

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:55 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 Representative .....	Chris Nash
Director of Revenue and Finance.....	MaryJeanne Hewitt
Borough Clerk .....	Lori DiBella

Councilman Bennett was absent.

**FLAG SALUTE**

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

**STATEMENT**

Adequate notice of this meeting has been provided by the Annual Schedule of regular meetings heretofore adopted and posted on the Public Bulletin Board at the Municipal Building, emailed to the Hawthorne Press, Herald News, 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 6, 2012.

**APPROVAL OF MINUTES**

Council President Matthews entertained a motion to approve the Regular Minutes of June 19, 2013 moved by Councilman Mele, 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 Lane, seconded by Councilman Wojtecki. On roll call, all voted yes.

**ADOPTION OF ORDINANCES:**

**Ordinance No. 2093-13**

**AN ORDINANCE TO AMEND ORDINANCE 2081-13, HERETOFORE ADOPTED BY THE BOROUGH OF HAWTHORNE, PROVIDING FOR ROAD RECONSTRUCTION, CURBING, RESURFACING AND DRAINAGE IMPROVEMENTS ON VARIOUS STREETS AND PROPERTIES DESCRIBED THEREIN OR LATER IDENTIFIED, ALL IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING SEVEN HUNDRED SEVENTY FOUR THOUSAND AND NINETY-ONE (\$774,091) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME, SO AS TO MODIFY THE SCOPE OF WORK BY INCLUDING MAY STREET AS AN ADDITIONAL LOCATION THEREUNDER.**

**Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2093-13 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Council President Matthews entertained a motion that the public hearing on Ordinance No. 2093-13 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, posted on the borough website ([www.hawthornenj.org](http://www.hawthornenj.org)) and published in the Hawthorne Press. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law.

Moved by Councilman Wojtecki, seconded by Councilman Lane. On roll call, all voted yes.

**Ordinance No. 2094-13**

**AN ORDINANCE TO AMEND ORDINANCE 2082-13, HERETOFORE ADOPTED BY THE BOROUGH OF HAWTHORNE, PROVIDING FOR RECONSTRUCTION OR REPLACEMENT OF SIDEWALKS AND DRIVEWAY APRONS ON SECOND AVENUE, SIXTH AVENUE, SEVENTH AVENUE, SYLVESTER AVENUE, MAY STREET AND VARIOUS SITES DAMAGED DURING HURRICANE SANDY AS DESCRIBED SPECIFICALLY THEREIN, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING EIGHTY FIVE THOUSAND (\$85,000) DOLLARS THEREFOR, AUTHORIZING THE ISSUANCE OF BONDS OR NOTES FOR FINANCING PART OF THE COST THEREOF AND DIRECTING SPECIAL ASSESSMENT OF THE COST THEREOF, SO AS TO INCREASE THE AMOUNT OF THE BONDS OR NOTES APPROPRIATED TO FINANCE THE COST OF THE SAME FROM \$85,000 TO \$95,000 AND INCREASING THE COSTS PERMITTED BY N.J.S.A. 40A:2-20 FROM \$25,000 TO \$30,000.**

**Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2094-13 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Council President Matthews entertained a motion that the public hearing on Ordinance No. 2094-13 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, posted on the borough website ([www.hawthornenj.org](http://www.hawthornenj.org)) and published in the Hawthorne Press. 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 Lane, seconded by Council Vice President Bertollo. On roll call, all voted yes.

**Ordinance No. 2095-13**

**BOND ORDINANCE PROVIDING FOR ROAD RECONSTRUCTION, RESURFACING, DRAINAGE, CURB, AND SIDEWALK IMPROVEMENTS, SPECIFICALLY THE INSTALLATION OF HANDICAPPED RAMPS, ON MAY STREET, AS DESCRIBED SPECIFICALLY HEREIN, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING TWO HUNDRED SEVENTY SIX THOUSAND FIVE HUNDRED FIFTY-THREE (\$276,553) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME.**

**Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2095-13 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Council President Matthews entertained a motion that the public hearing on Ordinance No. 2095-13 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, posted on the borough website ([www.hawthornenj.org](http://www.hawthornenj.org)) and published in the Hawthorne Press. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law.

Moved by Councilman Wojtecki, seconded by Councilman Mele. On roll call, all voted yes.

**Ordinance No. 2096-13**

**BOND ORDINANCE PROVIDING FOR SANITARY SEWER LINE IMPROVEMENTS AT CORNELL AVENUE IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME.**

**Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2096-13 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Council President Matthews entertained a motion that the public hearing on Ordinance No. 2096-13 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, posted on the borough website ([www.hawthornenj.org](http://www.hawthornenj.org)) and published in the Hawthorne Press. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law.

Moved by Councilman Mele, seconded by Council Vice President Bertollo. On roll call, all voted yes.

**Ordinance No. 2097-13**

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

**Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2097-13 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Council President Matthews entertained a motion that the public hearing on Ordinance No. 2097-13 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, posted on the borough website ([www.hawthornenj.org](http://www.hawthornenj.org)) and published in the Hawthorne Press. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law.

Moved by Councilman Wojtecki, seconded by Councilman Lane. On roll call, all voted yes.

