

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:45 p.m. in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

Council President.....	Frank E. Matthews
Council Vice President	John Bertollo
Councilman	John Lane
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
<u>Absent:</u>	
Mayor	Richard S. Goldberg
Councilman	Bruce Bennett

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 February 19th, 2014 and Bid Minutes of February 25, 2014 for Custodial Services, Landscape Services and Tree Services for the year 2014. Moved by Councilman Mele, seconded by Councilman Wojtecki. On roll call, all voted yes with the exception of Councilman Bennett who was absent. Council Vice President Bertollo abstained from the Tree Services Bid 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 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. 2103-14

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A BANDSHELL AT THE POOL COMPLEX PROPERTY IN AND BY THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$295,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$280,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Public Hearing

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Bond Ordinance No. 2103-14 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. 2103-14 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, posted on the borough website and published in the Hawthorne Press. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same

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

Ordinance No. 2104-14

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE TO REVISE AND REPLACE CHAPTER 220, FEES, SECTION 220-21, WATER

Public Hearing

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2104-14 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. 2104-14 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, seconded by Councilman Sinning. Discussion from Councilman Wojtecki who thanked Administrator Maurer for the detailed information that administration and the finance committee put together regarding the water ordinance and as previously stated he prefers small increase increments. Council President Matthew stated that we're doing what we need to do this year and we projected out for four years going forward. On roll call, all voted yes.

OLD BUSINESS

Councilman Lane asked Administrator Maurer if a meeting has been scheduled for the residents of 5th, Rea & Utter Avenue's. Administrator Maurer replied no, not as yet. Councilman Lane asked for an update on Premio's consultants noise report. Administrator Maurer replied no, hopefully as soon as the snow is off the roof they will continue with the noise study. Councilman Lane asked Dr. Boswell if we are set with the gas pressure in the in-line pump with Public Service in the case we need one. Dr. Boswell explained that we are prepared to put it in if we need it; however, we have not needed it. Councilman Lane thanked Administrator Maurer, John Pallotta and the Council for pulling Ordinance 2109-14, UCC fees, at last meeting. He stated some changes have been made and is expected to be introduced at the next council meeting. Councilman Lane asked Administrator Maurer if the "No Parking" signs on Utter Avenue that fell down have been reinstalled. Administrator Maurer stated not as of today, however DPW is aware and have it on their list.

Councilman Wojtecki stated residents in Ward 1 District 1 are in favor of the snow emergency policy we are currently discussing regarding one side of the street parking during snow storms; however they feel we do not enforce what the signs currently say for alternate side of the street parking. Administrator Maurer stated he will follow up with the police department. Councilman Wojtecki stated it has been (1) year since the blue lens has been out on the corner of Lafayette by Justin's restaurant. Administrator Maurer stated he will contact PSE&G again. Councilman Lane asked Administrator Maurer if the borough can install the blue lens since PSE&G will not make it a priority. Councilman Wojtecki stated the white tractor trailer is back parking on Grand Avenue overnight. Administrator Maurer will follow up.

NEW BUSINESS

Councilman Lane stated in the absence of Mayor Goldberg he would like to share his report. Mayor Goldberg is pleased to announce a partnership with Passaic County Sheriff Berdnick's office to provide senior citizens with a free photo ID card. The card is ideal for those who do not drive when photo identification cards are needed, such as cashing checks or as proof of age to receive discounts for goods & services when offered. Applicant must be 60 years of age and must reside in Passaic County. Applications are available at the Library and the Mayor's office or on-line www.hawthornenj.org. The application must be completed in advance and returned in the Mayor's office no later than March 15th for processing. On April 1st the Passaic County Sheriff's department will be in the municipal building to take photos and issue the ID cards to seniors who had previously submitted their application. Applicants must bring proof of residency. Councilman Lane reported the high school Girls Varsity Basketball Team won their first game in the state tournament last night and go to the quarter finals tomorrow night. Please show your support.

Councilman Wojtecki questioned whether the old Rag Shop store had changed as there are vehicles stored behind the store. Council President Matthews stated that issue has been resolved, no vehicles will be stored there.

ADMINISTRATIVE AGENDA PRESENTED BY ADMINISTRATOR MAURER ON BEHALF OF MAYOR GOLDBERG:

Council President Matthews Presented Certificates to:

2014 Passaic County's Calendar Contest Winners

Kayla Oh, Hawthorne Christian Academy, January (present)
Adrianna Valenti, Roosevelt School, November (not Present)

Administrator Maurer congratulated Hawthorne Environmental Commission Chairperson Rayna Laiosa for being selected as the March Sustainable State of NJ Hero. He thanked her and her team for their efforts.

