

225. Recessed Meeting of the Mayor and Council of the Borough of Haworth held on January 2, 2022 via Zoom

Present: Hon. Thomas P. Ference, Mayor

Councilmembers: Glenn Poosikian
Michael Bain
Jacqueline Guenego
Dina Siciliano
Heather Wasser

Borough Attorney: Robert T. Regan

Mayor Ference called the meeting to order at 12:10 PM and upon roll call all members of the 2021 council were present with the exception of Mr. Rosenberg.

The Mayor then read the following statement: “This is the Recessed Meeting of the Mayor and Council of the Borough of Haworth. I am informed by the clerk that adequate public notice has been provided by mailing notice to The Record, by posting a notice on the bulletin board in the municipal center, by filing a copy of the notice in the office of the municipal clerk and by mailing notice to all persons who requested same and prepaid the cost fixed the council.”

CONSENT AGENDA

A motion was offered by Mr. Bain and seconded by Ms. Siciliano to approve the following consent agenda. On roll call the vote was as follows: Ayes; Messrs. Poosikian, Bain, Guenego, Siciliano, Wasser. Nays – none. Ms. Guenego abstained on voting for approval of the December 14, 2021 minutes as she was not present at that meeting.

Refund of Escrow Deposits – 57 Schraalenburgh Road

WHEREAS, the following escrow amounts were established with deposits to offset expenses; and

WHEREAS, the following amounts were expended.

NOW THEREFORE BE IT RESOLVED that the following refund be made:

<u>NAME AND ADDRESS</u>	<u>FOR</u>	<u>RECEIVED</u>	<u>EXPENDED</u>	<u>REFUND</u>
Roberto Lopez & Kathy Chau 384 High Street Closter, NJ 07624	57 Schraalenburgh Road Block 1800 Lot 11 Proposed addition that was withdrawn	\$1,000.00	\$420.00	\$ 580.00

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

CONSENT AGENDA – cont'd.

Authorize Participation in LESO Program to Acquire Excess Department of Defense Equipment

Resolution authorizing the Borough of Haworth through the Haworth Police Department to participate in the Defense Logistics Agency, Law Enforcement Support Office (L.E.S.O.), 1033 Program to enable the Haworth Police Department to request and acquire excess Department of Defense equipment.

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the **Mayor and Council** of the **Borough of Haworth** that the **Haworth Police Department** is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from January 1, 2022 to December 31, 2022; and

NOW THEREFORE BE IT FURTHER RESOLVED that **Haworth Police Department** is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies,

CONSENT AGENDA – cont’d.

Authorize Participation in LESO Program to Acquire Excess Department of Defense Equipment

respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the **Haworth Police Department**, without restriction; and

NOW THEREFORE BE IT FURTHER RESOLVED that **Haworth Police Department** is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the period of time for which this resolution authorizes: **(1) Truck/Utility, (1) Truck/Cargo, (1) Truck/Carryall, (1) Truck/Maintenance, (1) Truck/Panel, (1) Truck/Van, (1) Truck/Tractor, (1) Utility Vehicle/Off Road, (1) Automobile/Sedan, (1) Automobile/Wagon, (1) Complete Combat/Assault/Tactical Wheeled Vehicle, (1) Security Vehicle, (1) Drone, (12) Body Shields, (12) Shields/Personal Protective, (12) Shield/Self Protection, (12) Sight/Thermal**; and

BE IT FURTHER RESOLVED that the **Haworth Police Chief** shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the **Haworth Police Department** shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with
Program participation and all property request authorization terminating on December 31st of the current calendar year from (01/01), 2022 to December 31, 2022.

Establish a Dedication Trust by Rider for Donations

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

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

CONSENT AGENDA – cont’d.

Establish a Dedication Trust by Rider for Donations – cont’d.

