

66. Regular Meeting of the Mayor and Council of the Borough of Haworth held on March 22, 2016 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Glenn Poosikian  
Andrew Rosenberg  
Anthony Volpe  
Michael Bain  
Lawrence Weiss  
Regina Duffy

Borough Attorney: Robert T. Regan

Mayor Smart called the meeting to order at 7:30 PM and upon roll call all members of the Council were present. The Mayor then read the following statement: "This is the Regular Meeting of the Mayor and Council of the Borough of Haworth. I am informed by the Clerk that adequate public notice has been provided by mailing notice to The Record, by posting a notice on the bulletin board in the Municipal Center, by filing a copy of the notice in the office of the Municipal Clerk and by mailing notice to all persons who requested same and prepaid the cost fixed by the Council."

Salute to Flag

Mayor Smart led those present in the pledge of allegiance.

Presentation of Proclamation Recognizing Police Officers

Mayor Smart said this was a special occasion to properly express our thanks and gratitude to the police who protect our citizens, in particular, Lieutenant Thomas Ryan and Police Officer James DiVite. Mr. Rosenberg described what happened on January 5<sup>th</sup> and gave special thanks to the following police officers from the surrounding towns: Sergeant Matt Thornhill (Closter), Officer Brendan Foley (Closter), Officer Keith Dombrowski (Closter), Detective Brian Talty (Demarest), Officer Joseph Delgreco (Demarest), Officer Brian Hampton (Demarest), Sergeant Antimo Costagliola (Harrington Park).

Mayor Smart then issued the proclamation to Lieutenant Thomas Ryan and Police Officer James DiVite who both thanked the Mayor and Council.

Jack Stokvis Presentation on Haworth Avenue Cut-Through

Mayor Smart noted the Stevens Place project is about to commence but for quite a while Mr. Stokvis has been talking about improvements involving the downtown area and he has offered to speak at this meeting. He then introduced resident Mr. Jack Stokvis.

## Jack Stokvis Presentation on Haworth Avenue Cut-Through – cont'd.

Mr. Stokvis explained he is an urban planner and efficiency expert. Most of the things he has recommended over time have gotten implemented, he said, however, the biggest problem, the structural weaknesses, has not been addressed. He believes if this issue gets resolved, there will be a boost to the businesses downtown. Haworth's downtown does not have ease of access. By making it difficult for people to get in and out, people will go elsewhere, Mr. Stokvis said.

Mayor Smart noted the designated parking signs have been removed as per Mr. Stokvis' suggestion; however, Mr. Stokvis also suggested putting a time limit on parking spaces that are mostly occupied by employees of the businesses and removing the "police parking only" signs.

Mayor Smart thanked Mr. Stokvis for his presentation.

## Committee Reports

### Report of Councilman Weiss

#### Environmental Commission

Mr. Weiss reported at their March 2<sup>nd</sup> meeting, the Environmental Commission welcomed Erin Postman and Mireille Bany as new members.

Members are working on a Tidy Town Project in which residents join together to beautify their landscaping and compete against other towns for the prettiest blocks, Mr. Weiss said.

April 29<sup>th</sup> is Arbor Day and April 30<sup>th</sup> is Clean Up Day which will be from 10:00 am to 2 pm.

#### Swim Club

Mr. Weiss reported applications are on the website. He met with Mr. Ives, the club manager who would like to give lessons for small children before opening hours at the club. He would give the town a fee and a Certificate of Insurance.

### Report of Councilman Bain

#### Library

Mr. Bain reported at the Board meeting on March 7<sup>th</sup> it was noted 51 separate programs including children's programs, several adult programs and book clubs were held and all were well attended. The first Coffee House was held with over 100 people in attendance and the Library Board is currently working on their policy manual, he said.

Committee Reports – cont’d.

Report of Councilman Bain – cont’d.

Recreation

Mr. Bain reported the Egg Hunt was held on March 19<sup>th</sup> with an excess of 50 families and thanked Will LoFaro for dressing as the Easter Bunny.

The Fishing Contest will be held on May 15<sup>th</sup>, supplies have been ordered, Mr. Bain noted.

Calendars for the summer recreation camp are on the website as well as applications for counselors and campers, interviews of the counselors will be held and then a presentation to the Council for approval of the hiring of the employees, Mr. Bain reported.

