

**BOROUGH OF HALEDON
MAYOR AND COUNCIL**

September 18, 2014

**MOMENT OF SILENCE
FLAG SALUTE**

The regular meeting of the Mayor and Council of the Borough of Haledon will take place on September 18, 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 Domenick Stampone called the meeting to order at 7:00PM

Present: Mayor Domenick Stampone; Council: Council members; Maha Kandis, Michael Tirri, Belgica Costa, Rey Martinez and Borough Attorney Andrew Oddo; and Municipal Clerk/Borough Administrator Allan R. Susen.

Absent: Council President Mounir Almaita absent with notice
Councilman Michael Johnson delayed. Arrived at 7:14PM

PUBLIC HEARING
(Privilege of the floor)

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

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ

NO: -0-

Frank Menyhart, N. 12th St. – commend the DPW workers for covering up the graffiti on the bandshell.

Bernie - complained about workers in food establishments not using sanitary standards.

Councilman Johnson arrived at 7:14pm.

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

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ, JOHNSON

NO: -0-

GOVERNING BODY RESPONSES

Mayor Stampone concurred with the speedy recovery of cleaning the graffiti. Folks that did this, we are paying attention and will be caught.

COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE – Michael Johnson, Chairperson
Police Liaison – Michael Johnson – no report.
Police Department
Housing Inspection/Building Maintenance
Municipal Court

Fire Liaison – Michael Tirri – no report.
Fire Department

Office of Emergency Management Liaison – Belgica Costa – no report.

FINANCE COMMITTEE

Mounir Almatia, Chair – absent, any additional report will be made at the next meeting.

ADMINISTRATION AND PERSONNEL

Maha Kandis, Chair – read the Administrator's report.

ORDINANCE

Mounir Almatia, Chair – absent.

HEALTH AND WELFARE

Belgica Costa, Chair – Flu clinics will be held October 19, 22 and 26.

PUBLIC WORKS

Michael Johnson, Chair – met regarding snow routes. Alternate side of the street parking and no parking during snow storms is being suggested.

- 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 – no report

TECHNOLOGY

Maha Kandis, Chair – no report.

SPECIAL EVENTS

Maha Kandis, Chair – thanked everyone for their participation with the 9/11 Ceremony, Deputy Clerk Leena Abaza, Haledon Police Department, Haledon DPW. Reported on upcoming holiday events and REC programs. The Boys and Girls Club has a new director. Mentioned the repairs to the Rec center bathrooms need to be completed. Would like to have a discussion regarding the digital sign.

September 18, 2014

PAGE 3

MAYOR'S REPORT

Thank and commend members of the Haledon Police Department who were involved in a life saving event, used AED to save man suffering a heart attack. Mayor would like Officers Guzman, Susen, Kelly and Palmer at the next meeting to publicly commend them.

Commented on a letter from a property owner regarding the nature of (Belmont Streetscape Project) funding, the end of the project phase only took to a certain point on Belmont Avenue. The Mayor disagreed with the design, it ended abruptly (the new sidewalk) however funding prohibited (from continuing). One owner did not receive our letter, unintentional. Unfortunately it looks strange, hopefully will take up opportunity to complete on their own.

COMMUNICATIONS

1. Invitation from the Borough of Wanaque to the Governing Body to attend the dedication of the Wanaque 9/11 Memorial Park to those who have perished on September 11.

ROLL CALL

Motion by Martinez seconded by Costa to accept and file.

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ, JOHNSON

NO: -0-

UNFINISHED BUSINESS

Motion by Costa seconded by Johnson that Ordinance #8-21-2014 to be heard in its second and final reading (An ordinance amending chapter 205 the code of the Borough of Haledon entitled "Vehicles and Traffic")

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ, JOHNSON

NO: -0-

THE CLERK WILL READ THE TITLE

BOROUGH OF HALEDON

ORDINANCE #8-21-2014

"AN ORDINANCE AMENDING CHAPTER 205 OF THE CODE OF THE BOROUGH OF HALEDON ENTITLED VEHICLES AND TRAFFIC"

Motion by Martinez seconded by Johnson to open the public hearing on Ordinance #8-21-2014

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ, JOHNSON

NO: -0-

Motion by Martinez seconded by Costa to close the public hearing on Ordinance #8-21-2014

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ, JOHNSON

NO: -0-

Motion by Martinez seconded by Johnson that Ordinance #8-21-2014 be approved and adopted and to authorize the Municipal Clerk to advertise according to law.

