

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:25 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 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 Engineering Project Manager.....	Michael Kelly
Director of Revenue and Finance.....	MaryJeanne Hewitt
Borough Clerk	Lori DiBella

Council President Matthews was absent.

FLAG SALUTE

Council Vice President Bertollo 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 Vice President Bertollo entertained a motion to approve the Regular Minutes of July 24, 2013 and Bid minutes for the May Street Improvements Project opened on July 30, 2013 moved by Councilman Wojtecki, seconded by Councilman Mele. On roll call, Councilmen Wojtecki, Sinning, Mele, Lane, and Council Vice President Bertollo voted yes; Councilman Bennett abstained.

PUBLIC COMMENT (Agenda Items Only)

Council Vice 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.

Lois Cuccinello – 933 Lafayette Avenue:

Noted that under R125-13 there is going to be a vote on accepting funds for the Bandshell from the Passaic County Open Space Fund. Encouraged the council to support it.

Seeing none, Council Vice President Bertollo entertained a motion to close the public portion, moved by Councilman Sinning, seconded by Councilman Mele. On roll call, all voted yes.

AUDIT REPORT:

Mr. Bill Swisher on behalf of Suplee, Clooney & Company stated that he is happy to report that the Borough received a clean opinion on financial statements during its audit. The one comment of recommendation is that the assessment receivable ledger is not in agreement with the assessment trust fund general ledger. The recommendation is that the detailed assessment receivable ledger be reconciled with the assessment trust fund general ledger. From a financial perspective – the Borough is in great shape. Mr. Swisher stated that the Borough started the year out with \$3,422,000.00 surplus, used \$1,441,000.00 budget, and was able to generate this amount of money back. Now there is \$3,418,000.00 in surplus.

OLD BUSINESS:

None

NEW BUSINESS:

None

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG:

Mayor Goldberg's Report

Mayor Goldberg addressed statements made by Ms. Lois Cuccinello during the last meeting and this meeting regarding a claim that implied a lack of an economic development plan. Mayor Goldberg stated that his administration has produced new ratables of 7.7 million dollars. He also stated that the Borough's tax base has grown and the administration has been working with the business community to bring economic growth and tax relief to the residents. Mayor Goldberg also stated that his administration has increased transparency and access to information for the public. He noted that the Borough Code book and Board and Council Minutes and Agendas are all available online. The public also has access to updates via the Nixle alert system and has the ability to e-mail borough officials through the borough website. Mayor Goldberg concluded by stating that this past Saturday, the four memorials for the 9/11 project were delivered and installed. The public is welcome and encouraged to attend the 9/11 ceremony that will be held at 7pm on September 11, 2013.

REPORTS:

Director of Revenue and Finance Hewitt

Bills are now payable online at www.hawthornenj.org via checks, debit and credit cards. There is a 2.45% fee charge that is associated with the credit card companies. There is a \$1.50 fee associated with online checks and debit card payments. Director of Revenue and Finance Hewitt stated that taxes are coming in steadily. This quarter ends on August 19th; payments after this date will revert back to the interest for the first of the month. Collection hours are 8:30 a.m. to 4:00 p.m., Monday through Friday.

Borough Attorney Pasquale

Congratulations on the audit report. Borough Attorney Pasquale stated that he and Mayor Goldberg met with the owner and attorney of Nexus Plastics to resolve neighborhood complaints concerning noise and odors. The owner is willing to meet and work with the Borough and pledges to abate some of the issues that exist. The Pyr-olex property located in the same neighborhood has been moving in the forward direction of selling. Borough Attorney Pasquale spoke with the appraiser and made clear that there is a limited budget of \$2,000.00. The appraiser reassured that he will do the appraisal for half the normal price within the limited budget. The property will be appraised on an "as clean" basis. The Borough will rely upon environmental experts at Boswell Engineering to assist in developing a price to reflect "as clean" lest the cost of cleanup in order to establish fair market value.

Borough Attorney Pasquale expects to report further on this by the second council meeting in September. Borough Attorney Pasquale also stated that during a countywide review of municipal courts out of 16 communities, Hawthorne ranks 3rd in DWI prosecutions, 1st in traffic, 3rd in DPs, and 1st in others. On a statewide level, Hawthorne ranks 6th in traffic, 7th in parking, and 7th in all others. Borough Attorney Pasquale commended Judge Meola, Prosecutor Fava, the court staff, and the police department for their tremendous efforts. As current president of the Lion's Club, Borough Attorney Pasquale announced that the annual swim meet will be held on Monday, August 12, 2013 at 6:00 p.m. at the Municipal Pool.

Borough Engineer Representative Mike Kelly

Washington/Royal Drainage Project- Project has been closed out.

Rock/Braen/Goffle Intersection- Plans are done; the project is waiting to go out to bid with the county.

