

**REGULAR MONTHLY MEETING
Mayor and Council
Borough of Harrington Park, New Jersey
October 15, 2012**

MINUTES

Call Meeting to Order **Time: 7:03pm**

(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

(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) Minutes Approval

Agenda Meeting-September 10, 2012

Special Meeting-September 13, 2012

Regular Meeting-September 18, 2012

Special Meeting-September 24, 2012

Motion: JR

Second: GE

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.

(GE) Halloween Curfew-Addendum A

(JR) PAYMENT OF CLAIMS CERTIFICATION-Addendum C

REFUND OF 2012 TAX OVERPAYMENTS-Addendum D

Motion JR

Second JD

Vote AIF

GE requested the below resolution to be read into the record:

(GE) Dedication of Highland Basketball Courts

Addendum B

RESOLUTION

DEDICATION OF HIGHLAND FIELD BASKETBALL COURTS

WHEREAS, the Mayor and Council of Harrington Park shall dedicate the basketball courts at Highland Field to Mr. Ken Snyder, past Chairman of the Harrington park Recreation Commission and ardent supporter of developing recreational opportunities throughout the borough; and

WHEREAS, Mr. Snyder has also served in several other capacities within the community including Councilman and Municipal Risk Manager; and

NOW THEREFORE BE IT RESOLVED, a plaque shall be placed at the Highland Field basketball courts to honor Mr. Snyder's dedication to the Borough of Harrington Park, subject to available funds as per the CFO.

Council discussed what the plaque would read. It was decided that "Kenneth W. Snyder Basketball Courts" would be appropriate. AN will bring this information to the Recreation Commission meeting this month.

Motion GE

Second JR

Vote AIF

Consent Correspondence

SEE ADDENDUM "AA"

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

Motion GE
Second JR
Vote AIF

Councilman Napolitano

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

Fire Department:

8 alarms, 3 drills (includes Hose and Hydrants and Rope Knot Tying, Medivac Program)

5 Awards won at the Chiefs' Parade

Several members attended the convention in Atlantic City.

Mutual aid with Closter to cover their fireworks

Thank you letter was received from Chief Blackinton for the Council decision to bond for a fire truck.

Construction Department:

28 permits, 1 CCO

Permit fees collected in 2011(Sept.) \$5749.00 2012 (Sept.) \$10,500.00

YTD \$97,049.00 2011YTD was \$86,535.00

JZ has submitted his proposal for a code enforcement official as an additional employee to work about 5 hours a week that would be self-funded through the fees and fines collected through the department.

Ordinance Committee will meet to complete the review of the Property Maintenance Ordinance.

Recreation Committee is scheduled to meet Tuesday October 16, 2012.

Recreation concerns include consideration of an outside company to provide some additional work on the fields. Mr. Dineen and Mrs. Murphy will be contacted to determine how to fund.

Commission is also in favor of an Event Form that would be filled out for each town event. AN will work on a draft and provide to ALB to formalize.

Councilman Quantmeyer

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

Councilman Evanella

(GE) Police, Municipal Court, Public Assistance

Police Department

Police Activity:

560 Calls, 209 Traffic Details, 5 Mutual Aide

5 Juvenile Bike Helmets distributed

O/E YTD-\$44,900. Budgeted \$63,400

Over time was reduced in September since there is now a full department working. There will be some reimbursements. \$8,000-\$10,000 left in the budget.

8 Motor vehicle Accidents-78 Summonses, 1 warning

Patrolled 10,591 miles

Councilman Roth

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

Councilman Dunlea

(JD) DPW, Recycling, Building & Grounds

Recycling Tonnage:

Marangi Paper Etc.	16.34 tons	Recycling	25.50 tons
Comingled	15.22 tons		2.42 tons

Councilwoman Chung

(JC) Board of Health, Sanitation

Liaison to Board of Education

Board of Education:

Lightening Warning System meeting was very informative-Safety Guard made a presentation to Mayors and Superintendents from neighboring towns to set up a system to warn municipalities from up to 20 miles away. This is a very viable shared service idea that will benefit the safety of not just the children but all residents of the area.

Green Team:

Wonderful news of being awarded the Sustainable New Jersey Bronze Award.

Money was made at Town Day for the Green Team Trust Fund

School Waste Audit is complete and another will take place in the Spring to see any progress.

HP Walk/Ride to School Day was very successful.

Suspension of Regular Order of Business

Motion AN

Second JR

Vote AIF

Open to Public

Motion AN

Second JR

Vote AIF

PAH introduced Dr. M. Schran, Green Team and Environmental Commission member. The hard work of Dr. Schran and the Green Team has enabled the Borough to earn the Bronze Award for Sustainable New Jersey. The application was submitted earlier this year and was rejected, however, the process was revamped and the application received 170 points for certification. For a small town, creativity to earn points was necessary. For the hard work of waste audits, gardens and other innovations at the school, the Borough was awarded the Innovation and Creativity Award which will be presented at the NJLM convention in November 2012. Much was done with little or no money. PAH will be attending the presentation as well as noted that the Borough is very fortunate to have such motivated volunteers and students. Thank you for a job well done by Dr. Schran and all the volunteers that worked with her.

