

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:

Mayor.....	Richard S. Goldberg
Council President.....	Frank E. Matthews
Council Vice President .....	John Bertollo
Councilman.....	John Lane
Councilman .....	Dominic Mele
Councilman.....	Garrett Sinning
Borough Administrator .....	Eric Maurer
Director of Revenue and Finance.....	Mary Jeanne Hewitt
Borough Attorney.....	Michael J. Pasquale
Representative of Boswell	
Engineering .....	Mike Kelly
Borough Clerk.....	Lori DiBella
<b>ABSENT:</b>	
Councilman .....	Joseph Wojtecki
Councilman.....	Bruce Bennett

### **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 June 18<sup>th</sup>, 2014 and Bid Minutes of June 20<sup>th</sup>, 2014 for Re-Bid of the Band Shell Project and July 2<sup>nd</sup> for Washington Ave Improvements moved by Councilman Sinning, seconded by Councilman Lane. 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 and 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 Council Vice President Bertollo. On roll call, all voted yes.

### **ADOPTION OF ORDINANCES:**

#### **ORDINANCE NO. 2117-14**

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT CHAPTER 505, ARTICLE III, SECTION 505-18, PARKING PROHIBITED AT ALL TIMES, SCHEDULE XIII, SECTION 505-19, NO STOPPING OR STANDING, SCHEDULE XIV, SECTION 505-21A, TIME LIMIT PARKING, SCHEDULE XVI, AND SECTION 505-21B, TIME LIMIT PARKING, RESIDENT RESTRICTED, ARTICLE XVI A, AS WELL AS ARTICLE IV, SECTION 505-25, OF THE CODE OF THE BOROUGH OF HAWTHORNE**

#### **Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2117-14 please raise your hand to be recognized, come forward to the microphone, state your name and address for the record.

#### **Eric Fonsuskil -127 6<sup>th</sup> Avenue**

Mr. Fonsuskil stated he is a lifelong resident of Hawthorne and appreciates the Council considering this ordinance; however, there have been numerous problems that I know you are aware of. He stated his parents were involved in an accident on this corner, as well as two other residents he knows,

which was caused by lack of visibility. He has called the police and they have issued tickets for people parking too close to the corner, however, his daughter just started to drive and is afraid to cross Utter Avenue due to the lack of visibility. He asked if they would consider no parking on either side of the street and passing this ordinance.

#### Gina Brown – 121 6<sup>th</sup> Avenue

Ms. Brown thanked the Council for proposing this new ordinance which in no doubt will improve the traffic flow situation in this particular area. Over the past few years the parking situation on Utter Avenue has increasingly gotten worse as Premio has expanded their operations. For safety concerns she asked the Council to consider both sides of the street as “No Parking Zones”. Ms. Brown stated this ordinance with parking on one side only will widen the road and improve the flow of traffic; however, it will not solve the safety issue. The parked vehicle will still be blocking your visibility crossing over Utter Avenue. She stated to the Council if they have not done so already to take a ride down 5<sup>th</sup> Avenue any time of the day and try to cross over.

#### Michael Jancarelli - 92 6<sup>th</sup> Avenue

Mr. Jancarelli stated if this ordinance passes there would be no parking on Utter and then where are those cars going to park? Council President Matthews stated you can correct one situation but might disburse it to another area. The thought was we need to do something. Mr. Jancarelli suggested on 5<sup>th</sup>, 6<sup>th</sup>, & 7<sup>th</sup> Avenue (because that is where the overflow will be), if we can do parking by permit. Mr. Jancarelli also added, he was told Premio has a parking lot in Paterson, if this is true couldn't they shuttle their employees back and forth? Council President Matthews stated that is something we can look into.

#### Maryanne Moore – 121 5<sup>th</sup> Avenue

Ms. Moore thanked Councilman Lane for answering her e-mail so swiftly. She stated the reason she is here is because of the parking on both sides. She lives on the corner of 5<sup>th</sup> and Utter and has a one car garage; two cars in one family and it is a two family house, where is my husband and tenants supposed to park. Ms. Moore suggested parking permits for residents who live on Utter Avenue & 5<sup>th</sup> Avenue. Secondly, she stated her tenant is a fireman and when he gets a call at night and comes back in the early hours there is no parking spaces. Premio arrives at 5:15 am (and not quietly) and are there until 9pm Monday through Saturday as well as 4<sup>th</sup> of July and Memorial Day. She stated if she has company where are they supposed to park. This is now a quality of life issue.

#### Maryanne McPhail – 85 Genevieve Avenue

Ms. McPhail owns property on Utter & 8<sup>th</sup> Avenues. She stated if you are going to stop parking whether is one side of the street or both up to 7<sup>th</sup> Avenue, it is going to push the problem up and not going to solve anything it is just making it go somewhere else. She stated she feels the Council should take more time and figure it out. She agrees that resident parking stickers is an excellent idea. The idea of a shuttle is the best idea. Secondly, her tenant is handicap and has a hard time walking; if people start parking up by 8<sup>th</sup> Ave, where is he going to park? You need to think long and hard about this before you pass this ordinance. Council Vice President Bertollo stated to Ms. McPhail that her tenant can apply for a handicap space to be designated in front of his house.

#### Cindy Frank – 74 6<sup>th</sup> Avenue

Ms. Frank stated she appreciates the efforts to try to tackle this problem. She stated she can't say enough about the lack of visibility. She feels the 25 feet still isn't enough. She stated she still can't cross Utter Ave with the fear that I hope I make it. She is worried about the enforcement because trucks are still parking where we fought to put the “no parking” signs and painting the curbs yellow. Ms. Frank asked does a company not have to be in compliance when a company grows and they do not have enough parking for their employees? Mayor Goldberg stated he has a report on that situation and he feels it will answer a lot of her questions. Council President Matthews stated we are not going to stop here. We are going to see what affect it has, we might be pushing the problem down the road and we will revisit if it continues.

#### Susan Gallagher – 44 Victor Place

Ms. Gallagher feels resident parking stickers are the way to go. As far as visitors parking, she explained residents can be issued guest parking passing for the day to give out to their guest when visiting, when guests leave they return the pass to the resident.

