

111. Regular Meeting of the Mayor and Council of the  
Borough of Haworth held on May 23, 2023 at the Municipal  
Center

Present: Hon. Heather Wasser, Mayor

Councilmembers: Glenn Poosikian  
Andrew Rosenberg  
Dina Siciliano  
Lisa Dhamija  
Howard Lau  
Alanna Davis

Borough Attorney: Robert T. Regan

Auditor: Jeffrey Bliss

Mayor Wasser called the meeting to order at 7:35PM 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."

Salute to Flag

Mayor Wasser led those present in the pledge of allegiance.

COMMITTEE REPORTS

Report of Councilman Lau

Arts Committee

Mr. Lau reported the Midsummer Night's Jam will be held July 29; a new sign has been ordered for Schraalenburgh Road and the next Coffee House will be held on June 17.

Tennis

Mr. Lau said the courts have opened with 50 attendees and a trust account has been set up for their funds.

### Recreation

100 people have registered so far for the Summer Rec Camp and Haworth Day will be held on October 6, Mr. Lau noted.

### Environmental Commission

Although the commission applied for an ANJEC grant they were unable to obtain it and the commission discussed at their last meeting placing a list of native plants on the borough's web-site, Mr. Lau reported.

### Report of Councilwoman Dhamija

#### Ambulance Corps

Ms. Dhamija reported the ambulance corps responded to 19 calls last month – 13 day- time, 613 miles year to date; 54 manhours-220 year to date and they are working on conducting a fund raiser.

#### Board of Health

Mrs. Dhamija noted the NJ State Health Department has reported they are against a suction device for individuals chocking. She further noted the ambulance corps is working on a Narcan distribution event for training, possibly at the Haworth library.

#### Pickle Ball

Mrs. Dhamija reported the pickle ball committee is meeting with the borough engineer to finalize the court plans and membership fees received now total \$38,500. Questions were brought up regarding the location of the courts, grants, access road for emergency vehicles, etc.

#### Library

Ms. Dhamija reported that Ms. Marchisio an employee of the library is now working in the finance department, the children's librarian has resigned, however, other members of the staff will be assisting in these positions.

### Report of Councilman Rosenberg

#### Planning and Zoning Boards

Mr. Rosenberg reported the planning board did not meet and will probably not until September and the Zoning Board did meet to approve a variance for property on Prospect Avenue.

Police Department

Mr. Rosenberg reported the following: the department has been participating in the "Click it or Ticket" enforcement program; Officer DeVite is completing the L.E.A.D. program for the 5<sup>th</sup> graders; several training sessions have been underway for the officers; a Distracted Driving Grant has been received, recertifications for several officers have been received and 136 summonses were issued in April. Interviews took place for 4 police officer candidates who have to be patrol ready with a new policy the successful candidate has to sign the conditional offer which he has signed.

Report of Councilman PoosikianDepartment of Public Works

Mr. Poosikian reported the department has been grass cutting, chipping, placing topsoil, the seasonal water meters have been turned on, and the annual recycling report has been prepared by Mr. Hernandez and department members assisted with the recent town-wide clean-up and planted a tree at the school for Arbor Day.

Fire Department

Mr. Poosikian reported the department response to 24 calls last month, year to date 99, two work nights and responded to several other towns for mutual aid.

Report of Councilwoman SicilianoHaworth Swim Club

Ms. Siciliano reported the pool is opening this week-end with week-ends only to June 23 and the County Board of Health will conduct an inspection on May 24<sup>th</sup>.

Shade Tree Commission

Ms. Siciliano noted the commission is preparing a grant application for planting.

Building Department

The department is looking at possible changes in the borough ordinances.

Report of Councilwoman DavisSeniors

Mrs. Davis reported there was a good turn out for the recent senior luncheon, they are looking to having a BBQ and are glad to be able to be meeting again. She said she will send out dates for their meetings and they are looking at various programs

Mayor's ReportLake Shore Drive

Mayor Wasser explained the borough is not ignoring the bad condition of this road, a bid for the work has been awarded, unfortunately other work will be taking place there by Veoila starting at Maple Street to Anstatt Way and a timetable for this work is being prepared.

Memorial Day

Mayor Wasser noted the parade is scheduled at 9 AM with a ceremony to follow at the borough hall.

UNFINISHED BUSINESSRequest for Vacation Portion of Hendrickson Street

The Mayor and Council having agreed to consider this request, Mr. Regan has prepared a letter to the interested resident outlining the requirements to proceed with this request.

NEW BUSINESSIntroduction of 2023 Municipal Budget

A motion was offered by was offered by Mr. Rosenberg and seconded by Mr. Poosikian to introduce the 2023 Budget and a public hearing be held at the municipal center on June 27, 2023 at 7:30 PM.

