

**SPECIAL MEETING  
Mayor and Council  
Borough of Harrington Park, New Jersey  
JUNE 8, 2020**

**(PAH) Call Meeting to Order**

**Time:  
NOTICE**

Under the provision of the Open Public Meetings Law, you are hereby notified, that the Mayor and Council of the Borough of Harrington Park, will hold a Special Meeting scheduled for Monday, June 8, 2020 at 7:00pm EST, through electronic media. Mayor and Council Agenda Meeting Scheduled for June 15, 2020 has been cancelled.

Topic: Mayor and Council Special Meeting June 8, 2020.

Join Zoom Meeting

<https://zoom.us/j/95005119870?pwd=SThocVgwT1VpK0tPd3NVQ2RQTEdtUT09>

Meeting ID: 950 0511 9870

Password: 806380

One tap mobile

+13017158592,,95005119870#,,1#,806380# US (Germantown)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 950 0511 9870

Password: 806380

Find your local number: <https://zoom.us/u/acJPbqAMm8>

This is in response to public health and safety concerns at the direction of the County Executive and the State of New Jersey. At this time future meetings and Borough business shall be held through electronic media if necessary and shall be advertised and posted on the Borough website [harringtonparknj.gov](http://harringtonparknj.gov) under the Mayor and Council Tab and Meeting Schedule Tab. Anyone affected by such preventative actions of the Mayor and Council may email the Borough Clerk's Office [clerk@harringtonparknj.gov](mailto:clerk@harringtonparknj.gov) or you call 201-768-1700 and request any documentation deemed necessary. The Mayor and Council may take action on any business deemed appropriate.

Ann H. Bistriz RMC CMC CMR

Borough Clerk/Administrator

**(PAH) Mayor's Announcement:**

In compliance with Chapter 231, Public Law 1975, adequate notice of the meeting was made. It is posted on the bulletin board in the Municipal Center and posted on the Borough website.

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) 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 Items: (A-E)**

- A Temporary Part-Time Finance Clerk 2020-81**
  - B Part Time Finance Clerk 2020-82**
  - C Co-operative Purchasing Motorola Radios 2020-83**
  - D Co-operative Purchasing-Goosetown Enterprises-Radios 2020-84**
  - E Payment of Claims 2020-85**
- Motion GE**  
**Second JP**  
**No Discussion**  
**Roll Call Vote AIF**

**Individual Committee Reports**

**(PAH) Mayor Hoelscher**

Drive by Graduate Parade for NVOT Class of 2020-concept submitted by Dr. Santana, Supt. Of the NVBOE. Still under discussion on how it will be implemented. Police are in the discussion.

Drove by protests at the Closter Wells Fargo Bank on Piermont Road. Councilman Napolitano saw the demonstration as well. Seemed to be peaceful, and PAH understands the right to protest peacefully, regardless of the cause.

There have been some problems with garbage being thrown on the road to the Swim Club. The trash had a local residents name; that person what asked to clean up his debris. Both the Building Department and JRD are aware of the conversation, in case the resident does not comply.

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

Fire Department:

4 alarms, 1 Company Meeting, 1 Interborough Meeting, 2 Officers Meetings and 4 meetings with the OEM.

2 drill were scheduled and additional pandemic requirements and response work have been addressed.

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

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

April Report:

The Municipal Buildings were disinfected and vehicles cleaned on a regular basis

Salt equipment was stored away

7 roads were cleared of branches and debris from storms

6' Distancing Signs were placed around town

Opened the Highland Field house

Stormwater Management report review with Neglia Engineering

Compost pile inspected

Recycling center was reopened

9340 steel recycled, 8260 white metal

25.48 tons curbside recycling collected

Interviews will be set up for the 6 applicants for the DPW Supt. Position

**(JB) Board of Health, Environmental Commission**

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

Budget adoption next meeting.

Riverside Cooperative paving can begin after June 22 meeting-Adoption of Bond Ordinance

Delinquent Tax Notices are sent

Property Tax Freeze application being received

Ms. Myoung has started working in the Finance Office

Audit to begin next week

Highland Field project ready to start.

PAH inquired if residents have fallen behind in their taxes. KJT stated there is nothing out of the ordinary in Harrington Park

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

HP Teaches are providing a Grab and Go Lunch for First Responders on June 11<sup>th</sup> at Borough Hall

Recreation Commission needs to discuss with DW and MK a routine to disinfect the playgrounds.

Possible banner has been removed celebrating the 2020 graduates. PAH will speak with the Police and MK.