**OLD BUSINESS:**

Councilman Wojtecki thanked Administrator Maurer for his quick response to the May Street property and the gravel spill on Mohawk Ave. He also asked for an update on the flooding situation at McKinley and Lafayette Avenues. Administrator Maurer responded the line to McKinley Ave. is a county line and the borough is working cooperatively with the County to ensure the line gets jetted out. Councilman Wojtecki added that although the manhole cover at 594 Goffle Rd was welded recently, the east side portion was not. Administrator Maurer responded he will have the welding double checked. Councilman Wojtecki confirmed receipt of an email forwarded to Administration regarding issues with the stop signs on May Street and enforcement of such. He also asked for an update on the possibility of adding a bus stop along the 164 Bus Route that runs through Hawthorne. Administrator Maurer is investigating that possibility with New Jersey Transit. He added if it can be done, it may be just a stop on the buses outbound trip and one on its way back.

Councilman Sinning advised Administrator Maurer all except one of the Verizon poles on Pasadena Place have been removed. One of the poles removed now has a flag and cone in its place and has been there for one month. Administration will contact Verizon.

Councilman Lane asked Project Manager Nash if he had any information regarding the possibility of PSE&G changing the regulator and/or installing a pump to increase the pressure of gas into the Municipal Building. He responded yes, it can be done and will follow up with Engineer Boswell. Councilman Lane added this would need to be done prior to investing in a generator that will not work without the increased pressure. Council President Matthews is concerned that if this is not

complete prior to October or November we will again have problems with the heating system shutting down.

**NEW BUSINESS:**

Councilman Wojtecki stated that there seems to be a homeless person living behind the old International Bakery. Administration will report to the police department.

Appointment of Vanessa Nienhouse as Deputy Borough Clerk effective July 10, 2013 through July 10, 2015.

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

Vanessa Nienhouse was sworn in by Mayor Goldberg to the Office of Deputy Borough Clerk, Borough of Hawthorne.

Approval to hire a temporary Deputy Clerk while Deputy Clerk Nienhouse is on Maternity Leave, moved by Council Vice President Bertollo, seconded by Councilman Mele. On roll call, all voted yes.

**ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG:**

Mayor Goldberg introduced the new Superintendent of Schools, Dr. Jill Mortimer.

Superintendent Mortimer thanked the Borough for the warm welcome. She shared her background and experiences and stated that she is happy to be here and will work hard for the district.

Mayor Goldberg stated that Court Administrator Christine Oravetz has left the position and we have promoted the Deputy Court Administrator Heidi Amaral to that position.

Appointment of Heidi Amaral as Court Administrator effective July 1, 2013 through December 31, 2013.

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

Heidi Amaral was sworn in by Mayor Goldberg to the Office of Court Administrator, Borough of Hawthorne.

Mayor Goldberg stated that as he heard the weekend's fire work displays from the surrounding towns, he missed when the Hawthorne Chamber of Commerce held Hawthorne's fireworks on the 4<sup>th</sup> of July. However, he is happy to announce that we will once again have them at Hawthorne Day on October 5<sup>th</sup>.

Mayor Goldberg announced that after a meeting he attended with the Public Safety Committee and Fire Chief Joe Speranza, they have cooperatively decided it is in the best interest of all parties involved to replace Company One's fire engine. At the next Council Meeting they will be introducing an ordinance to fund the purchase. They will be hiring a consultant to help us with the bidding process and to review the specs to ensure we are meeting the needs of Fire Company No. 1. This Mayor and Council will never do anything to jeopardize the safety of our firefighters.

Over the past week the Mayor, Police Chief McAuliffe and the Administration have received several phone calls referencing a police incident which occurred in Hawthorne, California. He reminded the public that the incident did not occur here.

**REPORTS:**

**Director of Revenue and Finance Hewitt**

Stated the 2012 Municipal Audit has been distributed to the Council. There were some corrections made after it was reviewed and Director Hewitt is happy to announce that there was only one comment on the audit. The Tax Department has the bills and results of appeals from the County. They are working on getting all the appeals in prior to going to bid.

**Borough Attorney Pasquale**

Congratulations and welcome to Dr. Mortimer.

Pan Chemical- This matter is now resolved. Judge Austin signed off on the agreement we have in place. Code Enforcement Officer Don Turner is actively setting up meetings with the owner of the property on a monthly basis to make sure there is compliance at the site.

One Washington Holdings-

New Jersey Department of Environmental Protection has gotten Pan Chemical to hire a licensed site remediation professional to manage the clean-up. This will be a lengthy process and our main concern is that we are informed every step of the way. The first deadline will be in May of 2014. We will stay on top of the cleanup and the property maintenance.

204 Wagaraw Rd.-

Working on scheduling dispositions.

All County Pipeline-

This contractor was working on a water drainage project in town and owed money to their sub-contractors and lien claims were filed. Attorney Pasquale has had several conversations with the bond company who has stepped in to ensure the claims are all satisfied. They are putting together a list of all the monies we have and the people who need to be paid. Attorney Pasquale will also insist he is paid for his time out of those funds as well.

**Boswell Engineering Project Manager, Chris Nash**

Washington/Royal Drainage Project- Top soil and seeding has been addressed and close out documents prepared.

Rock/Braen/Goffle Intersection- The County is reviewing both options for the proposed intersection design.

Cornell Avenue Sewer Repairs- The Borough is securing funding. The ordinance is approved.

