

129. Regular Meeting of the Mayor and Council
of the Borough of Haworth held on May 26,
2015 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Glenn Poosikian
Mary Anne Groh
Andrew Rosenberg
Anthony Volpe
Michael Bain
Lawrence Weiss

Borough Attorney: Robert T. Regan

Mayor Smart called the meeting to order at 8:00 PM and upon roll call members of the Council were present with the exception of Mr. Bain who 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 Smart led those present in the pledge of allegiance.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. S. Chval, Woodland Place, referred to the introduction of the multi-purpose ordinance on tonight's agenda and asked when the ordinance will be available to the public.

Mrs. Groh replied some changes were necessary and the document will now be available.

Mr. J. Zaglemeier, Herkimer Street referred to issues with the collection of trash.

Mayor Smart noted there have been several complaints and he will be meeting with the company.

Mr. Poosikian explained the procedure when complaints are received in the clerk's office.

Mr. Zaglemeier then questioned the status of the police contract negotiations.

Open Meeting to Public – cont'd.

Mayor Smart responded both sides are close and another meeting is being scheduled.

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

Close Meeting to Public

The following resolution was offered at 8:15 PM by Mr. Rosenberg, seconded by Mrs. Groh 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 May 26, 2015 at which time the following items will be discussed:

Affordable Housing Plan, Declaratory Judgment Action per Decision of NJ Supreme Court Dated March 10, 2015
Police Negotiations

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 9:45 PM.

Correspondence

<u>Letter From</u>	<u>Subject</u>	<u>Referred to</u>
Mr. Donald Genaro	Concern with Condition of Contant Av.	All Council DPW
Sen. G. Cardinale	Notification of 2015 Clean Communities Grant - \$8,423.18	All Council CFO

COMMITTEE REPORTS

Report of Councilman Weiss

Board of Health

Mr. Weiss reported this Board met last week and discussed organizing a fitness walk and the Health Fair.

Environmental Commission

Mr. Weiss noted the Commission met earlier this evening, Ms. Cynthia Soroka will be joining the Commission and discussion was held in connection with a second town-wide clean-up with various sports teams participating at the fields.

Swim Club

Mr. Weiss reported the Club opened this past week-end, there are 268 members to date and it was a successful opening week-end.

Report of Councilman Bain

Tennis

Mr. Bain reported the net posts on Court 3 need to be replaced.

Library

Mr. Bain noted the library is running smoothly with the grand opening for the new addition scheduled for this Sunday.

Recreation

Mr. Bain reported the Commission is getting ready for the Summer Camp, trips, etc. are being planned and counselors will be interviewed next week.

A discussion was held regarding the continuation of the fireworks display on Celebrate Haworth Day and it was concurred they will take place this year.

The appointment by the Mayor and Council of seasonal appointments was discussed which will be further discussed at the June 9th meeting.

COMMITTEE REPORTS – cont'd.

Report of Councilman Rosenberg

Planning Board

Mr. Rosenberg reported the Board did not have a quorum for their meeting this month, held a non-official meeting with an informal discussion with the Borough's Planner.

Zoning Board of Adjustment

Mr. Rosenberg noted the Board heard two applications at their last meeting – an application for an illegal fence was denied and an application for a deck was granted.

Planning Association

Mr. Rosenberg reported he attended a Regional Planning Association meeting which included what Boards should be planning for and affordable housing requirements.

Real Estate

Mr. Rosenberg reported on various real estate requests as follows:

Beacon Street, Block 1701, Lot 5. Letters were sent to the contiguous property owners, one letter was returned undeliverable, one responded regarding interest and discussed the price and it was concurred to delay further action until August in connection with the COAH situation.

Paulson Place, continued use of Borough easement. A draft agreement will be revised and then it will be forwarded to the property owner.

Vacation of Paper Street, Hendrickson St. A process is being determined for this request.

Haworth Drive/Harland Avenue vacation/purchase in connection with a Zoning Board application. On hold regarding the COAH situation.

