

40. Regular Meeting of the Mayor and Council of the Borough of Haworth held on February 28, 2023 at the Municipal Center

Present: Hon. Heather Wasser, Mayor

Councilmembers: Andrew Rosenberg  
Dina Siciliano  
Jacqueline Guenego  
Lisa Dhamija  
Howard Lau

Borough Attorney: Robert T. Regan

Mayor Wasser called the meeting to order at 7:30 PM and upon roll call all members of the council were present with the exception of Mr. Poosikian. 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 Wasser led those present in the pledge of allegiance.

Ordinance No. 23-01-2023 Swim Club Salaries – 2<sup>nd</sup> Reading

A motion was offered by Ms. Siciliano, seconded by Ms. Guenego and unanimously carried that Ordinance No. 23-01 be offered for second reading.

Ordinance No. 23-01 which is as follows was then read by title only as copies had been provided for those present:

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

**Section 1.** Salaries for pool personnel for 2023 shall be as follows

| <b>Manager/Assistant Manager(s):</b> | <b>Per Season (2023)</b>   |
|--------------------------------------|----------------------------|
| Swimming Pool Manager                | \$11,000.00 to \$16,000.00 |
| Assistant Pool Manager(s)            | \$6,000.00 to \$10,000.00  |

Ordinance No. 23-01-2023 Swim Club Salaries – 2<sup>nd</sup> Reading – cont'd.

|   |                                    |
|---|------------------------------------|
| <b>Life Guard (Life Guarding), Office Clerk,<br/>Hourly Employees</b> | <b>Per Hour (2023)<br/>\$12.93</b> |
|---|------------------------------------|

**Section 2.** For the purpose of this Ordinance, the pool season is defined to run from Saturday, May 27, 2023, through Monday, September 4, 2023, 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, 2023, to December 31, 2023, 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 then opened to the public on Ordinance No. 23-01. As there were no comments the meeting was closed to the public on this ordinance.

A motion was offered by Ms. Siciliano and seconded by Ms. Guenego that Ordinance No. 23-01 be passed on second and final reading. On roll call the vote was as follows: Ayes; Messrs. Rosenberg, Siciliano, Guenego, Dhamija, Lau. Nays – none. Declared carried.

A motion was offered by Ms. Siciliano, seconded by Ms. Guenego and unanimously carried that the passage of Ordinance No. 23-01 be advertised as required by law.

Ordinance No. 23-02 – 2023 Swim Club Membership Fees – 2<sup>nd</sup> Reading

A motion was offered by Ms. Siciliano, seconded by Ms. Guenego and unanimously carried that Ordinance No. 23-02 be offered for second reading.

Ordinance No. 23-02 which is as follows was then read by title only as copies had been provided for those present.

Ordinance No. 23-02 – 2023 Swim Club Membership Fees – 2<sup>nd</sup> Reading – cont’d.

**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

**Membership Options:**

|                              | Early Bird<br>(by June 24 <sup>th</sup> ) | After<br>June 24 <sup>th</sup> | August 1 <sup>st</sup><br>To Labor Day |
|------------------------------|---|--------------------------------|--|
| Haworth Household*           | \$660                                     | \$710                          | \$350                                  |
| Haworth Single               | \$350                                     | \$400                          | \$200                                  |
| Haworth Couple**             | \$475                                     | \$525                          | \$275                                  |
| Haworth Senior Single        | \$250                                     | \$300                          | \$150                                  |
| Haworth Senior Couple        | \$450.                                    | \$500                          | \$250                                  |
| Haworth Senior Family**      | \$550.                                    | \$600                          | \$300                                  |
| 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.

Ordinance No. 23-02 – 2023 Swim Club Membership Fees – 2<sup>nd</sup> Reading – cont’d.

**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)**

**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.

The meeting was then opened to the public on Ordinance 23-02. As there were no comments the meeting was closed to the public on Ordinance No. 23-02.

A motion was offered by Ms. Siciliano and seconded by Ms. Guenego that Ordinance No. 23-02 be approved on second and final reading.

On roll call the vote was as follows: Ayes; Messrs. Rosenberg, Siciliano, Guenego, Dhamija, Lau. Nays – none. Declared carried.

A motion was offered by Ms. Siciliano, seconded by Ms. Guenego and unanimously carried. that the passage of Ord. No. 23-02 be advertised as required by law.

### Eagle Scout Project

Eagle Scout candidate, Tim Kolkebeck was in attendance to present his proposed Eagle Scout project to the mayor and council.

Scout Kolkebeck said he is a member of Boy Scout Troop 73, a graduate of the Haworth Public School, a junior at Northern Valley Regional High School at Demarest, a Life Scout and is working towards his Eagle Scout Project.

Scout Kolkebeck explained his project as follows: organizing a day to get volunteers, where to display traps for the lantern flies which affect plants and trees, requested permission to place the traps in areas in town, i.e., Swim Club, Memorial and Myrtle Fields, the Haworth Pond and he is looking for support and funding.

Mr. Lau asked if the traps could endanger others – animals, etc. Tim responded no, as the traps are not big enough, he will test out the traps and consult with a landscaper.

Ms. Guenego expressed concern with the plastic traps falling off the trees, during storms, etc. Mr. Kolkebeck responded if that happened, he would check them out and remove them.

Ms. Siciliano said the Shade Tree Commission would be grateful as the lantern flies have started, also the town has a tree inventory and suggested funding opportunities for this project.

Mayor Wasser suggested a follow-up possibly at the end of the project.

### COMMITTEE REPORTS

#### Report of Councilwoman Guenego

##### Seniors

Ms. Guenego noted that due to the snow storm today a call was put out for snow volunteers to shovel for seniors in town. Also she noted there have been some issues with the senior van and will be talking to the county in this respect.

##### Senior Van Coordinator

As Mr. Sullivan is retiring from this position he has recommended one of the present drivers to take over this position, Ms. Guenego reported.

A motion was offered by Ms. Guenego, seconded by Mr. Rosenberg and unanimously carried to appoint Mr. Adam Stine Senior Van Coordinator.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Guenego – cont'd.

Parks and Playgrounds

Ms. Guenego explained this committee is recommending that Jason and Melissa Harris be appointed.

A motion was offered by Ms. Siciliano, seconded by Mr. Rosenberg and unanimously carried that Jason and Melissa Harris be appointed to a three year term to the Parks and Playgrounds Committee.

Ms. Guenego noted information being received from Congressman Gottheimer's office regarding several grants and the grants committee will be meeting, particularly regarding any grants for Emergency Services which might be available

Report of Councilwoman Siciliano

Swim Club

Ms. Siciliano referred to the approval of the two ordinances this evening regarding salaries and membership fees, applications for membership will be going out soon, pre-season prep of the club is starting, bids will be sought for the operation of a snack stand and the ADA construction at the women's room is underway.

Haworth School

Ms. Siciliano reported the school will be starting a Pre-K class in the fall.

Shade Tree

Ms. Siciliano noted the resolution awarding the winter program is on the agenda this evening and spring planting will start soon.

Building Department

As Mr. Dyer has retired from his electrical inspection position a replacement has been suggested who is highly qualified.

A motion was offered by Ms. Siciliano and seconded by Mr. Rosenberg to appoint Richard Raspanti electrical inspector.

On roll call the vote was as follows: Ayes; Messrs. Rosenberg, Siciliano, Guenego. Dhamija, Lau. Nays – none. Declared carried.

COMMITTEE REPORTS – cont’d.

Report of Councilwoman Siciliano – cont’d.

Mr. S. Jureller, Shade Tree Commission chairman referred to planting of appropriate trees, noted places for different types of trees and there should be appreciation for different locations for planting.

Report of Councilman Rosenberg

Zoning and Planning Boards

Mr. Rosenberg reported the zoning board has met for reorganization electing a new chairman and attorney. The Planning Board did not meet.

Police

Mr. Rosenberg reported there will be an active shooter drill at the Haworth Country Club this week, various training continues for the members of the department and the officers will hold their ongoing “cocoa with the kids at the library” event.

Finance

Mr. Rosenberg reported the finance committee has been meeting and the 2023 budget books will be ready for the March 14<sup>th</sup> meeting.

Report of Councilwoman Dhamija

Library

Mrs. Dhamija noted that Narcan will be available in the library.

Board of Health

Mrs. Dhamija reported the annual Rabies Clinic will be held on March 4<sup>th</sup> from 12 to 1 PM at the ambulance corps building.

Ambulance Corps

Ms. Dhamija discussed the need for new members, hopefully there will be grants for training and enrollment in the training programs is a problem as they fill up quickly.

Mrs. Dhamija said LOSAP will be part of their budget and she commented on the danger of electric cars regarding problems when they are in accidents.

COMMITTEE REPORTS – cont’d.

Report of Councilwoman Dhamija – cont’d.

Mrs. Dhamija referred to a proposal by the state that all ambulance corps members must undergo a background check at a cost of \$80 per member

Report of Councilman Lau

Recreation

Mr. Lau referred to the Summer Recreation Program, the fees have been approved with on-line payments now which he said should be for all programs. He said the Egg Hunt will be on April 8<sup>th</sup> and the Fishing contest on May 6<sup>th</sup>. He further said that fees should be updated for field permits.

Environmental Commission

Mr. Lau reported the commission is working on an index for open areas and the native plant list is being reviewed.

Tennis

Mr. Lau noted the committee will be meeting in two weeks and the lines on the courts have to be refurbished.

Report of Borough Administrator

Ms. Fay reported that the elections will not be held at the school anymore, an inspection was conducted by the County Board of Elections as to the use of the library and they have given their approval; both voting districts will be located there and plans will be worked out regarding any parking issues, etc.

Mayor’s Report

Mayor Wasser reported she will be having a discussion with Chief Gracey and Mr. Rosenberg regarding changing the location of the “No U-Turn” sign on Terrace Street.

CSX Trains

Mayor Wasser referred to the recent spillage of chemicals from a freight train in Oklahoma, the concern with the CSX trains travelling through the center of Haworth and the need for federal regulations. She said Congressman Gottheimer is looking into these regulations and will work with us and a conference call with CSX will be scheduled.



NEW BUSINESS

Online Payments in Finance Office

Mayor Wasser referred to this matter which would result in overtime for Mrs. Holden.

A motion was offered by Mr. Rosenberg and seconded by Ms. Guenego to approve, not to exceed 20 hours of overtime for Diane Holden for the processing of on line payments.

On roll call the vote was as follows: Ayes; Messrs. Rosenberg, Siciliano, Guenego, Dhamija, Lau. Nays – none. Declared carried.

Tennis Fees

Mr. Lau referred to the committee's recommendation for these fees and an ordinance will be introduced at the March 14<sup>th</sup> meeting.

Appointment to Fire Department

A motion was offered by Ms. Siciliano, seconded by Ms. Guenego and unanimously carried that Nicholas Siranian be appointed a member of the Haworth Fire Department.

Ordinance No. 23-03 – 2023 Road Program

A motion was offered by Ms. Guenego, seconded by Mr. Rosenberg and unanimously carried that Ordinance No. 23-03 be offered for first reading.

Ordinance No. 23-03 was then read by title only as follows:

Title: BOND ORDINANCE TO AUTHORIZE THE 2023 ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE BOROUGH OF HAWORTH, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$223,000 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 Ms. Siciliano and seconded by Ms. Guenego that Ordinance No. 23-03 be passed on first reading.

On roll call the vote was as follows: Ayes; Messrs. Rosenberg, Sicilian, Guenego, Dhamija, Lau. Nays – none. Declared carried.

NEW BUSINESS

Ordinance No. 23-03 – 2023 Road Program

A motion was offered by Ms. Guenego, seconded by Mr. Rosenberg and unanimously carried that Ordinance No. 23-03 be advertised as required by law and a date set for public hearing thereon on March 14, 2023 at 7:30 PM at the Municipal Center.

Ordinance No. 23-04 – 2023 Pickle Ball Fees

A motion was offered by Ms. Dhamija and seconded by Ms. Guenego and unanimously carried that ordinance No. 23-04 be offered for first reading.

Ordinance No. 23-04 was then read by title only as follows:

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 Mrs. Dhamija and seconded by Ms. Guenego that Ordinance No. 23-04 be passed on first reading.

On roll call the vote was as follows: Ayes; Messrs. Rosenberg, Siciliano, Guenego, Dhamija, Lau. Nays – none. Declared carried.

A motion was offered by Ms. Guenego, seconded by Mrs. Dhamija and unanimously carried that Ordinance No. 23-04 be advertised as required by law and a date set for public hearing thereon on March 14, 2023.

Approval to Advance Michael Bolwell to Step 2 of Current DPW Agreement

A motion was offered by Ms. Guenego and seconded by Mr. Rosenberg to approve the following:

BE IT RESOLVED that Michael Bolwell be advanced to Step 2 of the current Department of Public Works Contract.

On roll call the vote was as follows: Ayes; Mr. Rosenberg, Siciliano, Guenego, Dhamija, Lau. Nays – none. Declared carried.

Valet Parking at Swim Club

Ms. Siciliano explained there has been a request from a resident for valet parking at the Swim Club parking lot to provide parking for a wedding on May 20, 2023.

NEW BUSINESS – cont’d.

Valet Parking at Swim Club – cont’d.

Discussion was held regarding the need for a certificate of insurance, etc. from the company.

A motion was offered by Ms. Siciliano and seconded by Ms. Guenego to approve issuing a permit for valet service at the Haworth Swim Club on May 29, 2023 pending the receipt of a certificate of insurance and clearance by the police department.

On roll call the vote was as follows: Ayes; Messrs. Rosenberg, Siciliano, Guenego, Dhamija, Lau. Nays – none. Declared carried.

JIF Employee Handbook

Ms. Siciliano said discussion will be held for bringing this handbook up to compliance.

CONSENT AGENDA

A motion was offered by Ms. Guenego and seconded by Mrs. Rosenberg to approve the following. On roll call the vote was as follows: Messrs. Rosenberg, Siciliano, Guenego, Dhamija, Lau. Nays – none. Declared carried.

Rescinding Award of Bid for Winter Tree Program and Awarding Contract to Arrow Tree Service

**WHEREAS**, the Borough of Haworth advertised for the receipt of bids for the Winter Tree Program for the year 2023; and

**WHEREAS**, at the Mayor and Council meeting held on February 14, 2023, a motion was made to award a Contract pertaining to the Winter Tree Program to A&H Tree Service, which motion provided for a Contract including the removal of stumps in the amount of \$32,903.50; and

**WHEREAS**, the Governing Body has determined that the Contract should be awarded excluding the removal of stumps; an

**WHEREAS**, the lowest responsible bidder for tree removal without stumps except at three locations and pruning was Arrow Tree Service, Inc. (“Arrow”) in the amount of \$30,710.00.

**NOW THEREFORE BE IT RESOLVED** that the award of the Contract to A&H Tree Service be and is hereby rescinded; and

**BE IT FURTHER RESOLVED** that a Contract be and is hereby awarded to Arrow in the sum of \$30,710.00 which includes tree removal without stumps, which Contract shall also include pruning and the removal of stumps at three (3) locations; and

CONSENT AGENDA – cont’d.

Rescinding Award of Bid for Winter Tree Program and Awarding Contract to Arrow Tree Service – cont’d.

**BE IT FURTHER RESOLVED** that Mayor Heather Wasser and Borough Clerk Ann E. Fay be and are hereby authorized to execute a Contract to Arrow Tree Service.

Accept Donation for Batting Cage at Memorial Field

**WHEREAS**, *N.J.S.A. 40A:5-29* provides that any local unit is authorized and empowered to accept bequests, donations and gifts; and

**WHEREAS**, Muggeo Baseball and Softball of Tenafly, New Jersey has offered to remove and replace the net from the batting cage at Memorial Field and will arrange for the removal of dead limbs from trees above the net so as to eliminate any branches from damaging the equipment or injuring players.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Haworth that it does hereby accept with gratitude the aforementioned gift and services; and

**BE IT FURTHER RESOLVED** that the Borough Clerk/Administrator be and is hereby directed to send a letter of thanks to the donor.

Refund Overpayment Real Estate 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 2023 property taxes to the following:

| <u>BLOCK</u> | <u>LOT</u> | <u>REFUND TO:</u>   | <u>2023 TAXES</u>   |
|--------------|------------|---|---------------------|
| 1604         | 6          | Sivaram Rajan & Ami Vaidya<br>245 Whitman St<br>Haworth, NJ 07641 | \$ 10,229.87        |
| <b>Total</b> |            |   | <b>\$ 10,229.87</b> |

Temporary Capital Budget

For copy of resolution see Page 53A of permanent minutes.

CONSENT AGENDA – cont'd.

Payment of Bills

FOR COPY OF RESOLUTION AND BILL LIST

SEE PERMANENT MINUTES

PAGES 53B – 53K

Approval of Minutes

Executive Meeting February 14, 2023

Open Meeting in Public

The meeting was opened to the period of public discussion.

Mr. N. Malcote, 36 Brookfield Rd., Dumont referred to the increase in freight trains, 50 to 80 per day with the horns creating noise, excessive pollution, etc. and said a quiet zone should be considered.

Mr. Rosenberg responded the council is aware of this issue and it has been determined that a quiet zone would do little or no good in this area, it is an extreme cost to upgrade and you can still hear it when it enters and when it leaves due to the cluster of municipalities in the area. He said it has been determined that it would not do any good.

Ms. Guenego said this is an issue for the northern valley as all these towns are along the route involved.

Ms. Siciliano said she is against not having any signal at all which would terrify her.

Fire Chief Hennion, present in the audience said he has attended many CSX classes and explained the process of automatic warnings on the trains.

Chief Hennion referred to the past discussion regarding a stipend for the members of the fire department and asked if there has been further discussion as to it being considered. He was told it is part of the present 2023 budget discussion.

Mr. A. Reithmayr, captain of the ambulance corps commented it is difficult getting volunteers, particularly with no stipend. He said discussions have been held regarding grants but are very slim for EMT's.

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 Ms. Guenego and unanimously carried:

Close Meeting to Public – cont'd.

**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 February 28, 2023 at which time the following item will be discussed:

Affordable Housing 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

**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 9:30 PM and as there was no further business to come before the council a motion was offered by Mr. Rosenberg, seconded by Ms. Guenego and unanimously carried to adjourn.

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Ann E. Fay, RMC, CMC  
Clerk-Administrator

























