



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

WEDNESDAY, MAY 15, 2024

Mayor George read the OPMA notice into the record.

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of May 15, 2024, was included in a meeting notice emailed to THE HERALD NEWS and THE RECORD on January 12, 2024, and advertised in the aforementioned newspapers on January 18, 2024. These notices were posted on the bulletin board on the same date and have been continuously posted as the required notices under the Statute, and a copy is and has been available on file in the office of the Municipal Clerk for inspection.

Proper notice having been given, this meeting was called to order at 8:12 p.m. and the Clerk was directed to include this statement in the minutes of this meeting.

Present:

Mayor Randy George

Council Members: Rocco Luisi, George Pomianek, Vince Parmese, and Bruce O. Iacobelli

Borough Attorney Michael De Marco (excused at 8:14 p.m.)

Chief of Police, Todd Darby

Fire Chief, A. J. Ricciardi

Maureen Kurzynski, Tax Collector (because it was Renate Elatab's last council meeting as Borough Clerk)

Deputy Borough Clerk, Dena Cedar

Renate Elatab, Municipal Clerk

Absent:

Council Members Donna Puglisi, and Jacki Roscio

PUBLIC COMMENTS

Motion by Council Member Iacobelli, second by Council Member Luisi, to open the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Seeing as no one was present in the public, motion by Council Member Iacobelli, second by Council Member Luisi, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

APPROVAL OF PRIOR MINUTES

Motion by Council Member Iacobelli, second by Council Member Luisi, to approve the minutes of the work session meeting and regular meeting of April 17, 2024. Upon roll call, all members present voted in the affirmative. Motion carried.

COMMUNICATIONS

The communications below were presented at the Work Session:

Tax Assessor	Re: Disabled Veteran Application
Congressman Pascrell	Re: Fire Department Grant Application
Molly Brook	Re: Background Checks / Potential Residents
Fire Chief	Re: Application / Probationary Firefighter

Motion by Council Member Iacobelli, second by Council Member Parmese, that these communications be received, that action be taken where necessary, and that they be placed on file. Upon roll call, all members present voted in the affirmative. Motion carried.

NEW BUSINESS / ORDINANCE / RESOLUTIONS

Ordinance #13-2024

Re: Tree Removal - Replacement

Motion by Council Member Iacobelli, second by Council Member Luisi, that the Clerk read the ordinance by title and waive the reading of the ordinance in full. Upon roll call, all members present voted in the affirmative. Motion carried.

The Clerk presented the following ordinance:

AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF NORTH HALEDON CHAPTER 570, TREES

SECTION I. Purpose:

An ordinance to establish requirements for tree removal and replacement in *the Borough of North Haledon* to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

- A. "Applicant" means any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.
- B. "Critical Root Radius (CRR)" - means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.

- C. "Diameter at Breast Height (DBH)" means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree.
- D. "Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.
1. Has an infectious disease or insect infestation;
 2. Is dead or dying;
 3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
 4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
 5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or LTE.
- E. "Person" means any individual, resident, corporation, utility, company, partnership, firm, or association.
- F. "Planting strip" means the part of a street right-of-way between the public right-of-way adjacent to the portion of the street reserved for vehicular traffic the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.
- G. "Resident" means an individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.
- H. "Street Tree" means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.
- I. "Tree" means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.
- J. "Tree Caliper" means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.
- K. "Tree removal" means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a

tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

SECTION III. Regulated Activities:

A. Optional Application Process:

1. Any person planning to remove a street tree with DBH of 2.5" or more or any non-street tree with DBH of 6" or more on their property shall submit a Tree Removal Application to the North Haledon Construction Department. *No tree shall be removed until municipal officials have reviewed and approved the removal.*

Applicants will be subject to an application fee as per the Table below.

B. Tree Replacement Requirements

1. Any person who removes one or more street tree(s) with a DBH of 2.5" or more, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.
2. Any person, other than a resident, who removes one or more tree(s) with a DBH of 6" or more per acre, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table.

