



BOROUGH OF NORTH HALEDON

COUNCIL MEETING MINUTES

DECEMBER 13, 2023

Mayor George read the OPMA notice into the record.

This meeting was called pursuant to the provisions of the Open Public Meetings Law. This meeting of December 13, 2023 was included in a meeting notice emailed to THE HERALD NEWS and THE RECORD on January 17, 2023, and advertised in the aforementioned newspapers on January 20, 2023. 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 8:32 p.m. and the Clerk was directed to include this statement in the minutes of this meeting.

ROLL CALL

Present:

Mayor Randy George

Council Members: Donna Puglisi, Bruce O. Iacobelli, Jacqueline Roscio, Vincent Parmese, George Pomianek

Absent:

Council Member Rocco Luisi

Also Present:

Chief of Police, Todd Darby

Deputy Municipal Clerk, Dena Cedar

Municipal Clerk, Renate Elatab

PUBLIC COMMENTS

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

Since no one was present in the public asked to speak, motion by Council Member Puglisi, second by Council Member Iacobelli, 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 Roscio, to approve the minutes of the work session meeting, and the regular meeting of November 1, 2023. Upon roll call, all members present voted in the affirmative, with the exception of Council Member Puglisi, who abstained. Motion carried.

OFFICIAL REPORTS

Building Official's Report
Clerk's Receipts
Fire Department Report
Municipal Court Report
Police Department Report
Property Maintenance
DPW Report
Tax Collector's Report to Treasurer
Treasurer's Report

COMMITTEE REPORTS

DPW / STREETS & ROADS / SEWERS/ BUILDINGS & GROUNDS / SOLID WASTE /
RECYCLING - **IACOBELLI**
POLICE / EMERGENCY MANAGEMENT / SAFETY / PBA LOCAL 292 - **PUGLISI**
RECREATION - **PUGLISI**
CODIFICATION -- **PUGLISI**
FINANCE – **POMIANEK**
PLANNING BOARD - **PARMESE**
BOARD OF EDUCATION / LOCAL - **LUISI**
BOARD OF EDUCATION / REGIONAL - **IACOBELLI**
BOARD OF HEALTH – **IACOBELLI**
FIRE & WATER - **LUISI**
ENGINEERING - **POMIANEK**
LIBRARY - **MAYOR GEORGE**
PUBLIC CELEBRATIONS – **IACOBELLI**

Council Member Iacobelli thanked the members of the Police Department and Fire Department for their contribution in making every public event a success.

Mayor George reminded the council members that 2026 marks the 125th anniversary of establishment of the Borough of North Haledon and the 250th anniversary of the founding of the United States of America.

- § 516-7 Requirements for a Site Development Stormwater Plan (Major Development)
- § 516-8 Requirements for a Site Development Stormwater Plan (Minor Development)
- § 516-9 Maintenance and Repair
- § 516-10 Fees
- § 516-11 Penalties
- § 516-12 Severability
- § 516-13 Effective Date

§ 516-1 Scope and Purpose:

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for green infrastructure, water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in § 516-2.

C. Applicability

1. This article shall be applicable to all projects that meet the definition of “minor development” or “major development” as defined below.
2. This ordinance shall be applicable to the following major developments:
 - i. Non-residential major developments and redevelopment projects; and
 - ii. Aspects of residential major developments and redevelopment projects that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21 et seq.

3. This ordinance shall also be applicable to all major developments undertaken by Borough of North Haledon.
4. Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference and minor developments as defined herein.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§ 516-2 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 not inconsistent 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 word "shall" is always mandatory and not merely directory. The definitions used in this ordinance shall be the same as the last amended Stormwater Management Rules at N.J.A.C. 7:8-1.2, incorporated herein by reference. The following additional terms are defined for this chapter only.

