

**REGULAR MEETING  
Mayor and Council  
Borough of Harrington Park, New Jersey  
October 16, 2017**

**(PAH) Call Meeting to Order**

**Time: 7:05PM**

**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 mailed to individuals requesting the same.

**(CL) Roll Call:**

	PRESENT	ABSENT
NAPOLITANO(AN)	X	
EVANELLA (GE)	X	
WALKER (DW)	X	
FITZGERALD (LF)		X
PEDERSEN (JP)		X
CHUNG (JC)	X	

**Also present:**

**Ms. Carolyn Lee (CL) for Ann H. Bistriz, Borough Clerk/Admin.  
Mr. John R. Dineen, Borough Attorney (JRD)**

**(PAH) Flag Salute**

**(PAH) Approval of Minutes**

**September 11, 2017**

**Motion: GE**

**Second: AN**

**Vote: All in Favor**

**September 18, 2017**

**Motion: GE**

**Second: AN**

**Vote: All in Favor**

**(PAH) Approval of Correspondence-Addendum AA**

Councilman Evanella asked about the 9/25 correspondence. Is the owner of a house is required to register to rent their dwelling. Mr. Dineen said it is a NJ statute and is required. If a tenant does not pay rent, before you can file for repayment or eviction, you must certify that you registered with the borough clerk.

**Motion: JC**  
**Second: GE**  
**Vote: All in Favor**

**(PAH) Consent Agenda-Resolutions-**

**All matters listed under this section are considered to be routine by the Borough Council and will be enacted by one motion as listed below. There will not be separate discussion of these items. Should discussion be desired, that item will be removed from the Consent Agenda and will be considered separately under New or Old Business on the Agenda.**

**Consent Approval Items (A-E)**

**Halloween Proclamation A**  
**Lions Club Coffee and Cars B**  
**Payment of Claims C**  
**Community Development Grant-Senior Activities D**  
**Community Development Grant-Senior Van E**

**Motion: GE**  
**Second: JC**  
**Roll Call: All in Favor**

**Individual Committee Reports**

**(PAH) Mayor Hoelscher**

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

Ambulance Corps – September report - 20 calls, 5 mutual aid  
Fire Department – 18 fire calls, 2 drills, 2 officer meetings, 1 inter-borough meeting, 1 CSX meeting, attended convention in Wildwood.  
Building Department – no reports yet, but Councilman Napolitano will report when he receives it.  
Mayor Hoelscher mentioned that Harrington Park Fire Dept. won first place in at least one category. They won first place in color guard.

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

Police – 487 calls for service, 205 traffic enforcement details  
In Sept. there was one emotionally disturbed and intoxicated individual created a standoff situation who intended to do harm to himself. The situation was safely resolved using a Taser by a Closter police officer. The Chief noted that Officers Keilly and Leeman provided extraordinary handling of a precarious event. It was a close matter that could have had a bad ending if our police officers did not exercise restraint.  
Officer Leeman completed the Alcotest certification class. The goal is to get more officers into training for various specialties.  
Patrol – 5,348 miles (YTD 41,029 miles), 3 motor vehicle collisions, no DUI (3 YTD), 62 summons (726 YTD). Officer Getto wrote 214 summonses YTD.

Criminal activity – 1 arrest. A Closter man was stopped for speeding. The car contained drug paraphernalia and had no insurance. He was arrested and charged with 5 criminal matters.

Allocated Overtime for the year- \$50,000 and Court costs \$8,000

Overtime – about \$4,000 for Sept. (\$23,000 YTD), \$35,000 remaining

O/E \$56,000 budgeted, no change for Sept., \$30,000 YTD, \$26,000 remaining

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

September report:

In addition to their usual duties, DPW set up for Town Day by moving tables and chairs from several locations and returning them, getting the grill from the swim club, moving trash and recycling, cut and trim trees, help set up rides, and moving barriers at Highland Field.

Put up new “No Parking” signs on Harriot Ave. near OLV.

Sept. 12, 2017 – replaced playground equipment parts at Highland Field as a result of regular playground inspection.

Assisted the Beautification Committee moving hay bales.

A volunteer offered to paint the benches at the bus stop. The DPW washed and delivered the benches to be painted and returned them.

Repaired potholes around town.

Dropped off container at Norwood compost site and dumped at Closter site on Sept. 13<sup>th</sup>.

DPW started to get equipment ready for the new season. Man the recycling area 6 days a week. Delivered to market:

8620 lbs of heavy steel

9,220 lbs of white goods

30 cubic yards of stumps and logs

Recycling

47.74 tons curbside recycling

0 tons recycling center

Mayor Hoelscher asked Councilwoman Walker to work with Mark Kiernan, KJ and the engineers to determine what roads can we worked on for 2018 and provide a list by the end of the year. Harrington Park is part of the Riverside Co-op that provides a discounted rate.

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

No update.

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

No update.

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

Town Day sales:

Beer \$797

Wristbands about \$2,000 (over 400 sold)

Donations \$6,400  
Table Sales \$330  
Total Revenue \$9,527  
Expenses  
Social Affairs Permit \$100  
Rides \$5,650  
DJ \$395  
2 new banners \$165  
Banner update \$76  
Facepainting \$800  
Tip for the ride people \$140  
Total Expenses \$7,326

Remaining Balance \$2,201

Councilwoman Chung thanked Carolyn Lee for the work on Town Day.

