

**REGULAR MONTHLY MEETING
Mayor and Council
Borough of Harrington Park, New Jersey
November 19, 2012**

MINUTES

**Call Meeting to Order Time: 7:04pm
(PAH) 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, NORTHERN VALLEY PRESS and the SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting same.

(ALB) Roll Call

	PRESENT	ABSENT
NAPOLITANO	X	
QUANTMEYER		x
EVANELLA	X	
ROTH	X	
DUNLEA	X	
CHUNG	X	

Also present:

Ms. Ann H. Bistriz-Borough Clerk
Mr. John R. Dineen-Borough Attorney
Councilman Elect Pedersen (7:45pm)

(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) Suspension of Regular Order of Business

Motion GE

Second JD

Vote AIF

(PAH/GE) Presentation to Officer Miller (Chief Maalouf)

PAH asked GE and Chief Maalouf to join him to present Officer Miller an Acknowledgement Award for the Apprehension of Seizure of Illicit Drugs.

AM explained that on October 15, 2012 Officer Miller was performing routine traffic enforcement which culminated in a large drug arrest on Bogerts Mill and Old Hook Roads. He used sound police practices and the 12.7 pounds of marijuana seized was one of the largest drug busts in many years. Chief Maalouf stated “He is a fine officer, who performed a fine job and he is confident that the same quality of service will continue.”

GE agreed with the Chief and added that Officer Miller has made the town as well as the Police Committee quite proud.

PAH added that Officer Miller has been a tremendous asset to the town and his work ethic. Officer Miller’s response was “That’s what I’m here for.”

(AN) Recreation Commission-Path Lighting-Highland Field

Stephen Paccico, Chair and Gerry Esposito, members of the Recreation Commission made a presentation to use Penny Tax/ Open Space funding to help maintain the fields throughout the town. SP had spoken to AEM who advised that she was waiting on a legal decision. Mr. Dineen stated that there is some conflict between what the Statute allows and what the Borough Ordinance permits. Once it is determined what is appropriate he will advise Council accordingly.

Recreation has made great strides in creating a strong athletic program and has worked hard to improve our fields. However, it is getting to be expensive to maintain all with budget cuts. There is only so much that can be passed on to families that have children in the various sports program. Packages were handed out for review of Council. The Commission is striving for continuity to maintain what they have and they cannot always achieve that through working with the DPW. The program submitted would cost \$49,000 annually to maintain all fields.

PAH asked if once the fields are brought into better shape, would it cost less to maintain. That is something that needs to be determined.

JD will speak with Mr. Kiernan about working with Recreation and field maintenance.

PAH added that hopefully an answer will be provided early next year so plans may be made accordingly.

GE stated that the Borough needs to take care of its assets and by cutting spending in this area that may have been detrimental.

Mr. Esposito requested future consideration for a matching grant for lighting in the parking lot area at Highland Field. It can be quite dark this time of year walking through the play area to the cars, walking along this path would be a big improvement. Other

considerations should be given to the dredging of Pondsides Park. Closter has currently gone through a similar project. He is going to reach out to them to see how this was set up. A response to the lighting project from Council will be needed in early 2013 so a grant may be applied for. PAH noted that all proper steps of protocol need to be followed for paperwork and use of professionals.

PAH noted that JC, AN, and JD have filled the void for non-attendance by GQ to keep Council informed of Recreation activities.

Open to Public

Motion GE

Second JD

Vote AIF

Mr. and Mrs. Nelson, Columbus Avenue

Mr. and Mrs. Nelson were concerned about the safety at Brookside Village during the past storm. The loss of electricity left the buildings very cold and very dark. Many of the residents were left alone under these adverse conditions. PAH stated that he had spoken with the Borough grant consultants and funding is available if the board at Brookside is open to making their main building a public shelter. PAH was well aware of the situation and had been there several times. Once he brought Mrs. Reardon, resident and nurse to help out anyone who was there with any health issues.

PAH noted that Brookside Village is a private residence so the Borough cannot fund any such project on their behalf. Brookside needs to apply on their own and be open to working with the grant writer and the public. PAH had already spoken to a couple of the Brookside board members who were open to grant funding for generators. Mrs. Nelson asked where shelters are located in the area. PAH stated that Demarest High School was designated for this area, but then they lost electricity. Other than traveling all the way to Paramus, the Community Church offered shelter at their facility, even though they had no electricity.

PAH stated that Brookside Village will be having a Board meeting this week and he hopes they are receptive to the possibility of generators installed for their central areas.