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

Mr. Rosenberg referred to certain items in this budget - \$170,000 being used from surplus, the earlier discussions regarding LOSAP and stipend regarding fire department and ambulance corps members, etc.

Mr. Poosikian noted the DPW contract expires at the end of this year and the stipend and LOSAP matters will be addressed then.

Mr. Bliss noted the tax rate will be \$180 per home this year.

It was agreed to schedule the 2<sup>nd</sup> meeting in June for public hearing and adoption of the budget.

Mr. Rosenberg explained the borough received a grant and with borough funds a contract was awarded, there has been some expansion for this project requiring a change order and it has been determined to revise the allocation of pickle ball fees, engineering fees, etc.

A motion was offered by Mr. Rosenberg and seconded by Mrs. Dhamija to approve the following resolution:

**WHEREAS**, pickleball dues have heretofore been allocated as eighty (80%) percent to the Recreation Department Trust and twenty (20%) percent to the Pickleball Trust; and

**WHEREAS**, it has been determined that the entirety of such dues shall be placed in the Pickleball Trust Account.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Haworth that it does hereby authorize that all pickleball dues shall be placed in the Pickleball Trust Account.

Introduction of Ord. 23-10-CAP Bank

A motion was offered by Mr. Rosenberg, seconded by Mr. Poosikian and unanimously carried that Ordinance No. 23-10 be offered for first reading.

Ordinance No. 23-10 was then read by title only as follows:

**CALENDAR YEAR 2023 ORDINANCE TO EXCEED  
THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK**

A motion was offered by Ms. Siciliano and seconded by Mr. Poosikian to pass Ordinance No. 23-10 on first reading.

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

A motion was offered by Ms. Siciliano, seconded by Mr. Poosikian and unanimously carried that Ordinance No. 23-10 be advertised as required by law and a date set for public hearing thereon on June 13, 2023 at 7:30 PM at the Municipal Center.

Ms. Siciliano explained information was missing on the one bid received, now the borough can negotiate and there is a need for more information.

Mr. Regan noted his concern regarding a lack of insurance, liability, etc. with the one bidder.

A motion was offered by Ms. Siciliano and seconded by Ms. Dhamija to reject the bid received for the Swim Club Concession Stand and award a contract conditioned on the satisfactory completion of all requirements by the one bidder.

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

Authorization of Transfer of Development Agreement – United Way/Madeleine Housing

The following resolution was offered by Mr. Rosenberg and seconded by Mr. Poosikian:

For resolution see permanent minutes.

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

Appointment - Luke Mazzeo

A motion was offered by Mr. Rosenberg and seconded by Mr. Poosikian that Luke Mazzeo be appointed probationary police officer.

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

Appointment to Fire Department

A motion was offered by Mr. Poosikian and seconded by Mr. Rosenberg and unanimously carried to appoint Noah Song a member of the Haworth Fire Department.

Consent Agenda

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

Payment of Bills

See permanent minutes.

Approval of Minutes

Executive Meeting of May 9, 2023.

Open Meeting to Public

The meeting was opened to public discussion.

Ms. J. Gordon, Pleasant St. offered a thank you for the recent senior meeting and luncheon.

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

Phase 3 of Update at Memorial Field

Mrs. Davis asked for an update on this project which includes the update for the children's area, planting trees, a children's area, new equipment, fences and increase of the netting at the baseball field.

A motion was offered by Mrs. Davis and seconded by Mrs. Dhamija to approve the Phase 3 Plan at Memorial Field.

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

Close Meeting to Public

The following resolution was offered by Mr. Poosikian, seconded by Ms. Siciliano 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 May 23, 2023, at which time the following item will be discussed:

Affordable Housing – Massachusetts Avenue

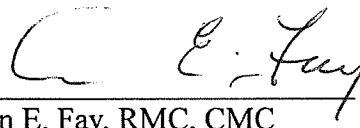
**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council does hereby exclude the public from the portion of the meeting at which time the above item will be discussed; and

**BE IT FURTHER RESOLVED** that the discussion conducted in closed session will be disclosed to the public upon completion or conclusion of the foregoing item and

when determined by the Governing Body that the Borough's interests will not be adversely affected.

Re-Open Meeting

The meeting was reopened to the public and as there was no further business to come before the council, a motion was offered by Mr. Rosenberg, seconded by Mrs. Dhamija and unanimously carried at 9:20 PM to adjourn.

A handwritten signature in cursive script, appearing to read "Ann E. Fay".

