

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:15 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.....	John N. Bertollo
Council Vice President .....	Frank E. Matthews
Councilman.....	John Lane
Councilman .....	Bruce Bennett
Councilman .....	Dominic Mele
Councilman .....	Garret Sinning
Councilman.....	Joseph Wojtecki
Borough Administrator .....	Eric Maurer
Borough Attorney.....	Michael J. Pasquale
Borough Engineer Representative.....	Pete Pannucci, Jr.
Borough Clerk.....	Lori Di Bella
<b><u>ABSENT:</u></b>	
Director of Revenue and Finance.....	Mary Jeanne Hewitt

### **FLAG SALUTE**

Council President Bertollo invited all present to join him in the Pledge of Allegiance.

### **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 18, 2014.

### **APPROVAL OF MINUTES:**

Council President Bertollo entertained a motion to approve the Minutes of the Regular Meeting of September 2<sup>nd</sup> and 16<sup>th</sup>, 2015; and Bid Minutes of September 30<sup>th</sup> for the SCADA Improvement Project, moved by Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes, with the exception of Councilman Lane and Councilman Wojtecki who abstained from the Regular Minutes of September 16<sup>th</sup>, 2015.

### **PUBLIC COMMENT** (Agenda Items Only)

Council President Bertollo 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 Bertollo entertained a motion to close the public portion, moved by Council Vice President Matthews, seconded by Councilman Sinning. On roll call, all voted yes.

### **ADOPTION OF ORDINANCES:**

#### **ORDINANCE NO. 2146-15**

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT CHAPTER 505, VEHICLES AND TRAFFIC, ARTICLE VII, EMERGENCY NO PARKING, SECTION 505-43, DESIGNATION OF SNOW EMERGENCY NO PARKING AREAS, AND SECTIONS 505-44 AND 505-45, RELATED THERETO, AS WELL AS SCHEDULE XXI, SECTION 505-75, SNOW EMERGENCY NO PARKING AREAS, SO AS TO IDENTIFY LOCATIONS THEREUNDER, OF THE CODE OF THE BOROUGH OF HAWTHORNE**

#### **Public Hearing**

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2146-15 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Joanne Behrens, 150 May Street

Ms. Behrens asked if they considered no parking as opposed to one side. Council President Bertollo stated this ordinance was drafted with the input of the Fire Department, Police Department, Emergency Services, our DPW and the Administration. The feeling was if we took away parking on both sides of the street it would be more of an issue for residents to find alternative parking. With one side we could clear an area for thoroughfare. Ms. Behrens continued, she asked if you live on the side that allows parking the one side is cleared, then when you move your car to the other side. Mayor Goldberg stated the next day.

Gregory Burgess, 176 Cedar Avenue

Mr. Burgess stated he is speaking on behalf of his mother-in-law. We have alternate side of parking when the street is cleaned, how does this affect the ordinance. Mayor Goldberg stated the snow ordinance would override the alternate side of the street parking if there are 2 or more inches of snow. Council President Bertollo added the only part of Cedar Avenue that is affected is the small portion between May Street and the continuation of May Street, just by the curve.

Alexandra, Soterio, 36 Sunrise Drive

Ms. Soterio stated many of us on that hill have driveways are 45 degrees incline and when snow happens for as long as she has been there they parked on the streets because there is no way we can get up/down those driveways. Thankfully she learned tonight there will be alternate side of the street parking.

Wallace Masiak, 54 Westervelt Avenue

He stated he applauds having the curb to curb plowing, however his concern where do we put the cars when there is such a volume of cars that parked on the corners North 8<sup>th</sup> and Westervelt Ave and North 9<sup>th</sup> and Westervelt Ave. We have no driveways; we only have an alley way in-between. Mayor Goldberg stated the school has been willing to work with us to have residents park at Washington School. Council President Bertollo added as we worked on this, our feeling is there may be some inconveniences; however part of this ordinance is an aggressive campaign to educate the people about getting off the streets.

Susan Severs, 17 Sunrise Drive

Ms. Severs stated she feels it's a safety issue having alternate side of the street parking on Sunrise Drive. We have a school, no sidewalks; everyone on Sunrise up to Dogwood has driveways big enough to accommodate every car on Sunrise Drive. There is no reason why everyone can't not use their driveways when they need to plow curb to curb. May Street and other small street where there is two-family homes that should be looked at separately.

Kristen Ahne, 24 No. 9<sup>th</sup> Street

Ms. Ahne stated this is a really big issue, last year there were people fighting over parking spots. It's upsetting, we want it plowed, but there is nowhere to go. People are either elderly or have small children. For us to walk to Washington School with two small children is not feasible there has to be a better and safer way. The streets were plowed for 12 hours and we still couldn't park there. Mayor Goldberg stated this ordinance will take care of that; once the snow stops and the road have been cleared you can park immediately. She feels this is going to be an on-going concern. Council President Bertollo added if the alternate side parking does not work the section of Westervelt/ Mohawk may revert back to us having to post the street for 6 to 8 hours, clean it up and re-post another section and try to clean it up. We will continue to monitor. Our general concern is that we make the street safe for the residents in case of an emergency.

Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2146-15 be closed and that it be resolved 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 Sinning, Discussion by Councilman Lane: two inches of snow seems like a little bit, he would like to increase that to 4-6" inches. Mayor Goldberg stated the two inches is the rule where the plows use to go out; at 3" inches we call in our secondary plows. It's a work in progress; if we find the 2" inch is restricted we will switch to 3" inches. Councilman Wojtecki added when we notice we should send it out bilingually. On roll call, all voted yes.

