

**BOROUGH OF HAWORTH**  
**MAYOR AND COUNCIL**  
**Executive Meeting – Tuesday, October 10, 2023 @ 7:30 PM**

**CALL TO ORDER/ PUBLIC ANNOUNCEMENT/SALUTE TO THE FLAG**

The Mayor and Council convened for this Executive Meeting of the Borough of Haworth on Tuesday, October 10, 2023 at 7:30 P.M.

In accordance with the provisions of the Open Public Meetings Law, notice of this meeting has met the requirements of the law as part of the Borough of Haworth's annual meeting notice published in The Record on January 23, 2023, posted on the bulletin board in borough hall, and on the Borough website at www.haworthnj.org.

**ROLL CALL**

<b>Hon. Heather Wasser, Mayor - Present</b>	<b>Glenn Poosikian - Present</b>
<b>Andrew Rosenberg - Present</b>	<b>Dina Siciliano - Present</b>
<b>Lisa Dhamija - Present</b>	<b>Howard Lau - Present</b>
<b>Alanna Davis - Present</b>	

**Staff Present:** Borough Attorney Robert T. Regan, Municipal Clerk Jo Anna Myung

**UNFINISHED BUSINESS:**

**Ordinance 23-22: Amendment to Chapter 26 Land Use Regulations and Create Zone G – Massachusetts Ave:**

Ordinance provided for review. To be reviewed by the Planning Board before being presented to the Council.

**Girl Scouts Tree Lighting Ceremony and Toys for Tots Collection:** Councilwoman Siciliano reported that she is awaiting committee contact confirmation from the Girl Scout Troop to correspond with before the Council can confirm a date for their ceremony.

**Street Vacating Request – 134 Brook Street:** Council approved the street vacating request and escrow received from Mr. Rapaport but not the W-9 form from him to establish the account yet. Next step after receiving the W-9 form is to notify adjoining properties to provide them with the opportunity to add half of the land area of the vacated street to each property owner.

**NEW BUSINESS:**

**Ordinance 23-23: An ordinance to amend Chapter 11 of the Code of the Borough of Haworth titled "Personnel Policies" (Part of BPI):** Borough Attorney Regan provided a brief introduction of the proposed Ordinance 23-22 To Amend Chapter 11 of the Code of the Borough of Haworth titled "Personnel Policies" regarding Anti-Nepotism. This is part of the borough's efforts to follow the Best Practices Inventory (BPI) list giving the Borough of Haworth points to guarantee Haworth receives full state funding. Councilwoman Siciliano requested to table this matter in order to review and compare what the borough currently have; as it may only require one additional clause to be added in the handbook she has been working on.

**RESOLUTION 072:10'2023: AUTHORIZE PURCHASE OF EQUIPMENT FOR COMMAND VEHICLE FOR THE HAWORTH FIRE DEPARTMENT**

**MOTION:** Councilman Poosikian

**SECONDED:** Councilwoman Siciliano

**WHEREAS,** the Borough of Haworth has determined that it is in the best interest of its residents to purchase equipment for the command vehicle for the fire department; and

**WHEREAS,** the equipment shall be purchased under NJ State Contract 17-FLEET-00743, from approved state vendor 10-75 Emergency Vehicles for an amount not to exceed \$36,758.33; and

**WHEREAS,** the Chief Financial Officer has certified that funds in the amount \$36,758.33 are available in Account No. C-04-23-788-005; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Haworth, County of Bergen, State of New Jersey does hereby approve the aforesaid purchase from 10-75 Emergency Vehicles.

**ROLL CALL VOTE (Ayes):** Poosikian, Rosenberg, Siciliano, Dhamija, Lau, Davis

**MOTION APPROVED**

**RESOLUTION 073:10'2023: A RESOLUTION REQUESTING PERMISSION TO ESTABLISH A DEDICATION BY RIDER FOR ACCUMULATED ABSENCES LIABILITY TRUST FUND NJAC 5:30-15 (Part of BPI)**

**MOTION:** Councilman Rosenberg

**SECONDED:** Councilwoman Dhamija

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

**WHEREAS,** NJAC 5:30-15 provides for receipt of funds by the municipality to provide for the operating costs to administer this act; and

**WHEREAS,** N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Accumulated Absences Liability Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

These meeting minutes have been approved by the Haworth Mayor and Council on October 24, 2023.

