

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:03p.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.....	Garret Sinning
Councilman.....	Joseph Wojtecki
Borough Administrator .....	Eric Maurer
Director of Revenue and Finance.....	Mary Jeanne Hewitt
Borough Attorney.....	Michael J. Pasquale
Borough Engineer .....	Dr. Stephen T. Boswell
Borough Clerk.....	Lori DiBella
<b><u>ABSENT</u></b>	
Councilman .....	Bruce Bennett

### **FLAG SALUTE**

Council President Matthews invited all present to join him in the flag salute and a moment of silence for all affected by the tragedy that occurred this weekend at the Farmers Market.

### **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.

Council President Matthews stated: The Council and the Administration are deeply saddened by the tragic event that occurred at the Farmers Market on Sunday. Many in our community are upset and looking for answers and there are no logical answers. There is no rhyme or reason as to why this horrific accident happened. At times like this it's hard to come to grips with on how to explain how something like this can occur. Its times like this only faith can reassure you that things will get better and our community will heal. We need to pull together now more than ever to comfort each other to start the healing process.

Council President Matthews called upon Pastor H. Van Dyk to open the meeting with a prayer.

### **APPROVAL OF MINUTES**

Council President Matthews entertained a motion to approve the Minutes of the Regular Meetings of July 9<sup>th</sup> & July 30<sup>th</sup>, 2014 and the Bid Minutes of August 5<sup>th</sup> for the North Water Pump Station Air Stripper 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 the July 9<sup>th</sup> minutes and Councilman Lane who abstained from the July 30<sup>th</sup> minutes.

### **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 Council Vice President Bertollo, seconded by Councilman Lane. On roll call, all voted yes.

### **ADOPTION OF ORDINANCES:** None.

### **OLD BUSINESS**

Councilman Wojtecki asked for an update on the manhole on Goffle Road in front of Mr. Sargent's home. Dr. Boswell will follow up. He also asked for an update on the mill sidewalk, it's in disrepair. Administrator Maurer stated the owner has hired contractor and is waiting for the permit from the

County. Lastly, he asked about the boney asphalt on May Street. Dr. Boswell stated the DOT had already walked the property before his request to be present and found the work acceptable.

Councilman Lane asked for an update regarding the 4-way stop signs on Utter Avenue for traffic control. The Mayor advised him the speed radar unit is on Rea Avenue at the moment and will be moved to Utter Ave. Administrator Maurer stated we are doing some radar checks on North 8<sup>th</sup> & MacFarlane. However, the Police are going to be looking at accident data and they are expected to have a report by the end of this month and have this information to the ordinance committee for their review by their next meeting. He asked for an update on Premio with the units on the roof. Administrator Maurer stated he left a message, and he stated he has no other information then what was reported at the last meeting. Councilman Lane asked he try to get in touch with them and get back to him by the end of this week.

### **NEW BUSINESS**

Councilman Wojtecki stated that on Maitland Ave by the stop sign there is a big square of cement. The utility company filled in with concrete as opposed to asphalt and the milling team decided not to mill the square because it was stronger than the asphalt they were going to put down. Dr. Boswell stated they will go take a look.

### **ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG**

Mayor Goldberg stated this has been a tough week for Hawthorne. The incident at the Farmers Market shocked the entire Borough. Those of you who regularly attended the Farmers Market were stunned to find out what happened. Our deepest condolences go out to the Wine Family for their loss. It was an unspeakable tragedy. Pastor Van Dyk is here to begin the meeting with a prayer and attempt to begin the healing process. Tomorrow night at 7pm behind the library we will be holding a candlelight vigil so we can come together as a community to deal with our grief and sadness and to ask for God's blessing for the Wine Family and our Borough. The Mayor thanked Pastor Van Dyk for coming tonight and looks forward to him joining us and other clergymen at the vigil. The Farmers Market will be canceled this Sunday out of respect for the Wine Family. The market will return on August 24<sup>th</sup> in the library parking lot, with Grand Avenue used for parking; this change is being made in order for people to feel more comfortable in this location. The Mayor thanked Chief McAuliffe and the Hawthorne Police Department for their professionalism and their response to such a trying day. He also thanked Glen Rock Mayor Van Keuren and Glen Rock Police Department for sending two officers to Hawthorne, one at each scene to help contain the two crime scenes. He also thanked Sheriff Berdnick and the CSI Team for their help and the Passaic County Prosecutor Valdes for their investigators who came on scene.

