

160. Executive Meeting of the Mayor and Council of the Borough of Haworth held on August 13, 2019 at the Municipal Center

Present Hon. Thomas P. Ference, Mayor

Councilmembers: Andrew Rosenberg  
Michael Bain  
Jacqueline Guenego  
Heather Wasser

Borough Attorney: Robert T. Regan

Mayor Ference called the meeting to order at 7:30 PM and upon roll call all members of the Council were present with the exception of Mr. Poosikian and Ms. Siciliano. 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 notices to all persons who requested same and prepaid the same.’”

Salute to Flag

Mayor Ference led those present in the pledge of allegiance.

Ordinance No. 19-13 Prohibiting Plastic Bags, etc. – 2<sup>nd</sup> Reading, Public Hearing

Mayor Ference, noted this is the scheduled second reading for this ordinance and explained the ordinance procedure for first and second reading. He said much research has been conducted regarding this ordinance, more needs to be done, the Council will not move for approval this evening, there will not be a second meeting this month and perhaps there will be another version for the first meeting in September.

Mrs. Wasser gave a history of this ordinance as follows: the use of plastic straws was brought to her attention by a resident, noted the current ordinance regarding the use of plastics and was appreciative of the citizen’s efforts. There is a need to weigh the pros and cons very carefully on this matter, 21 municipalities in the state have plastic ordinances in place, many are developing ordinances and Trenton is looking at a state wide ordinance. She explained the first reading of this ordinance – what it includes and what it does not, a first recommendation was to remove mini straws which would be crippling to the restaurants; there is no affordable option regarding dry cleaning bags, eco-friendly options are up to business owners. This should not be unjustly burdensome to the businesses, it is a matter of public health and referred to the law several years ago banning smoking in public places.

Ordinance No. 19-13 Prohibiting Plastic Bags, etc. – 2<sup>nd</sup> Reading, Public Hearing – cont'd.

Mayor Ference referred to the introduced ordinance which includes a ban on plastic stirrers and lids which will be removed and the addition of a ban on plastic utensils. He discussed an effective date and a transition date for enforcement. Mr. Bain agreed for time to prepare.

Mrs. Wasser noted that enforcement of the ordinance would be by the recycling coordinator.

Mayor Ference commented there should be a serious discussion with the Environmental Commission and a follow-up is needed on this ordinance.

Ms. Guenego discussed educating the public and an education component should be added as well as the need for a constant reminder.

The meeting was then opened to the public on the ordinance.

Ms. B. Colonna, West View Terrace referred to the availability of the ordinance, questioned the 10 cents charge for a bag, discussed what kind of bag re. this charge and said changes are needed in this ordinance.

Mr. A. Dickstein, Pine Lane asked why the .10 fee is being charged.

Mr. A. Anderson, Garfield Street responded the charges for bags encourage people to bring their own bags.

Ms. C. Soroka, Whitman St. questioned hotels included in this ordinance, stirrers are still being used and there is no enforcement.

Mrs. Wasser responded the town has to be realistic regarding the businesses so as there not to be too much of a burden.

Ms. Emily Kuo, Haworth Country Club said the Club was in favor of concerns with the environment, questioned what is the cost to change and all should work on this together. She said 6 months is too short a time for enforcement, there is a lot of research needed and all should work on this together.

Dr. M. Kahn, Paulson Place said he was impressed with the thought and the research that has gone into this subject, said he was not sure of the burden regarding plastics and said he went to all the business in town. He then discussed plastic cleaning bags and better ways for them to be used.

Ms. Zambetti, Houston Place suggested an entire order of cleaning going into one bag.

Ordinance No. 19-13 Prohibiting Plastic Bags, etc. – 2<sup>nd</sup> Reading, Public Hearing – cont'd.

Mr. Dickstein said he was getting a price of other items instead of plastic for his restaurant, he was never approached about this ordinance and will do as much as they can at their restaurant.

Ms. S. Wunsch, Haworth Av., commended Mrs. Wasser for her research on this issue and knew it takes time regarding sustainability.