- a. EXEMPT DEVELOPMENT – Shall mean any development that creates less than 500 square feet of new impervious area and disturbs less than 1,500 square feet of land. Further, an exempt development shall not meet the definition of "minor development."
- b. MINOR DEVELOPMENT – Shall mean any development that results in the creation of 500 square feet or more of new impervious area or one that disturbs more than 1,500 square feet of land area. Further, a minor development shall not meet the definition of "major development" in N.J.A.C. 7:8.
- c. MAJOR DEVELOPMENT – (repeated from N.J.A.C. 7:8) Shall mean an

individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

§ 516-3 Design and Performance Standards for Stormwater Management

Measures:

This section establishes design and performance standards for stormwater management measures for major development intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies.

a. Exempt Developments. Any project meeting the definition of "exempt development" shall be exempt from the provisions of this section.

b. Minor Developments. Minor developments shall be designed to include the following stormwater management measures:

1. Water Quality. Soil erosion and sediment control measures shall be installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.
2. Rate/Volume Control. Seepage pits or other infiltration measures shall be provided with a capacity of three (3") inches of runoff for each square foot of new impervious area. Stone used in the infiltration devices shall be

two and one-half (2 1/2") inches clean stone and design void ratio of 33% shall be used. The infiltration measures shall be designed with an overflow to the surface which shall be stabilized and directed to an existing stormwater conveyance system or in a manner to keep the overflow on the developed property to the greatest extent feasible. If the new impervious surface is not roof area, an equivalent area of existing roof may be directed to the infiltration system. This shall be permitted where the existing roof is not already directed to infiltration devices.

c. Major Developments. Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5, incorporated herein by reference.

§ 516-4 Waivers and exceptions.

- A. Standards for relief (Minor Development). Waivers from strict compliance with the design standards for minor development shall only be granted upon showing that meeting the standards would result in an exceptional hardship on the applicant or that the benefits to the public good of the deviation from the standards would outweigh any detriments of the deviation. A hardship will not be considered to exist if reasonable reductions in the scope of the project would eliminate the noncompliance.

- B. Standards for relief (Major Development). Waivers from strict compliance with the design and performance standards for major development shall meet the requirements N.J.A.C. 7:8-4.6.

- C. Reviewing agency. All applications subject to the review of the Land Use Board shall be reviewed by the Board concurrently with subdivision or site plan review. Applications not subject to Land Use Board review shall be reviewed by the Borough Engineer.

- D. Appeals. The appeal of the determination of the Borough Engineer shall be made in accordance with N.J.S.A. 40:55D-70a.

§ 516-5 Solids and Floatable Materials Control Standards (Major Development):

A. Site design features identified under § 516-3 above, or alternative designs in accordance with Section III above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see § 516-5 (A)(2) below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
- ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in § 516-5 (A)(1) above does not apply:

- i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
- ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;

- iii. Where flows from the water quality design storm as specified in the last amended Stormwater Management rules at N.J.A.C. 7:8 et seq. are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

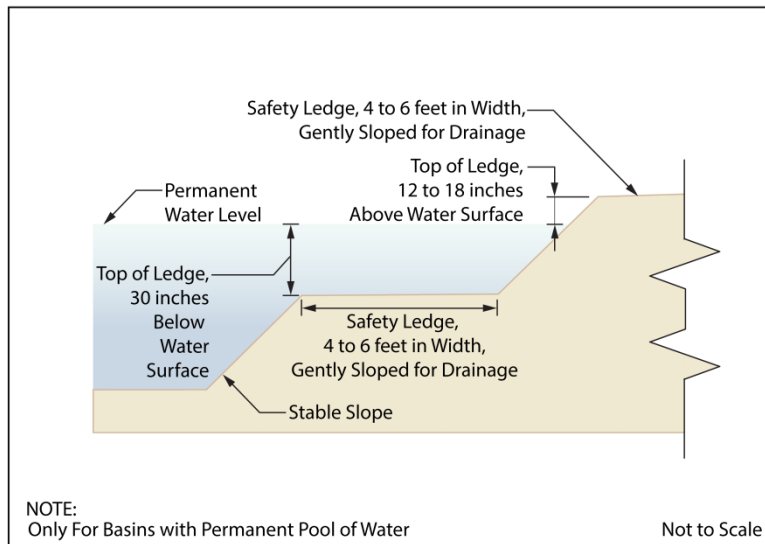
- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

§ 516-6 Safety Standards for Stormwater Management Basins:

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin. Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.

B. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



§ 516-7 Requirements for a Site Development Stormwater Plan (Major Development):

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at § 516-7 (C) below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit six (6) copies of the materials listed in the checklist for site development stormwater plans in accordance with §516-7 (C) of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of § 516-3 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of a scale of 1"=50' or smaller shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in § 516-3 (c) of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of § 516-9.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section § 516-7 (C)(1) through § 516-7 (C)(6) of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

9. Application and Review Fees

There shall be no additional fees for stormwater review for applications to the Land Use Board. Applications to the Borough Engineer shall be accompanied by a review fee in the amount of \$250 for minor developments and an initial escrow deposit of \$1,000 for major developments. If a project is approved, an inspection escrow deposit shall be made in an amount to be determined by the Borough Engineer.

