

MEETING OF THE  
MAYOR AND COUNCIL  
TOWN OF HARRISON

NOVEMBER 15, 2010

AGENDA

MEETING (COUNCIL CHAMBERS – 2<sup>ND</sup> FLOOR)

12:30 P.M. - CALL TO ORDER/SUNSHINE NOTICE

LEGAL

- A RESOLUTION RELEASING THE REMAINDER OF PERFORMANCE BOND -- CAMPBELL FOUNDRY
- RESOLUTION OF THE TOWN OF HARRISON, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROVING A GENERAL RELEASE FROM CERTAIN SECURITY AGREEMENTS WITH CJUF II HARRISON PHASE I URBAN RENEWAL COMPANY, LLC, AND CJUF II HARRISON HOLDINGS, LLC, TO FACILITATE THE TRANSFER OF A 1700+/- SQUARE FOOT PARCEL FOR USE IN THE CONSTRUCTION OF A NEW RAIL STATION

ORDINANCE

ADOPTION OF THE FOLLOWING ORDINANCES:

ORDINANCE NO. 1231

AN ORDINANCE AMENDING ORDINANCE NO. 1148 REGARDING THE MAINTENANCE OF CERTAIN TRAFFIC SIGNALS IN THE TOWN OF HARRISON

ORDINANCE NO. 1232

AN ORDINANCE TO AMEND ORDINANCE NO. 1224 CONCERNING CIVIL SERVICE EMPLOYEES OF THE TOWN OF HARRISON, COUNTY OF HUDSON, STATE OF NEW JERSEY

POLICE

- A RESOLUTION DESIGNATING RESTRICTED PARKING SPACES FOR USE BY HANDICAPPED PERSONS

MUNICIPAL BUDGET

- A RESOLUTION ADOPTING THE 2010 MUNICIPAL BUDGET

PUBLIC COMMENT

ADJOURN

**TOWN OF HARRISON**

Meeting Date: 11/15/2010

Committee: Legal

Resolution #:R-2010-



Presented by Councilperson:  
Francisco Nascimento

**HUDSON COUNTY**

**A RESOLUTION RELEASING THE REMAINDER OF PERFORMANCE  
BOND -- CAMPBELL FOUNDRY**

WHEREAS: Campbell Foundry has, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, notified the Mayor and Council that the public improvements on its site have been completed; and

WHEREAS: The Town Engineer has inspected the improvements and has confirmed that all work has been completed; and

WHEREAS: By Resolution dated June 29, 2009 the Town released 66% of the original performance guarantee.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: The Mayor and Council releases the remainder of the original performance guarantee; and

THAT: The Town Clerk is authorized and directed to release the remainder of the original performance guarantees being held by the Town of Harrison; and

THAT: The Town Clerk is authorized and directed to forward a certified copy of this Resolution to the attorney for the developer.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. MANDAGLIO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. McCORMICK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S. McCORMICK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R. McDONOUGH	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
Raymond J. McDonough, Mayor

I hereby certify this to  
be a true and correct copy.

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

# TOWN OF HARRISON

Meeting Date: 11/15/2010

Committee: Legal

Resolution #:R-2010-



Presented by Councilperson:  
Francisco Nascimento

## HUDSON COUNTY

RESOLUTION OF THE TOWN OF HARRISON, IN THE COUNTY OF HUDSON, NEW JERSEY, APPROVING A GENERAL RELEASE FROM CERTAIN SECURITY AGREEMENTS WITH CJUF II HARRISON PHASE I URBAN RENEWAL COMPANY, LLC, AND CJUF II HARRISON HOLDINGS, LLC, TO FACILITATE THE TRANSFER OF A 1700+/- SQUARE FOOT PARCEL FOR USE IN THE CONSTRUCTION OF A NEW RAIL STATION

