

**REGULAR MONTHLY MEETING
Mayor and Council
Borough of Harrington Park, New Jersey
February 16, 2016**

(PAH) Call Meeting to Order

Time: 7:01pm

Mayor's Announcement:

In compliance with Chapter 231, Public Law 1975, adequate notice of the SCHEDULED 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
VACANT		
FITZGERALD (LF)		x
PEDERSEN(JP)	x	
CHUNG (JC)	x	

Also present:

Mr. Kunjesh Trivedi, CFO (KJT)

Mr. Matthew Possada, Esq. (For Mr. Dineen, Borough Attorney)

(PAH) 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

Sine Die January 3, 2016

Reorganization Meeting January 3, 2016

Agenda Meeting January 11, 2016

Motion JP

Second AN

No Discussion

Vote AIF

Regular Meeting January 19, 2016 (JP Abstain)

Motion AN

Second JC

Discussion None

Vote AIF, Abstention JP

(PAH) Consent Correspondence

SEE ADDENDUM “AA”

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

Motion JP

Second AN

No Discussion

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 (A-G)

(AN) Authorize Shared Services Agreement for Short Term Emergency Sharing of Fire Apparatus Between The County of Bergen and the Borough of Harrington Park. Addendum A

**(GE) Unexpired Term Appointment of Judge Matthew Fierro B
Municipal Alliance Addendum C**

**(JP) Refund of Overpayment of Taxes Addendum D
Resolution Authorizing Refund of Refund Redemption Monies to Outside Lienholder Addendum E**

Payment of Claims Addendum F

(ALB)Amendment to OPRA and OPMA Addendum G

Motion JP

Second AN

Discussion None

Vote AIF

Individual Committee Reports

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

Building Department took in \$8867 in fees for the month of January. This is up \$744 over 2015.

Fire Department had 24 calls, 1 Hazmat Drill with New Milford Fire Department and the County. 1 mutual aid call to Alpine, Old Tappan and 2 to Norwood.

2 Dills were held, 1 Officer's Meeting and 2 Truck Inspections.

The turntable on Truck 569 Ladder is back in service.

A FEMA grant has been submitted

The Fire Chief attended training in Mahwah regarding accountability of first responders.

(GE) Police, Municipal Court, Personnel

() DPW, Recycling, Building & Grounds, Sanitation/Recycling

(LF) Board of Health, Environmental Commission

Reported by JC:

Board of Health: Next meeting is in March.

Environmental Commission: The EC will be applying for \$1500 Open Space Watershed Grant.

Spring Clean up at George Street Park-March 12th. Rain date March 19th.

Paper Shredding Day is April 23, 2016. Discussion followed inquiring why it was not scheduled at the same time as History Day or the Garden Club Plant Sale.

ALB explained that this date is chosen in November of 2015 and even as of this date she has not been notified when History Day or the Plant Sale is scheduled.

ALB attempted to change the day and also suggested to the EC that Town Day may be a good alternative. After contacting the BCUA moving the date to another day in April was not an option. The EC informed Alb that the date will stay as scheduled.

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

Meeting was held on February 13, 2016-Budget items were reviewed. Surplus will be increased. Auditors have started their process to end 2015.

The budget is under the 2% CAP, and overall taxes may increase 2.5%. Major reason is that the Borough bonded for capital items and now it's time to pay for them. This increase amounts to about \$75 for the average household. Over the past two years the tax increase is averaged at 1.26%-2015 the municipal taxes were flat.

This is a tremendous accomplishment for the Mayor and Council-The budget is lean and municipal services have not decreased.

PAH thanked all involved with the process. Mr. Trivedi has proven himself over and over, by working well with Council to provide a working budget for all departments at minimal cost to our residents.

(JC) Recreation Commission, Liaison to Board of Education, Public Information
Ordinance will be introduced tonight to increase filed fees and enforce tennis badges.

Commission coaches will all be required to take the Rutgers Safety Concussion training which will be hosted in Harrington Park.

