

BOROUGH OF HAWORTH
MAYOR AND COUNCIL
Executive Meeting – Tuesday, September 12, 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, September 12, 2023 at 7:34 P.M. a little later than usual due to a technical glitch.

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

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

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

Mayor Wasser communicated her gratitude to the Volunteer Haworth Fire Department for hosting the 9/11 Memorial Commemoration again in 2023. They always do a respectful job. The Flag was flown half-mast and a moment of silence was observed. The Fire Department moved the ceremony inside the bay due to weather and Mayor Wasser commented that there was a double rainbow which was extremely meaningful.

UNFINISHED BUSINESS:

BOND ORDINANCE 23-19: CHAPTER 159 NJS 40A:4-87 NJDOT AID FOR MAPLE STREET & PARK STREET IMPROVEMENT REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87 (2nd Reading/ADOPTION)

MOTION BY: Councilman Rosenberg

SECONDED: Councilwoman Davis

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Haworth in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$248,240, which is now available from the Fiscal Year 2023, State of New Jersey, Department of Transportation Municipal Aid Office for Maple Street and Park Street Improvements; and

BE IT FURTHER RESOLVED, that the like sum of \$248,240 is hereby appropriated under the caption Stormwater Assistance Grant; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the Fiscal Year 2023, State of New Jersey, Department of Transportation Municipal Aid Office for Maple Street and Park Street Improvements in the amount of \$248,240.

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

MOTION APPROVED

PUBLIC COMMENTS: None.

ORDINANCE# 23-20: CAPITAL BOND AMENDMENT 2023 (2nd READING)

Memo dated August 13, 2023 from Lauren Roehrer, CFO to the Governing Body regarding Bond Ordinance - \$235,000 for Lake Shore Drive DOT Project:

One of the items on the agenda for the August 29th meeting is a bond ordinance totaling \$235,000 for improvements to Lakeshore Drive. There is also a corresponding Capital Budget Amendment.

When I first started back at the end of July, I was asked to find appropriate capital accounts for a project that had been awarded earlier in the year to J.A. Alexander for the 2022 Road Program as well as the DOT municipal aid award. After going through the existing accounts, and reaching out to Borough Engineer Chris Statile, I realized that the FY 2023 grant award (received in November 2022) had never been appropriated. I prepared a Chapter 159 resolution that was passed at the last council meeting.

However, after further research, I realized that the project that had been awarded was the FY 2022 DOT grant project. That award letter was sent out in October 2021, and after speaking with both Chris Vinci and Steve Rogut, the consensus was that this had also been left out of both the 2022 and 2023 budget. To avoid any cash flow issues in current fund, Mr. Vinci suggested that it would be best to introduce this grant as a bond ordinance.

The bond ordinance you see before is for a total of \$235,000 – of that amount \$211,000 is grant funded, and the remaining \$24,000 is for soft costs which required a down payment of \$1,200.

Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The highlight of the terms of such bond ordinance follows:

Bond Ordinance total of \$235,000 (Grant Funded: \$211,000; Soft Costs: \$24,000 with \$1,200 down payment)

These meeting minutes have been approved by the Haworth Mayor and Council on September 26, 2023.

MOTION: Councilwoman Siciliano

SECONDED: Councilman Rosenberg

**CAPITAL BUDGET AMENDMENT BOND ORDINANCE 23-20
CAPITAL BUDGET (CURRENT YEAR ACTION) 2023**

1 PROJECT	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	5a 2023 Budget Appropriations	PLANNED FUNDING SERVICES FOR CURRENT YEAR 2023				
					5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	6 To Be Funded in Future Years
Resurfacing of Lake Shore Drive and Madison Avenue		\$235,000			\$1,200		\$211,000	\$22,800	
TOTALS ALL PROJECTS		\$235,000			\$1,200		\$211,000	\$22,800	

**3 YEAR CAPITAL PROGRAM 2023 – 2025
Anticipated PROJECT Schedule and Funding Requirement**

1 PROJECT	2 Project Number	3 Estimated Total Cost	ESTIMATED COMPLETION TIME	FUNDING AMOUNTS PER YEAR					
				Budget Year 2023	2024	2025	2026	2027	2028
Resurfacing of Lake Shore Drive and Madison Avenue		\$235,000		\$235,000					
TOTALS ALL PROJECTS		\$235,000		\$235,000	\$ --	\$ --			

**3 YEAR CAPITAL PROGRAM 2023 – 2025
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

1 PROJECT	2 Estimated Total Cost	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds	BONDS AND NOTES				
		Current Year 2023	Future Years				General	Self- Liquidating	Assessment	School	
Resurfacing of Lake Shore Drive and Madison Avenue	\$235,000			\$1,200		\$211,000	\$22,800				
TOTALS ALL PROJECTS	\$235,000	\$ --		\$1,200	\$ --	\$211,000	\$22,800				

PUBLIC COMMENTS: Several members of the public asked for clarification of the Capital Budget Amendment Bond Ordinance and CFO Lauren Roehrer’s memo was read to the public as an explanation.