Goffle Brook Bank Stabilization- Walking paths are being installed north of Florence and retaining walls are being constructed in the southern section of the Park.

Water System Improvements- Some, if not all, of the proposed improvements are to be funded in 2013.

2012 Road Resurfacing Program - Close out documents have been prepared.

UST Groundwater Monitoring- The second set of groundwater samples is scheduled for the week of July 15<sup>th</sup>. Clean Earth is processing the completed documents for the removal of the excavated soil, which is expected to be disposed within the next two weeks.

2013 Road Resurfacing Program- Curbs, sidewalks and handicap ramps have been completed on Ethel Avenue and 6<sup>th</sup> Avenue. Driveway aprons on 6<sup>th</sup> are being addressed now along with curb and sidewalk improvements on 7<sup>th</sup> Avenue.

Warburton and Lafayette Intersection- The curb and pavers at the corner of Warburton and Lafayette need to be repaired. We have requested a price from Rockborn Trucking (2013 Road Program) to address the curb and pavers at Warburton and Lafayette Avenue. If the price is not reasonable, we will add this item to the May Street project.

May Street-The Project will be advertised in the newspaper on July 15<sup>th</sup> with bids being received on July 30<sup>th</sup> at 11:00 am. The Borough plans to award the Project at the August 7<sup>th</sup> Mayor and Council Meeting.

Casting Pond- There are no plans to re-create the casting pond, which did not exist on the original Omstead Design of Goffle Brook Park. A ball field currently exists at this location.

Mohawk Avenue- We plan to further investigate the pavement at the bottom portion of Mohawk Avenue.

Municipal Building Gas Supply- According to the PSE&G Gas Street Supervisor, the regulator at Rea and Goffle has not yet been raised to 7.7" W.C. PSE&G also noted, "raising the regulator does not change the fact that we only guarantee 4" water column at the outlet of the meter. The raising of the regulator maintains surrounding system pressure."

### **Borough Administrator Maurer**

Administrator Maurer has submitted the pre-application for a grant for the proposed generators at the North & South Pump Stations and the Municipal Building. We provided the State with more information regarding the electrical usage and expenditures at those facilities as per their request. Today he attended training on implementation of the \$826,000 CDBG-DR (disaster recovery) grant for buy outs and flood prone property. He learned that if there were tenants at the buyout locations at the time of Hurricane Irene, although they are not living there now, they may still be eligible for relocation reimbursement which will increase the cost of the project. Although it is a cost we were not planning on, if we don't have enough funds we can always use part of the Green Acres Fund. We now have 1200 Nixle users and have been using this source to notify pool members of closures.

### **Questions for the Administration**

Councilman Lane reported to Project Manager Nash that the funding for the County project at Rock, Goffle and Braen Avenue's is in place and asked what changes were made to the island at that intersection. Project Manager Nash responded the island has been removed and there is now a two lane approach to the intersection from Rock Road. They have also moved the center line slightly to the south to reduce the lane width of the east bound direction of Rock Road to provide two lanes from the railroad to the intersection. Councilman Lane asked that they provide copies of the approved layout to the Council. Councilman Lane asked if Boswell Engineering was going to give us an exact size of generators needed for the water services. Mayor Goldberg responded Administrator Maurer provided the information necessary to determine this to the State and Boswell Engineering and they will respond with the exact size. Councilman Lane asked Attorney Pasquale for an update on the foreclosure process of Pyrolac. He responded it will take time but they have begun the process with legal counsel.

Council Vice President Bertollo confirmed with Administrator Maurer that the issue with the sidewalk on 7<sup>th</sup> Ave has been resolved. He responded as far as he is aware it has.

Councilman Wojtecki stated the stop sign at Tuxedo Avenue is still blocking the street sign. Administrator Maurer responded there is a work order in to resolve that issue. Councilman Wojtecki asked Director Hewitt for an explanation on why the audit comments state that this is the second time this comment is appearing. She responded that the auditor was looking for a specific spread sheet which we didn't exactly have. Councilman Wojtecki stated that it was not on the previous year's comments and that he would like them to remove that comment stating it is the second time. He also asked for an update on the tree on Robertson Ave. Council President Matthews responded the tree split in half and he informed the resident that they will plant a new shade tree there in the fall.

Council President Matthews asked if there were any other questions or discussion. Council President Matthews entertained a motion to record the Administrative Agenda, moved by Council Vice President Bertollo, seconded by Councilman Sinning. On roll call, all voted yes.

### **INTRODUCTION OF ORDINANCES:**

Council President Matthews announced the two ordinances that were to be introduced tonight were discussed in the work session and determined to be revised, therefore will be pulled tonight and introduced at an upcoming meeting.

