said appropriation shall be paid annually from the Borough's budget.

Section 3. The Chief Financial Officer, with the assistance of the law firm of Parker McCay P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of the payment of the purchase price thereof.

Section 4. At the next meeting of the Borough Council after the sale of the Notes, the Chief Financial Officer is hereby authorized and directed to report, in writing, to the Borough Council, the principal amount, rate of interest and the name of the purchaser of the Notes.

Section 5. The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity.

Section 6. The Notes shall be issued in bearer form in denominations of \$100,000 or greater in \$1,000 increments. The Notes shall be executed in the name of the Borough by the manual or facsimile signatures of the Mayor and Chief Financial Officer, and shall be under the corporate seal of the Borough affixed, imprinted, or reproduced thereon, and attested by the manual or facsimile signature of the Borough Clerk or Deputy Borough Clerk.

Section 7. The Notes are ultimately payable from ad valorem taxes that shall be levied upon all taxable real property in the Borough without limitation as to rate or amount.

Section 8. The Borough hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 9. The Borough hereby covenants as follows: (i) it shall timely file, or cause to be filed, with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 10. The Borough hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

Section 11. The Borough hereby designates the Notes as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the Borough hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Borough during the period from January 1, 2016 to December 31, 2016, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Notes.

For purposes of this Section 11, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the Borough: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

Section 12. All actions heretofore taken and documents prepared or executed by or on behalf of the Borough by the Mayor, Chief Financial Officer, Borough Clerk, other Borough officials or by the Borough's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

Section 13. The Mayor, Chief Financial Officer and Borough Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Budget Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer or Borough Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 14. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 15. This Resolution shall take effect immediately upon adoption this 27th day of October, 2016.

Exhibit "A"

Ordinance Number	Amount of Notes Authorized	Notes Outstanding	Notes to be Issued
8-11-2016	\$100,000	\$0	\$100,000

RESOLUTION#2016-205

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF HALEDON, COUNTY OF PASSAIC, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$100,000 OF SPECIAL EMERGENCY NOTES OF THE BOROUGH OF HALEDON; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

BACKGROUND

WHEREAS, the Local Budget Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law") authorizes, inter alia, municipalities to adopt ordinances authorizing special emergency appropriations providing for contractually required severance liabilities resulting from the layoff or retirement of employees; and

WHEREAS, the Borough Council of the Borough of Haledon, County of Passaic, New Jersey ("Borough") has duly and finally adopted Ordinance 8-11-2016 ("Ordinance") appropriating the sum of \$100,000 to pay such costs as further described in the Ordinance ("Project"); and

WHEREAS, Section 55 of the Local Budget Law, N.J.S.A. 40A:4-55, authorizes the Borough to issue special emergency notes to finance the costs of the Project and requires the Borough to pay, at maturity, one-fifth of the total amount authorized under the Ordinance; and

WHEREAS, it is the desire of the Borough to issue its special emergency notes in the principal amount of up to \$100,000, as further described in Exhibit "A"; and

WHEREAS, pursuant to the Local Budget Law and the Ordinance, it is the intent of the Borough Council to hereby authorize, approve and direct the issuance and sale of such special emergency notes, to ratify and confirm certain actions heretofore taken by or on behalf of the Borough, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HALEDON, COUNTY OF PASSAIC, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. Pursuant to the Local Budget Law, the issuance of special emergency notes of the Borough, to be designated, substantially, "Borough of Haledon, County of Passaic, New Jersey, Special Emergency Notes of 2016, Series A" ("Notes"), in an aggregate principal amount of up to \$100,000, is hereby authorized, approved, ratified and confirmed.

Section 2. Payment of the Notes shall be provided for by the inclusion of an annual appropriation of at least 1/5 of the total amount appropriated by the Ordinance. Said appropriation shall be paid annually from the Borough's budget.

Section 3. The Chief Financial Officer, with the assistance of the law firm of Parker McCay P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of the payment of the purchase price thereof.

Section 4. At the next meeting of the Borough Council after the sale of the Notes, the Chief Financial Officer is hereby authorized and directed to report, in writing, to the Borough Council, the principal amount, rate of interest and the name of the purchaser of the Notes.

Section 5. The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity. The Notes may be renewed from time to time, but shall be paid and mature in accordance with the provisions of Section 55(b) of the Local Budget Law, N.J.S.A. 40A:4-55(b).

Section 6. The Notes shall be issued in bearer form in denominations of \$100,000. The Notes shall be executed in the name of the Borough by the manual or facsimile signatures of the Mayor and Chief Financial Officer, and shall be under the corporate seal of the Borough affixed, imprinted, or reproduced thereon, and attested by the manual or facsimile signature of the Borough Clerk or Deputy Borough Clerk.

Section 7. The Notes are ultimately payable from ad valorem taxes that shall be levied upon all taxable real property in the Borough without limitation as to rate or amount.

Section 8. The Borough hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 9. The Borough hereby covenants as follows: (i) it shall timely file, or cause to be filed, with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 10. The Borough hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

Section 11. The Borough hereby designates the Notes as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the Borough hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Borough during the period from January 1, 2016 to December 31, 2016, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Notes.

For purposes of this Section 11, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the Borough: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

Section 12. All actions heretofore taken and documents prepared or executed by or on behalf of the Borough by the Mayor, Chief Financial Officer, Borough Clerk, other Borough officials or by the Borough's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

Section 13. The Mayor, Chief Financial Officer and Borough Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Budget Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer or Borough Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 14. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 15. This Resolution shall take effect immediately upon adoption this 27th day of October, 2016.

Exhibit "A"

Resolution Number	Amount of Notes Authorized	Notes Outstanding	Notes to be Issued
2016-153A	\$225,000	\$0	\$225,000

RESOLUTION #2016-206 **BILLS LIST – October 27, 2016**
 Motion by Johnson seconded by Curiel 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 October 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 October 27, 2016 WITH PREPAIDS IS:

CURRENT:	\$1, 573, 997.45
WATER (MUA):	<u>\$ 15, 771.41</u>
TOTAL:	\$1, 589,768.86

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY, JOHNSON

NO: -0-

RESOLUTIONS FROM OTHER MUNICIPALITIES FOR CONSIDERATION:

- None.

The Council decided to go into executive session.

RESOLUTION #10272016

EXECUTIVE SESSION

Motion by Johnson seconded by Sery 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:

- Paterson Potential Litigation regarding sewer matters
- Police Contract

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.

October 27, 2016

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****Councilman Johnson left the meeting at 7:50pm****

Motion by Sery second by Martinez to re-open the public portion of the meeting.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

Motion by Sery seconded by Martinez to add resolution #2016-207 to the agenda.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

RESOLUTION #2016-207 AUTHORIZING THE MAYOR TO SIGN AND ADOPT THE AGREEMENT BETWEEN THE BOROUGH OF HALEDON AND HALEDON P.B.A. LOCAL NO. 349 (FROM JANUARY 1, 2016 TO DECEMBER 31, 2021)

Motion by Martinez seconded by Sery to approve.

THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the Mayor is hereby authorized to sign and adopt the agreement between the Borough of Haledon and the Haledon P.B.A. Local No.349 Haledon Police Department.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

ADJOURN

Motion by Sery seconded by Martinez to adjourn.

ROLL CALL

YES: MARTINEZ, CURIEL, ALMAITA, SERY

NO: -0-

Respectfully submitted:

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