

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:00 p.m. in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

Mayor.....	Richard S. Goldberg
Council President.....	Frank E. Matthews
Councilman.....	John V. Lane
Councilman.....	Dominic Mele
Councilman.....	Garret Sinning
Councilman.....	Joseph Wojtecki
Borough Administrator.....	Eric Maurer
Borough Attorney.....	Michael J. Pasquale
Borough Engineer.....	Dr. Stephen T. Boswell
Deputy Borough Clerk.....	Nancy Salisbury
<u>ABSENT:</u>	
Council Vice President.....	John N. Bertollo
Councilman.....	Bruce Bennett
Borough Clerk.....	Lori DiBella

FLAG SALUTE

Council President Matthews invited all present to join him in the flag salute.

STATEMENT

Adequate notice of this meeting has been provided by the Annual Schedule of Regular Meetings heretofore adopted and posted on the Public Bulletin Board at the Municipal Building, emailed to the Hawthorne Press, Herald News, The Record, The Gazette and all persons who have requested the mailing of such schedule, and a copy of said schedule has remained on file in the office of the Borough Clerk from and since December 7, 2017.

APPROVAL OF MINUTES

Approval of Minutes for the Regular Meeting of March 28 and April 4, 2018; moved by Councilman Mele, seconded by Councilman Wojtecki. On roll call, all voted yes, motion carried.

PUBLIC COMMENT (Agenda Items Only)

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard, please raise your hand to be recognized, come forward to the microphone state your name and address and sign the sheet for the record. He stipulated this be for agenda items only. Seeing none, Council President Matthews entertained a motion to close public comment, moved by Councilman Wojtecki, seconded by Councilman Sinning. Carried on voice vote.

PROCLAMATION

“National Correctional Officers Week”

Recipient: John Walsh, President of PBA Local 197 (Joined by: Ricki Rosario, President of the Superior Officers Association)

WHEREAS, National Correctional Officers’ Week is celebrated during the first week of May each year; and

WHEREAS, the correctional staff ensures the custody of inmates while in the facility and while on transports outside of the facility, they are responsible for the monitoring of individuals placed on alternate sanctions such as ankle bracelets, and the supervision of continuous sanitation and repairs of the facility ensuring a safe and sanitary environment for both staff and inmates; and

WHEREAS, the Passaic County Jail provides mentoring programs to assist both sentenced and non-sentenced inmates, such as the PREP (Passaic Re-Entry Program) and Pathfinder Program, and a GED program for inmates while in custody; and

WHEREAS, correctional officers, in conjunction with the PBA Local 197, participate in outreach events to give back to the community, including Christmas Toy Drives for local schools, Breakfast with Santa programs, 5K Runs for various charities, Special Olympic Events, Halloween Trunk or Treat, and the No Shave November fundraiser; and

WHEREAS, correctional officers are trained law enforcement professionals dedicated to maintaining safe correctional facilities and ensuring the public safety and they have the difficult and often dangerous assignment of ensuring the custody, safety and well-being of inmates in our jail; and

WHEREAS, correctional officers are essential to the day-to-day operation of the jail and without them it would be impossible to achieve the foremost institutional goals of security and control; and

WHEREAS, the Mayor and Council of the Borough of Hawthorne expresses its gratitude and appreciation to all Correctional Officers within the County of Passaic for the outstanding job they do in the performance of their duties.

NOW, THEREFORE, BE IT PROCLAIMED that the Mayor and Council of the Borough of Hawthorne do hereby recognize the first week of May, 2018 as

NATIONAL CORRECTIONAL OFFICERS' WEEK

and recognizes the many contributions made by correctional officers in Passaic County.

Mr. Walsh thanked the Mayor, Council and Hawthorne Municipal. Councilman Lane was thanked for spearheading the proclamation.

ADOPTION & PUBLIC HEARING OF THE 2018 BUDGET

CAP BANK ORDINANCE 2208-18

2018 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
PURSUANT TO N.J.S.A. 40A: 4-45.14

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous years' final appropriations; and,

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations and the 3.5% increase authorized by this ordinance when said difference is not appropriated as part of the final budget; and,

WHEREAS, the Borough Council of the Borough of Hawthorne, County of Passaic, hereby determines that this difference in the amount of \$148,159.77 that is not appropriated as part of the final 2018 budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

This Ordinance shall take effect upon final adoption and publication as provided by law.

Public Hearing

Council President Matthews opened the meeting to the public. If anyone desires to be heard regarding Ordinance No. 2208-18 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing none, Council President Matthews entertained a motion that the public hearing on this Ordinance be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, published in the Hawthorne Press and available on the borough website. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law, moved by Councilman Mele seconded by Councilman Lane. Councilman Lane thanked Mayor Goldberg and Administrator Maurer for the hard work the department heads put in getting this together. On roll call, all voted yes, motion carried.