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Ann E. Fay, RMC, CMC  
Clerk-Administrator



**BOROUGH OF HAWORTH  
NEW JERSEY**

**RESOLUTION AUTHORIZING TRANSFER AND  
DEVELOPMENT AGREEMENT WITH  
BERGEN COUNTY UNITED WAY/MADELINE  
HOUSING PARTNERS, LLC**

**WHEREAS**, the Borough of Haworth is the owner of certain property known as Block 1800, Lot 1 as depicted on the Borough tax map, which property is located on the northerly side of Massachusetts Avenue (“the property”, “the premises” or “the parcel”); and

**WHEREAS**, the Planning Board of the Borough of Haworth adopted on September 18, 2019 a Housing Element and Fair Share Plan (“HE/FSP”) intended to address the Borough’s constitutional obligation to provide its fair share of the region’s need for low and moderate income housing; and

**WHEREAS**, the HE/FSP was endorsed by the Mayor and Council on September 24, 2019; and

**WHEREAS**, a Settlement Agreement has been entered into between the Borough and Fair Share Housing Center (“FSHC”) dated May 13, 2019, which Settlement Agreement was approved by Order of the court; and

**WHEREAS**, a Final Judgment of Compliance and Repose was entered by the Honorable Christine A. Farrington dated February 25, 2020 wherein the court determined that the land use regulations and affirmative mechanisms in the Borough’s Settlement Agreement with FSHC complies with the Borough’s constitutional obligation with respect to affordable housing under the *Mount Laurel* doctrine; and

**WHEREAS**, the Settlement Agreement provides at paragraph 9 that the Borough will enter into an Agreement with Bergen County United Way/Madeline Housing Partners, LLC (“United Way”) for the development on the property of 35 total units, including 21 market-rate units, 8 family rentals, 2 age-restricted, and 4 one-bedroom supportive housing units; and

**WHEREAS**, it is the intent of the HE/FSP that United Way obtain ownership of a portion of the property to construct the proposed development, including 14 affordable units; and

**WHEREAS**, *N.J.S.A. 40A:12-21(l)* permits a municipality to convey land not needed for municipal purposes, for a nominal consideration, to a duly



incorporated non-profit housing corporation for the purpose of constructing housing for low or moderate income persons or families; and

**WHEREAS,** United Way qualifies as a non-profit housing corporation experienced in the development of housing for low and moderate income persons; and

**WHEREAS,** a Transfer and Development Agreement has been prepared whereby the Borough would convey to United Way a portion of the property designated in the Agreement as Lot 1.02 comprising 2.38 acres to United Way for the construction of the herein described development.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Haworth that it does hereby authorize a private sale for a nominal consideration of the aforementioned 2.38 acres to United Way for the express purpose of constructing the development herein described, including 14 affordable units provided that the site driveway shall not be accessed from Grant Street; and

**BE IT FURTHER RESOLVED** that in accordance with the aforementioned statute, the conveyance of 2.38 acres known and designated as Lot 1.02 is restricted to the development of the construction herein described, including 14 affordable units; and

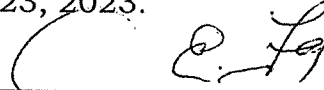
**BE IT FURTHER RESOLVED** that the Deed of conveyance shall contain a restriction as to the development and use of the property for the aforementioned purpose, inclusive of 14 affordable units, and should the parcel not be used in accordance with such limitations, title to the parcel shall revert to the Borough; and

**BE IT FURTHER RESOLVED** that Mayor Heather Wasser and the Borough Clerk/Administrator or Acting Borough Clerk/Administrator be and are hereby authorized to execute the Transfer and Development Agreement, Deed of conveyance, Affidavit of Title, and such other documents as may be necessary to effectuate the terms and provisions of this resolution.

| <b>Councilperson</b> | <b>Moved</b> | <b>Seconded</b> | <b>Aye</b> | <b>Nay</b> | <b>Abstain</b> | <b>Absent</b> |
|----------------------|--------------|-----------------|------------|------------|----------------|---------------|
| Poosikian            |              | ✓               | ✓          |            |                |               |
| Rosenberg            | ✓            |                 | ✓          |            |                |               |
| Siciliano            |              |                 | ✓          |            |                |               |
| Dhamija              |              |                 | ✓          |            |                |               |
| Lau                  |              |                 | ✓          |            |                |               |
| Davis                |              |                 | ✓          |            |                |               |



I hereby certify that the above resolution is a true copy of a resolution adopted by the Mayor and Council on May 23, 2023.

A handwritten signature in black ink, appearing to read "E. Fay", is written over a horizontal line.

**ANN E. FAY, Borough  
Clerk/Administrator**