Ragamuffin Parade is scheduled for Saturday, October 28, 2017 at Borough Hall at 10am. Rain location is the HP School APR. HP Teens for Tomorrow will be helping. The Junior Woman's Club will be providing refreshments. Councilwoman Chung would like to thank all the volunteers.

Recreation would like to have Tennis Association to help in maintenance of the tennis courts and enforce the policies. A meeting date is still to be determined.

Councilwoman Chung described a situation where a group from Temple Beth-El has requested Highland Field for baseball for regularly scheduled games, but does not want to pay the fees. Recreation has let them know that they are required to pay the fee. It is possible that they are playing on the fields without Recreation's approval and without providing insurance. Recreation understands that if families want to play on the fields, they are free to play without paying a fee and they do not need to provide insurance. What can Recreation do to enforce the insurance, payment and rules? Is HP liable if someone is injured while they are playing on the field, when they haven't provided a certification of insurance to Recreation?

Mr. Dineen said that if it interferes or conflicts with other scheduled games, then throw them off the field. The questions that should be asked are how often, when and how pervasive. If the group is part of a league, then a letter can be sent to them to ask for insurance and payment. It is not illegal for the group to use the fields because parks get federal funding. Towns cannot get away from liability. An example of a bus stop fall from a non-resident was discussed.

**(ALB) Borough Clerk/Administrator**

**Old Business**

No items.

**New Business**

No items.

**Meeting Open to General Public**

**Motion: GE**

**Second: DW**

**Vote: All in Favor**

There was no public for questions.

**Meeting Closed to General Public**

**Motion: AN**

**Second: JC**

**Vote: All in Favor**

**Ordinances**

**(JC) ORD. NO. 719-FIRST READING BY TITLE ONLY-ADDENDUM F**  
AN ORDINANCE ADOPTING REVISIONS TO CODE OF THE BOROUGH OF  
HARRINGTON PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY

**Motion: JC**

**Second: GE**

Addendum was changed from G to F (from the agenda)

**Roll Call Vote: All in Favor**

**(PAH) Motion for Closed Session: GE Time: 7:35PM**

**Second: AN**

**Vote: All in favor**

**RESOLUTION**

**WHEREAS**, N.J.S.A. 10:4-12 permits a public body to conduct business in Closed Session during a public meeting; and

**WHEREAS**, the Mayor and Council deem it necessary to discuss certain matters in Closed Session as permitted by the aforesaid statute.

**(GE) Ongoing Litigation-Police**

**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:**

**Motion:**

**Second:**

**Addendum A**  
**Resolution 2017-128**  
**HALLOWEEN CURFEW**

**WHEREAS**, in the past few years the damage to private homes, autos and Borough property has decreased as a result of invoking the Halloween curfew, and

**WHEREAS**, the Borough Officials are desirous of continuing the curfew to insure protection to property owners and citizenry in general, and

**WHEREAS**, the young people should have adequate time to visit all the homes for the purpose of “Trick or Treat” in the afternoon and evening hours before 8:00 p.m. Tuesday, October 31<sup>st</sup>, 2017.

**NOW, THEREFORE**, by the authority granted under Title 40-87-31, I, Paul A. Hoelscher, Mayor of the Borough of Harrington Park, do proclaim that an 8:00 p.m. curfew will be in effect on the evenings of Monday, October 30<sup>th</sup> and Tuesday, October 31<sup>st</sup>, 2017.

**AND PROCLAIM** that all persons under the age of 18 shall be off the streets of the Borough from 8:00 p.m. till 6:00 a.m. of the following morning of each of these days.

**AND FURTHER PROCLAIM** that the fire siren will sound a single blast at 8 p.m. of each evening notifying all residents that the curfew is in effect.

**AND FURTHER PROCLAIM** that any person under 18 years of age apprehended on the streets will be told to return to their homes. If they refuse or are apprehended a second time, a summons shall be issued.

**Addendum B**  
**RESOLUTION 2017-129**  
**Lions Club Coffee and Cars**

**Therefore Be It Resolved** that the Mayor and Council of the Borough of Harrington Park approve the request of the Harrington Park Lions Club to hold Coffee and Cars at Borough Municipal Parking Lot (8:30am-1pm) November 11, 2017. Parking spaces utilized shall be limited to those in the center of the lot and along Short Place. Designated spaces for first responders shall be kept accessible at all time. Certificate of Insurance will be submitted to the Municipal Clerk’s Office.

**Be it Further Resolved** that access to the Borough Hall bathrooms are allowed and after the event all garbage and recycling will be removed from the grounds and properly disposed.