Closed to Public

Motion GE

Second JR

Vote AIF

(GE) Police Committee/Chief Maalouf

Police Committee met to discuss the possibility of switching to 12 hour shifts. Currently one officer is out injured. The Department is already up to \$100,000 in overtime costs (with 8 hour shifts).

If 12 hour shifts were to be considered, under perfect circumstances, 12 hour shifts could save the Borough on overtime. However, with an officer out of the rotation, over time could increase by \$80,000 annually.

The Police Committee determined that at this time, they would not recommend the proposed 12 hour shift change due to the size of the department and the consideration of extenuating circumstances that would result in adding a huge amount to the municipal budget.

The Committee will remain open to any ideas, or options, and even revising this concept in the future.

(AN) Mr. Zavarino-Construction Official

Implementation of Code Official to enforce municipal (not State statutory) Ordinances.

Part time position of at least 5 hours a week to address issues such as: property maintenance, working without permits, illegal operating times, noise issues, snow removal, filming and appear in court when necessary. Many neighboring towns have this position. This enables a secondary pair of eyes to monitor building activity. It is impossible for one person to enforce everything that is necessary. The fees and fines collected through this official will cover the salary. Last year \$2600 was collected from projects that were spotted without permits during Mr. Zavarino's regular rounds through the Borough.

Job description was distributed for review.

AN noted that the Building Department YTD has already taken in \$21,000 more than 2011.

JZ also briefly explained the reduction in fees for boiler replacements in residential units and the inclusion of radon remediation.

Mr. Dineen already prepared an ordinance for first reading if Council so chooses to move ahead.

(PAH) Return to the Regular Order of Business

Motion GE

Second JD

Vote AIF

(PAH) Minutes Approval

Motion: GE

Second: JC

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.

(JR) Tax Court Judgment-Addendum A

Transfer of Funds-Addendum B

Tax Overpayment-Addendum C

Payment of Claims-Addendum D

Fee Change for Newsletter Advertising-Addendum E

(JD) Change Order Lynn Higgins Stream Cleaning Project-Addendum F

Close Out Lynn Higgins Stream Cleaning Project-Addendum G

(AN) Resolution to Advertise for Bid-Triple Pumper Fire Truck H
Motion JR
Second JD
Vote AIF

Consent Correspondence **SEE ADDENDUM “AA”**
Consent Correspondence be accepted and become a part of this meeting without Discussion
Motion JR
Second GE
Vote AIF

Councilman Napolitano

(AN) Planning Bd., Bd. of Adjustment, Construction, Fire
Building Department YTD \$105,000, 2011 YTD-\$86,000.
Thank you to Mr. Zavarino and Ms. Reilly for being so thorough.
Fire Department-25 Alarms- 2 drills, PEOSH inspection, 336 total volunteer man hours
Recreation-Trunk or Treat successful and already moving forward for next year.
Ambulance Corps-Will be meeting to receive the latest specs for the new Ambulance.

Councilman Quantmeyer

(GQ) Recreation Commission, Environmental Commission
Personnel & Performance Evaluations

Councilman Evanella

(GE) Police, Municipal Court, Public Assistance
580 Police Calls, 78 summonses, 740 YTD
3 Mutual Aid, 3 criminal activities, no juvenile
\$12,300 Overtime-\$125,300 with \$32,500 pending for reimbursement
57,488 miles driven YTD.

Councilman Roth

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

Councilman Dunlea

(JD) DPW, Recycling, Building & Grounds
Working with AEM regarding budgetary constraints for 2013 for the DPW contract.
JD is comparing our DPW contract with that of neighboring towns regarding steps and longevity. He was advised to wait until budget numbers are worked up, hopefully this can be moved on quickly in January 2013.

It also needs to be determined how the penny tax can be spent to service the Borough's fields. Mr. Dineen noted that this money may not be able to be used on the school fields. He is still reconciling the differences between the Borough Ordinance and the parameters of Open Space.

Councilwoman Chung

**(JC) Board of Health, Sanitation
Liaison to Board of Education**

School has collected school supplies for Moonachie students. Over 300 backpacks were filled and delivered.

700 turkeys were collected and will be distributed by HP students in Newark.

Environmental Commission

Thank you to MK and the DPW for addressing our town's storm related matters.

3 trees were planted in the Nutshell (Birch, Plum and Dogwood)

Request was made to roll over the \$5000 for a matching grant since the Environmental Commission did not have time to apply to UWR this year.

Discussions have been taking place to decide on a location for a tree bank

Energy Efficiency program will be held January 23, 2013.

