

29. Regular Meeting of the Mayor and Council
of the Borough of Haworth held on January
29, 2015 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Glenn Poosikian
Mary Anne Groh
Andrew Rosenberg (by speaker phone)
Michael Bain
Lawrence Weiss

Borough Attorney: Robert T. Regan

Mayor Smart called the meeting to order at 8:00 PM and upon roll call members of the Council were present with the exception of Mr. Volpe who was ill.. Mr. Rosenberg joined the meeting later in the evening on speaker phone. 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.

Ordinance No. 15-01 – Amendment to Chapter II of the Borough Code – Administration

A motion was offered by Mrs. Groh, seconded by Mr. Bain and unanimously carried that Ordinance No. 15-01 be offered for second reading.

Ordinance No. 15-01, which is as follows was then read by title only as follows:

Ordinance No. 15-01 – Amendment to Chapter II of the Borough Code – Administration – cont’d.

The meeting was then opened to the public on Ordinance No. 15-01. As there were no comments the meeting was closed to the public on this ordinance.

A motion was offered by Mrs. Groh and seconded by Mr. Bain that Ordinance No. 15-01 be passed on second and final reading.

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

A motion was offered by Mrs. Groh, seconded by Mr. Bain and unanimously carried that the passage of Ordinance No. 15-01 be advertised as required by law.

Correspondence

<u>Letter From</u>	<u>Subject</u>	<u>Referred to</u>
NJ League of Municip.	COAH Update	All Council
“ “	Weekly Policy Update	All Council
Mr. P. Patrikios, Esq	Request to Purchase Borough Property, Bl.1701, Lot 5	All Council Mr. Regan
Mr. R. Regan	Draft Pay to Play Ordinance	All Council
Lerch, Vinci & Higgins	Description of 2015 Services	All Council
Woman’s Club of Haworth	Request for Permission to Hold Flea Market at Terrace St. Lot	All Council

Correspondence – cont'd.

Mr. A. Rapaport, Norwood Council	Request for Capital Purchases – Possible Sharing of Certain Items	All Council
Mr. A. Silverman	4 th Quarter Report	All Council

Discussion was held regarding the request for the purchase of Borough land which has been referred to Mr. Rosenberg and Mr. Regan; Mrs. Groh commented that this property is currently assessed at \$50,000.

COMMITTEE REPORTS

Report of Councilman Weiss

Board of Health

Mr. Weiss reported this Board met on January 22nd at which time they reorganized for 2015, discussed the Spring Health Fair at the Swim Club and the creation of an ordinance to ban smoking in parks and all public places.

Environmental Commission

The Commission did not meet.

Swim Club

Mr. Weiss reported he met with Mr. Ives, the Club Manager, discussed several items including a list of priorities for the coming season and that the Club should be able to handle 400 families during the season.

Report of Councilman Bain

Library

Mr. Bain reported the move is almost complete, the library should be re-opening sometime next week and commended the Director, the staff and the DPW for all their assistance with the move.

Recreation

Mr. Bain reported the Commission at their last meeting discussed upcoming events – Celebrate Haworth Day, Fishing Contest, Egg Hunt, possibly expanding the Summer Camp and that there has been no formal action on officers for the Commission.

COMMITTEE REPORTS – cont'd.

Report of Councilman Bain – cont'd.

Tennis

Mr. Bain said he will be meeting with Mr. Chval and the Committee's budget requests have been submitted.

Report of Councilman Poosikian

Ambulance Corps

Mr. Poosikian reported the Ambulance Corps responded to 24 calls in December, 13 daytime calls, 227 miles, man hours on call – 83 and man hours for duty nights, 1192. He noted that special activities included response to a drug overdose, provided 24 hours training for state mandated EMT recertification, twice a month first aid training for high school training, on-going CPR training amounting to 84 volunteer hours certifying EMTs, residents, students and Fire Department members and the building addition is continuing with exterior completion expected shortly.

Mr. Poosikian noted 2014 statistics which included 302 calls, 1292 man hours and man hours for duty nights, 14,300.

Shade Tree Commission

Mr. Poosikian reported the Commission is finalizing the Winter Tree Program, a sample bid package for tree work has been received and by-laws are being discussed in the case of a tie vote among members.