#### Pat Huelster – 27 Horton Avenue

Ms. Huelster explained she lives at the end of Horton Ave and travels 6<sup>th</sup> Avenue all the time, she stated she noticed in the last couple of weeks the visibility issues was more to the West and now it is traveling East on Utter which is also blocking the traffic coming off of Rt. 208 and they are speeding which is another issue. She stated you are literally holding your breath as you are crossing over Utter. I know you are trying to do this quickly, is there anything you can do in the meantime. Council

President Matthews stated we are not necessarily trying to do anything quickly, we looked at it and this was one suggestion that was put forth that we are going with, that doesn't mean the other suggestions that are being mentioned tonight can't be explored. She stated she is afraid a tractor trailer will be coming and there is going to be an accident. It is really dangerous. Ms. Huelster suggested maybe putting up a sign when people come off of 208 to slow down. Council President Matthews and Council Vice President Bertollo stated they will explore that option.

Council President Matthews asked if anyone else wished to be heard; seeing none, Council President Matthews entertained a motion that the public hearing on Bond Ordinance No. 2117-14 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.

Motion by Council Vice President Bertollo, seconded by Councilman Mele. Council President Matthews asked if there was any discussion. Councilman Lane thanked the residents for attending tonight and reiterated the parking issues, curb painting, limited visibility and commented he would like to see something done now to get rid of some of the visibility problems. Council President Matthews asked the council if they wanted to table this ordinance. Councilman Sinning stated he feels we should go ahead with it, and we can look at other way to rectify the visibility issues such as 4-way stops signs at some of the intersections. Councilman Lane addressed the Mayor and asked to have the curbs painted with-in the next week. Mayor Goldberg stated Administrator Maurer will see that it is done immediately. Mayor Goldberg stated they had a very productive meeting with Premio today who told us their trucks are given appointments to arrive at Premio and if they arrive early they must go to the rest station in Mahwah. The PD has directed waiting trucks to leave and wait at the rest stop. Also, not all trucks are Premio's, they may be for Market Basket or Churchill buildings. The Mayor stated he will have more on this issue during his report.

Council Vice President Bertollo stated he is inclined to table it, but his question is do we want to do something immediately to address 6<sup>th</sup>, 7<sup>th</sup> & 8<sup>th</sup> Avenue? Can we post emergency "no parking" signs for the next 30 days? Attorney Pasquale stated the administration recommends that you adopt the ordinance because you will accomplish something; it is not a complete fix, and will continue to discuss other ideas. Councilman Mele stated we should go with this, this is a problem and we need to start somewhere and work from there. On roll call. All voted yes, with the exception of Councilman Lane who voted no.

#### **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.**

#### **Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2118-14 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 Ordinance No. 2118-14 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 Mele seconded by Councilman Lane. On roll call, all voted yes.

#### **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**

#### **Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2120-14 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 Ordinance No. 2120-14 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, Council Vice President Bertollo seconded by Councilman Lane. 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**

#### **Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2121-14 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 Ordinance No. 2121-14 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, Council Vice President Bertollo seconded by Councilman Mele. On roll call, all voted yes.

#### **OLD BUSINESS**

Councilman Lane asked Administrator Maurer for an update regarding the noise issue at Premio. Mayor Goldberg stated he will be reporting on that as well. He thanked the contractor doing the road renovations on Goffle/Braen & Rock Roads. They are moving swiftly and this is a great safety feature for the Borough.

#### **NEW BUSINESS: None.**

#### **ADMINISTRATIVE AGENDA presented by MAYOR GOLDBERG:**

Mayor Goldberg reported we received a new rating from the ISO who provide the information to your homeowners insurance to determine your fire insurance rates. Our rating is the highest possible for a community with a volunteer fire department. Kudos to Fire Chief Speranza and the entire Hawthorne Fire Department for a job well done. Chief Speranza worked hard on this examination by the ISO. And kudos to the Hawthorne Water Department for their job providing hydrants and water pressure that also goes towards our rating.

He met with Premio Sausage where they were able to clear up some of the items. Garden State Sausage and Premio Sausage are one in the same company. It has been stated that Premio has three work shifts, however they only have one. It's an extended shift that starts at 6 am and ends anywhere from 6pm to 8pm. Their employee's park once in the morning and stay until the evening, there is no switching. Some arrive by van and return by van and some car pool. Mayor Goldberg stated he talked to Premio about the refrigerator trucks, one being the noise at night residents have been complaining about and secondly moving the trucks off the lot so there is more on-site parking for their employees. They indicated they have property in Paterson over at Bunker Hill section and will try to move the refrigerator trucks to that location. In addition, we are working with Premio to find space in Hawthorne for storage of their trailers that are not refrigerator trucks and/or a possible off-site employee parking lot. They have indicated a willingness if we find them a spot they will bus in their employees. We have (2) areas in mind that we think will work and will contact those business owners to see if they are willing to rent space to Premio. He stated that Premio is working with us to solve this problem, are looking to be good neighbors and understand the problems of the street. Mayor Goldberg stated they send out sanitation crews to clean by the streets. Tuesday Premio is meeting with a contractor; they are committed to changing out the roof top units (approximately

\$22,000 per unit) where the frequency is causing the noise. As the paper indicated tonight they are within acceptable noise limits, however they are still willing to take steps to reduce the noise from the roof top units. He is very grateful to Premio for their willingness to find solutions to these problems. They are tax payers as well and are one of our largest water users in the borough, which helps maintain our water rates. He understands it is tough when you have industries and residential on top of one other. The Mayor addressed the neighbors and asked for patience and more time to find solutions to make things better. We are fortunate to have a company who is pro-active to help make life easier for the neighborhood. He added his door is always open, and we are hopeful we will come to a solution that will work for everyone.

Police Officer interviews were finalized with potential candidate(s) for the one we will be adding in August. This still puts us below the 32 Officers we had in 2010. The new officer should enable us to do more traffic and parking enforcement. He will notify council next week whom the successful candidate is and their starting date. On Flag Day, June 13, we dedicated another street for two soldiers from town that paid the ultimate price; Capt. John Wassel and PFC Peter Schuil. Mayor Goldberg shared a thank you letter from the Wassel Family. We just finished our Citizen Police Academy. He received a few letters of thanks and shared one. Lions Club Swim Meet is August 11<sup>th</sup> at 6pm. We are beginning preparation for the 9/11 observance ceremony. Please visit the Farmers Market on Sundays; they have a lot to offer for everyone as well as special events taking place each Sunday.