§ 516-8 Requirements for a Site Development Stormwater Plan (Minor Development):

A. The following information shall be required:

1. Topographic Base Map. The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 50 feet beyond the limits of the proposed development, at a scale of 1"=30' or larger, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.
2. Project Description and Site Plans. A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping.

3. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
 - ii. Details of all stormwater management facility designs.
4. Calculations demonstrating compliance with the minor development standards of §516-3 53 b. must be submitted.
 5. Waiver from Submission Requirements

The Borough Engineer may waive submission of any of the requirements in Section §516-8 (1) through §516-8 (4) of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it

would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

6. Application and Review Fees

There shall be no additional fees for stormwater review for applications to the Land Use Board. Applications to the Borough Engineer shall be accompanied by a review fee in the amount of \$250 for minor developments. If a project is approved, an inspection escrow deposit shall be made in an amount to be determined by the Borough Engineer.

§ 516-9 Maintenance and Repair:

A. Applicability

Projects subject to review as in § 516-1 (C) of this ordinance shall comply with the requirements of § 516-9 (B) and § 516-9 (C).

B. General Maintenance

1. Maintenance for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5.8, incorporated herein by reference.
2. The following requirements of N.J.A.C. 7:8-5.8 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department:
 - i. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation; and
 - ii. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.

3. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

§ 516-10 Fees:

An application fee shall be due to the municipality at the time of submission of materials in support of the application as provided hereinafter as an amendment to Chapter 275, Fees. If it is determined that a stormwater management plan is required, an escrow shall be established in accordance with Chapter 275, Fees, covering the review and inspection fees incurred by the municipality. Any funds remaining in the escrow account for stormwater management after final approval and implementation of the plan shall be returned to the applicant.

§ 516-11 Penalties:

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties:

Any person, firm or corporation who shall violate any of the provisions of this chapter shall, upon conviction, be punished by a fine not to exceed \$1,000 for each offense or by imprisonment for a term not to exceed 90 days, or a requirement of community service not to exceed 90 days. A separate offense shall be deemed committed on the day on which a violation occurs and each day the violation continues to occur.

§ 516-12 Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the 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.

§ 516-13 Effective Date:

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

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

Since no one was present in the public asked to speak, motion by Council Member Pomianek, second by Council Member Puglisi, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Motion by Council Member Puglisi, second by Council Member Pomianek, that Ordinance #21-2023 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #21-2023 was adopted on second reading and is hereby declared a passed ordinance in accordance with law. Upon roll call, all members present voted in the affirmative. Motion carried.

Ordinance #22-2023

Re: Privately Owned Salt Storage

Motion by Council Member Puglisi, second by Council Member Roscio, 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 REVISING, AMENDING AND SUPPLEMENTING
THE CODE OF THE BOROUGH OF NORTH HALEDON,
WITH THE ADDITION OF
CHAPTER 517, PRIVATELY OWNED SALT STORAGE**

BE IT ORDAINED by the Mayor and Council of the Borough of North Haledon, County of Passaic, State of New Jersey, that:

Chapter 517, Stormwater Control, shall be added to the North Haledon Borough Code.

§ 517-1 Purpose.

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately- owned)* in the Borough of North Haledon to protect the

environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 517-2 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 Chapter 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 word "shall" is always mandatory and not merely directory.

- A. "De-icing materials" means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. "Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. "Storm drain inlet" means the point of entry into the storm sewer system.
- D. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - 3. The structure shall be erected on an impermeable slab;
 - 4. The structure cannot be open sided; and
 - 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

§ 517-3. Deicing Material Storage Requirements:

- A Temporary outdoor storage of de-icing materials in accordance with the requirements

below is allowed between October 15th and April 15th.

1. Materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
2. Materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, and/or ditches or other stormwater conveyance channels;
3. Materials shall be formed in a cone-shaped storage pile;
4. All storage piles shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind;
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.

(1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used.

- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of solid deicing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.
- C. The property owner shall designate a person(s) responsible for operations at the site where these materials are stored, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met.