Goffle Brook Bank Stabilization- The project is 70% complete. The park will be weeded. The walking path surfaces will be made of crushed granite. We are looking into whether the fishing derby can be held in September. We are waiting on correspondence from Fish and Game and will report to the administration once we hear back in the next day or so.

2013 Road Program – The majority of the roads are completed. The only items left are the pool parking lot and the DPW parking lot which is expected to be completed in the next week or so.

UST Groundwater Monitoring- The well has been sampled a second time in accordance with DEP requirements. Results are expected to come in on August 19th.

May Street Project- The project will be awarded at tonight's council meeting.

Van Winkle Railroad Crossing – NJDOT is scheduled to address the Susquehanna crossing Monday, September 9, 2013 at 8:00am. The crossing will be closed to vehicular and pedestrian traffic for approximately five days and is expected to reopen Friday, September 13, 2013 after 7:00pm. Detours from Lafayette Ave to Goffle Road and from Rock Road to Lincoln Ave have been planned and will be posted. Signs will be posted two weeks in advance.

Mr. Kelly also stated that the manhole on Goffle Road south of Warburton Ave will be fixed as part of the park project.

Borough Administrator Maurer

Borough Administrator Maurer stated that the summer recreation program ended last week. The Borough tennis camp currently has 44 children enrolled. The pool season has three and a half weeks to go. Next week there will be an end of the year survey released on nixle and issued at the pool itself. Borough Administrator Maurer also stated that stricter enforcement procedures for diapers in regards to taking small children into the larger pool have been instilled. Borough Administrator Maurer stated that the Borough has received \$118,000.00 in FEMA funds for Superstorm Sandy. Up to another \$150,000.00 can be expected upon further review by state officials toward the end of the year. The homeless individual mentioned in previous meetings has been remanded to county jail for violation of a court order. Borough Administrator Maurer also noted that he has submitted draft grant management procedures that must occur prior to the initiation of the Streetscape Grant for NJDOT review. NJDOT has offered the Borough several dates toward the end of the month to

schedule a meeting. Borough Administrator Maurer stated that he attended a meeting on August 7, 2013 for the CDBG Disaster Recovery Buy Out Grant. During the next meeting, he plans to offer Council an Ordinance for Introduction in order to commence spending money for appraisals and make offers to property owners. Borough Administrator Maurer stated that there has been no further word on FEMA Funding for generators.

Questions for the Administration

Council Vice President Bertollo asked if there were any questions for the Administration.

Councilman Lane asked the Borough Administrator a question about an ordinance regarding Utter Ave and tractor trailer parking. Councilman Lane has received some complaints that trucks are still blocking the roadway and asked if it was possible to find out how many summonses have been issued. Borough Administrator Maurer responded that this information is retrievable.

Councilman Mele asked Boswell Engineering Representative Mike Kelly if the plans for the Bandshell have been drawn up. Mr. Kelly responded that he was uncertain but would find out. Councilman Mele also asked how long ago the tennis courts were redone and if there is a warranty in place because court one is cracking. Council Vice President Bertollo responded by stating that it was resurfaced and is fixable.

Councilman Wojtecki voiced a concern regarding parking in the area of Churchill. The workers are parking on side streets and taking away parking from residents. It is not only Churchill employees, but rather employees from other companies in the area. Mayor Goldberg stated that the administration will begin looking up the resolutions to see if this issue has been addressed through the Planning Board. Councilman Wojtecki also asked Borough Administrator Maurer if there is a contract for 2013 with the Board of Health. Borough Administrator Maurer responded by stating that there is not yet a contract for 2013. Councilman Wojtecki urged that the Board of Health be contacted in order to establish a contract. Councilman Wojtecki also stated that there is a severe deer population issue. Mayor Goldberg stated that since there are no predators, and there is no permission to hunt them, there is not much that can be done. Council Vice President stated that he will contact Game and Wildlife.

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

INTRODUCTION OF ORDINANCES:

None.

RESOLUTIONS...

CONSENT AGENDA: R 116-13 through R 127-13:

R 116-13 Introduced by Councilman Bennett

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated July 26, 2013.

CURRENT FUND	WT 888889	\$	277,098.91
WATER OPERATING FUND	WT 888889	\$	40,894.68
OTHER TRUST II FUND	WT 888889	\$	8,371.27
TOTAL PAYROLL			<u>\$ 326,364.86</u>
CURRENT FUND TO PAYROLL / FICA	WT 888889	\$	10,000.00
WATER OPERATING FUND TO PAYROLL / FICA	WT 888889	\$	5,556.23
TOTAL FICA			<u>\$ 15,556.23</u>

R 117-13 Introduced by Councilman Bennett

WHEREAS, the annual principal payment and the semi-annual interest payment for the General Serial Bonds of 2005 becomes due and payable on August 15, 2013.