Tonight we swear in our newest member of the Hawthorne Police Department, Joseph DiGeronimo. Mr. DiGeronimo is a local kid coming home and we are proud that he wanted to come back to his home town. He worked for another department the last four years, earning many honors, among them Police Officer of the Year.

Last Saturday the Police registered 122 bicycles. Now if they get lost or stolen we can return them to the rightful owners. Thank you to the PD for purchasing bike locks which were given away at the event.

Just a reminder we will be holding our 911 observance at the 911 monument on Goffle Road at 6:30pm. Hawthorne Day is September 27<sup>th</sup> and this year we will feature the Nerds and the Flying Mueller Brothers. Fireworks will cap off a great day. This meeting marks the completion of his 6<sup>th</sup> year as Mayor. He stated he looks forward to the next 3 plus years of his term and he thanks everyone for letting him serve this community.

### **PROCLAMATION:**

Presented to Police Chief McAuliffe

Drive Sober or Get Pulled Over 2014 Statewide Crackdown  
August 15 – September 1, 2014

### **MAYOR'S APPOINTMENT:**

Joseph DiGeronimo as Probationary Police Officer of the Borough of Hawthorne, effective August 4, 2014.

Council President Matthews entertained a motion to appoint Joseph DiGeronimo as Probationary Police Officer of the Borough of Hawthorne, effective August 4, 2014, moved by Council Vice President Bertollo, seconded by Councilman Lane. On roll call, all voted yes. Mayor Goldberg administered the Oath of Office.

### **REPORTS**

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

The resolution for the Drive Sober Grant is on today's agenda as Chapter 159 which is how we add revenue and appropriations to the budget. She commended Officer Anthony DeLalla who goes out of his way to aggressively apply for these grants, which not only benefits our Police Department but also benefits our citizens by keeping people off the road who shouldn't be driving. Other resolutions include the audit report and corrective action plan. It was a clean audit and there was only one comment pertaining to another department. We have taken in \$15.4 million thus far in taxes this quarter. The extended grace period ends August 22<sup>nd</sup>, anyone who pays after that date will be charged interest back to August 1<sup>st</sup>. She added her condolences to the Wine Family.

### **Borough Attorney Michael Pasquale**

204 Wagaraw Road–Hawthorne Deserves Better matter is officially closed, we received the file stipulations back from the court. No word further on the 7-11 matter, therefore we will be filing motions to dismiss for those remaining complaints. Tax appeals that have been coming through the last few days are the appeals of some of our commercial properties that are being filed in state court. Many of these are repeats from prior years; however there are some new filings. Our tax ratio remains strong. The Lions Club Swim Meet was held this past Monday evening. Attorney Pasquale added the Mayors leadership during this difficult time was very impressive and all the people of Hawthorne were well served by all of the elected Officials.

### **Borough Engineer Dr. Stephen Boswell**

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

The pre-construction meeting was held on August 7<sup>th</sup>. The contractor is expected to begin the project the week of September 15<sup>th</sup>.

#### 2. May Street.

The NJDOT surveillance was previously performed. There were no comments from the DOT. The work was found to be acceptable.

#### 3. 2014 Road Resurfacing Program and Mohawk Avenue.

Work is in progress. All concrete work is completed. All milling is completed. The paving of Mazur Place, Ravine Drive and the library parking lot remain, which is scheduled for Thursday and Friday of this week.

#### 4. Rock/Braen/Goffle Intersection.

Power to the signal has been provided. The contractor is expected to turn the signal on to Flash on Friday and full operation on Monday, August 18<sup>th</sup>.

