

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:44 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	Bruce Bennett
Councilman	Dominic Mele
Councilman.....	Garrett 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

FLAG SALUTE

Council President Matthews invited all present to join him in the Pledge of Allegiance.

STATEMENT

Adequate notice of this meeting has been provided by the Annual Schedule of regular meetings heretofore adopted and posted on the Public Bulletin Board at the Municipal Building, emailed to the Hawthorne Press, Herald News, Record, The Gazette and all persons who have requested the mailing of such schedule, and a copy of said schedule has remained on file in the office of the Borough Clerk from and since December 19, 2013.

APPROVAL OF MINUTES

Council President Matthews entertained a motion to approve the Minutes of the Regular Meeting of March 5th, 2014. Moved by Councilman Wojtecki, seconded by Councilman Sinning. On roll call, all voted yes with exception of Councilman Bennett who abstained.

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 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 Wojtecki, seconded by Councilman Sinning. On roll call, all voted yes.

ADOPTION OF ORDINANCES:

Bond Ordinance No. 2105-14

BOND ORDINANCE PROVIDING FOR ROAD RECONSTRUCTION, INCLUDING MILLING, PAVING AND RESURFACING, AS WELL AS CURBING, HANDICAPPED RAMPS AND RELATED IMPROVEMENT ON VARIOUS STREETS AND PROPERTIES DESCRIBED HEREIN OR HEREAFTER IDENTIFIED, ALL IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPRIATING EIGHT HUNDRED THOUSAND (\$800,000) DOLLARS THEREFORE AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME.

Public Hearing

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Bond Ordinance No. 2105-14 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing none, Council President Matthews entertained a motion that the public hearing on Bond Ordinance No. 2105-14 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, posted on the borough website and published in the Hawthorne Press. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same

according to law, moved by Councilman Bennett, seconded by Council Vice President Bertollo. On roll call, all voted yes.

Bond Ordinance No. 2106-14

BOND ORDINANCE PROVIDING FOR RECONSTRUCTION OR REPLACEMENT OF SIDEWALKS AND DRIVEWAY APRONS ON IDENTIFIED SITES ON MAY STREET, MOHAWK AVENUE, ETHEL AVENUE, MAZURE PLACE, MAITLAND AVENUE, OLD ORCHARD DRIVE, PEACH TREE COURT AND WASHINGTON AVENUE AS DESCRIBED SPECIFICALLY HEREIN, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING ONE HUNDRED AND SIXTY THOUSAND (\$160,000) DOLLARS THEREFOR, AUTHORIZING THE ISSUANCE OF BONDS OR NOTES FOR FINANCING PART OF THE COST THEREOF AND DIRECTING SPECIAL ASSESSMENT OF THE COST THEREOF.

Public Hearing

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2106-14 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Isabell Gatto – 15 Harrison Place/Washington Avenue

Ms. Gato stated she received the notification regarding the replacement of the sidewalks on Washington Avenue; she questioned who determines what slabs need to be replaced? Secondly, if it's \$140.00 a slab which equals \$1120.00, what is the interest rate if she decides to pay over 5 years and is there a discount if you pay in full? Council President Matthews stated the Borough Engineer determines the number of slabs. Chief Financial Officer MaryJeanne Hewitt responded, "The interest rate is a little fewer than 2% and there is no discount to pay in full". Ms. Gato asked if a borough tree is causing the sidewalk to lift up, who is responsible. Council President Matthews responded it is the property owner's responsibility. Ms. Gato added she has been a Hawthorne resident for 50 years and has a son who is a Colonel in the Special Forces who has served in the Philippines, Afghanistan, and Iraq and right now he is in Washington DC home safe. Council thanked her for sharing.

Victor Terraglia – 50 Ridge Road

Mr. Terraglia stated he received the notice for the Condo's on Grand & Maitland, a total of 20 units. He stated the driveways & aprons are part of the association not the individual unit owners. He feels there is nothing wrong with sidewalks/aprons and wants to go on record that the association is not to be assessed for something that does not need to be done. Dr. Boswell stated they do not take them out unless there is something wrong, maybe it's a grade issue; however he will have Nicole from his office meet with him on site.

Bob Gilley – 47 Maitland Avenue

Mr. Gilley stated he spoke to Nicole from Dr. Boswell's office and asked her if he could do the work himself. Dr. Boswell stated if you plan to do it yourself it must be done before May 16th as this is our estimated start date. Dr. Boswell stated that residents will be notified a least a week prior to work commencing and notified the day before in the case their vehicles needs to be moved off the street.

James Polifroni – 59 Maitland Avenue

Mr. Polifroni questioned if he gets a crack in his sidewalk in 5 years, is it his responsible to replace it again. Dr. Boswell stated yes and as per the public works contracting, the normal maintenance warranty is one year. Mr. Polifroni asked how much the permit would be if he contracted out the work himself. Administrator Maurer responded it is approximately \$50.00. Mr. Polifroni asked if it is not up to code would he get a fine. Administrator stated you shouldn't have a problem as long as you get your proper inspections done. Lastly, Mr. Polifroni talked about a tree in front of his house near the sidewalk which is on the borough property, in a situation where they ripped up the sidewalks and the roots are damaged and years from now the tree falls on the neighbor's house/cars, who responsible if they decide to sue. Attorney Pasquale stated if there is no prior knowledge of any intimate danger of the tree falling, it's called an "Act of God" and the residents whose property was destroyed, it's their responsibility to go through their homeowner's insurance company. Mr. Polifroni asked that the number he received is just an estimate? Dr. Boswell stated yes, he explained when the work is completed, than all the costs are put together and then there is an assessment hearing.

George Alvarez – 118 Cedar Avenue

Mr. Alvarez stated he understands they are doing Mohawk Avenue and the Mohawk sidewalks as well. He asked if the plan was to do the sidewalks and streets on all the sections. Administrator Maurer responded yes. Dr. Boswell added that they also informed PSE&G of every street we plan on paving and anyone else who has a utility. What we do not want is someone breaking up asphalt that was just paved.

Mr. Alvarez asked the process of selecting the sidewalks that need repair. Dr. Boswell responded, stating first the Borough has a limited amount of funds; therefore the Borough picks those streets which they think would get the most “bang for the buck”. He stated that some streets may be worse than others we resurfaced because those streets may be too far gone and would have to be reconstructed. What we try to do is use the limited resources of the borough to pave as much as we can and make the road last as long as they can. Dr. Boswell added, the paving plan is the Public Works Committee meets with Public Works people and discussing all the roads that need to be done in town, then they prioritize those roads. Mr. Alvarez stated he hopes they do something with No. 8th Street as it is a disaster. Mayor Goldberg stated that No. 8th Street is a county road.

Council President Matthews entertained a motion that the public hearing on Ordinance No. 2106-14 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, posted on the borough website and published in the Hawthorne Press. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law, moved by Councilman Bennett, seconded by Council Vice President Bertollo. On roll call, all voted yes.

Bond Ordinance No. 2107-14

AN ORDINANCE TO FIX THE 2014 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. 2107-14 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. 2107-14 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.

Bond Ordinance No. 2108-14

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE TO REVISE AND REPLACE CHAPTER 220, FEES, SECTIONS 3, AND 12, OF PUBLIC WORKS, PARKS AND RECREATION, SO AS TO AMEND RATES FOR SUMMER RECREATION PROGRAM, MUNICIPAL TENNIS COURTS AND MUNICIPAL POOL.

Public Hearing

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2108-14 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. 2108-14 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 Sinning. Discussion: Councilman Wojtecki stated he feels the summer recreation fees do not reflect what they should be. Although he agrees with the other fees and will be voting yes, he stated for the record he is against the fees and he hopes we can find ways to increase those fees to be more realistic. On roll call, all voted yes.

Bond Ordinance No. 2110-14

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE TO AMEND, REVISE AND REPLACE CERTAIN SECTIONS OF CHAPTER 220, FEES, AS WELL AS RELATED SECTIONS OF THE CODE OF THE BOROUGH OF HAWTHORNE, SO AS TO AMEND RATES AND FEES FOR FIRE PREVENTION BUREAU, BOARD OF HEALTH, LIMOUSINE LICENSES, DISPOSAL OF CERTAIN CONSTRUCTION DEBRIS AND NONRESIDENT COMMUTER PARKING.

Public Hearing

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2110-14 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. 2110-14 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 Council Vice President Bertollo. On roll call, all voted yes.

OLD BUSINESS

Councilman Wojtecki thanked Administrator for having the blue lens that has been out on the corner of Lafayette by Justin's restaurant replaced. Administrator Maurer stated DPW took care of it.

Councilman Lane questioned Mayor Goldberg if there has been any decision regarding setting up a meeting with the residents on Rea and 5th Avenue. Mayor Goldberg stated there is a meeting scheduled for Monday, March 31st at 7pm, a representative from the Police Department, the Administrator and himself will be there. Councilman Lane stated he will notify the residents. Mayor Goldberg added we will be discussing the findings of the Police Department and what our course of action will be. Councilman Lane asked Administrator Maurer about any updates regarding the noise issue with Premio. Administrator Maurer replied, due to the snow and high winds, the consultant has not been able to take measurements but with the weather breaking we expect them to move on this and he should have some feedback by next council meeting. Councilman Lane questioned Administrator Maurer whether he reviewed the health services contract with the City of Paterson to verify that it includes all the immunizations for the Fire, Police, and the Ambulance Corps members as per his email and verbal conversations. Administrator Maurer stated yes. Councilman Lane asked for if there is a weight limit for trucks traveling on Braen Avenue from Valley Street up to Lafayette Ext. Administrator Maurer stated not to his knowledge that is something we have to discuss in the ordinance committee meetings. With Nissan parking their vehicles at the ambulance corps facility, repairs will be needed for the ground area that was torn up. He has pictures he will forward to Administration. Administrator Maurer stated he and Attorney Pasquale will notify Nissan who is responsible for the repairs.

