

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:30 p.m., in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

Council President.....	Frank E. Matthews
Council Vice President	John Bertollo
Councilman.....	Bruce Bennett
Councilman.....	John Lane
Councilman	Dominic Mele
Councilman.....	Garrett Sinning
Councilman	Joseph Wojtecki
Director of Revenue and Finance.....	Mary Jeanne Hewitt
Borough Attorney.....	Michael J. Pasquale
Borough Engineer	Dr. Stephen T. Boswell
Borough Clerk.....	Lori DiBella
ABSENT:	
Mayor.....	Richard S. Goldberg
Borough Administrator	Eric Maurer

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, The Record, The Gazette and all persons who have requested the mailing of such schedule, and a copy of said schedule has remained on file in the office of the Borough Clerk from and since December 9, 2013.

APPROVAL OF MINUTES

Council President Matthews entertained a motion to approve the Minutes of the Regular Meetings of May 21st and June 4th, 2014 and RFQ Minutes for the CDBG-DR Land Surveyors and Environmental Assessors opened June 3, 2014 moved by Councilman Lane, seconded by Council Vice President Bertollo. On roll call, all voted yes, with the exception of Councilman Bennett who abstained from the Regular Meeting Minutes of June 4th.

PUBLIC COMMENT (Agenda Items Only)

Council President Matthews opened the meeting to the public. She stated if anyone desired to be heard, please raise your hand to be recognized, come forward to the microphone and state your name and address and sign the sheet for the record. She stipulated this be for agenda items only.

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

ADOPTION OF ORDINANCES

BOND ORDINANCE NO. 2116-14

BOND ORDINANCE PROVIDING FOR ROAD RECONSTRUCTION, RESURFACING, DRAINAGE, CURB, SIDEWALK AND HANDICAPPED RAMP IMPROVEMENTS ON PORTIONS OF WASHINGTON AVENUE AND ROYAL AVENUE AS DESCRIBED SPECIFICALLY HEREIN, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING TWO HUNDRED EIGHTY THOUSAND (\$280,000) 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 Bond Ordinance No. 2116-14 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 Matthews entertained a motion that the public hearing on Bond Ordinance No. 2116-14 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 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 Bennett seconded by Council Vice President Bertollo. On roll call, all voted yes.

OLD BUSINESS - NONE

NEW BUSINESS

Council Sinning stated a couple of the store owners in the strip mall on Goffle Road & Wyckoff border were complaining the road was completely closed where the construction is at Rock, Braen and Goffle and puts them at a dead end. Dr. Boswell stated it is a county project and he will reach out to them to rectify.

ADMINISTRATIVE AGENDA PRESENTED BY ATTORNEY PASQUALE:

Attorney Pasquale reported Mayor Goldberg is home resting after a surgical procedure Tuesday. Ellen Brogno's father passed away this morning, our condolences go out to a member of our Hawthorne family.

REPORTS

Director of Revenue and Finance Mary Jeanne Hewitt

We continue to get ready for our annual tax sale by sending out delinquent tax and water notices. An exact date for the sale will be set once the state will approve the printing and release of tax bills for 2014. Depending on this date, our goal is late September or early October. On the agenda tonight is Chapter 159; these are grant awards that came in after we introduced the budget. Secondly, the resolution on the off-consent agenda is for unexpected problems we have been having at the pool.

Borough Engineer Dr. Stephen T. Boswell

1. May Street.

The NJDOT has been contacted to complete their surveillance report for the project. If any items or issues remain after the NJDOT's surveillance report has been addressed, we will consider having these particular items addressed through the 2014 Road Program.

2. 2014 Road Resurfacing Program and Mohawk Avenue.

Rockborn Trucking mobilized on Monday, June 16th, and began working on Ethel Avenue on Tuesday. Notices to residents have been distributed. Tree removal has already begun.

3. Rock/Braen/Goffle Intersection.

The project is on-going. Based on the contractor's schedule to the County, the removal and installation of curbing, sidewalks and driveways are currently being performed. A utility conflict was addressed with the contactor on Friday, June 13th.

4. Goffle Brook Bank Stabilization.

The sections of the walking paths which have experienced erosion will be replaced during the months of June and July, when temperatures are appropriate for the application of this type of material.

5. Water System Improvements.

The Borough is looking for sources of funding.

6. Band Shell.

The project has been re-advertised and public bids are to be received on Friday, June 20th. To date, two (2) prospective contractors have acquired bid packages. Both the Borough and our office have contacted various contractors to inform them of this project.

7. Rea Avenue Bridge.

The County received bids for this project on Thursday, May 29th.

8. 2012 or 2013 Road Resurfacing Program.

