

**BOROUGH OF HALEDON
MAYOR AND COUNCIL**
April 17, 2014

MOMENT OF SILENCE
FLAG SALUTE

The regular meeting of the Mayor and Council of the Borough of Haledon took place on April 17, 2014 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 9, 2014 posted on the bulletin board in the Municipal Building on January 9, 2014 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 Stampono called the meeting to order at 7:00PM

Present: Mayor Domenick Stampono; Council President Mounir Almaita; Council members: Michael Tirri, Belgica Costa and Michael Johnson. Municipal Clerk/Borough Administrator Allan R. Susen and Sandro Polledri on behalf of Borough Attorney Andrew Oddo.

Absent: Absent with prior notice Councilwoman Maha Kandis, Councilman Rey Martinez and Borough Attorney Andy Oddo.

APPROVAL OF MINUTES

March 20, 2014 Executive Session Meeting Minutes

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

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON
NO: -0-

PUBLIC HEARING
(Privilege of the floor)

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

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON
NO: -0-

Frank Menyhart, N 12th Street – congratulations to those that are filing for re-election. Would like to know the status of the street sweeper.

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

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON
NO: -0-

GOVERNING BODY RESPONSES

Mayor Stampone requested Doug Morgan, DPW Supervisor to respond to question regarding the street sweeper.

Doug Morgan replied by stating the street sweeper was out cleaning streets. But the street sweeper needs to be repaired. Sweepers are high maintenance equipment.

Mayor Stampone asked if we could attempt to clean without sweeper.

Doug Morgan stated that we had employee out there this week. Will continue to send them out to do manual pick up.

Mayor Stampone requested Doug Morgan to look into purchasing or leasing a new street sweeper.

COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE – Michael Johnson, Chairperson

Police Liaison – Michael Johnson, there are two issues that need to be addressed. Last Thursday there was an event at Manchester Regional High School. From what I was told a large group supported, however a fight broke out after the event. There were signs of a problem going into the event. School authorities cutting costs, ran event anyway. School Administration should understand that it is important to have sufficient officers to deter trouble at any event being held. At this event that was held they requested one Police Officer. The Police Officer's safety was in jeopardy at this event. Planning on attending board meeting to discuss issue. That event should have been canceled because only one officer.

Asked Police Chief, why allow school to continue having only one Police Officer present. Security and safety is an issue at events and during the school day.

Chief Mercurio – spoke with Patrolman Devirgilio about event. Parents were outside fighting. Drug activity would be handled by shared service Police Officer at the school.

Councilman Johnson mentioned a video, Police Chief stated that someone should show him the video, not aware of it.

Councilman Johnson – feels that when Police Officer arrives at an event, should determine if they have enough Police Officers. School is a gateway, security is lacking. Police Department should make the Governing Body aware of these events. Manchester Regional High School is not safe and secure.

Mayor Stampone – what is the plan? Can't believe that there is not a protocol based on size of event.

Chief Mercurio – Police Officers are assigned based on what school requests. Prospect Park Police and North Haledon Police are on standby. Active shooter there is a plan which is drilled.

Mayor Stampone- What is protocol when Police Officer realizes there are more people than he can handle?

Chief Mercurio – Police Officer should call sergeant in charge to request more Police Officer presence and notify mutual aid.

Mayor Stampone not much of a plan. If can't get someone do we have the ability to shut down the event?

Chief Mercurio-- not sure.

Mayor Stampone - asked Chief Mercurio to call meeting of MRHS safety committee. Councilman Johnson and I will attend. Another concern was never alerted by Chief Mercurio of this incident at MRHS.

Police Department
Housing Inspection/Building Maintenance
Municipal Court

Fire Liaison- Michael Tirri
Fire Department

Report submitted - Councilman Tirri read the report.

Mayor Stampone - the two area fires there, no movement on reconstruction? Do we know when?

Fire Chief Moscatello - permits have been pulled, building will be repaired.
House on Morrissee no reconstruction yet.

Municipal Clerk/Administrator Susen said there is currently a property maintenance issue.

Office of Emergency Management Liaison - Belgica Costa- no official report.

