

202. Regular Meeting of the Mayor and Council
of the Borough of Haworth held on
September 25, 2018 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Glenn Poosikian
Andrew Rosenberg
Michael Bain
Regina Duffy
Jacqueline Guenego
Lawrence Weiss

Borough Attorney: Robert T. Regan

Mayor Smart called the meeting to order at 7:30 PM and noted all members of the Council were present. 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.

COMMITTEE REPORTS

Report of Councilman Bain

Recreation

Mr. Bain reported plans are well underway for Celebrate Haworth Day, meetings are taking place with the Police Department regarding traffic with possible road closures, possibly there will be Food Trucks and the rides have been ordered.

Mr. Bain said the Community Garden has now been proposed at tennis court number 4 and the Halloween activities will take place on St. Nicholas Avenue and vicinity on October 31st.

Mr. Weiss asked when the Community Garden consideration started. Mr. Bain replied discussions started several months ago with the first place suggested for the garden at the Tree Farm however the Shade Tree Commission said the Tree Farm was not a viable location.

COMMITTEE REPORTS – cont'd.

Report of Councilman Bain – cont'd.

Recreation – cont'd.

Mr. Weiss then said there is strong support for a Dog Park on Tennis Court 4 and the Community Garden is not under Recreation. Mr. Bain responded it is by statute and the matter will be brought before the full council.

Ms. Guenego said the Tennis Committee should have a choice about a Dog Park on Court 4.

Mr. Bain said the Tennis Committee is willing to give up Court 4 and they have been consulted.

Mrs. Duffy noted Court 4 is not being used, she thought the Dog Park situation was still in question and they are not automatically saying to take Court 4. She said they would say it is being considered but not finalized.

Mr. Poosikian said there should be ample notice to the town about these plans.

Ms. Guenego commented the Tennis Committee would have to weigh in and all parties would have to get involved.

Mr. Bain said he will get back to the Recreation Commission on this issue.

Report of Councilwoman Guenego

Library

Ms. Guenego reported the Summer Reading Program was quite successful; a revised tutor policy is now in place; the new pathway to the library has been well accepted; the Friends of the Library will be accepting silent bids for the Haworth Paws collection and the scarecrow building will take place on October 6th at 2 PM.

Ms. Guenego further reported on budget issues regarding the BCCLS solution to moving materials to libraries which would be a cost of \$7,291.00 to every library in their area which she said is a significant amount to be considered in the library budget next year.

Ms. Guenego noted a new law regarding paid sick leave for part time employees which will also have an impact on the library budget. She further noted there were no recommendations for the last audit report of the library.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Guenego

Board of Health

Ms. Guenego reported the Flu Clinic will be held on October 13 from 9-11AM and a replacement is needed on the Board for a member who has resigned.

Ambulance Corps

Ms. Guenego reported the following: the Ambulance Corps responded to 13 calls last month, 11 daytime, average response time was 7 minutes, man hours on call, 47 and man hours year to date, 548. She noted call volume was down as is typical in August.

Report of Councilman Rosenberg

Zoning Board

Mr. Rosenberg reported this Board did not meet in September and will hold two meetings in October, one their regular meeting and a special meeting on October 16 to complete the St. Gabriel Church application.

Planning Board

Mr. Rosenberg noted the Board considered a subdivision application at 58 Schraalaenburgh Road with a decision for their next meeting when a subdivision application will be heard for property on Whitman Street.

Police Department

Mr. Rosenberg reported the Department participated in the 2018 Drive Sober or Get Pulled Over Crackdown to combat driving under the influence during the week of Labor Day; during the month assisted with the Andiamo Benefit Run, the Sacred Heart Church Picnic and will be assisting at the Haworth 5-K Run this week-end; Lt. Saudino instructed a “Close Quarter Tactics” with the county Regional Swat Team; Lt. Saudino also assisted in serving high risk warrants in Englewood and Garfield; Lt. Saudino and Officer Reinecke are in the planning stages for the Department’s fall qualifications and the Chief is planning his yearly department meeting. Mr. Rosenberg noted 148 summonses were issued last month.

Mr. Poosikian asked if there was any notification to residents in connection with Dumont spraying by helicopter for mosquitoes. He asked Mr. Rosenberg to check with the Police Department on this issue.

COMMITTEE REPORTS – cont'd.

Report of Councilman Poosikian

Fire Department

Mr. Poosikian reported the following: the Department responded to 22 calls last month, 7 calls in Haworth and 15 calls in Demarest; 3 work nights were held, 1 search drill, a grill fire, a vehicle fire and Tom Runge and John Iovino have completed Fire 1.

Mrs. Duffy referred to the proposed bump-outs for the upcoming downtown improvements noting the ambulance was able to make the turn on Terrace Street but encroached onto another lane of traffic which she said could be dangerous. She further said the ambulance can't make a safe turn with the bump out and said she watched a fire truck making a turn at the bump-out when half the bumper on the truck had to take the other lane and felt this will be a safety problem with the volunteers.

Mr. Poosikian noted that tractor trailers going to the Hardware Store could be a problem also.

Shade Tree Commission

Mr. Poosikian reported the Commission met in August and is going through the list of trees for the Winter Tree Program, etc.

Report of Councilman Weiss

Parks and Playgrounds

Mr. Weiss reported the Committee is involved in the final work of the building at Memorial Field and preparing the fall decorations.

Department of Public Works

Mr. Weiss reported he has met with Mr. Simkins, the interim superintendent, the Department is preparing for leaf season, mulching the fields, assisting with the first phase of the new playground, taking care of potholes particularly with the route for the upcoming 5-K Run and readying the fields for soccer. He said the new playground will be open at the end of this week.

Mayor Smart commented the playground project started four years ago after it had been found unsafe, a complete replacement was a cost of \$250,000.00, in 2017 a grant of \$50,000.00 was received from Bergen County Open Space and now another grant of \$50,000.00 has been awarded, the Borough has received donations, the DPW has done much of the work and the project is on track.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Duffy

Seniors

Mrs. Duffy reported the next Senior meeting is October 16th with the Garden State Harmonica Club performing and at the November 20th meeting Dr. Victoria Dubin Master will be giving a workshop.

Swim Club

Mrs. Duffy reported Mr. Ives the pool manager for the last 17 years has retired, the Committee is working on a replacement for him and membership numbers were comparable to the last season.

Tennis

Mrs. Duffy noted weed whacking on Courts 1, 2 and 3 is to be completed this week weather permitting.

Mayor's Report

Bergen County League of Municipalities

Mayor Smart reported that at the last meeting of this group the new CEO of Bergen County Community College spoke, a shared services workshop is being scheduled with Sen. Sweeney regarding courts, police departments, DPW and schools which the Mayor said many of these services are already being shared. Further discussion included the 2% CAP on arbitration, school funding formulas and unfunded mandates for which the towns need relief, he said.

Real Estate Taxes

Mayor Smart noted that with the recent deduction of real estate taxes capped at \$10,000.00 discussion has been held regarding the creating of charitable entities to divert these funds, the IRS has become involved and the Borough's response to taxpayers is there is the authority from the State but is waiting for a determination from the IRS.

Mr. Regan commented that he is concerned with the cost of setting up charitable funds, etc., it is very complicated, the Division of Local Government Services has established guidelines and suggested discussing this with the Borough's auditor.

Mayor's Report – cont'd.

Office of Emergency Management

Mayor Smart reported Suez will be holding their annual drill on October 2nd.

Board of Education

Mayor Smart reported the opening of school went well and the Board approved goals district wide.

Sick Leave for Part Time Employees

Mayor Smart noted the Borough will have to amend its salary ordinance regarding a new law regarding this matter – there are two choices for these employees to earn one hour of sick leave for every 30 hours worked up to a total of 40 per year; they can be used as you go or all used at the start of the year and up to forty hours can be carried over.

Cell Tower

Mayor Smart said he has been contacted regarding re-negotiating leases, another tower location, etc. and suggested appointing a committee to work with Mr. Regan as to what the options are, the bidding process, etc. noting this is a significant part of the Borough's revenue.

