

217. Regular Meeting of the Mayor and Council
of the Borough of Haworth held on
November 12, 2014 at the Municipal Center

Present: Hon. John Dean DeRienzo, Mayor

Councilmembers: Glenn Poosikian (by speaker phone)
Mary Anne Groh
Andrew Rosenberg
Anthony Volpe
Michael Bain

Borough Attorney: Robert T. Regan
Chief Financial Officer: Dawn Wheeler

Mayor DeRienzo called the meeting to order at 7:30 PM and upon roll call all members of the Council were present with the exception of Mr. Iacobino. 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 DeRienzo led those present in the pledge of allegiance.

COMMITTEE REPORTS

Report of Councilman Bain

Environmental Commission

There was no quorum for the last meeting.

Recreation

Mr. Bain reported the Commission at their last meeting discussed their yearly activities and begun the preparation of next year's budget.

Library

Mr. Bain reported this Board approved three small change orders at last evening's meeting including a sewer hook-up and carpeting which will be paid by the Library's operating

COMMITTEE REPORTS – cont'd.

Report of Councilman Bain – cont'd.

funds or by the Friends of the Library. He said the project is on schedule for completion the first week in January.

Mrs. Groh questioned the use of funds from the operating budget.

Mr. Smart, member of the Library Board and present in the audience said the use of those funds is made possible through a vacation in a staffing position resulting in budget savings.

Report of Councilman Rosenberg

Planning Board

Mr. Rosenberg reported the Board heard an application for a new restaurant on Terrace Street at their October meeting which was approved subject to changes in the site plan and a revised site plan will be submitted.

Mr. Volpe asked if the application includes improvements to the rear area of the property.

Mr. Rosenberg replied there will be increased lighting, re-paving of the existing parking lot and a concrete pad for a waste container shielded by shrubbery.

Police Department

Mr. Rosenberg reported that Lt. Gracey attended the recent AAA awards ceremony at which time the Department received a Traffic Safety Award; the Department participated in the Trick and Trunk Halloween event at the school and the event on Maple Street on Halloween.

Incidents, Mr. Rosenberg reported included two attempted burglaries, one of which resulted in the theft of approximately \$9,000 worth of various items from a residence and 34 summonses were issued last month.

Report of Councilman Poosikian

In the absence of Mr. Poosikian (who joined the meeting by speaker phone later in the evening) Mayor DeRienzo gave the following report for the Ambulance Corps:

The Ambulance Corps responded to 28 calls last month, 25 daytime, 238 miles, mutual aid calls to Closter, Northvale and Dumont, man hours on calls – 105, man hours for duty nights – 1080.

COMMITTEE REPORTS – cont'd.

Report of Councilman Poosikian – cont'd.

The Ambulance Corps participated in the United Water Response Drill, attended a joint OEM/District Planning for Ebola Response procedures and the construction of the building addition has begun.

Report of Councilman Volpe

Board of Education

Mr. Volpe will report on the Board's activities at next month's meeting.

Fire Department

Mr. Volpe reported the following:

The Department responded to 22 calls last month including 5 activated fire alarms in Haworth, 13 mutual aid alarms in Demarest, 3 hazardous conditions and 1 vehicle fire. They conducted a house drill on Morris Avenue working on a search and rescue exercise, ground and aerial ladder deployment and forcible entry, the Fire Chief thanked Mr. Volpe for the use of this house and Mr. Volpe thanked the Building Department for informing the Department when demolitions are available for training purposes.

Members of the Department attended the United Water Compliance Drill, the junior members participated in a Junior Firefighter drill in Bergenfield at which time Haworth had the biggest turnout and were able to perform numerous exercises receiving praise on their knowledge and ability to perform the training tasks which is a credit to the training officers Capt. Pavlik and Assistant Chief Green.

The Department participated in the various Halloween events in town, equipment is undergoing preventative maintenance and repairs, various drills and training for October took place and are again scheduled for November.

Parks and Playgrounds

Mr. Volpe reported this Committee did not meet as there was no quorum.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Groh

Tennis

Mrs. Groh noted that the courts are still open and will remain open according to weather conditions.

Seniors

Mrs. Groh reported this group held their October fest luncheon which was well attended and enjoyable.

Recycling

Mrs. Groh noted she has spoken to Atlantic Coast Fibers, the firm now receiving the Borough's recyclable items regarding various concerns including why they are not accepting shredded paper. They indicated the problem with separation of the shredding material from the single stream method. She discussed seeking bids to have two trucks picking up the recycling every Wednesday – one for paper and one for comingled items.

Mrs. Groh further noted a company has contacted the Borough regarding the pick-up of the shredded material and the BCUA has sent a survey to determine if the Borough would be interested in them supplying a shredding truck to the town.

Negotiations

Mrs. Groh reported that a further offer has been received from the PBA and she will meet with her Committee in this regard.

Finance

Mrs. Groh noted a budgetary transfer resolution is being considered this evening and that Ms. Wheeler, the Borough's CFO is present to discuss this resolution and other financial matters.

