

**REGULAR MEETING
Mayor and Council
Borough of Harrington Park, New Jersey
December 16, 2019**

(PAH) Call Meeting to Order

Time: 7:00 pm

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 emailed to the BERGEN RECORD, SUBURBANITE and THE NORTHERN VALLEY PRESS. A copy has been filed with the Borough Clerk, and copies have been provided to individuals requesting the same.

(ALB) Roll Call:

	PRESENT	ABSENT
NAPOLITANO(AN)	x	
EVANELLA (GE)	x	
WALKER (DW)	x	
BROCKMAN (JB)		x
PEDERSEN (JP)		x
CHUNG (JC)	x	

Also present:

**Ms. Ann H. Bistriz, Borough Clerk (ALB)
Mr. Kunjesh Trivedi, CFO CTC (KJT)
Mr. John Dineen, Borough Attorney (JRD)**

(PAH) Flag Salute

(PAH) Suspend the Regular Order of Business

**Motion GE
Second JC
Vote AIF**

(PAH) Meeting Open to the Public

**Motion GE
Second JC
Vote AIF**

(PAH) Presentation by Chief Maalouf to Retired Crossing Guard, Doreen Tietz

Chief Maalouf took the opportunity to thank Doreen Tietz for her service as a crossing guard for over 15 years. The Chief considers her a good friend to him, and to all that know her. Her first priority is the safety of the school children. Ms. Tietz took her position seriously. She was affectionately strict. She loved, and respected, all the students and parents, who crossed by her post. Chief noted her special skill: Whistles

were provided to all the crossing guards to help them gain attention. However, Doreen could yell louder than her whistle. Her vocal cords were quite effective!
A Certificate for Employee Recognition was read into the record by Chief Maalouf.

PAH added that he knew how dedicated Ms. Tietz was to her job, students and community. She knows all by name. He jokingly added that he did not know about her special skill; that her voice was louder than her whistle! PAH thank you for your service.

JC commented that her favorite song is “You are My Sunshine.” Ms. Tietz you are sunshine in Harrington Park, and a friend to all. We are all so grateful for the brightness you add to everyone’s day. JC met Doreen Tietz in the school as a lunch aid. She will be greatly missed.

Brenda Cho, Board of Education
The BOE is so grateful for Doreen’s service to the school and community

Tom Tietz, son of Doreen Tietz
Has always been in awe of the dedication his mother had to the school and her position as crossing guard. No matter what was going on in her personal life, she always put on a smile to make the town a better place. She gave it her all, until she could no longer physically do the job. My mother is a true inspiration to all.

No other public discussion

(PAH) Meeting Closed to the Public

Motion GE
Second DW
AIF

(PAH) Return to Regular Order of Business

Motion GE
Second JC
Vote AIF

(PAH) Minutes Approval

November 12, 2019
November 18, 2019
Motion GE
Second AN
Discussion-None
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: A-G

- A 2019-148-AGREEMENT FOR PROFESSIONAL SERVICES
- B 2019-149-RESOLUTION AUTHORIZING PURCHASE CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a
- C 2019-150-Approval for Membership in the New Jersey State Fireman's Association
- D 2019-151-Hiring of Substitute Crossing Guard (s)
- E 2019-152-Payment of Claims
- F 2019-153-Harrington Park Volunteer Fire Department Junior Membership
- G 2019-154-BERGEN COUNTY CDBG-ADA RESTROOM BOROUGH HALL

Motion GE

Second DW

Discussion-GE made correction for Crossing Guards-more than one has been requested to be hired by the Chief of Police.

Roll Call AIF

(PAH) Consent Correspondence "AA"

Motion AN

Second JC

Vote AIF

Individual Committee Reports

(PAH) Mayor Hoelscher

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

(GE) Police, Municipal Court, Personnel

454 calls, 151 traffic details, 9 criminal arrests, 1 DWI (with 6 charges)- YTD-5

58 summonses issued (25 moving-11 parking)

YTD 741

6 motor vehicle accidents-no injuries

OT \$7,000 left in budget

OE \$\$12,000 left in budget

No IA

6 Officers qualified for active shooter training.

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

Leaf collection took place twice weekly throughout town and parks

Set up Election Day and Rabies Clinic

Cleared trees at the Swim Club, Martha Road and branches around town from wind storm

Road millings were brought to Pondsides Park, Highland Field to fill in depressions

George Street Pond was plugged and filled for ice skating

Cleaned up litter Schraalenburgh Road and Closter boarder
Delivered to market-Junk mail 19,640 pounds.
Curbside Recycling 9.82 tons

(JB) Board of Health, Environmental Commission

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

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

Recreation is planning on repairing the roof on the Field House at Highland Park-two estimates have been received.