BUDGET RESOLUTION

BR 04-18 Authorize to Read 2018 Municipal Budget by Title

(Municipal Budget of the Borough of Hawthorne, County of Passaic for the Fiscal Year 2018)

Regular Council Meeting – Budget Adoption - May 2, 2018

Visit us at: www.hawthornenj.org

WHEREAS, the Municipal Council of the Borough of Hawthorne determines that a complete copy of the Municipal Budget of the Borough of Hawthorne for the year 2018 has been made available for public inspection and has been made available to each person upon request at least one week prior to the date set for a hearing as to the Municipal Budget in accordance with NJSA 40A: 4-8;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council that it does authorize adoption of the Municipal Budget by reading of title, the statutory requirements set forth above having been met, moved by Councilman Sinning, seconded by Councilman Wojtecki. On roll call, all voted yes, motion carried.

PUBLIC HEARING 2018 Municipal Budget

Council President Matthews opened the meeting to the public. If anyone desires to be heard on the Municipal Budget of the Borough of Hawthorne, County of Passaic for the Fiscal Year 2018, please raise your hand to be recognized, come forward to the microphone and state your name and address.

Seeing none, Council President Matthews entertained a motion to close the public hearing on the 2018 Municipal Budget, moved by Councilman Sinning, seconded by Councilman Lane. Carried on voice vote.

BR 05-18 Amendment of the 2018 Municipal Budget

WHEREAS, the municipal budget for the Borough of Hawthorne for the year 2018 was introduced and approved on the 28th day of March, 2018 and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, County of Passaic, that the following amendments to the approved budget of 2018 be made:

CURRENT FUND BUDGET

<u>GENERAL APPROPRIATIONS:</u>	<u>FROM</u>	<u>TO</u>
Operations - Within "CAPS"		
Public Safety		
Police- Salary & Wages	\$4,440,629.00	\$4,380,629.00
Fire- Other Expenses	214,965.00	204,585.00
Public Works		
Shade Tree Commission - Other Expenses	114,786.00	119,786.00
Buildings and Grounds- Other Expenses	117,505.00	122,885.00
Total Operations Within "CAPS"	13,666,456.00	13,606,456.00
Total Operations Including Contingent- Within "CAPS"	13,668,456.00	13,608,456.00
Detail:		
Salaries & Wages	7,233,037.00	7,173,037.00
Other Expenses	6,435,419.00	6,435,419.00
Total General Appropriations for Municipal Purposes- Within "CAPS"	15,165,109.00	15,105,109.00
Operations - Excluded from "CAPS"- Interlocal Municipal Services Agreements:		
School Security Shared Service - Other Expenses -		\$60,000.00
Total Interlocal Municipal Services Agreements:	6,000.00	66,000.00
Total Operations Excluded From "CAPS"	2,857,335.78	2,917,335.78
Detail:		
Other Expenses	\$ 2,182,126.78	\$ 2,242,126.78
(H-2) Total General Appropriations For Municipal Purposes- Excluded from "CAPS"	7,764,838.78	7,824,838.78
(O) Total General Appropriations - Excluded From "CAPS"	7,764,838.78	7,824,838.78

(L) Subtotal General Appropriations	22,929,947.78	22,929,947.78
Total General Appropriations	\$24,454,947.78	\$24,454,947.78

WATER UTILITY FUND BUDGET	<u>FROM</u>	<u>TO</u>
10. DEDICATED REVENUES FOR WATER UTILITY		
Operating Surplus Anticipated -		\$18,000.00
Total Operating Surplus Anticipated -		18,000.00
Total Water Utility Revenues	\$3,738,913.00	\$3,756,913.00

11. APPROPRIATIONS FOR WATER UTILITY

OPERATING

Salaries and Wages	1,124,991.00	1,142,991.00
Total Water Utility Appropriations	\$3,738,913.00	\$3,756,913.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

Council President Matthews entertained a motion to adopt BR 05-18, moved by Councilman Mele seconded by Councilman Sinning. Administrator Maurer pointed out the date on the resolution should read the 28th day of March not April. Councilman Wojtecki confirmed that the total general appropriations are equal. On roll call, all voted yes, motion carried.

BR 06-18 Adoption of the 2018 Municipal Budget
MUNICIPAL BUDGET OF THE BOROUGH OF HAWTHORNE, COUNTY OF PASSAIC
FOR THE FISCAL YEAR 2018

BE IT RESOLVED, that the following statements of revenue and appropriations shall constitute the Municipal Budget for the year 2018;

BE IT FURTHER RESOLVED, that said Budget Summaries were published in the Hawthorne Press in the issue of April 5, 2018;

The Governing Body of the Borough of Hawthorne does hereby approve the following as the Budget for the Year 2018:

RECORDED VOTE:

	{	Mele	{		ABSTAINED	{
	{	Lane	{			
	{	Matthews	{			
AYES	{	Sinning	NAYS	{		
	{	Wojtecki	{		ABSENT	{ Bertollo
	{		{			Bennett
	{		{			

Notice is hereby given that the Budget and Tax Resolution was adopted by the Governing Body of the Borough of Hawthorne, County of Passaic, on May 2nd, 2018. A Public Hearing on the Budget and Tax Resolution for the year 2018 was held at the Municipal Building, on May 2nd, 2018 at 7:00 p.m.

Council President Matthews entertained a motion to adopt BR 06-18, moved by Councilman Sinning seconded by Councilman Lane. On roll call, all voted yes, motion carried.

OLD BUSINESS

Councilman Lane asked Dr. Boswell for an update on the drawings of the footings and foundation for the new DPW building. Dr. Boswell stated it would be staked out next week, the final drawings are supposed to be completed the end of this week, and the oil water separator has been installed. Construction should start next week on the foundation.

