

78. Executive Meeting of the Mayor and Council of the Borough of Haworth held on April 10, 2018 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Glenn Poosikian  
Andrew Rosenberg  
Michael Bain  
Regina Duffy  
Jacqueline Guenego

Borough Attorney: Robert T. Regan

Mayor Smart called the meeting to order at 7:30PM and upon roll call all members of the Council were present with the exception of Mr. Volpe who had a scheduling conflict. 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."

2018 Capital Budget

Mr. Bain noted that departments have given their capital request presentations and the total amount in the capital budget is \$763,544.70 for 2018. He further explained various changes the Finance Committee has made to this budget including moving the wheel loader to 2019, adding two radar units to the police budget and one portable speed sign and noted that the police SUV can now be put in the capital budget which will result in a lesser expense than leasing the vehicle.

Mr. Bain noted the Library capital budget for this year includes the HVAC project, security cameras and a laptop which can connect to the library facility when the user is out of the building for events, etc. in town.

As to the Ambulance capital budget the rig will be in the 2019 budget and all else submitted will be included this year, Mr. Bain said.

Mr. Poosikian referred to the Court budget and the moving out of certain items and asked if the Court Administrator had been advised. He then referred to the mechanics lift for the DPW for approximately \$40,000.00 which he said is too expensive and asked why it was needed. He said all other nearby towns do not have this type of lift with the exception of Oradell and it needs to be shown how this purchase is saving money.

2018 Capital Budget – cont'd.

Mr. Bain responded that Mr. Volpe has made a strong case for this purchase, he thinks it is appropriate and his impression is Mr. Kurt Simkins, DPW mechanic would be using the equipment frequently.

Ms. Guenego asked what other towns do and questioned this big equipment which is not in other towns.

Mr. Rosenberg suggested waiting for Mr. Volpe at the next meeting to continue this discussion and recommended keeping the item in subject to further justification.

Mr. C. Simkins, DPW foreman present in the audience said this equipment will be used on all trucks and heavy equipment, it is safer and better for servicing the vehicles.

Mr. Bain said this is a safety and efficiency issue and the council is looking at a level capital budget.

Mr. Poosikian then referred to the new ambulance request now in the 2019 capital budget and questioned if the funding was not in place until the end of 2019 would that be a problem.

Mr. A. Reithmayr, captain of the Ambulance Corps present in the audience commented it takes a year to build the ambulance and asked when in 2019 would the funding be available.

Mr. Bain responded it could be done in January.

Update Miele Sanitation and Interstate Waste Services – Contract Agreement

Mayor Smart explained that the Borough's current waste disposal firm, Miele Sanitation is in the process of assigning its contracts with the Borough to Interstate Waste Services. Ms. Fay was asked to contact towns now using Interstate and reported all responded in a positive way regarding their services.

Bergen County Open Space Grant Requests

Mayor Smart noted that April 24 is the deadline to file an intent to apply for this grant. He suggested applying for enhancement to the pond area including stabilizing the bank, installing walk-ways, etc. in connection with the increased use of the gazebo. The council agreed.

Downtown Design

Mayor Smart explained the Borough will be receiving a \$220,000.00 DOT grant for the downtown project and referred to former discussions on this project which included angle or

Downtown Design – cont'd.

parallel parking on St. Nicholas Avenue with an accessible handicapped area or relocate it to the southbound side of Terrace Street and the suggestion to bid the park project as an alternate.

As to angle or parallel parking Mrs. Duffy said it appeared the parallel parking appealed to everyone and noted a concern with emergency services with angle parking.

It was concurred to redesign the project with parallel parking and bid the park project as an alternate.

Request to Place Signs for the Northern Valley Earth Fair

Mayor Smart noted the Northern Valley Earth Fair through the Environmental Commission has asked to place five signs in various parts of town to promote their upcoming event and noted a previous discussion regarding signs on town property.

Mr. Rosenberg responded that this is a consistency issue and he would not support the placing of these signs.

Ms. Guenego commented there is confusion on this issue, it needs clarity and it is necessary to have a clear idea if signs were to be placed on borough property where that would be.

Mr. Poosikian noted if the event is by a borough organization that would be acceptable, though where is another issue.

Mrs. Duffy said if there were to be exceptions it needs to be in writing.

Mr. Regan noted a Haworth event can be justified and a policy needs to be established by resolution.