JC requested ALB reach out to MK to turn off the Basketball Court lights at Highland. Indoor soccer has 50 children signed up for the season

Recreation Commission will be meeting with Neglia Engineering on December 18 to discuss plans for the pavilion construction.

(ALB) Borough Clerk/Administrator

Provided correspondence for Councilmembers to consider at a future meeting addressing dedicating parking spaces for Veterans and using Veteran based companies for services.

(KJT) Meetings have been held with committees and departments to work on the Budget 2020. He is planning to introduce a Bond Ordinance in January.

Old Business

AN inquired into the status of CSX. JRD will follow up with the emails that ALB forwarded to him. He has not be notified directly, as per the correspondence received. ALB has also reached out to Congressman Gottheimer's Office, and has not heard back. She will contact again after the holiday season.

New Business

(PAH) Mayor's Report

- Would like to keep all Council Assignments as they are for 2020. If any member would like to change please advise
- Sine Die-January 4, 2020-11:30am
 - Citizen of the Year-Suellen Spillane
- Reorganization Meeting-January 4, 2020-Noon.
- Public Service is supposed to be performing work on Blanch and Lohs Place- we have sent around information for traffic and detour purposes, however, no work has begun as of this date.
- All are wished a Happy Hanukkah, Merry Christmas and Happy New Year.

Ordinances

**(GE) Second Reading
Regulation Towing and Storage of Vehicles Ordinance #743 by title-Addendum H
Motion GE
Second DW**

**Open to Public Discussion Ordinance #743
Motion GE
Second DW
Vote AIF**

No Public Present

**Closed to Public Discussion
Motion GE
Second DW
Vote AIF**

**Council Discussion-None
Roll Call Vote AIF**

(PAH) Meeting Open to the General Public-Opened earlier in meeting

**(PAH) Motion for Closed Session GE Time: 7:35pm
Second JC
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.

(GE) Contractual-Police Chief

(GE) Potential Litigation-Police Department

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 7:42pm
Adjournment-Time: 7:42pm**

Motion:
Second:
Vote:

Addendum A
2019-148

AGREEMENT FOR PROFESSIONAL SERVICES

WHEREAS, Borough of Harrington Park has chosen to enter into a grant agreement in the amount of \$101,925.00 (Dollar for Dollar Matching Grant) with the Bergen County Open Space Trust Fund to construct a pavilion, drainage improvements, and electrical improvements at Highland Field within the Borough; and

WHEREAS, Neglia Engineering Associates has provided the Borough with an Agreement for Professional Services for this project; and

WHEREAS, the Agreement for Professional Services includes a lump sum cost of \$16,305.00 representing Engineering and Surveying Costs, on a time basis (schedule in contract) not to exceed \$11,000.00 representing Construction Management Services, and on a material basis (schedule in contract) not to exceed \$1,500.00 representing Reimbursable Expenses; and

WHEREAS, the CFO has certified that these funds have been appropriately budgeted for; and
Acct#: C04-5519-731-002

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the agreement of services for the Bergen County Open Space Trust Fund project for Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey.

Addendum B
Resolution
2019-149

RESOLUTION AUTHORIZING PURCHASE CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, pursuant to N.J.S.A. 40a:11-12A AND N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Harrington Park has a need to purchase, on a timely basis, goods or services utilizing State contracts during 2019; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Borough of Harrington Park plans to utilize the State Contract Vendors listed on the attachment, such transaction shall be subject to all conditions applicable to the current State contracts; now, therefore,

BE IT RESOLVED, by the Council of the Borough of Harrington Park, in the County of Bergen, that the Borough is hereby authorized to purchase goods or services in 2019 from the approved New Jersey State Contract Vendors on the following list, pursuant to all conditions of the individual State contracts:

State Contract Vendors

<u>Commodity / Service Contract#</u>	<u>Vendor Name</u>	<u>State</u>
Body armor vests	Lawmen Supply Company 7150 Airport Highway Pennsauken, NJ 08109	17-FLEET-00740

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-14.5 and any other applicable requirement, the Chief Financial Officer of the Borough of Harrington Park, has ascertained that there are available funds are available for the above referenced vendor

APPROPRIATION: \$10,987.02

Appropriation Accounts: G-01-41-700-000-002
T-03-56-286-000-339
9-01-25-240-000-299

**Addendum C
Resolution
2019-150**

Approval for Membership in the New Jersey State Fireman's Association

To approve the admittance Michael L. Grassi, New Jersey as an active member in the Harrington Park Volunteer Fire Department and shall also be approved for membership in the New Jersey's State Fireman's Association

Addendum D

**Resolution
2019-151**

Hiring of Substitute Crossing Guard

WHEREAS, Council has been advised by Chief Maalouf that there is a need an additional substitute crossing guard; and

WHEREAS, Chief Maalouf has requested permission to advertise for this position; and

WHEREAS, employee shall be paid at the prevailing wage as per the 2019 Salary Ordinance.

WHEREAS, the Chief of Police will provide the Borough Clerk with the advertisement and job description for such position; and

THEREFORE BE IT RESOLVED, that the Mayor and Council of Harrington Park shall approve the advertising of employment for the position of substitute crossing guard.

**Addendum E
Resolution
2019-152**

Payment of Claims

WHEREAS, claims have been submitted to the Borough of Harrington Park in the following amounts under various funds of the town:

Current Appropriations (2018)	\$ 6,895.69
Current Appropriations (2019)	\$ 137,501.75
General Capital Fund	\$ 163,862.18
Animal Trust	\$ 1,000.00
Miscellaneous Trust	\$ 7,538.89
Affordable Housing Trust	\$
Open Space Trust Fund	\$ 6,578.00
Grants	\$ 700.00

Total **\$ 324,076.51**

WHEREAS, above claims have been listed and summarized in the attached Bills List Report, and the corresponding vouchers have been reviewed and approved by the department head, Borough Council, and the chief financial officer; and

WHEREAS, the Chief Financial Officer has determined that the funds have been properly appropriated for such purposes and are available in the Borough of Harrington Park and that the

claims specified on the schedule attached hereto, following examination and approval by the Council and Chief Financial Officer and Department Head be paid and checks issued accordingly; and

WHEREAS, claims have already been paid in the following amounts for the purpose specified below:

Payroll- Salaries/Wages 11/22/19	\$ 149,128.56
Payroll- Salaries/Wages 12/06/19	\$ 137,450.95
Payroll- Salaries/Wages	\$
Local School- September-October 2019	\$
Regional School – October November 2019	\$ 1,140,424.80
Health Benefits- July- August 2019	\$
Capital Fund	\$
Debt Services Principle (bond)	\$
Debt Services Interest	\$
Debt Service Loan/Interest (NJEIT)	\$

TOTAL \$ 1,427,004.31

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that the claims totaling **\$1,751,080.82** be approved and ratified respectively.

**Addendum F
Resolution
2019-153**

Harrington Park Volunteer Fire Department Junior Membership

WHEREAS the Mayor and Council of the Borough of Harrington Park approve the admittance of the following member in the Harrington Park Junior Volunteer Fire Department:

Brenna Krivoruk

BE IT RESOLVED that applicants shall also be approved for membership with the signed permission of his/her parent or guardian and medical examination

**Addendum G
RESOLUTION
2019-154**

BERGEN COUNTY CDBG-ADA RESTROOM BOROUGH HALL

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county of municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Harrington Park in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$75,000 as a result of funds will be received in the current fund from a Bergen County CDBG grant.

BE IT FURTHER RESOLVED, that the like sum of \$75,000 be appropriated under the caption:

Revenue: Bergen County CDBG-ADA bathroom 2019

Appropriations: Bergen County CDBG- ADA bathroom 2019

Addendum H
ORDINANCE #743
AN ORDINANCE REGULATING
TOWING AND STORAGE OF VEHICLES

WHEREAS, the Borough of Harrington Park is desirous of establishing criteria and procedures for the selection of towing contractors to be utilized by the Borough on a rotational and as-needed basis; and

WHEREAS, N.J.S.A. 40:48-2.49 authorizes municipalities to establish by ordinance reasonable, non-exclusionary and non-discriminatory regulations for the towing and storage of vehicles; and

NOW, THEREFORE, be it ordained by the Mayor and Council of the Borough of Harrington Park, County of Bergen and State of New Jersey as follows:

Section 1. Purpose.

