

41. Regular Meeting of the Mayor and Council of the Borough of Haworth held on February 27, 2018 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Glenn Poosikian
Andrew Rosenberg
Anthony Volpe
Regina Duffy
Jacqueline Guenego

Borough Attorney: Robert T. Regan

Mayor Smart called the meeting to order at 7:30 PM and on roll call all members of the Council were present with the exception of Mr. Bain who had a conflict this evening. 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.

Ordinance No. 18-02 – DPW Salaries – 2nd Reading, Public Hearing

A motion was offered by Mr. Rosenberg, seconded by Mr. Volpe and unanimously carried that Ordinance No. 18-02 be offered for second reading.

Ordinance No. 18-02 which is as follows was then read by title only as copies had been provided for those present:

**PUBLIC NOTICE
BOROUGH OF HAWORTH
NEW JERSEY**

The ordinance published herewith was introduced on first reading at a meeting of the Mayor and Council of the Borough of Haworth held on February 13, 2018 and will be further considered for final passage after public hearing thereon at a meeting of the Mayor and Council to be held at the Municipal Center, Haworth, New Jersey on February 27, 2018 at 7:30 PM prevailing time, or as soon thereafter as the matter can be heard. A copy of said ordinance is available in the Municipal Clerk's Office, Municipal Center, Haworth, NJ during regular office hours.
Ann E. Fay, Municipal Clerk

**BOROUGH OF HAWORTH
ORDINANCE NO. 18-02**

AN ORDINANCE TO FIX THE SALARIES, WAGES, COMPENSATION, BENEFITS, STIPENDS AND WORKING CONDITIONS FOR DEPARTMENT OF PUBLIC WORKS EMPLOYEES OF THE BOROUGH OF HAWORTH, COUNTY OF BERGEN, NEW JERSEY

BE IT ORDAINED by the Mayor and Council of the Borough of Haworth as follows:

SECTION 1. The annual salary, wage or rate of compensation for the Department of Public Works employees shall be as follows:

	Effective 1-1-18	Effective 1-1-19	Effective 1-1-20
FOREMAN	\$85,240.80	\$87,158.72	\$89,119.79
DRIVER/LABORER	\$79,890.48	\$81,688.02	\$83,526.00
STEP 1	\$38,888.36	\$38,888.36	\$38,888.36
STEP 2	\$42,509.54	\$42,509.54	\$42,509.54
STEP 3	\$46,130.72	\$46,130.72	\$46,130.72
STEP 4	\$49,751.90	\$49,751.90	\$49,751.90
STEP 5	\$53,373.08	\$53,373.08	\$53,373.08
STEP 6	\$56,994.26	\$56,994.26	\$56,994.26
STEP 7	\$60,615.44	\$60,615.44	\$60,615.44
STEP 8	\$64,236.62	\$64,236.62	\$64,236.62
STEP 9	\$67,857.80	\$67,857.80	\$67,857.80
STEP 10	\$71,478.98	\$71,478.98	\$71,478.98

Ordinance No. 18-02 – DPW Salaries – 2nd Reading, Public Hearing – cont’d.

Existing New Hires Any New Hire before 12/31/17 shall receive annual compensation equal to \$30,000 and upon successful certification of either a Commercial Drivers License (CDL) and/or successful completion of Fire Fighter One school shall receive an annual increase of \$4,000.00. Upon successful completion of both CDL and FF1, said New Hire shall advance to Step One. New Hires cannot advance a step without successful completion of CDL within 18 months and FF1 which must be obtained within 24 months of beginning employment.

New Hires Any New Hire as of 1/1/18 shall receive Step One annual compensation, remain as probation status for 6 months and must obtain a CDL within 18 months and FF1 within 24 months of beginning employment. New Hires cannot advance a step without successful completion of CDL and FF1

In order to advance to each step, an annual review for advancement must be performed by the Superintendent. Any advancement shall be subject to the approval of the DPW Superintendent, DPW Commissioner and the Borough of Haworth Council.

In addition to the salaries set forth above, the Superintendent, with prior approval of the DPW Commissioner, and submitted in writing to the Borough CFO by January 1st of each year of the Agreement, will name a Mechanic who shall receive an additional \$1,500.00 Stipend per year, a Heavy Equipment Operator(s) who shall receive an additional \$1,000.00 Stipend per year to be divided among those designated Heavy Equipment Operator(s) and a Recycling Coordinator who shall receive a \$500.00 Stipend per year.