(PAH) Mayor Hoelscher

Councilwoman Chung appointed to DPW Committee to replace Michael Rutigliano who resigned from Council.

Megan Dippolito appointed to Recreation Commission to fill Unexpired Term of Siobhan Bailey-Ms. Bailey is now the Borough Prosecutor so she cannot hold that position. Ms. Dippolito will fill the unexpired term through 2017. Ms. Dippolito brings quite a bit of understanding of organized sports groups and the overall benefits of good health since she currently runs a Couch to 5K program that is open to all ages.

Request for Motion to Appoint-Robert Budinich appointed to Board of Adjustment Alternate B

There was a misunderstanding regarding the original appointment to the Board of Adjustment. Mr. Lander chose not to assume the position and was not sworn in. Motion to approve Mr. Robert Budinich as Alternate B to the Board of Adjustment was made by Councilman Napolitano, with a second by Councilman Pedersen. With no further discussion, Roll Call Vote-AIF

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

Old Business

(AN) COAH-Planner has submitted the Affordable Housing plan to the County and is currently under review. The Borough' submission was very detailed and should be a viable piece of evidence for the March 2016 hearing.

PAH thanked AN for his follow up and hopes that the County Judge will make an informed decision.

New Business

(KJT) Draft of budget was distributed for review. He is aiming for Introduction in March with Adoption in April 2016.

(PAH) Mayor's Report

- Council waiting for a statement of replacement nominees for the current vacancy
- Will be attended Riverside Cooperative meeting which discusses a variety of cost saving activities
- March 15, 2016 JIF Safety Breakfast-Borough should be receiving an award.
- Will be having a meeting at the end of the month with the new Ad-Hoc Welcome Committee to create a new resident book

- Discussions took place with a local photographer that would like to be involved with our social media to provide local photographs.

ORDINANCES AND RESOLUTIONS

(AN) Proposed Ordinance #701 False Fire Alarms-First Reading by Title-Addendum H

Motion AN

Second JP

No Discussion

Roll Call Vote-AIF

(JC) Proposed Ordinance #702 Recreation Fees Addendum I

Motion JC

Second AN

No Discussion

Roll Call Vote-AIF

Meeting Open to Public

Motion AN

Second JP

Vote AIF

Meeting Closed to Public

Motion AN

Second JP

Vote AIF

Closed Session Time: None

Motion

Second

Vote

Adjournment Time: 7:26pm

Motion JP

Second AN

Vote AIF

Addendum A
Resolution 2016-40

**AUTHORIZE SHARED SERVICES AGREEMENT FOR SHORT TERM
EMERGENCY SHARING OF FIRE APPARATUS BETWEEN THE COUNTY
OF BERGEN AND THE BOROUGH OF HARRINGTON PARK.**

WHEREAS, the County of Bergen operates the Bergen County Law and Public Safety Institute (the “Institute”); and

WHEREAS, the County of Bergen owns certain fire apparatus, including ladder vehicles and engines (Fire Apparatus) used for training firefighters; and

WHEREAS, in furtherance of the County Executive’s shared services initiative, the County seeks to establish a program to make certain Fire Apparatus available to the municipalities within Bergen County on a temporary/ emergency basis for use as front line fire apparatus when not needed for training purposes (Fire Apparatus Loaner Program); and

WHEREAS, the County has determined that by entering into a Shared Service Agreement governing the terms for borrowing the County’s Fire Apparatus in advance of a municipality’s need to utilize the Fire Apparatus, the parties will be able to facilitate the prompt availability of the Fire Apparatus at such time as a municipality has a need to utilize it;

WHEREAS, the governing body of the Borough of Harrington Park has determined that it is in the best interest of the residents and taxpayers of the municipality to enter into the SHARED SERVICES AGREEMENT FOR SHORT TERM EMERGENCY SHARING OF FIRE APPARATUS BETWEEN THE COUNTY OF BERGEN AND THE BOROUGH OF HARRINGTON PARK, subject to the terms and conditions set forth in the Agreement,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Harrington Park as follows:

1. The recitals set forth above are incorporated into the body of this resolution as if set forth at length herein.
2. The Borough of Harrington Park hereby accepts the terms of the Agreement from the County of Bergen as set forth above, subject to the terms of the Agreement annexed hereto as Exhibit A.
3. The Borough of Harrington Park is hereby authorized to execute an Agreement with the County of Bergen in the form annexed hereto as Exhibit A, together with any other documents necessary to implement the Fire Apparatus Loaner Program as set forth in the Agreement and all other documents to be in forms approved by the County of Bergen Counsel.