Councilman Sinning asked about the yellow flags on the lawns, Dr. Boswell stated they were for gas mark outs.

Councilman Wojtecki apologized to Administrator Maurer for the way he addressed him in regards to a tree that was cut down. He also stated the pole for the no parking sign that was left on the ground on the corner of Maitland and Lafayette Ave. is still there, and wanted to know if it could be picked up.

NEW BUSINESS

Councilman Lane asked if we are going to maintain the area around the tank on Sunrise Drive. Administrator Maurer stated there are additional trees that need to come out, and some trees that need to be planted. Dr. Boswell stated the soil has to be tested for lead first then it will be re-graded. Administrator Maurer stated once that is all done, then we will maintain it. Councilman Lane also asked if the on ramp on Goffle Road going on to Rte. 208 North by Dunkin Donuts can be cleaned up. He would like to look into an ordinance for the weekends in regards to parking for the county park, and also asked how much longer the no parking signs will be left up on Goffle Hill Road near Jefferson school. Mayor Goldberg stated No Parking signs have been ordered and they will replace the paper signs.

Councilman Sinning stated on the corner of Central and Lincoln Avenues there is a wire hanging down to the ground from the pole. Council President Matthews stated it is a phone wire that has been there for a while and there is tape around it.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG

Mayor Goldberg thanked everyone involved in the budget process, the Council Finance Committee, Eric, and Laurie Foley. He announced the forthcoming retirement of Captain Garrison and stated he will truly be missed. He will be promoting Lt. James Knepper to Captain of the Police Department and is making this announcement early to provide Lt. Knepper the opportunity to spend time with Captain Garrison before he leaves. He commended and thanked Captain Garrison for his career in the Hawthorne Police Department and has great faith in Lt. Knepper. The promotion of lieutenant, sergeant and probationary officers will take place at the June 18th meeting. A reminder that resident and nonresident parking permits, firearms applications and police records are now available at the police records window Monday 9am – 8pm and Tuesday - Friday 8:30am to 4:30pm. The Great American Garage Sale is Saturday May 5th, 9am-3pm, list of addresses on our website, the admin office in Borough Hall and the Library. Sunday May 6th, SEPAC's 3rd Annual Color Run, Goffle Brook Park, check-in 8 am, run at 9 am. The Annual Memorial Day Service and Parade is Monday, May 28th, services at Noon on Borough Hall front steps, parade at 1:30. This years' Grand Marshall is Dr. Frank Chiofalo, former Superintendent of Schools, and a Korean War veteran. Two street dedications took place yesterday, Post Ave. at Hawthorne Ave. was dedicated to Aviation Machine Mechanic 2nd Class Frank Kerr who died August 5th, 1945, and Hawthorne Ave. at Taylor Ave. to Staff Sgt. Matthew F. Fourneyron, Jr. killed in action November 21, 1944. Congratulations to the Hawthorne Baseball/Softball Association on opening day last Saturday. Last Wednesday the Hawthorne High School Drama Club and Hawthorne Municipal Alliance hosted their dinner and a show for our Hawthorne Senior Citizens. "Cinderella" was performed to sold-out crowds the following here nights. Our Cel-Earth-Bration and shred event on the 21st went well, we apologize the truck filled up so quickly and some of you couldn't get your papers shredded.

Borough Attorney Michael J. Pasquale

Affordable Housing – Mr. Pasquale reported that the Borough's Planner, Joe Burgis, prepared a report which was submitted to the Court regarding Hawthorne's Affordable Housing Obligation. The report took into account the decision made by Judge Jacobson in Mercer County and the new figures created by the municipal housing consultant, Econsult. While Hawthorne's overall need to create affordable housing increased, its vacant land did not. Based upon a vacant land analysis, Hawthorne has a realistic development potential of only 18 affordable units. Since the end of the second round under COAH, Hawthorne is eligible for 47 credits towards that obligation, meaning there is no new construction obligation. Objecting parties now have the right to submit opposition, a court date is set for May 15th.

Tax Appeals – 2018 County Tax Appeals were heard last Thursday in Wayne. A total of 65 appeals were filed, 17 were affirmed to the State Court, 8 were withdrawn, 36 were settled and 2 were tried. Of those, one resulted in no reduction of the assessment, the other a reduction to the amount the Borough offered as a settlement. Tim Henderson works hard to be fair to our residents and business property owners and the fact that 63 of 65 cases were resolved is a testament to that effort. There are no new major appeals for this year and we continue to be in excellent shape.

Goffle Brook Park – Mr. Pasquale reports that he submitted a 300 page legal brief, including appendix, to the Appellate Division today. The State and County have 30 days to respond. The brief focuses on the failure of the DEP to protect and preserve the historic Goffle Brook Park from the installation of what was properly called an encroachment by that same agency.

Bandshell – The Bandshell Committee is working to fill two remaining slots in its calendar and will be releasing a full schedule in the coming weeks. Opening night is Father’s Day night with Joey Zisa and Friends, highlights include the B Street Band on July 9th, Radio Nash on July 26th, Fight for Autism III on August 12th two movies and food trucks. Contributions are still being accepted.