NEW BUSINESS

Councilman Lane stated it has been brought to his attention that there are problems with our police vehicles; we have (1) with a broken head gasket and another vehicle that has a blown transmission and right now we are down a couple vehicles. We currently have 2 vehicles that are not police packet vehicles that are in service which he feels is a hazard/safety problem for our police officers. Councilman Lane stated those vehicles, in his opinion, are good for road construction/traffic control. Councilman Lane asked Council President Matthews and Council if they can consider an emergency appropriation to purchase two vehicles now (which he stated are budgeted for this year) instead of waiting for the budget to be passed. Council President Matthews stated there is a chain of command on the way things should be processed, and when we get a request, it can be discussed. Discussion ensued. Mayor Goldberg stated he will talk to the Police Chief to see how immediate he believes the need is and will report back at the next council meeting.

Councilman Wojtecki thanked Code Enforcement for their immediate response to the illegal activities in the borough, Mr. Don Turner was fantastic. The graffiti on North 8th Street, not on Victor Terraglia building is all back, between Mohawk Avenue and Goffle Road. Administrator Maurer will follow up.

PUBLIC HEARING:

(7:00 p.m. as advertised)

2014 OPEN SPACE GRANT APPLICATION FOR THE BAND SHELL RESTROOMS

Project Description:

- Construction of restrooms near the proposed band shell at the west end of "Little Franklin Field", adjacent to the water treatment facility.

Administrator Maurer stated the ordinance for the construction for the Band Shell is underway, everything remains the same, and we had public hearings the last two years. He stated the grants we received in the last two years will be going towards the construction of the band stand itself; we are seeking additional monies for the restrooms. Any residents interested in looking at the ordinance, it is on the borough website.

Council President Matthews opened the meeting to the public. He stated anyone desires to be heard regarding this project, please raise your hand to be recognized, come forward to the microphone, state your name and address and sign the sheet for the record.

Seeing none, Council President Matthews entertained a motion that the public hearing on the Passaic County Open Space Grant application for the band shell restrooms be closed and that it be resolved that this hearing notice was posted on the bulletin board on which public notices are customarily posted and published in the Hawthorne Press.

Motion made by Councilman Mele, seconded by Council Vice President Bertollo. Discussion: Councilman Wojtecki stated a resident from Elbron Avenue reached out to him today with some concerns, he forwarded to Administrator Maurer so he may contact him directly tomorrow. Councilman Bennett asked what the band shell cost is going to be for the borough. Administrator Maurer stated that the ordinance that was adopted was for \$285,000 of which \$118,000 is grant money. Council President Matthews stated the application we are going for now is approximately \$150,000 our intent going forward is zero cost to the borough. Councilman Bennett asked if the money we are going for now is part of the \$285,000. Council President stated "yes". Administrator Maurer added the 285,000 is for the Band Shell itself, it does not include the restrooms and we are proceeding with the band shell whether or not we get the money for the restrooms. Councilman Bennett commented we are looking at roughly \$170,000 out of pocket for this project. Administrator Maurer acknowledged yes. On roll call, all voted yes.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG:

PROCLAMATION: MARY LOU FRANKEL

Presented to Husband Charlie & Son, Jeff

WHEREAS, Mary Lou Frankel was admired and respected by many as a tireless leader of the Democratic Party in Hawthorne and in Passaic County; and

WHEREAS, Mary Lou was known for her sense of humor, her friendliness and her hospitality; she greatly enjoyed bringing people together; and

WHEREAS, Mary Lou's civic involvement included service to the library on both the Friends of the Library and the Foundation's Board of Directors. She was a trustee and founding member of the Hawthorne Historical Society and active in the Parent Teacher Organizations in the local school district; and

WHEREAS, Mary Lou's involvement politically was widely recognized and included Vice Chairmanship of the Hawthorne Democratic Organization, County Committee Member for Ward 3 District 3, and Trustee of the Democrats for Hawthorne. She was a founding member of the Women Empowered Democratic Organization (WEDO), a coordinator of Passaic County Democracy for America and served as an aide to Former Assemblyman John A. Girgenti; and

WHEREAS, Mary Lou Frankel graduated from Rider University with a B.A. in Journalism. She was strong advocate of education serving as a GED Test Examiner at Passaic County Community College.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Hawthorne do hereby offer heartfelt condolences to her husband Charlie, her son Jeff, her extended family and many friends.

AND BE IT FURTHER RESOLVED that Mary Lou Frankel is recognized for her decades of outstanding service to our community and to society.

Mayor Goldberg stated he wanted to recognize and thanked our State Legislators who are in attendance tonight Senator Bob Gordon and Assemblyman Tim Eustace.

REPORTS:

Director of Revenue and Finance Hewitt

Ms. Hewitt stated the principal focus is the budget. The actual document we hand out to Council before introduction is all prepared. The administrator and she will be meeting tomorrow to go over the numbers and will have ready for the next finance meeting. She added the next big project is setting up the computers for the new water rates, which will be billed out in April.

