

41. Regular Meeting of the Mayor and Council of the Borough of Haworth on February 25, 2020 at the Municipal Center

Present: Hon. Thomas P. Ference, Mayor

Councilmembers: Andrew Rosenberg (late)  
Michael Bain  
Jacqueline Guenego  
Dina Siciliano  
Heather Wasser

Borough Attorney: Robert T. Regan

Mayor Ference 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. Poosikian. Mr. Rosenberg arrived shortly after the start of the meeting. 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 Ference led those present in the pledge of allegiance.

Ordinance No. 20-03 – 2020 Swim Club Membership Fees – 2<sup>nd</sup> Reading

A motion was offered by Ms. Siciliano, seconded by Mrs. Wasser and unanimously carried that Ordinance No. 20-03 be offered for second reading.

Ordinance No. 20-03 which is as follows was then read by title only as copies had been made available to those present.

**ORDINANCE NO. 20-03  
AN ORDINANCE TO AMEND CHAPTER IX OF THE CODE OF THE BOROUGH OF HAWORTH ENTITLED, “PARKS, PLAYGROUNDS AND RECREATIONAL AREAS.”**

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

**Section 1.**

Chapter IX of the Code of the Borough of Haworth, Parks, Playgrounds and Recreational Areas, §9-8, Haworth Swim Club, Subsection 9-8.1, Membership Fees, be and is hereby amended to read as follows:

Ordinance No. 20-03 – 2020 Swim Club Membership Fees – 2<sup>nd</sup> Reading – cont’d.

**Membership Options:**

	Early Bird (Pre-June 27 <sup>th</sup> )	After June 27 <sup>th</sup>	August 1 <sup>st</sup> Thru Labor Day
Haworth Household*	660	710	350
Haworth Senior Single	250	300	150
Haworth Senior Couple	450	500	250
Haworth Senior Family**	550	600	300
Haworth Single	350	400	200
Non-Resident Household*	760	810	450
Non-Resident Senior Single	350	400	200
Non-Resident Senior Couple	550	600	350
Non-Resident Senior Family**	650	700	400
Non-Resident Single	400	450	250
Au-Pair	200	250	125

\*A “Household” is considered all members in one residence. Proof of residence may be required.

\*\*A “Senior Family” is restricted to Seniors and their children. If additional individuals are included (i.e., grandchildren), the membership should be considered a “Household” membership.

A “Senior” shall be deemed a person sixty (60) years of age or older.

**Daily Rates for non-members: \$20 (18 & over), \$15 (2-17)**

Limited to Bergen County residents (must show proof of residency)  
 There shall be no rain-checks or reimbursement due to inclement weather  
 Prices remain the same throughout the day

**Guest Rates: \$10 per person (must be accompanied by a member)**

**Swim Instructional Lessons: \$30 per swimmer, for eight (8) thirty (30) minute sessions. For Members Only.**

**Section 2. 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.

Ordinance No. 20-03 – 2020 Swim Club Membership Fees – 2<sup>nd</sup> Reading – cont'd.

**Section 3. Inconsistent Ordinances Repealed.**

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

**Section 4. Effective Date.**

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

The meeting was opened to the public on Ordinance No. 20-03. As there were no comments the meeting was closed to the public on this ordinance.

A motion was offered by Ms. Siciliano and seconded by Mrs. Wasser that Ordinance No. 20-03 be passed on second and final reading.

On roll call the vote was as follows: Ayes; Messrs. Bain, Guenego, Siciliano, Wasser. Nays – none. Declared carried.

A motion was offered by Mr. Bain, seconded by Ms. Guenego and unanimously carried that the passage of Ordinance No. 20-03 be advertised as required by law.

**COMMITTEE REPORTS**

**Report of Councilman Bain**

**Recreation**

Mr. Bain reported that the commission is finalizing dates for several events including the Egg Hunt on April 4<sup>th</sup>, the Fishing Contest on May 2<sup>nd</sup> and the Summer Recreation Program will begin on July 6<sup>th</sup> at the school with programs also at the Swim Club.