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 \$310,000.00 in payment of principal and \$18,300.00 in payment of interest from the Current Fund to Chase Bank NY Account #066-027306.

R 118-13 Introduced by Councilman Bennett

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Municipal Council of the Borough of Hawthorne, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

R 119-13 Introduced by Councilman Bennett

WHEREAS, the 2012 Annual Audit of the Borough of Hawthorne, conducted by Suplee, Clooney & Company, contained certain recommendations requiring action; and

WHEREAS, these recommendations have been reviewed by the Chief Financial Officer; and

WHEREAS, the Chief Financial Officer, in accordance with the requirements promulgated by the New Jersey Division of Local Government Services, has developed a plan to address the recommendations listed by the auditors;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Hawthorne, that the Corrective Action Plan for the 2012 Annual Audit, hereto attached, is hereby approved and accepted; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to transmit a certified copy of this resolution and its attachments to the Division of Local Government Services.

CORRECTIVE ACTION PLAN
BOROUGH OF HAWTHORNE
COUNTY OF PASSAIC
2012 ANNUAL AUDIT

PREPARED BY: MARY JEANNE HEWITT, C.M.F.O.
DIRECTOR OF FINANCE

DATE: August 7, 2013

RECOMMENDATION:

1: That the detailed Assessment Receivable Ledger be reconciled with the Assessment Trust Fund General Ledger.

ANALYSIS:

Payments received for Local Assessment are processed through the Tax Department registers, as are payments of regular taxes and water rents. In addition to these payments which post directly to our proprietary financial software, a separate assessment receivable ledger for local improvements is kept by the tax collector to record and track payments of special assessments. This ledger was updated in 2012 but the Tax Collector did not prove this ledger to the Assessment Trust General Ledger which is kept independently by the Chief Financial Officer.

CORRECTIVE ACTION:

The Tax Collector has updated the Assessment Receivable Ledger to assure that all payments are posted to the appropriate ordinance and account. However, the balances of this ledger do not, in every case, coincide with the Assessment Trust General Ledger, due in part to cancellations by Council Resolution that were not recorded in the Tax Collector's receivables ledger.

DATE OF IMPLEMENTATION: September 2013

R 120-13 Introduced by Councilman Bennett

WHEREAS, there exists a need for engineering services for the design and inspection phases of the 2013 NJDOT Improvements to May Street, in the Borough of Hawthorne at a cost not to exceed \$42,000.00 for design and 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 \$42,000.00, 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 121-13 Introduced by Councilman Bennett

WHEREAS, 123 Seventh Ave., known as Block 218 Lot 2 on the Tax Duplicate, has been sold to Police & Firemens Retirement System has requested tax exempt status, and

WHEREAS, said property owner has supplied all necessary paperwork and the Tax Assessor has approved the exempt status as of December 29, 2012,

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be authorized by the Municipal Council of the Borough of Hawthorne to cancel taxes for 2013 1st & 2nd quarters in the amount of \$4,793.90.

R 122-13 Introduced by Councilman Bennett

WHEREAS, on July 30, 2013, the Borough of Hawthorne received bids for the Improvement to May Street, authorized by Ordinances 2081-13, 2082-13 and 2095-13; and

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

A.J.M. Contractors, Inc.
300 Kuller Road
Clifton, NJ 07011

in the amounts as follows: Base Bid - \$136,918.00
 Alternate A - \$96,223.00
 Alternate B - \$46,565.00

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited lowest responsive bidder subject to the certification of availability of funds from the Chief Financial Officer and the approval of the New Jersey Department of Transportation, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and A.J.M. Contractors, Inc. in a form approved by the Borough Attorney when these conditions have been met.

R 123-13 Introduced by Councilman Bennett

WHEREAS, 2012 Treasury records as stated in the Municipal Audit reflect certain interfund account balances as of the close of the prior fiscal year that require account transfers in order that these interfunds be liquidated in the current 2013 fiscal year.

NOW THEREFORE BE IT RESOLVED, By the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to settle these interfund items as indicated herein:

PAY FROM	PAY TO	AMOUNT	
Current	Other Trust	825.00	2012 Audit Adj
Current	Water Operating	1,438.76	2012 Audit Adj
Assessment Trust	Current	96.83	2012 Audit Adj
General Capital	Current	2,063.50	2012 Audit Adj
Water Capital	General Capital	130,500.00	2012 Audit Adj

R 124-13 Introduced by Councilman Bennett

WHEREAS: a sub-division has eliminated Block 83.01 Lot 2.01 known as 66 Mazur Place, and

WHEREAS: payment was received from Fulvio & Frank Grosso, the property owners for 2013 1st and 2nd quarters in the amount of \$2,759.34, and the owner has requested that the payments be transferred to unit C0001 & C0002,

NOW, THEREFORE, BE IT RESOLVED: by the Municipal Council of the Borough of Hawthorne that the Collector of Taxes be authorized to transfer payments from Block 83.01 Lot 2.01 to Block 83.01 Lot 2.01 C0001 in the amount of \$1,379.67 and to Block 83.01 Lot 2.01 C0002 in the amount of \$1,379.67.