#### 5. Goffle Brook Bank Stabilization.

The contractor is installing additional bank stabilization and plantings as required.

#### 6. Water System Improvements.

The Borough is looking for sources of funding.

#### 7. Band Shell.

We have contacted the contractor who constructed the Haledon structure to consider building Hawthorne's band shell. The Haledon project was not constructed under prevailing wages.

#### 8. Rea Avenue Bridge.

The pre-construction meeting was held on August 5<sup>th</sup>. On or about signs will be posted prior to construction.

#### 9. 2013 Road Resurfacing Program.

##### 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.

#### 10. DPW Truck Wash Building.

A revised cost estimate has been prepared based on comments per the July 22<sup>nd</sup> Public Works Committee Meeting.

#### 11. Library Roof.

A proposal has been prepared to address the design and inspection for the proposed improvements to the library roof. The existing standing seam metal roof will be replaced along with a new standing seam metal roof for the Community Room's shingle roof. Transition from the standing seam roof to the TPO roof will be addressed along with any improvements associated with the skylights. The southern section of shingle roof is in good shape with adequate pitch and is not being addressed at this time.

12. Crack Sealing Municipal Tennis Courts.

The work is completed and payment paperwork prepared.

13. Third Avenue Tree Removal.

The tree was removed and stump grinded. Concrete curb and sidewalk work remain along with roadway box out.

14. Prospect Park Spray Park.

The spray park had previously discharged to a wetlands area. As part of the proposed improvements, the water will now be recycled. Under natural conditions, the wetlands will continue to flow down the hill.

15. ADA Ramps at Tuxedo and Lafayette Avenue.

The ADA ramps constructed at Tuxedo and Lafayette was a County project. The County Engineer was notified to investigate their condition.

The Mayor added his thanks and appreciations to Dr. Boswell for funding the music for tomorrow night's candlelight vigil.

**Borough Administrator Eric Maurer**

Administrator Maurer offered his condolences to the Wine Family. The County repaving schedule for Wagaraw, Lafayette, Goffle and a piece of Lafayette Ext. is September 15<sup>th</sup> through September 30<sup>th</sup>. Any residents can be advised of when the streets will be closed by signing up for our Nixle program by texting "HawthWire" to 888777 or by visiting the Borough website for further instructions. Bids are due tomorrow for our Antenna Space on Longview Tank. We already received 2 sealed bids and expect more. This should be a significant revenue enhancement for next year's budget. Today he & Ms. Hewitt had a phone conversation with Standard & Poor's as they look to review and update the Borough's bond rating. Our bond rating affects the cost at which we can borrow money for our capital programs; therefore it is always good to maintain a good bond rating.

Councilman Lane asked for an update on the borough residents property damage from the Prospect Park Water Park water run-off. Attorney Pasquale stated the Borough will support whatever they are doing, however it is not up to us to pursue any action if there was any damage, it is up to the home owners. The Mayor stated he had not heard anything since the last meeting when he urged the home owner to file a tort claim notice just in case and if they needed a name of an attorney we can provide a name.

Council Vice President Bertollo commented he can't believe Prospect Park would build a water/spray park and not recycle the water and think discharging the water into a wetland with a steep run-off would not affect Hawthorne. From a legal stand point what can we do as a Borough? Attorney Pasquale stated this is something we can look but the Mayor, Engineer, and Attorney had all responded quickly to us and this issue; obviously this problem should have been resolved before it came to that extent.

Councilman Wojtecki asked if the administration considered any other existing building for the DPW garage extension, specifically the tire retailer at the end of Goffle Road that is abandoned and has multiple bays. Council President Matthews added it is still owned by STS Tires and used for some storage.