## **REPORTS**

### **Director of Revenue and Finance Mary Jeanne Hewitt**

Tax bills should start printing on or by July 14<sup>th</sup> and mailed out the week of July 21<sup>st</sup>. Our exit conference on the Audit is scheduled for this week.

Mayor Goldberg addressed Council President Matthews and stated resolution R130-14 tonight is the rejection of the re-bid for the band shell construction. The Engineer will meet with the vendor tomorrow to negotiate a better price and if an agreement is made to start quickly, council may consider a special meeting to approve the contract in order for them to start construction in hopes to have it completed by Hawthorne Day, September 27<sup>th</sup>. Council President Matthews stated he will always consider a special meeting however, is doubtful this can be constructed by Hawthorne Day. The last thing you would want is a contractor rushing through our project. He asked if we can find out the contractor for Haledon's band shell. Mr. Kelly from Boswell Engineer stated he will find out.

### **Borough Attorney Michael Pasquale**

The stipulation of dismissal has been entered in the 7-11 matter, only a few remaining issues need to be dealt with. He sent Mr. Cook a letter, as of today he has not heard from him and today was our dead line for him to withdraw the remaining aspects of his complaints. Therefore, Attorney Pasquale stated he will be preparing a motion to dismiss. We will seek counsel fees under the frivolous law suit statue because it is clearly frivolous at this point. He received the signed stipulation of dismissal from Hawthorne Deserves Better as to all the litigation involving the project at 204 Wagaraw Road, therefore that case is now finished. They are wrapping up the litigation matter with Site Co., the sub-contractor on the Royal Ave drainage project, who did not pay our off-duty Police Officers.

Mayor Goldberg reported a nice news story, a request from a gentleman who met his wife at the municipal swimming pool 40 years ago on July 17<sup>th</sup> and asked to enjoy the pool that very day. The Mayor stated he will be giving them two guest passes to enjoy themselves that day.

### **Borough Engineer - Boswell Engineer Representative, Mike Kelly**

#### **Washington Avenue (2014 NJDOT).**

Sidewalks and driveway aprons will be re-checked and re-marked with new paint prior to construction.

Bids were received for the Washington Avenue Project on July 2, 2014. The apparent low bidder is A.J.M. Contractors of Clifton, NJ. Our award recommendation letter was sent to the Borough on July 7, 2014. We recommend the Borough consider awarding the Base Bid plus Alternates A and B to A.J.M. Contractors in the amount of \$286,151.50, pending certification of funds by the Chief Financial Officer.

Base Bid: Washington Ave from Diamond Bridge Ave to Royal Ave

Alternate Bid A: Washington Ave from Royal Ave to Harrison Place

Alternate Bid B: Resurfacing Royal Ave from Washington Ave to 300' west

### May Street

37 May St. - The tree plate will be replaced with curb.

57 May St. - Depression in roadway. The Borough did not observe any problems during the sanitary sewer inspection. Our office will review tapes on Wednesday. Bob Scully has been asked to perform a leak search in the same location.

175 May St. - Rough/boney asphalt patches and white markings on road surface. Rough patches appear to be from cold asphalt joints, where paving box stopped to wait for additional asphalt. White markings observed in various locations are scrapes from plows. Asphalt is the same mix throughout.

### 2014 Road Resurfacing Program and Mohawk Avenue.

Paving on Ethel Avenue and May Street is complete. Concrete work has begun and is almost finished on Maitland Avenue.

### Rock/Braen/Goffle Intersection.

Concrete work is almost complete. Road was only closed for conduit installation. The road should be open with traffic shifts for the remainder of construction.

### Goffle Brook Bank Stabilization.

The County has decided to pave some sections of the walking path due to drainage concerns. The contractor is waiting for the County to determine the actual locations and lengths of the paved sections.

### Water System Improvements.

The Borough is looking for sources of funding.

### Band Shell.

On July 9<sup>th</sup>, the Borough is expected to reject the second set of bids on June 20<sup>th</sup>. The Borough can then consider negotiating the project with a contractor. Cinelly Group Corp., the lone contractor from the June 20<sup>th</sup> bid, is anxious to discuss with the Borough.

### Rea Avenue Bridge.

The contract was awarded to the low bidder, CMS Construction, at the Public Works meeting held on June 16, 2014. The pre-construction meeting is to be scheduled for next week.

### 2012 or 2013 Road Resurfacing Program.

#### 2012 RP (and Forest Ave) sidewalk assessments:

The 2012 Road Program Resident Assessments are complete and bills sent out.

Assessment Hearing to be held on July 8, 2014 @ 7 pm.

#### 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.

### DPW Truck Wash Building.

No change. A meeting is expected soon to determine the building size.

### 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. This will be addressed in September, during appropriate growing season.

### 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.

### Crack Sealing Municipal Tennis Courts.

The contractor is scheduled to begin work on Wednesday, July 9<sup>th</sup>.

### Washington Avenue Punch List.

Our office has met with the property owner at 67 Washington and everything will be addressed shortly.

He added that on the Agenda tonight is the Cornell Avenue Sewer project change order No. 1 in the amount of 2100.00 that is a reduction of the contracted amount. There were some areas of the pipe that were scheduled to be lined; however, we were not able to so we had to replace it, which was to the Borough's benefit. Mr. Kelly indicated the Streetscape Project information has been submitted to the DOT but has not heard back as yet.

**Borough Administrator Eric Maurer**

The Morris County Joint Insurance Fund safety incentive program is awarding us a \$400 gift certificate for safety equipment due to our compliance with their goals; we earned the highest score for compliance for all their items. The pedestrian's signals on Rea and Goffle had been repaired. We welcome Michael Hechinger our newest full-time DPW employee. Offer letters have gone to the (3) property owners of the flooded properties on Passaic Avenue. Bid date set for August 14<sup>th</sup> for the lease of antenna space on the Longview Tank.

