

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.....	Bruce Bennett
Councilman.....	John Lane
Councilman.....	Dominic Mele
Councilman .....	Garret Sinning
Borough Administrator .....	Eric Maurer
Borough Attorney.....	Michael J. Pasquale
Borough Engineer .....	Dr. Stephen T. Boswell
Borough Clerk.....	Lori DiBella
<b><u>ABSENT:</u></b>	
Director of Revenue and Finance.....	Mary Jeanne Hewitt
Councilman.....	Joseph Wojtecki

**FLAGSALUTE**

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 November 19, 2015.

**APPROVAL OF MINUTES:**

Council President Bertollo entertained a motion to approve the Minutes of the Regular Meeting of June 1 and June 15, 2016 as amended; Bid Minutes of June 22 for Downtown Revitalization Project and June 28 for Large Truck Maintenance contracts; moved by Councilman Bennett, seconded by Council Vice President Matthews. On roll call, all voted yes; motion carried.

**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 Councilman Bennett, seconded by Councilman Lane. On roll call all voted yes; motion carried.

**ADOPTION OF ORDINANCES:**

**ORDINANCE NO. 2167-16**

**AN ORDINANCE REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 25, DEPARTMENT OF PUBLIC SAFETY, ARTICLE III, FIRE DEPARTMENT, BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY**

BE IT ORDAINED by the Municipal Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that:

Section 1. Chapter 25, Department of Law and Public Safety, Article III, Fire Department, shall be and hereby is repealed and replaced, the said Article as revised and amended to read as follows:

Chapter 25	Department of Law and Public Safety
	Article III
	Fire Department
§ 25-13	Creation and Establishment
§ 25-14	Composition
§ 25-15	Management; Board of Fire Commissioners
§.25-16	Eligibility for Office
§ 25-17	Elections
§ 25-18	Membership
§ 25-19	Application for Membership
§ 25-20	Transfers
§ 25-21	Probationary Term
§ 25-22	Meetings
§ 25-23	Powers and Duties of Chief and Subordinate Officers
§ 25-24	Duties of Department Members
§ 25-25	Resignations
§ 25-26	Discipline and Grievances
§ 25-27	Leaves of Absence
§ 25-28	Equipment
§ 25-29	Apparatus
§ 25-30	Repairs and Supplies
§ 25-31	Clothing Allowance

ARTICLE III  
Fire Department  
[Adopted 8-18-1993 by Ord. No. 1589 (Ch. 17, Art. I, of the 1989 Code)]

§ 25-13. Creation and establishment. [Amended 6-6-2007 by Ord. No. 1902-07]

A Fire Department of the Borough of Hawthorne, being a division of the Department of Public Safety, be and the same is created and established and equipped within the territorial limits of the Borough of Hawthorne, to be known as the "Hawthorne Fire Department." The use of the fire apparatus of said Borough be and the same is hereby entrusted to Hawthorne Fire Co. No. 1, Hawthorne Fire Co. No. 2, Hawthorne Fire Co. No. 3, Hawthorne Fire Co. No. 4 and Hawthorne Rescue Co. No. 5. The members and officers of said Fire Department shall consist of the members of the aforementioned companies upon the signing of the membership roll of said Fire Department, whereby they promise to perform the duties of fire fighters as prescribed by this article or any other ordinances which may be hereafter adopted and the bylaws of the Board of Fire Commissioners. All changes in the personnel of the Fire Department shall be reported to the Board of Commissioners for its approval.

§ 25-14. Composition.

A. Fire Department. The Department shall be divided into five companies as denoted above.

B. Communications Division. In addition to the five companies, there is established a Communications Division, consisting of not more than ten members, within the Fire Department. Members of the Communications Division shall be as approved by the Board of Fire Commissioners with eligibility requirements to be established by the Board. Members shall not belong to a company but shall be under the supervision of the Chief of the Department. In the event the Chief chooses not to supervise the members, a designee of the Department appointed by the Board of Fire Commissioners shall serve in his place and stead. The purpose of the Communications Division is to provide support to firefighters at fire scenes or otherwise through operation of the communications equipment of the command and cascade units. The Division shall not have a rank structure. Members of the division as of the effective date of this ordinance shall be eligible for LOSAP and clothing allowance, as described in this ordinance, and shall be eligible to vote in the election of Chief of the Department. Members appointed to the division from and after the effective date of this ordinance shall be eligible for LOSAP but not clothing allowance and shall not be eligible to vote in any departmental election. Notwithstanding the same, any Member appointed after the effective date of this ordinance who completes Fire Fighter One, or any member serving as of the effective date of this ordinance who completes Fire Fighter One, shall be eligible for LOSAP and clothing allowance and shall be eligible to vote in the election of the Chief of the Department. Any Member may be removed for cause by the Board of Fire Commissioners.

C. Auxiliary. An Auxiliary Division is established under the direction of the Board of Fire Commissioners. Member of the Auxiliary Division are to be approved by the Auxiliary in accordance with eligibility requirements established by the Auxiliary and approved by the Board of Fire Commissioners. While no rank structure is permitted, the Auxiliary may organize itself by establishing offices. Members shall not be deemed members of the Department, shall not be eligible for LOSAP or clothing allowance, and shall not be eligible to vote in any departmental election. The purpose of the Auxiliary Division is to provide support to the department. The members shall perform such duties in accordance with the directions of the Chief of the Department or any incident commander. Members of the Auxiliary may be removed in accordance with any policy for removal established by the Auxiliary and approved by the Board of Fire Commissioners or removed by the Board of Fire Commissioners.

D. Junior Firefighters Program. The Board of Fire Commissioners may establish a Junior Firefighters Program for eligible individuals under the age of 18. Rules and regulations establishing such academy, eligibility and membership requirements shall be established by the Board of Fire Commissioners consistent with Federal or State law or regulation. In no event shall any Junior Firefighter be eligible for LOSAP or clothing allowance or take part in any departmental election.

§ 25-15. Management; Board of Fire Commissioners.

A. The management and control of the Department shall be vested in a Board of Fire Commissioners, which is authorized to adopt bylaws for control, government, management and regulation of said Department such as shall not conflict with this Ordinance. The Board of Fire Commissioners may amend and modify the bylaws from time to time. All such amendments and modifications shall be subject to the review and approval by the Mayor, as Director of the Department of Public Safety, in consultation with the Borough Attorney and only deemed effective upon filing with the Borough Clerk. All such bylaws shall be published on the Fire Department web site or otherwise made available to any person requesting a copy of the same.

- B. Said Board of Fire Commissioners shall be composed of the Chief and five Assistant Chiefs, who shall be elected by their respective companies. Where an Assistant Chief is unavailable to attend any meeting of the Board or otherwise participate in Board business, the next highest ranking officer of the respective company shall serve in his or her place and stead.
- C. The Chief shall be the presiding officer at the meetings of the Board of Fire Commissioners, which shall be held on the first Tuesday of every month except when in conflict with a holiday. In such event, the meeting shall take place on the next Tuesday. Meetings may be held with greater frequency where required.
- D. All business meetings of the Department shall be held in accordance with Robert's Rules of Parliamentary Order and the provisions of the New Jersey Open Public Meetings Act.

§ 25-16. Eligibility for office.