The purpose of this Ordinance is to establish, pursuant to N.J.S.A. 40:48-2.49, (i) a list of towing contractors to provide towing services for the Borough of Harrington Park on a rotating basis (“Towing List”) and (ii) regulations governing operators engaged in the removal of motor vehicles.

Section 2. Application and Licensure.

A. An individual or entity seeking placement on the Towing List shall be required to submit an application and receive the approval of the Police Department of the Borough of Harrington Park (“Police Department”) prior to the issuance of a license.

B. All applicants are required to complete a form furnished by the Police Department, providing any and all information prescribed by the Chief of Police of the Borough of Harrington Park (“Chief of Police”). Any application deemed incomplete will be disregarded without any further notification.

C. Each towing contractor (“Towing Contractor”) must be able to demonstrate to the Borough that it is thoroughly qualified and experienced in the towing and removal of vehicles of all

types, and that it has adequate facilities, equipment, expertise, licensing, and personnel to perform the services required by these specifications in a manner satisfactory to the Police Department.

D. The Police Department shall conduct a background check of the Towing Contractor, its officers and employees prior to making a determination of placement on the Towing List.

E. A license may be denied, suspended, or revoked upon any of the following grounds:

1. Submitting a fraudulent or misleading application.
2. A criminal conviction of the towing operator or a named principal of the towing operator.
3. Failure to respond reliably to calls for assistance or any other unsatisfactory performance action which interferes with the proper operation of the rotating system maintained by the Police Department.
4. Failure to utilize safe and adequate equipment as defined herein.
5. Violations of motor vehicle laws and/or municipal ordinances.
6. Failure or refusal to tow or remove a motor vehicle when requested to do so by an appropriate municipal official.
7. Violations of the zoning ordinance or any other applicable ordinances or codes of the Borough of Harrington Park pertaining to the use or condition of the premises used by the Towing Contractor in conducting the towing business.
8. Violations of the provisions of this ordinance or any of its rules, regulations, and policies promulgated hereto.

F. Licenses shall be applicable for a one (1) year term, which shall commence January 1 through December 31. An Application must be submitted to the Police Department on or before December 1 for review to serve for the succeeding year. All applications shall be accompanied by a non-refundable fee in the amount of One Hundred and Twenty Five (\$125.00) Dollars.

G. Licenses shall be renewed annually by December 31 of the preceding year. Towing Contractors already on the Towing List will receive a renewal application by mail. The renewal fee shall be in the amount of Seventy-five (\$75.00) Dollars.

Section 3. Denial, Suspension, Revocation, Hearing.

A. When an application for a license is denied by the Borough of Harrington Park, the Applicant may serve a Notice requesting a hearing. Said Notice shall be served on the Borough Clerk and the Applicant shall set a hearing at a regularly scheduled meeting of the governing body.

B. Proceedings for the suspension or revocation of a license shall be initiated by the service of a Notice setting forth the charges proffered against the Towing Contractor. Said Notice shall be served by the Chief of Police or his/her designee, either personally or via certified mail, return receipt requested, and shall contain a date, time and place for a hearing to be held by the governing body of the Borough of Harrington Park. The Towing Contractor shall have the right to file an answer to the Notice and to appear in person, or be represented by counsel, and give testimony at the place and time fixed for the hearing.

Section 4. Towing List; Rotation.

A. A Towing List of the accepted Towing Contractors shall be kept with the Chief of Police. Each new Towing Contractor shall be placed on the bottom of the Towing List upon registration with the Borough. The Towing List shall be a rotating list as provided in paragraphs, B, C and D of this Section.

B. The Police Department will call the Towing Contractor on the top of the Towing List on the towing rotation schedule, on an add-needed basis. The Towing Contractor that is called, if it shall perform any of the services covered by this chapter, shall be placed at the bottom of the Towing List and not called again until all other on-call Towing Contractors on the Towing List have been called.