REPORTS:

Director of Revenue and Finance Hewitt

Ms. Hewitt stated at this time of the year we are focusing on the budget and she and the Administrator are close to finishing.

Borough Attorney Pasquale

Attorney Pasquale stated Friday, March 7th is the re-schedule hearing for the 7-11 application in Paterson. Attorney Pasquale stated that many questions had come up with the public what this hearing is all about. He clarified this is a "trial de novo", which he explained was literally a re-trial. However, there is no hearing that is going to take place, the Judge doesn't take any new testimony or any new evidence, he takes the testimony from the hearing in the form of transcripts and he takes the documentary evidence that was submitted and will review. The only new materials are the legal briefs from the attorneys. A few more tax appeals had been settled; they are going to keep trying to decrease our exposure, as we have very large tax payers who filed tax appeals. He added they try to work it out where we have the least amount of refund and the least impact going forward on the budget. On behalf on the Lions Club he thanked everyone who came out to support their scholarship efforts. The Lions Club Beefsteak fundraiser is scheduled for April 5th at St. Gerard's Church and the Rotary's fundraiser is at the end of the month.

Borough Engineer Dr. Boswell

May Street.

The handicap ramps will be addressed by the contractor when the weather is appropriate. Striping and punch list items will also need to be addressed as weather conditions permit.

Cornell Avenue Sewer Repairs.

En-Tech has to schedule the lining portion of the sanitary sewer rehabilitation project, which is a temperature dependent process.

2014 Road Resurfacing Program and Mohawk Avenue.

The Borough has noticed the appropriate residents regarding assessments. Plans and specs are being prepared. The Borough plans to bid the project the end of 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.

“Ramp Work Ahead” Signage.

The construction signs along Goffle Road have been taken down.

Little Franklin Field Parking Lot.

Our office is not aware of any dirt piles remaining at the site after the construction of the parking lot. Berms were constructed along the western side of the parking area. We will check the site once the snow melts. Additional top soil and seeding will need to be addressed in the spring.

2012 or 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.

Lincoln Avenue Speed Limit.

Based on “Engineering Countermeasures for Reducing Speeds, May 2009, lowering the speed limit has no effect on prevailing speeds.

DPW Truck Wash Building.

Due to the existing grades and flood plain location, a drive-thru truck wash on the existing pad cannot be constructed.

Borough Administrator Maurer

Administrator Maurer stated resolution R47-14 on the agenda would authorize a three year agreement with the City of Paterson on health services which will bring the Borough up to date. Resolutions R52-14 & R53-14 authorize applications for the County CDBG and Open Space Grants for Sherman Ave new re-paving, handicap ramps and band shell restrooms, which will be up for a public hearing at the next council meeting. He stated he had discussions with Fair Lawn Municipality for an agreement with maintenance for our fire apparatus. They provided the Borough with a draft shared service agreement which he stated he will forward to the Fire Department and the Borough Attorney for review. He added he is finishing this week with the RFP for cars/small trucks preventative maintenance and the bid for large trucks repairs/maintenance. We have awards for the tennis court repairs, tree services, & landscape services on the agenda this evening. The bi-annual update for the employee handbook is nearly complete; it will be reviewed by the labor council and the council administration committee before coming before the Council for a resolution.

Questions for the Administration

Councilman Lane questioned Attorney Pasquale in regards to the 7-11 hearing if all three attorneys will be participating at the hearing and answering questions. Attorney Pasquale stated yes and depending on the nature of the questions; Mr. Collins will be there on behalf of the zoning board, Mr. Felstenstein will be there representing privately the Five Corners Association and Mr. Cook will be there on behalf of the plaintiff. Councilman Lane questioned Administrator Maurer if the health services agreement covers the immunization services for volunteers, and would like to review it before we sign the contract. Administrator Maurer agreed.

Council Vice President Bertollo asked Attorney Pasquale regarding the 7-11 hearing if he will be addressing the outside zoning issues. Attorney Pasquale stated yes, however, he stated the Judge will be focusing strictly on the zoning application process.

Councilman Sinning stated in regards to the 7-11 hearing, assuming Mr. Cook is unhappy with the decision, is this the final appeal he can make. Attorney Pasquale stated he can make an appeal at the appellate division, if he is unhappy there, then he can go the supreme court of the state.

