

183. Regular Meeting of the Mayor and Council
of the Borough of Haworth held on
September 24, 2019 at the Municipal Center

Present: Hon. Thomas P. Ference, Mayor

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

Borough Attorney: Robert T. Regan

Mayor Ference 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 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. 19-11 – Banning of Certain Plastic Materials – 2nd Reading, Public Hearing

A motion was offered by Mrs. Wasser, seconded by Ms. Guenego and unanimously carried that Ordinance No. 19-11 be offered for second reading.

Ordinance No. 19-11 which is as follows was then read by title only as copies had been provided to those present:

PUBLIC NOTICE
BOROUGH OF HAWORTH, NEW
JERSEY

The ordinance published herewith was introduced on first reading at a meeting of the Mayor and Council of the Borough of Haworth held on September 10, 2019 and will be further considered for final passage after public hearing thereon at a meeting of the Mayor and Council to be held at the Municipal Center, Haworth, New Jersey on September 24, 2019 at 7:30 PM prevailing time, or as soon thereafter as the matter can be heard. A copy of said ordinance is available in the Municipal Clerk's Office, Municipal Center, Haworth, NJ during regular office hours.
Ann E. Fay
Municipal Clerk

BOROUGH OF HAWORTH
ORDINANCE #19-11

AN ORDINANCE TO AMEND CHAPTER III OF THE CODE OF THE BOROUGH OF HAWORTH ENTITLED, "POLICE REGULATIONS".

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 III of the Code of the Borough of Haworth, Police Regulations, §3-3, Prohibiting The Use of Polystyrene By Retail Food Establishments, be and is hereby amended to read as follows

3-3-PROHIBITING THE USE OF POLYSTYRENE, PLASTIC BAGS AND SINGLE USE PLASTIC STRAWS BY FOOD AND RETAIL SALES ESTABLISHMENTS.

3-3.1Definitions. As used in this section:

Department shall mean the Municipal Recycling Coordinator as designated by the Mayor and Council.

Disposable food container shall mean a container, bowl, plate, tray, utensil, carton or other item designed for one-time use for foods. Disposable food container includes food ware for take-out foods and leftovers from partially consumed meals prepared by food vendors.

Food establishment shall mean an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, including but not limited to, any establishment requiring a permit to operate in accordance with the State and local regulations.

Plastic shall mean an organic or petroleum derivative synthetic or a semisynthetic organic solid that is moldable, and to which additives or other substances may have been added, except for natural polymers that have not been chemically modified.

Ordinance No. 19-11 – Banning of Certain Plastic Materials – 2nd Reading, Public Hearing – cont'd.

Polystyrene shall mean and include expanded polystyrene (EPS) which is a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene). The term "polystyrene" also include clear or solid polystyrene, which is known as "oriented polystyrene". Polystyrene foam shall mean blown polystyrene and expanded and extruded foams using polystyrene.

Post-consumer recycled material shall mean a material that would otherwise be destined for solid waste disposal, having completed its intended end use and product life cycle. Postconsumer recycled material does not include materials and by-products generated from, and commonly reused within, an original manufacturing and fabrication process.

Recyclable, with regard to a material, shall mean that a material that would otherwise be disposed of or processed as waste can be recovered, separated, collected and reprocessed for the purpose of using the reprocessed material in the manufacture of a new product.

Recycled paper bag shall mean a paper bag that is 100 percent recyclable and contains a minimum of 40 percent postconsumer recycled content.

Reusable grocery bag shall mean a sewn bag with stitched handles that is (i) specifically designed and manufactured for at least 175 uses; (ii) can carry 25 pounds over a distance of 300 feet, (iii) is machine-washable or made from a material that can be cleaned or disinfected; (iv) contains a minimum of 20 percent post-consumer recycled material if made from plastic and minimum 3 mil plastic bag printed as reusable so that it is clear to the customer.

Retail sales establishment shall mean any person, corporation, partnership, business venture, or vendor that sells or provides merchandise, goods or materials directly to a customer, whether for profit or not for profit, including but not limited to restaurants, pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses, jewelry stores, and household goods stores.

Single-use carryout bag shall mean a bag made of plastic, paper, or other material that is provided by a store to a customer at the point of sale that is not a recycled paper bag or a reusable grocery bag.

