

**REGULAR MEETING  
Mayor and Council  
Borough of Harrington Park, New Jersey  
May 18, 2020**

**NOTICE  
BOROUGH OF HARRINGTON PARK  
NEW JERSEY**

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 their Regular Meeting scheduled for Monday, May 18, 2020 at 7:00pm EST, through electronic media.

Join Zoom Meeting

<https://zoom.us/j/97125662344?pwd=aTc5dzl2MlhEdms5L1R2Z2p4dHIxUT09>

Meeting ID: 971 2566 2344

Password: 289408

One tap mobile

+19292056099,,97125662344#,,1#,289408# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

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. 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.

Ann H. Bistriz RMC CMC CMR

Borough Clerk/Administrator

**(PAH) Call Meeting to Order      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 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:**

**Ann H. Bistriz, Borough Clerk (ALB)**  
**Kunjesh Trivedi, CFO Tax Collector (KJT)**  
**John R. Dineen, Borough Attorney (JRD)**  
**Gary Higgins, Municipal Auditor (GH)**

**(PAH) Suspend the Regular Order of Business**  
**Motion GE**  
**Second AN**  
**Vote AIF**

**(PAH) Budget Introduction 2020**

**JP noted that KJT worked very hard on the budget for this year. It is a miracle that he was able to stay under budget. The average household is \$541,101**

**KJT explained that the tax increase per the average home in Harrington Park will be approximately \$77. 2.24% increase, which is under the CAP.**

**GH explained that for the year 2020 the Borough will be able to self-examine the budget rather than overview by the state.**

**The Borough portion of the tax bill is 19.5%**

**At the height of the Borough surplus, it has been \$1.8M plus \$106,000 from last year.**

**Our financial rating will benefit from the high surplus and approximate CAP allowing is 4127,000 below the maximum allowed increase. All services will remain at the same level as they are now. Once budget is adopted or amended, if Council so chooses, all will be good to go.**

**Discussion took place regarding the dollar differential between KJT and GH, so it was determined that the amount would be considered under an \$80 increase per average home.**

**(JP) Introduction of Ordinance #744 Addendum A**  
**CALENDAR YEAR 2020 ORDINANCE TO EXCEED**  
**THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE**  
**AND TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40A-4-45.14)**  
**Motion JP**  
**Second JC**  
**No discussion**  
**Roll Call Vote AIF**

**(JP) Authorizing Increase in Deferred School Taxes for Local District School Taxes**  
**Resolution 2020-76 Addendum B**  
**Mr. Higgins explained this resolution allows us to utilize our surplus to pay these taxes to the BOE since we are the collecting agent.**  
**Motion JP**  
**Second DW**

No discussion  
Roll Call Vote AIF

- (JP) Introduction of Budget 2020  
Resolution 2020-77 Addendum C  
Mr. Higgins stated that the budget is available for public review for 28 days before it can be approved.  
Motion JP  
Second JB  
No discussion  
Roll Call Vote AIF**

**(PAH) Meeting Open for Public Discussion  
Motion JP  
Second AN  
Vote AIF**

**Richard Budinich, 5 South Avenue**

Mr. Budinich inquired if the Mayor and/or Council has met with the religious leaders from our community to discuss the ability to have public services, wither in parking lots, or in our public parks. PAH explained that no one has reached out to him to discuss their plans on their religious services or programs.

ALB added that she heard OLV is following the protocols brought to them from the Archdiocese. JP added that in addition to that guidance the church can decide what is best for them at the local level. JP added that OLV will be open for confession and private prayer, and in weeks to come, larger groups of prayer will be allowed with precautions.

PAH added that there is no other directive as of yet through the Governor's Executive Order. PAH presumes that the Community Church and St. Andrews must be receiving guidelines accordingly.

JC added that as of this moment the Executive Order does not allow groups of more than 10 with social distancing. Our parks will be adhering to that. The Borough, EMS and FD (and School) has sanitizing equipment. JC will reach out to churches to see if they need assistance with some of this equipment.

PAH assured Mr. Budinich that if he is contacted with clearer information, he will reach out to him to discuss further. The information changes minute by minute. Since everything has been so unclear, even the Swim Club has decided not to open this year. Even graduation programs for all schools are up in the air. BOE is trying to do the right thing and information for planning keeps changing.

JRD interjected that the information comes from the top levels of government, down to the municipalities. But in the light of this pandemic it is deemed inappropriate to supersede the Executive Orders that have been put in place for safety and protection. The Supreme Court of NJ has not weighed in on any of these concerns that have come before them in a variety of capacities which makes things even more frustrating.