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ, JOHNSON

NO: -0-

Motion by Martinez seconded by Johnson that Ordinance #8-21-2014A to be heard in its second and final reading (A Bond Ordinance authorizing the purchase of various capital equipment and the completion of various capital improvement projects in and for the Borough of Haledon)

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ, JOHNSON

NO: -0-

THE CLERK WILL READ THE TITLE:

BOROUGH OF HALEDON
ORDINANCE #8-21-2014A

"BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH OF HALEDON, COUNTY OF PASSAIC, NEW JERSEY; APPROPRIATING THE SUM OF \$1,707,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF HALEDON, COUNTY OF PASSAIC, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,411,807; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING"

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ, JOHNSON

NO: -0-

Motion by Johnson seconded by Costa to open the public hearing on Ordinance #8-21-2014A

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ, JOHNSON

NO: -0-

Salvatore D'Alessandro, 411 Morrissee Avenue, lives across from old municipal complex. Wants to know the future outlook of the property.
Motion by Johnson seconded by Martinez to close the public hearing on Ordinance #8-21-2014A.

Mayor Stampone responded correct portion of bond is for demo of the municipal complex. Sale of the property has not happened due to ongoing environmental remediation of the property. Property is not attractive due to environmental issues to buyers. Purpose to demo is to make more attractive. Continue to look for potential purchaser. Other ideas, town square or park. Original to sell is still on the table for purpose that fits the area.

Motion by Kandis seconded by Johnson that Ordinance #8-21-2014A be approved and adopted and to authorize the Municipal Clerk to advertise according to law.

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ, 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#2014-120 APPROVE APPOINTMENT OF NEW FIREFIGHTERS- FIRE COMPANY#2
- RESOLUTION#2014-121 APPROVE REQUEST FOR RED LIGHT AND/OR SIREN PERMIT FOR FIRE CHIEF MICHAEL MOSCATELLO
- RESOLUTION#2014-122 AUTHORIZE CHANGE ORDER #2 AND CURRENT ESTIMATE #3 FOR THE SOUTHSIDE AVENUE IMPROVEMENT PROJECT
- RESOLUTION#2014-123 AUTHORIZE THE MAYOR AND MUNICIPAL CLERK TO SIGN THE DEVELOPER'S AGREEMENT FOR CENTRAL SPANISH CONGREGATION OF JEHOVAH'S WITNESSES OF PATERSON
- RESOLUTION#2014-124 AUTHORIZE REQUEST TO CONDUCT AN ON PREMISE CASH 50/50 RAFFLE, AMERICA'S SPECIAL KIDZ- NOVEMBER 7, 2014

Motion by Martinez seconded by Costa to approve.

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ, JOHNSON

NO: -0-

RESOLUTION #2014-120 APPROVE APPOINTMENT OF NEW FIREFIGHTERS, FIRE COMPANY #2

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

Fire Company #2
Christain A. Gomero
Xavier Muniz
Kevin Coletta

RESOLUTION #2014-121 APPROVE REQUEST FOR RED LIGHT AND/OR SIREN PERMIT FOR FIRE CHIEF MICHAEL MOSCATELLO

WHEREAS, red light permit application has been submitted for approval by Michael Moscatello; and

WHEREAS, Michael Moscatello is the Fire Chief of the Haledon Fire Department; and

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Haledon that the Mayor is hereby authorized to sign the aforementioned red light permit application.

RESOLUTION #2014-122
AUTHORIZE CHANGE ORDER #2 AND ESTIMATE #3

FOR SOUTHSIDE AVE. IMPROVEMENT PROJECT

WHEREAS, the Borough of Haledon awarded a contract to Arnold's Roads, Inc., for the Southside

Ave. improvement project; and

WHEREAS, Nordan Murphy of the Alamo Group has recommended in his correspondence dated September 4, 2014 the Borough modify the award for a change order decreasing the contract price by \$1,005.00 and further recommends the Borough pay current estimate #3 in the amount of \$109,092.62;

and

WHEREAS, Change Order #2 contains the following:
> A credit in the amount of \$9,284.00 for base contract pay item #5, since Traffic Directors/Flaggers were not utilized for the project.
> Supplemental Item 4S in the amount of \$8,279.00 for Uniformed Police Traffic Directors utilized in lieu of Traffic Directors/Flaggers.