As to the Fixed Asset Inventory firm the Borough has retained, an attempt is being made to set a date for this process, Mrs. Groh said.

Ms. Wheeler explained that first the firm was to do this project in October, then they postponed it to November and now they are expected in the Borough on December 15th, noting this project has to be completed by the end of the year.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Groh – cont'd.

Finance – cont'd.

Mrs. Groh commented it is good to complete the inventory in connection with planning issues and capital requests.

As to the Securities and Exchange Commission's Continuing Disclosure Cooperation Initiative, Mrs. Groh explained the Borough retained Acacia Financial Group to complete this project, a conference call was held with various Borough officials and a very thorough job was done with the finding of some deficiencies.

Ms. Wheeler noted that some of the filings may not have been posted to the electronic filing system prior to EMMA as there were sometimes problems posting updates on that system; a list of documents needing to be filed has been compiled, will be filed on the system and also an SEC questionnaire must be completed along with a narrative.

Ms. Wheeler explained the Borough's auditing firm will file the documents at no cost to the Borough which process should take less than an hour; Acacia will complete the questionnaire and write the narrative, their original bid of \$850 will cover the work completed so far; the charge for the questionnaire and the narrative will be \$165 per hour for approximately three hours for a total of \$495; the bonding attorney, Mr. Rogut has written the resolution, reviewed the Acacia findings and participated in the conference call, his fee is \$500. She said there will be no further fee charged by either the auditors or Mr. Rogut to review the narrative prepared by Acacia before it is filed by them.

A motion was then offered by Mrs. Groh and seconded by Mr. Volpe to authorize Lerch, Vinci and Higgins to file all documents, authorize Acacia Financial Group to prepare the narrative and questionnaire at \$165 per hour for three hours and authorize the fee of Mr. Rogut for preparation of a resolution and review of documents at a total cost of \$500.

On discussion, Mr. Volpe questioned if there was anything that could be done in the future to prevent this situation.

Ms. Wheeler said there is the question of who is the disseminating agent which would need to be discussed and that also the Borough can retain Acacia to oversee ongoing compliance issues.

Mrs. Groh commented the Borough will be sensitive going forward in connection with this matter.

On voice vote all members voted in the affirmative. Declared carried.

Mayor's Report

Mayor DeRienzo referred to several upcoming events in town particularly the Friends of the Library Goods and Services Auction to be held on November 21st.

Mr. Poosikian then joined the meeting via speaker phone.

JIF Dividend

It was concurred that the 2014 dividend be applied to the 1st installment in 2015.

2014 Budgetary Transfer

Mrs. Groh said the resolution is necessary for accounts where there are not sufficient funds for the remaining year.

Ms. Wheeler noted transfers are done every year after November 1st, the largest transfer in this resolution is for police overtime in the amount of \$42,000 and there could be another transfer in this line.

Mrs. Groh asked if there were some excess funds in the police budget due to one of the officers leaving.

Ms. Wheeler explained the function of sub-accounts and control accounts in the budget and she is still in the process of checking on funds. She noted more money may be needed for natural gas.

As to the transfer of funds from one department to another, Mrs. Groh asked if the departments know what is being taken from their budgets.

Ms. Wheeler replied she will be notifying them and explained the 10 percent reserve process in each department's budget.

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

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.

2014 Budgetary Transfer – cont’d.

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 2014 Current Fund

Budget Appropriations:

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Municipal Clerk		
Other Expenses	2,000.00	
Mayor & Council Public Info		
Other Expenses	500.00	
Ethics Board		
Other Expenses	500.00	
Mayor & Council Publications		
Other Expenses	700.00	
Fixed Asset		
Other Expenses	600.00	
Tax Assessment		
Other Expenses	12,000.00	
Revenue Administration		
Other Expenses	500.00	
Computer Maintenance		
Other Expenses		500.00
Legal		
Other Expenses	1,000.00	
Engineering Service & Costs		
Other Expenses	800.00	
Planning Board		
Other Expenses	500.00	
Zoning Board		
Other Expenses	500.00	
Employee Flexible Spending		
Other Expenses	2,500.00	
Fire Department		
Other Expenses	2,000.00	
UFSC-Fire Prevention		
Other Expenses	195.00	

2014 Budgetary Transfer – cont'd.

<u>CURRENT FUND</u>		<u>FROM</u>	<u>TO</u>
Police Department			
	Salaries & Wages		42,000.00
	Other Expenses	5,500.00	
Purchase of Police Vehicle			
	Other Expenses	257.00	
Emergency Management Services			
	Other Expenses	1,000.00	
Prosecutor's Office			
	Other Expenses	200.00	
Streets & Roads			
	Other Expenses	1,300.00	
Public Buildings & Grounds			
	Other Expenses		1,500.00
Emergency Trees			
	Other Expenses	3,000.00	
Tree Farm			
	Other Expenses	910.00	
Environmental Commission			
	Other Expenses	1,900.00	
Parks Department			
	Other Expenses		1,300.00
Parks & Playgrounds			
	Other Expenses	300.00	
Chamber of Commerce			
	Other Expenses	500.00	
Tennis			
	Other Expenses	2,000.00	
Celebration of Public Events			
	Other Expenses	1,000.00	
Utility-Water			
	Other Expenses	2,000.00	
Utility-Natural Gas			
	Other Expenses		6,000.00
Utility-Gas/Diesel			
	Other Expenses	1,638.00	

