

**REGULAR MONTHLY MEETING
Mayor and Council
Borough of Harrington Park, New Jersey
October 20, 2014**

(PAH) Call Meeting to Order

Time: 7:01pm

Mayor's Announcement:

In compliance with Chapter 231, Public Law 1975, adequate notice of this 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	
PEDERSEN (JP)	x	
RYAN (MR)	x	
RUTIGLIANO(MRUT)	x	
CHUNG (JC)	x	

Also present:

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

Mr. John R. Dineen, Borough Attorney (JRD)

(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)**

(PAH) Suspend regular order of business

Motion GE

Second JP

AIF

(PAH) Open to the public

Motion GE

Second JP

AIF

Thomas Simpson, Fire Marshal

Reported that he attended a CSX meeting today and that issues were in need of attention. Trains are carrying several million gallons of oil and coming through many times a day. HP has the only curve on the line; danger of derailment.

Federal government needs to push production of safer tank cars and slow speed.

He is requesting that the Mayor and Council petition the federal government for supplies needed to contain a possible fire. The County should buy material and recoup money from CSX.

The Mayor thanked Mr. Simpson for bringing this issue and agreed that it is a County responsibility. He offered to work on a plan. Mr. Simpson asked for a task force. The Mayor stated that there was a meeting scheduled with the fire and emergency teams from several Northern Valley towns and the railroad. There can easily be a follow-up meeting. There is a willingness on the part of CSX to work on this.

Mr. Simpson said there is a first responder class on the 29th at the Mahwah facility, 7:00-10:00pm.

JP stated that the CSX position is that the owners are responsible for the cars. Discussion. GE asked how tank cars are being made safer. The new cars will have rollover protection.

(PAH) Close meeting to public

Motion GE

Second JP

AIF

(PAH) Return to the Regular Order of Business

Motion GE

Second JP

AIF

5. Minute Approval(s) (Mayor & Borough Clerk)

6. Correspondence (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

Regular Agenda Meeting-September 8, 2014
Regular Meeting-September 15, 2014
Motion GE
Second JP
Vote All in favor

(PAH) Consent Correspondence

SEE ADDENDUM "AA"

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

Motion JP
Second GE
Vote All in favor

(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

- (AN) Return of Performance Bond-114 North Colonial Drive A
- (GE) Raffle License RA244 Harrington Park Class 2015 B
Halloween Curfew C
- (JP) Change Order NJDOT Lynn Street D
Change Order NJDOT-Parkside/Harriot Place E
- (MRUT) Payment of Claims F
- (JC) Endorsement of Community Development-Senior Citizen Activities G
Endorsement of Community Development-Senior Van Service FY2015 H
Community Development Senior Van Interlocal Borough of Haworth FY2015 I
Execution of Contract 2014-1015 Community Development Contract for Senior Citizen Activities J

Motion JP
Second JC

MR asked to pull payment of claims (F) vote No due to Wiss and Bourgey payment

MR will abstain on G-J

Roll Call Vote

AIF

MR-F-No G-J Abstain

Individual Committee Reports

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

(GE) **Police, Municipal Court, Personnel**

(JP) DPW, Recycling, Building & Grounds, Sanitation/Recycling
Chipper picked up stumps and branches; Green Sky is closing Clifton plant. He outlined the amounts of recycling picked up.

(MR) Recreation Commission, Environmental Commission
Ragamuffin Parade is 10:00 on Saturday.
Trunk or Treat will not work out for this year. Try again next year.
Recreation will meet 3:30 on Saturday at Highland Park. The meeting has been noticed.

(MRUT) Finance, Exec. & Admin., Grants
No report except that the bills have been paid.

(JC) Board of Health, Liaison to Board of Education, Public Information-
Flu clinic last week brought in 80 clients. Haworth Apothecary ran it. Seniors were able to receive the extra dose.