2012 RP (and Forest Ave) sidewalk assessments:

As-built quantities are completed. Commissioners still need to walk the properties and complete their review.

2013 RP (and May Street) sidewalk assessments:

As-built quantities for the road program streets are completed, however, May Street quantities still need to be finalized.

9. DPW Truck Wash Building.

No change.

10. Little Franklin Field Parking Lot.

The contractor, Rock Born Trucking, will apply some additional top soil and seed to the areas adjacent to the driveway and parking lot as part of the 2014 Road Improvement Program.

11. Library Roof.

The Borough plans to introduce a bond ordinance to address the replacement of the standing seam metal roof and the Community Room's shingle roof and any other improvements deemed necessary.

12. Crack Sealing Municipal Tennis Courts.

The contractor is expected to begin work some time in June.

13. Washington Avenue (2014 NJDOT).

A constructability review for the proposed design plans is planned for this week.

Borough Attorney Michael Pasquale

The 7-11 matter has progressed to look like dismissals on almost all counts; there is just one remaining count to deal with. The attorney has indicated in about two weeks' time they will have a better indication if they are going to move forward or not. If they choose to move forward they are already on notice that we are considering any further action would be completely frivolous and we will if necessary be amending our answer to name 7-11 cooperation as a defendant in this matter. We will not allow this to continue to go forward. Nexus Plastics filed an appeal of its denial of an application. Because our Zoning Board attorney Charles Collins will be retiring by the end of this month and if a new attorney is not yet named by then, Attorney Pasquale stated he will be stepping in as Zoning Board Attorney in that matter. As to the Zoning Board there are a lot of things before you tonight, we are changing up a lot of our procedures as you all know we will no longer have an attorney/secretary to the board, rather an attorney and secretary. Joan Herve has already started as secretary. The board has interviews and should name an attorney possibly at the end of this month. They do have a special meeting on June 30th. Attorney Pasquale stated he does not have an official report from Administrator Maurer, however he can report on a few things. There is a bid opening Friday for the band shell. If in fact we gain a favorable bid then will be asking for your consideration for a special meeting to award right away if we want to make Hawthorne Day. If we don't have a favorable bid, then we will simply look to reject bids at the July meeting and begin the negotiation process. Administrator Maurer also is prepared to bid the antenna space on the Highview water tank, there are a lot of spaces opening up. He also sent out letters on the flood buy-out program. The initial letters to the home owners are out; they are offer letters, we expect to get some responses. Attorney Pasquale stated DPW Director Scully reported the landscapers have finished qualifying and should be ready to address the railroad grass issues.

Councilman Mele asked Dr. Boswell if the skylights on the library roof will be included in the roof repair bid. Dr. Boswell stated yes, we would like to repair it once that is why they gave Administrator Maurer a higher range for the bond. Councilman Lane asked Dr. Boswell if he researched the 50-year warranty on the paint. Dr. Boswell stated he is still awaiting an answer and will keep him updated. Councilman Wojtecki asked Dr. Boswell how much warmer does it 0has to get for them to start Goffle Brook Park as it was 98 degrees outside today and yesterday it was 91 degrees. Dr. Boswell stated he will make a call tomorrow to expedite the process. Council President Matthews asked if the Cornell Avenue sewer repair and lining was completed. The paving does not look like it was an infrared patch, if you can verify if that is final. Dr. Boswell will follow up.

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

INTRODUCTION OF ORDINANCES:

Ordinance No. 2118-14

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.

BE IT RESOLVED, that Ordinance No. 2118-14 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Governing Body in the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, on July 9, 2014, 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 Matthews entertained a motion to approve Ordinance No. 2118-14 moved by Councilman Lane, seconded by Councilman Mele. On roll call, all voted yes.

Ordinance No. 2119-14

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE SO AS TO AMEND CHAPTER 540, ZONING, SO AS TO SET FORTH HOUR OF OPERATION REQUIREMENTS FOR BUSINESSES OPERATING IN RESIDENTIAL ZONES IN THE BOROUGH OF HAWTHORNE

BE IT RESOLVED, that Ordinance No. 2119-14 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Governing Body in the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, on July 30, 2014, 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 Matthews entertained a motion to approve Ordinance No. 2119-14 moved by Councilman Bennett, seconded by Council Vice President Bertollo. On roll call, all voted yes, with the exception of Sinning who abstained.

Ordinance No. 2120-14

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE SO AS TO AMEND CHAPTER 293, LAND USE PROCEDURES, AND CHAPTER 220, FEES, SO AS TO PROVIDE FOR PAYMENT OF COSTS FOR SPECIAL MEETINGS AND PAYMENT OF LEGAL EXPENSE FOR CERTAIN ZONING BOARD APPLICATIONS

BE IT RESOLVED, that Ordinance No. 2120-14 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Governing Body in the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, on July 9, 2014, 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 Matthews entertained a motion to approve Ordinance No. 2120-14 moved by Councilman Mele, seconded by Councilman Bennett. On roll call, all voted yes.

Ordinance No. 2121-14

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE TO REVISE AND AMEND CHAPTER 220, FEES, SECTION 220-9, CONSTRUCTION CODE, UNIFORM, SO AS TO AMEND PERMIT FEES FOR FENCES, DRIVEWAYS AND SHEDS AND SECTION 220-12, PARKS AND RECREATION, SECTION B(1)(h) ADMISSION TO PUBLIC POOLS, DAY PASSES, RESIDENTS

BE IT RESOLVED, that Ordinance No. 2121-14 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Governing Body in the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, on July 9, 2014, 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 Matthews entertained a motion to approve Ordinance No. 2121-14 moved by Council Vice President Bertollo, seconded by Councilman Mele. Discussion by Councilman Lane, he questioned we are setting a limit of \$4000, if the project is going to be \$5000 and the estimate is going to be \$4000, then you don't have to pay additional permit fees? He feels it should be worded a little bit differently and not give a dollar amount. Attorney Pasqual stated the problem is if you try to do it any other way than a value and you try to do it on linear feet then you would have to look at what type of fence, if you do it based upon the area you are covering you start to look at how high the fences is going to be. There are a lot of things that go into it; therefore, the cost seemed the best way to do it. On roll call, all voted yes.

CONSENT AGENDA: Resolutions R 114-14 through 121-14:

R 114-14 Introduced by Vice President Bertollo

Resolved: Borough of Hawthorne payroll dated June 13, 2014

CURRENT FUND	WT 88889	\$ 255,869.04
WATER OPERATING FUND	WT 88889	\$ 40,328.45
OTHER TRUST II FUND	WT 88889	\$ 13,229.53
TOTAL PAYROLL		<u>\$ 309,427.02</u>
WATER OPERATING FUND TO PAYROLL/FICA	WT 88889	\$ 13,825.55
TOTAL FICA		<u>\$ 13,825.55</u>

R 115-14 Introduced by Vice President Bertollo

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 2014 in the sum of \$1,122.52 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 \$1,122.52

Pursuant to the provision of the statute; and

SECTION 2

BE IT FURTHER RESOLVED, that a like sum of \$1,122.52 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 \$1,122.52

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 2014 budget and are now available by law.

R 116-14 Introduced by Vice President Bertollo

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 2014 in the sum of \$4,000.00 which item is now available as revenue for the Drive Sober or Get Pulled Over Program.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS
Click-it-or-Ticket Grant Program \$4,000.00

pursuant to the provision of the statute; and

SECTION 2

BE IT FURTHER RESOLVED, that a like sum of \$4,000.00 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM "CAPS"
PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE
Click-it-or-Ticket Grant Program \$4,000.00

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 2014 budget and are now available by law.

R 117-14 Introduced by Vice President Bertollo

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 2014 in the sum of \$29,958.39 for the Clean Communities Grant.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS
Clean Communities Grant Program \$29,958.39

pursuant to the provision of the statute; and

SECTION 2

BE IT FURTHER RESOLVED, that a like sum of \$29,958.39 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM "CAPS"
PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUES

Clean Communities Grant Program \$29,958.39

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 2014 budget and are now available by law.

R 118-14 Introduced by Vice President Bertollo

WHEREAS, an appeal was filed with the New Jersey State Tax Court for a reduction of the assessed value of property and a settlement was agreed upon as follows:

<u>Block/Lot</u>	<u>Original Assessment</u>	<u>Judgement</u>	<u>Difference</u>	<u>Overpayment</u>
2010				
34/5 Occhipinti, Kathryn	\$386,500.	\$350,000. 14 Lincoln Street	\$36,500.	\$1,779.74
2011				
34/5 Occhipinti, Kathryn	\$386,500.	\$325,000. 14 Lincoln Street	\$61,500.	\$3,135.89
2012				
34/5 Occhipinti, Kathryn	\$386,500.	\$300,000. 14 Lincoln Street	\$86,500.	\$4,478.11
2013				
34/5 Occhipinti, Kathryn	\$386,500.	\$275,000. 14 Lincoln Street	\$111,500.	\$5,891.66
2011				
104/15 JSD Realty Co.	\$1,047,000.	\$950,000. 312 Lafayette Ave.	\$97,000.	\$4,946.03
2012				
104/15 JSD Realty Co.	\$1,047,000.	\$950,000. 312 Lafayette Ave.	\$97,000.	\$5,021.69

