

**REGULAR MONTHLY MEETING
 Mayor and Council
 Borough of Harrington Park, New Jersey
 July 18, 2016**

(PAH) Call Meeting to Order

Time: 7:00pm

Mayor's Announcement:

In compliance with Chapter 231, Public Law 1975, adequate notice of the SCHEDULED 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	
WALKER (DW)	x	
FITZGERALD (LF)		7:12pm
PEDERSEN(JP)		x
CHUNG (JC)	x	

Also present:

**Mr. John R. Dineen, Borough Attorney (JRD)
 Ms. Ann H. Bistriz, Borough Clerk/Admin. (ALB)**

(PAH) 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)**
- 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 Motion**

(PAH) Request to Suspend the Regular Order of Business

Motion GE

Second AN

AIF

(PAH) Open the Meeting to the Public

Motion GE

Second AN

AIF

Rev. Diane Rhodes-St. Andrew's Church

Rev. Rhodes Requested the use of Don Horsey Park to bless peoples, pets, animals, stuffed toys, etc., in honor of the Feast of St. Francis of Assisi. The Church offers this ceremony every year, by bringing it out in a park. The ceremony would be available to anyone who would want to participate. There are blessings for those of any faith, and those who are not religious, as well.

PAH commended Rev. Rhodes for her work at St. Andrew's Church, and thanked her for all her involvement with the community

Council was in agreement that this was a great idea.

(PAH) Close the Meeting to the Public

Motion GE

Second AN

AIF

GE made a motion to approve the use of Don Horsey Park by Rev. Rhodes of St. Andrew's Church, Harrington Park, to conduct blessings of pets in honor of the Feast of St. Francis of Assisi on Sunday, October 2, 2016 from 1pm-3pm. All animals shall be on leashes or in cages. St. Andrews Church shall be responsible for submitting a Certificate of Insurance to the Borough of Harrington Park and inform the Police Chief and DPW Superintendent prior to the event.

Second by AN

(PAH) Return to the Regular Order of Business

Motion GE

Second AN

AIF

(PAH) Minutes Approval

June 13, 2016

June 20, 2016

Motion GE

Second AN

Discussion none

Vote AIF

June 30, 2016 Special Meeting
(Abstain GE and JP)
Motion AN
Second JC
Discussion none
Vote AIF-abstention GE

(PAH) Consent Correspondence

SEE ADDENDUM “AA”

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

Motion AN

Second JC

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.

Addendums (A-F)

(AN) New Jersey Veterans PTSD Task Force A

(GE) Tour De Cure Bikeathon August 20, 2016 B

(DW) Park Bench Donation from American Legion Post #30 C
Replacement of Tree-Borough Parking Lot D

(JC) Social Affairs Permit-Town Day September 10, 2016 E

(JP) Authorizing Disposal of Municipal Property F

Motion JC

Second AN

Discussion none

Vote AIF

Individual Committee Reports

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

Ambulance Corps-16 Calls-9 in Harrington Park, 7 Mutual Aid

Building Department-June 2016-\$8,000+ approximately \$10,000 less than last year
(2015 included a new house permit).

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

418 Calls, 158 Traffic Enforcements, 54 Summons (YTD 573)

10 Motor Vehicle Accidents with 2 injuries.

New Chief's vehicle #507 has been put into service. His old vehicle will be used for traffic details only.

Ms. DeRise has resigned as a crossing guard and the position will be filled by Mr. Clarke.

During June 5 officers were trained with the new motor vehicle reporting system and all qualified for fire arms.

Chief Maalouf performed the security at the White Elephant Sale.

Other incidents included: Reported Bullying involving a cell phone, stolen political signs and two cards were egged.

YTD Over Time \$36,400 with \$21,200 rebateable to the Borough.

YTD O&E \$27,500

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

June 6-Set up for Primary Election –Borough Hall and the HP Library

June 9-replaced recycling containers at Highland Field, placing old ones at DPW Recycling Center.

June 10-Set up for White Elephant Sale-barricades, tents, tables.

