

**BOROUGH OF HAWORTH**  
**MAYOR AND COUNCIL**  
**Regular Meeting – Tuesday, September 26, 2023 @ 7:30 PM**

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

The Mayor and Council convened for this Regular Meeting of the Borough of Haworth on Tuesday, September 26, 2023 at 7:32 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**

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

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

**COMMITTEE REPORTS:**

**Councilman Lau:**

Environmental Commission:

- *Walk to School Initiative* – List of 11 walkways identified deemed proper walkways to school.
- *SLF Spraying* – Spraying halted until NJEC guidance on safety protocol for contractors is released.
- *Shooting Range Debris* – The Police Department is in charge of the range and conducts an annual clean up. They also do an extensive shift through the sand to minimize debris from entering waterways and in compliance with safety protocols.
- *Tree Ordinance* – Guidelines to be determined in conjunction with the Shade Tree Commission. **Councilwoman Siciliano** provided a historical account of the Tree Farm under the Shade Tree Commission: Since receiving the grant to create a tree farm, it has become a high maintenance task. It requires an abundance of volunteer resources and money to keep it going. Basically, allocating trees that can be planted and repurposing trees that are not able to be replanted, to hydrating all the trees and assessing whether the trees are too mature to be planted in certain locations. They have worked to repurpose the land but due to the high-water table, it was not approved for pickleball courts, or solar panel installation and it would be very expensive to get this area to be prepped to be used for any other purpose. It is requested that the Environmental Commission provide a plan for the Tree Farm for the Shade Tree Commission to review.

Recreation:

- Haworth Day – scheduled for October 7<sup>th</sup>; rain date is October 14<sup>th</sup>. They have approximately 40 vendors lined up which is more than typical and looking for volunteers.
- Halloween – scheduled for October 31<sup>st</sup> with route to be determined and approved by Chief Gracey. There is a concern that trick or treaters will spill across Haworth Drive. Route will be publicized after confirmation that we will be able to keep pedestrian away from the crossing.
- Arts Committee – Ghost Stories scheduled for October 28<sup>th</sup> at the pond at 6:30pm.

**Councilman Rosenberg:**

Zoning Board of Adjustment:

- No new matters.

Planning Board:

- Next meeting scheduled for October 18<sup>th</sup> at 8:00pm. New item on the agenda for the Planning Board to review: Ordinance 23-22 to Amend Chapter 26 (Land Use Regulations) of the Municipal Code of the Borough of Haworth and Create Zone G – Massachusetts Avenue Residential/Inclusionary Multi-Family District.

Police Department:

- Finished up another successful Drive Sober Campaign in August.
- Handled the Andiamo Benefit with no injuries despite the weather.
- Haworth 5K gearing up for the run scheduled for September 30<sup>th</sup>.
- Captain Saudino and Officer McKeary completed the yearly audit with the State Police computer division showing good standing and in compliance with policy reporting and training. Councilman Rosenberg reported that the Chief commends Officer McKeary for providing leg work to get this completed.
- Finishing up shooting qualifications on October 10<sup>th</sup>; activity will be conducted during business hours.
- Submitted letter of support for Valley Road Sidewalk application.
- Police Report on file with the Municipal Clerk.

**Councilman Poosikian** requested on behalf of the Haworth 5K committee for Police to be out earlier than previous years to close things down before the race.

### **Councilman Poosikian:**

#### **Fire Department:**

- There is an initiative to bring back the Rag-a-Muffin parade before Halloween tentatively scheduled for October 28<sup>th</sup>. If the Fire Dept cannot do it, our Recreation Direction Robert Hoyng will take over to coordinate.
- Fire Report on file with the Fire Department.

#### **DPW:**

- Councilman Poosikian commented that there is no written shared services agreement with Oradell but they have developed a good relationship with them over the last 8 months. Some of the good will that Haworth was the recipient of includes sharing employees and equipment for the street sweeper prior to the Haworth 5K race and filling pot holes on our roads. We applaud Oradell and thank them for helping us out. We are hoping we can return that favor. Mayor Wasser thanked Councilman Poosikian for fostering that relationship and for all his diligence in maintaining the level of service for Haworth residents and guiding our DPW.
- DPW Report on file with the Municipal Clerk.

### **Councilwoman Siciliano:**

#### **Shade Tree Commission (STC):**

- Tree planting of 15 trees scheduled mid-November. This is the 1<sup>st</sup> time they are doing plantings in 3 – 4 years. The trees are being delivered to the tree farm, as a holding space, with the Green Space crew marking out locations on the curb. They do not know the exact date for tree delivery from Harrisburg yet. The next STC meeting is October 3<sup>rd</sup> at 7:00pm and they will review the tree ordinance draft.

#### **Website:**

- Our Building Sub-Code Official Robert Sherrow initiated talks with Doug Neumetzger from DART Computers to gain an understanding of our IT support needs. Councilwoman Dina Siciliano along with Municipal Clerk Jo Anna, Deputy Clerk Carolyn and Web Master Janet met with DART Computers with the understanding of getting estimates from DART Computers. Councilwoman Siciliano stated she was impressed with Doug's presentation which brought to light what we need to be cognizant of; in compliance with BCJIF mandates and cyber security.
- Councilwoman Siciliano emphasized importance of keeping the borough calendar updated and urged all departments to review their respective web pages, and provide updates to her and Web Master Janet.