ORDINANCE NO. 23-21: AN ORDINANCE TO VACATE AND EXTINGUISH THE PUBLIC RIGHT IN AND TO A PORTION OF THOSE LANDS COMPRISING WHAT IS KNOWN AS “HENDRICKSON STREET” (1ST READING/INTRODUCTION)

MOTION BY: Councilman Rosenberg

SECONDED: Councilman Poosikian

BE IT ORDAINED by the Mayor and Council of the Borough of Haworth as follows:

WHEREAS, there exists a municipal road in the Borough of Haworth known as Hendrickson Street; and

WHEREAS, the Borough Engineer has reviewed the proposed vacation of a portion of Hendrickson Street and has approved of same; and

WHEREAS, it appears that the public interest will be served by releasing part of the lands of the dedication; and

WHEREAS, the Governing Body is of the opinion, based upon the foregoing circumstances, that the public interest will not be adversely affected by the vacation of said portion of Hendrickson Street.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Haworth as follows:

Section 1. The Governing Body determines that the public interest will best be served by releasing those lands herein described in the aforementioned dedication in the roadway known as Hendrickson Street.

Section 2. The Governing Body does hereby release, extinguish and vacate the public right to such lands which constitute a portion of Hendrickson Street. Said lands are more particularly described on Schedules A and B attached hereto. In connection therewith, the description referred to as “Description Parcel 3” to be vacated as depicted on Schedule A attached hereto comprises a land area of 1,875 square feet/0.0430 acres, more or less, which will be annexed to the property known as Block 1311, Lot 8. The description referred to as “Description Parcel 4” to be vacated as depicted on Schedule B attached hereto comprises a land area of 1,250 square feet/0.0287 acres, more or less, which will be annexed to the property known as Block 1312, Lot 2.

Section 3. As noted in the foregoing descriptions, the Borough reserves unto itself a right-of-way access and utility easement, as more particularly described in the descriptions on Schedules A and B. In addition, notwithstanding anything herein to the contrary, the Borough of Haworth specifically excepts from this vacation any and all rights it may have to maintain, construct and reconstruct sewer, water, drainage

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

MOTION APPROVED

PUBLIC COMMENTS: None.

STREET VACATING REQUEST: 134 Brook Street, Block 1001 Lot 4 – Request approved. Municipal Clerk to request for escrow from Mr. Rapaport to initial the process.

Name and Address	Permit #	Amount	Location
C. Hoehn 371 Hennessy Street Haworth, NJ 07641	1467	\$100.00	371 Hennessy Street
A. Macchione Brothers 71 S. Newman Street Hackensack, NJ 07601	1468	\$100.00	284 Harrison Street
Miriam Felix 242 Schraalenburgh Road Haworth, NJ 07641	1472	\$100.00	242 Schraalenburgh Road
Accurate Paving Inc. 46 Barkley Avenue Clifton, NJ 07011	1473	\$100.00	387 Wheeler Place

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

MOTION APPROVED

RESOLUTION 052:08'2023 SECURING MOBILE STAGE RENTAL FROM BERGEN COUNTY - AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COUNTY OF BERGEN FOR THE RENTAL OF A MOBILE STAGE FROM BERGEN COUNTY FOR USE OF THE HAWORTH PARKS COMMITTEE

MOTION BY: Councilman Lau

SECONDED: Councilman Rosenberg

WHEREAS, the Haworth Parks Committee seeks to secure rental of a mobile stage from Bergen County; and

WHEREAS, the County of Bergen has prepared an Agreement entitled, "Hold Harmless Agreement For Temporary Use Of A Showmobile" ("the Agreement").

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that it does hereby approve the aforementioned Agreement, and the Mayor or other official of the Borough be and is hereby authorized to execute same; and **BE IT FURTHER RESOLVED** that in accordance with the requirements of the County of Bergen that an appropriate insurance certificate shall be provided by the Borough to the County.

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

MOTION APPROVED

Girl Scout Tree Lighting Ceremony: Request received from Ms. Kimberly Barba on behalf of the 2nd grade Girl Scout Troop to reserve December 1st at 6:00 PM for a tree lighting ceremony, and to place a collection for Toys for Tots. They asked if DPW can string the lights on the tree ahead of time. Council to discuss coordination of various departments that may be involved with tree delivery schedule and engage in follow up with Ms. Barba before committing to the requested date.