Council President Matthews asked if there were any other questions or discussion. Council President Matthews entertained a motion to record the Administrative Agenda, moved by Council Vice President Bertollo, seconded by Councilman Mele. On roll call, all voted yes.

ORDINANCES FOR INTRODUCTION: None.

RESOLUTIONS...

CONSENT AGENDA: MR48-14 and R 45-14 through R 56-14 & R59-14:

MR 48-14 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 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.
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 45-14 Introduced by Councilman Mele

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated February 21, 2014.

CURRENT FUND	WT 888889	\$	270,046.15
WATER OPERATING FUND	WT 888889	\$	39,366.31
OTHER TRUST II FUND	WT 888889	\$	15,252.55
	TOTAL PAYROLL	\$	<u>324,665.01</u>
CURRENT FUND TO PAYROLL/FICA	WT 888889	\$	14,602.93
	TOTAL FICA	\$	<u>14,602.93</u>

R 46-14 Introduced by Councilman Mele

WHEREAS: Tax Sale Certificate #2011-08 was sold on October 25, 2011 in the amount of \$20,711.31 on Block 290.02 Lot 22 then assessed to Tumminello, Guy and said lien was originally purchased by Stonefield Investment Fund II, LLC 21 Robert Pitt Dr. #202, Monsey, NY 10952, and

WHEREAS: said lien was redeemed on Feb. 7, 2014 in the amount of \$92,038.50, said lienholder is entitled to a refund including the amount of the lien \$20,711.31, penalty of \$1,242.68, search/ recording fee of \$55.00, legal fees of \$1,257.00, subsequent taxes of \$56,989.43 and interest of \$11,783.08 for a total of \$92,038.50 and

NOW, THEREFORE, BE IT RESOLVED: that the Collector of Taxes recommends that a check be issued by the Treasurer from the Other Trust II/Trustee Account to Stonefield Investment Fund II, LLC in the amount of \$92,038.50 to reimburse the lienholder for the lien, penalty, fees, subsequent taxes and interest and a check from the Other Trust I account for \$39,000.00 for Premium paid.

R 47-14 Introduced by Councilman Mele

RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT WITH THE CITY OF PATERSON FOR HEALTH SERVICES

WHEREAS, the Borough of Hawthorne desires to enter into a contract with the City of Paterson for the furnishing of certain health services for July 1, 2013 through June 30, 2016, pursuant to N.J.S.A. 26:3A2-1 et seq. and N.J.S.A. 40:8A-1 et seq.; and

WHEREAS, the contract offered by the City of Paterson requires annual fees for this service in the following amounts:

July 1, 2013 through June 10, 2014	\$18,846	
July 1, 2014 through June 10, 2015	\$19,788	
July 1, 2015 through June 10, 2016	\$19,788	and

WHEREAS, such services have been satisfactorily provided by the City of Paterson in previous years,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Hawthorne shall enter into a contract for the provision of certain public health services, all as set forth in a contract for the same, which is on file with the Borough Clerk, the terms and provisions of which are hereby approved; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk shall be and hereby are authorized and directed to execute said contract for and on behalf of the Borough of Hawthorne.

R 48-14 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne has solicited bids through a Fair and Open Process, with written Request for Proposal for the Tennis Court Crack Rehabilitation as set forth in the proposal documents;

WHEREAS, the Borough received proposals in response to the Request for Proposal, and the lowest response being submitted by Sport Tech Construction Corp, 410 Route 22, Brewster, NY 10509, and

WHEREAS, Boswell Engineering is satisfied the vendor is qualified and that its bid at \$32,775.00 for the designated purpose is fair and reasonable and within the expectation of the solicitation; and

WHEREAS, the amount of the bid is less than the bid threshold established by the Local Public Contracts Law, and though it exceeds the limitation of the so-called Pay to Play Law of the State of New Jersey, it was the result of a Fair and Open Process being made to the lowest of the bidders taking part in the solicitation.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of a contract 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 Sport Tech Construction Corp in a form approved by the Borough Attorney when these conditions have been met.