Request for Resolutions

Mayor Smart noted the Borough receives a number of requests regarding various resolutions and a recent one involves the building of an electric generating plant in the Meadowlands which would be gas powered, there are several environmental issues and also with the energy going into New York City. He said the mayors of Bergen County will be asked by PSE&G to sign onto their program PS&G Clean Energy Future.

DOT Grant

Mayor Smart noted this grant request is due next month and the Borough Engineer is preparing the application for paving of Massachusetts Avenue.

CONSENT AGENDA

A motion was offered by Mr. Poosikian, seconded by Mr. Rosenberg and unanimously carried to approve the following consent agenda.

CONSENT AGENDA – cont'd.

Authorization to Extend Recycling Contract

WHEREAS, by resolution dated December 22, 2015, the Mayor and Council awarded a contract, after competitive bidding, to Miele Sanitation Co., Inc. (“Miele”) for recycling and disposal services for a three (3) year period commencing on January 1, 2016 and ending on December 31, 2018 for the annual sum of \$54,192.00, with two (2) one (1) year options for 2019 and 2020; and

WHEREAS, Interstate Waste Services of New Jersey, Inc. (“Interstate”) acquired the interest of Miele in early 2018, and by resolution of the Mayor and Council dated April 10, 2018, the Governing Body consented to the assignment by Miele of its contract with the Borough of Haworth, including the contract for recycling services, to Interstate; and

WHEREAS, the Governing Body has determined that it is in the best interest of the Borough to exercise the option to extend the contract for a one (1) year period from January 1, 2019 to December 31, 2019.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Haworth that it does hereby exercise its option to extend the contract for recycling services for the 2019 calendar year for the annual sum of \$54,192.00, with collections to be made consistent with existing practice; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute any necessary contract addendum in connection with the Borough’s exercise of its option to extend the contract for the 2019 calendar year.

Appointment of Interim DPW Superintendent

BE IT RESOLVED, the Mayor and Council hereby appoint Christopher Simkins as Interim Superintendent of the Department of Public Works at an annual salary of \$105,600.00 effective September 16, 2018.

Authorization to Purchase Metal Detector

WHEREAS, pursuant to N.J.S.A. 40a:11-12A AND N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Haworth has a need to purchase, on a timely basis, goods or services utilizing State contracts during 2018; and

CONSENT AGENDA – cont’d.

Authorization to Purchase Metal Detector – cont’d.

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Borough of Haworth plans to utilize the State Contract Vendors listed on the attachment, such transaction shall be subject to all conditions applicable to the current State contracts; now, therefore,

BE IT RESOLVED, by the Council of the Borough of Haworth, in the County of Bergen, that the Borough is hereby authorized to purchase goods or services in 2018 from the approved New Jersey State Contract Vendors on the following list, pursuant to all conditions of the individual State contracts:

<u>Commodity / Service</u>	<u>State Contract Vendors Vendor Name</u>	<u>State Contract</u>
Enhanced PinPoint Walk Through Metal Detector \$3,537.02	Lawmen Supply Company 7150 Airport Highway Pennsauken, NJ 08109	A81295

Authorization for Service Repairs to Engine 161

WHEREAS, quotations were sought for Service Repairs on Fire Engine 161;

WHEREAS, two quotations were received; and

WHEREAS, it is recommended by the Mayor and Council that the quotation received from Fire and Safety Services is the most responsive.

NOW THEREFORE BE IT RESOLVED, that a contract be awarded to Fire & Safety Services, 200 Ryan Street, South Plainfield, NJ 07080 in the amount of \$4,680.00 as outlined in their proposal dated August 21, 2018.

Refund Overpayment Real Estate Taxes

WHEREAS, claim for Tax Exemption of Disabled Veteran has been granted to this homeowner by the Veterans’ Administration, and therefore, no property taxes are due for 2018; and

CONSENT AGENDA – cont’d.

Refund Overpayment Real Estate Taxes – cont’d.

