

80. Executive Meeting of the Mayor and Council of the Borough of Haworth held on April 11, 2023 at the Municipal Center

Present: Hon. Heather Wasser, Mayor

Councilmembers: Glenn Poosikian  
Andrew Rosenberg  
Dina Siciliano  
Jacqueline Guenego  
Lisa Dhamija  
Howard Lau

Borough Attorney: Robert T. Regan

Mayor Wasser called the meeting to order at 7:40 PM 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 to Flag

Mayor Wasser led those present in the pledge of allegiance.

Ord. No. 23-06 – 2023 Salary Ordinance – 2<sup>nd</sup> Reading, Public Hearing, Adoption

A motion was offered by Mr. Rosenberg, seconded by Mr. Poosikian and unanimously carried that Ordinance No. 23-06 be offered for second reading.

Ordinance No. 23-06 which is as follows was then read by title only as copies had been provided to the public.

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The meeting was then opened to the public on Ordinance No. 23-06. As there were no comments the meeting was closed to the public on this ordinance.

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A motion was offered by Ms. Siciliano and seconded by Mr. Rosenberg that Ordinance No. 23-06 be passed on second and final reading.

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

A motion was offered by Ms. Siciliano, seconded by Mr. Poosikian and unanimously carried that the passage of Ordinance No. 23-06 be advertised as required by law.

Ordinance No. 23-07 -Terminal Pay for Retirees – 2<sup>nd</sup> Reading, Adoption

A motion was offered by Ms. Siciliano, seconded by Mr. Rosenberg and unanimously carried that Ordinance No. 23-07 be offered for second reading.

Ordinance No. 23-07 which is as follows was then read by title only as copies had been provided to those present.

ORDINANCE NO. 23-07

AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S.40A:4-53 FUNDING OF TERMINAL PAY FOR RETIRED EMPLOYEES

BE IT ORDAINED, by the Governing Body of the Borough of Haworth, County of Bergen and State of New Jersey, that pursuant to N.J.S. 40A:4-53 the sum of \$140,000 is hereby appropriated for the payment of accumulated sick/vacation and terminal pay for retired employees, commonly referred as terminal pay, by the Borough of Haworth and shall be deemed a special emergency appropriation as defined and provided for in N.J.S. 40A:4-53(h).

Such emergency appropriation and/or the special emergency notes authorized to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S. 40A:4-55).

This ordinance shall take effect at the time and in the manner provided by law.

The meeting was then opened to the public on Ordinance No. 23-07. As there were no comments the meeting was closed to the public on this ordinance.

A motion was offered by Ms. Dhamija and seconded by Mr. Poosikian that Ordinance No. 23-07 be passed on second and final reading.

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

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A motion was offered by Mr. Poosikian, seconded by Mr. Rosenberg and unanimously carried that the passage of Ordinance No. 23-07 be advertised as required by law.

Presentation by Mr. C.P. Statile, Borough Engineer

Mr. Statile discussed examples of municipal grants the borough has applied for and received as follows:

NJDOT Municipal Aid annual funding for roadway preservation, roadway safety, pedestrian safety, etc. such as Houston Place , St. Nicholas Avenue and Park Street and for 2022 Lake Shore Drive Improvements.

NJDOT Safe Streets to Transit – Massachusetts Avenue Sidewalks

Bergen County Community Development – Library Bathroom ADA access improvements and Swim Club ADA Bathroom

Bergen County Open Space – Memorial Field Playground Improvements; Stevens-Owatonna Shared Use Trail; Pickleball Courts; Swim Club Picnic Area.

NJ Dept. of Community Affairs – Pickle Ball Courts

Mr. Statile then explained state grants which are available, i.e., Community Development Block Grants; DOT grants, etc. He said federal grants are hard to get and open space grants are easier.

Mr. Poosikian noted the council has been discussing electric charging stations. Mr. Statile responded space is needed and most of these devices are slow.

Mr. Statile then discussed the pickle ball courts at the Swim Club area where several constraints have been experienced with a stream in that area however now they are experiencing progress and will be finishing up with this court now.

UNFINISHED BUSINESS

Amendments to Fire Department Ordinance

Mr. Poosikian explained this matter will be formalized at the next meeting.

NEW BUSINESS

2023 Municipal Budget

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Mr. Rosenberg noted the finance committee has received the initial draft of the budget workbook and it is expected to introduce the budget at the next meeting.

Consent Agenda

A motion was offered by Mr. Rosenberg and seconded by Ms. Guenego that the following consent agenda be approved. The resolution for the change order at the pickle ball courts was withdrawn. On roll call the vote was as follows: Ayes; Messrs. Poosikian, Rosenberg, Siciliano, Guenego, Dhamija, Lau. Nays – none. Declared carried.

