

92. Regular Meeting of the Mayor and Council of  
the Borough of Haworth held on June 23, 2020  
by Zoom Meeting

Present

Councilmembers: Glenn Poosikian  
Andrew Rosenberg  
Michael Bain  
Jacqueline Guenego  
Dina Siciliano  
Heather Wasser

Borough Attorney: Robert T. Regan

In the absence of Mayor Ference, Council President Guenego called the meeting to order at 7:30 PM and upon roll call all members of the Council were present. Ms. Guenego 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

Ms. Guenego led those present in the pledge of allegiance.

Mayor Ference

Ms. Guenego reported Mayor Ference is recuperating well and expected to be back soon.

Public Hearing on 2020 Municipal Budget

Mr. Bain explained this budget was introduced on June 9<sup>th</sup> and the increase will be approximately \$50.00 per the average assessment, under the CAP.

The meeting was then opened to public comment on the budget. As there were no comments the meeting was closed to the public hearing on the budget.

Resolution to Adopt the 2020 Municipal Budget

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

For Copy of Resolution  
see Page 104A of permanent minutes.

Open Space Application

Ms. Guenego explained this grant would be used to fund the construction of a shared use walking and biking trail between Stevens Place and Owatonna Street along the municipal right-of-way; it will be approximately 400 feet long by 7 feet wide; access from the parking lot and the municipal library will be provided; an entrance to the walking trail along Stevens Place will be properly constructed to provide sufficient ADA access and the path will be paved with asphalt to prevent erosion and to provide proper walkability.

Mrs. Wasser questioned the condition of the bridge in the area which Ms. Guenego replied will be replaced.

Mr. Poosikian commented the Boy Scouts were considering using this for a project however no one is ready at this time for an Eagle Scout Project.

The meeting was then opened to the public on this application. As there were no comments the meeting was closed to the public on the application.

Ordinance No. 20-08 – 2020 Swim Club Salaries-2<sup>nd</sup> Reading, Public Hearing

A motion was offered by Ms. Siciliano, seconded by Mrs. Wasser and unanimously carried that Ordinance No. 20-08 be offered for second reading.

Ordinance No. 20-08 is as follows:

**BOROUGH OF HAWORTH  
NEW JERSEY  
ORDINANCE NO. 20-08**

**ORDINANCE ESTABLISHING SALARIES FOR POOL PERSONNEL FOR 2020**

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

**Section 1.** Salaries for pool personnel for 2020 shall be as follows:

<b>Manager/Assistant Manager(s):</b>	<b>Per Season (2020)</b>
Swimming Pool Manager	\$11,000.00 to \$16,000.00
Assistant Pool Manager(s)	\$6,000.00 to \$10,000.00

Ordinance No. 20-08 – 2020 Swim Club Salaries-2<sup>nd</sup> Reading, Public Hearing – cont’d.

<b>Life Guard (Life Guarding) and Office Clerk:</b>	<b>Per Hour (2020)</b>
All guards	\$10.30
<b>Swimming Instructors (WSI &amp; Life Guarding):</b>	<b>Per Hour (2020)</b>
All WSI certified guards	\$10.50
<b>Swimming Instructors (Stipend)</b>	
Head Swim Team Coach	\$500.00
Co-Head Swim Team Coaches	\$400.00
Head Swim Lesson Instructor	\$200.00
<b>Additional Certificates &amp; Duties</b>	<b>Per Hour (2020)</b>
Head Lifeguard	\$11.00

**Section 2.** For the purpose of this Ordinance, the pool season is defined to run from June 25, 2020, through September 7, 2020 including three (3) weeks before and one (1) week after, with respect to the employment and compensation of the Assistant Manager. The employment and compensation of the Pool Manager’s position shall include the time from January 1, 2020, to December 31, 2020, including attendance at Pool meetings throughout the year.

**Section 3. Inconsistent Ordinances.** All ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

**Section 4. Effect of Partial Invalidity.** If any provisions of this Ordinance are found to be invalid, for any reason, by the final judgment of a Court of competent jurisdiction, the validity of such portions shall not affect the validity of the remaining provisions of this Ordinance, which shall be severable therefrom.

**Section 5. Effective Date.** This Ordinance shall take effect immediately after final adoption and publication as required by law.

Ms. Siciliano explained that this ordinance reflects adherence to the minimum wage which is now \$10.30 for seasonal employees, more for certified life guards and the managers’ salary will be the same as last year.

