

82. Executive Meeting of the Mayor and Council of the Borough of Haworth held on April 12, 2016 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Glenn Poosikian  
Anthony Volpe  
Michael Bain  
Lawrence Weiss  
Regina Duffy

Borough Attorney: Robert T. Regan

Mayor Smart called the meeting to order at 7:40 PM and upon roll call all members of the council were present with the exception of Mr. Rosenberg, who had notified the Borough Clerk of his unavailability to attend. 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 notice to all persons who requested same and prepaid the same."

Ordinance No. 16-03 – Index Ordinance

A motion was offered by Mr. Bain, seconded by Mr. Weiss and unanimously carried that Ordinance No. 16-03 be offered for second reading.

Ordinance No. 16-03 which is as follows was then read by title only as copies had been provided to 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 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 2016 budgets is calculated at 0% pursuant to N.J.S.A. 40A:4-45.2; 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,

**WHEREAS**, the Mayor and Council of the Borough of Haworth in the County of Bergen finds its advisable and necessary to increase its CY 2016 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,

Ordinance No. 16-03 – Index Ordinance – cont’d.

**WHEREAS**, the Mayor and Council hereby determines that a 3.50% increase in the budget for said year, amounting to \$184,077 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Mayor and 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 Mayor and 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 CY 2016 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 \$184,077, and that the CY 2016 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. 16-03. As there were no comments, the meeting was closed to the public on this ordinance.

A motion was offered by Mr. Bain and seconded by Mr. Weiss that Ordinance No. 16-03 be passed on second and final reading.

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

A motion was offered by Mr. Poosikian, seconded by Mr. Volpe and unanimously carried that the passage of Ordinance No. 16-03 be advertised as required by law.

Correspondence

Letter From

Subject

Referred to

Dept. Transportation

Notice of Award for Maple Street Improvements - All Council  
\$155,500 Engineer

Correspondence – cont'd.

<u>Letter From</u>	<u>Subject</u>	
<u>Referred to</u>		
Dept. Transportation	Notice of Acceptance of Applications for 2016 Safe Routes to School Program	Mayor Engineer

Mayor Smart referred to the DOT award for the Maple Street improvements. A discussion was held as to where on Maple Street this work would take place, prior problems with a former paving project on Maple Street, particularly with curbing. It was concurred the Borough Engineer will be consulted.

Award of Escrow Deposit

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

WHEREAS, the following escrow account 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:

<u>NAME AND ADDRESS</u>	<u>FOR</u>	<u>RECEIVED</u>	<u>EXPENDED</u>	<u>REFUNDED</u>
Zakim & Zakim, P.C. 373 Indian Trail Drive Franklin Lakes, NJ 07417 (147-149 Terrace St.) Block 1308, Lot 4	Engineering Escrow	\$450.00	\$164.18	\$285.82

Approval of Raffle License

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

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Haworth that the On Premise Merchandise Raffle Application #RA435 and On Premises 50/50 Raffle Application #RA-436 of the Jr Womans Club River Edge to be held at White Beeches Golf & Country Club, 70 Haworth Drive, Haworth, NJ on Monday, May 16<sup>th</sup>, 2016 be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to.

2016 Temporary Budget Appropriations

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

WHEREAS, an emergent condition has arisen with respect to various appropriations listed below, and no adequate provision has been made in the 2016 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the Borough of Haworth does not anticipate adopting its final budget for 2016 for several months;

WHEREAS, the total emergency temporary resolutions adopted in the year 2016 including this resolution total \$4,067,875.00

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. The following temporary appropriations be and the same are hereby made for:

**CURRENT FUND**  
**Operations**

**General Government**

Municipal Clerk	
Salaries and Wages	100,000
Other Expenses	5,700
Mayor and Council Public Information	
Salaries and Wages	400
Other Expenses	300
Mayor and Council	
Salaries and Wages	15,370
Other Expenses	2,300
Publications	2,000
Elections	
Salaries and Wages	975
Other Expenses	2,500
Financial Administration	
Salaries and Wages	48,650
Other Expenses	18,000
Fixed Asset Inventory	
Other Expenses	1,800

Audit Services  
Other Expenses

22,900  
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2016 Temporary Budget Appropriations – cont'd.