Department of Public Works

Mr. Poosikian reported the Department has been assisting with the library move, busy with the recent snow storms for which they did an excellent job and he commended the Police Department for getting vehicles off the roads in connection with plowing.

Mr. Bain commended the DPW for their exemplary job in plowing during the recent storms.

Mr. Weiss asked if there is any savings with the lower fuels prices.

Mr. Poosikian explained the recent problem with diesel and now a higher grade is needed. Discussion was held regarding the higher price for diesel fuel.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Groh

Police Negotiations

Mrs. Groh said the Council Negotiating Committee will be meeting next on February 2nd.

Finance

Mrs. Groh reported the Fixed Asset Report, an inventory of Borough owned equipment, etc. has been received and all council members will receive copies. She noted this document will be useful in connection with requests for capital items.

Mrs. Groh reported the annual budget process is in progress and all department heads will be asked to give budget presentations, starting with the Police Department and Department of Public Works at the first meeting in February.

Mayor Smart asked if a review of capital ordinances is part of the budget process.

Mrs. Groh responded that Ms. Wheeler will be asked for information regarding remaining capital items which have not been purchased.

Report of Borough Attorney

Request to Purchase Borough Property

Mr. Regan referred to this request from the owner of 160 Pleasant Street to purchase a contiguous Borough owned lot which would merge with his property; it is an undersized lot; he explained the process; the Tax Assessor could ascertain a fair market value and a minimum bid price could be established.

Report of Borough Administrator

Ms. Fay reported the annual Rabies Clinic was held earlier this month at which time approximately 50 dogs and five cats were vaccinated.

Mayor's Report

Rail Transport of Crude Oil

Mayor Smart reported he attended an Inter-Borough Mutual Aid meeting at which time a discussion was held regarding the increased transport of Bakken crude oil on the CSX railroad line; now there are more trains with oil cars and the discussion centered on what would be

Mayor's Report – cont'd.

Rail Transport of Crude Oil – cont'd.

entailed with emergency responders if there should be a derailment. He said a derailment could involve United Water in connection with contamination of the water supply.

Further discussion, Mayor Smart said involved CSX checking the tracks and rail beds for safety; training involved if an evacuation was necessary; how the oil which is being treated for less risk is loaded on the trains and this situation is receiving a lot more attention now.

Snow Storm

Mayor Smart reported the preparation and organization by the emergency responders was excellent for this storm, they were ready and able to handle the situation and he said he was very impressed by all involved.

Seniors Program

Mayor Smart thanked Ms. Lorraine Sager for her past 12 years of service to this program and said new people are being considered to take her place.

School Board

Mayor Smart reported a Special School Election for the Northern Valley Regional High School District is scheduled for March 10th for a facility improvement referendum including science and math and athletic facilities.

Mr. Rosenberg then joined the meeting via speaker telephone.

UNFINISHED BUSINESS

Social Media Policy

Copies of a policy from the Borough of Metuchen were distributed and will be further discussed in March.

Inter-Local Agreement with Dumont Municipal Court

Mr. Rosenberg commented that Dumont is looking now at holding their court sessions in New Milford rather than in Haworth. Discussion was held regarding the necessity of Ms. Gallagher having to be present during the Dumont sessions.

UNFINISHED BUSINESS – cont'd.

Inter-Local Agreement with Dumont Municipal Court – cont'd.

The consensus of the Governing Body was that Ms. Gallagher must be present, that a decision has to be made regarding the Agreement with Dumont and if they would be continuing to hold their sessions in Haworth.

Pay to Play Ordinance

Referring to a draft ordinance prepared by Mr. Regan discussion was held regarding a different format, penalties regarding future contracts, etc. and discretion regarding termination of a contract. Revisions will be forwarded to Mr. Regan.

2015 Appointments

A motion was offered by Mrs. Groh and seconded by Mr. Rosenberg to appoint Kenneth Rush, Prosecutor; Geoffrey Mueller, Alternate Prosecutor and Laura Weingartner as an Alternate Member of the Zoning Board.

On discussion Mr. Poosikian said that the appointment of the prosecutor was not discussed with the Municipal Court Committee.

Mr. Rosenberg responded a discussion was held last year to appoint a new prosecutor.