FINANCE COMMITTEE

Mounir Almaita, Chair -no official report.

ADMINISTRATION AND PERSONNEL

Maha Kandis, Chair - absent.

ORDINANCE

Mounir Almaita, Chair -no official report.

HEALTH AND WELFARE

Belgica Costa, Chair - Board of Health Meeting cancelled due to lack of quorum.

PUBLIC WORKS

Michael Johnson, Chair -regarding the intersection of Central Ave. /W. Broadway/Katz Ave. it is a very dangerous intersection. People do not obey traffic signals. Crossing guard - people have no regard toward crossing. Need to approach County the situation is getting worse. Preakness Ave. is also a traffic issue. Coming onto Grove Street there is a blind spot.

Mayor Stampone - will speak with Borough Engineer about ways to address issue. Perhaps a mirror on Preakness Ave. Stripping on the street needs to be done more often. Doug Morgan suggested thermal stripping.

Councilman Tirri - brought up Pompton Road issues. Response from County regarding accident near his home was next to none.

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

Mayor Stampone – two efforts were proposed by the County regarding Pompton Road but no action was taken. Belmont Streetscape which included more lighting and road widening, and guard rails. Last year asked for guide rails due to people on sidewalk. Also needs to be brighter.

Council President asked if one of our Police Officers could watch the area on Central Ave., that might address the traffic issue.

- 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 – Streetscape is up and running moved to opposite side. Asked engineer to reach out to business owners to see if private property owner might have interest in expanding.

TECHNOLOGY

Maha Kandis, Chair –absent.

SPECIAL EVENTS

Maha Kandis, Chair –absent.

Mayor Stampone mentioned the Easter Egg Hunt Saturday at 10am. Mystery guest will be Easter Bunny.

MAYOR'S REPORT

Mayor Stampone mentioned the passing of Peter Flaker who was a former Haledon Fire Chief. Funeral arrangements are at Lozito Funeral Home on Belmont Ave. from 4pm to 8 pm. He will be buried at Laurel Grove. Condolences to family and wife Shirley.

Belmont Streetscape inquiries regarding poles near old pork store. There is a possibility of removing unused poles.

Mayor Stampone stated there is a traffic issue on Southside Ave., left turns from Norwood onto Southside Ave.

Municipal Clerk/Administrator said Borough Engineer has developed a plan to resolve that issue.

COMMUNICATIONS

1. Resolution #80-14 urging the New Jersey Assembly to act on binding interest arbitration legislation from the Borough of Hawthorne.

Motion by Almaila seconded by Tirri to accept and file.

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

UNFINISHED BUSINESS

Motion by Johnson seconded by Costa that Ordinance #3-20-2014 to be heard in its second and final reading (An ordinance amending chapter 48 the code of the Borough of Haledon entitled "Police Department")

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON

NO:-0-

THE CLERK WILL READ THE TITLE

BOROUGH OF HALEDON
ORDINANCE #3-20-2014

AN ORDINANCE "AN ORDINANCE TO AMEND CHAPTER 48 OF THE CODE OF THE
BOROUGH OF HALEDON ENTITLED POLICE DEPARTMENT"

Motion by Johnson seconded by Costa to open the public hearing on Ordinance #3-20-2014.

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON

NO:-0-

Frank Menyhart – please explain what we are changing in this ordinance.

Mayor Stampono – changes to police ordinance, promotion within in Haledon Police Department allowing for experience within the department, outside or three years of military experience.

Frank Menyhart – how does this impact our current Police Officers? Why have someone promoted over someone from within the Haledon Police Department.

Council President Alkaita – this opens the size of the promotion pool. Allows us to change education requirement. Requiring now to have a higher education to be promoted to certain ranks.

Frank Menyhart– this is not what was done in past. Outsiders might be promoted over our Police Officers that have been in the Department for years.

Council President Alkaita – current ordinance does not allow for time served in another department anyone who meets credentials will be able to apply.

Mayor Stampono – seniority does mean you are best candidate for the position.

Motion by Alkaita seconded by Johnson to close the public hearing on Ordinance #3-20-2014.