(PAH) Mayor Hoelscher

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

Old Business

(MR) Environmental Resource Inventory-Addendum K

(GE) Chief Maalouf gave background on his promotional criteria and methodology. He had done research and spoke to other chiefs. The description was distributed. The Mayor stated that he was impressed with what has been put together and thanked the chief for his work. JC asked who will provide the assessment. The Chief stated that he and the committee would oversee the oral portion. He stated that several officers have asked for criteria.

GE moved to accept the promotional criteria as memorialized in letter. GE read the letter into record, second JP.

Roll Call Vote

AIF

GE voiced that he was neglectful in not mentioning a letter complimenting Officer Murphy's deportment and demeanor.

GE reported that the Chief had determined that the speed monitor has not been working. It cannot be fixed at present as there are no funds, but he will try to download the information again. The chief reported that it seems most people are driving 25-30mph. JC reported that she slows down when she sees the digital monitor.

**(MR) Moved to dedicate Open Space Funds for the ERI up to \$20,000,
Second JC (Resolution K).
ALB stated that this report is worth 20 points in Sustainable Jersey
AIF**

New Business

None

(PAH) Mayor's Report

- The name Judy Collins will be added to the ad hoc pond committee. MR will notify her.
- There will be a Riverside Coop meeting on October 8, 2014
- Scott Weiner was honored as Volunteer of the Year by Bergen County

ORDINANCES

(MRUT) Second Reading ORDINANCE No. 694 Amendment to 2014 Salary Ord. Addendum L

Motion MRUT

Second GE

(PAH) Open for public discussion

Motion GE

Second JP

AIF

No Public

(PAH) Closed for public discussion

Motion GE

Second JP

AIF

Final Vote

AIF

Closed Session Time: 7:50pm

Motion GE

Second JP

No action is expected after Closed Session

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-Police Department (GE)

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 Time:8:28pm

Motion GE

Second JP

Vote AIF

Adjournment-Time:8:29pm

Motion: GE

Second: JP

Vote: AIF

Addendum A

RESOLUTION

RETURN OF PERFORMANCE BOND

WHEREAS, a request has been made by Kyo-Don Hwang and Ok-Kee Hwang, 114 North Colonial Drive, Harrington Park, New Jersey for a return of their performance bond in the amount of \$134,249.40; and

WHEREAS, the Borough Engineer, Neglia Engineering Associates, has reviewed this request, and after inspection of the property have recommended the return of the performance and replace it with a maintenance bond in the amount of \$22,374.90.

WHEREAS, Kyo-Don Hwang and Ok-Kee Hwang have secured a 2- year maintenance bond #34560 in the amount of \$22,374.90 on October 14, 2014 in accordance with the municipal land use law Chapter 24-5; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that it approves the return in the performance bond for 114 North Colonial Road to property owners Kyo-Don Hwang and Ok-Hee Hwang.

Addendum B

RESOLUTION

Off Premises Raffle License RA244 –Harrington Park Class of 2015.

BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that the Off Premise Raffle Application RA # 244 for the Harrington Park Home and School Association Class of 2015, to be held on March 6, 2015, 8:45am 191 Harriot Avenue, Harrington Park be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to

Addendum C
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. Friday, October 31st, 2014.

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 Thursday, October 30th and Friday, October 31st, 2013.

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.

Addendum D
RESOLUTION

Change Order Lynn Street NJDOT Funded 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 Street NJDOT Funded Project

CONTRACTOR: Smith Soudy Construction Co., 150 Anderson Avenue, NJ 07057

NJDOT CHANGE ORDER No.: 1

AMOUNT OF CHANGE THIS RESOLUTION: \$29,553.36 - 13.01% Increase

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

Addendum E
RESOLUTION

Change Order Parkside Road (Section IV) and Harriot Place NJDOT Funded 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: Parkside Road (IV) and Harriot Place NJDOT Funded Project

CONTRACTOR: Stanziale Construction Co. PO Box 2597, Bloomfield NJ 07003

NJDOT CHANGE ORDER No.: 1

AMOUNT OF CHANGE THIS RESOLUTION: \$4,200.00 (5% increase)

