

68. Regular Meeting of the Mayor and Council of the Borough of Haworth held on March 24, 2015 at the Municipal Center

Present: Hon. John W. 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 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.

Correspondence

<u>Letter From</u>	<u>Subject</u>	<u>Referred to</u>
Mr. D. Watkins	Request for Street Vacation, Harland Av.	All Council Mr. Regan
Dr. M. Kahn	Request re. Options for Use of Borough Property – Paulson Place	All Council
Rockland Electric Co.	Information re. Enhancement to Service Reliability Programs	All Council
Mr. C. Statile	Revised 2015 Road Improvement Program Cost Estimates	All Council
Ms. Caroline Reiter, Planner	Information re. Recent Supreme Court Decision on Affordable Housing	All Council

COMMITTEE REPORTS

Report of Councilman Weiss

Environmental Commission

Mr. Weiss reported the Commission met informally earlier this evening to discuss the change in date to April 25th for the Town Wide Clean-Up, reviewed the project in connection with stream clearing and scheduled their next meeting for April 21st.

Board of Health

At their last meeting, Mr. Weiss reported there was a presentation from Bergen County regarding a weight loss challenge, the Board discussed adding other vaccinations at the Flu Clinic and that a smoke free environment in the Borough's parks could result in points for a sustainability program.

Report of Councilman Bain

Library

Mr. Bain reported the Board at their last meeting discussed the re-opening of the library after the completion of the renovations, the library is being well used and the Board expressed gratitude with all the assistance they received during the move. He further reported on the many expanded services at the library, however, the Board is unhappy with the reduction in their budget for this year.

Recreation

Mr. Bain reported the Egg Hunt will be held on April 1st and the Summer Camp will run for six weeks this summer.

Report of Councilman Rosenberg

Zoning Board of Adjustment

This Board's March meeting was cancelled due to weather conditions.

Planning Board

Mr. Rosenberg reported the board at their last meeting discussed various activities they may be involved with this year including the COAH situation which will be a Council obligation.

COMMITTEE REPORTS – cont'd.

Report of Councilman Rosenberg – cont'd.

Police Department

Mr. Rosenberg reported all members of the Department have completed the CPR training, are in the process of completing the Bloodborne Pathogens training and Sgt. Saudino has been named to the Bergen County SWAT team.

Real Estate Matters

Mr. Rosenberg referred to an application presently before the Zoning Board and a request to either vacate or purchase a portion of the paper street, Harland Avenue in connection with the request for the construction of a pool.

Other matters which will be reviewed by the Real Estate Committee, Mr. Rosenberg explained include a request by Dr. Kahn, Paulson Place regarding a 30 foot wide strip to the south of his property and two requests for the purchase of Borough property – one a buildable lot and the bidding process for that lot.

Report of Councilman Poosikian

Shade Tree

Mr. Poosikian reported the Commission did not meet due to weather conditions; bids were received for the Winter Tree Program with a large disparity in the bids received and the preparation of the 5 Year Forestry Plan is underway.

Ambulance Corps

Mr. Poosikian reported the Ambulance Corps responded to 16 calls last month, 10 daytime calls, 417 miles, 97.5 man hours on calls and 1008 man hours for duty nights. He also noted members participated in the annual Bloodborne Pathogen training, the Stryker power stretcher has been fitted for one of the rigs and the building addition is progressing as planned with the completion anticipated by the end of March.

Mrs. Groh referred to purchase orders for the addition and change orders which include an additional \$670 and then a deduction. Mr. Poosikian said he will review this matter.

COMMITTEE REPORTS – cont'd.

Report of Councilman Poosikian – cont'd.

Department of Public Works

Mr. Poosikian referred to members of the Department assisting with the recent move at the library; branch and Christmas tree pick-up is underway; snow removal has included clearing of storm drains; painting and repairing at the DPW office has been completed and filling potholes continues.

