

118. Executive Meeting of the Mayor and Council of the Borough of Haworth held on June 12, 2018 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Glen Poosikian (arrived after the start of the meeting)
Andrew Rosenberg
Michael Bain
Regina Duffy
Jacqueline Guenego

Borough Attorney: Robert T. Regan

Mayor Smart called the meeting to order at 7:30 PM and upon roll call all members were present with the exception of Mr. Poosikian who arrived later in the meeting and Mr. Volpe who was undergoing a medical procedure. 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 notices to all persons who requested same and prepaid the same."

Ordinance No. 18-06 – 2018 Multi-Purpose Ordinance – 2nd Reading, Public Hearing

A motion was offered by Mr. Bain, seconded by Mr. Rosenberg and unanimously carried that Ordinance No. 18-06 be offered for second reading.

Ordinance No. 18-06 which is as follows was then read by title only as copies had been provided to those present:

**BOROUGH COUNCIL OF THE BOROUGH OF HAWORTH
PUBLIC NOTICE
NOTICE OF PENDING BOND ORDINANCE AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a regular meeting of the governing body of the Borough of Haworth, in the County of Bergen, State of New Jersey on May 22, 2018. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Haworth Borough Hall, 300 Haworth Avenue, Haworth, in said County on June 12, 2018 at 8:00 p.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title:

BOND ORDINANCE PROVIDING FOR VARIOUS 2018 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF HAWORTH, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$813,544 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$727,182 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF

Ordinance No. 18-06 – 2018 Multi-Purpose Ordinance – 2nd Reading, Public Hearing – cont'd.

Purpose(s): Various 2018 Capital Improvements Within The Borough Including, But Not Limited To, Various Roadway Improvements, The Acquisition And Installation, As Applicable, Of Equipment For Various Departments Including The Fire Department, Ambulance Corp., Police Department (Including Acquisition Of A Non-Passenger Sports Utility Vehicle), DPW, The Municipal Court, The Library And Recreation Department, All In Accordance With The Plans And Specifications Therefor On File In The Office Of The Clerk Of The Borough And Available For Public Inspection

Appropriation:	\$813,544
Bonds/Notes Authorized:	\$727,182
Grant(s) Appropriated:	None
Down Payment:	\$36,362
Section 20 Costs:	\$162,708
Useful Life:	7.72 years

ANN E. FAY, Clerk of the Borough of Haworth
May 25, 2018, Fee: \$82.50 (100) 426445

The meeting was opened to the public on Ordinance No. 18-06. 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. Bain that Ordinance No. 18-06 be passed on second and final reading.

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

A motion was offered by Mr. Rosenberg, seconded by Mrs. Duffy and unanimously carried that the passage of Ordinance No. 18-06 be advertised as required by law.

Public Hearing – Proposed Bergen County Open Space Grant Application – Haworth Pond

Mayor Smart explained the Borough's application includes a walk-way, benches, landscaping at the Pond, etc.; the estimated cost is \$75,000.00 with the request to Bergen County \$37,500.00 and the Borough's share of the project \$37,500.00. He said the use of the pond for various events has increased greatly and the project would enhance safety in the area with improved passageways, etc.

The meeting was opened to the public for comments on the application.

Public Hearing – Proposed Bergen County Open Space Grant Application – Haworth Pond – cont'd.

Ms. B. Borghi, St. Nicholas Avenue chairman of the Parks and Playgrounds Committee asked if there was a plan yet.

Mayor Smart responded there is a schematic, bid specs will be prepared and the Parks and Playgrounds Committee will be involved as the project proceeds.

As there were no further comments the hearing was closed.

Correspondence

<u>Letter From</u>	<u>Subject</u>	<u>Referred to</u>
NJDEP	Challenge Facing Recycling Programs	All Council
Suez	Commitment to Contribute Funds for Lake Shore Dr. Pavement Project	All Council
Lynn Pinker Cox	Solicitation Restrictions for Borough re. Federal Law	All Council Mr. Regan

Consent Agenda

A motion was offered by Mrs. Duffy, seconded by Ms. Guenego and unanimously carried to approve the following consent agenda:

Renewal of 2018-19 Liquor Licenses

WHEREAS, the following liquor licenses in the Borough of Haworth are due for renewal for the 2018-2019 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:

Consent Agenda – cont’d.

Renewal of 2018-19 Liquor Licenses – cont’d.

