

**REGULAR MONTHLY MEETING
Mayor and Council
Borough of Harrington Park, New Jersey
February 18, 2014**

(PAH) Call Meeting to Order

Time: 7:02PM

Mayor's Announcement:

In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It is posted on the bulletin board in the Municipal Center. Copies have been Emailed 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.

(ALB) Roll Call:

	PRESENT	ABSENT
Council		
NAPOLITANO(AN)	X	
EVANELLA (GE)	X	
PEDERSEN (JP)	X	
RYAN (MR)	X	
RUTIGLIANO(MRUT)		X
CHUNG (JC)	X	

Also present:

Ms. Ann H. Bistriz, Borough Clerk/Admin. (ALB)

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

(ALB) Flag Salute

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 (Act. 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) Minute Approval

Agenda Meeting -January 13, 2014

Rescheduled Regular Meeting-January 27, 2014

Motion GE

Second AN

No Discussion

Vote AIF

(PAH) Suspend Regular Order of Business

Motion GE

Second JP

Vote AIF

(PAH) Open the Meeting to Public

Motion GE

Second JP

Vote AIF

Ms. Gerri Gibney, 154 LaRoche Avenue

As President of the Historical Society as well as Chair of the Arts Council of Harrington Park, she has requested on behalf of the program that the Mayor consider an alternate name for his proposed program for cultural and art programs. She expressed concern of confusion between the two programs-facebook page, grants and other organizational items are already in place.

PAH responded that he had no problem with the request.

**Mr. Vincent Landers-Vice President of Board of Trustees-Brookside Village (BSV)-
20 Blanch Avenue #205**

Mr. Landers read into the record a letter from Mr. Blakeman, Board Chair that addressed the high taxes placed on the residents of BSV. Members of the Board had met with the Mayor regarding the costs of living and possible solutions.

Next, Mr. Lander provided background information on Mr. Ken Fisher the next presenter.

He also read into the record a letter from one of the original planners of this project, Reverend Chuck Johnson. His letter addressed the original intentions of the BSV project and how they have been achieved over the past 25-30 years.

Mr. Ken Fischer, BSV Board of Trustees, 20 Blanch Avenue.

Mr. Fisher summarized the background of how Brookside Village was founded through the help of the Community Church. The intention of the program was to provide attractive, affordable, alternative housing for Harrington Park senior residents. Most has been achieved, except the affordability has increased almost 40%. Mandates that were required by the State and the Borough at the time of conception and construction were reviewed. Mandates included the purchase of a particular plot of land, for the Borough's set price with the inclusion of 12 low income units.

Mr. Ed Farrelly-60 Blanch Avenue

Council should consider the inflation factor on those with a fixed means of income. Most seniors have to deal with the additional costs of medical needs and home care. In his opinion, the residents of BSV were hit harder by tax increases than other residents in the town.

Irene DeGennaro, 60 Blanch Avenue

The taxes at BSV are affecting future sales. BSV is self-operated and has maintained a tight budget. Many prospective buyers have a hard time paying the taxes. In addition, some recent purchasers have sold due to the increase in tax rates.

Bob Fisher, Brookside Village

Explained that the trustees would like a 34% reduction in taxes across the board, moving forward. He explained the consideration of what has been mandated and previously spent, the price fixing of retail value of the units.

PAH inquired about the fact that units are selling for more than what they are assessed for. A profit is being made. Mr. Fisher stated that the increase in cost is not really profit, it is a cost of living increase or covers what has been spent to maintain the unit. PAH asked why BSV is not recommending their residents to follow the tax appeal process. Mr. Fisher answered that the reality is that the units that have been sold have limited the amount of comparable properties since many have been sold for either their assessment of more. Only a few have been sold for less.

Mr. Fisher thanked Council for their attention to the presentation and hopes that consideration would be made to this group of residents. All should reflect back on the original intention of the project, consider the price that was paid, and have the entire community of Harrington Park absorb the reduction request since many towns around the area lease the land to such senior type developments at a very minimal fee.

PAH addressed the audience and explained that legal counsel will have to advise accordingly. He thanked the presenters in recognizing that this deal was not made with the current Council, but from a different Mayor and Council prior to PAH election. PAH also recommended that anyone who can, should appeal their taxes in the appropriate manner keeping the April due date in mind.

JP interjected that he was under the impression that Council members do not have the power or jurisdiction to approve such a deduction.

Mr. Genco-Brookside Village

Stated that Council has a responsibility to BSV and should reconsider the contract from the creation of the project. PAH clarified that whether a contract is 30 years old or 3 years old, the same rules apply.

Discussion followed regarding the reduction given to BSV to help keep the project out of bankruptcy of about \$900,000.00, and how the land was acquired and the problems with the contractors and investors.