Single-use plastic straw shall mean a single-use, disposable tube made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, used to transfer a beverage from a container to the mouth of the person drinking the beverage. "Single-use plastic straw" or container shall not include a straw or container made from non-plastic materials, including, but not limited to, paper, pasta, sugar cane, wood, or bamboo, or a straw or container expressly marketed as and intended for reuse.

3-3.2 Prohibition.

a. No person may sell or provide in the Borough of Haworth any food or ware product composed in whole or in part of extruded or expanded polystyrene foam:

1. No Retail Establishment or Food Distributor shall serve or sell prepared food or beverage in polystyrene foam containers and shall not package meat, eggs, bakery products, or other food in polystyrene foam containers.

2. No Store, Food Distributor, or Food Packager shall package meat, eggs, bakery products, or other food in polystyrene foam containers.

3. No Store that sells tangible personal property at retail shall sell polystyrene foam food or beverage containers.

4. No polystyrene foam food or beverage container shall be used in any government facility or government sponsored event.

5. No government department or facility shall purchase or acquire polystyrene foam food or beverage containers.

6. All parties who contract with the government shall be prohibited from using polystyrene foam food and beverage containers in government facilities or on government-funded projects within the Borough.

b. Except as provided in this section, a retail sales establishment shall not provide a single-use carryout bag to a customer at the point of sale or otherwise make plastic bags available to customers. This prohibition does not apply to:

1. Non-handled bag used to protect items from damaging or contaminating other purchased items placed in a recycled paper bag or a reusable grocery bag.

2. Bags used by customers inside a business to package loose items, such as fruits, vegetables, nuts, ground coffee, grains, candies, small hardware items; bags used to contain or wrap frozen foods, meat and fish, flowers or potted plants, or other items to contain dampness.

3. Laundry, dry cleaning, or garment bags, including bags provided by hotels to guests to contain wet or dirty clothing.

4. Bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags.

5. Bags used to contain live animals, such as fish or insects sold in pet stores.

6. Bags used to transport chemical pesticides, drain-cleaning chemicals, or other caustic chemicals sold at the retail level; provided that this exemption shall be limited to one bag per customer.

c. A food or other retail establishment shall not provide a single-use plastic straw or bag to a customer, unless that customer requests a single-use plastic straw or bag due to physical disability or medical condition. A cold drink stirrer may be provided to any customer upon request.

d. Food establishments required to only provide straws on request shall clearly and visibly display signage developed by the Borough, as described in §3-3.2e of this Ordinance.

e. The Borough shall design and publish on the municipal website signage, advertising this ordinance and explaining that single-use plastic straws are intended primarily for those with a disability.

3-3.3 Reusable Bags, Recycled Paper Bags.

a. A retail sales establishment may make available for purchase a recycled paper bag, for a charge of no less than \$0.10.

b. A retail sales establishment may make available for purchase a reusable grocery bag, for a charge of no less than \$0.10.

c. A retail sales establishment which collects a charge under §3-3.3a and b shall exempt a customer from the paper bag fee when that customer uses an electronic benefits transfer (EBT) card or is using a payment card or voucher issued by the Supplemental Nutrition Assistance Program (SNAP) or Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

d. All fees collected pursuant to this section shall be retained by the retail sales establishment.

e. A retail establishment affected by regulations pursuant to §3-3.2b of this Ordinance shall clearly and visibly display at each check-out counter or register signage developed by the Borough as described in §3-3.3f of this Ordinance.

f. The Borough Environmental Commission shall design educational materials for display in retail establishments. Educational materials shall include, but not be limited to; (i) an announcement of the passage of this ordinance; (ii) a reminder to bring reusable bags; and (iii) the mandatory \$0.10 fee charged on paper and reusable bags.

g. The Municipal Recycling Coordinator may promulgate rules and regulations to implement §3-3.2 and 3-3.3 of this Ordinance.

3-3.4 Enforcement Penalties.

a. Upon being made aware of a potential violation of this ordinance, the Department shall investigate and determine whether a violation has occurred.

b. If the investigation confirms that a violation has occurred, the Department shall give written notice to the owner of the property, the owner's agent, and/or the person committing the violation that the violation is occurring and must immediately cease.

c. If an additional violation of this Ordinance has occurred within one month after a warning notice has been issued for an initial violation, the Department shall issue a notice of violation and shall impose a penalty against the retail establishment.

d. The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:

1. \$500 for the first offense.

