

24. Regular Meeting of the Mayor and Council of the Borough of Haworth held on January 26, 2016 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Glenn Poosikian
Andrew Rosenberg
Anthony Volpe
Michael Bain
Lawrence Weiss
Regina Duffy

Borough Attorney: Robert T. Regan

Mayor Smart called the meeting to order at 7:30 PM and upon roll call all members of the Council were present. The Mayor then read the following statement: "This is the Regular Meeting of the Mayor and Council of the Borough of Haworth. I am informed by the Clerk that adequate public notice has been provided by mailing notice to The Record, by posting a notice on the bulletin board in the Municipal Center, by filing a copy of the notice in the office of the Municipal Clerk and by mailing notice to all persons who requested same and prepaid the cost fixed by the Council."

Salute to Flag

Mayor Smart led those present in the pledge of allegiance.

Correspondence

Letter From
Referred to

Subject

Mr. N. Rubenstein	2016 Assessor's Statement	All Council Tax Collector Boro. Atty. Auditor
Mr. A. Silverman	4 th Quarter Fire Report	All Council
Bergen County League Municip.	Opposition to Amendment to Open Public Records Act and Open Public Meetings Act	All Council

COMMITTEE REPORTS

Report of Councilman Weiss

Finance

Mr. Weiss reported the Finance Committee met last evening to review budgets which have been submitted and will meet again this week-end.

Swim Club

Mr. Weiss noted he will be meeting on February 7th with the pool manager to review the pre -season checklist and follow-up on various items from last season.

Environmental Commission

The commission will be meeting tomorrow evening,

Report of Councilman Bain

Recreation Commission

Mr. Bain reported the Commission met and discussed the Summer Camp and several changes which will be made this year; the director has been hired and the position of assistant director is being advertised and there will be less trips and more daytime activities. He noted the Egg Hunt is being planned with the date possibly to be in connection with the Fire Department Annual Pancake Breakfast.

Library

Mr. Bain reported the Board is looking at this year's budget which he said he will review and they will be requesting the \$4,000.00 which was set aside in last year's budget for increased utility bills, pension payments, etc.

Report of Councilman Rosenberg

Zoning Board of Adjustment

Mr. Rosenberg reported the Board met and reorganized with Mr. Posen named chairman and the attorney for the Latte application is requesting a full Board for his application scheduled to be heard next month.

COMMITTEE REPORTS – cont'd.

Report of Councilman Rosenberg – cont'd.

Planning Board

Since Mr. Rosenberg was not present at their meeting, Mayor Smart gave the following report:

Dr. Ference was named chairman, Mr. Troy, vice chairman, Schwanewede-Hals was named engineer for the Board and the Board deferred the appointment for Board Planner. The board acknowledged a letter received from Schaefer's Gardens, directed the Board attorney to consult with the Schaefer's attorney and report back at the February meeting.

Police Department

Mr. Rosenberg reported on the following:

The Department monitored and coordinated traffic for the holiday caroling at Sacred Heart Church assisted by the Auxiliary; Sgt. Fox and Detective Yannuzzi attended the County Detectives' year end meeting where information and intelligence is shared regarding all criminal activity in the County; Sgt. Saudino was promoted to assistant Squad Leader of the County SWAT team and Chief Campbell has received the Chief's Achievement Award given by the Bergen County Chiefs of Police Association and presented to him at the Bergen County Police Academy Graduation in December.

Various traffic stops resulted in drug possession and DWI arrests; 94 summonses were issued; "No Shave November" raised \$16,902., the highest in Bergen County; the Department participated in a mandated active shooter drill and all members participated in fire arms training and all qualified.

Mr. Poosikian referred to a recent incident resolved by Lt. Ryan and Officer Devite for which they should be commended. Mr. Rosenberg said there will be a formal commendation.

Report of Councilman Poosikian

Shade Tree Commission

Mr. Poosikian noted the Commission did not meet this month, are working on the Winter Tree Program and then the project can go to bid.

Ambulance Corps

Mr. Poosikian reported the following for the month of December:

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COMMITTEE REPORTS – cont'd.

Report of Councilman Poosikian – cont'd.

Ambulance Corps – cont'd.

The Ambulance Corps responded to 19 calls – 18 daytime; 238 miles; man hours on calls, 72; man hours duty nights, 1092. Power stretcher has been delivered, Mrs. Duffy is teaching a first aid class at the high school for the spring semester.

The year-end report is as follows: total calls, 333; 3,632 miles; 1,288 man hours on call and 13,104 man hours duty nights.