**(ALB) Borough Clerk/Administrator  
Property Maintenance**

**Farmers Market-Signs**

**No meeting June 15, 2020 instead just the June 22, 2020 Meeting**

**Bench Sales Beautification Committee**-enough were sold to make an order. Should be installed in the Fall

**Resolution: Riverside Cooperative Management Neglia  
Riverside Co-operative Contract (JRD)  
ATT/Phoenix Communications Contract (JRD)  
2020 Budget Adoption**

**Old Business**

(AN) Received CAP Budget requests from Fire Department for future discussion, and has requested to resubmit to help the Borough address their needs as best they can.

(DW) Informed Council that an agreement has been made with Mark Kiernan to continue to work through August 1, 2020. He will be paid for his vacation time so his predecessor may be properly trained. Monetary component was worked out with KJT for Finance Committee.

JRD offered the following Resolution for Council to consider:

RESOLUTION

AUTHORIZING BOROUGH TO ENTER SERVICES AGREEMENT WITH MARK KIERNAN FOR CONTINUED MANAGEMENT SERVICES

WHEREAS, the Mayor and Council have determined it is in the best interest of the Borough of Harrington Park to enter an agreement with Mark Kiernan to manage, educate, assist and facilitate the installation of a replacement for his services as DPW Director within the Borough;

WHEREAS, the Mayor and Council have considered the many benefits of entering such a contract providing un-interrupted DPW services during the selection period and ending on August 1, 2020 all for the benefit of the health and welfare of the community;

WHEREAS, the Chief Financial Officer has advised that there is sufficient funding to pay the associated cost of \$25,407.06 all in accordance with the contract presented;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that the Mayor, Clerk or such other authorized person shall execute and deliver the contracted agreement with Mark Kiernan for services as referenced herein.

Motion DW

Second JP

Roll Call Vote AIF

DPW Committee received 6 applications. 3 from our Department and 3 others. Interviews via ZOOM are starting to be scheduled for next week.

PAH requested ad for staff person for DPW to be placed in newspaper. Time is running short. DW stated she will get to ALB as soon as ready.

## **New Business**

### **(AN) Recognition of Volunteers from Ambulance Corps and Fire Department**

He has 3 people from each department that have really gone outside of their commitments to their organizations, and as soon as we can all be together he would like to present something for their recognition. He also recommended adding ALB to this list since she has been on continual call to keep the Mayor and Council abreast of everything enabling Council to make an intelligent decisions to help keep our residents safe and healthy.

Motion AN

Second JP

Vote AIF

### **Waiver of Permit and Inspection Fees for Community Church Bathroom**

Small jobs for churches in the past for emergency repairs have been waived of fees in the past. Council collectively would like the Building Department to provide additional research for an appropriate decision.

JC added that school has requested a waiver of fees.

Conversation followed about the separation of church and state. Discussion will continue at the next meeting.

### **(ALB) Outdoor Dining and Expansion of Liquor License to Sserve Outside**

To enable Donatella's to serve their guests in the allotted space. Council requested to review the set up and the CDC and State guidelines to make the correct decision. ALB will provide by next meeting for vote.

### **(JC) Requested that signage be made for employees to wear masks and to note 6' distancing. ALB will order from AM Graphics**

DW please let DPW know that the Speed Limit sign on George Street has been spray painted.

Recreation has had requests for Field Use Permits. They have consulted with JIF. There are no special requirements as long as the health guidelines are met.

JRD has provided an additional disclaimer for Baseball Camps and Soccer Camps, etc. Discussion followed regarding enforcement which was advised by JRD that perhaps Recreation and the Police can be helpful in their directives in a non-overbearing manner, enlightening those who are participating in programs on our fields. A kind reminder to follow CDC recommendations can go a long way.

JC also asked Council if they would like to personally chip in to help provide balloons and gift for a resident in town who is turning 13 and the father just died this week. The Aunt of the resident asked for a Police and Fire parade, however, Council has not

permitted that since there can be an overload of requests for this type of service, detracting from the regular services for the residents.

**Ordinances**

**(JP) Bond Ordinance #745 Addendum F**

**Motion: JP**

**Second: DW**

KJT noted that all Council was given all the information. All questions answered.  
No further discussion.