#### **Ordinance No. 2098-13 PULLED**

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE TO REVISE AND AMEND CHAPTER 220, FEES, SECTION 220-4, OTHER BOARDS AND BODIES, DEPARTMENT OF HEALTH, SO AS TO SET FORTH FEES FOR COMMERCIAL KITCHENS, PLAN REVIEW AND REINSPECTIONS, AND SECTION TO AMEND CHAPTER 220, FEES, SECTION 220-9, CONSTRUCTION CODE PERMIT FEES, SO AS TO REVISE THE FEE FOR CONSTRUCTION OF AN IN-GROUND SWIMMING POOL**

#### **Ordinance No. 2099-13 PULLED**

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT CHAPTER 505, ARTICLE III, SECTION 505-21, TIME LIMIT PARKING, SCHEDULE XVI, OF THE CODE OF THE BOROUGH OF HAWTHORNE SO AS TO AMEND CERTAIN PROVISIONS SET FORTH THEREIN AND ADD THERETO CERTAIN ADDITIONAL LOCATIONS**

**RESOLUTIONS...**

**CONSENT AGENDA: R101-13 through R108-13:**

**R 101-13 Introduced by Councilman Mele**

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated June 28, 2013:

CURRENT FUND	WT 888889	\$258,584.04
WATER OPERATING FUND	WT 888889	\$ 39,931.69
OTHER TRUST II FUND	WT 888889	\$ 8,236.53
TOTAL PAYROLL		<u>\$306,752.26</u>
CURRENT FUND TO PAYROLL FICA	WT 888889	\$ 7,000.00
WATER OPERATING FUND TO PAYROLL/FICA	WT 888889	\$ 7,697.55
TOTAL FICA		<u>\$ 14,697.55</u>

**R 102-13 Introduced by Councilman Mele**

RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159), P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount.

**SECTION 1**

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Borough of Hawthorne hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$791.62 which item is now available as revenue for the Alcohol Education, Rehabilitation & Enforcement Program in the Borough of Hawthorne.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS  
Alcohol Education, Rehabilitation & Enforcement Program \$791.62

Pursuant to the provision of the statute; and

**SECTION 2**

BE IT FURTHER RESOLVED, that a like sum of \$791.62 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM "CAPS"  
PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE  
Alcohol Education, Rehabilitation & Enforcement Program \$791.62

**SECTION 3**

BE IT FURTHER RESOLVED, that the above is the result of funds due to the Borough of Hawthorne from the State of New Jersey that were not available at the time of the adoption of the 2013 budget and are now available by law.

**R 103-13 Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne has a need to purchase turnout gear, boots and helmets for the Fire Department; and

WHEREAS, the Borough of Hawthorne is a member of the Morris County Co-op Pricing Council; and

WHEREAS, Firefighter One, LLC. has been awarded Contract #40 by the Morris County Co-op Pricing Council for the purchase of the turnout gear, etc.; and

WHEREAS, the administration recommends the utilization of this contract, and the amount to be encumbered for this purpose is \$40,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited state contract purchase for this purpose subject to the certification of availability of funds from the Chief Financial Officer.

**R 104-13 Introduced by Councilman Mele**

WHEREAS: Tax Sale Certificate #2012-03 was sold on October 23, 2012 in the amount of \$6,223.40 on Block 25 Lot 4.01 then assessed to Maher, B. said lien was originally purchased by US Bank-Cust for Pro Capital 1, TLSG 2 LP 50 S 16<sup>th</sup> St. Ste 1950, Philadelphia, PA 19102, and

WHEREAS: said lien was redeemed on June 24, 2013 in the amount of \$23,417.53, said lienholder is entitled to a refund including the amount of the lien \$6,223.40, penalty of \$248.94, search and recording fee of \$55.00, subsequent taxes \$15,734.38 and interest of \$1,155.81 for a total of \$23,417.53 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 US Bank-Cust for Pro Capital 1 in the amount of \$23,417.53 to reimburse the lienholder for the lien, penalty, subsequent taxes and interest and a check from the Other Trust I account for \$12,700.00 for Premium paid

**R 105-13 Introduced by Councilman Mele**

WHEREAS, the annual principal and semi-annual interest payments for the General Serial Bonds of 2012 have become due and payable on July 15, 2013, 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 \$175,000.00 in Principal and \$55,582.00 in Interest from the Current Fund, \$60,000.00 in Principal from the Assessment Trust Fund, and \$55,000.00 in Principal and \$13,275.00 in Interest from the Water Operating.

**R 106-13 Introduced by Councilman Mele**

BE IT RESOLVED by the Mayor and Council of the Borough of Hawthorne, County of Passaic, State of New Jersey.

That pursuant to N.J.S.A. 39:4-8(e) the following described location is deleted as a bus stop:

DELETED BUS STOP:

County Road

1. Along Goffle Road, southbound, on the westerly side thereof at:

a. Braen Avenue - Near side

Beginning at the northerly curb line of Braen Avenue and extending 105 feet northerly therefrom.

That pursuant to N.J.S.A. 39:4-8(e) the following described location is added as a bus stop:

ADDED BUS STOP:

1. Along Goffle Road, southbound, on the westerly side thereof at:

a. Braen Avenue - Far Side

Beginning at the southerly curb line of Braen Avenue and extending 125 feet southerly therefrom.

That the Mayor and Council of the Borough of Hawthorne will enforce the needed traffic regulations governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

**R 107-13 Introduced by Councilman Mele**

RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT WITH THE CITY OF PATERSON FOR HEALTH SERVICES

WHEREAS, the Borough of Hawthorne desires to enter into a contract with the City of Paterson for the furnishing of certain health services for July 2012 through June 2013, pursuant to N.J.S.A. 26:3A2-1 et seq. and N.J.S.A. 40:8A-1 et seq.; and

WHEREAS, such services have been satisfactorily provided by the City of Paterson in previous years.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Hawthorne shall enter into a contract for the provision of certain public health services, all as set forth in a contract for the same, which is on file with the Borough Clerk, the terms and provisions of which are hereby approved; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk shall be and hereby are authorized and directed to execute said contract for and on behalf of the Borough of Hawthorne.