- A. No member of the Department shall be eligible for the election to office unless such member shall have been a member of the Department for at least two years and meets the following requirements by December 31 of the year preceding the election:
  - (1) Chief will have completed two years as an Assistant Chief of the Department.
  - (2) Assistant Chief will have completed one year as Captain on the Department.
  - (3) Captain will have completed one year as First Lieutenant on the Department.
  - (4) First Lieutenant will have completed one year as a Second Lieutenant on the Department.
  - (5) Second Lieutenant will have served two full years as a fire fighter on the Department, not including time as a probationary fire fighter, and specifically including one year as a driver, and shall be an active member as defined herein.
  - (6) No member of the Department shall be deemed eligible to hold office unless he or she shall maintain a minimum call percentage of 33 1/3% and hold a valid drivers license. The failure to maintain such call percentage or maintain a valid drivers license after assumption of office shall result in a vacancy in the office.
- B. The Board of Fire Commissioners may establish additional eligibility requirements by way of by-law amendment consistent with the ordinance and in accordance with the procedure set forth above. In addition, the Board of Fire Commissioners may, in its discretion, approve applications for an exception to any of the above eligibility requirements other than those imposed by Federal or State law or regulation. An exception may only be granted where no member of the Company holding an election is eligible for a given office or no member eligible for a given office chooses to accept a nomination for that office.

§ 25-17. Elections.

- A. The election of Chief shall take place on the first Monday in November at the Municipal Building, under the supervision of the Borough Clerk. The Chief will be elected by a majority vote of the active members of the Department, eligible to vote in the election, casting votes. If a runoff election is necessary, it will be held the same day. In the event of a runoff election, the candidate receiving the lowest number of votes shall be dropped from the initial and each succeeding vote until a majority is attained. The Chief shall enter upon the performance of his duties on the first day of January following his election and approval and serve for a term of three years. [Amended 6-6-2007 by Ord. No. 1902-07].

- B. The election of officers of the companies shall take place at the annual meeting (the first meeting in December) at each respective company, by ballot, and no member shall be elected to any office unless he shall have received the majority of all votes cast by active members. The officers shall enter upon the performance of their duties on the first day of January following the election.
- C. The Municipal Clerk, as Election Official in any Chief's Election, may establish such rules as deemed necessary or appropriate by the Municipal Clerk for the conduct of the election. The Clerk of the Fire Board shall present to the Municipal Clerk, not later than October 15<sup>th</sup> in each year where a Chief's Election is to occur, a complete roster of all members of the department, certified as to each house by the Assistant Chief thereof, with indication as to which members have attained the minimum eligibility requirement to vote in the election. For all other elections, the Fire Board may establish such rules as it deems necessary or appropriate for the conduct of the election.
- D. In order to be eligible for election as an officer of any company, an individual must be a member of that company. The term of Assistant Chief shall be two years. The term of Captain, First Lieutenant and Second Lieutenant shall be one year.
- E. If a vacancy shall occur in the office of Chief of the Department, the longest serving Assistant Chief then serving shall be designated Acting Chief of the Department. If the vacancy occurs on or after September 1 of the year preceding the final year of the term then being served by the Chief, the appointment shall be for the remainder of the term. If the vacancy occurs at any time prior to September 1 of the year preceding the final year of the term then being served by the Chief, the Department shall hold an election, not sooner than 30 days nor greater than 60 days following the vacancy, to elect a Chief to serve the remainder of the term. If any vacancy shall occur among the company officers, the unexpired term shall be filled at the next regular meeting of the company by ballot in the same manner as set forth above.
- F. Any member who may be unable to personally attend the election of Chief or other line officers is eligible to cast one absentee ballot for the candidates of his choice on the first round of the election only.
- G. For purposes of this section, an "Active Member" shall be one who attains the requisite percentage of attendance at all fire calls and mandatory drills for his or her firehouse or for the department, in the case of individuals not assigned to a firehouse, for the year, so as to qualify for Clothing Allowance as set forth elsewhere in this Ordinance. Probationary Members of the Department as of the time eligibility to participate in the election is established shall not be eligible to vote in the election. The Clerk of the Fire Board shall submit to the Municipal Clerk of the Borough a certified list of members eligible to vote, as set forth above, not later than October 15<sup>th</sup> of each year in which there is an election. Members on Medical Leave or Military Leave shall likewise be deemed "Active Members" in the same manner as they shall be deemed eligible for a Clothing Allowance. Members on leave who do not qualify for clothing allowance shall not be deemed "Active Members" for this section. In addition, no member on military leave shall be eligible to vote in successive elections while on leave. In no event shall a member who is suspended at the time of the election be deemed an "Active Member" and such member shall therefore not be eligible to vote in such election.

#### § 25-18. Membership.

Each of the companies of the Department shall consist of not more than 30 members actively serving in a firefighter capacity, not less than 18 years of age at the time of their acceptance as members, who are residents of the Borough, or reside within a one mile radius of the Borough, and citizens of the United States. It is understood that residents of the Borough shall receive preference over non-residents of

the Borough in making appointments to any of the companies. A member who moves to a town bordering Hawthorne may continue his membership if he so desires. A member moving to a non-contiguous town may apply to the Fire Board for a waiver from the residency requirement which may be granted in the discretion of said Board. Such members of the Department shall be approved by the Board of Fire Commissioners. Notwithstanding the same, members on the roster for each Company as of the effective date of this Ordinance shall be deemed members without regard to residence. The Board of Fire Commissioners, by a majority vote, and with the concurrence of the Mayor, may waive the described maximum age limitation and period of residency (as defined by the New Jersey State Firemen's Association). In addition, they may waive the requirement of residency within the Borough in any case where the applicant is regularly employed full-time within the Borough and if found to be available for fire duty.

§ 25-19. Application for membership.

A. All prospective candidates must request an application, in writing, from the Board of Fire Commissioners. The Board will assign the applicant a company and charge the Assistant Chief of said company to investigate with his committee. Such investigation shall include a background check to be conducted by the Hawthorne Police Department, said investigation to be deemed confidential in nature. The results of the background check shall be reported to the Mayor who may deny the application in his or her discretion or impose limitations on the same. Upon investigation, the applicant will complete an application to the Department and return it to the Board of Fire Commissioners so that it may be processed.

B. All candidates for membership shall be proposed, in writing, on a regular application form furnished by the Board of Fire Commissioners.

C. § 25-20. Transfers.

A. Any member desiring to transfer his membership from one company to another shall present to the Board of Fire Commissioners a request, in writing, certified by the Secretaries of the companies, showing consent to such a transfer.

§ 25-21. Probationary Term

A. All members of the Department shall, upon acceptance by the Board of Fire Commissioners as a member, serve a one year Probationary Term. Members serving a Probationary Term shall have all rights conferred upon other members including OSAP and Clothing Allowance but shall not be eligible to vote in any election. Upon successful completion of the Probationary Term, the member shall be deemed a full member of the Department. The Probationary Term of any member may be extended by the Fire Board of Commissioners for an additional six months if the Board determines that the fire fighter requires additional training or experience before completing the Probationary Term. In the event that the Board determines, after such additional six month period, that the fire fighter continues to perform in a manner deemed unacceptable to the Department, then the Board of Fire Commissioners may rescind the appointment to the Department. In the event the Board determines to extend any Probationary Term or rescind membership, it shall send written notice detailing such action to the Mayor within 24 hours of taking such action. The member so affected may file an appeal of that decision with the Mayor, who shall follow the procedure set forth elsewhere herein regarding grievances in making a determination.

