

121. Executive Meeting of the Mayor and Council  
of the Borough of Haworth held on July 12,  
2022 via Zoom

Present: Hon. Jacqueline Guenego, Mayor

Councilmembers: Glenn Poosikian  
Andrew Rosenberg  
Michael Bain  
Dina Siciliano  
Heather Wasser  
Lisa Dhamija

Borough Attorney: Robert T. Regan

Mayor Guenego called the meeting to order at 7:30 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."

Ordinance No. 22-10-Bond Ordinance – Leaf Grinder – 2<sup>nd</sup> Reading, Public Hearing, Adoption

A motion was offered by Mr. Poosikian, seconded by Mrs. Wasser and unanimously carried that Ordinance No. 22-10 be offered for second reading.

Ordinance No. 22-10 is as follows:

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW LEAF GRINDER FOR THE USE OF THE DEPARTMENT OF PUBLIC WORKS IN, BY AND FOR THE BOROUGH OF HAWORTH, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$190,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Borough Council of the Borough of Haworth, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Haworth, in the County of Bergen, State of New Jersey (the "Borough"), is hereby authorized to acquire new additional or replacement equipment and machinery consisting of a new leaf grinder for the use of the Department of Public Works in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Ordinance No. 22-10-Bond Ordinance – Leaf Grinder – 2<sup>nd</sup> Reading, Public Hearing, Adoption – cont’d.

Section 2. The sum of \$190,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 of this ordinance (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of the Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$190,000, and (4) \$9,050 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$180,950, and (6) the cost of said purpose, as hereinbefore stated, includes the aggregate amount of \$7,700, which is estimated to be necessary to finance the cost of said purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$9,050, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$9,050 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of the Borough of an aggregate principal amount not exceeding \$180,950 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of the Borough of an aggregate principal amount not exceeding \$180,950 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Ordinance No. 22-10-Bond Ordinance – Leaf Grinder – 2<sup>nd</sup> Reading, Public Hearing, Adoption – cont’d.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of the Borough, and that such statement so filed shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$180,950 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose shall be applied to the payment of the cost of said purpose or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 12. The Borough intends to issue bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of such bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Ordinance No. 22-10-Bond Ordinance – Leaf Grinder – 2<sup>nd</sup> Reading, Public Hearing, Adoption – cont’d.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

The meeting was then opened to the public on Ordinance No. 22-10. As there were no comments, the meeting was closed to the public on this ordinance.

A motion was offered by Mrs. Dhamija and seconded by Mr. Poosikian that Ordinance No. 22-10 be passed on second and final reading.

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

A motion was offered by Mr. Poosikian, seconded by Mr. Rosenberg and unanimously carried that the adoption of Ordinance No. 22-10 be advertised as required by law.

UNFINISHED BUSINESS

Fireworks for Celebrate Haworth Day, Continuation of Discussion

Mr. Bain reported the borough has a contract for the fireworks and sponsorship letters have gone out which contributions should be sizeable. He further reported monies for recreation have increased over the past year so there will be enough for the fireworks and recommended signing the contract.

Mrs. Wasser questioned signs in town regarding the event discussed the last time this matter was discussed. Mr. Bain responded it has been decided not to have any signage.

Mr. Poosikian referred to the recreation funds and said some of these funds should be dedicated to field improvements. Mr. Bain responded he would check with the auditor.

A motion was offered by Mr. Bain and seconded by Mr. Rosenberg to enter into a contract with Zambelli Fireworks for the 2022 fireworks display in the amount of \$10,250 and authorize the execution of said contract.

UNFINISHED BUSINESS – cont'd.

Fireworks for Celebrate Haworth Day, Continuation of Discussion – cont'd.

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

Other Business

Mr. Rosenberg noted that Dr. Jeff Pavell, 5K-Haworth Run long time organizer has been named Home-town Hero by Congressman Gottheimer which everyone is very pleased with.

Mr. Rosenberg referred to fund raising for Pickle Ball and the borough auditor has suggested creating a trust account for these funds which would be less complicated than forming a 501-C.

NEW BUSINESS

Appointment to Shade Tree Commission

Ms. Siciliano suggested appointing Ms. Annette Mahac a member of the Shade Tree Commission to a 5-year unexpired term. Mayor Guenego made the appointment.

Mrs. Wasser said she needs suggestions for members of the Environmental Commission.