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

**INTRODUCTION OF ORDINANCES:** None.

**CONSENT AGENDA: MR 57-14 and R 144-14 through R 154-14:**

**MR 57-14 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 along the North curb line of Utter Avenue, beginning 53 feet east of the Easterly prolongation of Eighth Avenue. The marked parking stall shall extend 22 feet east, ending 41 feet west of the West driveway edge of 86 Ninth Avenue. A handicap parking sign shall be installed along the North curb line 53 feet east of the Easterly prolongation of Eighth Avenue. The property, 147 Utter Avenue, is identified as Block 213 Lot 13 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 144-14 Introduced by Councilman Mele**

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated August 8, 2014.

CURRENT FUND	WT888889	\$281,975.54
WATER OPERATING FUND	WT888889	\$ 42,036.30
OTHER TRUST II FUND	WT888889	\$ 9,583.63
TOTAL PAYROLL		<u>\$333,595.47</u>
CURRENT FUND TO PAYROLL/FICA	WT888889	\$ 6,560.30
WATER OPERATING FUND TO PAYROLL/FICA	WT888889	\$ 9,118.80
TOTAL FICA		<u>\$ 15,679.10</u>

**R 145-14 Introduced by Councilman Mele**

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 19% of motor vehicle fatalities in New Jersey in 2012 were alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Drive Sober or Get Pulled Over 2014 Statewide Crackdown; and

WHEREAS, the project will involve increased impaired driving enforcement from August 15 through September 1, 2014; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW THEREFORE BE IT RESOLVED, that the Borough of Hawthorne declares its support for the Drive Sober or Get Pulled Over 2014 Statewide Crackdown from August 15, through September 1, 2014 and pledges to increase awareness of the dangers of drinking and driving.

**R 146-14 Introduced by Councilman Mele**

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

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

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

**SECTION 1**

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Borough of Hawthorne hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$5,000.00 which item is now available as revenue for the Drive Sober or Get Pulled Over Labor Day Program.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS  
Drive Sober or Get Pulled Over Labor Day Program                      \$5,000.00

pursuant to the provision of the statute; and

**SECTION 2**

BE IT FURTHER RESOLVED, that a like sum of \$5,000.00 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM "CAPS"  
PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE  
Drive Sober or Get Pulled Over Labor Day Program                      \$5,000.00

**SECTION 3**

BE IT FURTHER RESOLVED, that the above is the result of funds due to the Borough of Hawthorne from the State of New Jersey that were not available at the time of the adoption of the 2014 budget and are now available by law.

**R 147-14      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.

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 \$2,860,519.00 from the Current Fund and charged to School Taxes Payable for August 2014.

**R 148-14      Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne has heretofore entered into contract with Pierce Manufacturing for a Pierce Arrow XT 1250GPM Pumper (Engine One) for the Fire Department in the Borough of Hawthorne authorized by ordinance #2100-13; and,

WHEREAS, the Board of Fire Commissioners and the Administration has recommended approval of the following change order:

Change Order No. 1	
Equipment Upgrades	\$4,807.90
Change Order No. 2	
Graphics	\$2,479.10

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the above-cited Change Orders Nos. 1 and 2 increasing the amount of the payment required under said contract by the sum of \$7,287.00 shall be and hereby is approved, and the Mayor is hereby authorized and directed to execute the same for and on behalf of the Borough of Hawthorne.

**R 149-14      Introduced by Councilman Mele**

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

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

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

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

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

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

**R 150-14 Introduced by Councilman Mele**

WHEREAS, the 2013 Annual Audit of the Borough of Hawthorne, conducted by Suplee, Clooney & Company, contained certain recommendations requiring action; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Hawthorne, that the Corrective Action Plan for the 2013 Annual Audit, hereto attached, is hereby approved and accepted; and

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

CORRECTIVE ACTION PLAN  
BOROUGH OF HAWTHORNE  
COUNTY OF PASSAIC  
2013 ANNUAL AUDIT

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

DATE: August 13, 2014

RECOMMENDATION:

1: That procedures be put in place to ensure that recycling fees are collected on a timely basis

ANALYSIS:

Recycling contractors who pay the Borough for our recyclables have not been paying the Borough as agreed both in formal and informal contracts. Public Works Administration did not notify either the

Treasury or the Administration that these receipts were behind expectations, and it was not until the 2013 books were closed in January that it was discovered by the Chief Financial Officer to be the case.