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

Addendum F
RESOLUTION

PAYMENT OF CLAIMS CERTIFICATION

I hereby certify that funds are available for the following disbursements

2013 Appropriation

Reserve

2014 Current Fund \$1,760,176.81

Payroll (August 22 Sept 5) \$342,786.36

Trust Fund \$8,906.73

Capital Fund \$103,541.14

Dog Fund \$3,096.64

Open Space

Grant Fund \$1,100.00

Total \$2,219,607.68

Monday, October 20, 2014
Kunjesh Trivedi, CFO/CTC

Addendum G
RESOLUTION
TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT
PROJECTS
Senior Citizen Activities

WHEREAS, a Bergen County Community Development grant of \$4,000.00 has been proposed by the Mayor and Council for Senior Citizen Activities in the municipality of Harrington Park, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of Harrington Park, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of Borough of Harrington Park hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

ADDENDUM H
RESOLUTION
TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT
PROJECTS
Senior Van Driver

WHEREAS, a Bergen County Community Development grant of \$8,500.00 has been proposed by the Mayor and Council for Senior Van Driver expenses in the municipality of Harrington Park, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of Harrington Park, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of Borough of Harrington Park hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited

ADDENDUM I
RESOLUTION

Community Development Senior Van Interlocal with the Borough of Haworth
WHEREAS, the Borough of Harrington Park and the Borough of Haworth participate in an Interlocal Agreement in connection with the sharing of a van providing transportation to senior citizens.

NO THEREFORE BE IT RESOLVED, the Borough of Haworth in agreement with the Borough of Harrington Park will serve as Lead Agency to administer the Grant Agreement through the Community Development program with the County of Bergen

Addendum J
RESOLUTION
To Enter Grant Agreement

Community Development Senior Citizen Activities

BE IT RESOLVED, that the Mayor and Council of the Borough of Harrington Park wishes to enter into a grant agreement with the County of Bergen for the purposes of using \$2,500.00 in FY2014-2015 entitled Senior Citizen Activities in Harrington Park, New Jersey.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor Paul A. Hoelscher to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council authorizes Ann H. Bistriz to sign all county vouchers in connection with the aforesaid project, and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Harrington Park is liable for any funds not spent in accordance with the Grant Agreement, and that liability of the Mayor and Council is in accordance with HUD requirements.

Addendum
RESOLUTION K

Open Space Funds-Environmental Resource Inventory

WHEREAS, the Mayor and Council have considered the needs and requests of the Environmental Commission and Green Team concerning the use and maintenance of the Borough of Harrington Park's natural resources within the Borough; and

WHEREAS, the Environmental Commission had requested to the Mayor and Council using for the year 2014 a budgeted amount of \$5000.00 to match grants or other funding for this project; and

WHEREAS, as of this date potential grants have not been received;
and

WHEREAS, the Environmental Commission has requested up to \$20,000.00 from the Open Space Trust Fund to cover the cost of this Environmental Resource Inventory; and

WHEREAS, completing an Environmental Resource Inventory will provide a planning and educational tool that may be used by of all Harrington Park residents to help maintain and preserve our natural resources and potential help acquire future grants and funding;

WHEREAS, the Mayor and Council are satisfied that it is in the best interests of the Borough to fund and Environmental Resource Inventory;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park, County of Bergen, State of New Jersey as follows:

1. The Mayor and Council hereby approve the expenditure of up to \$20,000 for the Environmental Commission and Green Team to perform an Environmental Resource Inventory and further that such funds are to be funded out of the Open Space Trust Fund and provided further they are certified by the Borough Treasurer.

Addendum L

ORDINANCE No. 694

AN ORDINANCE TO AMEND THE SALARY, WAGE OR
COMPENSATION OF PERSONS HOLDING OFFICE,
POSITION OR EMPLOYMENT IN THE BOROUGH OF
HARRINGTON PARK, COUNTY OF BERGEN, STATE OF
NEW JERSEY.

