

93. Executive Meeting of the Mayor and Council of the Borough of Haworth held on May 8, 2013 at the Municipal Center

Present: Hon. John Dean DeRienzo, Mayor

Councilmembers: Stephen Chval
Vincent Iacobino
Glenn Poosikian
Mary Anne Groh
Andrew Rosenberg
Anthony Volpe

Borough Attorney: Peter J. Scandariato

Mayor DeRienzo 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 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 Star Ledger and 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."

Public Hearing on Amendment to 2013 Municipal Budget

Mayor DeRienzo opened the meeting to the public on the Amendment to the 2013 Municipal Budget, which resolution was approved on April 9, 2013. There being no comments, the meeting was closed to the public on the Amendment.

Ordinance No. 13-05 - 2013 Road Improvement Program

A motion was offered by Mr. Poosikian, seconded by Mr. Chval and unanimously carried that Ordinance No. 13-05 be offered for second reading.

Ordinance No. 13-05 which is as follows was then read by title only as copies had been provided for those present:

Ordinance No. 13-05 - 2013 Road Improvement Program – cont'd.

The meeting was opened to the public on Ordinance No. 13-05. As there were no comments the meeting was closed to the public on this ordinance.

A motion was offered by Mr. Poosikian and seconded by Mr. Chval that Ordinance No. 13-05 be passed on second and final reading.

On roll call the vote was as follows: Ayes; Messrs. Chval, Iacobino, Poosikian, Groh, Rosenberg, Volpe. Nays – none. Declared carried.

A motion was offered by Mr. Poosikian, seconded by Mr. Iacobino and unanimously carried that the passage of Ordinance No. 13-05 be advertised as required by law.

Correspondence

<u>Letter From</u>	<u>Subject</u>	<u>Referred to</u>
B.C.U.A.	Notice of “Green Up Trade Show” –May 9	Mrs. Groh Mr. Poosikian DPW
Mrs. B. Weil	Thank You to Mayor for Response re. Condition of Surbeck Place	Mr. Rosenberg DPW
Mr. T. Kelly	Notice of Completion of Placement of New Trash and Recycling Containers	All Council
Mr. R. Layne	Request for Permission to Hang “Welcome Home” Sign for Son Returning from Military Service	All Council DPW

Mrs. Groh thanked the DPW for placing the new trash and recycling containers around town.

Adoption of 2013 Municipal Budget

The following resolution was offered by Mr. Chval and seconded by Mr. Iacobino:

FOR COPY OF RESOLUTION
SEE PERMANENT MINUTES
PAGE 104A

On roll call the vote was as follows: Ayes; Messrs. Chval, Iacobino, Poosikian. Nays – Mrs. Groh, Mr. Rosenberg, Mr. Volpe. Mayor DeRienzo voted in the affirmative to break the tie. Declared carried.

Refund of Escrow Deposit

The following resolution was offered by Mr. Chval, seconded by Mr. Iacobino and unanimously carried:

WHEREAS, Bradford Bentzig posted with the Borough of Haworth engineering escrow in the amount of \$1,000.00 in connection with the construction of a new residence at Block 1404, Lot 2; and

WHEREAS, the Borough Engineer by letter dated January 22, 2013 indicates a site inspection and a review of an As-Built Survey has been conducted with the determination that

Refund of Escrow Deposit – cont'd.

the location and grading of the new house are acceptable and recommends the release of the remaining escrow funds.

NOW THEREFORE BE IT RESOLVED, that \$300.00 be refunded to Bradford Bentzig, 115 Owatonna Street, Haworth, NJ 07641.

Submission of Recycling Tonnage Grant Application

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

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for 2013 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Haworth to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Haworth that the Borough of Haworth hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Eamonn Radburn of the Department of Public Works, as recycling coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Mrs. Groh noted these funds pay for the new trash and recycling containers.

Approval of Property Maintenance Costs – Block 707, Lot 7

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

BE IT RESOLVED, the Mayor and Council hereby approve the certification of costs submitted by the Department of Public Works Superintendent for April 23, 2013 in the amount of \$295.00 for East Hill Landscaping, LLC for property maintenance and spring clean-up costs on Block 707, Lot 7, 566 Sylvan Place.