Police Department

Mr. Rosenberg reported the Bergen County Chief's Association met with the new director of the Mahwah Communication Center; Sgt. Saudino has completed the SWAT course and Officers Ragone and Morgan have completed the Rapid Deployment Course.

Mr. Rosenberg further reported members of the Department responded to an attempted suicide, a burning deck and criminal mischief at the school.

COMMITTEE REPORTS – cont'd.

Report of Councilman Poosikian

Shade Tree

The Commission did not meet in April.

Ambulance Corps

Mr. Poosikian reported the Ambulance Corps responded to 24 calls, 17 daytime, 220 miles, 77.75 man hours on calls and 1152 man hour duty nights.

Mr. Poosikian further reported members performed ongoing CPR training and certification for residents and students, attended an EMT training seminar, hosted April district meeting, provided standby for a house fire and provided a crew for a Demarest basketball game which they will also do for graduations.

Department of Public Works

Mr. Poosikian reported the street sweeper is in service, members are working on the ball fields, patching potholes and doing clean ups in various areas.

Report of Councilman Volpe

Parks and Playgrounds

Mr. Volpe reported the Committee is refurbishing the sign at the railroad tracks.

Report of Councilwoman Groh

Seniors

Mrs. Groh reported this group met last week with a luncheon and entertainment by the 4th grade from the Haworth School.

Board of Ethics

Mrs. Groh noted that some members of this Board have not filed the annual financial disclosure forms.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Groh – cont'd.

Finance

Mrs. Groh reported the Finance Committee met to discuss the proposed budget amendment.

Mayor's Report

Memorial Day

Mayor Smart thanked all for their participation in the Memorial Day Parade, noting there was a dedication of the renewed World War I Memorial.

CSX Railroad

Mayor Smart referred to the controversial transportation of oil on this line and noted that CSX is hosting a seminar in Atlanta and although there will not be representation from Haworth, the Borough will be getting feedback from others from the area who will be attending. In July he said there is a Desk Top Exercise at Bergen County in connection with spills, derailments, etc.

Enforcement of Building Codes

Mayor Smart referred to a Brook Street dwelling damaged by the Sandy Storm and the process has been started to demolish that building; the Building Inspector is doing more inspections regarding non-conforming uses and enforcing zoning ordinances.

Mrs. Groh referred to payments for CCO and CO inspections and how they are handled in the Department.

2015 Municipal Budget Amendments

Mrs. Groh distributed a document indicating proposed amendments to the budget for introduction on June 9th. She explained the increases and decreases and setting aside a reserve for the library budget, particularly for utilities.

Mr. Weiss discussed the cost of programs at the library which costs have not yet been received he said.

Mr. Bain said there is the unknown with utility bills and he agreed to hold money on the side if needed.

2015 Municipal Budget Amendments – cont'd.

Other items discussed included police vehicles (mileage, repairs, maintenance, etc.), the number of vehicles in the Department and the regular rotation of the vehicles.

Mr. Poosikian referred to the Police overtime budget which he felt there was not enough money being provided.

Mrs. Groh said she had serious thoughts about that budget and it should be referred to the Police Chief

Mr. Rosenberg responded there is a new officer coming on in July which could bring down these costs.

Open Capital Balances

This will be discussed at the next meeting and Department Heads will be instructed to submit their information to the Finance Committee by June 1st as to the status of their remaining capital items.

Ordinance No. 15-08 – 2015 Multi-Purpose Ordinance

A motion was offered by Mrs. Groh, seconded by Mr. Rosenberg and unanimously carried that Ordinance No. 15-08 be offered for first reading.

Ordinance No. 15-08 was then read by title only as follows:

BOND ORDINANCE PROVIDING FOR VARIOUS 2015 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF HAWORTH, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY (THE “BOROUGH”); APPROPRIATING \$400,630 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$381,550 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF

A motion was offered by Mrs. Groh and seconded by Mr. Poosikian that Ordinance No. 15-08 be passed on first reading.