Addendum B
Resolution 2016-41

**APPOINTMENT OF BOROUGH MUNICIPAL JUDGE TO FILL
UNEXPIRED TERM**

WHEREAS, Borough Municipal Judge Roger Hauser has submitted to the Mayor and Council his resignation of his position.

WHEREAS, there exists a need for a Borough Municipal Judge; and

WHEREAS, funds are available for that purpose; and

WHEREAS, NJSA 2B:12-4 confirms and substantiates that need.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Harrington Park does hereby confirm the appointment of Judge Matthew Fierro, Esq. as Municipal Judge for the Borough of Harrington Park, County of Bergen, State of New Jersey, to fill the unexpired term of Judge Roger Hauser.

BE IT FURTHER RESOLVED that Judge Matthew Fierro's term begins January 1, 2016 and will expire on December 31, 2017 at compensation as per the salary ordinance.

Addendum C
Resolution 2016-42

Municipal Alliance

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliance for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Mayor and Council of the Borough of Harrington Park, 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 therefore has an established Municipal Alliance Committee; and

WHEREAS the Mayor and Council of the Borough of Harrington Park 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 of the Borough of Harrington Park has 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 authorize submission of a strategic plan for the Harrington Park Municipal Alliance Grant, for Fiscal Year 2017 in the amount of:

DEDR	\$9,520.00
Cash Match	\$2,280.00
In Kind	\$7,140

The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance Grant including the administrative compliance audit requirements.

**Addendum D
Resolution 2016-43**

Refund due to overpayment of Property Taxes due to a DOUBLE PAYMENT by previous homeowner's lender authority and the new homeowner (Xu Juan) on:

BLOCK	LOT	HOMEOWNER	ADDRESS	AMOUNT	QTR
711	7	Mariana Nunez, Elvin Fernandez	144 Spring St	\$2814.57	1 st 2016

WHEREAS, ENVOY MORTGAGE are entitled to a refund of property tax due to an overpayment on 1/29/16 by Lereta.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that the Chief Financial Officer shall issue refunds in the total amount of \$2814.57 for overpayment of the 2016 property taxes

**Addendum E
Resolution 2016-44**

**RESOLUTION AUTHORIZING REFUND OF REFUND REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on December 18 2014, a lien was sold on Block 501.01 lot 8 Qual CW112 also known as 60 Blanch Ave unit 112 for 2013 delinquent taxes, and

WHEREAS, this lien, known as Tax Sale certificate # 14-00001, was sold to \$26.37 for 0% redemption fee and \$4000.00 premium and.

WHEREAS, Wayne A Stahlmann, Owner 's Attorney has effected redemption of certificate #14-00001 in the amount of \$5286.78.

NOW, THEREFORE, BE IT RESOLVED, That the Treasurer be authorized to issue a check in the amount of \$5286.78 to Leed Capital, LLC 946 Hackensack, NJ 07601 for redemption of Tax Sale Certificate number 14-00001

BE IF FURTHER RESOLVED, That the Treasurer be authorized to issue a check in the amount of \$4000.00 (Premium) to the aforementioned lienholder.