R 119-14 Introduced by Vice President Bertollo

WHEREAS, The Municipal Clerk is submitting the following *Club License* Renewal Applications for approval for the license term 2014-2015:

Lic#1604-31-026-001	Riverside Veterans, Inc.	123 Royal Avenue
Lic#1604-31-020-001	Hawthorne Post 199 American Legion	1 Legion Place

WHEREAS, The Municipal Clerk is submitting the following *Plenary Retail Consumption License* Renewal Applications for approval for the license term 2014-2015:

Lic#1604-32-004-005	Diamond Unlimited Corp. t/a Diamond Pub & Liquors 203 Diamond Bridge Ave
Lic#1604-32-018-004	Holst & Lehman Corp t/a Hawthorne Liquors/Rumors 610 Lafayette Ave
Lic#1604-32-011-015	142 Goffle Road LLC 142 Goffle Road
Lic#1604-33-003-003	DiCosmo Assoc., t/a The Front Porch 217 Wagaraw Road
Lic#1604-33-002-005	Evad Been, Inc. t/a Jiggles 105 Mohawk Avenue
Lic#1604-33-010-002	Mattar 98A Corp. t/a Macaluso's 161 Rea Avenue
Lic#1604-33-005-007	Meson Galicia, Inc. t/a Granada Restaurant

	410 Wagaraw Road
Lic#1604-33-015-005	Nissan Spirits LLC (Pocket License)
Lic#1604-33-007-008	Pesca Inc. t/a Bottagra Restaurant 80 Wagaraw Road
Lic#1604-33-008-003	Phiefer Company t/a Kirker's Inn 237 Diamond Bridge Ave
Lic#1604-33-013-007	Puzo Pizza International, Inc t/a Puzo's Restaurant 4 Garfield Avenue
Lic#1604-33-019-008	Rurff Inc t/a R.D. Benders 587 Lafayette Ave
Lic#1604-33-006-003	San Giuseppe Santa Croce Camerina Society 131 Wagaraw Road
Lic#1604-33-016-004	Shortway's Barn Inc. t/a Shortway's Barn 991 Goffle Road
Lic#1604-33-009-007	Zira Inc t/a Ossy's Café 158 Lincoln Ave

NOW, THEREFORE, BE IT RESOLVED, that the Hawthorne Municipal Council, of the Borough of Hawthorne, has no objection to the renewal of these licenses and is not aware of any circumstances that would prohibit the renewal of said licenses.

R 120-14 Introduced by Vice President Bertollo

WHEREAS, the Municipal Council of the Borough of Hawthorne previously enacted legislation amending Chapter 220, Fees, Section 220-12, Parks and Recreation, Section B, Swimming Pools, to modify and change various rates applicable for pool admission commencing in 2014; and

WHEREAS, as part of that legislation, the rate charged under Section 220-12 (B)(1)(h), Day Pass, resident, all ages, and subsection (1), Saturday, Sunday or holiday, was inadvertently raised, due to error or oversight, to the rate applicable to non-residents for the same admission; and

WHEREAS, the Municipal Council has introduced legislation to correct the error made in the original adoption, reducing the rates to \$10 for a one day resident day pass, \$15 on Saturdays, Sundays and holidays; and

WHEREAS, the Hawthorne Memorial Swimming Pool is now open for the season, meaning the season will be substantially completed by the time legislation as described above has gone into law; and

WHEREAS, the Municipal Council wishes to avoid an unfair outcome resulting solely from error or oversight;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne does fix rates for public pool admission, resident of the Borough, all ages, at \$10 per day and \$15 for Saturdays, Sundays and holidays, effective retroactively to the opening of the pool for the year 2014 and for the remainder of the year or as otherwise amended by ordinance.

R 121-14 Introduced by Vice President Bertollo

RESOLUTION AUTHORIZING APPLICATION TO THE NEW JERSEY OFFICE OF CLEAN ENERGY FOR THE SMART START BUILDINGS PRESCRIPTIVE LIGHTING PROGRAM

WHEREAS, the New Jersey Clean Energy Program is offering incentives to non-residential electric customers for the installation energy-efficient LED lighting fixtures; and

WHEREAS, the installation of LED fixtures in Borough facilities would be an effective cost-saving measure for the Borough of Hawthorne; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Hawthorne authorizes the Borough Administrator to submit applications to the New Jersey Clean Energy Program, c/o TRC Energy Services for participation in the Smart Start Buildings Prescriptive Lighting Program.

Council President Provencher/Matthews entertained a motion to approve consent resolutions R114-14 through R121-14 moved by Council Vice President Bertollo, seconded by Councilman Wojtecki. On roll call, all voted yes.