Refund of Driveway Permit Deposit

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>	<u>ADDRESS</u>
John Noh 215 Pine Street Haworth, NJ 07641	1451	\$100.00	215 Pine Street

Emergency Resolution – Addition to Temporary Budget

Authorizing Emergency Temporary Appropriations

WHEREAS, the Borough Council of the Borough of Haworth enacted a temporary budget to cover the period from January 1, 2023 to the date of adoption of the budget; and

WHEREAS, N.J.S.A. 40A:40-20 permits the Borough Council by a two-thirds vote of the full membership, to make temporary appropriations; and

WHEREAS, the Borough Council wished to make the emergency temporary appropriations shown in Schedule “A” attached hereto and made part hereof.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Haworth, County of Bergen, State of New Jersey, as follows:

1. That the Borough Council by a two-thirds vote of the full membership hereby makes the emergency temporary appropriations as shown on Schedule “A” attached hereto and made part hereof.
2. That said emergency temporary appropriation will be provided in full in the 2023 budget under the

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titles as listed in the attached schedule.

- 3. That a copy of this Resolution shall be filed forthwith with the Director of the Division of Local Government Services.

Temporary Emergency No. 3

2023 Temporary Budget

Attachment A

<b>Current Fund</b>	<b>From</b>	<b>To</b>	<b>Account</b>
Tax Assessment OE	\$1,000	\$1,600	3-01-20-040-399
UFSC Fire Prevention	-0-	\$100	3-01-25-110-399
Police Dep't Other Expense	\$20,000	\$26,000	3-01-25-120-300
Police Dispatch	\$22,000	\$23,000	3-01-25-122-399
BCUA Debt Service	\$60,000	\$64,000	3-01-31-293-399
BCUA Flow Charge	\$160,000	\$260,000	3-01-31-293-399

Establish Dedication Trust Fund – Tennis Activities

Requesting approval of the Director of the Division of Local Government Services to establish a Dedication Trust by Rider for Donations –Acceptance of Bequests and Gifts as per (NJS 40A:50-29).

WHEREAS, permission is required of the Director of the Division of Local Government Services for the approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth, County of Bergen, State of New Jersey as follows:

- 1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for donations –acceptance of bequests and gifts as per N.J.S.A. 40A:4-39 –
  - A. Reserve for Tennis Activities
- 2. The Borough Clerk of the Borough of Haworth is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Payment of Bills

See Permanent Minutes

Approval of Minutes

Regular Meeting of March 28, 2023

Open Meeting to Public

The meeting was opened to the period of public discussion

Ms. C. Heitzner, Paulson Pl. referred to the design of the pickle ball courts; T-formations limit the courts for many players; it is the most played sport in Haworth; all ages play and two courts in the area is a configuration issue. She suggested having a Pickle Ball and Swim Club facility which could pay for itself over three years and they could work with the borough engineer and others.

Mr. A. Kontorvich, Whitman St. referred to three courts side by side and noise issues at the present location.

Mr. L. Doody, St. Nicholas Av. referred to the tennis courts in town and the events they hold; attendance at the pickleball courts and the timing of the games and a new project is worth doing.

Mayor Wasser said she acknowledges the passion of the volunteers who she said work so hard and referred to the Open Space Grant for the courts in the amount of \$60,750 with a total of \$156,000 of all grants. She explained the configuration of the courts, with cost effectiveness, noted the access road to the area, a stream in the area, parking for staff, paving and other things and work has started on this project.

The mayor further explained that three courts are not an option now and it would be irresponsible to consider.

Mr. Rosenberg noted the borough now has a contract for \$178,000 for two courts.

There was further discussion of the lay-out, etc. of the courts.

Mr. Statile suggested finishing off this contract now and then apply next year.

Ms. R. Zelman, St. Nicholas Av. referred to the area for courts at the Swim Club.

Mayor Wasser explained a lot of time has been spent on this sport, no rash decisions have been made and a significant amount of money has been spent.

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Ms. Guenego said all discussions of the mayor and council have been open, all were in favor of the swim club area which is a multi-use area and noted many other agencies in town have raised money for their activities.

In further discussion regarding the current work in the area Mr. Rosenberg said the borough has a signed contract for this work and if it does not proceed the contractor will sue the borough.

Mr. P. Geiger, Delaware Av., referring to the present courts at the ice rink at Memorial Field said the concern of the neighbors in this area is the noise issue where they have seen measured at 55 decibels which violates the borough's noise ordinance. He said if plans are for the future use of the ice rink for pickle ball and asked if acoustic fencing could be considered as the concerns in the area are significant.

Mr. R. Song, Surbeck Pl. referred to his concern is when the courts will be ready at the Swim Club as there are issues now in the neighborhood with noise and no one else using the area at Memorial Field is swearing, loud, etc.

Mr. N. Weil, Surbeck Pl. discussed what is important in this town, the town's structure has changed and it should not be a pickle ball mecca. He said many people from out of town play, there are more lights at the field now, the game is loud and they should have reasonable hours for which to play.

Ms. M. Rosenberg, Pine Lane distributed financial information regarding pickle ball and said they will work with all, they would love to be at the Swim Club and further explained their budget, fees, etc.

Mr. H. Schubert, Grant Street referred to re-configuration costs for the courts.

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

Close Meeting to Public

The following resolution was offered by Mr. Posingian, seconded by Ms. Siciliano 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 11, 2023, at which time the following item will be discussed

Personnel

**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 item 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 item 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 re-opened to the public at 9:35 PM and as there was no further business to come before the council a motion was offered by Ms. Guenego, seconded by Mr. Rosenberg and unanimously carried to adjourn.

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Ann E. Fay, RMC, CMC

Clerk-Administrator



