**Roll Call Vote: AIF-JB abstained due to Section 3**

**Public**

**Motion to Open to the Public for General Discussion JP**

**Second JB**

**Vote AIF**

**No Public Present**

**Motion to Close to the Public for General Discussion JP**

**Second AN**

**Vote AIF**

**(PAH) Motion for Closed Session Time:**

**Second**

**Vote**

**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.

**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**

**Adjournment-Time: 8:02pm**

**Motion: JP**

**Second: DW**

**Addendum A  
Resolution 2020-81  
Temporary Part Time Finance Employee**

WHEREAS, Lisa Krivoruk had for some time been employed by the Borough of Harrington Park in the areas of administration and within the Finance Department;

WHEREAS, Lisa Krivoruk had tendered her resignation and accepted a position in an adjoining municipality which created a need and vacancy within the Finance Department;

WHEREAS, Covid-19 and the associated Executive Orders of the Governor of the State of New Jersey, Philip Murphy hindered and further prevented the ability of the Borough of Harrington Park to interview and fill the vacancy created by Lisa Krivoruk;

WHEREAS, the continued vacancy was of such nature that it impaired the ability of the Finance Department to operate effectively during the pandemic;

WHEREAS, Lisa Krivoruk, as an accommodation to the Borough of Harrington Park, agreed to continue her work on a part-time basis provided that her hourly rate was increased by \$5 per hour from April 1<sup>st</sup> of 2020;

WHEREAS, the Finance Committee determined that it was in the best interest of the Borough of Harrington Park to secure Lisa Krivoruk's services at the rate and other terms and conditions established;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council hereby ratify and confirm the terms and conditions of Lisa Krivoruk's continued service and further providing that the Chief Finance Officer and other such authorized persons shall take such action as necessary to affect the terms herein.

**Addendum B**  
**Part-Time Finance Clerk**  
**Resolution 2020-82**

WHEREAS, the Borough of Harrington Park has determined that it is in the best interests of the Borough of Harrington Park to secure the services of a part-time Finance Clerk who will work with the CFO, Kunjesh Trivedi;

WHEREAS, the Mayor and Council have determined that there is a need for the position of part-time Finance Clerk who will assist Kunjesh Trivedi in his office and on behalf of the Borough of Harrington Park;

WHEREAS, CFO Kunjesh Trivedi has offered the name of Joanna Myung as a person qualified for the position of part-time "Finance Clerk" and has further certified there are sufficient funds available to pay for this appointment;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that it hereby appoints Joanna Myung to the position of part-time Finance Clerk at such rates as established in the salary ordinance and under the direction of Kunjesh Trivedi.

I hereby certify the above by emailed vote and memorialized Resolution was duly adopted by the Mayor and Council of the Borough of Harrington Park on June 8, 2020.

**Addendum C**  
**Resolution 2020-83**

**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 2020; 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,

**WHEREAS**, Chief Finance officer has certified that funds are available to spend 163,954.30 in the account of 4-215-219-744-002 and 12,185.32 is in account c04-551-219-733-001.

**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 2020 from the approved New Jersey State Contract Vendors on the following list, pursuant to all conditions of the individual State contracts:

<u>Commodity / Service</u> <u>Contract#</u>	<u>State Contract Vendors</u> <u>Vendor Name</u>	<u>State</u>
Radios	Motorola Solutions, Inc 123 Tice Boulevard Woodcliff Lake, NJ 07677	83909

**Addendum D**  
**Resolution**  
**2020-84**

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

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**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 2020; 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,

**WHEREAS**, Chief Finance officer has certified that funds are available to spend \$8520 in the account of 4-215-219-744-002.





Department of Public Works Building; (ii) the acquisition and installation, as applicable, of various mobile and portable communication radios and related equipment and accessories for use by the Fire Department and the Ambulance Corps of the Borough's Emergency Medical Services; (iii) the acquisition of personal protective equipment (PPE) hoods for use by the Fire Department; (iv) the acquisition of an Idemia hand-held live scan fingerprint device and two (2) police cars, including certain additional expenses related thereto, for use by the Police Department; (v) various improvements and repairs to the Borough's Municipal Building; (vi) the acquisition of decorations for the business section of the Borough; (vi) improvements and upgrades to the computer system and related software for use in the Borough's municipal offices; and (vii) improvements and upgrades to various roadways within the Borough, including, but not limited to, the construction of LaRoche Avenue and the paving of various roadways within the Borough as part of the Borough's Riverside Cooperative Road Improvement Project. Such improvements or purposes shall also include, as applicable, all engineering and design work, surveying, construction management services, preparation of plans and specifications, permits, bid documents, contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans therefor 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 \$791,404.

(c) The estimated cost of said improvements or purposes is \$830,975, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of \$39,571, which is the down payment available for such improvements or purposes.

**SECTION 4.** In the event the United States of America, the State of New Jersey, and/or the County of Bergen make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby 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 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. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

**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 of the Borough. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer of the Borough 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 of the Borough 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 of the Borough 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, 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 8.41 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 \$791,404 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 \$18,245 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 with 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 \$791,404. 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 bond ordinance.

**SECTION 11.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.