R 49-14 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne has solicited bids through a Fair and Open Process, with written Request for Proposal for the Custodial Services as set forth in the proposal documents;

WHEREAS, the Borough received proposals in response to the Request for Proposal, and the lowest response being submitted by Best Cleaning Building Service, and

WHEREAS, the Administration is satisfied the vendor is qualified and that its bid at \$15,600.00 per year with the option for an additional year for the designated purpose is fair and reasonable and within the expectation of the solicitation; and

WHEREAS, the amount of the bid is less than the bid threshold established by the Local Public Contracts Law, and though it exceeds the limitation of the so-called Pay to Play Law of the State of New Jersey, it was the result of a Fair and Open Process being made to the lowest of the bidders taking part in the solicitation.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of a contract 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 Best Cleaning Building Service in a form approved by the Borough Attorney when these conditions have been met.

R 50-14 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne has solicited bids through a Fair and Open Process, with written Request for Proposal for the Municipal Landscaping Services as set forth in the proposal documents;

WHEREAS, the Borough received proposals in response to the Request for Proposal, and the lowest response being submitted by Total Lawn Care & Landscaping Services, LLC, 471 Elizabeth Avenue, Somerset, NJ 08873, and

WHEREAS, the Administration is satisfied the vendor is qualified and that its bid at \$13,345.00 per year for Items A through I and an hourly rate of \$45.00 for any additional work, with the option for an additional year for the designated purpose is fair and reasonable and within the expectation of the solicitation; and

WHEREAS, the amount of the bid is less than the bid threshold established by the Local Public Contracts Law, and though it exceeds the limitation of the so-called Pay to Play Law of the State of New Jersey, it was the result of a Fair and Open Process being made to the lowest of the bidders taking part in the solicitation.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of a contract 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 Total Lawn Care & Landscaping Services, LLC in a form approved by the Borough Attorney when these conditions have been met.

R 51-14 Introduced by Councilman Mele

WHEREAS, on February 24, 2014, the Borough of Hawthorne received bids for providing tree services in the Borough of Hawthorne authorized by the 2014 Municipal Budget, Shade Tree Appropriation and with an option for services for an additional year; and

WHEREAS, the bids have been received and reviewed by the Administration and they have recommended the low, responsive bid of:

Downes Tree Service Co., Inc.
65 Royal Avenue
Hawthorne, New Jersey 07506

at the rates annexed hereto.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited contractor, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and Downes Tree Service in a form approved by the Borough Attorney.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited contractor, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and Downes Tree Service in a form approved by the Borough Attorney.

R 52-14 Introduced by Councilman Mele

**RESOLUTION AUTHORIZING APPLICATIONS TO THE COUNTY
OF PASSAIC FOR THE COUNTY’S 2014 COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, the County annually receives Community Development Block Grant Funds from the United State Department of Housing and Urban Development to allocate to eligible projects within participating county municipalities; and

WHEREAS, the Borough of Hawthorne is a participating municipality in the County of Passaic’s Community Development Block Grant Program; and

WHEREAS, the Borough of Hawthorne as identified eligible projects which require funding, as follows: 1) Sherman Avenue Repaving and Curb Improvements; and 2) Handicapped Curb Ramps – Phase IV; and

WHEREAS, it is in the best interest of the Borough of Hawthorne to apply for grant funds for these two projects;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne that the Borough Administrator is hereby authorized to submit applications to the County of Passaic for Community Development Block Grant funding for both Sherman Avenue Repaving and Curb Improvements and Handicapped Curb Ramps – Phase IV and, if awarded funds, the Borough shall implement activities in accordance with all applicable federal, state and local laws and regulations.

R 53-14 Introduced by Councilman Mele

RESOLUTION AUTHORIZING AN APPLICATION TO THE COUNTY OF PASSAIC FOR OPEN SPACE FUNDS TO CONSTRUCT RESTROOMS AND MAKE OTHER IMPORVMENTS IN CONJUNCTION WITH A BANDSHELL 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 a received a Passaic County Open Space grant in 2012 for construction of a bandshell at the Borough’s municipal pool property; and

WHEREAS, the Borough of Hawthorne has identified construction of restrooms as an adjunct to the bandshell as a project eligible for this funding that would be beneficial to the Borough; and

WHEREAS, the Borough Council will hold a public hearing on this application on March 19, 2014;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne that the Borough Administrator is hereby authorized to submit an application for an application for an Open Space Grant to the County of Passaic for the construction of restrooms and related improvements.

R 54-14 Introduced by Councilman Mele

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

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

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to make the above referenced transfer in the amount of \$2,804,430.00 from the Current Fund and charged to School Taxes Payable for March 2014.