Mayor Smart suggested the Parks and Playgrounds council portfolio come back with a proposal regarding the signs.

It was unanimously agreed to deny the request to place the Northern Valley Earth Fair signs on borough property however they would be permissible on private property.

Emergency Lake Shore Drive Repairs

Mayor Smart reported on estimates from the borough engineer for these repairs with an updated cost now of \$127,200.00 and the borough not bearing the full cost. He said Suez was approached and agreed to pay one third and the Haworth Country Club indicated they would consider a contribution.

Emergency Lake Shore Drive Repairs – cont'd.

The Mayor explained Suez has said the repairs cannot wait until the summer as the road is dangerous; they have volunteered to pay for an emergency repair; there remain funds in a prior borough ordinance of \$14,000.00; Suez has submitted several bids for the work; explained various methods for the repair and having one police officer stationed during the work. He said the new estimate is \$21,900.00 split with Suez and it is expected this work will be undertaken on April 14<sup>th</sup>.

The following resolution was offered by Mr. Bain and seconded by Mrs. Duffy:

**WHEREAS**, Lake Shore Drive (“the roadway” or “the street”) is a municipal roadway under the jurisdiction of the Borough of Haworth; and

**WHEREAS**, the roadway requires certain repairs pertaining to the existence of potholes along the roadway; and

**WHEREAS**, Suez Water New Jersey (“Suez”) is the owner of substantial land area to which the roadway provides access; and

**WHEREAS**, Suez has received a bid and estimate from Joseph M. Sanzari Inc. (“Sanzari”) in the amount of \$21,900.00 for the repair of the above-described conditions; and

**WHEREAS**, the Borough has entered into an agreement with Suez to provide one-half the cost for said repairs, or the amount of \$10,950.00; and

**WHEREAS**, the Chief Financial Officer has certified that the sum of \$10,950.00 is available for such repairs from Line Item No. C-04-777-111.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Haworth that it does hereby authorize the expenditure of \$10,950.00 to be paid to Sanzari for the above-described repairs, with Suez also being responsible for the sum of \$10,950.00; and

**BE IT FURTHER RESOLVED** that the Mayor, Borough Administrator or Chief Financial Officer be and are hereby authorized to execute any documents necessary to provide such funding in accordance with the requirements of the within resolution.

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

Ordinance No. 18-05 – Amendments to Fence Ordinance

A motion was offered by Mr. Rosenberg, seconded by Mrs. Duffy and unanimously carried that Ordinance No. 18-05 be offered for first reading.

Ordinance No. 18-05 – Amendments to Fence Ordinance – cont’d.

Ordinance No. 18-05 was then read by title only as follows:

**AN ORDINANCE TO AMEND CHAPTER XXVI OF THE CODE OF THE BOROUGH OF HAWORTH ENTITLED, “LAND USE REGULATIONS”**

A motion was offered by Mr. Rosenberg and seconded by Mrs. Duffy that Ordinance No. 18-05 be passed on first reading.

On discussion Mr. Rosenberg explained this ordinance had been tabled last year in connection with a front yard definition which was rectified and now gives clarity to the regulations.

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

A motion was offered by Mr. Poosikian, seconded by Mr. Bain and unanimously carried that Ordinance No. 18-05 be advertised as required by law and a date set for hearing thereon on May 22, 2018 at 7:30 PM at the Municipal Center. It was noted that the ordinance will be referred to the Planning Board and the Zoning Board.

CONSENT AGENDA

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

Authorize Municipal Clerk to Advertise for Proposals for Operation of Food Service Concession Stand

BE IT RESOLVED, that the Municipal Clerk is hereby authorized to advertise for proposals for the operation of a Food Service Concession (Snack Bar) at the Haworth Swim Club for the 2018 Pool Season.

Refund of Homestead Benefit

WHEREAS, claim for Tax Exemption of Disabled Veteran has been granted to this homeowner by the Veterans’ Administration, and therefore, no property taxes are due for 2018; and

WHEREAS, based on the 2015 filing year, a Homestead Benefit for this property was due to, received and applied to 2<sup>nd</sup> Quarter 2018.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the Tax Collector be authorized to refund the Homestead Benefit as follows:

Refund of Homestead Benefit – cont'd.