Report of Councilman Rosenberg

Planning Board

Mr. Rosenberg noted this Board did not meet last week due to the fact that the applicant, St. Gabriel’s Church, withdrew their application.

Zoning Board of Adjustment

Mr. Rosenberg reported this Board had a short meeting this month on a single application due to the fact that the notice sent out to the residents did not include a necessary variance.

Police Department

Mr. Rosenberg reported the police conducted a drill at the school during the February break in conjunction with the Bergen County Prosecutor’s Office.

Mr. Rosenberg referred to two recent traffic stops involving drugs.

Mr. Rosenberg reported there was a fire in the manor section, to which the Haworth Police, Haworth Ambulance, New Milford and Demarest Ambulance and Fire Departments all responded resulting in no injuries and was contained to the garage with no damage to other parts of the house.

Mr. Rosenberg reported 95 summonses were issued in the month of February.

Committee Reports – cont’d.

## Report of Councilman Poosikian

### Shade Tree Commission

Mr. Poosikian noted this Commission welcomed new member Orhan Akman and the final Winter Tree Program bids came in. Spring plantings, which include 15 trees, are being done, he said.

### Ambulance Corps

Mr. Poosikian reported the Ambulance Corps responded to 27 calls last month, 21 day time, 6 night time, 144 miles, 8 motor vehicle accident, man hours on call 103 and man hours for duty nights 1092. He noted an automobile accident on February 2<sup>nd</sup> near the pond in which the “crawler” had to be used to transport the stretcher containing the driver over the muddy ground.

Activities included CPR training for the Woman’s Club, treatment of a minor hand injury to a fireman, from the fire, and two fire drills, he said.

Discussion followed concerning the Winter Tree Program and how the Shade Tree budget is broken down. Mr. Poosikian explained there are funds allotted for the Winter Tree Program, Emergency work during the year and the Tree Farm.

## Report of Councilman Volpe

### Department of Public Works

Mr. Volpe reported the Department has been working on Operation Signs in the downtown area, started field preparation, are involved in branch chipping, and cleaning up walking trails starting on the one from Madison Avenue to Memorial Field. They have removed defunct water fountains, he said. Also top soil mound removal has begun by a contractor at the DPW yard and the entire yard area will be leveled, as recommended by the DEP, Mr. Volpe reported. Junk vehicles are planning on being auctioned also, he said. The generator installation is still in process as the gas main will have to be upgraded. The Borough Engineer will decide if we should be getting a diesel or gas generator, Mr. Volpe said.

Mr. Volpe also reported the Flats Road parking area is now open and the shredding event went very well.

The DPW also took advantage of the Emissions Program through the state and converted their vehicles to “clean or burn”, Mr. Volpe noted.

## Report of Councilman Volpe – cont'd.

### Parks and Playgrounds

Mr. Volpe reported the spring permit process is in full swing. Memorial Field bathroom project continues forward with the major work being done after spring and summer activities are finished, he said. Parks is hoping to obtain a grant from the County to help replace the playground equipment, the last piece of the lightening detection system has been completed and all seasonal water meters have been ordered, Mr. Volpe said.

Members have been contemplating different designs for the RR crossing signage. They voted last evening to go forward with a concept which has a solar element for the lighting, Mr. Volpe said.

The existing bathrooms at Memorial Field will not be closed until new ones are completed possibly by September, he said.

## Report of Councilwoman Duffy

### Fire Department

Mrs. Duffy reported quite a few residents spoke to her about how clean the area was after the fire in the garage. She also said the Department will be having an extrication drill with the Ambulance Corps on the 30<sup>th</sup> of the month at the Swim Club.

### Seniors

Mrs. Duffy noted 64 seniors turned out for the St. Patrick's Day meeting sponsored by the Police Department. As there were some transportation issues for some of the seniors, it was decided that the senior van will be available to and from the meetings, Mrs. Duffy said. Seniors were reminded smoke alarm batteries can be changed with the help of Bonnie Borghi and the Fire Department, plans are in the works for the senior BBQ to be held at the Haworth Country Club and the next meeting will be a cooking class by a well-known chef from Bergen County, Mrs. Duffy reported.