Jean Serrano, Downing Place was present to request guidance with an issue she had with a court matter and a neighbor. Mr. Dineen suggested that she speak directly to Chief Maalouf to work

out some of the details that may be incorrect in the police report and also provide some additional information regarding this case.

Closed to Public

Motion GE

Second JR

Vote AIF

Return to the Regular Order of Business

Motion JR

Second GE

Vote AIF

Old Business

(GE) Police Committee will be meeting soon to discuss several items.

(JD) ALB has not heard back from Norwood regarding Shared Services with the DPWs.

(PAH) Borough Hall Repairs

Council reviewed the 4 submitted proposals. There are several questionings PAH asked to have JZ review each proposal. The lowest bid is not always the best. AN and JR were in agreement that if the lowest bid seemed to be the best contractor, than the project could move forward since it is under the QPA threshold. Motion was made by JR, Second AN to move forward as stated above. Council was all in favor. If there were any concerns from JZ, the discussion will continue in November.

New Business-none

Mayor's Report

Thank you again to Dr. Schran and all her hard work for achieving Sustainable New Jersey for the Borough.

Our Fire Department was outstanding in the Parade on October 6, 2012. Our men won 5 trophies, and presented themselves in a very positive manner.

100 Years of Boy Scouting in Harrington Park was celebrated on October 14, 2012 at the Community Church. This was a mass ceremony with a reception to follow. The Boy Scouts had several displays. Harrington Park has well over 100 Scouts achieve Eagle over this time.

The Lightening Safety Program has solid support from all the district schools as well as other neighboring communities. Lightening will be detected up to a 20 mile radius.

The DPW, Police, Ambulance and Fire Department will be participating in two programs at the school. Monday October 22, will be presentation to 2nd graders at the school, Tuesday, October 23, 2012 will be a hand on demonstration of municipal equipment at the Borough Hall for 3rd graders.

Ordinances

BOND ORDINANCE # 675-Addendum E

BOND ORDINANCE PROVIDING FOR VARIOUS 2012 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF HARRINGTON PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$1,010,000 THEREFORE (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$146,500) AND AUTHORIZING THE ISSUANCE OF \$813,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

**Motion for Approval JR
Second GE**

Open to Public Hearing

Motion GE

Second JR

Vote AIF

Closed to Public Hearing

Motion GE

Second JR

Vote AIF

Further Council Discussion-NONE

Vote

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Roll Call Vote						
NAPOLITANO			x			
QUANTMEYER						x
EVANELLA		X	x			
ROTH	X		x			
DUNLEA			x			
CHUNG			x			

Closed Session-None

GE announced that OLV is running an Oktoberfest Fundraiser with proceeds going to the Ruggerio Family medical expenses.

(PAH)Adjournment

Time 8:02pm

Motion JR

Second GE

Vote AIF

Addendum A
RESOLUTION
HALLOWEEN CURFEW

WHEREAS, in the past few years the damage to private homes, autos and Borough property has decreased as a result of invoking the Halloween curfew, and

WHEREAS, the Borough Officials are desirous of continuing the curfew to insure protection to property owners and citizenry in general, and

WHEREAS, the young people should have adequate time to visit all the homes for the purpose of “Trick or Treat” in the afternoon and evening hours before 7:00 p.m. Wednesday, October 31st, 2012.

NOW, THEREFORE, by the authority granted under Title 40-87-31, I, Paul A. Hoelscher, Mayor of the Borough of Harrington Park, do proclaim that a 7:00 p.m. curfew will be in effect on the evenings of Tuesday, October 30th and Wednesday, October 31st, 2012.

AND PROCLAIM that all persons under the age of 18 shall be off the streets of the Borough from 7:00 p.m. till 6:00 a.m. of the following morning of each of these days.

AND FURTHER PROCLAIM that the fire siren will sound a single blast at 7 p.m. of each evening notifying all residents that the curfew is in effect.

AND FURTHER PROCLAIM that any person under 18 years of age apprehended on the streets will be told to return to their homes. If they refuse or are apprehended a second time, a summons shall be issued, and they will be subject to penalties as provided by law.