As there no further comments the meeting was closed to the public on this ordinance.

A motion was offered by Mrs. Wasser, seconded by Ms. Guenego and unanimously carried to table Ordinance 19-13.

Correspondence

Letter From

Subject

Referred to

C.P. Statile

Recommendation for Award of DOT Contract -  
Massachusetts Avenue and Terrace Street

All Council

A motion was offered by Mr. Bain, seconded by Ms. Guenego to accept the bid of D&L Paving, Nutley, NJ in the amount of \$194,684.55 for NJDOT Massachusetts Avenue/Terrace Street Improvements and to authorize the Borough Attorney to draw the contract.

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

Reserved Parking at Municipal Center

Mr. Rosenberg noted the discussions he and his committee have had regarding this matter, they have considered appropriate reserved parking for the Mayor and Borough Administrator and the subject will be on the agenda for September with a definite decision.

Bid for Phase 2 Playground

Ms. Fay explained re-bids for this project were taken on August 6, and one bid was submitted by Sports & Golf Solutions in the amount of \$28,000.

Ms. Guenego noted this bid is better in line with the budget.

Bid for Phase 2 Playground – cont’d.

A motion was offered by Ms. Guenego and seconded by Mrs. Wasser to accept the bid of Sports & Golf Solutions, Verona, New Jersey in the amount of \$28,000.00 and to authorize the Borough Attorney to draw the contract.

On roll call the vote was follows: Ayes; Messrs. Rosenberg, Bain, Guenego, Wasser. Nays – none. Declared carried.

CONSENT AGENDA

A motion to approve the following was offered by Mr. Rosenberg and seconded by Mr. Bain. On roll call the vote was as follows: Ayes- Messrs. Rosenberg, Bain, Guenego, Wasser. Nays – none. Mrs. Wasser abstained from voting on the extra hours for the park permit as she had a conflict.

Refund of Driveway Permit

WHEREAS, Nobuhiro and Mi Wha Iku Shima obtained Driveway Permit #1380;

WHEREAS, the Shimas decided not to have their driveway repaved.

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

<u>NAME AND ADDRESS</u>	<u>PERMIT #</u>	<u>AMOUNT</u>	<u>ADDRESS</u>
Nobuhiro & Mi Wha Iku Shima 363 Pine Lane Haworth, NJ 07641	1380	\$125.00	363 Pine Lane

Refund of Driveway Permit Deposits

WHEREAS, the Superintendent of the Department of Public Works has inspected and found that work has been satisfactorily completed on the following Driveways,

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>	<u>ADDRESS</u>
Mary Anne Lumley 381 Pine Lane Haworth, NJ 07641	1381	\$100.00	381 Pine Lane

CONSENT AGENDA – cont’d.

<u>NAME AND ADDRESS</u>	<u>PERMIT #</u>	<u>AMOUNT</u>	<u>ADDRESS</u>
Carolyn Montrose 405 Pine Lane Haworth, NJ 07641	1394	\$100.00	405 Pine Lane
Craig Thomas 135 Owatonna Street Haworth, NJ 07641	1397	\$100.00	135 Owatonna Street
Farid Bahou 310 Lake Shore Drive Haworth, NJ 07641	1398	\$100.00	310 Lake Shore Drive
NVN Paving 391 Water Street Teaneck, NJ 07666	1400	\$100.00	29 Valley Road

Refund of Summer Recreation Registration Fee

WHEREAS, the Recreation Commission has determined that the following Summer Recreation registration be refunded.

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

<u>Name</u>	<u>Address</u>	<u>Amount</u>
Jinil Noh	190 Hardenburgh Avenue Haworth, New Jersey 07641	\$175.00

Retain Affordable Housing Administrator

**WHEREAS**, on June 20, 2019 the Honorable Christine A. Farrington entered an Order Approving Settlement Agreement In Connection With Fairness and Preliminary Compliance Hearing (“the Order”) in a matter entitled, “In The Matter of The Application of The Borough of Haworth”, Docket No. BER-L-5912-15; and

**WHEREAS**, said Order approved a Settlement Agreement between the Borough and Fair Share Housing Center and determines preliminarily that the Borough’s proposal for satisfying its affordable housing obligation through 2025 is constitutionally valid; and

CONSENT AGENDA – cont’d.