PAH thanked all for coming and discussing their request with Council.

(PAH) Close the Meeting to Public

Motion GE

Second AN

Vote AIF

(PAH) Return to Regular Order of Business

Motion GE

Second JP

Vote AIF

(PAH) Consent Correspondence

SEE ADDENDUM "AA"

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

Motion GE

Second JP

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.

Addendums

(AN) Transfer of Elevator Subcode Enforcement Services-A

(GE) Utility Survey Services for Old Burying Ground-B

Advertise for Bid- NJDOT FUNDED PROJECT:

PARKSIDE ROAD (SECTION 4) & HARRIOT PLACE-C

(JP) Social Affairs Permit-Harrington Park Fire Company #1-D

Municipal Alliance-E

(MR) Advertise for Bid-Sports Field Maintenance-F

Approval of Field Usage 2014-Speed Soccer-G

(MRUT) Payment of Claims-H

(JC) Green Grounds and Maintenance Policy-I

Motion GE

Second AN

No Discussion

Vote AIF, abstention for MR on items B and H

Individual Committee Reports

(AN) Planning Bd., Bd. of Adjustment, Construction, Fire, Ambulance

No report

(GE) DPW, Recycling, Building & Grounds, Sanitation/Recycling
No report

(JP) Police, Municipal Court, Personnel

434 calls, 193 traffic details, 27 school details, mutual aid, criminal activity and juvenile activity reported. 104 tickets issued.

(MR) Recreation Commission, Environmental Commission

Peter Ardito will be Chair of EC.

ERI funding grant-should hear is approved sometime in March 2014.

Tree Bank plans are considered to be started with TMobile money.

EC will be reaching out to United Water regarding the decals on the storm drains that inform people where the water goes.

Plans for EC Summit on April 2, 2014 to have a discussion with a representative from the DEP on Watershed Issues.

Brook Street/ Pondside Park Clean Up-March 29, 2014 9am-1pm.

Steve Paccico is the Chair for the Rec. Commission

Betty Ann Niece will be in charge of Town Day-September 6, 2014 and Ragamuffin Parade/Trunk or Treat.

PAH was concerned about competing with other towns. MR explained that the biggest issue is Norwood since the members of the cheerleading and football teams need to attend the Norwood event. The Committee members are comfortable with the date they chose.

Sports teams would like to construct an indoor batting cage and soccer area by fields 2-3 (100' X 100')

Fishing Derby-June 15, 2014

(MRUT) Finance, Exec. & Admin., Grants

(JC) Board of Health, Liaison to Board of Education, Public Information

Thanked all for passing the Green Grounds policy

“We do not inherit the earth, we borrow it from our children”

(ALB) Ann H. Bistriz, Clerk/Admin.

Old Business

(MR) Field Maintenance specs have been received-she would like to add that the DPW will be mowing and scarifying the grounds. Mr. Dineen will add in and redistribute.

New Business

(ALB) Minimum Acceptable Riparian Zone Model Ordinance
Steep Slope Model Ordinance

Medical and Prescription Drug Coverage Experience Review
Motion was made by MR to permit the Borough clerk to request the appropriate information from the State Health Benefits Plan for Borough employees to be submitted to MEL/JIF for review for potential cost savings by alternate health plans.

Second AN

Vote AIF

Special Meeting-Budget introduction-March 5, 2014 at 7pm

ORDINANCES AND RESOLUTIONS

None

(PAH) Mayor's Report

- **Budget meeting with Garry Higgins, Councilman Rutigliano, Judy Curran and Ann Bistriz-closing in on the 2% CAP-Finance Committee will have time to review.**
- **Riverside Cooperative-paving for April submission-MK will supply list of roads**
- **An ordinance will need to be passed for Energy Aggregation to save all residents money on electricity costs.**
- **Thank you to Boy Scouts for shoveling for some senior residents in the Borough.**
- **DPW has done an outstanding job cleaning the town up through the past storms. Assemblyman Auth also thanked for helping acquire salt for the municipalities. Very few complaint calls were received. GE was in agreement.**
- **Discussion are taking place to determine if the State can apply for FEMA aid since we have incurred 5 state of emergencies so far this year.**
- **PAH joining other Mayors in opposition to the proposed LG building in Englewood Cliffs that will be higher than the tree line, adversely affecting the skyline and views of the Palisades.**

Meeting Open to Public

Motion GE

Second JP

Vote AIF

No Public

Meeting Closed to Public

**Motion GE
Second JP
Vote AIF**

**Closed Session Time: 8:23pm
Motion GE
Second JP
Vote AIF**

RESOLUTION

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-Police
2. Personnel-Borough Clerk
3. Potential Litigation-Escrow