### Tennis

Mrs. Duffy noted Joe Albarella was welcomed to this Committee. Also, she said, the Committee has approved her request to open the courts for 3 – 4 hours during Celebrate Haworth Day for permit-less tennis and they can sign up for times on line.

## Report of Councilwoman Duffy – cont'd.

### Board of Health

This Board discussed the Fitness Challenge, Mrs. Duffy reported, which has gone out on social media and the town's website.

### Flag Donations

Mrs. Duffy noted donations are picking up, the first order of 15 flags will be ready in two weeks. Mrs. Duffy is working with a high school Haworth girl who will be doing all the writing on material which will be put on the flags and it is Mrs. Duffy's hope to have all 15 flags, if not more, flying by the week before Memorial Day.

## Mayor's Report

### Haworth School

Mayor Smart reported since March 2<sup>nd</sup> was Read Across America Day celebrating Dr. Seuss' birthday, he went to the school to read to second graders.

### Contant Avenue Project

Mayor Smart and Mr. Volpe attended a preconstruction meeting with Suez and the Borough Engineer concerning work being done on a water main project on Contant Avenue. The main will be widened and quality of service will be improved. This work was originally scheduled for 2018 but since this section of street is scheduled to be repaved soon, Suez changed their schedule, the Mayor reported.

### Community Development

Mayor Smart reported he and Mr. Volpe attended a meeting with Community Development along with other mayors and grant monies are being requested for senior activities, senior van, and a \$71,000 grant for ADA compliant bathrooms at the swim club. The Mayor said the good news is there is more money available this year, but the bad news is there is a 2.5 to 1 ratio to the requests that have been made and the amount of money available.

Mayor Smart also reported there is utility tree trimming taking place all on the west side of town.

Mayor Smart also addressed the fact there have been some changes and improvements to the web site, making the design more intuitive, with weekly messages that are driving people back to the web site. The goal, the Mayor said, is trying to see if we can make more optimal use of the existing web site instead of changing to a different platform or template. He advised the Council members to look at their portfolios.

Mr. Rosenberg, referring to the water main project, discussed doing an escrow for police utility work in order to avoid waiting for reimbursement from the utility companies.

## UNFINISHED BUSINESS

### Reconsideration of Stevens Place Alternate

Mayor Smart reported the grant received for this project was \$149,000.00. The bid was awarded for \$141,000 with one alternate of \$11,000 to install conduit for electrical wiring and new foundations for the light poles. There was an issue to deal with in the budget, Mayor Smart said, since there was a \$3,000 difference between the grant amount and the bid.

Since that time, the Mayor and Mr. Volpe met with Public Service Electric & Gas Company and learned there would be an additional cost to run the wiring to the new poles and install new poles. Mayor Smart said Public Service would replace the wood poles with fiberglass ones at no cost to the town, however, it would be the old type of lighting fixtures.

After discussion, it was decided to continue with the current plan to run the conduit and place the new foundations for new light poles, to be decided at a later date, request the fiberglass poles from Public Service, and have them replace discolored light fixtures.

## NEW BUSINESS

### Appointment to Tennis Committee – Joseph Albarella

Mayor Smart appointed Mr. Joe Albarella as a member of the Tennis Committee for a one year term to December 31, 2016.

### Introduction of Ordinance No. 16-03 – 2016 Index Ordinance

A motion was offered by Mr. Weiss, seconded by Mr. Rosenberg and unanimously carried that Ordinance No. 16-03 be offered for first reading.

Ordinance No. 16-03 was then read by title only as follows:

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### Introduction of Ordinance No. 16-03 – 2016 Index Ordinance – cont'd.

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP  
BANK**

A motion was offered by Mr. Weiss and seconded by Mr. Bain that Ordinance No. 16-03 be passed on first reading.

On discussion, Mayor Smart explained this ordinance allows us to increase the budget by 3.5% but if we don't use that extra money we can bank the additional monies to cover benefit increases in future years.

On roll call the vote was as follows: Ayes; Messrs. Poosikian, Rosenberg, Volpe, Bain, Weiss, Duffy. Nays – none. Declared carried.

A motion was offered by Mr. Poosikian and seconded by Mr. Volpe and unanimously carried to advertise Ordinance No. 16-03 as required by law and a date set for public hearing on April 12, 2016 at 7:30 PM at the Municipal Center.