**R 108-13 Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne has solicited bids by way of sealed bid for the purchase of a 2013 Cab, Chassis and Dump Truck in accordance with specifications prepared in connection therewith; and

WHEREAS, the Borough received three bids which were reviewed by the Director of the Department of Public Works, the Borough Administrator and the Borough Attorney; and

WHEREAS, the apparent low bid was submitted by MTC Kenworth of Ridgely Park, New Jersey, however the bid included numerous exceptions to the bid solicitation without providing written explanation as to most if not all of the exceptions taken; and

WHEREAS, the DPW Director, Borough Attorney and Administrator have all agreed that the bid from MTC is not compliant with the bid solicitation, all as detailed in the reports of the Director and Attorney, the same being incorporated herein by reference; and

WHEREAS, the apparent second low bid received was from Gabrielli Kenworth of NJ, LLC, said bid being deemed compliant in all regards by the DPW Director and Attorney; and

WHEREAS, the Municipal Council has considered the recommendation of the Administrator, DPW Director and Attorney which all agree that an award of contract should be made to Gabrielli Kenworth as the bid of MTC Kenworth is not compliant with the bid solicitation and has concluded that it should award a contract to said contractor based upon the bid submitted, including specifically Alternate B thereof, incorporated herein by reference;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does award a contract for the purchase of a 2013 Cab, Chassis and Dump Truck, with a base bid of \$194,530.00 and Alternate B in the amount of \$1,015.00, for a total of \$195,545.00, all as set forth in the bid submitted in connection therewith, to:

Gabrielli Kenworth of NJ, LLC  
3300 Route 130 North  
Dayton, New Jersey 08810

BE IT FURTHER RESOLVED, that said award is subject to execution of a contract in form satisfactory to the Borough Attorney and certification of funds by the Chief Financial Officer.

Council President Matthews entertained a motion to approve resolutions R101-13 through R108-13, moved by Councilman Mele, seconded by Council Vice President Bertollo. Council President Matthews asked if there was any discussion. Council Vice President Bertollo asked Administrator Maurer if we will have the dump truck for this season. He responded we will have it by the middle to end of the season. On roll call, all voted yes except Councilman Lane and Councilman Wojtecki who abstained on R103-13, Councilman Wojtecki also voted no on R107-13. He stated he was promised last year that we would not be voting on an agreement which already expired in June of 2013 and that we should be voting on the current services we are receiving. Council President Matthews replied Administration can only give us what they give him. On roll call, all voted yes.

**REPORTS OF SPECIAL COUNCIL COMMITTEES:**

**Councilman Wojtecki**

Shade Tree Commission- He was unable to attend the last meeting, the next meeting will be Tuesday, August 6<sup>th</sup> at 4:30.

**Councilman Sinning**

Ordinance Committee- Met yesterday and worked on finalizing the two ordinances which were to be introduced tonight.

**Councilman Mele**

He attended a public safety convention in Atlantic City last week. He thanked Administration and the Fire Department for working with them on the new fire truck.

Project Pride- Thank you to Engineer Boswell and Council President Matthews for helping with the band shell project. They now have a plan and should know by next week if they are receiving a second grant for the project.

**Council President Matthews**

Chamber of Commerce- Where’s Waldo concludes July 31<sup>st</sup>. There will be a ceremony with prizes at 7pm at Well Read Bookstore. Farmer’s Market is held on Sundays and there will be a car show on August 25<sup>th</sup>. The week of October 12<sup>th</sup> – 19<sup>th</sup> will be Restaurant Week. The fishing derby is tentatively scheduled for September 21<sup>st</sup>. They are waiting on confirmation from the County that the work at that section in Goffle Brook Park will be completed.

**CORRESPONDENCE:** None.

**MISCELLANEOUS:** None.

**BILLS:**

Council President Matthews entertained a motion to approve the bills and forward them to the Treasurer for payment moved by Councilman Mele, seconded by Council Vice President Bertollo. Council President Matthews asked if there was any discussion. On roll call, all voted yes. Councilman Lane and Councilman Wojtecki abstained from checks 15607, 15609, 15613, 15620, 15639, 15652 and 15707. Council Vice President Bertollo abstained from check 15627.