June 14/ June 29-repaired pot holes around town

June 27-Tested Lighting System at Highland Field and Pondside Park

Curbside Recycling-29.61 tons-Recycling Center 6.62 tons

(LF) Board of Health, Environmental Commission

None

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

None

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

Dr. Fried, School Superintendent, was awarded Bergen County Superintendent of the Year. The Borough is very fortunate to have him at the forefront of our education system. He truly fosters an excellent education of our students, and is very supportive of the teaching staff.

HSA donated \$25,000 to the school to purchase 125 Chrome Notebook devices for our students. This is a reminder how the community benefits from dedicated volunteerism. Thank you for all those who help raise these funds.

The school trailer that is currently used for 2 classrooms will be removed. Dr. Fried has offered the structure to the Borough if they would like to relocate it to another spot.

Mr. Trivedi approved the replacement of the door locks at Highland Field. Thank you to Mr. Fitzgerald for working on this project.

Town Day is scheduled for September 10 with a rain date of September 11th. Recreation is working with several local groups including the Junior Woman's Club and a variety of vendors.

(PAH) Mayor Hoelscher

- **Chief Roem has accepted a position to represent the Borough for County Communications**
- **Attended a very impressive Eagle Court of Honor for Joseph Jordan at the Community Church on July 16th.**
- **Congressman Garrett has invited our first responders to participate in a program for train safety (CSX) in Bergenfield on July 25th.**
- **PAH will be supporting the Joint Insurance plans to improve the procedures for handling a variety of police matters.**
- **Riverside Cooperative does not have any meetings until September.**
- **Spoke with the Borough grant writers and was informed that there are Discretionary Funds available for roadway safety and drainage projects, but time is of the essence.**

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

Old Business

None

New Business

None

ORDINANCES AND RESOLUTIONS

**(AN) Ordinance # 705-Second Reading by Title Amendment to Zoning Ordinance §350-16
(O & R District) Office/Assisted Living/Senior Residential Community District (OALSR)**

Addendum G

Motion AN

Second JC

(PAH) Meeting Open to Public Discussion for Ordinance

Motion AN

Second JC

Vote AIF

(PAH) Meeting Closed to Public Discussion

Motion AN

Second JC

Vote AIF

AN noted that nothing was changed by the Harrington Park Planning Board since the first reading of this ordinance.

Roll Call Vote-AIF

ALB will file with the Bergen County Planning Board, the Harrington Park Planning Board and advertise in the Bergen Record.

(PAH) Mayor's Report

Meeting Open to Public

Motion GE

Second DW

Vote AIF

No Public

Meeting Closed to Public

Motion GE

Second DW

Vote AIF

Closed Session Time: 7:49pm

Motion

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.

- 1) Contractual-Court
- 2) Police-Personnel

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: 8:16pm

Motion GE

Second DW

Vote AIF

Motion

GE made a motion to authorize the Chief of Police to begin the interview/hiring process to enable the replacement of a Police Officer who has resigned as of August 19, 2016.

Second by DW.

Roll Call: AIF

Adjournment Time: 8:23pm

Motion GE

Second LF

Vote AIF

Addendum A

Resolution 2016-122

New Jersey Veterans PTSD Task Force Support

WHEREAS, in 2010 the NJ Legislature enacted an Act (A-161) establishing a statewide task force to study the treatment of veterans diagnosed with post-traumatic stress disorder (“PTSD”) in judicial proceedings with a final report and recommendations due to be submitted to the Governor in May 2016; and

WHEREAS, the New Jersey Veterans PTSD Task Force will identify and review the issues and concerns facing New Jersey veterans who served in the United States Armed Forces and/or New Jersey National Guard who have been diagnosed with PTSD and how that diagnosis has impacted their treatment in judicial proceedings; and

WHEREAS, Veterans Treatment Courts, which have been established in 37 other U.S. States, aim to provide veterans with substance abuse or mental health treatment as an alternative to incarceration whenever possible and appropriate; and

WHEREAS, Veterans Treatment Courts start with the premise of providing veterans involved in the criminal justice system with a program and services to overcome the challenges they face in civilian life, often with the assistance of other armed forces veteran mentors; and

WHEREAS, New Jersey is home to 712,000 veterans, the 16th highest state veteran population in the nation, yet New Jersey remains one of only 13 states without a Veterans Treatment Court according to the not-for-profit Justice for Veterans Organization

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

1. The Borough of Harrington Park publicly recognizes the efforts of the New Jersey State Legislature and the New Jersey Veterans PTSD Task Force for examining such an important issue with the ultimate goal of potentially providing additional protections and/or alternative treatment options to veterans of the United States Armed Forces who provided tremendous service to our Country.
2. A copy of this resolution shall be sent to the Freeholders of Morris County and our New Jersey Legislative Representatives.

