

REGULAR AGENDA MEETING
Mayor and Council
Borough of Harrington Park, New Jersey
March 14, 2016

(PAH) Call Meeting to Order

Time: 7:00pm

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.

(ALB) Roll Call:

	PRESENT	ABSENT
NAPOLITANO(AN)	x	
EVANELLA (GE)	x	
VACANT		
FITZGERALD (LF)	x	
PEDERSEN (JP)	x	
CHUNG (JC)	x	

Also present:

Ms. Ann H. Bistritz, Borough Clerk (ALB)

Mr. Kunjesh Trivedi, Borough CFO/ CTC (KJT)

(PAH) Suspend the Regular Order of Business

Motion GE

Second JP

Vote AIF

(PAH) Since there was public present the Mayor requested a motion to open the meeting to the Public

Motion GE

Second JP

Vote AIF

(PAH) Welcomed two newly “crossed- over” Boy Scouts, Michael Mullany and Tyler Degnan. PAH informed the public and the Council about the ceremony he attended earlier in the month, and how proud he is of the achievements of all the scouts (Boy and Girl) of Harrington Park. These two scouts are passionate about informing the public about the dangers and concerns about feeding the deer and other wild life. They asked the Mayor to help them spread the word, of which he will do in the Borough Newsletter. PAH also recommended that Councilmembers share this message as well. Especially since recently there was a bear sighting in the area.

Both scouts provided their personal comments about the feeding the deer and that it spreads disease and can cause accidents on the roads, and that they want to help keep their town safe.

Ms. Gerri Gibney, Historical Society, Arts Council and Garden Club President

Ms. Gibney has great concerns regarding the Borough newsletter, email blasts and social media. The newsletter is not timely; the email blasts do not contain information that pertains to local organizations, as well as the Borough Facebook page. She would like Council to enable whoever sends out the emails to include information for all the local entities. The newsletter editor needs to provide those who provide information a definitive schedule of IN HOUSE delivery so plans can be made accordingly. Event details are missed by the public and local organizations are adversely affected by the lack of concern for timeliness.

Email blasts in the past contained information for Borough events, but information for local organizations that were participating in the same event were omitted. Ms. Gibney stated the organizations she represents are legitimate organizations that provide a great service to the community, and they should have proper representation as well.

A discussion followed regarding Ms. Gibney's investigation with the Edison Post Office which is a processing center. She was informed that the lead time issues the Borough must be the mail house and the printer, not the post office. Ms. Gibney suggested that the Borough look into changing printers, since they are not providing adequate service to the community.

Also requested from Ms. Gibney was consideration of video of meetings so they can be viewed on social media and YouTube.

PAH thanked Ms. Gibney for her suggestions and comments. PAH noted the positive efforts of the Arts Council and that he would be attending meetings in the future since the three-town group for fine arts did not come to fruition. For the newsletter, the amount of funds to produce "x" amount of issues is determined by how many advertisements are purchased. This year fewer ads have been sold and Suez only provided \$2500 for printing costs (\$5000 in past years). PAH will have the issues with the printer reviewed and will reach have someone speak with the local postmaster. Some matters are out of the Borough's control. The Borough newsletter has always been received in a very positive manner. Several years ago, Council had voted to discontinue the Borough newsletter which had a negative impact. PAH will have JC look into how to streamline deadlines and review policies from other municipalities.

PAH once again thanked Ms. Gibney for her comments.

Meeting Closed to Public

Motion JP

Second JC

Vote AIF

(KJT) This year our budget includes a bond payment, which we did not have last year. Surplus funds were added to the budget (\$358,000) leaving approximately \$642,000 in surplus funds for emergency purposes. The average homeowner will see a \$75 increase in their municipal portion of the budget. Combined with the zero increase last year, the average increase over the past two years is 1.256% or \$37.65 per year.

PAH added that the State has so many unfunded mandates and COAH expenses that adversely impact our budget.

(JC) 2016 Budget Introduction
First Reading by Title-Ordinance #703-Addendum A
Motion JP

Second GE

Discussion: PAH stated that this standard municipal budget procedure and part of the annual adoption process.

Roll Call Vote -AIF

Resolution 2016-46-Addendum B

Computation of Reserve for Uncollected Taxes – 2016 Budget

Motion JP

Second JC

Discussion PAH noted that the amount of uncollected taxes has been greatly increased which is very positive for the Borough.

Roll Call Vote AIF

Resolution 2016-48-Addendum C

Authorizing Increase in Deferred School Taxes for Local District School Taxes

Motion JP

Second JC

Discussion GE inquired to KJT to explain the process of school tax billing with regard to the Borough. KJT explained that there is generally amount left at the end of the year due to the different budget cycles between the Borough and the Board of Education. The municipal budget works with an expected increase from the school but at the time of budget adoption there is not a definitive number.