VENDOR	CHECK#	TOTAL	DESCRIPTION
<b>CURRENT FUND</b>			
CHRIS DELORENZE	15606	85.00	CONTRA REVENUE
10-75 EMERGENCY LIGHTING, LLC	15607	1,500.00	FIRE DEPT O/E
A-VAN ELECTRICAL	15608	221.63	VARIOUS
ALL MOBILE SMALL ENGINE REPAIR	15609	411.00	FIRE DEPT O/E
AMERICAN HOSE CO INC	15610	127.30	STREETS & ROADS O/E
AQUARIUS IRRIGATION SUPPLY,INC	15611	38.90	MAINTEN OF PARKS
BCB JANITORIAL SUPPLY CO INC	15612	61.55	STREETS & ROADS O/E
BILL FOX CO, LLC	15613	201.90	FIRE DEPT O/E
BOBBY VAN PLUMBING INC	15614	1,609.95	DPW ADMIN O/E
BOLTZER LANDSCAPING INC	15615	3,896.00	VARIOUS
BOSWELL ENGINEERING, INC	15616	2,624.50	ENGINEERING SERVICES O/E
BRIAN WARNER	15617	30.00	TELEPHONE CHARGES
BURGIS ASSOCIATES, INC	15618	1,117.50	PLANNING BOARD O/E
CABLEVISION	15619	433.03	SWIMMING POOL O/E
CAMPBELL FIRE EQUIPMENT	15620	2,315.59	VARIOUS
CANON FINANCIAL SVCS INC	15621	43.00	STREETS & ROADS O/E
CINTAS CORP	15622	527.75	DPW ADMIN O/E
CMRS-FP	15623	4,000.00	GENERAL ADMIN O/E
DAVE STERN INC	15624	60.25	VEHICLE MAINT ROAD
DELGADO LANDSCAPING	15625	150.00	STREETS & ROADS O/E
DELL GARDEN CENTER	15626	209.84	VARIOUS
DOWNES TREE SERVICE, INC.	15627	1,800.00	STREETS & ROADS O/E
DRUG-FREE ACTION ALLIANCE	15628	176.00	MUNICIPAL ALLIANCE
EARTHLINK BUSINESS	15629	1,757.66	VARIOUS
ELEMENT FINANCIAL CORP	15630	400.00	POLICE DEPT O/E
ELLEN BROGNO	15631	190.00	GROUP INSURANCE O/E
F D R HITCHES LLC	15632	138.88	VARIOUS
FED EX	15633	148.99	VARIOUS
FIRST MOUNTAIN ARBORICULTURE L	15634	650.00	SHADE TREE COMMISSION

FREMGEN POWER EQUIPMENT INC	15635	203.40	VARIOUS
GARDEN STATE LABORATORY, INC	15636	1,220.00	SWIMMING POOL O/E
GILL ASSOCIATES	15637	260.00	SWIMMING POOL O/E
GRO-RITE	15638	583.50	DPW ADMIN O/E
HAWTHORNE AUTO BODY, INC	15639	1,323.68	VEHICLE MAINT FIRE DEPT
HAWTHORNE AUTO LAB	15640	118.31	VEHICLE MAINT POLICE
HAWTHORNE BOARD OF EDUCATION	15641	3,917,879.00	SCHOOL TAX
HAWTHORNE CAR WASH, INC	15642	210.00	VEHICLE MAINT POLICE
HAWTHORNE J D BASEBALL	15643	2,170.00	VARIOUS
HAWTHORNE PRESS INC	15644	183.30	VARIOUS
HAWTHORNE ROLLER HOCKEY ASSN	15645	1,960.00	BOARD OF REC
HERITAGE INC	15646	831.00	SWIMMING POOL O/E
HFD #2	15647	1,745.00	VARIOUS
HFD #3	15648	1,745.00	VARIOUS
HFD #4	15649	1,745.00	VARIOUS
HFD #5 RESCUE	15650	495.00	VARIOUS
HOME DEPOT SUPPLY	15651	403.06	VARIOUS
INSURANCE RESTORATION SPECIALI	15652	556.00	VARIOUS
J J KELLER & ASSOC INC	15653	216.00	PEOSHA O/E
JARED VAN EK	15654	30.00	TELEPHONE CHARGES
JESCO INC	15655	650.00	VEHICLE MAINT ROAD
JET-VAC INC	15656	80.00	SEWER SYSTEM O/E
JOHN DEERE LANDSCAPE	15657	633.98	MAINTEN OF PARKS
JOHN MARSCH	15658	30.00	TELEPHONE CHARGES
JOHN TRIPICCHIO	15659	30.00	TELEPHONE CHARGES
JORDAN TRANSPORTATION,INC	15660	315.00	BOARD OF REC O/E
JOSEPH SPERANZA	15661	30.00	TELEPHONE CHARGES
JUNGLE LASERS LLC	15662	1,600.00	FEES PAYABLE JUNGLE LASERS
LEGACY TOURS LLC	15663	775.00	BOARD OF REC O/E
LISA SLOOTMAKER	15664	190.00	GROUP INSURANCE O/E
LOOSELEAF LAW PUBLICATIONS, IN	15665	24.90	POLICE DEPT O/E
LORRAINE POWELL	15666	514.25	VARIOUS
LUSCHER'S AUTO INC	15667	118.93	VEHICLE MAINT SEWER
M & B SEPTIC SERVICE, LLC	15668	84.00	BOARD OF REC
MAD SCIENCE,BERGEN,ESSEX,PASSA	15669	375.00	ENVIRONMENTAL COMMITTEE O/E
MAIN POOL & CHEMICAL CO, INC	15670	2,067.50	VARIOUS
METLIFE	15671	316.20	GROUP INSURANCE O/E
MICHAEL NELSON	15672	30.00	TELEPHONE CHARGES
MOLENARO DESIGNS, LLC	15673	155.00	ENVIRONMENTAL COMMITTEE O/E
MONSEN ENGINEERING CO	15674	1,977.00	DPW ADMIN O/E
MORRIS COUNTY MUNI JT INS FUND	15675	108,569.83	VARIOUS
MURPHY COMMUNICATIONS	15676	780.00	POLICE DEPT O/E
NATIONWIDE PAYMENT SOLUTIONS	15677	578.61	VARIOUS
NJ DIV-ALCOHOLIC BEV CONTROL	15678	54.00	MUNICIPAL CLERK O/E
NJ MEADOWLANDS COMMISSION	15679	3,117.93	TRANSFER STATION
NJ STATE LEAGUE MUNICIPALITIES	15680	240.00	MUNICIPAL CLERK O/E
NJ TRANSIT	15681	180.00	SEWER SYSTEM O/E
NO JERSEY MUNI EMPL BNFT FUND	15682	54,380.00	FREE PUBLIC LIBRARY O/E
NY SUSQUEHANA & WESTERN RAILWA	15683	432.86	SEWER SYSTEM O/E
OFFICE BUSINESS SYSTEMS, INC	15684	1,475.00	VARIOUS
P & A AUTO PARTS, INC	15685	112.85	VARIOUS
PASCACK DATA SERVICES	15686	26,272.77	VARIOUS
PASSAIC VALLEY SEWER COM	15687	276,858.68	PASSAIC VALLEY SEWER
PAUL COWIE & ASSO	15688	7,250.00	SHADE TREE COMMISSION
POSITIVE PROMOTIONS, INC	15689	362.94	MUNICIPAL ALLIANCE
PRECISION ELECTRIC MOTOR WORKS	15690	8,990.00	SWIMMING POOL O/E
RR DONNELLEY	15691	187.50	BOARD OF HEALTH O/E
RT OFFICE PRODUCTS	15692	404.67	VARIOUS
SCHWAAB INC	15693	62.74	DPW ADMIN O/E
SHERWIN WILLIAMS CO.	15694	56.06	STREETS & ROADS O/E