Borough Attorney Pasquale

Attorney Pasquale stated the B3-B3A Zoning draft has been sent to the Ordinance Committee for their review. Administrator Maurer and he will be working on its introduction by the next Council meeting. The 7-11 litigation has been brought to a conclusion. Judge De Luccia determined that there was enough concern with our adoption of the ordinance with regards to residential zoning /24 hour prohibition that it should be deemed void, however that did not affect the outcome of the case. Mr. Collins and the Zoning Board did an excellent job in drafting a thorough careful resolution which detailed all of the reasons why this matter should have been denied. Sargent Michalski's testimony was critical. Our Borough Planner Joe Burgis was cited very favorably for his testimony encountering what was presented. Attorney Pasquale stated in his opinion the Judge left very little room, if any, for an appeal. The Lions Club Beefsteak fundraiser is scheduled for April 5th at St. Gerard's Church.

Borough Engineer Dr. Boswell

May Street.

With weather conditions beginning to improve, the punch list items including handicap ramps and striping will be addressed soon. The contractor is considering starting the handicap ramps later this week.

Cornell Avenue Sewer Repairs.

The lining portion of the Cornell Avenue sanitary sewer will be scheduled by the end of March.

2014 Road Resurfacing Program and Mohawk Avenue.

Plans and specs are being finalized for bidding in early April.

Rock/Braen/Goffle Intersection.

Bids were received and Zuccaro Inc. is the apparent low bidder. Construction is expected to begin in the spring.

Goffle Brook Bank Stabilization.

The project is essentially completed. Any remaining punch list items will be addressed in the spring of 2014 by the contractor.

Water System Improvements.

The Borough is looking for sources of funding.

Band Shell.

The survey work will be started once weather conditions improve. The Borough may be utilizing Little Franklin field to dump snow, which could delay our office from completing the survey.

Rea Avenue Bridge.

The County is reviewing the specification and plans and expects to bid the project by the end of March.

2012 and 2013 Road Resurfacing Program.

For both the 2012 and 2013 Road Programs, all paperwork associated with construction has been submitted. Hawthorne's Assessment Committee has not completed their inspection associated with the 2012 Road Program. Our office still needs to complete final measurements and calculate assessment quantities for the 2013 Road Program. The Borough was advised not to close out these projects because of the assessments.

DPW Truck Wash Building.

Power Point Presentation.

Lincoln Avenue Speed Limit.

If the Borough would like to pursue lowering the speed limit on Lincoln Avenue, a request must be made to Passaic County, who will then review with Bergen County.

Little Franklin Field Parking Lot.

The contractor will continue to maintain the silt fence until the spring and conditions are appropriate to remove and restore disturbed areas.

Borough Administrator Maurer

Two vehicle maintenance services bids are due April 9th and expected to be awarded April 16th. Shared services agreement for the fire apparatus maintenance with Fairlawn will be on the agenda for next meeting. The resolution for the bi-annual update for our employee handbook should also be on the April

2nd agenda. We received a notice of grant award from the State for removing silt build up in Goffle Brook / Congress Mills property, since the grant is only for 30% of the estimated cost we are working with the engineer and property owner to see if there is a way to make effective use of the money since it is not the full amount before accepting the grant. A new round of State DOT funding for streetscape has been announced with applications due May 15th, Administrator Maurer stated he will have a resolution for April 2nd authorizing our grant rider capital alternative to submit a phase 2 application for the extension of our streetscape program. Our next submission on our generator grant is due April 4th and we are still waiting for an answer from the state on how to answer certain locations related questions for our portable generators. He stated he has been working on the budget with the finance committee. He added one of the roads they have been looking at regarding the speed limit was Rock Road, the tax map indicates the road is entirely within Hawthorne; therefore anything with speed limits should be totally within our control.

Questions for the Administration

Councilman Mele questioned Dr. Boswell regarding the handicaps ramps on May Street where the cones are, is that the only one to be repaired? Dr. Boswell responded there are four total as the grades were not right and the repairs are no cost to the borough. Regarding the grant for the Congress Mills property clean-up, does he feel it is worth doing? Dr. Boswell stated its not much money, it's a grant, in his opinion it would not do much good. Administrator Maurer added the cost estimate was over half of the cost and is dependent on if the silt being removed is contaminated. Council Vice President Bertollo stated we should have some dialog with the County in making an investment in protecting what they just put millions of dollars to fix. Mayor Goldberg stated they told us they would support our application for the grant; however they are not interested in helping with this project. Dr. Boswell explained the County has a policy that they don't touch anything on private land.

Councilman Wojtecki stated he originally had asked to walk May Street with whomever to get a better understanding why the levels of the handicap ramps are where they are. Dr. Boswell he should contact his office and set up an appointment to walk the premises. Councilman Lane added we had the same problem on Pasadena Place where the curb was an inch or two off the roadway once the pavement was put in. Dr. Boswell explained that in paving, we try get out as much out of your money as we can. There will be some areas where there will be a curb reveal of an inch or two, however, it will be enough for the drainage to work and that is what we care about. The alternative is to raise it all up, and then you would have to raise all the sidewalks which would be very expensive. He stated we have always erred on the side to pave as many road miles as we can and if the curbs are serviceable we would live with them rather than replace them.