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Accumulated Absences Liability Trust Fund NJAC 5:30-15.
2. The Clerk of the Borough of Haworth, County of Bergen is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**ROLL CALL VOTE (Ayes):** Poosikian, Rosenberg, Siciliano, Dhamija, Lau, Davis **MOTION APPROVED**

**RESOLUTION 074:10'2023: A RESOLUTION REQUESTING PERMISSION TO ESTABLISH A DEDICATION BY RIDER FOR STORM RECOVERY TRUST FUND PL2013, c271 AND NJSA 40A:4-62.1 (Part of BPI)**

**MOTION:** Councilman Rosenberg

**SECONDED:** Councilman Poosikian

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

**WHEREAS**, PL2013, c271 and NJSA 40A:4-62.1 provides for receipt of funds by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Storm Recovery Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Storm Recovery Trust Fund PL2013, c271 and NJSA 40A:4-62.1.
2. The Clerk of the Borough of Haworth, County of Bergen is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**ROLL CALL VOTE (Ayes):** Poosikian, Rosenberg, Siciliano, Dhamija, Lau, Davis **MOTION APPROVED**

**RESOLUTION 075:10'2023: REFUND OF ESCROW TO BONNIE BORGHI** Moved under consent agenda.

**RESOLUTION 076:10'2023: APPROVAL TO SUBMIT A LOCAL AID INFRASTRUCTURE FUND GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE VALLEY ROAD SIDEWALK PROJECT**

**MOTION:** Councilman Poosikian

**SECONDED:** Councilman Rosenberg

**WHEREAS**, the Borough of Haworth desires to receive \$427,690.00 in funds from the New Jersey Department of Transportation Local Aid Infrastructure Fund for the purpose of construction of sidewalks along Valley Road; and

**WHEREAS**, the Borough wishes to construct sidewalks, which are fully segregated from the public road system along Valley Road; and

**WHEREAS**, the project will also improve safety to the local schools and commuter lines, thus leveraging the requested funds;

**WHEREAS**, the proposed sidewalks will fully reside on property fully owned by the Borough of Haworth; and

**WHEREAS**, the Borough's design consultant developed a plan of action and cost estimate to for construction of the sidewalks, barrier-free improvements at public roads, signage, and other physical complementary safety improvements;

**NOW, THEREFORE BE IT RESOLVED** that the Council of the Borough of Haworth, formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application LAIF-Haworth Borough-00014 to the New Jersey Department of Transportation on behalf of the Borough of Haworth.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Haworth and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**ROLL CALL VOTE (Ayes):** Poosikian, Rosenberg, Siciliano, Dhamija, Lau, Davis **MOTION APPROVED**

**PUBLIC COMMENTS:** None.

**CONSENT AGENDA:**

The following resolutions are considered routine and non-controversial, and will be voted on by one vote. If any Council Member wishes to remove any items from the consent agenda, and request an individual vote, they may do so.

**RESOLUTION 075:10'2023: REFUND OF ESCROW TO BONNIE BORGHI**

**MOTION:** Councilwoman Dhamija

**SECONDED:** Councilman Rosenberg

**WHEREAS**, Bonnie Borghi, property owner, submitted an inground pool application for 381 St. Nicholas Ave., Haworth, NJ 07641 on September 9, 2021; and

**WHEREAS**, Bonnie Borghi submitted an escrow of \$1,000.00 for engineering fees; and

**WHEREAS**, Bonnie Borghi, property owner, submitted a variance application for the location of the shed at 381 St. Nicholas Ave., Haworth, NJ 07641 on February 2, 2022; and

**WHEREAS**, Bonnie Borghi submitted an escrow of \$200.00 for variance escrow fees; and

**WHEREAS**, Bonnie Borghi has requested a release of the remaining escrow; and

**WHEREAS**, C. Statile Engineering does not have an outstanding invoice balance.

**WHEREAS**, Bonnie Borghi rescinded the variance application.

These meeting minutes have been approved by the Haworth Mayor and Council on October 24, 2023.