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: 9:27pm
Motion GE
Second AN
Vote AIF**

**Adjournment-Time: 9:28PM
Motion: GE
Second: AN
Vote: AIF**

**Addendum A
RESOLUTION**

**TRANSFER JURISDICTION OF THE ELEVATOR SAFETY ENFORCEMENT
SUBCODE BACK TO THE BOROUGH OF HARRINGTON PARK**

WHEREAS, the Mayor and Council of the Borough of Harrington Park have determined to transfer jurisdiction of the elevator safety enforcement subcode back to the Borough of Harrington Park; and

WHEREAS, at the current time, the New Jersey Department of Community Affairs has that jurisdiction, but pursuant to NJAC 5:23-43(a)3, the Borough has the right to re-acquire jurisdiction of the elevator subcode duties by enacting a resolution; and

WHEREAS, the Mayor and Council of the Borough of Harrington Park believe that it will be more cost effective and efficient for the Borough to provide those elevator inspection services;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that pursuant to NJAC 5:23-43(a)3, the jurisdiction of the elevator safety subcode shall be transferred from the Department of Community Affairs to the Borough of Harrington Park; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Department of Community Affairs since the transfer of jurisdiction does not occur until 120 calendar days after a certified copy of the resolution is received by the Department of Community Affairs.

FINALLY, BE IT RESOLVED, that the Borough of Harrington Park has entered into a contract with New Jersey Technical Services (NJTS) Inc., 100 Schraalenburgh Road, Harrington Park, New Jersey to assume responsibility of the elevator subcode on the Borough's behalf as an authorized third party elevator inspection agency. In conformance with NJSA 40A:11-1(a), solicitation of quotations is not required due to the estimated annual cost of the contract. The Borough and NJTS are willing to assume responsibility of the elevator safety inspections prior to the 120 day transfer period if it is convenient to the Department of Community Affairs.

Addendum B
RESOLUTION

UTILITY SURVEY SERVICES FOR OLD BURYING GROUND

WHEREAS, the Borough of Harrington Park has received proposals for radar detection services for the Old Burying Ground ; and

WHEREAS, the lowest proposal was submitted by Utility Survey Corp. 87 East Main Street, Washingtonville, New York , which proposal includes the following:

\$6000.00 underground location services and hand sketch
Alternate fee for additional work outside the requested area \$1500.00/day
Alternate fee for unforeseen conditions \$1500.00/day
Above all inclusive of mobilization, travel and tolls costs

WHEREAS, the proposal has been reviewed by the Borough engineer who has recommended that the proposal from Utility Survey be awarded; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for this project.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that it does hereby hire the services of Utility Survey to

utilize ground penetrating radar to help determine the location of possible graves, headstone and/ or footstones within a 200' by 200' area at the Old Burying Ground.

Addendum C
RESOLUTION
TO ADVERTISE FOR BIDS

BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park, Bergen County, New Jersey upon the recommendation of the Borough Engineer, Michael J. Neglia, that the plans & specifications for:

NJDOT FUNDED PROJECT
PARKSIDE ROAD (SECTION 4) & HARRIOT PLACE
BOROUGH OF HARRINGTON PARK
BERGEN COUNTY, NEW JERSEY

Are hereby approved and the Borough Clerk is hereby authorized to advertise for bids. This Resolution to take effect immediately.

Addendum D
RESOLUTION

Social Affairs Permit-Harrington Park Fire Company
Comedy Night-March 15, 2014

BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that it has no objection to granting permission for the to apply for a Social Permit for the Comedy Night Fundraiser to be held at the Harrington Park Fire House, 13 Kline Street, Harrington Park on March 15, 2014 from 7:00pm-1:00am where malt beverages, wine and spirits will be served.

BE IT FURTHER RESOLVED that the Police Chief Albert Maalouf, has no objections to the filing of said application, and the Borough Clerk has certified that not more than 25 Social Permits have been authorized for these premises during this calendar year.

NOW, THEREFORE BE IT RESOLVED that the Borough Clerk be authorized to sign said application and forward same to the Department of Law & Safety, Division of Alcoholic Beverage Control, Trenton, with a check for \$100.00

Addendum E
RESOLUTION

Municipal Alliance 2014

WHEREAS, the Mayor and Council of the Borough of Harrington Park on this 18 day of February 2014 in the County of Bergen, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Mayor and Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Mayor and Council have applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Harrington Park, County of Bergen, State of New Jersey, hereby recognizes the following:

1. The Mayor and Council do hereby authorize submission of an application for the Harrington Park Municipal Alliance grant for calendar year 2014 in the amount of \$9,520.00.
2. The Mayor and Council acknowledge the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Addendum F
RESOLUTION

TO ADVERTISE FOR BIDS

BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park, Bergen County, New Jersey upon the recommendation of the Borough Attorney that the plans & specifications for:

FIELD MAINTENANCE CONTRACT
BOROUGH OF HARRINGTON PARK
BERGEN COUNTY, NEW JERSEY

Are hereby approved and the Borough Clerk is hereby authorized to advertise for bids. This Resolution to take effect immediately.