The overtime rate will be double hourly rate for New Year's Day, Martin Luther King Day, Presidents' Day, Good Friday, Easter Sunday, Memorial Day, July 4th, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day and all Sundays for the years 2018, 2019 and 2020.

Each employee in the Department of Public Works shall receive a boot allowance of \$370.00 each year in 2018, 2019 and 2020 to be distributed as follows: half to each employee on June 15th and the remaining half on December 15th of each year. The mechanic shall receive a tool allowance of \$600.00 each year in 2018, 2019 and 2020. All DPW employees shall be reimbursed for required commercial drivers licenses upon submission of appropriate documentation.

One employee in the DPW will be available on each week-end and each holiday. The employee shall be compensated at the rate of \$100.00 per day each year in 2018, 2019 and 2020 for each day of stand-by. When any employee on stand-by is called into work, he shall be guaranteed a minimum of 3 hours work at overtime pay. The Superintendent may designate an additional stand-by as he deems necessary with the approval of the DPW Commissioner. If additional employees are called in, the three hour minimum will apply.

For every 4 hours of overtime worked in a 24 hour period, or if they work on Saturdays during leaf season, employees shall be entitled to a meal allowance in the amount of fifteen (\$15) dollars.

A tuition refund program will be in effect for DPW employees. Each employee may receive \$500.00 per year for successful completion of courses relating to public works employment with the prior approval of the Superintendent and the DPW Commissioner.

SECTION 11. LONGEVITY Each full-time employee of the Department of

Public Works shall receive a longevity payment representing 1 percent of his base annual salary after 3 years of completed service. Thereafter, (after the third year) each employee shall be paid an additional 1 percent for every three years of completed service to a maximum of 8 percent. All longevity payments shall be paid as part of the employee's regular pay. All continuous creditable service time as an employee of the Borough of Haworth shall be used in longevity computation. Effective January 1 of each year, each employee shall be entitled to the maximum longevity benefit based on his total service. New hires will not be eligible for longevity payments.

SECTION III. TERMINAL LEAVE The following retirement payment shall be made only to employees hired before May 2010. This payment shall be a sum equal to the current base daily salary times one-half (1/2) the number of accumulated sick days of that employee to a maximum payment not to exceed 100 days. Employees hired after May 2010 shall be entitled to retirement pay based upon one-half (1/2) the number of accumulated sick days provided, however, that such payment shall not exceed \$15,000.00.

SECTION IV. VACATIONS All full time DPW employees shall be entitled to the following vacation schedule:

Years of Service	Amount of Vacation
0 – 1 Year	One day for each month of service to a maximum of ten (10) days in the calendar year
First Year to Fifth Year	Ten (10) days vacation
Sixth Year to Tenth Year	Fifteen (15) days vacation
Eleventh Year to Fifteenth Year	Sixteen (16) days plus one (1) additional day for each additional year of service
Sixteenth to Twentieth Year	Twenty-one (21) days
Twenty-one Years and Over	Twenty-six (26)

Ordinance No. 18-02 – DPW Salaries – 2nd Reading, Public Hearing – cont'd.

SECTION V. The anniversary date of the salary schedule relating to all full-time DPW employees shall be the first of each and every year. When an appointment is made on or before June 30th of any year, the anniversary date shall revert to January 1st of such year; where the appointment is made subsequent to June 30th of any given year, then the anniversary date of this salary schedule shall not be effective until January of the following year.

SECTION VI. HOLIDAYS All full-time DPW employees covered by this ordinance shall be entitled to the following holidays: New Year's Day, Martin Luther King Jr. Day, Lincoln's Birthday, Presidents' Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving Day, Christmas Day.

SECTION VII. HEALTH BENEFITS CONTRIBUTION Each employee shall contribute to offset health benefits cost per pay check which shall be based upon the maximum contribution set forth in Section 39 of P.L. 2011, c. 78.