**ORDINANCE NO. 2147-15**

**AN ORDINANCE TO PROVIDE FOR A MID-BLOCK CROSSWALK ON LAFAYETTE AVENUE, PASSAIC COUNTY ROUTE 665, IN THE BOROUGH OF HAWTHORNE**

**Public Hearing**

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2147-15 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 Bertollo entertained a motion that the public hearing on Ordinance No. 2147-15 be closed and that it be resolved 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 Wojtecki, seconded by Councilman Sinning, on roll call, all voted yes.

**ORDINANCE NO. 2148-15**

**AN ORDINANCE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE EMPLOYEES OF THE BOROUGH OF HAWTHORNE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY.**

**Public Hearing**

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2148-15 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 Bertollo entertained a motion that the public hearing on Ordinance No. 2148-15 be closed and that it be resolved 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 Council Vice President Matthews, seconded by Councilman Mele, on roll call, all voted yes.

**BOND ORDINANCE NO. 2149-15**

**BOND ORDINANCE PROVIDING FOR RESURFACING OF THE ROLLER HOCKEY RINK AT THE HAWTHORNE HIGH SCHOOL ATHLETIC COMPLEX INCLUDING MILLING, PAVING AND RESURFACING, AND ALL WORK RELATED THERETO IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING NINETY THOUSAND (\$90,000) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES IN THE AMOUNT OF EIGHTY FIVE THOUSAND FIVE HUNDRED (\$85,500) DOLLARS BY THE BOROUGH FOR FINANCING THE SAME.**

**Public Hearing**

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Bond Ordinance No. 2149-15 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 Bertollo entertained a motion that the public hearing on Bond Ordinance No. 2149-15 be closed and that it be resolved 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 Council Vice President Matthews, seconded by Councilman Lane, on roll call, all voted yes.

**OLD BUSINESS:**

Council Vice President Matthews asked about the lights on Warburton Bridge. Mayor Goldberg stated he is as frustrated as everyone else. We have issued summonses that the contractor never responded to. It was a recommendation from our electrical inspector that we ask the County to pull the bond which the County has not responded to as of yet. Council Vice President Matthews stated he doesn't understand the County on this project, they have their own electricians on staff. People from Hawthorne are suffering because they are not completing their projects. Councilman Lane added one way to collect the fines on the UCC violations is that the electrical inspector can issue a summons to proceed to court and then let the Judge handle it and order them to pay.

Councilman Bennett stated Administrator Maurer had reported to him that Mr. Russo's trees are going to be removed by Friday. Council Vice President Matthews added Councilman Sinning has been asking for Mr. Stuber trees to be removed for years. Mayor Goldberg stated it has been more than three years and it is an embarrassment to him as he put in the request and he will have Administrator Maurer work on that tomorrow.

Councilman Lane asked Administrator Maurer the status of the tree at 116 Pasadena Place. Administrator Maurer stated it has been reported. Councilman Lane stated it has been two months since he reported on this. Limbs are falling down, there is a sidewalk there and someone could get hurt. Secondly is there an update on the ordinance that he asked for for Valley Street as far as the one side of the street parking for street cleaning. Mayor Goldberg stated the Ordinance Committee met yesterday to discuss, there was a study done by the Police Department which Councilman Sinning will report on during his committee report. He asked Administrator Maurer to look into LED lights. He is noticing a lot of different street lights in other communities are LED's, with PSE&G installing LED's it would cut down our rate per light for the town. Council President Bertollo stated we did talk to them about 2 years ago asking where Hawthorne is on the list. Administrator Maurer will follow up. Councilman continued; the County came along and cut all the weeds in Goffle Brook Park which are now lying on the banks of the brook, when is the County going to pick that up. Administrator Maurer stated he talked to the Superintendent of the Parks of the County, they are going to be cleaning it up, however they did not give him a date as to when that will happen.

### **NEW BUSINESS:**

Councilman Lane asked the mayor if he had any idea how the weights and measures scales are going with the Police Department. Mayor Goldberg responded we have been very successful working with Prospect Park. We have recovered many thousands of dollars in fines for overweight trucks.

Councilman Wojtecki asked if we can put in a request to the County to stripe Rea Avenue that crosses the County Park. Mayor Goldberg replied the County won't put in for a midblock crosswalk. The other two crosswalk requests are Ivan Place and Pocomoke Place.

Council President Bertollo stated as most of you know there is a project going on in town called Rivergate. Mr. Bedrin has aggressively pursued any avenue he can to try to get an affirmative approval on his project. He is misleading the public by telling them to get the Mayor and the Council to support this project. He used an on-line petition, he used Hawthorne Day, he used the Chamber of Commerce, whatever avenue he can get to promote this project. Now he is using the election. Council President Bertollo stated for the record this is not a Mayor and Council decision. It is an application before the Zoning Board of Adjustments that is involved in a lawsuit, therefore any decision by any elected official in regards to this is unethical in his opinion and is being done for political reasons.