SIRCHIE FINGERPRINT LABS	15695	600.00	POLICE DEPT O/E
SPECIALTY AUTO EQUIP CO	15696	250.00	STREETS & ROADS O/E
STAPLES	15697	500.60	VARIOUS
STAPLES PRINT SOLUTIONS	15698	324.74	MUNI COURT
TANIS HARDWARE	15699	385.31	VARIOUS
TARIFF BILLING SPECIALISTS, CO	15700	1,349.64	TELEPHONE CHARGES
THOMSON REUTERS INC	15701	96.00	BOARD OF HEALTH O/E
TODE LANDSCAPE CONTRACTORS	15702	425.00	SHADE TREE COMMISSION
VERIZON	15703	1,820.24	VARIOUS
VERIZON WIRELESS (N)	15704	344.13	POLICE DEPT O/E
WALTER ROGACKI LANDSCAPING	15705	150.00	STREETS & ROADS O/E
WASTE MANAGEMENT OF NJ	15706	40,238.50	TRANSFER STATION
YANKEE PROPANE, INC	15707	<u>36.00</u>	FIRE DEPT O/E
<b>TOTAL CURRENT</b>		<b>\$ 4,505,686.83</b>	
<b>GENERAL CAPITAL</b>			
BOSWELL ENGINEERING, INC	3284	<u>32,077.50</u>	VARIOUS
<b>TOTAL GENERAL CAPITAL</b>		<b>\$ 32,077.50</b>	
<b>WATER OPERATING</b>			
AGRA ENVIRONMENTAL SVC	9345	3,534.75	LAB TESTING WATER
AQUARIUS IRRIGATION SUPPLY,INC	9346	52.17	VARIOUS
BCB JANITORIAL SUPPLY CO INC	9347	61.55	WATER UTILITY O/E
CANON FINANCIAL SVCS INC	9348	43.00	WATER UTILITY O/E
CMRS-FP	9349	4,000.00	WATER UTILITY O/E
EARTHLINK BUSINESS	9350	525.00	WATER UTILITY O/E
LUSCHER'S AUTO INC	9351	464.33	VARIOUS
MORRIS COUNTY MUNI JT INS FUND	9352	132,600.00	VARIOUS
NO JERSEY MUNI EMPL BNFT FUND	9353	124,375.00	GROUP INSURANCE EMPLOYEES
ONE CALL CONCEPTS, INC.	9354	153.90	WATER UTILITY O/E
P & A AUTO PARTS, INC	9355	2.70	WATER UTILITY O/E
RT OFFICE PRODUCTS	9356	25.41	WATER UTILITY O/E
STATE OF NJ - PWT	9357	1,251.95	WATER UTILITY O/E
TANIS HARDWARE	9358	104.62	WATER UTILITY O/E
VERIZON	9359	<u>571.60</u>	WATER UTILITY O/E
<b>TOTAL WATER OPERATING</b>		<b>\$ 267,765.98</b>	
<b>OTHER TRUST II</b>			
AMERICAN HOSE CO INC	4609	1,161.05	VARIOUS
BALDI & MAROTTA ESQ	4610	300.00	PUBLIC DEFENDER
BELA OLAH	4611	148.50	OFF-DUTY
BOSWELL ENGINEERING, INC	4612	1,000.00	RECYCLING
BRIGHT IDEA SHOPS, LLC	4613	874.76	RECYCLING
CMRS-FP	4614	2,000.00	UCC PENALTIES
ENVIRONMENTAL RENEWAL, LLC	4615	150.00	RECYCLING
F D R HITCHES LLC	4616	13.26	RECYCLING
GREENDISK, INC.	4617	629.95	RECYCLING
MORRIS COUNTY MUNI JT INS FUND	4618	7,430.00	UCC PENALTIES
P & A AUTO PARTS, INC	4619	33.56	RECYCLING
PUZO'S RESTAURANT	4620	138.00	RECYCLING
SHORT LOAD LLC	4621	1,155.00	911 MEMORIAL PARK
THOMAS ZACONIE	4622	61.05	UCC PENALTIES
US BANK CUST FOR PRO CAPITAL I	4623	23,417.53	TRUSTEE
VASSO SYSTEMS	4624	<u>575.20</u>	RECYCLING
<b>TOTAL OTHER TRUST II</b>		<b>\$ 39,087.86</b>	
<b>DOG DEDICATED</b>			
TYCO ANIMAL CONTROL SERVICES	6087	<u>2,220.00</u>	PROFESSIONAL FEES
<b>TOTAL DOG DEDICATED</b>		<b>\$ 2,220.00</b>	

