

Executive Meeting of the Mayor and Council of the Borough of Haworth held on June 13, 2023 at the Municipal Center

Present: Hon. Heather Wasser, Mayor

Councilmembers: Glenn Poosikian
Andrew Rosenberg
Dina Siciliano
Howard Lau
Alanna Davis

Borough Attorney: Robert T. Regan

Mayor Wasser called the meeting to order at 7:30 PM and upon roll call all members of the council were present with the exception of Mrs. Dhamija. Mayor Wasser then read the following statement: "This is the 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 notice to all persons who requested same and prepaid the cost fixed by the council."

Salute to Flag

The mayor led those present in the pledge of allegiance.

Ordinance No. 23-10-2023 CAP Ordinance – 2nd Reading, Public Hearing, Adoption

A motion was offered by Mr. Rosenberg, seconded by Mr. Poosikian and unanimously carried that Ordinance No. 23-10 be offered for second reading.

Ordinance No. 23-10 which is as follows was then read by title only as copies had been provided for those present.

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% or the cost of living adjustment, whichever is less, unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, the cost of living adjustment for calendar year 2023 budgets is calculated at 2.5% pursuant to N.J.S.A. 40A:4-45.2 and amounts to \$162,754; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

120. Executive Meeting of June 13, 2023

WHEREAS, the Borough Council of the Borough of Haworth in the County of Bergen finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that an additional 1.0% increase in the budget of said year, amounting to \$65,102 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Haworth, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2023 budget year, the final appropriations of the Borough of Haworth shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$227,856 and that the 2023 municipal budget for the Borough of Haworth be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

The meeting was then opened to the public on Ordinance No. 23-10. As there were no comments the meeting was closed to the public on this ordinance.

A motion was offered by Mr. Rosenberg and seconded by Mr. Poosikian that Ordinance 23-10 be passed on second and final reading.

On roll call the vote was as follows: Ayes; Messrs. Poosikian, Rosenberg, Siciliano, Lau, Davis. Nays- none. Declared carried.

Public Hearing – Bergen County Open Trust Fund – Improvements to Memorial Field to Include New Dugouts, Rehab. Of Bocci Courts, Reconstruction of Basketball Court and Fence Repairs

The meeting was opened to the public on this matter.

Mr. Robert Hoyng, chairman of the recreation commission noted several improvements that need to be done at Memorial field which he was told are included in this application.

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

UNFINISHED BUSINESS

Lake Shore Drive Paving

Mayor Wasser explained a time-line for this project has been received which includes the Viola water line service, test pits, new water meters, etc. until July 24th; paving and sidewalks on the southside of the roadway involving 5 days of work with milling and paving for a start date of approximately July 5th. She said letters have been sent today to the residents.

Mr. Lau referred to the use of Lake Shore Drive during of this project. Mayor Wasser said the residents will be able to use the street.

Ms. Janet Gallagher, Lake Shore Drive referred to the path to the swim club which needs cutting, debris removal, etc. in connection with access difficulties from Lake Shore Drive to the swim club.

Introduction Ord. 23-11 – Amending Ord. 22-13 – 2023 Bond Ordinance

A motion was offered by Mr. Rosenberg, seconded by Mrs. Davis and unanimously carried that Ordinance No. 23-11 be offered for first reading.

Ordinance No. 23-11 was then read by title only as follows:

BOND ORDINANCE TO AMEND IN ITS ENTIRETY THE BOND ORDINANCE (ORD. NO. 22-13) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF HAWORTH, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$550,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED ON SEPTEMBER 13, 2022.

A motion was offered by Mr. Rosenberg and seconded by Mr. Poosikian that Ordinance No. 23-11 be passed on first reading. On roll call the vote was as follows: Ayes; Messrs. Rosenberg, Poosikian, Siciliano, Lau, Davis. Nays – none. Declared carried.

A motion was offered by Mr. Rosenberg, seconded by Ms. Siciliano and unanimously carried that Ordinance No. 23-11 be advertised as required by law and a date set for public hearing on June 17, 2023 at 7:30 PM at the Municipal Center.

122. Executive Meeting of June 13, 2023

Approval Temporary Capital Budget

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

(for resolution see Page of permanent minutes)

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

Appointment of Representatives to Bergen County Community Development – 2023 to 2024

A motion was offered by Mr. Rosenberg, seconded by Ms. Siciliano and unanimously carried to appoint Mr. Rosenberg as the Borough’s representative and Ms. Siciliano as alternate representative and that Mayor Wasser hereby appoints Ms. Siciliano as her representative and Mayor Wasser will serve as the alternate on the Community Development Regional Committee for FY 2023-2024.

