

47. Regular Meeting of the Mayor and Council
of the Borough of Haworth Held on March
22, 2022 via Zoom

Present: Hon. Jacqueline S. Guenego, Mayor

Councilmembers: Glenn Poosikian
Andrew Rosenberg
Michael Bain
Dina Siciliano
Heather Wasser
Lisa Dhamija

Borough Attorney: Robert T. Regan

Mayor Guenego 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 statement: "This is the regular meeting of the mayor and council of the Borough of Haworth. I am informed by the clerk that adequate 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 in the office of the municipal clerk and by mailing notice to all persons who requested same and prepaid the cost fixed the council."

Salute to Flag

Mayor Guenego led those present in the pledge of allegiance.

Selection of Candidate to Fill Unexpired Term of Council Seat Previously held by Mayor Guenego

The Haworth Democratic Committee having submitted candidates for the council's consideration in filling this unexpired term, a motion was offered by Mr. Poosikian and seconded by Mrs. Wasser to select Ms. Lisa Dhamija.

On discussion Mayor Guenego noted that Ms. Dhamija is an EMT and a member of the Haworth Volunteer Ambulance Corps.

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

Mr. Poosikian then administered the Oath of Office to Ms. Dhamija.

Presentation to Former Mayor Ference

Mayor Guenego read a proclamation expressing appreciation and thanks to Mayor Ference for his many years of dedication and service to the Borough in several capacities.

Presentation to Former Mayor Ference – cont'd.

The meeting was then opened to the public for comments on all that Mayor Ference has accomplished over the years.

Mayor Guenego stated that all members of the governing body miss him very much.

Mr. Regan thanked Mayor Ference for all his assistance, particularly in satisfying the borough's Affordable Housing mandate which he addressed immediately on assuming office, all owe a debt of gratitude to him and thanked him specifically for dealing with that issue.

The meeting was then opened to the public on this presentation.

Mr. J. Stokvis, Pine St. said everyone knew Mayor Ference, he has run everything smoothly during his public service and set a high bar for the town.

Mr. M. Kronfeld, Maple Street expressed his thanks for all Mayor Ference has done particularly being a source of confidence during the pandemic.

Ms. S. Lichtblau, Massachusetts Av. said she has known the Ference family since moving to Haworth when they welcomed them, he has been a mentor to their family and is grateful to him for all he has done for them.

Mayor Ference, present in the audience said it was very joyful to be part of a small town, it has been a pleasure to serve all and thanked Mr. Regan for his dedication and flexibility.

Mayor Guenego thanked all for being present and Mayor Ference was the steady hand and guidance during the pandemic who brought out the best in all of us.

Mayor Ference responded he is proud of all and thanked everyone.

Ord. 22-03 – 2022 Swim Club Membership Fees-2nd Reading, Public Hearing, Adoption

**AN ORDINANCE TO AMEND CHAPTER IX OF THE CODE OF
THE BOROUGH OF HAWORTH ENTITLED, "PARKS,
PLAYGROUNDS AND RECREATIONAL AREAS."**

BE IT ORDAINED by the Mayor and Council of the Borough of Haworth, County of Bergen, State of New Jersey, as follows:

Section 1.

Chapter IX of the Code of the Borough of Haworth, Parks, Playgrounds and Recreational Areas, §9-8, Haworth Swim Club, Subsection 9-8.1, Membership Fees, be and is hereby amended to read as follows:

Ord. 22-03 – 2022 Swim Club Membership Fees-2nd Reading, Public Hearing, Adoption – cont’d.**Membership Options:**

	Early Bird (Pre-June 24 th)	After June 24 th	August 1 st Thru Labor Day
Haworth Household*	660	710	350
Haworth Senior Single	250	200	150
Haworth Single Couple	450	500	250
Haworth Senior Family**	550	600	300
Haworth Single	350	400	200
Non-Resident Household*	760	810	450
Non-Resident Senior Single	350	400	200
Non-Resident Senior Couple	550	600	350
Non-Resident Senior Family**	650	700	400
Non-Resident Single	400	450	250
Au-Pair	200	250	125

*A “Household” is considered all members in one residence. Proof of residence may be required.

**A “Senior Family” is restricted to Seniors and their children. If additional individuals are included (i.e., grandchildren), the membership should be considered a “Household” membership.

A “Senior” shall be deemed a person sixty (60) years of age or older.

Daily Rates for non-members: \$20 (18 & over), \$15 (2-17)

Limited to Bergen County residents (must show proof of residency)
We DO NOT offer rain-checks or reimbursement due to inclement weather
Prices remain the same throughout the day.

Guest Rates: \$10 per person (must be accompanied by a member)

Ord. 22-03 – 2022 Swim Club Membership Fees-2nd Reading, Public Hearing, Adoption – cont’d.

Section 2. Severability.

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such judgment shall be rendered.

Section 3. Inconsistent Ordinances Repealed.

All ordinances or parts or ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 4. Effective Date.

This ordinance shall take effect after publication thereof and final passage as required by law passage as required by law.

The meeting was opened to the public on Ordinance No. 22-03. 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 Ms. Siciliano that Ordinance No. 22-03 be passed on second and final reading.

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

A motion was offered by Ms. Siciliano, seconded by Mrs. Wasser and unanimously carried to advertise the passage of Ordinance No. 22-03.

Ordinance No. 22-04 – 2022 Swim Club Salaries – 2nd Reading, Public Hearing, Adoption

A motion was offered by Ms. Siciliano, seconded by Mrs. Wasser and unanimously carried that Ordinance No. 22-04 be offered for first reading.

Ordinance 22-04 is as follows:

AN ORDINANCE ESTABLISHING SALARIES FOR POOL PERSONNEL FOR 2022

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

Section 1. Salaries for pool personnel for 2022 shall be as follows:

Manager/Assistant Manager(s):	Per Season (2022)
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Ordinance No. 22-04 – 2022 Swim Club Salaries – 2nd Reading, Public Hearing, Adoption – cont’d.

Swimming Pool Manager	\$11,000.00 to \$16,000.00
Assistant Pool Manager(s)	\$6,000.00 to \$10,000.00
Life Guard (Life Guarding) and Office Clerk:	Per Hour
	(2022)
All guards	\$11.90

Section 2. For the purpose of this Ordinance, the pool season is defined to run from Saturday, May 28, 2022, through Monday, September 5, 2022, 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, 2022, to December 31, 2022, 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.

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

The meeting was opened to the public on Ordinance No. 22-04. As there were no comments the meeting was closed to the public.

A motion was offered by Ms. Siciliano and seconded by Mr. Bain that Ordinance No. 22-04 be passed on second and final reading.

On roll call the vote was as follows: Ayes – Messrs. Poosikian, Rosenberg, Bain, Siciliano, Wasser. Abstain – Ms. Dhamija. Nays – none. Declared carried.

A motion was offered by Ms. Siciliano, seconded by Mr. Bain and unanimously carried that the passage of Ordinance No. 22-04 be advertised as required by law.

COMMITTEE REPORTS

Report of Councilman Bain

See attached.

COMMITTEE REPORTS- cont'd.

Report of Councilman Rosenberg

Police

Report to be submitted.

Planning Board

Mr. Rosenberg reported the Board approved a subdivision on Sylvan Place at their last meeting.

Report of Councilman Poosikian

Fire Department and DPW

See attached.

Mr. Poosikian further reported there was a large turn-out out for the recent shredding event in town, the Boy Scouts will be holding a car wash on April 30th and their annual plant sale in May.

Report of Councilwoman Siciliano

Library

Ms. Siciliano reported the new director, Deepti Dutta will be starting April 11th.

Haworth School

Ms. Siciliano reported the recent school referendum vote has been certified and the project approved.

Shade Tree

The commission is preparing for an Arbor Day celebration on April 30th, Ms. Siciliano noted.

Swim Club

Ms. Siciliano reported the pre-season work has started and Mr. Ives, club manager has submitted his letter of resignation. She said he will be very much missed.

COMMITTEE REPORTS- cont'd.

Report of Councilwoman Wasser

NVRHS

Mrs. Wasser reported that as a result of Dr. Kipel's resignation from the Board of Education, Ms. Lori Ross has been appointed to fill that position as the borough's representative.

