

21. Regular Meeting of the Mayor and Council  
of the Borough of Haworth held on January  
28, 2020 at the Municipal Center

Present: Hon. Thomas P. Ference, Mayor

Councilmembers: Glenn Poosikian  
Andrew Rosenberg  
Michael Bain  
Jacqueline Guenego  
Dina Siciliano  
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. 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 Ference led those present in the pledge of allegiance.

Public Hearing – Open Space Application, Terrace Street Park Improvements

Mayor Ference explained this application will provide for the withdrawing of a prior grant application for improvements at the Duck Pond and apply that grant to the Terrace Street Park Improvements.

The meeting was then opened to the public for comments on the Open Space application for the grant for the Terrace Street Park Improvements.

As there were no comments the meeting was closed to the public on this application.

COMMITTEE REPORTS

Report of Councilman Bain

Recreation

Mr. Bain reported the commission has met and started discussion on the Summer Camp, the dates are acceptable with the school, tennis lessons may be offered during this program as well as other activities.

COMMITTEE REPORTS – cont'd.

Report of Councilman Bain – cont'd.

Finance

Mr. Bain noted this committee will be meeting on January 31<sup>st</sup> with the Mayor, Auditor, and CFO to start the budget process.

Report of Councilwoman Guenego

Ambulance Corps

Ms. Guenego reported the following: the Ambulance Corps responded to 27 calls in December, 16 daytime calls, 214 miles, mutual aid calls to other towns, 99 man hours on calls with 1211.50 for 2019, 280 calls for the year, and continues to offer CPR classes on a monthly basis.

Parks and Playgrounds

Ms. Guenego noted the committee met to discuss this year's capital budget, working with the engineer, DPW, etc. to create a focal point for the downtown area and a design to include landscaping, etc.

Board of Health

Ms. Guenego reported the Board met, reorganized, named their officers for the year and discussed the upcoming Fitness Challenge and other events.

Report of Councilman Rosenberg

Zoning Board of Adjustment

Mr. Rosenberg reported the Board met and reorganized for the year with Mr. Posen re-elected as chairman.

Planning Board

Mr. Rosenberg noted this Board has also reorganized with Mr. Troy as chairman, there are revisions to the Lakeshore Developers application which will now be heard in February or March and the Master Plan Re-examination will then be discussed.

COMMITTEE REPORTS – cont'd.

Report of Councilman Rosenberg – cont'd.

Police Department

Mr. Rosenberg reported the following for November 2019: members of the Department participated in No-Shave-November raising \$1900.00 which will go towards St. Jude Children's Research Hospital; Lt. Saudino and Chief Gracey met with the library director to review their emergency plan, made some suggestions and a training class will be held for library employees in January; officers attended several training sessions including Uniformed Criminal Reporting, the Rapid Deployment Force's Chemical Operators Training.

In December Chief Gracey was sworn in as the 2<sup>nd</sup> vice president of the Bergen County Police Chief's Association; Lt. Saudino and members of the Bergen County Regional Swat Team responded to Jersey City to a shooting there where a police officer was killed and on the day of the funeral he and Officer Soltes assisted with patrol in Jersey City

Report of Councilman Poosikian

Fire Department

Mr. Poosikian reported the following: the Department responded to 17 calls, 9 in Haworth and 8 in Demarest; held one meeting, one work night, 1 drill, 8 activated fire alarms and led a Santa detail around the borough. Chief Conner has expressed his thanks to thank the mayor and council for their support during his years as chief.

Department of Public Works

Mr. Poosikian reported the collection of leaves took until December 30<sup>th</sup>. As to recycling in the borough he said it is appropriate to give residents notice as to how the borough handles recycling, it is a public education issue which will be discussed by the Environmental Commission.

Ms. Guenego commented that in connection with the re-vamping of the borough's website a notice should be included regarding recycling matters.

Report of Councilwoman Siciliano

Website

Ms. Siciliano said she and Ms. Gallagher will be meeting this week with the designer, the priority is how to disseminate information and they will be getting more direction in this connection.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Siciliano – cont'd.

Shade Tree Commission

Ms. Siciliano noted the commission did not meet in January, said they should meet every month, more specifics are needed with their work on a new ordinance and an Arbor Day celebration is being planned.

Haworth School

Ms. Siciliano reported the recent audit report indicates the school is debt free, the new Board of Education has met on which there is an open position and Michael Rodino has been named board president.

Swim Club

Ms. Siciliano reported the bid for the food service concession at the pool is being prepared and volunteers will be assisting with clean-ups, planting, etc.

Library

Ms. Siciliano reported the library has submitted their budget, will be selling totes, organizing the yard sale and holding other programs.

Report of Councilwoman Wasser

Seniors

Mrs. Wasser said the recent holiday luncheon was very successful and well attended.

Tennis

Mrs. Wasser reported the committee has reorganized with Bob Kutik as chairman, are working with the recreation commission and met with the CFO regarding their budget.

UNFINISHED BUSINESS

Swim Club Membership Fees

This will be discussed later in the meeting.