OFF-CONSENT AGENDA

R 122-14 Introduced by Councilman Mele

WHEREAS, An emergency has arisen with respect to the Municipal Swimming Pool in the Borough of Hawthorne, causing emergency repairs to the electrical systems, electrical pumps and water piping, creating a health and safety hazard directly affecting residents of the Borough of Hawthorne, and

WHEREAS, no adequate provision was made in the 2014 Municipal Budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriations in the budget for the year 2014 is \$22,000.00, and, three percent (3%) of the total operating appropriations in the budget for the year 2014 is \$603,246.96.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with N.J.S.A. 40A:4-46, petition be made to the Director of the Division of Local Government Services for the creation of an appropriation set forth in the preamble in accordance with the following:

An emergency appropriation be and the same is hereby made for:

Repairs to Municipal Swimming Pool	\$22,000.00
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BE IT ALSO RESOLVED, that Said emergency appropriation shall be provided for in full in the 2015 budget, that funds for the appropriation shall be provided from surplus funds on hand, that two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services, and that the statements required by the Local Finance Board have been filed with the Clerk and a copy thereof will be transmitted to the Director of the Division of Local Government Services.

Council President Matthews entertained a motion to approve off-consent resolution R122-14 moved by Councilman Mele, seconded by Councilman Wojtecki. On roll call, all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Council Vice President Bertollo – DPW met on Monday, and will schedule another meeting with the Finance Committee and Dr. Boswell to discuss options for the garage, water separator and the truck wash.

Councilman Bennett – The Board of Rec has started locking the fields when they are closed since people were ignoring the closed signs. Residents in town have been reporting to the Board of Rec that there are people using the pool via day passes that are non-residents. Their offensive language and behavior is disturbing some of the patrons and they asked that this matter be referred to the pool manager to take corrective action. The “Yes Network” filmed a short commercial in town for the Chevy Youth Baseball League. They interviewed some coaches and players for a short spot on the network. Jim Bertollo reported the new sound system has been installed at the HS football field in the press box. The Public Works committee will meet and discuss with the finance committee new equipment the Administrator will be proposing, including a 4 wheel drive dump truck, a brine system, a new wood chipper and the pay loader. The Administrator will have all the financial details on that. As reported there were some problems with the pool that was in need of electrical repairs as well as a precision motor for the filter pump, the control box (for the choline system) and the lint strainer needing to be replaced. They located where the main leaking was coming from and it will get repaired when the pool closes. Our Scada System for water & sewer system has been updated. We are still working on the generator grant for the water utility program now that we can narrow down the equipment we need. Council President Matthews asked if this will fall within the grant. Councilman Bennett stated no, it will be roughly a \$164,000 difference. The total estimate for the job is at \$465,000 and the grant is \$301,000.

CORRESPONDENCE: None.

MISCELLANEOUS: None.

BILLS

Council President Matthews entertained a motion to approve the bills and forward them to the Treasurer for payment. Motion moved by Councilman Bennett, seconded by Council Vice President Bertollo. On roll call, all voted yes with the exception Councilman Lane and Councilman Wojtecki who abstained from bills pertaining to the Fire Department.