R 125-13 Introduced by Councilman Bennett

RESOLUTION A GRANT OF OPEN SPACE FUNDS FROM THE COUNTY OF PASSAIC TO CONSTRUCT RESTROOMS AND MAKE OTHER IMPORVMENTS IN CONJUNCTION WITH A BANDSHELL BEING CONSTRUCTED AT THE MUNICIPAL POOL PROPERTY

WHEREAS, the County of Passaic, using funding from the County's Open Space Tax paid by property owners in Passaic County, offers grants to the County's Municipalities for both acquisition of open space and rehabilitation or development of recreational facilities; and

WHEREAS, the Borough of Hawthorne applied for and received a Passaic County Open Space grant in 2012 for construction of a bandshell at the Borough's municipal pool property; and

WHEREAS, the Borough of Hawthorne subsequently submitted a second Open Space application to Passaic County seeking funds to construct restrooms as an adjunct to the bandshell; and

WHEREAS, County of Passaic has offered the Borough of Hawthorne a second grant of Open Space Funds in the amount of \$53,500 for this project;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne that the Mayor and Borough Clerk are hereby authorized to execute all necessary documents to accept the \$53,500 Passaic County Open Space for the construction of restrooms and related improvements.

**R 126-13 Introduced by Councilman Bennett
RESOLUTION IN OPPOSITION TO A SPECIAL GENERAL ELECTION
ON OCTOBER 16, 2013**

WHEREAS, as of June 3, 2013, a vacancy exists in the representation of this State in the United States Senate due to the passing of the Honorable Frank R. Lautenberg; and

WHEREAS, on June 4, 2013 New Jersey Governor Chris Christie issued a Writ of Election prescribing the dates for a Special Primary and a Special General Election for the purpose of filling such vacancy; and

WHEREAS, in accordance with said Writ of Election a Special General Election will be conducted on Wednesday, October 16, 2013; and

WHEREAS, the expense for holding this additional election is estimated to be \$12 million statewide for costs associated with ballot printing, board worker salaries, mailings of sample ballots and vote by mail applications, overtime for office staff, polling place rentals, publication of election notices, voting machine transportation costs; and

WHEREAS, holding the Special Election on Wednesday, October 16, 2013 causes both financial and logistical issues; and

WHEREAS, the expense for holding such an election regarding the aforementioned costs for the Borough of Hawthorne are approximately \$10,000; and

WHEREAS, the Borough of Hawthorne's 2013 Fiscal Year Budget did not anticipate the costs associated with this Special General Election and therefore the necessary funds to cover said costs were not appropriated; and

WHEREAS, these costs represent an undue burden on the Borough of Hawthorne, its finances, and its taxpayers. This additional cost could have been avoided by scheduling the Special Election on Tuesday, November 5, 2013; and

WHEREAS, the Board of Elections would incur great difficulty in processing two election in less than three weeks; and

WHEREAS, given that Primary and General Elections are typically held on a Tuesday, holding a Special General Election on Wednesday, October 16, 2013 may cause confusion among voters. Additionally, by holding the Special General Election in October, major concerns have arisen over low voter participation.

THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it opposes Governor Chris Christie's Writ of Election directing a Special General Election for the purpose of filling such vacancy in the United States Senate created by the passing of the Honorable Frank R. Lautenberg and encourages Governor Chris Christie to reconsider his decision to hold the Special General Election on Wednesday, October 16, 2013, rather than holding the special General Election on the established Tuesday, November 5, 2013 General Election date; and

BE IT FURTHER RESOLVED, the Municipal Council of the Borough of Hawthorne requests the State of New Jersey send a letter to each affected municipality providing written assurance for reimbursement of all costs associated with conducting the Special Primary and Special General Elections so each municipality may use said letter as the basis to amend its budget or to make an emergency appropriation for purposes not foreseen at the time of their budget adoption; and

BE IT FURTHER RESOLVED, that the Municipal Council of the Borough of Hawthorne directs for a copy of this Resolution to be sent to Governor Chris Christie, the appropriate legislative delegates and the New Jersey Association of Municipalities.

R 127-13 Introduced by Councilman Bennett

RESOLUTION A GRANT OF OPEN SPACE FUNDS FROM THE COUNTY OF PASSAIC TO CONSTRUCT RESTROOMS AND MAKE OTHER IMPORVMENTS IN CONJUNCTION WITH A BANDSHELL BEING CONSTRUCTED AT THE MUNICIPAL POOL PROPERTY.