Old Business

(AN) Code Enforcement Official-previously discussed

Waive of Building Permit Fees

Family involved with a trauma patient has requested waiver of Building Department fees to help offset their extreme medical expenses. PAH spoke with the woman's father and recommended that he apply and pay for the permits to be able to move forward and then see what Council determines. GE expressed concerns about other resident's perception or needs in the future and what doors this may open.

Penny Tax for Field Maintenance and Lighting Project-previously discussed

(JD) The Annual 5K Sports Boosters event was well attended and ran smoothly. The weather was perfect. PAH added that JD's wife was instrumental in starting this event.

New Business

AEM has handed out YTD budgets and would like each department head to review and comment by mid-December.

Mayor's Report

- Discussion was held with Brookside Village for possible grant for a generator.
- Meeting will be held to create a Chamber of Commerce for the Northern Valley 12/3/12
- Lightening Detection Shared Service meeting with school is scheduled for 11/26/12
- Would like to host JIF meeting for Elected Officials Training Meeting.
 - **Motion** by GE to hold such meeting in Council Chambers at date to be determined, second AN –AIF
 - ALB will contact JIF to set up the training class
- Department Heads should check to see if any FEMA submissions are necessary.
- A Riverside Cooperative meeting is scheduled to discuss shared services and paving.
- Happy Thanksgiving to all.

Attorney Update

Mr. Dineen had been contacted by Metro PCS to lease additional land by the Borough Cell Tower by the DPW-There is space on the antennae; however they will need additional space on the ground for their machinery. Council will be updated as information is received.

Ordinance Introduction:

(AN) (Building Department)

First Reading

ORDINANCE TO AMEND SECTIONS 131 AND SECTION 248 OF THE BOROUGH CODE #676-Addendum I

Motion: AN

Second: JR

Vote: AIF (No discussion)

(PAH)Adjournment

Time: 8:46pm

Motion JR

Second JD

Vote AIF

Addendum A

FROM THE TAX COLLECTOR'S OFFICE

TAX COURT JUDGMENT

RESOLUTION

WHEREAS, a Memorandum of Judgment issued by the Tax Court has been received by the Tax Collector concerning a reduction in the assessment of the following property for the tax year 2011 & 2012 thereby creating the need to issue a property tax refund as follows:

Block 719, Lot 22

**James & Lauri Scappi
44 Russell Place
Harrington Park, NJ 07640**

2011 ORIGINAL ASSESSMENT

TAX BOARD JUDGMENT

Land:	\$ 418,000	\$418,000
Impvts.:	\$ 680,200	\$532,000
Total:	\$1,098,200	\$950,000

Total 2011 Refund:\$2,995.12

Total 2012 Refund:\$3,084.04

Grand Total of 2011 & 2012 Refund: \$6,079.16

Make check payable to: Jacobus & Associates, LLC,
Trustee for SCAPPI, JAMES R & LAURI
301 South Livingston Avenue
Suite 105

Livingston, NJ 07039

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Harrington Park, County of Bergen, State of New Jersey that the Borough Treasurer/Tax Collector be and is hereby authorized and directed to prepare the necessary check as listed above.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Treasurer/Tax Collector.

INTRODUCED BY:

SECONDED BY:

ROLL CALL:

11/19/12

Addendum B
RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that upon the recommendation of the Chief Financial Officer, the following transfers be made at this time between 2012 Budget line items.

	<u>From</u>		<u>To</u>	
Assessor/S&W	\$500.00	Bd.Health/S&W		\$500.00
Planning Board/OE	\$500.00	Zoning Board/S&W		\$500.00

11/19/12

Addendum C
REFUND OF 2012 TAX OVERPAYMENTS

WHEREAS, the Tax Collector has determined that the following taxpayers have overpaid 2012 second quarter property taxes by the following amount:

Block 101, Lot 2	Martin & Alicia Illovsy 1000 Broadway Harrington Park, NJ 07640	\$1,646.07
Block 101, Lot 4	Lena D. Mcardle 15 First Street Harrington Park, NJ 07640	\$250.00
Block 111, Lot 5, C015B	Jing Fan 15 Harrington Court Harrington Park, NJ 07640	\$1,040.50
Block 201, Lot 3	Jung Heun & Eun Soo Kim 7 Bluefield Avenue	\$89.48