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON

NO:-0-

Motion by Johnson seconded by Costa that Ordinance #3-20-2014 be approved and adopted and to authorize the Municipal Clerk to advertise according to law.

ROLL CALL
YES: TIRRI, ALMAITA, COSTA, JOHNSON
NO: -0-

Motion by Almaita seconded by Johnson that Ordinance #4-3-2014 to be heard in its second and final reading (Calendar Year 2014 ordinance to exceed budget limits and establish a cap bank)

ROLL CALL
YES: TIRRI, ALMAITA, COSTA, JOHNSON
NO: -0-

THE CLERK WILL READ THE TITLE

BOROUGH OF HALEDON
ORDINANCE #4-3-2014
CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK

Motion by Tirri seconded by Johnson to open the public hearing on Ordinance #4-3-2014.

ROLL CALL
YES: TIRRI, ALMAITA, COSTA, JOHNSON
NO: -0-

No Comments.

Motion by Almaita seconded by Tirri to close the public hearing on Ordinance #4-3-2014.

ROLL CALL
YES: TIRRI, ALMAITA, COSTA, JOHNSON
NO: -0-

Motion by Almaita seconded by Johnson that Ordinance #4-3-2014 be approved and adopted and to authorize the Municipal Clerk to advertise according to law.

ROLL CALL
YES: TIRRI, ALMAITA, COSTA, JOHNSON
NO: -0-

New Business

Motion by Almaita Seconded by Johnson to add Ordinance #4-17-2014 to the agenda.

ROLL CALL
YES: TIRRI, ALMAITA, COSTA, JOHNSON
NO: -0-

Motion by Almaita seconded by Johnson to read the introduction of Ordinance #4-17-2014.
(“An Ordinance providing for various improvements)

ROLL CALL
YES: TIRRI, ALMAITA, COSTA, JOHNSON
NO: -0-

The Clerk will read the title:

BOROUGH OF HALEDON
ORDINANCE #4-17-2014

AN ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN IN AND BY THE BOROUGH OF HALEDON, IN THE COUNTY OF PASSAIC, NEW JERSEY AND APPROPRIATING \$172,253.71 THEREFOR FROM THE GENERAL CAPITAL SURPLUS FUND OF THE BOROUGH

Motion by Costa seconded by Alkaita 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 May 15th, 2014.

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON

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#2014-060 A RESOLUTION TO AFFIRM THE BOROUGH OF HALEDON CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS
- RESOLUTION#2014-061 AUTHORIZE TEMPORARY DEPARTMENT OF PUBLIC WORKS EMPLOYEES
- RESOLUTION#2014-062 AUTHORIZE THE CONTROLS AGREEMENT WITH TRANE INC. AND THE BOROUGH OF HALEDON FOR THE HVAC SYSTEM IN THE MUNICIPAL BUILDING COMPLEX
- RESOLUTION#2014-063 ADOPTING AMENDMENTS TO THE PERSONNEL MANUAL POLICIES AND PROCEDURES OF THE BOROUGH OF HALEDON

Motion by Alkaita seconded by Johnson to approve.

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

RESOLUTION #2014-060 A RESOLUTION TO AFFIRM THE BOROUGH OF
HALEDON'S CIVIL RIGHTS POLICY WITH RESPECT TO
ALL OFFICIALS, APPOINTEES, EMPLOYEES,
PROSPECTIVE EMPLOYEES, VOLUNTEERS,
INDEPENDENT CONTRACTORS, AND MEMBERS OF THE
PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL
EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Borough of Haledon to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

WHEREAS, the governing body of the Borough of Haledon has determined that certain procedures need to be established to accomplish this policy.

NOW, THEREFORE BE IT ADOPTED by the Borough of Haledon that:

Section 1: No official, employee, appointee or volunteer of the Borough of Haledon by whatever title known, or any entity that is in any way a part of the Borough of Haledon by whatever title known, or any entity that is in any way a part of the Borough of Haledon shall engage, either directly or indirectly in any act including failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Haledon's business or using the facilities or property of the Borough of Haledon.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Haledon to provide services that otherwise could be performed by the Borough of Haledon.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subjected to appropriate discipline.