Borough Engineer Dr. Stephen T. Boswell

Arlington Avenue – Marini needs to address a section of curb and a schedule was requested for this work and resurfacing.

Band Shell Restrooms – The contractor has received partial permits and has installed the electric. They are moving forward on the construction work.

DPW Building – Will be staked out next week.

Streetscape Project – The inspector from Gannett Fleming has almost all the paperwork and expects to have it all final by the end of this week or early next week.

Rock Road Improvements – Rock Road is done, the change order you approved was approved by the DOT.

Water Storage Tank Painting – The tank has been painted and filled and we are investigating the overflow valve.

2017 Road Program – We are closing that out, everything is done on that.

Municipal Pool – The punch list needs to be addressed and the equipment started up once we fill the pool.

2018 Road Program – Will be awarded tonight on R74-18, the base bid and the alternates and in addition with R77-18, you are awarding and granting a change order to do more streets because we got such a good price.

Lafayette Avenue Streetscape – We submitted a proposal to continue the stamped concrete the rest of the way down.

Roof Repairs for Sewer and Water Dept. Structures – We are attempting to do it under the bid threshold so no plans and specs will be required.

Utter Avenue Rail Crossing Upgrades – Has been completed and reopened.

Borough Administrator Eric Maurer

Administrator Maurer thanked the Council for their approval of the budget. He and Laurie Foley will discuss with the Bond Counsel the plan for calling bonds and retiring notes. As noted during the Budget Presentation, this will save the taxpayers \$600,000 in future years. Also with the adoption of the budget, you can expect to see a series of resolutions to authorize the purchase of equipment and implementation of various small capital projects that are in the budget. We still have positions open at the Municipal Pool for both lifeguards and office staff, applications can be obtained from our website www.hawthornenj.org. Letters to residents for the first round of tree planting this Spring went out today. The contractor, Barbato Landscapers will begin planting next week. Letters for the second round which will be done by Downes, will be going out shortly.

Councilman Wojtecki asked Dr. Boswell when the last time the water was drained from the water retention area. Dr. Boswell stated he would find out.

Councilman Mele asked Attorney Pasquale about the affordable housing situation, Attorney Pasquale stated we have met our affordable housing obligation completely.

Councilman Lane asked Administrator Maurer if there is a program to maintain the new valve that was put in so it doesn’t freeze up like the old one. Administrator Maurer stated we have a valve maintenance program we will be putting into place. He also stated he has not seen the lights out on Diamond Bridge Avenue.

Council President Matthews made a motion to record the administrative agenda, moved by Councilman Mele, seconded by Councilman Wojtecki. Carried on voice vote.

INTRODUCTION OF ORDINANCES None.

RESOLUTIONS

CONSENT AGENDA: R 69-18 through R 77-18

R 69-18 Introduced by Councilman Mele
Borough of Hawthorne payroll dated April 27, 2018.

CURRENT FUND	WT 888889	\$	272,276.21
WATER OPERATING FUND	WT 888889	\$	42,172.69
OTHER TRUST II FUND	WT 888889	\$	4,530.18
GENERAL CAPITAL FUND	WT 888889	\$	-
DOG DEDICATED FUND	WT 888889	\$	-
TOTAL PAYROLL		<u>\$</u>	<u>318,979.08</u>
CURRENT FUND TO PAYROLL/FICA	WT 888889	\$	14,694.66
WATER OPERATING FUND TO PAYROLL/FICA	WT 888889	\$	-
TOTAL FICA		<u>\$</u>	<u>14,694.66</u>

R 70-18 Introduced by Councilman Mele

WHEREAS, the owner of 145 Diamond Bridge Ave., known as Block 99 Lot 28 on the Tax Duplicate, has requested tax exempt status, and

WHEREAS, said property owner has been deemed 100% disabled by the Department of Veterans Affairs, has supplied all necessary paperwork and the Tax Assessor has approved the exempt status as of January 16, 2018,

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be authorized by the Municipal Council of the Borough of Hawthorne to issue a refund for 2018 1st quarter partial taxes in the amount of \$2,190.24 for Robert Michel, and to cancel taxes for 2018 2nd quarter in the amount of \$2,527.56.

R 71-18 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne distributes taxes to the County of Passaic each quarter; and

WHEREAS, the County of Passaic has requested that these funds be sent to them via ACH wire transfer to their bank account in Lakeland Bank.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to make the above referenced transfer in the amount of \$4,293,865.55 for County Taxes and \$59,099.39 for Open Space Taxes for a total of \$4,352,964.94 for 2nd quarter 2018 Taxes.

R 72-18 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne distributes school taxes to the Hawthorne Board of Education on a monthly basis; and

WHEREAS, the Hawthorne Board of Education has requested that these funds be transferred directly to their bank account in Columbia Bank, ABA# 221271935.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to make the above referenced transfer in the amount of \$3,054,271.58 from the Current Fund and charged to School Taxes Payable for April 2018.

R 73-18 Introduced by Councilman Mele

WHEREAS, there is a need to establish a change fund in connection with the selling of badges for the Municipal Pool.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to draw a check against the Current Fund as follows:

Robert Berger \$150.00

BE IT FURTHER RESOLVED, that the change fund so established is to be turned over to the Treasurer immediately following the termination of duties in this connection.

R 74-18 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne received bids on April 11, 2018 for the 2018 Road Program, funded through Bond Ordinances 2202-18, 2129-15, as amended by 2204-18, and 2154-16, as amended by 2205-18, and the 2018 Local Improvement Program, funded through Bond Ordinance 2203-18; and

WHEREAS, the bid called for the submission of a base bid for milling, paving and spot curb repair as well as ADA ramps as part of the 2018 Road Program, together with spot sidewalk and driveway apron replacement as part of the 2018 Local Improvement Program, at identified locations in the Borough, with three alternates to the bid for Ivan Place, Mandon Terrace and Karl Avenue; and

WHEREAS, nine bids were received, the lowest being from American Asphalt & Milling, Inc., in total sum of \$851,614.31 for all work entailed by the bid including the three bid alternates; and

WHEREAS, the bid was reviewed by the Borough Attorney, who found that the same was compliant with the bid solicitation and the Local Public Contracts Law; and

WHEREAS, the Administration, with input from its Engineer, reviewed the qualifications of the contractor and determined that the contractor is capable of meeting the terms of the bid solicitation; and

WHEREAS, the Acting Chief Financial Officer has certified availability of funds pursuant to Bond Ordinances 2202-18, 2129-15, as amended by 2204-18, 2154-16, as amended by 2205-18, and 2203-18 so as to allow for the award of an award of contract for the base bid and all three bid alternates in total certified amount of \$851,614.31;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does award a contract to:

American Asphalt & Milling, Inc.
90 Midland Avenue
Kearny, New Jersey 07032

R 75-18 Introduced by Councilman Mele

WHEREAS, the Municipal Council of the Borough of Hawthorne has awarded a contract for Professional Engineering Services to the firm of Boswell Engineering for the year 2018; and

WHEREAS, Boswell Engineering has submitted a proposal for Construction Observation services in connection with the 2018 Road Program and 2018 Local Improvement Program, a copy of the same being on file or about to be filed in the office of the Municipal Clerk; and

WHEREAS, the amount of the proposal was broken into three parts with \$132,000 for the 2018 Road Program, \$23,000 for the 2018 Local Improvement Program and \$10,000 for a change order issued in connection with the 2018 Road Program in total sum of \$165,000; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids but requires that the award of such contract for professional services be publicly advertised; and

WHEREAS, the Administration recommends an award of contract to Boswell Engineering relative to the within project based upon its experience in the field, familiarity with the Borough of Hawthorne and the submission of a contract within the funding amount provided for in Bond Ordinances 2202-18, 2129-15, as amended by 2204-18, 2154-16 as amended by 2205-18, and 2203-18; and

WHEREAS, the Acting Chief Financial Officer has certified availability of funds pursuant to said Bond Ordinances so as to allow for the award of a contract in total certified amount of \$165,000; and

WHEREAS, Boswell Engineering has submitted to the Borough of Hawthorne a duly completed Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that it would be prohibited from making any reportable contributions during the term of the contract;

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

1. The Mayor and the Clerk of the Borough of Hawthorne are hereby authorized and directed to enter into a contract with Boswell Engineering for Professional Engineering/Construction Observation Services in connection with the 2018 Road Program and 2018 Local Improvement Program in accordance with its proposal in total sum of \$165,000.

2. The contract is entered into without competitive bidding as “Professional Service,” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. Funding for the award of this contract has been certified by the Acting Chief Financial Officer.
4. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Hawthorne within ten (10) days of passage as required.
5. The Business Disclosure Entity Certification shall remain on file with a true copy of this resolution.

R 76-18 Introduced by Councilman Mele

WHEREAS, The Hawthorne Board of Education has determined to hire armed security personnel for service in the Hawthorne Public Schools, including members of the Hawthorne Police Department working off-duty assignments pursuant to agreement as to rate between the Borough and the Hawthorne PBA; and

WHEREAS, in order to help off-set the cost to the Board of Education in implementing such program, the Borough of Hawthorne has agreed to share in the expense of providing such armed security by reimbursing the Board of Education for a portion of the expenditure and has agreed to facilitate payment to members of the Hawthorne Police Department working off-duty assignments; and

WHEREAS, the Board of Education, with financial assistance from the Borough, can more readily provide this important service to its students and their families; and

WHEREAS, the Borough will also benefit, not only through the assurance that safety of its children will be given paramount importance, but also through the decreased need of the Police Department to respond on an as-needed basis through the use of trained Police Officers working off-duty assignments as well as the use of other qualified individuals who are able to provide armed security during the school day; and

WHEREAS, the parties wish to enter into an agreement pursuant to the Shared Services and Consolidation Act, NJS A 40A:65-1, et. seq., with each party and the residents of the municipality to gain benefit through the cooperative nature of the relationship;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does authorize and approve of the execution of a Shared Services Agreement with the Board of Education of the Borough of Hawthorne for partial reimbursement for expenditures made by the Board for armed school security personnel all in accordance with a proposed Shared Services Agreement, the same being annexed hereto and incorporated herein by reference, and subject to further review and modification by the Borough Attorney consistent with the intent of this resolution.

