

13. Executive Meeting of the Mayor and Council
of the Borough of Haworth held on January
11, 2022 via Zoom

Present: Hon. Thomas P. Ference, Mayor

Councilmembers: Glenn Poosikian
Andrew Rosenberg
Michael Bain
Jacqueline Guenego
Dina Siciliano
Heather Wasser

Borough Attorney: Robert T. Regan

Mayor Ference called the meeting to order at 7:35PM and upon roll call all members of the council were present. The Mayor then read the following statement: "This is the 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 cost fixed by the council.

Salute too Flag

Mayor Ference led those present in the pledge of allegiance.

Introduction of Ordinance No. 22-01 – St. Nicholas Av. Shared Use Trail – Capital Ordinance

A motion was offered by Mr. Bain, seconded by Mrs. Wasser and unanimously carried that Ordinance No. 22-01 be offered for first reading.

Ordinance No. 22-01 was then read by title only as follows:

**PROVIDING FUNDING FOR THE CREATION OF THE ST. NICHOLAS TRAIL IN
THE BOROUGH OF HAWORTH, IN THE COUNTY OF BERGEN, NEW JERSEY,
AND APPROPRIATING \$100,000 THEREFOR FROM THE CAPITAL FUND
BALANCE OF THE BOROUGH**

A motion was offered by Ms. Guenego and seconded by Mr. Rosenberg that Ordinance No. 22-01 be passed on first reading. On roll call the vote was as follows: Ayes; Messrs. Poosikian, Rosenberg, Bain, Guenego, Siciliano, Wasser. Nays – none. Declared carried.

A motion was offered by Mrs. Wasser, seconded by Mr. Bain and unanimously carried that Ordinance No. 22-01 be advertised as required by law and a date set for January 25, 2022 at 7:30 PM for public hearing thereon.

Other Matters

Obstructions in Right-of-Ways

Mayor Ference noted a number of complaints have been received regarding this issue.

Ms. Fay explained an ordinance had been discussed several years ago when many basketball hoops started appearing in the right-of-ways.

Mr. Poosikian said he thought there is a state statute referring to this matter and Mrs. Wasser indicated residents have been asked to remove the equipment and that something is needed to regulate this situation.

Mr. Regan referred to other structures in the right-of-ways, noted several issues and the liability concern.

Mr. Bain said there should be an ordinance regarding the obstructions noting the danger to DPW trucks and emergency vehicles with the hoops in the right-of-way.

Mr. Regan said he will review the state statute and submit an ordinance, if needed for this matter.

Approval of Advancement in DPW Steps

Mr. Poosikian explained this process whereas the DPW superintendent does individual reviews with each employee as to the completion of their required tasks, etc. and based on his recommendation all members will move to the next step with the exception of Mr. Hennion and Mr. Pepe, new hires.

A motion was offered by Mr. Poosikian, seconded by Mrs. Wasser and unanimously carried that all members advance to the next step with the exception of Mr. Hennion and Mr. Pepe.

Library Director

Ms. Siciliano reported that Ms. Hyun, library director has submitted her resignation effective January 31, 2022 and said the library board met last evening to discuss the procedure for finding her replacement – advertising, job description, etc. and that Breda McGarry, a present library employee has been approved as interim director.

CONSENT AGENDA

A motion was offered by Mr. Bain and seconded by Mr. Rosenberg to approve the following consent agenda. On roll call the vote was as follows: Ayes; Messrs. Poosikian, Rosenberg, Bain, Guenego, Siciliano, Wasser. Nays – none. Declared carried.

CONSENT AGENDA – cont'd.