C. If a Towing Contractor is unavailable to perform required services when called upon by the Police Department, for any reason whatsoever, the Towing Contractor shall be charged with a call and placed at the bottom of the Towing List, and the next available on-call Towing Contractor shall be called.

D. If a Towing Contractor, after being dispatched, is recalled and is not required to perform any duties or services covered by this Ordinance, the Towing Contractor shall remain on the top of the Towing List. However, if a Towing Contractor arrives at the scene of an incident in which its services are required and cannot perform said services, it shall lose its place on the Towing List, and the next on-call Towing Contractor on the Towing List shall be called.

Section 5. Rules and Regulations.

A. All Towing Contractors placed on the Towing List shall be available 24 hours per day, 7 days per week, to respond to a call in accordance with the towing rotation schedule of on-call status established by the Chief of Police.

B. All Towing Contractors shall respond to a call in any part of the Borough within fifteen (15) minutes. If a Towing Contractor does not respond within fifteen (15) minutes of a call, the Towing Contractor next on the list shall be called and entitled to provide services as needed, and the first Towing Contractor shall forfeit any claim to compensation.

C. All drivers and operators of towing vehicles shall be properly licensed to operate a motor vehicle within the State of New Jersey and are subject to driver's license checks by the Police Department at the time of registration and at least on an annual basis thereafter. All towing vehicles shall be properly registered and inspected in accordance with the applicable laws.

D. All drivers and operators of towing vehicles must tow their vehicles in a safe manner.

E. All Towing Contractors shall be capable of providing reasonable roadside services to disabled vehicles such as, but not limited to, jump-starting, changing of flat tires and providing fuel. Such services shall only be performed if they can be done safely, as determined by the police officer on the scene.

F. All Towing Contractors shall make available a copy of its basic rates and a business card to all owners and operators of motor vehicles which will be towed.

G. All Towing Contractors shall keep accurate records of all motor vehicles towed and stored at the direction of the Police Department. A copy of such records shall be provided to the Borough upon request.

H. Towing Contractors shall not remove any motor vehicle which has been abandoned or involved in an accident in any public roadway without first notifying the Police Department.

I. The owner of a motor vehicle shall have the right to request a towing service only if there is no emergency situation or imminent road hazard as determined by the Police Department.

J. The Towing Contractor shall notify the Police Department of all vehicles found by the Towing Contractor to have been abandoned and not claimed within fourteen (14) days after being stored. The Police Department shall, upon notification, expeditiously process the vehicle in accordance with the New Jersey Motor Vehicle Code concerning abandoned and unclaimed motor vehicles.

K. In the case of multiple vehicles, the Towing Contractor or the Police Department may request the help of another Towing Contractor on the Towing List.

Section 6. Storage Facilities.

A. All storage facilities operated or used by Towing Contractor shall meet all local zoning and code requirements, and must be located within four (4) miles of the geographic center of the Borough of Harrington Park or within the Borough.

B. All Towing Contractors shall have an indoor storage facility at its disposal for motor vehicles which have been involved in criminal activity and impounded by the Police Department.

C. All storage facilities shall have a business office open to the public between normal business hours at least five (5) days a week, excluding holidays.

D. All outside storage facilities shall be secured and fully enclosed by a sturdy fence having a minimum height of six (6) feet, with a lockable gate for ingress and egress, and shall be lighted from dusk to dawn.

E. A Towing Contractor shall not charge a release fee or other fee for releasing motor vehicles to their owners after normal business hours or on weekends.

Section 7. Towing and Storage Rates.

The following fees are established as being the usual and customary rates for towing and storage of automobiles, trucks, vans, motorcycles, mopeds, and scooters:

1. A fee in connection with towing services for impounded or abandoned vehicles shall be in the amount of One hundred dollar (\$100.00) Dollars per vehicle and includes mileage.

2. Towing in connection with accident calls shall be at a minimum in the amount of one hundred dollars (\$100.00) Dollars per vehicle. Additional time spent at the accident scene over ½ hour shall be in the amount of Seventy (\$70.00) Dollars per hour.

3. Storage Fees shall be in the amount of Thirty-Five (\$35.00) Dollars per day.

4. Service calls, which constitute any service other than towing, use of flatbed, or winching, shall be in the amount of seventy-five (\$75.00) Dollars per call to the scene.