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to add the amount of \$295.00 to the 2013 2nd quarter tax bill for Block 707, Lot 7.

Authorization of *in rem* Tax Foreclosure Proceedings

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

WHEREAS, the Tax Collector of the Borough of Haworth has prepared an *in rem* tax foreclosure list and has certified the same to the Governing Body; and

WHEREAS, it is the desire of the Governing Body to institute *in rem* tax foreclosure proceedings against the properties which are set forth on Schedule “A” attached hereto; and

WHEREAS, the Governing Body believes that it is not only in the best interest of the Borough of Haworth to institute said proceedings, but also is a duty of the Governing Body to pursue the appropriate action to collect unpaid taxes; and

WHEREAS, the institution of said *in rem* proceeding will result in revenue to the Borough of Haworth either by a redemption of the subject properties or by their foreclosure and resale by the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Haworth, Bergen County, New Jersey, that the Governing Body does hereby authorize the institution of *in rem* tax foreclosure proceedings in regard to the properties set forth on Schedule “A” attached hereto; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Borough Tax Collector and Borough Attorney.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Borough Tax Collector and Borough Attorney.

Approval of Raffle License

The following resolution was offered by Mr. Iacobino, seconded by Mr. Chval and unanimously carried:

BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the On Premise 50/50, Off Premise Merchandise and On Premise Merchandise Raffle Applications #RA-407, 408 & 409 of the Care Plus Foundation to be held at White Beeches Golf and Country Club, Haworth on September 16, 2013 be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to.

Refund of Overpayment of 2013 Property Taxes

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the Tax Collector be authorized to refund the overpayment of 2013 property taxes to the following homeowners:

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO:</u>	<u>2013 TAXES</u>
1311	3	Michael & Eileen Walsh 145 Valley Rd Haworth, NJ 07641	\$2,585.88
1700	19	Umesh & Caroline Joashi 118 West Green Drive Chapel Hill, NC 27516	\$4,803.00
		For former property at: 169 Hardenburgh Ave Haworth, NJ 07641	
		Total	\$ 7,388.88

Ordinance No. 13-06 – 2013 Multi-Purpose Ordinance

A motion was offered by Mr. Chval and seconded by Mr. Poosikian that Ordinance No. 13-06 be offered for first reading.

Ordinance No. 13-06 was then read by title only as follows:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL

Ordinance No. 13-06 – 2013 Multi-Purpose Ordinance – cont'd.

APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF HAWORTH, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$376,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

On roll call to offer Ordinance No. 13-06 for first reading the vote was as follows: Ayes; Messrs. Chval, Iacobino, Poosikian. Nays – Mrs. Groh, Mr. Rosenberg, Mr. Volpe. Mayor DeRienzo voted in the affirmative to break the tie. Declared carried.

A motion was offered by Mr. Poosikian and seconded Mr. Chval that Ordinance No. 13-06 be passed on first reading.

On roll call the vote was as follows: Ayes; Messrs. Chval, Iacobino, Poosikian. Nays – Mrs. Groh, Mr. Rosenberg, Mr. Volpe. Mayor DeRienzo voted yes. Declared carried.

A motion was offered by Mr. Poosikian and seconded by Mr. Chval that Ordinance No. 13-06 be advertised as required by law and a date set for public hearing on June 8, 2013 at 7:30 PM at the Municipal Center.

Mayor DeRienzo explained the procedure in connection with this bond ordinance, noting that prior to forming this year's budget all departments submitted requests for their capital items, each item will be placed on the Borough's web site, in June there will be a public hearing on this ordinance and each item will be reviewed prior to going to bid.

Mrs. Groh said the Mayor broke the tie on the vote to introduce the ordinance and he is not allowed to break a tie on adoption.

Mr. Scandariato responded that the Mayor cannot break a tie to adopt a bond ordinance and that another attorney is researching this matter.

Shared Service Agreement – Lightning Detection System

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

WHEREAS, the Northern Valley Regional School Districts and Municipalities recognize a need for a fully automated Early-Warning Lightning Detection System for purposes of public safety; and

Shared Service Agreement – Lightning Detection System – cont'd

WHEREAS, the Northern Valley Regional School Districts and Municipalities agree to enter into a Shared Services Agreement for the purchase and installation of a Detection System from Commercial Recreation Specialists, a State of New Jersey approved vendor.