	Harrington Park, NJ 07640	
Block 414, Lot 15	Ku Chol & Young Lan Yi 59 Lincoln Terrace Harrington Park, NJ 07640	\$130.00
Block 414, Lot 21	Allan & Karin Wander 3 Lincoln Terrace Harrington Park, NJ 07640	\$205.00
Block 610, Lot 8	Colleen M. Casenta 186 Tappan Road Harrington Park, NJ 07640	\$52.22
Block 702, Lot 1	M. Faraci & K. Smith 277 Lynn Street Harrington Park, NJ 07640	\$2,734.43
Block 703, Lot 7.04	Stephen & Carlene Kuske 38 Lakeside Avenue Harrington Park, NJ 07640	\$4,639.00
Mail Refund to:	BAC TAX SERVICES CORPORATION CA6-913-LB-01 PO Box 10211 Van Nuys, Ca. 91499-6089	
Block 716, Lot 8	Ji Yong Um & Kyoung Sook Park 66 Kline Street Harrington Park, NJ 07640	\$2,436.85
Block 801, Lot 6.01	Adam & Joely Konrad 45 Deal Street Harrington Park, NJ 07640	\$1,829.20
Block 902, Lot 27	Pamela & Joseph Gulino 18 Downing Place Harrington Park, NJ 07640	\$26.37
Block 1316, Lot 11	JAL Stores, Inc. 1-11 Lynn Street Harrington Park, NJ 07640	\$2,628.30
Block 1401, Lot 4	Linda Michels 154 Norma Road Harrington Park, NJ 07640	\$2,570.04

BE IT RESOLVED, by the Mayor and Council of the Borough of Harrington Park, County of Bergen, State of New Jersey, that the Borough Treasurer/Tax Collector be and is hereby authorized and directed to prepare the necessary check as listed above.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Borough Treasurer/Tax Collector.

Addendum D

RESOLUTION

PAYMENT OF CLAIMS CERTIFICATION

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

2012 Current Fund	\$1,216,043.91
Payroll (October)	\$ 187,437.76
Dog Revenue Fund	\$ 7,610.75
Capital Fund	\$ 20,125.09
Trust Fund	\$ 16,495.90

ANNE MURPHY, CFO

November 19, 2012

Addendum E

Resolution

HARRINGTON PARK NEWSLETTER ADVERTISING FEES

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 the existing fees for advertising in the Harrington Park Newsletter; and

WHEREAS, the change of such fees shall enable to provide and continue communication to the Borough residents and cover the cost of printing and postage for such publication; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of Harrington Park have authorized the advertising fees for the Harrington Park Newsletter for the year 2013 be \$150 for a full year of advertising and \$100 for a half a year of advertising.

Addendum F

RESOLUTION

CHANGE ORDER LYNN HIGGINS STREAM CLEANING PROJECT

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 Lynn-Higgins Stream Cleaning Project

CONTRACTOR Montana Construction Corp., Inc., 80 Contant Ave. Lodi, NJ 07644

NJDOT CHANGE ORDER NO. 1 & Final

AMOUNT OF CHANGE THIS RESOLUTION -\$30,008.92 (11.16% Decrease)

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

Addendum G
RESOLUTION

CLOSE OUT LYNN HIGGINS STREAM CLEANING PROJECT

Be it resolved by the Mayor and Council of the Borough of Harrington Park, Bergen County, New Jersey that the contract for the **Lynn-Higgins Stream Cleaning Project** was constructed by **Montana Construction Corp., Inc. of 80 Contant Ave., Lodi, NJ 07644** in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer. The Contractor having supplied a 25% Guarantee Bond for a period of two (2) years from November 5, 2012. The said construction is hereby accepted and final payment in the amount of **Four Thousand Seven Hundred Eighty Dollars and Nine Cents (\$4,780.09)** is hereby approved.

This Resolution to take effect immediately

Addendum H
RESOLUTION

AUTHORIZING THE ADVERTISEMENT FOR THE ACCEPTANCE OF BIDS FOR A TRIPLE COMBINATION PUMPER TRUCK

Whereas the Mayor and Council of the Borough of Harrington Park have determined that it is in their best interest considering the health, welfare and safety of its citizenry to purchase a new Triple Combination Pumper Fire Truck;

Whereas further the Harrington Park Fire Department has prepared a set of specifications for the apparatus that the Borough seeks to acquire;

Whereas further the Chief Financial Officer of the Borough of Harrington Park has certified that there is sufficient funding available for the purchase of the same;

Whereas N.J.S.A. 40A: 11-1 et seq. requires that such contracts only be entered after public bidding;

Now therefore be it resolved that the Clerk/Chief Financial Officer or other authorized person shall cause to advertise for bids the contract for a "TRIPLE COMBINATION PUMPER TRUCK" and shall further provide for the distribution of specifications regarding the vehicle, the costs to each prospective bidder being \$50; and to otherwise provide for the place, time, date for the return and opening of all such bids.