### **ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG:**

**PROCLAMATIONS:** Mayor Goldberg presented the proclamation to Police Chief McAuliffe

#### **PUT THE BRAKES ON FATALITIES DAY**

WHEREAS, across the nation, traffic crashes caused approximately 32,675 (est.) fatalities in 2014, and are the leading cause of death for young people ages 15 to 34; and

WHEREAS, in New Jersey, 556 individuals lost their lives in traffic crashes in 2015; and

WHEREAS, alcohol-related crashes accounted for 27.0 percent of the State's traffic fatalities, while 26 percent of all fatal crashes involved traveling at unsafe speeds; and

WHEREAS, motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and

WHEREAS, 60 motorcyclists, 11 bicyclists and 170 pedestrians were killed in New Jersey in Traffic-related crashes in 2015; and

WHEREAS, safer driving behaviors such as buckling up, every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive

driving behaviors; never driving impaired; wearing proper safety gear while riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths; and

NOW THEREFORE LET IT BE RESOLVED that the Mayor and Council of the Borough of Hawthorne do hereby proclaim October 10, 2015; Put The Brakes On Fatalities Day®, and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Borough of Hawthorne to be affixed this 7th day of October, 2015.

Chief McAuliffe addressed the Council, “I know everyone understands about our “Pink Hat Campaign” that we have been advertising. On behalf of the Administrator, Mayor, the Council and the entire administration staff I made a donation to the “Pink Hat Campaign” as you have been supportive of our law enforcement and our emergency responders for a lot of years.”

**PROCLAMATIONS:** Mayor Goldberg presented the proclamation to Margo Lane (Operations Manager) and Paul Van Ostenbridge (President & CEO)

### **ATLANTIC STEWARDSHIP BANK 30<sup>TH</sup> ANNIVERSARY**

WHEREAS, Atlantic Stewardship Bank is celebrating their 30<sup>th</sup> Anniversary; and

WHEREAS, Atlantic Stewardship Bank was founded in 1985 with a specific purpose: to provide quality financial service to both businesses and individual customers; and

WHEREAS, the Bank is known throughout northern New Jersey for its commitment to charitable service and for its outstanding customer service; and

WHEREAS, Atlantic Stewardship Bank, the concept of Paul Heerema, was designed to tithe, or share, ten percent of its yearly pre-tax earnings annually, and under the leadership of President and CEO Paul Van Ostenbridge, continues this stewardship; and

WHEREAS, over \$8.2 million has been given under the Bank’s unique Tithing Program since its inception; and

WHEREAS, Atlantic Stewardship Bank offers financial support to Christian charities, non-profit organizations, schools, healthcare facilities, and civic organizations which are local to the Branch’s offices; and

WHEREAS, Atlantic Stewardship Bank has two of its twelve branch offices in the Borough of Hawthorne, one on Lafayette Avenue and the other on Goffle Road; and

WHEREAS, Atlantic Stewardship Bank continues to support numerous Hawthorne organizations, such as the Louis Bay 2<sup>nd</sup> Library, Hawthorne Christian Academy, the Hawthorne Volunteer Ambulance Corp, the Rotary Club, the Hawthorne Fire Department, Hawthorne PBA Local #210, the Hawthorne Baseball Softball Organization, and Hawthorne Day, just to name a few; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the proud Borough of Hawthorne do hereby acknowledge, congratulate and wish continued success to the Atlantic Stewardship Bank and its staff on 30 years of service as they celebrate this special anniversary.

**Mayor Goldberg continued his report:**

He thanked everyone who made Hawthorne Day a great event; Chairman Joe Ross and his Co-Chair Michelle Hyams, his assistant Ellen Brogno, and everyone who participated and those who volunteered. Save the date for next year - September 24<sup>th</sup>, 2016. He commends the Rotary Club for their 2<sup>nd</sup> Annual “Taste of Hawthorne” event, it was a great event attend by almost 400 people. Restaurant Week begins this Saturday, check the Chamber of Commerce website for more information. The Mayor’s Halloween Parade will be held on Thursday, October 29, at Roosevelt School, 7pm. This is a date change to the parade and as published on the Borough calendar. Council President Bertollo will be representing him on his behalf because he is not available that night. Our Hawthorne Police Department is the first Passaic County Department participating in the “Pink Hat Campaign” this month, spreading awareness and raising money for breast cancer support and research. The money raised goes to the October Women Foundation, who matches the amount raised and donates the same to Columbia University Medical Center.

Residents can purchase pink support hats for \$25. The Library has announced that it will host the Golden Circle Group, which meets bi-monthly and is open to both Seniors and Veterans. Just a reminder Veterans Day is Wednesday, November 11; there will be a service here at Borough Hall at 11am, followed by a street dedication at 1pm at the corner of Ekings Avenue and 11<sup>th</sup> Avenue for WWII Veteran Lt. Paul Candalino.

## **REPORTS:**

### **Attorney Michael Pasquale**

Mr. Spedula has filed an appeal which we will defend. It is an appeal for the \$1000 fines that he was hit with by the Superior Court. There was one tax appeal settlement that is on the agenda tonight with regards to one of our long standing appeals for a local bank. Because we have a new Judge who is aggressively attacking the calendar backlog attorneys are now being told to get the work done and get ready to try your cases or settle. With this settlement we are refunding \$3000 worth of tax for 7 years' worth of appeals which is an amazingly low number. Correspondences went out to the Council today with regard to the Form of Order that is going to be entered with regard to the application 204 Wagaraw Road. When you are in court auguring a motion one of the two attorneys is appointed a volunteer to write an Order consistence with what the Judge ruled. In this case the attorney representing 204 Road wrote things into an Order that was completely untrue, that was misrepresentation of the facts & laws as found by the Judge and even included one item that the Judge absolutely did not address or decided. Therefore, he supplied the Court with alternate Form of Order.

### **Boswell Engineering Representative, Pete Pannucci, Jr**

#### 1. Washington Avenue (2014 NJDOT).

The final punch list items are being completed. Close out procedures are in progress.

#### 2. Rock/Braen/Goffle Intersection.

The contractor received the three (3) no left turn arrow signs on Wednesday, Sept. 30<sup>th</sup>, which are expected to be installed on the northeast corner property either Thursday or Friday, Oct. 1<sup>st</sup> or 2<sup>nd</sup>.

#### 3. Band Shell.

Foundation walls are being constructed along with the ADA ramp. Work is in progress. Electrician is on site starting to rough in and investigate electrical service.

#### 4. Streetscape Project.

The DOT is waiting for a letter from the County approving the plans. Plans were sent to the County on Sept 15, 2015.

#### 5. SCADA Upgrades.

Bids were received on Wednesday, Sept. 30<sup>th</sup>, as part of the re-bid for this project. The bid received exceeded the Borough's budget. The Borough can now consider negotiating the project and work with interested contractors.

#### 6. 2015 Road Resurfacing Program.

Striping resumed on Sept. 28<sup>th</sup>, but GC did not post "No Parking" signs. The remainder of the striping is being scheduled and striping should be completed by the end of the week.

Hawthorne Avenue and Mountain Avenue were inspected last week during one of the anticipated rain events. We are meeting with the contractor to discuss remedies to solve the problem.

#### 7. Braen Avenue.

Concrete work began the week of Sept. 28<sup>th</sup>. Our inspector met with Hawthorne Chevrolet on Tuesday, Sept. 29<sup>th</sup>, to finalize the traffic plan for milling and paving operations, and will coordinate the same with both the Wyckoff PD and Industrial Park.

#### 8. Water System Generators.

FEMA verbally approved the Borough's application. A formal acceptance letter is forthcoming and a kick off meeting required.

#### 9. DPW Building.

We are proceeding with the preparation of plans and specifications at this time. HVAC Contract was authorized for the fire protection and our structure department is reviewing the building plans.

10. Library Roof.

With the pending rain forecast, Paino Roofing was asked to inspect the library to confirm no roof leaks are present.

11. Library HVAC.

We are preparing the bid package for the HVAC. We will be coordinating with the Library Director

**Administrator Maurer**

The conversion to the new Edmunds software for the general finance module is beginning tonight. We completed the tax and water billing sections; this is the final piece of the software conversion. DPW is now preparing for leaf season; schedules have gone to the printer, which should be sent to the residents shortly. Leaf bags for residents choosing to bag their leaves will be available beginning October 17<sup>th</sup> at the recycling center. Residents are allowed 15 free bags after which there is a fee of 3 bags for \$1. Leaf collection begins the week of November 2<sup>nd</sup>. Our new Zoning Officer Gene DeAugustines will begin evening office hours from 5-7pm on the 1st and 3<sup>rd</sup> Tuesday of the month for residents with zoning questions who find daytime hours inconvenient. We have oral approval for the generator grant; however it is still going to be another couple of weeks to put together the grant agreement. The State is making \$2.5million available to local police departments for the purchase of buying more cameras at \$500 per unit. \$125,000 of this money is available to departments in Passaic County. Our Police Department is working on this application which is due with the County Prosecutor by this Friday, which in turn must submit to the State by October 15<sup>th</sup>. Assuming we are successful this will reduce the amount of local funds being spent on this effect. Although the State Council and Local Mandates has now joined enforcement requirements that dash or body cameras being used for new police cars, it is still the recommendation of this administration that we proceed with the acquisition to have body cameras for all officers. We are still encountering delays with the bank holding the mortgage for the 2<sup>nd</sup> flood prone property in our buy-out program. We are hoping to get approval for a short sale soon. Demolition for the first property is scheduled for the end of this month. It appears the 3<sup>rd</sup> property owner will not be selling the property, he asked for a couple of more weeks. The New York Susquehanna Railroad will reconstruct the grade crossing on Central Avenue starting November 2<sup>nd</sup> through November 6<sup>th</sup>. That crossing will be closed for that week. After this, that will complete all the upgrades of all the grade crossings in Hawthorne. We are awaiting a 3<sup>rd</sup> quote for new "Welcome to Hawthorne" signs. He is working with the Fire Department, the Glen Rock Fire Department and attorneys for the two municipalities on the share service agreement for joint use and funding of our fire training center. They should have a resolution on this by November. Borough Clerk has been collecting a list of items for our next auction, which we will be conducting on-line and should have a resolution for action by next council meeting.

**Questions for the Administration**

Councilman Lane asked Pete Pannucci, Boswell Representative to look at the striping they did on Goffle Road, he does not see anywhere where you can have a left hand turn lane and a straight lane in that area.

Councilman Mele asked Administrator Maurer whether we have to do applications again for extra help for leaf pick-up season. Mayor Goldberg stated we already hired help and they budgeted for four but hired only three but for a longer period of time. They feel with the new clamshell and the extras boxes they can be more productive.

Council President Bertollo asked when they stripe on Washington Ave, will our Police Department be posting "No Parking" on the streets and are we doing Washington Street at the same time. Administrator Maurer replied yes.

Council President Bertollo entertained a motion to record the Administrative Agenda, moved by Councilman Bennett, seconded by Councilman Mele. On roll call, all voted yes.

**INTRODUCTION OF ORDINANCES:** None.

**RESOLUTIONS...**

**CONSENT AGENDA: R 190-15 through R195-15**

**R 190-15                      Introduced by Councilman Mele**

Borough of Hawthorne payroll dated 9/18/15 and

CURRENT FUND	WT 888889	279,613.19
WATER OPERATING FUND	WT 888889	40,495.95
	TOTAL PAYROLL	320,109.14
CURRENT FUND TO PAYROLL/FICA	WT 888889	14,597.52
WATER OPERATING FUND TO PAYROLL/FICA	WT 888889	0.00
	TOTAL FICA	14,597.52

also for the payroll dated 10/2/15.