NOW THEREFORE BE IT RESOLVED that the governing body of the Borough of Haworth hereby authorizes the Mayor and Municipal Clerk to sign a Shared Services Agreement for the purchase of an early-warning lightening detection system from Commercial Recreation Specialists with the following entities:

Borough of Harrington Park; Harrington Park School District Board of Education
Borough of Old Tappan; Old Tappan School District Board of Education
Borough of Northvale; Northvale School District Board of Education
Borough of Norwood; Norwood School District Board of Education
Borough of Demarest; Demarest School District Board of Education
Borough of Closter
Northern Valley Regional High School District

BE IT FURTHER RESOLVED that the Borough of Haworth's participation is contingent on the participation of the above listed parties and at a cost not to exceed \$18,594.40 in accordance with Quotation Number RWO42413A-2 of Commercial Recreation Specialists dated April 24, 2013; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the above mentioned Northern Valley Regional School Districts and Municipalities.

Authorization to Bid – Street Sweeper

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

BE IT RESOLVED, that the Borough Attorney is hereby authorized to prepare specifications to go to bid for a Street Sweeper for the Department of Public Works, funding approved in the 2011 Multi-Purpose Ordinance.

On discussion, Mr. Poosikian explained the bid will indicate a demonstration model, this item was approved in 2011, repairs have become very costly on the present sweeper and there may be a trade in.

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

Appointments to Board of Health

A motion was offered by Mrs. Groh, seconded by Mr. Chval and unanimously carried that Nancy Polifroni and Rosalind Diamant be appointed alternate members of the Board of Health for a one year term to December 31, 2013.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mrs. Donna Berman, president of the Ambulance Corps read a statement which is summarized as follows:

She moved to Haworth in 1986 and joined the Haworth Fire Company/Ambulance Corps. She was the first and only EMT at that time; a few firemen as drivers and a few first aiders made up a total of 12 members on the ambulance. Since that time she has spent the past 27 years rebuilding a volunteer emergency medical service which is the envy of many; the 30 volunteers are among the highest trained in New Jersey. Bringing this Corps into the 21st century has been a monumental achievement made possible by the thousands of hours our volunteers have donated and by the invaluable assistance of the Mayor and Council.

Recently a letter was sent out, unsigned urging our neighbors to voice their opposition to a proposed addition to our facility; while the Democratic members of the Council have visited or have asked us why we are requesting this, no Republican councilmember has. This request has been on the capital budget for two years and we have made a presentation at the council meeting and attended meetings, questions have not been raised.

Specifically we need storage space; it has been impossible to store the loan equipment provided free of charge in a storage area that the animals cannot find a way in and as a result the bays are crowded with wheelchairs, walkers, etc. Medical supplies are stored for our use as well as items for all the police cars. A rear bay houses the police 4-wheeler, motorcycles, tires and other items which cannot fit at Borough Hall. The building is shared with the Haworth Woman's Club with provisions for a locked storage area. Other storage items include CPR supplies including manikins used to certify all police, fire, the 8th grade class every year, sport coaches, new parents, the public and the Swim Club lifeguards which require ample space to store.

Shelter items – air mattresses, cots, etc. for overnight stays require more room.

Also, all medical records must be stored in a safe and secure area for 7 years for adults and 10 years beyond the consent for children.

In retrospect, a flyer sent out to stop the frivolous spending – consider not only what we do, but what is necessary to accomplish it. Further, all our vehicles and additional equipment are

Open Meeting to Public – cont'd.

paid for by generous contributions and the Ambulance Corps itself; the Borough has never paid for any of our trucks.

Mrs. Groh stated this is not the first time information has been asked for. She said the Ambulance Corps is the best in all the towns and no one denies their dedication, however, she said she felt there are other ways to cure the storage problem.

Ms. S. Keegan referred to the issue regarding the vote taken on the multi-purpose ordinance and said she would like more detail

Mayor DeRienzo referred to the state statute on the Mayor breaking a tie vote.

Mrs. Groh said there was another law.