- B. The Board of Fire Commissioners, at the time of acceptance of a member of the Department, may reduce the initial one year Probationary Term to a period of six months where the member has five years or more of fire fighting experience either as a volunteer or paid member of another department and has completed Fire Fighter One. All other provisions set forth above regarding extension of the Probationary Term and rescinding of membership shall apply.

§ 25-22. Meetings.

- A. Each company shall hold at least one meeting each month, the first December meeting to be the annual meeting.
- B. A special meeting of the company may be called by the Assistant Chief with 48 hours' notice given by phone and pager to each company member.
- C. A special meeting of the Board of Fire Commissioners may be called by the Chief, or in his or her absence the longest serving Assistant Chief, with 24 hours' notice by phone and pager to each Assistant Chief, or where unavailable the highest ranking officer of the respective company, and compliance with the Open Public Meetings Act.

§ 25-23. Powers and duties of Chief and subordinate officers

- A. The Chief shall have the general supervision of the Department. The Chief shall report directly to the Mayor as the head of the Department of Public Safety. Each Company shall be under the supervision of an Assistant Chief, who shall be subordinate in rank to the Chief.
- B. The duties and responsibilities of all the Chief, Assistant Chiefs and all subordinate officers shall be established by the Board of Fire Commissioners by way of by-law, adopted in accordance with this Ordinance. No duty or responsibility established by the Board of Fire Commissioners shall be in conflict with this Ordinance.

§ 25-24. Duties of Department members.

In addition to establishing the duties and responsibilities of all officers of the Department, the Board of Fire Commissioners shall establish duties of all members of the Department, provided such shall not be in conflict with this Ordinance.

§ 25-25. Resignations.

No resignations shall be accepted until approved by the Board of Fire Commissioners. A Member of the Department who resigns a Member in good standing who wishes to return to the Department within one year of the acceptance of his or her resignation may return to the Department, upon approval by the Board of Fire Commissioners, without requirement that the individual serve a Probationary Term and without requirement that the Member undergo a physical if the last physical taken by the Member is within the required time parameter for the taking of a physical.

§ 25-26. Discipline and Grievances.

- A. Officers and Members of the Department shall be subject to discipline in accordance with this section and the Personnel Manual of the Borough of Hawthorne. A procedure for imposing discipline shall be

established by the Board of Fire Commissioners in the by-laws of the Department, provided however that any discipline involving suspension of more than thirty (30) days, expulsion or any similar penalty of magnitude shall have a right of appeal to the Mayor as head of the Department of Public Safety. In the event the Board of Fire Commissioners imposes a suspension of more than 30 days, an expulsion or other similar penalty of magnitude, it shall deliver written notice of that action to the Mayor within 24 hours of the action being taken, setting forth the nature of the discipline imposed and facts relied upon in imposing the same. The Mayor may grant a stay of suspension or expulsion, in his discretion, pending his or her final determination on appeal. The Mayor shall act on any request for a stay within 48 hours of receipt of a request for stay and written report of the Board of Fire Commissioners. The Mayor may, in making a final determination on any appeal, and in his or her sole discretion, accept, reject or modify the discipline imposed by the Board of Fire Commissioners.

- B. The Chief of the Department may be removed from office for good cause by the Mayor in the same manner as the Mayor may remove any Department Head from office, in accordance with State statute.
- C. Grievances may be filed by any member of the Department consistent with the Employee Handbook of the Borough of Hawthorne. The Board of Fire Commissioners may nevertheless establish in departmental by-laws a grievance procedure, provided, however, that such procedure shall have as its final step an appeal to the Mayor.

§ 25-27. Leaves of absence.

A. Any member leaving the Borough for a longer period than 30 days must notify the Assistant Chief of his company and obtain permission for such leave of absence. No leave of absence shall be continued for a longer period than one year.

B. Members shall be excused from duty for the following reasons when properly substantiated in writing:

1. Sickness or death in the family of a member.
2. Personal sickness.
3. Indispensable business.
4. Military duty.

C. In the event a member of the Department is elected or appointed to serve as the Mayor of the Borough of Hawthorne, and therefore to serve as Head of the Department of Public Safety, he or she shall take a leave of absence until completing the term as mayor.

§ 25-28. Equipment.

Each member, upon election to membership, shall be presented with Borough equipment, which must be returned upon resignation or expulsion from the Department.

§ 25-29. Apparatus.

- A. No apparatus shall be taken out of the Borough without permission from the Chief. If the Chief is absent from the Borough, permission must be obtained from the Assistant Chief in charge, who will in turn notify the other companies.
- B. Inspection of the Fire Department shall be held as may be determined by the Mayor but not more frequently than once in each calendar year. [Amended 6-6-2007 by Ord. No. 1902-07]
- C. No apparatus shall leave the firehouse unless with at least one active member, unless permission is granted to do so by an officer in charge.
- D. None but members of the Fire Department shall ride on the apparatus without the permission of the officer in charge.

§ 25-30. Repairs and supplies.

All requests for repairs and supplies for the various companies of the Department shall be presented to the Board of Fire Commissioners for approval or recommendation of said Board by the Assistant Chief of such company at the time the monthly report is submitted. In case any apparatus shall become so disabled that immediate repairs are necessary, any member of the company operating such apparatus shall immediately report the condition of the same to the Assistant Chief for him to take up with the Chief, who is empowered to have the same repaired.

§ 25-31. Clothing allowance. [Added 6-15-2011 by Ord. No. 2041-11]

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

BOROUGH — The Borough of Hawthorne.

CLOTHING ALLOWANCE — A sum of money, as determined by ordinance, designed to reimburse certain qualifying members of the Fire Department for wear and tear on their personal clothing based upon criteria established by this section.

FIRE BOARD — The Fire Board of Commissioners of the Borough of Hawthorne.

FIRE DEPARTMENT — The Hawthorne Volunteer Fire Department

FIREFIGHTER — A Member of the Hawthorne Volunteer Fire Department.

A. Clothing allowance. Firefighters serving in the Borough of Hawthorne shall be eligible to receive a clothing allowance, payable each year such member meets the eligibility requirements for such award, the amount of such allowance to be determined by the Municipal Council of the Borough of Hawthorne by ordinance. The clothing allowance shall be determined from October 1<sup>st</sup> of each year to September 30<sup>th</sup> of the succeeding year.

B. Qualification for allowance. In order to qualify for the clothing allowance, a firefighter must meet the following eligibility requirements:

- (1) For firefighters having less than six months' experience as a member of the Hawthorne Fire Department, no compensation shall be awarded.

(2) For firefighters having six months to one year of experience as a member of the Hawthorne Fire Department, a member must have attended not less than 33 1/3% of all fire calls and mandatory drills for his or her firehouse for the year and shall receive a clothing allowance prorated by the total number of months he or she has served during the year.

(3) For firefighters having more than one but less than 20 years of experience as a member of the Hawthorne Fire Department, a member must have attended not less than 33 1/3% of all fire calls and mandatory drills for his or her firehouse for the year.