Mr. Rosenberg then arrived at the meeting at 7:40 PM.

**Finance**

Mr. Bain reported he and the Mayor and CFO have been meeting on this year's budget, will meet again later this week, then submit it to the Auditor for introduction at the first meeting in March.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Guenego

Parks and Playgrounds

Ms. Guenego noted the committee did not meet last month.

Board of Health

Ms. Guenego said this board will be meeting later this week.

Ambulance Corps

The following is the Ambulance Corps report submitted to Ms. Guenego later in the meeting.

Total calls 27, 17 daytime; 422 miles, mutual aid to several towns; man hours on calls 102 and the Ambulance Corps continues to offer CPR courses on a monthly basis.

Ms. Guenego then noted the Mayor and Council attended the installation brunch for the Corps earlier this month and a joint meeting was held with the fire chief regarding the purchase of radios in connection with the Interboro System.

Terrace Street Park Committee

Ms. Guenego reported the committee has been meeting to discuss plans in connection with the downtown project and noted funding for the park including expected grant money and they will meet again next week to further plans.

Report of Councilman Rosenberg

Zoning Board of Adjustment

The board did not meet in January.

Planning Board

Mr. Rosenberg reported the board approved the Lakeshore Subdivision development at their last meeting and their next meeting will include work on the Master Plan revision.

Police Department

Mr. Rosenberg reported the following:

COMMITTEE REPORTS – cont’d.

Report of Councilman Rosenberg – cont’d.

Police Department – cont’d.

The members of the department began their re-certification in blood borne pathogen training as well as mandated training from the Attorney General’s Office on Sexual Assault Investigative Training.

Officer DeVite has started instruction for the LEAD program and met with the faculty at the school to facilitate this year’s schedule.

The Chief and Lt. Saudino met with the library staff to present the county’s presentation on Active Shooter, the presentation was received very well by the staff and the police will be working with the library director on finalizing the library’s emergency response plan. 111 summonses were issued in January.

Report of Councilwoman Siciliano

Shade Tree Commission

Ms. Siciliano reported the commission is working on the Sustainability New Jersey program for certification along with a Green Team. She said the Winter Tree Program is nearly complete, spring planting will be underway soon and there will be work at the Tree Farm.

Ms. Siciliano then discussed procedures for violations in connection with damage, etc. to borough trees and having to be able to see a violation in order to issue a violation.

Haworth School

Ms. Siciliano noted the school is also participating in the Sustainability New Jersey program, the Board is now meeting twice a month and continuing shared services in the area.

Website

Ms. Siciliano reported a first draft for an updated site has been sent the site’s designer.

Haworth Swim Club

Ms. Siciliano noted the ordinance amending this season’s membership fees has been adopted this evening, the DPW has cleared areas at the club and she will be meeting with a PSE&G representative regarding utility bills at the club.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Siciliano – cont'd.

Library

Ms. Siciliano reported a fund raiser will be held this week-end at the library and concern has been voiced regarding the pedestrian sidewalk at the Haworth Avenue railroad crossing.

Report of Councilwoman Wasser

Mrs. Wasser noted that the Environmental Commission will be meeting tomorrow night and the Tennis Committee next week.

Seniors

Mrs. Wasser reported the Girl Scouts made valentines and cookies recently for the seniors.

NVRHS

Ms. Wasser referred to a lock down at the school due to a maintenance error and all emergency responders responded excellently and the school will be presenting the Adams Family next week with a free dress rehearsal for seniors.

Damage at Summit Place

Mrs. Wasser thanked the DPW for the excellent response on this street when a great deal of damage occurred during a recent storm.

Borough Attorney's Report

Declaratory Judgment

Mr. Regan reported the hearing on the Borough's final judgment was held today and went very well.

Mayor Ference commented the court was very laudatory of Mr. Regan and the borough's planner Ms. Reiter in this matter – a positive recognition from the court.

## Borough Administrator's Report

### Finance Office

Ms. Fay explained Ms. Krivoruk who was been working in the finance office has resigned and the borough is currently advertising for her replacement. Ms. Fay said she has been an excellent worker and will be missed.