§ 517-4. Exemptions:

This ordinance does not apply to facilities where the stormwater discharges from salt storage activities are regulated under another NJPDES permit.

§ 517-5. Enforcement:

This ordinance shall be enforced by the Borough of Norh Haledon's Property Maintenance Officer or its designee during the course of ordinary enforcement duties.

§ 517-6 Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall be subject to penalties as provided in Chapter 1. General Provisions, Article II, General Penalty of the Code of the Borough of North Haledon.

All other parts or provisions of the Code of the Borough of North Haledon not specifically amended by this Ordinance shall remain in full force and effect.

This Ordinance shall take effect as provided by law.

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

Since no one was present in the public asked to speak, motion by Council Member Puglisi, second by Council Member Roscio, to close the floor to the public. Upon roll call, all members present voted in the affirmative. Motion carried.

Motion by Puglisi, second by Council Member Pomianek, that Ordinance #22-2023 pass its second and final reading and that the Clerk be authorized to cause the appropriate notice to be published that Ordinance #22-2023 was adopted on second reading and is hereby declared a passed ordinance in accordance with law. Upon roll call, all members present voted in the affirmative. Motion carried.

NEW BUSINESS / RESOLUTIONS

RESOLUTION CA#13-2023

Re: Consent Agenda

Motion by Council Member Puglisi, second by Council Member Roscio, 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 Time
2. Approval / Raffle Licenses
3. Authorization / Payment of Bills / Issuance of Checks
4. Authorization Vacation Carry-Overs
5. Tax Overpayment
6. Approval / Library Payments
7. Appointments / Probationary Firefighters
8. NJDCA ARP Firefighter Grant Program
9. Authorization / Budget Transfers
10. Acceptance of Proposal / Update of the Natural Resource Inventory / Boswell Engineering
11. Approval / Submission of Extension Request / NJDOT
12. Approval / 2023 Clothing Allowance / NHFD
13. Award of Contract / Winter Products

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

Resolution #166-2023

Re: Buy Back Unused Time

WHEREAS, the following employees have accumulated unused hours from previous years as employees with the Borough of North Haledon; and

WHEREAS, it has been requested by said employees that they receive payment for such hours;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Haledon that the following employee is hereby approved to receive buy back as stated below:

<u>Employee</u>	<u>Amount of Hours</u>	<u>Compensation</u>
Kevin Toomes	40 Sick 40 Vacation	\$3,599.99
Mark Michalski	80 Hours Comp	\$3,450.58
Joseph Trommelen	80 Hours Comp	\$3,519.59
Kenneth Bergstrom	48 Sick 32 Vacation	\$3,086.33
Maureen Kurzynski	80 Hours Sick	\$5,452.38

Resolution #167-2023

Re: Approval / 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:

Resolution #173-3023

Re: ARP Firefighter Grant

WHEREAS, the Borough of North Haledon desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for up to approximately \$75,000 to carry out a project to purchase ten (10) sets of turnout gear.

BE IT THEREFORE RESOLVED, that the Borough of North Haledon does hereby authorize the application for such a grant; and, recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of North Haledon and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

Resolution #174-2023

Re: Budget Transfers

WHEREAS, certain appropriations were required and provided for during the calendar year 2023 and will require additional sums for expenditures to the end of 2023; and

WHEREAS, other appropriations reflect that balances do exist as of the end of the year 2023; and

WHEREAS, it is provided per N.J.S.A. 40A:4-58 that municipalities may make transfers from appropriations having excesses to those requiring additional sums.

<u>Description</u>	<u>TRANSFER IN</u>	<u>TRANSFER OUT</u>
MAYOR'S WELLNESS PROGRAM S&W	\$ 7,000.00	
COLLECTION OF TAXES O/E	\$ 1,000.00	
BUILDING INSPECTOR O/E	\$ 1,500.00	
GARBAGE AND TRASH REMOVAL O/E	\$ 900.00	
RECYCLING O/E		\$ (27,269.67)
RECREATION O/E	\$ 500.00	
WATER	\$ 9,000.00	
PUBLIC EMPLOYEES RETIREMENT SYSTEM	\$ 3,195.68	
POLICE AND FIRE RETIREMENT SYSTEM	\$ 2,673.99	
MUNICIPAL COURT O/E	\$ 1,500.00	
TOTAL	\$ 27,269.67	\$ (27,269.67)

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of North Haledon that the list of transfers herein and below be and they are authorized to be made upon records of appropriations in the keeping of the CFO as per the amounts listed herein, provided this resolution is adopted by not less than 2/3 vote of the full membership of the Governing Body as required by Statute.

