

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:12 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	Bruce Bennett
Councilman	Dominic Mele
Councilman.....	Garrett Sinning
Councilman.....	Joseph Wojtecki
Borough Administrator	Eric Maurer
Borough Attorney.....	Michael J. Pasquale
Borough Engineer	Dr. Stephen Boswell
Borough Clerk.....	Lori DiBella
<u>ABSENT:</u>	
Director of Revenue and Finance.....	Mary Jeanne Hewitt
Councilman.....	John Lane

FLAG SALUTE

Council President Matthews invited all present to join him in the flag salute and a moment of silence for Ernie Merker who was a commander of the Hawthorne VFW Post who recently passed away.

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 – None.

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 Sinning, seconded by Council Vice President Bertollo. On roll call, all voted yes.

ADOPTION OF ORDINANCES:

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

Public Hearing

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2119-14 please raise your hand to be recognized, come forward to the microphone, state your name and address for the record.

Seeing none, Council President Matthews entertained a motion that the public hearing on Ordinance No. 2119-14 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 Councilman Bennett, seconded by Council Vice President Bertollo. On roll call, all voted yes, with the exception of Councilman Sinning who abstained.

OLD BUSINESS

Councilman Bennett asked Administrator Maurer for an update regarding Central & Forest Avenue. Administrator Maurer stated the stop sign is in. The curbs where the two locations where people tend to park illegally are on the list to be painted. Mr. Scully, Director of DPW added as soon as the machine comes in the painting of the curbs will be done.

Councilman Wojtecki asked Dr. Boswell for an update on the depression at 50 May Street where the circle was painted. Dr. Boswell stated they wanted to determine if there was a cause for the depression such as an underground stream or broken water/sewer main, which there was nothing found. Now they can repair it and will try to have it done by the next meeting. Administrator Maurer added this will be at the cost of the first contractor, no cost to the Borough. Councilman Wojtecki stated he will like to be present when the DOT comes out to inspect the work. He continued, the blue light is out on Lafayette Avenue could administration notify PSE&G. The light poles are still down at lower Franklin Field. Dr. Boswell replied yes, they are there until we find another place to use them. Councilman Wojtecki asked if we can move them to a safer place since cheerleading is starting. Mr. Scully stated he will research it tomorrow. Councilman Wojtecki asked for an update on the water drainage issue hitting the home on West Prospect. Dr. Boswell responded he and the Prospect Park Engineer are in the process of fixing the problem, and will follow up.

NEW BUSINESS

Councilman Wojtecki stated the contractors who worked on May Street and using the pool parking lot have left gravel in the corner at May and Wagaraw. Administrator Maurer stated he has already spoken with the inspector and requested it be removed ASAP. There is a red blinking light out on Westervelt Avenue. Undermining on the handicap ramps on Tuxedo & Lafayette Avenue's is occurring. Dr. Boswell stated that is a County project and will follow up with them.

COUNCIL APPOINTMENT:

Charles Solimine and Cathy Ettore as Members of the Board of Assessment Commissioners
(Not Present)

Council President Matthews entertained a motion to approve Charles Solimine and Cathy Ettore as Members of the Board of Assessment Commissioners moved by Councilman Mele, seconded by Councilman Bennett. On roll call, all voted yes.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG:

The Administration would like to send their condolences to the Merker Family. Ernie was a true patriot, a great volunteer for the VFW; he was the face of the Memorial Day and Veterans Day services for years. He will be missed. The next meeting we will be swearing in a new Police Officer. The Mayor added this is the same Police Officer he was going to hire four years ago before Governor Christie made budget cuts. He will be starting on Monday, we are very proud to bring him home. He was Officer of the Year where he was working the past two years. The construction of the snack stand at the pool has been completed. A more permanent facility should make us more attractive to vendors who might want to work out of there. In years to come if we decide to let volunteer organizations use the facility as a fund raiser there will be the ability to have safe storage, which was the complaint in the past. Hawthorne Day is Saturday, September 27th; September 11th is the memorial observance at our monument at 6:30pm. The Lions Club swim meet will be on August 11th at 6:00pm.

REPORTS:

Borough Attorney Michael Pasquale

Our neighboring Judge Joe Perconti had emergency surgery last week and is doing well. We have a lot of regard for him; he handles a lot of our conflict cases. Judge Meola really stepped in along with a number of local Judges to cover all of his calendars here and elsewhere he sits. Stipulations were filed to end litigations at 204 Wagaraw Road, which now is a complete matter. The 7-11 matter is not complete as yet. Mr. Cook has not gotten back to him for a dismissal; therefore he will be filing a motion to dismiss. New tax appeals are coming in everyday; this is the time of year the tax appeals are filed at the State Court level. We have settled a couple, which we will bring in the upcoming weeks.