WHEREAS, based on the 2015 filing year, a Homestead Benefit for this property was due to, received and applied to 4th Qtr 2018.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the Tax Collector be authorized to refund the Homestead Benefit as follows:

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO:</u>	<u>HOMESTEAD BENEFIT</u>
1311	3	Property Owner 145 Valley Rd. Haworth, NJ 07641	\$ 500.00
		Total	\$ 500.00

Authorization to Purchase Radar Speed Display

WHEREAS, quotations were sought for the purchase of a Radar Speed Display for the Police Department; and

WHEREAS, three quotations were received; and

WHEREAS, it is recommended by the Mayor and Council that the quotation received from All Traffic Solutions is the most responsive.

NOW THEREFORE BE IT RESOLVED that a contract be awarded to All Traffic Solutions, Inc., 12950 Worldgate Dr., Ste. 310, Herndon, VA 20170 for \$4,865.00 as outlined in their proposal dated July 5, 2018.

Authorize Repair to Traffic Signal

WHEREAS, an emergency repair was needed to the traffic signal at Haworth Avenue and Schraalenburgh Road as a result of a motor vehicle accident; and

WHEREAS, due to this emergency which required immediate repairs quotations were not obtained.

NOW THEREFORE BE IT RESOLVED, the Mayor and Council hereby approve invoices totaling \$6,125.00 payable to J. Keane Electric Company, Inc., 622 Schuyler Avenue, North Arlington, NJ 07031 to be provided from budget line item 8-01-25-120-352.

CONSENT AGENDA – cont’d.

Authorize Purchase of Tires for Police Vehicles

WHEREAS, pursuant to N.J.S.A. 40a:11-12A AND N.J.A.C. 5:34-7.29(c), the Borough may, by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Haworth has a need to purchase, on a timely basis, goods or services utilizing State contracts during 2018; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Borough of Haworth plans to utilize the State Contract Vendors listed on the attachment, such transaction shall be subject to all conditions applicable to the current State contracts; now, therefore,

BE IT RESOLVED, by the Council of the Borough of Haworth, in the County of Bergen, that the Borough is hereby authorized to purchase goods or services in 2018 from the approved New Jersey State Contract Vendors on the following list, pursuant to all conditions of the individual State contracts:

<u>Commodity / Service</u>	<u>State Contract Vendors</u> <u>Vendor Name</u>	<u>State Contract #</u>
Tires for Police Vehicles	Kirk’s Orange Tire & Auto Svcctr 154 Central Av. Orange, NJ 07050	82527
\$2,958.72		

Appointment of Senior Van Driver

BE IT RESOLVED, the Mayor and Council hereby approve the employment of William R. Tedesco, Jr. as Senior Van Driver effective after his completion of the Driver Safety Course at a salary as indicated in the Borough’s current salary ordinance.

Payment of Bills

CONSENT AGENDA – cont'd.

Approval of Minutes

Executive Meeting of August 14, 2018
Closed Meeting of August 14, 2018
Regular Meeting of August 28, 2018
Closed Meeting of August 28, 2018

Open Meeting to Public

The meeting was opened to the period of public discussion.

Mr. C. Hoehn, Hennessey Street said the 4th Court at the Tennis Courts is a great place for a Dog Park, there are 600 dogs in town, it would be a nice place to meet people, the courts are porous with not much need for excavation and explained the preparation method.

Mayor Smart noted he has received two letters against a Dog Park, he has done some research, this location would be a bad spot, designs indicate an acre of land is needed, the American Kennel Association recommends double entries, separate areas regarding the size of the dogs and the proposed location is near trains and residences. He said other locations, should be sought, to look into the cost, it is a great idea but the Council would be interested in more information.

Mr. Hoehn responded he will take these suggestions into consideration.

Mr. Bain referred to the sanitation situation at such a facility would be a concern

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

Close Meeting to Public

The following resolution was offered at 8:45 PM by Rosenberg, seconded by Mr. Weiss 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 September 25, 2018 at which time the following items will be discussed:

Declaratory Judgment
Metro-PCS

Close Meeting to Public – cont'd.

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 9:05 PM and as there was no further business to come before the Council a motion was offered by Mr. Weiss, seconded by Mr. Bain and unanimously carried.

Ann E. Fay, RMC, CMC
Clerk-Administrator

213A. Regular Meeting of September 25, 2018

213D. Regular Meeting of September 25, 2018