2. \$1,000 for the second offense and all subsequent offenses. Payment of such fines may be enforced through civil action.

Ordinance No. 19-11 – Banning of Certain Plastic Materials – 2nd Reading, Public Hearing – 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 effect, 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 six (6) months after publication thereof and final passage as required by law.
September 7, 2019
Fee: 221.10 (402)

The meeting was opened to the public on Ordinance No. 19-11.

Dr. M. Kahn, Paulson Place noted the time frame in the ordinance of 6 months for it to be effective which he said is a long time and asked it be reconsidered as most of the businesses in town are aware of it. He then asked why plastic cups in dental offices are not being banned as well as the plastic bags they give to their patients.

Mrs. Wasser replied the prohibited bags do pertain to the dental offices and she will speak to them regarding their use of the plastic cups.

Dr. Kahn then discussed the use of plastic dry cleaning bags and how to substitute them for more expensive bags needs to be addressed. He said he spoke to the local dry cleaner in town in an attempt to try to deal with this problem and suggested a deposit system for those bags or the Borough purchase re-usable bags for dry cleaning.

Mayor Ference referred to the laundry bags which need to be thought through, said these were clear proposals and the Environmental Commission will be asked to progress with these suggestions.

Mrs. Wasser referred to the time frame for implementation of this ordinance, there is a ramp up time and needing time to comply seems reasonable for a time frame of 6 months.

Dr. Kahn then asked who was going to enforce the ordinance.

Ordinance No. 19-11 – Banning of Certain Plastic Materials – 2nd Reading, Public Hearing – cont'd.

Mr. Poosikian responded the Recycling Coordinator and the Police Department regarding summonses.

Dr. Kahn asked who is going to make sure this being done.

Mayor Ference replied there is now more interest and concern regarding these materials, spot inspections will be made with many looking at the compliance as well as information on the website, notifications being sent out, etc.

As there were no further comments the meeting was closed to the public on this ordinance.

A motion was offered by Mr. Poosikian and seconded by Mrs. Wasser that Ordinance No. 19-11 be passed on second and final reading.

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

Mayor Ference thanked all who handled this matter so well.

A motion was offered by Mrs. Wasser, seconded by Ms. Guenego and unanimously carried that the passage of Ordinance No. 19-11 be advertised as required by law.

Close Meeting to Public

The following resolution was offered at 8:00 PM by Mr. Poosikian, seconded by Ms. Guenego 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 24, 2019 at which time the following item will be discussed:

White Beeches Tax Appeal

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

Close Meeting to Public- cont'd.

BE IT FURTHER RESOLVED that the discussion conducted in closed session will be disclosed to the public upon completion or conclusion of the foregoing 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 8:55PM.

COMMITTEE REPORTS

Report of Councilman Bain

Recreation

Mr. Bain reported the Commission is finalizing plans for Celebrate Haworth Day on October 5th, the Fire Department, Ambulance Corps, Police Department and other Borough entities will be participating and many activities are being planned.

Halloween

Mr. Bain noted this event will be held in the Manor section of town, flyers will be sent out and a collection of candy be taken.

Finance

Mr. Bain noted a discussion was recently held regarding the purchase of a new ambulance with the cost shared equally with the Ambulance Corps and Borough.

Fireworks

A discussion was held regarding not having fireworks this year at Celebrate Haworth Day, noting the event is not self-sustaining, the town should have them next year and further discussion concerned of possibly having them this year.

A motion was offered by Mr. Poosikian and seconded by Mr. Rosenberg to authorize a expenditure of \$6,000.00 for fireworks for this year's Celebrate Haworth Day.

On roll call the vote was as follows: Ayes; Messrs. Poosikian, Rosenberg. Nays – Ms. Guenego, Siciliano, Wasser. Motion fails.

It was concurred to put a notice on the website that due to unforeseen circumstances there would be no fireworks this year.

Further discussion included asking different businesses, etc. to donate in the future.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Guenego

Ambulance Corps

Ms. Guenego reported the following: the Ambulance Corps responded to 24 calls last month – 19 daytime; 258 miles; 4 motor vehicle crashes; 81 man hours on call and 628 man hours year to date. The Ambulance Corps continues to offer CPR on a monthly basis and provided standby patient care for a gas leak at Terrace Street.