Councilman Lane thanked Mayor Goldberg for the report on Premio and he would like to clarify a few items: street cleaning crews need to do a better job. The truck noise from the refrigeration units is not the noise being heard through-out the Borough. Was the noise study taken from the property line? Mayor Goldberg responded when there is a noise complaint it gets measured from the complainant's address. Premio's noise consultant went back and measured at the property line and they were in compliance. Councilman Lane asked Attorney Pasquale if an escrow account is set up by a contractor before they start work, in regards to payment to the off-duty police officers. Attorney Pasquale stated money is being held, not in an escrow account, but actual funds from the contractor. We cannot pay our off-duty police officers from an escrow account; they have to be paid separately by the contractor. Councilman Lane asked Administrator Maurer why there are cameras going up in the DPW building and if it was a budget item. Administrator Maurer stated because of security as this area is a key water facility and "yes" the money has been encumbered for two years. Councilman Lane asked Mike Kelly if he had information about the curbs on May Street, between Coolidge and Wagaraw Road, some of the curbs are very low to the blacktop. Mr. Kelly stated he did review that with Dr. Boswell and although the curb may have a 2" reveal they will still work correctly. Councilman Lane asked, being the ordinance did pass tonight how soon the signs will be installed on Utter Avenue? Mayor Goldberg stated as soon as we get the signs. Councilman Lane asked if it's possible to put up a pavilion on the area where the old tennis courts are being removed. The mayor stated right now our plan is just grass; however we can discuss it in the future.

Councilman Mele asked the status of the Downtown Streetscape grant and project. Mayor Goldberg indicated Dr. Boswell will be meeting with the director tomorrow and hopes to have more information.

Council President Matthews addressed Mike Kelly in regards to the Cornell Avenue paving for the slip lining. He stated he informed Dr. Boswell it was not an infrared patch in the street, they did not saw cut the edge very well, there is a crown to the paving and the edges are not as clean as they could be. Also, he thought there were infrared requirements in all our opening projects. Mr. Kelly stated he will discuss with Dr. Boswell and report back to him. Council President Matthews asked Administrator Maurer to follow up with PSE&G as they keep digging into Cornell Avenue and not filling in the holes. Council Vice President Bertollo asked Administrator Maurer to confirm everyone is following proper procedures for their Road Opening permits.

Council President Matthews asked if there was any other discussion. Seeing none, Council President Matthews entertained a motion to record the Administrative Agenda as presented, moved by Councilman Mele, seconded by Councilman Lane. On roll call, all voted yes.

**INTRODUCTION OF ORDINANCES: None.**

**CONSENT AGENDA: Resolutions R 123-14 through 133-14:**

**R 123-14 Introduced by Councilman Mele**

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated June 27, 2014.

WATER OPERATING FUND	WT 888889	\$	39,926.50
OTHER TRUST II FUND	WT 888889	\$	6,745.06
ORDINANCES	WT 888889	\$	225.00
TOTAL PAYROLL		\$	<u>529,935.21</u>

CURRENT FUND TO PAYROLL/FICA

WT 88889

\$

17,337.55

TOTAL FICA

\$

17,337.55

**R 124-14 Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne distributes school taxes to the Hawthorne Board of Education on a monthly basis; and

WHEREAS, the Hawthorne Board of Education has requested that these funds be transferred directly to their bank account in Columbia Bank, ABA# 221271935.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to make the above referenced transfer in the amount of \$3,976,257.00 from the Current Fund and charged to School Taxes Payable for July 2014.

**R 125-14 Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne has heretofore entered into a contract with Montana Construction Corp, Inc. for the Cornell Avenue Sewer Improvements in the Borough of Hawthorne authorized by Ordinance #2096-13, and,

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

**Change Order No. 1**

**As Built Quantities**

**(\$2,100.00)**

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the above-cited Change Order No. 1 decreasing the amount of the payment required under said contract by the sum of (\$2,100.00) shall be and hereby are approved, and the Mayor and Borough Clerk are hereby authorized and directed to execute the same for and on behalf of the Borough of Hawthorne.

**R 126-14 Introduced by Councilman Mele**

WHEREAS, 2014 Treasury records reflect certain interfund account balances as of July 9, 2014 that require account transfers in order that these interfunds be liquidated.

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:

<b>From</b>	<b>To</b>	<b>Amount</b>	
Water Operating	Current Fund	6,000.00	Posting Error
Dog Dedicated	OTII-Off-Duty	9,958.35	Bank Error
Unemployment	Current Fund	10,145.54	1 <sup>st</sup> Qtr Posting Error
OTII-MA	Current Fund	2,149.00	Purchase Order Error
OTII	Pre-Tax Medical	29.17	Deposit Error

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized, to liquidate said interfunds by transferring the above referenced amounts to and from the appropriate funds.

**R 127-14 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, 2014, 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 \$200,000.00 in Principal and \$53,232.00 in Interest from the Current Fund, \$60,000.00 in Principal from the Assessment Trust Fund, and \$60,000.00 in Principal and \$12,725.00 in Interest from the Water Operating.

**R 128-14 Introduced by Councilman Mele**

WHEREAS: Tax Sale Certificate #2013-01 was sold on October 17, 2013 in the amount of \$7,576.82 on Block 2 Lot 7 then assessed to Harrington, John H. said lien was originally purchased by US Bank-Cust for Pro Capital III, LLC TLSG 50 S 16<sup>th</sup> St. Ste 1950, Philadelphia, PA 19102, and

WHEREAS: said lien was redeemed on June 25, 2014 in the amount of \$19,305.15, said lienholder is entitled to a refund including the amount of the lien \$7,576.82, penalty of \$303.07, search and recording fee of \$55.00, subsequent taxes \$10,463.51 and interest of \$906.75 for a total of \$19,305.15 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 III, LLC in the amount of \$19,305.15 to reimburse the lienholder for the lien, penalty, subsequent taxes and interest and a check from the Other Trust I account for \$18,400.00 for Premium paid.