Resolutions

Award of Shade Tree Bid

The following resolution was offered by Mr. Poosikian and seconded by Mr. Rosenberg:

WHEREAS, following public advertisement as required by law, sealed bids for the Haworth Winter Tree Program for 2016 were received by the Municipal Clerk on March 15, 2016; and

WHEREAS, six bids were received at that time; and

WHEREAS, the Borough Attorney has reviewed the bid documents received; and

WHEREAS, it has been determined that funds are available as evidenced by the Chief Financial Officer.

NOW THEREFORE BE IT RESOLVED, that a contract for the Haworth Winter Tree Program for 2016 be and is hereby awarded to Boulder Hill Tree Service in the amount of \$12,025.00, subject to removal and substitution of specific trees.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized to execute a contract in a form prepared by the Borough Attorney.

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Resolutions – cont'd.

Award of Shade Tree Bid – cont'd.

On roll call the vote was as follows: Ayes; Messrs. Poosikian, Rosenberg, Volpe, Bain, Weiss, Duffy. Nays – none. Declared carried.

Authorization to Issue Tax Anticipation Notes

The following resolution was offered by Mr. Weiss and seconded by Mr. Bain:

BE IT RESOLVED, by the Borough Council of the Borough of Haworth (the “Borough”), in the County of Bergen, State of New Jersey, as follows:

Section 1: It is hereby determined and declared that the Chief Financial Officer made and filed in the office of the Borough Clerk a certificate pursuant to the provisions of Section 40A:4-66 of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., certifying as follows:

(A) The gross borrowing power of the Borough in respect to tax anticipation notes of the fiscal year beginning January 1, 2016, being thirty percent (30%) of the tax levy for all purposes of the next preceding fiscal year, which ended December 31, 2015, for all purposes, plus thirty percent (30%) of the amount of miscellaneous revenues realized in cash during such next preceding fiscal year, is \$7,070,930.

(B) There are no notes of the Borough outstanding in anticipation of the collection of taxes of such fiscal year beginning January 1, 2016.

(C) The net borrowing power of the Borough is \$7,070,930.

Section 2: Pursuant to the Local Budget Law, the Borough shall borrow not to exceed \$2,500,000 in anticipation of the collection of taxes levied in and for the fiscal year beginning January 1, 2016, and in anticipation of other revenues for such fiscal year.

Resolutions – cont'd.

Authorization to Issue Tax Anticipation Notes – cont'd.

Section 3: The notes issued pursuant to this Resolution shall be negotiable notes issued in registered form or payable to bearer, shall be issued in an aggregate principal amount not to exceed \$2,500,000 (with the final principal amount of each note to be determined by the Chief Financial Officer and may be issued in more than one series) and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and shall be payable at maturity, all as shall be determined by the Chief Financial Officer of the Borough in accordance with the provisions of Section Five (5) below.

Section 4: The Chief Financial Officer is hereby designated as the financial officer to sign said notes, and the Mayor and the Chief Financial Officer are hereby authorized and directed to execute said notes, and the Borough Clerk or Deputy Borough Clerk are each hereby authorized and directed to affix the seal of said Borough to each of such notes and to attest such seal and said notes, and said officers, notwithstanding any resolution theretofore adopted by the Borough Council, are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

Section 5: The power to determine any matter with respect to said notes as are not determined by this Resolution and also the power to sell said notes from time to time as funds are granted is hereby granted to the Chief Financial Officer of the Borough, who is authorized to sell said notes at not less than par and accrued interest and to deliver said notes upon receiving the

Resolutions – cont'd.

Authorization to Issue Tax Anticipation Notes – cont'd.

purchase price to be paid therefor. After the sale of the notes, the Chief Financial Officer shall make a report of such sale to the Borough Council pursuant to N.J.S.A. 40A:4-72.

Section 6: All sums borrowed by the issuance of said notes shall be applied only to purposes provided for in either (a) the budget adopted for the fiscal year beginning January 1, 2016, or (b) the purposes for which taxes are levied or are to be levied for such fiscal year.

Section 7: Said notes may be renewed from time to time but such notes and any renewals thereof shall mature not later than April 30, 2017.

