

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:45 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
Council Vice President	John Bertollo
Councilman	John Lane
Councilman	Dominic Mele
Councilman.....	Garrett Sinning
Councilman	Joseph Wojtecki
Borough Administrator	Eric Maurer
Borough Attorney.....	Michael J. Pasquale
Borough Engineer	Dr. Stephen T. Boswell
Borough Clerk.....	Lori DiBella
Absent: Director of Revenue and Finance.....	MaryJeanne Hewitt
Absent: Councilman.....	Bruce Bennett

FLAG SALUTE

Council President Matthews 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, 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 19, 2013.

APPROVAL OF MINUTES

Council President Matthews entertained a motion to approve the Minutes of the Regular Meeting of January 15th, 2014, moved by Council Vice President Bertollo, seconded by Councilman Wojtecki. On roll call, all voted yes.

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 the public portion, moved by Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes.

ADOPTION OF ORDINANCES: None

OLD BUSINESS

Councilman Wojtecki asked for the status regarding the 2014 County Health Services Contract. Administrator Maurer responded we received the proposed contract today; he is reviewing the contract before presenting to the Council.

Councilman Mele questioned the Administrator regarding the procedure for street lights being out as they have been out for a month and we are still paying for them. Administrator Maurer explained that if a light is out for particular period of time he would request a credit. He stated he will follow up to get those lights repaired.

Councilman Lane announced the Braen/Rock/Goffle Intersection project he and the Mayor have been working on will be commencing in the spring. The County will be receiving bids on February 25th. Councilman Lane asked for an update on the traffic situation on Rea & 5th Avenue's. Administrator Maurer explained it has been reviewed by the Ordinance Committee, most of the problems can be rectified by painting the curb in the no parking areas as well as installing signage. Councilman Lane questioned whether they were going to enforce the no parking on the west side of 5th Avenue. Mayor Goldberg responded that the Police are aware of the situation and have been issuing summonses. Mayor Goldberg also stated the Council Committee, Administration and the Police have been working on and

discussing extending no parking on the west side as well as considering no parking on one side of Utter Avenue above 5th Avenue. Councilman Lane asked how to rectify complaints from neighbors pertaining to the speed and the size of the trucks going through that area. Mayor Goldberg stated that Ulmar has relocated their entrances as well as staging their trucks on their property which have relieved some of the congestion. Vice President Bertollo added that he will forward the Ordinance Committee report to the Council which reiterates the steps that are being discussed to alleviate the situation. Councilman Lane asked Administrator Maurer for an update on the noise situation coming from Premio. Administrator Maurer stated he will follow up with Premio and will update the Council within the next two weeks. Councilman Lane asked Administrator Maurer if there was a service contract for the ambulance garage doors as the doors crashed down on top of a rig, causing damage. Administrator Maurer indicated there is no contract at the moment, but will research adding it to the budget. Councilman Lane questioned whether the Borough is responsible for snow removal for the engine room entrances at the fire houses. Administrator Maurer stated yes, and today's issue was addressed with Public Works as well as advising to make this a higher priority going forward.

NEW BUSINESS

Councilman Wojtecki stated he did not see snow plows in Ward's 1 and 2. Administrator Maurer responded there were some problems with the contractor and a meeting will be held tomorrow with DPW and the outside contractors to discuss a variety of issues. A report will be forth coming from the DPW which he will discuss with the Council.

Councilman Sinning asked about the signs northbound on Goffle Road stating "ramp work ahead" but has not seen any workers. Dr. Boswell stated these signs are usually put up 30 days prior to work commencing, however he further investigate.

Councilman Lane asked Administrator Maurer whether Attorney Pasquale will also be reviewing the County health contract to which Administrator responded yes.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG:

Mayor Goldberg announced and congratulated the following winners of the Passaic County calendar poster contest:

Kayla Oh - January (Hawthorne Christian Academy)
Adrianna Valenti - November (Roosevelt School)

Honorable Mention:

Jessica Rodriguez (Hawthorne Christian Academy)
Grace Korpics (Jefferson School)
Anzor Said (Roosevelt School)
Zoe Nelson (Roosevelt School)

Mayor thanked the hardworking members of the DPW for their efforts not only with last night's storm, but the salting and plowing thus far. In bad weather they can work up to 16 hours at a time. He also thanked the outside contractors for their assistance in plowing. We are working hard to ensure they are doing the right thing. Mayor Goldberg thanked Mr. Bartley and Mr. Scully for their leadership in such a trying winter as well as the Police, Fire & EMS for keeping Hawthorne safe in harsh conditions. He stated how grateful he is for their hard work and time they put in. The Mayor also thanked the Municipal employees for coming to work today and providing Hawthorne with services. The Mayor reported on the meeting he and administration had with Fuchs's ambulance service. He reviewed our protocol regarding ambulance calls, first the Ambulance Corps dispatches a Hawthorne ambulance; if they are not available then we call Miccom who sends the closest ambulance available to the Borough. In 2013 Miccom was called 309 times. This is funded via dispatched fees by participating organizations at \$16.08 a call. The Mayor explained that the Borough pays nothing to Miccom; they are a free service provided to municipalities. The Mayor stated when he met with Fuchs's to consider a contract with the Borough, Fuchs would be the first call in lieu of Miccom and the borough would collect the \$16.08 a call, however it would not always be the closest ambulance available. Therefore, it was decided to keep Miccom as the money the Borough would receive would not be worth turning away the closest ambulance for our residents. The Mayor thanked Councilman Wojtecki for having the borough investigate other resources.