Report of Councilman Volpe

Fire Department

Mr. Volpe reported on the following for December 2015:

13 emergency calls including 4 activated fire alarms in Haworth, 7 mutual aid alarms in Demarest and 2 hazardous condition calls in Haworth.

Total calls for 2015, 200; total man hours for 2015, 3,275.

The Department conducted the annual Santa/Candy Cane detail in town, assisted at the Bonfire/Caroling event at Sacred Heart. Scheduled events for January include department drills and work nights, Scott Mask Recertification and Bloodborne Pathogen and Right to Know training is scheduled for February.

Mrs. Duffy referred to a letter from former Chief Hennion commending Mr. Volpe for his efforts on the Department's behalf while serving as Commissioner.

Parks and Playgrounds

Mr. Volpe reported the Committee did not meet in January, fencing has been completed at the Little League Field for which Mr. Volpe thanked the Haworth Baseball Association for their contribution to that project. He noted a tree surgeon has lifted the trees in the outfield, Bergen Catholic has requested using the Knickerbocker Field for their freshmen team for which they will pay and will send an agreement.

COMMITTEE REPORTS – cont'd.

Report of Councilman Volpe – cont'd.

Fire Department

Mr. Volpe noted that last June the Department cut back the siren sounding to test if this resulted in missed calls, it was determined no calls were missed and the calls were received by the Department's various pagers, etc.

Building Department

Mr. Volpe reported the Department will be providing annual reports, permits are up from previous years and fines have been issued for violations.

Department of Public Works

Mr. Volpe noted the Department has been involved in branch chipping, preparation work on equipment and they did an excellent job in plowing during last week-end's snow storm.

Report of Councilwoman Duffy

Fire Department

Mrs. Duffy reported the Department will be drilling on two houses to be demolished; there is a daily roll call now by text during the daytime hours to determine members who are available during those hours and the ladder truck is going in for repair.

Board of Health

Mrs. Duffy noted the Board is planning their activities for the year, Dr. Eigen has been named Board president and the Health Fair will be held in October at the library.

Tennis

Mrs. Duffy noted she has met with Mr. Chval to review several items. Mr. Volpe suggested changing the "sign-up" sign at the courts which could be a Boy Scout project with assistance from the DPW.

Seniors

Mrs. Duffy reported she has met with Mrs. Borghi and Mr. Celotto and more well-rounded programs are being planned during the year.

Borough Administrator's Report

Rabies Clinic

Ms. Fay reported 35 dogs and 3 cats were vaccinated at the clinic held on January 16th.

Mayor's Report

Snow Storm

Mayor Smart reported the response and team work by all was excellent during this storm last week-end – volunteers and Borough departments. He said since a State of Emergency was declared a portion of costs will be recoverable, i.e., damage to equipment, over time, etc.

Northern Valley Regional High School

Mayor Smart noted he attended an event last night at the high school at which time four championship teams including football and soccer were honored.

NJ Economic Development Conference

Mayor Smart reported he attended this meeting for mayors from Bergen County at which time grants, loans, etc. for businesses in New Jersey were discussed. He said the Meadowlands facilities were discussed which he said help with the economy as 4,000 people are employed at an event and businesses are being encouraged to locate in the area.

CSX Railroad

Mayor Smart said he met with two representatives from the railroad for a briefing on safety which indicated there are twice a week safety checks and tests of the rails and the wheels on the cars; they looked at the tunnels which they said were structurally sound, however, the condition of the tunnels show a poor appearance. The Mayor said CSX can restore, paint them, etc., however, the trails in the area need work and if there would be an investment in a trail system it would have to be done together with the tunnel work and he noted the Borough's submission of a grant application for trails improvement.

FEMA

Mayor Smart reported the Borough has received a 2012 Sandy Storm reimbursement of \$76,000. from the federal government and thanked Ms. Wheeler for providing all the necessary documentation.

Mayor's Report

Declaratory Judgment

Mayor Smart noted the Borough Planner and Engineer gave a tour of the Borough to the Borough's court appointed Master and a report is due back on February 4th.

Louis Bay Scholarship

Mayor Smart explained this is an essay contest for high school students from Haworth attending the Northern Valley Regional High School and he would be appointing a committee to review submitted essays.

Site Remediation – St. Nicholas Avenue

Mayor Smart notes this project started in 2008 when 7 underground oil tanks were removed and the soil inspected from the rear of commercial property at the corner of Terrace Street and St. Nicholas Avenue; due to different regulations now in place the inspection process has been privatized since that time, the area continues to be monitored as one site still has some contamination.