This resolution shall take effect immediately.

**Addendum B
Resolution 2016-123**

American Diabetes Association Tour de Cure

WHEREAS, The American Diabetes Association has applied for permission to use roadways within Harrington Park to conduct their New York City Tour de Cure on August 20, 2016 which will begin at 10:30am-1:30pm; and

WHEREAS, the proceeds raised by the event will be donated to support diabetes research, advocacy and create programs for children and adults; and

WHEREAS, Tour de Cure will encompass several towns including Harrington Park, for a 62 mile and 100 mile biking event; and

BE IT RESOLVED, that the Harrington Park Police Department, the Harrington Park Volunteer Fire Department and the Harrington Park Volunteer Ambulance Corps be notified of the event so the event's Steering Committee can obtain the necessary insurance; and,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that there is no objection to the conducting of the American Diabetes Association, Tour de Cure through Harrington Park on August 20, 2016, as hereinbefore mentioned.

Addendum C

Resolution 2016-124

Park Bench Donation-American Legion Post #30

Whereas, Commander Simpson of American Legion Post #30 has offered to donate 3 benches to be placed in various locations in the Borough of Harrington Park; and

Whereas, 2 benches will be placed under two trees on the grass area between the Library and the Borough Hall; and

Whereas, the third bench is requested to be placed in front of Dom's Barbershop in the shopping area of the Borough.

Be it Resolved that the mayor and Council accept and approve of the locations for the donated benches.

Be it Further Resolved, that Commander Simpson will seek approval of Dr. Brunquell, landlord of Dom's Barbershop, as well as Mr. Zavadino, Building Official, prior to installation of the Park Bench.

Addendum D

Resolution 2016-125

Replanting of Tree by Parking Lot Entrance

Whereas, Mr. Fred Fisher has offered to donate a replacement tree for the failed tree at the parking lot entrance by the Harrington Park Library; and

Whereas, this tree would replace the previous tree Mr. Fisher donated; and

Whereas, Mr. Fisher has requested to have the Harrington Park DPW remove the dead tree and prepare the planting are for the new tree.

Be it Resolved that the Mayor and Council of the Borough of Harrington Park, accept and approve the offer of the replacement tree for the entrance of the municipal parking lot.

Addendum E

Resolution 2016-126

Social Affairs Permit for Town Day-Recreation Commission

BE IT RESOLVED by the Mayor and Council of the Borough of Harrington Park that it has no objection to granting permission for the Harrington Park Recreation Commission to apply for a Social Permit for a Town Picnic at Highland Field in Harrington Park on September 10, 2016 (rain date September 11, 2016) from 12 Noon-4 pm (1pm-4pm rain date) to serve beer and wine.

BE IT FURTHER RESOLVED that the Chief of Police has no objections to the filing of said application, and the Borough Clerk has certified that not more than 25 Social Permits have been authorized for these premises during this calendar year.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Clerk be authorized to sign said application and forward same to the Department of Law & Safety, Division of Alcoholic Beverage Control, Trenton, with a payment for \$100.00.

Addendum F
Resolution 2016-127
RESOLUTION

AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Borough of Harrington Park is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Mayor and Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, be it **RESOLVED** by the Mayor and Council of the Borough of Harrington Park, County of Bergen, as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Commissioners of the Fire District.

(2) The sale will be conducted online starting August 9, 2016 and running through August 18, 2016 and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is as follows:

- 2006 Ford Explorer Vin: 1FMEU72E46UB16942-as is
- 2007 Ford Explorer Vin: 1FMEU73E57UB64787-as is
- 2007 Ford Explorer Vin: 1FMEU73E77UB64788-as is
- 1982 Mack R487p model Dump Truck Vin: 1M2N112CEA003270
37,495 mi. 240HP, Good Tires, Plow Hitch, 6-8 dump body with chute tailgate
- 1986 GMC Brigadier Dump Truck Vin: 1GM8C1Y6GV526948
28,450 mi. 300 hp CAT 3208 Engine, needs brakes, good tires
1986 Fox Brady salt spreader, with calcium dispensing system, 2 -75 gal. calcium saddle tanks, and 10’ Good Roads power reversible plow and hitch.