WHEREAS, the Governing Body hereby concurs with the recommendation of Nordan Murphy of the Alamo Group and has determined that this Resolution should be adopted subject to the conditions hereinafter, stated; and

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

1. The modification of the contract to provide for a change order #2 decreasing the contract price \$1,005.00 for an amended contract amount of \$274,151.48 be approved.
2. The written concurrence by Arnold's Road, Inc. to the modification shall be obtained in the form of Change Order No. 2, a copy of which is attached hereto and incorporated herein by reference.
3. 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.
4. 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.

BE IT FURTHER RESOLVED, the Governing Body hereby authorizes change order #2 and Current Estimate #3 are subject to Attorney review and direction.

RESOLUTION #2014-123

AUTHORIZE THE MAYOR AND MUNICIPAL
CLERK TO SIGN THE DEVELOPER'S AGREEMENT
FOR CENTRAL SPANISH CONGREGATION OF
JEHOVAH'S WITNESSES OF PATERSON

WHEREAS, the Mayor and Council of the Borough of Haledon received the developer's agreement from the Planning Board Secretary for development of the property at 281 Burhans Ave.; and

WHEREAS, the Governing Body is desirous of authorizing this agreement subject to review by the Borough Attorney, Borough Engineer, and Risk Management Consultant;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Haledon that the Developer's Agreement for 281 Burhans Ave. is hereby authorized subject to review and approval of the Borough Attorney, Borough Engineer, and Risk Management Consultant;

and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the Developer's Agreement mentioned above in a form to be approved by the Borough Attorney.

September 18, 2014

PAGE 7

RESOLUTION #2014-124

AUTHORIZE REQUEST TO CONDUCT AN ON PREMISE CASH 50/50 RAFFLE, AMERICA'S SPECIAL KIDZ-NOVEMBER 7, 2014

WHEREAS, America's Special Kidz has applied for a raffle license to hold an on premise raffle; and

WHEREAS, the purpose of this raffle is to support and benefit America's Special Kidz for year 2014; 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 an on premise 50/50 cash raffle to be held on November 7, 2014 at 276 Belmont Ave., Haledon, NJ 07508.

RESOLUTION #2014-125

APPROVE BILLS LIST, September 18th, 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 September 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 SEPTEMBER 18, 2014 WITH PREPAIDS IS:

CURRENT:	\$491, 699.58
WATER (MUA):	<u>\$ 26,057.73</u>
TOTAL:	\$517,757.31

ROLL CALL

YES: KANDIS, TIRRI, COSTA, MARTINEZ, JOHNSON

NO: -0-

Mayor mentioned the resignation to John Abdelhadi, congratulate him and his family. Reluctantly accepted his resignation.

An executive session was requested. The following resolution was approved

RESOLUTION #9182014

EXECUTIVE SESSION

Motion by: Johnson Seconded by: Costa

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

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

Respectfully submitted,
Allan R. Susen
Allan R. Susen, RMC/CMC/MMC
Municipal Clerk/Administrator

ROLL CALL
YES: TIRRI, KANDIS, COSTA, MARTINEZ
NO: 0

Motion by Costa seconded by Martinez to adjourn.

ADJOURN

ROLL CALL
YES: KANDIS, TIRRI, COSTA, MARTINEZ
NO: 0

Motion by Martinez seconded by Tirri to reopen the public session.

Councilman Johnson left following closed session prior to reopen the public session.

The Council moved to Executive Session.

ROLL CALL
YES: KANDIS, TIRRI, COSTA, MARTINEZ, JOHNSON
NO: 0

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.

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;

- Pending litigation, Louis Mercuro

WHEREAS, the Mayor and Council wish to move to executive session to discuss the following matters: