

159. Regular Meeting of the Mayor and Council  
of the Borough of Haworth held on August  
13, 2013 at the Municipal Center

Present: Hon. John Dean DeRienzo, Mayor

Councilmembers: Stephen Chval  
Vincent Jacobino  
Glenn Poosikian  
Mary Anne Groh  
Andrew Rosenberg  
Anthony Volpe

Borough Attorney: Peter J. Scandariato

Mayor DeRienzo called the meeting to order at 7:30 PM and upon roll call all members of the Council were present. The Mayor then read the following notice: "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."

Ordinance No. 13-06 – 2013 Multi-Purpose Ordinance – Continued

Mayor DeRienzo explained that all items included in this ordinance have been approved with the exception of the addition to the Ambulance Corps building. He said members of the Ambulance Corps were requested to look at several options, then their recommendations were received to reduce the cost and the question remains of how to resolve this matter. The Mayor asked the members of the Council to let him know how they wish to proceed.

Correspondence

<u>Letter From</u>	<u>Subject</u>	<u>Referred to</u>
County Executive	Notification of Approval 2013 Comm. Development Projects	All Council
Ms. Fay	Forwarding 2012 Zoning Board Annual Report of Variances	All Council Plan. Bd.

## COMMITTEE REPORTS

### Report of Councilwoman Groh

#### Library

Mrs. Groh reported the Library Board held two meetings; they addressed the bids received for the library expansion, rejected all bids and the Friends of the Library have contributed \$113,000. towards the project. She further reported that five interviews were conducted for the director's position and the Board has extended an offer. Also, she said a committee has been formed to negotiate with the bidders on the library project.

#### Recycling

Mrs. Groh reported there is an addendum to the contract with Miele to provide recycling pick-ups on the 5<sup>th</sup> Wednesday; additional recycling bins will be purchased and signage provided at the railroad to indicate the 5<sup>th</sup> Wednesday pick-up.

#### Board of Health

Mrs. Groh reported the first summer Health Fair was held on July 20<sup>th</sup> at the Swim Club with a good attendance. She said a great deal of effort went into this event which included free massages, a podiatrist and dermatologist present, members of the Ambulance Corps provided blood pressure screenings, representatives from Pascack Valley Hospital were present and a dance group performed. Mrs. Groh gave special thanks to Denise Hayes and Melissa Davidson for their assistance with the program.

Mrs. Groh noted Ms. Ilise Posen has resigned from the Board and a new member will be sought; also, the nurse has resigned and a substitute will be found.

#### Haworth School

Mrs. Groh said the Board of Education is meeting this evening, they had indicated an interest in participating in the Open Space Grant, however, this will be considered at a future date. She said the question arose as to the school's ability to participate in this program.

#### High School

Mrs. Groh referred to the controversy surrounding the proposed Random Drug Testing in the district; the Board of Education is drafting a policy and The Record has published an editorial objecting to the proposed policy.

COMMITTEE REPORTS – cont'd.

Report of Councilman Chval

Mr. Chval referred to the correspondence indicating the Borough's applications to Community Development have been approved for grants for senior activities and the senior van driver.

Report of Councilman Volpe

Mr. Volpe reported the Parks and Playgrounds Committee and Environmental Commission did not meet last month.

Fire Department

Mr. Volpe reported the Department responded to 27 calls last month including 3 activated fire alarms in town, 13 mutual aid alarms in Demarest, 6 hazardous conditions, 4 motor vehicle accidents and 1 CO alarm; total calls year to date – 127; total man hours for July 175 and total man hours to date 1443. He further reported they responded to a motor vehicle accident involving a roll over on Schraalenburgh Road and one car driven into the library; all probationary firefighters are progressing well at the Fire Academy; training for July consisted of vehicle extrication training, driver/pumper operations and junior auxiliary training.

Report of Councilman Iacobino

Police Department

Mr. Iacobino reported officers are participating in the "Over the Limit-Under Arrest" program to reduce drunken driving incidents which Lt. Gracey is coordinating; Officer Morgan has completed his field training and now is included in the schedule. He further reported Lt. Ryan and Lt. Gracey and the Chief will be discussing various upcoming events and on July 14 Sgt. Smith observed a vehicle parked at Memorial Field with its lights out, the vehicle was searched, marijuana was found and an 18 year old female was arrested for possession.

Recreation

Mr. Iacobino reported plans are underway for Celebrate Haworth Day.

Police Overtime

Mrs. Groh questioned Mr. Iacobino on the amount of overtime incurred this year and what it is for.

COMMITTEE REPORTS – cont'd.

Report of Councilman Iacobino – cont'd.

Police Overtime – cont'd.

Mr. Iacobino responded that some overtime is due to vacations now and the addition of Officer Morgan to the force will eliminate much of the overtime, noting he signs off each month on the overtime and often overtime becomes necessary due to arrests, etc.

Mrs. Groh said she would like to get a sense of where the Borough is now regarding overtime.

Report of Councilman Poosikian

Department of Public Works

Mr. Poosikian reported crews are weeding, doing field maintenance, striping, painting, tree pruning, completed the FEMA stump removal and removed the overgrowth and tree limbs from various areas in town.

Ambulance Corps

Mr. Poosikian reported the Ambulance Corps responded to 37 calls last month of which 33 were daytime, 307 miles, 11 calls involved motor vehicle accidents, 180 man hours and 1,116 duty hours to date. He said on July 16<sup>th</sup> members treated the driver of the car at the library and they also participated in the Health Fair at the Swim Club.

Mr. Poosikian reported members of the Ambulance Corps have been making every effort to respond to requests concerning the proposed addition to the building and are willing to reduce the amount of the Borough contribution to this project. He asked that councilmembers reach out to him regarding this matter.

Report of Councilman Rosenberg

Mr. Rosenberg noted the Planning Board did not meet last month.

Zoning Board of Adjustment

Mr. Rosenberg reported the Board met to approve two resolutions and the 2012 Annual Report which included four variances granted and one denied.

COMMITTEE REPORTS – cont'd.

Report of Councilman Rosenberg – cont'd.

Shade Tree Commission

Mr. Rosenberg noted a draft tree ordinance has been submitted from the Environmental Commission and Mr. Volpe and he will be scheduling a joint meeting with the two commissions.

Mayor's Report

Random Drug Testing

Mayor DeRienzo reported this is an ongoing discussion; the Mayors in the Northern Valley District met with the Superintendent and he will be meeting with the Board president this week.

Mayor DeRienzo noted all councilmembers have received three reports in connection with this proposed testing which are quite comprehensive regarding what is going on in Haworth and the surrounding towns and the Police Chief and the youth officer are scheduling a meeting in September on the subject.

Mrs. Groh commented on the cases of heroin use indicated in one of the reports and suggested obtaining community support with education, police, medical professionals involved.

Mayor DeRienzo noted cases of underage drinking, prescription medications being taken from homes and it is less expensive to use heroin. He suggested getting the Board of Health involved and said he is extremely concerned with this issue.

NEW BUSINESS

2013 Open Space Trust Fund Application

Mayor DeRienzo noted suggestions which have been made for this program which included the refurbishing of the bathrooms at Memorial Field; there are two buildings at the field; discussed usages of those buildings and that the bathroom project could be funded through Community Development.

Mrs. Groh suggested considering a covered area at the field.

Mayor DeRienzo, in connection with proposed improvements to the down town area noted the State has funds available and the engineer will be preparing a document regarding this project.

NEW BUSINESS – cont'd.

2013 Open Space Trust Fund Application – cont'd.

Mr. Poosikian addressed Mrs. Groh in connection with the cancellation of the Summer Recreation Program this year which he said could have been held at the school since the work there just recently commenced and asked her to discuss this with the School Board.

Mr. Poosikian addressed Mr. Volpe as to the basketball court at the school being regulation. Mr. Volpe said it is not.

Lightning Detection System

In connection with the holding up of this year's Multi-Purpose Ordinance which includes the funding for this system, Mr. Volpe said he has spoken to the supplier who has indicated he will hold the pricing for a year, the project can be phased-in as to areas to be included, for instance listening to the sirens when they are installed to determine how far they can be heard.

The Council then recessed at 8:05 PM and reconvened at 8:20 PM.

Approval of Correction Plan – 2012 Audit

In discussion of this Plan, Mrs. Groh suggested a revision to Findings/Conditions #1 to eliminate 'and with the hiring of permanent part-time staff' and "a process will be developed and implemented to reconcile the subsidiary ledger" change to "a process will be developed to reconcile.." Mr. Rosenberg commented that these issues should not be based on whether another person is hired.

The following resolution was offered by Mr. Chval, seconded by Mr. Iacobino and unanimously carried:

**Findings/Condition #1**

General ledger account balances were not in agreement with subsidiary ledgers and supporting documentation for the various funds.

**Recommendation**

The general ledger accounts be reconciled to their respective subsidiary ledgers and supporting documentation on a monthly basis for all funds.

**Corrective Action**

The CFO will bring all bank reconciliations up-to-date, and bank reconciliations will be kept up in a timely manner, on a monthly basis. The CFO will begin to

Approval of Correction Plan – 2012 Audit – cont'd.

reconcile the subsidiary ledger amounts to the general ledger amounts on a monthly basis.

**Implementation Date** – September 15, 2013

**Findings/Condition #2**

The audit of the bank reconciliations for the various funds revealed the existence of numerous reconciling items on the monthly bank account reconciliations that were deemed invalid and bank reconciliations that were deemed incomplete.

**Recommendation**

Bank reconciliations should be completed on a monthly basis and reconciling items be reviewed and verified in a timely manner.

**Corrective Action** – CFO will bring all bank account reconciliations up-to-date and reconciling items will be identified and corrected monthly.

**Implementation Date** –September 1, 2013

**Findings/Condition #3**

Audit revealed over-expenditures of 2012 budget appropriations in the Swim Pool Utility Operating Fund of \$14,682.

**Recommendation**

Internal controls be enhanced to ensure sufficient budget appropriations are available prior to issuing purchase orders in the Swim Pool Utility Operating Fund

**Corrective Action** – CFO and Swim Pool Manager meet/communicated frequently to discuss expenditures and to make certain that budget requirements are adhered to. Purchase orders are in place before expenditures are made, and blanket purchase orders have been encumbered to keep tighter control over estimated expenditures.

**Implementation Date** –May 1, 2013

Approval of Correction Plan – 2012 Audit – cont'd.

**Findings/Condition #4**

- (a) Employee payroll deductions were not transferred to the Unemployment Trust Fund during 2012.
- (b) The Borough did not pay any of their quarterly bills during 2012. These bills are subject to interest and penalty accruals. In addition, the borough has not resolved a prior year billing dispute.

**Recommendation**

With respect to the Unemployment Trust Fund:

- (a) Employee payroll deductions be transferred to the Unemployment Trust Fund on a quarterly basis.
- (b) Quarterly bills be paid in a timely manner and efforts be made to resolve prior period disputed billings.

**Corrective Action** – Prior amounts due to the State Unemployment Fund have been paid, and all subsequent bills have been paid in a timely manner. Employee payroll deductions for the balance of 2012 and for the first half of 2013 have been transferred to Unemployment Trust Fund. Going forward, employee payroll deductions will be paid over to Unemployment Trust fund on a quarterly basis. Bills will be processed within 30 days of receipt, in accordance with the due dates per the State of New Jersey.

**Implementation Date** –June 28, 2013

**Findings/Condition #5**

The audit of expenditures revealed that the Health Benefits bills for the months of June 2012 through November 2012 were not paid until December 2012.

**Recommendation**

It is recommended that procedures be revised to ensure monthly health benefit bills are paid in a timely manner.

**Corrective Action** – Upon receipt of the monthly health benefit bill, the CFO now sets up an automated payment of the bill on the due date, and the dates and confirmation numbers of each automated payment are confirmed monthly.

**Implementation Date** –January 1, 2013

Approval of Correction Plan – 2012 Audit – cont'd.

**Findings/Condition #6**

The 2011 corrective action plan was not submitted to the Governing Body for their approval within 45 days of the date the audit was received by the Governing Body.

**Recommendation**

It is recommended that the corrective action plan be submitted to and approved by the Governing Body in accordance with N.J.A.C. 5:31-7.6(i).

**Corrective Action** – The 2012 corrective action plan has been submitted to the Governing Body for approval in a timely manner, in accordance with the statute cited above.

**Implementation Date** –August 7, 2013

Submission of 2013 Open Space Application

The following resolution was offered by Mr. Iacobino and seconded by Mr. Chval:

WHEREAS, The Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Borough of Haworth desires to further the public interest by obtaining a matching grant of \$9,555.00 from the County Trust Fund to fund the following project: Municipal Pool Playground Equipment and Playground Rubber Flooring; and

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body has held a public hearing on August 13, 2013 to receive comments prior to the submission of said application(s); and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

Submission of 2013 Open Space Application – cont'd.

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into agreement with the County of Bergen for the above named project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Haworth:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of August 29, 2013 as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Borough of Haworth has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Borough of Haworth is committed to providing a dollar for dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Borough of Haworth agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.

On discussion Mr. Iacobino explained this application includes three items to be added at the Swim Club – Swing Set for 6 with Playground Rubber Flooring; See-Saw Unit and Tri-Level Bars (pull up bars) for a total of \$19,100. (\$9500. from the grant; \$9500. from Swim Pool surplus)

Mrs. Groh commented she was surprised to learn about this application now as she felt there is a need to start focusing on other areas as many other things need to be done. She said she would like to defer any consideration until the end of this month. She noted surplus has been generated by the pool and there are too many members.

Mr. Iacobino responded that he has talked to the management at the pool regarding this project and asked if Mrs. Groh had an alternate project.

Mayor DeRienzo commented these items would replace the ones when the old kiddie pool was taken out.

Mrs. Groh said surplus could be used for other equipment and noted the following which she felt should be addressed: pay off emergency appropriation for chairs; a cleaning person for

Submission of 2013 Open Space Application – cont'd.

bathrooms; the purchase of adequate tools for cleaning the pool; hire additional DPW employee or make payment toward the DPW budget for their services – the grounds need work before the summer help comes in; trim and maintain trees; purchase appropriate games to be lent to members. She further said that the following capital improvements could be funded by infusion of cash – improvements to ladies' room; adding a shelf to the front window; purchase of recycling/ trash receptacles for back pool and picnic area; addition to parking lot; beautification of picnic area; refinish ping pong table tops; build a volley ball court, bocce pit and/or horseshoe pit; removal of diving board platforms at the back pool; add decking to extend the apron on the long side of the back pool; install a walk way to the back pool and repair the foundation of the building where there are fissures caused from settlement.

Mr. Iacobino said he understood her concerns, however, now he is just trying to put the swings back in.

On roll call the vote was as follows: Ayes; Messrs. Chval, Iacobino, Poesikian. No – Mrs. Groh, Mr. Rosenberg, Mr. Volpe. Mayor DeRienzo voted in the affirmative to break the tie. Motion carried.

Open Meeting to Public on Submission of Open Space Grant

The meeting was opened to the public on this grant. As there no comments, the meeting was closed to the public on the grant.

Sharing of Senior Van with the Borough of Closter

Mayor DeRienzo explained that Closter has approached the Borough to share the van and a meeting has been scheduled with them to discuss this.

Insertion of Special Item of Revenue – Pistol Range Funds

The following resolution was offered by Mr. Iacobino, seconded by Mr. Chval and unanimously carried:

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount;

Insertion of Special Item of Revenue – Pistol Range Funds – cont’d.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Haworth, in the County of Bergen, New Jersey, hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$2,500., which item is now available as a revenue from the Borough of Westwood for the use of the Haworth Police Range.

