

**REGULAR MONTHLY MEETING
Mayor and Council
Borough of Harrington Park, New Jersey
September 16, 2013**

(PAH) Call Meeting to Order

Time: 7:08pm

Mayor's Announcement:

In compliance with Chapter 231, Public Law 1975, adequate notice of the meeting was made. It is included in the Annual Meetings posted on the bulletin board in the Municipal Center. Copies have been mailed to the BERGEN RECORD, SUBURBANITE and THE NORTHERN VALLEY PRESS. A copy has been filed with the Borough Clerk, and copies have been mailed to individuals requesting the same.

(MF) Roll Call:

	PRESENT	ABSENT
Council		
DUNLEA (JD)	7:12pm	
EVANELLA (GE)	X	
PEDERSEN (JP)	X	
RYAN (MR)	X	
NAPOLITANO(AN)		x
CHUNG (JC)	X	

Also present:

Ms. Marti Francis-For Ann H. Bistriz, Borough Clerk/Admin, who had a previous commitment (MF)

Mr. John R. Dineen, Borough Attorney (JRD)

Ms. Judith F. Curran, CFO/Tax Collector (JFC)

Mr. Gregory Polyniak, Neglia Engineering, Borough Engineers (GP)

(MF) Flag Salute

The Mayor asked for a moment of reflection in the even that took place this morning in Washington.

GE moved to suspend the order of business, second JP. Carried.

The Mayor asked that anyone who wished to be heard come forth.

Melissa Diggins from the Swim Club Board asked for clarification of the crosswalk/sidewalk.

The Mayor asked Greg Polyniak to speak on the matter. GP stated that the county paved over the crosswalk and that it would cost approximately \$7,000 to reinstall. The County said they would pay half. Then the county rescinded the offer back because the crosswalk "leads to nowhere." The County will not reimburse any funds until the sidewalks on the Swim Club property are improved.

**The Mayor volunteered to follow up with the County.
Melissa Diggins stated that although it was a County road it was a town problem.**

Judy Corn of 55 Cooper Place, representing a home schooling group named the Wayfinder Experience, requested that the Highland Field rental fees be waved so the group might use Highland Field for educational sword fighting (foam swords) on 7 occasions in September and October in morning and afternoon sessions.

MR stated that the Rec Commission has approved the use.

The insurance certificate has the wrong address.

Mayor Hoelscher advised that in the past all for-profit businesses (which this is) have paid for the use of the field.

John Dineen stated that the discreet issue is can the Rec Commission waive the fee for any for-profit group, as this opens the borough up to other organizations.

GE suggested a nominal fee of perhaps \$50.

The Mayor suggested it be brought to a vote later in the meeting.

**Greg Polyniak explained the slope stabilization options at the Old Burying Ground
Cost could run from \$126,000-\$161,000 with a 20% contingency for each.**

The 5' high interlocking block option is the most economical.

GP asked for input. MR asked about the removal of 40 trees present in each option and was told that the roots might knock a future wall down.

Grants are not available for this project.

JD felt it qualified as Open Space.

John Mager (HP Historical Society member living in Haworth) was a professional project manager and offered to become involved if desired.

The Mayor thanked him for his contributions and let him know the Council would contact him for input. GP will forward sketches. Geri Gibney stated that the Historical Society is being named the owner.

NJDOT Road Paving Resolution.

GP stated that the amount of traffic, curbs, and sidewalks are taken into account for possible funding and that the DOT likes to provide grants for the continuation of work already begun on grant money. Discussion followed.

GP stated that in light of all factors LaRoche would be the most likely to receive grant money if requested but that Lynn was more in need.

He wanted 1 name to submit. While it was possible to submit 2 separate applications, he felt that if LaRoche were one of them it would be selected so that if Lynn was desired it would be best to simply submit Lynn.