Parks and Playgrounds

Ms. Guenego reported the Committee met regarding several items – the renovation of the Terrace Street Park, the condition of the bathroom at Memorial Field which is appalling with the suggestion of installing a coded lock there; a tree at Memorial Field fell which had had concerns in the past and other trees in the area should be looked at by an arborist. Community Development grants were discussed by the Committee particularly filing an ADA grant for Phase 3 of the playground.

Mr. Bain explained the process with the Community Development applications and noted that former Mayor DeRienzo is the mayor's representative to CD and also chairman of that committee.

Mayor Ference noted that December 6th is the deadline for applications to CD and the councilmembers should be looking at their portfolios for what is needed.

Ms. Guenego then noted a problem with the re-lining of the soccer field at Memorial Field and a discussion was held as to who lines the fields.

Board of Health

Ms. Guenego reported the Board will hold the Flu Clinic on October 12th at the library.

5-K Run

Ms. Guenego thanked all for their assistance at this past week-end's event.

Report of Councilman Rosenberg

Planning Board

Mr. Rosenberg reported the Board approved the Fair Share Plan and Housing Element at their last meeting.

COMMITTEE REPORTS – cont'd.

Report of Councilman Rosenberg – cont'd.

Zoning Board of Adjustment

Mr. Rosenberg reported the Board approved a dog grooming facility on St. Nicholas Avenue at their last meeting.

Police Department

Mr. Rosenberg noted this is a two month report and reported the following: the Department participated in the 2019 Drive Sober or Get Pulled Over Crackdown; received an award from the NJ Narcotics Enforcement Officers Association for their efforts in vigorous drug enforcement efforts; 75 summonses were issued in July and 101 in August; the Department assisted with many recent Borough events which the Auxiliary also assisted and a commendation was read from Chief Gracey to Officer Kevin McKeary for his handling of a motor vehicle stop which resulted in the arrest of an individual for commercial burglaries in several towns.

Mr. Rosenberg further reported the Turkey Shoot will be held on October 19 and 20th for the benefit of a family in town who recently lost a family member.

Report of Councilman Poosikian

Fire Department

Mr. Poosikian gave the following report: In July the Department responded to 42 calls, held a drill in a vacant house and have two new qualified drivers. In August they responded to 27 calls – 13 calls in Haworth, 13 calls in Demarest and one mutual aid request in Cresskill; held one work night, 2 drills, one motor vehicle crash and odors of natural gas.

Report of Councilwoman Siciliano

Website

Ms. Siciliano reported work on the site involves launching a new site, contacting vendors in this respect and there will be a table at Haworth Day for sign-ups to the site.

Swim Club

Ms. Siciliano noted 220 families joined this season, work is being done on getting the membership up and looking at Community Development grants for projects. Also, she said they are questioning electric bills at the club particularly bills in the winter for the kiddie pool.

COMMITTEE REPORTS – cont'd.

Report of Councilwoman Siciliano – cont'd.

Library

Ms. Siciliano reported the children's librarian has resigned and the library is seeking candidates for this position which will now be part time; the library is working on an emergency plan, purchase of a generator and the Friends are holding a children's book sale.

Shade Tree Commission

Ms. Siciliano reported the Commission is working on the Winter Tree Program and have noted the conditions of Tree Farm.

Mr. Poosikian responded the DPW will be doing one last cleanup at the Tree Farm for the season.

Report of Councilwoman Wasser

Tennis

Mrs. Wasser noted this committee has been pro-active this year with 93 adult permits issued which is 24% higher than last year and the courts are in excellent condition.

Environmental Commission

Mrs. Wasser said the Commission is meeting tomorrow evening and have expressed concern regarding an odor problem on Lake Shore Drive.

Seniors

Mrs. Wasser noted discussion is ongoing regarding the replacement of the current van and obtaining Community Development funds for various senior activities.

Mayor Ference responded that a New Jersey Transit grant for a van will be submitted.

Mrs. Wasser then thanked the DPW for their ongoing assistance with repairs to the current van.

Ms. Fay explained the efforts which are being made regarding the odor on Lake Shore Drive noting she has contacted the executive director at the Sewer Authority who will be sending an inspector to the site.

Report of Borough Attorney

Affordable Housing

Mr. Regan reported ordinances will be introduced in October at which time he will report on the court progress.

Mayor's Report

Cell Tower Proposal

Mayor Ference reported a carrier has forwarded a proposal for a cell tower on Massachusetts Avenue to the rear of the Chestnut Bend service center and asked Mr. Rosenberg to review it.