WHEREAS, the County of Passaic, using funding from the County's Open Space Tax paid by property owners in Passaic County, offers grants to the County's Municipalities for both acquisition of open space and rehabilitation or development of recreational facilities; and

WHEREAS, the Borough of Hawthorne applied for a received a Passaic County Open Space grant in 2012 for construction of a bandshell at the Borough's municipal pool property; and

WHEREAS, the Borough of Hawthorne subsequently submitted a second Open Space application to Passaic County seeking funds to construct restrooms as an adjunct to the bandshell; and

WHEREAS, County of Passaic has offered the Borough of Hawthorne a second grant of Open Space Funds in the amount of \$53,500 for this project;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne that the Mayor and Borough Clerk are hereby authorized to execute all necessary documents to accept the \$53,500 Passaic County Open Space for the construction of restrooms and related improvements.

**RESOLUTUION PROCLAIMING AUGUST 18 TO AUGUST 24,
2013 PASSAIC COUNTY SENIOR CIITZEN WEEK.**

WHEREAS, as Americans are living longer and healthier lives, the senior citizen population continues to grow; and

WHEREAS, the Borough of Hawthorne includes 3,777 citizens ages 60 or older, and;

WHEREAS, the Mayor and Municipal Council is committed to valuing all individuals and recognizing their ongoing life achievements; and

WHEREAS, the older adults in Hawthorne play an important role by continuing to contribute experience, knowledge, wisdom and accomplishments; and

WHEREAS, the Mayor and Municipal Council celebrates the contributions older citizens have made throughout their lives; and

WHEREAS, these special citizens have led us through times of conflict, depression, peace and have witnessed first-hand the milestones of our country;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the Borough of Hawthorne does hereby proclaim August 18 to August 24, 2013 Passaic County Senior Citizen Appreciation Week; and

BE IT FURTHER RESOLVED the Mayor and Municipal Council urges every citizen to take the time to recognize older adults as powerful and vital citizens who greatly contribute to the community; and

BE IT FURTHER RESOLVED the Mayor and Municipal Council does hereby continue to recognize and celebrate Passaic County Senior Appreciation Week on an annual basis commencing the third week of August every subsequent year; and

BE IT FURTHER RESOLVED the Mayor and Municipal Council calls upon every municipality to recognize and show appreciation for the value and contributions to the older American population during this time heretofore annually.

Discussion:

Councilman Wojtecki asked Borough Attorney Pasquale about R 124-13 regarding the subdivision of C0001 and C0002. Borough Attorney Pasquale responded by stating that they are separate units but they are within the same duplex.

Councilman Lane asked Boswell Engineering Representative Mike Kelly about R 122-13. Councilman Lane stated in the past the elevation for manholes has been recessed a few inches which

can cause problems. He asked Mr. Kelly if we can make sure that the manholes are flush with the road. Mr. Kelly assured he could make sure this happens.

Moved by Councilman Bennett, seconded by Councilman Mele. On roll call, Councilmen Bennett, Lane, Mele, and Sinning voted yes for all Resolutions; Council Vice President Bertollo and Councilman Wojtecki voted yes on all the Resolutions except R 121-13 in which they voted no.

REPORTS OF SPECIAL COUNCIL COMMITTEES:

Councilman Lane

Cable TV – Councilman Lane was pleased to announce that after several months of working with electronics equipment and coordinating with Cablevision and Verizon, that the meetings are now streaming online. The Council was able to finalize the money and new equipment was purchased. Now the administration can provide more of an open government for the residents of the community. Councilman Lane also stated that there are plans to work with the Board of Education in order to stream school functions. Councilman Lane concluded by stating that the Ambulance Corp. will be hosting their annual dinner and tricky tray at Macaluso's on September 26, 2013.

Councilman Mele

The Municipal Alliance is working on their grant for next year.

Councilman Bennett

The next public works meeting will be held on August 19th, 2013 at 6:30 p.m.

Councilman Wojtecki

Shade Tree Commission- Councilman Wojtecki requested that 4 out of 6 trees that were injured by PSE&G be investigated by the arborist. The Borough was given trees in place of the injured trees that were damaged 2 ½ years ago. Mayor Goldberg responded by stating that the Borough will wait for recommendations from the arborist's report. Councilman Wojtecki concluded by stating that this is the last call for fall planting. There are currently 81 trees on the list and the Borough can afford approximately 90 trees. If anyone is interested in a tree, please call 973-427-5555 ext. 318.