VENDOR	CHECK#	TOTAL	DESCRIPTION
CURRENT FUND			
BOTTAGRA RESTAURANT	17327	800.00	PUBLIC EVENTS O/E
AMERICAN MOBILE GLASS	17328	298.74	VEHICLE MAINT ROAD
A-VAN ELECTRICAL	17329	276.81	FIRE DEPT O/E
ACORN TERMITE & PEST CONTROL	17330	100.00	DPW ADMIN O/E
ACTION DATA SERVICES	17331	474.37	FINANCIAL ADMIN O/E
ALL AMERICAN FORD	17332	4,139.03	VARIOUS
ALL HANDS FIIRE EQUIPMENT	17333	971.81	FIRE DEPT O/E
ALPHA NURSERIES, INC	17334	215.59	SHADE TREE COMMISSION
AMERICAN HOSE CO INC	17335	1,696.60	VEHICLE MAINT ROAD
AQUARIUS IRRIGATION SUPPLY,INC	17336	52.97	MAINTEN OF PARKS
BCB JANITORIAL SUPPLY CO INC	17337	168.05	DPW ADMIN O/E
BOSWELL ENGINEERING, INC	17338	8,901.50	VARIOUS
BRAEN STONE INDUSTRIES, INC	17339	1,599.24	STREETS & ROADS O/E
BRAEN SUPPLY INC	17340	110.76	STREETS & ROADS O/E
CABLEVISION	17341	493.62	DPW ADMIN O/E
CAMPBELL FIRE EQUIPMENT	17342	579.50	VARIOUS
CANON SOLUTIONS AMERICA INC	17343	12.16	STREETS & ROADS O/E
CINTAS CORP	17344	554.10	DPW ADMIN O/E
CMRS-FP	17345	5,000.00	GENERAL ADMIN O/E
CONEXION PRINTING	17346	68.00	PUBLIC EVENTS O/E
CUB SCOUT PACK 30	17347	480.00	CLEAN COMMUNITIES
DTS TRUCKING LLC	17348	254.41	RECYCLING PRO O/E
E & G AUTO REPAIR LLC	17349	97.50	VEHICLE MAINT FIRE DEPT
ELEMENT FINANCIAL CORP	17350	400.00	POLICE DEPT O/E
EMERGENY SERVICES MARKETING CO	17351	850.00	POLICE DEPT O/E
F D R HITCHES LLC	17352	9.56	VEHICLE MAINT ROAD
FREMGEN POWER EQUIPMENT INC	17353	392.45	FIRE DEPT O/E
FUTURE SANITATION INC	17354	39,375.00	VARIOUS
GARDEN STATE HGWY PROD, INC	17355	3,432.84	VARIOUS
GET A CAN	17356	8,250.00	RECYCLING PRO O/E
GILL ASSOCIATES	17357	921.50	SWIMMING POOL O/E
GROENEWAL RAMSEY DOOR, LLC	17358	2,061.50	VARIOUS
HAWTHORNE AUTO LAB	17359	312.86	VARIOUS
HAWTHORNE FIRE DEPT	17360	106.43	FIRE DEPT O/E
HAWTHORNE PRESS INC	17361	248.04	VARIOUS
HAWTHORNE PROJECT GRADUATION C	17362	1,000.00	MUNICIPAL ALLIANCE
HENRY'S PLUMBING & HEATING INC	17363	126.05	VARIOUS
HERITAGE FLAGS & BANNERS	17364	1,452.50	DPW ADMIN O/E
HFD #4	17365	1,745.00	VARIOUS
JERSEY ELEVATOR INC	17366	154.26	DPW ADMIN O/E
JOHN DEERE LANDSCAPE	17367	240.97	STREETS & ROADS O/E
JSD REALTY CO LLC	17368	9,967.72	VARIOUS
KATHRYN OCCHIPINTI	17369	15,285.40	VARIOUS
KAY PRINTING & ENVEL CO, INC	17370	100.00	ENVIRONMENTAL COMMITTEE O/E
KYOCERA	17371	2,500.00	VARIOUS
LANGUAGE LINE SERVICES	17372	22.29	MUNI COURT
LIFESAVERS INC	17373	832.00	DPW ADMIN O/E
LORRAINE POWELL	17374	527.90	VARIOUS
MAIN POOL & CHEMICAL CO, INC	17375	1,926.25	SWIMMING POOL O/E
MATTHEW HOOGMOED	17376	98.71	POLICE DEPT O/E
MICHAEL NELSON	17377	30.00	TELEPHONE CHARGES
MOLENARO DESIGNS, LLC	17378	155.00	ENVIRONMENTAL COMMITTEE O/E
MONSEN ENGINEERING CO	17379	1,619.50	DPW ADMIN O/E
NJ MEADOWLANDS COMMISSION	17380	686.73	TRANSFER STATION
NJ STATE VOL FIREMAN'S ASSN	17381	25.00	FIRE DEPT O/E
NORTH JERSEY MEDIA GROUP INC	17382	95.45	MUNICIPAL CLERK O/E
OFFICE BUSINESS SYSTEMS, INC	17383	1,475.00	VARIOUS