(4) For firefighters having 20 to 24 years of experience as a member of the Hawthorne Fire Department, a member must have attended not less than 25% of all fire calls and mandatory drills for his or her firehouse for the year.

(5) For firefighters having 25 or more years of experience as a member of the Hawthorne Fire Department, a member must have attended not less than 20% of all fire calls and mandatory drills for his or her firehouse for the year.

D. Records for attendance. It shall be the duty of the Assistant Chief of each firehouse to maintain records of all fire calls and mandatory fire drills as well as attendance by the individual members of the Department and present those records to the Fire Board each year for determination as to which members are eligible for the clothing allowance. In no event shall members be given credit for any other service rendered on behalf of the Department, and only attendance at fire calls and mandatory drills shall be considered in making award of a clothing allowance.

E. Military and medical leave.

(I) Any member on military leave or on medical leave resulting from an injury related to service as a volunteer firefighter shall be entitled to the full clothing allowance for any given year, provided that member attends the requisite percentage of fire calls and mandatory drills for the time period the member was not on military or duty-related medical leave during the year.

(2) Any member on medical leave not related to duty as a firefighter shall be entitled to the full clothing allowance for any given year, provided that the member attends the requisite percentage of fire calls and fire drills for the time period the member was not on medical leave during the year, provided that the member served for not less than six months during that year.

(3) In the case of medical leave for either duty-related or non-duty-related injury or illness, the minimum time period shall be two consecutive weeks. Documentation from a medical provider must be supplied. All requests for medical leave must be approved by the Board of Fire Commissioners.

(4) No credit shall be given any firefighter on personal leave or suspended from service, and such member may only qualify for the clothing allowance if he or she attends the requisite number of fire calls or mandatory drills for the entire year.

F. Amount of award. The amount of the clothing allowance shall be established by the Municipal Council of the Borough of Hawthorne and set forth in the annually adopted Salary Ordinance of the Borough. The final award of compensation shall be made by the Municipal Council, based upon

recommendation by the Fire Board. No service credit may be given for service to any other organization or for firefighting activities on behalf of any other municipality, except in the case of mutual aid rendered by the Borough of Hawthorne.

Section 2. All parts and provision of Chapter 25 not specifically affected by the above provisions shall remain in full force and effect.

Section 3. This Ordinance shall take effect 20 days after final adoption and publication as provided by law.

### **Public Hearing**

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2167-16 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 2167-16 be closed and that it be resolved this ordinance was posted on the bulletin board, Hawthorne Press and 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 Bennett, seconded by Councilman Mele. On roll call, all voted yes with the exception of Councilman Lane who abstained; motion carried.

### **OLD BUSINESS:**

Councilman Lane- asked the status of the Safety Program to which Administrator Maurer responded Director Scully is working on developing a course for general safety as well as specific procedures in order to avoid injury in the future and this should be completed in the next two weeks. He then asked about street cleaning parking due to resident complaints that the curbs are not getting cleaned. Administrator Maurer responded he will work on the enforcement of opposite side street parking. A discussion followed stating Friday would be the best day to have the company come at hours different then the signs, but this will be done once there is a specific area stated where this is occurring. Councilman Lane stated there have been complaints from residents about cars parking up to the edge of the curbs making it difficult to use the driveways. This occurs in the areas of the schools and during the school year. Councilman Lane asked if the corners could be painted yellow. Borough Council President responded this is not legally enforceable, there is no law stating how far a vehicle can be from a driveway. Councilman Lane asked for an update on the generator testing. Engineer Boswell responded he would find out and let him know. Councilman Lane then asked for an update on the power washing of the Sunrise Drive water tower being painted and power washed. Administrator Maurer responded that they are working on a proposal to have that done.

Councilman Mele- Added that DPW currently cleans Lafayette Ave. with the street sweeper at 3AM. A conversation followed determining that if there are signs posted; enforcement of alternate side parking rules needs to be done.

Councilman Bennett- Asked if the testing of the generator testing was included in the bid pricing. It was determined that there was no bid for this generator. The unit was purchased from Houston Galveston Cooperative. Administrator Maurer stated that anything other than delivery will have a cost.

Council Vice President Matthews- Asked if the Steve Schuckman had been contacted regarding the removal of a dead tree on Victor Place. Administrator Maurer responded he would confirm.

### **NEW BUSINESS:**

Councilman Sinning- Asked for an update on the Nelson Ave. resident regarding her water pressure. Administrator Maurer stated that the pressure has been tested and the level going to her house is sixty-five pounds which is more than the amount required. Engineer Boswell added they believe there may be a problem with the resident's sprinkler system. Councilman Sinning received complaints of solicitors going door to door. The question was brought up if these solicitors needed permits. Mayor Goldberg responded Yes, they are required to register with the Borough and obtain solicitors permits. Council President Bertollo added the ordinance was amended changing the hours from sunset to 9pm.

Council Vice President Matthews – Requested Borough Zoning Officer speak with the owner of the property located at the corner of Wagaraw Road and North 8<sup>th</sup>. They did not ask for an approval for outside storage with the planning board and currently have a boat and cars stored there. Administrator Maurer will arrange.

Councilman Lane- Added PSE&G is currently canvassing the town checking for gas leaks. They have the proper permits and identification.

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

The Grand Opening of the Borough Bandshell is tomorrow at 7:15 pm, followed at 7:30 pm by a Tribute to Frank Sinatra with the Silver Starlite Orchestra – the Borough Bandshell is located at the upper lawn area of the Pool Complex – area opens at 6:30. Freeholders and other dignitaries will be in attendance. On Sunday, July 17, the Borough Bandshell will present the original “Willy Wonka & the Chocolate Factory” – please note the new show time of 8:30 pm. Please look for the Borough Bandshell on Facebook, Twitter and Instagram. The Lion's Club and Board of Recreation Annual Swim meet is scheduled for Wednesday, July 20 at 6 pm – please check the website for additional information. Although it is not possible to replace an employee such as Don Turner who worked for us for fifteen years, we have hired a new Code Enforcement Officer, Peter Van Der Velde.

### **Attorney Michael Pasquale**

204 Wagaraw Rd: He has been communicating with the court appointed mediator Christine Cofone. Judge Grogan is still looking into other cases to see the outcome. The test cases are still being tried in Middlesex and Ocean County.

InSpa Matter: Appellant Division upheld decision with the Borough. The InSpa is closed and the owner has since moved to Florida.

Vacant Property Ordinance: The letter to accompany the vacant and abandoned property ordinance has been sent. Responses have been received as well as some fees. The purpose of the fee is to make the home owners bring their properties up to code and put these properties back on the market.

Annual Tax Appeals: Appeals for the Borough were held in Wayne on June 22<sup>nd</sup>. Forty-nine cases were moved with nineteen being tried and we won them all. There are only a few filings left for commercial properties.

Band Shell: The grand opening of the band shell was a success with over 500 people in attendance. Rita's Ice and Gourmet Express are food vendors at all of the events. Bring your own chairs and blankets to the dedication and Frank Sinatra Tribute this Thursday. The dedication will have Freeholders, Councilmen as well as other dignitaries in attendance and will begin at 7:15pm with the concert immediately following. There is no rain date for the dedication but the concert will take place in the Boys and Girls Club should it rain.