REPORTS:

Director of Revenue and Finance Hewitt – Not Present

Borough Attorney Michael Pasquale

The 7-11 hearing did not take place and will be rescheduled with-in the next several of weeks. The Pan Chemical lawsuit should be settled by the end of the month. Few tax appeals are still being settled. The

Lion Clubs scholarship dinner is February 27th at the Boys and Girls Club. All proceeds will go towards scholarships for high school seniors. He thanked Macaluso's for donating the food. Tickets are available through his office, Councilman Mele/Tiffany's Florist or the Mayor's office.

Borough Engineer Dr. Stephen T. Boswell

May Street

Two handicap ramps installed will be replaced by the contractor when the weather is appropriate along with adjusting the asphalt at three other ramps. Striping and punch list items will also need to be addressed as weather conditions permit.

2013 Road Resurfacing Program

Final close out documents and paperwork were submitted to the Borough. Dr. Boswell stated the original contract was \$676, 00; however the final contract was \$604,000. That is a \$72,000 savings.

Cornell Avenue Sewer Repairs

En-Tech has to schedule the lining portion of the sanitary sewer rehabilitation project, which is a temperature dependent process.

2014 Road Resurfacing Program and Mohawk Avenue

Roadway estimates have been prepared and forwarded to the Administrator for review to determine the final road candidates and bonding for the 2014 Road Resurfacing Program. The Borough plans to address the pavement shoving on Mohawk Avenue as part of the 2014 Road Program.

Rock/Braen/Goffle Intersection

The Project has been advertised by the County and bids are to be received by February 25th.

Goffle Brook Bank Stabilization

The project is essentially completed. Any remaining punch list items will be addressed in the Spring of 2014 by the contractor.

Water System Improvements.

The Borough is looking for sources of funding.

Band Shell

Our proposal has been submitted to the Borough, which includes the architect's portion of the project. The necessary survey work will be started once weather conditions improve.

UST Groundwater Monitoring

The Borough received a No Further Action Letter dated December 16, 2013. The monitoring well was decommissioned during the week of January 27th.

Little Franklin Field Parking Lot

At the time of construction, Joe Clementi asked that the fixtures be saved and placed off to the side (where they probably are today). The Borough can consider re-using the light fixtures to illuminate the parking lot. These fixtures do not require a concrete base. They are just screwed into the ground, which holds them in place. The electrical conduit would have to be extended to the appropriate locations for these lights.

Rea Avenue Bridge

The County is reviewing the specification now and plans to bid by the end of February.

Borough Administrator Maurer

Monday, February 10th the 1st quarter tax payments are due. He stated if residents have a hard time getting out due to the weather, they have the option to make payments online, go to www.hawthornenj.org and follow the instructions. Included in the amendment for the temporary budget on the agenda tonight, includes a \$45,000 payment to the State as part of our \$95,000 obligation towards the settlement of the Occidental Chemical Newark Bay lawsuit. The other \$50,000 is covered by EGIFS. It is still expected from earlier insurance companies to cover all of the \$45,000. Administrator Maurer stated as snow storms hammer us it affects our 2014 expenditures, which will present an issue to us as we prepared our 2014 budget. Shortage of road salt has become a regional issue; at present we have 200 tons and are working every angle to get a re-supply. The bids and RFP's are scheduled for tree services, landscaping, custodian services and tennis court repair cracks. He is currently working on the specifications for the vehicle maintenance contract. No further word from the NJDOT on the approval of our administrative procedures for the Streetscape grant. First meeting with the County for the 2014 CDBG programs takes place tomorrow, and he will be representing the Borough. Awaiting the appraisers report on the flood buy-out program, this will then be forwarded to the "review appraiser."

We are taking advantage of a free service offered by our JIF to do an initial Environmental review of the properties; we are hoping that report will save us some money when doing phase 1 of the environmental study that is required by the grant. The 2014 Road Program bond ordinance is expected for introduction to the Council by the next meeting. Administrator Maurer added we have completed 12 months with the NIXEL System; our total subscribers are 11% of our population. This put us on NIXEL's top 1% of their customers.

Chief of Ambulance Corps – Ken Houtsma

Mr. Houtsma wanted to clarify Councilman Lane's report of the accident with ambulance garage doors, they did not touch any button and the door just came down like a rocket on top of the truck. He stated he was here to answer any questions the Council might have regarding daytime ambulance calls. The total numbers of day time calls received were over 900 calls and we called Miccom 309 that means the borough still answered 2/3rd of the calls. He stated that the Ambulance Corps is doing their best, they have a young squad, and some are working 2 to 3 jobs trying to make a living. He stated he wanted to rest assure that they are do everything they possibly can to take care of the town. He thanked the Mayor, Administration, Council, Police Chief McAuliffe, and Fire Chief Speranza how well all worked together. He encourages any EMT's or anyone who wants to become an EMT and is home during the day to come help us. Mr. Houstona asked if anyone had any questions. Councilman Wojtecki questioned why there is not a contract with Miccom. Attorney Pasquale stated since no money is exchanging hands, no contract is needed. A discussion ensued. Councilman Wojtecki asked Chief Houtsma if he could provide a report on the average response time. Chief Houtsma responded yes.

Questions for the Administration

Councilman Lane asked Dr. Boswell regarding Rea Avenue, can the throat underneath the bridge be widened to the width of the brook as that is where a lot of the flooding is happening. Dr. Bowell explained that the hydraulic cross section of the bridge matches what is required to carry a 100 year event and will take a look at the plans and report what that size would be at the next meeting. Councilman Lane asked Administrator Maurer whether the Nixle messages provide a link giving a full explanation of the message, Administrator Maurer responded yes.