- 1972 International Loadstar Vin: 10682OH242491
3148 miles 283 CI International 8 Cyl gasoline engine
Meyers sewer cleaning jet with International UC263 Cyl gasoline engine
1500 gal. tank with hose reel, jet hose and nozzle
- Giant Vac 2 Axle Leaf Collection Trailer (no engine)
12 Cubic yard collection box
Electric operated hydraulic trailer leg and dump hoist

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) Borough of Harrington Park reserves the right to accept or reject any bid submitted.

Addendum G

Proposed Ordinance #705

Amendment to Zoning Ordinance §350-16 (O & R District) Office/Assisted Living/Senior Residential Community District (OALSR)

A. Purpose and Intent

For the purpose of guidance for applicants and land use reviewers only, it is the intent of this building zone for all land uses to fulfill the following objectives:

- (a) To maintain the highest standards for environmental quality;
- (b) To be compatible with their surroundings; and
- (c) To provide for and/or contribute to their fair share of affordable housing in accordance with a formula devised by the Borough. This formula may emanate from a jurisdictional NJ State agency, the courts, or a local ordinance that was prepared pursuant to State guidance and/or direction.

B. Uses permitted. The following uses are permitted in the OALSR district:

(1) Housing for special use groups. Each of these housing types is permitted only where in conjunction with a blend of other of these housing types in this group, and each type may not stand alone or exceed the maximum percentage of housing for each type as herein defined:

- (a) Independent Living Age Restricted Housing; provided that (a) the residents meet the Borough’s definition of “Senior Citizen”, and (b) the individual dwelling units meet the

Borough's definition of "Senior Citizen Dwelling Unit". All such dwellings shall be either one or two bedroom units, except that not more than 20% of the total Independent Living units may instead be efficiency units. Two bedroom dwelling units shall comprise a minimum of 50% of the total Independent Living unit count. Floor area sizes: No efficiency dwelling unit shall have fewer than 550 square feet; no single-bedroom dwelling unit shall have fewer than 700 square feet; and no two bedroom dwelling unit shall have fewer than 870 square feet. This housing type shall not comprise more than 60% of all housing types on any individual site. The size and bedroom count requirements shall not apply to any Mt. Laurel or other affordable housing units.

(b) Assisted Living Facilities; provided that (a) the assisted living dwelling units meet the definition of "Assisted Living Residence" as defined in N.J.A.C. 8:36-1.3, and (b) the professional services provided to the residents meet or exceed the definition of "Assisted Living" as defined in N.J.A.C. 8:36-1.3. All such dwelling units shall be efficiency, one bedroom or two bedroom units, no one size of which shall comprise more than 60% of the total Assisted Living units. Floor area sizes: No efficiency dwelling unit shall have fewer than 450 square feet; no single-bedroom dwelling unit shall have fewer than 600 square feet; and no two bedroom dwelling unit shall have fewer than 900 square feet. This housing type shall not comprise more than 50% of all housing types on any individual site. The size and bedroom count requirements shall not apply to any Mt. Laurel or other affordable housing units.

(c) Memory Care Facilities; provided they offer living facilities and specialized care including licensed skilled nursing and nursing aides and programs for people diagnosed with dementias or Alzheimer's disease. In general these facilities provide secure residential facilities specializing in memory care based on fostering trust and emotional well-being. They are characterized by formal professional care involving nursing and other supportive care. This housing type shall not comprise more than 25% of all housing types on any individual site.

(d) Nursing Homes; provided they offer licensed skilled nursing and nursing aides with coverage 24 hours a day, seven (7) days a week. Nursing homes, also known as convalescent homes, skilled nursing facilities, and rest homes, provide a type of highly skilled medical residential care. Their residents are people who require continual nursing care and have significant difficulty coping with the required activities of daily living. This housing type shall not comprise more than 20% of all housing types on any individual site.