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

<b>NAME AND ADDRESS</b>	<b>FOR</b>	<b>RECEIVED</b>	<b>EXPENDED</b>	<b>REFUND</b>
Bonnie Borghi 381 St. Nicholas Ave. Haworth, NJ 07641	381 St. Nicholas Ave. Block 916 Lot 10 Proposed inground pool, patio, fence, and variance escrow.	\$1,200.00	\$332.50	\$ 867.50

**BE IT FURTHER RESOLVED** that Connect One Bank be instructed to close this account.

**ROLL CALL VOTE (Ayes):** Poosikian, Rosenberg, Siciliano, Dhamija, Lau, Davis **MOTION APPROVED**

**RESOLUTION NO. 077:10'2023: REFUND OF DRIVEWAY PERMIT DEPOSITS**

**MOTION:** Councilwoman Dhamija

**SECONDED:** Councilman Rosenberg

**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:

Name and Address	Permit #	Amount	Location
Steve Trevisan 216 Schraalenburgh Rd Haworth, NJ 07641	1471	\$100.00	216 Schraalenburgh Rd.
Peter Shim 187 Schraalenburgh Rd Haworth, NJ 07641	1477	\$100.00	187 Schraalenburgh Rd.
Peter Digemma 43 Hardenburgh Ave. Haworth, NJ 07641	1478	\$100.00	43 Hardenburgh Ave.

**ROLL CALL VOTE (Ayes):** Poosikian, Rosenberg, Siciliano, Dhamija, Lau, Davis **MOTION APPROVED**

**RESOLUTION:** Approval of Minutes from 9/26/2023 – Not completed, for approval at next meeting.

**RESOLUTION:** Approval of Closed Session Minutes from 9/26/2023 - Not completed, for approval at next meeting.

**RESOLUTION 078:10'2023: Approval of Bills and Claims**

**MOTION:** Councilwoman Dhamija

**SECONDED:** Councilman Rosenberg

At this meeting of the Haworth Mayor and Council held on October 10, 2023, to approve the bills and claims of which are appended.

**ROLL CALL VOTE (Ayes):** Poosikian, Rosenberg, Siciliano, Dhamija, Lau, Davis **MOTION APPROVED**

**ORDINANCE 23-22: AMENDMENT TO CHAPTER 26 LAND USE REGULATIONS AND CREATE ZONE G – MASSACHUSETTS AVENUE RESIDENTIAL/INCLUSIONARY MULTI-FAMILY DISTRICT (INTRODUCTION - APPENDED TO MEETING MINUTES)**

ORDINANCE 23-22 will be heard and reviewed by the Planning Board on Wednesday, October 18, 2023 at 8:00 PM and the Mayor and Council will have a second reading of the ordinance at a hearing date tentatively scheduled for Tuesday, November 28, 2023; as the November 14<sup>th</sup> meeting has been cancelled due to conflict with the New Jersey League of Municipalities conference that week.

**PUBLIC COMMENTS:**

**Margaret Barile, 415 Pine Lane:** Ms. Barile expressed frustration over landscapers and large trucks using borough easement to access and cut through to the back of the property located at 375 Schraalenburg Road. Ms. Barile complained about vegetative debris being left behind and exhaust fumes from these trucks left idling on the cul-de-sac. She has repeatedly requested that they use the front property entrance in front of their house. Ms. Barile also complained that the daughter that lives further away also leaves her garbage on Pine Lane. Furthermore, Ms. Barile stated that previous owners at 375 Schraalenburg Road were fined for cutting down trees on borough easement and these same issues occur continuously with new owners of this property.

**Mayor Wasser** thanked Ms. Barile for providing a historical account of these issues as well as providing documents: excerpt of tax map of Pine Lane, copy of a section of the "Open Meeting to Public" from regular meeting of January 10, 2006, copy of letter from previous Haworth Mayor John Dean De Rienzo dated April 5, 2005, copies of her email correspondences between Councilman Rosenberg dated January 1<sup>st</sup> and 5<sup>th</sup> of 2022, and June 1<sup>st</sup> of 2022, and 3 black and white photos of a lot with garbage bin and discarded boxes. Mayor Wasser asked Ms. Barile what her request to the Council was tonight.

**Mickey Strum, 435 Pine Lane:** Ms. Strum responded that motorized vehicles should be prohibited from using borough easement. Ms. Strum expressed concern that even more trucks will be in Pine Lane using this easement when leaf season starts to maintain landscaping at 375 Schraalenburg Road. Ms. Strum also expressed frustration that the property owner at 375 Schraalenburg Road leave their garbage bin out on the easement for days and sometimes it gets knocked or blown over resulting in garbage being left behind on Pine Lane. Ms. Strum mentioned that 375 Schraalenburg property owners are getting special garbage pick-up privileges.

These meeting minutes have been approved by the Haworth Mayor and Council on October 24, 2023.