(PAH) Close meeting to the Public

Motion GE

Second JP

Vote AIF

(PAH) Return to the Regular Order of Business

Motion GE
Second JP
Vote Carried

MEETING PROCEDURE:

1. Call Meeting to Order (Mayor)
2. Mayor's Announcement (Mayor)
3. Roll Call (Borough Clerk)
4. Flag Salute (Borough Clerk)
5. Minute Approval(s) (Mayor & Borough Clerk)
6. Correspondence (Borough Clerk)
7. Reports of Committees (Council Members)
8. Old Business
9. New Business
10. Mayor's Report-Remarks, Announcements, Proclamations
11. Public Discussion-Open-Motion
12. Public Discussion-Close-Motion
13. Ordinance (s)
14. Ordinance (s) Second Reading
15. Closed Session-Motion-Second
16. Adjournment

(PAH) Minutes Approval

Special Meeting August 15, 2013
Motion GE as corrected this afternoon
Second JP
Vote AIF

Open Space Public Hearing August 19, 2013
Motion GE as corrected
Second JP
Vote AIF, abstain JC

(PAH) Consent Correspondence

SEE ADDENDUM "AA"

Consent Correspondence be accepted and become a part of this meeting without Discussion

Motion JP
Second MR
Vote AIF

(PAH) Consent Agenda-Resolutions

All matters listed under this section are considered to be routine by the Borough Council and will be enacted by one motion as listed below. There will not be separate discussion of these items. Should discussion be

desired, that item will be removed from the Consent Agenda and will be considered separately under New or Old Business on the Agenda.

MR asked about number 2 in the engineer's report and asked whether it was correct that the work on Pondsides would be at no cost to the Borough. GP agreed that this was correct.

JD Chapter 159 ADA Ramps-Revision (A) Judith Curran asked whether the ramp cost should be revised to \$45,000. GP stated that the cost would be revised when the final receipts were in. MR asked about an article in the paper stating that Tenafly was making a playground ADA accessible. GP stated that all new facilities must be ADA accessible. JD thanked Judith Curran for her time and effort and stated that she was working hard to get the new system running. Judy stated that she can now give reports on actuals and other matters.

Interim Payment of Claims (B)

Payment of Claims (C)

GE Borough Hall Court Room Air Conditioning (D)

JP HSA Raffle for Class of 2014 (E)

JC Community Development-Senior Citizen Activities Grant Agreement (F)

Addendums JP moved, second JC. MR voted no on C. JP moved as modified (A, B, D, E, F), second GE.

Vote: AIF

Item C: GE moved, second JP.

Vote: AIF, MR-No

Individual Committee Reports

(JD) Finance, Administration & Exec., Grants, Newsletter

(GE) DPW, Recycling, Building & Grounds GE reported that among the DPW highlights were the removal of a deer carcass, the replacement of a vandalized stop sign, the pick-up of a tv, and new roadway markings painted with reflectorized paint.

(JP) Police, Municipal Court, Public Assistance JP reported 486 calls, 7 summonses from the license plate reader, 2 juvenile incidents (including the accident on Lohs Place), 4 criminal incidents (including 1 arrest), 4 motor vehicle crashes, and 109 summonses for infractions.

**(MR) Recreation Commission, Environmental Commission
Personnel & Performance Evaluations**

MR reported that Town Day is planned for 9/21, 12-4, and asked for Judith Curran to be authorized to pay properly authorized POs that might come in before the 10/21 meeting. John Dineen confirmed, as long as they were properly authorized and a voucher was presented.

MR moved to authorize

**second JP
Vote AIF**

The new playground part was installed at George Street today. Thanks to Mr. Kiernan.

Almost all department heads have submitted evaluations.

The Environmental Commission is continuing to recertify with Sustainable Jersey. The EC is participating in Town Day and is looking for more information on direct installs for businesses.

(AN) Planning Bd., Bd. of Adjustment, Construction, Fire—not present

(JC) Board of Health, Sanitation

JC reported that the Board of health met on 9/9.