#### **Building Dept:**

- New Technical Assistant Liano Piretra start date is October 2<sup>nd</sup>. The Council thanks Carolyn Lee for all her effort and patience, and managing both the Building Dept and Clerk's office for the past two and a half months. Report on file with the Building Department.

#### **Swim Club:**

- The Swim Club had a beautiful and sunny weekend to close out the season with a record amount in guest fees collected. The Haworth Swim Club is known to be the place to come due to responsible Managers, diligent Life Guards and our well-maintained facility.

#### **Haworth School:**

- They are having a "Meet the Candidates" moderated by our Borough Historian Beth Potter on October 17<sup>th</sup> at 7:30pm. There is an email address where residents can send their questions for the candidates.

**Mayor Wasser** thanked Councilwoman Siciliano for all her hard work on the borough website and with the Swim Club. The Mayor requested all the Council Members to follow up with their portfolio and remind Chairs to provide updated meeting schedules as they get amended and meeting minutes to post on the website.

**Borough Attorney:** Nothing new to report.

### **Borough Administrator's Report:**

- Attended the Bergen County Joint Insurance Fund meeting last Thursday night. It was an informative first meeting where the group discussed workers comp issues dealing with full time as well as seasonal employees.
- Also attended the PERMA Risk Managers meeting that provided updates to our policy and required training. They will be rolling out a two-hour mandated virtual training for every person that has a borough email. Roll out is forthcoming in the coming month or two but exact date is to be determined. They are recommending all local governments incorporate a ".gov" extension and not a ".org" extension email.
- Having OEM Coordinator Keith Kolkebeck has been very positive as he has strong ties with Veolia. Need to follow up to ensure he can provide a back-up when he cannot attend some of the meetings such as the lightning detection system meeting and Veolia's stormwater drill.
- Work toward a new hire policy is being worked out.
- The Police Auxiliary needs borough email addresses for their body worn cameras.
- General elections will be held at Haworth Public School. Any communication from the county will be relayed to the school immediately to help them plan and alleviate their security concerns.

**Mayor Wasser** thanked everyone again for another successful Swim Club season, a very successful Recreation Camp summer, the Board of Health that came together to organize the walk to school initiative, and the Fire Department for bringing back Rag-a-Muffin parade. The Mayor reminded everyone about the Haworth 5K scheduled this Saturday and urged everyone to please support them by participating, volunteering and/or just come out to cheer on the runners as they are the largest and very generous donor in town.

**UNFINISHED BUSINESS:**

**ORDINANCE# 23-20: CAPITAL BOND AMENDMENT 2023**

Councilman Rosenberg explained Ordinance 23-20 was introduced on August 29, 2023, and had a second reading on September 12, 2023 but not voted on. This ordinance was carried to tonight's meeting for voting.

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 29<sup>th</sup> 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 Stafite, 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).**

**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	
<b>TOTALS ALL PROJECTS</b>		<b>\$235,000</b>			<b>\$1,200</b>		<b>\$211,000</b>	<b>\$22,800</b>	

**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						
<b>TOTALS ALL PROJECTS</b>		<b>\$235,000</b>		<b>\$235,000</b>	<b>\$ --</b>	<b>\$ --</b>				

**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				
<b>TOTALS ALL PROJECTS</b>	<b>\$235,000</b>	<b>\$ --</b>		<b>\$1,200</b>	<b>\$ --</b>	<b>\$211,000</b>	<b>\$22,800</b>				

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

**MOTION APPROVED**

**PUBLIC COMMENTS:** None.

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

**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" (2<sup>nd</sup> READING/ADOPTION)**

**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, Lau,

**MOTION APPROVED**

**Absent:** Dhamija, Davis

**PUBLIC COMMENTS:** None.

**RESOLUTION 059:08'2023 AUTHORIZING ACQUISITION OF A 2023 FORD F250 CREW CAB 4X4 PICKUP**

**MOTION BY:** Councilman Poosikian

**SECONDED:** Councilwoman Siciliano

**WHEREAS**, the Borough of Haworth advertised that sealed bids would be received on September 20, 2023 for the acquisition of a 2023 Ford F250 Crew Cab 4X4 Pickup ("the vehicle") in accordance with Specifications;

**WHEREAS**, in response to the Notice To Bidders, a sealed bid was received from Ciocca FMFL Inc., 215 U.S. Route 22, Flemington, New Jersey in the amount of \$58,800.00; and

**WHEREAS**, the submitted bid is in accordance with the Specifications; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this acquisition from Account No. C-04-23-788-003.

**NOW THEREFORE BE IT RESOLVED** that the Borough does hereby award a contract for the acquisition of the vehicle; and

**BE IT FURTHER RESOLVED** that the Mayor or other Borough officials be and are hereby authorized to execute the contract in connection with the aforesaid acquisition.