Borough Engineer Dr. Stephen Boswell

Washington Avenue (2014 NJDOT)

The certification of funds available for this project is expected to have been completed by July 16th. Once the project is awarded, the pre-construction meeting will be scheduled. The sidewalks and driveway aprons will be re-checked and re-marked with new paint prior to construction. We will also review the proposed parking space striping with the Administrator.

May Street

37 May St. - The tree plate has been replaced with curb.

57 May St. - Depression in roadway. No subsurface issues discovered.

Recommend roadway box out.

Pavement - Asphalt is the same mix throughout. White markings observed in various locations are scrapes from plows.

2014 Road Resurfacing Program and Mohawk Avenue

Concrete work completed on Maitland, Mazur and Mohawk. Work on Peachtree and Old Orchard is on-going. Work on Ravine Drive and at the Library has not yet been addressed. The contractor will resume roadway milling on Wednesday, July 30th.

Rock/Braen/Goffle Intersection.

Paving was completed on July 24th. PSE&G still needs to hook up power for the signal to become operational.

Goffle Brook Bank Stabilization

The contractor has completed the paving of the sections of paths. Additional plantings and bank stabilization still has to be installed.

Water System Improvements

The Borough is looking for sources of funding.

Band Shell

After discussing the project and Borough's position with the Cinelli Group, they offered a price of \$295,000.00, which included several design changes, such as, electric, lighting and a stucco finish instead of brick.

Rea Avenue Bridge

A pre-construction meeting is being scheduled for the beginning of August; possibly the 1st, 4th or 5th. The County is waiting for confirmation from the contractor.

2013 Road Resurfacing Program:

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

Items are being addressed as per the July 22nd Public Works Committee Meeting.

Little Franklin Field Parking Lot

Rockborn Trucking has addressed the grass area adjacent to the new parking area.

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 crack sealing is done and white line striping will be completed this week.

Washington Avenue Punch List

Complete.

Third Avenue Tree Removal

Instead of using the contractor, Rockborn, the Borough is using their tree contractor, Downes, to remove the tree in question. This will provide a cost savings to the Borough. The tree has grown around utility wires and needs to be topped by PSE&G. Once we get an idea when the work will be completed, the roadway reconstruction work can be completed.

Borough Administrator Eric Maurer

Tax bills have been sent out. We have received our 2013 Audit Report; we have a healthy fund balance of \$3.8 million dollars in the current fund and \$436,000 in the water utility fund. The County has provided us their re-paving schedule for their 2014 Road Program that includes Wagaraw Road, Lincoln to Lafayette Avenue, Wagaraw to Diamond Bridge, and Goffle to the Ridgewood line, except between the exits by Route 208, which is the state's responsibility, plus the piece of Lafayette Ext., which we skipped when we did the sewer repair. They will be milling the week of the 15th and will pave the following week. The Wagaraw and Goffle sections are expected to be done at night to minimize the

traffic disruption. We made our request to the County for our 2015 Road Program which includes a portion of Diamond Bridge, Goffle and Rea Ave. Bids are due on August 14th for antenna space on the Longview Tank tower. Verizon has expressed interest which increases the competition and the potential revenue to be derived from the lease of that space. We issued a bid on behalf of the Mid-Passaic County Cooperative for a 5-year contract for garbage disposal which is due on September 24th. This is an important bid; significant changes from the previous price on this 5- year, ½-million \$dollar contract would impact future budgets. Summer Recreation has another week left, tennis lessons start next week. The pool is running smoothly, as the Mayor stated we recently finished the concession stand and it has been welcomed by the patrons. We received positive responses thus far from 2 of the 3 home owners on our CDBG-DR buy-out program. He is preparing for the upcoming union contract negotiations, which expire at the end of this year. The police department has completed the speed/speeding study on Rea Avenue. The average speed is 28 mph which is in the expected range. Painting of curbs on Utter Avenue has been completed. The police department will be reviewing the other questions and concerns on Utter Ave and will forward a recommendation. Public Works Committee is working on specs for the equipment for purchase under Ordinance 2122-14, assuming it gets adopted.

Mayor Goldberg added the Police Department will be holding a bicycle registration program next Saturday from 9am-1pm in the municipal parking lot, get your bicycle registered since summer is a popular time of year for losing bicycles.

Councilman Mele inquired if the road will be affected by the tree being removed on Third Ave and Dr. Boswell responded yes since the roots are in the road, that will have to be repaired. Councilman Mele added the borough received another grant for approximately \$70,000 for the bandshell project.

Council Vice President Bertollo asked Dr. Boswell if there will be any shingles left on the library roof when they are done with the standing seam roof. Dr. Boswell stated “no”, however, we have to emphasize the maintenance of the roof. When drains are clogged, you also have to get the standing water off. Councilman Mele suggested hiring a company to handle this; Dr. Boswell he will work with the Administrator.

Councilman Sinning stated if paving on Goffle Road takes place in September, will they be closing both ends, down by the A& P market? Council President Matthews stated the A&P construction will be completed by the end of this week. He asked whether there is an extension on payment of the tax bills. Administrator Maurer stated “yes” and it is printed at the bottom of the tax bill, residents have until the 22nd of the month.

Councilman Wojtecki stated the road contractor was moving their equipment into town at 2:45am. Administrator Maurer stated he is aware of this and the inspector will inform the contractor this is not acceptable. He pointed out a resident here tonight is going to speak about the speed limit sign and the parking along Macfarlan Ave. and asked to post a speed limit sign going up and down Macfarlan as this is a school zone. Mayor Goldberg stated if it is not posted the speed limit is 25mph by state statue. There has been suggestions that the ordinance committee please look at the changing the resident parking fees from \$2.00 to zero. Council President Matthews stated there is a cost to print the tickets and administrative costs. For those who don’t need them, you would be asking them to pay a portion of the permit. Mayor Goldberg stated and the Clerk can attest, what we hear is \$2.00 is a great price.

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

INTRODUCTION OF ORDINANCES:

BOND ORDINANCE NO. 2122-14

BOND ORDINANCE PROVIDING FOR PURCHASE OF DEPARTMENT OF PUBLIC WORKS EQUIPMENT INCLUDING A DUMP TRUCK, CHIPPER, BRINE SYSTEM, & GRAPPLE ATTACHMENT FOR FRONT END LOADER IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME.

BE IT RESOLVED, that Bond Ordinance No. 2122-14 does now pass a first reading and that said Bond 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 September 3, 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 Bond Ordinance No. 2122-14 moved by Councilman Bennett, seconded by Councilman Mele. On roll call, all voted yes.

BOND ORDINANCE NO. 2123-14

BOND ORDINANCE PROVIDING FOR REMOVAL AND REPLACEMENT OF THE EXISTING ROOF SECTION, INCLUDING REMOVAL, REPLACEMENT OR REPAIR OF DECKING, SOFFITS, GUTTERS AND OTHER RELATED COMPONENTS OF THE ROOF OR ROOF DRAINAGE SYSTEM AT THE LOUIS BAY II LIBRARY IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME.

BE IT RESOLVED, that Bond Ordinance No. 2123-14 does now pass a first reading and that said Bond 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 September 3, 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 Bond Ordinance No. 2123-14 moved by Councilman Bennett, seconded by Council Vice President Bertollo. On roll call, all voted yes.

BOND ORDINANCE NO. 2124-14

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF FIRE DEPARTMENT CAPITAL EQUIPMENT IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$280,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME.

BE IT RESOLVED, that Bond Ordinance No. 2124-14 does now pass a first reading and that said Bond 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 September 3, 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 Bond Ordinance No. 2124-14 moved by Council Vice President Bertollo, seconded by Councilman Mele. Council Vice President Bertollo wanted to inform the public we are required by law to replace the fire department's scott-pack air bottles when they age out. On roll call, all voted yes, with the exception of Councilman Wojtecki who abstained.

CONSENT AGENDA: MR 55-14, MR 56-14 and R 134-14 through R 143-14:

MR 55-14 Introduced by Councilman Mele

REMOVAL OF HANDICAP PARKING SPACE

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

1. The words and phrases used herein shall have the same meaning respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of New Jersey.
2. Pursuant to the Authority granted under N.J.S.A. 39:4-197.6, the following location was previously designated as a restricted parking space for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles
3. The parking space located on the west side of Eleventh Avenue, beginning five feet (5') north of the driveway entrance of 58 Eleventh Avenue and extending twenty feet (20') thus being located in front of the residence known as 58 Eleventh Avenue, shown as Block 191 Lot 3.01 on the Borough Tax Map is no longer needed

Street Address	Original Resolution Date
58 Eleventh Ave	3/5/2014

4. The Police Department is hereby directed to have the sign calling attention to the provisions of this resolution removed.
5. This resolution shall take effect on adoption.

MR 56-14 Introduced by Councilman Mele

HANDICAP PARKING SPACE

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

1. The words and phrases used herein shall have the same meaning respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of New Jersey.
2. Pursuant to the Authority granted under N.J.S.A. 39:4-197.6, the following location is hereby designated as a restricted parking space for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles. No other person shall be permitted to park in this space.
3. The parking space will be located on the South curb line of Utter Avenue, beginning three feet (3') east of the East driveway edge of 111 Fifth Avenue and extending twenty-two feet (22') east, ending twenty-five feet (25') east of the East driveway edge of 111 Fifth Avenue thus being located directly across the street from the side entrance to the property of 121 Fifth Avenue, as shown as Block 172 Lot 1 on the Borough Tax Map.
4. The Police Department is hereby directed to have proper signs calling attention to the provisions of the resolution erected or placed upon said street.

This resolution shall take effect on adoption and posting of the signs required above.

R 134-14 Introduced by Councilman Mele

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated 7/11/14.

CURRENT FUND	WT 888889	290,328.93
WATER OPERATING FUNI	WT 888889	43,102.10
OTHER TRUST II FUND	WT 888889	11,758.59
TOTAL PAYROLL		345,189.62
CURRENT FUND TO PAYROLL/FICA	WT 888889	15,088.30
TOTAL FICA		15,088.30

And also for the payroll dated 7/24/14.

CURRENT FUND	WT 888889	286,402.96
WATER OPERATING FUNI	WT 888889	48,764.69
OTHER TRUST II FUND	WT 888889	11,595.66
TOTAL PAYROLL		346,763.31
CURRENT FUND TO PAYROLL/FICA	WT 888889	16,408.89
TOTAL FICA		16,408.89

R 135-14 Introduced by Councilman Mele

WHEREAS: There appears on the tax record an account that was overpaid due to a county appeal; and

WHEREAS: the homeowner has requested the amount be applied to the adjoining account,

NOW, THEREFORE, BE IT RESOLVED: By the Municipal Council of the Borough of Hawthorne that the Collector be authorized to make the transfer listed below:

<u>Blk/Lot</u>	<u>Name and Address</u>	<u>Amount</u>		<u>Qtr./Year</u>
18/2	Hawthorne Elite Holdings, LLC 13 Passaic Ave.	\$874.27	FROM	3/2014
18/3	Hawthorne Elite Holdings, LLC 17 Passaic Ave.		TO	3/2014

R 136-14 Introduced by Councilman Mele

WHEREAS, the semi-annual payment to the 2003A NJEIT Trust Loan in the amount of \$77,044.31 and the semi-annual payment to the 2010A NJEIT Refunding Loan in the amount of \$58,083.06 has become due and payable as of August 1, 2014, and,

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to wire funds in the amount of \$135,127.37 from Water Operating in payment of the 2003A NJEIT Trust and Fund Loans.

BE IT ALSO RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to wire funds in the amount of \$2,137.50 from Water Operating to the NJEIT in payment of the New Jersey Environmental Infrastructure Trust semi-annual Administration Fees. This is to ratify the action taken on August 1, 2014.

R 137-14 Introduced by Councilman Mele

WHEREAS, the semi-annual payment to the 2004A NJEIT Trust Loan in the amount of \$50,886.16 and the semi-annual payment to the 2004A NJEIT Fund Loan in the amount of \$38,648.21 has become due and payable as of August 1, 2014, and,

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to wire funds in the amount of \$89,534.37 in payment of the 2004A NJEIT Trust and Fund Loans.

BE IT ALSO RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to wire funds in the amount of \$1,372.50 to the NJEIT in payment of the New Jersey Environmental Infrastructure Trust semi-annual Administration Fees. This is to ratify the action taken on August 1, 2014.

R 138-14 Introduced by Councilman Mele

WHEREAS, the semi-annual payment to the 2010A NJEIT Fund Loan in the amount of \$18,348.21 has become due and payable as of August 1, 2014, and,

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to wire funds in the amount of \$18,348.21 in payment of the 2010A NJEIT Fund Loan.

BE IT ALSO RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to wire funds in the amount of \$262.50 to the NJEIT in payment of the New Jersey Environmental Infrastructure Trust and State of New Jersey semi-annual Administration Fees. This is to ratify the action taken on August 1, 2014.

R 139-14 Introduced by Councilman Mele

WHEREAS, there exists a need for engineering services for the design and inspection phases of the 2014 NJDOT Improvements to Washington Avenue, in the Borough of Hawthorne at a cost not to exceed \$20,000.00 for design and \$22,500.00 for construction inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that Boswell Engineering be awarded a contract in the amount not to exceed \$42,500.00, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract, in a form approved by the Borough Attorney subject to certification by the Chief Financial Officer.

R 140-14 Introduced by Councilman Mele

WHEREAS, NJSA 54:4-67 permits the governing body of the municipality to fix the rate of interest charged for taxes, assessment and other municipal liens; and

WHEREAS, several consumer receivable accounts of the Water Utility were under billed for water consumption in prior years and adjustments have been made to those accounts with actual meter readings and they are being charged for a portion of the water consumed during that time; and

WHEREAS, several of these water rent payers have asked for a payment plan to pay those balances during the course of one year from the date of original billing.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that those consumer receivable accounts on this special payment plan be charged at the Borough of Hawthorne default legal rate of interest of 2.16% on balances remaining in the payment plan until that balance has been fully satisfied.

BE IT FURTHER RESOLVED, that currently billed consumer receivables for these accounts, which are billed quarterly, must be kept current for this special rate of interest to apply with failure to do so causing the interest rate on the entire unpaid balance to revert to the delinquency interest rate of 8% for all of unpaid balances of \$1,500.00 or less and 18% for all balances in excess of \$1,500.00 with the interest rate to apply to the full balance until all owed rents are current.