**BUILDERS ESCROW**

BOSWELL ENGINEERING, INC	5179	<u>612.75</u>	102 BRAEN LLC 281/21.03
<b>TOTAL BUILDERS ESCROW</b>		<b>\$ 612.75</b>	

**OTHER TRUST | ESCROW**

US BANK CUST FOR PRO CAPITAL I	7046	<u>12,700.00</u>	TAX SALE PREMIUMS
<b>TOTAL OTHER TRUST   ESCROW</b>		<b>\$ 12,700.00</b>	

**TOTAL BILL LIST** **\$ 4,860,150.92**

**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.

Suzanne Kozlowski – 101 Watchung Dr & Cheryl Hembold – 96 Watchung Dr.

They feel there are too many restrictions in the pool and not enough things to keep the children entertained. They also stated that they feel four free passes should be provided to the resident when they sign up for a family pass. Council President Matthews stated that Administrator Maurer will speak with the pool manager and address their concerns.

Michael Raj – 115 Van Winkle Ave

He spoke with Administration a couple of weeks ago regarding a possible stop sign on Van Winkle Avenue at 4<sup>th</sup> Ave. He understands there was a police investigation done and it was determined that one was not needed however, he is asking Administration to reinvestigate the traffic pattern and reconsider the stop sign. Council President Matthews stated they will discuss this in the Ordinance Committee meeting.

Alex Clavijo – 33 Westervelt Ave

He asked what businesses will be moving into the location of the old International Bakery. On Wagaraw Road. Councilman Wojtecki stated that the windows have all been replaced as well as new vents and duct work installed. Mayor Goldberg added that the business owners were in front of the Planning Board one month ago due to a name change but is now rushing to get the super market open. There is still a vacancy in that strip of stores and they are hoping to get a restaurant in that space. Mr. Clavijo asked that the garbage behind the building be cleaned up. Councilman Wojtecki stated he put in a work order for that on July 5<sup>th</sup>. Mr. Clavijo also asked for a completion date of 55 Westervelt Ave. Attorney Pasquale responded he will look into this with the building department.

John Carlo – Pantheon Construction, 1086 Goffle Road

There is a blockage behind the Hawthorne Car Wash in the run off causing flooding on his property. Council advised him they will have Code Enforcement look into it.

John Arturi – Assistant Chief of Company No. 1

Thanks to administration for moving forward with this project and they are looking forward to working with everyone.

Patty Pasquino – 51 MacFarlan Ave

She would like to know if the parking on MacFarlan can be reviewed. When there is flooding on Goffle Road and traffic gets detoured up MacFarlan it becomes dangerous since cars are parked on both sides becoming a one lane road. Also during the snow it is impossible to plow the street with all the cars parked on both sides. She is wondering if the road can possibly have alternate side of the street parking. Council President Matthews responded they have previously looked into a town wide solution for the snow emergency parking and because certain areas having a high volume of residents of multi-family homes and no drive way it became too difficult. However, they can go back and review the one street and see if something can be done. Mayor Goldberg suggested that the neighbors may be able to resolve this by working together. Councilman Wojtecki agreed and added that he would be willing to host a street meeting to see if this can be resolved that way.

Joe Osborne – 112 Cedar Ave

He wanted to confirm that the developer of 204 Wagaraw Road withdrew his plans to build a Wal-Mart in Hawthorne since he has heard of instances where Wal-Mart states they are not going to build and six months later they come back. Attorney Pasquale and Mayor Goldberg confirmed that he has withdrawn his plans. Mr. Osborne asked for documentation stating as such. He is still interested in fighting to have Ordinances 2052-11 and 2054-11 removed from the books and until this is done they will continue to fight. A conversation between Attorney Pasquale and Mr. Osborne ensued.

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

**ADJOURNMENT**

At 9:24p.m., Council President Matthews entertained a motion to adjourn the regular meeting, moved by Council Vice President Bertollo, seconded by Councilman Lane. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **WEDNESDAY, JULY 24, 2013**. 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.

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Frank E. Matthews  
Council President

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Lori DiBella, RMC  
Borough Clerk