Be it ordained by the Mayor and Council of Harrington Park
as follows:

<u>Description</u>	(Full Time)	Or	Manner of <u>Payment</u>	<u>Minimum</u>		<u>Maximum</u>
	(Part Time)					
Chief Financial Officer/	F		C	50,000.00	-	100,000.00
Alternate Prosecutor			P			3,000.00
Office of Emergency Manager			P	1500.00		\$2500.00
Tax Collector/Tax						
Search Officer	F		C	1.00		20,000.00

Manner of Payment (Explanatory references to the above)

- A – Annual Salaries – paid quarterly during first pay period - March, June, Sept., and Dec.
- B – Per Meeting - vouchered
- C – Annual Salaries – paid on bi-weekly basis
- D – Hourly basis – paid bi-weekly on a submitted voucher
- E – Annual Salary – paid once a year
- F - Per session - vouchered
- G - paid quarterly - vouchered
- H - Annual Salary - paid monthly
- I – Hourly basis – On submitted voucher – paid monthly

ANNIVERSARY DATE for full-time employees shall be the first of the year. When full-time employment begins prior to June 1st in any year the anniversary date shall revert back to January 1st of the same year. When it begins on or after June 1st the anniversary date shall not be effective until January 1st of the following year. That section shall be effective for all purposes of the salary ordinance.

PAID HOLIDAYS: FOR FULL-TIME Borough employees shall be as per applicable contract, collective bargaining agreement or employee handbook.

OVERTIME: Shall be as designated by applicable contract or collective bargaining agreement.

VACATION PAY: Full time Borough employees as per applicable agreement, contract, collective bargaining agreement or employee handbook

EFFECTIVE DATE: This Ordinance shall take effect immediately after passage and publication as provided by law and shall be retroactive to January 1, 2014, unless otherwise designated

Correspondence

9/15/14

Soil Movement(Neglia) 10 Eastbrook Road and 33 Taylor Place
NJDOT Public Hearing for Federal Assistance notification.

9/18/14

Acceptance letter from Mr. Quantmeyer regarding the repair of damages caused by the NJDOT contractor.

Award resolution CC to Mr. Loveless NJDOT 2014.

9/22/14

Fax from County Executive in support of working with the Mayor of Teaneck to start a discussion with CSX and train safety.

As Built for 25 Lohs Place (Neglia)

9/23/14

FEMA has changed the manner in which permanent generator use during a storm shall be reimbursed.

9/29/14

Resolution form New Milford to allow retail liquor licenses for use in certain historic taverns.

NJDOT approval of Lynn Street Paving Project and contractor award.

Tax Stipulations of Settlement-JAL Stores, Giron

Response to NJDOT regarding Lynn Street paving

10/1/14

Incomplete Street Program-Bergen County (program through Rutgers)

Correspondence-21 Carman requesting street light.

10/2/14

Submission letter (Neglia) to NJDOT for funding 2015 for paving two sections of Lynn Street.

Dues increase 2% proposed from NJLM.

10/6/14

Equalization Chart 2014.

10/8/14

Correspondence from Mark Maidaio, resident requesting zoning overview and consideration of the property at 106 Schraalenburgh for possible future development.

Court Administrator will be reviewed by the County November 12, 2014.

10/9/14

Resident Mr. Drugmand has informed the Borough of hazardous trees that are leaning towards his house from Borough property.

Resident Mark Madaio sent correspondence to M/C regarding consideration of re-zoning of Block 1204/Lot 13-106 Schraalenburgh Road.

Annual Court Visitation by the Superior Court of NJ-November 12, 2014.

10/9/14

Approval received from Bergen County to hang 5K Banner across Schraalenburgh Road.

Final Inspection (Neglia) Parkside Road and Harriot Place.

10/10/14

NJLM Bulletin September 2014

AS Built Review (Neglia) 72 Riverview Drive

Resolutions from Board of Chosen Freeholders (via email)

10/14/14

DPW Monthly Report.

10/16/14

Minor Soil 52 Oak Street

10/17/14

Senator Weinberg letter to Bergen County OEM regarding train transportation of Bakken Oil and response from NJDOT.