R 141-14 Introduced by Councilman Mele

POCKET LIQUOR LICENSE RENEWAL

WHEREAS, Gerald A. Wlodarczyk is the owner of Plenary Retail Consumption License 1604-33-017-008; and

WHEREAS, the said owner petitioned and received from the Director of the ABC a special ruling permitting said license to remain a pocket license for the years 2014-15 and 2015-16; and

WHEREAS, the Municipal Clerk is now submitting Plenary Retail Consumption License 1604-333-017-010, owned by Gerald. A. Wlodarczyk, for renewal as a pocket license for the year 2014-15;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council, of the Borough of Hawthorne has no objection to the renewal of this license, is not aware of any circumstances that would prohibit the renewal of said license, and supports the determination of the Clerk to submit the same for renewal as a pocket license for the year 2014-15.

R 142-14 Introduced by Councilman Mele

WHEREAS, the Municipal Council of the Borough of Hawthorne has heretofore adopted Ordinance No. 2082-13 regarding the installation of sidewalks and driveway aprons on Second Avenue, Sixth Avenue, Seventh Avenue, Sylvester Avenue, May Street and various sites damaged during Hurricane Sandy, which ordinance provided for the Assessment of the costs of said improvements on property specially benefitted thereby in accordance with the provisions of N.J.S.A. 40:56-21 et seq.; and

WHEREAS, in accordance with such statute, the governing body has appointed an Assessment Commission to conduct required hearings and create an assessment regarding the benefit conferred; and

WHEREAS, the following persons have been named Assessment Commissioners:

Mark Joustra, 134 Watchung Drive
Charles Solimine, 45 Third Avenue
Cathy Ettore, 152 Rock Road

and

WHEREAS, the compensation for the Commissioners has been fixed at \$130 per Commissioner, based upon the nature and scope of the appointment;

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council does approve of the appointment and expenditure as set forth above in accordance with applicable statute pertaining to the same.

R 143-14 Introduced by Councilman Mele

AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Borough of Hawthorne is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Municipal Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council in the Borough of Hawthorne in the County of Passaic, as follows:

- (1) The Borough Administrator is authorized to sell the itemized surplus property via either a traditional auction or through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available from the Borough Clerk's Office; If using Govdeals, the following shall apply:
 - a. The sale shall be conducted online and the address of the auction site is **govdeals.com**;
 - b. The fee charged by GovDeals shall be seven and one-half (7 ½%) percent of the gross sale receipt with no listing charge or advertising charge;
 - c. The sale shall be conducted pursuant to Local Finance Notice 2008-9.
- (2) A list of the surplus property to be sold is as follows:

1994 Pierce Engine
- (3) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (4) The Borough Administrator is authorized to set minimum bids, set reserves below which bids will be rejected, set bidding increments, group items for sale by lots, and the right to accept or reject any bids submitted.
- (5) The Borough Administrator sets the auction date.

Council President Matthews entertained a motion to approve consent resolutions MR55-14, MR56-14 and R134-14 through R143-14 moved by Councilman Mele, seconded by Council Vice President Bertollo. On roll call, all voted yes, with the exception of Councilman Wojtecki who abstained from R143-14.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Sinning – The Ordinance Committee met yesterday talked more about the fire pits regulations. We also talked about the fire departments proposal for a lockbox ordinance which we felt should first be discussed with the Chamber of Commerce to reach out to the businesses and see how they felt about it, if they would be interested, because they would be the ones protected by it. There is some liability involved with that as you would be passing out keys to a lot of people. We also talked about Utter Avenue, the intersection of 5th & 7th where there is a property maintenance problem with an existing hedge that they wouldn't be able to see unless they trimmed it back. Administrator Maurer stated he will have someone take a look at that.

Council Vice President Bertollo – Representatives from the Finance Committee and the DPW continue to meet to discuss our oil/water separator, DPW garage and other capital plans for the next 3 to 5 years. The price tag keeps going up on projects, just in general. We will continue to do our due diligences for any ordinances or plan we bring to the Council and will be palpable to the tax payers and the Borough. One of the challenges that come up with the DPW Committee is their plan after super storm sandy to provide generators to our treatment stations, pumping stations and the Mary Street tank. We originally thought we were going to receive a grant in the \$301,000 price range, however, we are going to receive only \$100,000, and therefore we have to make up the shortfall of \$200,000. Our water system needs to be protected, there is a lot on the table and we will continue work on these issues. We did receive the Audit Report, the one recommendation regarding the recycling is about the vendor we are having trouble collecting money from. This is something that cannot be fixed in house and was not something that was overlooked by our people here.

Councilman Bennett – Public Works Committee met on the 14th most of the topics have been covered. We discuss the generator grant so now we have to go back to the drawing board. The owners on 67 Washington Avenue are pleased with the remediation with the new contractors. The state now is pushing the municipalities to switch over to LED lightening. We will be looking at what the potential cost and savings are going to be.