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

**MOTION APPROVED**

**Absent:** Dhamija, Davis

**PUBLIC COMMENTS:** None.

**RESOLUTION 060:09'2023 RESOLUTION AWARDED A CONTRACT TO CONCRETE CONSTRUCTION CORP. FOR THE REMOVAL AND REPLACEMENT OF THE PEDESTRIAN BRIDGE ON ST. NICHOLAS AVENUE**

**MOTION BY:** Councilman Poosikian

**SECONDED:** Councilwoman Siciliano

**WHEREAS**, the Borough of Haworth advertised that sealed bids would be received on September 20, 2023 for removal and replacement of the pedestrian bridge on St. Nicholas Avenue ("the Project"); and

**WHEREAS**, in response to the Notice To Bidders, a total of eight (8) bids were received; and

**WHEREAS**, of the bids received, it appears that Concrete Construction Corp. ("the Contractor"), 24 Pink Street, Hackensack, New Jersey, submitted the lowest bid in the amount of \$75,900.00; and

**WHEREAS**, the Contractor's submission appears to be in compliance with the Specifications; and

**WHEREAS**, the Chief Financial Officer has determined that funds are available for this Project from Account Nos. C-04-23-788-009 and C-04-19-007-112.

**NOW THEREFORE BE IT RESOLVED** that the Borough does hereby award a contract for the Project to the Contractor; and

**BE IT FURTHER RESOLVED** that the Mayor or other Borough officials be and are hereby authorized to execute the contract in connection with the aforesaid Project.

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

**MOTION APPROVED**

**Absent:** Dhamija, Davis

**PUBLIC COMMENTS:** None.

**RESOLUTION 061:09'2023 AUTHORIZING NOT TO EXCEED LIMITATIONS FOR CHRISTOPHER P STATILE, PA FOR THE PROFESSIONAL DESIGN, SPECIFICATION AND CONSTRUCTION MANAGEMENT OF ST NICHOLAS AVENUE FOOTBRIDGE REPLACEMENT**

**MOTION BY:** Councilman Poosikian

**SECONDED:** Councilwoman Siciliano

**WHEREAS**, on September 22, 2023 the Borough Engineer, Christopher P Statile, PA submitted a proposal for the provision of professional design, specification and construction management of roadway improvements for various streets; Design, Specification and Construction Management: \$9,700

**WHEREAS**, the Chief Financial Officer has certified the availability of funds in the Current Account: 3-01-20-060-337 \$9,700

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Haworth that not to exceed limitations are hereby approved and established in the amount of \$9,700 for the engineering firm of Christopher P Statile, PA.

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

**MOTION APPROVED**

**Absent:** Dhamija, Davis

**PUBLIC COMMENTS:** None.

**Land Use Ordinance regarding Airbnb** – Tabled.

**Girl Scout Tree Lighting Ceremony & Toys for Tots Collection** – TBD, also base on tree delivery date.

**Street Vacating Request: 134 Brook Street, Block 1001 Lot 4** – Escrow received; awaiting Mr. Rapoport to provide W-9 form. Borough Engineer to start technical specifications for ordinance.

**Bergen County Trust Memorial Field Improvements** – Councilwoman Siciliano provided an update and confirmed our declaration of intent to apply application is complete. This includes new dugouts, rehabilitation of bocce courts, reconstruction of basketball court and repairs for baseball field fencing.

**Borough Attorney stated this next ordinance will need to be brought to the Planning Board for their review:**

**ORDINANCE 23-22 – 1<sup>st</sup> READING/INTRODUCTION: TO AMEND CHAPTER 26 (LAND USE REGULATIONS) OF THE MUNICIPAL CODE OF THE BOROUGH OF HAWORTH AND CREATE ZONE G – MASSACHUSETTS AVENUE RESIDENTIAL/INCLUSIONARY MULTI-FAMILY DISTRICT**

**MOTION BY:** Councilman Rosenberg

**SECONDED:** Councilman Poosikian

**WHEREAS**, the Borough of Haworth is the owner of certain property identified as Block 1800, Lot 1 as shown on the Tax Map of the Borough of Haworth (the "Borough"), which consists of approximately 8.34 acres in total;

**WHEREAS**, the Borough seeks to rezone a portion of Lot 1, known as the Subject Property, and consisting of approximately 103,956 SF or 2.387 acres. The area to be rezoned is identified by a metes and bounds description contained herein;

**WHEREAS**, in a decision dated March 10, 2015, In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), the New Jersey Supreme Court found that COAH did not provide an adequate forum for demonstrating compliance with the Mount Laurel doctrine; and

**WHEREAS**, the New Jersey Supreme Court established a transitional process in which municipalities, instead of proceeding through the COAH process, could file declaratory judgment actions focused on whether the municipality's housing plan meets its Mount Laurel obligations; and

**WHEREAS**, the New Jersey Supreme Court provided that a trial court's evaluation of a municipality's plan that had received substantive certification, as supplemented or amended, may result in the municipality's receipt of the judicial equivalent of substantive certification and accompanying protection as provided under the Fair Housing Act of 1985; and

**WHEREAS**, on June 25, 2015, in accordance with the Supreme Court's decision, the Borough filed a declaratory action that is captioned in the Matter of the Application of the Borough of Haworth, a Municipal Corporation of the State of New Jersey, For Substantive Certification Docket No. BER-L-5912-15 ("Litigation"); and

**WHEREAS**, on May 14, 2019, the Borough Council of the Borough of Haworth adopted a Resolution Authorizing Settlement of Litigation in the Matter Entitled "In the Matter of the Application of the Borough of Haworth, a Municipal Corporation of the State of New Jersey, Docket No. BER-L-5912-15."