CORRESPONDENCE:

C-1 Accept the retirement of Fire Fighter Douglas Morgan from the Hawthorne Fire Department. Written retirement letter was received July 21, 2013 by the Board of Fire Commissioners.

Moved by Councilman Bennett, seconded by Councilman Sinning. On roll call, Councilmen Sinning, Mele, Bennett, and Council Vice President Bertollo voted yes; Councilmen Wojtecki and Lane abstained.

MISCELLANEOUS: None.

BILLS:

Council Vice President Bertollo entertained a motion to approve the bills and forward them to the Treasurer for payment moved by Councilman Mele, seconded by Councilman Bennett. Council Vice President Bertollo asked if there was any discussion. On roll call, all voted yes. Councilman Lane and Councilman Wojtecki abstained from checks 15778, 15779, 15781, 15802, 15804, 15809,

15814, 15838, and any other checks pertaining to the fire department. Council Vice President Bertollo abstained from check 15799.

VENDOR	CHECK#	TOTAL	DESCRIPTION
CURRENT FUND			
JERSEY ELEVATOR INC	15777	150.66	DPW ADMIN O/E
10-75 EMERGENCY LIGHTING, LLC	15778	2,255.37	VARIOUS
AAA EMERGENCY SUPPLY CO INC	15779	387.90	VARIOUS
ACORN TERMITE & PEST CONTROL	15780	100.00	SWIMMING POOL O/E
ADVANCED AIR SYSTEMS LLC	15781	1,205.38	FIRE DEPT O/E
ALL AMERICAN FORD	15782	4,136.10	VARIOUS
ASCAP	15783	323.50	GENERAL ADMIN O/E
BCB JANITORIAL SUPPLY CO INC	15784	526.71	VARIOUS
BOB'S TIRES & WHEELS INC	15785	2,109.00	VARIOUS
BOLTZER LANDSCAPING INC	15786	1,948.00	DPW ADMIN O/E
BOSWELL ENGINEERING, INC	15787	2,490.00	VARIOUS
BURGIS ASSOCIATES, INC	15788	1,187.50	PLANNING BOARD O/E
CABLEVISION	15789	254.65	SWIMMING POOL O/E
CANON FINANCIAL SVCS INC	15790	43.00	STREETS & ROADS O/E
CERTAPRO PAINTERS INC	15791	5,175.00	DPW ADMIN O/E
CHARLENE ELVIN	15792	459.70	PUBLIC EVENTS O/E
CHARLES C. COLLINS, JR, ESQ	15793	357.12	ZONING BD OF ADJ
CHIEF FIRE EQUIP CO	15794	123.00	POLICE DEPT O/E
CINTAS FIRST AID AND SAFETY	15795	301.27	VARIOUS
D & M TOURS, INC	15796	5,380.00	VARIOUS
DAVE STERN INC	15797	1,088.80	VARIOUS
DELL GARDEN CENTER	15798	438.99	VARIOUS
DOWNES TREE SERVICE, INC.	15799	13,102.50	VARIOUS
EARTHLINK BUSINESS	15800	239.22	TELEPHONE CHARGES
ELLEN BROGNO	15801	122.40	GROUP INSURANCE O/E
FIRE SAFETY EDUCATION	15802	601.47	FIRE DEPT O/E

FREMGEN POWER EQUIPMENT INC	15803		VARIOUS
GILBEY'S EMBROIDERY CO	15804	436.35	FIRE DEPT O/E
GRASS ROOTS TURF PRODUCTS INC	15805	302.00	
HAWTHORNE AUTO LAB	15806	3,886.00	STREETS & ROADS O/E
HAWTHORNE PRESS INC	15807	312.53	VEHICLE MAINT POLICE
HENRY'S PLUMBING & HEATING INC	15808	144.32	VARIOUS
HFD #1	15809	45.08	DPW ADMIN O/E
HOME SUPPLY & LUMBER CO., INC.	15810	1,745.00	VARIOUS
JOHN ARTURI	15811	72.79	
JOHN PALLOTTA	15812	30.00	TELEPHONE CHARGES
KELLY BOSGRA	15813	180.00	GROUP INSURANCE O/E
KEN'S AUTO ELECTRIC, LLC	15814	45.00	CONTRA REVENUE
LANGUAGE LINE SERVICES	15815	2,087.66	VARIOUS
MAIN POOL & CHEMICAL CO, INC	15816	49.60	MUNI COURT
MARY JEANNE HEWITT	15817	1,828.50	
MATTHEW HOOGMOED	15818	37.55	SWIMMING POOL O/E
METLIFE	15819	125.14	VARIOUS
MONSEN ENGINEERING CO	15820	297.69	POLICE DEPT O/E
NJ MEADOWLANDS COMMISSION	15821	465.41	GROUP INSURANCE O/E
NJ STATE LEAGUE MUNICIPALITIES	15822	2,844.94	DPW ADMIN O/E
NO JERSEY MUNI EMPL BNFT FUND	15823	1,155.00	TRANSFER STATION
OFFICE CONCEPTS GROUP INC	15824	300,200.00	GENERAL ADMIN O/E
P & A AUTO PARTS, INC	15825	117.70	VARIOUS
PASCACK DATA SERVICES	15826	295.39	STREETS & ROADS O/E
PASS CTY-SUPT OF ELECTIONS	15827	5,793.41	VARIOUS
PRT REALTY, LP	15828	1,778.56	MUNICIPAL CLERK O/E
RT OFFICE PRODUCTS	15829	1,941.38	OPERATIONS
SHIRLEY RIOS	15830	32.50	MUNICIPAL CLERK O/E
TANIS HARDWARE	15831	60.00	CONTRA REVENUE
TASTEE PIZZA	15832	1,091.66	VARIOUS