**Councilman Poosikian** responded that for the safety of our DPW and landscapers, they were allowed to use that easement on the cul-de-sac to put their leaves and branches there, instead of having an additional stop on an already high trafficked and narrow area on Schraalenburg Road. Councilman Poosikian mentioned Andy Reithmayr who was the landscaper for the previous owner at 375 Schraalenburg Road.

**Andrew Reithmayr, 67 Pleasant Street:** Mr. Reithmayr commented that he understands that residents of Pine Lane do not like having leaves placed on Pine Lane, but he was advised by his attorney that if he or his truck got hit by another vehicle because the borough would not allow him to park on Pine Lane which was safer, the town would be liable.

**Mayor Wasser** inquired about what other homeowners on Schraalenburg Road do that do not have a cul-de-sac. Mayor Wasser also commented that the town does not know if residents have a private agreement with the garbage collector and pay on their own for additional services rendered to their home.

**Councilman Rosenberg** responded that residents that live on Schraalenburg Road who do not have access to a non-busy street make do, and offered that there may be other options residents can explore to resolve this matter and clarified, regarding the neighbor's daughter that lived further away leaving her leaves on Pine Lane too is a separate matter. Councilman Rosenberg asked about liability and Borough Attorney Regan responded that he did not agree with that comment.

**Ms. Barile** referred to a copy of a letter dated 2005 from Mayor John Dean DeRienzo to Frances Goldtein who was the property owner at 375 Schraalenburgh Road at the time regarding planting the tree that was cut down as part of the construction project for the house to deter access to the backyard of the residential property from Pine Lane.

**Mayor Wasser** thanked Ms. Barile and Ms. Strum for bringing up their concerns to the Council and requested some time to review, and provide a chance to speak with the homeowner at 375 Schraalenburg Road before rendering a decision.

**Dumont Resident #1** inquired why the agenda item regarding Massachusetts Avenue was being passed over.

**Borough Attorney Regan** responded that the ordinance will be deliberated before the Planning Board prior to being reviewed by the Council, and the Planning Board will have 35 days to review it.

**Dumont Resident #1** requested for the Site Plan.

**Councilman Rosenberg** responded that those documents are not available but they will be presented to the public when they do become available, and the Planning Board will first deliberate on those matters at their meeting on October 18, 2023.

**Dumont Resident #2** expressed concern that they are not provided with the plans to view them.

**Borough Attorney Regan** stated that they do not have plans they can share with the public at this time but when it becomes available, it will be shared and everyone will be properly noticed.

**Dumont Resident #1** asked if they are going to further develop the parcel.

**Mayor Wasser** explained that there was a very small piece of parcel that was intentional and they are leaving the other portion untouched. Mayor Wasser also stated that they are looking out for the best interest of everyone involved and the town is not looking to further development.

**Dumont Resident #3** asked if Massachusetts Avenue will be fully paved and if there will be additional parking.

**Councilman Rosenberg** asked for clarification on whether they were inquiring about commuter parking or off-site parking.

**Dumont Resident #3** referred to any plan for any additional parking.

**Councilman Rosenberg** responded there are no plans to create or develop additional parking and if there were, it would not be at the result of this development.

**Mayor Wasser** interjected that what is planned would be within the same parcel.

**Dumont Resident #3** asked to see the plans.

**Mayor Wasser** stated that they are waiting for the Developers, Planners and Engineers for the plans.

**Borough Attorney Regan** confirmed that he himself and the Council have not seen the plans yet either.

**Dumont Resident #4** expressed concerns about water pressure, cutting down of more trees impacting drainage and the increase in high-water table due to these developments. She stated that current homeowners invested a lot in maintenance but these demands were making it almost unlivable.

**Paula Zurlini, 37 Pleasant Street:** Ms. Zurlini asked if they would have access to the environmental impact study and stated on behalf of Dumont residents since it affects them, inquired if there are alternative ways to notify and receive ordinances, resolutions and site plans because not many people read The Record in this age of technology. Ms. Zurlini expressed concerns over families already living in the area who would be impact from this such as water pressure issues, as well as speed of traffic when DPW lays down gravel on potholes which creates a faster thoroughfare for people that travel from Knickerbocker onto Schraalenburg Road.

**Borough Attorney Regan** responded that the environmental impact study on file and online is a public copy and they would be properly noticed.

**Mayor Wasser** interjected and stated that the environmental impact study is conducted by the DEP and that Haworth is not controlling that study. In addition, Mayor Wasser addressed the concern that they are not creating cut-throughs, nor paving Massachusetts Avenue.