UNFINISHED BUSINESS

Agreement to Operate Interboro Communications Organization

Mayor Smart explained this is the agreement between the seven towns in the Interboro, a revised agreement has been received, however he had a few comments including how much towns would pay to fund the costs, drawing down from reserves, before signing the agreement he would like to see the reserved balance and if there are any changes in the agreement it should be agreed by all the seven members, not only by four as presently indicated.

A motion was offered by Mr. Poosikian, seconded by Mr. Weiss and unanimously carried authorizing Mayor Smart to sign the agreement subject to review of the comments discussed this evening.

Atlantic Coast Fibers Invoices

Ms. Fay explained this matter and Mayor Smart noted the Borough had received checks from Atlantic Coast for the receipt of recycling through July of 2015 and then billing from them for August through December 2015 for the receipt of the Borough's recycling materials, the tickets from the collector of the materials and those from Atlantic Coast were matched, there are no funds in the budget for the amount of approximately \$4,000 and now with the new contract for the collection there will be no costs for the disposal.

After further discussion it was concurred to pay the invoice to Atlantic Coast.

NEW BUSINESS

Ordinance No. 16-01 – 2016 Administrative Salaries

A motion was offered by Mr. Rosenberg, seconded by Mr. Bain and unanimously carried that Ordinance No. 16-01 be offered for first reading.

Ordinance No. 16-01 was then read by title only as follows:

**AN ORDINANCE TO FIX THE SALARIES, WAGES, COMPENSATION,
BENEFITS, STIPENDS AND WORKING CONDITIONS FOR EMPLOYEES
AND CERTAIN OFFICERS OF THE BOROUGH OF HAWORTH,
COUNTY OF BERGEN, NEW JERSEY**

A motion was offered by Mr. Bain and seconded by Mr. Rosenberg that Ordinance No. 16-01 be passed on first reading.

On discussion Mayor Smart explained this ordinance is the standard range of salaries and noted changes to the maximum range for the Borough Clerk, Tax Collector, Police Chief and DPW Superintendent.

Mr. Bain requested that the Director for the Summer Recreation Program maximum range be increased to \$5500 and the Assistant Director to \$3500 in connection with the pre-camp activities and planning they are involved in which they will now be compensated for.

On roll call the vote was as follows: Ayes; Messrs. Poosikian, Rosenberg, Volpe, Bain, Weiss, Duffy. Nays – none. Declared carried.

A motion was offered by Mr. Rosenberg, seconded by Mr. Bain and unanimously carried that Ordinance No. 16-01 be advertised as required by law and a date set for public hearing on February 9, 2016 at 7:30 PM at the Municipal Center.

Ordinance No. 16-02 – Repeal of Sections of Ord. 7-9 – Reserved Parking for Borough Officials

A motion was offered by Mr. Weiss, seconded by Mr. Rosenberg and unanimously carried that Ordinance No. 16-02 be offered for first reading.

Ordinance No. 16-02 was then read by title only as follows:

**AN ORDINANCE TO AMEND CHAPTER VII OF THE
CODE OF THE BOROUGH OF HAWORTH ENTITLED,
“TRAFFIC”.**

Ordinance No. 16-02 – Repeal of Sections of Ord. 7-9 – Reserved Parking for Borough Officials

A motion was offered by Mr. Volpe and seconded by Mr. Weiss that Ordinance No. 16-02 be passed on first reading.

On discussion, Mr. Poosikian said he had reached out to the borough employees who said parking in the morning behind the Borough Hall is adequate, however, impossible after lunch and businesses in town are taking the spots. He said in respect to these employees he would suggest setting aside 4 or 5 spots during Borough hours for them.

Mayor Smart commented the “15 minute or less” parking signs for the library have not been replaced, the area will be ripped up during the Stevens Place renovation and there will be a loss of a spot down to 17 places regarding the proposed angle parking. Also, he said the signs are not an attractive element and he wanted to try to go without designated spots.

Mrs. Duffy suggested marking in the street for parking places.

Mr. Bain noted parking spots at the end of Stevens Place.

Discussion was held regarding the number of spots reserved for police vehicles.

Mr. Volpe suggested doing this ordinance now and revisit the situation after the Stevens Place renovation is completed.

Mr. Poosikian requested to leave the reserved parking for now.

On roll call the vote was as follows: Ayes; Messrs. Rosenberg, Volpe, Weiss, Duffy. No – Messrs. Poosikian, Bain. Declared carried.

A motion was offered by Mr. Weiss and seconded by Mr. Rosenberg to advertise Ordinance No. 16-02 as required by law and a date set for public hearing on February 9, 2016 at 7:30 PM at the Municipal Center. All members voted in the affirmative with the exception of Mr. Poosikian who voted no. Declared carried.