**CORRECTIVE ACTION:**

The Chief Financial Officer and the Administrator, as well as the Public Works Administration, are following up and checking monthly on expected receipts. One contractor is substantially behind in payments to the Borough in spite of a formal, Council approved contract, and the Administration and the Legal Department have informed the Treasury that it is possible that this will result in litigation to collect the monies owed to the Borough.

DATE OF IMPLEMENTATION: February 2014

**R 151-14 Introduced by Councilman Mele**

WHEREAS, the annual principal payment and the semi-annual interest payment for the General Serial Bonds of 2005 becomes due and payable on August 15, 2014.

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 \$305,000.00 in payment of principal and \$12,100.00 in payment of interest from the Current Fund to Chase Bank NY Account #066-027306.

**R 152-14 Introduced by Councilman Mele**

WHEREAS, the semi-annual interest payment and the annual principal payment for the General Serial Bonds 2008 has become due and payable on September 1, 2014.

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 \$210,000.00 in payment of principal and \$61,557.00 in payment of interest from the Current Fund, made payable to Depository Trust Company.

**R 153-14 Introduced by Councilman Mele**

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

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

WHEREAS, the Borough of Hawthorne applied for and received two previous Passaic County Open Space grants in 2012 and 2013 for construction of a band shell at the Borough's municipal pool property; and

WHEREAS, the Borough of Hawthorne subsequently submitted a second Open Space application to Passaic County seeking additional funds for this project, including construction of restrooms as an adjunct to the band shell itself; and

WHEREAS, County of Passaic has offered the Borough of Hawthorne a third grant of Open Space Funds in the amount of \$70,875 for this project;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne that the Mayor and Borough Clerk are hereby authorized to execute all necessary documents to accept the \$70,875 Passaic County Open Space for the construction of restrooms and related improvements.

**R 154-14 Introduced by Councilman Mele**

WHEREAS, the Water Utility Department of the Borough of Hawthorne has a need for rehabilitation of the North Water Pump Station; and

WHEREAS, it is the recommendation of the Borough Administration and the Director of Public Works that a contract for the above mentioned purpose be awarded to:

Alpine Painting & Sandblasting Contractors  
17 Florida Avenue  
Paterson, New Jersey 07503

in the amount of \$37,195.00.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited lowest responsible bidder subject to the certification of availability of funds from the Chief Financial Officer, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and Alpine Painting & Sandblasting Contractors in a form approved by the Borough Attorney when these conditions have been met.

Council President Matthews entertained a motion to approve consent resolutions MR57-14 and R144-14 through R154-14 moved by Councilman Mele, seconded by Council Vice President Bertollo. Discussion by Councilman Wojtecki; he stated the first time he learned of the items that are addressed in the corrective action was in private session at the last meeting. He is really sad that they are going to vote on a corrective action and the analysis without having further discussion on what was discussed in private session. He disagrees with what the analysis says and also does not agree what the corrective action. He thought it was our agreement that were not going to seek legal action and that we were going to stand by our long standing contractor. This corrective action states we're going to pursue legal action and that is not what we discussed. Attorney Pasquale stated we cannot address what was discussed in private session because it has not been cleared for release from private session at this point in time. With that being said, there has been no indication on our part as an administrator that we are prepared to take legal action at this point. Attorney Pasquale stated he has written letters on behalf of the Administration indicating if the situation is not addressed, then we would consider legal actions. On roll call, all voted yes, with the exception of Councilman Wojtecki who abstained from R148-14 and voted no to R150-14 and Councilman Lane who abstained from R148-14.

**REPORTS OF SPECIAL COUNCIL COMMITTEES**

**Councilman Wojtecki** – The next Shade Tree Committee Meeting is Tuesday, September 2<sup>nd</sup>.

**Council President Matthews** – The Chamber of Commerce as the Mayor had mentioned will be taking next week off out of respect for the Wine Family. The Car Show originally planned for the 24<sup>th</sup>, will be postponed. We have received a lot of support to continue the programs including the Farmers Market. The Fishing Derby is scheduled for September 20<sup>th</sup> at 8am.