Report of Councilman Volpe

Parks and Playgrounds

Mr. Volpe noted the Committee did not meet, but a new chairman will be named shortly.

Fire Department

Mr. Volpe reported the following for the month of February:

The Department responded to 14 emergency calls including activated fire alarms in Haworth, mutual aid alarms in Demarest, CO alarms, smoke and water conditions. Total man hours 149 for February and year to date man hours 532. Events included work night/training nights, Bloodborne Pathogen Training, review on roof ventilation tactics and training with all roof saws.

Mr. Volpe explained the Department responded to a call at the Haworth School due to a faulty smoke detector, however, the keys for the school in the Knox Box outside the building and the back-up keys for the Police Department did not work.

Community Development

Mr. Volpe reported he attended the Community Development meeting for the Northern Valley at which time former Mayor DeRienzo was re-elected chairman, the Borough's submitted application for handicapped accessible restrooms at Memorial Field was reviewed however, CD does not cover everything in the application and the application can be modified regarding the recommended allocation. He noted that a Community Needs Survey is being requested in connection with funding from the agency.

Report of Councilwoman Groh

Seniors

Mrs. Groh reported the St. Patrick Day's meeting was hosted by Chief Campbell, Ms. Borghi and Mr. Celotto have taken over the Senior group and their next meeting is scheduled for April 21st.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Groh – cont'd.

Recycling

Mrs. Groh noted the Borough held a shredding event which was well attended by the residents.

Ethics Board

Mrs. Groh noted a meeting of this Board will be scheduled.

Finance

Mrs. Groh reported the 2015 Municipal Budget is scheduled for introduction this evening; this budget is the result of hard work by the Finance Committee and the cooperation of all the Borough Departments. She noted that even with decreased revenues of \$179,000 this year's budget indicates an increase of only 1.98 percent. She also noted that Homestead Rebates for 2012 have been received and will show a credit on the next quarter's tax bill for those eligible for this program.

Mayor's Report

Bergen County League of Municipalities

Mayor Smart reported he attended the League's last meeting at which time Assemblyman Prieto spoke on various issues and fiscal matters; also discussed was as a result of a recent fire the State is re-visiting its construction specifications.

Also, the recent COAH situation was discussed at this meeting, Mayor Smart noted including 1st round rules, then the 2nd round rules and then 3rd round.

Mr. Regan explained these rules were thrown out by courts and never adopted.

Mayor Smart commented the matter will now be decided in court on a case by case basis and towns will now have to make individual cases or a judge will.

Borough Newsletter

Mayor Smart reported the newsletter was mailed out this week with a three month calendar on the front, asked that any changes in dates come from the various committees, etc. and the Borough is looking at quarterly publishing of the newsletter.

Mayor’s Report – cont’d.

Haworth School

Mayor Smart reported he briefly attended earlier this evening the Board of Education meeting at which time “Kids with Character” awards were presented.

Golf Outing

Mayor Smart noted there will be a reformatted outing this year scheduled for October 5th.

NEW BUSINESS

Appointments to Fire Department

A motion was offered by Mr. Volpe, seconded by Mr. Poosikian and unanimously carried that Daniel Grimm be appointed a regular member of the Haworth Fire Department.

A motion was offered by Mr. Volpe, seconded by Mr. Poosikian and unanimously carried that Matthew Iovino be appointed a regular member of the Haworth Fire Department.

Introduction of the 2015 Municipal Budget

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

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Borough of Haworth, Bergen County, New Jersey for the year 2015.

BE IT FURTHER RESOLVED, that the said budget be published in The Record in the issue of April 8, 2015 and that a hearing on the Budget will be held at the Municipal Center on April 28, 2015 at 8:00 o’clock (P.M.) or as soon thereafter as the matter may be reached.

