

205. Executive Meeting of the Mayor and
Council of the Borough of Haworth held on
September 8, 2015 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Glenn Poosikian
Mary Anne Groh
Andrew Rosenberg
Anthony Volpe
Michael Bain
Lawrence Weiss

Borough Attorney: Robert T. Regan

Mayor Smart called the meeting to order at 8:10 PM and upon roll call all members of the Council were present. 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."

Ordinance No. 15-12 – Police Salaries and Wages – 2nd Reading

A motion was offered by Mr. Rosenberg, seconded by Mrs. Groh and unanimously carried that Ordinance No. 15-12 be offered for second reading.

Ordinance No. 15-12, which is as follows was then read by title only as copies had been provided for those present:

FOR COPY OF ORDINANCE
SEE PERMANENT MINUTES
PAGE 212A

The meeting was opened to the public on Ordinance No. 15-12. 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 Mrs. Groh that Ordinance No. 15-12 be passed on second and final reading.

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

A motion was offered by Mr. Poosikian, seconded by Mr. Rosenberg and unanimously carried that the passage of Ordinance No. 15-12 be advertised as required by law.

Correspondence

<u>Letter From</u>	<u>Subject</u>	<u>Referred to</u>
NVRHS District	Notice of Curriculum Reforms & Programs	All Council
United Water	Notification of Annual Emergency Response Drill – October 7	All Council Fire Dept. Police Dept. OEM
County Executive	Approval of Community Development Apps.	All Council
Mr. R. Regan	Forwarding Correspondence – MetroPCS	All Council

In connection with the notice regarding United Water’s Drill, Mayor Smart asked that the Police Department be requested to send out an alert regarding the drill.

Mrs. Groh asked that the Police Department send out a notice regarding the new seat belt rules for children.

Refund of Driveway Permit Deposits

The following resolution was offered by Mr. Volpe, seconded by Mrs. Groh 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 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>
Margaret Barile 415 Pine Lane Haworth, New Jersey 07641	1334	\$100.00
Irving Freeman 457 Herkimer Avenue Haworth, New Jersey 07641	1337	\$100.00
Tri-Valley Landscaping Inc. PO Box 71 Haworth, New Jersey 07641	1338	\$100.00

Refund of Driveway Permit Deposits – cont'd.

Chi Mei Ly 359 Pine Lane Haworth, New Jersey 07641	1342	\$100.00
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Refund of Haworth Day Vendor Payment

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

WHEREAS, the Recreation Commission has determined that the following Haworth Day payment be refunded.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the following refund be made:

<u>Name</u>	<u>Address</u>	<u>Amount</u>
Robert West (Little Green Frog)	10 Reid Avenue Bloomfield, NJ 07003	\$90.00

Cancellation of Grant Receivables:

Speed Enforcement Grant

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

WHEREAS, a grant receivable balance of \$2,800 from The Division of Highway Traffic Safety, entitled Obey the Signs or Pay the Fines Speed Enforcement Grant, which remains on the Current Fund balance sheet;

WHEREAS, it is necessary to formally cancel the receivable balance and its offsetting appropriation reserve balance from the balance sheet;

NOW, THEREFORE, BE IT RESOLVED that the above mentioned grant receivable and appropriation reserve balance be cancelled.

Over the Limit/Under Arrest Grant

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

Over the Limit/Under Arrest Grant – cont'd.

WHEREAS, a grant receivable balance of \$2,900 from The Division of Highway Traffic Safety, entitled Over the Limit/Under Arrest 2010 Statewide Crackdown from August 20 through September 6, 2010, which remains on the Current Fund balance sheet;

WHEREAS, it is necessary to formally cancel the receivable balance and its offsetting appropriation reserve balance from the balance sheet;

NOW, THEREFORE, BE IT RESOLVED that the above mentioned grant receivable and appropriation reserve balance be cancelled.

DARE Grant

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

WHEREAS, a grant receivable balance of \$12,680, entitled County of Bergen Municipal Alliance Grant, which remains on the Current Fund balance sheet;

WHEREAS, the DARE program was completed under the anticipated grant award, and the County of Bergen has officially cancelled the balance of the grant; and,

WHEREAS, it is necessary to formally cancel the receivable balance and its offsetting appropriation reserve balance from the balance sheet;

NOW, THEREFORE, BE IT RESOLVED that the above mentioned grant receivable and appropriation reserve balance be cancelled.

Refund Ceylan Bond and Escrow Funds

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

WHEREAS, John Ceylan posted with the Borough of Haworth a cash bond in the amount of \$17,130.00 to guarantee improvements at Block 904, Lot 2, 505 Harland Avenue; and

WHEREAS, the Engineer by letter dated July 21, 2015 indicates the condition of the site improvements installed are acceptable and recommends the release of the bond plus any remaining escrow funds be released; and

WHEREAS, by letter dated August 12, 2015, John Ceylan has authorized the Borough to deduct the development fee due the Borough on this property in the amount of \$8,208.00 from the cash bond resulting in a refund in the amount of \$8,922.00.

Refund Ceylan Bond and Escrow Funds – cont'd.

