

17. Executive Meeting of the Mayor and Council of the Borough of Haworth held on January 13, 2015 at the Municipal Center

Present: Hon. John Smart, Mayor

Councilmembers: Glenn Poosikian  
Mary Anne Groh  
Andrew Rosenberg  
Anthony Volpe  
Michael Bain  
Lawrence Weiss

Borough Attorney: Robert T. Regan

Mayor Smart called the meeting to order at 8:00 PM and upon roll call all members of the Council were present. The Mayor then read the following notice: "This is an Executive 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 same."

Correspondence

<u>Letter From</u>	<u>Subject</u>	<u>Referred to</u>
NJ League of Municipalities	COAH Update	All Council
NVRHS District	Information re. 2015 Events	Mayor Smart
Joint Insurance Fund	Invitation to Reorganization Meeting January 15, 2015	All Council
Joint Insurance Fund	2015 Assessments	Mrs. Groh Finance
Richard Loccke	Notice of Representation of PBA	All Council

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. D. Lauzon, 854 Sunset Avenue said he is concerned with what is going on with the Police Department and their negotiations, noting they are the first line of defense, there has to be found a better way to handle the situation, the safety of the town is being jeopardized and their pay should not be frozen.

Open Meeting to Public – cont'd.

Mr. J. Weiss, 56 Pleasant Street spoke regarding the Police, noting he understands they are part of the community, they have the right attitude and they will do the job with or without a pay raise. He said they will be looking for jobs in other towns, everyone in the Department is friendly, they know all the children and they know what is going on in town. Mr. Weiss said he knows the governing body is trying to reduce taxes, but there is a flip side to this regarding property values and it is the reason his family moved here.

Mr. R. Geller, 369 Wheeler Place said Haworth has been reported as one of the safest places to live, one of the officers saved his daughter's life, they go above and beyond and this officer helps all the children. He said you can't pay for that, the current situation in the Department will result in losing good will, will damage property values, noted other expenses in the town, but nothing is more important than the Police Department, they should get what they need. Mr. Geller further said an exodus of officers will be seen, people are unhappy and this situation is putting the town at great risk.

Ms. B. Colonna, 5 West View Terrace said that from her military background she knows what morale means, this is a great group who police the town and what is going on will ruin their morale. She said with both sides lawyering up there will be a cost, suggested not prolonging the matter, get it taken care of, keep the officers here and this is a strong professional force.

Ms. Alexandra Weiss, 56 Pleasant Street said she was upset with this situation. The police recently saved her life and kept her going during a difficult time, the town has to keep them as they can help and save lives and are just asking for a normal living. She noted her daughter's excellent relationship with the police, they are important and asked to please support them.

Ms. Cynthia Soroka, 85 Whitman Street, suggested a liaison with the police and taxpayers instead of lawyers, noting the Police Department has been here for her for several years.

Mr. A. Dickstein, Pine Street said if this matter goes to arbitration there will be more money spent, all other neighboring towns have settled their contracts with the same types of offers, this Department should be given what they deserve and questioned why they are worth less than other departments.

Mayor Smart commented the negotiations are continuing which will not be discussed in public and said rest assured the Mayor and Council know they have a great police force.

Mr. Dickstein said the police have saved lives, there is the need to keep the town safe and the need for experienced officers and questioned why this matter is stuck in a stalemate.

Open Meeting to Public – cont'd.

Mr. D. Dickstein, Andiamo's Restaurant said the police have to be paid right, compared the situation to what is going on New York City at this time, he wants the town to be safe, the town should be grateful for what they have and it should be kept that way.

Mr. T. Cusanelli, Schraalenburgh Road questioned why the police are all upset regarding the negotiations, there is no secret of what is happening with the negotiations and questioned what is the issue preventing them getting what they deserve.

Mrs. Groh commented that the Council is looking forward to continuing the negotiations, noting that the laws of the State of New Jersey have certain requirements regarding this issue, the governing body took oaths to fulfill their duties and certain laws dictate what can be done. She said she is looking forward to getting back to the table and they will take into account all this evening's comments.

Mr. Cusanelli asked what is the state mandate.

Mrs. Groh responded there cannot be more than a 2% salary increase and this CAP has to be taken into consideration.