R 55-14 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne has heretofore entered into a contract with AJM Contractors, Inc. for the 2013 NJDOT May Street Improvements authorized by ordinance #2095-13,

WHEREAS, the municipal engineer has recommended approval of the following change orders:

Change Order No. 1
As built-quantities <\$20,697.11>

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the above-cited Change Order No. 1 decreasing the amount of the payment required under said contract by the sum of <\$20,697.11>, 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 56-14 Introduced by Councilman Mele

WHEREAS, the Tax Assessor has recommended the settlement of real estate tax appeal cases now pending in the Tax Court of New Jersey, by adjustment of the assessment for the tax years in dispute, and the same appears to be fair and reasonable;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that the following settlement of cases pending in the Tax Court of New Jersey be, and hereby is, approved, and the Borough Attorney is hereby authorized and directed to execute a Stipulation of Settlement, and any other document necessary or appropriate to effectuate the same, a copy of each being annexed hereto and made a part hereof.

14 Lincoln Street, Block 34, Lot 15
476 Lafayette Avenue, Block 137, Lot 25.

R 59-14 Introduced by Councilman Mele

WHEREAS, the Tax Assessor has recommended the settlement of real estate tax appeal cases now pending in the Tax Court of New Jersey, by adjustment of the assessment for the tax years in dispute, and the same appears to be fair and reasonable;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that the following settlement of cases pending in the Tax Court of New Jersey be, and hereby is, approved, and the Borough Attorney is hereby authorized and directed to execute a Stipulation of Settlement, and any other document necessary or appropriate to effectuate the same, a copy of each being annexed hereto and made a part hereof.

JSD Realty Co., LLC – 312 Lafayette Avenue, Block 102, Lot 15

Council President Matthews entertained a motion to approve Resolutions MR48-14 and R45-14 through R56-14, & R59-14 moved by Councilman Mele, seconded by Councilman Lane. Discussion regarding R47-14, Councilman Wojtecki thanked Administrator Maurer for getting a (3) year contract. Councilman Wojtecki reiterated he does not feel comfortable hiring outside companies for custodial cleaning, he stated he agrees with Administrator Maurer regarding the landscaping and he always has been in favor of the tree service. He stated he will be voting “no” on R49-14 & R59-14. On roll call, all voted yes with the exception of Council Vice President Bertollo who abstained from R51-14 and yes on all other; Councilman Wojtecki who voted no on R49-14 & R59-14 and yes on all others.

OFF-CONSENT AGENDA: R 57-14 through R 58-14:

R 57-14 Introduced by Councilman Lane

WHEREAS, various appropriations in the 2013 Appropriation Reserves may be over expended and others under expended.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to make the following transfers:

<u>TO</u>	<u>FROM</u>	<u>AMOUNT</u>	<u>TOTAL TRANSFER</u>
Planning Board O/E	Group Insurance	\$ 7,600.00	\$ 7,600.00
Maintenance of Parks	Group Insurance	\$10,000.00	\$10,000.00
TOTAL CURRENT TRANSFERS			<u>\$ 17,600.00</u>

R 58-14 Introduced by Councilman Lane

WHEREAS, an emergency has arisen with respect to the amounts allocated in the 2014 Temporary Operating Budget and/or the 2014 Temporary Water Operating Budget other expenses due to the permanent budget not yet being adopted, and the 2014 temporary appropriations are inadequate to provide for these expenses for the aforesaid reason, N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2014 pursuant to the provision of N.J.S.A. 40A:4-20 including this resolution total \$1,391,790.00.

NOW, THEREFORE, BE IT RESOLVED, by Municipal Council of the Borough of Hawthorne (not less than two-thirds of the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20, emergency temporary appropriations are hereby made for the following line items in the listed amount:

Emergency temporary appropriation be and is hereby made for the following line items in the listed amount:

Administration	
Salaries & Wages	5,400.00
Mayor/Council	
Salaries & Wages	1,000.00
Municipal Clerk	
Salaries & Wages	3,600.00
Financial Administration	
Salaries & Wages	4,000.00
Revenue Collection	
Salaries & Wages	500.00