**WHEREAS**, On May 14, 2019, the Borough of Haworth ("Borough"), entered into a Settlement Agreement with the Fair Share Housing Center. Said Settlement Agreement included the Subject Property as described herein;

**WHEREAS**, pursuant to the terms contained in the May 14, 2019 Settlement Agreement, the Borough agreed to provide a realistic opportunity for the development of additional affordable housing on the Subject Property; and

**WHEREAS**, On September 18, 2019, the Borough of Haworth Planning Board adopted a 2019 Housing Element and Fair Share Plan in accordance with the 2019 Settlement Agreement with the Fair Share Housing Center. Said Housing Element and Fair Share Plan included the Subject Property as described herein;

**WHEREAS**, N.J.S.A. 40:55D-62 and 40:55D-65 provide that the governing body may adopt or amend a zoning ordinance related to the nature and extent of the uses of land and structures thereon and a zoning ordinance may restrict buildings and structures according to their type and the nature and extent of their use; and

**WHEREAS**, the following amendments to the Borough's Zoning Ordinance in accordance with the 2019 Settlement Agreement authorized pursuant to the Resolution adopted by the Borough on May 14, 2019 are recommended; and

**WHEREAS**, the Borough Council has determined that the recommended changes would be beneficial to the Borough; and

**WHEREAS**, Chapter 26 (Land Use Regulations) must be amended and supplemented to effectuate said changes.

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

**NOW, THEREFORE, 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.**

Chapter 26 (Land Use Regulations), Article 400 (Zoning Districts and Zoning Map) of the Municipal Code of the Borough of Haworth is hereby supplemented to read as follows [additions by **bold**]:

§26-401.Zoning Districts.

[Ord. No. 779 § 16.401; ; Ord. No. 2013-02 § 26-401; amended 7-23-2019 by Ord. No. 19-09; **amended September 26, 2023 by Ordinance No. 23-22.**

For the purposes of this chapter, the Borough of Haworth is hereby divided into classes of districts or zones as follows:

Zone A -Residential

Zone B - Watershed/Recreation

Zone C - Residential

Zone D - Business

Zone E - Residential

Zone F - Residential/Inclusionary Multifamily (Block 1100, Lot 12)

Zone A/OZ - Residential/Overlay Zone District

Zone MU - Municipal Use

**Zone G – Massachusetts Ave. Residential/Inclusionary Multifamily (2.387 parcel of Block 1800, Lot 1 as described herein)**

§ 26-402. Zoning Map.

[Ord. No. 779 § 16.402; Ord. No. 928 § 1; Ord. No. 2013-02 § 26-402; Ord. No. 23-22]

**The boundaries of each of the zone districts created by this chapter, and as may be thereafter amended, are hereby established as shown on the Zoning Map of the Borough of Haworth, signed by the Mayor and Borough Clerk, entitled "Zone District Map", dated April 6, 2006 (base map prepared by P. David Zimmerman, 1989; zoning information revised by Hakim Associates, 2005), as amended from time to time. The Zoning Map accompanies this chapter and is hereby declared to be a part of this chapter. Ordinance No. 23-22, first reading and introduction on September 26, 2023, [to be adopted on [tentatively scheduled for 2<sup>nd</sup> reading/adoption on October 24, 2023], amends the Zoning Map to create the G Zone comprised of a 2.387 acre portion of Block 1800, Lot 1.**

**SECTION 2.**

Chapter 26 (Land Use Regulations), Article 500 (District Regulations) of the Municipal Code of the Borough of Haworth is hereby supplemented to read as follows [additions by **bold**]:

**§26-501 SCHEDULE OF ZONING LIMITATIONS**

[Ord. No. 779 § 16.501; Ord. No. 2013-02 § 26-501; Ord. No. 23-22]

**The Schedule of Zoning Limitations accompanies and is included as an attachment to this chapter. The regulations contained in the Schedule of Zoning Limitations, in conjunction with the Use and Building Regulations set forth herein, govern the use of land in the Borough of Haworth.**

**§26-502 SCHEDULE OF ZONING LIMITATIONS**

**§-26-502.10. Zone G – Massachusetts Ave. Residential/ Inclusionary Multifamily (2.387-acre Portion of Block 1800, Lot 1)**

**[Added September 26, 2023 by Ord. No. 23-22]**

**The following standards shall apply to development within Zone District G. All other zoning and land use provisions including by way of example the provisions of Chapter 26, Land Use Regulations, of the Haworth Code shall apply to development in the Residence Zone G only where specifically indicated as applicable in §26-502.10. When the standards herein conflict with other provisions of Chapter 26, the standards herein shall apply.**

**Intent; Description. The Borough of Haworth desires to establish a residential zone that will provide opportunities for the construction of very low, low and moderate-income housing in accordance with the prospective need obligation for New Jersey's Fair Housing Act Third Round (1999-2025). A portion of existing Lot 1, consisting of approximately 2.387 acres and described via metes and bounds herein, in Block 1800 of the Official Tax Maps of the Borough of Haworth has been identified as appropriate for an inclusionary multifamily housing development in which a portion of the dwelling units therein can be set aside for low- and moderate-income households.**