Councilman Mele – Project Pride is working on adding new Welcome to Hawthorne signs. We have a plan and according to Ms. Hewitt we have money in our clean community grant. Hopefully we will have something for the fall.

Council President Matthews – The Chamber of Commerce Bingo Game starts this Friday, August 1st and until August 22nd. There are 23 participating business including the library and the Farmers Market. This is sponsored by the Chamber of Commerce, the Green Team and Well Read Books. The Fishing Derby is September 20th between 8-11:30am. More news to follow regarding the Santa Parade and their other events.

CORRESPONDENCE:

C-1 Approval of Application for Joseph L. Wojtecki, Hawthorne, to Fire Company No. 3.

Council President Matthews entertained a motion for approval of the application of Joseph L. Wojtecki to Hawthorne Fire Company No. 3, moved by Councilman Sinning, seconded by Councilman Bennett. On roll call, all voted yes with the exception of Councilman Wojtecki who abstained.

C-2 Light Tower Fiber Networks - Administrator Maurer stated we will draft this agreement similar to those we have now and present to the Council for consideration.

Council President Matthews entertained a motion to accept the correspondence from Light Tower Fiber Networks moved by Councilman Wojtecki, seconded by Councilman Sinning. All in favor.

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 Council Vice President Bertollo. On roll call, all voted yes with the exception Councilman Wojtecki 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
CURRENT FUND			
NO JERSEY MUNI EMPL BNFT FUND	17504	89,250.00	VARIOUS
10-75 EMERGENCY LIGHTING, LLC	17505	668.98	VEHICLE MAINT ROAD
ACTION DATA SERVICES	17506	483.13	FINANCIAL ADMIN
ALL STAR TRANSMISSION SPEC	17507	4,325.00	VEHICLE MAINT POLICE
AQUARIUS IRRIGATION SUPPLY,INC	17508	87.23	DPW ADMIN
ATS SPORTS	17509	1,195.00	BOARD OF REC
BEST CLEANING SERVICES	17510	1,300.00	DPW ADMIN
BOROUGH OF HAWTHORNE	17511	32.88	FIRE DEPT
BOSWELL ENGINEERING, INC	17512	6,077.52	VARIOUS
BRAEN SUPPLY INC	17513	126.00	SUSTAINABL NJ GRANT
BRIAN BERTOLLO	17514	150.00	GROUP INSURANCE
BURGIS ASSOCIATES, INC	17515	1,187.50	PLANNING BD
CABLEVISION	17516	573.47	VARIOUS
CANON FINANCIAL SVCS INC	17517	43.00	STREETS & ROADS
CANON SOLUTIONS AMERICA INC	17518	12.16	STREETS & ROADS
CHRYSLER JEEP DODGE OF PARAMUS	17519	960.00	VEHICLE MAINT POLICE
CINTAS CORP	17520	488.72	DPW ADMIN
CINTAS FIRST AID AND SAFETY	17521	117.13	SWIMMING POOL
CNP FITTEST OF NJ LLC	17522	1,875.00	FIRE DEPT
COMMUNICATION SPECIALISTS	17523	1,808.09	VARIOUS
CONEXION PRINTING	17524	247.00	GENERAL ADMIN
COUNTY OF PASSAIC	17525	6,106.75	MUNICIPAL CLERK
DELL GARDEN CENTER	17526	360.00	SWIMMING POOL
DELL LANDSCAPING INC	17527	300.00	STREETS & ROADS
DIESEL TRUCK SERVICE, INC	17528	758.00	VEHICLE MAINT ROAD
DIRECT ENERGY MARKETING, INC	17529	5,791.74	VARIOUS
DOWNES TREE SERVICE, INC.	17530	2,325.00	SHADE TREE
DRAGER SAFETY DIAGNOSTICS, IN	17531	165.00	DDEF GRANT
DUNKIN DONUTS	17532	165.00	MUNICIPAL CLERK
EXTEL COMMUNICATIONS, INC	17533	165.00	DPW ADMIN
FIREFIGHTER ONE LLC	17534	869.00	FIRE DEPT
FUTURE SANITATION INC	17535	39,375.00	GARBAGE & TRASH
GET A CAN	17536	8,250.00	RECYCLING