Addendum I
Ord. #676

AN ORDINANCE TO AMEND SECTIONS 131 AND SECTION 248 OF THE BOROUGH CODE

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 certain existing fees, and additional inspections and to provide for payment of others and to provide for the creation of a the position of Property Maintenance Code Enforcement Official; and

Whereas, the amendment of such fees shall provide for better, improved and continued Borough services;

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

- 1) Section 131 shall be amended as follows:
Section 9 shall be referred to as Asbestos/Lead/ Radon Mitigation and further providing the Fee for a Radon Mitigation Permit shall be \$80.00

Section 131 shall be amended to add #17 Direct Replacement Residential Boiler/Furnace fee-when there is a direct replacement of a Residential Boiler/Furnace the fee shall be \$150.00 which shall include Plumbing, Electrical and Fire inspection fees.
- 2) Section 248 Shall be amended to create the Position of Property Maintenance Code Enforcement Official
There is hereby created the position of Property Maintenance Code Enforcement Official who shall be primarily and concurrently responsible for the enforcement of all Borough Ordinances not otherwise reserved to statutory code officials, whose duties shall include Property Maintenance and /Sidewalk repair, snow and ice removal by way of example and not limitation

Addendum AA

10/15/12

Legislated Bulletin October 2012-NJLM

Neglia Correspondence: 37 George Street Minor Soil Review

451 Lynn Street Minor Soil Movement Review

Tax Appeal settlement-B1017 L 8

10/16/12

Cablevision Tariffs updates.

10/18/12

Dept. of Treasury Equalization Valuations.

Certificate of Construction Completion for Lynn Higgins Watercourse (Neglia Engineering).

10/19/12

Resident to resident issue on Lynn Street.

As built-37 George Street review (Neglia Engineering).

10/22/12

Senator Cardinale has informed the Borough of \$8836.77 to be received in NJDEP Recycling Tonnage Grant funds.

Correspondence received from neighboring properties on Herring Street and West Shore Road regarding a personal problem related to trees on private property.

NJDEP has approved the latest inspection of Compost Site.

Minor Soil correspondence-27 Higgins Place (Neglia Engineering).

Close-out papers received from NJDEP for the Lynn Higgins Watercourse project.

Tax Appeals received: B 1316 Lot 11 – 11 Lynn Street

B 1017 Lot 8 – 52 Highland Avenue

B 404 Lot 2 – 39 Beechwood Place

Major Soil correspondence-7 Taylor Place B1502 Lot 5.02

ANJEC White Paper received-Solar Siting and Sustainable Land Use.

JIF Options to Reduce Deductible correspondence.

10/23/12

Bergen County Economic Development Corporation/ Brownfields Commission needs updates on property at 106 Schraalenburgh Rd.

10/24/12

ThorGuard has forwarded information to the Borough for consideration during discussions for a lightning detection system.

Foreclosure proceedings for a property on Wicks Dr.

Assemblyman Schroeder has informed the Borough that \$8836.77 has been awarded for the 2010 Tonnage Grant.

Neighbor correspondence regarding tree issues between Tappan Road resident and Van Orden resident.

10/25/12

Correspondence from West Shore Rd. resident re: ongoing tree issue.

10/26/12

Compliance report for Stream Cleaning at Lynn Street from Bergen County Soils.

JIF Proposed Budget 2013.

10/29/12

Confidential correspondence re: Ongoing Police matter-Wiss & Bouregy.

Expedited 2012-2014 Snow Plow Agreement.

NJ Dept. of Labor compliance received for the Fire Department.

Hackensack Tidelines-Fall 2012.

(Hurricane Sandy-10/29-11/4/12)

11/5/12

Resolution from Closter Opposing A2586-Exemption of Universities from Land Use Laws.

Bergen JIF 2013 Budget Incentive Plan correspondence received.

Haworth Planning Board-Master Plan hearing Nov. 20, 2012.

11/7/12

Bergen County Prosecutors Office has maintained the \$6000 annual fee for the MARS maintenance fee for 2013-T1 data line.

11/9/12

BCUA Public Hearing Notice for November 28, 2012 related to the Solid Waste Management Plan.

11/13/12

Minor Soil update (Neglia) 224 Florence Road.

Public Notice-Planning Board 7 Taylor Place-November 20, 2012.

Cablevision tariff updates.

OPRA-DPW Contract- Mark Lightdale

11/14/12

Thank you correspondence from Blanch Avenue on behalf of the HP DPW.

11/15/12

Community Resource Council has program set for December 7, 2012.

Kudos to HP DPW for their response for clean up after Hurricane Sandy-Martha Road resident.