The Adult flu vaccine will be 9:00-11:00 on 10/9. All Borough employees may receive a free vaccine or a voucher for one if that day does not work for them.

The rabies clinic will be 11/9 8am-9am.

The Board of Health passed two resolutions:

To extend the interim nurse through November at the current rate and to increase the pay rate for the permanent position to \$25.00/hr.

For the Department of Sanitation, all electronics must be recycled; the DPW is using a company that picks them up for free.

Liaison to Board of Education

(PAH) Mayor Hoelscher

Old Business

GE moved to charge the Wayfinder group \$50.00 total fee for the use of Highland Field on the aforementioned dates subject to their providing correct insurance certificates,

Second JP

Vote AIF

New Business

(GE) NJDOT Road Paving Resolution-Submit Application and Grant Contract (G)

GE moved to submit the NJDOT grant application for Lynn Street North

Second JP

Vote AIF

(JD) Best Practices-Judith Curran CFO Judith suggested that some details be added to the Best Practices report—rather than simple yes or no answers—to allow the reviewers to look more favorably on the Borough's efforts. She suggested adjusting the report to state that we do 3 of the 5. #17 discussed procurement cards—change to say we will research. Re; #38, we do not compensate for accumulated sick time;

that should be changed. The flood insurance program (#50) should be researched so the class can be reported. Judy will follow up with an email.

MR asked if Neglia could write to the Swim Club regarding the request from the Public session. The Mayor will discuss with Greg Polyniak and the County and then write the Swim Club.

(PAH) Halloween Decorating Contest:

Gavin Perez (3rd grade) submitted a request for a Halloween yard decorating contest. Sign up would be first week of October; perhaps review could be done by Junior Women. Categories would be scariest and best seasonal. Rec would have to approve. There could be a modest compensation for first place, letters for second and third. JC suggested a need for guidelines; GE suggested asking people to use best judgment.

All in favor.

Lions Club-Yankee Game Parking The Lions Club is organizing a trip to Yankee Stadium on 9/25. There are 100 tickets. They would like to rendezvous at Borough Hall.

JP moved,

Second JD

All in favor.

(PAH) Mayor's Report

The Mayor was very pleased to see Lou Greenwald's email calling for reform of the property tax system. There is not yet much information.

The BC Open Space Trust Fund sent word that the Highland Field lighting proposal has moved higher in the approval process.

The Korean American community gave an outstanding cultural presentation Saturday and today.

Jennifer Brackenbury will be resigning from the Rec Commission. He is hoping to change her mind.

The Mayor is working with residents on tax revaluation questions.

The second St. Andrew's concert will be held on 10/4 at 7:00pm.

The Mayor has put in a call to the County requesting a postponement of the Harriot Avenue paving (dues to start at the beginning of school). The actual date is now uncertain.

Ordinances

**(JD) Ordinance #684 Introduction First Reading
Amendment to Ordinance #680 for the Salary, Wage or Compensation of Persons
Holding Office, Position or Employment in the Borough of Harrington Park (H)
Motion JD, with the typo on page 7 corrected
Second GE
Discussion
Vote:
Dunlea-yes
Evanella-yes
Ryan-yes
Pedersen-yes
Chung-yes**

**RESOLUTION
CLOSED SESSION**

WHEREAS, N.J.S.A. 10:4-12 permits a public body to conduct business in Closed Session during a public meeting; and

WHEREAS, the Mayor and Council deem it necessary to discuss certain matters in Closed Session as permitted by the aforesaid statute.

1. Potential Litigation (DPW)
2. Contracts-Insurance (PAH/JC)
3. Police & Litigation (Jack Dineen)
4. Litigation & Negotiation (JP)

BE IT FURTHER RESOLVED that discussion of the aforementioned subjects may be made public at such time as disclosure of the discussion will not detrimentally affect the interest and Borough as to said discussion.

