

163. Executive Meeting of the Mayor and Council of the Borough of Haworth held on August 9, 2016 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Andrew Rosenberg
Anthony Volpe
Michael Bain
Regina Duffy

Borough Attorney: Robert T. Regan

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. Poosikian who was attending to a family matter and Mr. Weiss who was on vacation. 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. 16-05 – Vacation of Elm Avenue – 2nd Reading, Public Hearing

A motion was offered by Mr. Bain, seconded by Mr. Volpe and unanimously carried that Ordinance No. 16-05 be offered for second reading.

Ordinance No. 16-05 which is as follows was then read by title only as copies had been provided for those present:

164. Executive Meeting of August 9, 2016

Ordinance No. 16-05 – Vacation of Elm Avenue – 2nd Reading, Public Hearing – cont'd.

The meeting was opened to the public on Ordinance No. 16-05. 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. 16-05 be passed on second and final reading.

165. Executive Meeting of August 9, 2016

Ordinance No. 16-05 – Vacation of Elm Avenue – 2nd Reading, Public Hearing – cont'd.

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

A motion was offered by Mr. Rosenberg, seconded by Mr. Bain and unanimously carried that the passage of Ordinance No. 16-05 be advertised as required by law.

Ordinance No. 16-06 – Boat Storage Regulations – 2nd Reading, Public Hearing

A motion was offered by Mr. Rosenberg, seconded by Mrs. Duffy and unanimously carried that Ordinance No. 16-06 be offered for second reading.

Ordinance No. 16-06 which is as follows was then read by title only as copies had been

Ordinance No. 16-06 which is as follows was then read by title only as copies had been provided for those present:

166. Executive Meeting of August 9, 2016

Ordinance No. 16-06 – Boat Storage Regulations – 2nd Reading, Public Hearing – cont'd.

The meeting was opened to the public on Ordinance No. 16-06.

Ms. B. Colonna, West View Terrace said this is a bad law for this town, referring to several sections in the ordinance which she said are conflicting, one would ban all trailers in any zone with the exception of a boat trailer being allowed in an enclosure with any other type now not permitted and this ordinance is a tremendous over reach. She further said the time between meetings is not good – two weeks and felt this ordinance is being fast tracked and said she was disappointed a Republican council would do this.

Ms. K. Ryan, Hardenburgh Av., noted a list of complaints being requested through a recent OPRA request, referred to a survey and its status in connection with this ordinance and asked if it was referred to the Planning Board.

Mayor Smart responded it was not referred to the Planning Board as it is not a land use ordinance.

Ms. Ryan continued by asking about complaints received regarding storage of boats, the ordinance applying to kayaks/canoes, said this was not a health or safety issue and asked who was going to enforce the ordinance.

Mayor Smart replied the Police would respond.

Ms. Ryan said she has always owned a boat

Mayor Smart replied the Police would respond.

Ms. Ryan said she has always owned a boat.

Mr. A. Anderson, Garfield Street read his recent letter to the Mayor and Council into the record as follows:

FOR COPY OF LETTER
SEE PERMANENT MINUTES
PAGE 172A

Mr. Anderson referred to his long volunteer service to the community and said he was hurt that this ordinance is being considered in connection of the use of his property.

Ms. J. Norden, Littlefield Court said she looks at a boat on a neighboring property every day, the boat is on a trailer, is brought out of the property onto Schraalenburgh Road across the curb which is a danger and the boat is a detriment to the neighborhood.

Ms. Ryan said she understood that this is the boat which has resulted in this ordinance and all should not have to suffer because of one boat.

167. Executive Meeting of August 9, 2016

Ordinance No. 16-06 – Boat Storage Regulations – 2nd Reading, Public Hearing – cont’d.

Dr. Lewis, soon to move to Brook Street noted the difference of people who regularly use their boats as to those just storing a boat becoming an ugly eyesore.

Mr. T. Flattery, Christie Avenue, questioned if the town needed another ordinance, asked if attempts have been made to meet with this boat owner and suggested trying to work out the situation with the resident.

Ms. Ryan asked if trailers at the Ambulance Corps and the Fire Department would be affected by this ordinance.

Mr. W. Hayes, Anstatt Way said he has a boat in his driveway, and the town doesn't enforce existing ordinances such as enclosures for dumpsters in the downtown area.

As there were no further comments, the meeting was closed to public discussion on Ordinance No. 16-06.

Mayor Smart noted that Mr. Poosikian and Mr. Weiss have indicated to him several of their comments and suggested deferring further discussion on the ordinance until all members of the council are present.