GROENEWAL RAMSEY DOOR, LLC	17537	528.00	STREETS & ROADS
HAWTHORNE AUTO LAB	17538	414.60	VEHICLE MAINT POLICE
HAWTHORNE BOYS & GIRLS CLUB	17539	2,606.48	MUNICIPAL ALLIANCE
HAWTHORNE CHEVROLET	17540	23.82	VEHICLE MAINT ROAD
HAWTHORNE FIRE DEPT	17541	260.00	FIRE DEPT
HAWTHORNE J D BASEBALL	17542	700.00	BOARD OF REC
HAWTHORNE MUNICIPAL COURT	17543	168.53	MUNI COURT
HAWTHORNE PRESS INC	17544	273.38	VARIOUS
INSTITUTE FOR FORENSIC PSYCHOL	17545	425.00	POLICE DEPT
INSURANCE RESTORATION SPECIALI	17546	35.00	FIRE DEPT
IPPOLITO BROS INC	17547	725.00	SWIMMING POOL
JAMES BAKKER	17548	400.00	GROUP INSURANCE
JEFFREY KOWALSKI	17549	123.97	GROUP INSURANCE
JERSEY ELEVATOR INC	17550	154.26	DPW ADMIN
JESCO INC	17551	71.07	VEHICLE MAINT ROAD
JOANNE GRAZIANO	17552	174.92	MUNICIPAL ALLIANCE
JOHN BRADY SHEDS INC.	17553	4,724.00	SWIMMING POOL
JOHN DEERE LANDSCAPE	17554	1,121.84	MAINTENANCE OF PARKS
JORDAN TRANSPORTATION,INC	17555	630.00	BOARD OF REC
JUNGLE LASERS LLC	17556	2,160.00	FEES PAYABLE
KINEMATIC CONSULTANTS INC	17557	900.00	MUNICIPAL INSURANCE
KONICA/MINOLTA	17558	95.40	DPW ADMIN
LANGUAGE LINE SERVICES	17559	37.72	MUNI COURT
M & B SEPTIC SERVICE, LLC	17560	84.00	BOARD OF REC
MAIN POOL & CHEMICAL CO, INC	17561	1,384.30	SWIMMING POOL
MARGARET ANDREWS	17562	70.00	CONTRA REVENUE
MEADOWLANDS FORD TRUCK SALES	17563	6,485.07	VEHICLE MAINT FIRE
METLIFE	17564	299.41	GROUP INSURANCE
MGL PRINTING SOLUTIONS	17565	55.00	BOARD OF HEALTH
MONTONE REMOD & CONS CO, INC	17566	925.00	STORMWATER MANDATE
MUNIDEX, INC	17567	600.00	REVENUE COLLECTION
MURPHY COMMUNICATIONS	17568	9,421.34	POLICE DEPT
NEUTRON INDUSTRIES	17569	185.09	SWIMMING POOL
NEW TECH TECHNOLOGY SERVICES	17570	80.85	IT SERVICES
NJ MEADOWLANDS COMMISSION	17571	3,207.41	TRANSFER STATION
P & A AUTO PARTS, INC	17572	509.18	VEHICLE MAINT ROAD
PAETEC	17573	1,062.14	TELEPHONE CHARGES
PASCACK DATA SERVICES	17574	3,378.00	IT SERVICES
POSITIVE PROMOTIONS, INC	17575	193.45	PEOSHA
PUBLIC SERV ELEC & GAS	17576	18,622.08	VARIOUS
RIDGEWOOD PRESS	17577	250.00	UNIFORM FIRE SAFETY
ROBERT POLITO LANDSCAPING	17578	500.00	STREETS & ROADS
RT OFFICE PRODUCTS	17579	570.39	VARIOUS
SHOTMEYER BROS FUEL CO	17580	7,831.18	BULK PURCHASE
STACEY MEDEK	17581	70.00	CONTRA REVENUE
STATE LINE FIRE & SAFETY INC	17582	240.00	FIRE DEPT
SUNOCO SUNTRAK	17583	9,726.61	BULK PURCHASE
TASTEE PIZZA	17584	736.00	BOARD OF REC
TEE-FX SCREEN PRINTING, LLC	17585	169.00	MUNICIPAL ALLIANCE
THE CENTER-OCCUPATIONAL MED	17586	600.00	POLICE DEPT
THOMSON REUTERS INC	17587	108.00	BOARD OF HEALTH
TREASURER - STATE OF NJ	17588	4,050.00	STORMWATER MANDATE
TREASURER, STATE OF NEW JERSEY	17589	875.00	FEES PAYABLE
TREASURER, STATE OF NJ	17590	2,984.00	FEES PAYABLE
TRIMBOLI & PRUSINOWSKI LLC	17591	450.00	LEGAL SERVICES
TURNOUT UNIFORMS	17592	264.00	POLICE DEPT
TYCO ANIMAL CONTROL SERVICES	17593	2,400.00	ANIMAL CONTROL
US BANK EQUIPMENT FINANCE	17594	159.00	MUNICIPAL CLERK
US MUNICIPAL SUPPLY, INC.	17595	1,380.62	VEHICLE MAINT ROAD
VERIZON	17596	1,563.90	VARIOUS
VERIZON WIRELESS (N)	17597	344.13	POLICE DEPT
VITAL COMMUNICATIONS, INC.	17598	610.00	TAX ASSESSOR
VOZZA AGENCY, INC	17599	15,246.00	MUNICIPAL INSURANCE