The species type and diversity of replacement trees shall be in accordance with Appendix A (*insert municipality provided tree list as Appendix A of this ordinance*). *[The municipality shall provide a list of approved trees that are acceptable to be planted as replacement trees, or at a minimum develop a list of trees that shall not be used as replacement trees. This list will be included as "Appendix A". It is permissible for a municipality to include a procedure for approval of a tree not on the approved list. The list shall also contain approved planting times/seasons and proper planting standard procedures.]*

Replacement tree(s) shall:

1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed **or** meet the Tree Replacement Criteria in the table below;
2. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the municipality;
3. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Tree Replacement Criteria (See Appendix A)	Application Fee
1	DBH of 2.5" (for street trees) or 6" (for non-street trees) to 12.99"	Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed	\$ 25.00
2	DBH of 13" to 22.99"	Replant 2 trees with minimum tree calipers of 1.5" for each tree removed	\$ 25.00
3	DBH of 23" to 32.99"	Replant 3 trees with minimum tree calipers of 1.5" for each tree removed	\$ 25.00
4	DBH of 33" or greater	Replant 4 trees with minimum tree calipers of 1.5" for each tree removed	\$ 25.00

C. Replacement Alternatives:

1. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the municipality.
 - b. Pay a fee of \$400.00 per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

SECTION IV. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption. Proper justification shall be in the form of photographs and certified statements. In the event the municipality cannot determine proper justification from the submitted documentation, the Applicant shall provide the findings from NJ licensed tree expert as per NJ Statue 45:15C-11 or arborist.

- A. Residents who remove less than four (4) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the 'count' resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;

- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- G. Hazard trees may be removed with no fee or replacement requirement.

SECTION V. Enforcement:

This ordinance shall be enforced by the *Police Department, and/or the Construction Code Official, the Borough Engineer, the DPW* during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of \$400.00 per tree in accordance with tree replacement costs referenced in this ordinance.

SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Appendix A

Approved list of Replacement tree Species and Planting Standards for

Borough of North Haledon

New Jersey Most Common Native Trees

1. Red Maple (*Acer rubrum*)
2. White Oak (*Quercus alba*)
3. Eastern Red Cedar (*Juniperus virginiana*)
4. American Beech (*Fagus grandifolia*)
5. Black Cherry (*Prunus serotina*)
6. Eastern Hemlock (*Tsuga canadensis*)
7. Tulip Tree (*Liriodendron tulipifera*)
8. Sugar Maple (*Acer saccharum*)
9. American Sycamore (*Platanus occidentalis*)
10. American Chestnut (*Castanea dentata*) - Though rare due to blight, efforts are underway to restore this species.
11. American Elm (*Ulmus americana*)
12. Red Oak (*Quercus rubra*)
13. Black Walnut (*Juglans nigra*)
14. Eastern White Pine (*Pinus strobus*)
15. Black Oak (*Quercus velutina*)

New Jersey Most Common Native Shrubs

1. Common Elderberry (*Sambucus canadensis*)
2. American Witch Hazel (*Hamamelis virginiana*)
3. Eastern Redbud (*Cercis canadensis*)
4. Highbush Blueberry (*Vaccinium corymbosum*)
5. New Jersey Tea (*Ceanothus americanus*)

6. Spicebush (*Lindera benzoin*)
7. Inkberry (*Ilex glabra*)
8. Bayberry (*Myrica pensylvanica*)
9. Arrowwood Viburnum (*Viburnum dentatum*)
10. Winterberry (*Ilex verticillata*)
11. Buttonbush (*Cephalanthus occidentalis*)
12. Virginia Sweetspire (*Itea virginica*)
13. Silky Dogwood (*Cornus amomum*)
14. Black Chokeberry (*Aronia melanocarpa*)
15. Swamp Azalea (*Rhododendron viscosum*)