Ordinance No. 20-08 – 2020 Swim Club Salaries-2<sup>nd</sup> Reading, Public Hearing – cont’d.

The meeting was then opened to the public on Ordinance No. 20-08. 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 Mrs. Wasser that Ordinance No. 20-08 be passed on second and final reading.

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

A motion was offered by Ms. Siciliano, seconded by Mr. Poosikian that the passage of Ordinance No. 20-08 be published as required by law.

COMMITTEE REPORTS

Ms. Guenego explained councilmembers have submitted their reports to be incorporated in the minutes (see page 104B-104E) and asked if anyone had anything further to report.

Report of Councilman Bain

Recreation

Mr. Bain said the Commission has finalized a vendor list for remote activities in lieu of the cancellation of the Summer Camp and noted that the Mid-Summer Jam will be proceeding.

Report of Councilman Rosenberg

Planning Board

Mr. Rosenberg reported the Board heard an application from Suez Water for the construction of an additional storage building for the storage of certain chemicals, not flammable, and approved same.

Report of Councilman Poosikian

Fire Department

The Department responded to 11 calls in May with a total year to date of 72, Mr. Poosikian noted.

COMMITTEE REPORTS – cont'd.

Report of Councilman Poosikian – cont'd.

Department of Public Works

Mr. Poosikian reported the superintendent and foreman got everything in order for the Memorial Day activity and thanked them for their assistance.

Report of Councilwoman Siciliano

Swim Club

Ms. Siciliano noted the DPW did an excellent job in preparations at the club and the club opened yesterday with 150 people.

Shade Tree Commission

Haworth has again been named Tree City USA, Ms. Siciliano reported.

Library

Ms. Siciliano noted the library has received a \$5,000.00 grant.

School

Ms. Siciliano noted the police did a fine job in coordinating a vigil and march last week.

Report of Councilwoman Wasser

Tennis

Mrs. Wasser thanked the DPW for their assistance in readying the tennis courts.

Northern Valley High School

Mrs. Wasser thanked the police department and chief for their assistance with the high school's recent car parade.

Report of Councilwoman Guenego

Ms. Guenego offered her congratulations to the graduates from the high school and the elementary school, thanked Chief Gracey and the police department for their assistance in a peaceful demonstration last week. She also thanked all the volunteers for the work they do with

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Guenego – cont'd.

various committees – Tennis, Swim Club, Library and also congratulated Mr. John Sullivan who will be honored by Rep. Gottheimer as Hometown Hero on June 27<sup>th</sup> for his extensive work as the Haworth's OEM Coordinator, particularly for submitting all information regarding the COVID expenses.

Ms. Guenego further noted there will be a mobile test unit at the Northern Valley High School on June 25 for testing of first responders and residents.

Ms. Guenego thanked the council for their assistance in the weekly updates regarding the COVID situation which will now be transitioned to every other week after this Friday. She noted a meeting was held last week regarding what is necessary to open the borough hall to the public with the primary concern being for the staff and residents and the borough will be procuring equipment in this connection.

Mr. Poosikian said Ms. Guenego has been in the lead with the updates and thanked her. Ms. Guenego responded it has been a group effort.

UNFINISHED BUSINESS

Social Media Policy

Mrs. Wasser explained there have been no revisions yet to the draft which was sent which she will revise for the next meeting.

Strong Password Policy

Ms. Siciliano explained this policy which has been recommended by All Covered and noted some items she has added.

Ms. Guenego referred to how to reset passwords.

Ms. Gallagher explained the passwords can be sent to her and she would send a list to All Covered so this is done as a group rate with All Covered and they will send her more information on this process, noting the passwords must be changed every 90 days.

NEW BUSINESS

Appointment to Shade Tree Commission

Council President and Acting Mayor Guenego appointed Mr. Steve Jureller as member of the Shade Tree Commission to a five year unexpired term to December 31, 2023.

CONSENT AGENDA

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

Authorization to Execute Cooperative Agreement with Community Development

**WHEREAS**, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

**WHEREAS**, it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these Programs; and

**WHEREAS**, an Agreement has been proposed under which the Municipality of THE Borough of Haworth and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40A:65-1 et seq.; and

**WHEREAS**, it is in the best interest of the Municipality of Haworth to enter into such an Agreement.

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately in accordance with law and that an original copy be made available to the Director of the Bergen County Division of Community Development as soon as possible and no later than Friday, July 17, 2020.

