

206. Executive Meeting of the Mayor and Council of the Borough of Haworth held on October 13, 2016 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Glenn Poosikian  
Andrew Rosenberg  
Michael Bain  
Lawrence Weiss  
Regina Duffy (late)

Mayor Smart 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. Volpe and Mrs. Duffy who arrived shortly after the start of the meeting. The Mayor then read the following statement: "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 notice to all persons who requested same and prepaid the same."

Correspondence

Letter From  
Referred to

Subject

Fire Chief Green	Indicating Fire Dept. has no Problem with Vacation of Harland Place (Panzella Request)	All Council
Zoning Board	Report of 2015 Variance Applications	All Council Planning Bd.

Refund of Escrow Deposits

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

WHEREAS, the following escrow accounts were established with a deposit to offset expenses; and

WHEREAS, the following amounts were expended.

NOW THEREFORE BE IT RESOLVED that the following refunds be made:

Refund of Escrow Deposits – cont'd.

<u>NAME AND ADDRESS</u>	<u>FOR</u>	<u>RECEIVED</u>	<u>EXPENDED</u>	<u>REFUNDED</u>
Jacob Solomon 14-25 Plaza Rd. Fair Lawn, N J (07410) (293 Harrison St.)	Var. 660	\$200.00	\$165.12	\$34.88
Sabri Latte 207 Haworth Drive Haworth, NJ 07641	Var. 652	\$350.00	\$348.87	\$1.13
Robin Abramow 84 Warren Lane Demarest, NJ 07627 (209 Schraalenburgh Rd)	Engin. Escrow	\$2939.73	\$2355.98	\$583.75

Authorization to Enter into Grant Agreement – Community Development Senior Activities

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

**WHEREAS**, a Bergen County Community Development grant of \$8,000.00 has been proposed by the Borough of Haworth for Senior Citizen Activities in the municipality of Haworth, and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

**WHEREAS**, the aforesaid project is in the best interest of the people of Haworth, and

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Haworth hereby confirms endorsement of the aforesaid project, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Authorization to Enter into Grant Agreement – Community Development Senior Van Driver

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

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 \$7,400.00 in 2016 - 2017 Community Development Block Grant funds for Senior Van Drivers in the Borough of Haworth;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor John W. Smart to be a signatory to the aforesaid agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor John W. Smart 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 liability of the Mayor and Council is in accordance with HUD requirements.

Refund of Driveway and Street Opening Permit Deposits

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

WHEREAS, the Superintendent of the Department of Public Works has inspected and found that work has been satisfactorily completed on the following Street Opening Permit and Driveway Permit.

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 OF OPENING</u>
Suez Water NJ 461 From Road Paramus, NJ 07652	198	\$200.00	Contant Avenue
Jessica Kolkebeck 53 Osmers Way Haworth, NJ 07641	1355	\$100.00	53 Osmers Way

Authorization to Serve Notice to Restore Property to its Original Condition – Pine Street

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

**WHEREAS**, Giuseppe Mordini and Sandra P. Rodriguez (“the property owners”), owners of property known as Block 1600, Lot 4, being more commonly known as 302 Pine Street (“the property” or “the premises”), have constructed a curb cut and concrete apron to provide access to their property without obtaining a permit; and

**WHEREAS**, the failure to obtain a permit constitutes a violation of Chapter XVI of the Borough Code; and

**WHEREAS**, §16-3.2 permits the Governing Body to pass a resolution to serve notice on the property owner when a violation has occurred or when the property owner has failed to comply with the applicable requirements established by Ordinance; and

**WHEREAS**, said provision permits the Mayor and Council to serve a notice on the property owners requiring that certain actions be taken to comply with applicable Ordinance requirements, which notice constitutes a thirty (30) day notice as established by §16-3.2.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Haworth that the Borough shall serve a notice in writing upon the property owners directing that the property be restored to its original condition, that failure to do so will result in the Borough undertaking to restore the site to its original condition, and thereafter shall impose upon the property a lien for the costs incurred by the Borough in securing the restoration of the premises.

Approval of Payment of Bills

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

FOR COPY OF RESOLUTION AND BILL LIST  
SEE PERMANENT MINUTES  
PAGES 214A – 214L

Panzella Street Vacation Request

Mr. Rosenberg noted this request will be on the agenda for the next meeting when the Borough Engineer and Attorney will have the necessary documents.

Mrs. Duffy then arrived at the meeting at 8:00 PM.

### Boat Storage Regulations

Mayor Smart noted three proposed changes to the last draft of this ordinance as follows:

Allow for temporary storage of a boat in the driveway, withdraw any reference to a permit and fee as this is not a revenue seeking matter.

Mrs. Duffy suggested the Borough requesting a copy of the boat registration and that a fee was not necessary.

Mr. Rosenberg agreed to no fee, but there be some form of notification to the Borough such as a copy of the boat's registration.

Mr. Poosikian asked if small boats such as kayaks had to be registered and was told no as non-motorized boats are exempt.

Mr. Bain referred to trailers for instance for a rowboat.

Mayor Smart said a trailer is a separate issue and there still is the need to refine the definition of "front yard".

It was concurred to have a revised draft ordinance for the next meeting.

### Fence Ordinance Revisions

Mr. Smart noted a new draft ordinance has been circulated for introduction at the next meeting.