Native New Jersey Trees for Streetscape

1. **Red Maple (*Acer rubrum*):** Red maple is a versatile and adaptable native tree known for its fall foliage. It tolerates a wide range of soil conditions and grows well in urban environments.
2. **American Elm (*Ulmus americana*):** American elm is a classic street tree with a vase-shaped canopy. Although susceptible to Dutch elm disease, disease-resistant cultivars are available.
3. **Sugar Maple (*Acer saccharum*):** Sugar maple is known for its fall color and dense, rounded canopy. It prefers slightly acidic, well-drained soil and is tolerant of urban pollution.
4. **Eastern Redbud (*Cercis canadensis*):** Eastern redbud is known for its early spring blooms of pink or purple flowers that appear before the leaves emerge. It has a small to medium size and adapts well to urban conditions.
5. **American Hornbeam (*Carpinus caroliniana*):** Also known as musclewood or ironwood, American hornbeam is a small to medium-sized tree with attractive bark and yellow fall color.
6. **Sassafras (*Sassafras albidum*):** Sassafras is a small to medium-sized tree with unique, mitten-shaped leaves that turn vibrant colors in the fall. It is adaptable to various soil types and grows well in urban environments.
7. **White Oak (*Quercus alba*):** White oak is a large, long-lived tree with a broad, spreading canopy. It provides excellent shade.

Decorative Trees for Streetscape

- **Japanese Tree Lilac (*Syringa reticulata*):**
 - Tolerance to Pollution: Japanese tree lilacs are known for their ability to tolerate urban pollution.
 - Soil Compaction: They have moderate tolerance to soil compaction and can adapt to a variety of soil types.
 - Resistance to Pests and Diseases: Japanese tree lilacs are relatively resistant to pests and diseases, including common urban pests like aphids and scale insects.
- **American Hornbeam (*Carpinus caroliniana*):**
 - Tolerance to Pollution: American hornbeam is known for its ability to tolerate urban pollution.
 - Soil Compaction: It has good tolerance to soil compaction and can adapt to various soil types, including clay and loam.
 - Resistance to Pests and Diseases: American hornbeam is relatively resistant to pests and diseases, making it a low-maintenance option for urban landscapes.
- **Northern Red Oak (*Quercus rubra*):**
 - Tolerance to Pollution: Northern red oak is moderately tolerant of urban pollution.
 - Soil Compaction: It has good tolerance to soil compaction and can adapt to a variety of soil types.
 - Resistance to Pests and Diseases: Northern red oak is relatively resistant to pests and diseases, although it can be susceptible to oak wilt and other fungal diseases.
- **Eastern Redbud (*Cercis canadensis*):**
 - Tolerance to Pollution: Eastern redbud can tolerate moderate levels of pollution.
 - Soil Compaction: It has moderate tolerance to soil compaction and can adapt to various soil types, including clay and loam.
 - Resistance to Pests and Diseases: Eastern redbud is relatively resistant to pests and diseases, although it can be susceptible to verticillium wilt and certain fungal diseases.
- **Flowering Dogwood (*Cornus florida*):**
 - Tolerance to Pollution: Flowering dogwoods can tolerate moderate levels of pollution.

- **Soil Compaction:** They have moderate tolerance to soil compaction and can adapt to a variety of soil types, including clay and loam.
- **Resistance to Pests and Diseases:** Flowering dogwoods are relatively resistant to common pests and diseases, although they can be susceptible to certain fungal diseases like anthracnose.
- **Serviceberry (*Amelanchier spp.*):**
 - **Tolerance to Pollution:** Serviceberries are known for their ability to tolerate urban pollution, making them suitable for street planting.
 - **Soil Compaction:** They have good tolerance to soil compaction and can adapt to a variety of soil types, including clay and sandy soil.
 - **Resistance to Pests and Diseases:** Serviceberries are relatively resistant to pests and diseases, although they can be susceptible to certain fungal diseases like powdery mildew.
- **London Plane Tree (*Platanus x acerifolia*)**
 - **Tolerance to Pollution:** London plane tree exhibits a high tolerance to pollution, making it well-suited for urban environments with elevated levels of air pollution. It can survive in city streets, parks, and other urban landscapes where pollution levels may be high.
 - **Pest Resistance:** London plane trees are relatively resistant to common pests and diseases that affect other tree species. However, they may still be susceptible to issues such as:
 1. **Anthracnose:** Anthracnose is a fungal disease that can cause leaf spots, twig dieback, and defoliation. London plane trees are generally less susceptible to anthracnose compared to American sycamores, but severe infections can still occur, especially in wet conditions.
 2. **Sycamore lace bugs:** Lace bugs are small insects that feed on the undersides of leaves, causing yellowing and stippling. While London plane trees may be less susceptible to lace bugs compared to American sycamores, they can still be affected, especially in hot, dry conditions.

