

106. Regular Meeting of the Mayor and Council  
of the Borough of Haworth held on April 28,  
2015 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: 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 with the exception of Mr. Poosikian who was ill. The Mayor then read the following notice: "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.

Presentation to Mr. Bruce Steinthal

Mayor Smart noted the spirit of volunteerism in Haworth, professionals who give of their experience and talents and commit for a long period of time. He said Mr. Steinthal is being recognized for 28 years of service as a member of the Planning Board and he, the Mayor enjoyed sitting with him during his four year tenure on the Board, further noting Mr. Steinthal was a mentor and a colleague and Haworth is a better place due to his service.

Mayor Smart then issued a proclamation honoring Mr. Steinthal for his many years of service.

Mr. Steinthal thanked all for this honor and said that it has been his honor to serve the Planning Board.

Public Hearing on the 2015 Municipal Budget

The meeting was opened to the public on the 2015 Budget.

Mr. S. Chval, Woodland Place said he knows that all members of the Council have been striving to do their best to attain the lowest possible tax increase. He suggested the Council

Public Hearing on the 2015 Municipal Budget – cont'd.

consider the task a multi-year exercise as he felt now this budget is more of a short term view, noting several budgets have been cut, particularly Recreation being cut for the second year. Assuming there will be use of trust funds for the Recreation budget, Mr. Chval noted that when those funds run out it could cause a small spike in the rate. As to the Library, he said it is not a good idea to cut their funds as they will need sufficient materials to fill the new addition.

Mr. Bain explained the Recreation budget is zero, they can generate funds, however he agreed with Mr. Chval regarding the use of trust funds if they don't generate enough funds. As to the Library he said they are still working on the numbers.

Mrs. Groh commented that Recreation currently has \$38,000 in their trust fund, this fund was utilized last year, last year more trust funds were generated and said it is better not to ask taxpayers to fund this department when there are ample funds available in the trust fund. As to the Library, and their request for additional funding she noted ratables have come down, there is currently \$34,000 in surplus and she has never said not to spend money for books. She said all the Council is in support of a vibrant library.

As to Mr. Chval's comment regarding a three year budget project, Mrs. Groh said she agreed. She then referred to some outstanding bills in the past not having been budgeted with no reserve set aside which she said has resulted in now dealing with a situation not created by the current Council.

Ms. E. Lachman, Maple Street, member of the Friends of the Library referring to the reduction in the Library budget said she understood this is a difficult year and made the following comments: there is an attendant cost of the new structure, they are eager to make more use of the building and want to be prepared.

Mayor Smart commented the Friends of the Library had pledged money for some of the construction which bills the library has had to pay.

Ms. D. Siciliano, Houston Place, member of the Library Board referred to the 1/3 of a mil for the budget, they are asking for an additional \$7,000 and noted the fundamental needs of the library.

Mrs. Groh commented she is waiting for a utility analysis, etc. and noted amendments which will be needed for the budget. She said all budget requests have been evaluated as to what is necessary to maintain services.

Ms. C. Soroka, Whitman Street referred to property taxes that many people are struggling to pay, i.e., funds for the library vs. being able to pay for necessities.

Public Hearing on the 2015 Municipal Budget – cont'd.

Mr. David Marks, Library Director said he appreciates the support of the Council regarding the library and discussed some possible solutions regarding their budget, i.e. holding back on funds and only using if needed.

Mrs. B. Potter, Haworth Avenue, member of the library staff said the new addition is able to hold many events and noted how surplus has been used in the past.

Mr. Rosenberg noted the issue is the \$7,000 the library is requesting and said he would like them to spend some of their surplus.

Mr. Bain noted there are still more numbers that have to be obtained.

As there were no further comments, the meeting was closed to the public on the 2015 Budget.

CORRESPONDENCE

<u>Letter From</u>	<u>Subject</u>	<u>Referred to</u>
Lerch, Vinci, Higgins	Information re. "User Friendly Budget"	All Council Finance
Bergen County League of Municipalities	Resolution Opposing "User Friendly Budget"	All Council
NJ Dept. Education	Municipal Percentage Shares for Tax Levies for Regional School Districts	All Council Finance
Haworth Board of Health	Deferring to Governing Body and Shade Tree Commission re. Tree Removal	All Council

On discussion, Mrs. Groh said she was disappointed with the Bergen County League of Municipalities resolution opposing the "User Friendly Budget."

Mayor Smart replied the resolution was presented at the last League meeting in connection with a presentation by the Borough's auditor, Mr. Bliss. He said it was felt this matter was mislabeled 'friendly', a committee was formed to review it, the State has said the document is not ready to go out yet, it does not work well for smaller municipalities, any costs in its preparation will be borne by the borough and it is an unfunded State mandate. He suggested endorsement of the resolution.

CORRESPONDENCE – cont'd.

Mr. Volpe commented on the correspondence from the Board of Health which he said should be sent back to the Shade Tree Commission.

Mr. Weiss explained the background of this issue and the Board's decision.