NEW BUSINESS

Ordinance No. 20-01 – Amendments to Construction Code Fees

Mrs. Wasser explained the contents of this ordinance.

Mr. Kevin Burnette, Construction Officer and Ms. Carolyn Lee, Technical Assistant in the building department were present.

Mayor Ference asked how were these fees compared.

Mr. Burnette explained a comparison was undertaken with fees in other towns, Haworth's are now extremely low (approximately 50% less than others) and these new fees would be a function of what it costs to operate the department.

Mrs. Wasser said the department should be a revenue source.

Mr. Burnette noted this office should be self-supporting.

Mrs. Wasser said there will be a great deal of development coming into the borough which will coincide with these new fees.

Some changes to the ordinance were discussed which will be incorporated into the document.

A motion was offered by Ms. Siciliano, seconded by Mrs. Wasser and unanimously carried that Ord. No. 20-01 be offered for first reading.

Ordinance No. 20-01 was then read by title only as follows:

**AN ORDINANCE TO AMEND CHAPTER XII OF THE CODE OF THE BOROUGH OF HAWORTH ENTITLED, "BUILDING AND HOUSING".**

A motion was offered by Mrs. Wasser and seconded by Mr. Bain that Ordinance No. 20-01 be passed on first reading.

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

A motion was offered by Mrs. Wasser, seconded by Ms. Siciliano and unanimously carried that Ordinance No. 20-01 be advertised as required by law and a date set for hearing thereon on February 11, 2020 at 7:30 PM at the Municipal Center.

NEW BUSINESS – cont’d.

Swim Club Fees

Ms. Siciliano explained there will be no increases in membership fees this season and there will be additional membership categories. She said she has looked at other towns regarding their fees and there will be further discussion and the ordinance should be ready for introduction at the next meeting.

Ordinance No. 20-02 – Capital Ordinance for Purchase of Computer Software

A motion was offered by Mr. Bain, seconded by Ms. Siciliano and unanimously carried that Ordinance No. 20-02 be introduced on first reading.

Ordinance No. 20-02 was then read by title only as follows:

A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$17,500 FOR THE ACQUISITION AND INSTALLATION OF COMPUTER SOFTWARE BY THE BOROUGH OF HAWORTH AND TO APPROPRIATE \$17,500 FROM GENERAL CAPITAL FUND BALANCE

A motion was offered by Mr. Bain and seconded by Mr. Rosenberg that Ordinance No. 20-02 be passed first reading.

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

A motion was offered by Mr. Bain, seconded by Mr. Poosikian and unanimously carried that Ordinance No. 20-02 be advertised as required by law and a date set for public hearing thereon on February 11, 2020 at 7:30 PM at the Municipal Center.

Appointment of Engineer

Mr. Rosenberg explained the borough now has four engineers appointed each with their own functions, Maser Consulting would be a new entry and they are highly recommended by the police chief as a potential alternative for some services.

A motion was offered by Mr. Rosenberg, seconded by Mr. Bain and unanimously carried that Maser Consulting be appointed to a one year term to December 31, 2020.

Appointment of Interim DPW Foreman

Mr. Poosikian explained the DPW Committee is recommending Kurt Simkins be appointed to this position for 6 months with a set of goals to reach in that time.

NEW BUSINESS – cont’d.

Appointment of Interim DPW Foreman – cont’d.

A motion was offered by Mr. Poosikian and seconded by Mrs. Wasser that Mr. Kurt Simkins be appointed Interim DPW Foreman. The procedure for this appointment was discussed further by Mr. Poosikian.

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

CONSENT AGENDA

A motion was offered by Mr. Bain and seconded by Ms. Siciliano that the following consent agenda be approved. On roll call the vote was follows: Ayes; Messrs. Poosikian, Rosenberg, Bain, Guenego, Siciliano, Wasser. Nays – none. Declared carried.

Refund of Escrow Deposit

WHEREAS, the following escrow amount was established with deposits to offset expenses; and

WHEREAS, the following amount was expended.

NOW THEREFORE BE IT RESOLVED that the following refund be made.

BE IT FURTHER RESOLVED that this account at the Bank of New Jersey be closed.

<u>NAME AND ADDRESS</u>	<u>FOR</u>	<u>RECEIVED</u>	<u>EXPENDED</u>	<u>REFUNDED</u>
Kenneth Poller 900D Lake Street Ramsey, NJ 07446	Zoning Interpretation 266 Maple St. Haworth, NJ Bl. 902, L. 6	\$200.00	\$172.00	\$28.00

Award Winter Tree Program

WHEREAS, following public advertisement as required by law, sealed bids for the 2020 Winter Tree Program were received by the Municipal Clerk on January 17, 2020; and

WHEREAS, four bids were received at that time; and

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

CONSENT AGENDA – cont’d.

Award Winter Tree Program – cont’d.

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 2020 Winter Tree Program is hereby awarded to Arrow Tree Service, 188 Old Tappan Road, Old Tappan, NJ 07675 in the amount of \$13,695.00.00 for tree removals including stumps, \$3,385.00 for pruning and \$360.00 for stump removal for a total contract amount of \$17,440.00.