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

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

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

Authorize Purchase of Tractor & Mower from Cooperative Purchasing Agreement

WHEREAS, the Borough of Haworth is a party to a cooperative purchasing agreement with the ESCNJ, a cooperative purchasing program organized pursuant to N.J.S.A. 40A:11-10 AND N.J.A.C. 5:34-7.11; and

WHEREAS, THE Local Public Contracts Law authorizes a municipality to purchase goods and services through a duly-formed cooperative purchasing system without advertising for bids; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play law N.J.S.A. 19:44a-20.4 et seq.; and

WHEREAS, the Borough of Haworth has a need to purchase, on a timely basis, goods or services utilizing ESCNJ contracts during 2022; and

WHEREAS, the Borough of Haworth plans to utilize the ESCNJ contract Vendors listed on the attachment, such transactions shall be subject to all conditions applicable to the current ESCNJ contracts; now, therefore

BE IT RESOLVED, by the Council of the Borough of Haworth, in the County of Bergen, that the Borough is hereby authorized to purchase goods or services in 2022 from the approved New Jersey State Contract Vendors on the following list, pursuant to all conditions of the individual contracts:

CONSENT AGENDA – cont’d.

Establish a Dedication Trust by Rider for Donations – cont’d.

<u>Commodity/Service</u>	<u>Vendor Name</u>	<u>State Contract #</u>
Tractor Model #72910 \$10,429.07	Storr Tractor Somerville, NJ	18/19-25
Toro Master 6000 Mower \$13,553.83	Storr Tractor Somerville, NJ	18/19-25

Authorize Purchase of Truck Parts under State Cooperative Purchasing Program

WHEREAS, pursuant to N.J.S.A. 40a:11-12A and N.J.A.C. 5:34-7.29 (c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Haworth has a need to purchase, on a timely basis, goods or services utilizing State contracts during 2022; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play law N.J.S.A. 19:44a-20.4 et seq.; and

WHEREAS, the Borough of Haworth plans to utilize the State contract vendors listed on the attachment, such transactions shall be subject to all conditions applicable to the current State contracts; now, therefore

BE IT RESOLVED, by the Council of the Borough of Haworth, in the County of Bergen, that the Borough is hereby authorized to purchase goods or services in 2021 from the approved New Jersey State Contract Vendors on the following list, pursuant to all conditions of the individual State Contracts:

<u>Commodity/Service</u>	<u>Vendor Name</u>	<u>State Contract #</u>
Truck Parts 428 \$3,772.98	Mid-Atlantic Truck Centre Linden, NJ	42075

CONSENT AGENDA – cont’d.

Transfer of 2021 Budget Appropriations

WHEREAS, Title 40A:4-58 provides that should it become necessary, during the last two months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the Governing Body may by resolution setting forth the facts (adopted by not less than 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriations deemed to be insufficient.

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Haworth that the Chief Financial Officer be and is hereby authorized to make the following transfers in the 2021 Operating Budget Appropriations:

Current Fund	FROM	TO
Group Insurance	\$2,600	Computer Maintenance
1-01-23-095-300		1-01-31-295-300
		\$1,000
		Fixed Asset Inventory
		1-01-20-038-300
		\$1,000
		Finance Salaries
		1-01-20-035-100
		\$500
		DCRP
		1-01-36-274-300
		\$100

Payment of Bills

FOR COPY OF RESOLUTION AND BILL LIST

SEE PERMANENT MINUTES

PAGES 231A – 231H

CONSENT AGENDA – cont'd.

Approval of Minutes

Executive Meeting of December 14, 2021

Closed Meeting of December 14, 2021

Open Meeting to Public

The meeting was opened to the period of public discussion

Mr. V. LaScala, Spring Lane referred to the resolution authorizing purchase of certain excess equipment from the Department of Defense and asked why the police needed this.

Mr. Poosikian explained it allows the borough to follow an auction site, the items are free and equipment has been obtained for the police and DPW, there are all types of equipment and it is an excellent process.

Mr. LaScala questioned if there would be a discussion before a purchase.

Ms. Guenego noted the police department has to inform the mayor and council of any acquisition of this equipment. Mr. Regan added the council has to approve the acquisition.

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

A motion was offered by Mr. Bain, seconded by Mrs. Wasser at 12:15 PM and unanimously carried to adjourn to the reorganization meeting.

Ann E. Fay, RMC, CMC
Clerk-Administrator