Council President Matthews asked Administrator Maurer to contact PSE&G regarding the road patch repair on Cornell Avenue now that the weather is warming up. Secondly, the borough had to dig up a residents grass to shut off a valve and asked for that to be repaired. Administrator Maurer will follow up.

Councilman Lane stated we had people come up to the microphone tonight regarding the sidewalks and the trees. Can we look at the trees more closely, he stated if you start taking roots out to make the sidewalk go in, it is going to damage the tree. He stated he does not want the sidewalk to look like a snake, as it does in some areas. If we have to take a tree down and plant another one that are deep rooted trees verse coming back in two years from now and taking the tree down because its dead. It makes more sense to take the tree down while we are doing the project rather than after the fact. Dr. Boswell stated they have a standard detail that allows an offset of the sidewalk to save a tree, if your decision is to change that, we will cut them down and put the sidewalks straight. He stated you can't have it both ways. After a lengthy discussion, Dr. Boswell stated based on what he is hearing the consensus going forward is going to be taking a critical look at each tree that would require the sidewalk to deviate on the straight line and bring it back to the Shade Tree Commission for their approval.

Councilman Sinning stated a resident on Lucille Place claims there is a bush that is growing in the road. Administration will follow up.

Council President Matthews asked if there were any other questions or discussion. Seeing none, Council President Matthews entertained a motion to record the Administrative Agenda, moved by Council Vice President Bertollo, seconded by Councilman Bennett. On roll call, all voted yes.

ORDINANCES FOR INTRODUCTION:

ORDINANCE NO. 2109-14

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 FEES FOR PERMITS AND INSPECTIONS THEREUNDER

BE IT RESOLVED, that Ordinance No. 2109-14 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Governing Body in the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, on April 16, 2014, at 7:00 p.m., at which 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 posted on the borough website, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Council President Matthews entertained a motion to approve Ordinance No. 2109-14 moved by Councilman Lane, seconded by Council Vice President Bertollo. On roll call, all voted yes.

ORDINANCE NO. 2111-14

AN ORDINANCE TO AMEND CHAPTER 129, ALCOHOLIC BEVERAGES, SECTION 129-6, HOURS OF SALES AND CONSUMPTION, SO AS TO SET FORTH HOURS FOR SALE AND CONSUMPTION ON SUNDAYS AND UPON CHANGES TO DAYLIGHT SAVINGS TIME AND STANDARD TIME

BE IT RESOLVED, that Ordinance No. 2111-14 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Governing Body in the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, on April 16, 2014, at 7:00 p.m., at which 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 posted on the borough website, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Council President Matthews entertained a motion to approve Ordinance No. 2111-14 moved by Councilman Bennett, seconded by Councilman Mele. On roll call, all voted yes.

RESOLUTIONS...

CONSENT AGENDA: MR49-14 and R60-14 through R64-14:

MR 49-14 Introduced by Council Vice President Bertollo

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 east side of Second Avenue, beginning seventy feet (70') from the storm drain located at the north east corner of Rea Avenue and Second Avenue extending twenty feet (20') north on Second Avenue thus being located on the west side of the residence known as 81 Rea Avenue, shown as Block 158 Lot 4 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 60-14 Introduced by Council Vice President Bertollo

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated March 7, 2014.

CURRENT FUND	WT 888889	\$	269,481.69
WATER OPERATING FUND	WT 888889	\$	39,001.62
OTHER TRUST II FUND	WT 888889	\$	5,890.65
	TOTAL PAYROLL	\$	314,373.96
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CURRENT FUND TO PAYROLL/FICA	WT 888889	\$	14,646.96
WATER OPERATING FUND	WT888889	\$	-

TO PAYROLL/FICA

TOTAL FICA	\$	14,646.96
CURRENT FUND TO PAYROLL/EMPLOYER PENSION LIABILITY WT888889	\$	1,169,628.00
WATER OPERATING FUND TO PAYROLL/EMPLOYER PENSION LIABILITY WT888889	\$	57,000.00
TOTAL ANNUAL EMPLOYER PENSION LIABILITY	\$	1,226,628.00

R 61-14 Introduced by Council Vice President Bertollo

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

<u>Block/Lot</u>	<u>Original Assessment</u>	<u>Judgment</u>	<u>Difference</u>	<u>Overpayment</u>
2012				
26/ 10 Brook View Gardens, Inc.	\$163,700.	\$143,700. 26 Wagner Place	\$20,000.	\$1,035.40
2011				
87/6 Wlodarczyk, Jerry 120	\$425,000.	\$400,000. E. Prospect Street	\$25,000.	\$1,274.75
2012				
87/6 Wlodarczyk, Jerry 120	\$425,000.	\$400,000. E. Prospect Street	\$25,000.	\$1,294.25

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be authorized to issue a refund for the overpayment of taxes for 2011-2012 in accordance with the state judgment.