Retain Affordable Housing Administrator – cont’d.

**WHEREAS**, the Order further provides that the Borough is required to satisfy conditions set forth in the report of Special Master Michael P. Bolan dated June 13, 2019 (attached to the Order as Exhibit B); and

**WHEREAS**, the report of the Special Master requires that the Mayor and Council adopt a resolution appointing an Administrative Agent to administer affordable units in accordance with the Uniform Housing Affordability Controls, *N.J.A.C. 5:80-26.1, et seq.*; and

**WHEREAS**, the Borough is in receipt of a proposal from Piazza & Associates to serve as the Borough’s Administrative Agent; and

**WHEREAS**, the Governing Body has reviewed the proposal and credentials of Piazza & Associates.

**NOW THEREFORE BE IT RESOLVED** that Mayor Thomas Ference be and is hereby authorized to execute an Agreement with Piazza & Associates to provide affordable housing services to the Borough and to serve as its Administrative Agent.

Authorization to Enter Grant Agreement – Myrtle Street Field

BE IT RESOLVED, that the Mayor and Council of the Borough of Haworth wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$12,000.00 in 2018-2019 Community Development Block Grant funds for Myrtle Field ADA Improvements in the Borough of Haworth;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor Thomas P. Ference to be a signatory for the aforesaid agreement; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes Mayor Thomas P. Ference to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED that the Mayor and Council recognizes that the Borough of Haworth is liable for any funds not spent in accordance with the Grant Agreement and that the liability of the Mayor and Council is in accordance with HUD requirements.

CONSENT AGENDA – cont'd.

Reduce Tennis Permit Fees for Remaining of Season

**WHEREAS**, the Tennis Committee has recommended that to increase revenue, permit fees for adults be reduced by fifty (50%) percent for both residents and non-residents obtaining permits after August 1<sup>st</sup>.

**NOW THEREFORE BE IT RESOLVED** that the resident adult permit fee after August 1<sup>st</sup> is reduced to Forty (\$40.00) Dollars, and the non-resident adult permit fee after August 1<sup>st</sup> is reduced to Eighty (\$80.00) Dollars; and

**BE IT FURTHER RESOLVED** that this resolution shall be deemed to be retroactive to August 1, 2019.

Approval of Extension of Hours for Park Permit

**BE IT RESOLVED**, the Mayor and Council hereby approve an extension of hours for consumption of alcoholic beverages (wine and beer only) to 10:00 PM on September 21, 2019 for a park permit to be issued to the Haworth Hope Fund for Adult Field Day.

Authorize Purchase of 2019 Ammunition Order

**BE IT RESOLVED**, the Mayor and Council hereby authorize the purchase of 2019 Ammunition Supplies for the Haworth Police Department from Atlantic Tactical, 14 Worlds Fair Drive, Somerset, NJ 08873 in the amount of \$3,282.87 as outlined in their quotation dated July 8, 2019.

Authorize Purchase of Strut Rescue System for Fire Dept.

**WHEREAS**, pursuant to N.J.S.A. 40a:11-12A AND N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Borough of Haworth has a need to purchase, on a timely basis, goods or services utilizing State contracts during 2019; and

**WHEREAS**, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

CONSENT AGENDA – cont’d.

Authorize Purchase of Strut Rescue System for Fire Dept. – cont’d.