Haworth Day Fireworks Display: The Recreation Commission secured Zambelli Fireworks and working out details of the contract. They will confirm that a postponement and cancellation addendum is included in the contract but based on past history working with them, Brad Cetnarowski from Zambelli has been very accommodating. Certificate of Insurance and Hold Harmless agreement has been received and Fire Official has been notified for the permit.

Baseball Field Purchase Inquiry: Request with color photos received from Ms. Natalie Yetinson; for the block and lot number of the baseball field on Grant Street and Osmers Way to explore the opportunity to purchase the field in order to build residential property. It was communicated to Ms. Yetinson that borough properties are not for sale. The Council denied the request because the borough cannot sell borough land to private resident for private development.

Land Use Ordinance Regarding Airbnb and Rentals: Councilman Lau inquired about the borough's Land Use Ordinance and how we can tighten up the ordinance. Councilman Poosikian responded that this ordinance was discussed last year and ordinance can be reviewed again. Borough Attorney Regan stated they can add in language to limit Airbnb rental. Landlords with less than two rental units are required to file a Certificate of Registration with the Municipal Clerk per N.J.S.A. 46:8-28. If they contain more than three apartments, the Landlord must register with the Department of Community Affairs.

Mayor Wasser and **Councilwoman Siciliano** commended Carolyn Lee for covering both the Deputy Clerk's position and managing the Building Department during the transition and hiring of new staff. The Council appreciates all the additional time Carolyn Lee has been putting in the Building Department.

RESOLUTION 053:08'2023 HAWORTH DAY FIREWORKS DISPLAY

MOTION BY: Councilman Lau

SECONDED: Councilwoman Dhamija

WHEREAS, the Borough of Haworth will have their annual Haworth Day scheduled for October 7, 2023 (rain date October 14, 2023 with possible additional rescheduling for another rain date if necessary); and

WHEREAS, the Recreation Committee has undertaken a comprehensive search; and

WHEREAS, the Recreation Committee has selected Zambelli Fireworks Manufacturing Co. based on their responsible estimate and past working history, to provide said services for Haworth Day;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Haworth for Zambelli Fireworks Manufacturing Co. to provide an exhibition and display for fireworks for Haworth Day.

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

MOTION APPROVED

RESOLUTION 054:08'2023 TO HIRE AND APPOINT LIANA PIRETRA AS TECHNICAL ASSISTANT FOR THE BUILDING

DEPARTMENT

MOTION BY: Councilwoman Siciliano

SECONDED: Councilman Rosenberg

WHEREAS, there exist within the Borough of Haworth a vacancy in the position of Technical Assistant in the Building Department;

WHEREAS, the Governing Body has undertaken a comprehensive search and has interviewed candidates for this position.

WHEREAS, The Appointee shall be compensated at an annual salary of \$46,000.00 per year.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Haworth to hire Liana Piretra to the position of Technical Assistant effective October 2, 2023, upon terms and conditions customary to the position and to be memorialized in the aforesaid Memorandum of Employment.

BE IT FURTHER RESOLVED If required, a copy of the resolution pertaining to the Appointee's position as Technical Assistant shall be forwarded to the Director of the Division of Local Government Services in the Department of Community Affairs.

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

MOTION APPROVED

PUBLIC COMMENTS: None.

Signing of the Group Affidavit form by the Governing Body and certification by Notary Public. Corrective Action Plan published on September 5, 2023; adopted on August 29, 2023 and appended to meeting minutes.

RESOLUTION 055:08'2023 EXECUTION AND SIGNING OF THE GROUP AFFIDAVIT FOR THE CORRECTIVE ACTION PLAN FOR AUDIT ENDING DECEMBER 31, 2022

MOTION BY: Councilman Rosenberg

SECONDED: Councilman Poosikian

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to cause an annual audit of its books, accounts, and financial transactions to be made and completed within six months after the close of its fiscal year; and,

WHEREAS, in accordance with OMB Circular A-133, 98-07, and Local Finance Notice CFO 97-16, all local government units must prepare and submit a Corrective Action Plan as part of the annual audit process and,

WHEREAS, the Corrective Action Plan shall cover all findings and recommendations, including state, federal, and general or financial statement findings in the audit report; and

WHEREAS, the Chief Financial Officer shall prepare said Corrective Action Plan with the assistance from other officials affected by the audit recommendations; and,

WHEREAS, the Corrective Action Plan must be approved by the governing body of the local unit and is to be submitted to the Division of Local Government Services; and,

WHEREAS the Corrective Action Plan Audit Ending in December 31, 2022 was approved at the added meeting of the Mayor and Council on August 29, 2023;

WHEREAS the Mayor and Full Council are all hereby present at this Executive meeting of the Mayor and Council to sign the group affidavit for the corrective action plan;

THEREFORE, BE IT RESOLVED, that the Mayor and Council affix their original signature in the presence of Notary Public Deepti Dutta.