### Mayor's Report

#### Joint Projects

Mayor Ference reported he has scheduled a meeting with the school next week in connection with a joint project for the installation of solar on public buildings and a second round of funding has been announced for protection from violence in schools.

#### Lake Shore Drive

Mayor Ference reported monitoring continues of odors regarding a sewer issue in this area.

### NEW BUSINESS

#### Committee Reviews

Ms. Siciliano explained there are many committees whose members require training, the yearly review of laws, requirements, JIF training, etc. which is an inherent responsibility for them.

Ms. Guenego commented on the need to know what other committees are doing.

Mayor Ference noted committees need to know what are their rights and powers, issues arise, there is not a high level of turn-over on committees, commissions, etc. He said the borough has outstanding volunteers and suggested forming a committee of the council to look into this area – Ms. Guenego, Ms. Siciliano and Mrs. Wasser agreed to serve.

#### Community Outreach

Ms. Siciliano noted several programs the borough has been involved in the past including Clean-up Days in town, food drives, etc. with the council setting an example by being involved. It was concurred to have future discussions on this matter.

Ms. Guenego explained this is an ordinance to address three particular issues, i.e. hanging of signs has become complicated, lawn signs on the borough's median which not all pertain to the borough, the hanging of signs at Schraalenburgh Road and Sunset Avenue which requires bringing in equipment from other towns for assistance and the difficulty when many organizations want to hang these signs. She explained the location of the sign at the railroad which should only be used for directly related events to the town and the need for permission to place those signs; no lawn signs on municipal property and the use of Schraalenburgh Road and Sunset Avenue exclusively for town functions.

A motion was offered by Ms. Guenego, seconded by Mr. Bain and unanimously carried that Ordinance No. 20-04 be offered for first reading.

Ordinance No. 20-04 was then read by title only as follows:

**AN ORDINANCE TO AMEND CHAPTER XXVI  
OF THE CODE OF THE BOROUGH OF HAWORTH  
ENTITLED "LAND USE REGULATIONS"**

A motion was offered by Ms. Guenego and seconded by Mr. Rosenberg that Ordinance No. 20-04 be passed on first reading.

On roll call the vote was follows: Ayes; Messrs. Rosenberg, Bain, Guenego, Siciliano, Wasser. Nays – none. Declared carried.

A motion was offered by Ms. Guenego, seconded by Mr. Bain and unanimously carried that Ordinance No. 20-04 be published as according to law and a date set for public hearing on March 24, 2020 at 7:30 PM at the Municipal Center.

Mr. Regan noted this ordinance needs to be referred to the Planning Board as it is an amendment to the land use regulations.

Interboro Radio

Mayor Ference explained the radio equipment required for fire departments and ambulance corps which was explained at last week's Interboro meeting.

A motion was offered by Mr. Bain and seconded by Ms. Guenego to authorize the purchase of new radios for the Fire Department and Ambulance Corps from a state contract at a cost not to exceed \$95,000.00 enabling all of the emergency services to communicate with all the towns in the Interboro system and to encumber the funds from the capital surplus fund.

On discussion, Mayor Ference explained the police department is completely in this system, all the emergency agencies can then talk with all the towns and this has been a very high added cost without this participation.

On roll call the vote was as follows: Ayes; Messrs. Rosenberg, Bain, Guenego, Siciliano, Wasser. Nays – none. Declared carried.

### CONSENT AGENDA

A motion was offered by Mr. Rosenberg and seconded by Mr. Bain to approve the following resolutions. On roll call the vote was as follows: Ayes; Messrs. Rosenberg, Bain, Guenego, Siciliano, Wasser. Nays – none. Declared carried.