R 62-14 Introduced by Council Vice President Bertollo

WHEREAS, the semi-annual payment of the 1992 Wastewater Treatment Fund Loan in the amount of \$81,559.83 has become due and payable as of April 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 pay to the New Jersey Department of Environmental Protection funds in the amount of \$81,559.83 from the Current Fund in payment of the Wastewater Fund Loan.

R 63-14 Introduced by Council Vice President Bertollo

WHEREAS, there exists a need for engineering services for the construction support services for Goffle/Rock/Braen Traffic Signal in the Borough of Hawthorne at a cost not to exceed \$6,500.00.

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 \$6,500.00, 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 64-14 Introduced by Council Vice President Bertollo

WHEREAS, there exists a need for engineering services for the Hawthorne Downtown Revitalization Project in the Borough of Hawthorne at a cost not to exceed \$150,000.00.

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 \$70,000.00 for design, and \$80,000.00 for inspection, 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 approval by the NJDOT to proceed with the project and certification by the Chief Financial Officer for the availability of funds.

Council President Matthews entertained a motion to approve Resolutions MR49-14 and R60-14 through R64-14, moved by Council Vice President Bertollo, seconded by Councilman Lane. Discussion:

Councilman Wojtecki asked whether the \$6,500 on R 63-14 was the cost of the whole job? Dr. Boswell responded yes. On roll call, all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES:

Councilman Lane – Board of Health meeting is tomorrow night. We are still working with the cable TV regarding increasing the services for viewing of the u-streaming. The senior citizens ID deadline for submitting applications was March 15th. The sheriff’s department will be here on April 1st from 9:30am to noon to issue the ID’s.

Councilman Mele –Board of Education meeting took place last night. School will be closing on June 19th. They voted on their temporary budget. He stated there was a heated discussion with the Hawthorne Press Editor because they voted before they let anyone know the numbers and the details; there is a public hearing on March 26th. He addressed Council Vice President Bertollo and stated a couple brought up the possibility of wrestling in the Middle School. Council Vice President Bertollo stated we already have a wrestling program through the recreation department.

Councilman Bennett – The Board of Recreation met last Wednesday. Passaic County is looking at their parks and recreation open space master plan and are establishing some short term priorities that could impact Goffle Brook Park. Some include renovating the athletic fields, the dog parks, repaving the parks parking lot, assigning a maintenance staff to the park and implementing a plan for reuse of the Rea House which might include restrooms. This of course is dependent on available funding. There is going to be a meeting in Totowa on March 20th at 5:00pm representatives from our Board of Rec. plan on being there to offer their input.

Council Vice President Bertollo – The Finance Committee continues to meet on the 2014 budget. We met with all the department heads and will be wrapping up the budget process at the next budget meeting, Monday. Administrator Maurer and Director of Finance MaryJeanne Hewitt will have all the documentation the week of the 24th. Any councilperson interested in meeting with the Finance Committee for any questions and concerns, they are available March 31st or April 1st. The Budget will be introduced on April 16th with a presentation.

Councilman Sinning – No report.

Councilman Wojtecki – Arbor Day has been scheduled for April 25th at 2 pm at Jefferson School.

Council President Matthews – Chamber of Commerce met last week. The CFO Mary Jeanne Hewitt came to give a presentation to the Board of Directors; we discussed the shop local rewards program. He thanked Ms. Hewitt for her input and insight.

CORRESPONDENCE: None

MISCELLANEOUS: None.

BILLS:

Council President Matthews entertained a motion to approve the bill list and forward it to the Treasurer for payment, moved by Council Vice President Bertollo, seconded by Councilman Mele. On roll call, all voted yes. Councilman Wojtecki abstained from bills pertaining to the Fire Department, Councilman Lane abstained from bills pertaining to Fire Department and Ambulance Corps and Council Vice President Bertollo abstained from bills pertaining to Downes Tree Service.

VENDOR	CHECK#	TOTAL	DESCRIPTION
CURRENT FUND			
A-VAN ELECTRICAL	16903	74.08	VARIOUS
ACORN TERMITE & PEST CONTROL	16904	100.00	DPW ADMIN O/E
ACTION DATA SERVICES	16905	1,329.85	VARIOUS
ACTION RUBBER & INDUST SUP INC	16906	271.10	STREETS & ROADS O/E
AMERICAN AIRFLOW LLC	16907	180.00	FIRE DEPT O/E
AQUARIUS IRRIGATION SUPPLY,INC	16908	587.47	STREETS & ROADS O/E
AVADIM TECHNOLOGIES	16909	137.42	FIRE DEPT O/E
BCB JANITORIAL SUPPLY CO INC	16910	167.50	DPW ADMIN O/E
BOB'S TIRES & WHEELS INC	16911	30.00	VEHICLE MAINT FIRE DEPT
BROADHURST SHEET METAL INC	16912	360.00	VARIOUS
BROOK VIEW GARDENS INC	16913	1,035.40	OPERATIONS