P & A AUTO PARTS, INC	17384	28.62	VEHICLE MAINT FIRE DEPT
PASCACK DATA SERVICES	17385	3,320.00	IT SERVICES
PRINTMASTERS	17386	440.00	BOARD OF REC
RAYNA LAIOSA	17387	60.00	SUSTAINABLE NJ
ROSANNE ZAGATTA	17388	214.23	ENVIRONMENTAL COMMITTEE O/E
RT OFFICE PRODUCTS	17389	104.97	POLICE DEPT O/E
SHOTMEYER BROS FUEL CO	17390	8,045.75	BULK PURCHASE GASOLINE
STANDARD SPRINGS, INC	17391	596.00	VEHICLE MAINT ROAD
STAPLES	17392	714.83	SWIMMING POOL O/E
STATE LINE FIRE & SAFETY INC	17393	272.45	VARIOUS
SUNOCO SUNTRAK	17394	8,888.82	BULK PURCHASE GASOLINE
SUPERIOR DISTRIBUTORS	17395	128.47	VEHICLE MAINT ROAD
TANIS HARDWARE	17396	401.03	VARIOUS
THOMSON REUTERS INC	17397	288.00	VARIOUS
TRAFFIC SAFETY & EQUIP, INC	17398	1,166.34	POLICE DEPT O/E
TYCO ANIMAL CONTROL SERVICES	17399	2,220.00	ANIMAL CONTROL O/E
VERIZON	17400	250.34	VARIOUS
VERIZON WIRELESS (N)	17401	1,271.85	VARIOUS
VITAL COMMUNICATIONS, INC.	17402	<u>510.00</u>	TAX ASSESSMENT O/E
TOTAL CURRENT		\$ 152,692.37	
 GENERAL CAPITAL			
BOSWELL ENGINEERING, INC	3337	16,064.00	VARIOUS
MONTONE REMOD & CONS CO, INC	3338	<u>9,200.00</u>	2013 ROAD PROGRAM
TOTAL GENERAL CAPITAL		\$ 25,264.00	
 WATER OPERATING			
ACTION DATA SERVICES	9727	118.59	WATER UTILITY O/E
AGRA ENVIRONMENTAL SVC	9728	1,852.50	VARIOUS
AP CERTIFIED TEST	9729	3,420.00	WATER UTILITY O/E
AQUARIUS IRRIGATION SUPPLY, INC	9730	97.66	VARIOUS
BOSWELL ENGINEERING, INC	9731	500.00	WATER UTILITY O/E
CABLEVISION	9732	92.14	WATER UTILITY O/E
CANON SOLUTIONS AMERICA INC	9733	12.15	WATER UTILITY O/E
CMRS-FP	9734	5,000.00	WATER UTILITY O/E
DELLA RICA & SONS	9735	4,000.00	WATER UTILITY O/E
FOLEY POWER SYSTEMS INC	9736	787.15	WATER UTILITY O/E
GP JAGER & ASSOC INC	9737	5,346.24	WATER UTILITY O/E
GROENEWAL RAMSEY DOOR, LLC	9738	216.50	WATER UTILITY O/E
HAWTHORNE AUTO BODY, INC	9739	75.00	WATER UTILITY O/E
KYOCERA	9740	814.00	WATER UTILITY O/E
NEW ENGLAND WATER WORKS ASSN	9741	847.00	WATER UTILITY O/E
ONE CALL CONCEPTS, INC.	9742	96.38	WATER UTILITY O/E
PASSAIC CO ROAD DEPT	9743	200.00	WATER UTILITY O/E
SHOTMEYER BROS FUEL CO	9744	630.87	VARIOUS
SUNOCO SUNTRAK	9745	1,252.72	WATER UTILITY O/E
TANIS HARDWARE	9746	161.86	WATER UTILITY O/E
VERIZON WIRELESS (N)	9747	<u>253.04</u>	WATER UTILITY O/E
TOTAL WATER OPERATING		\$ 25,773.80	
 WATER CAPITAL			
PRECISION ELECTRIC MOTOR WORKS	1057	<u>4,773.50</u>	CAPITAL EQUIPMENT
TOTAL WATER CAPITAL		\$ 4,773.50	
 OTHER TRUST II			
BELMAR SPRING WATER COMPANY	4850	33.51	RECYCLING
CARL MOTTOLA	4851	53.35	UCC PENALTIES
CMRS-FP	4852	1,000.00	UCC PENALTIES
DIESEL TRUCK SERVICE, INC	4853	2,748.00	VARIOUS
THOMAS ZACONIE	4854	69.30	UCC PENALTIES

VERIZON WIRELESS (N)	4855	81.33	UCC PENALTIES
VITAL COMMUNICATIONS, INC.	4856	<u>75.00</u>	UCC PENALTIES
TOTAL OTHER TRUST II		\$ 4,060.49	
DOG DEDICATED			
HAWTHORNE ANIMAL HOSPITAL	6110	230.00	RABIES CLINIC
NJ DEPARTMENT OF HEALTH	6111	<u>127.20</u>	STATE OF NEW JERSEY
TOTAL DOG DEDICATED		\$ 357.20	
BUILDERS ESCROW			
BOSWELL ENGINEERING, INC	5221	452.50	300 LINCOLN AVE 120/13
BOSWELL ENGINEERING, INC	5222	1,020.00	233 CENTRAL AVE, LLC
BOSWELL ENGINEERING, INC	5223	316.75	DINO CALLEGARI
BOSWELL ENGINEERING, INC	5224	<u>1,629.00</u>	CHRISTIAN HEALTH CARE
TOTAL BUILDERS ESCROW		\$ 3,418.25	
TOTAL BILL LIST		<u>\$ 216,339.61</u>	

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 sign the sheet for the record.