**R 129-14 Introduced by Councilman Mele**

WHEREAS: Tax Sale Certificate #2013-07 was sold on October 17, 2013 in the amount of \$4,687.98 on Block 264 Lot 4 then assessed to Estate J. Crevani Jr. & Hilts, M. said lien was originally purchased by US Bank-Cust for Pro Capital III, LLC TLSG 50 S 16<sup>th</sup> St. Ste 1950, Philadelphia, PA 19102, and

WHEREAS: said lien was redeemed on June 30, 2014 in the amount of \$18,294.10, said lienholder is entitled to a refund including the amount of the lien \$4,687.98, penalty of \$93.76, search and recording fee of \$55.00, subsequent taxes \$12,283.33 and interest of \$1,174.03 for a total of \$18,294.10 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 III, LLC in the amount of \$18,294.10 to reimburse the lienholder for the lien, penalty, subsequent taxes and interest and a check from the Other Trust I account for \$21,400.00 for Premium paid.

**R 130-14 Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne has received and reviewed bids for the construction of a band shell at the Hawthorne Memorial Swimming Pool facility and adjacent field; and

WHEREAS, as part of the bid packet and specifications the Borough of Hawthorne reserved unto itself the right to accept or reject the lowest responsible bid in its discretion; and

WHEREAS, in anticipation of the bid process, the Borough Engineer prepared an estimate as to the cost of the work to be undertaken, determining that the cost should range between \$200,000 and \$240,000 for a completed project; and

WHEREAS, upon opening of the bids on June 20, 2013, only one bid was received, that being a bid from Cinelly Group, Inc., of Newark, New Jersey, at a total sum of \$345,278; and

WHEREAS, the bid received is lower than the bid previously received when this matter was first advertised but nevertheless substantially in excess of the estimate of the Borough Engineer and substantially in excess of funds available to complete the project as specified; and

WHEREAS, the Administration, in consultation with the Borough Attorney and Borough Engineer, has recommended to the Council that the bid received should be rejected for reasons set forth above;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does hereby reject all bids received in connection with the project in question and does authorize the Administrator and the Clerk to take all appropriate action to so notify all persons who submitted bids in connection therewith.

**R 131-14 Introduced by Councilman Mele**

**RESOLUTION SUPPORTING AND RATIFYING CHANGES TO THE POLICE DEPARTMENT RULES AND REGULATIONS AS PROMULGATED BY THE MAYOR**

WHEREAS, the Hawthorne Police Department is in the process of reviewing all policies and protocols in connection with revised standards for state accreditation; and

WHEREAS, among the material considered for review was the existing Police Department Rules and Regulations promulgated by the Mayor in 2012 as Head of the Department of Law and Public Safety and Appropriate Authority, as the same is defined by law, and ratified by the Borough Council via Resolution 184-12; and

WHEREAS, it has been determined that some of the existing Rules and Regulations were in need of modification, specifically provisions in Chapter 4 relating to Disciplinary Action for employees of the Department; and

WHEREAS, the Borough Attorney and Borough Labor Counsel have both reviewed the proposed revisions to the Rules and Regulations and determined that the same, as modified in accordance with recommendation of counsel, comply with existing law and are consistent with the terms set forth in the Collective Bargaining Agreement between the Borough and the PBA representing police officers in the Borough; and

WHEREAS, the Mayor, as the Head of the Department of Law and Public Safety and Appropriate Authority, in consultation with the Administrator and legal counsel, has determined to issue the within Rules and Regulations in replacement of all existing Rules and Regulations previously promulgated; and

WHEREAS, as part of the accreditation process it is requested that the Municipal Council, as Governing Body, support and ratify, to the extent it may be called upon to at any time participate in the enforcement of such Rules and Regulations, the promulgation of such Rules and Regulations by the Mayor;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does support and ratify the Rules and Regulations as promulgated by the Mayor.

**R 132-14 Introduced by Councilman Mele**

WHEREAS, on July 2, 2014, the Borough of Hawthorne received bids for the Improvement to May Street, authorized by Ordinances 2116-14, 2106-14 and 2105-14; 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 - \$204,380.00  
Alternate A - \$62,371.50  
Alternate B - \$19,400.00

***For a total of: \$286,151.50***

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 133-14 Introduced by Councilman Mele**

WHEREAS, N.J.S.A. 54-4-67 permits the Mayor and Council of each municipality to fix the rate of interest to be charged for the nonpayment of taxes on or before the date when they would become delinquent; and

WHEREAS, the Municipal Council of the Borough of Hawthorne set forth said interest rate by resolution at the regular Council Meeting of January 4, 1995; and

WHEREAS, the Borough of Hawthorne was unable to mail its 2014/2015 property tax bills on or before June 14<sup>th</sup> as required by N.J.S.A. 54:4-66 due to the failure on the part of the State of New Jersey to certify state aid funding for inclusion on the tax bills in a timely manner; and

WHEREAS, this delay will result in the late mailing of the 2014/2015 tax bills to Borough property owners.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, County of Passaic, State of New Jersey that the interest rate for the nonpayment of 3<sup>rd</sup> quarter 2014 property taxes shall be fixed at zero (0%) until August 22, 2014.

BE IT FURTHER RESOLVED, that if payment of the 3<sup>rd</sup> quarter 2014 property tax is not made on or before August 22, 2014 the time period set forth above, then the interest rate for nonpayment of the 3<sup>rd</sup> quarter 2014 property tax shall revert back to the original interest rate established by resolution on January 4, 1995 and charged from the statutory payment date for 3<sup>rd</sup> quarter property taxes of August 1<sup>st</sup>.

Council President Matthews entertained a motion to approve consent resolutions R123-14 through R133-14 moved by Councilman Mele, seconded by Council Vice President Bertollo. On roll call, all voted yes.