SECTION VIII. The provisions of this ordinance shall be effective January 1, 2018. Any ordinance or resolution in conflict with this ordinance, other than the current contracts of employment, is hereby repealed. This ordinance shall take effect upon final publication as provided by law. February 19, 2018, Fee: \$255.75 (310) 4241463

The meeting was opened to the public on Ordinance No. 18-02. As there were no comments the meeting was closed to the public on this ordinance.

A motion was offered by Mr. Poosikian and seconded by Mr. Volpe that Ordinance No. 18-02 be passed on second and final reading.

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

A motion was offered by Mr. Rosenberg, seconded by Mr. Volpe and unanimously carried that the passage of Ordinance No. 18-03 be advertised as required by law.

Andiamo Motorcycle Run Presentation

Mayor Smart referred to the generosity of those who sponsor events, particularly the Dickstein family and their Motorcycle Run which has become a flagship event and does so much good for the whole community and welcomed the Dickstein's to the meeting.

Mr. Dickstein presented checks to the Police Association, the Fire Department and the Ambulance Corps and thanked the Mayor and the town for their support.

BUDGET PRESENTATIONS

Department of Public Works

Mr. T. Kelly, superintendent, Mr. C. Simkins, foreman and Mr. K. Simkins, mechanic were present.

BUDGET PRESENTATIONS – cont'd.

Department of Public Works – cont'd.

Mr. Kelly explained their submitted budget and staffing plans which included the recent hiring of Mr. Brace and Mr. Bauer and Mr. DeAngelis's recent retirements.

Mr. Volpe commented on the increases for seasonal hires now that the minimum wage has gone to \$15.00 per hour.

Mr. Simkins referred to the vehicle maintenance budget which has been increased in connection with the age of the senior van and replacement of tires for the large dump truck and the cost of diagnostic software has increased.

It was noted that the cost of the seasonal meters has risen due to the certifications now required.

Included in capital requests is screening at the yard, a skid steer for clearing the parks and snow removal in smaller areas and a mechanics lift which expands the amount of repairs which can be done in house which will make repairs faster and result in a safer work environment.

Mr. Poosikian referred to the requested mechanics lift noting there is a shared service available with Bergen County whereby heavy trucks are sent to their facility in Paramus and felt that option should be explored.

Mr. K. Simkins responded this work should not be outsourced and noted what the situation would be like in Paramus.

Mr. Poosikian said for that \$40,000.00 he would rather use that money for a truck.

Mr. Volpe noted that Mr. K. Simkins is hired as a mechanic and supplying him with tools.

Mr. Simkins said he uses his own tools.

Fire Department

Chief Conner and Assistant Chief Hennion were present and explained changes in this submitted budget from last year. Discussion included:

The building maintenance figure which some years they have to spend more and others not and some repairs will be needed this year. Anticipated increase in equipment, repairs, etc.

BUDGET PRESENTATIONS – cont'd.

Fire Department – cont'd

Chief Conner explained the capital budget which includes turn-out gear, scott air bottles and a breathing air filling station.

Assistant Chief Hennion explained the portable radios and trunking radios, what is needed and putting two of these in the Police capital budget. He further explained four new pagers are needed for new members, in 2019 a command vehicle and noted items for 2020.

COMMITTEE REPORTS

Report of Councilwoman Duffy

Swim Club

Mrs. Duffy reported staff hiring for the upcoming season has begun.

Seniors

The seniors will hold their St. Patrick's Day luncheon sponsored by the Police Department, Mrs. Duffy noted.

Tennis

Mrs. Duffy reported the courts will be opening in May.

Report of Councilman Volpe

Parks and Playgrounds

There was no quorum for the last Committee meeting Mr. Volpe noted and that a DOT grant has been approved for the downtown area.

Department of Public Works

Mr. Volpe reported the following:

Pot holes are being filled; Bergen County has been in to fill potholes on their roads; new stop signs have been installed; branch pick-up and chipping continues; clean-ups in the parks and at the Swim Club have begun; senior students will be working during the summer, "no parking" signs have been replaced and cleaning of catch basins continues.

COMMITTEE REPORTS – cont'd.

Report of Councilman Volpe – cont'd.

Department of Public Works – cont'd.

Mr. Volpe further reported all members have completed the Blood-borne pathogen certification; employee evaluations have been submitted; cameras have been replaced at the yard; the Memorial Field has new bathroom unisex signage and some pothole repairs to Lake Shore Drive in front of Suez Water were accomplished.