WAGNER TOURS, INC	17600	760.00	BOARD OF REC
WASTE MANAGEMENT OF NJ	17601	<u>35,728.49</u>	TRANSFER STATION
TOTAL CURRENT		\$ 326,569.93	
GENERAL CAPITAL			
BOSWELL ENGINEERING, INC	3343	21,680.36	VARIOUS
HAWTHORNE PRESS INC	3344	380.64	VARIOUS
HUDSON-ESSEX-PASSAIC COUNTY	3345	775.00	WASHINGTON AVE
NORTH JERSEY MEDIA GROUP INC	3346	184.27	WASHINGTON AVE
ROCKBORN TRUCKING & EXCAVATION	3347	121,926.72	VARIOUS
SUPLEE, CLOONEY & COMPANY	3348	<u>425.00</u>	WASHINGTON AVE
TOTAL GENERAL CAPITAL		\$ 145,371.99	
WATER OPERATING			
NO JERSEY MUNI EMPL BNFT FUND	9776	91,733.00	GROUP INSURANCE
ACTION DATA SERVICES	9777	120.78	WATER UTILITY
BROADHURST SHEET METAL INC	9778	20.00	WATER UTILITY
CABLEVISION	9779	92.14	WATER UTILITY
CANON FINANCIAL SVCS INC	9780	43.00	WATER UTILITY
CANON SOLUTIONS AMERICA INC	9781	12.15	WATER UTILITY
COMMUNICATION SPECIALISTS	9782	324.03	VARIOUS
DIRECT ENERGY MARKETING, INC	9783	27,597.12	WATER UTILITY
FREMGEN POWER EQUIPMENT INC	9784	32.50	WATER UTILITY
HAWTHORNE AUTO LAB	9785	894.97	WATER UTILITY
HOME SUPPLY & LUMBER CO., INC.	9786	13.36	WATER UTILITY
MUNIDEX, INC	9787	550.00	WATER UTILITY
ONE CALL CONCEPTS, INC.	9788	70.76	WATER UTILITY
PUBLIC SERV ELEC & GAS	9789	23,815.65	WATER UTILITY
RT OFFICE PRODUCTS	9790	5.46	WATER UTILITY
SHOTMEYER BROS FUEL CO	9791	69.32	WATER UTILITY
SUNOCO SUNTRAK	9792	1,252.72	WATER UTILITY
TREASURER, STATE OF NJ	9793	1,580.00	WATER UTILITY
VERIZON	9794	<u>605.47</u>	WATER UTILITY
TOTAL WATER OPERATING		\$ 148,832.43	
WATER CAPITAL			
L&P INTEGRATORS	1058	<u>340.00</u>	CAPITAL EQUIPMEMT
TOTAL WATER CAPITAL		\$ 340.00	
OTHER TRUST II			
BELMAR SPRING WATER COMPANY	4870	37.34	RECYCLING
COMMUNICATION SPECIALISTS	4871	14.64	RECYCLING
DAVE STERN INC	4872	1,904.00	VARIOUS
KAY PRINTING & ENVEL CO, INC	4873	1,289.00	UCC PENALTIES
PABCO INDUSTRIES	4874	3,887.40	RECYCLING
RT OFFICE PRODUCTS	4875	179.60	UCC PENALTIES
THOMAS ZACONIE	4876	75.35	UCC PENALTIES
TREASURER, STATE OF NJ	4877	1,015.00	RECYCLING
VITAL COMMUNICATIONS, INC.	4878	<u>525.00</u>	VARIOUS
TOTAL OTHER TRUST II		\$ 8,927.33	
DOG DEDICATED			
NJ DEPARTMENT OF HEALTH	6112	<u>151.80</u>	STATE OF NJ
TOTAL DOG DEDICATED		\$ 151.80	
TOTAL BILL LIST		<u>\$ 630,193.4</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.

Patti Paquino – 51 Macfarlane

As Councilman Wojtecki reported in regards to the speed limit sign for Macfarlan Ave; many of the Hawthorne residents may realize the speed limit is 25mph; however a ¼ of the people that drive up and down that road easily are going 40-50 mph. There trucks and busses who come flying down. She stated she's had these concerns for a while, however, now that her son is starting at Washington School in the fall, she would like to be able to walk him without worrying. Also, there is a lot more foot traffic after they redid the park and people like to challenge themselves and walk up this street and I worry for their safety. She suggests putting up the signs just to remind people. Mayor Goldberg stated we are going to start with a speed study of the street and see what the speeds are. Ms. Paquino thanked the council.

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

Council President Matthews entertained a motion to enter into closed session. Moved by Council Vice President Bertollo, seconded by Councilman Bennett. All in favor.

ADJOURNMENT

Council President Matthews entertained a motion to adjourn the meeting at 8:31p.m., moved by Councilman Sinning, seconded by Council President Bertollo. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **AUGUST 13th, 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