**General Government – cont'd.**

Tax Assessment Administration	
Salaries and Wages	13,400
Other Expenses	4,000
Revenue Administration	
Salaries and Wages	31,000
Other Expenses	3,700
Computer Maintenance	
Other Expenses	7,500
Legal Services and Costs	
Other Expenses	15,000
Engineering Services & Costs	
Other Expenses	3,000

**Municipal Land Use Law**

Planning Board	
Salaries and Wages	1,200
Other Expenses	1,200
Board of Adjustment	
Salaries and Wages	1,200
Other Expenses	1,000

**Insurance**

Group Insurance Plans for Employees	170,000
Property	24,000
General Liability/Auto Liability	27,000
Workers Compensation	89,937
Environmental Liability	1,900
Public Officials/Employment Practices Liability	16,000
Employee Flexible Spending	1,000
Unemployment Fund	15,000

**Public Safety**

Fire Department	
Salaries and Wages	6,500
Other Expenses	30,000
Fire Hydrant Service	
Other Expenses	36,000
Uniform Fire Prevention	
Salaries and Wages	1,990

Other Expenses 100

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2016 Temporary Budget Appropriations – cont'd.

**Public Safety – cont'd.**

Aid to Volunteer Ambulance	
Other Expenses	21,946
Police	
Salaries and Wages	750,000
Other Expenses	32,600
Purchase of Police Vehicle	
Other Expenses	8,196
Police Dispatch/911	
Salaries and Wages	26,350
Contract	20,651
Emergency Management Services	
Other Expenses	400
Prosecutor's Office	
Salaries and Wages	1,840
Other Expenses	100

**Department of Public Works**

Garage & Trash Removal	
Contractual	132,770
Recycling Program	
Contractual	18,315
Streets and Roads	
Salaries and Wages	430,730
Other Expenses	39,000
Snow Removal	
Salaries and Wages	3,000
Public Buildings & Grounds	
Other Expenses	6,000
Shade Tree Commission	
Other Expenses	2,000
Emergency Trees	
Other Expenses	10,000
Vehicle Maintenance	
DPW Vehicle Repairs	5,000
Police Vehicle Repairs	4,000
Tree Farm	
Other Expenses	500
Water Pollution Control	
Salaries and Wages	1,200

2016 Temporary Budget Appropriations – cont'd.**Health and Human Services**

Public Health Services	
Salaries and Wages	5,000
Other Expenses	2,500
Animal Control Services	
Other Expenses	2,378
OSHA Hepatitis B Program	
Other Expenses	2,600

**Parks and Recreation Functions**

Parks Department	
Other Expenses	18,000
Parks/Playgrounds Committee	
Other Expenses	6,000
Tennis Committee	
Other Expenses	2,000
Senior Citizens Committee	
Salaries and Wages	2,900
Other Expenses	200

**Municipal Court Functions**

Municipal Court	
Salaries and Wages	32,000
Other Expenses	2,500
Public Defender	
Other Expenses	500

**Uniform Construction Code**

Construction Code Official	
Salaries and Wages	19,000
Other Expenses	3,000
Plumbing Inspector	
Salaries and Wages	7,000
Fire Inspector	
Salaries and Wages	2,090
Electrical Inspector	
Salaries and Wages	2,500

**Unclassified**

Utilities	
Street Lighting	27,000

Electricity	17,500
Telephone	12,000
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2016 Temporary Budget Appropriations – cont'd.

**Unclassified – cont'd.**

Water	6,500
Gas (natural or propane)	2,100
Gasoline	16,000

**Deferred Charges and Statutory Expenditures**

Statutory Charges	
Social Security	77,800
Public Employees Retirement System	
Other Expenses	152,773
Police and Firemen's Retirement System	
Other Expenses	312,518
DCRP Pension	
Other Expenses	300

**OPERATIONS EXCLUDED FROM "CAPS"**

**Maintenance of Free Public Library**

Salaries & Wages	112,000
Other Expenses	45,000

BCUA Flow Charges-Sewer Contractual	
Other Expenses	230,000

Borough of Oradell Flow Charges	
Other Expenses	4,500

**Interlocal Municipal Service Agreements**

Senior Citizen Van - Harrington Park	
Salaries & Wages	4,000
Other Expenses	600

LOSAP	
Other Expenses	27,400

**Grants**

Clean Communities	
Salaries & Wages	2,000
Municipal Alliance - local share	
Other Expenses	6,000
BCCD-Senior Citizen Van Driver	
Salaries & Wages	2,500
BCCD-Senior Citizen Activities	
Other Expenses	1,000

Recycling Tonnage Grant  
Other Expenses

8,718  
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2016 Temporary Budget Appropriations – cont'd.