Community Development Appointments for 2022-2023

For resolution see Page 128A of permanent minutes

Amendment to the DPW Agreement

Mr. Poosikian noted there are stipends provided in this agreement for members of the department regarding various skills, etc. explaining for example the hanging baskets on Terrace Street are not as good as usual as the DPW is not permitted to use fertilizer according to the state unless they are certified. He further explained they have to take fertilizer application courses yearly which Mr. Runge has done and to recognize this he suggested a stipend of \$500 paid at the end of the year for the certified fertilizer applier.

Ms. Siciliano noted here concerns re. safety issues for these applications.

Mr. Poosikian responded this is what is taught in the course, they use miracle grow, a natural fertilizer and every year these courses have to be taken to keep the certification.

NEW BUSINESS – cont’d.

Amendment to the DPW Agreement – cont’d.

A motion was offered by Mr. Poosikian and seconded by Ms. Siciliano to amend the current DPW Agreement to include a \$500 stipend to be paid at the end of the year for employees who complete the annual certified fertilizer application course and other courses they may need.

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

August Council Meeting

It was concurred to cancel the August 23, 2022 regular council meeting.

CONSENT AGENDA

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

Refund of Summer Recreation Fee

WHEREAS, the Recreation Commission at their June meeting codified that refund requests will be accepted until 6/17/22 less a \$25 administrative fee and

WHEREAS, a request has been made for a two-week refund,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the following refund be made (2 weeks @ \$200/wk less \$25 Admin Fee):

<u>Name</u>	<u>Address</u>	<u>Amount</u>
Adam and Amanda Hall	474 Jefferson Ave	
	Haworth, NJ 07641	\$ <u>375.00</u>
	<b>Total</b>	<b>\$ <u>375.00</u></b>

Refund of Swim Club Fee

WHEREAS, Eliezer Ben Lavi and Tamar Goldman had visited the Swim Club on June 25, 2022 and paid a total of \$85 in day passes;

WHEREAS, by the end of the day, Eliezer Ben Lavi and Tamar Goldman decided to join the Swim Club and become members;

WHEREAS, they then paid for a non-resident household in the amount of \$760.00;

CONSENT AGENDA – cont’d.

Refund of Swim Club Fee – cont’d.

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

<u>Name</u>	<u>Address</u>	<u>Amount</u>
Eliezer Ben Lavi and	148 Sussex Road	\$85.00
Tamar Goldman	Tenaflly, New Jersey 07670	

Permission for Extension of Hours – Midsummer’s Night

**BE IT RESOLVED**, the Mayor and Council hereby approve an extension of hours for consumption of alcoholic beverages (wine and beer only) to 10:00 PM on July 30, 2022 (rain date August 7, 2022) for a park permit to be issued to the Haworth Arts Committee for the Midsummer Night’s Jam 2022.

Authorization to Execute 2022-2024 Snow Plow Agreement with Bergen County

BE IT RESOLVED, the Mayor and Municipal Clerk are hereby authorized to execute the 2022-2024 Municipal Snow Plow Agreement with the County of Bergen as outlined in their letter dated July 6, 2022.

Approval of Additional Counselors for Summer Recreation Program

BE IT RESOLVED that Romack Goldstein and Andrea Jimenez are hereby approved as counselors for the 2022 Summer Recreation program.

Authorization to Sign Agreement for Soil and Leaf Removal at DPW

BE IT RESOLVED the Mayor and Municipal Clerk are hereby authorized to sign an Agreement with Brook Brothers Enterprises, LLC, Saddle Brook, New Jersey for the furnishing of labor, equipment and materials for the removal of 13,000 cubic yards of soil from the Department of Public Works yard and for the removal of leaves grinded into compost from the same location by October 1<sup>st</sup> of the following years: 2023, 2024, 2025, 2026 and 2027.

Payment of Bills

FOR COPY OF RESOLUTION AND BILL LIST

SEE PERMANENT MINUTES

PAGES 128B – 128H

CONSENT AGENDA – cont'd.

Approval of Minutes

Regular Meeting June 28, 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 by Mr. Bain, seconded by Mrs. Wasser 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 May 24, 2022 at which time the following items will be discussed:

Personnel  
Youth Recreation Sports

**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.

Reopen Meeting to Public

The meeting was reopened to the public at 8:15PM and as there were no further matters to come before the council a motion was offered by Mr. Bain, seconded by Mr. Rosenberg and unanimously carried to adjourn.

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Ann E. Fay, RMC, CMC  
Clerk-Administrator

