Approval of Three- Year Cooperative Agreement – Urban County Community Development Block Grant CDBG Entitlement Program, Home Investment Partnership Act Program, Emergency Solutions Grant For the Program Years July 2024 – June 30, 2027

A motion was offered by Ms. Siciliano, seconded by Mr. Poosikian and unanimously carried to approve the Community Development Three Year Cooperative Agreement and that Mayor Wasser sign this Agreement.

Reopen Borough Hall

Mr. Rosenberg reported the borough hall will reopen to the public on July 1, 2023.

CONSENT AGENDA

Ms. Siciliano requested the agreement for the tree planting resolution be removed from the agenda.

A motion was offered by Mr. Rosenberg and seconded by Mrs. Davis too approve the following. On roll call the vote was as follows: Ayes; Messrs. Poosikian, Rosenberg, Siciliano, Lau, Davis. Nays – none. Declared carried.

Refund of Overpayment Real Estate Taxes

Appointment Summer Recreation Counselors

BE IT RESOLVED the following are appointed as Haworth Recreation Counselors for the 2023 Summer Season:

123. Executive Meeting of June 13, 2023

BE IT RESOLVED the following are appointed as Haworth Recreation Counselors for the 2023 Summer Season:

Returning Counselors

Will LoFaro- Head Counselor	Hanson Lee
Kayla Sanchez	Alea Zirin
Caroline Vierheilig	Ava Palvos
Chloe Hoehn	Maya Diaz
Chloe Ambramson	Stella Yako
Sam Zirin	Sayan Mitra
Isabella Sun	Cecilia Villaplana
Maya Dearing	Jiada GuevarraAndrea Jimenez
Andrea Jimenez	

New Counselors:

Malcolm Solomon	Alexa Weiss
Sophia Pulver	Hugh Higganson
Morgan Dearing	Ethan Hyun Sun
Keira Tam	Lisa Nazapov

Approval 2023-24 Liquor Licenses

WHEREAS, the following liquor licenses in the Borough of Haworth are due for renewal for the 2023-2024 year, and

WHEREAS, the applications submitted by the applicants are complete in all respects and the applicants are qualified to be licensed according to all statutory, regulatory and local government ABC laws and regulations, and

WHEREAS, the applicants have 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 licenses in the Borough of Haworth are approved:

Plenary Retail Consumption License

to: Sailor Mutt Inc.	0226-33-001-002	\$792.00
----------------------	-----------------	----------

23 Hardenburgh Avenue

124. Executive Meeting of June 13, 2023

Haworth, NJ 07641

Plenary Retail Consumption License 0226-33-002-001 \$792.00

to: White Beeches Golf & Country Club

70 Haworth Drive

Haworth, NJ 07641

Club License 0226-31-003-001 \$150.00

to: Lake Shore Golf, Athletic &

Recreation Club of Haworth, NJ

5 Lake Shore Drive

Haworth, NJ 07641

Plenary Retail Distribution License 0226-44-004-010 \$380.00

to: Haworth Fine Wine and Spirits

155 Terrace Street

Haworth, NJ 07641

Pickle Ball Fees

WHEREAS, pickleball dues have heretofore been allocated as eighty (80%) percent to the Recreation Department Trust and twenty (20%) percent to the Pickleball Trust; and

WHEREAS, it has been determined that the entirety of such dues shall be placed in the Pickleball Trust Account.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Haworth that it does hereby authorize that all pickleball dues shall be placed in the Pickleball Trust Account.

Approval of Park Permit-Midsummer Night's Jam

BE IT RESOLVED, the Mayor and Council hereby approve an extension of hours for consumption of alcoholic beverages (wine and beer only) to 10PM on July 29, 2023 (rain date August 5, 2023) for a park permit to be issued to the Haworth Arts Committee for the Midsummer Night's Jam

125. Executive Meeting of June 15, 2023

Refund Pickle Ball Membership Fee

125. Executive Meeting of June 13, 2023

WHEREAS, a Non-Resident paid online for a Pickleball membership prior to the 2023 rates being posted and prior to being given a spot from the waitlist;

WHEREAS, the individual has requested a refund;

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>
Cynthia Bickel	100 Juniper St Dumont, NJ 07628	\$ 60.00
	Total	<u>\$ 60.00</u>

Submit Grant Applications – Lake Shore Drive, Garfield St. Hoover Way and Brook Street

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Borough of Haworth - Lake Shore Drive Bikeway Construction project.