Motion by Council Member Iacobelli, second by Council Member Luisi, that the ordinance heretofore introduced does now pass on first reading and that said ordinance be further considered for final passage on June 18, 2024, at 7:30 p.m. or as soon thereafter as the matter can be reached by the Mayor and Council and that at such time and place, all persons interested will be given an opportunity to be heard concerning said ordinance and that the Clerk be and she is hereby authorized and directed to publish said ordinance in accordance with law. Upon roll call, all members present voted in the affirmative. Motion carried.

RESOLUTION CA#6-2024

Re: Consent Agenda

Motion by Council Member Pomianek, second by Council Member Luisi, that the Clerk read the resolution by title and waive the reading of the resolution in full. Upon roll call, all members present voted in the affirmative. Motion carried.

The Clerk presented the following resolution:

WHEREAS, the Mayor and Board of Council of the Borough of North Haledon have reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Board of Council of the Borough of North Haledon are not desirous of removing any resolution for individual action from the agenda; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon that the following resolutions on the consent agenda are hereby approved and adopted.

1. Buy Back Unused Time
2. Authorization / Withdrawal of Bid / D&L Paving Contractors, Inc.
3. Award of Contract / Linda Vista Sidewalk Improvements Phase 1 / Portofino Builders
4. Appointment / Probationary Firefighter / Chase Hadley
5. Authorization / Auction / Surplus Property/ NHPD / Dodge Durango
6. Approval / Raffle Licenses
7. Authorization / Estimated Tax Bills
8. Tax Title Lien Redemption
9. Tax Overpayment
10. Disabled Veteran Tax Exemption
11. Authorization / Agreement / Valley Medical Group
12. Calling for the Modernization of the Open Public Records Act (OPRA) and the Swift Passage of S-2930/ A-4045
13. Award of Contract / Gentilini Motors / 2023 Tahoe / NHPD
14. Award of Contract / Gentilini Motors / 2023 Tahoe / NHPD
15. Award of Contract / MEE / Upfitting for 2023 Tahoe / NHPD
16. Award of Contract / MEE / Upfitting for 2023 Tahoe / NHPD
17. Authorization / Payment of Bills / Issuance of Checks
18. Award of Contract / Motorcycle Mall / Fire Department
19. Acceptance of Resignation / Susan Kozlowski / Municipal Alliance Coordinator

Motion by Council Member Iacobelli, second by Council Member Luisi, to approve the foregoing resolution. Upon roll call, all members present voted in the affirmative. Motion carried.

Resolution #106-2024

Re: Buy Back Unused Time

WHEREAS, the Borough of North Haledon advertised for bids for captioned, pursuant to the Local Public Contracts Law; and

WHEREAS, on April 18, 2024 nine bids were received and the three low bids are as follows:

BID AMOUNT

D & L Paving Contractors 675 Franklin Avenue Nutley, NJ 07110	\$335,353.05
Portofino Builders, LLC 69 Irwin Street Springfield, NJ 07810	\$469,415.00
Landtek Construction 386 Route 79 Morganville, NJ 07751	\$471,106.00

WHEREAS, the lowest bid submitted by D & L Paving withdrew its bid in accordance with NJSA 40A:11-23.3; and

WHEREAS, the second lowest bid was submitted by Portofino Builders, LLC. in the amount of \$469,415.00; and

WHEREAS, the Borough Engineer by letter dated April 24, 2024 (attached hereto), recommended the award to the second lowest bidder; and

WHEREAS, the Borough Attorney, by letter dated April 26, 2024(attached hereto), has opined as to the legal sufficiency of the second lower bid and has found same to be sufficient.

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of North Haledon as follows:

In accordance with the recommendations of the Borough Engineer and the Borough Attorney, Portofino Builders, LLC is hereby awarded the contract for Linda Vista Sidewalk Improvements Phase 1; and

The Mayor and Borough Clerk are hereby authorized and directed to execute a contract subject to the receipt of a Performance Bond.