Councilman Mele commented the DPW guys did a great job plowing; however, the problems we are experiencing are with people parking on the street. If residents would park in their driveways or make plans to park elsewhere when you know a snow storm is coming, DPW can do a much better job plowing. Mayor Goldberg responded there is no question that vehicles parked on public streets during snow events cause the work to slow down and causes the road to hold more snow. We have urged residents to put their cars in driveways whenever possible. Council Vice President Bertollo added the problem is also the one and two-family houses where the driveway was built to fit only once car and has no room on their property to expand, which makes it a challenge to pass an ordinance. Councilman Sinning stated that we have this problem every winter; we talked about alternate side of the street parking from December 1st to March 1st, which may be the best solution. He added although this would not solve the entire problem but you would solve a lot of them.

Council President Matthews asked Administrator Maurer to follow up with PSE&G in regards to when they plan on coming back to finish up where they dug up on Cornell Avenue as well as touching up the grass on one residents home. Mayor Goldberg added one of the things the DPW is doing is going out on good weather days with a hot box not only to fill pot holes, but where there is road work being done, because the better we treat now, the less money it will cost us in the long run. Council President Matthews asked Administrator Maurer in regards to the vehicle maintenance contract, in the past we had concerns regarding the long delays in getting our equipment back, how we are planning to rectify this in the new contract. Administrator Maurer responded they are looking into doing a separate contract for on-site services for routine maintenance.

Councilman Wojtecki asked Administrator Maurer to reach out to PSE&G regarding the two solar panels that have been installed on one pole on Vreeland and Lafayette Avenues.

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

Bond Ordinance No. 2103-14

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A BANDSHELL AT THE POOL COMPLEX PROPERTY IN AND BY THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$295,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$280,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT RESOLVED, that Ordinance No. 2103-14 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Governing Body in the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, on March 5, 2014, at 7:00 p.m., at which time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Hawthorne Press once and posted on the borough website, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Council President Matthew added we are receiving \$118,000 in grant funds and are applying for more grants to further fund this project.

Council President Matthews entertained a motion to approve Bond Ordinance No. 2103-14 moved by Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes.

Ordinance No. 2104-14
AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE TO REVISE AND REPLACE CHAPTER 220, FEES, SECTION 220-21, WATER

BE IT RESOLVED, that Ordinance No. 2104-14 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Governing Body in the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, on March 5, 2014, at 7:00 p.m., at which time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Hawthorne Press once and posted on the borough website, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Council President Matthews entertained a motion to approve Ordinance No. 2104-14 moved by Council Vice President Bertollo, seconded by Councilman Mele. On roll call, all voted yes.

RESOLUTIONS...

CONSENT AGENDA: R 24-14 through R 35-14:

R 24-14 Introduced by Councilman Wojtecki

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated January 24, 2014.

CURRENT FUND	WT 888889	\$	267,507.20
WATER OPERATING FUND	WT 888889	\$	38,595.66
OTHER TRUST II FUND	WT 888889	\$	6,271.47
	TOTAL PAYROLL	\$	<u>312,374.33</u>
	CURRENT FUND TO PAYROLL/FICA	\$	14,029.91
	TOTAL FICA	\$	<u>14,029.91</u>

R 25-14 Introduced by Councilman Wojtecki

WHEREAS: Tax Sale Certificate #2012-05 was sold on October 23, 2012 in the amount of \$3,061.46 on Block 69 Lot 3 then assessed to Cespedes, Jose & Milagros and said lien was originally purchased by Stonefield Investment Fund II, LLC 21 Robert Pitt Dr. #202, Monsey, NY 10952, and

WHEREAS: said lien was redeemed on Jan. 13, 2014 in the amount of \$30,287.09, said lienholder is entitled to a refund including the amount of the lien \$3,061.46, penalty of \$61.23 , search/ recording fee of \$55.00, subsequent taxes of \$24,498.47 and interest of \$2,610.93 for a total of \$30,287.09 and

NOW, THEREFORE, BE IT RESOLVED: that the Collector of Taxes recommends that a check be issued by the Treasurer from the Other Trust II/Trustee Account to Stonefield Investment Fund II, LLC in the amount of \$30,287.09 to reimburse the lienholder for the lien, penalty, fees, subsequent taxes and interest and a check from the Other Trust I account for \$15,500.00 for Premium paid.

R 26-14 Introduced by Councilman Wojtecki

WHEREAS: an appeal was filed for 2013 with Passaic County Board of Taxation for a reduction of the added assessment assessed value of property listed below and has been granted as follows:

<u>Block/Lot</u>	<u>Original Assessment</u>	<u>Judgement</u>	<u>Assessment Reduction</u>	<u>Tax Reduction</u>
275 /22	\$14,300	\$0	\$14,300.	\$ 755.61 \$ 377.81

NOW THEREFORE, BE IT RESOLVED: that the Tax Collector be authorized by the Municipal Council of the Borough of Hawthorne to credit the tax reduction of \$755.61 to the 2013 4th Quarter, \$188.91 to the 2014 1st Quarter and \$188.90 to the 2014 2nd Quarter.