Report of Councilman Poosikian

Shade Tree Commission

The Commission did not meet.

Fire Department

Mr. Poosikian reported the following:

During the past month the Department responded to 25 calls including CO calls, lift assistance, burning odor and activated fire alarms; total man hours for January, 126.48; the Department conducted its monthly meeting, three work nights and one SCBA drill and installed 3 CO detectors in the firehouse to comply with a new state law.

Mr. Poosikian further reported the Pancake Breakfast will be held on March 11 and Mr. Runge will be finishing Firefighter One.

Mr. Volpe referred to the Fire Department sign at the end of Sunset Avenue. Mr. Poosikian explained the placement of that sign at Park Street and Sunset Avenue, there was a discussion of future sign placements and the use of the new downtown sign for volunteers.

Mayor Smart suggested to re-consider a nicer sign for the Fire Department at the downtown sign and a different consideration be given for Fire and Ambulance regarding their staffing ability. Also noted were the new "no parking" signs at the school and the possible need for an ordinance change for those signs.

Report of Councilman Rosenberg

Zoning Board of Adjustment

Mr. Rosenberg reported the St. Gabriel Church application has been postponed to April.

COMMITTEE REPORTS – cont'd.

Report of Councilman Rosenberg – cont'd.

Planning Board

Mr. Rosenberg said the Mayor will be reporting on this Board's last meeting.

Police Department

Mr. Rosenberg reported the following:

Members have begun their re-certification for the Blood-borne Pathogen training which was completed during their normal tour of duty; Officer DeVite has started instruction for the LEAD program, met with the school faculty and this is his first year teaching the program to the 5th grade class; Lt. Saudino, Officer DeVite and Officer McKeary attended various courses; Lt. Saudino deployed Haworth's first Taser last month and all members of the Department will be trained in the use of the Taser; Officer Soltes has been recognized for his outstanding police work during the past month and 174 summonses were issued in January.

Mr. Rosenberg further reported five officers and the Chief were present at the Dumont High School yesterday in connection with a lockdown of the school.

Report of Councilwoman Guenego

Ambulance Corps

Ms. Guenego reported the Ambulance Corps responded to 33 calls last month, 28 daytime calls, 267 miles and man hours on call, 103.5.

Board of Health

Ms. Guenego reported the Board will be kicking off their Wellness Program on March 29th at the Library.

NVRHS

Ms. Guenego noted the high school has addressed the recent tragedy in Florida, more security plans are being formulated with the police, the social well-being of the students is being addressed and more consideration is being considered for a police presence increase.

Library

Ms. Guenego referred to the recent difficulty with BCCLS and also HVAC cost estimates for the building are being formulated.

Report of Ms. Fay

Document Shredding

Ms. Fay reported this event will take place on March 10th at the Terrace Street parking lot.

JIF Training

Ms. Fay noted this training for governing body members will be held February 28th in Closter and attendance reduces the Borough's premium by \$250.00 for each person attending.

Report of Mayor Smart

Haworth School

Mayor Smart reported the Board has selected a new superintendent which will be approved on March 13th and the teachers' contract negotiations have not started yet but is hoped to be completed by June.

Road Work

Mayor Smart noted the Borough did not receive a DOT grant for the repaving of Lake Shore Drive from Sunset Avenue past Suez to the Haworth Country Club and suggested reconsidering this area to be included in this year's River Side Cooperative road program. He said the borough engineer has submitted estimates and will look at the area again. The Mayor noted that patching cannot be done anymore in this area, suggested the portion from Sunset Avenue to Suez be included and that Suez will try to have a contractor working on their property assist with this road work.

DOT Grant – Downtown Area

Mayor Smart noted since the receipt of this grant the downtown project will be re-bid and a decision is needed on the parking situation on St. Nicholas Avenue.

Planning Board

Mayor Smart reported the Board met with the Borough Planner in connection with the upcoming Master Plan re-examination and heard her report.

Road Program

A motion was offered by Mr. Rosenberg, seconded by Mr. Volpe and unanimously carried to add the paving of Lake Shore Drive from Sunset Avenue to the Suez guardhouse.

The condition of Lake Shore Drive from the guard house to the Haworth Country Club was discussed and it was agreed to also obtain a price for the entire length of Lake Shore Drive.