Plenary Retail Consumption License to: Sailor Mutt Inc. 23 Hardenburgh Avenue Haworth, NJ 07641	0226-33-001-002	\$792.00
Plenary Retail Distribution License to: Haworth Fine Wine & Spirits LLC 155 Terrace Street Haworth, NJ 07641	0226-44-004-010	\$380.00
Plenary Retail Consumption License to: White Beeches Golf & Country Club 70 Haworth Drive Haworth, NJ 07641	0226-33-002-001	\$792.00
Club License to: Lake Shore Golf, Athletic & Recreation Club of Haworth, NJ 5 Lake Shore Drive Haworth, NJ 07641	0226-31-003-001	\$150.00

Authorization to Execute Settlement Agreement and New Contract with Police Department

BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute the Settlement Agreement between the Borough of Haworth and PBA Local 206 representing police officers Butler, Carey and McKeary in connection with their Grievance regarding payment of their annual clothing allowance for 2017.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute the Agreement between the Borough of Haworth and PBA Local 206 for the period January 1, 2018 through December 31, 2021.

Authorization to Submit County Open Space Application for Haworth Pond

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

Consent Agenda – cont'd.

Authorization to Submit County Open Space Application for Haworth Pond – cont'd.

WHEREAS, the *Borough of Haworth* desires to further the public interest by obtaining a matching grant of \$37,500 from the County Trust Fund to fund the following project: *Haworth Duck Pond Walking Trail*; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board held the required Public Hearing to receive public comments on the proposed park improvements in the application on June 12, 2018 and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the *Borough of Haworth Council*:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of **June 18, 2018**, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, *Borough of Haworth Council* has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That *Borough of Haworth Council* is committed to providing a dollar for dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That *Borough of Haworth Council* agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

Consent Agenda – cont’d.

Authorization to Issue Third Installment Estimated 2018 Tax Bills

Whereas, due to the late adoption of the 2018 Bergen County Budget, the Bergen County Board of Taxation is unable to certify tax rates for the year 2018 and

Whereas, without a 2018 certified tax rate the Tax Collector of the Borough of Haworth will be unable to issue 2018 tax bills on a timely basis;

Now Therefore Be it Resolved by the Mayor and Council of the Borough of Haworth, as follows:-

1. The Tax Collector of the Borough of Haworth is hereby authorized and directed to prepare and issue estimated tax bills for the Borough of Haworth for the third installment of 2018 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by Chapter 72, Public Laws of 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3
2. The entire estimated tax levy for 2018 is hereby set at \$23,045,936.88. The estimated tax rate for 2018 is hereby set at \$2.871.

	2018 Estimated Tax Rate	Tax Rate
	Estimates	Tax Rate
County	\$ 2,219,679.19	0.277%
County open space	\$ 91,883.22	0.011%
District school	\$ 9,123,706.00	1.137%
Regional School Levy	\$ 5,415,606.00	0.675%
Library Levy	\$ 309,107.45	0.039%
Municipal Levy	\$ 5,885,955.02	0.733%
Total Levy	\$ 23,045,936.88	2.871%

Authorization for Purchase of Diving Board for Swim Club

WHEREAS, a need has arisen for the purchase of a replacement diving board at the Haworth Swim Club; and

WHEREAS, three quotations were received and reviewed by the Mayor and Council; and

WHEREAS, the quotation received from In the Swim is the most acceptable.

Consent Agenda – cont'd.

Authorization for Purchase of Diving Board for Swim Club – cont'd.

NOW THEREFORE BE IT RESOLVED a purchase order be issued to In the Swim, 320 Industrial Drive, West Chicago, IL in the amount of \$2,868.06.

Approval of Payment of Bills

FOR COPY OF RESOLUTION AND BILL LIST
SEE PERMANENT MINUTES
PAGES 127A – 127J

Other Matters

Update on Stormwater Regulation Requirements for 2018

Mayor Smart explained the Borough has a Tier 1 Permit which includes catching storm water on site which is collected into storm drains and every five years compliance is required with new regulations. He said there is an on-line class to be taken by members of the Governing Body and Planning Board and additional funds have been provided in this year's budget to provide for the new regulations.

Ms. Lisa Neyman from the Borough Engineer's office was present to explain the permit process, run-off and collection of water noting that run-offs take various materials including pet waste, hazardous products, etc. which eventually end up in New Jersey's waters.