**Councilman Rosenberg** explained the painful Fair Share process every town had to go through. In 2015 it was round 3 of COAH before it got dismantled, and towns had to sue the State for declaratory judgement to learn what their obligations are for affordable housing under the original Mt Laurel decision. We went back and forth a long time, and we were one of the last twelve towns to reach a decision. Englewood did not. Everyone can look toward Englewood as an example when towns do not reach a decision.

**Councilman Rosenberg** further explained that we did what we thought was the best solution that was available and provided for the town. This was communicated through public notices, on the agenda, made available online, on our website, notice at meetings etc. In summary, those documents create the right to develop both the Lake Shore Development and Massachusetts Avenue Development. This is a process that is taking place. In this context, we are reviewing plans to try to ensure that they are appropriate, and making them as palatable as possible while adhering to our obligations. Unfortunately, this process will start again in 2025 but not by our choice. We are not allowed to disclose more than what we are telling you now. Councilman Rosenberg encouraged everyone to attend the Planning Board hearings where it would be deliberated and the public could be heard. Councilman Rosenberg also explained that issues of water pressure will be reviewed by the Engineers and they are not intentionally leaving anyone out because everyone who has a stake in this can attend the meetings and voice their concerns. We operate up here to do what is in the best interest of Haworth.

**Councilman Lau** commented on the water pressure issue; that he lives off Anstatt Way and they have the opposite issue of having the water pressure being too high to accommodate the development on Lake Shore Drive. He was informed by Veolia when he contacted them, that the water pressure guideline for Haworth was between 40-140 psi and anything within this range was within the normal range. Councilman Lau explained that his house should be at 60-70 psi but was over 81 psi and he had to put in a regulator.

**Mayor Wasser** commented that this is a very stressful process for the Council as well as for our residents and neighbors. We are limited to what we can offer to meet that Affordable Housing requirement.

**Ms. Zurlini** stated they would like the Environmental Commission to review the Site Plan and help protect the environment more than what they did for Lake Shore Development.

**Dumont Resident #5** stated that they do not understand Fair Share and asked why they are building affordable housing which allows 100% of condos when only 20% are affordable with the rest being market rate.

**Councilman Rosenberg** stated that the market drives affordable and builders are not in the business to build affordable units but in the business to make money. They have to have market rate or they can't have affordable and density is increased. We are being dictated to. Councilman Rosenberg also stated that the alternate is for town to build 14 units with our own money. The same two acres would be used with the same environmental impact study but the town would be writing the check. Tax revenue is nothing close to this. This is a business where someone is making money but it is not the towns.

**Mayor Wasser** elaborated that she attended the Bergen County Mayor's Association and every town is going through the same pressure. This is a legislative issue and needs to be taken up to the Governor. We are operating on our best faith effort that will have the least impact possible but there is impact. We are told what to do, not deciding on what to do. Mayor Wasser summarized and stated they were picking a lesser evil.

**Dumont Resident #6** inquired why Haworth was not paving the roads on Massachusetts Avenue because it is a mess. They had called to complain and even had their own DPW fill in the potholes. They requested that Massachusetts Avenue be improved with traffic lights, speed bumps, flashing lights, and stop signs and/or make it a one-way street.

**Mayor Wasser** commented that she does not live far from that road and understand that it is a complicated intersection with NJ Transit buses idling on the side of that road. She does not use it to cut through because of the condition of that roadway. Mayor Wasser also stated paving that road would make speeding worst and they have traffic laws and a police force to enforce speed limits. Furthermore, it is a safety matter not to put in additional 5 -6 traffic lights on Schraalenburg Road. **Councilman Rosenberg** interjected that they prefer not to pave it and make it specifically unpleasant as possible to drive on that road to deter speeding. He surmised that some navigation apps may be sending drivers down that route.

**Dumont Resident #4** asked what is being zoned – recreational or residential and if more paving was being done.

**Mayor Wasser** replied when they confirm what it is zoned for, they will let them know. It was reemphasized that they are not touching the other parcel and no additional paving was being planned.

Dumont Resident #5 inquired about how many units were being built.

**Borough Attorney Regan** replied a total of 35 mixed units with 24 market and 14 affordable.

**Dumont Resident #7** requested Haworth to conduct a study and implement a quiet zone.

Mayor Wasser inquired if they had taken their concern to implement a quiet zone in Dumont first.

**Dumont Resident #7** replied in the negative and it was recommended to have them request the quiet zone in their town first before asking neighboring towns for it.