The Council then took a short recess at 9:00 PM and then reconvened at 9:10PM.

COMMITTEE REPORTS

Report of Councilman Weiss

Environmental Commission

Mr. Weiss reported the recent Clean-Up Day was successful with 30 volunteers, 25 bags of trash picked up, various areas of the town were cleaned and the Commission is looking to a Fall Clean-Up Day.

Mr. Weiss said the Commission is looking to a Stream Cleaning Project, will be presenting the project to the Mayor and Council and schools and other entities will be participating.

Board of Health

Mr. Weiss noted the Board did not have a quorum at their last meeting and are planning the Fall Health Fair for October.

Swim Club

Mr. Weiss reported that pre-season planning is underway, life guards and senior service students will be working on the preparations at the pool in May.

Report of Councilman Bain

Library

Mr. Bain referred to the discussion earlier this evening in connection with the library budget and said the library is providing more services and is more vibrant.

COMMITTEE REPORTS – cont'd.

Report of Councilman Bain – cont'd.

Recreation

Mr. Bain reported the Fishing Contest will be held this Sunday at the pond, planning for the Summer Recreation Program is underway, there will be an increase in cost for out of town campers and three trips are being planned.

Mr. Bain further reported the Music and Arts Committee is planning dance events at the Terrace Street Parking lot in June.

Chamber of Commerce

Mr. Bain noted there is a potential grant from the Eastern Board of Realtors in connection with the business district and revitalization efforts for the area are going forward.

Report of Councilman Rosenberg

Zoning Board of Adjustment

Mr. Rosenberg reported the Board heard one application this month in connection with a swimming pool.

Police Department

Mr. Rosenberg referred to speeding situations with young drivers, officers have been talking with them and the problem has been reduced.

Mr. Rosenberg reported Bergen County conducted a study in connection with lowering the speed limit on Schraalenburgh Road and has recommended a reduction to 30 mph to which the Council agreed.

Mr. Rosenberg further reported that Sgt. Saudino is now a member of the County Swat Team and Officers Ragone and Morgan are now on the County Rapid Deployment Force.

Real Estate

Mr. Rosenberg reported documents have been prepared in connection with a request for the purchase of an undersized piece of Borough property on Beacon Street by the adjacent owner.

COMMITTEE REPORTS – cont'd.

Report of Councilman Rosenberg – cont'd.

Planning Board

Mr. Rosenberg reported an informal application in connection with a proposed subdivision on St. Nicholas Avenue was attempted to be presented to the Board at their last meeting, however, since the individual presenting it had no relation to the property it could not be considered; a relationship has to be justified, the Board said.

Mr. Volpe referred to the St. Gabriel Church nearing completion and questioned which engineer should review the final as built.

Mr. Rosenberg responded he would be more comfortable with a fresh set eyes, therefore the final review should be by the Statile office.

Report of Councilman Volpe

Fire Department

Mr. Volpe reported the following: the Department responded to 21 emergency calls last month including 8 activated alarms in Haworth, 11 mutual aid alarms in Demarest, 1 CO alarm in Haworth and 1 hazardous condition call in Haworth; Department training was held as well as Bloodborne Pathogen training; the junior and probationary firefighters are progressing well at the Fire Academy and a Demarest/Haworth May Day and Radio Communication Interboro Drill was held earlier in the month.

Parks and Playgrounds

Mr. Volpe reported the Committee did not have a quorum at their last meeting, but discussed repairs needed at the Creative Playground, they are seeking quotations for this work and funds are available in a prior capital ordinance.

Northern Valley Community Development

Mr. Volpe reported the Committee, of which former Mayor DeRienzo is the chairman approved the Borough's applications for Senior Van Drivers and Senior Activities; last year the Borough received \$3500 for the activities and this year it is being increased to \$4500 and the van driver has been increased to \$3200 from \$2500 last year. He further reported the application for handicapped restrooms at Memorial Field was originally allocated at \$4,000 however the Committee has authorized \$12,000 for the project.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Groh

Recycling

Mrs. Groh noted there was a lesser rate for the materials last month.

Municipal Budget

Mrs. Groh reported she has been discussing amendments to the budget with the Finance Committee, noted some savings have been found and increases include the Oradell Sewer charges, the number of tax appeals, appraiser fees and BCUA charges. She also noted evaluation of how overtime is calculated for the DPW is being looked at as is eliminating some capital items.

Ethics Board

Mrs. Groh noted that Financial Disclosure Statements are due by April 30<sup>th</sup> and failure to file is subject to a fine. She said she will be scheduling a meeting with this Board.

Mayor's Report

Rockland Electric

Mayor Smart reported he met with representatives of Rockland Electric in connection with the upgrading of their response to storm damage and other emergencies.

Haworth School

Mayor Smart noted he hosted the 4<sup>th</sup> Graders from the school and was impressed with the many issues they raised.

Dispatch Service

Mayor Smart reported on four short term outages with the Dispatch Service regarding the communication system with Verizon which will have to be moved to another system. He said he toured the Inter-Boro facility in Mahwah and discussed the Bergen County Trunk System.