R 27-14 Introduced by Councilman Wojtecki

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 \$2,804,430.00 from the Current Fund and charged to School Taxes Payable for January 2014 and \$2,804,430.00 from the Current Fund and charged to School Taxes Payable for February 2014

R 28-14 Introduced by Councilman Wojtecki

WHEREAS, the Borough of Hawthorne has heretofore entered into a contract with Rockborn Trucking & Excavation, Inc. for the 2013 Road Improvements Program in the Borough of Hawthorne authorized by Ordinance #2081-13, and,

WHEREAS, and Boswell Engineering has recommended approval of the following change order:

Change Order No. 2A

AS Built Quantities (\$76,842.87)

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the above-cited Change Order No. 2A decreasing the amount of the payment required under said contract by the sum of (\$76,842.87) shall be and hereby are approved, and the Mayor and Borough Clerk are hereby authorized and directed to execute the same for and on behalf of the Borough of Hawthorne.

R 29-14 Introduced by Councilman Wojtecki

WHEREAS, the Borough of Hawthorne has heretofore entered into a contract with Rockborn Trucking & Excavation, Inc. for the 2013 Road Improvements Program in the Borough of Hawthorne authorized by Ordinance #2081-13, and,

WHEREAS, and Boswell Engineering has recommended approval of the following change order:

Change Order No. 2C (CDBG)

AS Built Quantities (\$4,103.80)

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the above-cited Change Order No. 3C decreasing the amount of the payment required under said contract by the sum of (\$4,103.88) shall be and hereby are approved, and the Mayor and Borough Clerk are hereby authorized and directed to execute the same for and on behalf of the Borough of Hawthorne.

R 30-14 Introduced by Councilman Wojtecki

WHEREAS, the Borough of Hawthorne has heretofore entered into a contract with Rockborn Trucking & Excavation, Inc. for the 2013 Road Improvements Program in the Borough of Hawthorne authorized by Ordinance #2082-13, and,

WHEREAS, and Boswell Engineering has recommended approval of the following change order:

Change Order No. 2B

As Build Quantities

\$2,608.95

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the above-cited Change Order No. 2B increasing the amount of the payment required under said contract by the sum of \$2,608.95 shall be and hereby are approved, and the Mayor and Borough Clerk are hereby authorized and directed to execute the same for and on behalf of the Borough of Hawthorne.

R 31-14 Introduced by Councilman Wojtecki

WHEREAS, the semi-annual interest payment for the General Serial Bonds of 2005 becomes due and payable on February 15, 2014.

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 \$12,100.00 in payment of interest from the Current Fund to Chase Bank NY Account #066027306.

R 32-14 Introduced by Councilman Wojtecki

AUTHORIZE THE GRANT APPLICATION TO CITY GREEN FOR THE DIG IN! FUND

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Hawthorne strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Hawthorne is a certified Silver Sustainable Jersey community in the Sustainable Jersey Program; and

WHEREAS, City Green is a new source of funding for community organizations, municipal “adopt-a-lot” programs and energetic community members looking to spearhead a garden project in Passaic County, New Jersey that are seeking support for the creation of vibrant community gardens in urban, suburban, and rural areas, for the production of healthy food, neighborhood beautification and community enhancement; and

WHEREAS, The Fund will be funding up to \$2,500, which may be used for site preparation, garden construction, soil amendments, plant materials, fencing, compost, rain barrels, irrigation, water hook up and other project necessities. For the first year grant, a 10% match is required as cash or in-kind materials; and

WHEREAS, the Green Team a sub-committee of the Hawthorne Environmental Commission has recommended that the Borough apply for a grant to fund the Community Garden located at the Ambulance Building Corp facility to benefit the community by improving the quality of life for people in the garden, expanding access to nutritious food, and creating opportunities for recreation, exercise, therapy, and education.

WHEREAS, the Borough Council of the Borough of Hawthorne has determined that the Borough should apply for the aforementioned Grant

THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Hawthorne, State of New Jersey, authorize the submission of an application to City Green for \$2,500 Dig In! Fund funded by City Green to fund Hawthorne’s Community Garden.

THEREFORE, the Borough Council of the Borough of Hawthorne has determined that the Borough of Hawthorne should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Hawthorne, State of New Jersey, authorize the submission of the aforementioned Dig In! funded by City Green.

R 33-14 Introduced by Councilman Wojtecki

WHEREAS, The Council has heretofore adopted Ordinance 1989-09, providing for the reconstruction of the road, curbs, sewers, driveway aprons, and other road improvements on Brockhuizen Lane, which

Ordinance provided for the Assessment of the costs of said improvements on property specially benefitted thereby in accordance with the provisions of N.J.S.A. 40:56-21 et seq.; and,

WHEREAS, the Municipal Council did, following public hearing thereon, assess the said improvement to property owners affected by the improvement; and

WHEREAS, the Council permitted, as part of the assessment, that property owners could pay the amount assessed by way of installment payment, it being further determined that the failure to make any installment payment would result in the entire assessed sum then being due; and

WHEREAS, Michael and Diane Oliver, the owners of property located at 6 Brockhuizen Lane, Block 89, Lot 8, was assessed as part of the within improvement and through inadvertence or mistake failed to make an installment payment when due; and

WHEREAS, the said property owner now requests that the Municipal Council reinstate the assessment and permit the same to continue to be paid by way of installment;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does reinstate the assessment as stated above and does reinstate the schedule of repayment so that the above property owners may continue to make payment by way of installment payment.

R 34-14 Introduced by Councilman Wojtecki

A RESOLUTION RATIFYING AND AUTHORIZING THE AWARD OF CONTRACT FOR PROFESSIONAL SERVICES TO COMMUNITY GRANTS, PLANNING & HOUSING, L.L.C.