BE IT FURTHER RESOLVED, that funds are available for the aforementioned as evidenced by Certification of Treasurer following:

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Borough of North Haledon reserves the right to accept or reject any bid submitted.

Resolution #111-2024

Re: Raffle Licenses

BE IT RESOLVED by the Borough Council of the Borough of North Haledon that the following Raffle Licenses be approved as submitted, providing all rules and regulations of Legalized Games of Chance are adhered to:

Name:	A Pathway to Hope
Location of Raffle:	400 North Haledon Avenue
Date of Raffle:	05/18/2024
Raffle License	8-2024 & 9-2024

Name:	North Haledon Education Foundation
Location of Raffle:	515 High Mountain Road – Recreation Fields
Date of Raffle:	05/26/2024
Raffle License	10-2024

Resolution #112-2024

Re: Estimated Tax Bills

WHEREAS, N.J.S.A 54:4-66.3, pursuant to Section 3 of P.L 1994 c. 72 and 54:4:4-66.2, the governing body has determined that the Tax Collector will be unable to complete the mailing and delivery of the tax bills due to the absence of a certified tax rate; and

WHEREAS, the Tax Collector in consultation with the Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and has signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Council to approve the estimated tax levy; which is between the mandated estimated range proposed by the Local Government Services. Approval will enable the Borough to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest on borrowing,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of North Haledon, County of Passaic, State of New Jersey, hereby authorizes that:

1. The Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2024 taxes.
2. The entire estimated tax levy for 2024 is hereby set at \$36,862,058.84. The estimated tax rate for 2024 is hereby set at 3.092.

- In accordance with law, the third installment of 2024 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Tax Collector and Chief Financial Officer for their records.

BOROUGH OF NORTH HALEDON					
CALCULATION OF PROPOSED 2024 ESTIMATED TAX RATE					
ACTUAL PY TAX LEVY AND RATE			ALLOWABLE RANGE FOR ESTIMATED TAX LEVY (PERCENTAGE OF PY LEVY)		
	LEVY	TAX RATE		95.00%	105.00%
MUNICIPAL	\$ 11,871,522.28	0.996	MUNICIPAL	\$ 11,277,946.17	\$ 12,465,098.39
MUNICIPAL LIBRARY	\$ 510,591.00	0.043	MUNICIPAL LIBRARY	\$ 485,061.45	\$ 536,120.55
MUNICIPAL OPEN SPACE	\$ -	0.000	MUNICIPAL OPEN SPACE	\$ -	\$ -
DISTRICT SCHOOL	\$ 11,985,932.00	1.006	DISTRICT SCHOOL	\$ 11,386,635.40	\$ 12,585,228.60
REGIONAL SCHOOL	\$ 2,338,923.00	0.196	REGIONAL SCHOOL	\$ 2,221,976.85	\$ 2,455,869.15
COUNTY	\$ 8,384,915.49	0.704	COUNTY	\$ 7,965,669.72	\$ 8,804,161.26
COUNTY OPEN SPACE	\$ 162,590.74	0.013	COUNTY OPEN SPACE	\$ 154,461.20	\$ 170,720.28
TOTALS	\$ 35,254,474.51	2.959	TOTALS	\$ 33,491,750.78	\$ 37,017,198.24
2023 ESTIMATED TAX RATE					
NET VALUATION TAXABLE	\$ 1,192,196,248.00				
ESTIMATED AMOUNT TO BE RAISED BY TAXATION	TAX RATE	NOTES:			
MUNICIPAL	\$ 12,895,112.03	1.082	ACTUAL		
MUNICIPAL LIBRARY	\$ 568,817.00	0.048	ACTUAL		
MUNICIPAL OPEN SPACE	\$ -	0.000	ACTUAL		
DISTRICT SCHOOL	\$ 12,293,972.00	1.031	ACTUAL		
REGIONAL SCHOOL	\$ 2,385,701.46	0.200	ESTIMATED AT 2% INCREASE		
COUNTY	\$ 8,552,613.80	0.717	ESTIMATED AT 2% INCREASE		
COUNTY OPEN SPACE	\$ 165,842.55	0.014	ESTIMATED AT 2% INCREASE		
TOTALS	\$ 36,862,058.84	3.092			
\$ INCREASE	\$ 1,607,584.33				
% INCREASE	4.56%				
			<u>LEVY AMOUNT</u>	<u>TAX RATE</u>	
LESSER OF ESTIMATED AND MAXIMUM ALLOWABLE BY STATUTE				\$ 36,862,058.84	3.092