CURRENT FUND	WT 888889	271,433.08
WATER OPERATING FUND	WT 888889	39,512.24
OTHER TRUST II FUND	WT 888889	26,618.24
	TOTAL PAYROLL	337,563.56
CURRENT OPERATING FUND TO PAYROLL/FICA	WT 888889	13,844.80
WATER OPERATING FUND TO PAYROLL/FICA	WT 888889	0.00
	TOTAL FICA	13,844.80

**R 191-15 Introduced by Councilman Mele**

WHEREAS: There appears on the tax record an overpayment caused by a duplicate payment; and

WHEREAS: the Collector of Taxes recommends the refund of said overpayment for the 3<sup>rd</sup> quarter of 2015,

NOW, THEREFORE, BE IT RESOLVED: By the Municipal Council of the Borough of Hawthorne that the Tax Collector be authorized to issue a refund to the Homeowner listed below:

<u>Blk/Lot</u>	<u>Name and Address</u>	<u>Amount</u>
93/7	Worrall, Debra M. 37 Bamford Ave.	\$2,276.72

**R 192-15 Introduced by Councilman Mele**

WHEREAS, the annual principal payment and the semi-annual interest payment for the General Serial Refunding Bonds of 2009 becomes due and payable on October 15, 2015.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer is hereby authorized to wire funds in the amount of \$220,000.00 in payment of principal and \$7,160.00 in payment of interest from the Current Fund to Chase Bank NY Account #066-027306.

WHEREAS, the annual principal and the semi-annual interest payment and the annual principal payment for the General Serial Refunding Bonds 2009 became due and payable on October 15, 2015.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized, to wire funds in the amount of \$220,000.00 in payment of principal and \$7,160.00 in payment of interest from the Current Fund, made payable to Depository Trust Company. This is to ratify the actions taken on the anniversary dates of each issue.

**R 193-15 Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne has received and reviewed bids for the replacement of existing Remote Terminal Units (RTU's) at various locations in the Borough's water utility SCADA system as well as software upgrades; and

WHEREAS, as part of the bid packet and specifications the Borough of Hawthorne reserved unto itself the right to accept or reject the lowest responsible bid in its discretion; and

WHEREAS, one bid was received on July 21, 2015 from NSI Neal Systems, Inc., of Newton, Pennsylvania in total sum of \$66,000; and

WHEREAS, the amount of the bid exceeded the cost estimated for completion of the work in question, resulting in the rejection of such bid by the Municipal Council; and

WHEREAS, a second solicitation by way of bid was created by the Borough of Hawthorne, maintaining the same scope of work but removing certain items which were considered by the Municipal Engineer to be likely to result in a bid below the estimate created for the work; and

WHEREAS, one bid was again received when bids were opened on September 30, 2015, again from NSI Neal Systems, Inc., this time in total sum of \$68,100, an amount higher than the original bid, despite removal of certain items from the bid requirements; and

WHEREAS, the Administration, with concurrence from the Municipal Attorney, again recommends that the bid should be rejected as the bid received is in excess of the estimate prepared; and

WHEREAS, the Municipal Attorney, upon review of the bid, also determined that the Consent of Surety received as part of the bid packet was not compliant as it did not specifically indicate that the bond to be issued would be for the full amount of the amount of the contract to be awarded, making the bid fatally defective;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does hereby reject the bid received in connection with the project in question for reasons set forth above and does authorize the Administrator and the Clerk to take all appropriate action to so notify all persons who submitted bids in connection therewith.

**R 194-15                    Introduced by Councilman Mele**

WHEREAS, the County of Passaic, through its Department of Senior and Disability Services and Veterans' Affairs, operates Congregate Nutrition Sites at various locations throughout the County, providing meals to eligible Senior Citizens, including one at the Hawthorne Ambulance Corps Building located on Goffle Road in the Borough of Hawthorne; and

WHEREAS, the said Ambulance Corps building is owned by the Borough of Hawthorne and utilized by the County of Passaic in accordance with a Shared Services Agreement executed by the County of Passaic and the Borough of Hawthorne; and

WHEREAS, there is mutual benefit to be derived from the arrangement insofar as citizens of the municipality and county receive an important service, the Borough of Hawthorne receives remuneration for making available its facility, and the County of Passaic has been able to continue to offer this program to county residents at a cost less than that it was required to pay if it was to continue at the site formally utilized by the County of Passaic, all in furtherance of the objectives of the Uniform Shared Services and Consolidation Act, NJS 40A: 65-1, et. seq.; and

WHEREAS, the Passaic County Board of Chosen Freeholders has adopted a resolution agreeing to extend the said Shared Services Agreement for an additional one year term upon the same terms and conditions as the existing agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does authorize and approve of the execution of an extension of a shared services agreement with the County of Passaic, allowing for use of the Ambulance Corps Building on Goffle Road in connection with its Congregate Nutrition Program, with payment as set forth therein, and subject to review and approval of such agreement by the Borough Attorney.

**R 195-15                    Introduced by Councilman Mele**

WHEREAS, the Tax Assessor has recommended the settlement of real estate tax appeal cases now pending in the Tax Court of New Jersey, by adjustment of the assessment for the tax years in dispute for the properties listed below and the same appears to be fair and reasonable;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that the following settlement of cases pending in the Tax Court of New Jersey be, and hereby is, approved, and the Borough Attorney is hereby authorized and directed to execute a Stipulation of Settlement, and any other

document necessary or appropriate to effectuate the same, in accordance with the memo submitted herewith and made a part hereof.