WHEREAS, the Borough of Hawthorne is obligated to achieve compliance with the Fair Housing Act and satisfy its obligation to provide the realistic opportunity for the development of low and moderate income housing including the rehabilitation of existing substandard units of housing in the Borough of Hawthorne; and

WHEREAS, in accordance with the Fair Housing Act, the Borough has engaged the services of Community Grants and Planning, Inc., to serve as administrator of its Rehabilitative Housing Program for the year 2014; and

WHEREAS, the Borough Council of the Borough of Hawthorne has determined to award a contract for administration of its Rehabilitative Housing Program for the year 2014, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Community Grants and Planning has agreed to continue to serve in such capacity in accordance with the same terms and conditions previously set forth in a proposal submitted by said entity; and

WHEREAS, the provision of such services is not subject to the Local Public Contracts Law as such services are professional in nature, therefore not requiring the solicitation of bids; and

WHEREAS, the anticipated cost of such services, as certified by the Municipal Clerk, is not anticipated to exceed \$17,500 per year, thereby exempting the same from the terms of NJSA 19:44-20.5, et seq.;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does retain:

Community Grants, Planning & Housing, LLC
101 Interchange Plaza, Suite 301
Cranbury, New Jersey 08512

to serve as administrator of its Rehabilitative Housing Program for the year 2014 in accordance with the Professional Services Agreement previously submitted; and

BE IT FURTHER RESOLVED, that the Municipal Council does authorize the Mayor and Clerk to execute and deliver the aforesaid contract as and for the act of the Borough of Hawthorne, subject to receipt of a Business Disclosure Entity Certification and Determination of Value, the same to be placed on file with a true copy of this resolution.

R 35-14 Introduced by Councilman Wojtecki

**RESOLUTION APPOINTING COMMUNITY GRANTS, PLANNING & HOUSING, LLC,
AS ADMINISTRATIVE AGENT FOR THE BOROUGH OF HAWTHORNE**

WHEREAS, the Governing Body of the Borough of Hawthorne petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan on May 27, 2009 and

WHEREAS, the Borough of Hawthorne’s Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH’s Third Round Substantive Rules (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, CGP&H LLC is qualified to assume all of the duties of Administrative Agent as defined in the Uniform Housing Affordability Controls Regulations set forth in NJ.A.C. 5:80-26.1; and

WHEREAS, the Developers participating in the Hawthorne Affordable Housing Program shall be responsible for payment of any and all fees and attendant costs to CGP&H LLC; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Hawthorne that CGP&H LLC be appointed to the position of Administrative Agent for the Borough of Hawthorne.

Council President Matthews entertained a motion to approve resolutions R 24-14 through R 35-14 moved by Councilman Bennett, seconded by Council Vice President Bertollo. On roll call, all voted yes.

OFF-CONSENT AGENDA: R 37-14 and R 38-14:

R 37-14 Introduced by Councilman Wojtecki

WHEREAS, various appropriations in the 2013 Appropriation Reserves may be over expended and others under expended.

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 following transfers:

<u>TO</u>	<u>FROM</u>	<u>AMOUNT</u>	<u>TOTAL TRANSFER</u>
Police S&W	Municipal Insurance	\$10,600.00	\$10,600.00
Dispatchers S&W	Municipal Insurance	\$ 400.00	
	Group Insurance	\$ 2,400.00	\$ 2,800.00
Streets & Road S&W	Group Insurance	\$ 2,600.00	\$ 2,600.00
DPW Admin O/E	Group Insurance	\$ 5,000.00	\$ 5,000.00
Health S&W	Group Insurance	\$ 300.00	\$ 300.00
Road Vehicle	Group Insurance	\$ 6,000.00	
	Legal Services O/E	\$ 1,000.00	\$ 7,000.00
Pension Adjustments	Legal Services O/E	\$ 4,000.00	
	PEOSHA O/E	\$ 3,000.00	
	Sewer System O/E	\$ 3,000.00	\$10,000.00
Municipal Court O/E	Municipal Court O/E	\$ 1,000.00	\$ 1,000.00
	TOTAL CURRENT TRANSFERS		<u>\$ 39,300.00</u>
Water Operating S&W	Water Operating O/E	\$ 1,200.00	\$ 1,200.00
Lab Testing	Water Operating O/E	\$ 5,000.00	\$ 5,000.00
	TOTAL WATER TRANSFERS		<u>\$ 6,200.00</u>

R 38-14 Introduced by Councilman Wojtecki

WHEREAS, an emergency has arisen with respect to the amounts allocated in the 2014 Temporary Operating Budget and/or the 2014 Temporary Water Operating Budget other expenses due to the permanent budget not yet being adopted, and the 2014 temporary appropriations are inadequate to provide for these expenses for the aforesaid reason, N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2014 pursuant to the provision of N.J.S.A. 40A:4-20 including this resolution total \$150,200.00

NOW, THEREFORE, BE IT RESOLVED, by Municipal Council of the Borough of Hawthorne (not less than two-thirds of the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20, emergency temporary appropriations are hereby made for the following line items in the listed amount:

Municipal Insurance	45,000.00
DPW Administration O/E	8,000.00
Streets & Roads O/E	10,000.00
Vehicle Maintenance – Road	25,000.00
North Haledon Sewers	1,200.00
Municipal Alliance	8,000.00
Emergency Management O/E	3,000.00
Water Utility	
Group Insurance	50,000.00

Council President Matthews entertained a motion to approve Off-Consent Agenda resolutions R 37-14 and R 38-14 moved by Council Vice President Bertollo, seconded by Councilman Mele. On roll call, all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES:

Councilman Lane – The Cable TV committee met on January 27th and discussed goals for 2014, to improve and expand the services.