**CORRESPONDENCE:** None.

**MISCELLANEOUS:** None.

**BILLS**

Council President Matthews entertained a motion to approve the bills as amended and forward them to the Treasurer for payment. Motion moved by Councilman Mele, seconded by Council Vice President Bertollo. Discussion by Councilman Lane on the added bills - why is the June bill for Total Lawn Care paid in July and isn't the voucher supposed to be signed by the vendor? CFO, Hewitt stated we just received the invoice today and she explained that it doesn't have to be signed because we have a signed contract on file. On roll call, all voted yes with the exception Councilman Wojtecki and 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>			
HAWTHORNE PRESS INC	17603	119.34	ZONING BOARD
NORTH JERSEY MEDIA GROUP INC	17604	154.04	MUNICIPAL CLERK
A-VAN ELECTRICAL	17605	24.96	DPW ADMIN
ACORN TERMITE & PEST CONTROL	17606	200.00	SWIMMING POOL
ACTION DATA SERVICES	17607	931.11	FINANCIAL ADMIN
ALBERT AGNES	17608	2,100.00	MUNICIPAL ALLIANCE
ALEXANDRA LAWRENCE	17609	140.00	CONTRA REVENUE
AMERICAN AIRFLOW LLC	17610	346.52	DPW ADMIN
BARCO PRODUCTS	17611	519.42	CLEAN COMM
BCB JANITORIAL SUPPLY CO INC	17612	465.40	SWIMMING POOL
BOB'S TIRES & WHEELS INC	17613	1,273.00	VEHICLE MAINT POLICE
BOSWELL ENGINEERING, INC	17614	500.00	ENGINEERING
CABLEVISION	17615	573.47	VARIOUS
CAMPBELL FIRE EQUIPMENT	17616	4,917.96	VEHICLE MAINT FIRE
CANON SOLUTIONS AMERICA INC	17617	12.16	STREETS & ROADS
CHRIS DE BELLA	17618	179.99	AV GRANT
COMMUNICATION SPECIALISTS	17619	31.50	VEHICLE MAINT FIRE