**(PAH) Meeting Closed to Public Discussion**  
**Motion GE**  
**Second JP**  
**Vote AIF**

**(PAH) Return to the Regular Order of Business**  
**Motion GE**  
**Second JP**  
**Vote AIF**

**(PAH) Minutes Approval**  
**April 20, 2020**  
**Motion JP**  
**Second AN**  
**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 (D-F)**

**D-Resolution 2020-78 LOSAP HPVAC**

**E-Resolution 2020-79 LOSAP HPFD**

**F-Resolution 2020-80 Stormwater Management Neglia Engineering**

**Motion JP**

**Second AN**

**No Discussion**

**Roll Call AIF, abstentions from DW on Addendum D and JB on Addendum E**

**(PAH) Consent Correspondence “AA”**

**None**

**Motion**

**Second**

**Vote**

**Individual Committee Reports**

**(PAH) Mayor Hoelscher**

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

AN requested and update of the Bond for radios. He also is meeting with the department to pare down their capital budget request and then have it reviewed by the Finance Committee.

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

### **Police April 2020**

245 calls, 2 traffic details

Traffic enforcements have been halted at the determination of the NJ AG. Summonses should only be issued if there is a situation of safety for a driver or the public.

1 Accident

Miles: YTD 12,878

OE YTD \$25,000

OT YTD \$33,000-this is elevated due to injuries and illness of officers in January.

Chief is happy to announce that his whole department is getting along well and acting professional during these times. Chief is also putting extra time when necessary.

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

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

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

Special Bond meeting will be planned for the week of May 26<sup>th</sup>.

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

Fishing derby has been cancelled as well as the Junior's Memorial Day Concert.

Police Report was filed for a racial slur that was written on this sidewalk by the school's playground walking path. DPW came out and removed as soon as reported.

#### **(ALB) Borough Clerk/Administrator**

Thank you to Council

Thank you to Councilwoman Chung, Mike Hunken OEM and Craig Budinich HPVAC-PPE

Suggestion of paving LaRoche from Mark Kiernan NJDOT 2020-Resolution in June Stormwater Management Ordinance will hold until June

BCUA Paper Shredding-September 12

NJDOT Declined Discretionary Aid for Downtown Street Scape.

Riverside Coop Bid Awarded to American Asphalt for Road Paving Program 2020.

Memorial Day Parade

JP noted the American Legion will be doing a small ceremony

Hometown Heroes

Beautification Committee: Ordering Memorial Benches, Working with EC for Replanting corner/Rockland Electric, Family Pick-up Sticks Program.

Garden Club request for Planting of Ornamental Tree in Don Horsey Park (Motion)

Election Day is now July 7

### **Old Business**

### **New Business**

DW is working on the Advertisement for DPW Supervisor as well as a new member of the Department.

ALB was requested to place on website. KJT will place ad on the websites for NJLM and Public Works. JRD stated that the Borough can hire from within, but it is the objective of the Council to be transparent and open about the position available.

DW will send her draft to JRD for his approval.

JB had a resident reach out to him to discuss COVID testing/Antibody testing for the Borough at a reduced cost. Discussion followed regarding the necessity for advertising and bidding process. Insurance issues and BOH are a concern as well on where and how conducted. At this time it is not really prudent for the Borough to provide such services. Health insurance carriers are mandated to cover the cost of testing, and several sites are open through Bergen County.

JC was concerned about the amount of young adults congregating in the woods at the end of Hazel Street. A ditch that was supposed to deter people entering the area has been filled in with branches. There is an existing No Trespassing sign at the location. Mr. Kiernan will remove the branches.

JRD added that this property is not open to the public. It is a conservation easement. If people are caught they will can be issued desist letters for violation of protected parklands.

(PAH) Garden Club Proclamation 30<sup>th</sup> Anniversary

**Proclamation**

**Harrington Park Garden Club**

WHEREAS, The Mayor and Council of the Borough of Harrington Park express their appreciation and thanks for the work and accomplishments of the Harrington Park Garden Club; and

WHEREAS, The Garden Club, created May 1990, is celebrating its 30<sup>th</sup> Anniversary; and

WHEREAS, The Garden Club has been a respected part of the HP community, as well as, the neighboring towns; and

WHEREAS, People from all over Bergen County, Passaic, Morris and Rockland County, NY have attended their meetings and share the love of gardening; and