**Addendum C**  
**RESOLUTION 2017-130**  
**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 (2016)	\$	65,530.56
Current Appropriations (2017)	\$	164,964.94
General Capital Fund	\$	579.98

Animal Trust	\$	2,752.00
Miscellaneous Trust	\$	19,521.33
Affordable Housing Trust	\$	0.00
Open Space Trust Fund	\$	
Grants	\$	
<b>Total</b>	<b>\$</b>	<b>253,348.81</b>

**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	09/17/17	\$ 107,369.58
Payroll- Salaries/Wages	09/15/17	\$ 107,529.92
Payroll- Salaries/Wages		
Payroll- Salaries/Wages		
Pensions		
Health Benefits August, Sept, October	10/16/17	\$ 115,927.53

Local School  
Local school  
Regional School  
Debt Services

**TOTAL \$ 330,557.03**

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Harrington Park that the claims totaling **\$583,905.84** be approved and ratified respectively.

**Addendum D**  
**Resolution 2017-131**  
**TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS**  
**Senior Citizen Activities**

**WHEREAS**, a Bergen County Community Development grant of \$5000.00 has been proposed by the Mayor and Council for Senior Citizen Activities in the municipality of Harrington Park for FY2017, and

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

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

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

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

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

**Addendum E**  
**Resolution 2017-132**

**TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS**

**Senior Van Driver**

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

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

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

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

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

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

**Addendum F**  
**ORD. NO. 719**

**AN ORDINANCE ADOPTING REVISIONS TO CODE OF THE BOROUGH OF HARRINGTON PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY**

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

ARTICLE III  
**Adoption of 2017 Code Revisions**

**§ 1-17. Continuation of existing provisions.**

The provisions of the 2011 Code, insofar as they are substantively the same as those of ordinances in force immediately prior to the enactment and revision of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinance. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Mayor and Council of the Borough of Harrington Park, and it is the intention of said Mayor and Council that each such provision contained within the Code is hereby reaffirmed as it appears in said Code.

**§ 1-18. When effective.**

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

**§ 1-19. Publication; filing.**

The Clerk of the Borough of Harrington Park, pursuant to law, shall cause this Adoption of Revisions Ordinance to be published, in the manner required, in a newspaper of general circulation in the Borough. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adoption of Revisions Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

**§ 1-20. Changes in previously adopted ordinances.**

- A. In compiling and preparing the 2011 Code and subsequent ordinances for publication as the 2017 Code of the Borough of Harrington Park pursuant to N.J.S.A. 40:49-4, no changes in the meaning or intent of such ordinances have been made, except as provided for in Subsections B, C and D hereof. In addition, certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Mayor and Council that all such changes be adopted as part of the Code as if the ordinances had been previously formally amended to read as such.
- B. Nomenclature.
  - (1) “Board of Recreation Commissioners” is changed to “Recreation Commission.”
  - (2) “Building Department” is changed to “Construction Department.”
  - (3) “Chair” and “Chairman” are changed to “Chairperson.”

- (4) “Building Inspector” and “Construction Official” are changed to “Construction Code Official.”
  - (5) “Board of Adjustment” is changed to “Zoning Board of Adjustment.”
  - (6) “State Department of Health and Senior Services” is changed to “Department of Health.”
  - (7) Chapter 85, Article IV, is amended to change instances of “age-restricted unit” to “age-restricted housing.”
  - (8) Chapter 350 is amended to change instances of “Zoning Official” and “Zoning Enforcement Officer” to “Zoning Officer.”
  - (9) Chapter 350, Article XV, is amended to change instances of “Construction Code Official” to “Zoning Officer.”
- C. Chapter 325, Trailers, Mobile Homes, and Campsites, is renumbered as Chapter 127 and renamed as “Commercial Vehicles.”
- D. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance.

**Addendum AA  
Correspondence**

9/25/2017

Landlord Registration 1004 Broadway  
Kleinfelder-RAO Submittal for Site Remediation

9/26/2017

Road Permit Bond-PSEG  
2018 Bergen County Historical Grant Program received  
Senator Sweeny’s office sent correspondence in response to A4532 and S3049.  
Suez 200 Old Hook Road Tax Appeal

9/29/2017

Recycling Update October 2017 BCUA  
NJDOT correspondence announcing submission schedule for FY2018 grants  
Fully executed copy of the Comm Dev 3 year renewal FY2018-2020 received.

10/2/2017

Letter of receipt from Senator Joe Pennacchio-re: OPMA OPRA  
NJDPPT Large Truck Volume infrastructure correspondence for FY2018  
NJLM for discussion of dues at NJLM convention in November,  
Borough of Emerson Master Plan.  
Correspondence from Senator Weinberg in support of her Senate Bill S1046.

10/4/2017

BCUA Tier rates and charges  
Hazardous Waste Reported 510 Lafayette Road.

10/05/2017

Copy of Haworth’s adopted Land Use ordinance No. 17-12

Response from Assemblywoman Munoz re: OPRA OPMA Resolution  
10/10/2017

Report of Compliance Highland Field Leaf Compost Facility

Delinquent notice for filing Clean Communities

DPW Monthly Report-September

Assembly Resolution No. 216 supporting growth and planting of natural vegetation to enhance the environment for bees.

Notification from Williams Pipeline that a Flood Hazard Individual Permit has been applied for.

10/11/2017

Municipal Court Annual Visit from Bergen Vicinage-Nov 27, 2017