CSX Railroad

Mayor Smart noted he attended a Bergen County meeting in connection with the oil tankers running on this line at which time CSX representatives were present, they have reduced the speed of the trains and are hosting a three day session in Atlanta for OEM's, etc. He further noted there will be a desk top exercise on July 13<sup>th</sup> at Bergen County.

Mayor's Report – cont'd.

Northern Valley Regional High School

Mayor Smart reported that since the recent referendum failed, mayors from the sending districts are meeting with the Board of Education on how they should proceed.

Introduction of Ordinance No. 15-07- Prohibiting Smoking in Parks, Playgrounds, etc.

A motion was offered by Mr. Weiss, seconded by Mrs. Groh and unanimously carried that Ordinance No. 15-07 be offered for first reading.

Ordinance No. 15-07 was then read by title only as follows:

**AN ORDINANCE TO AMEND CHAPTER IX OF THE  
CODE OF THE BOROUGH OF HAWORTH  
ENTITLED, “PARKS, PLAYGROUNDS AND  
RECREATIONAL AREAS”.**

A motion was offered by Mr. Weiss and seconded by Mrs. Groh that Ordinance No. 15-07 be passed on first reading.

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

A motion was offered by Mr. Weiss, seconded by Mrs. Groh and unanimously carried that Ordinance No. 15-07 be advertised as required by law and a date set for public hearing on May 12, 2015 at 8:00 PM at the Municipal Center.

Approval of Raffle License – Sacred Heart

The following resolution was offered by Mr. Volpe, 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.

Adoption of Bergen County Multi-Jurisdictional Hazard Mitigation Plan

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

**WHEREAS** the Borough of Haworth, Bergen County, NJ, has experienced natural hazards that result in public safety hazards and damage to private and public property;

**WHEREAS** the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

**WHEREAS** the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

**WHEREAS** a Hazard Mitigation Plan has been developed by the Mitigation Planning Committee;

**WHEREAS** the Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

**WHEREAS** the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law, and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Haworth:

1. The Bergen County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on April 13, 2015 by the Bergen County Office of Emergency Management is hereby adopted as an official plan of the Borough of Haworth; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Borough of Haworth's departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough of Haworth, and this resolution shall not be interpreted so as to mandate any such appropriations.

Adoption of Bergen County Multi-Jurisdictional Hazard Mitigation Plan

4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Bergen County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

Approval of Retaining Appraiser for White Beeches Tax Appeal

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

BE IT RESOLVED the Mayor and Council hereby approve retaining Mr. Robert McNerney as appraiser to represent the Borough in connection with tax appeals filed by the White Beeches Golf and Country Club in accordance with his submitted proposal not to exceed \$15,000.00.

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

Approval of Payment of Bills

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

FOR COPY OF RESOLUTION AND BILL LIST  
SEE PERMANENT MINUTES  
PAGES 117A – 117J

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

DEP Settlement

Mayor Smart reviewed the background of this case involving fuel tanks at the DPW yard. He said he and Mrs. Groh met recently with DEP representatives to discuss other options in this matter and they are waiting to hear back from them.

Mrs. Groh said there could be better options in satisfying this matter.

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 March 10 and the regular meeting of March 24, 2015.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Ms. B. Colonna, West View Terrace, asked for an explanation for the correspondence from the State Department of Education.

Mayor Smart explained it is the calculation of data for the Borough's share of the regional high school which is 11%.

Ms. Colonna then referred to the prior discussion on the stream cleaning proposal inasmuch as in the past the DEP was involved with permitting, restrictions, etc.

Mr. Weiss responded that the plan is very detailed and any necessary permits will be obtained.

Ms. Colonna then referred to the ordinance introduced earlier this evening to ban smoking in parks, etc. and that she was opposed to it as governments are over-criminalizing behavior.

Mr. Weiss commented that the Borough has committees who bring issues to the attention of the governing body.

Mr. N. Nakashian, Brook Street, a member of the Police Reserves commented on the earlier report on concerts in the park and said he has been on patrol at this type of event when significant drinking of alcohol took place and he would strongly recommend there be no alcohol consumption at these events, noting it is not a good policy.

Mr. Nakashian then asked the status of the police contract negotiations.

Mayor Smart responded there are a few remaining issues.

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

Close Meeting to Public

The following resolution was offered at 10:40 PM by Mrs. Groh, seconded by Mr. Rosenberg and unanimously carried:

**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

Close Meeting to Public – cont'd.

**WHEREAS**, the Governing Body deems it necessary to conduct a closed session and to exclude the public on April 28, 2015 at which the following items will be discussed:

Haworth Country Club Tax Appeal  
Sale of Borough Property (Kracke)  
PBA Contract Update

**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 item 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 11:20 PM and as there was no further business to come before the public adjourned on motion duly, offered, seconded and carried.

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Ann E. Fay, RMC, CMC  
Clerk-Administrator



















