

231. Joint Meeting of the Mayor and Council and the Planning Board of the Borough of Haworth held on November 7, 2018 at the Municipal Center

Present: Hon. John W. Smart, Mayor

Councilmembers: Glenn Poosikian
Andrew Rosenberg
Michael Bain
Regina Duffy
Jacqueline Guenego
Dina Siciliano

Borough Attorney: Robert T. Regan

Borough Planner: Caroline Reiter

Planning Board: Leona Kosmac
Andrew Anderson
Nancy Minikes
Dennis Posen
Mayor John Smart
Andrew Rosenberg
Edmond Ezra
Amy Albalah

Mayor Smart called the meeting to order at 7:30 PM, noted all members of the Council were present and read the following notice: "This is a Special 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."

Mayor Smart gave a special welcome to Ms. Siciliano who was elected to an unexpired council term at last night's election.

Ms. Siciliano commented that she knew this was a position of importance and she hoped to serve in the same way as Mr. Volpe did so well.

Mayor Smart then welcomed Ms. Heather Wasser who was also elected to the Council at yesterday's election.

Status of Fuel Tanks at DPW Yard

Mayor Smart explained the lines to the two underground fuel tanks draw fuel from the ground to the dispensers and if anything leaks it is detected , the alarm starts going off and it has to be determined what is leaking; it was determined it was water in the receptacles. He said it was then determined that any fluid in the lines is a problem, a bid was received through a state contract for this repair and explained the resolution, etc. for tonight's meeting to provide the funding for the repair.

Permission to Display Menorah and Creche

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

BE IT RESOLVED that permission be granted to the Haworth Menorah Committee to place a menorah on the front lawn of the Municipal Center and to the Haworth Crèche Committee to place a crèche on the front lawn of the Municipal Center in accordance with the requirements outlined in both Committees' requests.

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

Appointment to Fire Department

A motion was offered by Mr. Poosikian, seconded by Ms. Guenego and unanimously carried that Raymond Dembski be appointed a member of the Haworth Fire Department.

Promotion of Police Officer

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

BE IT RESOLVED the Mayor and Council hereby approve the promotion of Police Officer James Morgan to the rank of Sergeant effective December 1, 2018.

On roll call the vote was as follows: Ayes; Messrs. Poosikian. Rosenberg, Bain, Duffy, Guenego, Siciliano. Declared carried.

Consent Agenda

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

Consent Agenda – cont’d.

Appointment of Retired Judge Meehan as Hearing Officer and John D’Anton, Esq. as Special Counsel –Plumbing Inspector Matter

WHEREAS, the Borough Administrator has filed a Complaint against the Plumbing Subcode Official pertaining to issues relating to said Official’s job performance; and

WHEREAS, the Governing Body has determined that the Borough Administrator should have the benefit of counsel in the presentation of the charges detailed in the Complaint, and that a Hearing Officer should be appointed to review the charges and consider the evidence in connection therewith.

NOW THEREFORE BE IT RESOLVED that the Honorable William C. Meehan, a retired Judge of the Superior Court of New Jersey, be and is hereby appointed as Hearing Officer in this matter; and

BE IT FURTHER RESOLVED that John J. D’Anton, Esq. be and is hereby appointed as counsel to the Borough Administrator in connection with the presentation of the matters as set forth in the Complaint.

Emergency Resolution for Refurbishment of Tanks at DPW

WHEREAS, an emergency has arisen with respect to the funding of the Refurbishment of Water Tank and Dispenser Sumps, and no adequate provision was made in the 2018 Budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total emergency appropriation created including this appropriation to be created by this resolution is \$12,000 and three percent of the total operations in the budget for the year 2018 is \$198,292.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Haworth in the County of Bergen (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48 that:

1. An emergency appropriation be and the same is hereby made for:

Current Fund	
Capital Improvements	
Refurbishment of Water Tank and Dispenser Sumps	<u>\$12,000</u>

2. That said emergency appropriation shall be funded in full by a capital ordinance to be adopted prior to December 31, 2018.