### **Engineers Report, Dr. Stephen T. Boswell**

1 DPW Building

Boswell Engineering now has two contractors they are working with to get sub prices for the DPW Building Project. We will have the new quotes by July 15<sup>th</sup>.

2. 2016 Road Program

Majority of the concrete work is completed. With no weather setbacks, paving and milling will begin on Monday July 11.

3. 2015 Road Resurfacing Program

We have to infrared Mountain Ave in some places and we will have the contractor come back to do this.

4. Band Shell

Apparently there was water on the stage and the reason was determined we were watering the band shell. All plans and punch list will be completed by tomorrow. We have done some saw cuts and changed the sprinkler heads. The contractor is returning to clean the back wall and replace the molding at no cost.

5. Braen Avenue

Waiting on the final schedule.

6. Street Scape Project

Awarding the lowest bidder tonight.

7. Water System Generators

Electrical upgrades at the north and south stations and the wells has been completed. The work associated with Mary Street has not been addressed. We are still waiting on the automatic transfer switch but also the Borough is considering a gas upgrade which was discussed at the last meeting.

8. Library HVAC

Project is complete except for the final close out.

9. Prescott Ave. Rehabilitation

Project is on hold. The Legislator and Governor's offices did not come to terms on the transportation trust fund. Thus the fund has no new money.

10. Diamond Bridge and Washington Ave ADA Ramp

Should be done by our next Council meeting.

11. Wag Road Pump Station

Boswell Engineering bid similar type repairs, for the ladder and the grate, in another town. This doesn't have to be bid due to the amount. We are getting prices from the contractor who was the lowest bidder in that other town.

12. Scada System

The SCADA equipment bid for the hardware was awarded at the last meeting.

11. Passaic Avenue Sewer Lining

Tonight this will be awarded to Swerp.

12. Library Sidewalk

This was not completed due to drainage issues the library would like repaired first.

**Administrator Maurer –**

We have issued the bid specs for the remaining antenna space at Longview Tank. Bids are due on July 27<sup>th</sup> with an award expected 3 weeks later. We have had issues with two of the three effluent pumps at the south station water utility. One of the pumps is running again and we are working on the other. The work on well six, authorized at the last Council Meeting, is under way. We have been supplying water to Ridgewood since late May and are currently supplying them with 400,000 gallons a day. Modifications to the existing shared service agreement with Ridgewood will be discussed at the next Public Works Committee meeting with expectations of presenting a resolution at the July 27<sup>th</sup> Council Meeting. We continue our review of proposals for the building department software and continue to work with Edmonds to resolve issues with the finance software. The exit conference for our 2015 Audit will be held tomorrow morning. Based on preliminary information, everything looks good. I will report on this at the next meeting. The County Board of Taxation has certified our tax rate for 2016, so that tax bills will be going out in the next few weeks. We will have a date by the next Council meeting along with a resolution extending the grace period. Mayor Goldberg added he just received an email with a shutdown notice addressed to all local aid grant recipients.

**Questions for the Administration**

Councilman Lane confirmed his attendance for the official dedication of the band shell. Councilman Bennett stated he was unable to attend opening night because he was at his sons where he found out he will be a grandfather!

Councilman Lane asked Administrator Maurer when the conversion with Edmonds will be completed. He asked if we are paying for the service during this time. He responded Edmonds has not satisfied us with the conversion of the finance portion. There are still issues which need to be fixed. The water billing and taxes parts are functioning. Councilman Lanes asked if this problem was hindering work in the tax office to which he responded yes. Borough Attorney Pasquale added Director of Revenue and Finance Hewitt has been diligently working to have the issues corrected. Thursday an employee from Edmonds will be meeting with her on site to hopefully resolve the issues.

Council President Bertollo asked if there were any other questions for the Administration. Seeing none, 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, motion carried.

**INTRODUCTION OF ORDINANCES:**

**ORDINANCE NO. 2168-16**

**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.**

The Municipal Council of the Borough of Hawthorne in the County of Passaic and the State of New Jersey, do ordain as follows:

Section 1. Ordinance No. 2158-16 of the Borough of Hawthorne, 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, is hereby amended as follows:

**SALARY ORDINANCE 2016**

<b><u>Position/Title</u></b>	<b><u>2016</u></b>
Special Police Officer (per hour).....	18.50

Section 2. Except as herein amended, Ordinance No. 2158-15 remains in full force and effect.

Section 3. All ordinance and parts of ordinances inconsistent with the provision of this ordinance be and the same are hereby repealed, but only to the extent of such inconsistencies.

Section 4. This ordinance shall take effect twenty (20) days after final passage, provided notice of the same has been duly published all as required by law.

BE IT RESOLVED, that Ordinance No. 2168-16 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 July 27<sup>th</sup>, 2016, and at said 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 post 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 Bertollo entertained a motion to approve Ordinance No. 2168-16 moved by Councilman Mele, seconded by Council Vice President Matthews. On roll call, all voted yes; motion carried.

**RESOLUTIONS...**

**CONSENT AGENDA: R 124-16 through R 137-16:**

**R 124-16 Introduced by Councilman Sinning**

CURRENT FUND	WT 888889	\$	277,803.42
WATER OPERATING FUND	WT 888889	\$	40,930.90
OTHER TRUST II FUND	WT 888889	\$	17,269.40
GENERAL CAPITAL FUND	WT 888889	\$	-
DOG DEDICATED FUND	WT 888889	\$	-
			\$ 336,003.72
TOTAL PAYROLL			
CURRENT FUND TO PAYROLL/FICA	WT 888889	\$	9,671.60
WATER OPERATING FUND TO PAYROLL/FICA	WT 888889	\$	5,000.00
			\$ 14,671.60
TOTAL FICA			

**R 125-16 Introduced by Councilman Sinning**

WHEREAS, the property at 17 Agnes Terrace, known as Block 24 Lot 13.03, Norma Terrace Estates LLC was sub-divided, and the Tax Assessor has requested the 2016 taxes be cancelled.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be authorized by the Municipal Council of the Borough of Hawthorne to cancel taxes for 2016 1<sup>st</sup> and 2<sup>nd</sup> quarters in the amount of \$2,275.23.

**R 126-16 Introduced by Councilman Sinning**

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 \$4,123,169.00 from the Current Fund and charged to School Taxes Payable for July 2016.

**R 127-16 Introduced by Councilman Sinning**

WHEREAS, a concert at the Band Shell in the Borough of Hawthorne will take place on Thursday, July 7, 2016, which will be performed by Starlite Association, LLC who will require payment immediately following the concert.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to draw a check against Other Trust II – Public Events in the amount of \$1,600.00, to be distributed after the services has been performed.

**R 128-16 Introduced by Councilman Sinning**

WHEREAS, events at the Band Shell in the Borough of Hawthorne will take place on Sunday, July 17, 2016 and Sunday, August 7, 2016, and Fun Flicks Outdoor Movies of Texas, Inc. is providing projection equipment and will require payment immediately following the events.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to draw two checks against Other Trust II – Public Events in the amount of \$721.92 each to be distributed after the services have been performed.

