

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

Present: Hon. John W. Smart, Mayor

Councilmembers: Mary Anne Groh  
Andrew Rosenberg  
Anthony Volpe  
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 with the exception of Mr. Bain who was ill and Mr. Poosikian who was experiencing a travel delay. The Mayor then read the following statement: "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 Municipal.	Weekly Policy Update	All Council
NJ League of Municipal.	Notice of proposed Membership Dues	All Council
League of Humane Voters	Nonlethal Deer Management	All Council
Dept. Community Affairs	2015 Table of Equalized Valuations	All Council Tax Assessor
Interboro Radio	Contract Renewal	All Council

In connection with the Interboro Radio contract renewal, Mr. Volpe indicated concerns of his in reviewing the expiring contract which included the pro-rata formula, questioned if the Police Chief and Fire Chief have seen the document, different technology, the Closter upgrade, the ability to sound sirens and maintenance costs.

Mrs. Groh suggested referring the contract to the OEM Committee of the Council .

Mayor Smart suggested bringing Mr. Volpe's comments to that Committee and he will talk to Mayor Barsa regarding the issues discussed this evening.

Authorization to Enter into Grant Agreement – Senior Van Drivers

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

BE IT RESOLVED, that the Mayor and Council of the Borough of Haworth wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$7,400.00 in 2015-2016 Community Development Block Grant funds for Senior Van Drivers in the Borough of Haworth;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor John W. Smart to be a signatory for the aforesaid agreement; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes Mayor John W. Smart to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RSOLVED that the Mayor and Council recognizes that the Borough of Haworth is liable for any funds not spent in accordance with the Grant Agreement and that the liability of the Mayor and Council is in accordance with HUD requirements.

Authorization to Enter into Grant Agreement – Senior Activities

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

BE IT RESOLVED, that the Mayor and Council of the Borough of Haworth wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$4,500.00 in 2015-2016 Community Development Block Grant funds for Senior Citizen Activities in the Borough of Haworth;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor John W. Smart to be a signatory for the aforesaid agreement; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes Mayor John W. Smart to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED that the Mayor and Council recognizes that the Borough of Haworth is liable for any funds not spent in accordance with the Grant Agreement and that the liability of the Mayor and Council is in accordance with HUD requirements.

Refund Driveway Permit Deposits

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

WHEREAS, the Superintendent of the Department of Public Works has inspected and found that work has been satisfactorily completed on the following Driveway Permit,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the following refund be made:

<u>NAME AND ADDRESS</u>	<u>PERMIT #</u>	<u>AMOUNT</u>
NCC Construction 829 Allen Street Elizabeth, New Jersey 07202	1344	\$100.00
Leon Nigohosian 371 Pleasant Lane Haworth, New Jersey 07641	1336	\$100.00

Refund Summer Recreation Fees (cancellation of bowling trip)

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

WHEREAS, the Recreation Commission Summer Recreation Program planned a children's bowling outing and collected fees for same,

WHEREAS, the trip was cancelled, and the fees must be refunded to the parents,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the following refunds be made:

<u>Name</u>	<u>Address</u>	<u>Amount</u>
Sara Abramson	10 Brookside Ave. Demarest, NJ 07627	\$20.00
Alan Chu	316 Franklin St. Haworth, NJ 07641	40.00
Alexandra Gordon Fitzsimons	54 Summit Place Haworth, NJ 07641	40.00

Refund Summer Recreation Fees (cancellation of bowling trip)

<u>Name</u>	<u>Address</u>	<u>Amount</u>
Claudia Gaard	80 Chestnut St. Haworth, NJ 07641	20.00
Tomoko Gargano	57 Prospect Ave. Haworth, NJ 07641	20.00
Elizabeth Gatanas	115 Harrison St. Haworth, NJ 07641	40.00
Heather Laub	392 Haworth Ave. Haworth, NJ 07641	20.00
Alison Bull Pavlos	211 Valley Ct. Haworth, NJ 07641	20.00
Sarah Rotonde	471 Haworth Ave. Haworth, NJ 07641	20.00
Robert B. Song Robyn Y. Pak	155 Surbeck Place Haworth, NJ 07641	20.00
William & Stacey Zwernemann	211 Haworth Ave.	20.00

Emergency Appropriation – Shade Tree

The following resolution was offered by Mr. Rosenberg and seconded by Mrs. Groh:

WHEREAS, an emergency has arisen with respect to the removal of branches and trees from public property to ensure public safety, and no adequate provision was made in the 2015 Budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriation created, including the appropriation to be created by this resolution, is.....\$10,000.  
and three percent (3%) of the total operating appropriations in the Budget for the year 2015 is ..... \$188,364.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Haworth in the County of Bergen (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48 that:

1. An emergency appropriation be and the same is hereby made for:

Emergency Appropriation – Shade Tree – cont'd.

Emergency Removal of Trees and Branches:	
Other Expenses	10,000.

2. Said emergency appropriation shall be provided for in full in the 2016 budget.
3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
4. That an “Emergency Note” not in excess of the above amount be authorized pursuant to N.J.S.A 40A:4-48 and in accordance with the provision of N.J.S.A. 40A:4-51.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of Local Government Services.

On discussion Mrs. Groh referred to this year’s Shade Tree Budget amount and felt that a lot of the work should not have been called an emergency. She noted the need to evaluate how various calls are handled and she will be monitoring the situation.