NOW THEREFORE BE IT RESOLVED by the Municipal Council of the Borough of Haworth that the Corrective Action Plan for calendar year December 31, 2022 is hereby approved. A copy will be sent to the local Finance Board.

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 056:08'2023: Approval of Minutes – Executive Meeting of August 29, 2023

MOTION: Councilman Poosikian

SECONDED: Councilwoman Siciliano

At this meeting of the Haworth Mayor and Council held on September 12, 2023, to approve the Executive Meeting Minutes of August 29, 2023.

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

MOTION APPROVED

RESOLUTION 057:08'2023: Approval of Minutes – Closed Session Meeting of August 29, 2023

MOTION: Councilman Poosikian

SECONDED: Councilwoman Siciliano

At this meeting of the Haworth Mayor and Council held on September 12, 2023, to approve the Closed Session Minutes of August 29, 2023.

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

MOTION APPROVED

RESOLUTION 058:07-25'2023: Approval of Bills and Claims

MOTION: Councilman Poosikian

SECONDED: Councilwoman Siciliano

At this meeting of the Haworth Mayor and Council held on September 12, 2023, to approve the bills and claims of which are appended.

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

MOTION APPROVED

These meeting minutes have been approved by the Haworth Mayor and Council on September 26, 2023.

PUBLIC COMMENTS:

Drew Krasny, 118 Harrison Street: Mr. Krasny inquired about how taxes are assessed. Councilman Rosenberg responded that units and/or property is assessed at the time the CCO is issued at market value at the time.

Bonnie Borghi, 381 St. Nicholas Avenue: Ms. Borghi inquired about property maintenance issues. Councilman Poosikian responded that care and maintenance falls on the property owner. If after a few attempts there is no response from the property owner to maintain their property, the borough can hire an outside landscaper and add that to their tax bill. Mayor Wasser confirmed that there are regulations and course of action if residents have complaints regarding property maintenance and construction sites not being maintained. Any construction site complaints can be reported to the Building Department or to the Municipal Clerk's office.

Public comments closed.

CLOSED SESSION

The Mayor and Council convened in Closed Session at 8:19 P.M. and reconvened in public session at 8:54 P.M.

RESOLUTION: Closed Session Relating to Employment (Attorney-Client Privilege) – September 12, 2023

MOTION: Councilwoman Dhamija

SECONDED: Councilman Rosenberg

At this meeting of the Haworth Mayor and Council held on September 12, 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, June 27, 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: Councilwoman Dhamija

SECONDED: Councilman Rosenberg

And approved by all present to adjourn the meeting of the Mayor and Council of the Borough of Haworth at 8:54 P.M.

Respectfully Submitted,
Jo Anna Myung
Municipal Clerk/Borough Administrator

**BOROUGH OF HAWORTH
CORRECTIVE ACTION PLAN
AUDIT ENDING DECEMBER 31, 2022**

Recommendations:

Procedures over purchasing be reviewed and revised to ensure all contract awards and purchases made are in accordance with requirements of the Local Public Contracts Law and State procurement guidelines.

Corrective Action: A purchasing policy will be instituted – the CFO and Borough Administrator will then go over the new policy with all departments.

Implementation Date – Within the next 6 months

Cash balances reported on the general ledger control accounts be in agreement with the monthly bank reconciliation balances. In addition, month bank reconciliations be prepared timely and all reconciling items be reviewed for validity and completeness.

Corrective Action: The CFO has begun working on the bank recs and going forward all bank reconciliations will be completed on a monthly basis.

Implementation Date – Immediate

All budget modifications for special items of revenue and appropriations (Ch. 159 resolution) be submitted to the state for approval.

Corrective Action: Going forward, all budget modifications will be sent down within 3 days of the resolution being approved.

Implementation Date – Immediate

Purchase orders be encumbered when contracts are approved and prior to the ordering of good and services.

Corrective Action: All resolutions awarding the contract will contain a certification of funds – those resolutions will immediately be provided to the finance office so that the funds can be encumbered.

Implementation Date – Immediate

The Borough reviews its internal control procedures to ensure that sufficient funds are available prior to the expenditure of funds.

Corrective Action: The finance office will communicate with department heads on a monthly basis so that departments are aware of the status of their budgets to avoid any over expenditures.

Implementation Date – Immediate

Respectfully submitted,

Lauren J Roehrer, CMFO-CTC
Interim Chief Financial Officer