**WHEREAS**, the Borough of Haworth plans to utilize the State Contract Vendors listed on the attachment, such transaction shall be subject to all conditions applicable to the current State contracts; now, therefore,

**BE IT RESOLVED**, by the Council of the Borough of Haworth, in the County of Bergen, that the Borough is hereby authorized to purchase goods or services in 2019 from the approved New Jersey State Contract Vendors on the following list, pursuant to all conditions of the individual State contracts:

<u>Commodity / Service</u>	<u>State Contract Vendors Vendor Name</u>	<u>State Contract #</u>
STRUT RESCUE SYSTEM \$2,761.00	CONTINENTAL FIRE & SAFETY 2740 KUSER ROAD, HAMILTON, NJ 08691	17-FLEET-0057

Authorize Purchase of Emergency Lighting Equipment – Fire Department

**WHEREAS**, pursuant to N.J.S.A. 40a:11-12A AND N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Borough of Haworth has a need to purchase, on a timely basis, goods or services utilizing State contracts during 2019; and

**WHEREAS**, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, the Borough of Haworth plans to utilize the State Contract Vendors listed on the attachment, such transaction shall be subject to all conditions applicable to the current State contracts; now, therefore,

**BE IT RESOLVED**, by the Council of the Borough of Haworth, in the County of Bergen, that the Borough is hereby authorized to purchase goods or services in 2019 from the approved New Jersey State Contract Vendors on the following list, pursuant to all conditions of the individual State contracts:

CONSENT AGENDA – cont’d.

Authorize Purchase of Emergency Lighting Equipment – Fire Department – cont’d.

<u>Commodity / Service</u>	<u>State Contract Vendors Vendor Name</u>	<u>State Contract #</u>
EMERGENCY LIGHTING/ EQUIPMENT \$7,621.19	GTBM 351 PATERSON AVENUE EAST RUTHERFORD, NJ 07073	89980

Authorize Purchase of Fire Department Gear

WHEREAS, pursuant to N.J.S.A. 40A:11-12A and N.J.A.C. 5:34-7.29(c), the Borough may by resolution and without advertising for bids purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Haworth has a need to purchase on a timely basis goods or services utilizing State contracts during 2019; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Borough of Haworth plans to utilize the State Contract Vendors listed on the attachment, such transaction shall be subject to all conditions applicable to the current State contracts.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Haworth in the County of Bergen that the Borough is hereby authorized to purchase goods or services in 2019 from the approved New Jersey State Contract Vendors on the following list, pursuant to all conditions of the individual State contracts:

<u>Commodity/Service</u>	<u>State Contract Vendors Vendor Name</u>	<u>State Contract</u>
GLOBE PANTS/COATS \$5,920.00	CONTINENTAL FIRE &SAFETY 2740 Kuser Road Hamilton, NJ 08691	17-FLEET-00805

CONSENT AGENDA – cont’d.

Authorize Purchase of Emergency Equipment for New Patrol Car

**WHEREAS**, pursuant to N.J.S.A. 40a:11-12A AND N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Borough of Haworth has a need to purchase, on a timely basis, goods or services utilizing State contracts during 2019; and

**WHEREAS**, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, the Borough of Haworth plans to utilize the State Contract Vendors listed on the attachment, such transaction shall be subject to all conditions applicable to the current State contracts; now, therefore,

**BE IT RESOLVED**, by the Council of the Borough of Haworth, in the County of Bergen, that the Borough is hereby authorized to purchase goods or services in 2019 from the approved New Jersey State Contract Vendors on the following list, pursuant to all conditions of the individual State contracts:

	State Contract Vendors	
<u>Commodity / Service</u>	<u>Vendor Name</u>	<u>State Contract #</u>
NEW EMERGENCY EQUIPMENT	GTBM	89980
LIGHTING/INSTALLATION		
\$13,158.09		

Authorize Purchase Radar Units

**BE IT RESOLVED**, the Mayor and Council hereby authorize the purchase of Radar Units for Police Patrol Vehicles from Stalker Radar Applied Concepts, Inc., 855 E. Collins Blvd, Richardson, Texas 75081 in the amount of \$4,935.00 as outlined in their quotation dated June 19, 2019.