(e) Special Needs Housing; provided they provide housing for people who meet the Borough's definition of "individuals with special needs"; and provided the housing structure and operation meet the Borough's definition of "permanent supportive housing" or "supportive and special needs housing". In general, the term "special needs" describes individuals who require assistance for medical, mental, or psychological disabilities. Some examples include but are not limited to people with autism, Down syndrome, dyslexia, blindness, ADHD, cystic fibrosis, cleft lips and/or palates, port-wine stains, or missing limbs. These shall be efficiency units measuring no less than

250 square feet in floor area. This housing type shall not comprise more than 20% of all housing types on any individual site.

(f) Affordable Housing; provided it qualifies as one of the other permitted special use housing groups above, meets the State of New Jersey's definition of "Affordable Housing", meets the Borough's definitions of "affordable" and "affordable housing development" and would meet enough of the State's Mt. Laurel affordable housing requirements to qualify the Borough of Harrington Park with credit against its affordable housing obligations. This sub-category of one of the housing types above shall not comprise more than 20% of all housing types on any individual site.

(2) Office buildings for executive, administrative, educational or medical purposes; and scientific, medical, engineering or research laboratories devoted to research, design and/or experiments or processing and fabricating incidental thereto, provided that no materials, finished products or medicines shall be manufactured, processed or fabricated on said premises for sale, at wholesale, retail or otherwise, except such as are incidental to said laboratory research, design or experiments conducted on said premises; and employee educational programs as accessory to the principal use, provided that no more than one building or structurally interconnected buildings, other than accessory buildings as herein otherwise permitted, shall be located on any one lot, which lot shall fully comply with the requirements herein specified for this district.

(3) Museums, libraries, community cultural buildings and uses related thereto.

(4) Horticultural parks, together with related hothouses, for the growing of plant life and the exhibition thereof.

C. Permitted Accessory Uses

(1) A satellite antenna which complies with the following requirements:

[a] The surface area of any reflective dish shall not exceed 50 square feet.

[b] The dish shall be erected on either a [1] secure ground-mounted foundation, or [2] a roof top provided it does not exceed building height limitations; and provided it is securely mounted and fully screened from offsite views by parapet walls or otherwise.

[c] For ground-mounted satellite antennae, the overall height from the mean ground level to the highest point of the antenna or any attachments thereto when extended to their full height shall not exceed 11 feet. For roof-mounted satellite antennae the overall height from its roof mounting to the highest point of the antenna or any attachments thereto when extended to their full height shall not exceed 4 feet.

[d] The ground-mounted satellite antenna shall be located in the rear yard and shall not violate the yard and setback requirements of the main building.

- [e] The antenna shall be located and screened to minimize motor noise and visibility from the street and adjacent properties. The ability of the applicant to install the dish in an unobtrusive location and to minimize the noise impact on adjacent properties shall be a major factor in determining whether or not the conditional use is approved.
- [f] The antenna shall be designed for use by occupants of the main building only.
- [g] There shall be no more than three antennae per building lot.

(2) Support retail shops which comply with the following conditions:

- [a] This use may be approved if it is in support of independent living age-restricted housing only. Examples of conditionally permissible support retail shops include but are not limited to news/magazine shop, delicatessen, grocer, barber or hair salon, and coffee shop. Examples of support retail establishments that are prohibited include but are not limited to dry cleaners, laundromats, restaurants, fast food services, banks (except for an ATM within another shop for the convenience of on-site residents), nail salons, real estate offices, pet shops, etc.
- [b] Retail facility size and number shall be limited to only that which can serve the needs of the independent living age-restricted residents. No more than one such facility per 25 qualifying dwelling units is permitted on any site. No single such facility shall have more than 500 square feet of floor area.

(3) Outdoor recreational facilities (including for example swimming pools, putting greens, and individual gardens) and outbuildings related thereto, ponding areas, lakes and streams; provided, however, that said uses shall not be operated for hire.

(4) Parking areas for passenger and service vehicles necessary to or in connection with the above permitted uses in accordance with the standards herein elsewhere established.

(5) Signs in accordance with the standards herein elsewhere established.

Editor's Note: See § 350-43, Signs.