- WHEREAS: On October 30, 2009, the Town of Harrison (the "Town"), and CJUF II HARRISON PHASE I URBAN RENEWAL COMPANY, LLC, a New Jersey limited liability company ("Urban"), and CJUF II HARRISON HOLDINGS, LLC, a Delaware limited liability company ("Holdings"; and together with Urban, the "Redeveloper" and collectively with the Town, the "Parties") executed a certain agreement entitled "Structure and Finance Agreement" as the same was amended by the parties on July 26, 2010 (the "Security Agreement"); and
- WHEREAS: Pursuant to the Security Agreement, the Redeveloper encumbered Block 117.01, Lot 1.02 (the "Property") with a second mortgage and assignment of rents (respectively, the "Second Mortgage" and "UCC-1") and consented to a special assessment on the Property in the amount outstanding under the Second Mortgage at the time the Second Mortgage is released or matures; and
- WHEREAS: In connection with the execution and perfection of the Second Mortgage, the Town also executed a certain "Subordination and Inter-creditor Agreement" by and between the Town and Citicorp, USA, Inc., dated as of February 4, 2010 (the "Inter-creditor Agreement" and together with the Second Mortgage and UCC-1, the "Encumbrances"); and
- WHEREAS: The Property is located adjacent to a rail station (the "PATH Station") owned and servicing rail service operated by the Port Authority Trans Hudson rail line (PATH); and
- WHEREAS: PATH has proposed to reconstruct a larger and more efficient rail station at and around the present location of the PATH Station (the "New Station"); and
- WHEREAS: To construct the New Station, PATH must acquire certain land around the Path Station to serve as foundations and ingress and egress points for the New Station; and
- WHEREAS: PATH has agreed to purchase and Urban has agreed to sell a 1,700+/- square foot parcel (roughly .039 acres), a description of which is set forth as Exhibit A hereto (as the same may be modified by the Planning Board of the Town of Harrison during its consideration of an application for a subdivision of the Property, the "PATH Parcel"), which is part of the 1.5 acre Property; and
- WHEREAS: To facilitate the transfer of the PATH Parcel, the Redeveloper has requested that the Town authorize and execute general releases for each of the Encumbrances (the "Releases"); and
- WHEREAS: The Encumbrances shall remain on the remainder of the Property upon which the Redeveloper will construct a seven story building that will contain approximately 218 rental units and 14,000+/- square feet of retail space; and
- WHEREAS: Prior to the execution of Releases by the Town, the Redeveloper will demonstrate to the Town that it has received (i) a duly authorized, valid and binding offer from PATH to purchase the Path Parcel, and (ii) a valid subdivision of the Property to create a separate lot comprising the PATH Parcel (the "Conditions Precedent"); and

WHEREAS: The Town Council of the Town of Harrison, in the County of Hudson, New Jersey, desires to approve the Releases and authorize the execution thereof.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

- Section 1. Recitals. The recitals are fully incorporated herein.
- Section 2. Approval of the Releases. The Releases substantially in the form attached hereto as Exhibit B is hereby approved.
- Section 3. Execution of the Amendment Agreement. Upon the submission of evidence from the Redeveloper that the Conditions Precedent have been satisfied, the Mayor of the Town of Harrison, in the County of Hudson (the "Mayor") is hereby authorized and directed to execute the Releases.
- Section 4. Attestation and Sealing of the Releases. The Clerk of the Town is hereby authorized and directed, upon the execution of the Releases in accordance with the terms of Section 3 hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed thereupon affix the corporate seal of the Town upon such document.
- Section 5. Implementation of the Releases. Upon the execution and attestation and placing of the seal on the Releases as contemplated by Sections 3 and 4 hereof, the Mayor and Town staff and professionals are hereby authorized and directed to (i) deliver the fully executed, attested and sealed document to the Redeveloper and (ii) perform such other actions as the Mayor deems necessary or desirable in relation to the execution and delivery of the Releases, including the execution of any related documents or agreements necessary to record and perfect the discharge of the Encumbrances on the Path Parcel.
- Section 6. Effective Date. This resolution shall take effect immediately.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. MANDAGLIO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. McCORMICK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S. McCORMICK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R. McDONOUGH	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
Raymond J. McDonough, Mayor

I hereby certify this to  
be a true and correct copy.