2014 Budgetary Transfer – cont’d.

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Public Employee Retirement System		
Other Expenses	500.00	
BCUA Flow Charges		
Other Expenses	6,000.00	
	TOTALS:	\$51,800.00 \$51,800.00

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

Refund of Overpayment of 2014 Real Estate Taxes

The following resolution was offered by Mrs. Groh, seconded by Mr. Rosenberg and unanimously carried:

BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the Tax Collector be authorized to refund the overpayment of 2014 property taxes to:

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO:</u>	<u>2014 TAXES</u>
1100	4	Sreelatha Vattimilli 410 Anstatt Way Haworth, NJ 07641	\$ 2,187.84
1609	6	Elsa Digemma 210 Harrison St Haworth, NJ 07641	\$ 1,175.10

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. S. Chval, Woodland Place asked the total amount of the transfer resolution.

Mayor DeRienzo responded, \$51,800.

Ms. C. Soroka, Whitman Street noted she had attended a deer information meeting at the Borough recently and read the following letter:

Open Meeting to Public – cont'd.

Hello. My name is Cynthia and I am a resident and tax payer in the town of Haworth. I am also the president of the Demarest Nature Center.

At the Nature Center, we cater to wildlife enthusiasts that enjoy hiking through the nature center, and also we hold a photography contest once a year encouraging photographs to be taken of nature and wildlife.

I recently attended a meeting of an ad hoc committee formed to talk about deer. After the first meeting, it is very apparent to me it is being organized for the sole purpose of promoting a dangerous, outmoded, and ineffective deer hunt. A number of people in town had no idea about this committee because they don't read the entire town newsletter, but everyone in town should have a say in this. I did suggest a referendum of the town in the next November election to ask the taxpayers of the town what they think.

I urge the town to not certify any committee within our town that has a lethal agenda. That said, I would be happy to participate in productive nonlethal discussions about deer. Whenever lethal means are used, the deer numbers do not decrease, but, in fact, increase, because there is less competition, more food and habitat available for survivors. So, those remaining deer eat more and then give birth to twins. This is known as the compensatory rebound effect. We should at least begin by doing projects like putting in deer reflectors on roads that have a speed limit in excess of 25 miles an hour in town.

I have spoken to the DEP of NJ and they have told me a few things. First any idea of anyone hunting any wildlife in Bergen County, NJ (due to the population in our county) is not allowed with the use of guns. Also any sale of any meat from any wildlife is not allowed by law in the state of NJ.

So, if hunting does not work, we do know that it makes the community less safe. Hunters with bows in NJ can now be as close as 50 yards from your back door without getting permission, if a hunt is allowed here, imagine the horrible accidents that can occur. I will let you know about something that happened to me a number of years ago. I was at a swim club in Bergen County and the person next to me was shot by someone trying to shot an animal that missed.

So, I ask you: why certify a committee that has any authority to promote killing of deer?

I ask that any dialogue about deer does not include any discussion of killing. So, again – I do not think our town should certify a committee with the objective that includes hunting in the mission. Thank you.


Cynthia Soroka-Dunn
Resident of Haworth, NJ

Open Meeting to Public – cont'd.

Mayor DeRienzo commented that the Council has not seen the report, there is no formalizing of the committee, the turn-out was light and no one would allow a deer hunt in the Borough.

Mrs. Groh commented there is an article in the current League of Municipalities magazine concerning the deer situation.

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

Payment of Bills

The following resolution was offered by Mrs. Groh, seconded by Mr. Rosenberg and unanimously carried:

FOR COPY OF RESOLUTION AND BILL LIST
SEE PERMANENT MINUTES
PAGES 227A – 227O

Approval of Minutes

In consideration of the October 8, 2014 meeting Mr. Volpe requested on page 192, Applications for Open Space to delete “install new playground equipment closer to the existing fields.” On Page 195 Mrs. Groh requested under the Best Practices No. 23 to add “Council directed Ms. Fay to draft an ordinance using the model ordinance link on the Best Practices checklist.”

A motion was offered by Mr. Volpe, seconded by Mr. Rosenberg and unanimously carried to accept the revised minutes of the executive meeting of September 3 and the regular meeting of September 9, the amended minutes of the executive meeting of October 8 and the regular meeting of October 14, 2014.

As there was no further business to come before the Council the meeting adjourned at 8:35 PM on motion duly offered, seconded and carried.

Ann E. Fay, RMC, CMC
Clerk-Administrator