BURGIS ASSOCIATES, INC	16914	145.00	PLANNING BOARD O/E
CABLEVISION	16915	486.38	DPW ADMIN O/E
CAMPBELL FIRE EQUIPMENT	16916	7,633.65	VARIOUS
CANON SOLUTIONS AMERICA INC	16917	12.16	STREETS & ROADS O/E
CINTAS CORP	16918	427.47	DPW ADMIN O/E
CIRCLE A AUTO GLASS	16919	190.00	VEHICLE MAINT POLICE
CLASSIC TOWING	16920	250.00	STREETS & ROADS O/E
COMMUNICATION SPECIALISTS	16921	277.00	STREETS & ROADS O/E
DAVE STERN INC	16922	3,240.02	VARIOUS
DAVID MAHER	16923	50.00	SEWER SYSTEM O/E
DELLA RICA & SONS	16924	5,302.50	VARIOUS
DOWNES TREE SERVICE, INC.	16925	12,469.25	VARIOUS
DTS TRUCKING LLC	16926	5,958.75	STREETS & ROADS O/E
E & G AUTO REPAIR LLC	16927	176.68	VEHICLE MAINT FIRE DEPT
EARTHLINK BUSINESS	16928	861.30	TELEPHONE CHARGES
ELEMENT FINANCIAL CORP	16929	400.00	POLICE DEPT O/E
EXTEL COMMUNICATIONS, INC	16930	165.00	DPW ADMIN O/E
F D R HITCHES LLC	16931	959.86	VARIOUS
FIRST MOUNTAIN ARBORICULTURE L	16932	520.00	SHADE TREE COMMISSION
FORT MILLER FAB3 CORP.	16933	887.52	STREETS & ROADS O/E
FUTURE SANITATION INC	16934	39,375.00	VARIOUS
HAWTHORNE AUTO LAB	16935	1,092.67	VARIOUS
HAWTHORNE FIRE DEPT	16936	149.20	FIRE DEPT O/E
HAWTHORNE MUNICIPAL COURT	16937	152.77	MUNI COURT
HAWTHORNE PRESS INC	16938	195.00	VARIOUS
HESS CORPORATION	16939	6,863.69	VARIOUS
HFD #1	16940	104.98	FIRE DEPT O/E
HOME SUPPLY & LUMBER CO., INC.	16941	383.30	STREETS & ROADS O/E
IDM MEDICAL GAS CO	16942	198.00	POLICE DEPT O/E
INTERNATIONAL ASSOCIATION OF	16943	120.00	POLICE DEPT O/E
JERRY WLODARCZYK	16944	2,569.00	VARIOUS
JME BUSINESS SOLUTIONS INC	16945	400.00	POLICE DEPT O/E
JUNGLE LASERS LLC	16946	9,870.00	VARIOUS
KONICA/MINOLTA	16947	95.40	DPW ADMIN O/E
LANGUAGE LINE SERVICES	16948	66.80	MUNI COURT
LISA SLOOTMAKER	16949	50.00	GROUP INSURANCE O/E
MACALUSO'S RESTAURANT	16950	8,493.75	FIRE DEPT O/E
MICROSYSTEMS-NJ.COM, LLC	16951	1,400.00	TAX ASSESSMENT O/E
NEUTRON INDUSTRIES	16952	185.09	DPW ADMIN O/E
NJ IAAI	16953	400.00	UNIFORM FIRE SAFETY O/E
NO JERSEY MUNI EMPL BNFT FUND	16954	183,854.00	GROUP INSURANCE O/E
NORTH JERSEY MEDIA GROUP INC	16955	93.86	MUNICIPAL CLERK O/E
P & A AUTO PARTS, INC	16956	357.82	VARIOUS
PAETEC	16957	219.86	TELEPHONE CHARGES
PASSAIC COUNTY MUTUAL AID ASSO	16958	75.00	FIRE DEPT O/E
PASSAIC CTY POLICE CHIEFS ASSN	16959	200.00	POLICE DEPT O/E
PENGUIN MANAGEMENT, INC	16960	828.00	FIRE DEPT O/E
PUBLIC SERV ELEC & GAS	16961	24,442.19	VARIOUS
ROBERT POLITO LANDSCAPING	16962	835.00	VARIOUS
RON L SIGNZ	16963	240.00	VEHICLE MAINT ROAD
SETCON INDUSTRIES INC	16964	1,470.00	STREETS & ROADS O/E
SHOTMEYER BROS FUEL CO	16965	13,475.92	BULK PURCHASE GASOLINE
STAPLES	16966	282.96	VARIOUS
SUNOCO SUNTRAK	16967	8,256.00	BULK PURCHASE GASOLINE
SUPERIOR DISTRIBUTORS	16968	133.65	STREETS & ROADS O/E
TRIANGLE TROPHY	16969	730.00	FIRE DEPT O/E
TRIMBOLI & PRUSINOWSKI LLC	16970	588.00	LEGAL SERV& COSTS O/E
USA BLUE BOOK INC	16971	52.90	PEOSHA O/E