Section 8: The Borough covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended, necessary to maintain the exclusion from interest of the notes for Federal income tax purposes.

On roll call the vote was as follows: Ayes; Messrs. Poosikian, Rosenberg, Volpe, Bain, Weiss, Duffy. Nays – none. Declared carried.

Authorization to Offer Direct Withdrawal for Property Tax Payments

The following resolution was offered by Mr. Weiss and seconded by Mr. Rosenberg and unanimously carried:

**WHEREAS**, the taxpayers of the Borough of Haworth have requested alternative payment methods for their quarterly property tax payments; and

**WHEREAS**, the Bank of New Jersey, as a depository of the Borough, is prepared to initiate the debits based on orders from the Tax office, provided they receive an authorization at least two weeks prior to the quarterly due dates of February 1, May 1, August 1, and November 1; and

**WHEREAS**, an authorization agreement, which will be on the Borough website, will be completed and signed and delivered to the Borough of Haworth tax office by the taxpayer;

Resolutions – cont’d.

Authorization to Offer Direct Withdrawal for Property Tax Payments – cont’d.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Haworth, County of Bergen, State of New Jersey, that ACH Direct Withdrawals will be offered as an alternative method of tax payment.

Introduction of 2016 Municipal Budget

The following resolution was offered by Mr. Weiss and seconded by Mr. Rosenberg:

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Borough of Haworth, Bergen County, New Jersey for the year 2016.

BE IT FURTHER RESOLVED, that the said Budget be published in The Record in the issue of April 5, 2016 and that a hearing on the Budget will be held at the Municipal Center on May 10, 2016 at 7:30 o’clock (P.M.) or as soon thereafter as the matter may be reached.

GENERAL APPROPRIATIONS

1. Municipal Purposes within “CAPS”	\$5,449,506.
2. Appropriations Excluded from “CAPS”	\$1,986,448.
3. Reserve for Uncollected Taxes	\$ 200,000.
4. Total General Appropriations	\$7,635,954.
5. Less: Anticipated Revenues Other Than Current Property Tax	\$1,638,271.
6. Amount to be Raised for Taxes for Support of Municipal Budget	\$5,685,654.
Minimum Library Tax	\$ 312,029.

On discussion, Mr. Weiss noted there are increases in debt service due to the Haworth Country Club settlement, salaries and health insurance payments. We will finish with our total debt being \$300,000 less than last year and the average homeowner paying an increase of \$169.00.

Mayor Smart thanked the Finance Committee for their fantastic effort and noted some favorable changes from the 2015 budget, adding the actual tax bill will have a 3.4% increase. He added this budget will be paying off debt, while still maintaining high quality services. This budget has gone a long way, the Mayor said, in settling some prior obligations.

Mr. Poosikian commented the Finance Committee is a thankless job. In years past, the council members had an opportunity to review the budget before the week of introduction. He said it was more transparent, and that did not happen this year.

Resolutions – cont’d.

Introduction of 2016 Municipal Budget – cont’d.

Mr. Poosikian noted we can continue to adjust before we ultimately pass the budget, but we are limited and have to be careful. He also felt there is a very small surplus this year and did not feel the auditor would agree to that. Mr. Weiss said the auditor said it would be fine. Mr. Poosikian noted it is only \$30,000 this year when it was over \$200,000 last year.

Mr. Weiss said anyone can bring up any suggestions at the next meeting. Mr. Volpe said the process concerned him also. He feels disconnected and said there was always an opportunity to discuss the budget. He had questions concerning a number of items listed in the budget and said the number of Parks & Playgrounds is incorrect.

On roll call the vote was as follows: Ayes; Messrs. Poosikian, Groh, Rosenberg, Volpe, Bain, Weiss. Nays – none. Declared carried.

Authorization for Municipal Clerk to Advertise for Proposals to Operate Swim Club  
Snack Stand

The following resolution was offered by Mr. Weiss and seconded by Mr. Rosenberg and unanimously carried:

BE IT RESOLVED, that the Municipal Clerk is hereby authorized to advertise for proposals for the operation of a Food Service Concession (Snack Bar) at the Haworth Swim Club for the 2016 Pool Season.