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

A motion was offered by Mr. Rosenberg, seconded by Mr. Bain and unanimously carried that Ordinance No. 15-08 be advertised as required by law and a date set for public hearing on June 9, 2015 at 8:00 PM at the Municipal Center.

2015 Temporary Capital Budget

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

FOR COPY OF RESOLUTION
SEE PERMANENT MINUTES
PAGE 139A

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

Refund Overpayment of Real Estate Taxes

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the Tax Collector be authorized to refund the overpayment of 2015 property taxes to the following:

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO:</u>	<u>2015 TAXES</u>
902	8	Bogota Savings Bank Attn: Mortgage Dept 819 Teaneck Rd. Teaneck, NJ 07666 <i>For property:</i> Pfund, Mark 254 Maple St Haworth, NJ 07641	\$ 66.56
1203	1	CoreLogic Real Estate Tax Service Attn: Returns Dept One CoreLogic Drive West Lake, TX 76262 <i>For property:</i> Schneider, Nicholas and Marissa 239 Valley Ct Haworth, NJ 07641	\$ 2,534.60
1700	11	Ruth Horning 154 Madison Ave Haworth, NJ 07641	\$ 500.00
TOTAL			\$ 3,101.16

Authorizing Charge of COAH Fees

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

WHEREAS, §26-11.01 of the Borough Code provides for the payment of development fees for residential and non-residential activities; and

WHEREAS, it appears that payment to the Borough by developers of residential and non-residential properties was temporarily suspended; and

WHEREAS, the Governing Body believes that payments should resume as authorized by law.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council does hereby direct that residential and non-residential development fees be collected by the Borough in accordance with the provisions of the aforesaid Section; and

BE IT FURTHER RESOLVED that any property for which a certificate of occupancy has not been issued as of the date of this resolution (May 26, 2015), the entire amount of the development fee shall be collected, notwithstanding that fifty (50%) percent of the calculated development fee was not collected at the time of the issuance of the building permit; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Construction Official and Building Department.

On voice vote all members voted in the affirmative with the exception of Mr. Volpe who abstained. Declared carried.

Refund of Driveway Permit Deposits

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

WHEREAS, the Superintendent of the Department of Public Works has inspected and found that work has been satisfactorily completed on the following Driveway Permit and Street Opening,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the following refund be made:

<u>NAME AND ADDRESS</u>	<u>PERMIT #</u>	<u>AMOUNT</u>
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Jacqueline Caffrey
377 Pleasant Lane
Haworth, New Jersey 07641

1333

\$100.00

138. Regular Meeting of May 26, 2015

Appointment to Fire Department

A motion was offered by Mr. Volpe, seconded by Mrs. Groh and unanimously carried that Daniel Monti be appointed a member of the Haworth Fire Department.

Appointment to Tennis Committee

A motion was offered by Mr. Bain, seconded by Mr. Weiss and unanimously carried that Mr. James Patton be appointed a member of the Tennis Committee for a one year term to December 31, 2015.

Proposed Eagle Scout Project

Mr. Poosikian explained an inquiry has been received from a scout in Closter regarding his Eagle Scout project whereby he would place boxes on poles at the pond to contain extra fishing line to be recycled. Mr. Poosikian said he followed up with the DPW who have indicated there is not much fishing line left out, the project would involve maintenance and additional work for them, suggested the project not be approved at the pond and he did not see the need.

Approval of Payment of Bills

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

FOR COPY OF RESOLUTION AND BILL LIST
SEE PERMANENT MINUTES
PAGES 139B – 139L

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

Approval of Minutes

A motion was offered by Mrs. Groh, seconded by Mrs. Poosikian and unanimously carried to approve the Special Meeting of April 8 and the Executive Meeting of April 14, 2015.

Mrs. Groh said she would like to defer the approval of the Regular Meeting of April 28, 2015 so that she can review the tape.

Open Meeting to Public

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

139. Regular Meeting of May 26, 2015

Mr. Harry Kraus

Mr. Poosikian recognized the recent passing of Mr. Kraus and thanked him for his service to the Borough.

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

Ann E. Fay, RMC, CMC
Clerk-Administrator