R 77-18 Introduced by Councilman Mele

WHEREAS, the Municipal Council of the Borough of Hawthorne, by duly adopted resolution, awarded a contract to American Asphalt & Milling, Inc., for performance of milling, paving, resurfacing and other related improvements to various roads, as well as repair or replacement of adjoining curbs, sidewalks and driveway aprons, all in the Borough of Hawthorne, in total sum of \$851,614.31; and

WHEREAS, the said contractor has agreed to perform milling, paving, resurfacing and related improvements at three additional locations, North Highcrest Drive, Ravine Drive West and Crist Avenue, at the same unit price as that submitted for other roads in the Borough, and has submitted to the Borough Engineer a request for a change order seeking an increase in the contract amount of \$91,442.19; and

WHEREAS, the Borough Engineer has reviewed the requested change order and has approved of the same as the work was not part of the original contract and the price agreed to is the same price on a per unit basis that was set forth in its bid for performance of work in the original contract; and

WHEREAS, the Acting Chief Financial Officer has certified availability of funds pursuant to Bond Ordinance 2202-18 so as to allow for the award of a change order in total certified amount of \$91,442.19;

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne does approve a change order in the sum of \$91,442.19 to American Asphalt & Milling, Inc.

Council President Matthews entertained a motion to approve consent agenda resolutions R 69-18 through R 77-18, moved by Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes with the exception of Councilman Lane who abstained on R 71-18, and Council President Matthews who abstained on R 71-18, motion carried.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Wojtecki reported the next Shade Tree Commission meeting is on Monday the 7th and today at Washington School for Arbor Day, two trees were planted. The trees were donated by Shade Tree Members Rick Hockenberry and Bob Maggio.

Councilman Sinning reported the Ordinance Committee will be meeting next week and will have a completed draft of the new zoning ordinance.

Councilman Mele thanked the high school students for the play last week, they did a fabulous job. He also thanked Ellen Brogno and Joanne Graziano for organizing it, there were over 100 people there.

Councilman Lane reported the rabies clinic is May 8th, at the ambulance building from 6-8pm.

Council President Matthews reported the Planning Board met last night, there were 3 or 4 certificate of compliance reviews.

BILLS

Vendor Name	Description	Amount	Check Id
ACTION DATA SERVICES	PR #8 4/13/18	780.32	24227
ACTION DATA SERVICES	PR #8 4/13/18	195.08	11522
ADVANCED GRAPHIX, INC	VEHICLE GRAPHIC REPAIR 315	370.00	24228
AGRA ENVIRONMENTAL SVC	MONTHLY - WATER LAB TESTING	475.00	11523
AGRA ENVIRONMENTAL SVC	MONTHLY - WATER LAB TESTING	400.00	11523
AGRA ENVIRONMENTAL SVC	MONTHLY - WATER LAB TESTING	551.25	11523
AGRA ENVIRONMENTAL SVC	MARCH 2018	385.00	11523
ALL HANDS FIRE EQUIPMENT	CAIRNS/GLOVES/BOOTS/PASS ALERT	2,230.83	24229
ALL HANDS FIRE EQUIPMENT	CAIRNS/GLOVES/BOOTS/PASS ALERT	815.94	24229
ALL STAR TRANSMISSION SPEC	C-2 REBUILD TRANSMISSION	3,850.94	24230
AMERICAN WASTE & TEXTILE CO	TERRY CLOTHE RAGS DPW GARAGE	140.00	24231
AMERICAN WASTE & TEXTILE CO	SHIPPING & HANDLING (UPS)	40.00	24231
B AND B DISPOSAL, LLC	APRIL 2018	33,000.00	24232
B AND B DISPOSAL, LLC	APRIL 2018	20,191.66	24232
BEST CLEANING SERVICES	MUNICIPAL BUIDLING RESO 52-18	1,350.00	24233
BILL FOX CO, LLC	BADGES	1,082.50	24234
BOB'S TIRES & WHEELS INC	2018 TIRE REPAIR DRAWDOWN	139.00	24235
BOB'S TIRES & WHEELS INC	2018 TIRE REPAIR DRAWDOWN	436.50	24235
BOSWELL ENGINEERING, INC	MARY ST TANK REHAB RESO 52-18	2,610.00	1162
BOSWELL ENGINEERING, INC	GOFFLE HILL REHABILITATION	16,655.00	1162
BOSWELL ENGINEERING, INC	GOFFLE HILL REHABILITATION	10,498.01	1162
BOSWELL ENGINEERING, INC	2017 NJDOT ARLINGTON AVE	426.50	3630
BOSWELL ENGINEERING, INC	PRO SERVICES	5,514.00	24236
BOSWELL ENGINEERING, INC	UPDATE HAWTHORNE TAX MAPS	12,012.00	24236
BOSWELL ENGINEERING, INC	ENGINEERING DPW BUILDING	939.25	3630
BOSWELL ENGINEERING, INC	ENGINEERING DPW BUILDING	1,991.00	3630
BRAEN STONE INDUSTRIES, INC	ROAD SUPPLIES	142.59	24237
CANON FINANCIAL SVCS INC	DPW WATER COPIER MAINTENANCE	51.60	11524
CANON FINANCIAL SVCS INC	DPW ROAD COPIER MAINTENANCE	51.60	24238
CHIEF FIRE EQUIP CO	2018 EXT REFILL DRAWDOWN	94.50	24239
CINTAS CORP	BI-WKLY RUGS SERVICE AT DPW	47.35	11525
CMRS-FP	REIMB POSTAGE METER	2,000.00	24240
CMRS-FP	REIMB POSTAGE METER	3,000.00	11526
COMMUNICATION SPECIALISTS	RADIO REPAIR	66.00	24241
CONSTELLATION NEW ENERGY, INC.	MARCH 2018	1,765.86	11527
DANIEL TEDESCHI	EYE GLASS REIMB SELF	189.98	24242
DISPLAY SALES	BANDING BANNER FLAGS	425.40	24243
DOWNES TREE SERVICE, INC.	BIG TRUCKS 10 HOURS	1,500.00	24244
EBF ENTERPRISES LLC	PELICAN 7000 LED FLASHLIGHT	387.25	24245
EBF ENTERPRISES LLC	6PT RATCHET HARD HAT BLUE	36.60	24245
EBF ENTERPRISES LLC	6PT RATCHET HARD HAT RED	9.15	24245
EBF ENTERPRISES LLC	SHIPPING CHARGES	17.26	24245
ED PEPE	SUPPLIES REIMB	41.87	24246
ELVIN AUTOMOTIVE SERVICES	W-9 REPAIRS-BATTERIES	260.00	11528