**The Metes and Bounds descriptions for existing Block 1800, Lot 1 and the approximately 2.387-acre portion of Block 1800, Lot 1 that is the subject of the ordinance, are contained in an undated document entitled, "Deed Description," prepared by MEGA Construction Management, Inc., and are described herein as follows:**

**Existing Block 1800, Lot 1**

**All that certain lot, piece or parcel of tract of land, situate and lying in the Borough of Haworth, County of Bergen and State of New Jersey. Being known and designated as All those Lots and part of Lots in Block Nos. 192, 193, 194, 195, 196, 197 and 198, on map entitled "Amended Map #2 of Hollywood Park Haworth, NJ," filed in the Bergen County Clerk's Office, dated April 15, 1929, as Map No. 2516, as follows:**

**COMMENCING at a point formed by the tangent intersection of the easterly side line of Schraalenburgh Road (41.25' wide) and the northerly side line of Massachusetts Avenue (60' wide), said point being distant 152.00 feet easterly along said northerly side line of Massachusetts Avenue (60' wide), to the point and place of TRUE BEGINNING; and running; thence**

**North 2 degrees 41 minutes 45 seconds East, 158.21 feet, to a point, thence;**

**North 84 degrees 13 minutes 43 seconds East 556.26 feet, to a point, thence;**

**North 86 degrees 39 minutes 4 seconds East, 575.85 feet, to a point, thence;**

**South 1 degrees 57 minutes 59 seconds West, 286.44 feet, to a point on the northerly side of Massachusetts Avenue (60' wide), thence;**

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

Along the said northerly side of Massachusetts Avenue (60' wide), North 88 degrees 2 minutes 1 second West, 824.78 feet, to a point, thence;  
North 4 degrees 39 minutes 19 seconds East, 100.11 feet to a point, thence;  
North 88 degrees 2 minutes 1 second West, 40.04 feet, to a point, thence;  
South 4 degrees 39 minutes 19 seconds West, 100.11 feet, to a point on the northerly side of Massachusetts Avenue (60' wide), thence;  
North 88 degrees 2 minutes 1 second West, 261.76 feet to the point or place of TRUE BEGINNING.

Said Parcel containing therein 252,940 Sq. Ft./ 5.807 acres more or less.

**Subject Property – Portion of Lot 1 To Be Included in Zone G and Described as Follows:**

All that certain lot, piece or parcel of tract of land, situate and lying in the Borough of Haworth, County of Bergen and State of New Jersey. Being known and designated as All those Lots and part of Lots in Block Nos. 192, 193, 194, 195, 196, 197 and 198, on map entitled "Amended Map #2 of Hollywood Park Haworth, NJ, filed in the Bergen County Clerk's Office, dated April 15, 1929, as Map No. 2516, as follows:

BEGINNING at a point formed by the intersection of the westerly side line of Grant Street (40.00' wide) and the northerly side line of Massachusetts Avenue (60' wide), and running; thence

North 88 degrees 2 minutes 1 second West, 334.98 feet, to a point, thence;

North 1 degrees 57 minutes 59 seconds East, 286.44 feet, to a point, thence;

North 86 degrees 39 minutes 4 seconds East, 60.28 feet, to a point, thence;

North 86 degrees 39 minutes 50 seconds East, 293.80 feet, to a point, thence;

South 5 degrees 7 minutes 16 seconds West, 319.66 feet, to the point or place of BEGINNING.

Said Parcel containing therein 103,956 Sq. Ft./ 2.387 acres more or less.

**Permitted Principal Uses**

Affordable housing development as defined in § 30-1.3.

As described in the Borough's Settlement Agreement with the Fair Share Housing Center and the Borough's 2019 Housing Element and Fair Share Plan, the affordable housing development in Zone G, may include multiple uses.

Multiple uses are permitted both within individual buildings, as well as within the subject property.

Additionally, Zone G is exempt from §26-202.5. Multiple permitted principal structures are permitted in G Zone and on the Subject Property. Below are the permitted principal uses that may be included in an affordable housing development in Zone G.

Attached single-family dwellings - Shall mean a single-family dwelling contained in a building with other residential units. No unit shall be located above another unit, and each unit shall be separated from any other unit by one or more common fire-resistant fire walls.

Stacked townhouses, as defined in §26-301.

Apartments – Shall mean a dwelling unit containing one or more rooms with private bath and kitchen facilities constituting an independent, self-contained dwelling unit in a building containing other dwelling units.

Alternative living arrangements, including group home units and supportive housing units, as defined in §30-1.3.

Age-restricted affordable units as defined in § 30-1.3, except that all units are available to individuals aged 55 and older.

Family affordable units- Shall mean affordable units that are not restricted to any specific population group.

Permitted Accessory Uses and Structures: indoor and outdoor community space, attached private garages, off-street parking, covered porches, patios sidewalks, walking paths, landscaping, buffering, fencing, walls, lighting, signage, stormwater detention facilities, common open space, outdoor recreational facilities or structures for the private use and enjoyment of residents and their guests, and other accessory structures and uses which are customary and incidental to the principal permitted uses.