A motion was offered by Mr. Rosenberg, seconded by Mr. Volpe and unanimously carried to table Ordinance No. 16-06 until the full council can consider the comments, etc. expressed this evening.

Correspondence

<u>Letter From</u> to	<u>Subject</u>	<u>Referred</u>
Mr. N. Nakashian	Ambulance Corps Response and Membership/Operational Status	All Council
Mr. A. Anderson	Comments re. Proposed Boat Storage	All Council

Mr. A. Anderson	Comments re. Proposed Boat Storage Ordinance	All Council
CP Statile	Bid Results – Generator at DPW and Maple Street Improvements	All Council Boro. Atty.
County Executive	Notice of Community Development Awards – Swim Club Restrooms, Sr. Van Driver, Senior Citizen Activities	All Council Finance

168. Executive Meeting of August 9, 2016

Purchase of Police Vehicle

Mayor Smart explained a truck for the Police Department is included in this year’s capital budget, however, the purchase has been deferred in order to receive more information on this purchase.

Lt. M. Gracey was present and explained this vehicle would be used to transport equipment properly for various emergencies, road details, used in snowstorms, floods, etc. He said the present 2004 vehicle they have now is in need of many repairs, the roof leaks, rusting is present, etc. and asked the council to re-consider this purchase.

Ms. Duffy asked if the Police can get into the DPW to get equipment. Lt. Gracey said they can get into the yard but not into the garage.

Mr. Volpe asked what they would do with the existing truck.

Lt. Gracey said they would auction it off and it needs a lot of work.

Mr. Volpe asked if there was a mechanical report on the existing vehicle.

Mr. Rosenberg noted the amount of repairs needed, etc.

Mr. Volpe asked if funds from road details can be used towards the purchase of the vehicle.

Mr. Rosenberg responded this is general revenue and usually used for the overtime budget.

Mr. Volpe said he has asked other towns regarding this type of vehicle and not many have dedicated police pick-up trucks.

Lt. Gracey responded that many departments operate differently and also the number of vehicles varies in the various departments. He explained the advantage of a pick-up truck – large items can be transported, the Police can do various services without having to call in the DPW on overtime.

Refund of Escrow Deposits

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

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

169. Executive Meeting of August 9, 2016

Refund of Escrow Deposits – cont’d.

WHEREAS, the following amounts were expended.

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

<u>NAME</u>				<u>AND</u>
<u>ADDRESS</u>	<u>FOR</u>	<u>RECEIVED</u>	<u>EXPENDED</u>	<u>REFUND</u>
<u>ED</u>				
Regina Pesce 0 45 Pleasant St. Bl. 1804, Lot 4	\$500.00	Eng. Escrow	\$500.00	
Lori Ross Escrow 292 Franklin St. Bl. 1606, Lot 7	\$400.00	Eng. \$300.00	\$100.00	
Mary Anne Groh 240 Haworth Av. Bl. 1311, L. 7		Street Vacation	\$1,020.89	\$932.75 \$88.14
Donald Venator 226 Haworth Av. Bl. 1312, L. 3		Street Vacation	\$500.00	\$466.50 \$33.50
David Hansen 245.00 11 Haring Farm Lane Rockleigh, NJ 07647 (87 Terrace St. Bl. 1408, L. 3)		Subdivision	\$2,513.00	\$2,268.00 \$
D.C.H.E.H. Escrow 11 Haring Farm Lane Rockleigh, NJ 07647 (97 Terrace St. Bl.1408, L. 3.2)	\$2,000.00	Eng. \$255.00	\$1,745.00	

Authorization to Advertise for Proposals for Leaf Composting and Disposal Services

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

BE IT RESOLVED the Municipal Clerk is hereby authorized to advertise for the receipt of bids for Leaf Composting and Disposal Services at the Department of Public Works Yard.

Approval of Payment of Bills

The following resolution was offered by Mr. Rein, seconded by Mr. Rosenburg and

Approval of Payment of Bills

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

FOR COPY OF RESOLUTION AND BILL LIST
SEE PERMANENT MINUTES
PAGES 172B – 172P

Consideration of Bid for Maple Street Improvement

These bids having been received on July 28th, Mayor Smart explained this is a NJDOT grant and the low bidder was JTG Construction, Inc., the contract may be awarded although these Trust Fund Projects are currently shut down until the State renews the Trust Fund.

A motion was offered by Mr. Rosenberg, seconded by Mr. Volpe and unanimously carried to award a contract for the Maple Street Improvements to JTG Construction Inc., Newark, NJ in the amount of \$132,706.00 conditioned on the funding being made available from NJDOT when the moratorium is lifted.