Consent Agenda – cont’d.

Emergency Resolution for Refurbishment of Tanks at DPW - cont’d.

3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
4. That an “Emergency Note” not in excess of the above amount be authorized pursuant to N.J.S.A. 40A:4-48 and in accordance with the provision of N.J.S.A. 40A:4-51.
5. That an “Emergency Note” may be executed by the Chief Financial Officer and by the Borough Clerk.
6. That said note may be renewed from time to time and such notes and any renewals thereof shall be payable on or before December 31, 2019.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of Local Government Services.

Capital Budget Amendment – Tanks at DPW

For resolution see Page 283A of permanent minutes.

Authorization of Submission of Municipal Alliance Grant

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Borough Council of the Borough of Haworth, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and, therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED, the Borough of Haworth, County of Bergen, State of New Jersey hereby recognizes the following:

Consent Agenda – cont’d.

Authorization to Advertise for RFQ’s

The following resolution was offered by Mr. Poosikian, seconded by Ms. Guenego and unanimously carried:

BE IT RESOLVED that the Municipal Clerk is hereby authorized to advertise for 2019 Requests for Qualifications and Requests for Quotes for the following professionals: Prosecutor, Alternate Prosecutor, Risk Manager, Borough Planner, Borough Engineers, Construction Official, Building Sub-Code Official, Building Inspector, Zoning Officer.

Ordinance No. 18-10 – Capital Ordinance – Refurbishment of Tanks at DPW

A motion was offered by Mr. Bain, seconded by Mr. Rosenberg and unanimously carried that Ordinance No. 18-10 be offered for first reading.

Ordinance No. 18-10 was then read by title only as follows:

A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$12,000 FOR REFURBISHMENT OF WATER TANK AND DISPENSER SUMPS BY THE BOROUGH OF HAWORTH AND TO APPROPRIATE \$12,000 FROM GENERAL CAPITAL FUND BALANCE

A motion was offered by Mr. Bain and seconded by Mrs. Duffy that Ordinance No. 18-10 be passed on first reading.

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

A motion was offered by Mr. Bain, seconded by Mrs. Duffy and unanimously carried that Ordinance No. 18-10 be advertised as required by law and a date set for public hearing on November 27, 2018 at 7:30 PM at the Municipal Center.

Open Meeting to Public

The meeting was opened to the period of public discussion.

Ms. H. Wasser, Summit Place thanked the Mayor and Council for their strong response to a recent issue in the Borough at Halloween and suggested a community event with religious leaders regarding what happened.

Mayor Smart responded that he had reached out to the Menorah Committee and discussed the possibility of a town-wide unity event.

Open Meeting to Public – cont'd.

Ms. Wasser suggested working with the school for a broader reach.

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

Close Meeting to Public

The following motion was offered at 8 PM by Mr. Poosikian, seconded by Mrs. Duffy 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 November 7, 2018 at which time the following items will be discussed:

Affordable Housing Update
Contractor Negotiations – Pending Litigation

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.

Planning Board Resolution for Closed Session

The following resolution was duly offered, seconded and 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 Planning Board deems it necessary to conduct a closed session and to exclude the public on November 7, 2018 at which time the following item will be discussed:

Affordable Housing Update

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

Planning Board Resolution for Closed Session – 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 items and when determined by the Planning Board that the Borough's interests will not be adversely affected.

Reopen Meeting to Public

The meeting was reopened to the public at 10:15PM.

Authorization to Sign and Edit Agreement re. Tree Removal

A motion was offered by Ms. Guenego, seconded by Mr. Bain and unanimously carried to authorize Mr. Rosenberg to edit and sign an Agreement with the Borough and Luethke Landscaping, Inc. in connection with the unauthorized cutting down of trees at Memorial Field.

Adjournment

As there was no further business to come before the Council a motion was offered by Mr. Bain, seconded by Ms. Siciliano and unanimously carried at 10:20 PM to adjourn.



Ann E. Fay, RMC, CMC
Clerk-Administrator