Councilman Mele – The Municipal Alliance is sponsoring a dinner and show for seniors on April 23rd at the high school.

Council Vice-President Bertollo – The Finance Committee will meet Monday, February 10th to continue work on our capital budget for the 2, 3 and 5-year plan and miscellaneous items.

Councilman Sinning – Parking issues, the ordinance committee needs to get mark-outs and measurements from the police department in order to get all the parking issues into one ordinance rather than have many different ordinances.

Councilman Wojtecki - Councilman Wojtecki thanked Councilman Lane for everything that got accomplished at the January 27th, cable TV meeting.

Council President Matthews - Council President Matthews thanked everyone who turned out to the Chamber of Commerce Company of the Year Dinner where Henry’s Heating & Plumbing was honored. 289 tickets were sold, which shows a great deal of support for the Chamber as well as Henry’s Plumbing.

CORRESPONDENCE: None

MISCELLANEOUS: None.

BILLS:

VENDOR	CHECK#	TOTAL	DESCRIPTION
CURRENT FUND			
SHOTMEYER BROS FUEL CO	16647	12,076.36	BULK PURCHASE GASOLINE
SUNOCO SUNTRAK	16648	8,767.68	BULK PURCHASE GASOLINE
INSURANCE RESTORATION SPECIALI	16649	200.00	STREETS & ROADS O/E
10-75 EMERGENCY LIGHTING, LLC	16650	4,534.99	ACCOUNTS PAYABLE
A-VAN ELECTRICAL	16651	83.97	STREETS & ROADS O/E
AAA EMERGENCY SUPPLY CO INC	16652	7,671.04	VARIOUS
ACTION DATA SERVICES	16653	1,103.35	VARIOUS
AIR PURIFIERS INC	16654	500.00	FIRE DEPT O/E
ALL AMERICAN FORD	16655	6,199.20	VARIOUS
AMERICAN HOSE CO INC	16656	3,749.03	VARIOUS
AMERICAN MOBILE GLASS	16657	298.74	VEHICLE MAINT ROAD
AQUARIUS IRRIGATION SUPPLY,INC	16658	749.11	STREETS & ROADS O/E
ASAP-NJ	16659	275.00	MUNICIPAL ALLIANCE
BCB JANITORIAL SUPPLY CO INC	16660	158.19	DPW ADMIN O/E

BOB'S TIRES & WHEELS INC	16661	30.00	VEHICLE MAINT POLICE
BOBBY VAN PLUMBING INC	16662	163.00	DPW ADMIN O/E
BOROUGH OF NO HALEDON	16663	1,193.02	NORTH HALEDON SEWERS
BOSWELL ENGINEERING, INC	16664	14,209.25	VARIOUS
CABLEVISION	16665	486.38	DPW ADMIN O/E
CAMPBELL FIRE EQUIPMENT	16666	6,373.98	VEHICLE MAINT FIRE DEPT
COUNTY OF PASSAIC	16667	3,938,066.73	VARIOUS
COUNTY OF PASSAIC-OPEN SPACE T	16668	59,431.02	VARIOUS
DAVE STERN INC	16669	20.00	VEHICLE MAINT ROAD
DAVID MAHER	16670	129.00	GROUP INSURANCE O/E
DELLA RICA & SONS	16671	2,835.00	STREETS & ROADS O/E
DIESEL TRUCK SERVICE, INC	16672	2,004.00	VARIOUS
DONALD TURNER, SR	16673	60.00	VEHICLE MAINT ROAD
DOWNES TREE SERVICE, INC.	16674	17,750.00	VARIOUS
EARTHLINK BUSINESS	16675	834.85	VARIOUS
EASTERN CONCRETE MATERIALS	16676	1,314.59	STREETS & ROADS O/E
ELECTRICAL POWER SYSTEMS, INC	16677	540.00	DPW ADMIN O/E
ELEMENT FINANCIAL CORP	16678	400.00	POLICE DEPT O/E
F D R HITCHES LLC	16679	764.10	VARIOUS
FIFTH AVENUE LANDSCAPING	16680	600.00	STREETS & ROADS O/E
FIREFIGHTER ONE LLC	16681	514.00	FIRE DEPT O/E
FIRST MOUNTAIN ARBORICULTURE L	16682	650.00	SHADE TREE COMMISSION
G.F.O.A. OF NEW JERSEY	16683	270.00	VARIOUS
GARDEN STATE HGWY PROD, INC	16684	169.04	STREETS & ROADS O/E
GET A CAN	16685	10,725.00	RECYCLING PRO O/E
GODWIN TOOL & HARDWARE SUPPLY	16686	39.99	DPW ADMIN O/E
GOLD TYPE BUSINESS MACHINES,	16687	224.00	POLICE DEPT O/E
GROENEWAL RAMSEY DOOR, LLC	16688	1,290.00	DPW ADMIN O/E
HAWTHORNE B.O.E.	16689	246.48	GENERAL ADMIN O/E
HAWTHORNE BOYS & GIRLS CLUB	16690	3,767.00	MUNICIPAL ALLIANCE
HAWTHORNE FIRE DEPT	16691	341.66	VARIOUS
HAWTHORNE MUNICIPAL COURT	16692	112.94	MUNI COURT
HAWTHORNE PRESS INC	16693	66.30	MUNICIPAL CLERK O/E
HENRY'S PLUMBING & HEATING INC	16694	48.19	FIRE DEPT O/E
HESS CORPORATION	16695	8,054.48	VARIOUS
HOME DEPOT SUPPLY	16696	47.86	DPW ADMIN O/E
HOME SUPPLY & LUMBER CO., INC.	16697	42.86	POLICE DEPT O/E
INSURANCE RESTORATION SPECIALI	16698	300.00	STREETS & ROADS O/E
J J KELLER & ASSOC INC	16699	256.00	PEOSHA O/E
JESCO INC	16700	121.32	VEHICLE MAINT ROAD
JORDAN TRANSPORTATION,INC	16701	945.00	BOARD OF REC O/E
KELTIC ASSOCIATES, LLC	16702	129.00	MUNICIPAL ALLIANCE
LANGUAGE LINE SERVICES	16703	126.71	MUNI COURT
LINDA SABOW	16704	180.00	GROUP INSURANCE O/E
LITTLE FALLS TROPHY & ENGRAVIN	16705	180.00	BOARD OF REC O/E
LOUIS BAY 2nd LIBRARY	16706	446.62	MUNICIPAL ALLIANCE
LUSCHER'S AUTO INC	16707	1,571.86	VARIOUS
M & B SEPTIC SERVICE, LLC	16708	84.00	BOARD OF REC
METLIFE	16709	290.71	GROUP INSURANCE O/E
MONSEN ENGINEERING CO	16710	1,250.85	DPW ADMIN O/E
MUNICIPAL CLERKS ASSOC OF NJ	16711	100.00	MUNICIPAL CLERK O/E
NEW TECH TECHNOLOGY SERVICES	16712	80.85	IT SERVICES
NJ MOTOR VEHICLE COMMISSION	16713	150.00	PEOSHA O/E
NJ STATE LEAGUE MUNICIPALITIES	16714	110.00	GENERAL ADMINISTRATION O/E
NJCM	16715	510.00	GENERAL ADMIN O/E
P & A AUTO PARTS, INC	16716	290.88	VARIOUS
PASCACK DATA SERVICES	16717	7,793.50	VARIOUS
POLICE & FIRE RETIREMENT SYSTE	16718	2,839.81	PENSION ADJ
PUBLIC EMPLOYEE RETIREMENT SYS	16719	1,971.17	PENSION ADJ
PUBLIC SERV ELEC & GAS	16720	25,052.27	VARIOUS