Tennis

Mrs. Wasser noted the committee has a question relating to the seasonal water meter at the courts to determine if that meter can be installed earlier this season and the courts are in need of repair to the steps and railings.

Plumbing Inspector

Mrs. Wasser explained that due to the recent resignation of Mr. Adams from this position' she has met with Brian Drewes who has been filling in as inspector, he is very skilled and very competent particularly dealing with the increase of inspections and she is recommending a salary of \$12,000.

A motion was offered by Mrs. Wasser and seconded by Mr. Bain to retain Brian Drewes as Plumbing Sub-Code Official and Mechanical Inspector commencing April 1, 2022 to a 4-year term to December 31, 2025 at an annual salary of \$12,000.

On roll call the vote was as follows: Ayes; Messrs. Posingian, Rosenberg, Bain, Siciliano, Wasser. Abstain Ms. Dhamija. Nays – none. Declared carried.

Report of Mayor Guenego

Projects

Mayor Guenego reported she has met with Mr. Statile to review several projects – the Community Development grant for the ADA improvements at the Swim Club; the Open Space grant for the St. Nicholas Avenue Trail which project has been awarded; the Pickleball grant whose location Mr. Statile needs to survey as it was originally to be located at Park Street and then the bid process can start.

Authorization to Receive Bids for Construction of Pickleball Courts

A motion was offered by Mr. Bain and seconded by Mr. Rosenberg to authorize the municipal clerk to advertise for the receipt of bids for the construction of pickleball courts at the Swim Club.

Authorization to Receive Bids for Construction of Pickleball Courts – cont'd.

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

April 12th Meeting

Mayor Guenego reported that Mr. Statile will attend this meeting to discuss the following: the grant process, solar fields at the DPW, Open Space Grants which are open now for submission and asked that any recommendations be forwarded to the Grant Committee.

2022 Road Program

Mr. Poosikian discussed paving in the Lake Shore Drive area in connection with the on-going construction there.

Mayor Guenego noted Mr. Poosikian will prepare the list for the road program.

Further discussion included the Phase 3 program at Memorial Field, playground equipment for the toddlers' area, fencing and overall improvements possibly at the former barbecue area.

Library Bids for Flooding

Ms. Siciliano noted two quotes have been received and they are waiting for a third.

UNFINISHED BUSINESS

Memorials

Mr. Rosenberg brought the council up to date on the Volpe and Ferber memorials and that it is planned to have a dedication ceremony in April.

NEW BUSINESS

Ordinance No. 22-05 – 2022 Pickleball Fees

A motion was offered by Mr. Bain, seconded by Ms. Siciliano and unanimously carried that Ordinance No. 22-05 be offered for first reading.

Ordinance No. 22-05 was then read by title as follows:

Ordinance No. 22-05 – 2022 Pickleball Fees – cont’d.

AN ORDINANCE TO AMEND CHAPTER IX OF THE CODE OF THE BOROUGH OF HAWORTH ENTITLED, “PARKS, PLAYGROUNDS AND RECREATIONAL AREAS” TO BE DESIGNATED AS SECTION 9.9 TO INCLUDE HAWORTH PICKLEBALL FEES

A motion was offered by Mr. Bain and seconded by Mrs. Wasser to pass Ordinance No. 22-05 on first reading.

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

A motion was offered by Mr. Bain, seconded by Ms. Siciliano and unanimously carried to advertise Ordinance No. 22-05 and set a date for public hearing on April 12, 2022 at 7:30 PM.

Ordinance 22-06 – Bond Ordinance for Scott Packs for Fire Department

A motion was offered by Mr. Rosenberg, seconded by Mr. Bain and unanimously carried that Ordinance No. 22-06 be offered for first reading.

Ordinance No. 22-06 was then read by title only as follows:

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW SELF-CONTAINED BREATHING APPARATUS EQUIPMENT FOR THE USE OF THE FIRE DEPARTMENT IN, BY AND FOR THE BOROUGH OF HAWORTH, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$195,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

A motion was offered by Mr. Bain and seconded by Mr. Poosikian that Ordinance No. 22-06 be passed on first reading.