**Bulk Area and Other Dimensional Standards:**

As defined in §26-301, the Subject Property located in Zone G is a Corner Lot with frontages on both Massachusetts Avenue and Grant Street. Further as defined in §26-301, the lot lines abutting both Massachusetts Avenue and Grant Street are front lot lines.

The Subject Property located in Zone G is exempt from the requirements of § 26-502.8.g.2, "Designation of Front Yard on Corner Lots." For purposes of this ordinance, the Grant Street frontage and front lot line is considered the "designated" front lot line, and the lot line opposite the Grant Street front lot line is considered the rear lot line. The lot line opposite the Massachusetts Avenue front lot line is considered the Side Lot line.

Minimum lot area: 2.3 acres.

Minimum lot depth: 300 feet.

Minimum lot width: 300 feet

**Minimum setbacks:**

For buildings [NOTE: Patios, covered porches and awnings that are attached to the principal building(s) are permitted to encroach up to seven feet into the required front, rear or side yard setbacks.]

Front yards: 20 feet.

Rear yards: 50 feet.

Side yards: 15 feet.

**For accessory buildings and structures:**

Front yards: Not permitted.

Side yards: 6 feet.

Rear yards: 6 feet.

**For parking areas and drive aisles:**

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

Front yard: 15 feet for parking areas and drive aisles.

Rear Yard: 25 feet for parking areas and drive aisles.

Side yards: 5 feet for parking areas and drive aisles.

Minimum distances between buildings: 25 feet.

Maximum height of structure: 2.5 stories, 35 feet.

Maximum building coverage: 35%

Maximum pavement coverage: 40%

Maximum impervious lot coverage: 70%

Maximum number of dwelling units: 35 units

Minimum number of total affordable units: 14 units, which shall include:

Eight (8) family units

Two (2) age-restricted units

Four (4) supportive housing units.

Parking Requirements:

Parking shall be provided per New Jersey Residential Site Improvement Standards (RSIS).

For the attached single family dwellings, at least (1) parking space shall be provided in an enclosed garage; a second parking space may be provided in the driveway in front of the garage; parking for stacked townhouses, apartments, group home and supportive housing units, age-restricted units, family affordable units, and visitors may be provided in off-street spaces.

Electric Vehicle (EV) parking spaces shall be provided in accordance with NJ P.L. 2021, c.171 (C.40:55D-66.20.3.a.(1)(a)).

Signage. One double-sided ground-mounted sign shall be permitted, no taller than six feet in height, with a sign area no greater than 32 square feet. Said sign shall be set back a minimum of 10 feet from the front yard property line along Massachusetts Avenue and shall not be located within any designated sight triangle.

Patios, Covered Porches, Fences and Walls:

No wall within the development shall exceed a height of six feet.

Fences shall conform to all requirements contained within §26-902.1.

"Patio" and "Covered Porch" as used herein shall be defined as a level area covered by a hard surface that is located at grade level and attached to a principal building. Patios and covered porches may be covered by a permanent roof but shall not be enclosed.

Landscaping. The provisions of § 26-904.1 of the Haworth Code entitled "Landscaping" shall apply to the development. Notwithstanding such provisions, and except where current vegetation provides a landscape buffer along each property line, and where no disturbance is proposed within 5 feet of a property line, a minimum of a row of evergreen trees interspersed with deciduous shade trees with a planting height of at least eight to 10 feet shall be planted along all front, rear and side yards. The spacing of such trees shall be such that, at maturity, such trees shall provide a continuous evergreen screen along such property lines. The shade deciduous shade trees interspersed with the evergreen buffer plantings shall be provided at intervals of not more than 40 feet. No tree plantings shall be permitted within the clear sight triangle at Massachusetts Avenue and Grant Street, however landscaping plantings with a mature height of no more than 2.5 feet are permitted and shall be planted in this area. All proposed landscaping and tree plantings shall be subject to the review and approval of the Haworth Planning Board at the time of Site Plan approval. Buffering. The provisions of §26-903.5 of the Haworth Code entitled "Required Buffering Areas and Setbacks" shall apply to the development.

Lighting. The provisions of §26-905 entitled "Lighting" of the Haworth Code shall apply to the development.

Architectural Design Standards. The provisions of §26-907 of the Haworth Code, entitled "Architectural Design Standards of Structures Requiring Site Plan Review and Approval" shall apply to the development.

Architectural Design Standards. The provisions of §26-907 of the Haworth Code, entitled "Architectural Design Standards of Structures Requiring Site Plan Review and Approval" shall apply to the development.

Utilities. The provisions of §26-910 of the Haworth Code entitled "Utilities" shall apply to the development.

Stormwater. Development shall comply with the provisions of §26-911 of the Haworth Code, entitled "Stormwater Control," along with any applicable New Jersey State requirements.

Affordable Housing

Pursuant to the Settlement Agreement adopted May 14, 2019 between the Borough and Fair Share Housing Center, 14 affordable dwelling units shall be set aside for occupancy by low- and moderate-income households.

As stipulated in the 2019 Settlement Agreement, the quantity and type of affordable units shall be provided as follows:

Eight (8) family units

Two (2) age restricted units

Four (4) supportive housing units.

The bedroom and income mix and phasing shall comply with the requirements of the Uniform Housing Affordability Controls ((UHAC); N.J.A.C. 5:80-26.1 et seq.)) and the requirements of the May 14, 2019 Settlement Agreement between the Borough and Fair Share Housing Center. At least 13% of the units shall be occupied by very-low-income households.