Return to Open Session Time: 9:43pm

Motion GE

Second JP

Vote All in favor

JD moved to approve compensation for visual/dental for Debra Reilly subject to approval from the state and not to exceed \$500

Second JP.

Dunlea-yes

Evanella-yes

Pedersen-yes

Ryan-yes

Chung-yes

JD moved to adjourn, second GE. All in favor. Meeting adjourned at 9:57.

Addendum A
RESOLUTION

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Harrington Park in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum \$54,810.22, as a result of a letter from the County of Bergen, Department of Public Works whereby the County of Bergen is confirming the availability of funds for the reimbursement of construction costs for ADA Curb Ramp Improvements.

FURTHERMORE, the \$70,326.00 consists of the following items:

1. Construction of ADA Ramps	\$45,144.22
2. Engineering Design Costs	\$ 3,600.00
3. Construction Inspection Costs	\$ 6,066.00
Total	\$54,810.22

BE IT FURTHER RESOLVED, that the like sum of \$54,810.22 be appropriated under the caption:

Revenue: Bergen County ADA Ramps for Harrington Park
Appropriations: Grant for Bergen County ADA Ramps for Harrington Park

Addendum B
RESOLUTION

WHEREAS, payment of claims is prepared and presented to the Mayor and Council at a meeting of the Mayor and Council by the CFO; and

WHEREAS, on occasion statutory bills are received by the finance department after the monthly payment of claims is approved by the Mayor and Council and such payments are due prior to the next monthly meeting;

WHEREAS, the CFO requests that the Mayor and Council approve the payment of statutory bills between Mayor and Council meetings so as to comply with statutory obligations;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Harrington Park in the County of Bergen, New Jersey, hereby approves the CFO to pay statutory bills that may become due prior to scheduled meetings.

Addendum C
PAYMENT OF CLAIMS CERTIFICATION

I hereby certify that funds are available for the following disbursements:

2012 Appropriation Reserve	\$	
2013 Current Fund	\$	971,988.07
Payroll August 23 and Sept. 6	\$	190,131.76
Trust Fund	\$	4,946.17
Dog Revenue Fund	\$	2.40
Capital Fund	\$	315.00
Grant Fund (Current Fund) (ADA Ramps)	\$	45,944.22
INTERIM CHECK: STATE OF NEW JERSEY UNEMPLOYMENT	\$	386.93
MISCELLANEOUS CHECKS THAT DID NOT PRINT LAST MONTH (GLITCH IN SYSTEM)	\$	667.67

Addendum D
Motion

Repairs to the Borough Hall Council Chamber Air Condition Unit in the estimated amount of \$1274.00 to be provided through Whalen and Ives with funds that are certified available by Judith Curran CFO.

RESOLUTION E
On Premises 50/50 Raffle License RA228-Harrington Park Home & School Assoc.

BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that the On Premise 50/50 Raffle Application RA # 228 for the Harrington Park Home & School Association, to be held on October 25, 2013, 8pm-11pm at 191 Harriot Avenue, Harrington Park be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to.

RESOLUTION F
To Enter Grant Agreement

Community Development Senior Citizen Activities

BE IT RESOLVED, that the Mayor and Council of the Borough of Harrington Park wishes to enter into a grant agreement with the County of Bergen for the purposes of using \$2,500.00 in FY2013-2014 entitled Senior Citizen Activities in Harrington Park, New Jersey.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor Paul A. Hoelscher to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council authorizes Ann H. Bistriz to sign all county vouchers in connection with the aforesaid project, and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Harrington Park is liable for any funds not spent in accordance with the Grant Agreement, and that liability of the Mayor and Council is in accordance with HUD requirements.