Mayor Smart commented that this budget has been fully expended and noted an emergency situation with a tree removal at the Park Street Playground.

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

Establishing a Fund Balance Policy

The following resolution was offered by Mrs. Groh and seconded by Mr. Rosenberg:

**WHEREAS**, the Borough of Haworth wishes to formally establish a fund balance policy for the Borough’s Current Fund, as follows:

“The Borough of Haworth (the “Borough”) hereby establishes and will maintain fund balance as defined herein.

This policy shall apply to the Borough’s Current Fund. The fund balance will be maintained in the current fund at a level sufficient to provide for the required resources to meet operating cost needs, to allow for unforeseen needs of an emergency nature, and to permit orderly adjustment to changes resulting from fluctuations of revenue sources. The Borough will maintain at least **.75%** percent of the next year’s budget in the fund balance of the Current Fund.

Any amounts remaining in the year-end fund balance in excess of **.75%** will be available for appropriation in the following year’s budget by the Borough governing body to cover such items and revenue shortfalls and unanticipated expenditures, and to ensure stable tax rates. The Borough will attempt whenever possible to avoid appropriating such funding for recurring

Establishing a Fund Balance Policy – cont'd.

expenses, and will only appropriate such amount as can reasonably be expected to be regenerated in that year.

Compliance with the provisions of this policy shall be reviewed as part of the annual budget adoption process and amounts of the minimum level of fund balance in the Current Fund shall be determined during this process.”

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Haworth, County of Bergen, State of New Jersey, that the fund balance policy is as stated above.

On discussion Mrs. Groh noted this matter is part of the Best Practices Checklist and the Finance Committee has reviewed it.

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

Proclamation

Mayor Smart issued a proclamation for Mental Health Awareness Week.

OTHER MATTERS

Trick or Treating Location for Halloween

Mayor Smart noted the tradition of closing streets for this holiday which area has been alternated over the years and consideration this year is being given to the area of Maple, Brook, Jefferson and the Haworth Avenue bridle lane. He said Sacred Heart has indicated their parking lot could be used between 1:30 and 4:30 PM on Halloween.

Further discussion included other streets being designated, opening streets for local traffic only and various alternate areas such as west side of Maple Street, closing Myrtle Street and using Brook Street to Maple Street. The Police Chief will be consulted regarding the various areas being considered.

Golf Outing

Mayor Smart extended his thanks to all who supported and worked on this event; there were 40 golfers and 38 sponsors; \$20,000 was realized with a cost of \$10,000 to produce the event, therefore generating \$10,000. He said how to disperse the funds is being discussed.

Plans for Memorial Park Pavilion

Mr. Volpe said he will be meeting with the Borough Engineer on this project.

Best Practices Checklist

Mayor Smart explained this document contains 50 items from the State and the Borough has answered yes to 41 of them resulting in no loss of state aid. In connection with this document he suggested reviewing the Borough's personnel manual every five years and next year to move on a thorough review.

The Mayor continued that a current review of the manual has involved the sections regarding Borough employees receiving gifts, restricted use by employees on Borough property and Borough use of vehicles. He suggested Mr. Rosenberg work with the Police Chief on the vehicle use.

Mayor Smart then referred to a document prepared updating and adding certain sections of the manual regarding permitting employees to perform duties required by their participation in municipal government organizations while on Borough property. Also included in this document is the building use policy being restricted to Borough business at all times and not used for commercial purposes or political campaign activities but for community groups, etc. which may meet.

Mrs. Groh noted various suggestions she had to the building use policy including not entering Borough buildings unless necessary to perform duties.

It was concurred that this matter be placed on the agenda for the October 27<sup>th</sup> meeting.

Approval of Payment of Bills

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

FOR COPY OF RESOLUTION AND BILL LIST  
SEE PERMANENT MINUTES  
PAGES 238A – 238L

Additional Item to be Added to Bill List

A motion was offered by Mrs. Groh, seconded by Mr. Rosenberg and unanimously carried to approve a payment of \$1390.86 from the Trust Fund for a conference attendance by the Police Chief which has already been approved.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Open Meeting to Public – cont'd.

Mrs. M. Cooper, Haworth Avenue, explained she has been walking her dogs on the reservoir road for over 50 years which is now a popular recreation area with runners, bikers, etc. and had never witnessed a problem with her unleashed dog until recently when she was issued a ticket for an unleashed dog. She said the dog had the leash on, but she was not holding it.

Mrs. Cooper said she was requesting the ordinance be amended to let dogs off the leash and suggested an “off-leash” time or perhaps a special license fee.

Mayor Smart responded that there are County managed dog runs and Mrs. Cooper’s idea for a time period was creative. He said issues with unleashed dogs include a number of people complaining of being frightened by an unleashed dog, dog attacking dog and complaints from the Haworth Country Club with dogs running on the golf course and causing damage. Also, he said some of the dirt trails border residents’ yards.

Mr. J. Ferber, Owatonna St., suggested making part of the area a dog run.

Further discussion included the ownership of the property where the dogs walk and perhaps a designated area for them.

Mrs. N. Hilsman, Maple St., said she has received a warning for walking her dog off the leash and noted some alternatives such as different times for bikers and dogs off leashes.

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

As there was no further business to come before the Council, a motion was offered by Mrs. Groh, seconded by Mr. Rosenberg and unanimously carried at 9:15 PM to adjourn.

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Ann E. Fay, RMC, CMC  
Clerk-Administrator