D & M TOURS, INC	17620	3,870.00	BOARD OF REC
DELICACIES	17621	397.50	FIRE DEPT
DIESEL TRUCK SERVICE, INC	17622	429.00	VEHICLE MIANT ROAD
DOWNES TREE SERVICE, INC.	17623	1,114.00	SHADE TREE
E & G AUTO REPAIR LLC	17624	322.40	VEHICLE MAINT FIRE
FAIRWAY ESTATE LANDSCAPING	17625	175.00	STREETS & ROADS
FUTURE SANITATION INC	17626	39,375.00	GARBAGE PICKUP
GET A CAN	17627	8,250.00	RECYCLING
GILL ASSOCIATES	17628	205.00	SWIMMING POOL
GODWIN TOOL & HARDWARE SUPPLY	17629	11.69	BOARD OF REC
GOLD TYPE BUSINESS MACHINES,	17630	223.75	POLICE DEPT
GOLDSTAR PRODUCTS INC	17631	490.57	VEHICLE MAINT FIRE
HAWTHORNE AUTO BODY, INC	17632	2,836.50	VEHICLE MAINT POLICE
HAWTHORNE AUTO LAB	17633	621.85	VEHICLE MIANT ROAD
HAWTHORNE CUBS	17634	500.00	CLEAN COMM
HAWTHORNE J D BASEBALL	17635	2,240.00	BOARD OF REC
HAWTHORNE PRESS INC	17636	159.90	MUNICIPAL CLERK
HOME SUPPLY & LUMBER CO., INC.	17637	31.90	SHADE TREE
JAYNE TEN KATE	17638	268.31	BOARD OF REC
JOHN ARTURI	17639	30.00	TELEPHONE
JOHN DEERE LANDSCAPE	17640	422.85	MAINTENANC OF PARKS
JOHN MARSCH	17641	30.00	TELEPHONE
JOHN TRIPICCHIO	17642	30.00	TELEPHONE
JOSEPH SPERANZA	17643	30.00	TELEPHONE
LINDA SABOW	17644	66.00	GROUP INSURANCE
LISA SLOOTMAKER	17645	180.00	GROUP INSURANCE
LORI DIBELLA	17646	29.46	GENERALADMIN
M J HEWITT	17647	50.00	FINANCIAL ADMIN
MAIN POOL & CHEMICAL CO, INC	17648	1,898.65	SWIMMING POOL
MARY JEANNE HEWITT	17649	148.78	VARIOUS
MIDLAND AUTO PARTS	17650	38.12	VARIOUS
MONTONE REMOD & CONS CO, INC	17651	2,525.00	STREETS & ROADS
MURPHY COMMUNICATIONS	17652	536.59	POLICE DEPT
NORTH JERSEY FIRE & RESCUE	17653	964.00	FIRE DEPT
PAYPHONE OPERATIONS	17654	50.00	DPW ADMIN
RER SUPPLY, LLC	17655	755.00	SUSTAINABLE NJ
RIDDELL/ALL AMERICAN	17656	3,900.00	BOARD OF REC
ROBERT POLITO LANDSCAPING	17657	500.00	STREETS & ROADS
RONNIE GONZALEZ	17658	400.00	GROUP INSURANCE
RT OFFICE PRODUCTS	17659	628.82	VARIOUS
S & S WORLDWIDE INC	17660	179.16	BOARD OF REC
SHORTWAY'S BARN	17661	325.00	FIRE DEPT
SHOTMEYER BROS FUEL CO	17662	6,409.90	BULK PURCH GASOLINE
SIRCHIE FINGERPRINT LABS	17663	140.42	POLICE DEPT
STAPLES	17664	147.63	VARIOUS
STEELFAB	17665	1,250.00	VEHICLE MAINT ROAD
SUPLEE, CLOONEY & COMPANY	17666	26,975.00	FINANCIAL ADMIN
TANIS HARDWARE	17667	314.61	VARIOUS
TANYA MARTINELLO	17668	45.00	CONTRA REVENUE
TASTEE PIZZA	17669	584.00	BOARD OF REC
TEE-FX SCREEN PRINTING, LLC	17670	412.50	BOARD OF REC
THE PAIGE CO., INC	17671	172.50	DPW ADM
TYCO ANIMAL CONTROL SERVICES	17672	2,460.00	ANIMAL CONTROL
US MUNICIPAL SUPPLY, INC.	17673	670.00	VEHICLE MAINT ROAD
USA BLUE BOOK INC	17674	670.90	SWIMMING POOL
VERIZON	17675	405.88	VARIOUS
VERIZON WIRELESS (N)	17676	879.56	TELEPHONE
VITAL COMMUNICATIONS, INC.	17677	510.00	TAX ASSESSOR
WALDWICK PRINTING COMPANY	17678	69.00	ZONING BOARD
WILLIAM BUCKLEY	17679	340.91	DPW ADMIN
WM B MAHWINNEY AMBULANCE CORPS	17680	<u>1,250.00</u>	DPW ADMIN
<b>TOTAL CURRENT</b>		<b>\$ 131,436.48</b>	