BE IT FURTHER RESOLVED that the like sum of \$2,500 is hereby appropriated under the caption

Department of Public Safety  
 Division of Police  
 Other Expenses - “Police Range Use”

BE IT FURTHER RESOLVED that the Borough Clerk forward two (2) copies of this resolution to the Director, Division of Local Government Services.

Refund of Overpayment of Real Estate Taxes

The following resolution was offered by Mr. Chval, seconded by Mr. Iacobino 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 2013 property taxes to the following homeowners:

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO:</u>	<u>2013 TAXES</u>
1203	21	Gloria Jonassen 320 Schraalenburgh Rd Haworth, NJ 07641	\$3,830.55
1306	7	Estate of Gary Hoag 206 Valley Rd Haworth, NJ 07641	\$ 490.99
<b>Total</b>			<b>\$ 4,321.54</b>

Dedication by Rider – Forfeiture of Assets

The following resolution was offered by Mr. Iacobino, seconded by Mr. Chval and unanimously carried:

WHEREAS, N.J.S. 40A:4-39 provides that a municipality may dedicate certain revenues in any budget when the character of the revenue is not subject to reasonable accurate estimate in advance by including in said budget a statement dedicating such revenues to the purpose or purposes for which they are received, and

Dedication by Rider – Forfeiture of Assets – cont'd.

WHEREAS, the Borough has received the sum of \$22,500. from the U.S. Marshal's Service from the seizure/forfeiture of assets,

WHEREAS, the National Code of Professional Conduct for Asset Forfeiture has set forward that the priority of use for said funds "should be given to supporting community policing activities, training, and law enforcement operations", and that the permissible uses of said funds are as follows:

1. Law enforcement investigations
2. Law enforcement training
3. Law enforcement and detention facilities
4. Law enforcement equipment
5. Law enforcement travel and transportation
6. Law enforcement awards and memorials
7. Drug and gang education and awareness programs
8. Matching funds
9. Pro rata funding of shared operating and maintenance expenses
10. Asset accounting and tracking
11. Language assistance services
12. Transfers to other law enforcement agencies
13. Support of community-based programs
14. Windfall situations

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Haworth, that revenue received from the U.S. Marshal's Service Asset Forfeiture Department are hereby dedicated and shall be made available for expenditures for the purpose stated above as and when received in cash during the fiscal year.

BE IT FURTHER RESOLVED, by the Governing Body that two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. Arthur Berman, 510 Haworth Avenue stated he has been familiar with the workings of the Haworth Ambulance Corps for 32 years and it was part of his portfolio when he was a member of the Council. He said he felt the Ambulance Corps has made a serious error with few members attending meetings – it should be standing room only at these meetings and it behooves them to address the issues to the residents of the town and explain their contribution to all residents. Mr. Berman said the people should know who is for and who is against the proposed project.

Open Meeting to Public – cont'd.

Ms. B. Colonna, West View Terrace referred to the negotiation process with the bidders on the library project as she believed only one should be negotiated with.

Mr. Scandariato answered that by law all of the bidders who submitted qualified bids have to be invited to negotiate.

Mayor DeRienzo commented four bidders fulfilled the requirements of the bid.

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. Chval and unanimously carried:

FOR COPY OF RESOLUTION AND BILL LIST  
SEE PERMANENT MINUTES  
PAGES 172A – 172S

Approval of Minutes

In consideration of the July 3, 2013 minutes Mrs. Groh requested that when a resolution is placed only in the permanent minutes there be indication of the appropriation in the copies of the minutes.

In the July 9, 2013 minutes, Mrs. Groh requested on Page 147 under the Library report the word “accepted” be changed to “received” in connection with the library bids.

A motion was then offered by Mrs. Groh, seconded by Mr. Chval and unanimously carried to accept the minutes of the Executive Meeting of July 3 and the Regular Meeting of July 9, 2013.

As there was no further business to come before the Council the meeting adjourned at 9:00 PM on motion duly offered, seconded and carried.

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Ann E. Fay, RMC, CMC  
Clerk-Administrator





