(6) Tennis courts and platform tennis courts; provided, however, that said uses shall not be operated for hire. No lighting of tennis courts shall be permitted.

D. Uses and structures prohibited. Any uses other than those permitted uses or accessory uses permitted by Subsections B or C of this section shall be prohibited. Without in any way limiting the generality and prohibition of this section, nothing contained in this chapter shall be construed to permit any of the following uses in the OALSR District:

- (1) No more than one building for OALSR use shall be located on any one lot, other than (a) accessory buildings as herein otherwise permitted, and (b) support retail shops in one additional

building as herein otherwise permitted as accessory, and each such lot shall fully comply with the requirements herein specified for the district.

(2) Pilot plants.

(3) The erection, alteration, repurposing or adaptive reuse of a building for dwelling purposes other than those residential uses included in Subsections A or B of this section.

(4) Trailers or mobile homes; excluding marketing sales trailers for permitted uses under A.1 above, for periods not to exceed twelve months, and in locations approved by the Planning Board.

(5) The processing of garbage by the use of an incinerator, transfer station or any other means designed to aid in the disposal of animal or vegetable matter, trash or ashes or other refuse matter, and including the use of land for the dumping of garbage for the purpose of using same as landfill in connection with a sanitary landfill plan.

(6) Research, testing or laboratory facilities devoted to chemical, biological, nuclear or radiological use, except as incidental to a permitted use.

(7) Zoos or animal parks.

(8) Facilities for the manufacturing, processing, fabrication or storage of goods. This prohibition would also include all industrial facilities including warehousing and distribution centers.

(9) Retail establishments other than the support retail shops described in Subsection B of this section.

(10) Residential uses other than those specifically identified in Subsection A of this section.

E Building height limit: 45 feet, measured as required by this Code's definition of Building Height. However, if the Applicant provides certifications from the Harrington Park Fire Department, the Harrington Park Ambulance Corps, and the Harrington Park Police Department, that provisions have been made to permit them to adequately and fully service these buildings (especially during emergencies), the building height limit shall be 70 feet measured in the same manner as described above. In the case of the Fire Department, the certification must affirmatively state that, and describe how, they can both fight a fire on the top floor of the building and rescue people from upper floors if normal means of pedestrian egress are not available. All buildings except for accessory buildings shall have a minimum height of 15 feet. All roofs shall be free of towers, portable equipment, outdoor storage, stacks and the like. All roofs shall have no accessory structures located thereon other than vents, cupolas, elevator towers, chimneys, HVAC equipment or ventilators, all of which shall be properly screened from offsite views. It is the intention of this provision to prevent the impairment of views, as well as the obstruction of the passage of light and air.

F. Required lot area: not less than five acres of contiguously owned property within the district to be used exclusively for OALSR buildings.

G. Minimum lot dimensions -- Width: 600 feet; Depth: 300 feet; Frontage: 600 feet; Front Yard: 65 feet; Side Yard (one side): 125 feet; Rear Yard: 85 feet.

H Yards required. Each lot shall have front, side and rear yards of dimensions not less than those specified above.

I. Front Yards: Permitted uses in front yards include landscaping, conforming signs, and access and exit drives. Corner lots shall have two front yards. Prohibited uses in front yards include all other uses not mentioned above and especially loading and unloading or storage of any kind. Parking is permitted in the front yard to the extent that it is set back a minimum of 35 feet and fully screened from views from the public right-of-way. All buildings shall have a frontage on an approved and accepted public street, road or highway. All front yards shall be required to be landscaped in accordance with the following regulations: All the area not used as drives or pedestrian walks shall be devoted to the planting of grass, trees, shrubs, flowers or other appropriate plant and landscape materials and shall be suitably landscaped to the satisfaction of the Planning Board.

J. Side Yards: All lots shall have at least two side yards, except that four sided corner lots shall have only one side yard. Side yards shall also be required between buildings in the limited cases where more than one building is permitted on a single lot, tract or parcel of land. This internal side yard shall measure at least 30 feet or a dimension at least equal to one-and-a-half times the height of the highest of the buildings which the side yard shall separate, whichever is greater. Parking is permitted to the extent that it is set back a minimum of two feet from the property line and adequately screened to the satisfaction of the Planning Board.

