

32. Executive Meeting of the Mayor and Council of the Borough of Haworth held on February 6, 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 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 cost fixed by the Council.

Correspondence

<u>Letter From</u>	<u>Subject</u>	<u>Referred to</u>
Cablevision	Forwarding 2012 Franchise Fee Payment-\$26,236.	All Council
Green Sky Industries	December 2012 Recycling Check - \$1,316.60	All Council
United Water	2013 Fire Protection Charges	All Council
Mr. A. West	Notice of Appeal of Judgment – White Beeches/ St. Gabriel Church	All Council
Mr. M. Hakim	Suggestion to Meet re. COAH Situation	All Council
Police Chief Campbell	Update on Public Service Improvements	All Council
NJ League of Municip.	Order Mandating Timetable for Utility Reforms	All council
Public Service Elect. & Gas	Notice of Meeting on “Planting Trees in Right Location” – February 15	Shade Tree Envir. Comm

Correspondence – cont’d.

Mr. Chval noted the receipt of the payments from Cablevision and Green Sky and Mr. Iacobino referred to the Police Chief’s update on the work Public Service is doing in town which will help with power outages.

Approval of Raffle License

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the Casino Night #RL400 and 50/50 On Premise #RL401 Raffle Applications of the HSA Haworth to be held at the Haworth Fire House, Hardenburgh Avenue, Haworth, NJ on Saturday, March 23rd, 2013 be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to.

Approval of Refund of Driveway Permit Deposit

The following resolution was offered by Mr. Poosikian, seconded by Mr. Chval 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 Permits,

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

<u>NAME AND ADDRESS</u>	<u>PERMIT #</u>	<u>AMOUNT</u>
Judy Eig 371 Schraalenburgh Road Haworth, New Jersey 07641	1308	\$100.00

Ordinance No. 13-01 – 2013 Administrative Salaries

A motion was offered by Mr. Chval and seconded by Mr. Poosikian that Ordinance No. 13-01 be offered for first reading.

Ordinance No. 13-01 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

Ordinance No. 13-01 – 2013 Administrative Salaries – cont'd.

On discussion, Mr. Rosenberg questioned regarding changes in the longevity provision of the ordinance.

Mayor DeRienzo responded the Administrative Code of the Borough would have to be amended, referring to the changes for longevity only applying to newly hired employees with no changes for current employees. As to new employees, their benefits will be discussed regarding terminal leave and longevity.

Mr. Chval commented he would like to see this ordinance introduced tonight and then have time to look at changes.

Mrs. Groh said she would like to see employees' sick days reduced to 10 days per year and bring the employees' benefits on a par with private practices. She said if sick days were reduced to 10 days this would eliminate one week of pay regarding terminal leave and she would like to reaffirm amending the longevity process and cut off the longevity provisions now. Mrs. Groh further said employees are not entitled to a raise just because they are sitting at a desk; merit pay raises could be given which would result in more control, she said.

Mayor DeRienzo responded that this is only the introduction of the ordinance basically for salaries, there then can be amendments and he did not want to see an impact for existing employees by taking away a benefit. He reiterated that the removal of benefits being discussed is not fair for the existing non-union employees.

Mr. Scandariato commented if longevity, sick time and terminal leave provisions wish to be modified there can be an amendment which ordinance can amend this one being introduced, noting this is only a one year ordinance, not a permanent ordinance.

Mr. Volpe questioned what changes regarding salary ranges are in this ordinance.

Mrs. Groh responded the Borough Clerk, Court Administrator and Police Chief.

Mr. Volpe then asked what prompts the increases.

Mayor DeRienzo explained the salaries being within the range, i.e., the police chief's salary when he was appointed chief was higher than the existing ordinance.

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

A motion was approved to advertise Ordinance No. 13-01 as required by law and set a date for public hearing on March 12, 2013 at 7:30 PM at the Municipal Center.

Ordinance No. 13-01 – 2013 Administrative Salaries – cont'd.

Mayor DeRienzo requested that council members be prepared to discuss their concerns at next week's council meeting.

Mrs. Groh asked what exactly are the hours for a full time employee.

Mayor DeRienzo said it is set by state statute.

2013 Municipal Budget

Mayor DeRienzo noted the current state regulations requiring the introduction of budgets by March 15 and capital requests from department heads, etc. are due next week which the Finance Committee will review. He said all department heads will be given their final 2012 actual budget figures and council members will review them with their portfolios. The Mayor then noted the local budget process in connection with the State's budget timetable.

Appointments to Ethics Board

Mayor DeRienzo said the sixth member to be appointed to this Board is being discussed.

A motion was offered by Mr. Rosenberg and seconded by Mrs. Groh to appoint the following as members of the Ethics Board: Susan Hertzberg, Melanie Anagnos, Seta Albrecht, Jeff Heitzner, Carmine LaFaro and Robert Russo.

Mayor DeRienzo suggested amending the motion to just include five members at this time.

Mr. Rosenberg noted this is a broad based membership and an ideal composition with 3 women, 3 men, 2 Democrats, 2 Republicans and 2 Unaffiliateds.