Resolution #175-2023

**Re: Acceptance of Proposal /
Boswell Engineering /
Natural Resource Inventory**

WHEREAS, the Borough of North Haledon is in need of engineering services, in particular for engineering services associated with update of the Borough of North Haledon Natural Resource Inventory; and

WHEREAS, Boswell Engineering, by letter dated November 13, 2023 submitted a proposal regarding same as evidenced by attachment herein and made a part of the within resolution;

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

The Proposal of Boswell McClave Engineering, dated November 13, 2023 for engineering services in connection with the above is hereby accepted and approved. Compensation for said services for task 1 is not to exceed \$5,500.00

BE IT FURTHER RESOLVED, that funds are available for the aforementioned as evidenced by Certification of Treasurer 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: 3-01-20-165-028

Amount: NTE \$5,500.00

Signed: Chris Battaglia, Chief Financial Officer

Resolution #176-2023

Re: Extension Request / DOT Grant

BE IT RESOLVED that the Board of Council of the Borough of North Haledon formally approves the request for a six (6) month award extension for the above stated project.

BE IT FURTHER RESOLVED that the Mayor Randy George and the Municipal Clerk, or those authorized on their behalf, are to submit a formal request for a six (6) month award extension for the above referenced project to the New Jersey Department of Transportation.

BE IT FURTHER RESOLVED that Mayor Randy George and the Municipal Clerk are hereby authorized to sign the six (6) month award extension request on behalf of

North Haledon Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement.

Resolution #177-2023

Re: NHFD Clothing Allowance

WHEREAS, a clothing allowance for the year 2023 will be awarded to various volunteer North Haledon firefighters in accordance with Borough Ordinance #30-2009;

NOW, THEREFORE, BE IT RESOLVED that the following firefighters receive a clothing allowance as follows:

Nick Addesso	\$574.19
Barret Brach	\$848.43
Dean Brauch	\$797.01
Brendan Buck	\$1,179.82
Nick Dansen	\$1,145.54
Zach Dansen	\$100.00
Brian Faasse	\$942.70
Dan Hook	\$200.00
Mike Kamen	\$677.03
Tyler Ormezzano	\$771.30
Anthony Padula	\$1,982.61
Philip Palkewick	\$1,331.24
Andrew Ricciardi	\$2,013.46
Steve Schott	\$1,114.10
Lewis Schott	\$634.18
Zach Stoffer	\$100.00
Zach Westra	\$1,088.39

Resolution #178-2023

Re: Award of Contract / Winter Products

WHEREAS, the County of Passaic through Cooperative Pricing System had solicited bids for Rock Salt and Liquid Calcium Chloride in accordance with the N.J.S.A. 40A:11-1 and

WHEREAS, the Borough of North Haledon is desirous of taking advantage of awarding a contract to the lowest complying bidder being Morton Salt, Inc. of Chicago, IL, for Rock Salt and Peckham Material Corp. of Athens, NY for Liquid Calcium Chloride; and

WHEREAS, the Borough of North Haledon desires to participate with the County of Passaic with the Cooperative Pricing System for Rock Salt and Liquid Calcium Chloride in accordance with the contract that was entered into with the County of Passaic and Morton, Salt, Inc. and Peckham Material Corp.,

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of North Haledon that it hereby authorizes award of contract to Morton Salt, Inc. for \$65.30 per ton, contract period to run December 1, 2023 to November 30, 2025; and Peckham Material Corp. for

Liquid Calcium Chloride at \$1.20 per gallon, contract period to run December 1, 2023 through November 30, 2025.

DISCUSSION

Mayor George thanked Maureen Kurzynski for collecting the money for the Senior Christmas Party, Councilman Iacobelli for setting the dinner up at The Tides, and Barbara Veltri for putting the tables together.

Mayor George wished everyone happy holidays, and reminded the Council Members that the Reorganization Meeting will be on January 2nd at 7:00 p.m. at the Municipal Building.

ADJOURNMENT

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

Mayor George declared the meeting duly adjourned at 8:52 p.m.

Respectfully Submitted,

Renate Elatab, Municipal Clerk

Approved at Council Meeting of January 17, 2024