Addendum G

Resolution

Approval to submit a grant application and execute a grant contract with
the New Jersey Department of Transportation for
Lynn Street

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Harrington Park formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Harrington Park Borough-00412 to the New Jersey Department of Transportation on behalf of the Borough of Harrington Park

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Harrington Park and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Addendum H

BOROUGH OF HARRINGTON PARK

NOTICE IS HEREBY GIVEN that the following proposed ordinance was introduced and passed on the first reading at a meeting of the Mayor and Council of the Borough of Harrington Park, County of Bergen, and State of New Jersey held on the 16th day of September, 2013 and that said Ordinance will be taken up for further consideration for final passage at a meeting of the said Mayor and Council to be held at its meeting place in the Municipal Center, 85 Harriot Avenue, Harrington Park, New Jersey on the 21st day of October, 2013, at 7 p.m. or soon thereafter as the matter can be reached, at which time and place all persons interested therein will be given an opportunity to be heard concerning the same.

ANN H. BISTRITZ
Borough Clerk/Admin.

PROPOSED ORDINANCE No. 684

AN ORDINANCE TO AMEND ORDINANCE #680 THE SALARY, WAGE OR COMPENSATION OF PERSONS HOLDING OFFICE, POSITION OR EMPLOYMENT IN THE BOROUGH OF HARRINGTON PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY.

Be it ordained by the Mayor and Council of Harrington Park as follows:

<u>Description</u>	(Full Time) Or (Part Time)	Manner of <u>Payment</u>	<u>Minimum</u>	<u>Maximum</u>
Borough Administrator	F	C	\$ 10,000.00	- \$15,000.00
Construction:				
Code Enforcement Official	P	C	\$ 5500.00	- \$ 6500.00
School Guards	P	D	Hired prior to 9/2009	- \$ 43.00/day
	P	D	Hired after 9/2009	- \$ 33.00
School Guards—Special Assign	P	D		\$13.16/hr.

Manner of Payment (Explanatory references to the above)

- A – Annual Salaries – paid quarterly during first pay period - March, June, Sept., and Dec.
- B – Per Meeting - vouchered
- C – Annual Salaries – paid on bi-weekly basis
- D – Hourly basis – paid bi-weekly on a submitted voucher
- E – Annual Salary – paid once a year
- F - Per session - vouchered
- G - paid quarterly - vouchered
- H - Annual Salary - paid monthly
- I – Hourly basis – On submitted voucher – paid monthly

Addendum AA
Correspondence

8/16/13

- ABC Update regarding procedures for licensing.
- Demarest Resolution in Support of Additional Research for Random Drug Testing in the NVRHS District.

8/19/13

- Tax Appeal-136 Dean Street.
- Foreclosure status for 280 Glen Ave. W.
- As built Survey review 11 Eastbrook (Neglia).

8/20/13

- County Surrogate update information.
- Verizon Franchise application for the State of NJ.
- Verification of Flood Zone-B406 L 4-NJDEP

8/21/13

- Certified copies of Ordinances from Board of Chosen Freeholders.

8/22/13

Final certification (Neglia) NJDOT ADA ramps project.

COI Verizon.

8/23/13

PSEG Public Hearing rate notice.

8/27/13

BCUA Amendment response to Public Hearing.

As Built (Neglia) correspondence 131 Norma Road.

8/28/13

NJ Transit Public Hearing for Seniors and Disabled Resident Assistance-September.

Bergen County Historic Grant Program Assistance correspondence.

9/3/13

Correspondence regarding on-going tort claim-Pfund McDonald LLC

Human Services Institute Fall 2013-Bergen County

BCUA Solid Waste Management Hearing to incorporate Medical Waste-October 2, 2013.

(Neglia) Submission package for Highland Lighting-BC Open Space.

9/6/13

Cablevision Programing Updates

RTK received from Board of Education

Tidelines Summer 2013

Copy of Submission (Neglia) for NJ Residential Construction Off Site Conditions Disclosure Act (statutory)

9/9/10

COI Bayhead Property.

9/12/13

Board of Chosen Freeholders Resolutions and Ordinances Sept. 3, 2013 meeting.

CD contract for FY2013.

New Milford Reso. Opposing UWR rates.