Discussion was held regarding RFQ's received, credentials and Municipal Court experience.

On voice vote all members voted in the affirmative with the exception of Mr. Poosikian who voted no on the prosecutors' appointments. Declared carried.

NEW BUSINESS

Approval of Raffle License

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the On-Premise, 50/50 #RA-426 Raffle Application of the Sacred Heart Church to be held at 102 Park Street, Haworth on March 14th, 2015 be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to.

NEW BUSINESS – cont’d.

Refund of Escrow Deposits

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

WHEREAS, the following escrow accounts were established with deposits to offset expenses; and

WHEREAS, the following amounts were expended.

NOW THEREFORE BE IT RESOLVED that the following refunds be made:

<u>NAME AND ADDRESS</u>	<u>FOR</u>	<u>RECEIVED</u>	<u>EXPENDED</u>	<u>REFUNDED</u>
Margaret Verdon 79 Orchard Place Haworth, NJ 07641 Bl. 903, Lot 7	Var. 650	\$200.00	\$150.00	\$50.00
Tall Company 823 Wave Drive Forked River, NJ 08731 (For 167 Terrace St. Bl.1308, L.9	Var. 651	\$2,967.50	\$2,932.62	\$34.88

Acceptance of Donation

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

WHEREAS, N.J.S.A. 40A:5-29 permits a local unit to accept bequests, legacies and gifts made to it; and

WHEREAS, Joseph Panzella and/or Citi-Telecom Solutions has offered to donate certain telephone equipment including, without limitation, telephone handsets.

NOW THEREFORE BE IT RESOLVED in accordance with the provisions of the aforesaid statute, the Governing Body hereby accepts this donation.

Permission to Woman’s Club to Hold Flea Market

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

BE IT RESOLVED, that the Mayor and Council of the Borough of Haworth hereby approve the application of the Woman's Club of Haworth to run a Flea Market/Craft Fair on the Borough property located in Lot 1, of Block 1307, between Terrace Street and Houston Place, on Sunday, May 3, 2015. Issuance and acceptance of this permit shall evidence:

Permission to Woman's Club to Hold Flea Market – cont'd.

1. Receipt by the Borough of Haworth of a Certificate of Insurance for liability for any activity of the Woman's Club on the date indicated on the premises described above.
2. The Woman's Club agreement to indemnify the Borough of Haworth from any liability, cost or expense as a consequence of said Flea Market on the date indicated.
3. The Woman's Club agreement to clean and restore the areas used to the condition existing prior to use.
4. The Woman's Club satisfactory arrangement to police the Flea Market at its expense, as required by the Chief of Police.
5. The payment of a leasing fee of \$10.00 to the Borough of Haworth.

On discussion Mrs. Groh asked what the insurance limit should be and determine the amount the Borough has requested in the past.

Mrs. Groh then offered a motion to table the approval of the resolution until the next meeting.

2015 Road Improvement Program

It was concurred that the Engineer and DPW Superintendent will review roads that were on the list last year and removed and determine what other roads need to be included.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. S. Chval, Woodland Place said he was pleased the addition to the Ambulance Corps building is nearing completion. He then asked the nature of the grievance filed by the Police. He was told it was denied.

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

Approval of Payment of Bills

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

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

On roll call the vote was as follows: Ayes; Messrs. Poosikian, Groh, Bain and Weiss. Nays – none. Abstain – Mr. Rosenberg. Declared carried.

Approval of Minutes

A motion was offered by Mrs. Groh, seconded by Mr. Poosikian and unanimously carried to approve the minutes of the executive meeting of December 3 and the regular meeting of December 9, 2014. Mr. Weiss abstained.

Close Meeting to Public

The following resolution was offered by Mrs. Groh, seconded by Mr. Bain and unanimously carried at 9:20 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 22, 2015 at which the following items will be discussed:

Haworth Country Club Tax Appeal
Inter-Local Agreement with Dumont Municipal Court

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.

Re-Open Meeting to Public

The meeting was re-opened to the public at 10:15 PM and as there was no further business to come before the Council adjourned on motion duly offered, seconded and carried.

Ann E. Fay, RMC, CMC
Clerk-Administrator

38M. Regular Meeting of January 29, 2015