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

TOWN OF HARRISON

COUNTY OF HUDSON

ORDINANCE NO.1231

**AN ORDINANCE AMENDING ORDINANCE NO. 1148 REGARDING THE MAINTENANCE OF CERTAIN TRAFFIC SIGNALS IN THE TOWN OF HARRISON**

**WHEREAS:** By Ordinance No. 1148 the Town of Harrison memorialized the division of responsibility for the maintenance and operation of certain traffic signals in the Town of Harrison; and

**WHEREAS:** Ordinance No. 1148 contains a listing of twenty (20) traffic signals, fourteen (14) of which have been and are to be maintained and operated by the Town of Harrison, and six (6) of which have been and are to be maintained and operated by the County of Hudson; and

**WHEREAS:** Two (2) new traffic signals have been added to Frank E. Rodgers Boulevard South, at Guyon Drive and at Riverbend Drive; and

**WHEREAS:** Those traffic signals are to be maintained and operated by the Town of Harrison once activated; and

**WHEREAS:** The Mayor and Council are desirous of amending ordinance No. 1148 to reflect these two (2) new traffic signals.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HARRISON, IN THE COUNTY OF HUDSON, NEW JERSEY AS FOLLOWS:**

**Section 1.** Ordinance No. 1148 shall be amended to add the following two (2) traffic signals as 14A and 14B, which are to be maintained and operated by the Town of Harrison pursuant to said Ordinance No. 1148:

14A. Frank E. Rodgers Boulevard (CR-697) & Guyon Drive;

14B. Frank E. Rodgers Boulevard (CR-697) & Riverbend Drive.

**Section 2.** A copy of this Ordinance shall be forwarded to Douglas R. Bartlett, Manager, Bureau of Traffic Engineering and Investigations, 1035 Parkway Avenue, P.O. Box 613, New Jersey Department of Transportation, Trenton, New Jersey 08625.

**Section 3.** Any ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect in the manner and time as required by law.

---

Councilman James P. Doran

Introduced: 11-04-2010

I, Paul J. Zarbetski, Town Clerk of the Town of Harrison, County of Hudson, State of New Jersey, hereby certify that at a Meeting of the Mayor and Council held on November 4, 2010, the foregoing Ordinance passed on first reading.

---

Paul J. Zarbetski, Town Clerk

ROLL CALL-TOWN COUNCIL, TOWN OF HARRISON, HUDSON COUNTY, NJ 11-04-10

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT		X	X			
M. DOLAGHAN			X			
J. DORAN	X		X			
J. HUARANGA			X			
C. MANDAGLIO			X			
M. McCORMICK				X		
S. McCORMICK				X		
F. NASCIMENTO			X			
R. McDONOUGH			X			

Adopted: 11-15-10

Approved: \_\_\_\_\_  
Mayor Raymond J. McDonough

I, Paul J. Zarbetski, Town Clerk of the Town of Harrison, County of Hudson, State of New Jersey, hereby certify that at a Meeting of the Mayor and Council duly held on November 15, 2010, the foregoing Ordinance, previously published according to law, was adopted on second reading, approved by the Mayor, spread in full in the ordinance book, and published according to law.

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

ROLL CALL-TOWN COUNCIL, TOWN OF HARRISON, HUDSON COUNTY, NJ 11-15-10

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT						
M. DOLAGHAN						
J. DORAN						
J. HUARANGA						
C. MANDAGLIO						
M. McCORMICK						
S. McCORMICK						
F. NASCIMENTO						
R. McDONOUGH						

TOWN OF HARRISON

COUNTY OF HUDSON

ORDINANCE NO. 1232

**AN ORDINANCE TO AMEND ORDINANCE NO. 1224 CONCERNING  
CIVIL SERVICE EMPLOYEES OF THE TOWN OF HARRISON, COUNTY OF HUDSON  
AND STATE OF NEW JERSEY**

BE IT ORDAINED by the Mayor and Council of the Town of Harrison, County of Hudson, and State of New Jersey, that:

**Section 1:** There is hereby established within the Town of Harrison the permanent civil service position of Chief Financial Officer, effective immediately, with the salaries as set forth below.