<u>Property Owner</u>	<u>Property Address</u>	<u>Block and Lot</u>
TD Bank	609 and 617 Lafayette Avenue	Block 165, Lots 6 and 8

Council President Bertollo entertained a motion to approve consent agenda resolutions R190-15 through R195-15, moved by Councilman Mele, seconded by Councilman Sinning. Discussions by Council President Bertollo regarding SCADA bid, “Are we going forward with the negotiation with a company?” Mayor Goldberg stated yes, once we go out to bid twice we have to negotiate. Council President Bertollo continued, regarding R194-15 with the shared service agreement with the County, he stated he is very happy with this program and that they are keeping this in town. Councilman Lane added the director they have there on a daily basis is doing a fantastic job. On roll call, all voted yes.

**REPORTS OF SPECIAL COUNCIL COMMITTEES:**

**Councilman Wojtecki** – The next Board of Education meeting is 7:30pm on October 20<sup>th</sup>.

**Councilman Sinning** – Yesterday the Ordinance Committee met with five items on the agenda. We had some discussion on the Fire Department Ordinance. We had sample ordinances that were proposed by the Administrator and the Borough Attorney that has to do with property that has been foreclosed on by the bank, requiring an agent or someone for the borough to contact with uncut grass etc. We also discussed if we need an ordinance for the library crosswalks, Borough Attorney feels we do not need one. The amount of non-resident parking is not being utilized therefore we are going to make some of that additional resident parking. Lastly, on the Valley Street parking, the recommendation of the Police Department was they saw no reason to put up “no parking” signs. Councilman Lane stated he asked for a sign for a day when they are going to do street cleaning, not no parking. Mayor Goldberg stated they will re-examine.

**Council Vice President Matthews** – The Finance Committee met last week and discussed the Best Practices List. The Chamber of Commerce has a Craft Show, Sunday on October 11<sup>th</sup> down at the Farmers Market, on October 18<sup>th</sup> there will be a “Junk in the Trunk” for residents who want to bring their stuff down to sell, give away, trade in. On October 18<sup>th</sup> there is also Halloween dog costume contest. October 25<sup>th</sup> is the last Sunday of the Farmers Market.

**Councilman Bennett** – the Public Works Committee met on the 21<sup>st</sup> and most of the items we discussed have already been covered, however regarding the 2016 Road Program we are now taking any recommendations from Council persons. The next Public Works meeting is scheduled for October 19<sup>th</sup>.

**Councilman Mele** – The Municipal Alliance committee met and the big discussion was Peer Leadership Conferences, no date has been set as yet.

**Councilman Lane** – The Ambulance Corps is having their annual tricky tray and dinner at Macaluso’s on October 22<sup>nd</sup>, tickets are available at the Ambulance Corps 973-427-1818.

**CORRESPONDENCE:** None.

**MISCELLANEOUS:** None.

**BILLS:**

Council President Bertollo entertained a motion to approve the bill list as amended (four vouchers added for contractors for the 2015 Road Program and for the Band Shell) 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 for bills pertaining to the Ambulance Corps and Fire Department; Councilman Wojtecki who abstained from bills pertaining to the Fire Department, and Council President Bertollo who abstained from bills pertaining to Downes Tree Service.

VENDOR	CHECK#	TOTAL	DESCRIPTION
ROUTE 23 AUTO MALL	19592	51,724.00	POLICE DEPT O/E
VERIZON WIRELESS (N)	19593	344.13	POLICE DEPT O/E
VERIZON	19594	167.45	VARIOUS