Tax Assessment	
Salaries & Wages	900.00
Planning Board	
Salaries & Wages	700.00
Construction Code	
Salaries & Wages	2,000.00
Code Enforcement	
Salaries & Wages	2,000.00
Uniformed Police	
Salaries & Wages	160,000.00
Fire Safety	
Salaries & Wages	600.00
Prosecutor	
Salaries & Wages	300.00
Streets & Roads	
Salaries & Wages	70,500.00
Sewer System	
Salaries & Wages	5,600.00
Board of Health	
Salaries & Wages	3,500.00
Library	
Salaries & Wages	17,600.00
Municipal Court	
Salaries & Wages	1,700.00
Administration	
Postage	10,000.00
Mayor/Council	
Other Expenses	500.00
Financial Administration	
Other Expenses	5,000.00
Streets & Roads	
Other Expenses	60,000.00
DPW Administration	
Other Expenses	20,600.00
Board of Health	
Other Expenses	20,000.00
Swimming Pool	
Other Expenses	10,000.00
Board of Recreation	
Other Expenses	5,000.00
Field & Park Maintenance	15,400.00
Library	
Other Expenses	50,000.00
Benefits & Costs PERS	70,500.00
PERS	20,272.00
Social Security	5,000.00
PFRS	593,356.00
Pension Adj Fund	5,000.00
DCRP	500.00
Municipal Alliance	4,000.00
WATER OPERATING	
Salaries & Wages	32,000.00
Lab Testing	3,000.00
Social Security	25,000.00
PERS	57,000.00

Council President Matthews entertained a motion to approve off-consent resolutions R57-14 & R58-14 moved by Councilman Lane, seconded by Councilman Vice President Bertollo. On roll call, all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES:

Councilman Lane – The Ambulance Corps answered 91 calls for the month of February for a total of 293 hours and also had 72 ALS calls.

Council Vice-President Bertollo - Finance Committee continues to meet to finalize our 2014 budget. He stated they met with the department heads, and sessions went very well. It will be a challenging year, however he feels the Borough should be confident as we spend our money very wisely. He is also hopeful to introduce the budget at the April 16th meeting.

Councilman Sinning – The Ordinance Committee met yesterday, they discussed the comments and concerns those had at last Wednesday’s meeting on the B3-B3A ordinance change. Councilman Sinning stated they made the appropriate changes and Attorney Pasquale is going to attach to that ordinance all the repeals in order for the council to vote on one ordinance rather than a number of separate ordinances. This will come to the Council within the next couple of meeting dates. Councilman Sinning added that the committee made a small change to the hours on liquor licenses during daylight savings. To avoid confusion when to change the clock, they are now going to be able to change their clocks after they close for the night. Ordinance Committee also discussed the snow parking regulations; he stated they are going to get some input from the Police and DPW. Once we gather all the information we will have something set up for next year.

CORRESPONDENCE:

C-1 Accept the resignations of Firefighter Robert Van Duesen from Company No. 4, and Jacob Gaetcher from Company No. 3

Council President Matthew entertained a motion for approval of the resignations, moved by Council Vice President Bertollo, seconded by Councilman Mele. On roll call, all voted yes with the exception of Councilmen Lane and Wojtecki who abstained.

MISCELLANEOUS: None.

BILLS:

Council President Matthews entertained a motion to approve the bill list and forward it to the Treasurer for payment, moved by Councilman Mele, seconded by Council Vice President Bertollo. 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			
AAA EMERGENCY SUPPLY CO INC	16822	2,149.00	FIRE DEPT O/E
ACTION DATA SERVICES	16823	875.27	VARIOUS
ALL AMERICAN FORD	16824	285.60	VEHICLE MAINT FIRE DEPT
AMERICAN HOSE CO INC	16825	142.08	STREETS & ROADS O/E
ANDREW YEAGER	16826	1,078.65	MUNICIPAL ALLIANCE
BCB JANITORIAL SUPPLY CO INC	16827	218.47	DPW ADMIN O/E
BOB'S TIRES & WHEELS INC	16828	832.00	VARIOUS
BRAEN STONE INDUSTRIES, INC	16829	888.16	STREETS & ROADS O/E
BURGIS ASSOCIATES, INC	16830	6,826.25	VARIOUS
CAMPBELL FIRE EQUIPMENT	16831	449.94	VEHICLE MAINT FIRE DEPT
CANON FINANCIAL SVCS INC	16832	43.00	STREETS & ROADS O/E
CARL MOTTOLA	16833	45.00	UNIFORM FIRE SAFETY O/E
CINTAS FIRST AID AND SAFETY	16834	502.61	DPW ADMIN O/E
CMRS-FP	16835	10,000.00	GENERAL ADMIN O/E
CNP FITTEST OF NJ LLC	16836	50.00	FIRE DEPT O/E
DAVE STERN INC	16837	804.72	VARIOUS
DELL GARDEN CENTER	16838	31.10	STREETS & ROADS O/E
DELLA RICA & SONS	16839	2,257.50	STREETS & ROADS O/E
DIESEL TRUCK SERVICE, INC	16840	591.00	VEHICLE MAINT ROAD
DOWNES TREE SERVICE, INC.	16841	7,363.00	VARIOUS
EARTHLINK BUSINESS	16842	845.23	TELEPHONE CHARGES
EASTERN CONCRETE MATERIALS	16843	4,372.00	VARIOUS
EXTEL COMMUNICATIONS, INC	16844	165.00	DPW ADMIN O/E
FIFTH AVENUE LANDSCAPING	16845	1,520.00	VARIOUS
FIREFIGHTER ONE LLC	16846	4,494.83	VEHICLE MAINT FIRE DEPT
FIRST MOUNTAIN ARBORICULTURE L	16847	520.00	SHADE TREE COMMISSION