Mr. Rosenberg commented attempts are being made to clarify certain definitions, particularly "front yard".

### Best Practices Inventory

Mayor Smart explained this is an annual document issued by the State and for this year it consists of 30 questions down from last year's 50. He said the Borough is responding with 27 favorable answers for a score of 90 which qualifies the Borough for state aid.

### Appointment of Webmaster

Mayor Smart reported the Borough received six responses to an ad posted for a new webmaster, four were interviewed with a salary range of \$20 to \$60 per week, He said some of the candidates were more involved in web design, however he said the borough's site is functional now and it can be kept that way.

Appointment of Webmaster – cont'd.

Mayor Smart said he was recommending an offer to Ms. Tina Stratton at \$40. per week, she has her own business and is involved with communications with the Haworth Home and School Association.

Mr. Poosikian asked about Ms. Stratton's availability.

Mayor Smart responded she lives in town, works from home, is technologically adept and he estimated she would be working four to six hours a week.

A motion was offered by Mr. Bain, seconded by Mrs. Duffy and unanimously carried to appoint Tina Stratton as the Borough's Webmaster at a salary of \$40. per week.

Leaf Composting and Disposal Services

Mayor Smart reported bids were scheduled to be received October 12<sup>th</sup>, however no bids were received and noted a letter received from the present contractor indicating some concerns he had.

Mr. Poosikian commented that the minimum bid indicated in the specifications shuts several people out, explained the process conducted at the DPW yard and suggested changing the specs.

Mr. Bain suggested issuing the same specifications for this bid and then negotiating or re-do the specs with amendments.

Mr. Poosikian then noted the time period with the process of the leaf composting, suggested it should be renewed in September as opposed to January and extend the present contract.

It was the consensus of the council to advertise the same bid for the second time.

A motion as offered by Mr. Weiss and seconded by Mr. Rosenberg to issue the same bid package for the leaf composting and disposal services. On voice vote all members voted in the affirmative with the exception of Mr. Poosikian who voted no. Declared carried.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Ms. B. Colonna, West View Terrace referred to a discussion at the last council meeting regarding flyers being placed in her neighborhood concerning overnight parking and she has received different responses to her questions about this matter.

Open Meeting to Public – cont'd.

Mr. Rosenberg responded the notices were distributed in the neighborhood due to complaints received regarding people leaving their vehicles too long on the street causing a problem for emergency vehicles to get through.

Ms. Colonna then asked if she is allowed to park on her street.

Mr. Weiss noted the offending vehicles have been removed.

Mr. Rosenberg noted some issues have been resolved.

Mayor Smart said he will check with the police to determine the status of this matter.

Ms. Colonna then referred to the boat storage ordinance and confusion with where trailers can be parked.

Mr. Rosenberg explained it is subject to certain areas where they can be permitted and trailers for boats will be permitted when not involving a health hazard.

A resident on Schraalenburgh Rd. said he has a landscaping trailer on his property not for business.

Mayor Smart responded that is permissible.

Ms. B. Borghi, St. Nicholas Av. referred to a flyer she received for a Turkey Shoot and asked why this is being done in town with people using guns in this day and age noting this goes back to the shooting at the pistol range particularly at 7:30 AM.

Mr. Rosenberg responded the shooting at the range was not at that hour.

Mayor Smart commented that fund raising activities are an essential part of Haworth.

Ms. Borghi responded that there are more ways to fund raise without guns.

Mr. A. Anderson, Garfield Street said the boat ordinance is a bad law and will cost the Borough with lawsuits, etc., and is overly specific, noting there are other potential unsightly issues in town. He then distributed photographs of his boat stored at the side of his garage.

Mayor Smart commented Mr. Anderson's boat at 16 feet is not affected by the ordinance.

Mr. Anderson then showed a diagram of his property and that if he should get a larger boat it would be prohibited.

Open Meeting to Public – cont'd.

Discussion was then held regarding the rights of property owners, regulations, aesthetics and where boats can be stored.

Ms. Colonna then referred to Ms. Borghi's earlier comments and the misconceptions about firearms, noting a Turkey Shoot can be educational particularly in seeing how to respect firearms.

Mr. N. Nakashian, member of the Police Reserves asked if there was a concern with safety at the Turkey Shoot.

Mr. Rosenberg responded that the way that event is conducted the Police Auxiliary should be proud as it is managed very well.

Mrs. Duffy referred to Hold Harmless Agreements regarding this event.

Mr. Nakashian said everything cannot be regulated, discussed vests the Auxiliary members are ordered to wear at events and a better job should be done with children instead of insulating them.

Mr. LaFronz, Schraalenburgh Rd., referred to the boat ordinance and no room for a trailer in his yard.

Mayor Smart noted some restrictions and what can be done within the limits and offered to meet with Mr. LaFronz.

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

Close Meeting to Public

The following resolution was offered by Mr. Weiss, seconded by Mr. Poosikian and unanimously carried at 9:15PM:

**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 October 13, 2016 at which time the following items will be discussed:

Affordable Housing  
Personnel Matters

**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

Close Meeting to Public – cont'd

**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 the Public

The meeting was reopened to the public at 10:40 PM and as there was no further business to come before the Council adjourned on motion duly offered, seconded and carried.

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Ann E. Fay, RMC, CMC  
Clerk-Administrator

















214I. Executive Meeting of October 13, 2016