		502.00	
TEE-FX SCREEN PRINTING, LLC	15833		BOARD OF REC
		825.00	O/E
THOMSON REUTERS INC	15834		VARIOUS
		386.50	
UNIVERSAL SPORTING GOODS, INC	15835		BOARD OF REC O/E
		2,250.00	
US BANK EQUIPMENT FINANCE	15836		DPW ADMIN O/E
		159.00	
US MUNICIPAL SUPPLY, INC.	15837		VARIOUS
		791.90	
VALLEY HEALTH MEDICAL GROUP	15838		FIRE DEPT O/E
		635.00	
VERIZON	15839		VARIOUS
		270.02	
WAGNER TOURS, INC	15840		BOARD OF REC O/E
		750.00	
WALDWICK PRINTING COMPANY	15841		MUNICIPAL CLERK O/E
		93.00	
TOTAL CURRENT		\$	
		378,570.82	
GENERAL CAPITAL			
AJM CONTRACTORS, INC.	3285		VARIOUS
		22,685.07	
BOSWELL ENGINEERING, INC	3286		VARIOUS
		30,191.50	
HAWTHORNE PRESS INC	3287		VARIOUS
		964.08	
HUDSON-ESSEX-PASSAIC COUNTY	3288		IMPROVEMENTS
		575.00	TO MAY ST
ROCKBORN TRUCKING & EXCAVATION	3289		VARIOUS
		437,143.09	
SUPLEE, CLOONEY & COMPANY	3290		VARIOUS
		400.00	
TOTAL GENERAL CAPITAL		\$	
		491,958.74	
WATER OPERATING			
AGRA ENVIRONMENTAL SVC	9382		VARIOUS
		6,087.50	
ALL AMERICAN FORD	9383		WATER UTILITY O/E
		282.53	
CANON FINANCIAL SVCS INC	9384		WATER UTILITY
		43.00	O/E
CINTAS FIRST AID AND SAFETY	9385		VARIOUS
		139.35	
CR INDUSTRIAL SERVICES INC	9386		WATER UTILITY
		781.75	O/E
FREMGEM POWER EQUIPMENT INC	9387		VARIOUS
		137.50	
GP JAGER & ASSOC INC	9388		WATER UTILITY
		5,346.24	O/E
HENRY'S PLUMBING & HEATING INC	9389		WATER UTILITY
		14.84	O/E
MAIN LOCK INC	9390		WATER UTILITY
		137.50	O/E

OFFICE CONCEPTS GROUP INC	9391		WATER UTILITY
		117.70	O/E
POST & KELLY ELECTRIC CO, INC	9392		VARIOUS
		2,350.00	
RIO SUPPLY, INC	9393		WATER UTILITY
		96.00	O/E
TANIS HARDWARE	9394		VARIOUS
		233.94	
USA BLUE BOOK INC	9395		VARIOUS
		3,908.05	
TOTAL WATER OPERATING		\$	
		19,675.90	
WATER CAPITAL			
AC SCHULTES INC	1051		CAPITAL
		11,992.00	EQUIPMENT
TOTAL WATER CAPITAL		\$	
		11,992.00	
OTHER TRUST II			
STATE OF NJ - DEPT OF LABOR	4638		TRUSTEE
		2,990.37	
DAVE STERN INC	4639		RECYCLING
		139.00	
DUTRA EXCAVATION AND SEWER	4640		OFF-DUTY
		297.00	
FELDMAN BROS. ELECTRIC	4641		RECYCLING
SUPPLY		49.75	
HOME SUPPLY & LUMBER CO., INC.	4642		VARIOUS
		37.46	
MARY JEANNE HEWITT	4643		VARIOUS
		43.40	
NO JERSEY MUNI EMPL BNFT	4644		UCC PENALTIES
FUND		54,380.00	
PRINTMASTERS	4645		RECYCLING
		160.00	
RIGGS DISTLER & CO	4646		OFF-DUTY
		3,289.50	
SUPERIOR DISTRIBUTORS	4647		RECYCLING
		194.28	
TOTAL OTHER TRUST II		\$	
		61,580.76	
BUILDERS ESCROW			
BOSWELL ENGINEERING, INC	5181		300 LINCOLN AVE
		90.50	120/13
TOTAL BUILDERS ESCROW		\$	
		90.50	
TOTAL BILL LIST		\$	
		963,868.72	
VENDOR	CHECK#	TOTAL	DESCRIPTION
CURRENT FUND			
JERSEY ELEVATOR INC	15777		DPW ADMIN O/E