WHEREAS, The Garden Club offers 10 lectures a year by top notch gardening speakers that are open to the public, at no charge, for the novice to the master gardener; and

WHEREAS, The garden Club has provided beauty in the downtown area by keeping their container barrels filled with seasonal plantings, all provided, planted, and cared for by the Clubs dedicated members; and

WHEREAS, Countless friendships have been initiated through the Harrington Park Garden Club; and

WHEREAS, A special note of thanks is extended to Mrs. Gerri Gibney for her efforts and time spent as leader and organizer of the Harrington Park Garden Club

NOW, THEREFORE, BE IT PROCLAIMED that the Garden Club of Harrington Park is hereby honored by the Mayor and Council of the Borough of Harrington Park as well as the citizens of our wonderful community by proclaiming, in celebration of their 30<sup>th</sup> Anniversary:

**May 2020  
Harrington Park Garden Club  
Month**

BE IT FURTHER UNDERSTOOD, *that all members of our community express our sincere respect and appreciation for all that the Harrington Park Garden Club has contributed over the last 30 years, through volunteerism and community service for all the residents of the Borough of Harrington Park.*

Thank you and Congratulations.

**(PAH) Mayor's Report-None**

**Ordinances-None**

**(PAH) Motion for Closed Session Time: None  
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: 8:09pm  
Motion: JP  
Second: JC  
Vote: AIF**~~

**Addendum A  
Ordinance #744  
BOROUGH OF HARRINGTON PARK  
BERGEN COUNTY, NEW JERSEY  
CALENDAR YEAR 2020 ORDINANCE TO EXCEED  
THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE  
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 to 2.5% 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 2020 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 1.0% increase in the budget of said year, amounting to \$53,831 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 CY 2020 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 1.0%, amounting to \$53,831, and that the CY 2020 municipal budget for the Borough of Harrington Park be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, 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; 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 B**  
**Resolution 2020-76**  
**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, 2019.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council that the following Deferred School Taxes be hereby increased for the year ended December 31, 2019 as follows:

	Deferred Local District School <u>Taxes</u>
Amount Deferred 12/31/19	\$6,243,351
Amount Deferred 12/31/18	<u>6,069,944</u>
Amount of Increase	<u>\$ 173,407</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 C**  
**Resolution 2020-77**  
**Introduction of 2020 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 2020.

**BE IT FURTHER RESOLVED**, that the said budget be published in The Record in the issue of June 11, 2020 and that a hearing on the Budget will be held at the Municipal Building on June 22, 2020 at 7:00 o'clock (P.M.) or as soon thereafter as the matter may be reached.

**Addendum D**  
**Resolution 2020-78**  
**LOSAP-Harrington Park Volunteer Ambulance Corps**

**WHEREAS**, the Borough of Harrington Park has adopted a LOSAP program for the members of the Harrington Park Volunteer Ambulance Corps; and

**WHEREAS**, Jeff Walker, President of Harrington Park Volunteer Ambulance Corps has certified that certain eligible members meet the established criteria, a copy of said list of eligible members for the year 2019 being attached hereto;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Harrington Park hereby authorizes the Borough Treasurer to initiate the LOSAP payments in the names of those deemed eligible to receive them.

**Addendum E**  
**Resolution 2020-79**  
**LOSAP-Harrington Park Volunteer Fire Department**

**WHEREAS**, the Borough of Harrington Park has adopted a LOSAP program for the members of the Harrington Park Volunteer Fire Department; and

**WHEREAS**, John A. King, President of Harrington Park Fire Company No. 1 has certified that certain eligible members meet the established criteria, a copy of said list of eligible members for the year 2019 being attached hereto;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Harrington Park hereby authorizes the Borough Treasurer to initiate the LOSAP payments in the names of those deemed eligible to receive them.

**Addendum F  
Resolution 2020-80**

**STORMWATER MANAGEMENT PROGRAM**

WHEREAS, the Borough of Harrington Park is required by the NJDEP Municipal Stormwater Management Program to file a Municipal Stormwater Management Plan and Stormwater Pollution Prevention Plan; and

WHEREAS, the services of Neglia Engineering have been requested to provide engineering services for the above referenced project; and

WHEREAS, the cost for the agreement of engineering services will be completed on a lump sum basis for a cost of \$6,965.00 and subject to provided standard terms and conditions; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the agreement of services of Neglia Engineering, 34 Park Avenue, Lyndhurst, New Jersey to file the Year 2020 Municipal Stormwater Management Program requirements.  
Acct# 0-01-20-510-000-200