Appointment to Fire Department

A motion was offered by Mrs. Duffy, seconded by Mr. Poosikian and unanimously carried to appoint Matthew Mayer as a regular member of the Haworth Fire Department.

Presentation by Library Board – Budget

Mr. David Marks, Director and Ms. A. Sutera, Board Treasurer were present. Mr. Marks explained a \$4,000 reserve in the Library's 2015 budget, noting the Library is funded by 1/3 of a mil which was \$316,000 in 2015 and the \$4,000 reserve brought it to \$320,000; the \$4,000 being

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Presentation by Library Board – Budget – cont'd

reserved for extra costs in connection with the expansion project. He said the 2016 funding for the Library is \$312,000.

Mr. Marks then gave an overview of a document distributed explaining the 2016 proposed library budget. He discussed several unanticipated costs last year including paying a \$2500 deductible in connection with a flood, pension payments for part-time employees, the increased utilities cost in connection with the expansion and requested the release of the \$4,000. He also noted an increase in the cost for the BCCLS system which is now a yearly fee.

Mr. Weiss questioned the 2015 surplus figure.

Ms. Sutera explained the surplus is responsible for the cash flow, a month of operating expenses. She noted increases for 2016 including health insurance, etc.

Further discussion included surplus and its use and the proposed 2016 budget.

A motion was offered by Mr. Bain, seconded by Mr. Poosikian and unanimously carried to release the \$4,000 which was encumbered in the 2015 budget.

On roll call the vote was as follows: Ayes; Messrs. Poosikian, Rosenberg, Volpe, Bain, Weiss, Duffy. Nays – none. Declared carried.

Cooperative Pricing Agreement – Riverside Cooperative

The following resolution was offered by Mr. Volpe, seconded by Mr. Rosenberg and unanimously carried:

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to enter into Cooperative Pricing Agreements; and

WHEREAS, the Borough of Northvale hereinafter referred to as the 'Lead Agency' has offered voluntary participation in a Cooperative Pricing System for the purchase of work, materials and supplies; and

WHEREAS, the Borough of Haworth, County of Bergen, State of New Jersey, desires to participate in the Riverside Cooperative.

NOW THEREFORE BE IT RESOLVED on the 26 day of January 2016 by the Mayor and Council of the Borough of Haworth, County of Bergen, State of New Jersey, as follows:

Cooperative Pricing Agreement – Riverside Cooperative – cont'd.

TITLE

This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Haworth;

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11 (5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency;

CONTRACTING UNIT

The Lead Agency entering into contracts on behalf of the Borough of Haworth shall be responsible for complying with the provisions of the Local Contracts Law (N.J.S.A. 40A:11-1, et. seq.) and all other provisions of the revised statutes of the State of New Jersey

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

Authorization to Join Somerset County Cooperative Pricing System

The following resolution was offered by Mr. Volpe and seconded by Mr. Weiss:

WHEREAS, the Borough of Haworth desires to become a member of the Somerset County Cooperative Pricing System, #2-SOCCP, effective February 1, 2016 and that such membership shall be for a the period ending December 31, 2018, and each renewal thereafter of the system, unless the Borough of Haworth elects to formally withdraw from the system.

NOW THEREFORE BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute the attached agreement for such membership.

On discussion, Mr. Volpe explained this is a request from the DPW to expand their purchasing ability through state contracts which are not available in Bergen County.

On voice vote all members voted in the affirmative. Declared carried.

Transfer of 2015 Current Fund Budget Appropriations

The following resolution was offered by Mr. Weiss, seconded by Mr. Bain and unanimously carried:

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Transfer of 2015 Current Fund Budget Appropriations – cont'd.

WHEREAS, Title 40A: 4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Haworth that the Chief Financial Officer be and is hereby authorized to make the following transfers in the 2015 Current Fund :

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Board of Adjustment		
	Other Expenses	565.00
Police Department		
	Other Expenses	375.00
Streets & Roads		
	Salary & Wages	5,025.40
Utility Expenses - Water		
	Other Expenses	15.40
Recycling Contract		
	Other Expenses	4,070.00
	TOTALS:	5,025.40

2016 County Public Health Shared Services Agreement

The following resolution was offered by Mrs. Duffy, seconded by Mr. Bain and unanimously carried:

BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute a Public Health Shared-Services Agreement for 2016 in the amount of \$6,500.00 for Health Officer and \$4,565.70 for Animal Control Program for a total of \$11,065.70.