K. Rear Yards: Parking is permitted to the extent that it is set back a minimum of 50 feet from the property line.

L. Building area. No building shall be erected having fewer than 2,000 square feet or more than 15,000 square feet of gross floor space per acre of lot area, excluding public streets.

M. Maximum building coverage: All buildings, including accessory buildings, shall not cover more than 25% of the area of the lot.

N. Maximum improved lot coverage (as meets this code's definition of Coverage by Improvements or Improvements Coverage): 45%.

O. Minimum open space (as meets this code's definition of Open Space): 35%.

P. Parking requirements: Except for the parking requirements in the yard requirements above, all off street parking shall conform to Section 350-41 Off Street Parking of this chapter and as hereafter amended. For those permitted uses not addressed in 350-41, the following minimum parking requirements shall apply. For:

- (1) Affordable Housing: one (1) stall per bedroom, and no less than one stall per dwelling unit.
- (2) Independent Living Age Restricted Housing and Special Needs housing: one stall per dwelling unit.

- (3) Assisted Living Facilities and Memory Care Facilities: 0.5 stalls per dwelling unit.
- (4) Nursing Homes: 0.5 stalls per bed.

Q. Loading requirements: at least one loading bay per building.

R. Performance standards.

(1) The issuance of any building or occupancy permit for any use in the OALSR District is subject to the compliance at all times with all of the following regulations:

- (a) Vibration. No vibration shall be discernible at the lot lines or beyond.
- (b) Smoke; steam. No emission of processed steam and no emission of visible gray smoke of a shade equal to or darker than No. 1 on the Ringelmann Chart shall be permitted.
- (c) Odors. No odor shall be noticeable at the lot line or beyond.
- (d) Fly ash; dust. No fly ash or dust emission which can cause any damage to health, animals or vegetation or other forms of property or any excessive soiling shall be permitted.
- (e) Glare. No sky-reflected glare shall be visible at the lot line or beyond.
- (f) Liquid or solid wastes. No discharge into any disposal system, public or private, or streams or into the ground of any materials of such nature or temperature that can contaminate any water supply, including the groundwater supply, shall be permitted. Any discharge of liquid or solid wastes shall conform to the requirements of the agreement between the Borough of Harrington Park and the Bergen County Sewer Authority in effect as of the date of this chapter and as hereafter amended.
- (g) Radioactivity. No activities which emit dangerous radioactivity at any point as covered by federal government standards shall be permitted.
- (h) Noise. No continuous hum, intermittent noise or noise with any noticeable shrillness of a volume of more than 50 decibels emanating from the facilities shall be discernible at the lot line or beyond.
- (i) Fire and explosion hazard. No processing or storage of material on the premises that may unduly create hazard by fire or explosion shall be permitted.
- (j) Any electronic device that would interfere with internet, television, radio or other similar home entertainment device reception shall be prohibited.

(2) The Planning Board may require submission of expert advice by and at the expense of the applicant, regarding performance standards of site plans. Where appropriate, the Planning Board, as part of its site plan review as hereinafter required, may require the installation, maintenance and operation by the applicant of continuous recording instruments to demonstrate the operation or effect of the operation of any machine or devices which create or are used to control or lessen noise, glare, odor, air pollution, water pollution, fire, safety or electronic interference hazards.

S Buffer strips.

(1) A twenty-five foot buffer strip measured from the front property line in the OALSR District shall be required. No buffers are required for side and rear yards, however they are encouraged. Buffer strips may be included within the setbacks as herein required.

(2) Construction of any kind except as described below and parking of vehicles shall be prohibited in all buffer strips.

(3) Within the buffer strip and subject to approval of the Planning Board in its site plan review, there shall be permitted:

(a) Landscaping and planting sufficient to form and maintain an effective screen, reforestation plantings, one identifying sign per access drive, and fences or walls not to exceed five feet in height, provided that same shall have finish facing on both sides.

(b) Entrance and exit drives not to exceed 30 feet in width, provided that such entrance and exit drives do not intersect the buffer strip at an angle greater than 45° from a line through the buffer strip perpendicular to the street line.