Addendum F
Resolution 2016-45

WHEREAS, claims have been submitted to the Borough of Harrington Park in the following amounts under various funds of the town:

Current Appropriations (2016)	\$ 711,815.32
Current Appropriations (2015)	\$ 109,084.99
General Capital Fund	\$ 13,151.00
Animal Trust	\$ 1,675.58
Miscellaneous Trust	\$ 6,750.10
Affordable Housing Trust	\$ 0.00
Open Space Trust Fund	\$ 1,030.66
Grants	\$ 1,032.50

Total	\$ 844,540.15
--------------	----------------------

WHEREAS, above claims have been listed and summarized in the attached Bills List Report, and the corresponding vouchers have been reviewed and approved by the department head, Borough Council, and the chief financial officer; and

WHEREAS, the Chief Financial Officer has determined that the funds have been properly appropriated for such purposes and are available in the Borough of Harrington Park and that the claims specified on the schedule attached hereto, following examination and approval by the Council and Chief Financial Officer and Department Head be paid and checks issued accordingly; and

WHEREAS, claims have already been paid in the following amounts for the purpose specified below:

Payroll- Salaries/Wages	01/08/2016	\$ 101,976.60
Payroll- Salaries/Wages	01/22/2016	\$ 102,468.00
Payroll- Salaries/Wages	02/05/2016	\$ 113,021.17
Health Benefits January and February 16		\$ 78,271.75
Local School January 2016		\$ 936,367.00
Regional School January 2016		\$ 646,235.25
Debt Services		\$ 38,182.32

TOTAL	\$ 2,016,522.09
--------------	------------------------

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that the claims totaling **\$ 2,861,062.24** be approved and ratified respectively.

Addendum G
Resolution 2016-45
Amendment to OPRA OPMA

Whereas, Senate Bills S781 and S 782 are attempting to further revise our current OPRA and OPMA laws in the name of transparency; and

Whereas, the Borough of Harrington Park joins in the position of the Bergen County League of Municipalities that the existing OPRA and OPMA laws already make municipalities transparent; and

Whereas, the Borough of Harrington Park endorses the resolution attached herewith as submitted by Ann Fay, Executive Director of the Bergen County League of Municipalities.

Now therefore, be it Resolved by the Mayor and Council of the Borough of Harrington Park agree that the Senate and Assembly should take no further action on Senate Bills S781 and S782 to amend the Open Public Records Act and the Open Public Meetings Act

Addendum H
ORDINANCE CONCERNING FALSE FIRE ALARMS
BOROUGH OF HARRINGTON PARK
Proposed ORDINANCE # 701

WHEREAS, the Harrington Park Fire Department is charged with responsibility to protect the lives and property of the citizenry of the Borough of Harrington Park,

WHEREAS, the ability to provide life and property firefighting services is greatly hampered by the response of the Harrington Park Fire Department to alarms that are unnecessary and false,

WHEREAS, it has been reported that the Harrington Park Fire Department is experiencing an inordinate amount of "false fire alarm" notifications,

WHEREAS, The Mayor & Council have determined that procedures must be adopted to address these "false fire alarms" by requiring owners of property to assure that their alarm systems are constantly monitored and repaired,

WHEREAS, this Ordinance shall in no way modify those "false alarms" deliberately made by any individual or entity and as otherwise specifically addressed by any other New Jersey statute, rule or regulation, which carries its own predicate fines and penalties,

NOW THEREFORE BE IT ORDAINED that the Borough of Harrington Park hereby adopts, ratifies and confirms the language written below and referred to as "Ordinance concerning False Fire Alarms"

Excessive False Fire Alarm Fines

- A. A false fire alarm shall be any transmission, either directly or indirectly, to the Harrington Park Fire Department of any automatic fire alarm, smoke alarm, carbon monoxide alarm, fire sprinkler water flow alarm, which was not caused by an actual fire, smoke condition, or other condition requiring the response of the Harrington Park Fire Department.
- B. The Harrington Park Fire Department shall investigate and determine the cause of any false alarm, as it is defined in this section, and shall maintain a list of all false alarms. Said list shall identify the location of each false alarm, the number of false alarms at the location, and the reason for the false alarm.
- C. Upon the determination that a false alarm has occurred, the Fire Chief or his designated representative shall promptly notify the Fire Marshal, who shall issue a violation notice to the alarm user or proprietor advising that all subsequent false alarms shall be a violation of this code subject to an excessive false alarm fine.
- D. An alarm user, at a single site, will receive one free false alarm per year. If the alarm user changes (e.g., sale of business) the new alarm user will receive one free false alarm during the current year.
- E. If it becomes necessary to assess an excessive false alarm fine, the Fire Marshal shall serve upon the user in person or send a penalty notice to the alarm user by mail. The notice shall include:
 - (1) The date, time, and location of the false alarm.
 - (2) The amount of the fine.
- F. Payment of the false alarm fee must be received within 14 calendar days from the date of delivery as listed on the certified mail receipt.
- G. All provisions of the New Jersey Uniform Fire Code with respect to the maintenance of fire alarms shall continue to apply.