#### Approval of Change Order D&L Paving – Massachusetts Avenue & Terrace Street

WHEREAS, the Mayor and Council awarded an original contract sum to D&L Paving Contractors for the Reconstruction of Safety Improvements to Massachusetts Avenue and Terrace Street for \$194,684.55 through the FY2019 NJDOT Grant Municipal Aid Grant; and

WHEREAS, the contract sum will be increased by Change Order No. 1 by \$33,656.05 which reflects additional sidewalks installed on Massachusetts Avenue as well as contract items used for the Terrace St. Streetscaping project and slightly more asphalt used on the streets than anticipated due to their age and surface irregularities which brings the final contract amount to \$228,340.60; and

WHEREAS, since the Borough received the sum of \$212,000.00 for this project which leaves the Borough responsible for only \$16,340.60 of the change order value.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 1 is hereby approved and final payment may be paid to D&L Paving in the amount of \$228,340.60.

#### Support Participation in Sustainable Jersey Municipal Certification Program

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Haworth strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Haworth hereby acknowledges that the residents desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Haworth wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically- sound, local government practices; and

WHEREAS, by endorsing a sustainable path Haworth is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Haworth, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community:

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within Haworth on matters of sustainability, the Mayor and Council wish to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Council of Haworth that we do hereby authorize Dina Siciliano, Councilwoman, to serve as Haworth's agent for the Sustainable Jersey Municipal Certification process and authorize her to complete the Municipal Registration on behalf of Haworth.

#### Approval of Payment of Bills

FOR COPY OF RESOLUTION AND BILL LIST  
SEE PERMANENT MINUTES  
PAGES 52A – 52G

#### Approval of Minutes

Executive Meeting of February 11, 2020  
Closed Meeting of February 11, 2020

#### Open Meeting to Public

The meeting was opened to the period of public discussion.

Ms. C. Altunis-Erfurt, 187 Pine Street noted her concern with speeding vehicles on Madison Avenue as well as on Schraalenburgh Road and Haworth Avenue particularly with children walking to school. She said the speeding is alarming and also there are no visible site lines.

51. Regular Meeting of February 25, 2020

#### Open Meeting to Public – cont'd.

Mr. Bain referred to speed limits on county roads where the county sets the speed limit.

Mr. Rosenberg referred to enforcement by the police department with speed signs, etc. and similar situations on other streets in town.

Discussion was held regarding neighborhood signs and speed bumps with emergency services being opposed to speed bumps and other suggestions whereby speed signs clock each car which could be put in the area.

Mr. B. Anderson, Hardenburgh Avenue asked what was the next step regarding the Lakeshore Developers subdivision.

Mr. Regan said that now having this subdivision approved the developer now has to submit plans, studies, etc. to the borough, comply with building codes and this will be a several month process.

Dr. M. Kahn, Paulson Place said the town should do something about having the developer put solar power on the buildings.

Mr. Rosenberg responded the developer only has to comply with the building regulations and they cannot be changed.

Mr. Regan commented that at the time of submitting the application the developer can say such a request was prohibitive in the inclusionary settlement which the court has approved.

Dr. Kahn then referred to the Sustainable New Jersey discussed earlier and asked how to apply.

Ms. Siciliano responded the resolution adopted this evening is Step 1 in the process.

Ms. B. Borghi, St. Nicholas Avenue said the Committee Review discussed earlier is a good idea as to how to see what projects are happening in the borough. As to the Community Outreach also discussed earlier she said she is part of a county committee and explained what they do offering assistance, etc. to various organizations.

Ms. Borghi noted the Parks and Playgrounds Committee will be cleaning up the landscaping in the area of the railroad sign.

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

The following resolution was offered at 9:10 PM by Mr. Bain, seconded by Ms. Guenego and unanimously carried:

**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 25, 2020 at which time the following items will be discussed:

Declaratory Judgement  
Mulch Site at DPW  
White Beeches Tax Appeal

**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 9:20 PM and as there was no further business to come before the council, a motion to adjourn was duly offered, seconded and unanimously carried.

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Ann E. Fay, RMC, CMC  
Clerk-Administrator

52A. Regular Meeting of February 25, 2020

52B. Regular Meeting of February 25, 2020

52C. Regular Meeting of February 25, 2020

52D. Regular Meeting of February 25, 2020

52E. Regular Meeting of February 25, 2020

52F. Regular Meeting of February 25, 2020

52G. Regular Meeting of February 25, 2020