Addendum G
RESOLUTION

Field Usage Speed Soccer Camp

WHEREAS, Mark Torrie DBA Speed Soccer, LLC has requested to lease the lower front field Highland Field for the sole purpose of operating a soccer camp for the following date:

2014 Speed Soccer Camps at Highland Field

- o April Camp (9am-12noon) from Monday 4/14/2014 through Friday 4/18/2014
- o July Camp (9am-2pm) from Monday 7/21/2014 through Friday, 7/25/2014
- o August Camp (Rec 9am-12noon, Travel 5pm-8pm) Monday 8/11/2014 -Friday, 8/15/2014

WHEREAS, Speed Soccer Camp has agreed to pay a fee of \$600 per session for use of the facility of the specified dates, whether the field is used or not; and

WHEREAS, said fee shall be paid by the end of the rental period payable to "The Borough of Harrington Park-Recreation Trust"; and

WHEREAS, the Borough has determined that Speed Soccer, LLC is a responsible company.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Harrington Park hereby authorizes the Speed Soccer, LLC to rent Highland Field in

accordance to Harrington Park Recreation Field Use Agreement during the weeks noted above at the fee of \$600 per week to be paid pursuant to the Agreement

Addendum H
PAYMENT OF CLAIMS CERTIFICATION

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

2013 Appropriation Reserve	\$	9,091.29
2014 Current Fund	\$	992,309.78
Payroll Jan. 24 and Feb. 7	\$	202,612.17
Borough Share S.S/Medicare/Unemp (January, 2014)	\$	8,508.88
Trust Fund	\$	100.00
Capital Fund	\$	2,230.40
Dog Fund	\$	798.60
TOTAL		\$1,215,651.12

JUDITH CURRAN, CFO,
FEBRUARY 18, 2014

Addendum I
RESOLUTION
BOROUGH OF HARRINGTON PARK GREEN GROUNDS AND
MAINTENANCE POLICY

WHEREAS, the Mayor and Council of the Borough of Harrington Park are desirous to incorporate Green Grounds and Maintenance practices into the current grounds maintenance operation; and

WHEREAS, this policy shall incorporate efficient landscape design, energy usage, water consumption and pest management; and

WHEREAS, utilization of recycled materials and composting shall also be included as part of this policy; and

WHEREAS, that the Green Team, which was formed to develop strategies that will reduce the impact on the environment in the pursuit of obtaining Sustainable New Jersey Certification for the Borough of Harrington Park, in conjunction with the Environmental Commission, created and support the Borough of Harrington Park's Green Grounds and Maintenance Policy.

BE IT RESOLVED, that the Mayor and Council of Harrington Park are deeply appreciative and supportive of the Green Team and Environmental Commission by approving the implementation of the Green Grounds and Maintenance Policy into the current grounds maintenance practices.

1/27/14

Final inspection for Laroche paving-NJDOT (Neglia)

PSEG request for construction locations for 2014.

Cablevision franchise fee payment correspondence.

Court Clerk invoice for 2013.

County Executive correspondence regarding SWAT team usage.

1/28/14

Resume received from Ms. Karen Frederick, Montvale, NJ.

1/30/14

Several emails re: lighting at Highland Field, Open Space at school and at the OBG.

NJSEM update for O & R.

1/31/14

Neglia correspondence to PSEG RE: upcoming road projects

2/3/14

Recycling Update-February 2014.

1/4/14

LOSAP updated list received from Fire Company.

Confidential package from Brookside Village received-potential litigation.

1/6/14

Neglia Engineering Report for 2014

Request for Senior Service from High School.

NJ Transit funding available under the section 5310 program.

Tax Appeal-160 Bogerts Mill Road.

1/7/14

Confidential Correspondence from Brookside Village regarding property values.

Utility Easement for O & R regarding a wetlands permit.

1/10/14

As Built 15 Taylor Place (Neglia).

Community Hospice has closed its doors.

1/11/14

Email correspondence regarding consideration of remediation at the OBG (Furhman)

BCUA first quarter invoice for 2014 Wastewater Service Charges.

2/14/14

ELECT compliance information to be distributed to councilmembers.

Residents Cindy and Quentin Kennedy will be the Grand Marshals of the 2014 Bergen County Council of Irish Associations parade on March 16 in Englewood NJ

JIF training for police received as part of the municipalities compliance program.