Section 6: The Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Haledon as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Haledon. This communication shall include a statement from the Governing Body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Haledon website.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Haledon in order for the public to be made aware of this policy and the Borough of Haledon's commitment to the implementation and enforcement of this policy.

RESOLUTION #2014-061 AUTHORIZE TEMPORARY DEPARTMENT OF PUBLIC WORKS EMPLOYEES

WHEREAS, due to increased work load the DPW Supervisor is requesting temporary Public Works employees in his email dated April 9, 2014; and

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 basis for less than 29 hours a week:

- Tansin Samiz

NOW THEREFORE BE IT RESOLVED, the Governing Body of the Borough of Haledon hereby approves the hiring of the above individual for the period of April 16, 2014 until the work load demand subsides or an extension by the Governing Body is set at the hourly rate of \$10.00 effective April 16, 2014.

RESOLUTION #2014-062 AUTHORIZE THE CONTROLS 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 controls agreement is April 1, 2014 to March 31, 2015 at the annually cost of \$4,008.00; and

WHEREAS, the Mayor is requesting the consent of the Governing Body to authorize 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 #2014-063 ADOPTING AMENDMENTS TO THE PERSONNEL
MANUAL POLICIES AND PROCEDURES OF THE
BOROUGH OF HALEDON

WHEREAS, it is the policy of the Borough of Haledon to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination Act, the Americans with Disabilities Act, the family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act) (the New Jersey Attorney General's guidelines with respect to Police

Department personnel matters) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Mayor and Council of the Borough of Haledon has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW THEREBY, BE IT RESOLVED by the Mayor and Council of the Borough of Haledon that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State Law, The terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor and Council.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough shall operate under the legal doctrine known as "employment at will".

BE IT FURTHER RESOLVED that Andrew Oddo is hereby appointed as Borough Attorney to advise the Borough in personnel matters.

BE IT FURTHER RESOLVED that the Mayor and Council and all managerial/supervisory personnel are responsible for these employment practices. The Borough Administrator and Borough Attorney shall assist the Mayor and Council in the implementation of the policies and procedures in this manual.

Motion by Johnson second by Costa to add two resolutions to the agenda.

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ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

RESOLUTION#2014-64 CANCEL BALANCE IN ORDINANCE #9-17-01
Motion by Alkaita second by Johnson to approve.

WHEREAS, an unencumbered balance of \$172,253.71 exists in Ordinance #9-17-01 and

WHEREAS, the Governing Body is desirous of cancelling this amount to the Borough's General Capital Surplus Fund,

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Haledon that the amount of \$172,253.71 that exists in Ordinance 9-17-01 is hereby canceled.

BE IT FURTHER RESOLVED that these funds be cancelled to the General Capital Surplus Fund of the Borough.

Dated: April 17, 2014

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

RESOLUTION #2014-065 PROMOTION TO ACTING SERGEANT – GEORGE
GUZMAN

Motion by Alkaita second by Johnson to approve.

WHEREAS, the Haledon Police Department is currently operating with four Sergeants; and

WHEREAS, the Table of Organization of the Department allows for five Sergeants; and

WHEREAS, in order to properly supervise the Department, Mayor Domenick Stampone requests the advice and consent of the Borough Council to appoint George Guzman as Acting Sergeant; and

WHEREAS, this appointment is made with no salary increase;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Haledon that George Guzman is hereby appointed Acting Sergeant; and

BE IT FURTHER RESOLVED, that this appointment is made with the understanding that there shall be no salary increase.

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

RESOLUTION #2014-066 APPROVE BILLS LIST, April 17, 2014.

Motion by Johnson seconded by Costa 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;

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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 17th, 2014 WITH PREPAIDS IS:

CURRENT:	\$3,169,917.50
WATER (MUA):	\$ 24,566.97
TOTAL:	\$3,194,484.47

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

ADJOURN


Motion by Johnson seconded by Costa to adjourn.

ROLL CALL

YES: TIRRI, ALMAITA, COSTA, JOHNSON

NO: -0-

Respectfully submitted:


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