**R 129-16 Introduced by Councilman Sinning**

WHEREAS, on June 22, 2016, the Borough of Hawthorne received bids for the Downtown Revitalization Project in the Borough of Hawthorne authorized by Ordinances #2102-13 and; and

WHEREAS, the bids have been received and reviewed by Boswell Engineering and they have recommended the low, responsive bid of:

Solar-Mite Electrical Contractors  
PO Box 356  
922 King George Road  
Fords, NJ 08863  
in the amount of: Base Bid - \$514,686.50  
Alternate – \$52,290.00

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited lowest responsive bidder, in the total amount of \$566,976.50, subject to the certification of availability of funds from the Chief Financial Officer, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and Solar-Mite Electrical Contractors in a form approved by the Borough Attorney when these conditions have been met.

**R 130-16 Introduced by Councilman Sinning**

WHEREAS, on June 9, 2016, the Borough of Hawthorne received bids for the Passaic Avenue Sewer Lining in the Borough of Hawthorne authorized by Ordinances #2161-16 and; and

WHEREAS, the bids have been received and reviewed by Boswell Engineering, and they have recommended the low, responsive bid of:

SWERP, Inc.  
1237 Hayes Blvd.  
Bristol, PA 19007  
in the amount of: \$26,400.00

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited lowest responsive bidder, in the total amount of \$26,400.00, subject to the certification of availability of funds from the Chief Financial Officer, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and SWERP, Inc. in a form approved by the Borough Attorney when these conditions have been met.

Borough of Hawthorne and Emerson Process Management Power & Water Solutions, Inc. in a form approved by the Borough Attorney when these conditions have been met.

**R 131-16      Introduced by Councilman Sinning**

WHEREAS, there exists a need for construction engineering support services for the Hawthorne Downtown Revitalization in the Borough of Hawthorne at a cost not to exceed \$6,500.00.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that Boswell Engineering be awarded a contract in the amount not to exceed \$6,500.00 for construction engineering support services for the Hawthorne Downtown Revitalization, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract, in a form approved by the Borough Attorney and the certification by the Chief Financial Officer for the availability of funds.

**R 132-16      Introduced by Councilman Sinning**

WHEREAS, there exists a need for engineering services for the design and inspection phases of the 2016 NJDOT Improvements to Rock Road, in the Borough of Hawthorne at a cost not to exceed \$18,000.00 for design and \$20,000.00 for construction inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that Boswell Engineering be awarded a contract in the amount not to exceed \$38,000.00, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract, in a form approved by the Borough Attorney subject to certification by the Chief Financial Officer.

**R 133-16      Introduced by Councilman Sinning**

WHEREAS, the annual principal and semi-annual interest payments for the General Serial Bonds of 2012 have become due and payable on July 15, 2016, and

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 \$225,000.00 in Principal and \$48,032.00 in Interest from the Current Fund, and \$60,000.00 in Principal from the Assessment Trust Fund and \$70,000.00 in Principal and \$11,525.00 in Interest from the Water Operating Fund.

**R 134-16      Introduced by Councilman Sinning**

WHEREAS, an interfund, in the amount of \$74.58 was created, by a posting error between the General Capital Fund and the Water Operating Fund

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized, to liquidate said interfund by issuing a check for \$74.58 from the General Capital Fund payable to the Water Operating Fund.

**R 135-16 Introduced by Councilman Sinning**

WHEREAS, on June 28,2016, the Borough of Hawthorne received bids for the Large Truck Maintenance & Repairs of equipment, for the public works for the year 2016 subject to renewal for 2017, and;

WHEREAS, the Borough and Public Works administration recommend the acceptance of the following bid:

Elvin Automotive Services, Inc.  
23 East 24<sup>th</sup> Street  
Paterson, NJ 07514

In the amounts as follows:

Labor Rates:

Heavy Trucks & Equipment	120.00 per hour
Emergency Off-Hour	375.00 per hour

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited responsible bidder, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and Elvin Automotive Services, Inc. in a form approved by the Borough Attorney.

**R 136-16 PULLED**

Establish Dedication by Rider for Special Police Equipment.

**R 137-16 Introduced by Councilman Sinning**

WHEREAS, there exists a need for engineering services for preparation for an emergency generator at the Mary Street Tank for the Water Utility in the Borough of Hawthorne at a cost not to exceed \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that Boswell Engineering be awarded a contract in the amount not to exceed \$5,000.00 for engineering services for preparation for an emergency generator at the Mary Street Tank, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract, in a form approved by the Borough Attorney and the certification by the Chief Financial Officer for the availability of funds.

Council President Bertollo entertained a motion to approve consent agenda resolutions R124-16 through R137-16 moved by Councilman Sinning, seconded by Councilman Mele. On roll call all voted yes, motion carried.

**REPORTS OF SPECIAL COUNCIL COMMITTEES:**

**Councilman Mele** – Thanked Attorney PasqualE and the band shell committee for doing an excellent job. He responded that the band shell has raised over \$18,000 in which has offset all expenses. Tomorrow night the Hawthorne Republican Club is sponsoring the event in its entirety.

**Councilman Bennett**- The Public Works Committee met Tuesday June 21<sup>st</sup>. Items discussed; 2016 Road Program will begin milling and paving Monday. Passaic Ave. sewer lining project and the maintenance of large trucks are both on the consent agenda this evening, new garbage contractor had a few early morning stops but are now operating as expected; lastly, stripping tower needs a new welded steel floor.

**Council Vice President Matthews** – Chamber of Commerce Farmers Market is being held Sundays June 26 thru Oct 30 from 9am-2pm rain or shine. They also are sponsoring the “Find the Bee in Hawthorne” campaign. Children travel from business to business collecting stamps for their passport which registers them for the prize drawing on July 31<sup>st</sup>. The Classic Car Show will be on August 21<sup>st</sup>. Last year the event brought 100 cars and 20 motorcycles and this year is expected to be bigger and better. The Planning Board meeting was held July 5<sup>th</sup> where Hawthorne Gospel Church presented their idea to expand the media and class rooms as well as combine the school with the church to create a barrier free entrance. The official hearing is August 16<sup>th</sup>. July 19<sup>th</sup> the developers of the Royal Ave Condominium Development will be presenting a different plan now that they have acquired additional properties. Lastly the Finance Committee will be scheduling a meeting to discuss R136-16.