Roll Call Vote

Resolution 2016-47-Addendum D

Introduction of 2016 Budget

Motion JP

Second JC

Discussion none

Roll Call Vote AIF

(PAH) Request to Return to the Regular Order of Business

Motion GE
Second AN
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.

Consent Approval Items (E-I)

(GE) OLV Holy Thursday Street Closing Addendum E

(JP) Beautification Committee Trust Fund Resolution Correction Addendum F

(JC) Club 60 Resolution for Use of Borough Hall Parking Lot Addendum G

() Change Order Riverside Cooperative Paving-JA Alexander Addendum H

() Close Out Riverside Cooperative Paving-JA Alexander Addendum I

Motion

Second

Roll Call

Individual Committee Reports

(PAH) Mayor Hoelscher

Police presence at OLV for traffic direction during 4:30pm Mass.

Several residents who live on Harriot Avenue have requested help since the area is very congested and it can be difficult to see clearly to get out of a driveway. In addition, people cross the street between parked cars and it is an accident waiting to happen.

Addendum G

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

(GE) Police, Municipal Court, Personnel

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

(LF) Board of Health, Environmental Commission

Report on Ice Cream Truck Vendor Ordinance

This ordinance can be approved at the Board of Health level. LF will discuss further with Mr. Apa. Also it needs to be determined if additional background checks need to take place if a vendor has had one done in another municipality. GE will check with Chief Maalouf.

Environmental Commission had a great response to the George Street/Tennis Court clean up.

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

(JC) Recreation Commission, Liaison to Board of Education, Public Information

(ALB) Borough Clerk/Administrator

DPW Report-February

Public Information Procedures

Request for Show Mobile from County

Lions Club Request for Parking Lot Usage May 14, 2016

JIF Report of Improvements-Borough Hall, DPW and Library

Curb Construction on Lynn Street prior to Paving

March 21, 2016 Meeting-

Second Reading Excessive False Alarm Ordinance

Second Reading Recreation Fees Ordinance

Award Generator Grant

Stormwater Mgt. Annual Report Filing (Neglia)

Idling Trains Resolution-Board of Health

Field Use Permits-Baseball/Soccer Camps

GIS Data Exchange Agreement with County

Close Out-Diamond Contracting-Swim Club Crossing

LOSAP Certif. Resolution for Fire/Ambulance

Resolution HP Swim Club Ad Hoc for Insurance

Old Business

None

New Business

(JC) Meeting will be held with ALB and Ms. Lee, editor of the Newsletter to discuss time lines for print and options available for municipal entities and local organizations that are affiliated with the Borough.

ALB will reach out to other municipalities for their policies and something can be appropriately formulated.

Meeting Open to Public

Motion

Second

Vote

Meeting Closed to Public

Motion

Second

Vote

(PAH) Motion for Closed Session GE Time: 7:40pm

**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) Contractual Negotiations and Potential Litigation

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 9:30pm

Adjournment-Time: 9:30pm

Motion: GE

Second: JP

AIF

Addendum A

Ordinance #703

**CALENDAR YEAR 2016 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A-4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Harrington Park in the County of Bergen finds its advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget of said year, amounting to \$167,281 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Harrington Park, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Harrington Park shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$167,281, and that the CY 2016 municipal budget for the Borough of Harrington Park be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Addendum B
Resolution 2016-46
Computation of Reserve for Uncollected Taxes – 2016 Budget

WHEREAS, pursuant to N.J.S.A. 40A:4-41, a municipality must include an appropriation for “Reserve for Uncollected Taxes” in its annual budget where less than 100% of current tax collections may be and are anticipated; and

WHEREAS, receipts from the collection of taxes levied or to be levied in the municipality and payable in the fiscal year shall be anticipated in an amount which is not in excess of the percentage of taxes levied and payable during the next preceding fiscal year which was received in cash by the last day of the preceding fiscal year; and

WHEREAS, if tax appeal judgments of the county tax board pursuant to R.S. 54:3-21 et seq. and/or the State tax court pursuant to R.S. 54:48-1 et seq. result in tax reductions for the previous fiscal year, the governing body of the municipality may elect to calculate the current year reserve for uncollected taxes by reducing the certified tax levy of the prior year by the amount of the tax levy adjustments resulting from those judgments; and

WHEREAS, Sheet 22 of the Borough’s Annual Financial Statement for the year 2015 reflects reductions due to tax appeals of \$52,963 which when reduced from the 2015 tax levy results in the 2015 tax collection rate being 99.09 percent; and

WHEREAS, the election of this choice to calculate the “Reserve for Uncollected Taxes” for the 2016 municipal budget shall be made by resolution approved by a majority of the full membership of the governing body prior to the introduction of the 2016 municipal budget pursuant to N.J.S.A. 40A:4-5.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Harrington Park elects to calculate the “Reserve for Uncollected Taxes” appropriation for the 2016 municipal budget by reducing the certified tax levy of the prior year by the amount of tax levy adjustments of the county tax board pursuant to R.S. 54:3-21 et seq., and State tax court pursuant to R.S. 54:48-1 et seq., in order to calculate the prior year tax collection rate.