	SUBTOTAL	<b><u>3,415,497</u></b>
Municipal Debt Service		
Bond Principal		565,000
Bond Interest		<u>87,378</u>
	Debt Service	652,378
	TOTAL EMERGENCY TEMPORARY BUDGET	4,067,875

Approval of Payment of Bills

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

FOR COPY OF RESOLUTION AND BILL LIST  
SEE PERMANENT MINUTES  
PAGES 93A – 93M

Appointment of Events Coordinator

Mayor Smart explained many events are held in town during the year and this position would ensure competent planning, preparation and support for Borough events including promotion, communications, photographer and a checklist to help organizers. He recommended resident Christine Park for appointment to this position.

A motion was offered by Mr. Volpe and seconded by Mr. Bain that Ms. Christine Park be appointed the Borough's Event Coordinator.

On discussion, Mr. Poosikian noted this position never existed before, questioned if the position was necessary and what the role would be. He noted there should be a certain time period for the appointment, asked if there would be negotiations with vendors and her experience in the field needs to be addressed.

Mayor Smart responded that Ms. Park is very qualified, has served in this role in the County and would not be taking anything away from the various volunteers, just assisting in working more efficiently.

Mrs. Duffy asked if anyone has asked about a breakdown in coordination of town events to which Mayor Smart responded, yes.

Mr. Weiss commented this would be a supporting role, particularly with the annual 5-K Run.

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#### Appointment of Events Coordinator – cont'd.

Discussion was held as to what events would require the services of this position.

Mr. Poosikian questioned the term for the position to which Mayor Smart replied as long as the volunteer wants to coordinate events.

Mr. Poosikian said if this position is created it should be placed on the Reorganization agenda with a term.

Mr. Smart agreed and all members voted in the affirmative to appoint Christine Park as Event Coordinator for a term to December 31, 2016.

#### Open Meeting to Public

The meeting was opened to the public at this time and as there were no comments, the meeting was closed to public discussion.

#### 2016 Multi-Purpose Ordinance

This discussion was to determine the items to be included for this year's capital projects.

Mr. Weiss reviewed the requests for the acquisition of new vehicles which include a police vehicle, first responder vehicle for the Ambulance Corps and a Fire Department command vehicle noting one of the older vehicles will be donated to the Ambulance Corps – the police pick-up truck. The purchase of some of these vehicles is still being considered, he said.

Mr. Poosikian commented the Fire Department has two working command vehicles, the Chief's and the Acting Chief's, which are not in town during the day for responding and suggested not buying a new vehicle if the Chief's is okay. A discussion was held at the amount of these vehicles needed.

Mr. Volpe asked to go back to the Fire Department and determine if they can defer this purchase.

Requests for computer and office equipment were then discussed including sharing printers which was not possible due to the issue of accessibility. Further discussion included benches at the tennis courts.

Mr. Weiss noted under acquisition of new equipment the in-car video system request from the Police Department which is not mandated and was originally an un-funded mandate.

Mr. Volpe noted a problem if funding becomes available for this system and it has already been paid for. Mr. Weiss said this will be looked at further, possibly for purchase next year.

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2016 Multi-Purpose Ordinance – cont'd.

Mr. Volpe then suggested asking the council liaisons to obtain lists of gear from the Ambulance Corps and Fire Department before purchases are made.

Mr. Poosikian commented regarding the slow replacement of gear by the Ambulance Corps.

Mr. Poosikian referred to the fuel monitoring system for the DPW and requested it be re-considered next year, noting this is an open yard where many use the fuel pumps.

It was noted \$200,000 is the amount for the road program.

The ordinance will be considered, possibly for introduction at the next meeting.

Open Meeting to Public

Ms. Erin Postman, Sylvan Place, said she is a member of a sub-committee of the Environmental Commission and that there is not enough coordination regarding the items to be purchased by the Borough and unity and cooperation is needed to see that money is being spent appropriately. She noted various different signs in town.

Mr. Volpe referred to old and new street signs with funds available to complete this replacement project resulting in all these signs being unified. He noted stop signs are being replaced through a shared service with Dumont who will re-letter the signs at a great reduction in price. Mr. Volpe further noted signage will be replaced at the railroad tracks, the DPW is working on more beautification of various areas in town with topsoil being donated and trail improvement in several areas.

Mayor Smart commented that street lights, etc. in the downtown area will be upgraded in connection with a grant the borough has received.

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

Close Meeting to Public

The following resolution was offered at 8:35 PM by Mr. Bain, seconded by Mr. Poosikian 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 12, 2016 at which time the following items will be discussed:

Litigation Involving Declaratory Judgment Action  
METRO PCS

**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 9:45 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







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93J. Executive Meeting of April 12, 2016