**Councilman Sinning**– Complimented the sound and construction of the band shell.

**CORRESPONDENCE:** None.

**BILLS:**

<b>VENDOR</b>	<b>CHECK#</b>	<b>TOTAL</b>	<b>DESCRIPTION</b>
<b>CURRENT FUND</b>			
NJ ADVANCE MEDIA	20847	313.10	REPLACES CK#20764
AAA EMERGENCY SUPPLY CO INC	20848	215.40	STEAMLIGHT SURVIVOR BATTERY
ACTION DATA SERVICES	20849	1,090.56	PAYROLL PROC PR#12 6/10/16
ADVANCED AIR SYSTEMS LLC	20850	1,354.86	MAINTENANCE CONTRACT 2016
ALL AMERICAN FORD	20851	59.90	VEHICLE REPAIRS - 201
ALL SHRED SERVICE	20852	333.15	SHREDDING DAY
AMERICAN HOSE & HYDRAULICS CO	20853	480.00	REPAIRS TO 30YR CONTAINER
ASCAP	20854	341.45	ASCAP ANNUAL FEE 2016
ATLANTIC CRANE INSPECTION SERV	20855	645.00	ANNUAL SAFETY HOIST INSPECTION
ATLAS DISPOSAL OPTIONS, INC	20856	275.00	OIL/FILTER DISPOSAL
A-VAN ELECTRICAL	20857	127.38	ELECTRICAL SUPPLIES
B AND B DISPOSAL, LLC	20858	53,191.66	MISC PARTS & SUPPLIES
BCB JANITORIAL SUPPLY CO INC	20859	99.90	JANITORIAL SUPPLIES
BOB'S TIRES & WHEELS INC	20860	1,080.00	C-3 TRUCK TIRES
BOLTZER LANDSCAPING INC	20861	1,965.24	LANDSCAPING BORO PROPERTIES
BOROUGH OF HAWTHORNE	20862	500.00	PEER LEADERS SUBSTANCE ABUSE
BOSWELL ENGINEERING, INC	20863	1,269.25	PROF ENG SVC INVOICE 101934
BRAEN STONE INDUSTRIES, INC	20864	847.09	ROAD SUPPLIES
BURGIS ASSOCIATES, INC	20865	562.50	HOUSING AND MASTER PLAN
CANON SOLUTIONS AMERICA INC	20866	12.15	MAINTENANCE COPIER
CANON FINANCIAL SVCS INC	20867	43.00	DPW LEASE COPIER
CINTAS FIRST AID AND SAFETY	20868	395.55	FIRST AID & SAFETY SUPPLIES
DELL GARDEN CENTER	20869	105.00	SAND FOR KIDDIE POOL
DIESEL TRUCK SERVICE, INC	20870	2,588.00	R-12 REPAIRS
DIVINE PROF CLEANING SVC, INC.	20871	1,125.00	BLANKET/BORO HALL CLEANING SVC

DOOR WORKS INC	20872	313.00	REPAIR GARAGE ROLL-UP DOOR
DUNKIN DONUTS	20873	291.03	POLL WORKER SNACKS PRIMARIES
ECM2, LLC.	20874	2,000.00	ECM DISPATCHING
ELEMENT FINANCIAL CORP	20875	400.00	AGREEMENT 123257 AUG 2016
FARRIER SPORTING GOODS INC	20876	350.00	ROLLER HOCKEY GOAL
FIBER INTERACTIVE LLC	20877	250.00	COUNCIL MTG SVC
FIRST MOUNTAIN ARBORICULTURE L	20878	650.00	TREE INSPECTIONS
FREMGEN POWER EQUIPMENT INC	20879	388.00	CONCRETE CUTTING BLADES
GEIGER	20880	3,360.25	ROAR SUPPLIES
GILL ASSOCIATES	20881	410.00	RIBBONS FOR POOL ID MACHINE
GRO-RITE	20882	1,226.61	FLOWERS FOR BOROUGH/DPW
HAWTHORNE AUTO LAB	20883	3,894.92	VEHICLE MAINTENANCE
HAWTHORNE BOARD OF EDUCATION	20884	1,750.00	REFRESHMENTS FOR SR CITIZENS
HAWTHORNE BOYS & GIRLS CLUB	20885	3,500.00	CONSULTANT SVS SMART MOVES
HAWTHORNE FIRE DEPT	20886	286.18	DEPARTMENT FIRE DRILL REFRESHM
HAWTHORNE PRESS INC	20888	920.06	LEGAL NOTICES
HENRY'S PLUMBING & HEATING INC	20889	624.96	ENCUMBERED - MISC. SUPPLIES
HIGHVIEW AT HAWTHORNE	20890	26,868.38	2015 FEES SNOW REMOV ST LIGHTI
HORIZON BLUE CROSS BLUE SHIELD	20891	139,877.69	JULY STATEMENT HEALTH BENEFITS
IMPAC FLEET INC.	20892	6,021.76	GASOLINE BORO VEHCL
JERSEY ELEVATOR INC	20893	154.26	ELEVATOR SERVICE
JOANNE GRAZIANO	20894	220.55	PEER LEADERS REFRESHMENTS
JORDAN TRANSPORTATION,INC	20895	960.00	SENIOR BUS TRIPS
JUSTIN MORELLO	20896	88.96	REIMB DPD1 CHLORIN & LADDER TR
LAFAYETTE HILLS CONDO ASSOC	20897	3,465.08	REIMB 2015 SNOW REM & ST LIGHT
LANGUAGE LINE SERVICES	20898	197.98	LANG LINE SVC MAY 2016
LOWES HOME IMPRV BUSINESS ACCT	20899	95.34	ROAD SUPPLIES
MAIN POOL & CHEMICAL CO, INC	20900	1,033.35	POOL CHEMICALS /BI-WKL
MARY JEANNE HEWITT	20901	129.17	REIMB PETTY CASH FOR TREASURY
METLIFE	20902	274.59	TM05001743 0001 JULY 2016
MGL PRINTING SOLUTIONS	20903	277.00	TAXES - PD 5 FORMS
MONTONE REMOD & CONS CO, INC	20904	1,050.00	REPLACE DAMAGED CONCRETE
NJ ASSOC OF CHIEFS OF POLICE	20905	345.00	ANNUAL NJ CHIEF TRAINING
NJ SPORTS & EXPOSITION AUTH	20906	1,038.70	2016 DUMPING FEES
NJ TRANSIT	20907	180.00	PERM RENEW JUL16-JUN17
NORTH JERSEY MEDIA GROUP INC	20908	280.66	PUBLIC NOTICES JUNE
NY SUSQUEHANA & WESTERN RAILWA	20909	690.00	ANN FEE LICENSE LEASE NJ 334
OFFICE CONCEPTS GROUP INC	20910	155.97	POOL CLEANING SUPPLIES
PABCO INDUSTRIES	20911	4,327.50	LEAF/VEG BROWN BAGS RECY CNTR
PAETEC	20912	1,356.14	SVC TO 6/10/16 ACT 5494017
PAGANO COMPANY	20913	1,383.43	2015 REIMB SNOW & ST LIGHT
PASCACK DATA SERVICES	20914	3,148.70	COMPUTERS DPW/BUILDING
PETE TERRIZZI	20915	750.00	CUT GRASS & REMOVE DEBRIS
POSTMASTER-PATERSON	20916	215.00	POSTAGE PERMIT # 301
PROCOPY INC	20917	825.00	PARTS DPW ADMIN COPY MACHINE
PUBLIC SERV ELEC & GAS	20918	20,856.51	UTILITY SVC MAY 2016
RICOH AMERICAS CORPORATION	20919	545.35	ACT 2886310