ELVIN AUTOMOTIVE SERVICES	W-9 REPAIRS-OIL DIPSTICK	30.00	11528
ELVIN AUTOMOTIVE SERVICES	W-9 REPAIRS-LABOR	110.00	11528
EMERGENY SERVICES MARKETING CO	2018I AM RESPONDING	810.00	24247
FDR HITCHES LLC	SALTER REPAIRS-SHEER PIN	135.00	24248
FDR HITCHES LLC	SNOW PLOW REPAIRS- HEAD LAMPS	302.40	24248
FDR HITCHES LLC	SNOW PLOW REPAIRS- LABOR	90.00	24248
FDR HITCHES LLC	SNOW PLOW REPAIRS-PRO EDGE	198.00	24248
FDR HITCHES LLC	SNOW PLOW REPAIRS-BOLT BAG	32.95	24248
FDR HITCHES LLC	SNOW PLOW REPAIRS-HEAD LAMPS	302.40	24248
FDR HITCHES LLC	SNOW PLOW REPAIRS-SHOP SUPPL	12.00	24248
FDR HITCHES LLC	SNOW PLOW REPAIRS-LABOR	270.00	24248
FDR HITCHES LLC	SNOW PLOW REPAIRS-GLAND NUT	18.68	24248
FDR HITCHES LLC	SNOW PLOW REPAIRS-HYD FLUID QT	26.00	24248
FDR HITCHES LLC	SNOW PLOW REPAIRS-FIX LKY RAM	90.00	24248
FOLEY POWER SYSTEMS INC	GENERATOR MAINTENANCE CONTRACT	834.80	24249
FOLEY POWER SYSTEMS INC	GENERATOR MAINTENANCE CONTRACT	1,255.93	11529
GABRIELLI KENWORTH OF NJ, LLC	DUMP TRUCK BODY,CAB & CHASSIS	220,792.00	3631
GANN LAW BOOKS	2018 NJ ZONING & LAND USE BOOK	256.00	24250
GANN LAW BOOKS	SHIPPING	8.50	24250
GODWIN TOOL & HARDWARE SUPPLY	MISC. PARTS & SUPPLIES - ROAD	35.99	24251
HAWTHORNE AUTO LAB	RECYCLING- VEHICLE MAINTENANCE	515.47	5348
HAWTHORNE AUTO LAB	VEHICLE MAINTENANCE - WATER	61.49	11530
HAWTHORNE CHEVROLET	UNIT 5-7 MAINTENANCE	131.32	24252
HAWTHORNE FIRE DEPT	SUPPLIES STAMPS	44.50	24253
HAWTHORNE PRESS INC	ACTION 2/26/18 MTG	31.98	24254
HAWTHORNE PRESS INC	ACTION 3/19/18 MTG	35.88	24254
HORIZON BLUE CROSS BLUE SHIELD	MAY HEALTH BENEFITS	80,000.00	24255
HORIZON BLUE CROSS BLUE SHIELD	MAY HEALTH BENEFITS	102,219.27	24255
HORIZON BLUE CROSS BLUE SHIELD	MAY RETIREES	4,537.43	24255
INSURANCE RESTORATION SPECIALI	DEPARTMENT GEAR CLEANING	393.00	24256
INSURANCE RESTORATION SPECIALI	DEPARTMENT GEAR CLEANING	35.00	24256
INSURANCE RESTORATION SPECIALI	DEPARTMENT GEAR CLEANING	561.00	24256
JOHN A. EARL, INC.	JANITORIAL SUPPLIES BORO HALL	149.54	24257
LANGUAGE LINE SERVICES	MARCH LANG LINE FEES	373.70	24258
LAURIE FOLEY	DEDUCTIBLE FAMILY	100.00	24259
LOWES HOME IMPRV BUSINESS ACCT	SUPPLIES	232.51	24260
M & B SEPTIC SERVICE, LLC	PORT-A-POTTY MNTHLY SRV-FIELDS	84.00	24261
METLIFE	APRIL 2018	303.24	24262
NEEDLEWORKS EMBROIDERY		350.00	24263
NEW TECH TECHNOLOGY SERVICES	4/18-7/18/18	31.25	24264
NORA C. ADAMS	SPANISH INTERPRETER	170.00	24265
NORTH JERSEY TIRE DIST	2018 TIRE PURCHASE DRAWDOWN	446.19	24266
NSI NEAL SYSTEMS	GOFFLE HILL TRANSDUCER	926.00	24267
NSI NEAL SYSTEMS	SICOMAC POWER STANDBY UPS	123.00	24267
NSI NEAL SYSTEMS	LABOR	1,200.00	24267
NY SUSQUEHANA & WESTERN RAILWA	ANN FEE LIC INSTALL 8" SEWER	1,242.53	24268
PASSAIC CO ROAD DEPT	EMERG RD OPEN PER 2018-00261	350.00	11531
PUBLIC SERV ELEC & GAS	MARCH 2018	13,747.79	24269
PUBLIC SERV ELEC & GAS	MARCH 2018	926.95	24269
PUBLIC SERV ELEC & GAS	MARCH 2018	5,948.28	11532
PUZO'S RESTAURANT	PIZZA FOR CEL.EARTH.BRATION	60.00	24270
RICHARD NEHRINGS	REIMB EYE GLASSES SELF	250.00	24271
RIDGEWOOD PRESS	SUPPLIES FOR ROAR PROGRAM	500.00	24272
RIZZO'S REPTILE DISCOVERY LLC	REPTILE SHOWS - EARTH DAY	625.00	24273
ROBERT BERGER	POOL CHANGE FUND	150.00	24274
ROBERT MICHEL	REFND 2018 1ST QTR PARTIAL TAX	2,190.24	24275
RT OFFICE PRODUCTS	OFFICER SUPPLIES	76.40	24276
RUTGERS THE STATE UNIVERSITY	SHADE TREE - CORE TRAINING	50.00	24277
SOUTH JERSEY ENERGY	MARCH 2016	2,380.22	24278
SOUTH JERSEY ENERGY	MARCH 2018	100.30	24278
TANIS HARDWARE	STORM SUPPLIES	51.96	24279