Payment of Bills

The following resolution was offered by Mr. Weiss, seconded by Mr. Bain and unanimously carried:

FOR COPY OF RESOLUTION AND BILL LIST  
SEE PERMANENT MINUTES  
PAGES 81A – 81L

Approval of Minutes

A motion was offered by Mr. Weiss, seconded by Mr. Poosikian and unanimously carried to approve the minutes of the Executive Meeting of February 9, Regular Meeting of February 23, and Closed Meeting of February 9, 2016.

## Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. S. Chval, Woodland Place asked if the lightening detection system being installed at Memorial Field will be clearly audible at the tennis courts. Mr. Volpe responded, yes.

Mr. Chval asked about the back flow valve upgrades and Mr. Weiss explained there will be an installation of a back flow preventor at the DPW.

Ms. B. Colonna, West View Terrace asked if the library requested additional funds. Mr. Weiss explained the library requested \$32,971 additional monies given the fact that their health care benefits have risen, but noted that cuts have been made in just about everything else.

Ms. Colonna wanted to know what St. Gabriels is asking for now. Mr. Rosenberg responded the previous issue before the Planning Board was for additional parking and amendment to site plan approval, but that has been withdrawn.

Ms. Colonna asked about the budget increase of over the 2% cap. Mr. Smart said the cap is on the tax levy, but there are exclusions like debt service and health care costs for example.

Ms. Colonna asked if any consideration has been given to Stevens Place and St. Nicholas Avenue becoming two way streets. Mr. Smart said no.

Mrs. Groh, Haworth Avenue stated the library is overstaffed with full time employees. She also complimented Mayor Smart on the website and was happy to hear about the fitness challenge. She commented there is a noticeable difference with the removal of the signs. Mrs. Groh asked if the town is still a part of the Riverside Coop and said to make sure the town gets the Borough Engineer's fees reimbursed by Suez. She likes the idea of escrowing for police utility work.

Mrs. Groh also asked if Haworth is involved with the statewide seedling program where you can get free seedlings. She suggested we open the meeting to the public at the beginning of the meeting also and didn't like the fact there were no copies of the budget for the public. She said there is a document in the tax program she thinks Haworth should start using which prepares the budget preparation worksheet.

Mrs. Groh also asked if borough employees contribute to their dental benefits and had a few comments about the capital budget.

Mrs. Groh's last question was what prevented the police from getting to the school the morning the fire alarm went off before the members of the Fire Department. Mr. Rosenberg said he would look into it.

Open Meeting to Public – cont'd.

Mr. Stokvis commended the Borough on the website and the mailings and suggested putting the agenda in the emails. He also said the suggestion of making St. Nicholas a two-way street would cause chaos.

Ms. Colonna agreed with Mrs. Groh that the meetings should be open in the beginning of the night also. Mayor Smart said it has been both ways.

Mr. A. Reithmayr inquired about the paving of Contant Avenue/Maple Street to the fire hydrant. There was discussion concerning a private road in front of a resident's house.

Mr. N. Nakashian spoke of the "right of site" where there is a bush or tree obstructing a driver's vision at an intersection. The Mayor noted there is an ordinance which addresses this. Mr. Nakashian said there is a violation of this ordinance on the corner of Contant and Maple – east of Contant, where a resident put in new landscaping.

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

Close Meeting to Public

The following resolution was offered at 10:15 PM by Mrs. Duffy, seconded by Mr. Volpe and unanimously:

**WHEREAS**, *N.J.S.A. 10:4-12B* permits a public body to exclude the public from the portion of a meeting at which certain items are discussed; and

**WHEREAS**, the Governing Body deems it necessary to conduct a closed session and to exclude the public on February 9 2016 at which time the following items will be discussed:

Declaratory Judgment Action  
Affordable Housing Litigation

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council does hereby exclude the public from the portion of the meeting at which time the above items will be discussed; and

**BE IT FURTHER RESOLVED** that the discussion conducted in closed session will be disclosed to the public upon completion or conclusion of the foregoing item and when determined by the Governing Body that the Borough's interests will not be adversely affected.

Reopen Meeting to Public

The meeting was reopened to the public at 11:15 PM.

As there was no further business to come before the Council the meeting adjourned at 11:15 PM on motion duly offered, seconded carried,

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Margaret Celotto, RMC  
Deputy Clerk