Authorize Purchase of Skidstar Trailer for DPW

**BE IT RESOLVED**, the Mayor and Council hereby authorize the purchase of a Skidstar Trailer for the Department of Public Works from Cherry Valley Tractor Sales, 35 Route 70 West, Marlton, NJ 08053 in the amount of \$7,935.75 as outlined in their quotation dated May 23, 2019. New Jersey State Approved C-op #65MCESCCPS.

CONSENT AGENDA – cont'd.

Authorize Purchase of Tires – DPW

BE IT RESOLVED, the Mayor and Council hereby authorize the purchase of tires for the DPW Loader from C&C Tire, Inc., 21 Route 17 South, East Rutherford, NJ 07073 in the amount of \$7,292.00 as outlined in their quotation dated May 17, 2019 being the lower of two quotations received.

Authorize Purchase New Evidence Software for Police Department

BE IT RESOLVED, the Mayor and Council hereby approve the purchase of New Evidence Software for the Police Department from Porter Lee Corporation, 1901 Wright Blvd., Schaumburg, IL 60193 in the amount of \$9,141.22 as outlined in their proposal dated July 1, 2019, the only vendor that provides this equipment.

Authorize Purchase of Phase 2 Playground Equipment

For resolution see page 172A

Authorize Purchase of Fingerprint Scanner for Police Department

BE IT RESOLVED, the Mayor and Council hereby approve the purchase of a Live Scan Fingerprint Scanner for the Police Department from Idemai, 5515 East La Palma Avenue, Anaheim, CA 92807 in the amount of \$23,618.15 as outlined in their proposal dated December 11, 2018. NJ State Contract MTNJ-L121118-03.

Approval 2019-20 Liquor License – Fine Wines

WHEREAS, the following liquor license in the Borough of Haworth is due for renewal for the 2019-2020 year; and

WHEREAS, the application submitted by the applicant is complete in all respects and the applicant is qualified to be licensed according to all statutory, regulatory and local government ABC laws and regulations, and

WHEREAS, the applicant has disclosed and the issuing authority has reviewed whether any additional financing was obtained in the previous license term for use in the licensed business.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the renewal of the following license in the Borough of Haworth is approved:

Plenary Retail Distribution License to: Haworth Fine Wine and Spirits 155 Terrace Street Haworth, NJ 07641	0226-44-004-010	\$380.00
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CONSENT AGENDA – cont'd.

Approval of Raffle Licenses

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Haworth that the Off-Premise, 50/50 #RA-475 and On-Premise, Merchandise #RA-476 Raffle Applications of Ken's Krew Inc to be held at White Beeches Golf & Country Club on September 10, 2019 be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to.

Approval of Payment of Bills

FOR COPY OF RESOLUTION AND BILL LIST  
SEE PERMANENT MINUTES  
PAGES 172B – 172F

Approval of Minutes

Regular Meeting of June 25, 2019  
Executive Meeting of July 9, 2019  
Closed Meeting of July 9, 2019  
Regular Meeting of July 23, 2019

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. N. Nakashian, Brook Street referred to the 2<sup>nd</sup> phase of the playground project and recommended that in the future the Borough do an assessment of need as to how many people use the playground as he said he felt not that many use the facility and the cost should be assessed.

Ms. Guenego responded at present there is only Phase 1 of the playground installed, it is under-utilized now because the other section has not been built yet and the feedback she has received is to have the facility as a fully used playground.

Mayor Ference commented the town has many amenities, referred to the use of the tennis courts in the recent past which were not being used, this was discussed with the Tennis Committee and promotional efforts were undertaken and the use of the courts has increased.

Ms. Colonna asked what is the new tax rate to which Mr. Bain responded 2.911.

Mr. S. Chval, Woodland Place referred to the tennis courts and commended the Committee who have stepped up the program and the courts are an amenity for the town.

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

Next Meeting

Mayor Ference noted the next council meeting will be September 10<sup>th</sup>.

As there were no further matters to come before the Council a motion was offered at 9:00 PM by Mr. Rosenberg, seconded by Ms. Guenego to adjourn.

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Ann E. Fay, RMC, CMC  
Clerk-Administrator