TANIS HARDWARE	STORM SUPPLIES	39.96	24279
TANIS HARDWARE	SLEDGE HANDLE CO# 2	10.99	24279
THE DETROIT SALT COMPANY LLC	ROADWAY SALT-TONS	4,090.12	24280
THE DETROIT SALT COMPANY LLC	ROADWAY SALT-TONS	1,296.93	24280
TRAFFIC SAFETY & EQUIP, INC	TRAFFIC SAFETY SIGNS	96.00	24281
TREASURER, STATE OF NJ	STATE TRAINING FEES Q1	6,727.00	24282
VERIZON	4/1-4/30/18 201V63187599968Y	1,555.04	24283
VERIZON	4/1-4/30/18 201V63187599968Y	666.45	11533
VERIZON	4/16-5/15/18 201V02024334205Y	187.76	24283
VERIZON	4/17-5/16 000601742153 54Y	73.70	24283
VITAL COMMUNICATIONS, INC.	APRIL 1	100.00	24284
WALDWICK PRINTING COMPANY	BUSINESS CARDS	128.00	24285
WALDWICK PRINTING COMPANY	BUSINESS CARDS	38.00	24285
WINDSTREAM	SVC TO 4/10/18	1,408.30	24286
WINDSTREAM	SVC TO 4/10/18	469.44	11534
	TOTAL	\$591,370.57	

Council President Matthews entertained a motion to approve the bills and forward them to the Treasurer for payment, moved by Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes with the exception of Councilman Lane who abstained from bills pertaining to the Fire Department and Ambulance Corps., and Councilman Wojtecki who abstained from bills pertaining to the Fire Department. Motion carried.

PUBLIC COMMENT

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard, raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing none, Council President Matthews entertained a motion to close the public portion of the meeting, moved by Councilman Sinning, seconded by Councilman Lane. Carried on voice vote.

CLOSED SESSION

Council President Matthews entertained a motion to enter into closed session and adopt resolution CS 02-18, excluding the public from this portion of the meeting in order that the Council may discuss Personnel. Items to be discussed in the closed session can be disclosed to the public when a course of action is determined or a decision has been reached.

Motion by Councilman Lane, seconded by Councilman Sinning, carried on voice vote.

Council President Matthews made a motion to adjourn closed session and return into regular session, motion by Councilman Lane, seconded by Councilman Mele, on roll call all voted yes, motion carried.

ADJOURNMENT

At 8:05pm Council President Matthews entertained a motion to adjourn the regular meeting, moved by Councilman Wojtecki, seconded by Councilman Lane. Carried on voice vote.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL IS

MAY 16, 2018 at 7:00 PM

PERSONS WITH DISABILITIES WHICH REQUIRE AIDES SUCH AS: SIGN LANGUAGE INTERPRETER, TELECOMMUNICATIONS, BRAILLE, TAPES OR LARGE PRINT, SHOULD NOTIFY THE BOROUGH CLERK'S OFFICE TEN DAYS PRIOR TO ATTENDANCE AT A MEETING SO ACCOMMODATIONS MAY BE MADE.

Frank E. Matthews
Council President

Lori DiBella, RMC
Borough Clerk