Addendum C
PAYMENT OF CLAIMS CERTIFICATION

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

2011 Appropriation Reserves	\$ 16,800.14
2012 Current Fund	\$ 2,061,643.36
Payroll (September)	\$ 186,481.16
Capital Fund	\$ 26,165.11
Trust Fund	\$ 5,390.95
Dog Revenue	\$ 3.60

ANNE MURPHY, CFO
October 15, 2012

Addendum D

FROM THE TAX COLLECTOR’S OFFICE
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 201, Lot 7	David & Anna Rubano 49 Bluefield Avenue Harrington Park, NJ 07640	\$921.57
Block 208, Lot 5	Richard & Xiomara Padilla 65 Burkhardt Lane Harrington Park, NJ 07640	\$806.57

Block 303, Lot 10	Ronald & Joseph & Adele Filippone 30 Parkhill Road Harrington Park, NJ 07640	\$655.19
Block 406, Lot 3	Scott & Deborah Cassidy 28 Walter Court Harrington Park, NJ 07640	\$129.21
Block 705, Lot 3	Sang Soo Lee 5 Hackensack Avenue Harrington Park, NJ 07640	\$598.80
Block 708, Lot 1	Ramesh Kumar 54 Dora Street Harrington Park, NJ 07640	\$878.24
Block 711, Lot 20.01	Meeja Kim 122 Spring Street Harrington Park, NJ 07640	\$1,610.50
Block 726, Lot 1	So Yeon Kim 103 Guy Street Harrington Park, NJ 07640	\$355.45
Block 905, Lot 3	James-Paul & Patricia Towey 94 George Street Harrington Park, NJ 07640	\$747.57

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:

10/15/12

**Addendum E
BOROUGH OF HARRINGTON PARK
BOND ORDINANCE # 675**

BOND ORDINANCE PROVIDING FOR VARIOUS 2012 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF HARRINGTON PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY;

APPROPRIATING \$1,010,000 THEREFORE (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$146,500) AND AUTHORIZING THE ISSUANCE OF \$813,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COMMITTEE OF THE BOROUGH OF HARRINGTON PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Harrington Park, in the County of Bergen, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$1,010,000, said sum being inclusive of a \$146,500 grant expected to be received from the New Jersey Department of Transportation (the "Grant") and a down payment in the amount of \$50,000 now available for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law") and now available THEREFORE by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,010,000 appropriation not provided for by said Grant or down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$813,500 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$813,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued is the 2012 Capital Improvement Program (the "Program"), which includes, but is not limited to, improvements to LaRoche Avenue (Section 5) and Parkside Road (Section 3), the acquisition of a motorized triple combination pumper fire apparatus with all necessary equipment and the acquisition of an emergency medical vehicle with all necessary equipment, including, as applicable, all work, materials, equipment, labor and appurtenances necessary THEREFORE or incidental thereto, all in

accordance with the plans THEREFORE on file in the office of the Borough Clerk and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$813,500.

(c) The estimated cost of said improvements or purposes is \$1,010,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Bergen makes a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby which is in addition to the Grant and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Bergen. In the event, however, that any amount in addition to the Grant so contributed or granted by the United States of America, the State of New Jersey and/or the County of Bergen shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or as otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such

report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.73 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$813,500 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or

notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "Controlled Group" as the Borough, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds" within the meaning of Treasury Regulation Section 1.148-1 of the bonds or any other bond issue, or (iii) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$813,500. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code and Treasury Regulation Section

1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

Addendum AA

9/18/12

Public Notice-Rivervale-Sept. 24 Ordinance revisal for COAH.

BCUA Fee Update correspondence.

9/19/12

Certified copies of September 12, 2012 Resolutions for Board of Chosen Freeholders.

CC of letter written to Herring Street resident regarding dangerous tree on property.

9/20/12

Governor correspondence to the Mayor regarding various state contracts for police, fire and playground equipment.

9/24/12

County Executive has scheduled a Caregiver Conference on October 13, 2012 in Hackensack.

9/25/12

Certified copy of Ordinance for public hearing at the Board of Chosen Freeholders-Elimination of Pay to Play practices in Bergen County.

9/27/12

Mayor Heymann, Borough of Closter responded to Interborough Request for Fire Channel 4 Usage for Ambulance Corps.

9/28/12

Cablevision tariff changes noted.

10/1/12

Borough has been asked to join the NJ Cares Coat Drive during the month of November.

Metro PCS has submitted application lease for a location on existing cell tower at 50 Central Avenue, Old Tappan NJ.

NJLM-New rates are now accessible for State Benefits Plan.

Foreclosure information for Lohs Place.

10/2/12

Bergen Blast Newsletter from County Executive's Office.

10/8/12

Resolution from Board of Chosen Freeholders meeting- October 3, 2012.

Minor Soil Movement Correspondence-16 Dimas Court (Neglia Engineering).

Notice for B of A application-October 24, 2012-167 Hackensack Avenue.

10/12/12

Superior Court is holding a special program for the municipal auditors regarding the updated system for the court system.

