

**REGULAR AGENDA MEETING
Mayor and Council
Borough of Harrington Park, New Jersey
March 11, 2013**

(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
DUNLEA (JD)	X	
EVANELLA (GE)	X	
PEDERSEN (JP)	X	
RYAN (MR)	X	
NAPOLITANO(AN)	X	
CHUNG (JC)	X	

Also present:

**Ms. Ann H. Bistriz, Borough Clerk (ALB)
Ms. Judith Curran, Financial Advisor**

(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.

+++None+++

(JD) BUDGET INTRODUCTION

Numbers came back from various departments and he met with Anne Murphy. At the end, the budget is a good, sound budget. No services are compromised. Potential savings are still hoped for. The new CFO and JD will do monthly tracking and reporting. Tax rate is 0.422.

Introduction of 2013 Budget-Addendum A

**Authorizing Increase in Deferred School Taxes for Local District School Taxes
Addendum B**

Computation of Reserve for Uncollected Taxes-2013 Budget Addendum C

Motion for A, B, and C JD

Second GE
Vote AIF

JD thanked everyone for participation.

- (JD) Ordinance #678 Addendum D**
CALENDAR YEAR 2013 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
Motion JD
Second GE
No discussion
Vote AIF
ALB will advertise in the April 5, 2013 edition of the BERGEN RECORD.

Individual Committee Reports

- (JD) Finance, Administration & Exec., Grants, Newsletter**
 Introduction of Judith Curran CFO and Tax Collector
 Edmunds Accounting System Judith Curran reported that 80% of municipalities use Edmunds and that she has used it. She believes this is easier to use than Munidex. Also, Edmunds offers free seminars for CEUs. They are willing to give a courtesy discount of \$10,000 because she is a previous user. They also will not charge maintenance for the first year. Cost \$21,160 plus scanner and validator. The yearly maintenance is about \$200 higher than Munidex, but there would be no fee this year. Gary Higgins recommends Edmunds. It would make his audits easier. Discussion of bond language. Mid-April would make sense to have this installed.

MOTION

Motion was made by Councilman Dunlea to approve the purchase of the Edmunds Accounting System for the use in the Tax and Finance Department at the cost of \$22,400.00 which includes installation, accessories and a year of customer support. Funding of this software will be applied to balance of the 2011 Bond Ordinance #659.
 Second Councilman Evanella.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Roll Call Vote						
DUNLEA (JD)	x		X			
EVANELLA (GE)		x	x			
PEDERSEN (JP)			x			
RYAN (MR)			x			
NAPOLITANO(AN)			x			
CHUNG (JC)			x			

The Mayor reported that all is going very well in the CFO office and thanked her for her dedication. Judy said that the staff is very professional.

The bond sheet was distributed and will be worked on soon. Ms. Curran stated that many areas will be streamlined, but that she may need to close the door for an hour in the afternoon to do serious accounting as there is only one person in the office. The office will be open, but ALB will answer residents' simple questions, etc., so that serious accounting can be addressed.

Ms. Curran spoke to JC about the vaccine money and that she did not see the line in the budget. It is in the Board of Health. ALB mentioned that now office supplies will be pooled to save money and time.

(GE) DPW, Recycling, Building & Grounds

(JP) Police, Municipal Court, Public Assistance

(MR) Recreation Commission, Environmental Commission

The Environmental Commission meeting will be March 20. A cleanup is being planned for April 20th. A clean community grant is being sought. Shred and Humus Day will be April 27th.

Recreation Commission is also meeting March 20th.

Personnel & Performance Evaluations

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

(JC) Board of Health, Sanitation

The Board of Health met and Lou Apa reported that all food licenses are complete.

The town nurse reported that all immunization requirements are complete at the school. A mini Health fair is planned for April 27, 2013.

Liaison to Board of Education

The school approved the preliminary budget.

The Green Team presented the creativity and innovation award.

Councilwoman Ryan reported that Nina Osso won the Jr. Women's town spelling bee and then went on to win the regional and state spelling bees. She asked whether she could be honored at a Mayor and Council meeting. AIF..

(PAH) Mayor Hoelscher

Resolution –Northern Valley Regional High School Board of Education.

The High school wishes to pursue a bond to repair the tennis courts, tracks, and fields (convert to turf) on both campuses. This proposed resolution would endorse this action.

The Mayor was asked by the sending Mayors to bring this to the Council.

Discussion followed. MR reported that Steve Paccico said that the Recreation

Commission supports the pursuit of the bond, as per letter read by MR. Several council members wished for more information.

Old Business

MR reported that Chris Apostle is no longer moving. He would like to remain on the Recreation Commission. The Mayor said that he has already spoken to Mr. Baly and said that he would be appointed to the Recreation Commission tonight. Perhaps Chris Apostle can rejoin in the future. The Mayor asked Ann Bistriz to notify Mr. Baly of his appointment.

New Business

(MR) Heritage Weekend/History Day-Addendum E

The Historical Society is requesting permission to hold history day at Borough Hall on April 27th and put a banner across the street, second GE. All in Favor.

Next week Greg Polyniak and Ms. Casey, Grant Writer will be attending the meeting to discuss possible grants.

MR believes there are alternate positions on the Recreation Commission listed in old code books, although they are not listed in the new code books. She wondered whether the new code book should be updated to include.

March 23, with a raindate of the 30th, the Jr. Women's club is sponsoring an Easter Egg hunt extravaganza. It is not a fundraiser.