**REPORTS OF SPECIAL COUNCIL COMMITTEES**

**Councilman Sinning** – The Ordinance Committee met yesterday and discussed an ordinance governing fire pits.

**Council Vice President Bertollo** – Finance Committee met on Monday and reviewed our mid-year revenue report, we are in good shape. Discussed upcoming capital bonds in our 5-year plan. Putting together ordinance for DPW equipment to replace some of our aging fleet – a dump truck, chipper, and grapple attachment for the front-end loader and the Salt Brine System to pre-treat the roads. Discussed the Library roof, DPW recommendation was a standing seam roof, they have concerns about the gully and the edge of the roof line, and not sure if that is the way to go as opposed to the asphalt. They will have more discussion with the Borough Engineer. Talking about replacing the Munidex Finance program with a new software system. Saturday July 12<sup>th</sup>, is the Hawthorne Caballeros Annual Grand Parade at Passaic County Tech Institute, the gates open at 5pm, show begins at 6pm.

**Councilman Mele** –Municipal Alliance Committee received a grant for next year. Movie night/tube night is July 25<sup>th</sup> and August 22<sup>nd</sup>. The Chamber of Commerce along with The Environmental Committee & Green team are joining together to promote shop local with a Bingo Event. Project Pride is looking into new “Welcome to Hawthorne” signs.

**Councilman Lane** – As the liaison for the Ambulance Corps, they send their thank you to the Administration and Council for their pool fees this year.

**Council President Matthews** – Come down and support the Famers Market, every Sunday from 9am-2pm.

**CORRESPONDENCE:**

**C-1** Approval of application of Craig Geier, 66 Elberon Avenue, to Hawthorne Fire Company No. 4

Council President Matthews entertained a motion for approval of the application of Craig Geier to Hawthorne Fire Company No. 4, moved by Councilman Mele, seconded by Council Vice President Bertollo. On roll call, all voted yes with the exception of Councilman Lane who abstained.

**MISCELLANEOUS:** None.

**BILLS**

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

VENDOR	CHECK#	TOTAL	DESCRIPTION
<b>CURRENT FUND</b>			
10-75 EMERGENCY LIGHTING, LLC	17403	1,544.24	VARIOUS
A-VAN ELECTRICAL	17404	492.49	VARIOUS
ACADEMY ELECTRICAL CONTRACTORS	17405	550.00	SWIMMING POOL
ACORN TERMITE & PEST CONTROL	17406	100.00	DPW AMIN
ACTION DATA SERVICES	17407	1,054.67	VARIOUS
ALLAN BRITWAY ELECTRIC CO INC	17408	9,552.23	VARIOUS
AMERICAN MOBILE GLASS	17409	250.28	VEHICLE MAINT SEWER
AQUARIUS IRRIGATION SUPPLY,INC	17410	193.56	VARIOUS
ATLANTIC CRANE INSPECTION SERV	17411	510.00	STREETS & ROADS

BCB JANITORIAL SUPPLY CO INC	17412	648.55	VARIOUS
BEST CLEANING SERVICES	17413	1,300.00	DPW AMIN
BOB'S TIRES & WHEELS INC	17414	60.00	VEHICLE MAINT ROAD
BOSWELL ENGINEERING, INC	17415	1,886.00	VARIOUS
CABLEVISION	17416	144.83	SWIMMING POOL
CANON FINANCIAL SVCS INC	17417	43.00	STREETS & ROADS
CHARTER COACH AND TRAVEL, LLC	17418	700.00	BOARD OF REC
CHIEF FIRE EQUIP CO	17419	199.25	POLICE DEPT
CINTAS FIRST AID AND SAFETY	17420	597.29	VARIOUS
CLASSIC TOWING	17421	350.00	STREETS & ROADS
COLONNELLI BROS., INC.	17422	14,500.00	SEWER SYSTEM
COMMUNICATION SPECIALISTS	17423	305.70	VEHICLE MAINT POLICE
DELL GARDEN CENTER	17424	308.19	VARIOUS
DEPTCOR	17425	1,085.00	MUNICIPAL CLERK
DIRECT ENERGY MARKETING, INC	17426	5,590.67	VARIOUS
DOWNES TREE SERVICE, INC.	17427	1,250.00	VARIOUS
E & T PLASTICS MFG CO., INC	17428	1,391.25	BOARD OF REC
ELEMENT FINANCIAL CORP	17429	400.00	POLICE DEPT
FAIRVIEW LAKE YMCA CAMP	17430	1,060.00	MUNICIPAL ALLIANCE
FELDMAN BROS. ELECTRIC SUPPLY	17431	280.00	STREETS & ROADS
FIBER INTERACTIVE LLC	17432	302.00	PUBLIC EVENTS
FIRST MOUNTAIN ARBORICULTURE L	17433	1,950.00	VARIOUS
FOLEY POWER SYSTEMS INC	17434	1,524.60	SEWER SYSTEM
HAWTHORNE AUTO LAB	17435	2,304.53	VARIOUS
HAWTHORNE B.O.E.	17436	1,220.75	MUNICIPAL ALLIANCE
HAWTHORNE CAR WASH, INC	17437	1,120.00	VARIOUS
HAWTHORNE FIRE DEPT	17438	5.98	FIRE DEPT
HAWTHORNE MUNICIPAL COURT	17439	89.18	MUNI COURT
HAWTHORNE PRESS INC	17440	662.16	VARIOUS
HAYES PUMP INC	17441	108.39	SEWER SYSTEM
HENRY'S PLUMBING & HEATING INC	17442	103.52	VARIOUS
HOME DEPOT SUPPLY	17443	682.83	VARIOUS
IF IT'S WATER, INC	17444	1,049.00	SWIMMING POOL
INSURANCE RESTORATION SPECIALI	17445	978.00	VARIOUS
JANICE PATMOS	17446	258.00	GROUP INSURANCE
JESCO INC	17447	4,465.21	VARIOUS
JOHN DEERE LANDSCAPE	17448	107.21	MAINTEN OF PARKS
JORDAN TRANSPORTATION,INC	17449	630.00	BOARD OF REC
KONICA/MINOLTA	17450	28.72	DPW AMIN
KRAFT ROOFING, INC.	17451	420.50	DPW AMIN
LOOSELEAF LAW PUBLICATIONS, IN	17452	24.90	POLICE DEPT
MAIN POOL & CHEMICAL CO, INC	17453	889.00	SWIMMING POOL
MATTHEW BENDER & CO, INC	17454	117.13	POLICE DEPT
METLIFE	17455	301.93	GROUP INSURANCE
MORRIS COUNTY MUNI JT INS FUND	17456	117,878.65	VARIOUS
MURPHY COMMUNICATIONS	17457	1,297.00	VEHICLE MAINT POLICE
NATIONAL WATER MAIN CLEANING C	17458	1,233.75	SEWER SYSTEM
NEUTRON INDUSTRIES	17459	185.09	DPW AMIN
NJ DIV-ALCOHOLIC BEV CONTROL	17460	54.00	MUNICIPAL CLERK
NJ TRANSIT	17461	180.00	SEWER SYSTEM
NORTHEASTERN ARBORIST SUPPLY	17462	2,144.37	VARIOUS
NY SUSQUEHANA & WESTERN RAILWA	17463	446.28	SEWER SYSTEM
P & A AUTO PARTS, INC	17464	691.93	VARIOUS
PAETEC	17465	1,019.25	TELEPHONE CHARGES
PASCACK DATA SERVICES	17466	3,742.51	VARIOUS
PASSAIC VALLEY SEWER COM	17467	282,603.28	PASSAIC VALLEY SEWER
PAYPHONE OPERATIONS	17468	50.00	DPW AMIN
POST & KELLY ELECTRIC CO, INC	17469	7,450.00	VARIOUS
PRECISION ELECTRIC MOTOR WORKS	17470	3,895.00	SWIMMING POOL
PROCOPY INC	17471	247.50	VARIOUS
PROFESSIONAL ACCOUNTANTS	17472	250.00	FINANCIAL ADMINISTRATION