A-VAN ELECTRICAL	19595	74.91	STREETS & ROADS O/E
ACTION DATA SERVICES	19596	914.65	VARIOUS
AGL WELDING SUPPLY CO, INC	19597	227.33	VARIOUS
ALL SHRED SERVICE	19598	187.35	DPW ADMIN O/E
ALLIED 100 LLC	19599	6,626.75	FIRE DEPT O/E
ANTHONY A LOZARDO, MD	19600	375.44	POLICE DEPT O/E
BCB JANITORIAL SUPPLY CO INC	19601	464.90	DPW ADMIN O/E
BEST CLEANING SERVICES	19602	1,300.00	DPW ADMIN O/E
BOB'S TIRES & WHEELS INC	19603	1,175.00	VEHICLE MAINT POLICE
BOLTZER LANDSCAPING INC	19604	1,965.24	MAINTEN OF PARKS
BOSWELL ENGINEERING, INC	19605	4,912.00	ENGINEERING SERVICES O/E
BRAEN STONE INDUSTRIES, INC	19606	867.10	VARIOUS
CANON FINANCIAL SVCS INC	19607	43.00	STREETS & ROADS O/E
CAPITAL ALTERNATIVES CORP	19608	19,500.00	GENERAL ADMIN O/E
CHRISTOPHER DREW	19609	1,100.00	MUNICIPAL ALLIANCE
CINTAS CORP	19610	417.40	DPW ADMIN O/E
COMMUNITY OPTON INC	19611	20.00	CONTRA REVENUE
CUB SCOUT PACK 30	19612	440.00	CLEAN COMMUNITIES
D FANTAUZZI	19613	360.00	VEHICLE MAINT FIRE DEPT
DAVE STERN INC	19614	1,293.98	VEHICLE MAINT ROAD
DEBRA M. WORRALL	19615	2,276.72	TAX OVERPAY
DIVERSIFIED INSPECTIONS	19616	1,300.00	VEHICLE MAINT FIRE DEPT
DONALD TURNER, SR	19617	120.00	POLICE DEPT O/E
DOWNES TREE SERVICE, INC.	19618	2,200.00	SHADE TREE COMMISSION
DUKE'S ROOT CONTROL INC.	19619	4,672.19	SEWER SYSTEM O/E
ELLIOTT LEWIS CORP	19620	2,037.00	DPW ADMIN O/E
FDR HITCHES LLC	19621	11.74	STREETS & ROADS O/E
FED EX	19622	30.08	BULK PURCHASE GASOLINE
FIRST MOUNTAIN ARBORICULTURE L	19623	780.00	SHADE TREE COMMISSION
GARDEN STATE HGWY PROD, INC	19624	3,760.78	VARIOUS
GINA PULUSE	19625	180.00	GROUP INSURANCE O/E
HAWTHORNE AUTO LAB	19626	2,949.21	VARIOUS
HAWTHORNE PRESS INC	19627	227.42	VARIOUS
HFD #1	19628	12.87	FIRE DEPT O/E
HFD #4	19629	1,745.00	VARIOUS
HORIZON BLUE CROSS BLUE SHIELD	19630	343,076.49	GROUP INSURANCE O/E
IMPAC FLEET INC.	19631	2,441.01	BULK PURCHASE GASOLINE
JERSEY ELEVATOR INC	19632	154.26	DPW ADMIN O/E
JOANNE GRAZIANO	19633	51.98	MUNICIPAL ALLIANCE
JOHN DEERE LANDSCAPE	19634	691.39	MAINTEN OF PARKS
KIEFER	19635	1,718.65	SWIMMING POOL O/E
LANGUAGE LINE SERVICES	19636	195.96	VARIOUS
LOUIS BARBATO LANDSCAPING INC	19637	19,305.00	SHADE TREE COMMISSION
LOWES HOME IMPRV BUSINESS ACCT	19638	50.27	STREETS & ROADS O/E
M & B SEPTIC SERVICE, LLC	19639	84.00	BOARD OF REC
MAIN POOL & CHEMICAL CO, INC	19640	968.50	SWIMMING POOL O/E
METLIFE	19641	316.02	GROUP INSURANCE O/E
MONTONE REMOD & CONS CO, INC	19642	450.00	STREETS & ROADS O/E
NJ DIV-ALCOHOLIC BEV CONTROL	19643	54.00	MUNICIPAL CLERK O/E
NJ SHADE TREE FEDERATION	19644	490.00	SHADE TREE COMMISSION
NJ STATE LEAGUE MUNICIPALITIES	19645	1,205.00	VARIOUS
NJLCA	19646	185.00	MAINTEN OF PARKS
NO JERSEY MUNI EMPL BNFT FUND	19647	138,018.00	VARIOUS
OCCUPATIONAL MEDICAL ASSO	19648	340.00	FIRE DEPT O/E
PAETEC	19649	819.71	TELEPHONE CHARGES
PASCACK DATA SERVICES	19650	6,388.21	VARIOUS
PHYLLIS WOOLDRIDGE	19651	12.10	BOARD OF HEALTH O/E
PUBLIC SERV ELEC & GAS	19652	25,748.91	VARIOUS
R & R PUMP & CONTROL	19653	585.50	SEWER SYSTEM O/E
R & R RADAR INC	19654	626.60	POLICE DEPT O/E
RESURRECTION CYCLE WORKS LLC	19655	2,254.14	VEHICLE MAINT POLICE
RT OFFICE PRODUCTS	19656	573.44	VARIOUS