WHEREAS, the Borough of Haworth desires to receive \$509,000.00 in funds from the New Jersey Department of Transportation Highway Trust Fund for the purpose of construction of a Borough of Haworth – Lake Shore Drive Bikeway; and

WHEREAS, the Department’s Bikeways program is to encourage New Jersey residents to bike and walk; and

WHEREAS, the Borough wishes to construct a bikeway, which is fully segregated from the public road system along Lake Shore Drive; and

WHEREAS, the proposed bikeway will fully reside on property fully owned by the Borough of Haworth; and

WHEREAS, the Borough’s design consultant developed a plan of action and cost estimate to for construction of the bikeway and addition colorized surface treatments, barrier-free improvements at public roads, wayfaring signage, and other physical complementary safety improvements;

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Haworth formally approves the grant application for the above stated project and will continually own and maintain the areas of improvements in perpetuity; and

126. Executive Meeting June 13, 2023

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as BIKE-2024-Haworth Borough-00010 to the New Jersey Department of Transportation on behalf of the Borough of Haworth.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Haworth and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

WHEREAS, the Borough of Haworth desires to receive \$295,025.00 in funds from the New Jersey Department of Transportation Highway Trust Fund for the purpose of resurfacing, making safety improvements, traffic calming, and incorporating complete streets measures along Garfield Street, Brook Street and Hoover Way; and

WHEREAS, the Borough Engineer has developed a plan of action and cost estimate to improve Garfield Street, Brook Street and Hoover Way and key intersections through the addition of pavement markings and other physical complementary safety improvements; and

WHEREAS, the project will also improve safety to the local schools and commuter lines, thus leveraging the requested funds;

NOW, THEREFORE BE IT RESOLVED that the Council of the Borough of Haworth, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application MA-2024-Haworth Borough-00111 to the New Jersey Department of Transportation on behalf of the Borough of Haworth.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Haworth and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Award Contract for food Concession Stand at Swim Club

WHEREAS, the Borough has heretofore advertised on two occasions for proposals for the operation of a food concession at the Haworth Swim Club for the 2023 pool season; and

WHEREAS, in response to the first advertisement, no proposals were received; and

127. Executive Meeting June 13, 2023

WHEREAS, in response to the second advertisement, a proposal was received; however, the submission was not in compliance with the required documents as set forth in the specifications; and

WHEREAS, *N.J.S.A. 40A:11-5(3)* provides that in such circumstances a contract may be negotiated and awarded upon adoption of a resolution by a two-thirds affirmative vote of the authorized membership of the Governing Body subject to certain conditions as set forth in the aforesaid statute; and

WHEREAS, a negotiated contract has been prepared, with the terms and specifications not substantially different from those that were the subject of competitive bidding; and

WHEREAS, the negotiated contact price is identical to the price submitted in response to the advertisement for proposals.

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

1. A contract is awarded to Jesus Cervantes, 55 Park Avenue, Suffern, New York for the operation of the food concession, with the concession fee being \$1,000.00 and subject to a formal contract, approval by the Board of Health, and submission of proof of insurance in accordance with the specifications.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for the aforesaid service.

Approve Fireworks Display – Celebrate Haworth Day

BE IT RESOLVED, the Borough of Haworth enter into a contract with Zambelli Fireworks for the 2023 fireworks display in the amount of \$12,000 and authorize the execution of said contract.

Payment of Bills

See Page 129A of permanent minutes.

Approval of Minutes

Regular Meeting of May 23, 2023

128. Executive Meeting of June 10, 2023

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. P. Lospuloto, 180 Beacon St. noted his concern with speeding issues on Madison Avenue and Whitman Street; there are incidents everyday with vehicles travelling 45 mph; many children walk there and suggested 4-way stop signs in the area or speed bumps.

Mr. Rosenberg responded the borough is aware of the situation; there will be additional enforcement in the area, additional signage and suggested lighted stop signs.

Mayor Wasser said this is a concern of hers also and the council will do their best to come up with a solution, suggesting perhaps speed humps.

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

Tribute to Ms. Fay

The Mayor and Councilmembers expressed their thanks to Ms. Fay on her upcoming retirement for her long tenure with the borough and wished her well.

Close Meeting to Public

The following resolution was offered by Mr./Rosenberg, seconded by Mr. Poosikian and unanimously carried at 8:00 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 June 13, 2023, at which time the following item will be discussed:

Participants for CFO Interviews

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 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 item 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 reopened to the public at 8:30 PM.

Interviews for Chief Financial Officer

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

WHEREAS, the Mayor and Council desire to conduct interviews for the position of CFO

NOW THEREFORE BE IT RESOLVED that the interview process is hereby authorized to be conducted by the Mayor and 3 Councilmembers, notwithstanding that the number constitutes a quorum; and

BE IT FURTHER RESOLVED that such interviews are hereby authorized on such dates as established by the governing body members.

Adjournment

As there was no further business to come before the council, a motion was offered by Mr. Rosenberg, seconded by Ms. Siciliano and unanimously carried at 8:40 PM to adjourn.

Ann E. Fay, RMC, CMC
Clerk-Administrator