On roll call the vote was follows: Ayes; Mrs. Groh, Mr. Rosenberg, Mr. Volpe. Nays – Messrs. Chval, Iacobino, Poosikian. Mayor DeRienzo voted no. Mrs. Groh said there has to be a majority vote of the Council. Mayor DeRienzo said then he is not voting.

A motion was offered by Mr. Poosikian and seconded by Mr. Chval to approve five of the nominees with the last seat to be agreed on at a later date.

Mrs. Groh said the Republicans on the Council are being non-partisan with the candidates they are proposing and the Democrats are being partisan.

Mr. Poosikian said these choices should be on their ability, not on their political affiliation. Mrs. Groh said there should be six individuals who would serve impartially.

Appointments to Ethics Board – cont'd.

Mr. Poosikian suggested a vacancy on the Board until the 6th appointment is made.

On roll call the vote was follows: Ayes; Messrs. Chval, Iacobino, Poosikian. Nays – Mrs. Groh, Mr. Rosenberg, Mr. Volpe.

Land Use Ordinance

Mr. Rosenberg noted all council members have received the revised ordinance and he is planning the introduction of the ordinance for next week with a public hearing to be held on March 6th.

Mayor DeRienzo requested all members to read the ordinance one more time and let Mr. Rosenberg know if they have any changes.

Mr. Volpe referred to language regarding rear yard setback now being limited by the distance of the houses from neighbors and the concern with needing a variance for an addition even though there was enough property.

Mr. Rosenberg noted the 30' rear yard requirement to be more in line with other houses and said he will check on Mr. Volpe's concern.

Vacancies on Committees

Mrs. Groh asked if there were plans to fill vacancies on the Recreation Commission.

Mr. Iacobino responded, yes, formal acceptance of resignations has not been finalized and some names have been received for appointment.

Mayor DeRienzo commented the more people that serve on the Recreation Committee and the better.

Open Meeting to Public

The meeting was opened to the period of public discussion

Ms. B. Colonna, West View Terrace, questioned the notice of appeal regarding an item listed in the correspondence.

Mr. Scandariato responded the Superior Court threw out the White Beeches case against the Zoning Board in connection with an action taken by the Board regarding St. Gabriel's Church and the matter is now being taken to the Appellate Division of the Superior Court.

Open Meeting to Public – cont'd.

Ms. Colonna then asked the status of COAH.

Mayor DeRienzo explained the court issue, appeals, etc. and the Borough will be receiving an update from the Planner. He noted the Borough's Spending Plan, the COAH money is still frozen and the State cannot take away the Borough's COAH funds at this point.

Ms. Colonna then referred to her property taxes and the County's equalization value, noting the County Executive has proposed a County budget with an increase of 4%, noted her concern with the Borough's share in the regional school tax which she felt should be brought to the attention of the Freeholders.

Mayor DeRienzo commented that the 2% CAP does not apply to the County and the State, the Governor's CAP is excellent, however, it is not a hard CAP. He noted the energy receipt taxes which have been taken away by the State and that issue will be surfacing again; it is being proposed that school funding be done in a different way – instead of the municipality collecting those taxes they would be collected by the schools.

Mrs. Groh suggested requesting a quotation for a reassessment or revaluation for the Borough. Mayor DeRienzo said the Assessor is looking at this.

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

Close Meeting to Public

The following resolution was duly offered, seconded and carried at 8:40 PM:

BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth, as follows:

1. That the Governing Body, pursuant to N.J.S.A. 10:4-12, shall exclude the public from the next portion of this meeting in order to discuss matters pertaining to personnel.
2. That the items under discussion in the closed meeting will be disclosed to the public at the conclusion of the matter.

Reopen Meeting to Public

The meeting was reopened to the public at 9:00 PM.

Appointments to Ethics Board

A motion was offered by Mr. Poosikian and seconded by Mr. Chval that the following be approved as members of the Ethics Board:

Appointments to Ethics Board – cont'd.

<u>Member</u>	<u>Term</u>
Susan Hertzberg	4 Years
Melanie Anagnos	5 Years
Seta Albrecht	3 Years
Jeff Heitzner	3 Years
Carmin LaFaro	5 Years
Arthur Berman	3 Years

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

Haworth School/Summer Recreation Program

Mayor DeRienzo referred to a letter received from the school that due to various construction projects taking place at the school, this Program will not be able to be held at the school this summer.

Recycling

Mayor DeRienzo noted he and Mrs. Groh will be meeting with the businesses and the school in connection with the new recycling regulations to promote their recycling efforts.

Green Sky Contract

Mayor DeRienzo noted the Council Contracts Committee will be meeting regarding the upcoming expiration of this current contract.

Rear of Stores

Mayor DeRienzo noted Mr. Pearce will be contacting the business owners to form a committee in connection with improvements to the rear of the stores on Stevens Place.

As there was no further business to come before the Council the meeting adjourned at 9:15 PM on motion duly offered, seconded and carried.

Ann E. Fay, RMC, CMC
Clerk-Administrator