Authorize Inclusion in Bergen County Community Development Program

**WHEREAS**, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

**WHEREAS**, the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

**WHEREAS**, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

**WHEREAS**, it is in the best interest of the Municipality of the Borough of Haworth and its residents to participate in said Programs.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Municipality of Haworth hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program (CDBG), the HOME

CONSENT AGENDA – cont’d.

Authorize Inclusion in Bergen County Community Development Program – cont’d.

Investment Partnership Program (HOME), and the Emergency Solutions Grant Program (ESG) for the Program Years 2021, 2022, and 2023 covering the period July 1, 2021 – June 30, 2024; and

**BE IT FURTHER RESOLVED**, that an original copy of this resolution be made available to the Director of the Bergen County Division of Community Development as soon as possible and no later than Friday, July 17, 2020.

Authorize Purchase of Self-Watering Hanging Baskets

**WHEREAS**, the Borough of Haworth has received a proposal from EarthPlanter for the acquisition by the Borough of twenty-six (26) self-watering hanging baskets and a like number of brackets; and

**WHEREAS**, the proposal is in the amount of \$6,708.00; and

**WHEREAS**, the procurement of these items is of a unique nature such as there are no other vendors that manufacture self-watering hanging baskets and consequently can be deemed to be exempt from the requirement of obtaining multiple quotes as to price pursuant to *N.J.S.A. 40A:11-5(1)(k)*; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the amount of \$6,708.00 from Account No. 0-01-28-200-399.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Haworth that the Borough is hereby authorized to purchase the aforesaid items for the sum of \$6,708.00; and

**BE IT FURTHER RESOLVED** that the appropriate Borough officials be and are hereby authorized to execute any required purchase orders or other documents in connection with their acquisition.

2020-21 Community Development Appointment

**WHEREAS**, the Borough of Haworth has entered into a Three Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq. and Title I of the Housing and Community Development Act of 1974; and

**WHEREAS**, said Agreement requires that the Borough Council appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2020-2021 term starting July 1, 2020 and ending on June 30, 2021.

CONSENT AGENDA – cont’d.

2020-21 Community Development Appointment – cont’d.

NOW THEREFORE BE IT RESOLVED that the Borough Council hereby appoints Michael Bain as its representative and Andrew Rosenberg as its alternate and that the Mayor hereby appoints Mayor Emeritus John Dean DeRienzo as his representative and Mayor Ference will serve as the alternate representative to serve on the Community Development Regional Committee for FY 2020-2021; and

BE IT FURTHER RESOLVED that an original copy of this resolution be forwarded to Robert G. Esposito, Director, Bergen County Division of Local Government, One Bergen County Plaza, Fourth Floor, Hackensack, NJ 07601.

Appoint Qualified Purchasing Agent

WHEREAS, the Borough of Haworth has determined that it is in the best interests of the Borough to secure the services of a certified Qualified Purchasing Agent for the purpose of expediting the financial obligations of the Borough in soliciting quotes and awarding contracts avoiding additional costs and fees;

WHEREAS, the Mayor and Council have appointed Kunjesh Trivedi as the Borough’s Chief Financial Officer and have determined that Mr. Trivedi is certified and licensed as a Qualified Purchasing Agent.

NOW THEREFORE BE IT RESOLVED that Kunjesh Trivedi be appointed as Qualified Purchasing Agent effective June 23, 2020.

Approval of Use of 2 Parking Spots in Front of Greek Flame Premises for Outdoor Dining

**WHEREAS**, Executive Order No. 104 signed by Governor Murphy on June 16, 2020 limited all restaurants to only food delivery and/or takeout services only prohibiting the on-premises consumption of food and beverages; and

**WHEREAS**, Executive Order No. 150 signed by Governor Murphy on June 3, 2020 permits restaurants to offer in-person service at outdoor areas subject to certain requirements as detailed in said Executive Order; and

**WHEREAS**, the Executive Order further authorizes municipalities to allow food establishments to expand their footprint to outdoor areas, both within their property and among municipally governed areas, including but not limited to sidewalks, streets or parks (see paragraph 5 at page 7); and

CONSENT AGENDA – cont’d.

Approval of Use of 2 Parking Spots in Front of Greek Flame Premises for Outdoor Dining – cont’d.

**WHEREAS**, application has been made by Greek Flame Penelope of Potamia, LLC (“the Greek Flame”) to utilize two (2) parking spaces on Terrace Street in front of its premises at 147 Terrace Street for outdoor dining on Fridays and Saturdays.