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

Award Contract for Purchase of Computer Upgrades

**WHEREAS**, the Borough of Haworth requires certain equipment and materials in connection with computer upgrades relating to the following: 2650 Microsoft Keys, 5050 All Covered For Installation, 8768 HP Hardware From NASPO, all of which are available pursuant to State Contract No. MNNVP-133-MO483-89974; and

**WHEREAS**, the total amount for such services is \$16,468.00; and

**WHEREAS**, due to the availability of a State Contract, public bidding is not required pursuant to the provisions of *N.J.S.A. 40A:11-12*; and

**WHEREAS**, funds are available for such purchase.

**NOW THEREFORE BE IT RESOLVED** that acquisition of the foregoing equipment and materials and the entering into of a Contract in connection with the applicable vendor be and are hereby approved.

Emergency Temporary Appropriation

WHEREAS, an emergency has arisen with respect to Current Fund appropriations, and

WHEREAS, no adequate provision has been made in the 2020 Temporary Budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provision of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$17,500 for Current Fund and

CONSENT AGENDA – cont'd.

Emergency Temporary Appropriation – cont'd.

WHEREAS, said emergency temporary appropriation will be funded by a capital ordinance and

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Haworth, County of Bergen, that in accordance with R.S. 40A:4-20, Temporary Emergency Appropriations be and the same is hereby made for:

CURRENT FUND

CAPITAL IMPROVEMENTS

Acquisition and Installation of Computer Hardware and Software \$17,500

Temporary 2020 Capital Budget

See Permanent Minutes  
Page 32A

Designation of Public Agency Compliance Officer

WHEREAS, the State of New Jersey requires the designation of a Public Agency Compliance Officer as the point of contact for all matters concerning implementation and administration of the legal requirements of the Equal Employment Opportunity Monitoring Program.

NOW THEREFORE BE IT RESOLVED that Ann E. Fay, Clerk-Administrator is hereby designated as Public Agency Compliance Officer for the Borough of Haworth effective January 1, 2020.

Award of Contract for Completion of Field House Project

WHEREAS, quotations were sought for completion of the Field House Project at Memorial Field; and

WHEREAS, only one quotation was received due to the fact that only one supply house was able to furnish the required materials; and

WHEREAS, it is recommended by the Mayor and Council that the quotation from Kuiken Brothers Company is responsive.

CONSENT AGENDA – cont’d.

Award of Contract for Completion of Field House Project – cont’d.

NOW THEREFORE BE IT RESOLVED, that a contract be awarded to Kuiken Brothers Company, Inc., PO Box 1046, Fair Lawn, NJ 07419 in the amount of \$10,801.89 as outlined in their proposal dated July 17, 2019, Acct. No.C-04-803-113.

Appointment of Key Crossing Guard and Full Time Crossing Guard

BE IT RESOLVED, the Mayor and Council hereby approve the appointment of Ruth Petruccelli as Key Crossing Guard (Valley Road) at the salary of \$75.00 per day; and

BE IT FURTHER RESOLVED, that James Gabettie be appointed as full time Crossing Guard in accordance with the current salary ordinance.

Endorsement Open Space Application – Terrace Street Park

For resolution  
see Page 32B of permanent minutes

Approval of Minutes

Recessed Meeting of January 5, 2020  
Reorganization Meeting of January 5, 2020  
Executive Meeting of January 14, 2020  
Closed Meeting of January 14, 2020

Open Meeting to Public

The meeting was opened to the period of public discussion.

Ms. B. Borghi, St. Nicholas Avenue referred to the introduction of the ordinance to increase construction fees, said she agreed the current fees are too low and the ordinance is responsive to that issue.

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.

**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 January 28, 2020 at which time the following items will be discussed:

- Declaratory Judgement
- Mulch Site at DPW
- White Beeches Tax Appeal
- Complaint – Old Tappan Softball League
- Stipends for DPW Personnel Serving as Firefighters

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council does hereby exclude the public from the portion of the meeting at which time 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 item 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 9:15 PM.

Fire Department Stipend for DPW Employees

Mr. Poosikian referred to a recent grievance filed by four DPW employees in connection with their response to fire emergencies after their regular working hours.

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

**BE IT RESOLVED**, the Mayor and Council hereby approve the payment of a clothing allowance for the year 2019 to the following Department of Public Works employees as they have qualified for the stipend having responded to more than 40% of fire calls.

Thomas Runge	\$500.00
John Iovino	\$500.00
Raymond Demski	\$500.00
Harrison Brace	\$500.00

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

32. Regular Meeting of January 28, 2020

Adjournment

As there was no further business to come before the council, a motion was offered by Mrs. Wasser, seconded by Ms. Guenego and unanimously carried to adjourn at 9:20 PM.

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Ann E. Fay, RMC, CMC  
Clerk-Administrator

32A. Regular Meeting of January 28, 2020

32B. Regular Meeting of January 28, 2020