(PAH)The Mayor reported that he met with the staff recently about his dissatisfaction with the way the staff is sometimes treated on the phone. They have been told that if there is an abusive situation on the phone the staff member is to indicate that the call is over and refer the situation to the Mayor. Ms. Bistriz related one situation. The Mayor stated that a policy is being developed.

(ALB) Conclusion of Contracts:

Copy Machine Contract The contract comes up in August. She would like to contact the leasing company to let them know the Borough will not continue with the current machine, and the Postage Machine will belong to the Borough in August. She needs permission to write to say that the Borough will rent the meter and to write the aforementioned letter.

JD moved to approve, second MR. Vote: AIF

Exemption of Late Fees-Dog Licenses A resident who has not registered 5 dogs and has received many reminders wants the late fees waived. The resident was abusive on the phone. The Mayor and Council needs to determine procedure..

Ms. Bistriz called Mr. Eifert to place incident on record with JIF.

Fees have never been waived.

Another resident states that she is on disability and wants the fees waived.

Council was in agreement that since fees have not been waived for anyone in the past, and in addition several notices have been mailed directly to the home as well as published in the town newsletter (mailed to each home), health and financial conditions can be an issue with many residents, however, fees for dogs should not be waived under any circumstance (unless by law). Motion JD, second GE-AIF

AT&T Fiber Optic Installation Request to co-locate on HP's poles. Information was in the meeting's packet. A resolution for the next meeting. More information may be forthcoming.

State Early Voting There is an assembly bill for review proposing early voting for general elections. League of Municipalities, Municipal Clerks Association and Bergen County Board of Elections are all opposed.

Meeting Open to Public

Motion AN

Second GE

Vote All in Favor

Meeting Closed to Public

Motion GE

Second GE

Vote All in Favor

The Mayor stated that some action may be taken after Closed Session.

Closed Session 7:48pm

Motion JP

Second GE

Vote All in favor

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. Personnel-Chief Maalouf
2. Personnel-Annie Mongelia (Board of Health)

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 8:13pm

Motion GE

Second AN

Vote AIF

The following Resolutions were brought to vote:

MOTION

Motion to approve the hourly wage increase of Ms. Annie Mongelia, Secretary to the Board of Health and Assistant to the Tax Assessor to \$12 per hour, staying within the budgeted amount for CY 2013. Effective January 1, 2013.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Roll Call Vote						
DUNLEA (JD)			X			
EVANELLA (GE)			x			
PEDERSEN (JP)		x	x			
RYAN (MR)			x			
NAPOLITANO(AN)			x			
CHUNG (JC)	x		x			

MOTION

Motion to approve the annual salary of Chief Maalouf of \$169,000 annually (includes and longevity pay, college pay or other stipends) and shall pay the State required percentage towards premium costs of the New Jersey State Health Benefits Program and dental benefits through Met Life. Effective as of January 1, 2013.

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Roll Call Vote						
DUNLEA (JD)				x		
EVANELLA (GE)				x		
PEDERSEN (JP)	x		x			
RYAN (MR)				x		
NAPOLITANO(AN)		x	x			
CHUNG (JC)			x			
Mayor Hoelscher			x			

Discussion followed prior to final vote with Council JD, GE and MR in agreement that discussion should have previously taken place at the Committee level and that salary negotiation should have been addressed. JP responded that Chief Maalouf not only had spent over a year as Acting Chief but also a year at Captain’s salary (while Chief). (3-3 tie- PAH voted in the affirmative)

Items for the Monthly Regular Meeting:

Capital Alternative- Open Space Grants

Old Burying Ground

Recreation Projects

Neglia Engineering (Closed Session)

Minutes: February 4, 2013-Special Budget Meeting

**February 11, 2013-Agenda Meeting
February 19, 2013-Regular Meeting
February 26, 2013-Emergency Meeting**

Adjournment-Time: 8:39pm

Motion: JD

Second: GE

Vote: All in favor

**Addendum A
Introduction of 2013 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 2013.

BE IT FURTHER RESOLVED, that the said budget be published in The Bergen Record in the issue of April 5, 2013, and that a hearing on the Budget will be held at the Municipal Building on April 15th, 2013 at 7:00 o'clock (P.M.) or as soon thereafter as the matter may be reached.

**Addendum B
RESOLUTION**

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, 2012.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council that the following Deferred School Taxes be hereby increased for the year ended December 31, 2012 as follows:

	Deferred
	Local
	District
	School
	<u>Taxes</u>
Amount Deferred 12/31/12	\$5,153,622
Amount Deferred 12/31/11	<u>5,062,747</u>
Amount of Increase	<u>\$ 90,875</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
Resolution C
Computation of Reserve for Uncollected Taxes – 2013 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 2012 reflects reductions due to tax appeals of \$251,984 which when reduced from the 2012 tax levy results in the 2012 tax collection rate being 99.29 percent; and

WHEREAS, the election of this choice to calculate the “Reserve for Uncollected Taxes” for the 2013 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 2013 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 2013 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 D
Ordinance #678
CALENDAR YEAR 2013 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET APPROPRIATION LIMITS
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 up to 2.0% 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 2013 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 1.5% increase in the budget of said year, amount to \$65,299 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 2013 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 1.5%, amounting to \$65,299, and that the 2013 municipal budget for the Borough of Harrington Park be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that 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 E
Motion

Approval for the Historic Society to hold History Day at Borough Hall (8am-2pm with set up on April 26 from 7pm) on April 27, 2013 and hang a banner across Schraalenburgh Road at the intersection of LaRoche Avenue with submission of certificate of Insurance and permission from the Chief of Police of Harrington Park and the County Police Department.