Consideration of Bid for Emergency DPW Generator Installation at DPW

These bids having been received on July 28th, Mayor Smart said this is a FEMA grant of \$75,000.00 and the Borough has requested an additional \$10,000.00 from FEMA; the lowest bid was \$75,900.00 and it was concurred to wait to award a contract until it is determined if the additional funding is approved.

New Fence Regulations

Mayor Smart explained at the last meeting a draft of a new ordinance was received and then referred to the Building Department for comments. At that meeting discussion included deer fences in front yards not being permitted, temporary chicken wire fences for vegetable gardens, etc. and the Mayor asked that any comments be forwarded to Mr. Regan for the next meeting.

Development Fees

Mayor Smart explained that the Borough now collects a 1% fee on new housing; \$248,000 has been collected with \$90,000 spent on engineering, planning etc. to comply with the Affordable Housing regulations with the Borough projecting the collection of \$532,000 through 2025. The Borough is allowed to spend 20% of these funds on soft costs and now the collection is a bit behind the projection, he said. Mayor Smart suggested accelerating the fees and not charge professional fees through these collections but only through the operating budget, noting a new ordinance will be required to increase the fees.

It was concurred to proceed with an ordinance to increase the fee on new housing to 1-1/2 percent.

171. Executive Meeting of August 9, 2016

Open Space Trust Fund for Park Improvements

Mayor Smart noted that an intention to apply to this program has to be submitted by tomorrow and suggested some further development at the pool, trails to parks, etc., improvements at the Terrace Street Park, or streetscaping could be applied for.

A motion was offered by Mr. Rosenberg, seconded by Mr. Bain and unanimously carried to file a declaration of intent to apply for Open Space funds for improvements to the Terrace Street Park.

A motion was offered by Mr. Rosenberg, seconded by Mr. Dam and unanimously carried to file a declaration of intent to apply for Open Space funds for improvements to the Terrace Street Park.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Ms. A. Bournoutian, 116 Garfield Street noted a situation across the street from her at 117 Garfield Street which property was sold two years ago with a renovation still going on. She said the contractor brings debris from other jobs to place in a dumpster, not much work is going on and asked if there was an expiration date on a building permit.

Mayor Smart responded he sent the Building Inspector to the site who confirmed work is going on, they are active there, making changes to the plan and he will continue to monitor the work.

Mr. N. Nakashian, Brook Street re-iterated what Lt. Gracey had reported on the need for the police vehicle which makes it easier to move equipment.

Ms. Colonna said she had never seen an ordinance tabled as was done earlier in the evening with the boat ordinance which restores her faith in this Council as they took the matter under advisement.

Mr. Rosenberg said it was good to receive a number of valid concerns on the ordinance.

Ms. B. Borghi, St. Nicholas Avenue noted the need to look at fences in town – taking them down, getting permits, etc.

Mayor Smart responded that fences already up would be grandfathered.

Ms. Borghi then referred to previous discussions on train noise with suggestions for a quiet zone at the Haworth Avenue crossing noting that the Closter crossing at Durie Avenue has to be thought about also.

Mayor Smart responded the intersections are different regarding visibility and line of site issues and Closter is not willing to participate.

172. Executive Meeting of August 9, 2016

Open Meeting to Public – cont'd.

Mr. A. Reithmayr, Pleasant Street referred to the earlier discussion this evening regarding bids for the leaf composting at the DPW yard noting that some items in the last bid specifications were never done.

Mr. Volpe explained what is going on at the yard now and will expand items in the new bid specifications.

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

As there was no further business to come before the Council the meeting adjourned at 9:15PM on motion duly offered, seconded and carried.

- 172A. Executive Meeting of August 9, 2016
- 172B. Executive Meeting of August 9, 2016
- 172C. Executive Meeting of August 9, 2016
- 172D. Executive Meeting of August 9, 2016
- 172E. Executive Meeting of August 9, 2016
- 172F. Executive Meeting of August 9, 2016
- 172G. Executive Meeting of August 9, 2016
- 172H. Executive Meeting of August 9, 2016
- 172I. Executive Meeting of August 9, 2016
- 172J. Executive Meeting of August 9, 2016
- 172K. Executive Meeting of August 9, 2016
- 172L. Executive Meeting of August 9, 2016
- 172M. Executive Meeting of August 9, 2016
- 172N. Executive Meeting of August 9, 2016
- 172O. Executive Meeting of August 9, 2016
- 172P. Executive Meeting of August 9, 2016