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

A motion was offered by Mr. Bain, seconded by Mrs. Wasser and unanimously carried that Ordinance No. 22-06 be advertised as required by law and a date set for public hearing on April 12, 2022 at 7:30PM.

Ordinance No. 22-07 – 2022 Salaries

A motion was offered by Mr. Poosikian, seconded by Mr. Poosikian and unanimously carried that Ordinance No. 22-07 be offered for first reading.

Ordinance No. 22-07 was then read by title only as follows:

**AN ORDINANCE TO FIX THE SALARIES, WAGES, COMPENSATION,
BENEFITS, STIPENDS AND WORKING CONDITIONS FOR EMPLOYEES
AND CERTAIN OFFICERS OF THE BOROUGH OF HAWORTH,
COUNTY OF BERGEN, NEW JERSEY**

A motion was offered by Mr. Bain and seconded by Mr. Poosikian that Ordinance No. 22-07 be passed on first reading.

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

A motion was offered by Mr. Bain, seconded by Mrs. Wasser and unanimously carried that Ordinance No. 22-07 be advertised as required by law and a date set for public hearing on April 12, 2022 at 7:30 PM.

Ukraine Donations Projects

A message from Rep. Auth's office regarding used fire equipment for Ukraine was referred to Mr. Poosikian who said no one has reached out to him or Fire Chief Hennion on this matter.

In Person Meetings

Mayor Guenego questioned when the borough would return to in person meetings and asked Mr. Rosenberg and Ms. Siciliano to form a committee to come up with a plan and also a plan to open borough hall and to meet with the staff. She said this needs to be discussed and to come up with a recommendation.

CONSENT AGENDA

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

Approval of Raffle License

BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the Off-Premise, 50/50 Raffle Application of Sacred Heart Church #RA-493 to be held at 102 Park Street on

CONSENT AGENDA – cont’d.

Approval of Raffle License – cont’d.

June 19, 2022 be approved as submitted providing all rules and regulations of Legalized Games of Chance Control Commission are adhered to.

Appointment to Board of Health

BE IT RESOLVED that Brooke Hodes-Wertz be appointed a regular member of the Board of Health to an unexpired three-year term to December 31, 2024.

Approval of Change Order for Library ADA Project

WHEREAS, the Mayor and Council awarded an original contract sum to Ranco Mechanical, LLC for the Library Barrier Free Bathrooms through a 2020 Community Development Block Grant for \$62,230.00.

WHEREAS, the contract sum has been decreased by Change Order No. 1 to \$61,564.00.

NOW THEREFORE BE IT RESOLVED that Change Order No. 1 is hereby approved and final payment be paid to Ranco Mechanical, LLC in the amount of \$61,564.00.

Request to Re-allocate Surplus ADA Improvement Funds to Swim Club ADA Improvements

WHEREAS, the Haworth Municipal Library’s ADA Bathroom Improvements funded by a Bergen County Community Development Block Grant have been successfully completed; and

WHEREAS, the cost of the improvements was below the \$70,000.00 grant provided by this grant amount leaving a surplus of \$5,436.00; and

WHEREAS, the Mayor and Council desire to apply these surplus funds to the proposed ADA improvements at the Haworth Swim Club’s Women’s Room in which contract documents and plans are completed and ready for public advertisement for bids.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council requests Bergen County Community Development to reallocate the surplus \$5,436.00 to increase the Swim Club grant amount up to \$75,436.00 to be used by June 2022.

Temporary Emergency Appropriation – Breathing Apparatus re. Ord. 22-06

WHEREAS, the Borough Council of the Borough of Haworth enacted a temporary budget to cover the period from January 1, 2022 to the date of adoption of the budget; and

CONSENT AGENDA – cont’d.

Temporary Emergency Appropriation – Breathing Apparatus re. Ord. 22-06 – cont’d.

WHEREAS, N.J.S.A. 40A:40-20 permits the Borough Council by a two-thirds vote of the full membership, to make temporary appropriations; and

WHEREAS, the Borough Council wished to make the emergency temporary appropriations shown in Schedule “A” attached hereto and made part hereof.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Haworth, County of Bergen, State of New Jersey, as follows:

1. That the Borough Council by a two-thirds vote of the full membership hereby makes the emergency temporary appropriations as shown on Schedule “A” attached hereto and made part hereof.
2. That said emergency temporary appropriation will be provided in full in the 2022 budget under the titles as listed in the attached schedule.
3. That a copy of this Resolution shall be filed forthwith with the Director of the Division of Local Government Services.