5-K Run

Mayor Ference congratulated Ms. Guenego, Police, Fire and DPW for a very organized event.

Downtown Project

The Mayor said he has been meeting with councilmembers, the DPW, contractor and engineer and the project is close to completion explaining it has been a joint effort.

Haworth School

Mayor Ference said he will be swearing in the new Student Council members.

CONSENT AGENDA

A motion was offered by Mr. Bain and seconded by Mr. Rosenberg that the following consent agenda be approved.

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

Refund of Escrow Deposits

WHEREAS, the following escrow amounts were established with deposits to offset expenses; and

WHEREAS, the following amounts were expended.

CONSENT AGENDA – cont’d.

Refund of Escrow Deposits – cont’d.

NOW THEREFORE BE IT RESOLVED that the following refunds be made:

<u>NAME AND ADDRESS</u>	<u>FOR</u>	<u>RECEIVED</u>	<u>EXPENDED</u>	<u>REFUNDED</u>
Daniel Dean 50 Harrison St. Bl. 1807, L, 10	Eng. Escrow	\$500.00	\$307.50	\$192.50

BE IT FURTHER RESOLVED that the Bank of New Jersey be instructed to cancel the above account.

NMCG LLC 220 West St. New Milford, NJ 07646 (197 Pine St., Bl. 1600, L. 40)	Eng. Escrow	\$1,000.00`	\$987.50	\$12.50
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Appointment of Fill-In Crossing Guard

BE IT RESOLVED by the Mayor and Council that Ludwina Lange be appointed a Substitute School Crossing Guard effective immediately.

Extension of Trash Contract

WHEREAS, by resolution dated December 13, 2016, the Mayor and Council awarded a contract, after competitive bidding, to Miele Sanitation Co., Inc. (“Miele”) for solid waste collection and disposal services for a three (3) year period commencing on January 1, 2017 and ending on December 31, 2019 with two (2) one (1) year options for 2020 and 2021; 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 solid waste collection and disposal 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, 2020 to December 31, 2020.

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 solid waste collection and disposal services for the 2020 calendar year for the annual sum of \$365,000.00, with collections to be made consistent with existing practice; and

CONSENT AGENDA – cont’d.

Extension of Trash Contract – cont’d.

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 2020 calendar year.

Extension of 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, 2020 to December 31, 2020.

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 2020 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 2020 calendar year.

Refund of Homestead Benefit

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 2019; and

WHEREAS, based on the 2016 filing year, a Homestead Benefit for this property was due to, received and applied to 4th Qtr 2019.

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:

CONSENT AGENDA – cont’d.

Refund of Homestead Benefit – cont’d.

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO:</u>	<u>HOMESTEAD BENEFIT</u>
1311	3	Michael P. Walsh 145 Valley Rd. Haworth, NJ 07641	\$ 250.00
		Total	\$ 250.00

Authorization to Add Property Maintenance Costs to Tax Bill

BE IT RESOLVED, the Mayor and Council hereby approve the certification of costs submitted by the Superintendent of Public Works, in the amount of \$983.70 for property maintenance costs on Block 1201, Lot 4, 374 Valley Road.

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to add the amount of \$983.70 to the 2019 tax bill for Block 1201, Lot 4.

Appointment of Municipal Housing Liaison

WHEREAS, the report of Special Master Michael P. Bolan, AICP, PP in the Borough’s Affordable Housing Declaratory Judgment proceeding In Re **In The Matter of the Application of the Borough of Haworth, a Municipal Corporation of the State of New Jersey, For Substantive Certification**, Docket No. BER-L-5912-15, requires that the Borough appoint a specific municipal employee as Municipal Housing Liaison responsible for administering the Affordable Housing Program, including affordability controls, the Affordable Marketing Plan, and monitoring and reporting; and

WHEREAS, Carolyn Lee is a Borough of Haworth municipal employee and has agreed to assume this position.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Haworth that Carolyn Lee be and is hereby appointed as Municipal Housing Liaison effective immediately.

Authorization to Submit Grant Application to NJ Transit for Senior Van

WHEREAS, a New Jersey Transit grant has been proposed by the Boroughs of Haworth, Closter and Harrington Park for a new Senior Van; and

WHEREAS, the project is in the best interest of the people of Haworth, Closter and Harrington Park.