Resolution #113-2024

Re: Lien Redemption

WHEREAS, the Title Company of the property located at 27 Harrison Avenue, also known as Block 15 Lot 18.01, came into the Tax Collector’s Office on April 30, 2024, with a check to redeem Tax Title Certificate 22-00001 dated June 7, 2023, and

WHEREAS, the payment was issued to the Borough of North Haledon, and same was deposited in the current account;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be and he is hereby authorized to issue a check to the following:

Phoenix Funding Inc. 1148 Springfield Ave Mountainside, NJ 07092	Redemption \$15,117.11 Premium \$9,000.00
--	--

Resolution #114-2024 **Re: Tax Overpayment**

WHEREAS, the bank paid the second quarter taxes of 2024; and

WHEREAS, the property is tax exempt; and

WHEREAS, this payment therefore leaves an overpayment for the second quarter of 2024;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check for the following amount and the same to be charged to Current Taxes 2024.

Block 72 Lot 10 \$2,295.00 57 Hillside Drive North Haledon, NJ 07508	Payable to: Corelogic Real Estate Services PO Box 9202 Coppell, TX 75019-9760
--	---

Resolution #115-2024 **Re: Taxes / Disabled Veteran**

WHEREAS, on June 28, 2023 the Department of Veteran Affairs granted Timothy Hegadorn, 100% permanently disability; and

WHEREAS, the letter from the Veterans Administration was not issued until February 23, 2024; and

WHEREAS, the Borough of North Haledon needs to refund the taxes paid as of February 23, 2024; and

WHEREAS, the bank paid the February and May taxes; and

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be and he is hereby authorized to issue a check to refund the amount from February 23, 2024 until June 30, 2024 to the bank and cancel the remainder of 2024 taxes.

Block 59 Lot 20.02 11
Coles Hill Rd

Check Payable Corelogic Centralized Refunds	\$3,010.98
--	------------

PO Box 9202
Coppell, TX 75019-9760

Resolution #116-2024

Re: Valley Medical Group

WHEREAS, alcohol and drug testing services are required by the Borough of North Haledon in connection with workplace alcohol and drug testing; and

WHEREAS, a written proposal dated May 1, 2024 has been received from Valley Medical Group to provide alcohol and drug testing services from July 1, 2024 to June 30, 2026; and

WHEREAS, said services fall under the exception provisions of the Local Public Contracts Law in that they are professional services;

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

1. Valley Health Medical Group be and hereby is retained to perform alcohol and drug testing services subject to the execution of a contract in a form satisfactory to the Borough Attorney and subject to also the following;
2. The compensation for said services shall be at the rates set forth in accordance with the written proposal and contract hereby incorporated by attachment into this agreement.
3. The need for said services is to provide for proper alcohol and drug testing in connection with workplace alcohol and drug testing and the duration of such services will be from July 1, 2024 to June 30, 2026.
4. A copy of the within resolution and the executed contract shall be on file in the office of the Borough Clerk and shall be available for public inspection

BE IT FURTHER RESOLVED, that the Borough Clerk is authorized and directed to cause notice to be published in the newspaper once in accordance with the provisions of the statute.