GENERAL APPROPRIATIONS

1. Municipal Purposes within “CAPS”	\$5,247,773.
2. Appropriations Excluded from “CAPS”	\$1,841,612.
3. Reserve for Uncollected Taxes	\$ 225,000.
4. Total General Appropriations	\$7,314,385.
5. Less: Anticipated Revenues Other Than Current Property Tax	\$1,555,013.
6. Amount to be Raised for Taxes for Support of Municipal Budget	\$5,442,895.
Minimum Library Tax	\$ 316,477.

Introduction of the 2015 Municipal Budget- cont'd.

On discussion, Mrs. Groh noted she will discuss this budget at the public hearing, every expense in this budget was scrutinized, revenue was looked at and she acknowledged the cooperation of all the department heads during the preparation of this budget.

Mayor Smart noted the incredible effort by the Finance Committee and department heads in connection with the budget, this budget is lower than the 2014 budget, salary increases for non-contractual employees will be 1 percent and the Swim Pool budget will include putting away funds for retiring its debt.

Mr. Poosikian commented that he applauded the efforts by all in this budget preparation for being close to the bone however he felt there is not enough room for unanticipated problems. He referred to the 2014 overtime figure for the Police Department at \$180,000, however for this year only \$80,000 is budgeted.

Mrs. Groh responded that she shared his concern, however, the Police Chief feels the difference is doable, particularly with a difference in man power this year.

Mr. Rosenberg explained the staffing this year and the Chief has indicated the number is acceptable.

Mr. Poosikian commented on the Library budget, said the Library Board has made a compelling argument for additional funding and that budget should be reconsidered.

Mrs. Groh responded that the Finance Committee is working with the Library on obtaining further information in connection with their budget and surplus figures and evaluating the salary and benefits numbers.

Mr. Poosikian referred to prior conversations regarding discretion in the use of any other funding over the 1/3 of a mil for the Library.

Mr. Poosikian then referred to the 1% salary increase for 2015 for non-contractual employees which he said is not fair to the DPW Superintendent when members of his Department are getting more of an increase, also it is not fair for the administrative staff who should be treated fairly when others are getting more of an increase, he said.

Mayor Smart noted the 2% tax rate now and asked if Mr. Poosikian wanted to go above that.

Mr. Poosikian responded an increase for the DPW Superintendent would be nominal - \$800.

Introduction of the 2015 Municipal Budget- cont'd.

Mrs. Groh commented on the 1% salary increase indicating that the Borough is being faced with a tax appeal, approval will be required from the Local Finance Board in connection with bonding and that Board as part of this process will ask how raises have been given as this is a factor for their approval.

Mr. Bain said he is unhappy with the reduction in the library funding, but will continue to work to resolve the issues.

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

Approval of Raffle License

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the Off-Premise, 50/50 #RA-429 Raffle Application of the Sacred Heart Church to be held at 102 Park Street, Haworth on September 13, 2015 be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to.

Authorization to Issue Tax Anticipation Notes

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

BE IT RESOLVED, by the Borough Council of the Borough of Haworth (the “Borough”), in the County of Bergen, State of New Jersey, as follows:

Section 1: It is hereby determined and declared that the Chief Financial Officer made and filed in the office of the Borough Clerk a certificate pursuant to the provisions of Section 40A:4-66 of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., certifying as follows:

(A) The gross borrowing power of the Borough in respect to tax anticipation notes of the fiscal year beginning January 1, 2015, being thirty percent (30%) of the tax levy for all purposes of the next preceding fiscal year, which ended December 31, 2014, for all purposes, plus thirty percent (30%) of the amount of miscellaneous revenues realized in cash during such next preceding fiscal year, is \$6,929,757.

(B) There are no notes of the Borough outstanding in anticipation of the collection of taxes of such fiscal year beginning January 1, 2015.

(C) The net borrowing power of the Borough is \$6,929,757.

Authorization to Issue Tax Anticipation Notes – cont'd.

Section 2: Pursuant to the Local Budget Law, the Borough shall borrow not to exceed \$6,929,757 in anticipation of the collection of taxes levied in and for the fiscal year beginning January 1, 2015, and in anticipation of other revenues for such fiscal year.