T. Supplementary regulations.

(1) The supplementary regulations applicable in Senior Citizen Dwelling Unit Districts (§ **350-12H**) shall be applicable in OALSR Districts.

(2) The following additional supplementary regulations shall be applicable in OALSR Districts:

(a) Floodlighting of OALSR buildings is permitted, provided that all such lights shall be shaded and beams so directed as not to cause glare in adjoining buildings or properties. No floodlight, spotlight or other light shall be erected in such a manner that its beam shall be directed, in whole or in part, skyward, toward a street, road or highway or toward adjoining property or in any way or manner that will cause a traffic hazard due to its glare.

(b) All lights used for the illumination of any use of a building or the areas surrounding it shall be completely shielded from the view of the vehicular traffic using the road or roads abutting such properties. Floodlights used for the illumination of said premises in OALSR Districts or of any sign thereon, whether or not such floodlights are attached to or separate from the building, shall not project more than 18 inches above the highest elevation of the front wall of the building or more than 40 feet above the street level of the premises, whichever is less.

(c) Any lot in a OALSR District shall consist of a single parcel of land containing not less than five contiguous acres, with title thereto in a common ownership; provided, however, that a tract consisting of several existing parcels of land may be made the subject of an application under this chapter if the owner or owners thereof shall have submitted an application to and received approval from the Planning Board to resubdivide or join said lots, tracts or parcels to form a single contiguous parcel, and provided that:

- [1] The owner shall submit an affidavit that he is ready, willing and able to proceed with the development as set forth on the plan filed in all details and that all utility, parking and road improvements as set forth thereon shall be installed prior to occupancy or use of the premises, or in lieu thereof, a bond in amounts and form sufficient to ensure completion of such improvements shall be posted prior to the issuance of any building permit. The Planning Board may require, prior to the issuance of a building permit or certificate of occupancy, the posting of a bond in amounts sufficient to ensure the completion of such other details of the plan as in its judgment it deems essential.
- [2] No application to use any premises for the purposes permitted under this section shall be considered by the Planning Board unless and until the owner shall have submitted a site or development plan of such use that is in compliance with all the details, standards and conditions required by this chapter without variance therefrom and, further, proof that the owner has submitted therewith all other statements, affidavits, approvals and documents as are customarily required for major subdivision and/or site plan approval and as are required under this chapter.

U. Principal building limit. Except as noted elsewhere within this chapter, not more than one principal building shall be permitted on any lot described in this section.
[Added 5-16-1988 by Ord. No. 398]

Addendum AA Correspondence

Correspondence July 2016

June 23, 2016

Neglia Close Out Papers for Lynn Street Phase II NJDOT
Expedited Contract with DMV for online access program.

June 24, 2016

O & R request for paving schedule for the municipality.
Bergen Regional Medical Center update correspondence

June 27, 2016

BCLOM Resolution Supporting Senate Bill 2254 and Assembly Bill 3821 which affirms the Legislative Intent of the Fair Housing Act.

June 28, 2016

Neglia Correspondence to Orange and Rockland with recent paving projects.

June 29, 2016

BCUA Recycling Update July 2016

June 30, 2016

NJDEP Hazardous Waste Notification 150-208 Harriot Avenue- soil samples with unknown source while replacing gas main.

Foreclosure Notice-243 The Parkway-Block 1307 Lot 8.

NJLM June Legislative Bulletin.

July 5, 2016

Request for donation from McGuire Center in Northvale.

July 7, 2016

Neglia Engineering Report-July 11, 2016

State Notification regarding the halting of NJDOT work and funding as per Gov. Christie

Permission Request for Tour de Force Bicycle ride through Borough

July 8, 2016

Expedited copy of County Health contract and GIS

Site Plan Review for Verizon Wireless (Neglia Engineering)

7/11/2016

NJDOT correspondence RE: Gov. Christie's halt on all DOT funding.

Norwood Correspondence thanking the HPVFD and HPVAC for their assistance on July 4, 2016.

Notice –Quantmeyer July 27 BOA hearing.

Road opening-56 Greenway-PSEG

7/14/2016

EJIF Alert-Property Acquisitions and Relief

COI-ALR Construction

Invitation to Congressman Garrett's meeting on July 25, 2016-Bergenfield.