**NOW THEREFORE BE IT RESOLVED** that approval is given to the Greek Flame to utilize the two (2) outdoor spaces in front of its premises for outdoor dining, subject to the following conditions:

1. Compliance with the conditions detailed in Executive Order No. 150 relating to spatial distancing of six (6) feet, use of face coverings and other conditions detailed in said Order.
2. Compliance with the requirements of the Haworth Police Department.
3. Tables, chairs and other outdoor dining equipment shall be removed from the outdoor area upon closure of the restaurant for the evening.
4. Providing of a certificate of liability insurance naming the Borough of Haworth as an additional insured.

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be provided to the Greek Flame and to the Haworth Police Department.

Authorize Preparation & Issuance of Estimated Tax Bills for 3<sup>rd</sup> Installment

**Whereas**, due to the late adoption of the 2020 Bergen County Budget, the Bergen County Board of Taxation is unable to certify tax rates for the year 2020 and

**Whereas**, without a 2020 certified tax rate the Tax Collector of the Borough of Haworth will be unable to issue 2020 tax bills on a timely basis;

**Be it Resolved** by the Mayor and Council of the Borough of Haworth, as follows;

1. The Tax Collector of the Borough of Haworth is hereby authorized and directed to prepare and issue estimated tax bills for the Borough of Haworth for the third installment of 2020 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by Chapter 72, Public Laws of 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3
2. The entire estimated tax levy for 2020 is hereby set at \$23,534,609.34. The estimated tax rate for 2020 is hereby set at \$2.922.

CONSENT AGENDA – cont'd.

Authorization to Execute 2020-21 Snow Plow Agreement with Bergen County

BE IT RESOLVED, the Mayor and Municipal Clerk are hereby authorized to execute the 2020-2022 Municipal Snow Plow Agreement with the County of Bergen as outlined in their letter dated June 17, 2020.

Payment of Bills

FOR COPY OF RESOLUTION AND BILL LIST  
SEE PERMANENT MINUTES  
PAGES 104F-104I

Open Meeting to Public

The meeting was opened to the period of Public Discussion.

Mr. S. Chval, Woodland Pl. said he enjoyed seeing 12 children at the tennis clinic and complimented Mrs. Wasser for her efforts in proceeding with this program.

Dr. M. Kahn, Paulson Pl. questioned the resolution regarding the Greek Flame resolution.

Ms. Guenego explained that since outside dining is now being permitted the restaurant had asked if two parking spots in front of their restaurant could be used to add tables which the police chief has agreed to.

Dr. Kahn then referred to past discussions regarding the roof leak at the library and installation of solar panels to which Ms. Sicilian responded there are no maintenance issues at this time.

Dr. Kahn then asked if the council was aware of a lead pipe going to a house on Sylvan Place, said there are probably others in town and Suez should be contacted for water testing.

Dr. Kahn asked what the Environmental Commission has done.

Mrs. Wasser responded they have been having short meetings and noted topics they have been discussing.

Dr. Kahn then discussed solar panels and tree plantings and then asked about the borough's sewer bills.

Mr. Bain explained the increase in the sewer charges, a consultant has been contacted to review the flow, etc. and a study is being undertaken on this matter.

Open Meeting to Public – cont'd.

Dr. Kahn said electric and water bills have gone up and questioned solar power for municipal buildings.

Ms. Guenego explained a meeting was held with the school, the borough engineer, the DPW superintendent and the mayor to discuss solar panels when it was noted the condition of the roofs is not conducive for a simple installation, the borough engineer is familiar with our buildings, there is not a simple solution at this time and further discussions will take place, noting the process for municipalities.

Dr. Kahn then asked if cases of COVID from town have been traced.

Ms. Guenego said this is one of the questions going forward to which the state and county will be involved in.

Ms. B. Borghi, St. Nicholas Avenue questioned repairs needed at the CSX walkway at the Haworth Avenue crossing

Ms. Guenego responded the borough is following up with CSX on this issue.

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

Close Meeting to Public

The following resolution was offered at 8:35 PM by Ms. Siciliano, seconded by Mr. Rosenberg 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 June 23, 2020 at which time the following items will be discussed:

2020 Salary Increases  
Affordable Housing Litigation Update

**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

Close Meeting to Public - cont'd.

**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 9:05 PM and as there was no further business to come before the council a motion was offered by Mr. Poosikian, seconded by Mr. Rosenberg and unanimously carried.

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Ann E. Fay, RMC, CMC  
Clerk-Administrator

















104I. Regular Meeting of June 23, 2020