		150.66	
10-75 EMERGENCY LIGHTING, LLC	15778		VARIOUS
AAA EMERGENCY SUPPLY CO INC	15779	2,255.37	VARIOUS
ACORN TERMITE & PEST CONTROL	15780	387.90	SWIMMING POOL O/E
ADVANCED AIR SYSTEMS LLC	15781	100.00	FIRE DEPT O/E
ALL AMERICAN FORD	15782	1,205.38	VARIOUS
ASCAP	15783	4,136.10	GENERAL
		323.50	ADMIN O/E

Correspondence ext.

Mayor Goldberg read a letter received by Fire Chief Joseph Speranza from the West Paterson Fire Department. The letter thanked the Hawthorne Fire Department for their assistance at a labor intensive fire occurring at 25 Andrews Drive on Thursday, July 18, 2013. The assistance of manpower and equipment was invaluable during this operation and made a difference to the successful outcome of the incident so everyone returned home safely.

PUBLIC COMMENT

Council Vice 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.

Jeff Gardner, 124 Highview Terrace

Responded to a letter written by Councilman Bennett in most recent issue of the Hawthorne Press. The letter was in regards to the week of Superstorm Sandy. Councilman Bennett stated that the Mayor and some of the Council were present at the Municipal Building to ensure water safety and attempt to return power supplies to the town. Councilman Bennett stated that Democrat Municipal Chairman Jeff Gardner was not present. Mr. Gardner stated that he was present on multiple occasions to ensure that the upcoming election was going to proceed as scheduled. He also stated that he volunteered his services at the Ambulance Corp. Building and within his own home for neighbors and friends. Mr. Gardner stated that Councilman Bennett owed him and every resident an apology for the statements in his letter to the Hawthorne Press. Councilman Bennett promptly apologized. Mr. Gardner concluded by thanking Ms. Lois Cuccinello for her efforts regarding open government and noted her responsibility for first putting council meetings on television. He also noted that now the meetings will be streaming on the internet.

Lois Cuccinello, 933 Lafayette Ave

Asked a question regarding an article posted the most recent issue of the Record. The article discussed new ordinances that are pending. Ms. Cuccinello asked if these ordinances have to completed and pushed through in 30 days. Borough Attorney Pasquale responded by stating that negotiation via discussions are in place to attempt to resolve the issues without continuing the costs of litigation. If the ordinances do not get introduced then an extension will be put into place or the administration will go ahead with the depositions. The ordinances will be moved only after everyone has an opportunity to voice an opinion. Ms. Cuccinello concluded by stating that there is a serious deer problem along Lafayette Ave extension. Ms. Cuccinello encouraged the administration to be

proactive about this issue before residents get seriously injured due to accidents associated with deer crossings.

John lane: statement to get cleared up

Disagrees with pasquale and cuccinello. No ordinance has been ramrodded. As per state statue.

Joe Osborne, 112 Cedar Ave

Mr. Osborne stated that he was pleased by the developments at the last meeting. The ordinances that were challenged will be abandoned. Mr. Osborne stated that most of the money that was spent went to defend ordinances that will no longer be defended. The depositions may not be necessary and only sought to get more information about how the ordinances came to be. Mr. Osborne concluded by stating that overall there are good developments and meetings are happening. He encouraged the administration to encourage the public to stay involved in Borough developments and provide their input so that the experts deliver accordingly. Council Vice President responded by stating that meetings always welcome a public forum. The administration does not want to mislead the public and property owners have a right to develop what they want within accordance of the zoning ordinances.

Council Vice President Bertollo asked if anyone else desired to be heard. After all questions were addressed, Council Vice President Bertollo entertained a motion to close the public portion, moved by Councilman Mele, seconded by Councilman Bennett. On roll call, all voted yes.

ADJOURNMENT

At 8:33p.m., Council Vice President Bertollo entertained a motion to adjourn the regular meeting, moved by Councilman Sinning, seconded by Councilman Mele. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON WEDNESDAY, AUGUST 21, 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.

Frank E. Matthews
Council President

Lori DiBella, RMC
Borough Clerk