VERIZON	16972	191.82	VARIOUS
VERIZON WIRELESS (N)	16973	879.57	TELEPHONE CHARGES
VITAL COMMUNICATIONS, INC.	16974	510.00	TAX ASSESSMENT O/E
WM B MAHWINNEY AMBULANCE CORPS	16975	1,250.00	DPW ADMIN O/E
WURTH	16976	<u>576.82</u>	VARIOUS
TOTAL CURRENT		\$ 356,393.38	
GENERAL CAPITAL			
EAST WEST FIRE APPARATUS CONSU	3321	<u>440.00</u>	ACQ OF FIRE APPARATUS
TOTAL GENERAL CAPITAL		\$ 440.00	
WATER OPERATING			
A-VAN ELECTRICAL	9626	1.34	WATER UTILITY O/E
ACTION DATA SERVICES	9627	1,230.19	VARIOUS
AGRA ENVIRONMENTAL SVC	9628	2,125.00	VARIOUS
CABLEVISION	9629	86.06	WATER UTILITY O/E
CANON SOLUTIONS AMERICA INC	9630	12.15	WATER UTILITY O/E
COMMUNICATION SPECIALISTS	9631	279.36	WATER UTILITY O/E
DAVE STERN INC	9632	1,326.80	WATER UTILITY O/E
DAVID MAHER	9633	100.00	WATER UTILITY O/E
EARTHLINK BUSINESS	9634	275.00	WATER UTILITY O/E
HACH CO	9635	768.32	WATER UTILITY O/E
HAWTHORNE AUTO LAB	9636	151.29	WATER UTILITY O/E
HESS CORPORATION	9637	28,547.66	WATER UTILITY O/E
HOME DEPOT SUPPLY	9638	181.83	WATER UTILITY O/E
JOHN P FISHER TILES, INC	9639	18.90	WATER UTILITY O/E
L&P INTEGRATORS	9640	2,050.00	WATER UTILITY O/E
ONE CALL CONCEPTS, INC.	9641	181.38	VARIOUS
P & A AUTO PARTS, INC	9642	61.80	WATER UTILITY O/E
PUBLIC SERV ELEC & GAS	9643	14,268.88	WATER UTILITY O/E
SHOTMEYER BROS FUEL CO	9644	333.21	WATER UTILITY O/E
SUNOCO SUNTRAK	9645	1,093.60	WATER UTILITY O/E
VERIZON WIRELESS (N)	9646	<u>243.90</u>	WATER UTILITY O/E
TOTAL WATER OPERATING		\$ 53,336.67	
OTHER TRUST II			
BELMAR SPRING WATER COMPANY	4788	12.67	RECYCLING
CARL MOTTOLA	4789	62.15	UCC PENALTIES
F D R HITCHES LLC	4790	77.34	RECYCLING
HAWTHORNE AUTO LAB	4791	104.04	RECYCLING
THOMAS ZACONIE	4792	69.30	UCC PENALTIES
VERIZON WIRELESS (N)	4793	81.30	UCC PENALTIES
VITAL COMMUNICATIONS, INC.	4794	<u>75.00</u>	UCC PENALTIES
TOTAL OTHER TRUST II		\$ 481.80	
DOG DEDICATED			
NJ DEPARTMENT OF HEALTH	6103	210.00	STATE OF NEW JERSEY
TYCO ANIMAL CONTROL SERVICES	6104	<u>2,160.00</u>	DOG POUND
TOTAL DOG DEDICATED		\$ 2,370.00	
BOSWELL ENGINEERING, INC	5200	995.50	WESTERVELT-MILLVIEW 7/1
BOSWELL ENGINEERING, INC	5201	181.00	CHRISTIAN HEALTH CARE
BURGIS ASSOCIATES, INC	5202	<u>1,123.75</u>	CHRISTIAN HEALTH CARE
TOTAL BUILDERS ESCROW		\$ 2,300.25	
TOTAL BILL LIST		<u>\$ 415,322.10</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 address and sign the sheet for the record.

George Alvarez, 118 Cedar Avenue

Mr. Alvarez asked if North 8th Street is part of the proposed zone changes ordinance. All responded yes.

Council President Matthews entertained a motion to close the public portion, moved by Councilman Sinning, seconded by Councilman Mele. On roll call, all voted yes.

ADJOURNMENT

At 9:26 p.m. Council President Matthews entertained a motion to adjourn the regular meeting, moved by Council Vice President Bertollo, seconded by Councilman Sinning. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **WEDNESDAY, APRIL 2nd, 2014**. THE WORK SESSION WILL BEGIN AT 7:00 P.M. WITH THE REGULAR MEETING IMMEDIATELY FOLLOWING. PERSONS WITH DISABILITIES WHICH REQUIRE AIDES SUCH AS: SIGN LANGUAGE INTERPRETER, TELECOMMUNICATIONS, BRAILLE, TAPES OR LARGE PRINT, SHOULD NOTIFY THE BOROUGH CLERK'S OFFICE TEN DAYS PRIOR TO ATTENDANCE AT A MEETING SO ACCOMMODATIONS MAY BE MADE.

Frank E. Matthews
Council President

Lori DiBella, RMC
Borough Clerk