Violations and Penalties

- A. The following penalties shall apply to false alarms at commercial properties:

False Alarm Number	Fine
1st	WARNING ONLY
2nd	\$200
3rd	\$300
4th	\$500
5th or more	\$1000

These penalties shall reset and start anew on January 1st of each year.

- B. All penalties assessed for violations of this article shall be paid into the Harrington Park Fire Department penalty account.

Any provision of this ordinance found to be in conflict with any other law, rule or regulation shall be stricken and all other provisions herein shall survive and remain in full force and effect.

I certify that the within ordinance was passed on first reading on February 16, 2016.

Addendum I

BOROUGH OF HARRINGTON PARK

Proposed ORDINANCE #702

RECREATION FEES

**AN ORDINANCE TO AMEND & ESTABLISH FEES TO BE CHARGED BY THE
RECREATION COMMISSION FOR USE OF RECREATIONAL FACILITIES**

Whereas, the Mayor and Council of the Borough of Harrington Park have determined that it is in the best interest of the Borough to amend or create certain fees and to provide for payment of others as may be recommended by the Recreation Commission; and

Whereas, the amendment/establishment of such fees shall provide for better, improved and continued Borough services as specifically considered and approved by the Recreation Commission;

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Harrington Park as follows:

- 1) Section 373-4 shall be established and provide for fees to be paid for the use of Borough of Harrington Park recreational facilities as follows:
 - a) Tennis Badges shall be sold at the rate of \$25 per individual or family for residents of the Borough of Harrington Park.
 - b) Field Usage Fee shall be \$75 per game/practice per field.

I hereby certify that the above referenced Ordinance was duly adopted by the Mayor and Council of the Borough of Harrington Park by way of a first reading on February 16, 2016.

AA Correspondence

1/21/2016

Riverside Cooperative Minutes

Historic Preservation Advisory Board Correspondence for Awards-May 2016.

1/25/2016

Cablevision franchise fees have been received \$34,404.00

Pulte Group has requested to be added to our Inclusionary Housing list-forwarded to Planning Board

PSEG annual construction list to be submitted by April 1, 2016.

1/27/2016

Pseg Road Opening for New Construction on Lynn Street

Maint Bond Diamond Construction (Lafayette Road and Rugen Drive)

2/2/16

Resolution from Old Tappan in opposition to SUEZ rate increase.

Recycling Update Feb 2016

OPRA-film permits, recycling agreement, police contracts

County of Bergen Fire Truck Loaner Program.

O & R request for construction updates for 2016.

Idling Train Resolution from Board of Health.

Neglia response to PSEG for upcoming construction projects in the Borough

Wilentz et al correspondence for approval to extend referendum vote for School Board on March 8, 2016 from 7am-9pm

2/3/2016

Tidelines-Winter 2015

BCUA Tonnage Report Notification of Submission by April 30, 2016

Email from Historical Society to County regarding OBG

O/R correspondence regarding upcoming construction and our roadways.

2/4/2016

School Referendum 7am-9pm time change March 8, 2016.

2/5/2016

US Census correspondence to participate in upcoming survey.

2/8/2016

Bergen Community College Newsletter

2/9/2016

MSI Cyber Security class listing

Preliminary Draft Renewal of Tier A MS4 NJDES Permit for Neglia Review

2/11/2016

Annual Financial Statement for 2015 received.

2/12/2016

Foreclosure-287 Lynn Street B702/3