PUBLIC WORKS ASSOCIATION OF NJ	16721	10.00	STREETS & ROADS O/E
RICOH AMERICAS CORPORATION	16722	4,203.07	VARIOUS
RUTGERS UNIVERSITY	16723	1,100.00	REVENUE COLLECTION O/E
SETCON INDUSTRIES INC	16724	980.00	STREETS & ROADS O/E
SIGNAL CONTROL PRODUCTS	16725	3,372.00	STREETS & ROADS O/E
SPORTS FIELD MAN ASSN OF NJ	16726	50.00	MAINTEN OF PARKS
ST JOSEPH'S REG MED CENTER	16727	310.00	POLICE DEPT O/E
STAPLES	16728	156.49	VARIOUS
STATE LINE FIRE & SAFETY INC	16729	786.10	FIRE DEPT O/E
STATE OF NJ-STATE TOXICOLOGY L	16730	135.00	POLICE DEPT O/E
TANIS HARDWARE	16731	535.00	VARIOUS
TCTA MEMBERSHIP SERVICES	16732	300.00	VARIOUS
TEE-FX SCREEN PRINTING, LLC	16733	1,300.00	MUNICIPAL ALLIANCE
THOMSON REUTERS INC	16734	170.00	MUNI COURT
TOWNSHIP OF RANDOLPH	16735	650.00	DPW ADMIN O/E
TREASURER, STATE OF NJ	16736	3,855.00	FEES PAY UCC
TRI-STATE TECH SERV, INC	16737	415.00	VARIOUS
TRIOUS, INC	16738	3,831.02	STREETS & ROADS O/E
US BANK EQUIPMENT FINANCE	16739	159.00	DPW ADMIN O/E
VALLEY HEALTH MEDICAL GROUP	16740	780.00	FIRE DEPT O/E
VERIZON	16741	1,597.37	VARIOUS
VERIZON WIRELESS (N)	16742	890.04	TELEPHONE CHARGES
VILLAGE OF RIDGEWOOD	16743	1,202.13	STREETS & ROADS O/E
VITAL COMMUNICATIONS, INC.	16744	3,562.35	VARIOUS
VOZZA AGENCY, INC	16745	500.00	MUNICIPAL INSURANCE O/E
WASTE MANAGEMENT OF NJ	16746	<u>35,649.38</u>	TRANSFER STATION
TOTAL CURRENT		\$ 4,231,460.88	
GENERAL CAPITAL			
BOSWELL ENGINEERING, INC	3310	23,134.50	VARIOUS
CAPITAL ALTERNATIVES CORP	3311	58,000.00	STREETSCAPE
ELLEN SCHROTER	3312	130.00	2011 SIDEWALKS IMPROV
GABRIELLI KENWORTH OF NJ, LLC	3313	195,545.00	ACQ OF DUMP TRUCK
HAWTHORNE PRESS INC	3314	81.12	2011 SIDEWALKS IMPROV
KEY TECH INC	3315	1,415.00	IMPROVEMENTS TO MAY ST
PATRICE CORNETT	3316	130.00	2011 SIDEWALKS IMPROV
ROCKBORN TRUCKING & EXCAVATION	3317	<u>74,180.62</u>	VARIOUS
TOTAL GENERAL CAPITAL		\$ 352,616.24	
WATER OPERATING			
SHOTMEYER BROS FUEL CO	9565	803.63	WATER UTILITY O/E
SUNOCO SUNTRAK	9566	1,209.19	WATER UTILITY O/E
HOME SUPPLY & LUMBER CO., INC.	9567	142.27	VARIOUS
A-VAN ELECTRICAL	9568	15.37	WATER UTILITY O/E
AGRA ENVIRONMENTAL SVC	9569	3,276.50	VARIOUS
CABLEVISION	9570	81.40	WATER UTILITY O/E
EARTHLINK BUSINESS	9571	525.00	WATER UTILITY O/E
F D R HITCHES LLC	9572	284.37	VARIOUS
HENRY'S PLUMBING & HEATING INC	9573	169.58	WATER UTILITY O/E
HESS CORPORATION	9574	13,603.05	WATER UTILITY O/E
HOME DEPOT SUPPLY	9575	20.46	WATER UTILITY O/E
LUSCHER'S AUTO INC	9576	686.00	WATER UTILITY O/E
NATL METERING SERVICES, INC	9577	105.00	WATER UTILITY O/E
NJWA	9578	425.00	WATER UTILITY O/E
P & A AUTO PARTS, INC	9579	29.68	WATER UTILITY O/E
POST & KELLY ELECTRIC CO, INC	9580	1,100.00	WATER UTILITY O/E
PUBLIC SERV ELEC & GAS	9581	13,113.96	WATER UTILITY O/E
STAPLES	9582	117.70	WATER UTILITY O/E
TANIS HARDWARE	9583	104.36	WATER UTILITY O/E
TOWNSHIP OF RANDOLPH	9584	450.00	WATER UTILITY O/E
TREASURER, STATE OF NJ	9585	200.00	WATER UTILITY O/E