Addendum C
Resolution 2016-48

Authorizing Increase in Deferred School Taxes for Local District School Taxes

WHEREAS, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral amount, and

WHEREAS, the Borough desires to increase the Deferred School Taxes to an amount permitted under State statutes and to be effective at December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council that the following Deferred School Taxes be hereby increased for the year ended December 31, 2015 as follows:

	Deferred Local District School Taxes
Amount Deferred 12/31/15	\$5,618,201
Amount Deferred 12/31/14	<u>5,456,621</u>
Amount of Increase	<u>\$ 161,580</u>

BE IT FURTHER RESOLVED, by the Borough Council that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

Addendum D
Resolution 2016-47
Introduction of 2016 Budget

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Borough of Harrington Park, Bergen County, New Jersey for the year 2016.

BE IT FURTHER RESOLVED, that the said budget be published in The Record in the issue of March 30, 2016, and that a hearing on the Budget will be held at the Municipal Building on April 11, 2016 at 7:00 o'clock (P.M.) or as soon thereafter as the matter may be reached.

Addendum E
RESOLUTION 2016-49

Therefore Be it Resolved, The Mayor and Council of the Borough of Harrington Park approve the street closure of Lynn Street between The Parkway and Harriot Avenue on Thursday, March 24, 2016 between 7:30 and 9 p.m. at the request of Our Lady of Victories Church for purposes of a procession from the gymnasium to the church for Holy Thursday Services. Request shall be coordinated with the Chief of Police and DPW Superintendent.

Addendum F
Resolution 2016-50
BEAUTIFICATION COMMITTEE TRUST FUND

WHEREAS, N.J.S. 40A:4-39 provides that a municipality may dedicate certain revenues in any budget when the character of the revenue is not subject to reasonably accurate estimate in advance by including in said budget a statement dedicating such revenues to the purpose or purposes for which they are received; and

WHEREAS, the Borough will receive contributions and fundraise under N.J.S.A. 40A:5-29 for the **Harrington Park BEAUTIFICATION COMMITTEE Trust Fund** and these funds are to be used solely towards the purchase of supplies and planting/gardening materials for the beautification of the municipality.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that revenues received for the Harrington Park Beautification Committee Trust Fund are hereby dedicated and shall be made available to the Harrington Park Beautification Committee expenditures for the purpose stated above as and when received in cash during the fiscal year.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Harrington Park that two (2) certified copies of this Resolution be filed with the Director of the Division of Local Government Services

Addendum G
Resolution 2016-51

Club 60 Use of Borough Hall Parking Lot for Overnight Parking

Be It Resolved that Club 60 members who are participating in the May 2, 2016 trip may park vehicles overnight in the Borough Hall Parking Lot in the spaces along Short Place. Participants shall not park vehicles in the spaces designated for members of the Harrington Park Volunteer Ambulance Corps.

Addendum H
Resolution 2016-52

Change Order for Riverside Cooperative Paving-Lynn Street

Be it resolved by the Mayor and Council of the Borough of Harrington Park of Bergen County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: 2015 Riverside Cooperative Road Improvement Program

CONTRACTOR: J.A. Alexander Inc., 130 John F. Kennedy Dr. N., Bloomfield, NJ 07003

NJDOT CHANGE ORDER No.: 2 & Final

AMOUNT OF CHANGE THIS RESOLUTION: + \$1,448.50 +0.5% Increase

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

Addendum I
Resolution 2016-53

Be it resolved by the Mayor and Council of the Borough of Harrington Park, Bergen County, New Jersey that the contract for the **2015 Riverside Cooperative Road Improvement Program** was constructed by **J.A. Alexander, Inc. 130 JFK Drive North, Bloomfield, New Jersey 07003** in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer. The Contractor having supplied a 15% Guarantee Bond for a period of one (1) years from **November 12, 2015**. The said construction is hereby accepted and final payment in the amount of **Seven Thousand One Hundred Ninety-One Dollars and Ninety-Four Cents (\$7,191.94)** is hereby approved.

This Resolution to take effect immediately.