PROGRESSIVE BRICK, CO,INC	17473	501.74	VARIOUS
PROSTOCK AUTOMOTIVE WAREHOUSE	17474	35.49	STREETS & ROADS
PUBLIC SERV ELEC & GAS	17475	15,712.13	VARIOUS
RIDGEWOOD PRESS	17476	237.40	POLICE DEPT
ROBERT POLITO LANDSCAPING	17477	400.00	STREETS & ROADS
RON L SIGNZ	17478	240.00	VEHICLE MAINT ROAD
RT OFFICE PRODUCTS	17479	226.90	VARIOUS
RUTGERS UNIVERSITY	17480	1,434.00	MUNICIPAL CLERK
S & S WORLDWIDE INC	17481	1,416.78	BOARD OF REC
SAMUEL MONACO	17482	229.77	BOARD OF REC
SHERWIN WILLIAMS CO.	17483	28.90	STREETS & ROADS
SHOTMEYER BROS FUEL CO	17484	499.99	STREETS & ROADS
SPECIALTY AUTO EQUIP CO	17485	250.00	STREETS & ROADS
STAPLES	17486	868.67	VARIOUS
STATE OF NEW JERSEY	17487	580.50	GROUP INSURANCE
STATE OF NJ-STATE TOXICOLOGY L	17488	135.00	POLICE DEPT
STORR TRACTOR CO	17489	2,097.95	VARIOUS
SUPLEE, CLOONEY & COMPANY	17490	5,500.00	VARIOUS
TANIS HARDWARE	17491	479.21	VARIOUS
THOMSON REUTERS INC	17492	888.00	MUNICIP
THOR GUARD INC.	17493	613.97	MAINTEN OF PARKS
TOTAL LAWN & LANDSCAPE SERV LL	17494	3,053.32	MAINTEN OF PARKS
TREADWAY GRAPHICS INC	17495	1,486.50	MUNICIPAL ALLIANCE
US BANK EQUIPMENT FINANCE	17496	159.00	MUNICIPAL CLERK
US MUNICIPAL SUPPLY, INC.	17497	155.23	VEHICLE MAINT ROAD
VERIZON	17498	1,825.43	VARIOUS
VERIZON WIRELESS (N)	17499	389.98	VARIOUS
W.B. MASON CO INC	17500	158.47	SWIMMING POOL
WASTE MANAGEMENT OF NJ	17501	38,163.83	TRANSFER STATION
WEST SOLLOWAY	17502	265.00	CONTRA REVENUES
ZEP SALES & SERVICE	17503	<u>867.65</u>	STREETS & ROADS
<b>TOTAL CURRENT</b>		<b>\$ 567,960.16</b>	
<b>GENERAL CAPITAL</b>			
BOSWELL ENGINEERING, INC	3339	5,554.50	VARIOUS
BULLET GUARD CORP	3340	3,073.00	SAFETY COMMUNICATIONS
MONTANA CONSTRUCTION CORP, INC	3341	75,000.00	IMPRV CORNELL SEWERS
PRECISION ELECTRIC MOTOR WORKS	3342	<u>5,570.00</u>	SANITARY SEWER MAINS
<b>TOTAL GENERAL CAPITAL</b>		<b>\$ 89,197.50</b>	
<b>WATER OPERATING</b>			
A-VAN ELECTRICAL	9748	38.95	WATER UTILITY
ACTION DATA SERVICES	9749	263.66	VARIOUS
AGRA ENVIRONMENTAL SVC	9750	2,017.50	LAB TESTING
BCB JANITORIAL SUPPLY CO INC	9751	133.66	WATER UTILITY
BOB'S TIRES & WHEELS INC	9752	20.00	WATER UTILITY
BOSWELL ENGINEERING, INC	9753	500.00	WATER UTILITY
CANON FINANCIAL SVCS INC	9754	43.00	WATER UTILITY
CINTAS FIRST AID AND SAFETY	9755	144.69	WATER UTILITY
COMMERCIAL BUSINESS FORMS,INC.	9756	509.50	WATER UTILITY
DIRECT ENERGY MARKETING, INC	9757	23,251.82	WATER UTILITY
FOLEY POWER SYSTEMS INC	9758	5,025.68	WATER UTILITY
GODWIN TOOL & HARDWARE SUPPLY	9759	58.37	WATER UTILITY
HAWTHORNE CAR WASH, INC	9760	15.00	WATER UTILITY
HD SUPPLY WATERWORKS, LTD	9761	2,132.00	WATER UTILITY
HENRY'S PLUMBING & HEATING INC	9762	61.53	WATER UTILITY
HOME DEPOT SUPPLY	9763	298.92	VARIOUS
HOME SUPPLY & LUMBER CO., INC.	9764	19.47	WATER UTILITY
JESCO INC	9765	2,149.26	WATER UTILITY
MORRIS COUNTY MUNI JT INS FUND	9766	132,600.00	VARIOUS