FREMGEN POWER EQUIPMENT INC	16848	88.00	STREETS & ROADS O/E
GARY TAMBURRO	16849	100.00	GROUP INSURANCE O/E
GENERAL CODE PUBLISHERS, INC	16850	1,195.00	MUNICIPAL CLERK O/E
GODWIN TOOL & HARDWARE SUPPLY	16851	42.10	STREETS & ROADS O/E
GROENEWAL RAMSEY DOOR, LLC	16852	634.00	DPW ADMIN O/E
HAWTHORNE AUTO LAB	16853	848.41	VARIOUS
HAWTHORNE PRESS INC	16854	174.72	VARIOUS
HENRY BROS ELECTRONICS, INC	16855	480.60	DPW ADMIN O/E
HENRY'S PLUMBING & HEATING INC	16856	131.13	DPW ADMIN O/E
HESS CORPORATION	16857	5,569.97	VARIOUS
HFD #2	16858	27.00	FIRE DEPT O/E
HFD #3	16859	38.66	FIRE DEPT O/E
HFD #5 RESCUE	16860	71.34	FIRE DEPT O/E
HOME SUPPLY & LUMBER CO., INC.	16861	138.89	VARIOUS
ID CHECKING GUIDE	16862	119.70	POLICE DEPT O/E
INSURANCE RESTORATION SPECIALI	16863	265.00	FIRE DEPT O/E
JAMES SODER	16864	100.00	GROUP INSURANCE O/E
JERSEY ELEVATOR INC	16865	154.26	DPW ADMIN O/E
JORDAN TRANSPORTATION,INC	16866	315.00	BOARD OF REC O/E
LOUIS BAY 2nd LIBRARY	16867	50,000.00	FREE PUBLIC LIBRARY O/E
LUSCHER'S AUTO INC	16868	345.43	VARIOUS
M & B SEPTIC SERVICE, LLC	16869	84.00	BOARD OF REC
MC NERNEY & ASSO	16870	2,500.00	TAX ASSESSMENT O/E
METLIFE	16871	304.06	GROUP INSURANCE O/E
MICRO CENTER	16872	1,796.74	FIRE DEPT O/E
MONSEN ENGINEERING CO	16873	3,488.00	VARIOUS
MUNIDEX, INC	16874	8,707.20	VARIOUS
NFPA	16875	1,295.00	UNIFORM FIRE SAFETY O/E
NJ ASSOC OF CHIEFS OF POLICE	16876	500.00	VARIOUS
NJ MEADOWLANDS COMMISSION	16877	1,286.47	TRANSFER STATION
NJ STATE LEAGUE MUNICIPALITIES	16878	1,273.00	MAYOR & COUNCIL O/E
NY SUSQUEHANA & WESTERN RAILWA	16879	2,011.72	SEWER SYSTEM O/E
PASCACK DATA SERVICES	16880	3,320.00	IT SERVICES
POSITIVE PROMOTIONS, INC	16881	498.24	VARIOUS
PRINTMASTERS	16882	255.00	REVENUE COLLECTION O/E
PROSTOCK AUTOMOTIVE WAREHOUSE	16883	59.93	STREETS & ROADS O/E
REED SYSTEMS INC	16884	30.64	VEHICLE MAINT ROAD
ROBERT POLITO LANDSCAPING	16885	690.00	VARIOUS
RT OFFICE PRODUCTS	16886	131.37	VARIOUS
SHOTMEYER BROS FUEL CO	16887	11,147.27	BULK PURCHASE GASOLINE
SIRCHIE FINGERPRINT LABS	16888	600.00	POLICE DEPT O/E
STANDARD SPRINGS, INC	16889	1,464.40	STREETS & ROADS O/E
STAPLES	16890	190.65	VARIOUS
STEERED STRAIGHT, INC	16891	700.00	MUNICIPAL ALLIANCE
SUPERIOR DISTRIBUTORS	16892	111.27	STREETS & ROADS O/E
TANIS HARDWARE	16893	184.63	VARIOUS
TREADWAY GRAPHICS INC	16894	741.47	MUNICIPAL ALLIANCE
TREASURER, STATE OF NJ	16895	368.00	DPW ADMIN O/E
US BANK EQUIPMENT FINANCE	16896	159.00	DPW ADMIN O/E
V.E. RALPH & SON, INC	16897	219.00	POLICE DEPT O/E
VERIZON	16898	1,522.39	VARIOUS
VOZZA AGENCY, INC	16899	15,300.00	MUNICIPAL INSURANCE O/E
W. E. TIMMERMAN INC	16900	1,788.52	STREETS & ROADS O/E
WASTE MANAGEMENT OF NJ	16901	<u>36,312.62</u>	TRANSFER STATION
TOTAL CURRENT		\$ 207,230.21	
GENERAL CAPITAL			
AJM CONTRACTORS, INC.	3320	<u>45,575.73</u>	IMPROVEMENTS TO MAY ST
TOTAL GENERAL CAPITAL		\$ 45,575.73	