5. A decoupling fee shall not exceed \$25.00.

6. Towing and storage of vehicles 16,000 lbs. and over shall not exceed those fees established for towing vehicles as established and accepted by the New Jersey State Police.

Section 8. Rights of Owners/Operators of Motor Vehicles.

A. The owner or operator of any motor vehicle requiring towing or storage shall have the right to remove all personal items and effects from the motor vehicle unless the Police Department has placed a police hold on any such items.

B. The motor vehicle owner or his or her representative shall have the right to take photographs of any stored vehicle for insurance purposes.

C. Upon request of the motor vehicle owner or his or her representative, a Towing Contractor shall provide a detailed and itemized bill for all services rendered.

Section 9. Equipment.

A. All towing vehicles providing towing services herein shall meet all of the requirements of Revised Statutes Title 39, "Motor Vehicles and Traffic Regulation".

B. All towing vehicles must have radio equipment with a 24 hour dispatch service or a cellular telephone for the purpose of maintaining communications with the Police Department radio desk.

C. All towing vehicles must be equipped with at least one fire extinguisher, safety chains, substances for application to small liquid spills, and stiff push brooms to clean debris at the scenes, one broom and shovel, emergency warning lights, and one (1) set of dolly wheels.

Section 10. Collection of Fees.

Owners of vehicles towed shall be responsible for all fees for services rendered. Tow Operator shall look solely to owner for payment of fees.

Section 11. Insurance Requirements.

Towing Contractors shall be required to purchase, maintain and provide during the time of service on the Towing List, proof of insurance furnished by a reputable insurance company licensed to do business in the State of New Jersey containing the following coverage:

1. Fire, theft, collision and comprehensive including vandalism and malicious mischief in the minimum amount of Fifty Thousand (\$50,000) Dollars.

2. Liability and property damage insurance covering the Towing Contractor's business, equipment and other vehicles in the minimum amount of Five Hundred Thousand (\$500,000) Dollars for single-limit coverage and One Hundred Thousand (\$100,000) Dollars for all damages arising from the injury.

3. Worker's Compensation insurance as required by law, including, but not limited to statutory New Jersey Worker's Compensation Benefits, and Employers' Liability in the minimum amount of One Hundred Thousand (\$100,000) Dollars.

Section 12. Violations; Penalties; Suspension

A. All violations of this Ordinance, and all complaints by the public or Police Department against any Towing Contractor, shall be forwarded to the Mayor and Borough Council.

B. The Mayor and Borough Council, in their discretion, shall determine if any complaint or violation against a Towing Contractor is of such a serious nature as to warrant a hearing and possible disciplinary measures. If the Mayor and Borough Council decide that a hearing is required, it shall, upon proper notice to all interested parties, conduct a hearing in which all parties may present evidence. If, after a hearing, the Mayor and Borough Council find that a Towing Contractor has violated any provision of this Ordinance, it may in accordance with the gravity of the offense:

1. Fine the violating party an amount not exceeding the sum of One Thousand (\$1,000.00) Dollars.

2. Suspend the violating party from the Towing List for a period of time not exceeding than three (3) months for a first offense; not exceeding six (6) months for a second offense; not exceeding one (1) year for a third offense.

3. Permanently remove the violating party from the Towing List for any violation after its third offense.

Section 13. Indemnity Clause

The Towing Contractor shall execute a separate certification stating that it will hold harmless, indemnify and defend, at the Towing Contractor's expense, the Borough, its employee and officials from any and all claims, demands, suits or actions for personal injury or property damage brought against the Borough, its employees, and officials for any activities which arise out of any services performed pursuant to this Ordinance.

Section 14. Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

Section 15. Severability.

If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance, and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 16. Effective Date.

This Ordinance shall take effect immediately upon passage and publication according to law.

**Addendum AA
Correspondence**

December 2, 2019

NJDOT Paving Award Laroche Avenue \$156,000.

Bergen JIF 2020 Budget Public Notice

Insurance cards received from JIF

Expedited contract from Community Development for ADA Compliant bathrooms

Annual Report Bergen Community College.

December 9, 2019

Neglia Engineering correspondence-Community Development-ADA concrete ramp submission

December 10, 2019
Hackensack Avenue Roadway Improvements Project Payment Voucher
December 16, 2019
BCUA Proposed 2020 Budget and Public Notice