Such low- and moderate-income units shall be dispersed throughout the development to the extent possible.

Additionally, the exterior finishes and appearance shall be the same as that of the market-rate units.

Such units shall be restricted to low- and moderate-income households for a period of not less than 30 years. The developer shall be responsible for retaining a qualified administrative agent at the developer's sole cost and expense. The provisions of § 30-1, Affordable Housing, shall apply.

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



**SECTION 3. Inconsistent Ordinances Repealed.**

All Ordinances or parts which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

**SECTION 4. Severability.**

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such judgment shall be rendered.

**Section 5. Effective Date.**

This Ordinance shall take effect after publication thereof and final passage as required by law.

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

**MOTION APPROVED**

**Absent:** Dhamija, Davis

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

**RESOLUTION 062:09'2023 RECOGNIZING THE MONTH OF SEPTEMBER AS HUNGER ACTION MONTH**

**MOTION BY:** Councilwoman Siciliano

**SECONDED:** Councilman Poosikian

**WHEREAS**, hunger and food insecurity are a reality for far too many of our neighbors; and

**WHEREAS**, those who are food insecure are without reliable access to an adequate amount of affordable, nutritious food. Food insecurity can affect anyone, whether they are recently unemployed, underemployed, or supporting a large family; and

**WHEREAS**, food insecurity is a symptom of broader challenges, such as unemployment, disability, retirement or unforeseen financial hardships; and

**WHEREAS**, those who do not have their basic needs met are further hampered in their path toward self-sufficiency; and

**WHEREAS**, ongoing economic instability has increased food insecurity amongst individuals and families throughout Bergen County and across the country; and

**WHEREAS**, food pantries in Bergen County have experienced an approximately 22% increase in need for food assistance compared to last year, and a 40% increase in need from the unprecedented levels seen in 2020 due to the COVID-19 pandemic; and

**WHEREAS**, there are residents in every municipality in Bergen County who receive SNAP benefits, illustrating that this is an issue impacting residents all across Bergen County; and

**WHEREAS**, the economic coattails of the pandemic are long, and despite the end of Federal and state emergency declarations, tremendous need still exists within our community; and

**WHEREAS**, the Bergen County Food Security Task Force was established to support food pantries in Bergen County by increasing the supply of healthy food options, connecting those in need to vital services, and investing in long term infrastructure to build a more resilient pantry network to ensure no one in Bergen County goes hungry; and

**WHEREAS**, the Bergen County Food Security Task Force has been incorporated into the Department of Human Services as the new Office of Food Security to reaffirm that the county's commitment to fighting hunger continues past the pandemic; and

**WHEREAS**, the energy, philanthropy, and hands-on efforts of a multitude of volunteers throughout the county make a tremendous impact in combatting hunger in our community, and are vital in meeting the struggles of our neighbors with compassion; and

**WHEREAS**, the **BOROUGH of HAWORTH** is fortunate to host the pantries within our municipality; and

**NOW, THEREFORE, BE IT RESOLVED** that the **MAYOR/COUNCIL** hereby recognizes the month of September 2023 as "Hunger Action Month" in the **BOROUGH OF HAWORTH**, and encourages all Bergen County residents to support their local food pantries.

**BE IT FURTHER RESOLVED** that this **MAYOR/COUNCIL** is committed to ending hunger in Bergen County and will spread awareness and increase engagement in our community to solve this problem

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

**MOTION APPROVED**

**Absent:** Dhamija, Davis

**RESOLUTION 063:09'2023 AUTHORIZE PURCHASE OF 2023 TENCO M12 DUMP BODY, SALT SPREADER AND SNOW PLOW**

**MOTION BY:** Councilman Poosikian

**SECONDED:** Councilwoman Siciliano

**WHEREAS**, the Borough of Haworth has determined that it is in the best interest of its residents to purchase a new dump truck for the Department of Public Works; and

**WHEREAS**, the 2023 Tenco M12 Dump Body, Salt Spreader and Snow Plow shall be purchased under ECSNJ Bid 23/24-04 for an amount not to exceed \$122,928.02; and

**WHEREAS**, the Chief Financial Officer has certified that funds in the amount \$122,928.02 are available in Account No. C-04-23-788-003; 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.

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

**MOTION APPROVED**

**Absent:** Dhamija, Davis

**RESOLUTION 064:09'2023 AUTHORIZE PURCHASE OF 1085D PLUS CONVENTIONAL CHASSIS**

**MOTION BY:** Councilman Poosikian

**SECONDED:** Councilwoman Siciliano

**WHEREAS**, the Borough of Haworth has determined that it is in the best interest of its residents to purchase a new dump truck for the Department of Public Works; and

**WHEREAS**, the 1085D Plus Conventional Chassis shall be purchased under ECSNJ Bid 23/24-04 for an amount not to exceed \$120,686.472; and

**WHEREAS**, the Chief Financial Officer has certified that funds in the amount \$120,686.47 are available in Account No. C-04-23-788-003; 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.