Ms. Keegan then said she was concerned with the volume of the horn at the ambulance building and asked if any consideration has been given to this issue.

Mayor DeRienzo responded, yes, tests have been conducted, the last one indicating 100 decibels, the horn is needed to protect the public in connection with notification to emergency personnel, and if their pagers don't work the horn is a back-up.

Mr. Poosikian noted that at night there has been a problem with the pagers.

Mrs. Groh commented new pagers were bought recently.

Mr. Poosikian suggested a discussion with the residents in the area and the need to have representatives from the neighborhood meet with representatives from the emergency services.

Mayor DeRienzo commented that \$2,000. was spent for an expert to lower the volume and a new horn would cost \$70,000. to \$80,000. noting if they miss one call there is then a major problem.

Ms. Keegan said towns have gotten rid of horns and there is the need to look at other options as this is a quality of life issue.

Mrs. M. Verdon, Orchard Place asked why can't the volume of the horn be back as it was in the past.

Mr. Reithmayr, Captain of the Ambulance Corps explained the setting on the horn which is not a volume setting and discussed the lowering of the volume in connection with the recent repair.

Open Meeting to Public – cont'd.

Mrs. Verdon said there is the concern of the quality of life of the children and after the horn was recently fixed the volume went up.

Ms. Laura Sylvia, Elm Avenue said she appreciates all the Ambulance Corps does and neighbors have met with members of the Corps and gotten nowhere. She said there are towns that do not have the horns and referred to an issue with the proposed expansion of the Ambulance Corps building, noted the quality of life issue and there should be options regarding the horn.

Mayor DeRienzo responded neighbors have been invited to discuss the matter with Ambulance Corps members, however, not many do.

A discussion was then held regarding the purpose of the horn.

Mr. Rosenberg referred to the flyer discussed earlier in which nothing alludes to any council member sending it out, most likely it was sent out by a resident. He said he supports other items for the Ambulance Corps, i.e., hi-tech equipment, etc., however, there should be further investigation into the matter of storage purposes.

Mr. Poosikian commented that a question has been raised as to why can't the Ambulance Corps just use a bay at the firehouse for storage; he contacted the Fire Chief in this connection who said he was surprised at that suggestion and the area is not available. Mr. Poosikian then explained that the upstairs of the ambulance building is used for training all groups in CPR, when there is an emergency with a major storm and loss of power the ambulance building and the firehouse are designated shelters with an elevator at the ambulance building, generators at both sites making them more available for shelter issues and making the facility more useful.

Mr. Iacobino noted in the three year capital requests, a new horn could be included in 2014 and if the present one cannot be repaired, replacing it can be addressed.

Mayor DeRienzo said the horn issue has to be resolved and the building addition is a separate issue; at the June meeting the public can ask questions regarding every item in the ordinance, he said.

Mr. A. Berman, Haworth Avenue, noted he had the pleasure of serving on the Council for nine years and the horn had never been an issue. He said the louder the horns, the wider the radius and his family hears the Oradell horn and not Haworth.

Mayor DeRienzo noted having to satisfy the needs of the Ambulance Corps members and the residents' quality of life.

There was then a discussion of moving the horn.

104. Executive Meeting of May 8, 2013

Open Meeting to Public – cont'd.

Mr. Volpe suggested a newer system and said he would like to see funds going to the horn issue and not storage.

Mrs. Berman noted the need for some kind of a back-up, volume is secondary to just blasting and suggested some kind of a warning.

Mr. N. Nakashian, member of the Ambulance Corps said the horn has to be clearly audible throughout the town, he can hardly hear it and relies on the horn as the pagers don't always work.

Mr. M. Felletter, Orchard Place said that all of a sudden the horn started blaring out and different systems should be looked at.

Mrs. Verdon said the Ambulance Corps responded to calls before this volume was so high, it was then repaired and the volume went up and they never had any problems before.

The resident at 369 Orchard Place suggested multiple horns at various locations in town.

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

As there was no further business to come before the Council, the meeting adjourned at 8:45 PM on motion duly offered, seconded and carried.

Ann E. Fay, RMC, CMC
Clerk-Administrator

104A. Executive Meeting of May 8, 2013