Approval of Temporary Appropriation – Breathing Apparatus – Capital

WHEREAS, an emergency has arisen with respect to Current Fund appropriations, and

WHEREAS, no adequate provision has been made in the 2022 Temporary Budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, said emergency temporary appropriation will be funded by a capital ordinance and

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Haworth, County of Bergen, that in accordance with R.S. 40A:4-20, Temporary Emergency Appropriations be and the same is hereby made for:

CURRENT FUND

CAPITAL IMPROVEMENTS

Acquisition of Self-contained breathing apparatus	<u>\$195,000</u>
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That one certified copy of this resolution be filed with the Division of Local Government Services.

CONSENT AGENDA – cont’d.

Refund Overpayment of Property Taxes

BE IT RESOLVED, by the Mayor and Council of the Borough of Haworth that the Tax Collector be authorized to refund the overpayment of 2022 property taxes to the following:

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO:</u>	<u>2022 TAXES</u>
1304	2	Carmine & Sheryl Giordano 252 Schraalenburgh Rd Haworth, NJ 07641	\$ 3,165.13
Total \$ 3,165.13			

Authorization to Increase Bid Threshold

WHEREAS, New Jersey Administrative Code 5-32-4.3 authorizes the amount of a higher bid threshold when a contracting unit possesses a qualified purchasing agent.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council hereby approve a higher bid threshold of \$44,000.

Appoint CFO Ronald Monaco to Serve as Temporary Purchasing Agent

WHEREAS, New Jersey Administrative Code 5:32-4.4 authorizes the governing body to appoint a temporary purchasing agent for a period of one year a person who does not possess a qualified purchasing agent certificate.

NOW THEREFORE BE IT RESOLVED the Mayor and Council hereby appoint Ronald Monaco, Interim Chief Financial Officer to serve as temporary purchasing agent for a period of one year to March 22, 2023 and with the approval of the Director be reappointed as a temporary purchasing agent for a maximum of one additional year.

Approval of Payment of Bills

FOR COPY OF RESOLUTION AND BILL LIST

SEE PERMANENT MINUTES

PAGES 61C – 61K

CONSENT AGENDA – cont'd.

Approval of Minutes –

Regular Meeting of February 22, 2022

Closed Meeting of February 22, 2022

Open Meeting to Public

The meeting was opened to the period of public discussion,

Mrs. M. Rosenberg, Pine Lane asked who cleans the Swim Club bathrooms.

Ms. Siciliano replied there is a cleaning service.

Mrs. Rosenberg then noted the bathrooms at Memorial Field are not open and asked if there were any plans to open them.

Mr. Poosikian responded they are used per event, however problems have arisen with landscapers using the facility and fixtures being destroyed when they are left open.

Mr. Bain said he has spoken with Mr. Simkins regarding the code for locking the facility, noted closing them has been a problem and they are aware of the situation.

Dr. G. Grodstein, Harrison Street asked if the borough is doing leaf composting.

Mr. Poosikian responded it is not being planned on site at this time.

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

Close Meeting to Public

The following resolution was offered by Mr. Rosenberg, seconded by Mr. Bain and unanimously carried at 8:50 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 March 22, 2022 at which time the following items will be discussed:

Acquisition of Land

Litigation Matters

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 item 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.

Kottke Request – 120 Garfield Street

Mr. Rosenberg explained this matter regarding various requests for this property in order to resolve a fence encroachment, a subdivision in the rear of the property and a land swap and legal fees involved.

A motion was offered by Rosenberg, seconded by Mr. Bain and unanimously carried to proceed in accordance with the e-mail of March 21, 2022 between the Kottke's and Mr. Rosenberg.

As there were no further matters to come before the council a motion was offered by Mrs. Dhamija, seconded by Mr. Rosenberg and unanimously carried at 9:45 PM to adjourn.

Ann E. Fay, RMC, CMR
Clerk-Administrator