Section 3: The notes issued pursuant to this Resolution shall be negotiable notes issued in registered form or payable to bearer, shall be issued in an aggregate principal amount not to exceed \$6,929,757 (with the final principal amount of each note to be determined by the Chief Financial Officer and may be issued in more than one series) and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and shall be payable at maturity, all as shall be determined by the Chief Financial Officer of the Borough in accordance with the provisions of Section Five (5) below.

Section 4: The Chief Financial Officer is hereby designated as the financial officer to sign said notes, and the Mayor and the Chief Financial Officer are hereby authorized and directed to execute said notes, and the Borough Clerk or Deputy Borough Clerk are each hereby authorized and directed to affix the seal of said Borough to each of such notes and to attest such seal and said notes, and said officers, notwithstanding any resolution theretofore adopted by the Borough Council, are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

Section 5: The power to determine any matter with respect to said notes as are not determined by this Resolution and also the power to sell said notes from time to time as funds are granted is hereby granted to the Chief Financial Officer of the Borough, who is authorized to sell said notes at not less than par and accrued interest and to deliver said notes upon receiving the purchase price to be paid therefor. After the sale of the notes, the Chief Financial Officer shall make a report of such sale to the Borough Council pursuant to N.J.S.A. 40A:4-72.

Section 6: All sums borrowed by the issuance of said notes shall be applied only to purposes provided for in either (a) the budget adopted for the fiscal year beginning January 1, 2015, or (b) the purposes for which taxes are levied or are to be levied for such fiscal year.

Section 7: Said notes may be renewed from time to time but such notes and any renewals thereof shall mature not later than April 30, 2016.

Section 8: The Borough covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended, necessary to maintain the exclusion from interest of the notes for Federal income tax purposes.

Ordinance No. 15-04 – 2015 Administrative Salaries

A motion was offered by Mrs. Groh and seconded by Mr. Bain to offer for first reading Ordinance No. 15-04.

Ordinance No. 15-04 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**

On discussion Mrs. Groh asked what changes have been made in this year's ordinance.

Mayor Smart explained the changes include compensation for the Deputy Registrar of Vital Statistics, Payroll Administrator, Website Administrator and the addition of the School Crossing Guards since they are no longer included in a contract.

Mr. Poosikian asked who decided to add the new positions.

Mayor Smart responded the Deputy Registrar has had the appointment, but received no compensation; the Website Administrator has been paid a stipend and the Payroll Administrator position involves a significant amount of work.

Mr. Poosikian said the person who is doing the payroll work does a great job, however, by creating a new position it results in more than a 1% raise for that person; he agreed to a raise above the 1% but not by creating a new line.

Mayor Smart responded the position has been unpaid and this would be a separate role. He noted the various responsibilities involved in the payroll process.

Mr. Poosikian said that just creating a separate line in the ordinance is a problem.

On voice vote all members voted in the affirmative with the exception of Mr. Poosikian. Declared carried.

A motion was offered by Mrs. Groh and seconded by Mr. Volpe that Ordinance No. 15-04 be passed on first reading.

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

A motion was offered by Mrs. Groh, seconded by Mr. Bain and unanimously carried that Ordinance No. 15-04 be advertised as required by law and a date set for public hearing on April 14, 2015 at 8:00 PM at the Municipal Center.

Ordinance No. 15-05 – 2015 CAP Bank Ordinance

A motion was offered by Mrs. Groh, seconded by Mr. Volpe and unanimously carried that Ordinance No. 15-05 be offered for first reading.

Ordinance No. 15-05 was then read by title only as follows:

**CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

A motion was offered by Mrs. Groh and seconded by Mr. Weiss that Ordinance No. 15-05 be passed on first reading.