P & A AUTO PARTS, INC	9767	3.29	WATER UTILITY
POST & KELLY ELECTRIC CO, INC	9768	2,400.00	WATER UTILITY
PUBLIC SERV ELEC & GAS	9769	11,579.55	WATER UTILITY
RIO SUPPLY, INC	9770	320.00	WATER UTILITY
STATE OF NJ - PWT	9771	1,291.24	WATER UTILITY
SUPLEE, CLOONEY & COMPANY	9772	2,875.00	VARIOUS
TANIS HARDWARE	9773	160.11	WATER UTILITY
USA BLUE BOOK INC	9774	44.00	WATER UTILITY
VERIZON	9775	<u>556.34</u>	WATER UTILITY
<b>TOTAL WATER OPERATING</b>		<b>\$ 188,512.54</b>	

#### **OTHER TRUST II**

ATLAS DISPOSAL OPTIONS, INC	4857	290.00	RECYCLING
BOB'S TIRES & WHEELS INC	4858	289.00	RECYCLING
CARL MOTTOLA	4859	62.70	UCC PENALTIES
CARPET CYCLE, LLC	4860	250.00	RECYCLING
DIESEL TRUCK SERVICE, INC	4861	744.00	RECYCLING
ENVIRONMENTAL RENEWAL, LLC	4862	150.00	RECYCLING
GREENDISK, INC.	4863	629.95	RECYCLING
MORRIS COUNTY MUNI JT INS FUND	4864	10,500.00	UCC PENALTIES
P & A AUTO PARTS, INC	4865	33.80	RECYCLING
PABCO INDUSTRIES	4866	450.00	RECYCLING
STATE OF NJ - DEPT OF LABOR	4867	12.98	TRUSTEE
SUPLEE, CLOONEY & COMPANY	4868	500.00	RECYCLING
US BANK-CUST PRO CAPITAL III	4869	<u>37,599.25</u>	VARIOUS
<b>TOTAL OTHER TRUST II</b>		<b>\$ 51,511.68</b>	

#### **BUILDERS ESCROW**

BOSWELL ENGINEERING, INC	5225	837.00	HRYNCEWICH
BOSWELL ENGINEERING, INC	5226	139.50	DINO CALLEGARI
JOHN HARRINGTON	5227	914.37	HARRING
EDWARD KASPAR	5228	<u>195.00</u>	KASPER
<b>TOTAL BUILDERS ESCROW</b>		<b>\$ 2,085.87</b>	

#### **OTHER TRUST I ESCROW**

US BANK-CUST PRO CAPITAL III	7055	<u>39,800.00</u>	VARIOUS
<b>TOTAL OTHER TRUST I ESCROW</b>		<b>\$ 39,800.00</b>	

**TOTAL BILL LIST** **\$ 939,067.75**

### **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.

#### Cindy Frank, 74 6<sup>th</sup> Avenue

Is the bandshell going to be completely grant funded or is there going to be tax payer's money going into that? Administrator Maurer stated the total cost per the ordinance is \$280,000 and there is a total of \$118,000 in grants thus far. Ms. Frank asked if the local police department enforces the pedestrian zones on county roads. Councilman stated "yes", we are supposed to be. Regarding the refrigerated trucks at Premio, her issue was when they parked at Churchill and Signature Kitchen. She questioned the Mayor, they have been complaining about Premio and that area for a long time, she stated she is a little upset they haven't approached you about a meeting until their name was in the paper. Mayor Goldberg stated we have been to Premio several times to their plant manager and human resources dept, and this meeting was with the president of the company.

#### Maryanne Moore – 121 5<sup>th</sup> Avenue

She thanked the Mayor and Council Vice President Bertollo for approaching Premio on these problems because she stated she is right in the middle of this. Ms. Moore asked is it both sides of the street "no parking" ? or just one side. Council Vice President Bertollo stated just one side of the street; it is the side going towards 208, the south side.

Julio Castellano, 32W. Prospect Street

He stated there seems to be a waterpark in Prospect Park that is causing a major issue on my foundation on my lovely home. He does not know who to turn to, it's been a year and he is overwhelmed. Mayor Goldberg stated we are aware of the problem, we have been to Prospect Park several times, they were supposed to be drafting a drainage solution. Administrator Maurer added they are supposed to start construction this week on a system that would recycle the water in their waterpark so it would run-off and come down the hill. Apparently it didn't start this week, and he stated he is not sure how long that construction is going to take. Mr. Castellano stated he had the engineer of that project come to his house on Sunday, he informed him the work will be commencing on Monday, however no work was done and on Saturday his backyard was literally Niagara Falls. Administrator Maurer explained to Mr. Castellano that any damages you have would be a claim you need to file against the Borough of Prospect Park. The Mayor stated one suggestion is to file a Tort Claim with Prospects Park which puts them on notice that you may be suing them. If you don't file in a timely manner, you won't be able to file it. You will be protecting a lot of your rights by doing this. Council Vice President asked Attorney Pasquale what we can do as a Borough on his behalf. Attorney stated what we can do is simple advise Prospect Park that they are creating a nuisance to one of our residents. Council Vice President asked if we can sue them as a Borough. Borough Attorney stated "yes" he said we can and we will get involved. He stated he will speak to the Mayor and the Administrator tomorrow and we will definitely step it up.

Connie Gordon, 289 Rea Avenue

Ms. Gordon stated she has been back so many times regarding the speeding on Rea Avenue, is anything being done? Mayor Goldberg stated we have done speed studies on your road and the indication according to our study is they are not experiencing what you are experiencing. Ms. Gordon asked what hours they are checking. Administrator Maurer stated they set up a small device attached to a pole and it runs for 24 hour period. Mayor Goldberg stated he will get her a copy of the recent report study.

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 9:08 p.m., 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 **JULY 30, 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.

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Frank E. Matthews  
Council President

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Lori DiBella, RMC  
Borough Clerk