SHOTMEYER BROS FUEL CO	19657	223.50	SEWER SYSTEM O/E
STAPLES	19658	2,520.57	VARIOUS
STATE LINE FIRE & SAFETY INC	19659	1,187.88	VARIOUS
SUBURBAN GENERATOR	19660	1,020.91	FIRE DEPT O/E
TOTAL ADMIN SERVICES CORP	19661	230.00	GROUP INSURANCE O/E
TRANSUNION RISK & ALTERNATIVE	19662	1.75	POLICE DEPT O/E
TREADWAY GRAPHICS INC	19663	1,387.66	MUNICIPAL ALLIANCE
TREASURER - STATE OF NJ	19664	80.00	MAINTEN OF PARKS
UNCLE BOB'S SELF STORAGE	19665	199.00	MUNICIPAL CLERK O/E
US BANK EQUIPMENT FINANCE	19666	159.00	DPW ADMIN O/E
US MUNICIPAL SUPPLY, INC.	19667	8,139.07	VEHICLE MAINT ROAD
VERIZON	19668	1,403.97	TELEPHONE CHARGES
VERIZON WIRELESS (N)	19669	212.79	TELEPHONE CHARGES
WM B MAHWINNEY AMBULANCE CORPS	19670	1,250.00	DPW ADMIN O/E
YANKEE PROPANE, INC	19671	<u>36.00</u>	FIRE DEPT O/E
<b>TOTAL CURRENT</b>		<b>\$ 681,659.88</b>	
<b>GENERAL CAPITAL</b>			
BOSWELL ENGINEERING, INC	3438	16,382.00	VARIOUS
HAWTHORNE PRESS INC	3439	51.48	VARIOUS
PHILLIPS PREISS GRYGIEL LLC	3440	<u>390.00</u>	ACQUISIT OF PROPERTY
<b>TOTAL GENERAL CAPITAL</b>		<b>\$ 16,823.48</b>	
<b>WATER OPERATING</b>			
ACCURATE TANK TESTING, LLC	10308	2,500.00	WATER UTILITY O/E
ACTION DATA SERVICES	10309	228.66	VARIOUS
AGL WELDING SUPPLY CO, INC	10310	113.67	WATER UTILITY O/E
AGRA ENVIRONMENTAL SVC	10311	2,425.00	VARIOUS
BCB JANITORIAL SUPPLY CO INC	10312	119.80	WATER UTILITY O/E
CANON FINANCIAL SVCS INC	10313	43.00	WATER UTILITY O/E
CAPITOL SUPPLY CONSTR PRODS IN	10314	2,549.15	WATER UTILITY O/E
COMMERCIAL BUSINESS FORMS,INC.	10315	524.50	WATER UTILITY O/E
CR INDUSTRIAL SERVICES INC	10316	706.40	WATER UTILITY O/E
GP JAGER INC	10317	11,760.51	VARIOUS
HAWTHORNE AUTO LAB	10318	698.00	WATER UTILITY O/E
HENRY'S PLUMBING & HEATING INC	10319	52.22	WATER UTILITY O/E
IMPAC FLEET INC.	10320	597.85	WATER UTILITY O/E
NO JERSEY MUNI EMPL BNFT FUND	10321	50,754.00	GROUP INSURANCE EMPLOYEES
PAETEC	10322	273.24	WATER UTILITY O/E
PUBLIC SERV ELEC & GAS	10323	59,477.04	WATER UTILITY O/E
RIO SUPPLY, INC	10324	400.00	WATER UTILITY O/E
RT OFFICE PRODUCTS	10325	233.86	VARIOUS
STATE LINE FIRE & SAFETY INC	10326	136.20	WATER UTILITY O/E
STATE OF NJ - PWT	10327	2,152.03	WATER UTILITY O/E
VERIZON	10328	601.70	WATER UTILITY O/E
VERIZON WIRELESS (N)	10329	<u>212.79</u>	WATER UTILITY O/E
<b>TOTAL WATER OPERATING</b>		<b>\$ 136,559.62</b>	
<b>OTHER TRUST II</b>			
AMERICAN HOSE CO INC	5123	1,819.00	RECYCLING
BERGEN COUNTY FIREFIGHTERS	5124	1,500.00	PUBLIC EVENTS TRUST
DOWNES TREE SERVICE, INC.	5125	230.00	PUBLIC EVENTS TRUST
ELLEN BROGNO	5126	100.00	PUBLIC EVENTS TRUST
ENVIRONMENTAL RENEWAL, LLC	5127	125.00	RECYCLING
HHH CORP	5128	516.81	RECYCLING
NO JERSEY MUNI EMPL BNFT FUND	5129	10,000.00	UCC PENALTIES
POSTMASTER-PATERSON	5130	1,400.00	RECYCLING
STATE LINE FIRE & SAFETY INC	5131	273.42	RECYCLING
SUPERIOR DISTRIBUTORS	5132	221.12	RECYCLING
THOMAS ZACONIE	5133	68.75	UCC PENALTIES
WILFRED MAC DONALD, INC	5134	<u>1,514.00</u>	RECYCLING
<b>TOTAL OTHER TRUST II</b>		<b>\$ 17,768.10</b>	

**OTHER TRUST | ESCROW**

BOSWELL ENGINEERING, INC	7072	<u>380.00</u>	ANENNA PLAN REVIEWS
<b>TOTAL OTHER TRUST   ESCROW</b>		<b>\$ 380.00</b>	

**TOTAL BILL LIST** **\$ 853,191.08**

**PUBLIC COMMENT**

Council President Bertollo 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.

Harry McCoughlin, 184 South Avenue

Regarding the striping, the area on Lafayette on the corner of South & Llewelyn will that be restriped with the yellow boxes for the no parking? Administrator will follow up. Mr. McCoughlin continued and asked who deposited the \$256 present onto his tax bill. Council President Bertollo responded, “the Passaic County Freeholders.”

Patty Pasquino, 51 McFarlan Avenue

She wanted to follow up with the curb cut by the library near the crosswalks. Mayor stated we have not put a curb cut in yet because the Council has talked about moving parking for the staff on Grand Avenue and having parents with children in the parking lot and put a walkway from the parking lot to the back door. Ms. Pasquino asked (as she did at a previous meeting) the area on East Prospect, by Washington School there is no sidewalks there is a gravel area can that be paved. Borough Attorney stated as a rule we do not put in sidewalks in spot locations like that, however this is something that we can take a look at. Ms. Pasquino continued – is there was an ADA Coordinator in Hawthorne? Mayor Goldberg replied we did have an ADA Coordinator; she left and has not been replaced. She thanked the Police Department for their support of Breast Cancer Awareness.

Council President Bertollo asked if anyone wished to be heard. Seeing none, Council President Bertollo entertained a motion to close the public portion of the meeting, moved by Council Vice President Matthews, seconded by Councilman Sinning. On roll call, all voted yes.

**ADJOURNMENT**

At 9:43 p.m. Council President Bertollo entertained a motion to adjourn the regular meeting, moved by Council Vice President Matthews, seconded by Councilman Lane. All in favor and all responded “Aye “.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE  
**WEDNESDAY, OCTOBER 21, 2015**  
THE WORK SESSION WILL BEGIN AT 7:00PM. WITH THE REGULAR MEETING  
IMMEDIATELY FOLLOWING  
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.

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John N. Bertollo, Council President

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Lori DiBella, RMC, Borough Clerk