Mr. Cusanelli asked is the 2% CAP what has brought the matter to this stalemate.

Mayor Smart said they are not in a stalemate and he understood the strong support shown tonight for the Police.

Ms. L. Maketansky, 259 Lenape Way said she wished to publicly thank the Police Department for their protection at the local school where she works and at her home; they are part of her life every day, she said.

Mr. M. McGinley, 408 Harland Avenue referred to the freezing of the steps in the expired contract and asked if they could be continued.

Mr. Geller questioned what triggered freezing the raises.

Mayor Smart responded this cannot be discussed while negotiations are pending.

Ms. Colonna referred to ordinances and resolutions authorizing spending which she said it is time to stop and money should be spent for people who deserve it.

Mr. A. Dickstein asked why were the steps in the contract frozen.

Mrs. Groh responded a position cannot be taken until the council discusses the matter and noted that a grievance was just filed by the police.

Open Meeting to Public – cont'd.

Mr. N. Shirvan, Anstatt Place discussed taxes increasing which is forcing him to leave town.

Mr. Cusanelli asked when was the last time a grievance was filed.

Mr. Poosikian responded approximately 15 years ago.

Sgt. Michael Saudino thanked all who came out this evening in support of the Police Department, thanked former Mayor John DeRienzo for his many years of service and congratulated Mayor Smart on his recent election. Sgt. Saudino said he was looking forward to the next negotiation meeting.

Mr. M. Zurlini, 37 Pleasant Street said there are problems with the Building Department, when he built his house he did what he had to do, however there is building going on without permits and exceeding plans that have been submitted which has created a rift with his neighbor. He said the neighbor had a permit for a one story garage which has now become two stories, the town should be policed regarding these permits with a committee formed to check on permits.

Mayor Smart commented that Mr. Volpe has taken on the role of liaison with the Building Department.

Mr. Volpe noted there are 300 permits outstanding.

Mr. Poosikian said he appreciated the concerns and the frustrations expressed by those present this evening, explained the process whereby three councilmembers are on various committees and report back to the full council. He said the Council heard everyone this evening loud and clear, finance should not be the only consideration regarding the police contract and he appreciated how important the Department is.

The meeting was closed to public discussion at this time.

RESOLUTIONS

Bergen County Law Enforcement Mutual Aid

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

**WHEREAS**, the police departments in Bergen County have a day to day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order, and

RESOLUTIONS – cont'd.

Bergen County Law Enforcement Mutual Aid – cont'd.

**WHEREAS**, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies, and

**WHEREAS**, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies, and

**WHEREAS**, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App. A:9-40.6, and

**WHEREAS**, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property, and

**WHEREAS**, it is the desire of the Mayor and Council of the Borough of Haworth to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Haworth that the Police Department of the Borough of Haworth, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

**BE IT FURTHER RESOLVED** that a copy of the Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all municipalities in the County of Bergen.

Authorization to Sign 2015 Risk Manager Agreement

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

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Haworth that Dan Larsen of Johl and Company is hereby appointed Risk Manager Consultant for the Year 2015 and the Mayor and Municipal Clerk are hereby authorized to sign the Risk Management Consultant Agreement.

RESOLUTIONS – cont’d.

Appointment of 2015 Joint Insurance Fund Commissioner

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

BE IT RESOLVED by the Mayor and Council that Margaret Celotto be appointed the Borough of Haworth’s 2015 Fund Commissioner to the Bergen County Municipal Joint Insurance Fund.

Authorization to Enter Into Cooperative Pricing Agreement – Riverside Cooperative

The following resolution was offered by Mr. Poosikian, seconded by Mrs. Groh 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 13 day of January 2015 by the Mayor and Council of the Borough of Haworth, County of Bergen, State of New Jersey, as follows:

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

RESOLUTIONS – cont’d.