<u>TITLE</u>	<u>MINIMUM SALARY</u>	<u>2010 MAXIMUM SALARY</u>	<u>2011 MAXIMUM SALARY</u>
Chief Financial Officer	\$65,000	\$130,507	\$130,507

**Section 2:** Any existing ordinances or parts thereof which are inconsistent with the provisions herein are hereby repealed.

**Section 3:** This ordinance shall take effect immediately upon final passage according to law.

---

Councilman James P. Doran

Introduced: 11-04-10

I, Paul J. Zarbetski, Town Clerk of the Town of Harrison, County of Hudson, State of New Jersey, hereby certify that at a Meeting of the Mayor and Council held on November 4, 2010, the foregoing Ordinance passed on first reading.

---

Paul J. Zarbetski, Town Clerk

ROLL CALL-TOWN COUNCIL, TOWN OF HARRISON, HUDSON COUNTY, NJ 11-04-10

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT		X	X			
M. DOLAGHAN			X			
J. DORAN	X		X			
J. HUARANGA			X			
C. MANDAGLIO			X			
M. McCORMICK				X		
S. McCORMICK				X		
F. NASCIMENTO			X			
R. McDONOUGH			X			

Adopted: 11-15-10

Approved: \_\_\_\_\_  
Mayor Raymond J. McDonough

I, Paul J. Zarbetski, Town Clerk of the Town of Harrison, County of Hudson, State of New Jersey, hereby certify that at a Meeting of the Mayor and Council duly held on November 15, 2010, the foregoing Ordinance, previously published according to law, was adopted on second reading, approved by the Mayor, spread in full in the ordinance book, and published according to law.

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

ROLL CALL-TOWN COUNCIL, TOWN OF HARRISON, HUDSON COUNTY, NJ 11-15-10

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT						
M. DOLAGHAN						
J. DORAN						
J. HUARANGA						
C. MANDAGLIO						
M. McCORMICK						
S. McCORMICK						
F. NASCIMENTO						
R. McDONOUGH						

# TOWN OF HARRISON

Meeting Date: 11/15/2010

Committee: Police

Resolution #:R-2010-



Presented by Councilperson:  
James P. Doran

## HUDSON COUNTY

### A RESOLUTION DESIGNATING RESTRICTED PARKING SPACES FOR USE BY HANDICAPPED PERSONS

WHEREAS: Applications have been submitted for parking spaces for use by handicapped persons at the locations set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Harrison, Hudson County, New Jersey, as follows:

THAT: SECTION I

Whenever any words and phrases are used in this Resolution, the meaning respectively ascribed to them in Subtitle I of Title 39 of the Revised Statutes of New Jersey shall be deemed to apply to such words used therein; and

THAT: SECTION II

Pursuant to the Authority granted to this municipality by N.J.S.A. 39:4-197.5, the following locations are hereby designated as restricted parking spaces for use by persons who have been issued a special vehicle identification card by the Division of Motor Vehicles. No other persons shall be permitted to park in these spaces:

419 CLEVELAND AVENUE  
408 CLEVELAND AVENUE  
408 HAMILTON STREET  
209 NORTH 5TH STREET

THAT: SECTION III

The Department of Public Works is hereby directed to have proper signs calling attention to the provisions of the Resolution erected or placed upon said streets; and

THAT: SECTION IV

This Resolution shall take effect as required by Law.

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. MANDAGLIO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. McCORMICK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S. McCORMICK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R. McDONOUGH	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
Raymond J. McDonough, Mayor

I hereby certify this to  
be a true and correct copy.

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

**TOWN OF HARRISON**

Meeting Date: 11/15/2010

Committee: Finance

Resolution #:R-2010-



Presented by Councilperson:  
James P. Doran

**HUDSON COUNTY**

A RESOLUTION ADOPTING THE 2010 MUNICIPAL BUDGET

SEE ATTACHED 2010 MUNICIPAL BUDGET

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. DOLAGHAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. DORAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. HUARANGA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. MANDAGLIO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M. McCORMICK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S. McCORMICK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. NASCIMENTO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R. McDONOUGH	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
Raymond J. McDonough, Mayor

I hereby certify this to  
be a true and correct copy.

\_\_\_\_\_  
Paul J. Zarbetski, Town Clerk