WATER OPERATING

CANON FINANCIAL SVCS INC	9611	43.00	WATER UTILITY O/E
CMRS-FP	9612	2,000.00	WATER UTILITY O/E
D FANTAUZZI	9613	225.00	WATER UTILITY O/E
EARTHLINK BUSINESS	9614	275.00	WATER UTILITY O/E
HAWTHORNE AUTO LAB	9615	890.00	WATER UTILITY O/E
HENRY'S PLUMBING & HEATING INC	9616	209.04	WATER UTILITY O/E
HESS CORPORATION	9617	39,887.12	VARIOUS
MUNIDEX, INC	9618	3,215.20	WATER UTILITY O/E
POST & KELLY ELECTRIC CO, INC	9619	1,100.00	WATER UTILITY O/E
PREFERRED BUSINESS SYSTEMS	9620	1,087.80	WATER UTILITY O/E
PRINTMASTERS	9621	595.00	WATER UTILITY O/E
RT OFFICE PRODUCTS	9622	3.80	WATER UTILITY O/E
TANIS HARDWARE	9623	88.36	WATER UTILITY O/E
VERIZON	9624	<u>569.29</u>	WATER UTILITY O/E
TOTAL WATER OPERATING		\$ 50,188.61	

OTHER TRUST II

CMRS-FP	4785	500.00	UCC PENALTIES
LUSCHER'S AUTO INC	4786	422.99	RECYCLING
STONEFIELD INVEST FUND II, LLC	4787	<u>92,038.50</u>	TRUSTEE
TOTAL OTHER TRUST II		\$ 92,961.49	

BUILDERS ESCROW

BOSWELL ENGINEERING, INC	5192	1,538.50	300 LINCOLN AVE 120/13
BOSWELL ENGINEERING, INC	5193	633.50	HRYNCEWICH 287/7,8,9
BOSWELL ENGINEERING, INC	5194	90.50	ALKES 290.01/31
BOSWELL ENGINEERING, INC	5195	2,534.00	NISSAN 281.03/36
MICHAEL J. PASQUALE, ESQ	5196	1,020.00	WESTERVELT-MILLVIEW 7/1
BOSWELL ENGINEERING, INC	5197	7,537.50	WESTERVELT-MILLVIEW 7/1
BOSWELL ENGINEERING, INC	5198	3,077.00	CHRISTIAN HEALTH CARE
BURGIS ASSOCIATES, INC	5199	<u>3,860.00</u>	CHRISTIAN HEALTH CARE
TOTAL BUILDERS ESCROW		\$ 20,291.00	

OTHER TRUST I ESCROW

STONEFIELD INVEST FUND II, LLC	7053	<u>39,000.00</u>	TAX SALE PREMIUMS
TOTAL OTHER TRUST I ESCROW		\$ 39,000.00	

TOTAL BILL LIST **\$ 455,247.04**

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.

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

ADJOURNMENT

At 8: 37p.m. Council President Matthews entertained a motion to adjourn the regular meeting, moved by Councilman Sinning, seconded by Councilman Lane. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **WEDNESDAY, MARCH 19th, 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