Resolution #117-2024

Re: OPRA Modernization

WHEREAS, in the 2002 “lame duck” session the Open Public Records Act (OPRA) was approved to make government records, “readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest” while protecting “a citizen’s right to a reasonable expectation of privacy”; and

WHEREAS, as local leaders we reaffirm our support and commitment to open and transparent government and public access to records, at the same time, we strongly support necessary reforms; and

WHEREAS, in the twenty years since the enactment of OPRA and with the advent of new technologies, we have witnessed unintended consequences and, in some cases, abuses of OPRA that place an unfair burden on local governments and taxpayers; and

WHEREAS, municipal staff and budgets are increasingly utilized to accommodate the requestors and commercial entities who inundate municipalities with public records requests to the extent that in some instances, additional personnel are hired primarily to handle such requests; and

WHEREAS, OPRA has become broadly construed in favor of access and the requestor who prevails in any proceeding in appealing a denial of access of records is permitted to collect exorbitant attorney's fees, which impacts the taxpayers and municipalities who must pay these fees; and

WHEREAS, municipalities have seen outside businesses and interests who abuse OPRA for marketing and commercial gains while utilizing municipal employees paid by the taxpayers for this benefit; and

WHEREAS, due to court decisions over the years, reasonable expectations of privacy have been diminished when it comes to the balance of transparency and OPRA perpetuates for-profit data-mining, unsolicited marketing, and uncontrolled publications of records on internet search engines specifically designed to circumvent and bypass what few protective measures currently exist under OPRA, all while allowing the requestor to remain cloaked in anonymity, should they choose to exercise that option; and

WHEREAS, when commercial entities are constantly emailing OPRA requests looking for the latest lists of dogs licensed that month, inground pool permits issued, solar roof permits issued, etc., it causes our residents to not want to license their dogs, comply with permits, or interact with the municipality because they don't want to lose their privacy and/or have their information tracked and monetized for commercial purposes; and

WHEREAS, reforms to modernize OPRA are long overdue, among them: the need to address requests by commercial entities that utilize public records and the services of local government employees to generate profits, mandatory prevailing attorney fees, which created a cottage industry, and to add language so that such fees are based on facts and circumstances and not an automatic granting; and

WHEREAS, Senators Sarlo and Bucco and Assemblyman Danielsen and Assemblywoman Flynn have introduced S-2930/A-4045, which makes commonsense reforms that do not hinder residents or journalists from using OPRA to access public records, but will protect citizens' personal information from disclosure, addresses the burdensome commercial requests and provide discretion when awarding prevailing attorney fees;

NOW, THEREFORE, BE IT RESOLVED, the governing body of the Borough of North Haledon in the County of Passaic respectfully request the adoption of much-needed

reforms to modernize and strengthen the legislative intent of the Open Public Records Act (OPRA) and urges the swift passage of S-2930/A-4045; and

BE IT FURTHER RESOLVED, as local leaders, we reaffirm our support and commitment to open and transparent government and public access to records but at the same time, we strongly support necessary reforms; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Senate President Scutari, Assembly Speaker Coughlin, Senator Nellie Pou, Assemblywoman Shavonda Sumter, Assemblyman Benjie Wimberly, Governor Murphy, and the New Jersey League of Municipalities.

Resolution #118-2024

Re: 2023 Tahoe / Gentilini

BE IT RESOLVED that the Municipal Clerk is hereby authorized to execute a contract with Gentilini Motors, 2703 Fire Road, Egg Harbor, NJ 08234 for the purchase of 2023 Tahoe under Contract #T2776-21-01485 at a total amount of \$47,194.56.

BE IT FURTHER RESOLVED that funds are available for the aforementioned as evidenced by Treasurer / CFO certification following.

CERTIFICATION

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

Account: C-04-24-011-500

Amount: NTE \$47,194.56

Signed: Chris Battaglia, Chief Financial Officer

Resolution #119-2024

Re: 2023 Tahoe / Gentilini

BE IT RESOLVED that the Municipal Clerk is hereby authorized to execute a contract with Gentilini Motors, 2703 Fire Road, Egg Harbor, NJ 08234 for the purchase of 2023 Tahoe under Contract #T2776-21-01485 at a total amount of \$49,194.56.

BE IT FURTHER RESOLVED that funds are available for the aforementioned as evidenced by Treasurer / CFO certification following.