Support Mutual Aid Plan and Rapid Deployment Force

WHEREAS, the Police Departments in Bergen County have a day to day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order, and

WHEREAS, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riots, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, riots, terrorist incidents and bombings, state and national emergencies, and

WHEREAS, the Bergen County Police Chief s Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies, and

WHEREAS, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App. A:9-40.6, and

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property, and

WHEREAS, it is also recognized that the Haworth Chief of Police, in accordance with the provisions of N.J.S.A. 40A:14-118 and under the authority of the Bergen County Prosecutor, has the authority to assign officers to a Task Force, Rapid Deployment Team, or Regional SWAT Team operated in conjunction with the Bergen County Prosecutor's Office, and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Haworth to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief s Association.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Haworth that the Police Department of the Borough of Haworth, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief s Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

BE IT FURTHER RESOLVED that a copy of the Resolution be forwarded to the County Executive, the Board of Commissioners, the County Prosecutor, and all municipalities in the County of Bergen.

CONSENT AGENDA – cont’d.

Interboro Mutual Aid Group Agreement – Fire Departments

WHEREAS, the undersigned municipalities, its Fire Departments and respective Fire Companies have entered into a mutual aid and assistance program pursuant to and required by law as set forth in N.J.A.C. 5:7A-2.2; and

WHEREAS, this agreement is and shall be by and between the following Municipalities, Fire Departments and Fire Companies and the parties who agree to be bound thereby:

Alpine	Dumont	Emerson
Bergenfield	Harrington Park	Old Tappan
Closter	Haworth	Rockleigh
Cresskill	New Milford	Tenafly
Demarest	Northvale	Norwood

WHEREAS, the Borough of Haworth wishes to continue to participate in said program.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that they hereby affirm their intent to continue as participants in the Interboro Mutual Aid Group Agreement, the details of which are in the possession of the respective Fire Chiefs of the Fire Departments included in the Interboro Mutual Aid and as detailed by this resolution.

St. Nicholas Avenue Shared Use Trail Improvements

WHEREAS, following public advertisement as required by law, sealed bids for the St. Nicholas Avenue Shared Use Trail Improvement Project, 2020 Municipal Open Space Grant Program were received by the Municipal Clerk on December 9, 2021; and

WHEREAS, seven bids were received at that time; and

WHEREAS, the Borough Attorney and Borough Engineer have reviewed the bid documents received.

NOW THEREFORE BE IT RESOLVED, that a contract for the 2020 Municipal Open Space Grant Program for the St. Nicholas Avenue Shared Use Trail be and is hereby awarded to ADS Contracting, LLC, 52 Cooks Cross Road, Pittstown, NJ 08867 in the amount of \$86,255.71 with no alternates or \$108,755.71 with the alternate bid, conditional upon the availability of funds.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized to execute a contract in a form prepared by the Borough Attorney.

CONSENT AGENDA – cont’d.

Authorization to Execute Bergen County Shared Service Health Agreements

BE IT RESOLVED the Mayor and Municipal Clerk are hereby authorized to execute a Shared Service Agreement with the Bergen County Department of Health Services in the amount of \$25,341.02 for the year 2022 which includes Health Officer, Registered Environmental Specialist and Animal Control Services.

Approval of Minutes

Recessed Meeting – January 2, 2022
Reorganization – January 2, 2022

Open Meeting to Public

The meeting was opened to the period of public discussion.

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

Close Meeting to Public

The following resolution was offered at 8:00PM by Ms. Guenego, seconded by Mr. Bain 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 January 11, 2022, at which time the following items will be discussed:

Personnel Matters
Litigation
Contract Negotiations

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 8:30 PM.

Police Chief Salary

A motion was offered by Mr. Rosenberg and seconded by Ms. Guenego to approve the annual salary of Chief Gracey of \$193,000.00 effective January 1, 2022.

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

Building Inspector Salary

A motion was offered by Mrs. Wasser and seconded by Ms. Guenego to approve the annual salary of Building Inspector Kevin Burnette of \$28,000.00 effective January 1, 2022.

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

As there was no further business to come before the council a motion was offered by Mr. Rosenberg, seconded by Mr. Poosikian and unanimously carried at 8:35PM to adjourn.

Ann E. Fay, RMC, CMC
Clerk-Administrator