**GENERAL CAPITAL**

BOSWELL ENGINEERING, INC	3349	14,859.00	VARIOUS
VALUE RESEARCH GROUP, LLC	3350	<u>3,000.00</u>	ACQU OF PROPERTY
<b>TOTAL GENERAL CAPITAL</b>		<b>\$ 17,859.00</b>	
<b>WATER OPERATING</b>			
ACTION DATA SERVICES	9795	232.78	VARIOUS
AGRA ENVIRONMENTAL SVC	9796	3,371.25	LAB TESTING
AP CERTIFIED TEST	9797	148.00	WATER UTILITY
ATLAS CONSOLIDATED MACHINE COR	9798	510.00	WATER UTILITY
BOSWELL ENGINEERING, INC	9799	500.00	WATER UTILITY
CABLEVISION	9800	92.14	WATER UTILITY
CANON SOLUTIONS AMERICA INC	9801	12.15	WATER UTILITY
CAPITOL SUPPLY CONSTR PRODS IN	9802	5,020.96	WATER UTILITY
DOWNES TREE SERVICE, INC.	9803	340.00	WATER UTILITY
GODWIN TOOL & HARDWARE SUPPLY	9804	34.75	WATER UTILITY
HAWTHORNE AUTO LAB	9805	36.94	WATER UTILITY
MUMFORD-BJORKMAN ASSOCIATES	9806	4,000.00	WATER UTILITY
PASSAIC CO ROAD DEPT	9807	400.00	VARIOUS
RT OFFICE PRODUCTS	9808	381.50	WATER UTILITY
STAPLES	9809	94.35	WATER UTILITY
SUPLEE, CLOONEY & COMPANY	9810	3,000.00	WATER UTILITY
TANIS HARDWARE	9811	93.51	WATER UTILITY
VALLEY PHYSICIAN SVCS INC	9812	122.00	WATER UTILITY
VERIZON WIRELESS (N)	9813	<u>243.90</u>	WATER UTILITY
<b>TOTAL WATER OPERATING</b>		<b>\$ 18,634.23</b>	
<b>OTHER TRUST II</b>			
STATE OF NJ - DEPT OF LABOR	4879	3,331.47	TRUSTEE
BELMAR SPRING WATER COMPANY	4880	32.59	RECYCLING TRUST
DAVE STERN INC	4881	54.00	RECYCLING TRUST
ENVIRONMENTAL RENEWAL, LLC	4882	300.00	RECYCLING TRUST
GRAINGER, INC	4883	208.80	VARIOUS
MARY JEANNE HEWITT	4884	15.00	UCC PENALTIES
SUPLEE, CLOONEY & COMPANY	4885	200.00	UCC PENALTIES
VERIZON WIRELESS (N)	4886	81.30	UCC PENALTIES
VITAL COMMUNICATIONS, INC.	4887	<u>75.00</u>	UCC PENALTIES
<b>TOTAL OTHER TRUST II</b>		<b>\$ 4,298.16</b>	
<b>DOG DEDICATED</b>			
NJ DEPARTMENT OF HEALTH	6113	<u>15.00</u>	STATE OF NJ
<b>TOTAL DOG DEDICATED</b>		<b>\$ 15.00</b>	
<b>BUILDERS ESCROW</b>			
BOSWELL ENGINEERING, INC	5229	5,068.50	204 WAGARAW LLC
BURGIS ASSOCIATES, INC	5230	290.00	300 LINCOLN LLC
BOSWELL ENGINEERING, INC	5231	186.00	DINO CALIGARI
BOSWELL ENGINEERING, INC	5232	825.00	RICCHIUTO
BURGIS ASSOCIATES, INC	5233	312.50	WESTERVELT
BURGIS ASSOCIATES, INC	5234	<u>1,887.50</u>	CHRISTIAN HEALTH
<b>TOTAL BUILDERS ESCROW</b>		<b>\$ 8,569.50</b>	
<b>TOTAL BILL LIST</b>		<b><u>\$ 180,812.37</u></b>	

### **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.

#### **Giancarol DeLonardo – 177 Hawthorne Avenue**

Mr. DeLonardo stated he has been working with the Passaic County Planning Department for the summer as an intern and would like to announce the Passaic County Fair is back and taking place tomorrow, August 14 through Sunday at Garrett Mountain, 3 to 11pm. A lot of fun activities, please come out and support the county.

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 Sinning. On roll call, all voted yes.

**ADJOURNMENT**

At 7:45pm, Council President Matthews entertained a motion to adjourn the meeting, moved by Councilman Mele, seconded by Councilman Lane. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON HELD ON **SEPTEMBER 3<sup>rd</sup>, 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