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO:</u>	<u>HOMESTEAD BENEFIT</u>
1311	3	Property Owner 145 Valley Rd. Haworth, NJ 07641	\$ 500.00
		Total	\$ 500.00

Consent to Assign Miele Sanitation Contract

WHEREAS, as of January 1, 2017, the Borough of Haworth, entered into a contract with Miele Sanitation Company (“Miele”) to provide collection and waste disposal services and as of January 1, 2016 to provide collection and disposal of recyclable materials for the residents of the Borough of Haworth; and

WHEREAS, the principals of Miele Sanitation Company intend to retire in the coming months and have made arrangements for Interstate Waste Services of New Jersey, Inc. (“Interstate”), based in Bergen County, New Jersey, to assume and fulfill Miele’s contracts with municipalities on the terms and conditions set forth in those contracts.

WHEREAS, the Mayor and Council of the Borough of Haworth have no objection to and are amenable to the assignment of said contracts by Miele Sanitation Company to Interstate Waste Services of New Jersey, Inc. provided that Interstate assumes the obligations imposed upon it under the contract and faithfully and diligently adheres to the terms of said contract.

NOW THEREFORE, BE IT RESOLVED, that the Borough of Haworth approves the assignment of its January 1, 2017 and January 1, 2016 contracts with Miele Sanitation Company to Interstate Waste Services of New Jersey, Inc., effective as of the date that Interstate Waste Services of New Jersey, Inc. purchases the assets comprising the waste disposal and hauling business of Miele Sanitation Company after approval by the New Jersey Department of Environmental Protection.

2018 Temporary Appropriations

WHEREAS, Section , 40A:4-20 of the Revised Statutes of the Local Budget Act provides that, where any contract, commitments or payments are to be made prior to the adoption of the 2018 Budget, emergency temporary appropriations be made for the purposes and amount required in the manner and time therein provided; and

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Haworth, County of Bergen, that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

2018 Temporary Appropriations – cont'd.

POLICE OE	27,000
SHADE TREE OE	26,000
UTILITY GAS	9,000
PROCECUTOR SW	2,400.

Approval of Payment of Bills

FOR COPY OF RESOLUTION AND BILL LIST  
SEE PERMANENT MINUTES  
PAGES 85A – 85E

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. N. Shirvan, Anstatt Way said the Shade Tree Commission is not responding to a request from a realtor for his property for the approval of planting of shrubs for a buffer on the property. Mr. Poosikian replied an e-mail has been sent and the request has been approved.

Ms. B. Colonna, West View Terrace asked about the local school budget. Mayor Smart responded the budget has been introduced with a 2% increase resulting in their tax rate up 1%.

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

Riverside Cooperative Road Program Update

Mayor Smart reported there were 8 bidders at the April 4<sup>th</sup> bid opening, noted the cost of asphalt this year which the borough engineer had estimated correctly, the bid is expected to be awarded tomorrow evening by the lead agency, a master contract will be prepared and then the individual towns contract separately with the contractor.

Police Car Repair

Mayor Smart explained the process whereby two accidents occurred with one vehicle, estimates for repair have been received however with different figures.

Newsletter

Mrs. Duffy offered a motion, seconded by Mr. Poosikian to mail the town newsletter for at least 6 months as mailing is the best way to notify residents.

Mr. Poosikian commented this was a great idea as a lot of information is not online, particularly as far as the seniors are concerned.

Newsletter – cont'd.

Mayor Smart noted a list had been provided for those who wanted a printed copy, noted where hard copies are available and further discussion was held regarding other ways of communication and how emergency messages are sent out. It was concurred that a summer and fall newsletter be mailed and then the matter be revisited.

Close Meeting to Public

The following resolution was offered at 9:20 PM by Mr. Rosenberg, seconded by Ms. Guenego 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

**WHEREAS**, the Governing Body deems it necessary to conduct a closed session and to exclude the public on April 10, 2018 at which time the following items will be discussed:

Affordable Housing – DJ Action  
Police Contract

**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 items 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 10:10 PM

Appointment of Labor Attorney

A motion was offered by Mr. Rosenberg, seconded by Mrs. Duffy and unanimously carried to retain Mr. Raymond Wiss as labor counsel to represent the Borough in connection with the current police negotiations.

As there was no further business to come before the Council a motion was duly offered, seconded and carried to adjourn at 10:15 PM.

  
Ann E. Fay, RMC, CMC  
Clerk-Administrator