CONSENT AGENDA – cont'd.

Authorization to Submit Grant Application to NJ Transit for Senior Van – cont'd.

NOW THEREFORE BE IT RESOLVED that the Governing Body acting as the lead agency does hereby confirm submission of the aforesaid project.

Approval of Correction Action Plan for 2018 Audit

BE IT RESOLVED the Mayor and Council hereby approve the following Corrective Action Plan for Findings for the 2018 Audit Year.

*Corrective Action Plan for Findings
Audit Year Ending December 31, 2018
Borough of Haworth
Bergen County, New Jersey*

Findings/Condition #1

The annual salary spreadsheet for non-contractual employees be signed by members of the governing body acknowledging their approval of annual salary amounts.

Corrective Action

The CFO has already corrected in 2019 and has the signed document.

Findings/Condition #2

All payments be processed through the purchase order system to ensure they are included in the check registers and vendor run.

Corrective Action

The CFO has implemented a policy that without encumbered funds vendor will not be paid.

Approve Purchase of Trees for Downtown Project

WHEREAS, quotations were sought for Trees for the Downtown Improvement Project;
and

WHEREAS, two quotations were received; and

WHEREAS, it is recommended by the Mayor and Council that the quotation received from Site One Landscape Supply is the most responsive.

NOW THEREFORE BE IT RESOLVED, that a contract be awarded to Site One Landscape Supply, 100 Weyerhauser Rd., Mahwah, NJ 07430 in the amount of \$3,359.00 as outlined in their proposal dated September 17, 2019.

CONSENT AGENDA – cont’d.

Endorsement of the Housing Element Adopted by the Planning Board

WHEREAS, the Borough of Haworth is the plaintiff in a matter entitled, “In The Matter of The Application of The Borough of Haworth, a Municipal Corporation of the State of New Jersey, For Substantive Certification”, Superior Court of New Jersey, Law Division, Bergen County, Docket N. BER-L-5912-15 (“Action” or “Matter”); and

WHEREAS, in the aforesaid matter, an Order was entered on June 20, 2019 approving a settlement between the Borough and interested party/intervenor Fair Share Housing Center (“FSHC”), which Order requires, among other things, that the Borough file with the Court a duly-adopted and endorsed Housing Element and Fair Share Plan (“Housing Element”) reflecting the terms and conditions of the settlement reached in the Action; and

WHEREAS, the Special Master appointed by the Court in the Action has approved the Housing Element; and

WHEREAS, the Housing Element dated September 2019 was adopted by the Planning Board by resolution dated September 18, 2019; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element is attached hereto pursuant to *N.J.A.C. 5:96-2.2(a)2*.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Haworth that it does hereby endorse the Housing Element as adopted by the Planning Board; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby requests Substantive Certification of the Housing Element dated September 2019 from the Superior Court of New Jersey pursuant to the decision in *In Re Affordable Housing*, 221 N.J. 1 (2015); and

BE IT FURTHER RESOLVED that a copy of this resolution, the adopted Housing Element, and all supporting information shall be available for inspection at the Municipal Clerk’s Office in Borough Hall during normal business hours.

Approval of Payment of Bills

FOR COPY OF RESOLUTION AND BILL LIST
SEE PERMANENT MINUTES
PAGES 197A – 197F

Open Meeting to Public

The meeting was then opened to the period of public discussion.

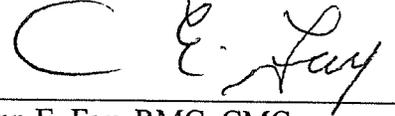
Open Meeting to Public – cont'd.

Ms. B. Borgi, St. Nicholas Av., said Community Development grants are very important to seniors and also suggested applying for these grants for playground equipment i.e. for ADA picnic tables, etc. She then referred to problems with parking at the Sacred Heart Church noting there is parking on several streets in the area with the church parking lot empty most times. She further referred the noise problem with the shooting range and Turkey Shoot which are still issues.

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

Adjournment

As there was no further business to come before the Council a motion was offered at 10:00 PM by Mr. Rosenberg, seconded by Mrs. Wasser and unanimously carried.

A handwritten signature in cursive script, appearing to read "Ann E. Fay". The signature is written in black ink and is positioned above a horizontal line.

Ann E. Fay, RMC, CMC
Clerk-Administrator