Marianne McPhail – 85 Genevieve Avenue

Ms. McPhail stated she owns a home on 147 Utter & 89 Eighth Avenue, and asked if there was going to be no parking on Utter Avenue from the tracks north to 7th Avenue? Ms. McPhail asked what is going to happen up by 8th Avenue. She stated there is going to be nowhere to park and Premio parks all over. She stated she doesn't understand what the situation is with Premio. This parking problem only started about the past year. Premio is parked their everyday, even on Memorial Day. What changed so much with Premio that there are so many people parking on the street, because this will have an impact my house. Council President Matthews believes they added a 3rd shift about a year ago and of course that is causing more employees there longer. We sent notices to Premio asking them to be respectful of the neighborhood. Utter Avenue has become a safety issue and that is why the Ordinance Committee did look at restricting parking up towards 7th Avenue and hopefully that will take them off that main road. Unfortunately it will put them somewhere else. It's a way to work with our corporate citizens to work with our residents. We are not quite there yet. Ms. McPhail stated it's just not that they added a 3rd shift because this is from 7am to 9:30pm, she doesn't understand why there are cars on the road all day and all night. Councilman Wojtecki asked if there is a way we can look at their Planning Board approval. Councilman Lane stated he has contacted the Planning Board attorney to ask for the resolution given them at tenant review. He was told by the attorney there was no tenant application before the Planning Board because when Premio moved in was a like-to-like business. However since then it has become more congested. He stated he has received numerous complaints from residents on Utter Avenue, Rea Avenue, 5th Avenue residents mostly for the parking and tractor trailers that are going down 5th Avenue at 10pm at night. There are trailers right now in the back of the building where there used to be car parking, now there is trailer parking. Councilman Lane stated he asked the Administration to schedule a meeting with Premio to see what we can do to rectify the situation and is aware the Mayor is looking into this as well. Ms. McPhail reiterates that she does not understand how adding a 3rd shift is making the difference. She stated she had this property for 11 years now and never had this problem. Councilman Lane stated the possibility of establishing a truck route in and out of the borough can be researched. Ms. McPhail stated she emailed the Mayor and several Council members regarding how horrible the snowplowing was this year. On her street there was not a single car parked and the plow came down the middle of the street and never attempted to get closer to the curb, therefore, that created a one lane road. On Utter Ave, she has spent so much money getting the leaves blown, they stopped on 6th Avenue and never came back to pick up her leaves. Then it snowed, when they plowed they put the snow and leaves back up on her property and she had to take care of it. We need to do a better job plowing; if we did it correct the first time, we wouldn't have half of these issues. Council President Matthews stated the Director of DPW is in the audience tonight, he heard your concerns and we will try to do a better job next year.

Mary Mahon – 64 Emeline

Ms. Mahon stated through an OPRA request she found out that there was a meeting with the Christian Health Care Center with the Hawthorne Mayor, Attorney Pasquale, Boswell Engineering as well as the Wyckoff people to discuss the flooding at Braen Ave and Goffle Road. Ms. Mahon asked if there has been any follow up meetings. Attorney Pasquale stated no and this is in the hands of the design professionals/engineers to take a look at what can and cannot be done about the flooding issue. Ms. Mahon asked the role of the CHCC in this. Attorney Pasquale stated CHCC is impacted indirectly by this because of their impact on the water shed. All the disturbance of land that is going to take place if the CHCC project goes through, they obviously are going to be a contributing party to that. They are looking whether or not they can be participants in solving that issue which in turns would alleviate some of the water concerns going forward. Boswell Engineering has proposal they want to move forward. Ms. Mahon asked who pays for that? Dr. Boswell stated CHCC does.

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

ADJOURNMENT

Council President Matthews entertained a motion to adjourn the meeting at 8:23 p.m., moved by Council Vice President Bertollo, seconded by Councilman Sinning. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE **JULY 9, 2014**. THE WORK SESSION WILL BEGIN AT 7:00 PM AND THE REGULAR MEETING WILL BEGIN IMMEDIATELY FOLLOWING. PERSON WITH DISABILITIES WHICH REQUIRE AIDES SUCH AS: SIGN LANGUAGE INTERPRETER, TELECOMMUNICATIONS, BRAILLE, TAPES OR LARGE PRINT, THE BOROUGH CLERK'S OFFICE SHOULD BE NOTIFIED TEN DAYS PRIOR TO ATTENDANCE AT A MEETING SO ACCOMMODATIONS MAY BE MADE.

Frank E. Matthews
Council President

Lori DiBella, RMC
Borough Clerk