**Craig Layne**, New Milford resident and Haworth Volunteer Ambulance Corps President reported there were loose bolts in the playground units.

**Councilman Poosikian** stated he will have DPW investigate and tighten any loose bolts on the playground.

**Dumont Resident #4** inquired about wetlands and how developments could be built on wetlands, strain on infrastructure, and complained about an abundance of deer that would roam around due to taking away this wooded wetland area. She did not want Haworth to round up the deer and ship them to Dumont. She also expressed concerns over stormwater runoff.

**Councilman Rosenberg** responded that towns are following the authorization of the NJDEP and nothing gets built without their explicit approval. The DEP conducted a study as requested by United Water and in their Letter of Interpretation, determined that this piece of 2.38 acres property was not wetlands, and approved it for development. Councilman Rosenberg also explained logic would dictate residents familiar with the area would deem that that parcel was wetlands. But the DEP makes that determination, not the borough and according to statutory and legal definition, that is not wetlands.

**Dumont Resident #4** argued that the area that is being developed are wetlands.

**Mayor Wasser** restated and summarized that the borough tried to give up the least amount of property subject to all guidelines set forth by the State legally and in good intentions and in good faith so we do not end up in court.

**Dumont Resident #8** asked what this was called.

**Borough Attorney Regan** answered it was called Inclusionary Development.

**Dumont Resident #3** asked if Builders had to disclose whether these units are built on wetlands or not.

**Councilman Rosenberg** responded that base on the determination done within 24 months, it was determined that these are not wetlands. He further stated that in terms of disclosure during a sale, it would be on a POS but these units are owned by a company, not unit owners, so the disclosure is of a lessor nature.

**Dumont Resident #4** asked where the additional traffic would be directed and if Haworth could stop them from driving down their street.

**Mayor Wasser** replied that traffic would be directed toward Knickerbocker.

**Borough Attorney Regan** replied that because these are public streets, they would be able to drive down wherever street they want to drive on.

**Councilman Rosenberg** stated only the portions abutting Massachusetts Avenue for the development will be paved from Grant Street to the west to the end of the development.

**Dumont Resident #8** asked where the entrance was and how the traffic would flow.

**Mayor Wasser** responded that the entrance is on Massachusetts Avenue.

**Councilman Poosikian** commented that Haworth cannot place traffic regulations for Dumont and Dumont residents can bring up their concerns with their Council.

**Borough Attorney Regan** stated that they do not have any Site Plans yet and these discussions would be better heard when they can actually view plans.

**Alfred Martinez**, 280 Lake Shore Drive asked about Affordable Housing numbers were determined.

**Councilman Rosenberg** answered how obligation is determined and explained number of things towns can do to hit that number to meet the obligation. The State make this determination and these requirements are made without our input nor knowledge of our towns. Spectrum was not considered in the previous round but was counted in this round.

Public comments closed.

#### **CLOSED SESSION**

The Mayor and Council convened in Closed Session at 8:54 P.M. and reconvened in public session at 9:29 P.M.

#### **RESOLUTION: Closed Session Relating to Employment (Attorney-Client Privilege) – October 10, 2023**

**MOTION:** Councilwoman Dhamija

**SECONDED:** Councilman Rosenberg

At this meeting of the Haworth Mayor and Council held on October 10, 2023;

**WHEREAS**, the Mayor and Council of the Borough of Haworth is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4 – 6, et seq.; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4 – 12, provides that a Closed Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Mayor and Council for the Borough of Haworth to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4 – 12b subsection designated below:

(b)(7) Matters Relating to Litigation, Negotiations, and the Attorney-Client Privilege: Contract Negotiations;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Haworth, assembled in public session on Tuesday, September 26, 2023, that a Closed Session closed to the public shall be held for the discussion of matters relating to the specific items designated above; and

**BE IT FURTHER RESOLVED**, that the deliberations conducted in Closed Session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

**ROLL CALL VOTE (Ayes):** Poosikian, Rosenberg, Siciliano, Dhamija, Lau, Davis

**MOTION APPROVED**

**OPEN FOR PUBLIC COMMENTS:** None.

#### **ADJOURNMENT**

**MOTION:** Councilman Rosenberg

**SECONDED:** Councilwoman Siciliano

Approved by all present to adjourn the meeting of the Mayor and Council of the Borough of Haworth at 9:29 P.M.

Respectfully Submitted,  
Jo Anna Myung  
Municipal Clerk/Borough Administrator