NOW THEREFORE BE IT RESOLVED, that \$8,922.00 plus \$10.00 remaining in escrow funds be released to John Ceylan, 505 Harland Avenue, Haworth, NJ 07641.

Renewal Join Insurance Fund Membership

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

WHEREAS, the Borough of Haworth is a member of the Bergen County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2015 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Borough of Haworth agrees to renew its membership in the Bergen County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Bergen County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

Ordinance No. 15-14 – Vacation of Hendrickson Street

Mrs. Groh recused herself from participation in this ordinance.

A motion was offered by Mr. Rosenberg, seconded by Mr. Volpe and unanimously carried that Ordinance No. 15-14 be offered for first reading.

Ordinance No. 15-14 was then read by title only as follows:

AN ORDINANCE TO VACATE AND EXTINGUISH THE PUBLIC RIGHT IN AND TO A PORTION OF THOSE LANDS COMPRISING WHAT IS KNOWN AS "HENDRICKSON STREET" AS THE SAME ARE MORE PARTICULARLY DESCRIBED HEREIN.

Ordinance No. 15-14 – Vacation of Hendrickson Street – cont'd.

A motion was offered by Mr. Rosenberg and seconded by Mr. Volpe that Ordinance No 15-14 be passed on first reading.

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

Appointment to Planning Board

Mayor Smart appointed Amy Albalah as Alternate No. 2 to a two year term to December 31, 2016.

DPW Staffing

Mr. Poosikian said he had no report at this time on this matter and the DPW Superintendent will be giving a presentation to the Mayor and Council at a later date.

Stevens Place Renovations

Mayor Smart gave an update on this project noting that meetings were held with business owners and plans circulated to various Borough agencies.

The Mayor summarized the following recommendations to the plan as follows:

A shared curb cut between the Cusanelli and Harris properties; two other curb cuts were not functional and sharing would result in more solid space; a sidewalk extension would not be significantly used and location of cross-walks (cross at St. Nicholas, not Stevens).

Original parking area for police vehicles could cause a line of sight problem; Borough property on Stevens Place could be enhanced; at the Haworth Apothecary suggested to leave their landscaping intact and bend Stevens Place further east.

Mrs. Groh said she thought it was a good idea for the sidewalk installation from the Owatonna Street foot bridge to the library; discussion was held on other sidewalk areas regarding safety, etc. and Mr. Rosenberg suggested that the engineer cost out the various changes discussed this evening.

Mayor Smart said costs for the proposed modifications will be obtained from the Borough Engineer for final recommendations at the September 22nd council meeting.

Expiring Trash and Recycling Contracts

Mayor Smart suggested the Contracts Committee review this matter.

Expiring Trash and Recycling Contracts – cont'd.

Mr. Regan explained there is a 60-day notice required for the advertisement of these bids and explained the process.

Mrs. Groh discussed various aspects of the bidding, i.e., separating the recycling and trash bids, checking with other towns who have recently bid and the Contracts Committee review this with the Borough Attorney. It was concurred to present a proposal at the next council meeting.

Zoning and Property Maintenance Ordinances

Mayor Smart reported that steps are being taken to aggressively enforce these ordinances, however, some ordinances are not necessarily clear, particularly regarding fences in front yards and trailers on residents' property. He said a comprehensive review needs to be undertaken.

Mr. Volpe suggested looking at other towns' ordinances and Mayor Smart suggested appointing a committee in this regard.

Real Estate Matter

Mr. Rosenberg reported on a request from a resident on Garfield Street involving a swap of land with the Borough, it has been discussed with the Real Estate Committee, noted the benefit, have the engineer review the request and the consensus of the Committee was there was not an issue with this request. The matter will be referred to the engineer.

Payment of Bills

Mrs. Groh discussed two invoices for \$3,000.00 in connection with the two police lieutenants attending a course, she was concerned this might trigger overtime, however, the Police Chief has assured it will not. She requested that two invoices for Fairleigh Dickinson University be added to this payment of bills.

The following resolution was offered by Mrs. Groh and seconded by Mr. Rosenberg:

FOR COPY OF RESOLUTION AND BILL LIST
SEE PERMANENT MINUTES
PAGES 212B – 212K

On roll call the vote was as follows: Ayes; Messrs. Poosikian, Groh, Rosenberg, Volpe, Bain, Weiss. Declared carried.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. N. Shirvan, Anstatt Place referred to the Stevens Place project.

Mrs. Groh responded it was a grant and Mr. Bain said the NJ Department of Transportation is funding 100% of the grant.

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

Close Meeting to Public

The following resolution was offered at 9:15PM by Mr. Weiss, seconded by Mrs. Groh 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 September 8, 2015 at which time the following items will be discussed:

Litigation – Declaratory Judgment, Affordable Housing
Tax Appeals
Contracts – Lease Issues (Cell Tower)

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 9:35 PM and as there was no further business to come before the Council adjourned on motion duly offered, seconded and carried.

Ann E. Fay, RMC, CMC
Clerk-Administrator

212I. Executive Meeting of September 8, 2015