Further information from Ms. Neyman is as follows:

A Stormwater Management Plan has to be prepared. All requirements were placed in various ordinances several years ago, DPW yards are involved and training of these employees. This was accomplished in 2015 and renewed with the 2009 regulations.

Every year an annual report is required which includes treatment of street sweepings, clearing of storm drains, etc.

New regulations were formatted in 2017, a comment period followed and the regulations went into effect in January 2018. These include the requirement for the naming of a ranking executive official of the Borough as Stormwater Coordinator. Several plans must be updated and be available on the Borough's website. Local public education is required via a newsletter for instance and the Borough must earn 12 points now in this connection. The Borough can send a letter to the residents, place signs indicting the regulations. Training is available for Governing Body and Planning Board members who can take an online course on the DEP site.

All out-falls to streams have to be inspected and mapped. Additional record keeping is required re. maintenance, etc. and DPW employees have to be trained.

Appointment to Fire Department

A motion was offered by Mrs. Duffy, seconded by Ms. Guenego and unanimously carried to appoint William J. Bertini as a member of the Haworth Fire Department.

Appointment to Parks and Playgrounds Committee

A motion was offered by Mrs. Duffy, seconded by Ms. Guenego and unanimously carried to appoint Bruce Celotto a member of the Parks and Playgrounds Committee for a 2 year unexpired term to December 31, 2019.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Ms. Borghi asked if funding had been approved for the 2nd phase of the playground project at Memorial Field.

Mayor Smart responded the applications are being voted on by the County in the next few days and if approved the funds will be included in the Borough's 2019 capital plan.

Ms. Borghi then asked about the re-vitalization project for Terrace Street.

Mayor Smart explained bids are due on this project on June 29th and the Terrace Street Park is being bid as an alternate bid.

Ms. Borghi asked for an update on the baseball pavilion.

Mayor Smart responded volunteers are being sought to complete this work and in the alternative the Borough will seek three quotations to complete the project.

Ms. Borghi then questioned the installation of cameras at the playground while this project is underway.

Mayor Smart said funds can be put in the 2019 Capital Budget and discussion was held regarding lighting in the area in connection with vandalism.

Ms. Borghi then questioned the Shade Tree Commission's role and said they have to think about safety especially with the trees around the playground. She said preserving trees is fine but safety issues have to be looked at.

Open Meeting to Public – cont'd.

Mayor Smart explained the process when calls come in to the Borough regarding trees – the DPW is sent to determine if it is in the Borough's right-of-way, sometimes an arborist is called in to assess the tree.

Mr. Poosikian then arrived at the meeting at 8:15 PM

Mayor Smart further explained the procedures with the issue of the shade trees.

Ms. S. Zwernemann, Haworth Avenue referred to the trees on the Haworth Avenue median which she said need more thoughtfulness due to haphazard planting.

Mr. J. McGauley, Schraalenburgh Road said the gas station across the street from him is still violating the rules including 15 vehicles parked overnight, dumpsters on the property, etc.

Mayor Smart said he will meet with the zoning official regarding this matter.

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

Police Department

Mr. Rosenberg referred to the resolving of the new contract with the Department which he said is good for both parties and thanked the Police Committee for their work. Mr. Poosikian thanked Mr. Rosenberg for all his efforts put in to bring this matter to a successful conclusion.

Senior Van Status

Mayor Smart noted the Borough is searching for drivers for the van and asked councilmembers to see if anyone might be interested in the part-time driver position.

Close Meeting to Public

The following resolution was offered by Mr. Poosikian, seconded by Mrs. Duffy and unanimously carried at 8:35PM:

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 12, 2018 at which time the following items will be discussed:

Close Meeting to Public – cont'd.

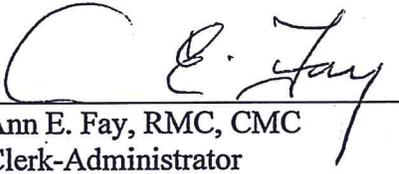
Easements at Schaefer's Garden Property
Affordable Housing
Land Use Litigation
Personnel Policies and Practices
Potential Litigation

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.

Re-Open Meeting to Public

The meeting was reopened to the Public at 10:00PM and as there was no further business to come before the Council adjourned on motion offered by Mr. Bain, seconded by Mr. Poosikian and unanimously carried.


Ann E. Fay, RMC, CMC
Clerk-Administrator