RT OFFICE PRODUCTS	20920	1,201.27	OFFICE SUPPLIES
SCHWAAB INC	20921	111.23	SCHWAAB STAMPERS
SIRCHIE FINGERPRINT LABS	20922	143.68	EVIDENCE SUPPLIES
STAPLES	20923	1,272.75	DPW OFFICE SUPPLIES
SUPLEE, CLOONEY & COMPANY	20924	425.00	SDS SCHOOL REFUNDING BONDS
THE BROWNSTONE HOUSE, INC.	20925	339.15	SENIOR ACTIVITIES
THOMAS ZACONIE	20926	61.60	MILEAGE REIMB MAY 2016
THOMSON REUTERS INC	20927	1,489.50	NJ STATUTES
TOTAL MAILING SOLUTIONS INC	20928	2,800.00	FORMAX FD6204 FOLDER-INSERTER
TOTAL ADMIN SERVICES CORP	20929	829.20	HTH BEN ADMIN RETIR 8/16-10/16
TRANSUNION RISK & ALTERNATIVE	20930	25.00	2016 CHECKS - DRAWDOWN
TREASURER, STATE OF NJ	20931	2,904.00	STATE TRAINING FEES Q1 JAN-MAR
TREASURER, STATE OF NJ	20932	4,500.00	PROG INT ID 132573
TRIMBOLI & PRUSINOWSKI LLC	20933	75.00	LEGAL THROUGH 5/25/16
UNCLE BOB'S SELF STORAGE	20934	199.00	MTHLY RENTAL OF STORAGE
US BANK EQUIPMENT FINANCE	20935	299.50	RENTAL POSTAGE MACHINE
US MUNICIPAL SUPPLY, INC.	20936	1,182.22	R-11 SWEEPER REPAIRS
VERIZON WIRELESS (N)	20937	77.93	WIRELESS SERVICES
VERIZON	20938	1,954.74	TELEPHONE SERVICES
WALDWICK PRINTING COMPANY	20939	194.00	BUSINESS CARDS
WILFRED MAC DONALD, INC	20940	272.93	KUBOTA MOWER PARTS
<b>Total Current</b>		<b>326,804.92</b>	

#### **GENERAL CAPITAL**

BOSWELL ENGINEERING, INC	3496	22,012.00	2016 ROAD PROGRAM
HAWTHORNE PRESS INC	3497	289.74	LEGAL NOTICES
HUDSON-ESSEX-PASSAIC COUNTY	3498	1,700.00	SOIL TEST DPW BLDG/TR WASH
SUPLEE, CLOONEY & COMPANY	3499	425.00	SDS 2016 ROAD PROGRAM
<b>Total General Capital</b>		<b>24,426.74</b>	

#### **OTHER TRUST I**

NAOMI B. COLLIER	7076	25.00	COMMUNITY GARDEN DEP REFUND
<b>Total Other Trust I</b>		<b>25.00</b>	

#### **OTHER TRUST II**

FUN FLICKS OUTDOOR MOVIES	5207	721.92	BAND SHELL MOVIE NIGHT
STARLITE ASSOCIATION, LLC	5208	1,600.00	BAND SHELL PROFORMANCE
STATE OF NJ - DEPT OF LABOR	5209	6.66	1ST QTR 2016 UNEMPLOYMENT INT
<b>Total Other Trust II</b>		<b>2,328.58</b>	

#### **WATER CAPITAL**

POST & KELLY ELECTRIC CO, INC	1099	57,760.00	ELECTRIC UPGRADES UTILITY GENR
<b>Total Water Capital</b>		<b>57,760.00</b>	

#### **WATER OPERATING**

ACTION DATA SERVICES	10621	272.65	PAYROLL PROC PR#12 6/10/16
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AGRA ENVIRONMENTAL SVC	10622	787.50	LAB TESTING WATER
AP CERTIFIED TEST	10623	136.00	6' GATE VALVE KEYS
A-VAN ELECTRICAL	10624	34.24	MISC.PARTS&SUPPLIES
CANON SOLUTIONS AMERICA INC	10625	12.16	MAINTENANCE COPIER
CANON FINANCIAL SVCS INC	10626	43.00	DPW LEASE COPIER
CAPITOL SUPPLY CONSTR PRODS IN	10627	2,993.18	WATER DEPT PARTS/SUPPLIES
CINTAS FIRST AID AND SAFETY	10628	70.80	FIRST AID & SAFETY SUPPLIES
FREMGEN POWER EQUIPMENT INC	10629	388.00	CONCRETE CUTTING BLADES
GP JAGER INC	10630	5,238.64	WATER CHLORINATION CHEMICALS
GRO-RITE	10631	319.74	FLOWERS FOR THE DPW YARD
HAWTHORNE AUTO LAB	10632	408.98	VEHICLE MAINTENANCE
HENRY'S PLUMBING & HEATING INC	10633	1,279.41	MISC. SUPPLIES
HORIZON BLUE CROSS BLUE SHIELD	10634	20,000.00	JULY STATEMENT HEALTH BENEFITS
IMPAC FLEET INC.	10635	790.11	GASOLINE BORO VEHICLE
PAETEC	10636	452.05	SVC TO 6/10/16 ACT 5494017
PASCACK DATA SERVICES	10637	1,480.01	COMPUTERS DPW/BUILDING
PRECISION ELECTRIC MOTOR WORKS	10638	23,890.00	REPLACE PUMP WELL#5
PUBLIC SERV ELEC & GAS	10639	27,463.30	UTILITY SVC MAY 2016
RT OFFICE PRODUCTS	10640	44.90	OFFICE SUPPLIES
STAPLES	10641	34.24	DPW OFFICE SUPPLIES
STATE OF NJ - PWT	10642	1,238.30	2ND QTR WATER TAX APR-JUNE '16
TOTAL MAILING SOLUTIONS INC	10643	7,900.00	FOLDER REPAIR
USA BLUE BOOK INC	10644	3,216.79	POTASSIUM PERMANGANATE TANK
VERIZON WIRELESS (N)	10645	77.95	WIRELESS SERVICES
VERIZON	10646	617.07	TELEPHONE SERVICES
<b>Total Water Operating</b>		<b>99,189.02</b>	

**Total Bill List** **510,534.26**

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

**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.

Attorney Joonil Lee representing Myung Lee

His client wanted to open an acupuncture/ acupressure establishment at 344 Lincoln Ave. At the March 21 Planning Board meeting it was determined he would need a municipal massage establishment license to open this type of business and without said license he could not acquire a certificate of compliance. Attorney Lee stated he is aware there are currently two such licenses in town and inquired about the one that recently closed. Attorney Pasquale responded the third license was closed prior to the adoption of the ordinance. Section 320 of the code limits the number of massage licenses based on the population of the municipality. One license allowed per 10,000 residents. Attorney Lee asked if the town currently had an Asian medical practice.

Attorney Pasquale responded the ordinance doesn't regulate medical process. All manipulation of soft tissue is covered by the massage licensing ordinance and is also determined as such by the State of NJ legislators. Attorney Lee asked if the town ordinance could be amended. Discussion followed determining Mr. Lee should provide the Borough Attorney with detailed information on the services offered by Mr. Lee and that it will be submitted to the ordinance committee to review. The next ordinance committee meeting is at the end of July. President Bertollo added this is not an open meeting and would be reported on at the next Borough Council Meeting.

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

#### **ADJOURNMENT**

At 8:08p.m. Council President Bertollo entertained a motion to adjourn the regular meeting, moved by Council Vice President Matthews, seconded by Councilman Lane. On roll call all voted yes, motion carried.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL IS SCHEDULED FOR  
**WEDNESDAY, JULY 27, 2016**

THE WORK SESSION WILL BEGIN AT 7:00 PM, 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. Thank you.

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John N. Bertollo, Council President

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Lori DiBella, RMC, Borough Clerk