Youth Art Month

Mayor Smart issued a proclamation naming March Youth Art Month in the Borough.

Ordinance No. 18-03- Performance and Maintenance Guarantees

A motion was offered by Mr. Volpe, seconded by Mrs. Duffy and unanimously carried that Ordinance No. 18-03 be introduced for first reading.

Ordinance No. 18-03 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” TO ESTABLISH
REQUIREMENTS RELATED TO PERFORMANCE
AND MAINTENANCE GUARANTEES FOR
ON-TRACT IMPROVEMENTS**

A motion was offered by Mr. Vole and seconded by Mrs. Duffy that Ordinance No. 18-03 be passed on first reading.

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

A motion was offered by Mr. Rosenberg, seconded by Mr. Volpe and unanimously carried that Ordinance No. 18-03 be advertised as required by law and a date set for public hearing on April 24, 2018 at 7:30 PM at the Municipal Center.

Appointment to Parks and Playgrounds Committee

A motion was offered by Mr. Volpe, seconded by Mr. Rosenberg that Mr. Greg Reichert be appointed to the Parks and Playgrounds Committee to a 3-year unexpired term to December 31, 2020.

Appointment of OEM Coordinator

A motion was offered by Mr. Volpe, seconded by Mr. Rosenberg and unanimously carried that Mr. John Sullivan be appointed the Office of Emergency Management Coordinator.

Refund of Overpayment Payment of Taxes

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

Refund of Overpayment Payment of Taxes – cont'd.

BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the Tax Collector be authorized to refund the overpayment of 2018 property taxes to the following homeowner escrow account at:

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO:</u>	<u>2018 TAXES</u>
907	8	BOGOTA Savings Bank 819 Teaneck Rd. Teaneck, NJ 07666	\$ 7,388.00
		For Property Owners: Michael Mariotti & Fabian Lieberman Block 907 Lot 8 523 Haworth Ave Haworth, NJ 07641	
		Total	\$ 7,388.00

Refund of Escrow Deposit

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

WHEREAS, escrow funds were deposited in connection with a site plan application for the Haworth Pharmacy; and

WHEREAS, this project has been completed and there remains a balance in this account.

THEREFORE BE IT RESOLVED a refund in the amount of \$121.83 be forwarded to:

Denise Hayes (Haworth Pharmacy)
2627 Mariners Way
Southport, NC 28461

BE IT FURTHER RESOLVED that Bank of America be instructed to close this account.

Award Contract for New VOIP Telephone System

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

WHEREAS, quotations were sought for a new VOIP (Voice Over Internet Protocol) telephone system for the Borough of Haworth; and

WHEREAS, after review of the quotations, Citi-Tel is the most responsible quotation.

THEREFORE BE IT RESOLVED by the Mayor and Council that a contract be awarded to Citi-Tel Communications, 25 Willowdale Avenue, Port Washington, NY 11050 in the amount of \$15,118.00 to be provided for in the 2017 Capital Budget.

On discussion Mr. Regan said this contract cannot be awarded as the owner of this company is a member of the Zoning Board.

A motion was offered by Mrs. Duffy, seconded by Mr. Poosikian and unanimously carried to table this resolution.

Approval of Payment Bills

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

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

Approval of Minutes

A motion was offered by Mrs. Duffy, seconded by Mr. Poosikian and unanimously carried to approve the minutes of the Recessed Meeting of January 7, the Reorganization Meeting of January 7, the Executive Meeting of January 9, the Closed Meeting of January 9 and the Regular Meeting of January 23, 2018.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. P. Conner referred to the teen texting program as a good program and adults should be involved re. texting and driving.

Mr. Conner then referred to the proposed angle parking on St. Nicholas Avenue which he said was not a good idea and the parking should be left as it is now.

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

Close Meeting to Public

The following resolution was offered by Mr. Poosikian, seconded by Mr. Rosenberg and unanimously carried at 10:25 PM:

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 27, 2018 at which time the following items will be discussed:

Affordable Housing, Declaratory Judgment Action
Police Grievance

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 items 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 11:00 PM and as there was no further business to come before the Council adjourned on motion duly offered, seconded and carried at 11:00 PM.



Ann E. Fay, RMC, CMC
Clerk-Administrator