2016 Blood Borne Pathogen Agreement

The following resolution was offered by Mrs. Duffy, seconded by Mr. Volpe and unanimously carried:

BE IT RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to execute an Agreement with the Bergen County Department of Health Services for the Bloodborne Pathogen Program for the years 2016-2017 in the amount of \$18.00 per trained personnel and \$62.00 per dose of Hepatitis B vaccine for each year.

36. Regular Meeting of January 26, 2016

Payment of Bills

The following resolution was offered by Mr. Weiss, seconded by Mr. Volpe and unanimously carried:

FOR COPY OF RESOLUTION AND BILL LIST
SEE PERMANENT MINUTES
PAGES 38A – 38J

Approval of Minutes

A motion was offered by Mr. Volpe, seconded by Mr. Rosenberg and unanimously carried to accept the minutes of the executive meeting of December 8, the regular meeting of December 22 and the closed meeting of December 8, 2015.

Employment Practices

Mr. Poosikian proposed that when a hire or replacement takes place in the Borough the transparency issue should be followed by notification, posting on the web site, advertising the position, etc.

Mr. Rosenberg commented this could be incorporated in the personnel manual.

Mr. Poosikian said all council members should be notified when a position is open, noting an open position has been filled this year with no advertising.

Mayor Smart commented that certain positions are subject to the Mayor's appointment.

A discussion was held regarding senior van drivers hired before approval and an interim appointment.

Mayor Smart noted a letter from Ms. Gallagher indicating she was not accepting the position of web master for the coming year and that there is a meeting scheduled with a person interested in this position. He noted the urgency of some situations and when there is an emergency he can review interested parties, do a search and bring his advice to the Council.

Mr. Regan referred to the state statute whereby the Mayor appoints with the advice and consent of the Council.

Mr. Poosikian said there is the need to let people know there is a position available

Mayor Smart said he has taken note of Mr. Poosikian's remarks.

37. Regular Meeting of January 26, 2016

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. S. Chval, Woodland Pl., asked that the Tennis Committee be notified if the Summer Recreation Program will continue this year with the tennis program. Mr. Bain responded they will be advised.

Mr. Chval complimented the DPW on the excellent job they did in clearing his street of snow.

Mr. M. Levinson, Franklin St. questioned the new trash collection policy and said he objected to the curb side pick-up which he said was a bad decision.

Mayor Smart noted the new contract is saving \$77,000 in the budget and explained how the council is dealing with various aspects of this budget and one third or more residents already are placing trash at the curb.

Mr. Levinson said this change should have been referred to the residents before it took place.

Mr. Rosenberg explained the budget process and what has to be taken into consideration.

Mrs. B. Potter, Haworth Avenue commented that once a week trash pick-up could have been considered.

In connection with the previous ordinance introduction regarding parking for municipal employees, Mrs. Potter noted different types of library patrons – some handicapped, mothers with strollers – and suggested employees park further away as the library needs as many spaces as possible.

Ms. Sutura noted there is no stroller parking at the library which is a problem.

Mr. Levinson referred to a parking problem on Franklin Street with high school students parking there, parking on both sides of the street for which they should be ticketed and suggested prohibiting parking in that area from 10 AM to 3 PM.

Ms. B. Borghi, St. Nicholas Av. referred to parking on Madison Avenue coming up the hill which is bad. As to the parking situation at the Municipal Center, Ms. Borghi suggested a parking time limit on Haworth Avenue and stickers for employees. She also noted a vacant lot at Terrace Street and St. Nicholas Av. which could be used for parking.

Mayor Smart responded that lot is a tree lined buffer between the commercial and residential area.

As there were no further comments the meeting was closed to public discussion.

38. Regular Meeting of January 26, 2016

Close Meeting to Public

The following resolution was offered at 10:15 PM by Mr. Weiss, seconded by Mr. Poosikian and unanimously carried:

WHEREAS, *N.J.S.A. 10:4-12B* permits a public body to exclude the public from the portion of a meeting at which certain items are discussed; and

WHEREAS, the Governing Body deems it necessary to conduct a closed session and to exclude the public on January 26, 2016 at which time the following items will be discussed:

Declaratory Judgment Action
Affordable Housing

NOW THEREFORE BE IT RESOLVED that the Mayor and Council does hereby exclude the public from the portion of the meeting at which time the above items will be discussed; and

BE IT FURTHER RESOLVED that the discussion conducted in closed session will be disclosed to the public upon completion or conclusion of the foregoing item and when determined by the Governing Body that the Borough's interests will not be adversely affected.

Reopen Meeting to Public

The meeting was reopened to the public at 10:35 PM and as there was no further business to come before the Council the meeting adjourned on motion duly offered, seconded and carried.

Ann E. Fay, RMC, CMC
Clerk-Administrator