CERTIFICATION

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the

resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

Account: C-04-24-011-500

Amount: NTE \$49,194.56

Signed: Chris Battaglia, Chief Financial Officer

Resolution #120-2024

Re: Upfitting / 2023 Chevy Tahoe

BE IT RESOLVED that the Municipal Clerk is hereby authorized to execute a contract with Municipal Equipment Enterprises; MEE, 2703 Fire Road, Egg Harbor, NJ 08234 for the purchase of upfitting for 2023 Tahoe under Sorceland / 17-FLEET-00758 at a total amount of \$24,815.78.

BE IT FURTHER RESOLVED that funds are available for the aforementioned as evidenced by Treasurer / CFO certification following.

CERTIFICATION

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

Account: C-04-24-011-500

Amount: NTE \$24,815.78

Signed: Chris Battaglia, Chief Financial Officer

Resolution #121-2024

Re: Upfitting / 2023 Chevy Tahoe

BE IT RESOLVED that the Municipal Clerk is hereby authorized to execute a contract with Municipal Equipment Enterprises; MEE, 2703 Fire Road, Egg Harbor, NJ 08234 for the purchase of upfitting for 2023 Tahoe under Sorceland / 17-FLEET-00758 at a total amount of \$13,356.34.

BE IT FURTHER RESOLVED that funds are available for the aforementioned as evidenced by Treasurer / CFO certification following.

CERTIFICATION

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

Account: C-04-24-011-500

Amount: NTE \$13,356.34

Signed: Chris Battaglia, Chief Financial Officer

Resolution #122-2024

**Re: Payment of Bills /
Issuance of Checks**

WHEREAS certain bills which are contained on the bills list which is attached hereto and incorporated herein have been submitted to the Borough of North Haledon for payment; and

WHEREAS, pursuant to N.J.S.A. 40A:5:16, it has been certified to the Governing Body that the goods and services for which said bills were submitted have been received by or rendered to the Borough of North Haledon;

NOW, THEREFORE, BE IT RESOLVED by the Board of Council of the Borough of North Haledon that the Mayor, Deputy CFO, and Administrator, be and are hereby authorized to sign checks in payment of the bills set forth in the attached schedule.

Resolution #123-2024

Re: EUV / Motorcycle Mall

BE IT RESOLVED that the Municipal Clerk is hereby authorized to execute a contract with Motorcycle Mall, 655 Washington Avenue, Belleville, NJ 07109 for the purchase of a 2024 Cam Am 6 x 6 Emergency Utility Vehicle in a total amount of \$33,240.00.

BE IT FURTHER RESOLVED that funds are available for the aforementioned as evidenced by Treasurer / CFO certification following.

CERTIFICATION

As required by N.J.S.A. 40A:4-57, N.J.A. 5:34-5.1 et seq. and any other applicable requirement, I, Christopher Battaglia, Chief Financial Officer of the Borough of North Haledon, have ascertained that there are available sufficient uncommitted funds in the item specified in the resolution, in the amount specified below. I further certify that I will encumber these funds upon passage of this resolution.

Account: C-04-24-011-600

Amount: NTE \$33,240.00

Signed: Chris Battaglia, Chief Financial Officer

Resolution #124-2024

Re: Resignation / Alliance Coordinator

BE IT RESOLVED, by the Borough Council of the Borough of North Haledon that the resignation of Susan Kozlowski, the North Haledon Municipal Alliance Coordinator, be accepted effective July 1, 2024.

DISCUSSION

Memorial Day Ceremony: Saturday, May 25th, 11:00 a.m.

Next Council Meeting will be on **Tuesday, June 18th**.

Mayor George advised that this was the Borough Clerk's last council meeting; that he wished her well and that the borough had a competent replacement in the Deputy Clerk, Dena Cedar. Chief Darby thanked the Borough Clerk for the wonderful working relationship that they had had throughout the years. The Fire Chief A. J. Ricciardi thanked the Borough Clerk for all she had done for the Fire Department and that she had always helped him.

ADJOURNMENT

Motion by Council Member Pomianek, second by Council Member Iacobelli, to adjourn the meeting. Upon roll call, all members present voted in the affirmative. Motion carried.

Mayor George declared the meeting duly adjourned at 8:11 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Council Meeting of June 18, 2024