TREASURER, STATE OF NJ	9586	15,270.00	WATER UTILITY O/E
TRI-STATE TECH SERV, INC	9587	415.00	VARIOUS
USA BLUE BOOK INC	9588	592.92	WATER UTILITY O/E
VERIZON	9589	566.18	WATER UTILITY O/E
VERIZON WIRELESS (N)	9590	<u>243.36</u>	WATER UTILITY O/E
TOTAL WATER OPERATING		\$ 53,549.98	
OTHER TRUST II			
AMERICAN HOSE CO INC	4759	266.96	RECYCLING
BELMAR SPRING WATER COMPANY	4760	23.09	RECYCLING
CARL MOTTOLA	4761	73.70	UCC PENALTIES
F D R HITCHES LLC	4762	491.53	VARIOUS
LUSCHER'S AUTO INC	4763	286.39	RECYCLING
MICHAEL F. KELLY, ESQ	4764	300.00	PUBLIC DEFENDER
P & A AUTO PARTS, INC	4765	166.90	VARIOUS
PROSTOCK AUTOMOTIVE WAREHOUSE	4766	54.13	RECYCLING
RICOH AMERICAS CORPORATION	4767	1,493.39	VARIOUS
RIDGEWOOD PRESS	4768	6,649.00	RECYCLING
ROUTE 23 AUTO MALL	4769	61,926.27	RECYCLING
STONEFIELD INVEST FUND II, LLC	4770	30,287.09	TRUSTEE
TANIS HARDWARE	4771	123.55	911 MEMORIAL PARK
THOMAS ZACONIE	4772	58.85	UCC PENALTIES
USA BLUE BOOK INC	4773	148.85	RECYCLING
VERIZON WIRELESS (N)	4774	81.12	UCC PENALTIES
VITAL COMMUNICATIONS, INC.	4775	<u>75.00</u>	UCC PENALTIES
TOTAL OTHER TRUST II		\$ 102,505.82	
DOG DEDICATED			
NJ DEPARTMENT OF HEALTH	6099	1.20	STATE OF NEW JERSEY
TYCO ANIMAL CONTROL SERVICES	6100	<u>2,280.00</u>	PROFESSIONAL FEES
TOTAL DOG DEDICATED		\$ 2,281.20	
OTHER TRUST I ESCROW			
STONEFIELD INVEST FUND II, LLC	7052	<u>15,500.00</u>	TAX SALE PREMIUMS
TOTAL OTHER TRUST I ESCROW		\$ 15,500.00	
TOTAL BILL LIST		<u>\$ 4,757,914.12</u>	

Council President Matthews entertained a motion to approve the bill list and forward it to the Treasurer for payment, moved by Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes. Councilman Lane and Councilman Wojtecki abstained from bills pertaining to the Fire Department and Council Vice President Bertollo abstained from bills pertaining to Downes Tree Service.

PUBLIC COMMENT

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.

Seeing none, Council President Matthews entertained a motion to close the public portion of the meeting, moved by Councilman Lane, seconded by Councilman Mele. On roll call, all voted yes.

ADJOURNMENT

At 9:06 p.m. Council President Matthews entertained a motion to adjourn the regular meeting, moved by Council Vice President Bertollo, seconded by Councilman Mele. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **WEDNESDAY, FEBRUARY 19, 2014** THE WORK SESSION WILL BEGIN AT 7:00 P.M. 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.

Frank E. Matthews
Council President

Lori DiBella, RMC
Borough Clerk