Authorization to Enter Into Cooperative Pricing Agreement – Riverside Cooperative – cont’d.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

Interboro Mutual Aid Participation Agreement – Fire Department

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

WHEREAS, the undersigned municipalities, its Fire Departments and respective Fire Companies have entered into a mutual aid and assistance program pursuant to and required by law as set forth in N.J.A.C. 5:7A-2.2; and

WHEREAS, this agreement is and shall be by and between the following Municipalities, Fire Departments and Fire Companies and the parties who agree to be bound thereby:

- |             |                 |            |
|-------------|-----------------|------------|
| Alpine      | Dumont          | Norwood    |
| Bergenfield | Harrington Park | Old Tappan |
| Closter     | Haworth         | Rockleigh  |
| Cresskill   | New Milford     | Tenafly    |
| Demarest    | Northvale       |            |

WHEREAS, the Borough of Haworth wishes to continue to participate in said program.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that they hereby affirm their intent to continue as participants in the Interboro Mutual Aid Group Agreement, the details of which are in the possession of the respective Fire Chiefs of the Fire Departments included in the Interboro Mutual Aid and as detailed by this resolution.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Mayor and Council of the aforementioned municipalities.

OTHER MATTERS

Pay to Play Ordinance

A sample ordinance having been distributed previously to councilmembers, Mr. Regan will work on one for Haworth and circulate it. Mrs. Groh noted the limit of \$275 for contributions.

OTHER MATTERS – cont'd.

Appointment to Shade Tree Commission

A motion was offered by Mr. Poosikian, seconded by Mr. Volpe and unanimously carried that Mr. Jack Erhard be appointed to the Shade Tree Commission for a 5 Year term to December 31, 2019.

Social Media

Mayor Smart discussed different methods of communication to send out to the community and a single source of information for communications. He said the Clerk's Office is contacting other towns in this regard and questioned if the Council wishes to pursue the matter.

Mr. Poosikian noted there are 3 or 4 face book pages in town (Library, Police Department, etc.) and the obligation to monitor the sites as they are open to OPRA requests as well as who is allowed to post on the sites. He went on to say that the Borough of Metuchen has drafted an ordinance to address these matters.

Mr. Regan suggested to do this by ordinance and not policy.

Direct Deposit

Mayor Smart said that consideration is being given to mandate direct deposit for all Borough employees and that all but 21 employees out of 65 to 70 use direct deposit at this time. He said seasonal help could be exempted, noting there is added cost for bank reconciliations with no direct deposit also if checks get lost they have to be canceled and reissued and direct deposit makes it easier in the payroll process.

Mr. Bain commented that some of the young seasonal employees do not have bank accounts, this would be forcing them to do so and questioned how advisable it would be to mandate direct deposit.

Discussion was held regarding the benefits to the town, etc. for direct deposit for all and to determine why 21 employees are not using direct deposit.

Open Meeting to Public

The meeting was reopened to the period of public discussion.

Ms. Colonna questioned the previous discussion regarding a pay to play ordinance.

Mr. Regan responded there is a state statute regarding this however, the town can pass a more stringent ordinance regarding contributions.

Open Meeting to Public – cont'd.

Ms. Soroka said it was startling to her to see Haworth changing due to larger homes being built, builders should be encouraged to build more in line with other homes in town and some of the new homes are eyesores.

Mr. S. Chval, Woodland Place, questioned why the Borough needs social media at all, there is the Borough's website, etc. and if there is a liability why get involved in this matter.

Mr. Rosenberg responded noting the police face book page, that there are severe limits for the Borough's web site and there are more people on face book who receive information.

Mr. Poosikian noted that some information needs to be controlled.

Mrs. Groh referred to the police face book when a posting regarding road closures took place however, one has to be part of that program to receive information.

Mr. Volpe said the police want the ability to get their information out quickly.

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

Close Meeting to Public

The following resolution was offered by Mrs. Groh, seconded by Mr. Rosenberg and unanimously carried at 9:30 PM:

**WHEREAS**, *N.J.S.A. 10:4-12B* permits a public body to exclude the public for 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 13, 2015 at which the following items will be discussed:

Personnel  
PBA Negotiations  
Tax Appeals

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council does hereby exclude the public from the portion of the meeting at which 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 items 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 10:30 PM.

Swim Club

Discussion was held regarding a fencing enclosure for trash containers at the Swim Club parking lot, no decision was reached and a vendor who previously submitted a proposal for this work will be considered with others.

Mr. Weiss indicated volunteers are being contacted to serve on a citizens Swim Club Committee.

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

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Ann E. Fay, RMC, CMC  
Clerk-Administrator