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

A motion was offered by Mrs. Groh, seconded by Mr. Volpe and unanimously carried that Ordinance No. 15-05 be advertised as required by law and a date set for public hearing on April 14, 2015 at 8:00 PM at the Municipal Center.

Ordinance No. 15-06 – 2015 Swim Club Membership Fees

A motion was offered by Mr. Weiss and seconded by Mrs. Groh that Ordinance No. 15-06 be offered for first reading.

Ordinance No. 15-06 was then read by title only as follows:

**AN ORDINANCE AMENDING CHAPTER IX OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF HAWORTH ENTITLED “PARKS,
PLAYGROUNDS AND RECREATIONAL AREAS”**

On discussion Mr. Weiss explained he has met with Mr. Ives, the pool manager regarding the Club’s budget and revenues and to provide for unanticipated costs, repairs, etc. and to start to reduce the debt.

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

A motion was offered by Mr. Weiss and seconded by Mrs. Groh that Ordinance No. 15-06 be passed on first reading.

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

Ordinance No. 15-06 – 2015 Swim Club Membership Fees – cont'd

A motion was offered by Mr. Bain, seconded by Mr. Weiss and unanimously carried that Ordinance No. 15-06 be advertised as required by law and a date set for public hearing on April 14, 2015 at 8:00 PM.

Payment of Bills

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

FOR COPY OF RESOLUTION AND BILL LIST
SEE PERMANENT MINUTES
PAGES 81A – 81M

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

Approval of Minutes

A motion was offered by Mrs. Groh, seconded by Mr. Bain and unanimously carried to accept the minutes of the Executive Meeting of February 10 and the Regular Meeting of February 24, 2015.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. S. Chval, Woodland Place, referred to his resent request for new benches at the tennis courts in the amount of \$1300. He said the present ones are broken, expensive to repair and noted the advantages of the new type of bench i.e., they can stay out over the winter.

Mrs. Groh said this was a needed expense.

Mr. J. Ferber, Owatonna Street referred to the earlier discussion regarding Swim Club fees.

Mr. Weiss responded it would allow the facility/membership to continue to grow.

Mrs. Groh explained the goal of paying down the debt.

Mr. Ferber then asked the Council to look at the budgeted amount for the Library.

Open Meeting to Public – cont'd.

Ms. D. Siciliano, Houston Place, noted membership fees of other swim clubs and asked the Council to consider different rates in the future.

Ms. Siciliano then referred to the Library budget and asked if the Council needed more information.

Mrs. Groh noted the 2014 surplus figure for the library, referring to several numbers and that she would meet with Board members regarding these numbers.

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 10:00 PM:

WHEREAS, *N.J.S.A. 10:4-12B* permits a public body to exclude the public from 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 March 24, 2015 at which time the following items will be discussed:

Police Negotiations	DEP - Fuel Tanks
Council on Affordable Housing	Shade Tree Bids
Construction Code Violations	

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 10:45 PM.

Award of Shade Tree Bid

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

Award of Shade Tree Bid – cont'd.

WHEREAS, following public advertisement as required by law, sealed bids for the Haworth Winter Tree Program for 2015 were received by the Municipal Clerk on March 19, 2015; and

WHEREAS, six bids were received at that time; and

WHEREAS, the Borough Attorney has reviewed the bid documents received; and

WHEREAS, it has been determined that funds are available as evidenced by the Chief Financial Officer.

NOW THEREFORE BE IT RESOLVED, that a contract for the Haworth Winter Tree Program for 2015 be and is hereby awarded to Arrow Tree Service, 188 Old Tappan Road, Old Tappan, NJ 07675 in the amount of \$20,730.00.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized to execute a contract in a form prepared by the Borough Attorney.

As there was no further business to come before the Council, the meeting adjourned at 10:50 PM on motion duly offered, seconded and carried.

Ann E. Fay, RMC, CMC
Clerk-Administrator

81I. Regular Meeting of March 24, 2015

81K. Regular Meeting of March 24, 2015