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

**MOTION APPROVED**

**Absent:** Dhamija, Davis

**RESOLUTION 065:09'2023 AUTHORIZING THE BOROUGH OF HAWORTH FIRE DEPARTMENT TO UTILIZE TWO INOPERABLE BOROUGH VEHICLES FOR FIRE TRAINING PURPOSES**

**MOTION BY:** Councilman Poosikian

**SECONDED:** Councilwoman Siciliano

**WHEREAS**, the Borough of Haworth is the owner of the following two vehicles which are inoperable, unsafe, beyond repair, and at the end of their useful life:

2004 FORD EXPEDITION

2006 FORD ECONOLINE VAN

License Plate No. MG60558

License Plante No. MG73368

(Old Fire Chief's Vehicle)

(Old Senior Van)

2004 Ford vin# is 1FMFU16L84LB34132

2006 Ford vin# is 1FTSS34L16HA35617

**WHEREAS**, the Haworth Fire Department seeks to utilize these vehicles at the burn center of the New Milford Fire Department for training pertaining to motor vehicle fires.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council does hereby approve the use and disposition of these vehicles as detailed herein; and

**BE IT FURTHER RESOLVED** that the license plates of both vehicles shall be removed prior to the training exercise and returned to the Division of Motor Vehicles.

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

**MOTION APPROVED**

**Absent:** Dhamija, Davis

**RESOLUTION 066:09'2023 AUTHORIZE PURCHASE OF MOTOROLA PORTABLE RADIOS AND ACCESSORIES FOR THE HAWORTH FIRE DEPARTMENT**

**MOTION BY:** Councilman Poosikian

**SECONDED:** Councilman Rosenberg

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

**WHEREAS**, the Motorola portable radios and accessories shall be purchased under NJ State Contract #83909 for an amount not to exceed \$37,945.20; and

**WHEREAS**, the Chief Financial Officer has certified that funds in the amount \$37,945.20 are available in Account No. C-04-23-788-006; 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.

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

**MOTION APPROVED**

**Absent:** Dhamija, Davis

**RESOLUTION 067:09'2023 AUTHORIZE PURCHASE OF MOTOROLA PORTABLE RADIOS AND ACCESSORIES FOR THE HAWORTH VOLUNTEER AMBULANCE CORPS**

**MOTION BY:** Councilman Poosikian

**SECONDED:** Councilwoman Siciliano

**WHEREAS**, the Borough of Haworth has determined that it is in the best interest of its residents to purchase new radios for the volunteer ambulance corps; and

**WHEREAS**, the Motorola portable radios and accessories shall be purchased under NJ State Contract #83909 for an amount not to exceed \$15,000.00; and

**WHEREAS**, the Chief Financial Officer has certified that funds in the amount \$15,000 are available in Account No. C-04-23-788-012; 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.

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

**MOTION APPROVED**

**Absent:** Dhamija, Davis

**RESOLUTION 068:09'2023 REFUND OF SUMMER RECREATION CAMP ENROLLMENTS**

**MOTION BY:** Councilwoman Siciliano

**SECONDED:** Councilman Poosikian

**WHEREAS**, the Recreation Commissioner requested a refund for 2 children enrolled in Summer Rec Camp (1 week each @ \$225/wk) as the family was not aware that one of the children was ineligible due to his age.

**WHEREAS**, the Rec Commission voted to waive the \$150 Admin fee due to the circumstance;

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

<u>Name</u>	<u>Address</u>	<u>Amount</u>
Liat Peles	98 County Rd Demarest, NJ 07627	\$450.00
	Total	\$450.00

**ROLL CALL VOTE (Ayes):** Poosikian, Rosenberg, Siciliano, Lau,  
**Absent:** Dhamija, 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 069:09'2023: Approval of Minutes – Executive Meeting of September 12, 2023**

**MOTION:** Councilman Poosikian

**SECONDED:** Councilwoman Siciliano

At this meeting of the Haworth Mayor and Council held on September 26, 2023, to approve the Executive Meeting Minutes of September 12, 2023.

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

**MOTION APPROVED**

**RESOLUTION 070:09'2023: Approval of Minutes – Closed Session Meeting of September 12, 2023**

**MOTION:** Councilman Poosikian

**SECONDED:** Councilwoman Siciliano

At this meeting of the Haworth Mayor and Council held on September 26, 2023, to approve the Closed Session Minutes of September 12, 2023.

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

**MOTION APPROVED**

**RESOLUTION 071:09-25'2023: Approval of Bills and Claims**

**MOTION:** Councilman Poosikian

**SECONDED:** Councilwoman Siciliano

At this meeting of the Haworth Mayor and Council held on September 26, 2023, to approve the bills and claims of which are appended.

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

**MOTION APPROVED**

**PUBLIC COMMENTS:** None.

**CLOSED SESSION**

The Mayor and Council convened in Closed Session at 8:56 P.M. and reconvened in public session at 9:31 P.M.

**RESOLUTION: Closed Session Relating to Employment (Attorney-Client Privilege) – September 26, 2023**

**MOTION:** Councilwoman Dhamija

**SECONDED:** Councilman Rosenberg

At this meeting of the Haworth Mayor and Council held on September 26, 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

And approved by all present to adjourn the meeting of the Mayor and Council of the Borough of Haworth at 9:31 P.M.

Respectfully Submitted,  
Jo Anna Myung  
Municipal Clerk/Borough Administrator